

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

**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

estimated at 0930 to 1000, he decided to go to home to see what had happened. related he was wearing traditional Arab clothing and was not carrying a weapon. As he crossed the street, saw one (1) or (2) Marines standing on a rooftop of a house at the northeast corner of Route Chestnut. did not see any Marines in the vicinity of houses #3 or #4. As attempted to open the exterior to access the courtyard in front of houses #3 and #4, the Marines on the rooftop shot in the abdomen. indicated his wife came to help him and the Marines fired several rounds over her head. advised his wife helped him into a house behind house #3. Subsequently, was taken to a hospital and did not make it to houses #3 or #4. When condition worsened, permission was granted to take to Baghdad for medical treatment. Exhibit (360) pertains.

87. On 06Jun06, , an Iraqi civilian, was interviewed regarding his knowledge of the events that occurred on 19Nov05. is an Iraqi attorney that represents some of the family members of the victims that were killed on 19Nov05. confirmed the Marine Corps made payments to the surviving family members on behalf of fifteen (15) of the deceased. noted they were paid \$2,500 per victim, \$250 for each of the two (2) injured children, and an additional amount for the damages to houses #1 and #2. related the family members of the five (5) passengers killed near the white taxi and the four (4) men killed in house #4 were not paid. reiterated the surviving family members would not authorize an exhumation of the deceased. Exhibit (361) pertains.

88. On 06Jun06, an attempt was made to interview of V/MUSLEH, Ahmed Khutar, one of the taxi passengers killed on 19Nov05. However, the attorney representing the family members of the deceased, advised was very ill and would not be available for an interview at anytime. Exhibit (362) pertains.

89. On 08Jun06, an Iraqi civilian, was interviewed regarding his knowledge of the events that occurred on 19Nov05. advised he lives near the victims' homes. On the morning of 19Nov05, was in his home when he heard V/HASAN, Rasheed Abdalhamid, (a resident of house #1 killed on the ridgeline outside house #1 on 19Nov05), audibly asking for help outside house #1 around 0730. According to , about fifteen (15) minutes later, he knew "RASHEED" (V/HASAN) was dead. could not explain how he knew this but noted he later saw RASHEED's body from a distance. related he heard gunfire but could not describe the direction it came from that morning. noted he saw "empty AK-47 bullets" but does not remember where he saw them. Exhibit (363) pertains.

90. On 08Jun06, a six-year old Iraqi boy and survivor of house #1 was re-interviewed. (As noted previously noted, the interpreter/linguist provided a different spelling for and several of the family members from house #1.) The details of interview follow:

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

**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

a. IED BLAST: (b)(6), (b)(7)(C) reported he was sleeping in his parents' bedroom on the morning of 19Nov05 when a loud explosion awakened him. When asked, [redacted] advised he did not have any foreknowledge of the IED. [redacted] denied that he was getting ready to attend school that morning because the U.S. military had closed the local schools. [redacted] related after the explosion his entire family except V/ALI, Khamisa Tuema, and V/HASAN, Waleed Abdalhamid, went into the living room. [redacted] noted his father remained in the bedroom and his grandmother was out in the common area of the house.

b. 1st SHOOTING in HOUSE #1: [redacted] reported the Marines shot [redacted] as she tried to answer the door. Subsequently, the Marines shot [redacted] s father. [redacted] indicated the Marines were not saying anything or trying to talk to anyone in the house. After [redacted] was killed, the Marines left house #1 in the direction of house #2. [redacted] recalled after the Marines departed, [redacted] left the house with [redacted]. Shortly thereafter, V/HASAN Rasheed Abdalhamid, left the house trying to catch up with [redacted] knew [redacted] was later killed but [redacted] did not witness the incident. [redacted] stated he could not hear and did not know what occurred at house #2 after the Marines left house #1.

c. 2nd SHOOTING in HOUSE #1: [redacted] related he did not know how much time had passed before the Marines returned to house #1. [redacted] said when the Marines re-entered, they shot V/ALI, Abdul Hameed Husin. [redacted] observed a Marine with a pistol shoot the rest of his family members in the living room and then another Marine threw a grenade in the room. [redacted] noted the grenade blew up [redacted]. Shortly thereafter, Marines started shooting the rest of family. [redacted] believed all the Marines had rifles except one Marine who had a pistol. [redacted] advised he and his family, except his grandfather, were huddled in the southwest corner of the living room when the Marines shot his family. [redacted] related after the Marines left the house again, he and [redacted] were taken away but he did not remember the house being on fire. Exhibit (364) pertains.

91. On 08Jun06, [redacted] a nine-year old Iraqi girl and survivor of house #1 was re-interviewed. [redacted] reported the Marines entered her house sometime between 0730 and 0830 on 19Nov05. [redacted] stated the Marines did not ask any questions. [redacted] noted her family did not speak English. [redacted] related when the Marines entered house #1, they shot her grandfather, father, mother, uncle, and brother with rifles. According to [redacted] the Marines did not use pistols. [redacted] noted when the Marines left the house after shooting her family members [redacted] left as well. Subsequently, the Marines returned to the house and threw a grenade into the room where the family was located. [redacted] explained her grandfather was already dead when the grenade was thrown. [redacted] advised the Marines went outside of the house and stood in front of the house for a while before they came back in again. [redacted] did not know what the Marines did when they entered the house again nor could she relate how many total times the Marines entered. At one point, [redacted] ran out of house #1 and went to house #2, where her relatives lived. While inside

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

**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

house #1 (b)(6), (b)(7)(C) saw her dead uncle and attempted to find her aunt. (b)(6), (b)(7)(C) left house #2 when she did not find her aunt and returned to her house. While outside, (b)(6), (b)(7)(C) observed Marines in the street and walking from her uncle's house to the IED site, but she did not see any Marines on a rooftop. (b)(6), (b)(7)(C) related the Marines came back to her house again but did not speak to her. (b)(6), (b)(7)(C) insisted it was ISF members who carried her and (b)(6), (b)(7)(C) out of their house. (b)(6), (b)(7)(C) noted she could see a fire in her father's room. (b)(6), (b)(7)(C) also indicated the television and chair were on fire; however, she did not know how the fire started. (b)(6), (b)(7)(C) advised she and (b)(6), (b)(7)(C) were flown to and treated at a hospital. Exhibit (365) pertains.

92. On 08Jun06, an attempt to re-interview (b)(6), (b)(7)(C) an adult female survivor from house #1 was conducted. however, (b)(6), (b)(7)(C) advised through her lawyer, (b)(6), (b)(7)(C), that she preferred not to be re-interviewed. Exhibit (366) pertains.

93. On 08Jun06, (b)(6), (b)(7)(C), a thirteen-year old Iraqi girl and survivor of house #2 was re-interviewed. (b)(6), (b)(7)(C) reported the Marines came to her house about fifteen (15) minutes after she heard the IED explosion on 19Nov05. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) V/RASIF Yunis Salam, was inside the house when the Marines shot him. (b)(6), (b)(7)(C) explained that she did not see whether her father opened the door to their home because it was not within her line of sight. (b)(6), (b)(7)(C) related her father did not speak to the Marines and advised he could not speak English. After the Marines shot her father, (b)(6), (b)(7)(C) stated the Marines threw a grenade into the house. Shortly thereafter, the Marines came into the house and started shooting everyone. (b)(6), (b)(7)(C) reiterated she pretended to be dead during this time. (b)(6), (b)(7)(C) indicated the Marines later returned to house #2 while she was still inside the house. However, (b)(6), (b)(7)(C) could not recall how much time had passed from when the Marines' first departed to when they re-entered house #2. (b)(6), (b)(7)(C) heard them say, "Oh they're dead" when the Marines returned. (b)(6), (b)(7)(C) advised she does not speak English but was able to understand this because it was stated in Arabic. (b)(6), (b)(7)(C) reported she saw smoke coming from house #1 but did not see the fire. (b)(6), (b)(7)(C) noted after the Marines left her house, she went to house #1 but did not see anyone alive, so she returned to house #2. Exhibit (367) pertains.

94. On 08Jun06, (b)(6), (b)(7)(C) an Iraqi civilian, (b)(6), (b)(7)(C) of the four (4) deceased from house #4 was interviewed regarding his recollection of what occurred on 19Nov05. (b)(6), (b)(7)(C) advised he was sleeping when an explosion awakened him at approximately 0730-0800. (b)(6), (b)(7)(C) related he also heard gunfire three (3) to four (4) times and helicopters flying in the area that morning. Around 1000,

(b)(6), (b)(7)(C) came to his house and informed (b)(6), (b)(7)(C) that (b)(6), (b)(7)(C) were dead. (b)(6), (b)(7)(C) reported he, (b)(6), (b)(7)(C) left (b)(6), (b)(7)(C)'s home and headed to house #4, approximately 600 meters away. (b)(6), (b)(7)(C) related an ISF member (b)(6), (b)(7)(C) stopped them when he fired a round over (b)(6), (b)(7)(C)'s head and instructed (b)(6), (b)(7)(C) to return to his home or he would be killed. Shortly thereafter, (b)(6), (b)(7)(C) Marines stopped (b)(6), (b)(7)(C) and placed (b)(6), (b)(7)(C)

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

**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

him on the ground. (b)(6), (b)(7)(C) estimated he remained on the ground for several hours. (b)(6), (b)(7)(C) asserted at no time did Marines or ISF personnel mistreat him while he was detained. The Marines held (b)(6), (b)(7)(C) until the following day, at which time he was released to assist his family with the burial of (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) stated after (b)(6), (b)(7)(C) were killed, his family moved into house #3. (b)(6), (b)(7)(C) indicated he knew (b)(6), (b)(7)(C) V/AHMED, Jasib Aiad and V/AHMED, Marwan Aiad, each owned an AK-47. (b)(6), (b)(7)(C) noted V/AHMED, Jasib was a traffic officer and had the weapon for his job. Additionally, (b)(6), (b)(7)(C) advised the U.S. military took V/AHMED, Marwan Aiad's biographical information for a CAG identification badge because he was employed as a city engineer at the Haditha Water Station. Exhibit (368) pertains.

**SECTION IV - DEATH SCENES & EVIDENCE RECOVERY**

95. On 14Mar06, preliminary examinations of the ambush site and houses #1 and #2 were conducted. These examinations preceded death scene examinations conducted at houses #1, #2, and #4 by a team of agents on 29Mar06. During all examinations, several photographs of the structures were taken, various items of evidence were recovered, measurements were obtained, and sketches were drawn that depict the layout of houses #1, #2 and #4. Exhibits (369)-(372) pertain.

96. On 01Jun06, SGT (b)(6), (b)(7)(C) USMC, 3rd Battalion, 3rd Marine Regiment (3/3), was contacted at the 3/3 Armory, FOB Haditha Dam. (b)(6), (b)(7)(C) provided a copy of the 3/1's "Captured Weapons Log" wherein information on the seizure of weapons during 3/1's tour in Iraq was contained. (b)(6), (b)(7)(C) also provided a copy of 3/1's "On Hand Captured Weapons Log" that listed weapons that remained in the armory when 3/3 took over for 3/1. A review of both logbooks showed no entries for seized weapons during 19-20Nov05. Exhibit (373) pertains.

97. On 01Jun06, MAJ (b)(6), (b)(7)(C) USMC, CAG Officer, 3/3, was contacted and provided a copy of the Commander's Emergency Response Program (CERP) Standard Operating Procedures (SOP) dated 24Apr06. (b)(6), (b)(7)(C) advised the CERP SOP outlines the procedures followed for paying local nationals for damage to property or condolence payment in the event a family member is killed at the hands of the USMC. Exhibit (374) pertains.

98. On 03Jun06, LT (b)(6), (b)(7)(C) USMC, Executive Officer, India Company, 3/3, was contacted regarding documents pertaining to 3/1's deployment in Haditha, Iraq. (b)(6), (b)(7)(C) provided a watch log, a memorandum, a press release, and another relevant document that Kilo Company, 3/1, left behind in Haditha. A review of the watch log showed no entries were made in the log regarding the events of 19Nov05. A review of the Memorandum for the Record (MFR) dated 02Feb06 and titled "Condolence Payments for Events of 19Nov05" revealed a description of the events and outlined the justification for condolence payments. The press release provided was dated 20Nov05, and stated a "U.S. Marine and 15 Iraqi civilians were killed yesterday from the blast of a roadside bomb in Haditha." The third document was a MFR dated 11Feb06 and titled, "Allegations of

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

### U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

Deliberate Civilian Casualties in Haditha, 19Nov05." This MFR identified the allegations reported by a TIME magazine reporter and described the risk of negative public exposure as "extremely high." Exhibit (375) pertains.

99. On 07Jun06, SSGT (b)(6), (b)(7)(C) USMCR, 3rd CAG, IMEF, was contacted to determine the amount of monies paid to the family members of the deceased in the investigation at hand. (b)(6), (b)(7)(C) advised he did not participate in the issuance of payments; however, he provided a compact disc that contained a list and database of all claims. (b)(6), (b)(7)(C) advised the information on the disc is classified as SECRET. The CD-R was seized and maintained as evidence. Exhibit (376) pertains.

100. Between 02Jun06 and 07Jun06, (b)(6), (b)(7)(C) a linguist with Counterintelligence Field Activity (CIFA) reviewed and translated copies of Arabic death certificates obtained by SA (b)(6), (b)(7)(C) from the Haditha hospital. (b)(6), (b)(7)(C) also translated an Arabic document provided to NCIS by (b)(6), (b)(7)(C), an attorney representing some of the captioned victims' families. The document is an account of the events leading to the deaths of several of the captioned victims. Exhibits (377)-(379) pertain.

101. On 06Jun06 and 07Jun06, (b)(6), (b)(7)(C) and another CIFA linguist, (b)(6), (b)(7)(C) reviewed video footage (b)(6), (b)(7)(C) showing scenes from the Haditha morgue and of the houses in Haditha where some of the victims were displayed. (b)(6), (b)(7)(C) provided an English translation of Arabic language that was recorded on the video. Exhibit (380) pertains.

102. Currently, interviews and re-interviews of Marines are pending completion. The evidence seized thus far is being processed and has been submitted for forensic examination. Considerable effort continues to be expended to identify all possible sources of photography and video for review of possible evidentiary value. Additionally, a review of the photographic images taken on 19Nov05 and a forensic reconstruction of the death scenes are in progress. Command has been fully briefed regarding the status of this investigation. As the investigation progresses, command will be advised of new and substantive information.

#### PARTICIPANTS

(b)(6), (b)(7)(C) Special Agent, NCIS Fallujah, Iraq

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

- Special Agent, NCIS Al Asad, Iraq
- Special Agent, NCIS AL Asad, Iraq
- Special Agent, Fallujah, Iraq
- Special Agent, Fallujah, Iraq
- Special Agent, NCIS Baghdad, Iraq
- Special Agent, NCIS CRFO, Brunswick, GA
- Special Agent, NCISRA New London, CT

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

02AUG06

DEATH (II)

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

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

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

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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

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

**02Aug06**

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

(A) NCISHQ 0023 ROI (Action)/05Jul06

NARRATIVE

1. Reference (A) tasked MWPE to interview the following USMC personnel who were assigned to the Regimental Combat Team-2 circa 19Nov05: (b)(6), (b)(7)(C)

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

(b)(6), (b)(7)(C) Lead tasking is hereby cancelled. Interviews of the aforementioned USMC personnel will be documented via separate cover.

ACTION

MWPE: Lead tasking documented in Reference (A) is cancelled.

Interviews will be documented via separate cover.

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ACTION: MWPE

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

31JUL06

DEATH (II)

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

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

COMMAND/I MEF/11931

MADE AT/SWND/SAN DIEGO CA (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S) (S)

(A) NCISHQ 0023 ROI (ACTION)/26JUN06

(B) SWND ROI (ACTION)/14JUL06

## NARRATIVE

1. Reference (A) tasked SWND to locate and obtain medical records from the Combat Trauma Registry at the Naval Health Research Center (NHRC), San Diego, CA with regards to the subject and co-subjects of this investigation. Reference (B) documented on-going investigative efforts to obtain these medical records. On 25Jul06, Reporting Agent (RA) again spoke with (b)(6), (b)(7)(C) CIV, Lead Investigator for the Combat Trauma Registry at NHRC. (b)(6), (b)(7)(C) indicated that to date his staff had not been able to locate any medical records pertinent to this investigation, however he had tasked his staff to develop new search strings within the computer system to search the records in the event that the patients' name or social security numbers had been incorrectly recorded by the attending physician in theater. (b)(6), (b)(7)(C) advised he would be out of the office until 07Aug06, but would contact RA upon his return to advise whether or not any records had been located for the six individuals in question. Estimated date of completion is 14Aug06.

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INFO: SWND/MWPE

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

27JUL06

DEATH (II)

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

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

COMMAND/I MEF/11931

MADE AT/GCCC/CORPUS CHRISTI TX (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S) (S)

(A) NCISHQ Washington DC ROI (ACTION)/07Jul06

EXHIBIT(S)

(1) Sworn Statement of (b)(6), (b)(7)(C) 19Jul06... (Orig 0023B only)

NARRATIVE

1. Pursuant to tasking set forth in Reference (A), on 19Jul06, (b)(6), (b)(7)(C) was interviewed regarding his knowledge of the 19Nov05, incident in Haditha, Iraq. (b)(6), (b)(7)(C) provided no direct knowledge of the incident or it's participants. Exhibit (1) pertains. Exhibit (1) was previously provided to NCISHQ Code 0023B on 24Jul06 via facsimile.

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

26JUL06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA

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

COMMAND/1 MEF CAMP PENDLETON, CA/11931

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

## REFERENCES

- (A) NCISHQ CODE 0023 ROI (ACTION)/09MAY06
- (B) 24D5 ROI (ACTION)/12MAY06

## EXHIBITS

- (1) RCFL Examination Report 06-0158-A01 (b)(6), (b)(7)(C) On-Site Imaging/  
(b)(6), (b)(7)(C) 08May06... (copy all, less media)
- (2) RCFL Examination Report 06-0158-A04 Duplicate  
Image/ 18May06... (copy all, less me
- (3) RCFL Examination Report 06-0158-A05 Processing Thumb  
Drives/18May06... (copy all, less media
- (4) RCFL Examination Report 06-0158-A03 Process computer for  
graphics/18May06... (copy all, less media)

## NARRATIVE

1. On 12May06, lead tasking set forth in reference (A) was received. Lead tasking requested computer be imaged and processed for case agents to review. Reference (B) provided the status of that tasking. On 05May06, Special Agent (SA) obtained a forensic image of computer, Exhibit (1) pertains. On 17May06, provided a duplicate image of computer for retention in NCIS evidence, Exhibit (2) pertains. On 18May06, processed all thumb drives to extract all graphic files for case agents to review, Exhibit (3) pertains. On 18May06, processed computer to extract graphics files for case agent review, Exhibit (4) pertains.

2. original reports were provided directly to SA at Marine Corps West Field Office Camp Pendleton, CA for data review by case agents. This lead tasking is completed.

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INFO: MWPE (M) /0024D (M) /0024D5

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

25JUL06

DEATH (II)

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

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

COMMAND/1 MEF/11931

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

REFERENCE(S) (S)

(A) NCISHQ ROI (ACTION)/20JUN06

(B) 24D5 ROI (ACTION)/30JUN06... (Containing Exhibits 1-27)

EXHIBIT(S)

(28) Sealed Search Warrant-Yahoo (b)(6), (b)(7)(C) /20Jul06... (copy all)

(29) Sealed Search Warrant-Photobucket (b)(6), (b)(7)(C) /20Jul06... (copy all)

(30) IA: SIPRNET Email Extraction/09Jun06/w/encl (A)... (copy all)

(31) RCFL Examination Report 06-0218-D02 Extract email into readable format/08Jul06... (copy all)

(32) IA: MIRC Chat Log Extraction/19Jun06/w/encl (A)... (copy all)

(33) IA: JEN Logs Extraction/19Jun06/w/encl (A)... (copy all)

(34) RCFL Examination Report 06-0218-E02 Extract email into readable format/13Jul06... (copy all)

(35) RCFL Examination Report 06-0158-B07 Process email and internet data on (b)(6), (b)(7)(C) computer... (copy all, Original media to MWPE only)

(36) IA: Review of RCFL's Exam 06-0158-B07 for email from (b)(6), (b)(7)(C) computer/12Jun06... (copy all)

NARRATIVE

1. Subsequent to the lead tasking set forth in reference (A), Special Agent (b)(6), (b)(7)(C) reported the results of numerous leads in reference (B). Subsequent to the reporting of reference (B), the significant investigative effort for lead tasking set forth in reference (A) has been completed and is summarized below.

2. On 11Jul06, Special Agent (b)(6), (b)(7)(C) said Cpl (b)(6), (b)(7)(C) USMC, was still expecting the User Agreements for 3/1 company to arrive at Camp Pendleton, CA from Iraq. SA (b)(6), (b)(7)(C) stated she planned to follow-up with (b)(6), (b)(7)(C) to obtain the company's User Agreements.

3. In response to lead tasking set forth in reference (A), to determine if probable cause exists and then prepare and execute Federal Search warrants to obtain (b)(6), (b)(7)(C) data held by internet service providers (ISPs) at yahoo.com, hotmail, myspace.com, and Photobucket.com, SA (b)(6), (b)(7)(C) determined there was probable cause to obtain (b)(6), (b)(7)(C) data held at Yahoo Inc and Photobucket.com. On 20Jul06, SA (b)(6), (b)(7)(C) obtained two (2) Federal Search Warrants for the seizure of (b)(6), (b)(7)(C) data held at Yahoo Inc and Photobucket.com. The search warrant affidavit for both warrants was ordered sealed by the court. Exhibits (28)-(29), provide details.

4. On 21Jul06, SA (b)(6), (b)(7)(C) served the Federal Warrants on Yahoo Inc and

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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

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

**25Jul06**

Photobucket.com via telefax and fed-ex mail, as requested by the ISPs. Lead tasking is pending return of service of (b)(6), (b)(7)(C) data from Yahoo, Inc and Photobucket.com and examination of the content for relevant data.

5. In response to lead tasking set forth in reference (A), to obtain all government SIPRNET email, in evidence and convert to readable format for case agent review, SA (b)(6), (b)(7)(C) extracted the contents of SIPRNET email and provided the data in readable content. original media for case agent review was provided directly to SA Exhibits (30)-(31), provide details.

6. In response to lead tasking set forth in reference (A), to obtain classified MIRC chat and JENS in evidence and convert to readable format, SA completed the tasking. original media for case agent review was provided directly to SA Exhibits (32)-(33), provide details.

7. In response to lead tasking set forth in reference (A), to obtain classified RCT-2 Watch logs currently in evidence and convert to readable format, SA completed the tasking. original media for case agent review was provided directly to SA Exhibit (34), provides details.

8. In response to lead tasking set forth in reference (A), to have RCFL extract all e-mail and internet data from computer to include its protected areas, SA extracted the data, for SA review, Exhibit (35), pertains. SA review of the extracted data revealed no new relevant information, Exhibit (36), provides details.

**PARTICIPANT(S)**

Special Agent Marine Corps West Field Office Camp Pendleton, CA

Special Agent Pacific Cyber Division San Diego, CA  
Special Agent, Pac Cyber Div at RCFL San Diego, CA

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INFO: MWPE (H)/24D5

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

18JUL06

DEATH (II)

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

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

COMMAND/I MEF/11931

MADE AT/24D4/WASHINGTON DC (b)(6), (b)(7)(C) ICS

REFERENCE(S) (S)

(A) NCISHQ WASHINGTON DC ROI (ACTION)/12JUL06

EXHIBIT(S)

(1) IA: RESULTS OF IMAGING AND ACQUISITION OF MEDIA/18JUL06... (COPY ALL)

NARRATIVE

1. On 07JUL06, Special Agent (SA) (b)(6), (b)(7)(C) NCISHQ Code 0023, verbally requested the forensic imaging of media related to the (b)(6), (b)(7)(C) investigation. The media belonged to (b)(6), (b)(7)(C) (b)(6), a former Marine who deployed to Iraq in SEP05 with the 3rd (b)(7)(C) Battalion, 1st Marine Regiment. SA (b)(6), followed with a written request; Reference (A) pertains. A (b)(7)(C) Dell laptop computer and a Sony Cybershot camera with two (2) memory sticks were received from SA (b)(6), NCISFO Washington, DC Evidence Log Number DCWA 102-06 (b)(7)(C) applies. On 07JUL06, two (2) memory sticks from the camera and one (1) hard drive from the computer were forensically imaged and acquired; Exhibit (1) provides details. A permissive authorization for search and seizure of this media signed by (b)(6), (b)(7)(C) is attached as Enclosure (A) to Exhibit (1).

2. On 10JUL06, a forensic review workstation was configured for SA (b)(6), (b)(7)(C) to review all images obtained from the evidence. SA (b)(6), (b)(7)(C) was notified that images were available for review at the Atlantic Cyber Division, Washington DC.

3. On 17JUL06, the images obtained were copied to a new Maxtor hard drive, S/N L41A4K8H. This hard drive was entered into NCISFO Washington DC Evidence as Log Number DCWA 151-06. On 18JUL06, this hard drive was mailed via Registered mail to the NCISFO Marine Corps West Camp Pendleton Evidence Custody System, attention (b)(6), (b)(7)(C) Registered mail tracking number 77014579929000179513 applies. Lead tasking to Atlantic Cyber Division, Washington DC is complete.

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

18JUL06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA

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

COMMAND/I MEF/11931

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

## REFERENCE

(A) NCISHQ Washington DC ROI (ACTION)/07JUL06

## EXHIBITS

- (1) IA: Results of Interview of (b)(6), (b)(7)(C) USMC/  
15JUL06... (Copy All)
- (2) IA: Results of Interview of (b)(6), (b)(7)(C) /18JUL06... (Copy  
All)

## NARRATIVE

1. In response to lead tasking set forth via reference (A), PA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) USMC, on 15JUL06, at Al Asad Air Base, Iraq. (b)(6), (b)(7)(C) advised he has never been to Haditha, Iraq and did not have any information pertinent to this investigation, exhibit (1) pertains.

2. On 18JUL06, PA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) USMC, at Camp Al Taqaddum, Iraq. (b)(6), (b)(7)(C) stated he was not in Iraq on 19NOV05 and did not have any information pertinent to this investigation, exhibit (2) pertains.

## PARTICIPANTS

(b)(6), (b)(7)(C) Special Agent, NCIS Al Asad, Iraq  
(b)(6), (b)(7)(C) Special Agent, NCIS Al Taqaddum, Iraq

## ACTION

DIST: Lead tasking complete.

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ACTION: 0023B (E)

INFO: MEBJ/MWPE (E)

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

18JUL06

DEATH (II)

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

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

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

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

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

COMMAND/I MEF, CAMP PENDLETON, CA/11931

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

REFERENCES

- (A) NCISHQ Washington DC ROI (INTERIM)/12Apr06 (Contains Exhibits 1-57)
(B) NCISHQ Washington DC ROI (INTERIM)/05Jun06 (Contains Exhibits 58-107)

EXHIBITS

- (108) Military Suspect's Acknowledgement and Cleansing Waiver of Rights (b)(6), (b)(7)(C) 16May06... (Orig 0023/Copy MWPE)
(109) Statement of (b)(6), (b)(7)(C) 16May06... (Orig 0023/Copy MWPE)
(110) IA: Results of Interview (b)(6), (b)(7)(C) 17May06... (Orig 0023/Copy MWPE)
(111) Statement of (b)(6), (b)(7)(C) 10May06... (Orig 0023/Copy MWPE)
(112) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
(113) Statement of (b)(6), (b)(7)(C) ay06... (Orig 0203/Copy MWPE)
(114) Statement of (b)(6), (b)(7)(C) May06... (Orig 0023/Copy MWPE)
(115) Statement of (b)(6), (b)(7)(C) May06... (Orig 0023/Copy MWPE)
(116) Statement of (b)(6), (b)(7)(C) y06... (Orig 0023/Copy MWPE)
(117) Statement of (b)(6), (b)(7)(C) ay06... (Orig 0023/Copy MWPE)
(118) Statement of (b)(6), (b)(7)(C) May06... (Orig 0023/Copy MWPE)
(119) Statement of (b)(6), (b)(7)(C) ay06... (Orig 0023/Copy MWPE)
(120) Statement of (b)(6), (b)(7)(C) ay06... (Orig 0023/Copy MWPE)
(121) Statement of (b)(6), (b)(7)(C) 2May06... (Orig 0023/Copy MWPE)
(122) Statement of (b)(6), (b)(7)(C) y06... (Orig 0023/Copy MWPE)
(123) Statement of (b)(6), (b)(7)(C) ay06... (Orig 0023/Copy MWPE)
(124) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
(125) Statement of (b)(6), (b)(7)(C) 5May06... (Orig 0023/Copy MWPE)
(126) Statement of (b)(6), (b)(7)(C) 5... (Orig 0023/Copy MWPE)
(127) Military Suspect's Acknowledgement & Waiver of Rights (b)(6), (b)(7)(C) 19May06... (Orig 0023/Copy MWPE)
(128) Statement of (b)(6), (b)(7)(C) 19May06... (Orig 0023/Copy MWPE)
(129) ISP Consent Form, (b)(6), (b)(7)(C) 19May06... (Orig 0023/Copy MWPE)
(130) ISP Consent Form, (b)(6), (b)(7)(C) 19May06... (Orig 0023/Copy MWPE)
(131) ISP Consent Form, (b)(6), (b)(7)(C) 19May06... (Orig 0023/Copy MWPE)
(132) Statement of (b)(6), (b)(7)(C) ay06... (Orig 0023/Copy MWPE)
(133) Statement of (b)(6), (b)(7)(C) /08May06... (Orig 0023/Copy MWPE)
(134) Statement of (b)(6), (b)(7)(C) /08May06... (Orig 0023/Copy MWPE)

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

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

- (135) Statement of (b)(6), (b)(7)(C) 09May06... (Orig 0023/Copy MWPE)
- (136) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
- (137) Military Suspect's Acknowledgement & Waiver of Rights (b)(6), (b)(7)(C) 11May06... (Orig 0023/Copy MWPE)
- (138) Statement of (b)(6), (b)(7)(C) ... (Orig 0023/Copy MWPE)
- (139) Statement of (b)(6), (b)(7)(C) Orig 0023/Copy MWPE)
- (140) Statement of (b)(6), (b)(7)(C) g 0023/Copy MWPE)
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- (143) Statement of (b)(6), (b)(7)(C) (Orig 0023/Copy MWPE)
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- (148) Statement of (b)(6), (b)(7)(C) g 0023/Copy MWPE)
- (149) Statement of (b)(6), (b)(7)(C) . (Orig 0023/Copy MWPE)
- (150) Statement of (b)(6), (b)(7)(C) Orig 0023/Copy MWPE)
- (151) Statement of (b)(6), (b)(7)(C) g 0023/Copy MWPE)
- (152) Statement of (b)(6), (b)(7)(C) (Orig 0023/Copy MWPE)
- (153) Statement of (b)(6), (b)(7)(C) (Orig 0023/Copy MWPE)
- (154) Statement of (b)(6), (b)(7)(C) Orig 0023/Copy MWPE)
- (155) Statement of (b)(6), (b)(7)(C) 02Jun06... (Orig 0023/Copy MWPE)
- (156) Statement of (b)(6), (b)(7)(C) n06... (Orig 0023/Copy MWPE)
- (157) Statement of (b)(6), (b)(7)(C) ... (Orig 0023/Copy MWPE)
- (158) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
- (159) Statement of (b)(6), (b)(7)(C) ... (Orig 0023/Copy MWPE)
- (160) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
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- (162) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (163) Statement of (b)(6), (b)(7)(C) y06... (Orig 0023/Copy MWPE)
- (164) Statement of (b)(6), (b)(7)(C) 6May06... (Orig 0023/Copy MWPE)
- (165) Statement of (b)(6), (b)(7)(C) ay06... (Orig 0023/Copy MWPE)
- (166) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (167) Statement of (b)(6), (b)(7)(C) 16May06... (Orig 0023/Copy MWPE)
- (168) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (169) Statement of (b)(6), (b)(7)(C) y06... (Orig 0023/Copy MWPE)
- (170) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (171) Statement of (b)(6), (b)(7)(C) y06... (Orig 0023/Copy MWPE)
- (172) Statement of (b)(6), (b)(7)(C) y06... (Orig 0023/Copy MWPE)
- (173) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
- (174) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
- (175) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
- (176) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (177) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
- (178) Statement of (b)(6), (b)(7)(C) y06... (Orig 0023/Copy MWPE)
- (179) Statement of (b)(6), (b)(7)(C) y06... (Orig 0023/Copy MWPE)
- (180) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (181) Statement of (b)(6), (b)(7)(C) y06... (Orig 0023/Copy MWPE)
- (182) Statement of (b)(6), (b)(7)(C) y06... (Orig 0023/Copy MWPE)
- (183) Statement of (b)(6), (b)(7)(C) 17May06... (Orig 0023/Copy MWPE)
- (184) IA: Interview Results (b)(6), (b)(7)(C) 12May06... (Orig 0023/Copy MWPE)

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

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

- (185) IA: Interview Results (b)(6), (b)(7)(C) 24May06... (Orig 0023/Copy MWPE)
- (186) IA: Attempted Re-Interview of (b)(6), (b)(7)(C) 24May06... (Orig 0023/Copy MWPE)
- (187) IA: Attempted Interrogation of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) 24May06... (Orig 0023/Copy MWPE)
- (188) Military Suspect's Acknowledgement and Cleansing Waiver of Rights (b)(6), (b)(7)(C) 24May06... (Orig 0023/Copy MWPE)
- (189) Statement of (b)(6), (b)(7)(C) 24May06... (Orig 0023/Copy MWPE)
- (190) IA: Attempted Interrogation of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) 25May06... (Orig 0023/Copy MWPE)
- (191) Military Suspect's Acknowledgement and Cleansing Waiver of Rights (b)(6), (b)(7)(C) 25May06... (Orig 0023/Copy MWPE)
- (192) Statement of (b)(6), (b)(7)(C) MAY05... (Orig 0023/Copy MWPE)
- (193) Statement of 26May06... (Orig 0023/Copy MWPE)
- (194) Military Suspect's Acknowledgement and Cleansing Waiver of Rights (b)(6), (b)(7)(C) 30May06... (Orig 0023/Copy MWPE)
- (195) Statement of (b)(6), (b)(7)(C) 31May06... (Orig 0023/Copy MWPE)
- (196) IA: Command Screening Interviews/23May06... (Orig 0023/Copy MWPE)
- (197) IA: Command Screening Interviews/24May06... (Orig 0023/Copy MWPE)
- (198) IA: Re-Contact With Command Personnel/26May06... (Orig 0023/MWPE)
- (199) IA: Command Screening Interviews/25May06... (Orig 0023/Copy MWPE)
- (200) IA: Command Screening Interviews/26May06... (Orig 0023/Copy MWPE)
- (201) IA: Attempted Interrogation of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) 18May06... (Orig 0023/MWPE)
- (202) Statement of (b)(6), (b)(7)(C) 7May06... (Orig 0023/Copy MWPE)
- (203) Statement of 06... (Orig 0023/Copy MWPE)
- (204) Statement of y06... (Orig 0023/Copy MWPE)
- (205) Statement of y06... (Orig 0023/Copy MWPE)
- (206) Statement of y06... (Orig 0023/Copy MWPE)
- (207) Statement of ay06... (Orig 0023/Copy MWPE)
- (208) Statement of 06... (Orig 0023/Copy MWPE)
- (209) Statement of ay06... (Orig 0023/Copy MWPE)
- (210) Statement of y06... (Orig 0023/Copy MWPE)
- (211) Statement of 06... (Orig 0023/Copy MWPE)
- (212) Statement of ay06... (Orig 0023/Copy MWPE)
- (213) IA: Interview of (b)(6), (b)(7)(C) 25May06... (Orig 0023/Copy MWPE)
- (214) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (215) Statement of ay06... (Orig 0023/Copy MWPE)
- (216) Statement of ... (Orig 0023/Copy MWPE)
- (217) Statement of y06... (Orig 0023/Copy MWPE)
- (218) Statement of ... (Orig 0023/Copy MWPE)
- (219) Statement of 02Jun06... (Orig 0023/Copy MWPE)
- (220) IA: Interview (b)(6), (b)(7)(C) Family/31May06... (Orig 0023/Copy MWPE)
- (221) Statement of (b)(6), (b)(7)(C) CIV/01Jun06... (Orig 0023/Copy MWPE)
- (222) IA: Receipt of Service Record Books and Officer Qualification Records/31May06... (Orig 0023/Copy MWPE)

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- (223) IA: Results of Interview with (b)(6), (b)(7)(C)  
USN/18May06... (Orig 0023/Copy
- (224) IA: Results of Interview with  
USN/30May06... (Orig 0023/Copy
- (225) IA: Results of Interview with  
USN/31May06... (Orig 0023/Copy MWPE)
- (226) IA: Results of Interview of (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) / 11May06... (Orig 0023/Copy MWPE)
- (227) IA: Results of Polygraph Examination of (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) 02Apr06... (Orig 0023/Copy MWPE)

**EXECUTIVE SUMMARY**

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

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

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

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

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

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

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

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

c. HOUSE #1 (6 killed): A quick reaction force (QRF), led by (b)(6), (b)(7)(C) USMC, arrived at the IED blast site within fifteen (15) minutes (between approximately 0715 - 0730). The QRF attended to the casualties and prepared to remove them from the scene. In response to a report from (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) that SAF was observed coming from the vicinity of a nearby home (house #1), instructed a fire team to "take the house." First, (b)(6), (b)(7)(C) fired rounds with a M203 grenade launcher toward house #1. Then a fire team consisting of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) conducted a forced entry into house #1. All members of the fire team reported they were not receiving SAF upon their approach to house #1.

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(b)(6), (b)(7)(C) conducted a forced entry into house #1 and shot and killed an unarmed Iraqi adult female in the hallway. After reportedly hearing the sound of an AK-47 "racking," the team threw two (2) fragmentation grenades into a room on the left, but only one (1) exploded. (b)(6), (b)(7)(C) then cleared a room on the right of the hallway, killing an unarmed Iraqi male adult. At that time, an unidentified Marine reportedly yelled that there was someone running from the house. This caused the fire team to cease the clearing operation and immediately exit house #1 toward house #2. (b)(6), (b)(7)(C) recalled the fire team later returned to house #1 with (b)(6), (b)(7)(C) who reportedly cleared a room with his 9mm pistol. Additionally, (b)(6), (b)(7)(C) advised he entered a room after (b)(6), (b)(7)(C). Shortly thereafter, both he and (b)(6), (b)(7)(C) shot approximately four (4) people, none of which were standing. (b)(6), (b)(7)(C) admitted he did not conduct positive identification (PID) of the individuals. (b)(6), (b)(7)(C) explained he shot these individuals because (b)(6), (b)(7)(C) shot them first and believed the entire house was "hostile." The re-entry of house #1 reported by (b)(6), (b)(7)(C) is consistent with the accounts of both (b)(6), (b)(7)(C) and an Iraqi woman, (b)(6), (b)(7)(C) who survived the attack on house #1. (b)(6), (b)(7)(C) stated she fled the house in the brief period when the Marines initially departed toward house #2. A total of six (6) Iraqis were killed in house #1, including two (2) women and one (1) child. No weapons were found.

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

e. OBSERVATION POST (1 killed): After houses #1 and #2 were cleared, the fire team cleared two (2) additional homes in the area before moving to the observation post (OP) site. Both homes were unoccupied. The OP was established around 0830. Some members of the fire team posted themselves on the rooftop of the OP. At approximately 0845, Marines manning the OP observed an unarmed Iraqi male running on a ridgeline in the vicinity of house #1. (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) fired shot(s), killing the individual (later identified as a household member of house #1). Some time later, the OP observed one (1) or two (2) unidentified Iraqi males looking at them from another nearby house, hereafter referred to as house #4. At approximately 0945, a team of three (3) Marines, (b)(6), (b)(7)(C), (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) decided to investigate.

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

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

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

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the deceased, and interview detainees. The HET took an undetermined amount of digital photographs of the deceased but reportedly deleted those images.

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

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

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

## NARRATIVE

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

2. On 16May06, after waiving his Article 31b rights, [redacted] was re-interviewed/interrogated regarding his knowledge of the detention and shooting of Iraqi civilians on 19Nov05. [redacted] advised that the statements he provided to NCIS on 02Apr06 and 09May06 were correct; however, he wanted to provide the additional details outlined below:

a. TAXI/SHOOTING: After the IED hit the convoy, [redacted] reported he stepped out of the HMMWV and looked to his left, where he observed four (4) Iraq males lined up about five (5) feet directly south of the white vehicle located on the side of the road. [redacted] noted some of the Iraqi males had their hands up in the air. [redacted] watched them and then saw one of the men in the middle of the line fall to his right side. Simultaneously, [redacted] heard a shot and looked to his left where he saw [redacted] kneeling with his rifle shouldered, taking well-aimed shots at the Iraqis near the white vehicle. [redacted] indicated he watched [redacted] for a few seconds while he shot the Iraqis and estimated [redacted] took six (6) to eight (8) shots. Subsequently, [redacted] looked back to where the Iraqis had been standing, and he saw they had fallen to the ground. [redacted] believed they had all fallen forward except one (1) male who fell backwards. [redacted] admitted he then advanced to the fallen bodies and fired about six (6) to ten (10) shots into their upper torsos. [redacted] related [redacted] shot each of them again with one (1) to two (2) headshots. [redacted] estimated [redacted] rifle was no more than one (1) foot away from the bodies

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when he shot them again. (b)(6), (b)(7)(C) opined (b)(6), (b)(7)(C) appeared to be mad because he was "gritting his teeth" and his jaw was "pulsing." (b)(6), (b)(7)(C) stated no other Marines shot these Iraqi males besides (b)(6), (b)(7)(C) and him. (b)(6), (b)(7)(C) concluded the ISF member(s), LCPL (b)(6), (b)(7)(C) and he are the only individuals that know what happened near the white vehicle. Additionally, (b)(6), (b)(7)(C) admitted he was angry about "TJ's" death, so later that day, he urinated on the head of a dead Iraqi male near the white vehicle.

b. (b)(6), (b)(7)(C) & (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) stated the only individuals he knew to be involved in a "cover up" of the incident were (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) confirmed his prior reports of (b)(6), (b)(7)(C) instructing him to provide false information (regarding the shooting of the five (5) Iraqi males in the white vehicle), but noted (b)(6), (b)(7)(C) also played a part in the agreement to report a certain "story." (b)(6), (b)(7)(C) recalled speaking with (b)(6), (b)(7)(C) after NCIS re-interviewed (b)(6), (b)(7)(C) in Al Asad, (02Apr06). During this conversation, (b)(6), (b)(7)(C) attempted to convince (b)(6), (b)(7)(C) to tell the truth about the incident. According to (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) claimed NCIS could only get him on the "old lady." (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) he had shot the "old lady" (V/ALI, KHAMISA TUEMA) when she surprised him. (b)(6), (b)(7)(C) acknowledged he had "messed up." (b)(6), (b)(7)(C) then asked (b)(6), (b)(7)(C) "The story stayed the same though?" (b)(6), (b)(7)(C) explained (b)(6), (b)(7)(C) was referring to the story that he, (b)(6), (b)(7)(C) had agreed to portray (i.e., the five (5) Iraqi males were running after they exited the taxi and the ISF members fired at the Iraqi males). (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) he had maintained the story. (b)(6), (b)(7)(C) remarked he did not want to tell (b)(6), (b)(7)(C) he had told NCIS the truth, because (b)(6), (b)(7)(C) would have told (b)(6), (b)(7)(C)

c. HOUSE #1: (b)(6), (b)(7)(C) reported he had a conversation with (b)(6), (b)(7)(C) regarding house #1 while they were both still in Iraq; however, he did not recall the date. During their discussion, (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) house #1 was not on fire when he left the house. (b)(6), (b)(7)(C) also told (b)(6), (b)(7)(C) that (b)(6), (b)(7)(C) "burned the house" but did not provide any further details.

d. DETAINEES: (b)(6), (b)(7)(C) advised he and (b)(6), (b)(7)(C) escorted Iraqi detainees to Route Chestnut on 19Nov05 where he believed (b)(6), (b)(7)(C) and other Marines were "beating" detainees. (b)(6), (b)(7)(C) conceded he did not actually see (b)(6), (b)(7)(C) beat any of the detainees, but based his belief on the sounds of "thuds" he heard as he walked away from the area. (b)(6), (b)(7)(C) admitted he and (b)(6), (b)(7)(C) kicked detainees while questioning them in the home where they had encountered a Jordanian female. (b)(6), (b)(7)(C) advised when the detainees would not respond to questions, he and (b)(6), (b)(7)(C) would kick them in "a manner that would not leave marks." (b)(6), (b)(7)(C) added he saw an ISF member "head-butting" a detainee and another ISF member attempting to burn a detainee with a cigarette lighter. (b)(6), (b)(7)(C) said he advised the ISF member to stop and he complied. Exhibits (108)-(109) pertain.

3. On 17May06, (b)(6), (b)(7)(C) was re-interviewed/interrogated after he

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waived his Article 31b rights and agreed to discuss his involvement in and knowledge of the deaths of Iraqi civilians in Haditha on 19Nov05. Although (b)(6), (b)(7)(C) was willing to be re-interviewed, he was not willing to provide a sworn statement. During the interview, (b)(6), (b)(7)(C) expressed he had time to reflect since the last time he spoke with NCIS (09May06) and had documented additional memories he had of the incident in a journal. When asked to provide the journal, (b)(6), (b)(7)(C) claimed he had burned it. The details of his interrogation follow:

a. TAXI: (b)(6), (b)(7)(C) reported while his convoy was heading west on Route Chestnut, he observed a white vehicle just ahead and to the left of the convoy. (b)(6), (b)(7)(C) stated the vehicle was stopped approximately 50-100 yards ahead of the convoy. (b)(6), (b)(7)(C) noted the vehicle had its hazard lights on and was doing what it was supposed to be doing. (b)(6), (b)(7)(C) related the occupants of the white vehicle were still inside the vehicle when the IED blast occurred. After the IED exploded, (b)(6), (b)(7)(C) advised he and (b)(6), (b)(7)(C) exited their HMMWV at the same time. Then (b)(6), (b)(7)(C) immediately proceeded to the rear of convoy. While doing so, (b)(6), (b)(7)(C) could hear M-16 and AK-47 SAF coming from the front of the convoy. (b)(6), (b)(7)(C) opined the gunfire sounded like it was directed toward the white vehicle. (b)(6), (b)(7)(C) advised while he assisted (b)(6), (b)(7)(C) he heard a M203 round fired and saw it explode on house #1. (b)(6), (b)(7)(C) clarified he did not see the round being fired but he "knew it was (b)(6), (b)(7)(C)." This led (b)(6), (b)(7)(C) to believe they were being attacked.

b. HOUSE #1: Before the team assaulted house #1, (b)(6), (b)(7)(C) saw (b)(6), (b)(7)(C) talking to (b)(6), (b)(7)(C). Thereafter, (b)(6), (b)(7)(C) estimated his team "launched" in a "hasty order" approximately five (5) minutes after the QRF arrived to Route Chestnut. (b)(6), (b)(7)(C) advised his memory of what occurred after the team launched is unclear but was confident the team went into house #1 two (2) separate times. (b)(6), (b)(7)(C) related when they first entered house #1 either (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) shot, as they went into the hallway from the kitchen. Later, (b)(6), (b)(7)(C) noted the deceased in the hallway was a woman. While still in the kitchen, (b)(6), (b)(7)(C) said he could hear what sounded to him like "metal on metal," but he did not equate the sound to that of an AK-47 racking until later when (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) said that was the sound they had heard. (b)(6), (b)(7)(C) remarked he now believes the sound was not an AK-47. (b)(6), (b)(7)(C) advised both he and (b)(6), (b)(7)(C) threw a grenade into the room from where the sound came, but only one (1) exploded. (b)(6), (b)(7)(C) conveyed he and (b)(6), (b)(7)(C) shot into the room and cleared it at one point, but he was not sure whether they did this during the first or second entry of house #1. (b)(6), (b)(7)(C) believed they did not immediately clear the "fragged" room, because he recalled hearing (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) yell that there was a runner. (b)(6), (b)(7)(C) said the team departed house #1 through the doors at the end of the hallway without clearing any additional rooms. (b)(6), (b)(7)(C) asserted he shot people in a room of house #1 after (b)(6), (b)(7)(C) had shot them. (b)(6), (b)(7)(C) stated he "positively identified" women and children before shooting them. (b)(6), (b)(7)(C) explained he was following his training.

c. HOUSE #2: (b)(6), (b)(7)(C) reiterated the team was not receiving SAF when

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they approached house #2. (b)(6), (b)(7)(C) claimed he did not know why they attacked house #2, because he had not seen where the runner went. Nevertheless, he did not question the entry because (b)(6), (b)(7)(C) said, "Treat the house as hostile." (b)(6), (b)(7)(C) related while inside house #2, (b)(6), (b)(7)(C) instructed him to "frag" the first room on the right of the hallway and he complied. Subsequently, as he and (b)(6), (b)(7)(C) proceeded to clear the house, (b)(6), (b)(7)(C) saw (b)(6), (b)(7)(C) shoot into the last room on the right. (b)(6), (b)(7)(C) explained he shot into the room to assist (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) said, "This was where I saw the kid I shot, knowing it was a kid, I still shot him." (b)(6), (b)(7)(C) noted the child was standing on the bed wearing a white t-shirt. (b)(6), (b)(7)(C) advised before he fired, (b)(6), (b)(7)(C) had already shot everyone in the room, including the child in the white t-shirt. (b)(6), (b)(7)(C) remarked, if he (b)(6), (b)(7)(C) had not shot them, "Maybe they could have made it out." (b)(6), (b)(7)(C) said he wished they had never gone into house #2.

d. RE-ENTRY OF HOUSE #1: (b)(6), (b)(7)(C) stated upon leaving house #2, he was confident the team returned to house #1. While looking through the back door of house #1, (b)(6), (b)(7)(C) observed (b)(6), (b)(7)(C) put his M240G on the floor and say, "clear by fire." (b)(6), (b)(7)(C) then saw (b)(6), (b)(7)(C) stick his 9mm pistol into the room and shoot blindly from one side to the other. (b)(6), (b)(7)(C) advised he did not know whether (b)(6), (b)(7)(C) shot anyone when he fired his 9mm pistol. (b)(6), (b)(7)(C) was unclear whether this was the point when he followed (b)(6), (b)(7)(C) into the room they had fired into, but he knew they cleared the room only one time.

e. DETAINEES: (b)(6), (b)(7)(C) indicated the fire team cleared an unoccupied house in the area after they departed house #1 for the second time. Thereafter, they returned to Route Chestnut where (b)(6), (b)(7)(C) observed (b)(6), (b)(7)(C) and an ISF member guarding the detainees. (b)(6), (b)(7)(C) did not see any Marines abusing the detainees but saw two (2) ISF members hitting the detainees with sticks. (b)(6), (b)(7)(C) ordered (b)(6), (b)(7)(C) to stop the ISF members from doing this, and (b)(6), (b)(7)(C) stopped them.

f. FIRE: (b)(6), (b)(7)(C) stated house #1 was not on fire when he departed. (b)(6), (b)(7)(C) speculated the fire might have been started to cover up what happened. (b)(6), (b)(7)(C) explained he did not think it plausible for a tracer round to cause the fire.

g. RIDGELINE SHOOTING: After (b)(6), (b)(7)(C) met with (b)(6), (b)(7)(C) in a house where several passports had been found, he went to the OP, where he and (b)(6), (b)(7)(C) remained on the bottom floor. (b)(6), (b)(7)(C) related (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were on the roof of the OP when he heard M-16 and SAW gunfire. (b)(6), (b)(7)(C) then observed an unarmed Iraqi male fall and roll downhill near house #1. (b)(6), (b)(7)(C) then saw (b)(6), (b)(7)(C) remove two injured (2) children from house #1.

h. AK-47s: (b)(6), (b)(7)(C) recalled that sometime after the unarmed Iraqi male was shot, (b)(6), (b)(7)(C) brought him two (2) AK-47s and an unknown number of loaded AK-47 magazines. (b)(6), (b)(7)(C) advised he took the AK-47s and placed them into the backseat of the first HMMWV of their convoy. (b)(6), (b)(7)(C) stated he did not tell anyone where he had placed the AK-47s.

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(b)(6), (b)(7)(C) remembered (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) then went back to the OP. (b)(6), (b)(7)(C) noted he did not know what happened to the weapons after he put them in the HMMWV. Exhibit (110) pertains.

4. On 10May06, (b)(6), (b)(7)(C) USMC, was re-interviewed regarding his knowledge of the events that occurred on 19Nov05.

(b)(6), (b)(7)(C) confirmed the statement he provided to NCIS on 20Mar06 was accurate. Additionally, (b)(6), (b)(7)(C) provided the following clarifying details:

a. TAXI: (b)(6), (b)(7)(C) reiterated he was in the first HMMWV of the convoy when he saw a white vehicle approaching them heading in the opposite direction. (b)(6), (b)(7)(C) noted the white vehicle had its hazard lights on. (b)(6), (b)(7)(C) advised the standard operating procedure is for military convoys to wave vehicles off the road.

b. SAF: (b)(6), (b)(7)(C) reported he and (b)(6), (b)(7)(C) dismounted their HMMWV after the IED blast and ran to the rear of the convoy. (b)(6), (b)(7)(C) estimated about thirty (30) seconds later, he heard AK-47 and M-16 gunfire to his rear, or eastern direction. (b)(6), (b)(7)(C) noted he heard a lot of fire and opined it sounded like it was "full auto." Subsequently, (b)(6), (b)(7)(C) noticed a lull in the firing and then heard sporadic fire for about one (1) minute. (b)(6), (b)(7)(C) related the QRF arrived in about ten (10) to fifteen (15) minutes. (b)(6), (b)(7)(C) believed there was some ongoing SAF when the QRF came on-scene, but it ceased shortly after their arrival. (b)(6), (b)(7)(C) then pulled his HMMWV back near the intersection of Route Zebra and set up security. At this point, (b)(6), (b)(7)(C) recalled (b)(6), (b)(7)(C) departed with his 240G to assist the rest of the squad in clearing houses. (b)(6), (b)(7)(C) indicated he could not see the squad maneuver in and out of houses from his security position.

c. HOUSE #1: (b)(6), (b)(7)(C) affirmed around 1100, (b)(6), (b)(7)(C) asked him to go to house #1, where he may have "left something" or words to that effect. As they walked to house #1, (b)(6), (b)(7)(C) noted there was smoke coming out of a window. (b)(6), (b)(7)(C) related he stood in the doorway while (b)(6), (b)(7)(C) went inside the house. While waiting for (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) observed a body in the hallway. (b)(6), (b)(7)(C) stated he did not see a fire but only saw the smoke coming out of the first room to his right. (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) there were two (2) wounded kids and then brought them out of the house. Thereafter, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and an ISF member drove the children to the landing zone (LZ).

d. INSPECTION OF TAXI: (b)(6), (b)(7)(C) advised after the children were flown from the LZ, he and (b)(6), (b)(7)(C) drove back to the scene while 2nd Squad patrolled on foot alongside the HMMWV. While on-scene, (b)(6), (b)(7)(C) instructed (b)(6), (b)(7)(C) to turn the white vehicle's "flashers" off; however, (b)(6), (b)(7)(C) explained he could not find the button. (b)(6), (b)(7)(C) related they found a couple of suitcases that contained several identification cards. (b)(6), (b)(7)(C) stated there were no bullet holes, blood, or weapons in the car. (b)(6), (b)(7)(C) confirmed (b)(6), (b)(7)(C) took photographs of the deceased and moved them slightly in search of identification. (b)(6), (b)(7)(C) advised he returned to his security

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position where he remained until his squad foot-patrolled back to the Firmbase late that evening.

e. DEBRIEF: (b)(6), (b)(7)(C) recalled his squad met with the Kilo Company Commander (CO), CAPT (b)(6), (b)(7)(C), for a debrief when they returned to the Firmbase. According to (b)(6), (b)(7)(C) told them to keep their heads up, it was a big day for the company, and they had done a good job. Exhibit (111) pertains.

5. On 11May06, (b)(6), (b)(7)(C) was re-interviewed regarding the events that occurred on 19Nov05. (b)(6), (b)(7)(C) stated after the IED blast, he got out of the third HMMWV and ran south across the road to find cover because there was AK-47 gunfire coming from the north. (b)(6), (b)(7)(C) then observed SAF impact nearby and saw two (2) individuals on a rooftop to the north that appeared to be firing at him. In turn, (b)(6), (b)(7)(C) fired two (2) to three (3) rounds in their direction. At this point, (b)(6), (b)(7)(C) heard M-16 semi-automatic gunfire coming from the direction of the first two (2) convoy vehicles. (b)(6), (b)(7)(C) recalled the M-16 SAF stopped by the time he reached LCPL TERRAZAS. He then spoke with LCPL (b)(6), (b)(7)(C) and attended to (b)(6), (b)(7)(C) estimated he treated (b)(6), (b)(7)(C) for at least seven (7) minutes before the QRF arrived. (b)(6), (b)(7)(C) said he heard M203 fire that made him jump. (b)(6), (b)(7)(C) noted this happened after the QRF had arrived. (b)(6), (b)(7)(C) related after the injured were removed and taken to the LZ, he returned to the Firmbase where he remained. (b)(6), (b)(7)(C) remembered (b)(6), (b)(7)(C) held a debrief around 0030 wherein (b)(6), (b)(7)(C) told the squad they did not do anything wrong, he had placed them in the situation, to not feel bad about the decisions we made, and offered his condolences for TERRAZAS. (b)(6), (b)(7)(C) noted the chaplain spoke to the squad at the debrief as well. Exhibit (112) pertains.

6. On 22May06, (b)(6), (b)(7)(C) USMC, was re-interviewed regarding his knowledge of the events of 19Nov05 in Haditha, Iraq. (b)(6), (b)(7)(C) affirmed the contents of his first statement and then provided more details regarding the incident on 19Nov05.

a. WEAPONS: (b)(6), (b)(7)(C) identified the weapons carried by each member of the convoy. (b)(6), (b)(7)(C) the first HMMWV. (b)(6), (b)(7)(C) was armed with an

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

b. CAMERAS: (b)(6), (b)(7)(C) provided information regarding which Marines

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had cameras while on deployment in Haditha, Iraq. According to (b)(6), (b)(7)(C) had a large digital camera he brought with him from the United States. TERRAZAS and (b)(6), (b)(7)(C) possibly had 35mm disposable cameras. (b)(6), (b)(7)(C) had a small Panasonic digital camera that he purchased at the Post Exchange, Al Asad Airbase. (b)(6), (b)(7)(C) had a small digital camera, possibly a Minolta or Sony. (b)(6), (b)(7)(C) was not sure whether these Marines were in possession of their cameras on 19Nov05.

d. NOTEBOOK: (b)(6), (b)(7)(C) stated he was aware that (b)(6), (b)(7)(C) carried with him a light green hardback bound notebook that he wrote mission notes in during the deployment.

e. (b)(6), (b)(7)(C) On 07May06 or 09May06, (b)(6), (b)(7)(C) called (b)(6), (b)(7)(C) on his cell phone and asked him if he had pictures from the deployment on his computer. (b)(6), (b)(7)(C) then gave the phone to (b)(6), (b)(7)(C) who wanted (b)(6), (b)(7)(C) to download photographs from the deployment onto a compact disk (CD), so the squad could have a record of the deployment. (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) was not specific about which photographs he wanted. (b)(6), (b)(7)(C) confirmed he still had images, but never sent (b)(6), (b)(7)(C) any of them. Exhibit (113) pertains.

6. On 31May06, (b)(6), (b)(7)(C) USMC was re-interviewed, confirmed his previous statement was true, and provided additional details regarding what occurred after his convoy was hit on 19Nov05.

(b)(6), (b)(7)(C) details follow:

a. TAXI: After the IED exploded, (b)(6), (b)(7)(C) reiterated he immediately dismounted his vehicle and ran toward the hit HMMWV to check on the occupants. While he ran, (b)(6), (b)(7)(C) heard M-16 gunfire behind him and looked back to see (b)(6), (b)(7)(C) in a kneeling position firing his weapon toward a hill where the top of a white vehicle was visible to (b)(6), (b)(7)(C) noted he could not see any individuals near the white vehicle but he saw a "red mist," as (b)(6), (b)(7)(C) fired his rifle. (b)(6), (b)(7)(C) advised he was not sure how far (b)(6), (b)(7)(C) was from the vehicle but estimated 50 meters. (b)(6), (b)(7)(C) speculated other Marines from the first and second HMMWVs were also shooting, but he was not sure. Later that day, (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) he had fired as well. (b)(6), (b)(7)(C) noted he did not see the white vehicle as it approached the convoy. (b)(6), (b)(7)(C) believed it was (b)(6), (b)(7)(C) who later informed him the white vehicle was already pulled to the side of the road when the IED hit. Several hours later, (b)(6), (b)(7)(C) viewed the bodies of the men near the white vehicle and opined, "It was obvious to me that the men hadn't tried to run away." (b)(6), (b)(7)(C) further noted one of the Iraqi males had been shot in the head.

b. STATUS REPORTS: (b)(6), (b)(7)(C) reported he called into the COC with status reports and requested a QRF after the IED blast. (b)(6), (b)(7)(C) expressed he became frustrated with the COC because he did not think they were paying attention. (b)(6), (b)(7)(C) conceded they needed more specific information about the casualties, and he was not giving it to them. (b)(6), (b)(7)(C) passed the radio to (b)(6), (b)(7)(C) and advised him to call in a situation report. (b)(6), (b)(7)(C) did not hear what (b)(6), (b)(7)(C) reported via radio because (b)(6), (b)(7)(C) began forming a team to clear

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nearby houses. advised he no longer heard SAF at this point.

c. DETAINEES: related he guarded detainees after clearing houses but denied abusing them. also denied being told to let detainees go so they could be shot. The only comment he recalled regarding detainees was one made by (b)(6), (b)(7)(C) when he said they should have shot detainees as they were clearing houses. asserted he and (b)(6), (b)(7)(C) were not abusive toward the detainees but they were forceful. explained their actions concerning the detainees were not inappropriate.

d. (b)(6), (b)(7)(C) While guarding detainees with (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) in a house, (b)(6), (b)(7)(C) informed he had shot an individual in one of the houses he had cleared earlier. (b)(6), (b)(7)(C) said (b)(6), (b)(7)(C) had instructed him to shoot the individual. (b)(6), (b)(7)(C) expressed he had aimed too high when he shot the individual because all he saw was red mist. believed (b)(6), (b)(7)(C) was not bragging about the shooting, as he seemed more in shock. advised it was the first time (b)(6), (b)(7)(C) had been involved in any type of engagement.

e. PHOTOGRAPHS: asserted he has not seen any photographs of the damage or deceased from the 19Nov05 incident. acknowledged photographs existed because he was present while LCPL and LCPL marked and photographed the bodies. stated he instructed which numbers to mark on the deceased for identification. However, related he did not go into every house where the deceased were found. explained he simply asked for the number of bodies for marking purposes and waited while photographs were taken of the deceased.

f. (b)(6), (b)(7)(C) Sometime in January or February 2006, recalled hearing a rumor that (b)(6), (b)(7)(C) weapon did not jam while he was in house #4. Specifically, heard (b)(6), (b)(7)(C) had "made the whole story up." explained he was referring to the story where (b)(6), (b)(7)(C) and an Iraqi insurgent tried to fire at each other, but both of their weapons jammed, so (b)(6), (b)(7)(C) shot the Iraqi with a 9mm pistol. also heard the weapon seized from house #4 was seized from a room other than the one where the Iraqi male was located when (b)(6), (b)(7)(C) shot him. acknowledged that he does not know if the foregoing is true or false. However, advised he spoke with (b)(6), (b)(7)(C) in Iraq (after NCIS had interviewed . During their conversation, (b)(6), (b)(7)(C) bragged he had lied to NCIS and "got away with it." noted (b)(6), (b)(7)(C) did not tell him what facts he had lied about to NCIS. Exhibit (114) pertains.

KILO COMPANY COC - FIRMBASE SPARTA, HADITHA, IRAQ

7. On 11May06, USMC, was interviewed and related he was the Headquarters Platoon Police while deployed in Haditha, Iraq. reported he did not leave the firmbase on 19Nov05; however, stated he helped unload the bodies of the deceased from the HMMWVs that transported them to the Firmbase late that night. expressed he knew there was a

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problem when he saw women and children among the dead. (b)(6), (b)(7)(C) noted LT (b)(6), (b)(7)(C) GYSGT (b)(6), (b)(7)(C) and SGT (b)(6), (b)(7)(C) supervised him and other Marines while they unloaded the bodies and placed them in body bags. (b)(6), (b)(7)(C) advised he did not see any recovered weapons on 19Nov05. Additionally, (b)(6), (b)(7)(C) conveyed he had the key to the "confiscated weapons room." (b)(6), (b)(7)(C) explained when a weapon was recovered, he was notified, so he could open the confiscated weapons room and secure the weapons. (b)(6), (b)(7)(C) asserted no one approached him about recovered weapons that day. (b)(6), (b)(7)(C) advised that LCPL (b)(6), (b)(7)(C) was the company armorer and may have additional information. (b)(6), (b)(7)(C) Exhibit (115) pertains.

8. On 13May06, (b)(6), (b)(7)(C) USMC, was interviewed and stated he was the company driver for Kilo Company at Firmbase Sparta. (b)(6), (b)(7)(C) affirmed he remained at the Firmbase on 19Nov05 and did not participate in any of the events that day. Although (b)(6), (b)(7)(C) did not see a weapon seized on 19Nov05, he believed at least one (1) weapon was recovered and brought into the Firmbase that day. (b)(6), (b)(7)(C) explained he saw LCPL (b)(6), (b)(7)(C) tagging weapons around 1800 at the Firmbase on 19Nov05 and thus, concluded weapons had been seized. Later, Marines told (b)(6), (b)(7)(C) about the bodies they had unloaded. (b)(6), (b)(7)(C) added either LCPL (b)(6), (b)(7)(C) or LCPL (b)(6), (b)(7)(C) showed him photographs of the deceased. Months later when reporters arrived, (b)(6), (b)(7)(C) felt his superiors may have tried to hide what happened. (b)(6), (b)(7)(C) based this belief on conversations he overheard while he was on radio watch. According to (b)(6), (b)(7)(C) told platoon commanders that reporters were coming and to have their Marines keep their "mouths shut." Exhibit (116) pertains.

9. On 23May06, (b)(6), (b)(7)(C) USMC, was interviewed and stated he was the (b)(6), (b)(7)(C) for 3rd Platoon, Kilo Company, at the time of the 19Nov05 incident. On the morning of 19Nov05, (b)(6), (b)(7)(C) assumed the duties of Watch Officer in the COC in Firmbase Sparta and relieved LT (b)(6), (b)(7)(C) provided the following details:

a. IED BLAST: (b)(6), (b)(7)(C) advised that while (b)(6), (b)(7)(C) was briefing (b)(6), (b)(7)(C) on squad movements, a loud explosion was heard. Shortly thereafter, radio calls came in from (b)(6), (b)(7)(C) squad. (b)(6), (b)(7)(C) reported at first he heard screaming about "WIAs," wounded in action. Later, (b)(6), (b)(7)(C) heard radio communications indicating (b)(6), (b)(7)(C) squad had (b)(6), (b)(7)(C) (2) WIAs and one (1) KIA. During this time, 1STLT (b)(6), (b)(7)(C) was providing updates, including SITREPS (situation reports), to the battalion via radio and Internet chat. (b)(6), (b)(7)(C) learned LCPL Miguel TERRAZAS was the Marine killed in action. (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) left Firmbase Sparta with a QRF consisting of 3rd Squad/3rd Platoon Marines to assist (b)(6), (b)(7)(C) squad. Approximately eight (8) to ten (10) minutes after the explosion, (b)(6), (b)(7)(C) heard radio communications from the QRF indicating they were at the scene of the IED blast. To the best of (b)(6), (b)(7)(C) knowledge, the QRF remained at the blast site for approximately 10 to 20 minutes before transporting the wounded Marines to LZ. According to (b)(6), (b)(7)(C) the QRF returned to Firmbase Sparta within an hour after they initially left and (b)(6), (b)(7)(C) remained at the IED blast site.

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

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b. RADIO REPORTS: (b)(6), (b)(7)(C) advised he organized squads and directed them into the vicinity of (b)(6), (b)(7)(C) location shortly after the blast. CPL (b)(6), (b)(7)(C) squad was en-route to (b)(6), (b)(7)(C) location when they encountered an IED hidden along side of the road. The IED was reported to the battalion who dispatched an EOD team to Firmbase Sparta; the EOD team received small arms fire (SAF) en route to Firmbase Sparta and did not respond to the scene of the IED until all the shooting had ceased. (b)(6), (b)(7)(C) later received a radio call from an unidentified Marine assigned to 3rd Squad, 1st Platoon who reported civilian KIAs; either CPL (b)(6), (b)(7)(C) or 1SLT (b)(6), (b)(7)(C) instructed the caller to get an accurate count. At approximately noon, LT (b)(6), (b)(7)(C) radioed the COC and requested another helicopter to transport two (2) children with shrapnel wounds. (b)(6), (b)(7)(C) subsequently transported the Iraqi children to LZ where they were flown to a hospital. Around this time, members of Weapons Platoon were receiving SAF and grenade attacks from suspected insurgents near Route Chestnut. After an air strike was conducted on a house occupied by insurgents, the COC began receiving reports via Internet chat that indicated the Unmanned Aerial Vehicle (UAV) had tracked an insurgent entering a house. (b)(6), (b)(7)(C) advised the Marines eventually captured this individual. Sometime in the afternoon, (b)(6), (b)(7)(C) contacted the battalion to receive guidance on what to do with the bodies of the Iraqi civilian casualties. A decision was made to transport the bodies to the hospital. (b)(6), (b)(7)(C) spoke to (b)(6), (b)(7)(C) later in the day to see how the Marines in his squad were doing. During this conversation, (b)(6), (b)(7)(C) reported twenty-three (23) to twenty-four (24) Iraqi civilians had been killed.

c. (b)(6), (b)(7)(C) Approximately three (3) days to a week later, (b)(6), (b)(7)(C) again spoke with (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) reported after the IED blast a vehicle approached his position at a high rate of speed and it was "engaged," meaning he and squad members fired at the vehicle. (b)(6), (b)(7)(C) reported (b)(6), (b)(7)(C) did not explain how the vehicle was engaged or what level of force was used to stop the vehicle. (b)(6), (b)(7)(C) also told (b)(6), (b)(7)(C) his squad received SAF south of Route Chestnut and then moved toward the direction of the SAF. (b)(6), (b)(7)(C) interpreted (b)(6), (b)(7)(C) comments to mean he went to clear homes/locations where the SAF had originated. (b)(6), (b)(7)(C) was not aware of how much time elapsed between the IED blast, the engagement of the vehicle, and the clearing of houses. (b)(6), (b)(7)(C) believed (b)(6), (b)(7)(C) briefed CAPT (b)(6), (b)(7)(C) regarding the incident sometime during the evening of 19Nov05. Exhibit (117) pertains.

10. On 19May06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he was assigned as the (b)(6), (b)(7)(C) for Kilo Company, (3/1), while deployed in Iraq. (b)(6), (b)(7)(C) reported he remained at Firmbase Sparta for the entire duration of the fighting that occurred in Haditha on 19Nov05. Sometime later, SSGT (b)(6), (b)(7)(C) approached (b)(6), (b)(7)(C) and requested he obtain body bags for civilian casualties. Around 2000/2100, CAPT (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) there were civilian casualties that needed to be separated, women and children from the males. LT (b)(6), (b)(7)(C) then instructed (b)(6), (b)(7)(C) to place the bodies of the women and children in one truck and place the males

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into another. According to (b)(6), (b)(7)(C) he observed the bodies of at least five (5) children. (b)(6), (b)(7)(C) described all the bodies as having multiple and indiscriminate gunshot wounds. While loading the HMMWVs, (b)(6), (b)(7)(C) observed LCPL (b)(6), (b)(7)(C) taking a photograph of the bodies that were in the back of a HMMWV. (b)(6), (b)(7)(C) reportedly told (b)(6), (b)(7)(C) to put the camera away. Subsequent to loading the HMMWVs, (b)(6), (b)(7)(C) escorted the deceased to the Haditha morgue, where he met with MAJ (b)(6), (b)(7)(C), the Civil Affairs Group (CAG) officer assigned to 3/1. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) the families of the women and children were being paid \$1,500.00 per victim for "accidental death." After dropping off the bodies, (b)(6), (b)(7)(C) and the other Marines returned to Firmbase Sparta where the HMMWVs were cleaned. (b)(6), (b)(7)(C) observed a couple of the Marines "horsing around" with some body parts; (b)(6), (b)(7)(C) instructed those Marines to burn the parts in a fire pit. Exhibit (118) pertains.

THE 1st QRF, 3rd SQUAD, 3rd PLATOON, KILO COMPANY

11. On 12May06, (b)(6), (b)(7)(C) USMC, was re-interviewed regarding his knowledge of the events on 19Nov05. (b)(6), (b)(7)(C) stated he was a member of the first QRF (3rd Squad, 3rd Platoon) that responded to the scene. After being briefed about the incident, (b)(6), (b)(7)(C) estimated his squad geared up and left the Firmbase in about six (6) minutes. (b)(6), (b)(7)(C) advised members of the QRF included CPL (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) The details of his interview follow:

a. TAXI: Upon their approach to Chestnut, (b)(6), (b)(7)(C) saw a white vehicle pulled off the side of the road about twenty (20) to thirty (30) meters from the first HMMWV. (b)(6), (b)(7)(C) saw two (2) bodies in the street near the driver's side of the vehicle and one (1) body was near the rear of the vehicle. (b)(6), (b)(7)(C) noted injuries to and/or bloodstains on the head, chest, and shoulder of one body. (b)(6), (b)(7)(C) stated he did not see any weapons around the deceased.

b. SAF: While on Chestnut, (b)(6), (b)(7)(C) observed LCPL (b)(6), (b)(7)(C) limping across the road. Subsequently, (b)(6), (b)(7)(C) heard SAF and advised (b)(6), (b)(7)(C) who had reached the HMMWV to get down since he was sitting up in the vehicle. (b)(6), (b)(7)(C) opined the sporadic shots sounded as if they came from the south. (b)(6), (b)(7)(C) then looked south and saw Marines near the white vehicle shooting toward the south. (b)(6), (b)(7)(C) looked through the scope on his rifle but did not see any hostile targets. (b)(6), (b)(7)(C) estimated the SAF lasted about ten (10) seconds. Thereafter, (b)(6), (b)(7)(C) heard a M203 grenade launcher fire and saw (b)(6), (b)(7)(C) fire another M203 round to the south. (b)(6), (b)(7)(C) looked at everyone in his squad, checked to see if they were "okay," and noticed no one was shooting. (b)(6), (b)(7)(C) asserted he did not see any houses burning, combatants, or living Iraqis during the events that day.

c. REMOVAL OF BODIES: (b)(6), (b)(7)(C) related once the injured were flown from the LZ, he and his squad returned to the Firmbase around 0900 where they remained until later that afternoon. Around 1600, (b)(6), (b)(7)(C) squad left the Firmbase and went back to the scene. Upon their arrival to Chestnut, (b)(6), (b)(7)(C) saw Marines from 1st Squad, 3rd

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Platoon and other Marines from 1st Platoon. (b)(6), (b)(7)(C) advised his squad set up a security perimeter to the east while (b)(6), (b)(7)(C) squad set up to the west. About an hour later, (b)(6), (b)(7)(C) observed (b)(6), (b)(7)(C) squad take a HMMWV south into an area of houses.

(b)(6), (b)(7)(C) estimated (b)(6), (b)(7)(C) squad came back about two (2) hours later with the HMMWV full of bodies. (b)(6), (b)(7)(C) also saw the victims near the white vehicle being loaded into a second HMMWV. (b)(6), (b)(7)(C) indicated unknown Marines were taking photographs of the deceased while LT (b)(6), (b)(7)(C) 1st Platoon Commander, supervised them. After more bodies were removed and loaded from a house north of Chestnut, (b)(6), (b)(7)(C) squad departed the area and returned to the Firmbase. (b)(6), (b)(7)(C) believed they reached the Firmbase around 2200, when he observed the HMMWVs with bodies parked in front of the entrance.

d. DEBRIEF: (b)(6), (b)(7)(C) recalled the CO and 1ST SGT (b)(6), (b)(7)(C) addressed 3rd platoon in the Firmbase briefing room on the evening of 19Nov05. According to (b)(6), (b)(7)(C) the squad was told it was a shame they lost "TJ" and they did everything fine.

e. PHOTOGRAPHS: (b)(6), (b)(7)(C) advised he inspected his squad's electronic gear sometime in late March. During the inspection, he found photographs of dead bodies on (b)(6), (b)(7)(C) Play Station Portable (PSP). Consequently, (b)(6), (b)(7)(C) informed SSGT (b)(6), (b)(7)(C) and took the PSP and (b)(6), (b)(7)(C) to NCIS. (b)(6), (b)(7)(C) confirmed he did not find any other photographs or contraband during this inspection.

f. RE-INTERVIEW: On 18May06, (b)(6), (b)(7)(C) was re-interviewed to clarify his statement. (b)(6), (b)(7)(C) reported his squad was called out around 1300 to assist Marines at Route Chestnut with persons under control/detainees. (b)(6), (b)(7)(C) observed an ISF (also referred to as Iraqi Army (IA)) member take his helmet and hit one of the male detainees in the head with it. (b)(6), (b)(7)(C) related another unknown Marine told the ISF to stop. Exhibits (119)-(120) pertain.

12. On 12May06, (b)(6), (b)(7)(C) USMC, was re-interviewed regarding his knowledge of the events that occurred on 19Nov05. (b)(6), (b)(7)(C) confirmed he was a member of the QRF team that initially arrived on-scene to evacuate the injured. (b)(6), (b)(7)(C) advised while he was at the scene, he heard AK-47 SAF that came from the south of Route Chestnut. (b)(6), (b)(7)(C) believed (b)(6), (b)(7)(C) and CPL (b)(6), (b)(7)(C) fired M203 rounds at a house south of Chestnut. (b)(6), (b)(7)(C) stated he did not see anyone shooting from the house. (b)(6), (b)(7)(C) added the ISF members were not shooting their weapons while he was on-scene. After the injured were evacuated, (b)(6), (b)(7)(C) recalled returning to the Firmbase around 0830-0900 where his squad remained on stand-by until they were called out to transport detainees from Chestnut. When they went to Route Chestnut the second time, (b)(6), (b)(7)(C) estimated the squad picked-up about fifteen (15) detainees, and remained on-scene for approximately thirty (30) minutes. (b)(6), (b)(7)(C) indicated they returned to the Firmbase once again until called out the third time to recover the bodies at approximately 1900. (b)(6), (b)(7)(C) noted he saw LT (b)(6), (b)(7)(C) LCPL (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) load the bodies into three (3) HMMWVs. Once the bodies were loaded, (b)(6), (b)(7)(C) and his squad returned to the Firmbase sometime between 2300-0100. Subsequently, (b)(6), (b)(7)(C) attended

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a debrief held by the CO at the Firmbase. On the following day, 20Nov05, LCPL (b)(6), (b)(7)(C) downloaded photographs of the deceased on (b)(6), (b)(7)(C) PSP. As background, when (b)(6), (b)(7)(C) was interviewed in March 2006 regarding the photographs, he claimed he took receipt of them because (b)(6), (b)(7)(C) was bothered emotionally by the images. Conversely, (b)(6), (b)(7)(C) admitted this was not true and explained he obtained the photographs because he was curious and wanted them. Exhibit (121) pertains.

13. On 13May06, (b)(6), (b)(7)(C) USMC, was interviewed and related he was the gunner for 3rd Squad, 3rd Platoon on 19Nov05. After the IED blast occurred, (b)(6), (b)(7)(C) advised he drove the fourth vehicle for the QRF that went out to the scene, evacuated the injured, and transported them to the LZ. Later that evening, (b)(6), (b)(7)(C) recalled his squad was called out again to post security at the IED site. While on post, (b)(6), (b)(7)(C) noticed bodies had been loaded into HMMWVs. (b)(6), (b)(7)(C) acknowledged his HMMWV could have been used to transport the bodies but he was not certain. Additionally, (b)(6), (b)(7)(C) revealed he saw photographs of the deceased on LCPL (b)(6), (b)(7)(C) camera. Exhibit (122) pertains.

14. On 13May06, (b)(6), (b)(7)(C) USMC, was interviewed and affirmed he was a member of the first QRF team that arrived on-scene to evacuate injured Marines. (b)(6), (b)(7)(C) reported he went to the IED site three (3) times; first to evacuate the casualties; second to pick-up detainees; and third to transport bodies. During the first call out to Chestnut, (b)(6), (b)(7)(C) heard a conversation between LT (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C). According to (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) what had happened regarding the five (5) Iraqi bodies on the ground. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) the Iraqis had exited and attempted to run so everyone from the 1st Squad, 3rd Platoon, "lit them up." (b)(6), (b)(7)(C) also observed (b)(6), (b)(7)(C) shoot a high explosive round at a house located south of Chestnut. (b)(6), (b)(7)(C) then saw two (2) to three (3) rounds explode. Later, while en-route to the Firmbase from the LZ, CPL (b)(6), (b)(7)(C) requested to dismount, so he could meet with his squad that was located at the Combat Outpost (COP). Once they returned to Firmbase Sparta, (b)(6), (b)(7)(C) said he was called out to assist in looking for an unidentified person shooting at the Firmbase. (b)(6), (b)(7)(C) indicated they did not find the shooter. Subsequently, when he assisted with detainees, (b)(6), (b)(7)(C) did not observe any detainee abuse. While at the Firmbase, (b)(6), (b)(7)(C) noted they were instructed to gather in a meeting room where the CO and SSGT (b)(6), (b)(7)(C) talked to them about LCPL TERRAZAS' death and how women and children had died. (b)(6), (b)(7)(C) recalled SSGT (b)(6), (b)(7)(C) saying, "What we did was absolutely right, and I stand behind you one hundred percent." While still in Iraq, (b)(6), (b)(7)(C) spoke with (b)(6), (b)(7)(C) about the incident wherein (b)(6), (b)(7)(C) claimed he shot two (2) "guys" in one house and shot two (2) to the chest and (1) to the head. (b)(6), (b)(7)(C) did not mention anything about shooting women or children. Exhibit (123) pertains.

15. On 15May06, (b)(6), (b)(7)(C) USMC, was re-interviewed and related he was a member of the first QRF team that evacuated the injured and transported the deceased on 19Nov05. While en-route to

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the IED site, (b)(6), (b)(7)(C) conveyed he did not hear any SAF. However, when he was at Chestnut, (b)(6), (b)(7)(C) heard SAF coming from the direction of a house south of Chestnut. Shortly thereafter, (b)(6), (b)(7)(C) saw (b)(6), (b)(7)(C) fire M203 rounds toward the same house. (b)(6), (b)(7)(C) noted he did not see CPL

(b)(6), (b)(7)(C) shoot M203 rounds; however, (b)(6), (b)(7)(C) later informed (b)(6), (b)(7)(C) he had done so. Later in the day, (b)(6), (b)(7)(C) confirmed his squad was called out to assist in removing/transporting the bodies. (b)(6), (b)(7)(C) advised he did not enter the houses or handle any of the bodies. (b)(6), (b)(7)(C) remarked he and other squad members discussed, "It was messed up how women and children had been killed." (b)(6), (b)(7)(C) recalled one (1) Marine described, "The whole thing looking like a massacre." (b)(6), (b)(7)(C) further noted he had seen photographs of the deceased when LCPL (b)(6), (b)(7)(C) burned them to a computer disc (CD) for him. (b)(6), (b)(7)(C) asserted he intended to take the CD home but was instructed to destroy all photographs of dead bodies. Therefore, (b)(6), (b)(7)(C) broke the CD into pieces and has not possessed such photographs since that time. Lastly, (b)(6), (b)(7)(C) remembered the CO met with 3rd Platoon a few days after the incident, spoke about the loss of TERRAZAS, and informed them they had done the right thing. Exhibit (124) pertains.

16. On 15May06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he was the (b)(6), (b)(7)(C) for Kilo Company while deployed in Iraq. (b)(6), (b)(7)(C) explained his duties included securing seized weapons, maintaining the Captured Weapons Logbook, and then turning in the weapons to the battalion. The details of (b)(6), (b)(7)(C) interview follow:

a. IED SITE: (b)(6), (b)(7)(C) was at the COC when he heard the IED blast followed by M-16 gunfire, short bursts of AK-47 fire, and "a lot of SAW fire." (b)(6), (b)(7)(C) did not accompany the first QRF for the evacuation of the casualties, but went out with (b)(6), (b)(7)(C) squad in the afternoon to provide security. (b)(6), (b)(7)(C) estimated he and the squad were at the IED site for approximately six (6) to seven (7) hours. At one point, (b)(6), (b)(7)(C) recalled seeing the CO on-scene talking to LT (b)(6), (b)(7)(C). Subsequently, (b)(6), (b)(7)(C) heard (b)(6), (b)(7)(C) say they had to remove bodies from houses. (b)(6), (b)(7)(C) expressed this made him angry because he did not want to do the task.

b. HOUSE #1: (b)(6), (b)(7)(C) advised he followed (b)(6), (b)(7)(C) into house #1 and noted several Marines on (b)(6), (b)(7)(C) squad also entered house #1. (b)(6), (b)(7)(C) believed (b)(6), (b)(7)(C) instructed them to go inside to, "see a dead guy that was on fire." (b)(6), (b)(7)(C) noted a portion of house #1 was on fire and a body was burning in the first room to his right. In a bedroom, (b)(6), (b)(7)(C) observed children that were dead. (b)(6), (b)(7)(C) assisted with placing trash bags in the back of the HMMWV in preparation for loading the bodies. (b)(6), (b)(7)(C) remembered the first body removed from house #1 was the one still burning. Then the children were removed and loaded. (b)(6), (b)(7)(C) opined some of the children looked like they had been injured by a fragmentation grenade. (b)(6), (b)(7)(C) also recalled seeing an older woman wearing a black garment among the dead that were removed from house #1. Subsequently, (b)(6), (b)(7)(C) drove the HMMWV to house #2 while (b)(6), (b)(7)(C) guided him on foot.

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c. HOUSE #2: (b)(6), (b)(7)(C) advised he never went inside house #2 but believed (b)(6), (b)(7)(C) were both present when the bodies were removed from inside. (b)(6), (b)(7)(C) observed one teenage female with a chest wound and several other female bodies removed from house #2. (b)(6), (b)(7)(C) opined one of the houses (#1 or #2) had been assaulted by a 240G machine gun based on the damage he examined. (b)(6), (b)(7)(C) noted (b)(6), (b)(7)(C) later informed (b)(6), (b)(7)(C) he had cleared a house with a 240G and a 9mm pistol. (b)(6), (b)(7)(C) advised the quantity of ammunition and fragmentation grenades used on 19Nov05 would likely be documented in a SALUTE (Size, Activity, Location, Unit, Time, Equipment) report.

d. AK-47s: (b)(6), (b)(7)(C) reported two (2) AK-47s were turned into him on 19Nov05. (b)(6), (b)(7)(C) could not recall who handed the weapons to him. (b)(6), (b)(7)(C) believed he was either at house #1 or house #2 when he placed the weapons in the center console of his HMMWV. Subsequently, (b)(6), (b)(7)(C) transported the weapons and the bodies back to Firmbase Sparta. (b)(6), (b)(7)(C) documented the weapons in the Captured Weapons Logbook and secured them in the Company's Captured Weapons Locker. Later that week, (b)(6), (b)(7)(C) turned the weapons over to the S-2, to either SSGT (b)(6), (b)(7)(C) 3/1 Armory Chief, or CPL (b)(6), (b)(7)(C) 3/1 Assistant Armory Chief. (b)(6), (b)(7)(C) advised the logbook remained in Iraq and was turned over to the new command.

e. TAXI: After house #2, (b)(6), (b)(7)(C) was instructed to move to the IED site and load more bodies found near the white vehicle. (b)(6), (b)(7)(C) noted one Iraqi male's body had several shots to the head and chest. (b)(6), (b)(7)(C) related once all the bodies were loaded, the HMMWVS returned to the Firmbase.

f. SEGREGATION OF BODIES: According to (b)(6), (b)(7)(C) LT (b)(6), (b)(7)(C) the Kilo Company Executive Officer (XO), ordered him and other Marines to separate the adult male bodies from the bodies of women and children. (b)(6), (b)(7)(C) estimated this process took about three (3) hours. During this process, (b)(6), (b)(7)(C) did not observe anyone taking photographs. (b)(6), (b)(7)(C) noted he did not participate in the transport of the bodies to the Haditha hospital. Shortly after cleaning up, (b)(6), (b)(7)(C) spoke with (b)(6), (b)(7)(C) at the Firmbase. (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) whether he received the "other" AK-47s. (b)(6), (b)(7)(C) asked, "The two I got?" to which (b)(6), (b)(7)(C) responded, "No." (b)(6), (b)(7)(C) conveyed this conversation caused him to wonder because (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) that (b)(6), (b)(7)(C) had moved AK-47s from the area of houses #3 and #4 to the area of houses #1 and #2.

g. (b)(6), (b)(7)(C) further advised that while on-scene, (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) if he could blow-up one of the houses with C-4. In turn, (b)(6), (b)(7)(C) inquired if (b)(6), (b)(7)(C) wanted to blow it up just for "giggles." (b)(6), (b)(7)(C) said, "No, the whole house. We might need to." (b)(6), (b)(7)(C) concluded (b)(6), (b)(7)(C) had approached him since (b)(6), (b)(7)(C) is trained in demolitions. (b)(6), (b)(7)(C) asserted nothing came of the request; however, (b)(6), (b)(7)(C) conceded it was possible that someone could have taken C-4 from a HMMWV and used it on 19Nov05. Exhibit (125) pertains.

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17. On 10May06, (b)(6), (b)(7)(C) USN, a member of the first QRF to respond to the IED was re-interviewed regarding the events that occurred on 19Nov05. (b)(6), (b)(7)(C) advised the statement he provided to NCIS on 22Mar06 was true; however, he recalled the following additional details:

a. IED BLAST: (b)(6), (b)(7)(C) estimated it took him and his QRF team ten (10) to fifteen (15) minutes to arrive on-scene after the IED blast. While en-route to the wrecked HMMWV, (b)(6), (b)(7)(C) saw LCPL (b)(6), (b)(7)(C) sitting near the vehicle without his weapon. (b)(6), (b)(7)(C) also observed (b)(6), (b)(7)(C) assisting HN (b)(6), (b)(7)(C) with LCPL (b)(6), (b)(7)(C) noted (b)(6), (b)(7)(C) appeared to be frustrated while he tried to cut (b)(6), (b)(7)(C)'s flack jacket off of him. While he attended to the injured, (b)(6), (b)(7)(C) recalled "hearing two to three HEDP rounds impact to the south" on Route Chestnut. (b)(6), (b)(7)(C) asserted he knew (b)(6), (b)(7)(C) shot these rounds because he turned around and saw (b)(6), (b)(7)(C) with his weapon at a forty-five degree angle in a standing shooting position. (b)(6), (b)(7)(C) estimated it took about thirty (30) minutes to get (b)(6), (b)(7)(C) loaded into the vehicle and over to the LZ. (b)(6), (b)(7)(C) recalled LT (b)(6), (b)(7)(C) assisting with loading the injured in the HMMWV. (b)(6), (b)(7)(C) advised he did not see any Marines form a maneuver unit while he was attending to the injured. While en-route to the LZ, (b)(6), (b)(7)(C) saw CAPT (b)(6), (b)(7)(C) with SGT (b)(6), (b)(7)(C) squad (the second QRF) on a foot patrol at the corner of Leopard and Haditha Road.

b. DETAINEES: After the injured were flown out, (b)(6), (b)(7)(C) returned to the Firmbase until he was called out to the scene again for the transport of detainees. (b)(6), (b)(7)(C) talked with LT (b)(6), (b)(7)(C) and LCPL (b)(6), (b)(7)(C) while the 3rd Squad loaded one (1) to two (2) dozen detainees in the HMMWVs.

c. REMOVAL OF BODIES: (b)(6), (b)(7)(C) reported he returned to the IED site with 3rd Squad for the third time that day around dusk to "police the bodies." (b)(6), (b)(7)(C) related he was tasked to handle the bodies and load them in the vehicles.

d. PHOTOGRAPHS: (b)(6), (b)(7)(C) stated he did not take any photographs of the bodies. However, (b)(6), (b)(7)(C) revealed (b)(6), (b)(7)(C) showed him photographs of the deceased on (b)(6), (b)(7)(C) camera. (b)(6), (b)(7)(C) also saw such photographs on (b)(6), (b)(7)(C) PSP. Additionally, (b)(6), (b)(7)(C) observed photographs of the incident on the website of (b)(6), (b)(7)(C) a civilian photojournalist who was embedded with 3/1 in Iraq.

e. RE-INTERVIEW: On 19May06, (b)(6), (b)(7)(C) was interrogated after he was read and waived his Article 31B rights. During the interview, (b)(6), (b)(7)(C) repeatedly denied allegations of his involvement in the abuse of detainees on 19Nov05. (b)(6), (b)(7)(C) reiterated he assisted with the casualties the first time the QRF went out to the IED site on the morning of 19Nov05. Later that day, he returned with members of the QRF to Route Chestnut to pick-up detainees and transport them to the Firmbase. When they reached Chestnut to assist with detainees, (b)(6), (b)(7)(C) recalled seeing LT (b)(6), (b)(7)(C) and ISF personnel

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in the area. (b)(6), (b)(7)(C) saw (b)(6), (b)(7)(C) use his left knee to strike a detainee on the leg as they walked over to the HMMWVs. (b)(6), (b)(7)(C) noted he did not see (b)(6), (b)(7)(C) strike the detainee again in any manner. (b)(6), (b)(7)(C) asserted he did not hear or see anyone abuse the detainees on 19Nov05. Additionally, (b)(6), (b)(7)(C) advised he wrote a letter regarding the 19Nov05 incident to a friend in the U.S. and posted a short statement on the Internet regarding LCPL TERRAZAS' death. (b)(6), (b)(7)(C) provided NCIS with his e-mail addresses/accounts and signed consent forms for access to his Internet accounts. Exhibits (126-131) pertain.

THE SECOND QRF, 2nd SQUAD, 3rd PLATOON, KILO COMPANY

18. On 08May06, (b)(6), (b)(7)(C) USMC, assigned to 3rd Platoon, 2nd Squad, Kilo Company, was interviewed and stated that on 19Nov05 he was a member of a security patrol that provided support to the 1st Squad. After the IED blast, SGT (b)(6), (b)(7)(C) instructed (b)(6), (b)(7)(C) squad to push out on patrol to the intersection of Viper and Chestnut. (b)(6), (b)(7)(C) noted his squad included SGT (b)(6), (b)(7)(C) LCPL (b)(6), (b)(7)(C) added that CAPT (b)(6), (b)(7)(C) accompanied his squad that day. The details of (b)(6), (b)(7)(C) interview follow:

a. SAF: During their patrol, (b)(6), (b)(7)(C) reported he heard gunfire coming from the Viper/Chestnut area. In turn, (b)(6), (b)(7)(C) team (1st team) and (b)(6), (b)(7)(C) took cover in a house along Route Chestnut while the second team went to a different house further east on Chestnut. Shortly thereafter, the second team reported seeing two (2) individuals running. (b)(6), (b)(7)(C) related the first team did not see the runners but heard gunfire and pulled out of the house to investigate.

b. SEARCH FOR INJURED: (b)(6), (b)(7)(C) believed the second team reported they had shot the two (2) individuals and the whole squad moved south to find the potentially wounded runners. During their search, SGT (b)(6), (b)(7)(C) instructed (b)(6), (b)(7)(C) and the first team to provide overwatch at a house. At this point, (b)(6), (b)(7)(C) noted (b)(6), (b)(7)(C) was no longer with his team and they had still not reached the IED site.

c. ROOFTOP OBSERVATIONS: While on a rooftop for several hours, (b)(6), (b)(7)(C) observed HMMWVs driving south, helicopters in the air firing, and a medical evacuation helicopter being loaded with Marines and two (2) children. (b)(6), (b)(7)(C) related when (b)(6), (b)(7)(C) and the second team returned to the first team's position, they all headed to Viper/Chestnut around 1600-1700. (b)(6), (b)(7)(C) saw about five (5) to six (6) dead bodies on the roadside.

d. RAID OF HOUSES: (b)(6), (b)(7)(C) indicated they were on-scene for less than an hour when they were ordered to support Weapons Platoon, move south, and raid homes. (b)(6), (b)(7)(C) noted (b)(6), (b)(7)(C) did not accompany them. (b)(6), (b)(7)(C) said they raided the houses but did not find any individuals with weapons. However, they encountered and detained one (1) person that was on the Company Immediate Target List. Subsequently, (b)(6), (b)(7)(C) and his squad went to the Combat Outpost (COP)

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were they remained until the morning of 20Nov05. (b)(6), (b)(7)(C) advised the only weapon he saw was a blown up rocket propelled grenade (RPG) that Weapons Platoon brought back to the COP.

e. DEBRIEFS: Around 1000 on 20Nov05, (b)(6), (b)(7)(C) reported they returned to the Firmbase and attended a meeting during which Chaplain (b)(6), (b)(7)(C) talked to the Marines about the death of LCPL TERRAZAS. At some point, (b)(6), (b)(7)(C) recalled a debriefing where it was discussed how the IED went off and the convoy was hit with SAF. At another time, (b)(6), (b)(7)(C) indicated (b)(6), (b)(7)(C) talked to 3rd Platoon about losing a fellow Marine. Sometime after the New Year, SGT [REDACTED] informed [REDACTED] and others that NCIS was coming to the Firmbase. Exhibit (132) pertains.

19. On 08May06, [REDACTED] was interviewed and reported he is a member of the 3rd Platoon, 2nd Squad, Kilo Company. On the morning of 19Nov05, [REDACTED] squad and [REDACTED] left the Firmbase to provide assistance to the 1st Squad. During their approach to Route Chestnut, [REDACTED] advised he heard SAF, and the squad took cover in a house. Later, they moved closer to Chestnut and remained on a rooftop for five (5) to six (6) hours. Subsequently, the patrol walked to Chestnut and [REDACTED] observed a white car with a few bodies nearby. While on Chestnut, [REDACTED] asked (b)(6), (b)(7)(C) about LCPL TERRAZAS. (b)(6), (b)(7)(C) told [REDACTED] that "TJ" was dead and then walked away. Eventually, [REDACTED] stated the entire squad left the scene with [REDACTED] and returned to the COP. While at the COP, [REDACTED] saw [REDACTED] talk to and leave with Weapons Platoon. [REDACTED] related he remained at the COP overnight and relieved Weapons Platoon the following day. Months later, SGT [REDACTED] informed [REDACTED] and his squad that an Army Colonel was coming to the Firmbase. [REDACTED] noted he was not interviewed during the Army investigation. Exhibit (133) pertains.

20. On 08May06, [REDACTED] USMC, was interviewed and confirmed he was the [REDACTED] of 3rd Platoon, 2nd Squad, Kilo Company. Shortly after the IED blast, SGT [REDACTED] told [REDACTED] squad they were leaving to provide secondary support to the QRF that had been launched. [REDACTED] advised the teams were: [REDACTED] and [REDACTED] on the first team; [REDACTED] on the second team; and [REDACTED] on the third team. [REDACTED] noted that [REDACTED] accompanied the first team but "floated" from team to team. The results of [REDACTED] interview follow:

a. SAF: During their approach to Chestnut, [REDACTED] heard M-16 gunfire around 0740 which lasted approximately fifteen (15) to twenty (20) minutes. [REDACTED] added he did not hear any AK-47 fire. [REDACTED] squad took cover in two (2) houses. Around 0800, [REDACTED] observed smoke rising from a building. At one point, [REDACTED] recalled Cobra helicopters in the area, firing their mini-guns at a house toward the south.

b. IED SITE: [REDACTED] estimated about two (2) hours after the IED blast the squad's teams left the houses they occupied and pushed to the ambush site. [REDACTED] saw the dead bodies by the white vehicle and speculated, "The situation did not look right." While posting

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security, (b)(6), (b)(7)(C) saw the Marines from the motor pool arrive to recover the HMMWV wreckage. At one point, (b)(6), (b)(7)(C) noted he saw (b)(6), (b)(7)(C) speaking to (b)(6), (b)(7)(C) while (b)(6), (b)(7)(C) was handling detainees. Eventually, another QRF arrived with HMMWVs and (b)(6), (b)(7)(C) asked SGT (b)(6), (b)(7)(C) what had happened. (b)(6), (b)(7)(C) informed him the 1st squad had taken SAF and killed six (6) to eight (8) "muj" (mujhadeen). Additionally, (b)(6), (b)(7)(C) instructed (b)(6), (b)(7)(C) to prepare his team because they were leaving to search for Iraqis that had been observed with AK-47s via the UAV.

c. COP: (b)(6), (b)(7)(C) followed (b)(6), (b)(7)(C) orders, moved to the COP, and had his team join a squad from Weapons Platoon to conduct searches of homes. (b)(6), (b)(7)(C) stated they did not find the armed Iraqis and eventually returned to the COP for the remainder of the day/night. The following morning, (b)(6), (b)(7)(C) returned to the Firmbase and heard twenty-three (23) people had been killed.

d. GRENADE: A few days after 19Nov05, (b)(6), (b)(7)(C) was out on patrol when he observed a funeral for the Iraqis that had been killed on 19Nov05. (b)(6), (b)(7)(C) related one of the relatives of the deceased asked (b)(6), (b)(7)(C) to take care of a grenade that was found in one of the homes. In turn, (b)(6), (b)(7)(C) called it in and had a team sent out to take care of the grenade. (b)(6), (b)(7)(C) noted two (2) of the Iraqi males were pretty upset and asked, "Why mister, why?" While in one house, (b)(6), (b)(7)(C) saw "a lot of blood spattered all the way up the wall."

e. DEBRIEFS: (b)(6), (b)(7)(C) recalled being briefed by his superiors about the investigation or potential media inquiries on three occasions. First, SSGT (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) about the Army investigation. Secondly, (b)(6), (b)(7)(C) met with the company in Al Asad and informed the Marines about the investigation and how to deal with the press. Subsequently, SGTMAJ (b)(6), (b)(7)(C) gathered the battalion in Kuwait and related the same information the CO did while they were in Al Asad. (Exhibit 134) pertains.

21. On 09May06, (b)(6), (b)(7)(C) USMC, was interviewed and affirmed he was a member of 2nd Squad, 3rd Platoon when they responded with (b)(6), (b)(7)(C) to the scene on 19Nov05. interview results follow:

a. EN-ROUTE to IED SITE: (b)(6), (b)(7)(C) estimated they departed the Firmbase about fifteen (15) to twenty (20) minutes after the IED blast. While en-route, he heard a significant amount of gunfire (mostly M-16 and SAW fire with small bursts of AK-47 fire). Shortly thereafter, (b)(6), (b)(7)(C) ; team took an overwatch position in a house and observed (b)(6), (b)(7)(C) shoot at two (2) individuals (believed to be fleeing the firefight with 1st Squad). SGT (b)(6), (b)(7)(C) 2nd Squad, and the CO then located one of the shot individuals. According to (b)(6), (b)(7)(C) the CO ordered him to render first aid to the injured Iraqi. The 2nd squad then learned several Marines from Weapons Platoon had been injured. In turn, (b)(6), (b)(7)(C) called in a medical evacuation for the wounded Marines and the injured Iraqi. At the LZ, (b)(6), (b)(7)(C) saw (b)(6), (b)(7)(C) arrive with a wounded girl. Subsequently, (b)(6), (b)(7)(C) team and (b)(6), (b)(7)(C) found the other

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previously shot Iraqi in a house, but the squad moved out when advised that guided bomb units (GBU) would be dropped on a nearby house that had engaged Weapons Platoon.

b. IED SITE: When they reached the IED site, (b)(6), (b)(7)(C) recalled they provided security to the Marines that picked up the HMMWV wreckage. (b)(6), (b)(7)(C) observed Iraqi bodies with gunshot chest wounds near a white vehicle. (b)(6), (b)(7)(C) advised his and (b)(6), (b)(7)(C) teams set up security in nearby homes until SGT [redacted] ordered them to assist Weapons Platoon in clearing homes from which the UAV had spotted individuals running. [redacted] believed they left the IED site around 1220.

c. HOUSE CLEARING: [redacted] reported his team joined Weapons Platoon and cleared several houses for approximately one and half (1 1/2) to two (2) hours. [redacted] noted they did not fire any rounds or use grenades, as they did not find the armed individuals they were searching for while they cleared homes. [redacted] advised, "Each house either had one AK, which is standard, or they did not have any weapons at all." Subsequently, they returned to the COP and remained there overnight. That evening, Weapons Platoon conducted a BDA of the house they had been ambushed from and found two (2) RPGs, launchers, a public-key cryptography (PKC), and some grenades. [redacted] asserted these were the only weapons he heard of being found and destroyed.

d. GRENADE: [redacted] stated he was on a patrol a few days after the incident when an Iraqi male asked the squad for assistance with a grenade found in a home. [redacted] recalled the Iraqi asked, "Why Mister, why?" [redacted] and members of the squad went into the house to investigate. [redacted] saw blood on the wall and pooled on the floor. [redacted] believed a few days later, other Marines were sent out to detonate the grenade.

e. (b)(6), (b)(7)(C) Sometime after 19Nov05, [redacted] asked (b)(6), (b)(7)(C) about what happened. (b)(6), (b)(7)(C) informed him that after the IED blast, they received SAR from the buildings they cleared but did not go into further detail. Exhibit (135) pertains.

22. On 09May06, [redacted] USMC, was interviewed and stated he was the SAW gunner for 2nd Squad, 3rd Platoon, Kilo Company. [redacted] related his squad leader, SGT [redacted] led 2nd Squad and the CO to the IED site on foot shortly after the IED blast. During their movement, CPL [redacted] joined them and informed the CO of the casualties. Once on-scene, [redacted] posted security and observed (b)(6), (b)(7)(C) and ISF personnel with detainees. Eventually, [redacted] and his squad received orders to join Weapons Platoon and clear houses. [redacted] noted they did not meet any resistance from occupants of these homes. Thereafter, 2nd Squad and Weapons Platoon returned to the COP. At one point, [redacted] recalled LT [redacted] joined him in entering a home where they encountered a husband and wife with four (4) to five (5) children. Another home they went into was occupied by a grandfather and a teenaged girl. [redacted] explained none of the occupants "gave us any problems." [redacted] asserted he did not see any

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bodies on 19Nov05 nor has he seen any photographs of dead bodies since that time. Exhibit (136) pertains.

23. On 10May06, (b)(6), (b)(7)(C) USMC, was interviewed and noted he was attached to the 2nd team of 2nd Squad, 3rd Platoon, Kilo Company. (b)(6), (b)(7)(C) reported his squad and the CO left the Firmbase on foot after the IED blast. As they patrolled, (b)(6), (b)(7)(C) heard sporadic SAF and joined his team in posting security in a house north of Route Chestnut. (b)(6), (b)(7)(C) was located on the lower rooftop and SGT (b)(6), (b)(7)(C) was on the upper deck. Subsequently, they left the house and set up another cordon on the southern side of Chestnut. (b)(6), (b)(7)(C) asserted no one in his squad shot on 19Nov05. At one point, (b)(6), (b)(7)(C) recalled (b)(6), (b)(7)(C) joined them in clearing a house. Shortly after 1000-1030, (b)(6), (b)(7)(C) went to the helo at the LZ where he held security on an Iraqi male with a gunshot wound to the head. (b)(6), (b)(7)(C) noted an injured Iraqi boy and girl were also evacuated in the helo to Al Asad. (b)(6), (b)(7)(C) believed the flight from the LZ to Al Asad lasted ten (10) minutes. Thereafter, (b)(6), (b)(7)(C) and the three (3) injured Iraqis were flown to a hospital in Baghdad. Before (b)(6), (b)(7)(C) returned to Al Asad, medical personnel informed him the adult male Iraqi had died. (b)(6), (b)(7)(C) noted he ran into (b)(6), (b)(7)(C) while he was in Al Asad and they discussed the events leading up to (b)(6), (b)(7)(C) arrival in Al Asad. Subsequently, (b)(6), (b)(7)(C) rode in the same convoy back to the Haditha dam. On 20Nov05, (b)(6), (b)(7)(C) recalled attending a brief held by (b)(6), (b)(7)(C) wherein the loss of LCPL TERRAZAS was discussed. Finally, (b)(6), (b)(7)(C) confirmed he was present days later during a patrol when an Iraqi approached SGT (b)(6), (b)(7)(C) about a found grenade. Exhibits (137-138) pertain.

24. On 10May06, (b)(6), (b)(7)(C) USMC, was interviewed and related he was a member of the 2nd Squad, 3rd Platoon, Kilo Company while in Haditha. (b)(6), (b)(7)(C) recalled his squad and (b)(6), (b)(7)(C) departed the Firmbase on 19Nov05 approximately thirty (30) minutes after he heard a "thump." The details of his interview follow:

a. SHOOTING OF TWO IRAQI MALES: While en-route to the IED site, the squad stopped two (2) times to set up observations posts. At the first house/OP, (b)(6), (b)(7)(C) advised he was on the roof with (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C). At the second house/OP, (b)(6), (b)(7)(C) remained downstairs while he watched the occupants of the house. While they were at the second house, they took fire. (b)(6), (b)(7)(C) noticed it was a Marine shooting in their direction; therefore, he radioed in the friendly fire situation. Thereafter, (b)(6), (b)(7)(C) noticed two (2) Iraqi males standing by a house 500 to 600 meters away in the direction of Chestnut. As (b)(6), (b)(7)(C) directed (b)(6), (b)(7)(C) to move north, (b)(6), (b)(7)(C) saw (b)(6), (b)(7)(C) getting in the kneeling firing position on the rooftop. (b)(6), (b)(7)(C) noted his back was turned to them when he heard five (5) to ten (10) shots fired as well as (b)(6), (b)(7)(C) exchanging target range corrections. (b)(6), (b)(7)(C) then heard (b)(6), (b)(7)(C) claim they "got them," but (b)(6), (b)(7)(C) saw them running away. Consequently, the team went to look for the two (2) Iraqi males. During their search, they moved south toward Chestnut.

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b. IED SITE: Once on Chestnut, (b)(6), (b)(7)(C) observed the white vehicle with dead Iraqi males positioned on the ground nearby. (b)(6), (b)(7)(C) noticed one of them had a head wound with brain matter exposed. (b)(6), (b)(7)(C) believed the vehicle appeared to be undamaged and did not see any weapons on or around the bodies. During this time, (b)(6), (b)(7)(C) also saw the HMMWV wreckage being loaded on to a wrecker. While on-scene, (b)(6), (b)(7)(C) saw (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) opined everyone appeared to be trying to calm down after the attack. After about thirty (30) minutes of being on-scene, (b)(6), (b)(7)(C) heard SAF from the south. Subsequently, his team was ordered south to assist Weapons Platoon.

c. OP: While they moved out, they set up several OPs along the way, encountered Iraqis inside the homes they took over, and guarded occupants of homes but did not shoot them. (b)(6), (b)(7)(C) advised, "We had always trained not to fire on anyone unless they have a weapon and showed hostile intent or hostile action." Meanwhile other members of the squads were in a house where they found an injured Iraqi. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) left them because he had to guard the casualty. While on the roof of an OP, (b)(6), (b)(7)(C) saw U.S. helicopters firing on a house to the south and about forty-five (45) minutes later, they were advised to take cover because bombs were going to be dropped. (b)(6), (b)(7)(C) reported they spent several hours in the area working with Weapons Platoon. At one point, tanks joined their efforts. (b)(6), (b)(7)(C) recalled he returned to the Firmbase later that day.

d. BRIEFS: (b)(6), (b)(7)(C) stated LT (b)(6), (b)(7)(C) advised him that an investigation was underway and that (b)(6), (b)(7)(C) "We should cooperate fully." Later, (b)(6), (b)(7)(C) recalled they were advised reporters might be interested in what happened but to not provide comments because of the investigation. (b)(6), (b)(7)(C) asserted (b)(6), (b)(7)(C) approached him prior to his interview with NCIS and claimed no one had mentioned a shooting involving 2nd squad yet. (b)(6), (b)(7)(C) explained (b)(6), (b)(7)(C) did not specifically tell him to lie, but (b)(6), (b)(7)(C) took (b)(6), (b)(7)(C) remark to mean no one else had mentioned the shooting; therefore, he should not either. Exhibit (139) pertains.

25. On 10May06, USMC, a team leader assigned to 2nd Squad, 3rd Platoon, Kilo Company was interviewed. The details follow:

a. SHOOTING & LZ: (b)(6), (b)(7)(C) related his team left the Firmbase for the IED blast site. While en-route, the first and second teams set up an overwatch position. (b)(6), (b)(7)(C) were together and on the south side of Route Chestnut when (b)(6), (b)(7)(C) saw (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) raise their M-16s and fire. (b)(6), (b)(7)(C) related he could not see what they were firing at but heard about ten (10) shots. Thereafter, (b)(6), (b)(7)(C) entered a house while (b)(6), (b)(7)(C) watched Iraqis standing outside of the house. When (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) what happened, (b)(6), (b)(7)(C) told him, "I saw someone who looked suspicious." Eventually, a HMMWV pulled up to the house and (b)(6), (b)(7)(C) watched as an Iraqi male with a head wound was moved from the house to the HMMWV on a stretcher. (b)(6), (b)(7)(C) saw (b)(6), (b)(7)(C) an injured girl and boy in the HMMWV as well. (b)(6), (b)(7)(C) rode in the back of the HMMWV to the LZ located about 250 meters away. While

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they waited at the LZ, more HMMWVs pulled up with three (3) injured Marines. One of the injured Marines, (b)(6), (b)(7)(C) walked up to (b)(6), (b)(7)(C) and informed him insurgents had thrown grenades at them after the IED explosion. [redacted] and his team formed a security perimeter around the LZ. At this point, [redacted] informed [redacted] they needed to go and provide security for the truck that was going to the HMMWV wreckage at the IED site.

b. CLEARING HOMES: [redacted] stated the squad divided into three (3) teams and each team took an overwatch position in nearby homes. [redacted] indicated he could not recall if this occurred before or after the provided security at the LZ. [redacted] asserted they cleared several homes, encountered Iraqi families inside homes, and did not find any weapons or shoot anyone. Eventually, [redacted] and his team set up in a home near Route Viper/north of Chestnut that was already occupied by Marines. [redacted] provided security on the roof of this OP and watched as the tow truck removed the HMMWV wreckage from Chestnut. While at the OP, [redacted] recalled seeing (b)(6), (b)(7)(C) and asking him about LCPL TERRAZAS. (b)(6), (b)(7)(C) confirmed TERRAZAS was dead. Later, [redacted] approached [redacted] at the OP and told him to get his team in the HMMWV. Once they loaded in the HMMWV, they went east on Chestnut and turned south on River Road where they joined Weapons Platoon in search of the insurgents who had thrown grenades at them. [redacted] noted Weapons Platoon had been moving north on River Road to assist the convoy that had been hit by the IED. [redacted] stated they did not locate any insurgents and drove to the COP, located southeast of River Road. Finally, [redacted] asserted he did not see any dead bodies or seized weapons on 19Nov05. Exhibit (140) pertains.

25. On 25May06, [redacted] USMC was interviewed and affirmed he was assigned to 2nd Squad, 3rd Platoon, Kilo Company while deployed in Iraq. The results of his interview follow:

a. SHOOTING & LZ: According to [redacted], his squad and the CO left the Firmbase about twenty (20) to thirty (30) minutes after the IED blast was heard on 19Nov05. [redacted] related they ran into another squad while they patrolled and learned of TERRAZAS' death. When they reached Route Chestnut and were approximately 900 meters west of the IED blast site, [redacted] squad set up overwatches in a couple of houses. Here, [redacted] heard 5.56mm fire to the east, so his squad sent up a red star cluster to let other Marines know they were in the area. [redacted] recalled he was on a rooftop with [redacted] while the CO and other squad members were on top of another house. [redacted] saw two (2) men running 700-800 meters away and informed [redacted] [redacted] noted 1st Squad was firing at the runners and asked [redacted] if he could fire at them as well. [redacted] instructed [redacted] to fire. [redacted] shot about five (5) rounds and [redacted] shot at them too. [redacted] explained he thought the Iraqi men were insurgents. Subsequently, the squad went over the area where [redacted] had seen the two (2) men go down; however, they did not find their bodies, only a large pool of blood. [redacted] squad continued to patrol east toward the IED blast site. While en-route, they saw some ISF personnel with three (3) injured Iraqi civilians. [redacted] squad left to secure the LZ for the evacuation of the injured civilians and Marines from Weapons Platoon.

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b. DETAINEES: After (b)(6), (b)(7)(C) and his squad left the LZ, they went back towards the house where the Iraqi had been shot in the head. (b)(6), (b)(7)(C) stated he entered the house with (b)(6), (b)(7)(C) where they detained five (5) Iraqi males until LCPL (b)(6), (b)(7)(C) pulled up in a HMMWV with another Marine and took the detainees north toward Chestnut. (b)(6), (b)(7)(C) advised he was not sure of the sequence of events, but at one point he recalled running with an injured Iraqi girl to cover while taking SAF from the direction of a mosque. (b)(6), (b)(7)(C) could not recall who took the injured children and the Iraqi with the head wound to the LZ.

c. WARNING SHOT: At another point, (b)(6), (b)(7)(C) observed an Iraqi male without a weapon who continued to look outside his house. (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) permission to fire a warning shot to keep the Iraqi inside his house so he would not get shot. (b)(6), (b)(7)(C) then fired a shot about fifty (50) meters to the Iraqi male's right. (b)(6), (b)(7)(C) concluded this caused the Iraqi to comply and stay inside his house. (b)(6), (b)(7)(C) explained warning shots are standard operating procedure in certain circumstances as this. Thereafter, (b)(6), (b)(7)(C) squad cleared homes as they headed east toward the IED site.

d. IED SITE: (b)(6), (b)(7)(C) was not sure what time they reached the IED site but estimated several hours had passed since their departure from the Firmbase. (b)(6), (b)(7)(C) noted the HMMWV wreckage had already been loaded onto a seven-ton truck and an individual in tri-colored cammies was taking photographs of the wreckage. (b)(6), (b)(7)(C) also recalled seeing a white car with scattered clothing around the inside of it; however, (b)(6), (b)(7)(C) stated he did not see any bodies. (b)(6), (b)(7)(C) posted security about ten (10) feet from the blast site and saw (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) opined (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) appeared to be in shock or disbelief over TERRAZAS' death. (b)(6), (b)(7)(C) saw a group of detainees and Iraqi soldiers handling them. At one point, (b)(6), (b)(7)(C) saw a Marine stop an ISF member from beating a detainee. (b)(6), (b)(7)(C) also stopped an ISF member from striking a detainee. A few minutes later, (b)(6), (b)(7)(C) and his squad loaded into two (2) HMMWVs and headed south on River Road to the COP where they remained overnight.

e. PHOTOGRAPHS: (b)(6), (b)(7)(C) advised he has not seen any photographs of the incident, but he has heard of them. (b)(6), (b)(7)(C) recalled from H&S Company and another unknown Marine created a video that included some still photographs of dead bodies; however, (b)(6), (b)(7)(C) did not know whether they were taken of the 19Nov05 incident. While in Al Asad, (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) if he had gotten rid of the video, and (b)(6), (b)(7)(C) advised he had done so. (b)(6), (b)(7)(C) asserted he did not take or download any photographs of dead bodies on the laptop computer he took to Iraq. (b)(6), (b)(7)(C) was unwilling to provide his laptop to NCIS for examination. Exhibit (141) pertains.

**EOD TEAM**

27. Between 31May06 and 05Jun06, several members of the Explosive Ordinance Disposal (EOD) Team were interviewed. On 19Nov05, OS2

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USN, all assigned to Explosive Ordinance Disposal Mobile Unit Six (EODMU6) and SSGT (b)(6), (b)(7)(C) USMC, assigned to EOD/MWSS-272, 2nd MAW, responded to the postblast site at Chestnut Road. [ ] was not a permanent member of the team but participated that day. The accounts of the day's events from the four (4) EOD members are as follows: On 19Nov05 between 0700 and 0800, EOD received notification from the COC at Haditha Dam that an IED detonated on Chestnut Road. The EOD members and their security team left the dam for the postblast scene on Chestnut Road in a HMMWV convoy. On the way the convoy was ambushed, causing them to detour to the 3/1 Kilo Firmbase. While at the Firmbase, a live possible IED was reported on Haditha Road, which took precedence over the Chestnut Road blast site. The EOD team responded to Haditha Road and detonated a suspicious white bag, which later was identified as a bag full of trash. The EOD team then responded to and detonated another possible IED in a box on River Road. The box contained two (2) 57-millimeter projectiles. The EOD team then proceeded to the initially reported IED postblast site on Chestnut Road. While searching the postblast site, the EOD team heard SAF. Several of the EOD members also noticed smoke coming from one of the residences in the area. After reporting the results of their postblast scene analysis and declaring the scene safe, EOD was asked to respond to a white vehicle located west of the postblast scene for a suspected possible Vehicle Born Improvised Explosive Device (VBIED). There were five (5) dead male bodies south of the car. None of the EOD members observed any bullet holes or other damage to the vehicle. There were no weapons or explosives found in or near the vehicle, and no weapons or suicide vests were observed on the dead males near the vehicle. The trunk of the car contained luggage and personal effects. Once EOD completed their assessment, the scene was turned back over to the scene commander, and EOD members and the security team left Chestnut Road without entering any of the civilian houses in Haditha. Upon returning to the Firmbase, none of the EOD members observed any deceased bodies. All EOD members denied sending any personal e-mails or photographs regarding the incident to anyone, with the exception of the team's official report and attached pictures of the incident to their chain of command. Amplifying details follow:

a. [ ] was interviewed on 02Jun06 and stated the COC notified him at approximately 0730 of the IED explosion involving a convoy. [ ] estimated they arrived at the postblast IED location on Chestnut Road shortly after 1000. [ ] witnessed approximately ten (10) detainees, including women, lying face down at the intersection of Viper and Chestnut Roads. [ ] directed the Marines [ ] and face them away from the EOD team. [ ] assigned [ ] to photograph the scene and [ ] to measure and examine the blast site. [ ] noted five (5) dead males without weapons or suicide vests near the white car. The EOD personnel examined the car and its contents for explosives with negative results. [ ] estimated they left Chestnut Road between 1100 and 1140. [ ] stated they responded to another IED later that day, and he wrote up his report, with a few photographs attached. Exhibit (142) pertains.

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b. (b)(6), (b)(7)(C) noted the white car had no visual markings to indicate it was a taxi. At the rear of the vehicle (b)(6), (b)(7)(C) noticed about four (4) dead males approximately 10-15 feet away from the south side of the vehicle (b)(6), (b)(7)(C) later positively identified a picture where there were five (5), vice four (4), bodies). The EOD team searched the trunk of the car and the items in the car, including two (2) suitcases that contained clothing. (b)(6), (b)(7)(C) advised he did not observe any weapons or explosives in or near the car or bodies. (b)(6), (b)(7)(C) estimated they examined the car one (1) hour after they arrived on-scene. (b)(6), (b)(7)(C) stated once their mission was complete, EOD's equipment, to include a digital camera, was stored in their secure spaces at the Haditha Dam. Exhibits (143)-(144) pertain.

c. (b)(6), (b)(7)(C) While on-scene, (b)(6), (b)(7)(C) took a series of photographs on 19Nov05 with a government camera, which contained a memory stick. He loaded the photographs onto a government computer once they returned to Haditha Dam and erased the memory stick so it could be used again. (b)(6), (b)(7)(C) stated the memory stick was used and erased approximately fifty (50) times after 19Nov05. (b)(6), (b)(7)(C) stated he took one (1) photograph of the IED on Haditha Road, which was actually a bag of trash, and one (1) photograph of the IED on River Road. (b)(6), (b)(7)(C) took forty-seven (47) pictures of the postblast investigation of the IED on Chestnut Road, to include the white car and the bodies of the five (5) men south of the car. (b)(6), (b)(7)(C) added (b)(6), (b)(7)(C) took one (1) photograph with (b)(6), (b)(7)(C) camera, which depicted two (2) of the dead males lying on the ground near the white car. (b)(6), (b)(7)(C) noted they did not search the deceased. Exhibits (145)-(146) pertain.

d. (b)(6), (b)(7)(C) Once they arrived at Chestnut Road, (b)(6), (b)(7)(C) stated he was assigned to look for fragmentation from the IED as well as any components to an initiator or receiver. After conducting the IED site analysis, (b)(6), (b)(7)(C) advised the EOD team continued to the white car. (b)(6), (b)(7)(C) stated he remembered seeing four (4) dead bodies south of the car but did not recall seeing any weapons, suicide vests, or grenades on or near the dead bodies or in the vehicle. (b)(6), (b)(7)(C) opined "their bodies were not very far from the vehicle for them to have been running." (b)(6), (b)(7)(C) recalled overhearing Marines in the area stating the dead Iraqis "had been caught in the wrong place at the wrong time." (b)(6), (b)(7)(C) stated he took approximately ten (10) pictures of the IED blast site as well as about three (3) pictures of the dead Iraqi bodies with the EOD camera (vice the one (1) picture (b)(6), (b)(7)(C) stated took) and admitted to later downloading the pictures to his personal computer and showing them to his family. Exhibit (147) pertains.

**EOD SECURITY**

28. On 06Jun06, (b)(6), (b)(7)(C) USMC, H&S Company, EOD Security, was interviewed and advised he was a member of the EOD security team on 19Nov05. He provided the following details:

a. SAF: (b)(6), (b)(7)(C) stated on 19Nov05, circa 0700-0715, he received notification there had been an IED attack. (b)(6), (b)(7)(C) stated his team,

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along with the EOD team, departed Haditha Dam in a [ ]-HMMWV convoy to respond to the blast site. While traveling, the convoy received SAF near a local mosque. (b)(6), (b)(7)(C) notified (b)(6), (b)(7)(C) he heard the convoy sustained a casualty and decided they needed to divert to Firmbase Sparta.

b. IED SITE: Once at the Firmbase, they determined no one was injured during the attack and were then notified of an IED that was approximately 300 meters east of an Entry Control Point, outside of the Firmbase. EOD and security responded and determined it was not an IED. (b)(6), (b)(7)(C) advised they responded to a second IED, which they detonated, on the way to the Chestnut post-blast site. (b)(6), (b)(7)(C) stated their convoy arrived at the Chestnut post-blast site sometime between 0900 and 1000. (b)(6), (b)(7)(C) stated he observed the HMMWV, which was destroyed in the (b)(6), (b)(7)(C) explosion, as well as the Marine KIA. (b)(6), (b)(7)(C) observed a team member, (b)(6), (b)(7)(C) taking pictures of the IED blast site with his personal camera and immediately ordered him to cease. (b)(6), (b)(7)(C) then noted a dead body lying on a ridge and a building, south of Chestnut, that was smoking.

c. ANALYSIS TAXI & SITE: (b)(6), (b)(7)(C) advised EOD conducted an analysis of the IED blast site while (b)(6), (b)(7)(C) team provided security. While on-scene, (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) to inspect a white vehicle. (b)(6), (b)(7)(C) stated they moved the (b)(7)(F) convoy to the location of the white car, and (b)(6), (b)(7)(C) accompanied the EOD team as EOD inspected the car. (b)(6), (b)(7)(C) stated he saw four (4) or five (5) dead bodies with blood on their clothing to the rear of the vehicle, but could not determine where they were shot. (b)(6), (b)(7)(C) did not detect any bullet holes, broken glass, or other damage to the vehicle and did not witness any weapons in or near the car or dead bodies. (b)(6), (b)(7)(C) saw EOD searching the luggage and bags but stated they found nothing suspicious. (b)(6), (b)(7)(C) stated after they cleared the IED post-blast site and the vehicle, they returned to the Haditha Dam, circa 1200. Once they arrived at the dam, they were called out again, approximately twenty (20) minutes later, and then returned to Firmbase Sparta, where they remained until 1800 or 1900.

d. PHOTOGRAPHS: Approximately a month after 19Nov05, (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) showed him pictures, on his personal laptop, of dead Iraqis purportedly from 19Nov05. (b)(6), (b)(7)(C) relayed there were five (5) or six (6) photos, which depicted dead people inside a bedroom. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) he received the photographs from another 3/1 Marine, (b)(6), (b)(7)(C) but did not disclose how (b)(6), (b)(7)(C) obtained them. (b)(6), (b)(7)(C) stated he advised (b)(6), (b)(7)(C) to get rid of the pictures since he should not have them. (b)(6), (b)(7)(C) further stated an unknown person in his chain of command advised they should destroy all photos of dead detainees and passed this information to his platoon. Exhibit (148) pertains.

29. USMC, H&S Company, was interviewed on 06Jun06 and stated he was a gunner on the security team. details follow:

a. SAF: While on their way to the Chestnut post-blast site, they were ambushed and thought one (1) of their Marines had been hit. They went to Firmbase Sparta in order to regroup and ensure no one

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was injured. After leaving the Firmbase, they came across two (2) possible IEDs, in separate locations, which they detonated before arriving at the Chestnut post-blast site.

b. IED SITE: (b)(6), (b)(7)(C) stated upon his arrival, he saw the blown-up HMMWV and approximately four (4) or five (5) Iraqi males on the northern side of Chestnut, approximately 50 meters west of the blast site; two (2) were being detained but the others were lying lifeless on the ground. (b)(6), (b)(7)(C) also noticed a house in the southern direction that had smoke coming from it. (b)(6), (b)(7)(C) stated they were at the post-blast site approximately 45 minutes before returning to Firmbase. (b)(6), (b)(7)(C) stated they returned to the dam between 2200 and 2300.

c. PHOTOGRAPHS: After that day, (b)(6), (b)(7)(C) advised he saw pictures of dead Iraqi women and children on an unknown person's laptop, but he does not know where or when the pictures were taken. (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) had a laptop and made a music video that included pictures of dead bodies from Haditha, and (b)(6), (b)(7)(C) downloaded that video, in addition to other videos and photographs, onto two (2) compact discs and one (1) thumb drive from (b)(6), (b)(7)(C) computer. (b)(6), (b)(7)(C) stated he mailed a fellow team member, (b)(6), (b)(7)(C) footlocker, which contained the discs and thumb drive, home to his parents' house in February 2006. On or about 14May06, (b)(6), (b)(7)(C) returned the footlocker to (b)(6), (b)(7)(C) at Marine Corps Base, Camp Pendleton, and (b)(6), (b)(7)(C) opened the footlocker so that (b)(6), (b)(7)(C) could retrieve his electronic media. (b)(6), (b)(7)(C) stated he later heard the COC, circa Feb06, had ordered everyone to get rid of pictures of dead bodies, and (b)(6), (b)(7)(C) felt he might get in trouble for the videos and pictures he owned. Thus, on 20May06 he went home for the weekend and destroyed the discs and the thumb drive. Exhibit (149) pertains.

30. (b)(6), (b)(7)(C) USMC, H&S Company, was interviewed on 07Jun06 and explained he provided security for the Navy EOD team. (b)(6), (b)(7)(C) advised on 19Nov05, circa 0730 they were notified by EOD that an IED had exploded in Haditha and a Marine had died as a result of the explosion. On the way to the IED post-blast scene, the convoy was attacked by SAF and the convoy detoured to Firmbase Sparta. (b)(6), (b)(7)(C) advised after staying at Firmbase for approximately ten (10) minutes, they traveled to the Chestnut post-blast site. (b)(6), (b)(7)(C) estimated they arrived around 0800-0830 and stayed for 45-60 minutes. (b)(6), (b)(7)(C) provided security while the EOD team inspected the IED site. (b)(6), (b)(7)(C) did not recall seeing a white vehicle, dead bodies lying near the car, or EOD inspecting the car while they provided security. (b)(6), (b)(7)(C) did witness the Iraqi detainees, handcuffed, and (b)(7)(E) also saw a residence that had smoke coming from it. (b)(6), (b)(7)(C) stated they responded to several IEDs that day; however, the one on Chestnut was the only one that had exploded prior to their arrival. (b)(6), (b)(7)(C) advised they returned to Haditha Dam around 2000. Exhibit (150) pertains.

31. (b)(6), (b)(7)(C) USMC, was interviewed on 06Jun06, and advised while in Iraq, he was assigned to EOD Security Platoon. (b)(6), (b)(7)(C) stated on 19Nov05, while en-route to the Chestnut blast site, their convoy

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took fire and detoured to Firmbase Sparta for approximately thirty (30) minutes before responding to the post-blast site. Upon arrival, KIM stated he could hear SAF. [ ] noted the HMMWV but did not see any dead or injured Marines. [ ] denied seeing any civilian vehicles, dead bodies, or Marines clearing homes. [ ] related he saw detainees, who were [ ] and restrained, on the side of the road. [ ] stated EOD left the blast site and responded to another IED before returning to Haditha Dam. Sometime after 19Nov05, [ ] stated an unknown person downloaded photographs of dead Iraqi men, women, and children from 19Nov05 onto his laptop computer. [ ] stated he erased the photographs after he discovered them. [ ] stated his computer "crashed" in February 2006 and he shipped it home to his mother in March 2006. [ ] stated he did not e-mail any photos or details of the incident to anyone. Exhibit (151) pertains.

32. [ ] USMC, an EOD Security team member, was interviewed on 06Jun06 and again on 07Jun06 after remembering additional details. The details of his interviews follow:

a. SAF: [ ] stated he was assigned to provide security for USN EOD when they responded to IEDs. At approximately 0700, 19Nov05, [ ] advised he was awakened by [ ] and by 0715 they were on the road. [ ] reported they received SAF along the way, so they detoured to Firmbase Sparta. [ ] advised they responded to one location where there was a suspected IED before arriving at the Chestnut post-blast site.

b. IED SITE: [ ] stated he was the gunner for the third HMMWV and never left his vehicle, which was parked approximately 200 meters from the IED site. [ ] estimated they were at the blast site for 15-20 minutes. During [ ] first interview, he denied seeing the white car or any dead bodies. During the second interview, [ ] recalled arriving at the blast site and observing the vehicle parked on the road. [ ] stated he saw between five (5) to seven (7) dead males lying face down with blood on the back of their clothing. [ ] did not view any weapons or chest rigs to indicate they were armed. [ ] observed [ ] take at least two (2) photographs of the IED blast scene with his personal digital camera. [ ] further witnessed [ ] take a few photographs of the IED blast scene with his personal digital camera. Additionally, [ ] stated he recalled observing smoke coming from an area approximately 300 meters from his position and an Iraqi male lying on the ground who may have been dead.

c. VIDEO: In [ ] first interview, he denied ever viewing any photographs or videos of the events and bodies from 19Nov05. During his second interview, [ ] stated in February 2006, he saw a video on [ ] laptop computers that depicted the scenes inside houses with dead Iraqi civilians as well as the IED blast site, to include the car and the dead Iraqis near the car. [ ] denied knowing who shot the video. Exhibits (152)-(153) pertain.

33. [ ] USMC, Kilo Company, an EOD Security team

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member, was interviewed on 02Jun06 and advised on 19Nov05, circa 0715 he heard there was a post-blast situation in Haditha and a Marine was killed. The details of his interview follow:

a. SAF: (b)(6), (b)(7)(C) confirmed his convoy received AK-47 fire on their way to the Chestnut post-blast site on 19Nov05. Shortly thereafter, they detoured to the Firmbase and learned of an IED near the entry of the Firmbase that needed to be detonated. Subsequently, they proceeded to the blast site, and arrived between 0800 and 0815.

b. IED SITE: (b)(6), (b)(7)(C) related when they reached the blast site, he noticed some detainees were flex-cuffed, a house was engulfed in smoke and flames with unidentified Marines standing outside of it, and there was a white car approximately 200 meters west of Route Chestnut. (b)(6), (b)(7)(C) estimated they were providing security for approximately 1.5 hours. (b)(6), (b)(7)(C) stated his HMMWV moved to get closer to the white car once the EOD team began to process the vehicle circa 0930. (b)(6), (b)(7)(C) then saw five (5) or six (6) Iraqi men lying face down with their hands extended. Their bodies were to the rear right side of the car and their luggage was on the rear left; (b)(6), (b)(7)(C) did not see any weapons.

c. PHOTOGRAPHS: (b)(6), (b)(7)(C) advised a couple of days after 19Nov05, he saw approximately twenty-four (24) photographs of the dead bodies from 19Nov05, inside their homes, to include women and children on a fellow Marine's, (b)(6), (b)(7)(C) computer. (b)(6), (b)(7)(C) allowed (b)(6), (b)(7)(C) and several other Marines to view and copy the photographs. According to (b)(6), (b)(7)(C) in February 2006, (b)(6), (b)(7)(C) learned his platoon had pictures of the dead Iraqi civilians and advised them to delete such photographs. (b)(6), (b)(7)(C) stated a week after the 19Nov05 incident, he read about the IED attack in a military paper, which reported a small convoy was hit and 15 Iraqis and one (1) Marine were killed due to an IED. (b)(6), (b)(7)(C) stated he discussed with members of his platoon how the Iraqis were not killed by an IED, but rather in their homes according to the photographs they had seen. (b)(6), (b)(7)(C) felt it was a "cover up," and wrote a letter to his parents about his concerns, but did not come forward to anyone in his chain of command.

d. (b)(6), (b)(7)(C) stated around December 2005, he saw (b)(6), (b)(7)(C) in the dining hall and asked him about the events of 19Nov05. (b)(6), (b)(7)(C) related he questioned (b)(6), (b)(7)(C) if any of the Iraqis had weapons and (b)(6), (b)(7)(C) replied, "Yes, they were shooting from the houses." Exhibit (154) pertains.

33. (b)(6), (b)(7)(C) USMC, H&S Company, was interviewed on 02Jun06 regarding the events of 19Nov05.

(b)(6), (b)(7)(C) stated he was the (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) for the EOD Security Platoon. (b)(6), (b)(7)(C) reported on the way to the Chestnut post-blast site, they received SAF and detoured to the Firmbase. The EOD and security teams responded to an IED found just outside Firmbase before traveling to the post-blast site. (b)(6), (b)(7)(C) stated while on-scene, he saw pieces of the HMMWV and approximately ten (10) detainees flex-cuffed. (b)(6), (b)(7)(C) related after the EOD team completed their

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analysis, they eventually left the post-blast site. While leaving the area, they passed by the white sedan and noticed five (5) or six (6) deceased Iraqi males lying on the ground behind the vehicle. did not observe any suicide vests or weapons on or near the bodies, nor any bullet holes or damage to the vehicle. believed they responded to another IED after the Chestnut post-blast site before returning to the Haditha Dam. stated he saw pictures of some dead Iraqis on an unknown person's computer, but did not know if they were related to the events on 19Nov05. Exhibit (155) pertains.

34. , USMC, was interviewed on 02Jun06 and advised he did not respond to the post-blast site on 19Nov05 because his Non-Commissioned Officer in Charge (NCOIC) requested he stay behind and work on the communication equipment. He denied having any knowledge of the events that took place on 19Nov05. Exhibit (156) pertains.

**WEAPONS PLATOON**

35. USMC, Weapons Platoon, Kilo Company, was interviewed on 25May06. The details of interview follow:

a. IED BLAST: On 19Nov05, was on his way to his post at the Traffic Control Point (TCP), also known as the Combat Outpost (COP), located approximately one-and-a-half to two miles south of the intersection of River and Chestnut. related a -vehicle convoy from 3rd Platoon was preparing to leave the COP at approximately 0630. saw and and spoke with about his GPS before their convoy departed and headed north on River Road. advised 10-15 minutes after the [ ] vehicle convoy departed the COP, he heard a loud explosion, and realized the -vehicle convoy that had just departed was the only mobile convoy in the area. stated he then heard confirm a KIA, a couple WIAs, and request a QRF response for casualties over the radio.

b. GRENADE FOUND: stated on or about 26Nov05, his Squad, 2nd Squad, was directed to escort the Battalion CAG officer, MAJ to Routes Chestnut and Zebra because the CAG had information of an unexploded grenade in one of the homes in the area. advised once in the area, local Iraqis directed them to a two-story house with the unexploded grenade. Inside the house, they found an unexploded M-67 fragmentation grenade lying in the back corner of what he assumed was a bathroom. They used C-4 to detonate it in place. While in the house, observed several rooms, to include a bedroom at the end of the hallway, with bloodstains on the floor and lower wall in the southwest corner of the room and a bed placed against an adjacent wall. Exhibit (157) pertains.

35. USMC, Weapons Platoon, Kilo Company, was interviewed on 26May06 and reported he was a member of the 1st Squad, Weapons Platoon, while deployed in Iraq. advised on 19Nov05

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after his squad responded to a house and were ambushed by insurgents, he received several injuries that required medical attention. While en-route to Firmbase Sparta, he observed out of the opening of his vehicle, the blast site and the HMMWV that had been destroyed. He further witnessed a white car pulled over on the eastbound side of Route Chestnut, with approximately five (5) dead bodies lying on the ground 15-20 meters from the car. (b)(6), (b)(7)(C) observed one (1) AK-47 rifle leaning against either the front or backside of the vehicle. Several days later, (b)(6), (b)(7)(C) was ordered to detonate an unexploded grenade that was discovered in an Iraqi house. According to (b)(6), (b)(7)(C) squad was the QRF that transported (b)(6), (b)(7)(C) to the house with the grenade. As (b)(6), (b)(7)(C) entered the house, he saw a blood trail leading from a back room to the front of the hallway. (b)(6), (b)(7)(C) then detonated the grenade, which was found in a room that resembled a large closet. The explosion caused a fire when a small fuel can ignited in the room, which (b)(6), (b)(7)(C) advised they put out using water and blankets. (b)(6), (b)(7)(C) squad then escorted (b)(6), (b)(7)(C) back to the Firmbase. Exhibit (158) pertains.

36. (b)(6), (b)(7)(C) USMC, Weapons Platoon, Kilo Company, was interviewed on 31May06 but did not have any direct information of the IED attack or the subsequent actions of (b)(6), (b)(7)(C) and his squad. (b)(6), (b)(7)(C) heard rumors of what happened that day yet only spoke to (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) regarding the death of LCPL TERRAZAS, not the events of 19Nov05. Exhibit (159) pertains.

37. On 01Jun06, (b)(6), (b)(7)(C) USMC, Weapons Platoon, Kilo Company, was interviewed and stated while in Iraq, he was assigned to the 1st Squad as (b)(6), (b)(7)(C). The details of his interview follow:

a. COC: On 19Nov05, (b)(6), (b)(7)(C) advised he was on Radio Watch in the COC when (b)(6), (b)(7)(C) advised, via radio, his convoy encountered an IED, they sustained casualties, and added they were receiving SAF. (b)(6), (b)(7)(C) stated he could hear AK-47 and M-16 rounds being fired in the background.

b. CLEARING HOUSES: (b)(6), (b)(7)(C) advised later in the morning, his team was tasked to clear houses where suspected insurgents were located. (b)(6), (b)(7)(C) reported they responded on foot. While en-route, LT (b)(6), (b)(7)(C) Weapons Platoon Commander, instructed them to clear the buildings with grenades and if the team was fired upon, they were to shoot back at anything within their range that they positively identify. (b)(6), (b)(7)(C) advised after clearing the first house and finding nothing, they cleared the second house and were ambushed with grenades and SAF from the house. (b)(6), (b)(7)(C) witnessed insurgents on the second story and on the roof, with AK-47s, firing at him. (b)(6), (b)(7)(C) stated they remained engaged with the insurgents for another hour before (b)(6), (b)(7)(C) ordered his team to evacuate. (b)(6), (b)(7)(C) stated he was injured during the engagement and was flown to Germany. (b)(6), (b)(7)(C) did not return to Iraq.

c. (b)(6), (b)(7)(C) stated when (b)(6), (b)(7)(C) returned to Camp Pendleton from Iraq, he asked him about the events of 19Nov05. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) spoke of the IED, their convoy taking fire,

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having to give a statement about what happened on 19Nov05, the media coverage, and people's judgments concerning what happened that day. (b)(6), (b)(7)(C) did not discuss clearing houses or other details from 19Nov05. (b)(6), (b)(7)(C) noticed it bothered (b)(6), (b)(7)(C) to speak of TERRAZAS' death so he discontinued the conversation. Exhibit (160) pertains.

38. On 01Jun06, (b)(6), (b)(7)(C) Kilo Company, was interviewed and stated he was assigned to Weapons Platoon, 2nd Squad while in Iraq. (b)(6), (b)(7)(C) advised on 19Nov05, he was aware an IED had detonated, which resulted in one (1) Marine KIA. (b)(6), (b)(7)(C) related 1st Squad was sent to investigate a house insurgents were seen entering, and shortly thereafter, (b)(6), (b)(7)(C) unit was sent to support 1st Squad and assist in evacuating their casualties. A few days after 19Nov05, (b)(6), (b)(7)(C) attended a debriefing of the 19Nov05 incident by CAPT (b)(6), (b)(7)(C). A week or two after 19Nov05, (b)(6), (b)(7)(C) squad was tasked with providing security to the CAG Officer, (b)(6), (b)(7)(C) while he visited houses near the intersection of Viper and Chestnut. (b)(6), (b)(7)(C) stated his team did not go inside any of these houses; they remained on the outside, posting security. Exhibit (161) pertains.

39. On 25May06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he was a member of Weapons Platoon, Kilo Company, while on deployment in Haditha, Iraq. About three (3) days after the 19Nov05 IED blast, (b)(6), (b)(7)(C) and his team were called out by another squad to detonate a grenade. (b)(6), (b)(7)(C) a team member responded to a house located approximately 300 meters south of Route Chestnut (house #2). (b)(6), (b)(7)(C) was informed that it was one of the houses where the "incident" took place on 19Nov05. (b)(6), (b)(7)(C) noted the house was cordoned off as his team went inside to assess the situation. (b)(6), (b)(7)(C) and his team entered through the kitchen and observed a bathroom at the first door on the right. (b)(6), (b)(7)(C) noted a back wall with a window and the wall next to it had several holes. (b)(6), (b)(7)(C) did not observe any blood or bullet holes in the walls or ceiling within the two (2) rooms he entered. (b)(6), (b)(7)(C) reported the grenade was located in the bathroom. Shortly thereafter, C-4 was used to detonate the grenade, but this caused a small fire and knocked a hole in the side of the house. Exhibit (162) pertains.

**1ST SQUAD, 1ST PLATOON**

40. On 11MAY06, (b)(6), (b)(7)(C) USMC, (1/1), was interviewed and advised he was assigned as the (b)(6), (b)(7)(C) for 1st Squad, 1st Platoon, Kilo Company in Haditha, Iraq. (b)(6), (b)(7)(C) related the following information:

a. SAF: On 19NOV05, (b)(6), (b)(7)(C) and his squad, (LCPL (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C), were on patrol traveling east on Haditha Road when they heard an explosion from the south. (b)(6), (b)(7)(C) stated he heard gunfire; however, he could not identify the weapons. (b)(6), (b)(7)(C) then heard radio traffic stating there was a KIA as well as some WIA. (b)(6), (b)(7)(C) and his squad were directed to set up a blocking position at Chestnut and River; however, while moving to that location another IED was discovered at the

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intersection of Beech Street and River Road approximately 20 minutes after the first explosion. (b)(6), (b)(7)(C) ordered the squad to set up a cordon on the IED and posted them in different security positions. (b)(6), (b)(7)(C) called the EOD, but they were delayed. Radio traffic indicated 3/1 had located another IED to the north of their location and EOD was ambushed while they responded. (b)(6), (b)(7)(C) advised he heard gunfire from around the corner on Chestnut in the vicinity of the first IED explosion.

b. VIDEOTAPING OF RIDGELINE SHOOTING: (b)(6), (b)(7)(C) heard shooting from the rooftop where he had posted (b)(6), (b)(7)(C). When he ran upstairs to the rooftop, (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) that he had spotted an Iraqi male running down the ridgeline from Chestnut towards the river. (b)(6), (b)(7)(C) stated they heard 3rd Platoon firing at the ridgeline runner and saw/heard tracer fire coming from a SAW, so they shot at the runner as well. Later, they informed (b)(6), (b)(7)(C) the runner on the ridgeline was dead. (b)(6), (b)(7)(C) also discovered that (b)(6), (b)(7)(C) used his video camera to record during periods of the shooting of the ridgeline victim. (b)(6), (b)(7)(C) noted he has since viewed the videotape and commented that it was not very clear; but the audio was on and recorded their voices. Subsequent to the ridgeline shooting, EOD responded and detonated the IED. Several hours later, (b)(6), (b)(7)(C) and his squad returned to the Firmbase.

c. TRANSPORT & VIDEOTAPING OF BODIES: At midnight, (b)(6), (b)(7)(C) was informed his squad was assigned to take approximately 20 to 30 bodies to the Haditha hospital. The bodies were already loaded up in the HMMWVs with the tailgates down exposing them. (b)(6), (b)(7)(C) recalled either (b)(6), (b)(7)(C) or possibly (b)(6), (b)(7)(C) shined a flashlight into the back and filmed the bodies using his video camera. They transported the bodies to the morgue area of the hospital without incident. (b)(6), (b)(7)(C) and his squad then went to the Haditha Dam where they cleaned the HMMWVs, and found a severed foot inadvertently left behind by the morgue personnel. One of the Marines used video camera to film the cleaning of the trucks and the severed foot. After these events, (b)(6), (b)(7)(C) downloaded the film onto his Apple G-4 Powerbook computer. (b)(6), (b)(7)(C) explained he used his digital video camera throughout his deployment in Iraq to make a video for himself and other Marines to have as a memory of their experiences. (b)(6), (b)(7)(C) advised he made a finished video, which contained footage of the ridgeline shooting, but did not include footage of the severed foot or the bodies from 19NOV05. Exhibit (163) pertains.

41. On 16May06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he was assigned as the (b)(6), (b)(7)(C) for 1st Squad, 1st Platoon, Kilo Company. (b)(6), (b)(7)(C) related the following information:

a. SAF: On 19Nov05, the squad was on patrol when they heard a loud explosion in the distance. (b)(6), (b)(7)(C) looked at his watch and noted the time of the explosion was 0716. Approximately 15-20 seconds later, he heard on the radio that 1st Squad, 3rd Platoon, had been hit by an IED, and they had two (2) or three (3) WIAs and one KIA. The squad was then directed via radio to divert their patrol down River Road. At the time, (b)(6), (b)(7)(C) heard sporadic M-16 and AK-47 gunfire

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in the distance coming from the south. While moving down River Road near an area just south of Beach Road, an IED was discovered.

Efforts were made to establish a cordon around the IED, and [ ] called EOD. About twenty minutes later, [ ] fire team, which also consisted of [ ] went to a house along River Road, so they could get a better view from the roof. [ ] heard M-16 and AK-47 fire as well as a 50-caliber being fired. Later, he learned EOD had been ambushed. [ ] also reported hearing four (4) gunshots from the south. EOD arrived approximately two (2) hours later and blew up the IED.

b. RIDGELINE SHOOTING: His fire team linked up with [ ] and [ ] at a house at the intersection of River Road and Route Chestnut, and was told by them that they had fired at a "guy" near the ridgeline southwest of their position. [ ] pointed at the body, which lay approximately 300 yards from their position and told [ ] that Marines from 3rd Platoon had fired at the same individual with an M249. CPL [ ] contacted the COC, and permission was granted to return to the Firmbase.

c. TRANSPORT OF BODIES: [ ] and his squad joined 2nd Squad in the transportation of Iraqi bodies to the hospital. MAJ [ ] and an interpreter accompanied them. Four (4) HMMWVs and a 7-ton vehicle were driven to the hospital, but only two (2) or three (3) of the HMMWVs were used to transport the bodies. When they arrived at the hospital, the hospital staff came out and unloaded the bodies.

[ ] advised he could not provide details about the off loading of the bodies, as it was dark and he was in the rear providing security. Though [ ] went to the dam with the rest of the squad to clean the HMMWVs, he did not participate in the washing of the HMMWVs and did not report witnessing the discovery of the severed foot or any other body parts. Exhibit (164) pertains.

42. On 16May06, [ ] USMC, was interviewed and advised he was assigned to 1st Squad, 1st Platoon, Kilo Company, and was part of a fire team with [ ] provided the following information:

a. SAF: On 19Nov05, the squad was on patrol when they heard a loud explosion in the distance. [ ] heard on the radio that two (2) or three (3) Marines had been wounded and one (1) KIA. The squad was then directed via radio to divert their patrol down River Road and establish a security position near the intersection of River and Chestnut. They later learned there had been an IED attack on 1st Squad, 3rd Platoon. They continued their movement and got about three (3) houses north of River and Chestnut, when an IED was discovered. Efforts were made to establish a cordon around the IED, and EOD was called. [ ] along with [ ] went to a house along River Road, so they could establish an over watch position on top of the residence. As they waited for EOD to arrive, [ ] heard small explosions like grenades and RPGs, and SAF to include M-16s, SAWs, and AK-47s. [ ] also heard a 50-caliber in the distance. Helicopters flew into the area and a 500-pound bomb was dropped on a house on Chestnut. EOD arrived and advised that they had contact with insurgent combatants. EOD then destroyed the

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IED. His fire team then linked up with (b)(6), (b)(7)(C) at a partially destroyed house at the intersection of River Road and Chestnut. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) that they both had fired at a male on the ridgeline, southwest of their position.

b. VIDEOTAPING OF RIDGELINE SHOOTING: (b)(6), (b)(7)(C) advised he saw the videotape filmed by (b)(6), (b)(7)(C) which depicted some of the activities occurring on Chestnut. The videotape further depicted (b)(6), (b)(7)(C) firing rounds with his M-16 from the top of the building, but did not show the shots making impact.

c. TRANSPORT OF BODIES: After returning to Firmbase, (b)(6), (b)(7)(C) along with his squad were directed to take dead bodies that were already loaded in HMMWVs to the morgue. While waiting at the HMMWVs, (b)(6), (b)(7)(C) observed the bodies of men, both young and old, a young female about ten years old, and a male with a missing leg. (b)(6), (b)(7)(C) related he saw one Iraqi male, well-groomed, wearing a white gown with an apparent 50-caliber gunshot wound to his forehead. (b)(6), (b)(7)(C) reported that he was told the Iraqi male was shot and killed by the EOD team. The bodies were transported to the morgue and unloaded while a Marine Major talked with hospital personnel. (b)(6), (b)(7)(C) advised they subsequently transported the vehicles to the dam to be washed. As his vehicle did not require washing, he fell asleep while the other HMMWV drivers washed their vehicle. Upon their return, they awakened him and returned to the Firmbase. When asked, (b)(6), (b)(7)(C) stated that after returning to the Firmbase, one of the Marines from his squad was joking about a foot and made the comment that it weighed a lot. Subsequently, (b)(6), (b)(7)(C) was informed by (b)(6), (b)(7)(C) that they disposed of the foot in the burn pit at the dam. Exhibit (165) pertains.

43. On 16May06, (b)(6), (b)(7)(C) USMC, was interviewed and affirmed he was assigned to 1st Squad, 1st Platoon, Kilo Company and was part of a fire team with (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) provided the following information:

a. SAF: During the morning of 19Nov05, (b)(6), (b)(7)(C) and his squad set off from Firmbase on a foot patrol. Approximately thirty (30) minutes later, they heard an IED blast and then sporadic gunfire as they traveled south on River Road. Along the way, they encountered an IED at the corner of River Road and Beach. They cordoned off the area and called for EOD. The fire teams assumed different security positions. (b)(6), (b)(7)(C) set up on top of a nearby house with LCPL (b)(6), (b)(7)(C) EOD responded to their area and detonated the IED. While on the roof, (b)(6), (b)(7)(C) reported hearing sporadic to constant gunfire. (b)(6), (b)(7)(C) then heard (b)(6), (b)(7)(C) fire his shotgun. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) that he was shooting at an Iraqi male wearing a white man dress carrying an AK-47 located in the palm grove approximately 75 meters away from their location.

b. RIDGELINE SHOOTING: (b)(6), (b)(7)(C) and his fire team joined the other fire teams on the roof of another house. (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) that they shot at a guy who was running on top of a gully approximately 200-300 meters from their location. (b)(6), (b)(7)(C)

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looked through his rifle scope at the body lying on the ground and could see no weapon. (b)(6), (b)(7)(C) stated he and several members of his platoon viewed the videotape made with (b)(6), (b)(7)(C) personal video camera while on the rooftop. (b)(6), (b)(7)(C) confirmed the video depicted the shooting of the Iraqi male. (b)(6), (b)(7)(C) recalled the Iraqi male was crawling as opposed to running during the video. The tape also depicted two (2) Marines walking up to the body, checking him out, and departing. This clip later became part of (b)(6), (b)(7)(C) video footage of their time in Iraq, beginning in September 2005.

c. TRANSPORT OF BODIES: After returning to the Firmbase, (b)(6), (b)(7)(C) and his squad were awakened by (b)(6), (b)(7)(C) and directed to drive the bodies to the hospital. (b)(6), (b)(7)(C) drove one (1) of the five (5) vehicles in the convoy to the hospital, and learned that women and children were among the dead. After the bodies were off-loaded at the hospital, the convoy traveled to the dam to wash out the HMMWVs. (b)(6), (b)(7)(C) did not relate any specifics with regard to events that happened while at the dam. Exhibit (166) pertains.

44. On 16May06, (b)(6), (b)(7)(C) USMC, reported during his interview that he was assigned to 1st Squad, 1st Platoon, Kilo Company and was part of a fire team with (b)(6), (b)(7)(C) on 19Nov05. (b)(6), (b)(7)(C) provided the following information:

a. SAF: On 19Nov05 at approximately 0705, (b)(6), (b)(7)(C) and his squad were leaving the Firmbase when they heard a loud explosion in the city of Haditha. It was soon reported over the radio there were two (2) casualties and one (1) KIA. The squad was directed to continue on foot patrol east on Haditha Road and then south on River Road. After reaching River Road, (b)(6), (b)(7)(C) heard two (2) gunshots. A Marine from the squad yelled, "We're taking fire. Take cover." The squad took cover and returned to their patrol after approximately fifteen (15) minutes. An IED was then found on River Road and its location was reported to EOD. After EOD arrived, they detonated the device. The squad continued to walk up River Road, he and his fire team made a right onto Chestnut, and then took cover in a two-story house under construction. Prior to entering the house, (b)(6), (b)(7)(C) heard what he thought was AK-47 fire and saw rounds impacting the road near his feet. The rounds appeared to be coming from south of Chestnut.

b. VIDEOTAPING OF RIDGELINE SHOOTING: (b)(6), (b)(7)(C) looked back and observed an Iraqi male running west toward the "wadi." He appeared to have something slung over his shoulder, possibly an AK-47. (b)(6), (b)(7)(C) ran into the house, up the stairs, and informed CPL (b)(6), (b)(7)(C) (squad leader) of this information. (b)(6), (b)(7)(C) went to the roof where they discovered (b)(6), (b)(7)(C) shooting. (b)(6), (b)(7)(C) observed from his location on the roof that the Iraqi male appeared to be dead, lying in the "wadi" approximately 125 meters southwest of their location. (b)(6), (b)(7)(C) had videotaped part of the shooting from the roof. Also, (b)(6), (b)(7)(C) observed two (2) Marines check the body of the dead Iraqi for identification, weapons, and/or bombs. (b)(6), (b)(7)(C) and his squad returned to the Firmbase at approximately 1600.

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c. TRANSPORT OF BODIES: After returning to the Firmbase, (b)(6), (b)(7)(C) and his squad were then ordered to transport the dead bodies to the hospital. There were four (4) HMMWVs and one (1) seven-ton truck in the convoy. (b)(6), (b)(7)(C) rode in the back of the seven-ton truck with LCPL (b)(6), (b)(7)(C), two (2) interpreters, and one (1) detainee, who (b)(7)(E) and flexi-cuffed. During the unloading of the bodies, (b)(6), (b)(7)(C) remained with the truck and provided security. The HMMWVs that carried the bodies were then taken to the dam to be cleaned. (b)(6), (b)(7)(C) advised that as the vehicles were being cleaned, body parts were discovered in the HMMWVs. (b)(6), (b)(7)(C) found a leg (below the knee to the foot) in the back of the vehicle. (b)(6), (b)(7)(C) took (b)(6), (b)(7)(C) video camera and filmed (b)(6), (b)(7)(C) discovering the body parts and other body parts to include parts of brains, fingers, and internal organs. While video taping the body parts, some of the Marines to include (b)(6), (b)(7)(C) began joking and playing around with the body parts. After cleaning the vehicles, the squad returned to the Firmbase. Exhibit (167) pertains.

45. On 17May06, (b)(6), (b)(7)(C) USN, was interviewed and related he was the (b)(6), (b)(7)(C) assigned to 1st Squad, 1st Platoon, Kilo Co during the morning of 19NOV05. (b)(6), (b)(7)(C) provided a similar account to the other squad member's recollections of the events of the morning of 19NOV05 involving the IED blast, the patrol, discovery of the second IED, and the shooting of the ridgeline victim. (b)(6), (b)(7)(C) advised upon his return to the Firmbase, he teamed with 2nd Squad for the removal of the bodies from the houses. (b)(6), (b)(7)(C) stated he mostly slept in the HMMWV while 2nd Squad Marines removed the bodies from the houses. (b)(6), (b)(7)(C) did not go into any of the houses, but later observed the bodies in the HMMWVs. Thereafter, they returned to the Firmbase and eventually transported the bodies to the hospital. Subsequently, the convoy was driven to the dam to clean the blood from the vehicles. (b)(6), (b)(7)(C) was aware that a foot had been found during this time, as he saw the foot on the video prepared by (b)(6), (b)(7)(C) Exhibit (168) pertains.

46. On 18May06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he was as a member of 1st Squad, 1st Platoon, Kilo Company on 19NOV05. (b)(6), (b)(7)(C) provided a similar account to the other squad member's recollections of the events of the morning of 19Nov05 involving the IED blast, the patrol, and discovery/detonation of the second IED.

a. RIDGELINE SHOOTING: Members of the squad were assigned to various security positions. (b)(6), (b)(7)(C) set up on the rooftop of an abandoned two-story house. After being on the rooftop for approximately 30-35 minutes, (b)(6), (b)(7)(C) saw an Iraqi male running eastward on the ridgeline to the south. (b)(6), (b)(7)(C) heard gunfire by other Marines shooting at him. The Iraqi male went down, but started to get up, so (b)(6), (b)(7)(C) opened fire on him from a distance of approximately 100 yards. Later, (b)(6), (b)(7)(C) showed (b)(6), (b)(7)(C) footage of the shooting. (b)(6), (b)(7)(C) advised when watched the video, he noticed two (2) Marines approach the body; however, he did not witness this firsthand. After several hours, they eventually re-grouped as a

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squad and returned to the Firmbase.

b. TRANSPORT OF BODIES: (b)(6), (b)(7)(C) and the squad received orders to transport dead Iraqis to the hospital. (b)(6), (b)(7)(C) drove one (1) of the HMMWVs that transported the bodies. (b)(6), (b)(7)(C) stated there were approximately four (4) or five (5) bodies in his HMMWV, and one (1) was a woman. When they arrived at the hospital, the bodies were off-loaded by other Iraqis. The HMMWVs were then taken to the dam to be cleaned. While cleaning the HMMWVs, (b)(6), (b)(7)(C) and other squad members found a severed foot and a piece of brain tissue. (b)(6), (b)(7)(C) chased CPL (b)(6), (b)(7)(C) around with the foot and brain to have "a little fun." Exhibit (169) pertains.

47. On 18May06, (b)(6), (b)(7)(C) USMC, was interviewed and reported he was a member of 1st Squad, 1st Platoon, Kilo Company, in 19Nov05. (b)(6), (b)(7)(C) provided a similar account to the other squad member's recollections of the events of the morning of 19Nov05 involving the IED blast, the patrol, and discovery/detonation of the second IED.

a. RIDGELINE SHOOTING: Members of 1st Squad were assigned to various security positions. (b)(6), (b)(7)(C) set up on a rooftop on a two-story house. (b)(6), (b)(7)(C) reported hearing SAF (AK-47 AND M-16) coming from the area where 3rd Platoon had been hit by an IED. (b)(6), (b)(7)(C) joined them and informed them to "keep an eye out" for Iraqis carrying weapons southwest of their location. (b)(6), (b)(7)(C) then observed an Iraqi male running from the rear of a house on the top of a ridge. (b)(6), (b)(7)(C) advised that a Marine from 3rd platoon was firing at the individual, and (b)(6), (b)(7)(C) could see the impact from the rounds. (b)(6), (b)(7)(C) assumed the Iraqi male was a threat, since other Marines were firing at him. As a result, (b)(6), (b)(7)(C) fired at the Iraqi male. (b)(6), (b)(7)(C) asserted he had (b)(6), (b)(7)(C) personal video camera with him and filmed the incident. After the Iraqi male went down, (b)(6), (b)(7)(C) observed two (2) Marines walk over to him. From his rooftop position, (b)(6), (b)(7)(C) observed Marines from 3rd Platoon in different locations firing at each other. The Marines on the rooftop popped up a red star cluster to indicate it was a friendly fire incident. After Marines showed up from 2nd squad to relieve them, they returned to the Firmbase.

b. TRANSPORT OF BODIES: Later in the evening, (b)(6), (b)(7)(C) along with other squad members were ordered to take bodies to the hospital. MAJ (b)(6), (b)(7)(C) and an interpreter accompanied them. (b)(6), (b)(7)(C) drove one of the HMMWVs, which was full of bodies in the convoy. (b)(6), (b)(7)(C) related he could not determine what type of injuries were on the bodies as it was too dark outside, and they were in body bags or trash bags. When they arrived at the hospital, the hospital staff unloaded the bodies. They then drove the HMMWVs to the dam to be cleaned. During the cleaning of the HMMWVs, a foot was discovered by one of the Marines. Using (b)(6), (b)(7)(C) video camera, (b)(6), (b)(7)(C) filmed Marines joking around and playing with it. Additionally, pieces of brain and a skull were found. Subsequently, (b)(6), (b)(7)(C) and his squad returned to the Firmbase. Exhibit (170) pertains.

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48. On 16May06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he was a member of 2nd Squad, 1st Platoon, Kilo Company while on deployment in Haditha, Iraq; however, on 19Nov05, he teamed up with members of 1st Squad, 1st Platoon, Kilo Company. (b)(6), (b)(7)(C) provided a similar account to the other squad member's recollections of patrol activities during the morning of 19Nov05. (b)(6), (b)(7)(C) did not relate any information regarding the discovery of an IED.

a. RIDGELINE SHOOTING: (b)(6), (b)(7)(C) advised initially he was on the ground providing security, until he was ordered to join (b)(6), (b)(7)(C) at their position on a rooftop where they maintained an overwatch. Either (b)(6), (b)(7)(C) pointed to a dead body and told (b)(6), (b)(7)(C) they had shot the Iraqi male while he was running towards the palm grove. One of them told (b)(6), (b)(7)(C) he had hit the Iraqi while another platoon was shooting toward the Iraqi at the same time. (b)(6), (b)(7)(C) advised the Iraqi male appeared dead and was approximately 200 meters from their position. (b)(6), (b)(7)(C) did not observe any weapons and could not see his injuries from that distance. They told (b)(6), (b)(7)(C) they recorded some of the action prior to his arrival on the roof.

b. TRANSPORT OF BODIES: After returning to the Firmbase, they received orders to transport the bodies to the hospital. (b)(6), (b)(7)(C) drove one of the HMMWVs that carried the bodies. Once they arrived at the hospital, (b)(6), (b)(7)(C) did not get out of his HMMWV since hospital personnel unloaded the bodies. The convoy then drove to the dam to clean out the HMMWVs; however, (b)(6), (b)(7)(C) did not participate in the washing of the vehicles. Another Marine mentioned that a piece of a leg was found in the back of one of the HMMWVs. The squad left the dam and returned to the Firmbase. Exhibit (171) pertains.

**2nd SQUAD, 1ST PLATOON**

49. On 12May06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he was assigned to 2nd Squad, 1st Platoon, Kilo Company, while deployed to Haditha, Iraq. On 19Nov05, (b)(6), (b)(7)(C) squad leader, CPL (b)(6), (b)(7)(C) informed him that 1st Squad, 3rd Platoon was hit by an IED and 2nd Squad was to provide reinforcements. In response, (b)(6), (b)(7)(C) squad geared up and traveled on foot to the IED site. The details of his interview follow:

a. TAXI: As he approached the IED site, (b)(6), (b)(7)(C) saw the white vehicle with five (5) bodies lying next to it on the south side, which was the furthest from Chestnut. Their bodies were lying straight next to each other with no space between them. (b)(6), (b)(7)(C) reported they had a single gunshot wound to the head and multiple gunshot wounds to their torsos.

b. (b)(6), (b)(7)(C) While waiting for direction from CPL (b)(6), (b)(7)(C) approached (b)(6), (b)(7)(C) and asked him what happened. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) that after the IED blast his squad set up a cordon around the area. (b)(6), (b)(7)(C) said they observed two (2) Iraqi males running east, so "they" engaged the Iraqis because the squad assumed they

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were the triggermen. (b)(6), (b)(7)(C) then stated, "Anything moving within 300 meters, they engaged and killed." (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) that he lined the five (5) Iraqi males up "execution style," turned them around so they faced away, placed them on their knees, and shot them each in the head using a 9mm pistol. (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) the entire squad was "trigger happy" and shot a couple rounds in the five (5) Iraqi males. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) one of the triggermen escaped to the northern group of houses, and the squad sent some teams to their location and continued to clear houses by using live grenades, not knowing there were innocent civilians in the houses.

c. (b)(6), (b)(7)(C) While taking a security position near the post IED blast, (b)(6), (b)(7)(C) overheard (b)(6), (b)(7)(C) say to (b)(6), (b)(7)(C) "Good job Killer." (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) what (b)(6), (b)(7)(C) meant by the remark. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) he had killed someone. (b)(6), (b)(7)(C) informed him that after an Iraqi male ran up to the northern houses, they sent a couple of teams up to clear the houses using live grenades, and they had no idea there were women and children in the houses. He told (b)(6), (b)(7)(C) they went from one house to another until they found the terrorist. (b)(6), (b)(7)(C) said, "It was open guns and anything within 300 meters, kill." During a later conversation, (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) that 3rd Platoon had captured a cache of weapons and ammunition. He explained to (b)(6), (b)(7)(C) that some of the cache was from the northern group of houses and the remaining was from something that looked like a well.

d. DETAINEES: (b)(6), (b)(7)(C) had a conversation with (b)(6), (b)(7)(C) regarding detainees. They told him as they were bringing down detainees, they "butt stroked" them in the ribs and in the back and said that (b)(6), (b)(7)(C) participated in it with them. They also told (b)(6), (b)(7)(C) they kicked and punched them as they were tied up and unable to runaway. They explained to (b)(6), (b)(7)(C) they did this because they were angry over TERRAZA's death. Exhibit (172) pertains.

50. On 12May06, (b)(6), (b)(7)(C) USMC, was interviewed and related he was assigned to 2nd Squad, 1st Platoon, Kilo Company, while deployed to Haditha, Iraq. On 19Nov05, (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) that 1st Squad, 3rd Platoon was hit by an IED and his squad was to post security at their location. In response, (b)(6), (b)(7)(C) squad geared up and traveled on foot to the IED site.

a. TAXI: As the squad approached the IED site, (b)(6), (b)(7)(C) observed a white 4-door vehicle on the right side of Route Chestnut. The right-side passenger door was open along with its trunk, and there were some clothes and a suitcase on the ground near the vehicle. (b)(6), (b)(7)(C) did not observe any damage or blood on the vehicle. (b)(6), (b)(7)(C) did not observe any weapons or shell casings around the car; however, he observed some 5.56 mm shell casings and 5.56 links on the ground near the HMMWV with a M240G attached to it. (b)(6), (b)(7)(C) advised these casings came from a SAW. (b)(6), (b)(7)(C) saw (5) five deceased Iraqi males lying on the ground five (5) meters south of the vehicle. (b)(6), (b)(7)(C) noted one (1) of the Iraqi males had a major head wound. (b)(6), (b)(7)(C) did not observe any blood trails that indicated they were moved. The squad moved past

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the vehicle and (b)(6), (b)(7)(C) met with (b)(6), (b)(7)(C) to get a brief on where to post security. (b)(6), (b)(7)(C) took his fire team to a rooftop of a house located on the northwest corner of Routes Chestnut and Viper to provide overwatch. While on the roof, he observed a HMMWV convoy pull up and take away eleven (11) to twelve (12) Iraqi detainees whom (b)(6), (b)(7)(C) had observed earlier sitting blindfolded south of Chestnut. (b)(6), (b)(7)(C) stated that he remained on the roof with his team for approximately eight (8) hours and was unaware of what happened after the IED Blast.

b. REMOVAL OF BODIES: (b)(6), (b)(7)(C) called (b)(6), (b)(7)(C) on the radio and asked his Marines if any of them had gloves in order to assist in the loading of bodies in the HMMWVs. (b)(6), (b)(7)(C) had gloves and left the rooftop to assist. (b)(6), (b)(7)(C) called for (b)(6), (b)(7)(C) to meet him on the ground, which he did. (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) they were almost finished with loading the bodies into the HMMWVs and were going to be moving soon. (b)(6), (b)(7)(C) decided to assist with the loading of the bodies in order to expedite the process. (b)(6), (b)(7)(C) advised he assisted LT (b)(6), (b)(7)(C) in removing a large body from one of the houses. (b)(6), (b)(7)(C) commented it was dark in the house; however, he remembered there was a lot of blood in the room, and there was also a dresser in the room, which had bullet holes in it. (b)(6), (b)(7)(C) did not recall seeing any shell casings on the floor or observing any weapons inside the house. Once the bodies were loaded into the HMMWVs, 3rd Platoon departed in the HMMWVs and his squad returned to Firmbase on foot patrol.

c. TRANSPORT OF BODIES: After returning to Firmbase, the squad was then tasked with providing security for the HMMWVs while they took the bodies to the hospital. (b)(6), (b)(7)(C) drove the lead HMMWV, which did not have any bodies in it. While the hospital personnel unloaded the bodies, (b)(6), (b)(7)(C) overheard a conversation between (b)(6), (b)(7)(C) and one of the hospital staff regarding the large number of bodies. (b)(6), (b)(7)(C) explained after 3rd Platoon was hit by an IED, some insurgents ran into nearby houses and were using innocent people as cover. (b)(6), (b)(7)(C) informed some of the victims had been killed in crossfire but a lot of the bodies were "bad guys." After the bodies were unloaded, (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) to take the squad back to FIRMBASE on foot while he took the HMMWVs to the dam to be cleaned.

d. PHOTOGRAPHS: (b)(6), (b)(7)(C) advised he was aware that (b)(6), (b)(7)(C), a Marine from Headquarters Company, had photographs on his laptop computer which he believed were from 19NOV05 based on comments made by (b)(6), (b)(7)(C) stated he observed these photographs on 23NOV05; however, he was unaware if (b)(6), (b)(7)(C) still has the photographs on his computer. Exhibit (173) pertains.

51. On 18May06, (b)(6), (b)(7)(C), USMC, was interviewed and advised he was assigned to 2nd Squad, 1st Platoon, Kilo Company, while deployed to Haditha, Iraq. On 19Nov05, (b)(6), (b)(7)(C) was informed by his squad leader, CPL (b)(6), (b)(7)(C) that 1st Squad, 3rd Platoon was hit by an IED and a small ambush. His squad was tasked to meet up that squad from 3rd Platoon. (b)(6), (b)(7)(C) and his squad traveled to the IED site. As they approached the intersection of Chestnut and Zebra, (b)(6), (b)(7)(C) observed a

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white car with three (3) to four (4) dead bodies lying by it. (b)(6), (b)(7)(C) noted the car doors and the trunk were open. Subsequently, 3rd Platoon asked (b)(6), (b)(7)(C) and his squad to hold security for them while they searched houses. (b)(6), (b)(7)(C) took an overwatch position with his fire team, but he was later called down by CPL (b)(6), (b)(7)(C) to watch seven (7) or eight (8) detainees sitting by a brick wall. (b)(6), (b)(7)(C) noted the detainees (b)(6), (b)(7)(C) and their hands were secured with flex cuffs. The 3rd Platoon ultimately released all but one of the detainees. The 2nd Squad then patrolled back to Firmbase. (b)(6), (b)(7)(C) and his squad then provided security for the HMMWVs taking the bodies to the hospital and provided security around the hospital while the bodies were removed from the HMMWVs. The 2nd Squad then returned to Firmbase on foot. Exhibit (174) pertains.

**3RD SQUAD, 1ST PLATOON**

52. On 30May06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he was a member of 3rd Squad, 1st Platoon, Kilo Company while on deployment in Haditha, Iraq. (b)(6), (b)(7)(C) was assigned as a squad leader, and the members of his squad were LPCL (b)(6), (b)(7)(C) and HN (b)(6), (b)(7)(C). During the morning of 19Nov05, (b)(6), (b)(7)(C) was at the COC when he heard radio traffic indicating there had been an IED attack against one of the other squads. Once he learned there were casualties, (b)(6), (b)(7)(C) awakened his squad to go on patrol. The squad left the Firmbase and traveled east on Haditha Road. As they walked to the intersection of Haditha Road and River Road, the squad encountered several groups of Iraqis. The squad "aimed in" and fired rounds in their direction in an effort to disperse them. It took the squad approximately (3) three hours to get down Haditha Road to the intersection of River Road. (b)(6), (b)(7)(C) then assigned squad members to various security positions and returned to the Firmbase later that day. (b)(6), (b)(7)(C) advised he and his squad did not engage with any insurgents on 19Nov05, and the only rounds fired were to disperse Iraqis from the streets. According to (b)(6), (b)(7)(C) his squad did not participate in a BDA or remove/transport bodies from houses on Route Chestnut. Exhibit (175) pertains.

53. On 16May06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he was a member of 3rd Squad, 1st Platoon, Kilo Company while on deployment in Haditha, Iraq. (b)(6), (b)(7)(C) provided the following information regarding the events of 19Nov05:

a. SAF: (b)(6), (b)(7)(C) related after the IED blast, 3rd Squad was dispatched as a foot mobile QRF eastbound on Haditha Road. They were given direction to maneuver toward the palm groves to eliminate the enemy from further progressing their attack on the Firmbase. Once 3rd Squad exited the ECP, they received SAF in their general direction. According to (b)(6), (b)(7)(C) he, (b)(6), (b)(7)(C) fired upon two (2) Iraqi males who were acting suspiciously. No Iraqis were killed or injured as a result of this engagement. The squad continued toward the cemetery and palm groves to clear the area of insurgent activity. The squad then moved from the palm groves onto River Road. According to (b)(6), (b)(7)(C) found an IED on River Road.

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Consequently, EOD was called, responded to the situation, and detonated the IED. The squad then moved to an overwatch position until they were ordered to return to the Firmbase.

b. (b)(6), (b)(7)(C) related he and (b)(6), (b)(7)(C) had two (2) conversations about the events of 19Nov05. The first conversation occurred a few months after 19Nov05. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) that his weapon had been taken for investigative purposes. He told (b)(6), (b)(7)(C) "they" were going to get the bodies and take the rounds out of the bodies and try to match the rounds with the weapons. With regard to the events of 19NOV05, (b)(6), (b)(7)(C) said while he was on the road, a vehicle came at him, and he shot at the vehicle. (b)(6), (b)(7)(C) offered this as an explanation as to why his weapon was seized. After they both returned to the U.S., they talked about being questioned, and (b)(6), (b)(7)(C) provided details to (b)(6), (b)(7)(C) about the clearing of the houses. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) 3rd Platoon was engaged by an Iraqi male who then ran in a house located in the southern end of Haditha. In response, 3rd Platoon sent a team in to clear the house. They used a fragmentation grenade inside of a room, killing two (2) women and an unknown number of children. (b)(6), (b)(7)(C) did not tell (b)(6), (b)(7)(C) if he was present in the house. Exhibit (176) pertains.

54. On 17May06, (b)(6), (b)(7)(C) USMC, was interviewed and reported he was a member of 3rd Squad, 1st Platoon, Kilo Company, while on deployment in Haditha, Iraq. The details from his interview follow:

a. SAF: (b)(6), (b)(7)(C) provided a similar account to the other squad members' recollections of the SAF between the squad and two (2) Iraqi males who acted "suspiciously." (b)(6), (b)(7)(C) added that several squad members also shot at another Iraqi male but missed him, hitting a parked vehicle in the street. The Iraqi male ran into a house; however, the squad did not follow him. The squad continued on patrol down River Road and discovered an IED at the hospital. The squad cordoned off the area and called EOD who responded and detonated it. Subsequently, they returned to the Firmbase.

b. RIDGELINE SHOOTING: On 19Nov05, (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) that he and (b)(6), (b)(7)(C) were on a rooftop when they heard SAW fire. Shortly thereafter, (b)(6), (b)(7)(C) shot at an Iraqi male who was running. (b)(6), (b)(7)(C) stated he later saw the videotape of this incident made with (b)(6), (b)(7)(C) video camera. (b)(6), (b)(7)(C) added he also saw video footage of a dismembered foot from one (1) of the Iraqi victims killed on 19Nov05. Exhibit (177) pertains.

55. On 17May06, (b)(6), (b)(7)(C) USMC, was interviewed and related he was a member of 3rd Squad, 1st Platoon, Kilo Company while on deployment in Haditha, Iraq. (b)(6), (b)(7)(C) provided a similar account to the other squad members' recollections of the SAF between the squad and two (2) Iraqi males, and the discovery/detonation of the IED. Exhibit (178) pertains.

56. On 17-31May06, (b)(6), (b)(7)(C) USMC, and (b)(6), (b)(7)(C) USMC, were interviewed and confirmed they

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were members of 3rd Squad, 1st Platoon, Kilo Company while on deployment in Haditha, Iraq. (b)(6), (b)(7)(C) provided similar accounts to the other squad members' recollections of the SAF between the squad and Iraqi males who acted suspiciously; however, they did not recall the discovery of the IED. Exhibits (179)-(181) pertain.

57. On 19May06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he was the (b)(6), (b)(7)(C) for 1st Platoon, Kilo Company while in Haditha, Iraq on 19Nov05. (b)(6), (b)(7)(C) related the events involving the different squads in his platoon, which were consistent with the recollections of his squad members. (b)(6), (b)(7)(C) provided the following additional details:

a. (b)(6), (b)(7)(C) After returning to the Firmbase sometime after midnight on 20Nov05, (b)(6), (b)(7)(C) went to the COC and had contact with (b)(6), (b)(7)(C) the watch officer. (b)(6), (b)(7)(C) instructed (b)(6), (b)(7)(C) to go "fix" his (b)(6), (b)(7)(C), because he was covered in blood. (b)(6), (b)(7)(C) added he had previously been informed that (b)(6), (b)(7)(C) had taken photographs of the bodies. In turn, (b)(6), (b)(7)(C) located (b)(6), (b)(7)(C) and told him to clean his gear and delete his photographs from his camera.

b. DEBRIEF: (b)(6), (b)(7)(C) recalled that on or about 20Nov05, Kilo Company's key personnel had a critical incident debrief or a BDA. The brief covered the events of 19Nov05. During the brief, it was discussed that numerous civilians had died after 3rd Platoon entered their houses once it was determined that the squad had taken fire from their locations. (b)(6), (b)(7)(C) recalled it was also discussed that Marines had thrown fragmentation grenades into houses, and a grenade detonated a propane tank, killing a number of non-hostiles. (b)(6), (b)(7)(C) did not know the specific number of civilians that were killed. It was also discussed how the company had been under a coordinated attack from insurgents and ways to prevent this from happening again.

c. TRAINING: (b)(6), (b)(7)(C) related he arrived at the unit in July 2005 after 3rd Battalion, 1st Marines had returned from Fallujah, Iraq where they conducted Operation Phantom Fury. According to (b)(6), (b)(7)(C), this operation gave the Marines a mindset of "If it moves then you kill it." The battalion went to Security and Stability Training (SASO) at March Air Force Base. (b)(6), (b)(7)(C) advised it was difficult to get the Marines out of the "Fallujah" mindset, but eventually they learned to be friendly and open with the locals. On the other hand, the Marines were trained when they received enemy fire, they were to respond with overwhelming superior fire. The Marines were taught house clearing tactics, techniques, and procedures (TTPs) where they were to isolate and cordon off the objective. If the objective was considered non-hostile, then the Marines were trained to knock on the door and request permission to enter. If the Marines were not allowed to enter, then they were to enter by pushing the door open and letting themselves in the building. If at any time, the objective became hostile (i.e., positive identification of a hostile person with a weapon, grenade, or knife), the Marines were cleared to use whatever means necessary to secure the objective. In (b)(6), (b)(7)(C)

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opinion, Marines had not dealt with a lot of experiences from Fallujah, which left room for potential problems during their return to Iraq. Exhibit (182) pertains.

58. On 17May06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he was assigned as a corpsman for 3rd Squad, 1st Platoon, while deployed to Haditha, Iraq. (b)(6), (b)(7)(C) reported on the morning of 19Nov05, (b)(6), (b)(7)(C) awakened and told him there had been an explosion, which resulted in casualties. In turn, (b)(6), (b)(7)(C) reported to the Battalion Aid Station (BAS). Approximately thirty (30) minutes later, (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) arrived at the BAS, appearing as if they were in a state of shock. They informed (b)(6), (b)(7)(C) a Marine had been killed in the explosion. (b)(6), (b)(7)(C) instructed (b)(6), (b)(7)(C) to stay at the BAS and relax. (b)(6), (b)(7)(C) provided the following additional details:

a. SAF: (b)(6), (b)(7)(C) and his squad mustered outside the entrance of Firmbase. The squad was then ordered to start "bounding," which entails going from building to building covering any alleys. (b)(6), (b)(7)(C) observed a car slow down and stop at the intersection of Haditha and River Roads. An Iraqi male stepped out of the car and placed a burlap bag (a possible IED) at one of the corners. The squad began to fire towards the Iraqi male because of his suspicious activities. (b)(6), (b)(7)(C) advised he did not fire his weapon since he observed through his riflescope that the Iraqi male was shot in the thigh. The Iraqi male ran off, and the car followed him. The squad provided security at the possible IED site. EOD arrived and detonated the potentially threatening device. The squad continued east on Haditha Road and took fire from an AK-47. (b)(6), (b)(7)(C) fired a shot at a suspicious Iraqi male but missed. Shortly thereafter, the squad heard SAF coming from the south and radio traffic indicating Weapons Platoon was engaged with insurgents and taking casualties. The squad set up a blocking position in a building along Palm Grove Trail. Air strikes were called to assist Weapons Platoon while (b)(6), (b)(7)(C) and his squad maintained their position.

b. (b)(6), (b)(7)(C) On 20Nov05, (b)(6), (b)(7)(C) had a conversation with (b)(6), (b)(7)(C) about his activities on 19Nov05. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) that there was a white taxi not moving on the side of the main road. (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) that the Marines thought someone in the taxi had weapons, and as a result, (b)(6), (b)(7)(C) witnessed (b)(6), (b)(7)(C) squad fire on the white taxi. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) that he shot at the taxi because the other Marines were shooting at it.

c. (b)(6), (b)(7)(C) had a conversation a few days later with (b)(6), (b)(7)(C) with regard to his activities and observations on 19Nov05. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) that after LCPL TERRAZAS was killed, (b)(6), (b)(7)(C) told the squad they would be clearing houses and were to use deadly force if necessary. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) while clearing a house, he saw a "guy acting funny" and thought he saw him go for a weapon or some kind of item, so he shot him dead. According to (b)(6), (b)(7)(C) said there were hostiles in a taxi, and everyone started shooting at the taxi.

d. (b)(6), (b)(7)(C) On the same day he spoke with (b)(6), (b)(7)(C)

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had a conversation with (b)(6), (b)(7)(C) about his observations of the activities of the squad on 19Nov05. (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) after LCPL TERRAZAS was killed, (b)(6), (b)(7)(C) told them they were going to clear houses around the blast area. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) they first "popped in" grenades and then went inside the houses. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) they shot at a taxi they thought had hostiles in it, but they were not sure. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) once (b)(6), (b)(7)(C) said there were hostiles in the car, the whole squad "lit it up."

e. (b)(6), (b)(7)(C) Approximately one day after his conversation with (b)(6), (b)(7)(C) had a conversation with (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) "We got those people responsible for TJ." (b)(6), (b)(7)(C) admitted to shooting a few people because they were acting suspicious. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) after they cleared the houses, some of the Marines had to go back in the houses to retrieve their magazines.

f. RECOVERED AK-47s: During the evening of 19Nov05, (b)(6), (b)(7)(C) observed four (4) to six (6) AK-47s sitting in the COC. (b)(6), (b)(7)(C) recalled asking (b)(6), (b)(7)(C) about the weapons, and he confirmed the AK-47s were seized during the command's activities on 19Nov05. Exhibit (183) pertains.

3/1 OFFICERS

59. On 12May06, (b)(6), (b)(7)(C) USMC, Battalion Operations (b)(6), (b)(7)(C) was interviewed regarding his knowledge of 3/1's procedures for conducting a BDA. (b)(6), (b)(7)(C) related he was not aware of a published procedure; however, he provided a copy of his appointment letter that referenced several orders. (b)(6), (b)(7)(C) described the process of a BDA and advised it is the on-scene commander's responsibility to initiate such a report. Subsequently, the on-scene report would be submitted through the chain of command (i.e., from the company COC to the battalion COC and then to the Regimental Combat Team). Additionally, (b)(6), (b)(7)(C) advised a CAG representative would report to the Battalion CAG; however, the Company CAG is responsible for conducting an assessment of the scene and determining the amount of compensation paid to a property owner and/or family. (b)(6), (b)(7)(C) further added if combat is the cause of death to a neutral (Iraqi civilian), condolence payments could also be directed. Exhibit (184) pertains.

60. On 24May06, (b)(6), (b)(7)(C) USMC, the former (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Kilo Company, 3/1, approached NCIS on his own volition, advised he had obtained counsel, and declined to be interviewed. Exhibit (185) pertains.

61. On 24May06, (b)(6), (b)(7)(C) USMC, was contacted for an interview and was advised of his Article 31b rights. (b)(6), (b)(7)(C) invoked his right to counsel and declined to be interviewed. Prior to invoking his rights, (b)(6), (b)(7)(C) advised he was recently reassigned as the 3rd Platoon (b)(6), (b)(7)(C) vice the position he had in Iraq as the 1st Platoon (b)(6), (b)(7)(C) Exhibit (186) pertains.

62. On 24May06, (b)(6), (b)(7)(C) USMC was contacted for an interview.

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(b)(6), (b)(7)(C) invoked his right to silence after being advised of his Article 31b rights and declined to be interviewed. Exhibit (187) pertains.

63. On 24May06, after waiving his Article 31b rights, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) USMC, the Battalion (b)(6), (b)(7)(C) of 3/1 was interviewed and advised he was in the Battalion Combat Operations Center (BN COC) on the morning of 19Nov05. The details of his interview follow:

a. IED BLAST: (b)(6), (b)(7)(C) reported he arrived at the BN COC around 0716-0719 and assumed his position in response to reports of an IED attack on Kilo Company. (b)(6), (b)(7)(C) instructed the Watch Officer (WO) to "develop the situation," (b)(6), (b)(7)(C) and then attended a staff meeting. At 0800, the meeting was interrupted with a report regarding the death of a Marine. Consequently, the meeting was adjourned and everyone moved to the COC. (b)(6), (b)(7)(C) explained he is unaware of any combat actions that may have been reported while he was at the staff meeting from 0716-0800.) (b)(6), (b)(7)(C) noted the Battalion CO, LTCOL (b)(6), (b)(7)(C) the Operations Officer, MAJ (b)(6), (b)(7)(C); the WO, CAPT (b)(6), (b)(7)(C) and the Watch Chief, MSGT (b)(6), (b)(7)(C) were present in the COC.

b. KILO COMPANY COC REPORTS: At one point, (b)(6), (b)(7)(C) recalled hearing Kilo Company COC's radio report of twenty-five (25) enemy casualties. According to (b)(6), (b)(7)(C) directed Kilo Company to count weapons and obtain a more accurate casualty count because the enemy casualty count was too high for the enemy to muster in the area of operation without their knowledge. During a ninety (90) minute time frame, (b)(6), (b)(7)(C) heard reports on the evacuation of one (1) insurgent and two (2) friendly casualties and the seizure of eight (8) enemy weapons. (b)(6), (b)(7)(C) explained the BN COC used Kilo Company's radio reports to compose Journal Entries (JENS). The WO would then compile JENS and forward to (b)(6), (b)(7)(C) for review. (b)(6), (b)(7)(C) indicated JENS would also reach the Division level and eventually be reviewed by the Commanding General.

c. COMMAND APPRISAL: On 19Nov05, (b)(6), (b)(7)(C) reviewed a report of an IED attack and SAF that resulted in one (1) FKIA, two (2) FWIA, one (1) EWIA, eight (8) EKIA, and fifteen (15) NKIA. (b)(6), (b)(7)(C) observed (b)(6), (b)(7)(C) provide the foregoing report to the Regimental Combat Team (RCT). Specifically, (b)(6), (b)(7)(C) heard (b)(6), (b)(7)(C) verbally apprise the Regimental Operations Officer, LTCOL (b)(6), (b)(7)(C) and provide a courtesy call to the Regimental XO, LTCOL (b)(6), (b)(7)(C). Additionally, (b)(6), (b)(7)(C) informed the Regimental XO of the engagement resulting in civilian casualties. Later, (b)(6), (b)(7)(C) approached (b)(6), (b)(7)(C) regarding the high number of NKIA and asked (b)(6), (b)(7)(C) if he wanted to investigate. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) he had it for action and would go to the battlefield after speaking with CAPT (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) to inform the Regimental CO, Colonel (b)(6), (b)(7)(C). In turn, (b)(6), (b)(7)(C) provided a brief via telephone to someone at the regiment that (b)(6), (b)(7)(C) assumed was senior to (b)(6), (b)(7)(C). When (b)(6), (b)(7)(C) ended the conversation, he informed (b)(6), (b)(7)(C) it was a "bona fide" combat action, and no investigation would be necessary. (b)(6), (b)(7)(C) asserted

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at this point, he believed an IED strike and small firefight had occurred on a crowded street; therefore, he did not suspect any criminal wrongdoing. (b)(6), (b)(7)(C) noted he raised the idea of an investigation to be thorough and professional since they had never had a prior engagement with as many casualties.

d. BATTLE SITE: (b)(6), (b)(7)(C) estimated at approximately 1700-1800 on 19Nov05, (b)(6), (b)(7)(C) and the Battalion Sergeant Major went to the battle sites. Later, (b)(6), (b)(7)(C) learned (b)(6), (b)(7)(C) did not make it to the IED site until 20Nov05. However, (b)(6), (b)(7)(C) affirmed he, (b)(6), (b)(7)(C) and the Sergeant Major, toured the battle site at Route Chestnut on 20Nov05 for about thirty (30) minutes. While on-site, (b)(6), (b)(7)(C) observed the blast crater, body fluids, AK-47 brass, etc. At the time, (b)(6), (b)(7)(C) believed there had been a firefight involving insurgents from the north and south but was not aware of the specific engagements, "involving a neutral vehicle or other houses in the area." Within one week of the battle site tour, (b)(6), (b)(7)(C) spoke with (b)(6), (b)(7)(C) to ensure he knew all the facts and had asked the hard questions of his Marines. (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) he had held a debrief with the Marines involved and was "absolutely certain that his Marines had done the right thing."

e. PRESS RELEASE: (b)(6), (b)(7)(C) related he saw a copy of the press release and noted it was slightly erroneous. (b)(6), (b)(7)(C) affirmed he did not attempt to correct the release, "because it was only slightly incorrect." In January 2006, (b)(6), (b)(7)(C) noted the Time magazine questions surfaced and he became concerned. (b)(6), (b)(7)(C) explained he and (b)(6), (b)(7)(C) went to (b)(6), (b)(7)(C) and suggested they should look into the incident again. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) became angry, raised his voice, and said, "My Marines are not murderers." (b)(6), (b)(7)(C) indicated there was nothing to investigate. According to (b)(6), (b)(7)(C) attempted to speak, but (b)(6), (b)(7)(C) cut him off and dismissed both (b)(6), (b)(7)(C) (b)(7)(C)

f. INVESTIGATION: (b)(6), (b)(7)(C) asserted he had confronted the CO twice about conducting an investigation, ensured the company CO had conducted a proper debrief with his Marines, verified reports were forwarded to the regiment, and maintained an open line of communication with the Regimental Staff Judge Advocate. Based on the foregoing, (b)(6), (b)(7)(C) did not feel the need to "second-guess" his superiors' decision not to direct an investigation into the matter at hand. Additionally, (b)(6), (b)(7)(C) confirmed he was not interviewed during the first AR 15-6 investigation. However, (b)(6), (b)(7)(C) advised he was questioned in the second AR 15-6 investigation wherein he informed investigating officers of his actions. Exhibits (188)-(189) pertain.

64. On 25May06, (b)(6), (b)(7)(C) USMC, was contacted for interview. After being advised of his Article 31b rights, (b)(6), (b)(7)(C) invoked his right to silence and declined to be interviewed. Exhibit (190) pertains.

65. On 25May06, (b)(6), (b)(7)(C) USMC, after an advisement of rights, was re-interviewed regarding his knowledge of the deaths of the Iraqi civilians in Haditha, Iraq on 19Nov05. (b)(6), (b)(7)(C) reviewed the results

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from his previous NCIS interview on 16Mar06. (b)(6), (b)(7)(C) confirmed the information contained in this report was true to the best of his knowledge. (b)(6), (b)(7)(C) was asked whether he suspected the Marines of 3/1 of any wrongdoing. (b)(6), (b)(7)(C) recalled as he walked through the houses on 29Nov05, he remembered thinking that the Marines may have "overextended themselves." (b)(6), (b)(7)(C) was then asked to provide information regarding any conversations he had with command members of 3/1 about the activities of 19Nov05. (b)(6), (b)(7)(C) provided the following details:

- a. (b)(6), (b)(7)(C) advised he spoke with (b)(6), (b)(7)(C) a few times about the events of 19Nov05. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) the Iraqi males in the white car were found with chest rigs on their bodies and weapons in their trunk. (b)(6), (b)(7)(C) also informed (b)(6), (b)(7)(C) that his troops had told him they heard weapons being cocked in the houses. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) this information shortly before the Army investigation was initiated. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) he did not want to see his Marines get hurt over this, and made the comment that if something was going to happen as a result of 19Nov05, he would rather it happen to him.
- b. (b)(6), (b)(7)(C) recalled having discussions with (b)(6), (b)(7)(C) via e-mail about the Iraqi deaths and making Commanders Emergency Response Program (CERP) payments to families of the NKIA. According to (b)(6), (b)(7)(C) asked him for guidance with regard to who would be entitled to compensation. (b)(6), (b)(7)(C) explained to (b)(6), (b)(7)(C) that if the people in the houses were terrorists, or harboring or assisting terrorists, then they would not be entitled to any compensation. However, if the Iraqis were innocent civilians caught in the middle, then they should be paid.
- c. (b)(6), (b)(7)(C) recalled having a conversation with (b)(6), (b)(7)(C) about the incident involving the white taxi. (b)(6), (b)(7)(C) also informed (b)(6), (b)(7)(C) that the Iraqi males in the taxi were wearing chest rigs and had weapons in the vehicle. (b)(6), (b)(7)(C) identified (b)(6), (b)(7)(C) as the Marine responsible for determining who were insurgents and who were innocent civilians from the incidents of 19Nov05.
- d. (b)(6), (b)(7)(C) explained on 29Nov05, he walked through the houses with members of the squad, which had cleared them on 19Nov05. When he saw the blood on the walls, (b)(6), (b)(7)(C) turned to whom he believed to be (b)(6), (b)(7)(C) and asked him what happened. (b)(6), (b)(7)(C) told him they heard weapons cocking.
- e. CERP PAYMENTS: (b)(6), (b)(7)(C) explained the process of utilizing CERP funds while in Iraq. (b)(6), (b)(7)(C) calculated the total CERP payment from the 19NOV05 incident to be \$38,000 based on a 6th CAG memo that outlined dollar amounts which could be paid for damages/deaths/injuries to innocent civilians. (b)(6), (b)(7)(C) noted this amount exceeded his \$15,000 approval level of CERP funds. Consequently, (b)(6), (b)(7)(C) had to obtain approval from CAPT (b)(6), (b)(7)(C) (the Battalion Judge Advocate), (b)(6), (b)(7)(C) to make the \$38,000 in payments. (b)(6), (b)(7)(C) explained the foregoing officers did not question him regarding the large amount, because they were already

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familiar with the incident. [REDACTED] (b)(6), (b)(7)(C) added that [REDACTED] (b)(6), (b)(7)(C) Comptroller, 2nd MARDIV, authorized the increase in his funds to \$50,000 to make the payment for this incident. Additional investigative efforts revealed the total CERP payment made to family members was \$41,000. Specifically, \$38,000 was paid for fifteen (15) of the deceased non-combatants/family members and two (2) survivors. The amount of \$3,000 was paid for the damages to houses #1 and #2.

f. FIRE IN HOUSE #1: On 29Nov05, during his walk through, [REDACTED] (b)(6), (b)(7)(C) found a pop-up flare in the hallway of house #1. [REDACTED] (b)(6), (b)(7)(C) opined the pop-up flare could have started the fire in house #1.

g. IDENTIFICATION BADGES: [REDACTED] (b)(6), (b)(7)(C) explained he gave out over 140 identification badges to different professionals within the city to help them identify themselves, so they would not have to wait at checkpoints for hours. [REDACTED] (b)(6), (b)(7)(C) explained there was a logbook associated with the badges, which would have been turned over to his replacement in Haditha.

h. PRESS RELEASE: [REDACTED] (b)(6), (b)(7)(C) advised he saw the press release in the Stars and Stripes approximately ten (10) days after the incident. The article stated that fifteen (15) civilians had been killed in a roadside blast. [REDACTED] (b)(6), (b)(7)(C) knew the information was false and made a joke about "never trust the media" to his team. [REDACTED] (b)(6), (b)(7)(C) added he did nothing to correct the story. Exhibits (191)-(192) pertain.

66. On 26May06, [REDACTED] (b)(6), (b)(7)(C) 3/1, was interviewed and advised he was responsible for the battalion intelligence collection and targeting efforts while deployed in Iraq. [REDACTED] (b)(6), (b)(7)(C) coordinated such efforts with LT [REDACTED] (b)(6), (b)(7)(C) the Officer in Charge (OIC) of the Human Exploitation Team (HET). While collecting intelligence, [REDACTED] (b)(6), (b)(7)(C) also utilized Scan Eagle, the Unmanned Aerial Vehicle (UAV), for tactical overhead imagery of the battlefield. [REDACTED] (b)(6), (b)(7)(C) provided the following details regarding his knowledge of what occurred on 19Nov05:

a. BN COC: [REDACTED] (b)(6), (b)(7)(C) related he attended the "Battle Update Brief" at 0730-0800 on 19Nov05. [REDACTED] (b)(6), (b)(7)(C) noted the brief was interrupted with the news of an IED explosion resulting in one (1) Marine KIA. Upon receipt of the news, the brief ended and the battalion personnel returned to their respective duty areas. [REDACTED] (b)(6), (b)(7)(C) attempted to build a Situational Awareness (SA) of the developing battle in Haditha. [REDACTED] (b)(6), (b)(7)(C) reported he also reviewed the Scan Eagle video feed at the BN COC. [REDACTED] (b)(6), (b)(7)(C) indicated Scan Eagle provided video coverage of Route Chestnut and the IED site; however, it did not show the HMMWV that was hit. [REDACTED] (b)(6), (b)(7)(C) advised a Navy EOD team departed Haditha Dam to provide support, but came under enemy fire from the Palm Grove Trail area (located northeast of Route Chestnut, and between River Road and the Euphrates River). [REDACTED] (b)(6), (b)(7)(C) noted the Intel personnel in the COC moved Scan Eagle to the area where EOD was attacked and observed two (2) cars and a motorcycle. [REDACTED] (b)(6), (b)(7)(C) watched as Scan Eagle followed one of the moving cars and the passengers until they were later found in a house. When Marines attempted to approach the house, the occupants of the house engaged the Marines with SAF and hand grenades.

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Consequently, air support was called and bombs were dropped on the house. Subsequently, (b)(6), (b)(7)(C) went to his quarters sometime between 1200 and 1300 to sleep as he had been up all night. (b)(6), (b)(7)(C) returned to the COC sometime between 1700 and 2100.

b. KILO COMPANY REPORTS: At one point, (b)(6), (b)(7)(C) recalled hearing there had been Iraqi civilians killed in an exchange of SAF between Marines and insurgents. (b)(6), (b)(7)(C) noted it was unclear to him how Kilo Company determined which of the civilian deceased were considered neutral versus enemy. (b)(6), (b)(7)(C) did not remember receiving a number count of the deceased. (b)(6), (b)(7)(C) acknowledged he was preoccupied with Marines coming under attack, locating four (4) IEDs, and the possibility that foreign fighters were engaging Marines. Therefore, (b)(6), (b)(7)(C) advised determining the number of NKIA or how they were killed was not his focus on 19Nov05.

c. JENS: (b)(6), (b)(7)(C) provided a description of how information flowed from the company level, to the battalion, and then to the Regimental Combat Team (RCT). (b)(6), (b)(7)(C) advised the BN COC Watch Officer would receive information from the Company COC and generate rough JENS that were provided to the RCT. The RCT would then review the rough JEN, approve it, assign it a JEN number (date/sequential number) and then send it to the RCT COC. (b)(6), (b)(7)(C) explained that reasonable efforts are made to ensure accuracy, but noted the information is only as good as that provided to the BN COC by the line companies. (b)(6), (b)(7)(C) advised human error could result in inaccurate information being forwarded. (b)(6), (b)(7)(C) further noted the BN Watch Officer would use JENS to generate Battalion Intentions Messages every twenty-four (24) hours. (b)(6), (b)(7)(C) related on the morning of 20Nov05, he was the BN COC Watch Officer and reviewed the JENS from the previous twenty-four (24) hours. (b)(6), (b)(7)(C) indicated the JENS from 19Nov05 led him to believe the IED attack had caused some of the civilian casualties. (b)(6), (b)(7)(C) also learned civilians were killed when Marines cleared houses in the area. (b)(6), (b)(7)(C) utilized the JENS to formulate a Battalion Intentions Message and forwarded it to (b)(6), (b)(7)(C). Shortly thereafter, (b)(6), (b)(7)(C) approved the message and advised (b)(6), (b)(7)(C) to forward it to the RCT.

d. PRESS RELEASE: (b)(6), (b)(7)(C) related he saw the newspaper or magazine article that reported the civilian deaths were caused by the IED, but he knew this to be "extremely unlikely." However, (b)(6), (b)(7)(C) did not feel that it was his place to correct a newspaper article. (b)(6), (b)(7)(C) reported there were no issues raised with the shootings until the Army investigation occurred. Exhibit (193) pertains.

67. On 31May06, after waiving his Article 31b rights, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) 3/1, was interviewed regarding his knowledge of the events that occurred on 19Nov05. (b)(6), (b)(7)(C) related the following during this interview:

a. TRAINING: (b)(6), (b)(7)(C) reported his responsibilities consisted of the planning and execution of all operations conducted by 3rd Battalion. (b)(6), (b)(7)(C) added he ensured Marines received appropriate training in the laws of armed conflict (LOAC), rules of engagement (ROE), and tactics. Such training was provided every two (2) weeks

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while Marines were at the Haditha Dam for rest and relaxation.

(b)(6), (b)(7)(C) advised it was also the responsibility of company commanders to oversee Marines' completion of LOAC and ROE training.

b. BN COC: (b)(6), (b)(7)(C) of the BN COC during his deployment in Iraq. On 19Nov05, the BN COC called (b)(6), (b)(7)(C) around 0720-0730 and informed him Kilo Company had received an IED attack. (b)(6), (b)(7)(C) checked in with the BN COC and then lead a scheduled 0800 meeting in a separate conference room. However, the meeting was interrupted around 0830 with a BN COC update of two (2) Marine casualties, one (1) Marine KIA, and Kilo Company had declared a troops in contact (TIC) (i.e., Marines were engaged in hostile action). Consequently, the meeting was adjourned, and (b)(6), (b)(7)(C) responded to the BN COC. (b)(6), (b)(7)(C) noted several officers, including (b)(6), (b)(7)(C) went to the BN COC as well. (b)(6), (b)(7)(C) assessed the incident to be an insurgent coordinated complex attack. (b)(6), (b)(7)(C) related Haditha had been a "hotbed" for insurgent activity prior to the Marine Corps' arrival in October 2005. (b)(6), (b)(7)(C) asserted his focus at the BN COC was to identify where the insurgents were coming from and take action to eliminate the threat. Consequently, (b)(6), (b)(7)(C) requested UAV coverage with precision-guided weapons available. (b)(6), (b)(7)(C) revealed their area of concern was River Road and not the Chestnut/Viper scene because Kilo Company had contained the area and did not request additional support from the battalion. Therefore, (b)(6), (b)(7)(C) advised he focused on several of the developing ongoing kinetic activity throughout the battalion battle-space (e.g., strikes on south River Road) that required immediate attention while he waited for receipt of reports from the Company COC regarding Kilo Company's actions. In reference to the incident at hand, (b)(6), (b)(7)(C) opined, "Had this been an isolated incident and sole focus for our battalion during the day, I am certain we would have been able to uncover the facts with more certainty and timeliness."

c. TRANSMISSIONS: (b)(6), (b)(7)(C) reported the BN COC communicated with the Company COC via both radio and SIPRNET chat. (b)(6), (b)(7)(C) explained the company and battalion communicated on different radio frequencies. Therefore, the BN COC did not receive any transmissions from (b)(6), (b)(7)(C) because his transmissions were likely conducted using his platoon/company frequencies. According to (b)(6), (b)(7)(C) after the BN COC received the initial casualty report from Kilo Company, there were no additional reports for over an hour. Around 0930, the BN COC learned Kilo Company Marines had been in contact with a vehicle containing five (5) enemies. (b)(6), (b)(7)(C) related he continued to request updates from LT (b)(6), (b)(7)(C) who was manning the company COC. Around noon, (b)(6), (b)(7)(C) advised he "got tired of talking to someone who was not the company commander" and requested contact with (b)(6), (b)(7)(C). About an hour later, (b)(6), (b)(7)(C) responded and (b)(6), (b)(7)(C) ordered him to link up with the BN QRF at River road. (b)(6), (b)(7)(C) noted (b)(6), (b)(7)(C) did not provide any details regarding what had occurred at Chestnut/Viper. At one point, the company COC reported two (2) Iraqi non-combatants needed to be medically evacuated. Around 1300, 1ST SGT (b)(6), (b)(7)(C) informed the BN COC there were twenty-five (25) enemy combatants killed in the vicinity of Chestnut/Viper. (b)(6), (b)(7)(C)

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asserted he knew the report to be impossible because the insurgents could not mount such an attack. Therefore, he ordered CAPT [REDACTED] the assistant Operations Officer, to call Kilo Company back, and obtain the right numbers, using if necessary an enemy weapons count. [REDACTED] contacted [REDACTED] however, [REDACTED] requested to speak to [REDACTED] and ordered [REDACTED] to obtain the facts. [REDACTED] indicated it took multiple iterations of a BDA and several hours to receive what was believed to be an accurate count from Kilo Company of eight (8) EKIA and fifteen (15) NKIA. [REDACTED] explained these numbers registered as an accurate total because it included the five (5) EKIA in the white vehicle, and an added three (3) additional EKIA from ensuing TIC in residences. [REDACTED] noted they did not receive a final count of collected AK-47 weapons, but noted, "the number eight sticks in my head." [REDACTED] concluded the BN COC submitted this report based on the understanding the IED had wounded Marines, had injured or killed civilians, and both insurgents and civilians were killed during enemy versus coalition fire. Throughout the day, [REDACTED] affirmed he provided situation, spot, and SALUTE reports directly to [REDACTED] the Regimental Operations Officer, about every two (2) hours. [REDACTED] initiated such reporting to the regiment around 0930-1000. [REDACTED] added both CAPT [REDACTED] and MAJ [REDACTED] also provided reports to the regiment.

d. OTHER COMMAND ACTIVITY: In addition to Kilo Company's actions on Chestnut/Viper, [REDACTED] acknowledged the BN COC was focused on other multiple and simultaneous kinetic activities that occurred on 19Nov05. For example, around 0920, the UAV identified a group of armed insurgents off River Road in a blue sedan and one (1) on a motorcycle, near the palm groves that are located north of route Chestnut. The BN COC tracked the insurgents' movements to a house off River Road and south of Chestnut. At this point, [REDACTED] directed [REDACTED] to pursue the insurgents. During the following six (6) hours, [REDACTED] focused on developing the scene at the house off River road. [REDACTED] noted insurgents inside the house attacked a platoon and about ten (10) Marines were injured. Subsequently, air attacks were ordered and the house was bombed; however, two (2) insurgents escaped the house. These insurgents were tracked for several hours and located at another residence south of Chestnut. Finally, around 1700, [REDACTED] and the QRF arrested one (1) of the insurgents when he exited the house with a child.

e. JOURNAL ENTRY: [REDACTED] reported [REDACTED] was informed of the civilian deaths before he departed for the Kilo Company battlefield sometime after the bombs were dropped. [REDACTED] noted [REDACTED] was gone for approximately eight (8) to nine (9) hours and returned to the Haditha Dam around 2200 on 19Nov05. Upon his return, [REDACTED] approached [REDACTED] for his approval to release the JEN that indicated neutrals were killed in the IED blast and the ensuing insurgent engagement. [REDACTED] affirmed the approved JEN was submitted to the regiment around 2400. Later, [REDACTED] informed [REDACTED] that [REDACTED] had called the Regimental Commander and the regiment advised, "Bonafide combat - no investigation required."

f. POST INCIDENT ACTIONS: A day or two after 19Nov05, [REDACTED]

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recalled seeing a CNN.com press release that reported fifteen (15) Iraqi civilians had been killed by the IED blast. (b)(6), (b)(7)(C) then informed LTCOL (b)(6), (b)(7)(C) of the incorrect report. On 20Nov05, (b)(6), (b)(7)(C) the Battalion Intelligence Officer, created a story-board PowerPoint presentation of the events that occurred on 19Nov05. This was used in subsequent briefings. A few days after the incident, (b)(6), (b)(7)(C) spoke with (b)(6), (b)(7)(C) who had assisted in delivering the deceased to the Haditha hospital. (b)(6), (b)(7)(C) advised it was during this conversation with (b)(6), (b)(7)(C) he received confirmation women and children were among the deceased. (b)(6), (b)(7)(C) related he did not question (b)(6), (b)(7)(C) or other officers about the civilian casualties, because (b)(6), (b)(7)(C) considered this a "commander to commander" issue. In January 2006, (b)(6), (b)(7)(C) was advised a reporter would be coming to Haditha to investigate allegations of a massacre. In turn, (b)(6), (b)(7)(C) met with (b)(6), (b)(7)(C) and discussed the summary of allegations the reporter had provided. According to (b)(6), (b)(7)(C) he and (b)(6), (b)(7)(C) concluded the allegations needed to be investigated and approached (b)(6), (b)(7)(C) regarding their concerns. However, (b)(6), (b)(7)(C) responded, "My men are not murderers." To this, (b)(6), (b)(7)(C) said, "Sir, this is going to get bad if these allegations are true. We need to look at it." (b)(6), (b)(7)(C) then shouted, "My men are not murderers," and the conversation ended. The following day, (b)(6), (b)(7)(C) apologized for his outburst and informed (b)(6), (b)(7)(C) that someone was looking into the matter. Therefore, (b)(6), (b)(7)(C) concluded the allegations would be investigated. (b)(6), (b)(7)(C) noted the reporter never came to Haditha as anticipated; however, COL (b)(6), (b)(7)(C) USA, came and conducted an investigation. (b)(6), (b)(7)(C) related (b)(6), (b)(7)(C) did not interview him, but on 19Mar06, COL (b)(6), (b)(7)(C) USMC interviewed him about 19Nov05. Exhibits (194) and (195) pertain.

**SCREENING INTERVIEWS**

68. On 23May06, eighteen (18) members of Kilo Company, 3/1, were identified as potential witnesses to the events that occurred on 19Nov05 in Haditha, Iraq. Fifteen (15) of the eighteen (18) Marines had no knowledge concerning the incident, and related they did not observe or possess any media/e-mails. However, of those interviewed three (3) Marines were identified as having limited knowledge of the 19Nov05 incident. (b)(6), (b)(7)(C) USMC, advised he heard the IED blast and AK-47 fire and well as receiving fire during the morning of 19NOV05. (b)(6), (b)(7)(C) USMC, reported having a conversation with (b)(6), (b)(7)(C) after the incident. (b)(6), (b)(7)(C) stated he had a conversation with (b)(6), (b)(7)(C) after the incident. (b)(6), (b)(7)(C) later provided sworn statements. Exhibit (196) pertains.

69. On 24May06, forty-four (44) members of Kilo Company, 3/1 were identified as potential witnesses to the events that occurred on 19Nov05 in Haditha, Iraq. Thirty-five (35) of the forty-four (44) Marines had no knowledge of the incident, and related they did not observe or possess any media/e-mails. However of those interviewed, nine (9) Marines were identified as having limited knowledge of the 19Nov05 incident. (b)(6), (b)(7)(C) USMC, advised he participated in the recovery of unexpended ordnance after the

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incident. All Marines were re-interviewed and the details of their interview results were documented and within this report. Exhibit (197) pertains.

70. On 25-26May06, follow-up interviews were conducted with Marines who were identified from additional command screening interviews. Exhibit (198) pertains.

71. On 25May06, three (3) members of Kilo Company, 3/1, and one (1) Navy corpsman assigned to the Naval Hospital, MCB Pendleton, CA were identified as potential witnesses to the events that occurred on 19Nov05 in Haditha, Iraq. None had any information relative to the incident. Exhibit (199) pertains.

72. On 26May05, fourteen (14) members of Kilo Company, 3rd Battalion, 1st Marine Regiment, 1st Marine Division, were identified as potential witnesses to the events that occurred on 19Nov05 in Haditha, Iraq. Twelve (12) of the fourteen (14) Marines had no knowledge of the incident. The two (2) Marines were re-interviewed and the details of their interview results were documented and within this report. Exhibit (200) pertains.

**MISC. 3/1 INTERVIEWS**

73. On 18May06, [REDACTED] (b)(6), (b)(7)(C) USMC, was contacted for re-interview regarding his knowledge of the 19Nov05 deaths of civilians in Haditha. After being advised of his Article 31b rights, [REDACTED] (b)(6), (b)(7)(C) invoked his rights to remain silent and to consult with an attorney. Exhibit (201) pertains.

74. On 17May06, [REDACTED] (b)(6), (b)(7)(C) USMC, was interviewed and advised he was the Battalion [REDACTED] (b)(6), (b)(7)(C) for 3/1 at the time of the 19Nov05 incident. [REDACTED] (b)(6), (b)(7)(C) explained when weapons are seized in the field, the weapons should be turned over to the weapons custodian. According to [REDACTED] (b)(6), (b)(7)(C) Kilo Company's weapon custodian at the time of the Haditha incident was LCPL [REDACTED] (b)(6), (b)(7)(C). When a weapon is seized, custodians are required to fill out specific forms that document the date and location where the weapon was seized and the unit or squad that seized the weapon. [REDACTED] (b)(6), (b)(7)(C) stated captured weapons were usually transported to Haditha Dam once a week. [REDACTED] (b)(6), (b)(7)(C) provided NCIS with a spreadsheet and photographs of weapons seized from September 2005 to March 2006. Exhibit (202) pertains.

75. On 17May06, [REDACTED] (b)(6), (b)(7)(C) USMC, was interviewed and advised he was assigned to Communications Platoon, Headquarters Company, 3/1, during his deployment to Haditha, Iraq. [REDACTED] (b)(6), (b)(7)(C) stated on 19Nov05, he was the watch supervisor from 1600 to 2400 at the COC for the battalion. In the afternoon of 19Nov05, [REDACTED] (b)(6), (b)(7)(C) informed [REDACTED] (b)(6), (b)(7)(C) that Kilo Company had been involved with enemy engagements earlier that day, but provided him with no details. [REDACTED] (b)(6), (b)(7)(C) did not have any substantive information regarding the events of 19Nov05. Exhibit (203) pertains.

76. On 18May06, [REDACTED] (b)(6), (b)(7)(C) USMC, H&S Co, 3/1, was interviewed

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regarding his knowledge of the events that took place on 19Nov05.

(b)(6), (b)(7)(C) related that on the morning of 19Nov05 he needed to transport some equipment to the COP, which was approximately four miles southeast of his location at the Firmbase. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) squad transported him from the Firmbase to the COP. (b)(6), (b)(7)(C) stated approximately 15 minutes after (b)(6), (b)(7)(C) squad left the COP, he heard a loud explosion from the north. (b)(6), (b)(7)(C) advised his squad was later assigned to conduct a BDA of a residence where insurgents had been located. Exhibit (204) pertains.

77. On 19May06, (b)(6), (b)(7)(C) USMC, was interviewed and related he was assigned to Security Platoon, Kilo Company, 3/1 at the time of the 19Nov05 incident. (b)(6), (b)(7)(C) reported he and other platoon members took positions on the roof of Firmbase Sparta subsequent to the IED explosion. While on the roof, (b)(6), (b)(7)(C) heard AK-47 and M-16 fire coming from an area 400-500 meters away from his position on Haditha Road. (b)(6), (b)(7)(C) and his squad remained on the roof for approximately twelve (12) hours. (b)(6), (b)(7)(C) and platoon members subsequently provided security at two (2) entry points onto Firmbase Sparta. (b)(6), (b)(7)(C) had no pertinent information regarding the events on 19Nov05. Exhibit (205) pertains.

79. On 19May06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he was assigned to Truck Company, HQ Battalion, 1st Marine Regiment while in Haditha, Iraq. (b)(6), (b)(7)(C) explained on 19Nov05, he stayed at the Firmbase performing his normal duties when he became aware of the IED blast and the death of LCPL TERRAZAS. (b)(6), (b)(7)(C) affirmed he was not involved in the events until the evening of 19Nov05, when GYSGT (b)(6), (b)(7)(C) directed (b)(6), (b)(7)(C) to participate in the transport of bodies to the Haditha hospital. (b)(6), (b)(7)(C) noted three (3) HMMWVs filled with bodies parked out in front of the main building of the Firmbase. GYSGT (b)(6), (b)(7)(C) instructed (b)(6), (b)(7)(C) to separate the men from the women and children, because they wanted to take the men to the battalion for further identification. (b)(6), (b)(7)(C) related they had only three (3) to four (4) body bags, so they put the women and children in the same body bags. Because there were too many bodies, some of the women were placed into large trash bags. The men were placed in one (1) HMMWV and the women and children were placed in another HMMWV. (b)(6), (b)(7)(C) advised that some of the wounds to the bodies looked like gunshots at close range. (b)(6), (b)(7)(C) added most of the wounds appeared to be from gunshots vice fragmentation grenades. (b)(6), (b)(7)(C) stated battalion personnel declined to take the Iraqi males, so the convoy took all of the bodies to the Haditha hospital. At the hospital, personnel unloaded the bodies from the HMMWVs. (b)(6), (b)(7)(C) advised he could not hear the conversation between the Iraqis and the senior Marines, but could see the Iraqis' disgust. Specifically, (b)(6), (b)(7)(C) observed two (2) Iraqis vomiting by the side of the HMMWVs as they unloaded the bodies. (b)(6), (b)(7)(C) then went with the convoy to the Haditha Dam to wash out the HMMWVs. (b)(6), (b)(7)(C) advised while cleaning the HMMWVs, they found a foot and some brain matter. Some of the Marines started "messaging around" with the foot and brain matter, chasing other Marines around while holding it in their hands. (b)(6), (b)(7)(C) was aware that a video was made of the Marines playing with the foot and brain matter. (b)(6), (b)(7)(C) stated he did not see the video. Exhibit (206) pertains.

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80. On 20May06, (b)(6), (b)(7)(C) USMC, was interviewed and related he was the Company (b)(6), (b)(7)(C) for Kilo Company at the time of the 19Nov05 incident. The details follow:

a. TRANSPORT OF BODIES: (b)(6), (b)(7)(C) reported he remained at Firmbase Sparta for the duration of the conflict in Haditha on 19Nov05. However, (b)(6), (b)(7)(C) noted he later participated in removing and separating the bodies of deceased Iraqi civilians. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) that (b)(6), (b)(7)(C) wanted the deceased separated by men, women and children, and "bad guys." (b)(6), (b)(7)(C) advised many of the deceased were placed into garbage bags because of a shortage of body bags. (b)(6), (b)(7)(C) described most of the deceased as having gunshot wounds. (b)(6), (b)(7)(C) noted some of the deceased women and children appeared to have "peppered" wounds. (b)(6), (b)(7)(C) opined this was a result of grenade fragmentation. (b)(6), (b)(7)(C) reportedly told (b)(6), (b)(7)(C) the women and children were all in a room where a grenade exploded.

b. (b)(6), (b)(7)(C) Approximately two (2) weeks after the 19Nov05 incident, (b)(6), (b)(7)(C) spoke with (b)(6), (b)(7)(C) During the conversation, (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) that on 19Nov05 his squad was taking fire from a building and they threw grenades to clear the building(s). Exhibit (207) pertains.

81. On 23May06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he was the (b)(6), (b)(7)(C) for 2nd Platoon, Kilo Company, 3/1, while deployed in Iraq. On 19Nov05, (b)(6), (b)(7)(C) was at Haditha Dam when he learned of the attack on Marines in Haditha. (b)(6), (b)(7)(C) proceeded to the BN COC and received updates on the events. After the 19Nov05 incident, (b)(6), (b)(7)(C) attended a meeting that included CAPT (b)(6), (b)(7)(C) GYSGT (b)(6), (b)(7)(C) During this meeting (b)(6), (b)(7)(C) mentioned civilians had been killed during the 19Nov05 engagements. Additionally, (b)(6), (b)(7)(C) reiterated PID and the importance of the Rules of Engagement. (b)(6), (b)(7)(C) did not feel (b)(6), (b)(7)(C) was attempting to hide or "cover up anything." (b)(6), (b)(7)(C) After (b)(6), (b)(7)(C) was interviewed by NCIS at Haditha Dam, (b)(6), (b)(7)(C) spoke to (b)(6), (b)(7)(C) about the 19Nov05 engagement. (b)(6), (b)(7)(C) was under the impression the white car posed a threat to his Marines so they engaged its occupants. (b)(6), (b)(7)(C) also said upon arrival at the scene of the IED blast he started communicating the situation back to the Firmbase. (b)(6), (b)(7)(C) indicated he never mentioned Iraqi civilians were killed by the IED. Exhibit (208) pertains.

82. On 23May06, (b)(6), (b)(7)(C) USMC, was interviewed. (b)(6), (b)(7)(C) a member of 3rd Platoon, Kilo Company, did not deploy to Haditha, Iraq; (b)(6), (b)(7)(C) advise he was on medical hold because of injuries sustained in Fallujah, Iraq. No pertinent information was gleaned during (b)(6), (b)(7)(C) interview. Exhibit (209) pertains.

83. On 24May06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he was assigned to 3rd Squad, 1st Platoon, Kilo Company, while assigned to Haditha, Iraq. (b)(6), (b)(7)(C) advised that on the day before 19Nov05, he had participated in three (3) different patrols and as a result was ordered by LT (b)(6), (b)(7)(C) his platoon commander, to take some

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"down time." (b)(6), (b)(7)(C) informed he did not accompany his unit when they went out on patrol during the early morning hours of 19Nov05. (b)(6), (b)(7)(C) explained after the IED blast, he remained at the COC and did not witness any of the events of 19Nov05. (b)(6), (b)(7)(C) later learned civilians had been killed. (b)(6), (b)(7)(C) stated that the chain of command would frequently stress Haditha was not a "guns free zone" like Fallujah. He recalled specifically, SSGT (b)(6), (b)(7)(C) directing Marines to have PID of the target before they shot. Exhibit (210) pertains.

84. On 24May06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he was a member of 3/1 while on deployment in Haditha, Iraq. (b)(6), (b)(7)(C) advised he was on a convoy mission about 40 miles southwest of Haditha on 19Nov05 and did not learn of the IED attack until a day or two later. Exhibit (211) pertains.

85. On 24May06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he was a member of 3/1 while on deployment in Haditha, Iraq. (b)(6), (b)(7)(C) related he and (b)(6), (b)(7)(C) had a conversation about the events of 19Nov05. (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) what happen after the blast. (b)(6), (b)(7)(C) stated they "stacked" on the house closest to the IED blast in preparation to enter and then heard multiple AK-47s rack from inside the house. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) the entire company cleared the house by fire and then indicated he got to kill a couple of the "Muj" (Muhajadine). After the clearing was done (b)(6), (b)(7)(C) said they found a couple of AK-47 assault rifles on the bodies. He also indicated that everyone killed were males. Exhibit (212) pertains.

86. On 25May06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he was assigned to 2nd Platoon, Kilo Company, while in Haditha, Iraq. (b)(6), (b)(7)(C) explained on 19Nov05, he and his fire team were on Rest and Relaxation (R&R) at Haditha Dam when they were informed of the IED blast that killed LCPL TERRAZAS. (b)(6), (b)(7)(C) advised his team was not mobilized to provide assistance regarding the IED incident and the circumstances which resulted following the deaths of Iraqi civilians. (b)(6), (b)(7)(C) could provide no substantive information. Exhibit (213) pertains.

87. On 25May06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he was a member of 2nd Platoon, Kilo Company, 3/1, while on deployment in Haditha, Iraq. About a week after the 19Nov05 IED blast, (b)(6), (b)(7)(C) had a conversation with (b)(6), (b)(7)(C) at the "smoke pit" located at the Company Firmbase, Haditha. (b)(6), (b)(7)(C) advised the IED exploded while they were in a convoy traveling westbound on Chestnut near the corner of Chestnut and Viper. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) that after the IED blast they dismounted their vehicles to secure the area and help the Marines in the last vehicle. They began to receive SAF from the house on the northeast corner of Chestnut and Viper, returned fire, and subsequently cleared the same house and two (2) other houses. (b)(6), (b)(7)(C) stated they killed several Iraqi nationals and seized several AK-47 assault rifles. Exhibit (214) pertains.

88. On 25May06, (b)(6), (b)(7)(C) USMC, was interviewed and advised he was a member of 2nd Squad, 3rd Platoon, Kilo Company, while

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on deployment in Iraq. On 15Nov05, while conducting patrols, (b)(6), (b)(7)(C) was attacked by an IED that exploded near his position. He sustained shrapnel injuries and was taken to the hospital in Al Asad where he was treated for the next thirty (30) days. Therefore, (b)(6), (b)(7)(C) was not present on 19Nov05 and did not have first-hand knowledge of the events. On or about 15Dec05, (b)(6), (b)(7)(C) returned to the Haditha Dam. Subsequently, (b)(6), (b)(7)(C) observed five (5) to ten (10) digital photographs of dead Iraqi citizens from 19Nov05 on the laptop computer of either (b)(6), (b)(7)(C) Exhibit (215) pertains.

89. On 31May06, (b)(6), (b)(7)(C) USMC, was interviewed and related he was a member of 2nd Platoon, Kilo Company, 3/1, at the time of the 19Nov05 incident. (b)(6), (b)(7)(C) advised he and his platoon were sent to Haditha Dam on 17Nov05 and remained there until 20Nov05. On 20Nov05, (b)(6), (b)(7)(C) returned to the Firmbase and deployed with his squad to conduct a dismounted patrol in Haditha. (b)(6), (b)(7)(C) an embedded photographer, was allowed to accompany the patrol. During the patrol, (b)(6), (b)(7)(C) noticed a house that appeared to have been engaged by Marines on 19Nov05. (b)(6), (b)(7)(C) then observed (b)(6), (b)(7)(C) enter the house. (b)(6), (b)(7)(C) ordered two (2) of his men to retrieve (b)(6), (b)(7)(C) from the house out of concern for (b)(6), (b)(7)(C) safety. Upon his return, (b)(6), (b)(7)(C) allowed (b)(6), (b)(7)(C) to view photographs he had taken of bodies that appeared to be wrapped and prepared for burial. (b)(6), (b)(7)(C) later observed the same photographs shown by (b)(6), (b)(7)(C) in TIME Magazine. Exhibit (216) pertains.

90. On 31May05, (b)(6), (b)(7)(C) USMC, 2nd Platoon, Kilo Company, was interviewed regarding the events of 19Nov05. (b)(6), (b)(7)(C) stated he was at the range that day and was not in the vicinity of the IED post-blast site. In February 2006, (b)(6), (b)(7)(C) transferred to (b)(6), (b)(7)(C) platoon and (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) about the incident that took place on 19Nov05. According to (b)(6), (b)(7)(C) related that while on patrol, an IED detonated. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) the convoy started to receive SAF from people in houses, or people who fired at them and then ran into houses. (b)(6), (b)(7)(C) noted he could not recall (b)(6), (b)(7)(C) exact wording. Exhibit (217) pertains.

91. On 01Jun06, (b)(6), (b)(7)(C) USN was interviewed and related he was the (b)(6), (b)(7)(C) assigned to Kilo Company, 3/1. On 19Nov05, (b)(6), (b)(7)(C) was at Haditha Dam and was responsible for collecting and inventorying LCPL TERRAZAS' personal effects from his body. Exhibit (218) pertains.

92. On 02Jun06, (b)(6), (b)(7)(C) was interviewed and reported he was assigned as the Battalion S-3 (b)(6), (b)(7)(C) at Haditha Dam while deployed in Iraq. (b)(6), (b)(7)(C) reported he was present in the BN COC when the initial calls came in regarding the IED strike. (b)(6), (b)(7)(C) recalled the information coming into the BN COC was somewhat fragmented. (b)(6), (b)(7)(C) eventually heard Kilo Company had 1 KIA and 2 WIA. Upon receiving the KIA and WIA information, (b)(6), (b)(7)(C) began notifying the required personnel so administrative and logistical concerns could be met. (b)(6), (b)(7)(C) reported he and other COC personnel were able to view a monitor providing a video feed from the UAV that was providing coverage of the events in Haditha. Exhibit (219) pertains.

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

**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

93. On 31May06, (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were interviewed. On 01Jun06, (b)(6), (b)(7)(C) provided a sworn statement. (b)(6), (b)(7)(C) reported he received hundreds of letters from people across the United States. However, none of the correspondence referenced the events that transpired in Haditha, Iraq after (b)(6), (b)(7)(C) death. Exhibits (220) - (221) pertain.

94. On 31May06, copies of the Service Record Books (SRB) and Officer Qualification Records (OQR) for (b)(6), (b)(7)(C) and co-subjects along with other persons of interest were obtained and forwarded to NCIS Marine Corps West Camp Pendleton, CA. Exhibit (222) pertains.

**MEDICAL PERSONNEL**

95. On 18May06, (b)(6), (b)(7)(C), USN, was interviewed and reported he was stationed at the hospital, Al Asad Airbase, Iraq from 28Aug05 until 28Feb06. (b)(6), (b)(7)(C) recalled both (b)(6), (b)(7)(C), two survivors from house #1, were walked into triage from the helicopter on 19Nov05. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) sustained three (3) to four (4) injuries to her (b)(6), (b)(7)(C) classified the foregoing injuries as "punctures/burns." According (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) appeared to have a (b)(6), (b)(7)(C) At one point, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) noted he could not recall the remainder of (b)(6), (b)(7)(C) treatment because he was busy keeping (b)(6), (b)(7)(C) still while she attempted to see (b)(6), (b)(7)(C) was not aware of the mechanism for the injuries sustained by (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) recalled either (b)(6), (b)(7)(C) said, through the use on an interpreter, that something exploded next to them. Exhibit (223) pertains.

96. On 30May06, (b)(6), (b)(7)(C) was interviewed and related he was stationed at the hospital aboard Al Asad Airbase, Iraq from 28Aug05 until 01Mar06. (b)(6), (b)(7)(C) could not provide any information relative to the treatment of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) the patient identified as "EPW." Exhibit (224) pertains.

98. On 31May06, (b)(6), (b)(7)(C), USN, was interviewed and advised he was the Surgical Company (b)(6), (b)(7)(C) at Al Asad Airbase Hospital, Iraq from 01Sep05 to 05Mar06. (b)(6), (b)(7)(C) reviewed an Al Asad patient log dated 19Nov05 which documented injuries sustained by (b)(6), (b)(7)(C) and injuries sustained by (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) with regard to the patient identified as "EPW" (Enemy Prisoner of War), (b)(6), (b)(7)(C) remembered he was evacuated to a hospital in Baghdad via helicopter. The patient log reflected the EPW's injuries as a "GSW" (Gun Shot Wound) to the head and abdomen. (b)(6), (b)(7)(C) advised he only remembered the treatment of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) on 19Nov05 because they arrived at Al Asad Hospital unexpectedly by helicopter. (b)(6), (b)(7)(C) told investigators he remembered (b)(6), (b)(7)(C) was stable and was sent with (b)(6), (b)(7)(C) to a hospital in Baghdad via helicopter. Exhibit (225) pertains.

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

**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

99. Subsequent to the submission of References (A) and (B), two (2) additional exhibits/items were received. The first item is [redacted] hand drawn diagram of the convoy as he viewed it on 19Nov05. [redacted] provided the drawing when interviewed on 11May06 [Reference (B), Exhibit (74) pertains]. The second item documents the questions utilized when (b)(6), (b)(7)(C) [redacted] polygraph examination was administered on 02Apr06. [Reference (A), Exhibits (15) and (16) pertain]. Exhibits (226) and (227) pertain.

100. Currently, interviews and re-interviews of Marines are pending completion. The evidence seized thus far is being processed and has been submitted for forensic examination. Considerable effort continues to be expended to identify all possible sources of photography and video for review of possible evidentiary value. Additionally, a review of the photographic images taken on 19Nov05 and a forensic reconstruction of the death scenes are in progress. Command has been fully briefed regarding the status of this investigation. As the investigation progresses, command will be advised of new and substantive information as it develops.

**PARTICIPANTS**

Special Agent, NCIS Al Asad, Iraq  
 Agent, NCIS Fallujah, Iraq  
 Special Agent, NCIS CRFO, Brunswick, GA  
 Special Agent, NCIS CRFO, Brunswick, GA  
 NCIS CRFO, Brunswick, GA  
 Special Agent, NCISRA New London, CT  
 Special Agent, NCISFO Camp Pendleton, CA  
 Magator, NCISFO Camp Pendleton, CA  
 Special Agent, NCISFO Camp Pendleton, CA  
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 Agent, NCISFO Camp Pendleton, CA  
 Agent, NCISFO Camp Pendleton, CA  
 Agent, NCISFO San Diego, CA  
 Agent, NCISFO San Diego, CA  
 Special Agent, NCISFO San Diego, CA  
 Special Agent, NCISFO San Diego, CA  
 Agent, NCISFO San Diego, CA  
 Agent, NCISFO San Diego, CA  
 Special Agent, NCISRA Los Angeles, CA  
 Special Agent, NCISRU Corona, CA  
 Special Agent, NCISFO Northwest, WA  
 Special Agent, NCISRA Whidbey Island, WA  
 Agent, NCISRA Pearl Harbor, HI  
 Agent, NCISRA Pearl Harbor, HI  
 Special Agent, NCISRA Pearl Harbor, HI  
 Special Agent, NCISRA Kaneohe Bay, HI  
 Agent, NCISRA Kaneohe Bay, HI

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

**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

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

- Agent, NCISRA Yuma, AZ
- Agent, NCISRA Yuma, AZ
- Special Agent, NCISFO, Washington, DC
- Intelligence Specialist, NCISHQ Washington, DC
- Investigative Assistant, NCISHQ Washington, DC
- Special Agent, NCISHQ Washington, DC
- Special Agent, NCISHQ Washington, DC
- Special Agent, NCISHQ Washington, DC
- Section Chief, NCISHQ Washington, DC
- Assistant Director, NCISHQ Washington, DC

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

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

14JUL06

DEATH (II)

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

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

COMMAND/I MEF/11931

MADE AT/SWND/SAN DIEGO CA (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S) (S)

(A) NCISHQ 0023 ROI (ACTION)/26JUN06

NARRATIVE

1. Subsequent to the receipt of reference (A), Reporting Agent (RA) met with (b)(6), (b)(7)(C) CIV, Lead Investigator for the Combat Trauma Registry at the Naval Health Research Center (NHRC) in San Diego, CA on 29Jun06. RA provided (b)(6), (b)(7)(C) with a listing of the names and social security numbers of the subject and co-subjects in this investigation and requested that he determine if the Combat Trauma Registry was in possession of any medical or treatment records with regards to those individuals. (b)(6), (b)(7)(C) conducted a preliminary electronic search on 29Jun06, but indicated there were thousands of records which had not yet been entered into the Combat Trauma Registry and therefore he would need to conduct a manual search of all records.

2. RA submitted letters of request for the subject and co-subject's treatment records to the Naval Health Research Center and the Legal Office for the Bureau of Medicine and Surgery pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA). On 14Jul06, (b)(6), (b)(7)(C) advised that he had thus far been unsuccessful in locating any records for the subject or co-subjects in this investigation, however he was in the process of searching for alternative spellings and transposed social security numbers for the individuals in the event that the health care provider incorrectly recorded the patient's information while in the field. (b)(6), (b)(7)(C) advised he would also search the Combat Trauma Registry records to determine if any other individuals from the 1st Squad, 3rd Platoon, Kilo Company, 3rd Battalion, 1st Marines, 1st Marine Division had been injured or treated in theater for injuries, specifically those relating to concussions or head injuries. Estimated date of completion is 31Jul06.

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

12JUL06

DEATH (II)

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

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

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

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

12Jul06

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

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

COMMAND/I MEF/11931

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

NARRATIVE

1. On 19Nov05 at approximately 0715, members of 1st Squad, 3rd Platoon, Kilo Company, 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), (b)(7)(C) and (b)(6), (b)(7)(C) were involved in the shooting (b)(7)(C) of and 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. On 06Jul06, NCIS interviewed (b)(6), (b)(7)(C) a former USMC member who was assigned to H&S Company, 3rd Battalion, 1st Marine Regiment. During the interview (b)(6), (b)(7)(C) noted he took several photographs with his personal digital camera of the Haditha, Iraq area circa 19-20Nov05. (b)(6), (b)(7)(C) allowed NCIS Agents to view the images on his personal laptop computer. NCIS Agents viewed images of the IED blast site and others of an overturned vehicle containing weapons in its trunk area. (b)(6), (b)(7)(C) executed a Permissive Authorization for Search and Seizure (PASS) form allowing NCIS to take his personal laptop computer, personal digital camera and two camera memory sticks for the purpose of "mirroring" the items. A copy of the PASS form was provided to SSA (b)(6), (b)(7)(C) NCISHQ Cyber Division. The seized items were submitted into the NCISFO Washington, D.C. (DCWA) evidence system and assigned Log# 102-06.

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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

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

**12Jul06**

**ACTION**

R.24D4 (Attn: ICS (b)(6), (b)(7)(C)): Mirror the original evidence referenced in evidence DCWA Log# 102-06. Retain a copy of mirrored product for review by NCISHQ personnel. Forward the mirrored product to 24D5.

24D5: Retain mirrored product when received from 24D4.

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ACTION: 24D4/24D5

INFO: MWPE

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

12JUL06

DEATH (II)

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

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

V/ALI, ABDUL HAMEED HUSIN/CIV  
M/W/FNIZ/N//01JUL29/HADITHA, AL ANBAR PROVINCE, IRAQ  
V/ALI, KHAMISA TUEMA/CIV  
F/W/FNIZ/N//01JAN39/HADITHA, AL ANBAR PROVINCE, IRAQ  
V/HASAN, WALEED ABDALHAMID/CIV  
M/W/FNIZ/N//01JAN68/HADITHA, AL ANBAR PROVINCE, IRAQ  
V/HAMEED, ABDULLAH WALEED ABDUL/CIV  
M/W/FNIZ/N//06AUG01/HADITHA, AL ANBAR PROVINCE, IRAQ  
V/HASAN, GUHID ABDALHAMID/CIV  
M/W/FNIZ/N//HADITHA, AL ANBAR PROVINCE, IRAQ  
V/HASAN, RASHEED ABDALHAMID/CIV  
M/W/FNIZ/N//HADITHA, AL ANBAR PROVINCE, IRAQ  
V/RASIF, ASMAA SALMAN/CIV  
F/W/FNIZ/N//HADITHA, AL ANBAR PROVINCE, IRAQ  
V/RASIF, YUNIS SALAM/CIV  
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V/RASIF, NOOR SALIM/CIV  
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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  
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V/AHMED, JASIB AIAD/CIV  
M/W/FNIZ/N//01JAN77/HADITHA, AL ANBAR PROVINCE, IRAQ  
V/AHMED, MARWAN AIAD/CIV  
M/W/FNIZ/N//01JAN78/HADITHA, AL ANBAR PROVINCE, IRAQ  
V/AHMED, KAHTAN AIAD/CIV

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

12Jul06

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

COMMAND/I MEF/11931

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

REFERENCE(S) (S)  
(A) NCISRA DCWA ROI (ACTION)/27Jun06

EXHIBIT(S)  
(1) IA: Results of Attempts to Interview (b)(6), (b)(7)(C) 12Jul06... (Copy All)

NARRATIVE

1. Subsequent to the receipt of lead tasking set forth within Reference (A), attempts have been made to contact (b)(6), (b)(7)(C) in reference to his actions and knowledge of the events in Haditha, Iraq on 19Nov06. Attempts to contact (b)(6), (b)(7)(C) telephonically have been unsuccessful, and (b)(6), (b)(7)(C) has not yet responded to messages.

2. On 10Jul06, liaison was affected with (b)(6), (b)(7)(C), Titan Group, who advised the correct spelling of (b)(6), (b)(7)(C) last name, versus the spelling of (b)(6), (b)(7)(C) listed in previous documentation. (b)(6), (b)(7)(C) also confirmed (b)(6), (b)(7)(C) telephone number as (b)(6), (b)(7)(C), (b)(6), (b)(7)(C) and his address as (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) is not currently deployed at this time, but is currently in a leave status. (b)(6), (b)(7)(C) was not aware of when (b)(6), (b)(7)(C) might return. Exhibit (1) pertains.

3. Completion of lead tasking is pending the interview of (b)(6), (b)(7)(C). Estimated completion date of lead tasking is unknown at this time.

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INFO: MWPE/CALE

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

11JUL06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA

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

COMMAND/I MEF/11931

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

REFERENCE(S) (S)

(A) NCISTSD San Diego, CA ROI (ACTION)/07JUN06

NARRATIVE

1. Since submission of Reference (A), technical investigative support has been provided. After receipt of ordered equipment, preparatory installation and testing was completed. Pending oral/wire intercept authority, final installation has been held in abeyance to safeguard and preclude unauthorized use of equipment. SAC, NCISFO Marine Corps West, Camp Pendleton, CA has been apprized.

PARTICIPANT(S)

(b)(6), (b)(7)(C) Agent, NCISTSD Bangor, WA  
Agent, NCISTSD Pearl Harbor, HI  
Special Agent, NCISTSD San Diego, CA  
USMC, Brig Supervisor, MCB Camp Pendleton, CA

ACTION

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

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ACTION: 0023B  
INFO: MEBJ/MWPE/24B1/000L

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

10JUL06

DEATH (II)

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

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

SUPP: ((ET AL))

COMMAND/I MEF/11931

MADE AT///

REFERENCE(S) (S)

- (A) CRFO 0024C ROI (ACTION)/26Jun06
- (B) NCISHQ 0023B ROI (ACTION)/20Jun06

EXHIBIT(S)

- (1) Sworn Statement of (b)(6), (b)(7)(C) 08Jul06... (Orig 0023B/Copy MWPE)

NARRATIVE

1. On 21-22Jun06, RA and Participant (PA) (b)(6), (b)(7)(C) obtained sworn statements from (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Both statements were contained in reference (A).

2. On 08Jul06, pursuant to reference (A) Reporting Agent (RA) and Participant (PA) (b)(6), (b)(7)(C) met with and interviewed (b)(6), (b)(7)(C) (b)(6), (b)(7)(C). The interview was conducted at the Hillsborough County Sheriff's Department, Tampa, FL. After the interview was conducted, (b)(6), (b)(7)(C) provided a sworn statement to RA and PA (b)(6), (b)(7)(C) Exhibit (1) pertains.

PARTICIPANT(S)

(b)(6), (b)(7)(C) Special Agent, CRFO, Glynco, GA

ACTION

0023: Lead Tasking Complete

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INFO: MWPE (M)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

10JUL06

DEATH (II)

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

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

SUPP: ((ET AL))

COMMAND/I MEF/11931

MADE AT///

EXHIBIT(S)

(1) Sworn Statement of (b)(6), (b)(7)(C) / 08Jul06... (Orig 0023B/Copy MWPE)

NARRATIVE

1. On 21-22Jun06, RA and Participant (PA) (b)(6), (b)(7)(C) obtained sworn statements from (b)(6), (b)(7)(C) (b)(6), (b)(7)(C). Both statements were contained in reference (A).

2. On 08Jul06, pursuant to reference (A) Reporting Agent (RA) and Participant (PA) (b)(6), (b)(7)(C) met with and interviewed (b)(6), (b)(7)(C) (b)(6), (b)(7)(C). The interview was conducted at the Hillsborough County Sheriff's Department, Tampa, FL. After the interview was conducted, (b)(6), (b)(7)(C) provided a sworn statement to RA and PA (b)(6), (b)(7)(C). Exhibit (1) pertains.

PARTICIPANT (b)(6), (b)(7)(C) Special Agent, CRFO, Glynco, GA

ACTION

0023: Lead Tasking Complete

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INFO: MWPE (M)

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

07JUL06

DEATH (II)

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

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

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

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

07Jul06

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

COMMAND/I MEF/11931

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

NARRATIVE

1. On 19Nov05 at approximately 0715, members of 1st Squad, 3rd Platoon, Kilo Company, 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), (b)(7)(C) and (b)(6), (b)(7)(C) were involved in the shooting deaths of and 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. The NCIS Investigative Task Force-Iraq has identified three additional USMC members to be interviewed:

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

At the time of the 19Nov05 incident, (b)(6), (b)(7)(C) was assigned to H&S Company, 3rd Battalion, 1st Marine Regiment; he worked with (b)(6), (b)(7)(C) Information Officer.

- b. (b)(6), (b)(7)(C) a member of the 9th

Communications Battalion; (b)(6), (b)(7)(C) is currently in Camp Fallujah, IZ.

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

**07Jul06**

c. (b)(6), (b)(7)(C) a member of the 3rd Assault Amphibious Battalion and is TDY to Iraq. (b)(6), (b)(7)(C) location and assignment are unknown at this time.

At the time of the 19Nov05 incident, (b)(6), (b)(7)(C) were assigned to the 3rd Civil Affairs Group; they worked with MAJ [ ]

**ACTION**

R.GCCC: Locate and interview [ ] Inquire about his knowledge of the 19Nov05 incident. Inquire about movements and actions and company members conducted in response to incident. Inquire if [ ] attended command briefings about the incident and what was said. Inquire if [ ] knows the subject and co-subjects of this investigation and if he had discussions with them about the incident. Inquire if [ ] has any photographs of the Haditha incident or if he has seen any images depicting the referenced victims. If [ ] is in possession of images depicting the victims, the IED blast site or other images related to the 19Nov05 incident, contact SA [ ] for additional guidance. Obtain results of interview in a sworn statement. Forward original statement to MWPE and provide a copy to 023B.

R.MEIZ: Locate and interview [ ] Inquire about their knowledge of the 19Nov05 incident. Of note, several members of the 3RDCAG accompanied MAJ [ ] to the scene of the IED blast, and to the houses where many of the referenced victims were killed. Inquire about movements and actions [ ] and company members conducted in response to incident. Inquire if [ ] attended command briefings about the incident and what was said. Inquire if [ ] know the subject and co-subjects of this investigation and if they had discussions with them about the incident. Inquire if [ ] and [ ] have any photographs of the Haditha incident or if they have seen any images depicting the referenced victims. If [ ] are in possession of images depicting the victims, the IED blast site or other images related to the 19Nov05 incident, contact SA [ ] for additional guidance. Obtain results of interview in a sworn statement. Forward original statement to MWPE and provide a copy to 023B. As mentioned above, [ ] is stationed in Camp Fallujah. NCISHQ will continue to make inquiries to ascertain [ ] location.

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ACTION: GCCC/MEIZ  
INFO: GCPF/MEBJ/MWPE

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

07Jul06



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

06JUL06

DEATH (II)

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

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

COMMAND/I MEF/11931

MADE AT/GCGL/NCISRA GREAT LAKES IL, (b)(6), (b)(7)(C), SPECIAL AGENT

REFERENCE(S) (S)

(A) NCISHQ 0023 Washington DC ROI (ACTION)/27JUN06

EXHIBIT(S)

(1) Sworn Statement from (b)(6), (b)(7)(C) V/01JUL06...  
(Orig MWPE/Copy 0023B)

(2) Sworn Statement from (b)(6), (b)(7)(C) CIV/02JUL06...  
(Orig MWPE/Copy 0023B)

NARRATIVE

1. Pursuant to lead tasking set forth in Reference (A), Reporting Agent (RA) interviewed (b)(6), (b)(7)(C) civilian interpreters working for L-3 Titan Communication Corporation in Iraq, regarding this investigation.

2. On 01-02JUL06, both (b)(6), (b)(7)(C) provided RA with sworn statements regarding their knowledge or involvement of an incident that took place in Haditha, Iraq, on 19NOV05. (b)(6), (b)(7)(C) stated he worked for the US Army in Iraq and has never worked for the Marines. (b)(6), (b)(7)(C) related he has never been to Haditha. (b)(6), (b)(7)(C) stated he worked for the Marines in Haditha and was on base on 19NOV05. (b)(6), (b)(7)(C) did not recognize the photographs of houses in Haditha in relation to this investigation, Exhibits (1) and (2) pertain.

3. Lead tasking is complete.

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INFO: GCPF/MWPE (F) (M)

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

06JUL06

DEATH (II)

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

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

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

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

06Jul06

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

COMMAND/I MEF, CAMP PENDLETON, CA/11931

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

REFERENCE

(A) NCISHQ Washington DC ROI (ACTION)/20Jun06

EXHIBITS

- (1) Statement of (b)(6), (b)(7)(C) 06...(Orig 0023/Copy MWPE)
- (2) Statement of (b)(6), (b)(7)(C) n06...(Orig 0023/Copy MWPE)
- (3) Statement of (b)(6), (b)(7)(C) n06...(Orig 0023/Copy MWPE)
- (4) Statement of (b)(6), (b)(7)(C) 27Jun06...(Orig 0023/Copy MWPE)

NARRATIVE

1. Reference (A) was received on 20Jun06, requesting the interviews of (b)(6), (b)(7)(C) regarding their movement on 19 and 20Nov06 in Haditha, IZ. Accordingly, on 26Jun06, (b)(6), (b)(7)(C), USMC, was interviewed and provided a sworn statement. On 27Jun06, (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C), USMC, were interviewed and provided sworn statements. Exhibits (1) through (4) provide amplifying details.

2. Investigative lead tasking is complete.

PARTICIPANTS

(b)(6), (b)(7)(C) 1 Agent, NCISFO Marine Corps West, CA  
 gator, NCISFO Marine Corps West, CA  
 Special Agent, NCISFO Marine Corps West, CA  
 1 Agent, NCISFO Southwest, San Diego, CA  
 Agent, NCISFO Southwest, San Diego, CA  
 al Agent, NCISFO Southwest, San Diego, CA  
 Agent, NCISFO Marine Corps West, CA  
 Special Agent, NCISFO Marine Corps West, CA

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INFO: MWPE

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

06Jul06

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

05JUL06

DEATH (II)

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

(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) NCISHQ Washington DC ROI (ACTION)/05Jul06

NARRATIVE

1. In anticipation of lead tasking later received via Reference (A), Reporting Agent (RA) made contact with (b)(7)(E) on 29Jun06 at which time his/her personal computer that was seized on 19May06, was returned. RA also recovered the government owned laptop computer, power cords and bag from (b)(7)(E) that had previously been provided for his/her temporary use.

2. Also on 29Jun06, (b)(7)(E) was formally terminated as a NCIS Cooperating Witness.

3. On 30Jun06, RA sent the Evidence Custody Document, government owned laptop, and associated case notes to NCISFO Southwest, attention Special Agent (b)(6), (b)(7)(C). The package was sent via registered mail number RA166374213US. Lead tasking complete.

ACTION

0023: Lead tasking complete.

DISTRIBUTION

NCISHQ: 0023

INFO: NWBR/NWBG

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

05JUL06

DEATH (II)

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

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

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

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

05Jul06

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

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

COMMAND/I MEF/11931

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

## NARRATIVE

1. On 19Nov05 at approximately 0715, members of 1st Squad, 3rd Platoon, Kilo Company, 3rd Battalion, 1st Marines, 1st Marine Division, came under attack by insurgents who detonated an Improvised Explosive Device (IED) on their convoy in Haditha, Iraq. The convoy consisted of (b)(7)(F) vehicles, of which the fourth vehicle was hit. As a result of the IED, the driver was killed, and the other (b)(7)(F) occupants were injured. Following the attack on the convoy, members of 1st Squad reported that they came under small arms fire (SAF) from the south and north of the IED site. Just ahead of the Marine convoy was a white car with five Iraqi civilian occupants. All of these occupants exited the car, unarmed, and were reportedly shot by (b)(6), (b)(7)(C) 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), (b)(7)(C) and (b)(6), (b)(7)(C) were involved in the shooting (b)(6), (b)(7)(C) of and 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. The NCIS Investigative Task Force-Iraq requests the following leads be conducted by 24D5 and NWBR:

## ACTION

R.NWBR: Contact CW (b)(7)(E) and return his/her personal laptop. Obtain the government-owned laptop the CW has been utilizing and return the laptop to 24D5.

R.24D5: (Attn: (b)(6), (b)(7)(C)) Accept evidence log# MWPE-380-06, a CD-R obtained from (b)(6), (b)(7)(C) ISP, MSN Services; this item contains (b)(6), (b)(7)(C) HOTMAIL account information. The password for the disc is (b)(6), (b)(7)(C). Review the data and

determine if data can be sorted by FTK with search strings.

## WARNING

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

05Jul06

Provide product to case agent for review.

(Attn: (b)(6), (b)(7)(C) Accept MWPE evidence log #MWPE-381-06, 1 CD-R received from Iraq (SSGT (b)(6), (b)(7)(C) 3rd CAG) marked AOD6 CAG CERP CLAIMS & Battle Damage Claims marked SECRET. As background: This is government claim data from Iraq with regard to the solatia payments made to victim's families. Review this classified media and determine if data provided is in a readable format. Determine if FTK would be helpful or if search strings are necessary. If in readable format already, make 5 working copies of this classified SECRET CD-R, for case agents to use in review.

(Attn: SA (b)(6), (b)(7)(C) Review case materials at MWPE to determine if original personal laptop computers and/or other electronic media devices in evidence can be returned to their owners as they are requested. Determine the evidentiary value of each item and return non-relevant media to their owners. Obtain prior approval of the case SJA prior to return of any evidence item and determine what original electronic media NCIS must maintain as case evidence. When necessary coordinate with SA (b)(6), (b)(7)(C) Pacific Cyber Div, Code 24D5, who will remove original computer hard disk drives (HDD) for retention when deemed necessary. (In most cases, SA [ ] will replace original HDDs with new HDDs containing a restored forensic image of the owners original data. SA will then redact prohibited case materials from the new drives). SA [ ] is requested to handle the final disposition of all evidence with their owners.

(Attn: SA [ ] When requested by SA [ ] prepare original personal laptop computer/or other media in evidence for return to owners. On an individual basis be prepared to remove original HDDs from laptop computers and retain as case evidence. Purchase new hard disk drives and place a restored forensic image of the original HDD on the new HDDs and redact any relevant case photos or known prohibited case materials. Test the redaction process to insure owner may not recover redacted materials.

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NCISHQ (SI): 023B  
ACTION: NWBR/24D5  
INFO: MWPE

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

05JUL06

DEATH (II)

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

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

V/ALI, ABDUL HAMEED HUSIN/CIV  
M/W/FNIZ/N//01JUL29/HADITHA, AL ANBAR PROVINCE, IRAQ  
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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  
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M/W/FNIZ/N//HADITHA, AL ANBAR PROVINCE, IRAQ  
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V/SALIM, ZAINAB UNES/CIV  
F/W/FNIZ/N//17JUN00/HADITHA, AL ANBAR PROVINCE, IRAQ  
V/SALIM, AISHA UNES/CIV  
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V/AHMED, JAMAL AIAD/CIV  
M/W/FNIZ/N//16JUL66/HADITHA, AL ANBAR PROVINCE, IRAQ  
V/AHMED, JASIB AIAD/CIV  
M/W/FNIZ/N//01JAN77/HADITHA, AL ANBAR PROVINCE, IRAQ  
V/AHMED, MARWAN AIAD/CIV  
M/W/FNIZ/N//01JAN78/HADITHA, AL ANBAR PROVINCE, IRAQ  
V/AHMED, KAHTAN AIAD/CIV

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

05Jul06

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

V/ALZAWI, KALED AIDA/CIV

M/W/FNIZ/N//01JAN85/HADITHA, AL ANBAR PROVINCE, IRAQ

V/ALZAWI, WAGDI AIDA/CIV

M/W/FNIZ/N//01JAN79/HADITHA, AL ANBAR PROVINCE, IRAQ

V/FLAEH, AKRAM HAMID/CIV

M/W/FNIZ/S//HADITHA, AN ALBAR PROVINCE, IRAQ

V/AHMED, MOHMED TABAL/CIV

M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ

V/MUSLEH, AHMED KHUTAR/CIV

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

COMMAND/I MEF/11931

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

## NARRATIVE

1. On 19Nov05 at approximately 0715, members of 1st Squad, 3rd Platoon, Kilo Company, 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), (b)(7)(C) and (b)(6), (b)(7)(C) were involved in the shooting deaths of an 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 Marines. In total, twenty-four (24) Iraqi civilians were killed by Marines from 1st Squad, including four women and six children.

2. Based on investigative findings to date, and a review of information provided by the MNC-I directed AR 15-6 investigation team, interviews of USMC personnel assigned to the Regimental Combat Team - 2 (RCT-2) will be conducted. These interviews should focus on the chain of command reporting surrounding the events of 19Nov05. The following personnel have been identified for interview:

- a. (b)(6), (b)(7)(C) on 19Nov05  
HQ 2DMAR 2DMARDIV  
PSC BOX 20093  
Camp Lejeune, NC 28542
- b. (b)(6), (b)(7)(C) on 19Nov05  
HQ 2DMAR 2DMARDIV

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

05Jul06

PSC BOX 20093  
Camp Lejeune, NC 28542

c. (b)(6), (b)(7)(C) on 19Nov05)

2D BATTALION 2D MARINES 2D MAR  
PSC BOX 20095  
Camp Lejeune, NC 28542

d. (b)(6), (b)(7)(C) on 19Nov05)

e. (b)(6), (b)(7)(C) on 19Nov05)

CBTLOGREGT 27 2D MLG  
PSC BOX 20125  
Camp Lejeune, NC 28542

f. (b)(6), (b)(7)(C) on 19Nov05)

HQ & SERVICE BATTALION MCRD  
PO BOX 18001  
PARRIS ISLAND, SC 29905

ACTION

R.MWPE: Identify interview teams to interview (b)(6), (b)(7)(C)

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

(b)(6), (b)(7)(C) NCISHQ personnel will interview (b)(6), (b)(7)(C)

Interview teams should contact (b)(6), (b)(7)(C) Trail

Services, Camp Pendleton, CA, and SA (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) for additional information and specific topics to  
(b)(6), (b)(7)(C) be addressed with interviewees. Results of interviews are to  
be forwarded to MWPE with a copy faxed to 23B (Attn: SA (b)(6), (b)(7)(C))

DISTRIBUTION

NCISHQ (SI): 023B

ACTION: MWPE

INFO: CALE

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

30JUN06

DEATH (II)

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

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

COMMAND/1 MEF/11931

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

## REFERENCES

(A) NCISHQ ROI (ACTION)/20JUN06

## EXHIBITS

- (1) Record of Authorization for Search/Affid re (b)(6), (b)(7)(C) 19May06/w/attachmts (A)-(F)...(copy all)
- (2) Record of Authorization for Search/Affid re (b)(6), (b)(7)(C) 19May06/w/2 unmarked attachmts...(copy all)
- (3) Record of Authorization for Search/Affid re (b)(6), (b)(7)(C) 22May06/w/attachmts (A)-(F)...(copy all)
- (4) STATMT (b)(6), (b)(7)(C) /08Jun06...(copy)
- (5) IA: Results of Interview (b)(6), (b)(7)(C) /06Jun06...(copy all)
- (6) IA: (b)(6), (b)(7)(C) Provided SAAR/08Jun06 w/encl (A)...(copy all)
- (7) IA: (b)(6), (b)(7)(C) Receipt of Sample 1MARDIV conus Niprnt/Siprnt User Agreemts & Signed Agreemts for (b)(6), (b)(7)(C) And (b)(6), (b)(7)(C) 07Jun06/w/5 encl (A)-(E)...(copy all)
- (8) IA: (b)(6), (b)(7)(C) Receipt of Conus Niprnt/Siprnt Banners from G-6 1st MARDIV CPC/06Jun06/w/encl (A)-(C)...(copy all)
- (9) IA: Receipt of Niprnt/Siprnt Banner for Sytems Utilized in Theater/15Jun06/w/encl (A)...(copy all)
- (10) IA: Receipt of Information Assurance Training for 3/1 while on Deploymt/12Jun06/w/encl (A)...(copy all)
- (11) IA: Confirmation of Niprnt/Siprnt Accounts from Iraq w/encl (A)...(copy all)
- (12) IA: Receipt of Roster Listing 3/1 Niprnt/Siprnt Accounts During Iraq Deploymt and Confirmation of Preservation/26May06/w/encl (A)...(copy all)
- (13) IA: Confirmation of Conus Siprnt/Niprnt Accounts for 3/1/23May06/w/encl (A)-(B)...(copy all)
- (14) IA: Results of Contact w/ (b)(6), (b)(7)(C) RE Govt E-mail Accounts during deploymt/22May06...(copy all)
- (15) IA: Receipt of Recall Roster Detailing Contact Info and personal e-mail accounts for wives /23May06/w/encl (A)...(copy all)
- (16) IA: Seizure/Preservation of Conus Niprnt E-Mail Accounts/06Jun06/w/encl (A)-(B)...(copy all)
- (17) IA: Seizure/Preservation of Niprnt/Siprnt E-Mail Accounts from Iraq/07Jun06/w/encl (A)...(copy all)
- (18) IA: IA: Seizure/Preservation of Conus Siprnt E-Mail Accounts/06Jun06/w/encl (A)-(B)...(copy all)
- (19) IA: Receipt of MIRC Logs and JENS for 3/1 During Iraq Deploymt/14Jun06...(copy all)

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

30Jun06

- (20) IA: Receipt of RCT-2 File and RCT-2 Watch Logs fro, Al Asas Iraq/12Jun06...(copy all)
- (21) IA: SJA Legal Opinion to Proceed with Review of Classified Data/08Jun06...(copy all)
- (22) IA: Receipt of MySpace Records for Cpl (b)(6), (b)(7)(C) 01Jun06/w/encl (A)...(copy all)
- (23) IA:Review of (b)(6), (b)(7)(C) MySpace.Com Data/02Jun06/w/encl (A)-(B)...(copy all)
- (24) RCFL Examination Report 06-0158-F03 Process Email internet history from (b)(6), Computer/29May06/w/2 attachments...Orig (b)(7)(C), copy all)
- (25) IA: Review of RCFL Examination Report 06-0158-F03 Email internet history from (b)(6), computer /12Jun06...(copy all) (b)(7)(C)
- (26) IA: Receipt of MSN Hotmail Records for [ ] 19Jun06/w/encl (A)...(copy all)
- (27) RCFL Examination Report 06-0158-F04 Review of MSN Hotmail Records/26Jun06/w/5 attachmt...(copy all)

## NARRATIVE

1. On 20Jun06, Special Agent (SA) Pacific Cyber Division San Diego, CA and participants received numerous lead taskings related to cyber issues performed during on going investigation. The completed leads are summarized in paragraphs 2-15. The remaining leads sent via reference (A), are expected to be completed by 15Jul06.
2. On 19May06, SA obtained a Command Authorized Search and Seizure Authorization from LtCol , Commanding Officer, 3rd Battalion, 1st Marines for the seizure and search of s personal laptop computer, camera, and media. SA subsequently served the Authorization on SA I, located at the Regional Computer Forensic Laboratory San Diego, CA (RCFL) where ; evidence was being stored. Exhibit (1), is a copy of the affidavit and authorization, the original documents were provided to SA Marine Corps West Field Office Camp Pendleton, CA.
3. On 19May06, SA , obtained a Command Authorized Search and Seizure Authorization from LtCol . Commanding Officer, 3rd Battalion, 1st Marines for the seizure and search of personal camera and flash memory disk. SA subsequently served the Authorization on SA , located at the RCFL where evidence was being stored. Exhibit (2), is a copy of the affidavit and authorization, the original documents were provided to SA , Marine Corps West Field Office Camp Pendleton, CA.
4. On 22May06, SA obtained a Command Authorized Search and Seizure Authorization from LtCol , Commanding Officer, 3rd Battalion, 1st Marines for the seizure and search of ; personal laptop computer and external hard disk drive. SA subsequently served the Authorization on SA located at the RCFL where s evidence was being stored. Exhibit (3), is a copy of the affidavit and authorization, the original documents were provided to SA Marine Corps West Field

## WARNING

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

30Jun06

Office Camp Pendleton, CA.

5. In response to lead tasking set forth in reference (A), to interview the (b)(6), (b)(7)(C) and document matters relating to expectation of privacy using government e-mail systems, (b)(6), (b)(7)(C) USMC were interviewed by SAs (b)(6), (b)(7)(C) and provided details that included Marines had no expectation of privacy with regard to their government issued e-mail accounts. Exhibits (4)-(5), pertain. To supplement (b)(6), (b)(7)(C) statement, (b)(6), (b)(7)(C) provided Exhibit (6), DD form 2875 System Authorization Access Request (SAAR) that documents system users have no expectation of privacy.

6. Reference (A), requested 24D5 obtain information regarding who had government e-mail accounts, information banners running on the government's information systems, user agreements, information assurance training received by users, and personal e-mail accounts. Exhibits (7)-(15), provide details of actions completed. Lead is still pending (b)(6), (b)(7)(C) providing NCIS 3/1's user agreements which are believed to be in transit from Iraq to CA.

7. In response to lead tasking set forth in reference (A), to obtain niprnt/siprnt e-mail accounts, classified MIRC logs, JENS, classified RCT-2 files, and classified RCT-2 watch logs, items were seized and the details are provided in Exhibits (16)-(20).

8. On 08Jun06, Maj (b)(6), (b)(7)(C) USMC, Staff Judge Advocate (SJA) provided his legal opinion that NCIS should proceed with review of classified government e-mail data and other data seized from classified government information systems, Exhibit (21), pertains.

9. In response to lead tasking set forth in reference (A), to obtain (b)(6), (b)(7)(C) data held by myspace.com, on 01Jun06, SA (b)(6), (b)(7)(C) received (b)(6), (b)(7)(C) data in response to providing (b)(6), (b)(7)(C) permissive authorization. The data was entered into NCIS evidence under log number MWPE-297-06 at Marine Corps West Field Office Camp Pendleton, CA, Exhibit (22), pertains.

10. On 02Jun06, SA reviewed the data provided by MySpace.com with regard to and it revealed no relevant information, details are provided in Exhibit (23).

11. In response to lead tasking set forth in reference (A), to request RCFL provide additional data from computer to extract all e-mail and internet data from unallocated spaces, the RCFL conducted an additional examination of computer, and no additional data relevant to investigation was obtained, Exhibit (24), provides details.

12. On 12Jun06, SA reviewed RCFL examination results for e-mail and internet data on computer and no additional relevant information was obtained, Exhibit (25), pertains.

13. In response to lead tasking set forth in reference (A), to obtain ; data held by MSN hotmail.com, on 19Jun06, SA

## WARNING

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

30Jun06

received (b)(6), (b)(7)(C) data from MSN in response to providing (b)(6), (b)(7)(C) permissive authorization. The data was entered into NCIS evidence under log number MWPE-0380-06 at Marine Corps West Field Office Camp Pendleton, CA, Exhibit (26), pertains.

14. On 26Jun06, SA (b)(6), (b)(7)(C) reviewed (b)(6), (b)(7)(C) data received from MSN, evidence log number MWPE-0380-06 and it revealed (b)(6), (b)(7)(C) had been in contact with CNN and the Washington Post, details are provided in Exhibit (27).

15. In response to lead tasking set forth in reference (A), to prepare (b)(6), (b)(7)(C) personally owned laptops for return to owners with SJA's approval. Code 24D5 personnel removed the original hard disk drives (HDDs) from (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) laptops and retained the original HDDs as case evidence, with SJA approval. Owners were provided with new HDDs containing a restored image of their data, less redacted materials. This procedure was done vice other methods previously considered because owners of the laptops were unable to locate their original installation software. Return of the laptops was handled by MWPE personnel, and documented on each evidence custody document. (no IA prepared).

#### PARTICIPANTS

(b)(6), (b)(7)(C) Special Agent, Pac Cyber Div Pearl Harbor, HI  
(b)(6), (b)(7)(C) Special Agent, Pac Cyber Div at RCFL San Diego, CA  
(b)(6), (b)(7)(C) Special Agent, NCISFO Marine Corps West Camp Pendleton, CA

#### DISTRIBUTION

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INFO: MWPE (M) / 24D5

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

29JUN06

DEATH (II)

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

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

COMMAND/I MEF/11931

MADE AT/SWND/SAN DIEGO CA, (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S) (S)

(A) 0023 ROI (ACTION)/09JUN06

(B) SWND ROI (ACTION)/16JUN06

EXHIBIT(S)

(1) Receipt of Medical Records from Naval Health Research Center/29Jun06... (Copy MWPE/0023)

NARRATIVE

1. Subsequent to the receipt of reference (A) and the submission of reference (B), Reporting Agent obtained the medical records pertaining to the treatment of (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) and Mandah Amid HAMAD at the Al Asad Air Base Hospital in Iraq on 19Nov05. HAMAD was identified only as an Enemy Prisoner of War (EPW) and patient #8 on the hospital patient log. These records were provided to NCIS by the Combat Trauma Registry at the Naval Health Research Center in San Diego, CA, on 29Jun06, exhibit (1) pertains. Lead tasking is complete.

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Page 1 of 1

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

28JUN06

DEATH (II)

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

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

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

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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

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

**28Jun06**

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V/ALZAWI, KALED AIDA/CIV

M/W/FNIZ/N//01JAN85/HADITHA, AL ANBAR PROVINCE, IRAQ

V/ALZAWI, WAGDI AIDA/CIV

M/W/FNIZ/N//01JAN79/HADITHA, AL ANBAR PROVINCE, IRAQ

V/FLAEH, AKRAM HAMID/CIV

M/W/FNIZ/S//HADITHA, AN ALBAR PROVINCE, IRAQ

V/AHMED, MOHMED TABAL/CIV

M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ

V/MUSLEH, AHMED KHUTAR/CIV

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

COMMAND/I MEF/11931

MADE AT/CALE/CAMP LEJEUNE NC/ SPECIAL AGENT

REFERENCE(S) (S)

(A) CALE ROI (ACTION)/13JUN06

(B) DCWA ROI (ACTION)/07JUN06

**NARRATIVE**

1. Subsequent to the submission of Reference (a) and IAW Reference (b), all lead tasking is now considered completed.

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

26JUN06

DEATH (II)

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

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

SUPP: ((ET AL))

COMMAND/I MEF/11931

MADE AT/0024/CRFO GLYNCO GA (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCES

(A) NCISHQ 0023 ROI (ACTION)/23JUN06

EXHIBITS

(1) IA: Results of Interview of (b)(6), (b)(7)(C) 23Jun06... (original to 0023B, copy to MWPE)

NARRATIVE

1. References (A) tasked this office to contact (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) United States Marine Corps Reserve (USMCR) and ascertain if the schools in Haditha, Iraq, were closed in 19Nov05, if so for how long and why. On 23Jun06, telephonic contact was made with (b)(6), (b)(7)(C) stated to the best of his knowledge the schools in Haditha, Iraq, were closed on 19Nov05. (b)(6), (b)(7)(C) further stated he was told that the schools were closed because teachers were afraid to go to school and parents were afraid to send their children to school, exhibit (1) provides additional details. Lead tasking is complete.

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INFO: 24C/MWPE (M)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

26JUN06

DEATH (II)

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

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

SUPP: ((ET AL))

COMMAND/I MEF/11931

MADE AT///

REFERENCE(S) (S)

(A) NCISHQ 0023 ROI (ACTION)/20JUN06

EXHIBIT(S)

- (1) SWORN STATEMENT OF (b)(6), (b)(7)(C) /21Jun06... (Orig 0023B/Copy MWPE)
- (2) SWORN STATEMENT OF (b)(6), (b)(7)(C) 2Jun06... (Orig 0023B/ Copy MWPE)

NARRATIVE

1. On 21Jun06, Reporting Agent (RA) and Participant (PA) (b)(6), (b)(7)(C) met with and interviewed (b)(6), (b)(7)(C). The interview was conducted at the Hillsborough County Sheriffs Department, Tampa, FL. (b)(6), (b)(7)(C) informed RA he was currently on terminal leave and was due to be discharged from the USMC on 14Jul06. At the conclusion of the interview, (b)(6), (b)(7)(C) provided a sworn statement to RA. Exhibit (1) pertains.

2. On 22Jun06, RA and PA (b)(6), (b)(7)(C) met with and interviewed (b)(6), (b)(7)(C) at the Hillsborough County Sheriffs Department, Tampa, FL. (b)(6), (b)(7)(C) informed RA and PA that that he was currently on terminal leave and was due to be discharged from the USMC ON 02Jul06. At the conclusion of the interview, (b)(6), (b)(7)(C) provided a sworn statement to RA. Exhibit (2) pertains.

3. Pursuant to lead tasking in Ref (A), RA contacted (b)(6), (b)(7)(C) via phone and attempted to arrange an interview. (b)(6), (b)(7)(C) informed RA he was currently on vacation in Boston, MA and would return to the Tampa, FL area on 07Jul06. RA contacted PA (b)(6), (b)(7)(C) to inform him of (b)(6), (b)(7)(C) status. PA (b)(6), (b)(7)(C) advised RA (b)(6), (b)(7)(C) could be interviewed upon his return. RA contacted (b)(6), (b)(7)(C) and scheduled his interview for 08Jul06.

PARTICIPANT(S)

(b)(6), (b)(7)(C) Special Agent, CRFO Glynco, GA  
 (b)(6), (b)(7)(C) Special Agent, NCISHQ

ACTION

Lead tasking pending interview of (b)(6), (b)(7)(C) ON 08Jul06.

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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

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

**26Jun06**

INFO: MWPE (M)

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

26JUN06

DEATH (II)

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

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

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

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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

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

**26Jun06**

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

COMMAND/I MEF/11931

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

REFERENCE(S) (S)  
(A) NCISHQ 0023 WASHINGTON, D.C. ROI (Action)/09Jun06

**NARRATIVE**

1. Reference (A) tasked SWND to contact the Combat Trauma Registry, Naval Health Research Center, San Diego, CA and obtain any medical records pertaining to the treatment of (b)(6), (b)(7)(C) and an unidentified Iraqi male identified as EPW. After contacting Combat Trauma Registry personnel, SWND reported the possibility of the existence of medical files relevant to the subject and co-subjects of this investigation. NCISHQ 0023B requests SWND inquire if these medical records exist and obtain them.

**ACTION**

R.SWND: Re-contact Combat Trauma Registry personnel and determine if medical files related to the subject and co-subjects exist. If the Combat Trauma Registry has such records, obtain them. Forward all records to MWPE.

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NCISHQ (SI): 023B

ACTION: SWND

INFO: MWPE

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

26JUN06

DEATH (II)

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

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

COMMAND/1 MEF /11931

MADE AT/SWLA/NCISRA LOS ANGELES CA (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S) (S)

(A) NCISHQ 0023 ROI (Action)/20Jun06

EXHIBIT(S)

(1) Statement from (b)(6), (b)(7)(C) 21Jun06... (Orig MWPE/Copy 0023B only)

NARRATIVE

1. Following the lead tasking of Ref (A) Reporting Agent (RA) contacted (b)(6), (b)(7)(C) a former USMC Corporal who was a member of the Personal Security Detachment (PSD) for LTCOL (b)(6), (b)(7)(C), USMC, the Battalion Commanding Officer of 3rd Battalion, 1st Marine Regiment (3/1) in Haditha, Al Anbar Province, Iraq circa September 2005 through March 2006. (b)(6), (b)(7)(C) advised he was one of the Team Leaders for (b)(6), (b)(7)(C)'s PSD on 19Nov05 when an Improvised Explosive Device (IED) detonated in the city killing what (b)(6), (b)(7)(C) believed was two Marines. (b)(6), (b)(7)(C) said he was at the Haditha Dam on 19Nov05 when he was informed of the IED explosion and of (b)(6), (b)(7)(C) desire to leave the dam at approximately 2000-2100 that evening and go to the Forward Operating Base (FOB) Firmbase Sparta (Kilo Company, 3/1). (b)(6), (b)(7)(C) said once the PSD arrived at Firmbase Sparta he stayed in his High Mobility Multi-Wheeled Vehicle (HMMWV) in a parking area near the main building of the FOB while (b)(6), (b)(7)(C) went inside. (b)(6), (b)(7)(C) estimated they remained at the FOB for a period of time between 45 minutes to one and a half hours. (b)(6), (b)(7)(C) said just prior to being told that (b)(6), (b)(7)(C) was ready to leave the FOB, (b)(6), (b)(7)(C) observed a high-back HMMWV back into the FOB. (b)(6), (b)(7)(C) said he could see that bodies were in the back of the HMMWV. (b)(6), (b)(7)(C) said as the PSD convoy drove out of the FOB he could see that between 2-3 adult male bodies were unloaded onto the ground. (b)(6), (b)(7)(C) said he was unaware of there being any bodies of women or children in the back of the HMMWV. (b)(6), (b)(7)(C) said he did not learn about the dead Iraqi women and children until an investigation was initiated by NCIS prior to his unit leaving Iraq.

2. (b)(6), (b)(7)(C) said he did not know any of the Marine suspects on this investigation and he had not ever talked to any of these Marines about what happened on 19Nov05. (b)(6), (b)(7)(C) also said he did not see, have possession of, transmit or email any information or photographs to anyone regarding the 19Nov05 deaths of Iraqi civilians. (b)(6), (b)(7)(C) said he did not know anyone else who had any photographs of this incident either. (b)(6), (b)(7)(C) was shown a map of the IED blast site located on Route Chestnut. (b)(6), (b)(7)(C) was also shown the locations of houses near Route Chestnut and Viper where some of the Iraqi civilians had been killed

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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

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

**26Jun06**

in their homes. (b)(6), (b)(7)(C) said he did not escort (b)(6), (b)(7)(C) to any of these houses following the 19Nov05 incident. (b)(6), (b)(7)(C) said he escorted (b)(6), (b)(7)(C) to another house closer to the intersections of River Road and Chestnut within a week of 19Nov05, but this house had been bombed by U.S. Forces and was a pile of rubble. (b)(6), (b)(7)(C) said at this location, (b)(6), (b)(7)(C) walked around the back of the house but (b)(6), (b)(7)(C) could not see what they were doing. Additional details are contained in (b)(6), (b)(7)(C) statement attached as exhibit (1).

3. On 23Jun06 RA delivered (b)(6), (b)(7)(C) original statement and notes folder to MWPE. This completes the lead tasking of SWLA.

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NCISHQ (SI): 0023B (M)

INFO: SWPH/SWLA/SWND/MWPE

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

23JUN06

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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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

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

**23Jun06**

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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/24D5/SILVERDALE WA (b)(6), (b)(7)(C) INVEST CMPTR SPEC

REFERENCE(S) (S)

- (A) NCISHQ Washington DC ROI(Action)/26MAY06
- (B) NCISRA Bremerton WA ROI(Action)/05JUN06

**NARRATIVE**

1. Reference (A) requested Pacific Cyber Division (24D5) support to NCISRA Bremerton WA., if necessary, in the computer hard drive imaging process of computers containing e-mail correspondence between

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

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

2. On 01JUN06, Reporting Investigative Computer Specialist (ICS) participated in the interview process between Special Agent (SA)

(b)(6), (b)(7)(C) in Myrtle Point, OR.

(b)(6), (b)(7)(C) provided SA (b)(6), (b)(7)(C) a copy of the only E-mail she received from (b)(6), (b)(7)(C) and the only E-mail she sent (b)(6), (b)(7)(C) from the

(b)(6), (b)(7)(C) Reporting ICS did not obtain an image file of the (b)(6), (b)(7)(C) personal computer hard drive. See reference (B) for additional details.

3. On 01 and 02JUN06, Reporting ICS participated in the interview process between Special Agent (SA)

(b)(6), (b)(7)(C) in Monmouth, OR. (b)(6), (b)(7)(C) indicated she had received only one e-mail

from (b)(6), (b)(7)(C) and confirmed it was the same e-mail

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

(b)(6), (b)(7)(C) share the same

(b)(6), (b)(7)(C) reported accessing the Internet from the Western Oregon University network only, and indicated not using the Internet to communicate with (b)(6), (b)(7)(C) outside the one e-mail previously mentioned.

(b)(6), (b)(7)(C) also reported owning a personal laptop computer, which she reported, is a standalone word processing computer, not connected to the Internet. Reporting ICS did not obtain an image file of the personal laptop computer. See reference (B) for additional details.

4. Pacific Cyber Division (24D5) lead tasking is considered complete.

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

**23Jun06**

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

22JUN06

DEATH (II)

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

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

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

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

22Jun06

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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/NWBG/SILVERDALE WA (b)(6), (b)(7)(C), SPECIAL AGENT

REFERENCE(S) (S)  
(A) 0023 ROI (ACTION)/20JUN06

EXHIBIT(S)  
(1) Statement of (b)(6), (b)(7)(C) /21JUN06... (Orig 0023/Copy MWPE)

NARRATIVE

1. On 21Jun06, (b)(6), (b)(7)(C) was interviewed in Redmond, OR, concerning his knowledge of the deaths of 24 Iraqi civilians in Haditha, Iraq, on 19Nov05. (b)(6), (b)(7)(C) confirmed he was a member of the Protective Service Detail (PSD), Headquarters and Service Company, 3rd Battalion, 1st Marine Regiment (3/1), 1st Marine Division, for (b)(6), (b)(7)(C) on 19Nov05. (b)(6), (b)(7)(C) stated he and other members of the PSD accompanied (b)(6), (b)(7)(C) 3/1 Battalion Sergeant Major, to Firm Base Sparta in the morning on 19Nov05, and returned later in the morning to the 3/1 Headquarters located at the Haditha Dam. (b)(6), (b)(7)(C) recalled a second visit to Firm Base Sparta by (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) on 20Nov05, which lasted between 8-10 hours. (b)(6), (b)(7)(C) was unable to recall conversations between (b)(6), (b)(7)(C) and other officers from 3/1 about the events of 19Nov05. (b)(6), (b)(7)(C) recalled a conversation with (b)(6), (b)(7)(C) in which (b)(6), (b)(7)(C) reacted to a Time Magazine article written in Mar06 about the deaths of 19Nov05. (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) was agitated, spoke angrily about being accused of murder and claimed his actions were justified. (b)(6), (b)(7)(C) also told (b)(6), (b)(7)(C) his version of events taking place on 19Nov05. (b)(6), (b)(7)(C) provided a sworn statement concerning his observations, Exhibit (1) pertains.

ACTION

0023: Action completes lead tasking.

PARTICIPANTS

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

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 INFO: MWPE (E/F)/NWBR

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

22Jun06

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

23JUN06

DEATH (II)

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

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

COMMAND/I MEF/11931

MADE AT/24D1/NCISHQ WASHINGTON DC (b)(6), (b)(7)(C) SPECIAL AGENT

EXHIBIT(S)

(1) IA: SEIZURE OF STORED NMCI E-MAIL/DATA FILES/01JUN06... (Copy All)

NARRATIVE

1. Pursuant to lead tasking set forth via separate correspondence, the NCISHQ Cyber Division generated a memorandum to Mr. (b)(6), (b)(7)(C) Information Assurance Branch Head/Designated Approving Authority, Headquarters Marine Corps, Arlington, VA, requesting the stored NMCI e-mail data of fifteen (15) individuals associated with captioned investigation. Subsequent contact with the Navy Marine Corps Intranet (NMCI), Quantico, VA, determined that only two (2) of the fifteen (15) names submitted had NMCI Enterprise e-mail user accounts. These names were (b)(6), (b)(7)(C) USMC, and (b)(6), (b)(7)(C) USMC. The archived e-mail data of the two (2) named accounts were copied to CD-R and subsequently entered into the released to NCIS Quantico, VA, evidence custody system, Exhibit (1) pertains.

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Page 1 of 1

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

21JUN06

DEATH (II)

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

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

V/ALI, ABDUL HAMEED HUSIN/CIV  
M/W/FNIZ/N//01JUL29/HADITHA, AL ANBAR PROVINCE, IRAQ  
V/ALI, KHAMISA TUEMA/CIV  
F/W/FNIZ/N//01JAN39/HADITHA, AL ANBAR PROVINCE, IRAQ  
V/HASAN, WALEED ABDALHAMID/CIV  
M/W/FNIZ/N//01JAN68/HADITHA, AL ANBAR PROVINCE, IRAQ  
V/HAMEED, ABDULLAH WALEED ABDUL/CIV  
M/W/FNIZ/N//06AUG01/HADITHA, AL ANBAR PROVINCE, IRAQ  
V/HASAN, GUHID ABDALHAMID/CIV  
M/W/FNIZ/N//HADITHA, AL ANBAR PROVINCE, IRAQ  
V/HASAN, RASHEED ABDALHAMID/CIV  
M/W/FNIZ/N//HADITHA, AL ANBAR PROVINCE, IRAQ  
V/RASIF, ASMAA SALMAN/CIV  
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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-MEBJ-0164-7HMA/T

21Jun06

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V/ALZAWI, KALED AIDA/CIV

M/W/FNIZ/N//01JAN85/HADITHA, AL ANBAR PROVINCE, IRAQ

V/ALZAWI, WAGDI AIDA/CIV

M/W/FNIZ/N//01JAN79/HADITHA, AL ANBAR PROVINCE, IRAQ

V/FLAEH, AKRAM HAMID/CIV

M/W/FNIZ/S//HADITHA, AN ALBAR PROVINCE, IRAQ

V/AHMED, MOHMED TABAL/CIV

M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ

V/MUSLEH, AHMED KHUTAR/CIV

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

COMMAND/I MEF/11931

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

## NARRATIVE

1. On 19Nov05 at approximately 0715, members of 1st Squad, 3rd Platoon, Kilo Company, 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), (b)(7)(C) and (b)(6), (b)(7)(C) were involved in the shooting (b)(7)(C) of and 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, NCIS learned of the existence of Unmanned Aerial Vehicle (UAV) footage capturing the events in Haditha, Iraq on 19Nov05. This UAV, also known as Scan Eagle, was utilized to provide USMC assets with aerial surveillance of enemy positions during engagements with insurgents in Haditha on 19Nov05. This footage is located at Al Asad Airbase, Iraq. The NCIS Investigative Task Force-Iraq is trying to determine if schools in Haditha, Iraq were closed during the 19Nov05 event and, if so, for how long and why.

## ACTION

R.MEIZ (Attn: SA (b)(6), (b)(7)(C)): Contact appropriate command

officials at Al Asad and obtain Scan Eagle UAV footage capturing the 19Nov05 events in Haditha, Iraq. Forward copies

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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

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

**21Jun06**

of the footage to MWPE and 023B.

R.24C (Attn: SA  : Contact  Inquire if  
the schools in Haditha, Iraq were closed at the time of the  
19Nov05 event, if so for how long, and why.

DISTRIBUTION

NCISHQ (SI): 023B

ACTION: MEIZ/24C

INFO: MEBJ/MWPE

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

21JUN06

DEATH (II)

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

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

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

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

21Jun06

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

COMMAND/I MEF/11931

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

## NARRATIVE

1. On 19Nov05 at approximately 0715, members of 1st Squad, 3rd Platoon, Kilo Company, 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), (b)(7)(C) and (b)(6), (b)(7)(C) were involved in the shooting deaths of and 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, NCIS learned of the existence of Unmanned Aerial Vehicle (UAV) footage capturing the events in Haditha, Iraq on 19Nov05. This UAV, also known as Scan Eagle, was utilized to provide USMC assets with aerial surveillance of enemy positions during engagements with insurgents in Haditha on 19Nov05. This footage is located at Al Asad Airbase, Iraq. The NCIS Investigative Task Force-Iraq is trying to determine if schools in Haditha, Iraq were closed during the 19Nov05 event and, if so, for how long and why.

## ACTION

R.MEIZ (Attn: SA (b)(6), (b)(7)(C)) Contact appropriate command

officials at Al Asad and obtain Scan Eagle UAV footage capturing the 19Nov05 events in Haditha, Iraq. Forward copies

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Page 2 of 3

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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

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

**21Jun06**

of the footage to MWPE and 023B.

R.24C (Attn: SA  : Contact  Inquire if the schools in Haditha, Iraq were closed at the time of the 19Nov05 event, if so for how long, and why.

DISTRIBUTION

NCISHQ (SI): 023B

ACTION: MEIZ/24C

INFO: MEBJ/MWPE

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

20JUN06

DEATH (II)

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

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

V/ALI, ABDUL HAMEED HUSIN/CIV  
M/W/FNIZ/N//01JUL29/HADITHA, AL ANBAR PROVINCE, IRAQ  
V/ALI, KHAMISA TUEMA/CIV  
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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  
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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-MEBJ-0164-7HMA/T

20Jun06

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

COMMAND/I MEF/11931

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

NARRATIVE

1. On 19Nov05 at approximately 0715, members of 1st Squad, 3rd Platoon, Kilo Company, 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), (b)(7)(C) and (b)(6), (b)(7)(C) were involved in the shooting (b)(6), (b)(7)(C) of and 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. The NCIS Investigative Task Force-Iraq has identified several Marines to be interviewed who were assigned to a security detail for LTCOL (b)(6), (b)(7)(C) was the Commanding Officer (CO) of 3rd Battalion, 1st Marine Division at the time of the 19Nov05 incident. The USMC personnel have been identified as:

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

WARNING

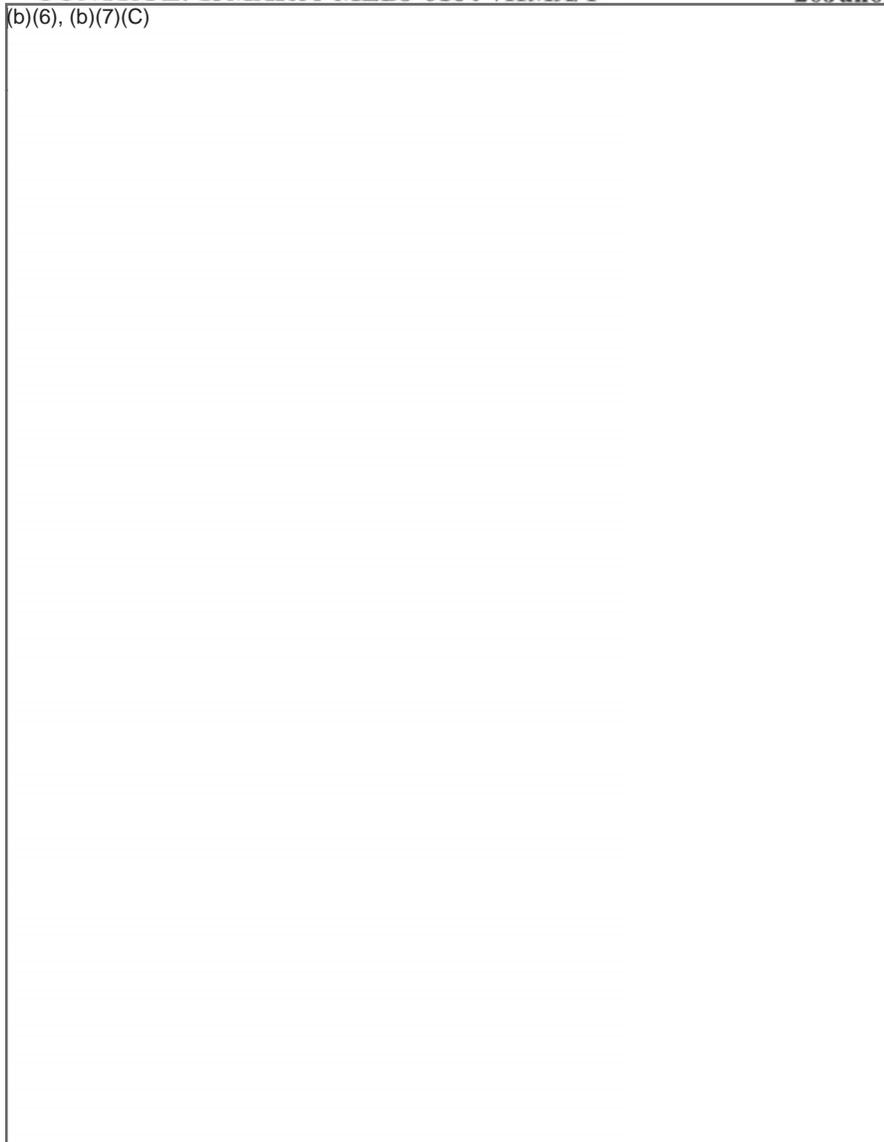
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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

20Jun06

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



ACTION

R.24C: Locate and interview (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Inquire about their movements on 19Nov05 and where they can place LTCOL (b)(6), (b)(7)(C) and other officers. Inquire if they were present or aware of comments made during a meeting at the Firmbase between officers on the evening of 19Nov05. Inquire about movements and comments made by battalion officials in the days following the 19Nov05 incident. Inquire if they know the subject and co-subjects of this investigation and if they spoke to them concerning this incident. Inquire if they have photos/pictures of the Haditha incident. Of note,

SGT (b)(6), (b)(7)(C) allegedly drove in the same vehicle as LTCOL (b)(6), (b)(7)(C). Contact SA (b)(6), (b)(7)(C) prior to conducting interviews.

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

20Jun06

R.NWBG (Attn: SA (b)(6), (b)(7)(C)) Locate and interview (b)(6), (b)(7)(C)  
Inquire about his movements on 19Nov05 and where he can place LTCOL (b)(6), (b)(7)(C) and other officers. Inquire if he was present or aware of comments made during a meeting at the Firmbase between officers on the evening of 19Nov05. Inquire about movements and comments made by battalion officials in the days following the 19Nov05 incident. Inquire if he knows the subject and co-subjects of this investigation and if he spoke to them concerning this incident. Inquire if he has photos/pictures of the Haditha incident. Contact SA (b)(6), (b)(7)(C) prior to conducting interviews.

R.SWLA (Attn: SA (b)(6), (b)(7)(C)): Locate and interview (b)(6), (b)(7)(C) Inquire about his movements on 19Nov05 and where he can place LTCOL (b)(6), (b)(7)(C) and other officers. Inquire if he was present or aware of comments made during a meeting at the Firmbase between officers on the evening of 19Nov05. Inquire about movements and comments made by battalion officials in the days following the 19Nov05 incident. Inquire if he knows the subject and co-subjects of this investigation and if he spoke to them concerning this incident. Inquire if he has photos/pictures of the Haditha incident. Contact SA (b)(6), (b)(7)(C) prior to conducting interviews.

R.MWPE: Locate and interview (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C). Inquire about their movements on 19Nov05 and where they can place LTCOL (b)(6), (b)(7)(C) and other officers. Inquire if they were present or aware of comments made during a meeting at the Firmbase between officers on the evening of 19Nov05. Inquire about movements and comments made by battalion officials in the days following the 19Nov05 incident. Inquire if they know the subject and co-subjects of this investigation and if they spoke to them concerning this incident. Inquire if they have photos/pictures of the Haditha incident.

R.023B: Locate and interview (b)(6), (b)(7)(C) Inquire about her movements on 19Nov05 and where she can place LTCOL (b)(6), (b)(7)(C) and other officers. Inquire if she was present or aware of comments made during a meeting at the Firmbase between officers on the evening of 19Nov05. Inquire about movements and comments made by battalion officials in the days following the 19Nov05 incident. Inquire if she knows the subject and co-subjects of this investigation and if she spoke to them concerning this incident. Inquire if she has photos/pictures of the Haditha incident.

DISTRIBUTION

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ACTION: SWLA/NWBG/MWPE/24C/023B  
INFO: SWND

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**20Jun06**



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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

20JUN06

DEATH (II)

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

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

V/ALI, ABDUL HAMEED HUSIN/CIV  
M/W/FNIZ/N//01JUL29/HADITHA, AL ANBAR PROVINCE, IRAQ  
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M/W/FNIZ/N//HADITHA, AL ANBAR PROVINCE, IRAQ  
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F/W/FNIZ/N//01JAN92/HADITHA, AL ANBAR PROVINCE, IRAQ  
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F/W/FNIZ/N//03APR95/HADITHA, AL ANBAR PROVINCE, IRAQ  
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V/AHMED, MARWAN AIAD/CIV  
M/W/FNIZ/N//01JAN78/HADITHA, AL ANBAR PROVINCE, IRAQ  
V/AHMED, KAHTAN AIAD/CIV

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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

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

**20Jun06**

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- V/ALZAWI, KALED AIDA/CIV  
M/W/FNIZ/N//01JAN85/HADITHA, AL ANBAR PROVINCE, IRAQ
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- V/AHMED, MOHMED TABAL/CIV  
M/W/FNIZ/N//01JAN84/HADITHA, AL ANBAR PROVINCE, IRAQ
- V/MUSLEH, AHMED KHUTAR/CIV  
M/W/FNIZ/N//01JAN76/HADITHA, AL ANBAR PROVINCE, IRAQ

COMMAND/I MEF/11931

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

**NARRATIVE**

1. On 19Nov05 at approximately 0715, members of 1st Squad, 3rd Platoon, Kilo Company, 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 [ ] 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), [ ] [b](6), (b)(7)(C)] and [b](6), (b)(7)(C)] were involved in the shooting [b](6), (b)(7)(C)] of and 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. The NCIS Investigative Task Force-Iraq requests the following leads be conducted by the NCIS Cyber Department-Pacific Division:

**ACTION**

R.0024D5: (Attn: SA [b](6), [ ] [b](7)(C)]) Using any established probable cause, prepare and execute a Command Authorized Search for [ ] personally owned laptop computer obtained by NCIS with [ ] permission, but lacking a permissive search form that was executed by [ ] at the time provided his computer.  
(Attn: SA [ ] Using any established probable cause, prepare and execute a Command Authorized search for [ ] personally owned laptop computer, camera,

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

20Jun06

and media that were seized by NCIS with (b)(6), (b)(7)(C) voluntary consent that was subsequently withdrawn.

(Attn: SA (b)(6), (b)(7)(C) Using any established probable cause, prepare and execute a Command Authorized search for [redacted]

personally owned camera and flash memory disk that were seized by NCIS with voluntary consent, but lacked consent to search.

(Attn: SA Interview Communications Chief for 3rd Battalion 1Marine Regiment and Communications Officer for 1MARDIV and document what the process was for Marines to obtain government e-mail accounts, (SIPRNT and NIPRNT) and document if the government systems were bannered, and if user agreements were obtained from users. Document what the Marine's expectation of privacy was while using a government system computer. Obtain user agreements for persons who have accounts and a copy of the NIPRNT and SIPRNT banners.

(Attn: SA Seize SIPRNT e-mail accounts for Marines with 3/1, who have CONUS accounts at CPC.

(Attn: SA Seize SIPRNT e-mail accounts for Marines with 3/1, who had accounts while in theater during the Aug05-Mar06 deployment to Iraq. Additionally, obtain the user agreements signed by the Marines for these accounts and a copy of the banner for the SIPRNT system.

(Attn: SA Seize NIPRNT e-mail accounts for Marines with 3/1, who have CONUS accounts at CPC.

(Attn: SA Seize NIPRNT e-mail accounts for Marines with 3/1, who had accounts while in theater during the Aug05-Mar06 deployment to Iraq. Additionally, obtain the user agreements signed by the Marines for these account and a copy of the banner for the NIPRNT system.

(Attn: SA Using the permissive authorizations provided by to allow NCIS access to his internet service providers (ISPs) at myspace.com and MSN hotmail.com. Contact the ISPs and obtain data maintained by the ISPs. Examine the data provided by the ISPs and attempt to identify any correspondence related to Marines and events of 19Nov05.

(Attn: SA Request RCFL provide additional, detailed computer examination of personal computers to extract all e-mail and internet data from protected areas such as computer registries and

unallocated spaces. Review the results of that computer data for relevance and for any identification of e-mail information with regard to known targets of investigation.

(Attn: SA Prepare personal laptop computer in evidence for return to Contact and obtain his OS software for installation by NCIS on a new hard disk drive. Ask to provide a list of his data files he requests NCIS copy for him (less relevant photos). Copy data to CD-Rs for him. Purchase a new hard disk drive, and replace the original. Retain the

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original as case evidence. Install (b)(6), OS software on the new HDD for (b)(6), On 13Jun06, LTCOL (b)(6), (b)(7)(C) and MAJ (b)(6), (b)(7)(C) (b)(7)(C) authorized the return of the laptop to (b)(6), (b)(7)(C)

(Attn: SA (b)(6), (b)(7)(C) Prepare (b)(6), (b)(7)(C) s personal laptop computer and camera in evidence for return to (b)(6), (b)(7)(C) Proceed with same lead as (b)(6), (b)(7)(C) above.

(Attn: SA (b)(6), (b)(7)(C) Prepare (b)(6), (b)(7)(C) personal laptop computer in evidence for return to (b)(6), (b)(7)(C) Proceed with same lead as (b)(6), (b)(7)(C) above.

(Attn: SA (b)(6), (b)(7)(C) Obtain MIRC and JENS (classified chat evidence received from Iraq currently in evidence at MWPE) and process for content.

(Attn: SA (b)(6), (b)(7)(C) Obtain RCT-2 Watch Logs (Regimental journal entries received from Iraq, currently in evidence at MWPE) and review for content.

(Attn: SA (b)(6), (b)(7)(C) Obtain a copy of the Information Assurance Training which 3/1 completed while in theater during the Aug05-Mar06 deployment to Iraq.

(Attn: SA (b)(6), (b)(7)(C) Obtain all government SIPRNT email, in evidence at MWPE and convert to readable format for case agent review.

(Attn: SA (b)(6), (b)(7)(C) Obtain classified MIRC chat and GENS in evidence at MWPE and convert to readable format for case agent review.

(Attn: SA (b)(6), (b)(7)(C) Using (b)(6), (b)(7)(C) written permissive authorization dated 01Jun06 contact MSN and obtain (b)(6), (b)(7)(C) hotmail data and review for relevance.

(Attn: SA (b)(6), (b)(7)(C) Determine if probable cause exists and then prepare and execute a Federal Search warrant to obtain (b)(6), (b)(7)(C) data held by internet service providers at yahoo.com, hotmail, myspace.com, and

photobucket.

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NCISHQ (SI): 023B  
ACTION: 24D5  
INFO: MWPE

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

20JUN06

DEATH (II)

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

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

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

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

20Jun06

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

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

COMMAND/I MEF, CAMP PENDLETON, CA/11931

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

REFERENCE(S) (S)

- (A) NCISHQ Washington DC ROI (ACTION)/17Apr06
- (B) NCISHQ Washington DC ROI (ACTION)/25Apr06
- (C) NCISHQ Washington DC ROI (ACTION)/24May06
- (D) NCISHQ Washington DC ROI (ACTION)/29May06
- (E) NCISHQ Washington DC ROI (ACTION)/31May06
- (F) NCISHQ Washington DC ROI (ACTION)/06Jun06
- (G) NCISHQ Washington DC ROI (ACTION)/07Jun06

EXHIBIT(S)

- (1) Military Suspect's Acknowledgement and Cleansing Waiver of Rights/(b)(6), (b)(7)(C) 16May06... (Orig 0023/Copy MWPE)
- (2) Statement of (b)(6), (b)(7)(C) 16May06... (Orig 0023/Copy MWPE)
- (3) IA: Results of Interview/(b)(6), (b)(7)(C) 09May06... (Orig 0023/Copy MWPE)
- (4) IA: Results of Interview/(b)(6), (b)(7)(C) 17May06... (Orig 0023/Copy MWPE)
- (5) Statement of (b)(6), (b)(7)(C) 10May06... (Orig 0023/Copy MWPE)
- (6) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
- (7) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
- (8) Statement of (b)(6), (b)(7)(C) May06... (Orig 0023/Copy MWPE) Convoy
- (9) Statement of (b)(6), (b)(7)(C) May06... (Orig 0023/Copy MWPE)
- (10) Statement of (b)(6), (b)(7)(C) y06... (Orig 0023/Copy MWPE)
- (11) Statement of (b)(6), (b)(7)(C) y06... (Orig 0023/Copy MWPE)
- (12) IA: Results of Permissive Authorization for Search and Seizure/(b)(6), (b)(7)(C) 18May06... (Orig 0023/Copy MWPE)
- (13) IA: Contact with (b)(6), (b)(7)(C) 19May06=85 (Orig 0023/Copy MWPE)
- (14) Statement of (b)(6), (b)(7)(C) 2May06... (Orig 0023/Copy MWPE)
- (15) Statement of (b)(6), (b)(7)(C) 3May06... (Orig 0023/Copy MWPE)
- (16) Statement of (b)(6), (b)(7)(C) 12May06... (Orig 0023/Copy MWPE)
- (17) Permissive Authorization For Search & Seizure/(b)(6), (b)(7)(C) 11May06... (Orig 0023/Copy MWPE)
- (18) Statement of (b)(6), (b)(7)(C) 3May06... (Orig 0023/Copy MWPE)
- (19) Statement of (b)(6), (b)(7)(C) 13May06... (Orig 0023/Copy MWPE)
- (20) Statement of (b)(6), (b)(7)(C) May06... (Orig 0023/Copy MWPE)
- (21) Statement of (b)(6), (b)(7)(C) 15May06... (Orig 0023/Copy MWPE)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

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- (22) Statement of (b)(6), (b)(7)(C) /10May06... (Orig 0023/Copy MWPE)
- (23) Military Suspect's Acknowledgement & Waiver of Rights (b)(6), (b)(7)(C) 19May06... (Orig 0023/Copy MWPE)
- (24) Statement of (b)(6), (b)(7)(C) /19May06... (Orig 0023/Copy MWPE)
- (25) ISP Consent Form (b)(6), (b)(7)(C) 19May06... (Orig 0023/Copy MWPE)
- (26) ISP Consent Form (b)(6), (b)(7)(C) 19May06... (Orig 0023/Copy MWPE)
- (27) ISP Consent Form (b)(6), (b)(7)(C) 19May06... (Orig 0023/Copy MWPE)

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- (28) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE) 1st QRF
- (29) Statement of (b)(6), (b)(7)(C) 8May06... (Orig 0023/Copy MWPE)
- (30) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (31) Statement of (b)(6), (b)(7)(C) /09May06... (Orig 0023/Copy MWPE)
- (32) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (33) Statement of (b)(6), (b)(7)(C) 10May06... (Orig 0023/Copy MWPE)
- (34) Military Suspect's Acknowledgement & Waiver of Rights (b)(6), (b)(7)(C) /11May06... (Orig 0023/Copy MWPE)
- (35) Statement of (b)(6), (b)(7)(C) 10May06... (Orig 0023/Copy MWPE)
- (36) Statement of (b)(6), (b)(7)(C) ay06... (Orig 0023/Copy MWPE)
- (37) Statement of (b)(6), (b)(7)(C) 5May06... (Orig 0023/Copy MWPE)
- (38) Authorization to Release Account Information Voluntary Consent Form & Declaration /25May06... (Orig 0023/Copy MWPE)
- (39) Consent to Search Form/ 25May06... (Orig 0023/Copy MWPE)

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- (40) Statement of (b)(6), (b)(7)(C) n06... (Orig 0023/Copy MWPE) 2nd QRF
- (41) Statement of (b)(6), (b)(7)(C) 01Jun06... (Orig 0023/Copy MWPE)
- (42) Statement of (b)(6), (b)(7)(C) 02Jun06... (Orig 0023/Copy MWPE)
- (43) Statement of (b)(6), (b)(7)(C) 1May06... (Orig 0023/Copy MWPE)
- (44) Statement of (b)(6), (b)(7)(C) 2Jun06... (Orig 0023/Copy MWPE)
- (45) Statement of (b)(6), (b)(7)(C) n06... (Orig 0023/Copy MWPE) EOD Team

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- (46) Statement of (b)(6), (b)(7)(C) ig 0023/Copy MWPE)
- (47) Statement of (b)(6), (b)(7)(C) .. (Orig 0023/Copy MWPE)
- (48) Statement of (b)(6), (b)(7)(C) rig 0023/Copy MWPE)
- (49) Statement of (b)(6), (b)(7)(C) 0023/Copy MWPE)
- (50) Statement of (b)(6), (b)(7)(C) (Orig 0023/Copy MWPE)
- (51) Statement of (b)(6), (b)(7)(C) (Orig 0023/Copy MWPE)
- (52) Statement of (b)(6), (b)(7)(C) rig 0023/Copy MWPE)
- (53) Statement of (b)(6), (b)(7)(C) 02Jun06... (Orig 0023/Copy MWPE)
- (54) Statement of (b)(6), (b)(7)(C) Orig 0023/Copy MWPE) EOD Security

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- (55) Statement of (b)(6), (b)(7)(C) ig 0023/Copy MWPE)
- (56) Statement of (b)(6), (b)(7)(C) Orig 0023/Copy MWPE)
- (57) Statement of (b)(6), (b)(7)(C) Orig 0023/Copy MWPE)
- (58) Statement of (b)(6), (b)(7)(C) ig 0023/Copy MWPE)
- (59) Statement of (b)(6), (b)(7)(C) . (Orig 0023/Copy MWPE)
- (60) Statement of (b)(6), (b)(7)(C) rig 0023/Copy MWPE)
- (61) Statement of (b)(6), (b)(7)(C) ig 0023/Copy MWPE)
- (62) Statement of (b)(6), (b)(7)(C) rig 0023/Copy MWPE)
- (63) Statement of (b)(6), (b)(7)(C) g 0023/Copy MWPE)

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- (64) Statement of (b)(6), (b)(7)(C) Jun06... (Orig 0023/Copy MWPE)
- (65) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (66) Statement of (b)(6), (b)(7)(C) 07Jun06... (Orig 0023/Copy MWPE)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

20Jun06

- (67) Statement of (b)(6), (b)(7)(C) 17Jun06... (Orig 0023/Copy MWPE)
  - (68) Statement of (b)(6), (b)(7)(C) Jun06... (Orig 0023/Copy MWPE)
  - (69) Statement of (b)(6), (b)(7)(C) Jun06... (Orig 0023/Copy MWPE)
- Motor Pool
- (70) Statement of (b)(6), (b)(7)(C) y06... (Orig 0023/Copy MWPE)
  - (71) Statement of (b)(6), (b)(7)(C) ay06... (Orig 0023/Copy MWPE)
  - (72) Statement of (b)(6), (b)(7)(C) y06... (Orig 0023/Copy MWPE)
  - (73) Statement of (b)(6), (b)(7)(C) 1May06... (Orig 0023/Copy MWPE)
  - (74) Statement of (b)(6), (b)(7)(C) Jun06... (Orig 0023/Copy MWPE)
  - (75) Statement of (b)(6), (b)(7)(C) 01Jun06... (Orig 0023/Copy MWPE)
- Weapons Platoon
- (76) Statement of (b)(6), (b)(7)(C) AY06... (Orig 0023/Copy MWPE)
  - (77) Statement of (b)(6), (b)(7)(C) 16MAY06... (Orig 0023/Copy MWPE)
  - (78) Statement of (b)(6), (b)(7)(C) MAY06... (Orig 0023/Copy MWPE)
  - (79) Statement of (b)(6), (b)(7)(C) Y06... (Orig 0023/Copy MWPE)
  - (80) Statement of (b)(6), (b)(7)(C) /16MAY06... (Orig 0023/Copy MWPE)
  - (81) Statement of (b)(6), (b)(7)(C) Y06... (Orig 0023/Copy MWPE)
  - (82) Statement of (b)(6), (b)(7)(C) ay06... (Orig 0023/Copy MWPE)
  - (83) Statement of (b)(6), (b)(7)(C) y06... (Orig 0023/Copy MWPE)
  - (84) Statement of (b)(6), (b)(7)(C) ay06... (Orig 0023/Copy MWPE)
- 1st Squad/1st Platoon
- (85) Statement of (b)(6), (b)(7)(C) AY06... (Orig 0023/Copy MWPE)
  - (86) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
  - (87) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- 2nd Squad/1st Platoon
- (88) Statement of (b)(6), (b)(7)(C) ... (Orig 0023/Copy MWPE)
  - (89) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
  - (90) Statement of (b)(6), (b)(7)(C) ... (Orig 0023/Copy MWPE)
  - (91) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
  - (92) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
  - (93) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
  - (94) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
  - (95) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
  - (96) Statement of (b)(6), (b)(7)(C) .. (Orig 0023/Copy MWPE)
- 3rd Squad/1st Platoon
- (97) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
  - (98) Statement of (b)(6), (b)(7)(C) ... (Orig 0023/Copy MWPE)
  - (99) Statement of (b)(6), (b)(7)(C) ... (Orig 0023/Copy MWPE)
  - (100) Statement of (b)(6), (b)(7)(C) 2Jun06... (Orig 0023/Copy MWPE)
  - (101) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
- COC
- (102) Statement of (b)(6), (b)(7)(C) 03May06... (Orig 0023/Copy MWPE)
  - (103) Statement of (b)(6), (b)(7)(C) 05May06... (Orig 0023/Copy MWPE)
  - (104) IA: Seizure of Evidence (b)(6), (b)(7)(C) /05May06... (Orig 0023/Copy MWPE)
  - (105) IA: Interview Results (b)(6), (b)(7)(C) /12May06... (Orig 0023/Copy MWPE)
  - (106) Statement of (b)(6), (b)(7)(C) 3MAY06... (Orig 0023/Copy MWPE)
  - (107) Statement of (b)(6), (b)(7)(C) 23MAY06... (Orig 0023/Copy MWPE)
  - (108) IA: Interview Results (b)(6), (b)(7)(C) 24May06... (Orig 0023/Copy MWPE)
  - (109) IA: Attempted Re-Interview of (b)(6), (b)(7)(C) /24May06... (Orig 0023/Copy MWPE)
  - (110) IA: Attempted Re-Interview of (b)(6), (b)(7)(C) 24May06... (Orig 0023/Copy MWPE)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

20Jun06

0023/Copy MWPE)

- (111) Military Suspect's Acknowledgement and Cleansing Waiver of Rights (b)(6), (b)(7)(C) 24May06... (Orig 0023/Copy MWPE)
- (112) Statement of (b)(6), (b)(7)(C) 24May06... (Orig 0023/Copy MWPE)
- (113) IA: Attempted Interrogation of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) /25May06... (Orig 0023/Copy MWPE)
- (114) Statement of (b)(6), (b)(7)(C) .. (Orig 0023/Copy MWPE)
- (115) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
- (116) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
- (117) Statement of (b)(6), (b)(7)(C) n06... (Orig 0023/Copy MWPE)
- (118) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
- (119) Statement of (b)(6), (b)(7)(C) 09Jun06... (Orig 0023/Copy MWPE)
- (120) Statement of (b)(6), (b)(7)(C) n06... (Orig 0023/Copy MWPE)
- (121) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)

OFFICERS

- (122) Statement of (b)(6), (b)(7)(C) 7May06... (Orig 0023/MWPE)
- (123) Statement of (b)(6), (b)(7)(C) ay06... (Orig 0023/Copy MWPE)
- (124) IA: Attempted Interrogation of (b)(6), (b)(7)(C) 18May06... (Orig 0023/Copy MWPE)
- (125) Statement of (b)(6), (b)(7)(C) 9May06... (Orig 0023/Copy MWPE)
- (126) Statement of (b)(6), (b)(7)(C) 20May06... (Orig 0023/Copy MWPE)
- (127) Statement of (b)(6), (b)(7)(C) 23May06... (Orig 0023/Copy MWPE)
- (128) Statement of (b)(6), (b)(7)(C) 23May06... (Orig 0023/Copy MWPE)
- (129) Statement of (b)(6), (b)(7)(C) May06... (Orig 0023/Copy MWPE)
- (130) Statement of (b)(6), (b)(7)(C) 1May06... (Orig 0023/Copy MWPE)
- (131) Statement of (b)(6), (b)(7)(C) 24May06... (Orig 0023/Copy MWPE)
- (132) IA: Seizure of Evidence (b)(6), (b)(7)(C) 24May06... (Orig 0023/Copy MWPE)
- (133) Statement of (b)(6), (b)(7)(C) 5May06... (Orig 0023/Copy MWPE)
- (134) Statement of (b)(6), (b)(7)(C) May06... (Orig 0023/Copy MWPE)
- (135) Statement of (b)(6), (b)(7)(C) /25May06... (Orig 0023/Copy MWPE)
- (136) IA: Interview of (b)(6), (b)(7)(C) 25May06... (Orig 0023/Copy MWPE)
- (137) Statement of (b)(6), (b)(7)(C) ... (Orig 0023/Copy MWPE)
- (138) Statement of (b)(6), (b)(7)(C) ay06... (Orig 0023/Copy MWPE)
- (139) Statement of (b)(6), (b)(7)(C) ... (Orig 0023/Copy MWPE)
- (140) Statement of (b)(6), (b)(7)(C) ... (Orig 0023/Copy MWPE)
- (141) Statement of (b)(6), (b)(7)(C) Jun06... (Orig 0023/Copy MWPE)
- (142) Statement of (b)(6), (b)(7)(C) .. (Orig 0023/Copy MWPE)
- (143) Statement of (b)(6), (b)(7)(C) 01Jun06... (Orig 0023/Copy MWPE)
- (144) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (145) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (146) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (147) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (148) Statement of (b)(6), (b)(7)(C) ... (Orig 0023/Copy MWPE)
- (149) Statement of (b)(6), (b)(7)(C) 05May06... (Orig 0023/Copy MWPE)
- (150) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (151) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (152) Statement of (b)(6), (b)(7)(C) 02May06... (Orig 0023/Copy MWPE)
- (153) IA: Results of Interview (b)(6), (b)(7)(C) 02May06... (Orig 0023/Copy MWPE)
- (154) Statement of (b)(6), (b)(7)(C) May06... (Orig 0023/Copy MWPE)
- (155) Statement of (b)(6), (b)(7)(C) 03May06... (Orig 0023/Copy MWPE)
- (156) Statement of (b)(6), (b)(7)(C) 04May06... (Orig 0023/Copy MWPE)
- (157) Statement of (b)(6), (b)(7)(C) May06... (Orig 0023/Copy MWPE)

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

20Jun06

- (158) Statement of (b)(6), (b)(7)(C) May06... (Orig 0023/Copy MWPE)
- (159) Statement of (b)(6), (b)(7)(C) May06... (Orig 0023/Copy MWPE)
- (160) Statement of (b)(6), (b)(7)(C) May06... (Orig 0023/Copy MWPE)
- (161) Statement of (b)(6), (b)(7)(C) May06... (Orig 0023/Copy MWPE)
- (162) Statement of (b)(6), (b)(7)(C) May06... (Orig 0023/Copy MWPE)
- (163) Statement of (b)(6), (b)(7)(C) 31May06... (Orig 0023/Copy MWPE)
- (164) Statement of (b)(6), (b)(7)(C) n06... (Orig 0023/Copy MWPE)
- (165) Statement of (b)(6), (b)(7)(C) un06... (Orig 0023/Copy MWPE)
- (166) IA: Results of Interview (b)(6), (b)(7)(C) 05Jun06... (Orig 0023/  
Copy MWPE)
- (167) IA: Seizure of Evidence (b)(6), (b)(7)(C) /05Jun06... (Orig 0023/  
Copy MWPE)
- (168) IA: Results of Interview (b)(6), (b)(7)(C) 06Jun06... (Orig 0023/  
Copy MWPE)
- (169) IA: Results of Interview (b)(6), (b)(7)(C) 06Jun06... (Orig 0023/  
Copy MWPE)
- (170) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (171) Statement of (b)(6), (b)(7)(C) un06... (Orig 0023/Copy MWPE)
- (172) Statement of (b)(6), (b)(7)(C) Jun06... (Orig 0023/Copy MWPE)
- (173) Statement of (b)(6), (b)(7)(C) un06... (Orig 0023/Copy MWPE)
- (174) Statement of (b)(6), (b)(7)(C) 8Jun06... (Orig 0023/Copy MWPE)
- (175) Statement of (b)(6), (b)(7)(C) un06... (Orig 0023/Copy MWPE)
- (176) Statement of (b)(6), (b)(7)(C) 8Jun06... (Orig 0023/Copy MWPE)
- (177) Statement of (b)(6), (b)(7)(C) n06... (Orig 0023/Copy MWPE)
- (178) Statement of (b)(6), (b)(7)(C) Jun06... (Orig 0023/Copy MWPE)
- (179) Statement of (b)(6), (b)(7)(C) un06... (Orig 0023/Copy MWPE)
- (180) Statement of (b)(6), (b)(7)(C) n06... (Orig 0023/Copy MWPE)
- (181) Statement of (b)(6), (b)(7)(C) 9Jun06... (Orig 0023/Copy MWPE)
- (182) Statement of (b)(6), (b)(7)(C) Jun06... (Orig 0023/Copy MWPE)
- (183) Statement of (b)(6), (b)(7)(C) Jun06... (Orig 0023/Copy MWPE)
- (184) Statement of (b)(6), (b)(7)(C) n06... (Orig 0023/Copy MWPE)
- (185) Statement of (b)(6), (b)(7)(C) n06... (Orig 0023/Copy MWPE)
- (186) Statement of (b)(6), (b)(7)(C) 09Jun06... (Orig 0023/Copy MWPE)
- (187) Statement of (b)(6), (b)(7)(C) 6... (Orig 0023/Copy MWPE)
- (188) Statement of (b)(6), (b)(7)(C) n06... (Orig 0023/Copy MWPE)
- (189) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (190) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (191) Statement of (b)(6), (b)(7)(C) 13Jun06... (Orig 0023/Copy MWPE)
- (192) Statement of (b)(6), (b)(7)(C) 13Jun06... (Orig 0023/Copy MWPE)
- (193) Statement of (b)(6), (b)(7)(C) 06... (Orig 0023/Copy MWPE)
- (194) IA: Contact with (b)(6), (b)(7)(C) 13Jun06... (Orig 0023/Copy MWPE)
- (195) IA: Acquisition and Review of Service Record  
Books/22May06... (Orig 0023/Copy MWPE)
- (196) IA: Acquisition and Review of Service Record Books for  
Additional Marines/25May06... (Orig 0023/Copy MWPE)
- (197) IA: Results of Medical Record Review/25May06... (Orig 0023/  
Copy MWPE)
- (198) IA: Results of Family Advocacy Program/Counseling Services  
Branch Checks/25May06... (Orig 0023/Copy MWPE)
- (199) IA: Command Screening Interviews/23May06... (Orig 0023/Copy  
MWPE)
- (200) IA: Command Screening Interviews/24May06... (Orig 0023/Copy  
MWPE)
- (201) IA: Command Screening Interviews/25May06... (Orig 0023/Copy

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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

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

**20Jun06**

- MWPE)
- (202) IA: Command Screening Interviews/26May06...(Orig 0023/Copy MWPE)
- (203) IA: Command Screening Interviews/26May06...(Orig 0023/Copy MWPE)
- (204) IA: Command Screening Interviews/31May06...(Orig 0023/Copy MWPE)
- (205) IA: Command Screening Interviews/01Jun06...(Orig 0023/Copy MWPE)
- (206) IA: Command Screening Interviews/05Jun06...(Orig 0023/Copy MWPE)

MISC.

**NARRATIVE**

1. Reference (A) was received on 17Apr06, requesting Service Record Book (SRB) reviews be conducted on (b)(6), (b)(7)(C) (b)(6), (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) (b)(7)(C). Additionally, a request to review the Officer Qualification Record (OQR) of (b)(6), (b)(7)(C) USMC, and medical/psychological record reviews on all of the aforementioned Marines was also received. On 22May06, copies of the aforementioned SRB's and OQR's were received and reviewed. On 25May06, medical/psychological reviews were conducted, to include local Family Advocacy Program and Counseling Services Branch checks. Exhibits (195), (197), and (198) pertain.

2. Also requested was the completion of interviews of the following Marines assigned to 3rdBN, 1stMARREG, 1stMARDIV, Camp Pendleton, CA:

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

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

20Jun06

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

2. Between 01May06 and 16Jun06, the above interviews were completed, with the exception of (b)(6), (b)(7)(C) interview was conducted by SA (b)(6), (b)(7)(C), Contingency Response Field Office (CRFO), and will be reported under separate cover. Exhibits (9), (21), (28) through (39), (85) through (87), (102) through (104), (146), (147), and (153) through (161) pertain.

3. On 25Apr06, reference (B) was received requesting interviews be completed on the following Marines assigned to 3rdBN, 1stMARREG, 1stMARDIV, Camp Pendleton, CA:

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

4. On 02May06, (b)(6), (b)(7)(C) were interviewed and provided sworn statements. On 19May06, (b)(6), (b)(7)(C) was interviewed and provided a sworn statement. Exhibits (97), (148), and (152) pertain.

5. On 24May06, reference (C) was received requesting the interview of (b)(6), (b)(7)(C) I&I Staff, 4th LAR BN, Ogden, UT, and the interview of (b)(6), (b)(7)(C). On 30May06, (b)(6), (b)(7)(C) was interviewed and provided a sworn statement. On 31May06, (b)(6), (b)(7)(C) was interviewed and provided a sworn statement. Exhibits (88) and (121) pertain.

6. On 29May06, reference (D) was received requesting the interview of (b)(6), (b)(7)(C). On 01Jun06, (b)(6), (b)(7)(C) was interviewed and provided a sworn statement. Exhibit (116) pertains.

7. On 31May06, reference (E) was received requesting the interview of (b)(6), (b)(7)(C) of World Picture News. On 05Jun06, (b)(6), (b)(7)(C) was interviewed; however, declined to provide a sworn statement. (b)(6), (b)(7)(C) also provided a compact disk containing pictures he took on 21Nov05 in Haditha, IZ. Exhibits (166) and (167) pertain.

8. Reference (E) also requested interviews of two National Guardsmen, 141st Military Intelligence BN, Cedar City, UT. During telephonic conversations with the aforementioned Guardsmen, it was determined that these Soldiers left Iraq at the conclusion of their deployment on 13Nov05. Exhibits (168) and (169) pertain.

9. On 06Jun06, reference (F) was received requesting the interviews of

Also interviews of (b)(6), (b)(7)(C), Navy Explosive Ordnance Disposal (EOD), 3/1, S-2 Officer, 6th CAG, DET-3. Between 31May06 and 04Jun06, the aforementioned individuals were interviewed and sworn statements were obtained. As a result of these interviews, (b)(6), (b)(7)(C) USMC was

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

20Jun06

identified as a member of the EOD team on 19Nov05. (b)(6), (b)(7)(C) was located, interviewed and a sworn statement was obtained. Additionally, (b)(6), (b)(7)(C) provided a compact disk containing official EOD photos of the ambush site on 19Nov06. It was also determined that (b)(6), (b)(7)(C) rotated out of Iraq in early October, 2005 and was back to the United States on 19Nov05. Exhibits (40) through (45), (119), (142), (145), and (163) through (165) pertain.

10. On 07Jun06, reference (G) was received requesting the interview of (b)(6), (b)(7)(C) 3/1, EOD Security. On 06Jun06, (b)(6), (b)(7)(C) was interviewed and provided a sworn statement. Exhibit (46) pertains.

11. As a result of lead tasking set forth in references (A) through (G), numerous other investigative actions to include interviews/interrogations, seizure of electronic media and screening interviews of Marines assigned to "K" Co, 3/1, were deemed appropriate. Logical investigative follow ups were conducted and are attached as exhibits (1) through (8), (10) through (20), (22) through (27), (47) through (84), (89) through (96), (98) through (101), (105) through (115), (121) through (140), (142) through (144), (149) through (151), (162), (171) through (194), (196), and (199) through (206).

12. Investigative lead tasking is complete.

PARTICIPANTS

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

al Agent, NCISFO Marine Corps West, CA  
igator, NCISFO Marine Corps West, CA  
Agent, NCISFO Marine Corps West, CA  
pecial Agent, NCISFO Marine Corps West, CA  
ecial Agent, NCISFO Marine Corps West, CA  
Special Agent, NCISFO Marine Corps West, CA  
Special Agent, NCISFO Marine Corps West, CA  
Special Agent, NCISFO Marine Corps West, CA  
pecial Agent, NCISFO Marine Corps West, CA  
Special Agent, NCISRA Monterey, CA  
Special Agent, CRFO, Brunswick, GA  
pecial Agent, CRFO, Brunswick, GA  
l Agent, CRFO, Brunswick, GA  
al Agent, NCISFO Southwest, San Diego, CA

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

Special Agent, NCISFO Northwest, Puget Sound, WA  
pecial Agent, NCISRA Bremerton, WA  
Special Agent, NCISRA Bremerton, WA  
Special Agent, NCISFO Hawaii  
pecial Agent, NCISFO Hawaii  
pecial Agent, NCISFO Hawaii  
pecial Agent, NCISFO Hawaii  
pervisory Special Agent, NCISRA Yuma, AZ  
pecial Agent, NCISFO Southwest, San Diego, CA  
Special Agent, NCISFO Southwest, San Diego, CA  
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pecial Agent, NCISREP Davis Montham AFB, AZ

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

**20Jun06**

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (CHANGE)

20JUN06

DEATH (II)

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

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

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

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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

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

**20Jun06**

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

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

COMMAND/I MEF/11931

MADE AT/0023/NCISHQ (b)(6), (b)(7)(C) INVESTIGATIVE REVIEW SPECIALIST

REFERENCE(S) (S)

- (A) NCIS Camp Fallujah, IZ ROI (OPEN)/13Mar06/I/KILO CO 3DBN 1ST MAR,  
I MEF/ALLEGED VIOLATIONS OF LAW OF ARMED CONFLICT IN HADITHA, IZ
- (B) NCISHQ 0023 ROI (CHANGE)/11Apr06

**NARRATIVE**

1. Subsequent to the submission of references (A) and (B), a review of (b)(6), (b)(7)(C) Service Record Book found that his middle name is and his complete place of birth is

**ACTION**

DIST: Update title block to include (b)(6), (b)(7)(C) middle name and complete place of birth.

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

19JUN06

DEATH (II)

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

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

SUPP: ((ET AL))

COMMAND/I MEF/11931

MADE AT/0024/CRFO GLYNCO GA (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S) (S)

(A) NCISHQ 0023 ROI (ACTION)/07Jun06

EXHIBIT(S)

(1) Sworn Statement of (b)(6), (b)(7)(C) 13Jun06... (original to 0023B, copy MWPE)

## NARRATIVE

1. Reference (A) tasked this office with locating and interviewing (b)(6), (b)(7)(C) regarding his knowledge of the criminal and/or negligent homicide of civilians in Haditha, Iraq, on 19Nov05. On 13Jun06, (b)(6), (b)(7)(C) was interviewed at the Office of the Sheriff, Somerset County, Somerville, NJ. Subsequent to the interview, (b)(6), (b)(7)(C) provided a sworn statement wherein he stated that he accompanied a team that assessed damages to the victims houses on 29Nov05. (b)(6), (b)(7)(C) stated on 19Nov05 he did not leave the Firm Base until early in the morning of 20Nov05 to escort the victim's bodies to the Haditha Morgue, exhibit (1) pertains. Lead tasking is complete

## PARTICIPANT(S)

(b)(6), (b)(7)(C) Special Agent, NCIS CRFO

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INFO: MWPE (M) /24C

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

16JUN06

DEATH (II)

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

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

COMMAND/I MEF/11931

MADE AT/SWND/SAN DIEGO CA (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S) (S)  
(A) 0023 ROI (ACTION)/09JUN06

NARRATIVE

1. Subsequent to the receipt of lead tasking set forth in reference (A), Reporting Agent contacted (b)(6), (b)(7)(C) CIV, Principal Investigator for the Combat Trauma Registry, Naval Health Research Center, San Diego, CA. (b)(6), (b)(7)(C) was provided with the patient information and advised he would begin searching through the data and records in an attempt to locate the medical records pertaining to (b)(6), (b)(7)(C) and the unidentified Iraqi male listed as "EPW" on the 19Nov05 patient log from the Al Asad Air Base Hospital, Iraq. RA has also been in contact with the Staff Judge Advocate Office for the Bureau of Medicine and Surgery (BUMED) for guidance on the documentation necessary in order for the Trauma Combat Registry to release the patient information to NCIS. Guidance on this issue is still pending from BUMED. Estimated date of completion is 27Jun06.

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

15JUN06

DEATH (II)

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

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

COMMAND/I MEF/11931

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

## REFERENCES

- (A) NCISHQ Washington DC ROI (ACTION)/09MAY06
- (B) NCISHQ Washington DC ROI (ACTION)/21MAY06

## EXHIBITS

- (1) IA: Results of Contact with (b)(6), (b)(7)(C) 27MAY06... (Copy All)
- (2) IA: Results of Contact with 3rd MAW G-6/27MAY06... (Copy All)
- (3) IA: Results of Contact with (b)(6), (b)(7)(C) 27MAY06... (Copy All)
- (4) IA: Results of Contact with (b)(6), (b)(7)(C) 28MAY06... (Copy All)
- (5) IA: Results of Contact with (b)(6), (b)(7)(C) 28MAY06... (Copy All)
- (6) IA: Recovery of Scan Eagle Video from VMU-2/27MAY06... (Copy All)
- (7) IA: Results of Contact with (b)(6), (b)(7)(C) 29MAY06... (Copy All)
- (8) IA: Results of Receipt of CERP SOP/10JUN06... (Copy All)
- (9) IA: Results of Receipt of 3/1 Captured Weapons Log/10JUN06... (Copy All)
- (10) IA: Results of Screening Interviews of the Haditha Dam, IZ Cooks/10JUN06... (Copy All)
- (11) Sworn Statement of (b)(6), (b)(7)(C) 03JUN06... (Copy All/Orig to MWPE)
- (12) IA: Results of Interview of (b)(6), (b)(7)(C) 10JUN06... (Copy All)
- (13) IA: Results of Interview of (b)(6), (b)(7)(C) 10JUN06... (Copy All)
- (14) IA: Results of Interview of (b)(6), (b)(7)(C) 13JUN06... (Copy All)
- (15) IA: Results of Receipt of 3/1 Documents/10JUN06... (Copy All)
- (16) IA: Results of Interview of (b)(6), (b)(7)(C) 10JUN06... (Copy All)
- (17) IA: Results of Interview of (b)(6), (b)(7)(C) 10JUN06... (Copy All)
- (18) IA: Results of Attempt to Interview (b)(6), (b)(7)(C) 10JUN06... (Copy All)
- (19) IA: Seizure of Claims/07JUN06... (Copy All)
- (20) IA: Attempts to Locate Interpreters/07JUN06... (Copy All)
- (21) IA: Results of Interview of (b)(6), (b)(7)(C) 13JUN06... (Copy All)
- (22) IA: Results of Interview of (b)(6), (b)(7)(C) USMC/15JUN06... (Copy All)
- (23) IA: Results of Interview of (b)(6), (b)(7)(C) 10JUN06... (Copy All)
- (24) IA: Results of Interview of (b)(6), (b)(7)(C) 10JUN06... (Copy All)

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- (25) IA: Results of Interview of (b)(6), (b)(7)(C) 6... (Copy All)
- (26) IA: Results of Interview of (b)(6), (b)(7)(C) 10JUN06... (Copy All)
- (27) IA: Results of Interview of (b)(6), (b)(7)(C) JUN06... (Copy All)
- (28) IA: Results of Interview of (b)(6), (b)(7)(C) JUN06... (Copy All)
- (29) IA: Results of Interview of (b)(6), (b)(7)(C) 2JUN06... (Copy All)
- (30) IA: Results of Interview of (b)(6), (b)(7)(C) 08JUN06... (Copy All)
- (31) IA: Results of Attempt to Interview (b)(6), (b)(7)(C) 10JUN06... (Copy All)
- (32) IA: Information Received From Interpreter/12JUN06... (Copy All)
- (33) IA: Seizure of Additional 3/3 Computer Media/11JUN06... (Copy All)
- (34) IA: Results of Contact with (b)(6), (b)(7)(C), CIV/15JUN06... (Copy All)

NARRATIVE

1. In response to lead tasking set forth via reference (A), Participating Agent (PA) (b)(6), (b)(7)(C) contacted (b)(6), (b)(7)(C) USN, Combat Logistics Battalion 7, Al Asad Hospital, Al Asad, Iraq (IZ), on 21MAY06, regarding the verification of information provided to PA (b)(6), (b)(7)(C) during the fulfillment of a lead tasking on 01MAY06. (b)(6), (b)(7)(C) confirmed the individual listed as "Patient #8" on the Al Asad Hospital patient treatment log on 19NOV05 was an unidentified Iraqi civilian. (b)(6), (b)(7)(C) advised the Al Asad Hospital obtained no identifying information for this individual before he/she was transferred to the Combat Support Hospital-South in Baghdad, IZ on 19NOV05. (b)(6), (b)(7)(C) confirmed Patient #8, who was listed on the Al Asad, IZ patient log as an enemy prisoner of war, was treated by LCDR USN, exhibit (1) pertains.

2. On 23MAY06, PA (b)(6), (b)(7)(C) contacted numerous individuals within the 3rd Marine Air Wing (MAW) Communications Section (G-6) regarding obtaining the e-mail profiles for all the Marines who were deployed with 3rd Battalion, 1st Marine Regiment, 1st Marine Division (3/1) (Forward), Haditha Dam, Haditha, IZ. Among the individuals contacted was MAJ (b)(6), (b)(7)(C) USMC, Operations Officer, 3rd MAW G-6. MAJ (b)(6), (b)(7)(C) advised 3rd MAW did not oversee the e-mail accounts for 3/1 and referred PA (b)(6), (b)(7)(C) to MAJ (b)(6), (b)(7)(C) USMC, Regimental Combat Team (RCT) 7, Communications Officer, exhibit (2) pertains.

3. On 24MAY06, PA (b)(6), (b)(7)(C) contacted MAJ (b)(6), (b)(7)(C) who advised all of the RCT-2 e-mail profile information that was stored on the RCT-7 server was lost soon after RCT-7 assumed control of the server in March 2006. MAJ (b)(6), (b)(7)(C) confirmed there was no taped backup of this information available. However, MAJ (b)(6), (b)(7)(C) was able to recover the RCT-2 Operations Section turnover folder and the PST file for the RCT-2 Executive Officer, LT (b)(6), (b)(7)(C) USMC. In addition, MAJ (b)(6), (b)(7)(C) was able to recover the RCT-2 watch log from 18NOV05 to 22NOV05. All of this information was downloaded onto two compact discs, which were entered into the NCIS evidence control system under

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Middle East Field Office (MEBJ) evidence control #177-06, exhibit (3) pertains.

4. On 24May06, RA telephonically contacted 1st LT (b)(6), (b)(7)(C) USMC, Communications Officer, 3rd Battalion, 3rd Marine Regiment, 3rd Marine Division (3/3) (Forward), Haditha Dam, Haditha, IZ, regarding obtaining the aforementioned e-mail profiles for 3/1. 1st LT (b)(6), (b)(7)(C) advised some of the 3/1 e-mail profiles were saved on the server at Haditha Dam, IZ, but the individual 3/1 PST files were not available. 1st LT (b)(6), (b)(7)(C) confirmed there was no taped backup available for inspection.

5. On 25MAY06, PA (b)(6), (b)(7)(C) contacted SFC (b)(6), (b)(7)(C), USA, NCOIC Medical Evacuations, 101st Combat Support Hospital-South, Baghdad, IZ, regarding the identification of "Patient #8" mentioned in paragraph one. SFC (b)(6), (b)(7)(C) confirmed on 19NOV05, CSH-South received one patient who (b)(6), (b)(7)(C) listed as an unidentified Iraqi civilian. SFC (b)(6), (b)(7)(C) stated reporting indicated this individual died in transport as a result of a penetrating injury to the brain, exhibit (4) pertains.

6. On 25MAY06, PA (b)(6), (b)(7)(C) contacted MSGT (b)(6), (b)(7)(C) USA, 10th CSH, Baghdad, Iraq, regarding the identification of Patient #8. After a records check, MSGT (b)(6), (b)(7)(C) located a death certificate for a "John DOE" that was issued to an Iraqi National at the CSH-South on 19NOV05. MSGT (b)(6), (b)(7)(C) confirmed CSH logs indicated this individual died of his wounds on 19NOV05. MSGT (b)(6), (b)(7)(C) advised attempts to identify this John DOE were met with negative results and the individuals' remains were released to the Medico-Legal Institute on 24NOV05. MSGT (b)(6), (b)(7)(C) added, to his knowledge, further attempts to identify this individual were unsuccessful, exhibit (5) pertains.

7. On 26MAY06, 1st LT (b)(6), (b)(7)(C) telephonically contacted PA (b)(6), (b)(7)(C) and advised he was able to extract some of the 3/1 e-mail profile information from the 3/3 server. 1st LT (b)(6), (b)(7)(C) stated he downloaded all of the available information for both 3/1 SIPR and NIPR accounts onto 18 compact discs. Arrangements were made to have the discs transferred to PA (b)(6), (b)(7)(C) in Al Asad, IZ on 31MAY06.

8. On 26MAY06, PA (b)(6), (b)(7)(C) contacted SGT (b)(6), (b)(7)(C) VMU-2, Al Asad, IZ, regarding obtaining a copy of the Scan Eagle video footage that was shot over the Haditha, IZ area on 19NOV05. SGT (b)(6), (b)(7)(C) provided PA (b)(6), (b)(7)(C) with a digital videodisc that contained the requested imagery. This disc was entered into the NCIS evidence control system under MEBJ evidence control #175-06. On 30MAY06, PA (b)(6), (b)(7)(C) transferred this disc to MWPE for forensic examination utilizing Federal Express #849588012605, exhibit (6) pertains.

9. On 01JUN06, PA (b)(6), (b)(7)(C) recovered the aforementioned 18 compact discs from SSGT (b)(6), (b)(7)(C) 3/3, Communications Section, at Haditha Dam, IZ. PA (b)(6), (b)(7)(C) transferred custody of the compact discs to PA (b)(6), (b)(7)(C) who transported them to NCIS Al Asad, IZ for temporary storage. On 02JUN06, PA (b)(6), (b)(7)(C) entered the discs into the NCIS MEBJ evidence control system utilizing evidence control #186-06. The discs were then transferred to MWPE via Federal Express utilizing

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Federal Express #8495 8801 2605, exhibit 7 pertains.

10. In response to lead tasking set forth via reference (B), Reporting Agent (RA) met with MAJ (b)(6), (b)(7)(C) USMC, Civil Affairs Group (CAG), 3/3, Haditha Dam, Haditha, IZ on 01JUN06. MAJ [redacted] provided RA with a copy of the Commander's Emergency Response Program (CERP) Family of Funds Standard Operating Procedures (SOP). MAJ [redacted] advised the CERP SOP outlines the procedures for paying local nationals following damage to their property or in the event of a death of one of their family members at the hands of the USMC, exhibit (8) pertains.

11. On 01JUN06, RA, PA [redacted] met with SGT [redacted] USMC, at the Armory, 3/3, Haditha Dam, Haditha, IZ. SGT [redacted] provided RA with a copy of the 3/1, Captured Weapons Log and the 3/1 On Hand Captured Weapons Log. The 3/1 Captured Weapons Log contains the identifying information and the ultimate destination of all the weapons seized by 3/1 throughout their tour in IZ. The 3/1 On Hand Captured Weapons Log lists the weapons that were still in the armory when 3/3 took over for 3/1. There were no weapons seized and turned in on 19NOV05 or 20NOV05, exhibit (9) pertains.

12. On 02JUN06, RA, PA [redacted] conducted screening interviews of all the cooks assigned to Marine Logistics Group (MLG) - 1, Haditha Dam, Haditha, IZ. The cooks were questioned regarding their knowledge/possession of photographs of the victims of the captioned investigation. All individuals questioned denied seeing or possessing any photographs related to the captioned investigation or having knowledge of any Marines who possess the photographs, exhibit (10) pertains.

13. On 03JUN06, RA and PA [redacted] interviewed a.k.a. [redacted] CIV, at the Civil Military Operations Center (CMOC), Forward Operating Base (FOB) Sparta, Haditha, IZ. [redacted] is a contractor employed by Titan Corporation/L-3 Communications, to provide English-Arabic translation services for the USMC. [redacted] stated he was not part of the convoy on 19NOV05, which came under attack. [redacted] stated he did not get involved in the 19NOV05 incident until approximately 1800-1900 hrs. [redacted] related the mayor of Haditha, IZ, [redacted] (LNU), CIV, came to the CMOC to complain about a female detainee the U.S. military had in custody. At approximately 2100-2200, [redacted] advised he was told by [redacted] that several people had been killed and needed to be transported to the Haditha Hospital. [redacted] stated the victims' bodies were transported to the Haditha Hospital around 0100-0200 on 20NOV05. [redacted] stated he explained to the Haditha Hospital staff that the victims had been killed and their bodies needed to be stored at the hospital until their families could come claim them. [redacted] related he remembers there were a lot of women and children among the dead. [redacted] advised members of the Haditha, IZ City Council and several local sheikhs came to the CMOC the following day asking that an investigation be conducted, because innocent people had been killed. [redacted] stated he assisted MAJ [redacted] as they went to inspect the houses where the victims were killed. [redacted] stated the locals came over and told MAJ [redacted] that the Marines had killed

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innocent people. (b)(6), (b)(7)(C) advised MAJ (b)(6), (b)(7)(C) told the locals the Marines got attacked and the victims got caught in the middle of it.

(b)(6), (b)(7)(C) advised he did not see anything in either House #1 or House #2 that was indicative of insurgent activity. Either the same day or the following day, (b)(6), (b)(7)(C) related he provided assistance at House #4. (b)(6), (b)(7)(C) related the Marines told him there was an insurgent meeting at House #4, but the individuals in House #4 told (b)(6), (b)(7)(C) that four brothers had been killed in that house. Within one week on 19NOV05, (b)(6), (b)(7)(C) stated there was a meeting between the Haditha, IZ City Council, the local Sheikhs and the 3/1 command members including LT COL (b)(6), (b)(7)(C) MAJ (b)(6), (b)(7)(C) and CAPT (b)(6), (b)(7)(C) stated the Haditha, IZ City Council Sheikhs had several requests, one of them being that an investigation be conducted into the actions of the Marines on 19NOV05. Several days after 19NOV05, (b)(6), (b)(7)(C) explained that several Iraqi Army (IA) soldiers came to him and told him the Marines shot four men in the head after the explosion. (b)(6), (b)(7)(C) stated he did not see any weapons seized by the Marines on 19NOV05. (b)(6), (b)(7)(C) advised he did not remember issuing anybody in House #4 a MAG badge. (b)(6), (b)(7)(C) related he did not remember going into House #1 prior to 19NOV05 and seeing the Marines remove the firing pin from an AK-47 assault rifle, exhibit (11) pertains.

14. On 03JUN06, RA and PA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) CIV, a.k.a. (b)(6), (b)(7)(C) at FOB Sparta, Haditha, IZ. (b)(6), (b)(7)(C) stated he arrived at (b)(6), (b)(7)(C) Sparta on 20-21NOV05. (b)(6), (b)(7)(C) advised one of the first tasks he received after arriving at (b)(6), (b)(7)(C) Sparta was to attend a meeting between the Haditha City Council/Sheikhs and leadership from 3/1. (b)(6), (b)(7)(C) advised LT COL (b)(6), (b)(7)(C) CAPT (b)(6), (b)(7)(C) were all in attendance at the meeting. (b)(6), (b)(7)(C) stated the Haditha City Council/Sheikhs raised a number of issues at the meeting, including requesting an investigation be conducted into the killings of the "innocent victims" of the 19NOV05 attack and that the curfew currently in place be lifted. (b)(6), (b)(7)(C) advised LT COL (b)(6), (b)(7)(C) addressed the Haditha City Council/Sheikhs and provided the (b)(6), (b)(7)(C) Marines' version of the events of 19NOV05. (b)(6), (b)(7)(C) related LT COL (b)(6), (b)(7)(C) told the Haditha City Council/Sheikhs that the Marines got hit with an improvised explosive device (IED) and took small arms fire from the adjacent houses, to which the Marines responded by returning firing, which the local residents got caught in the middle of and were killed. (b)(6), (b)(7)(C) stated LT COL (b)(6), (b)(7)(C) told the Haditha City Council/Sheikhs that there was an airplane flying overhead during the 19NOV05 attack, which spotted a white pick-up truck drive away from the attack site. (b)(6), (b)(7)(C) advised LT COL (b)(6), (b)(7)(C) continued that the white pick-up truck drove to a nearby (b)(6), (b)(7)(C) parked in the driveway and the occupants of the vehicle entered the home. (b)(6), (b)(7)(C) related LT COL (b)(6), (b)(7)(C) told the Haditha City Council/Sheikhs that after Marines on the ground confirmed the occupants of the white pick-up truck were in the house, an air strike was directed at the house; demolishing it. According to (b)(6), (b)(7)(C) he was told by unidentified Marines that the occupants of the white pick-up truck were later identified as insurgents from Saudi Arabia, exhibit (12) pertains.

15. On 03JUN06, RA and PA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Soldier (No Rank), IA, at FOB Sparta, Haditha, IZ. (b)(6), (b)(7)(C)

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advised there were four IA soldiers in the USMC convoy that was hit by an IED in the early morning hours of 19NOV05 on Route Chestnut in Haditha, IZ. (b)(6), (b)(7)(C) related after the explosion, he could hear small arms fire, but he did not see anybody shooting at the IA or the Marines. (b)(6), (b)(7)(C) advised there was a white vehicle west of his position, which was already pulled over on the side of the road when he and the other IA soldiers dismounted their vehicle. (b)(6), (b)(7)(C) advised the Marines approached the white vehicle and ordered the occupants out of the vehicle. (b)(6), (b)(7)(C) stated the occupants of the white vehicle complied with the Marines instructions and exited the vehicle. According to (b)(6), (b)(7)(C) five to six Marines approached the occupants of the white vehicle and had them squat in a line with their hands behind their head. (b)(6), (b)(7)(C) stated one of the Marines had a pistol while all the others had their rifles pointed at the occupants of the white vehicle. (b)(6), (b)(7)(C) related he believed the Marines were standing with their rifles shouldered/pistol drawn approximately one to two meters away from the occupants of the white vehicle. (b)(6), (b)(7)(C) stated the Marines, unprovoked, opened fire on the occupants of the white vehicle, shooting them in the head and the chest. (b)(6), (b)(7)(C) advised none of the IA soldiers fired their weapons, nor were they told to do so by the Marines. After the occupants of the white vehicle had been killed, (b)(6), (b)(7)(C) advised he and the other IA soldiers continued to provide security and began to watch over detainees as they were brought in from adjacent houses. (b)(6), (b)(7)(C) denied that any of the IA soldiers were beating the detainees with sticks. (b)(6), (b)(7)(C) stated he did not see any of the Marines beating or mistreating the detainees. (b)(6), (b)(7)(C) related while he and the other IA soldiers were watching over the incoming detainees, a group of Marines ran towards several houses to the south, but he was not involved in clearing the houses, so he does not know what happened after the Marines entered the houses. (b)(6), (b)(7)(C) advised there was nobody shooting at the Marines from the houses when he saw them run in that direction, exhibit (13) pertains.

16. On 03JUN06, PA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) IA, at FOB Sparta, Haditha, IZ. (b)(6), (b)(7)(C) related there were four IA soldiers traveling in the Marine convoy on 19NOV05. Those soldiers were identified by (b)(6), (b)(7)(C) as (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) stated while in route to the FOB, the last vehicle in the convoy was struck by an IED. (b)(6), (b)(7)(C) related he heard the explosion, but was not affected by it, because he was in the first vehicle, along with the rest of the IA soldiers. (b)(6), (b)(7)(C) related the convoy stopped and the Marines and IA soldiers all exited their vehicles. (b)(6), (b)(7)(C) mentioned he heard the "Mujahadin", firing at the Marines and IA, but the firing sounded as if it was far away and none of the IA soldiers returned fire. (b)(6), (b)(7)(C) stated he saw a white vehicle, which the Marines approached and ordered all of the occupants out of the vehicle. (b)(6), (b)(7)(C) stated four Marines stood about 15 meters from the occupants of the vehicle and shot all five of the occupants with their rifles in the head and upper torso area. (b)(6), (b)(7)(C) related one of the Marines then walked up, drew his pistol and shot all five occupants of the vehicle in the head. (b)(6), (b)(7)(C) stated all the passengers of the taxi were standing when they were shot. (b)(6), (b)(7)(C) related he was told to search the vehicle by the Marines after the Marines shot the occupants of the vehicle. (b)(6), (b)(7)(C) stated he did not

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find anything in the vehicle and was then ordered by the Marines to guard the vehicles and watch over anyone that the Marines detained.

(b)(6), (b)(7)(C) related the entire convoy stayed in the area of the IED explosion from about 0700 until 1500. (b)(6), (b)(7)(C) stated during this time he and the other IA soldiers continued providing security for the vehicles and detainees. (b)(6), (b)(7)(C) related that the group detained twenty-four people and one woman. (b)(6), (b)(7)(C) also stated that Marines hit some of the detainees while they were confined. (b)(6), (b)(7)(C) related the detainee's were struck with a stick that the Marines had. According to (b)(6), (b)(7)(C) the Marines stopped hitting the detainees once CAPT (b)(6), (b)(7)(C) arrived. (b)(6), (b)(7)(C) stated neither he nor any of the other IA soldiers struck any of the detainees, exhibit (14) pertains.

17. On 03JUN06, RA met with LT (b)(6), (b)(7)(C) USMC, Executive Officer, India Company, 3/3, FOB Sparta, Haditha, IZ. LT (b)(6), (b)(7)(C) provided RA with a watch log and three other documents left behind by Kilo Company, 3/1. The watch log was opened on 16OCT05 and goes through 20MAR06. There are no entries in the watch log for 19NOV05. LT (b)(6), (b)(7)(C) provided RA a Memorandum for the Record (MFR) dated 02FEB06 and titled "Condolence Payments for Events of 19NOV05". The MFR outlines the events of 19NOV05 and the justification for the payments of funds to the surviving family members of the 19NOV05 victims. The MFR has the name (b)(6), (b)(7)(C) at the bottom, but it is not signed. LT (b)(6), (b)(7)(C) provided RA a Press Release dated 20NOV05 and numbered 05-141. Among other things, the press release states a "U.S. Marine and 15 Iraqi civilians were killed yesterday from the blast of a roadside bomb in Haditha". The final document provided by LT (b)(6), (b)(7)(C) was an MFR dated 11FEB06 and titled "Allegations of Deliberate Civilian Casualties in Haditha, 19NOV05". The MFR outlines the events of 19NOV05 as provided by (b)(6), (b)(7)(C) a Time Magazine reporter. The MFR identifies the risk of negative public exposure from the 19NOV05 attack as "extremely high". The MFR has the name (b)(6), (b)(7)(C) LTC, IN, CPIC Director at the bottom, but is not signed, exhibit (15) pertains.

18. On 06JUN06, RA, PA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) CIV, at the CMOC, FOB Sparta, Haditha, IZ. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) Mr. MUHAMMAD Bata Ahmed, CIV, was picked up by a taxi down the street from (b)(6), (b)(7)(C) residence on the morning of 19NOV05. (b)(6), (b)(7)(C) identified the other occupants of the taxi as follows:

- a. Mr. AHMAD Fanar (Last name unknown - LNU), CIV, DOB Unknown, driver of the taxi.
- b. Mr. AKRAM Hamid Flaeh, CIV, Born 1986, student.
- c. Mr. WAJDI Ayada Abd, CIV, Born 1985, student.
- d. Mr. KHALID Ayada Abd, CIV, Born 1979, worker at the Baji Oil Refinery, Baji, IZ.

(b)(6), (b)(7)(C) advised Mr. MUHAMMAD had two bags containing his clothes, books and cash in excess of 330,000 Iraqi dinar in his possession. (b)(6), (b)(7)(C) stated approximately one minute after the taxi departed, he heard a loud explosion. (b)(6), (b)(7)(C) related, as he got closer to the explosion site, the Marines fired two bullets at him. (b)(6), (b)(7)(C) stated he stopped and walked away from the explosion site. (b)(6), (b)(7)(C)

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advised he then tried to approach the explosion site from another direction, but was again rebuffed by the Marines. (b)(6), (b)(7)(C) advised the following day, an unknown Iraqi from his neighborhood came by his house and dropped off Mr. MUHAMMAD's body. (b)(6), (b)(7)(C) denied that Mr. MUHAMMAD was involved in the insurgency, exhibit (16) pertains.

19. On 06JUN06, RA, PA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) CIV at the CMOC, FOB Sparta, Haditha, IZ. (b)(6), (b)(7)(C) confirmed that the USMC have made payments to the surviving family members of fifteen of the 19NOV05 victims. (b)(6), (b)(7)(C) again reiterated that the surviving family members would not authorize the exhumation of the remains of any of the 19NOV05 victims. (b)(6), (b)(7)(C) advised U.S. investigators would lose support from the victims' families if the exhumation issue continues to be explored, exhibit (17) pertains.

20. On 06JUN06, RA, PA (b)(6), (b)(7)(C) attempted to interview (b)(6), (b)(7)(C) CIV, at the CMOC, FOB Sparta, Haditha, IZ. (b)(6), (b)(7)(C) advised RA that (b)(6), (b)(7)(C) is very ill and will not be able to be interviewed at any time in the near future, exhibit (18) pertains.

21. On 07JUN06, PA (b)(6), (b)(7)(C) met with SSGT (b)(6), (b)(7)(C) USMCR. SSGT (b)(6), (b)(7)(C) provided (b)(6), (b)(7)(C) with a compact disc containing all the claims submitted to 3/1. (b)(6), (b)(7)(C) The compact disc was entered into the NCIS MEBJ evidence system under log #208-06 and forwarded to the MWPE via Registered Mail #RB 862 573 725 US, exhibit (19) pertains.

22. On 07JUN06, PA (b)(6), (b)(7)(C) made contact with Mr. (b)(6), (b)(7)(C) CIV, L-3 Communications, Al Asad, IZ, regarding the location of several linguists believed to have been involved in the events in Haditha, IZ on or around 19NOV05. Mr. (b)(6), (b)(7)(C) advised the only linguist still in IZ was Mr. (b)(6), (b)(7)(C), CIV, who was currently assigned to Ramadi, IZ. Mr. (b)(6), (b)(7)(C) advised the remainder of the linguists were back in the U.S. and could be contacted through the L-3 Titan Corporation office at 1900 Campos Commons Drive; Suite 500; Reston, VA 20190; 703-390-7600, exhibit (20) pertains.

23. On 07JUN06, PA (b)(6), (b)(7)(C) met with SGT (b)(6), (b)(7)(C) USMC, CAG, 3/3. SGT (b)(6), (b)(7)(C) in turn contacted (b)(6), (b)(7)(C) who provided the names of the influential Sheikhs in Haditha, IZ. The names provided by (b)(6), (b)(7)(C) were (b)(6), (b)(7)(C) exhibit (21) pertains.

24. On 07JUN06, RA (b)(6), (b)(7)(C) met with WO (b)(6), (b)(7)(C) USMC, Officer-in-Charge, Transitory Holding Area (THA), Haditha Dam, Haditha, IZ, regarding his knowledge of the whereabouts of Mr. (b)(6), (b)(7)(C) CIV, who was believed to be in U.S. custody. WO (b)(6), (b)(7)(C) advised Mr. (b)(6), (b)(7)(C) was shot and wounded by a USMC sniper on 14MAY06, while Mr. (b)(6), (b)(7)(C) was in the process of placing an improvised explosive device (IED) on the side of the road in South Dam Village, Haditha, IZ. WO (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) was never a detainee at the Haditha Dam THA, because he was immediately flown to Al Asad Air Base, IZ, to receive medical treatment. WO (b)(6), (b)(7)(C) related it was more than likely that (b)(6), (b)(7)(C) would currently be interred at the Abu Ghurayb

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Detention Center, exhibit (22) pertains.

25. On 08JUN06, RA and PA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) CIV, at the Haditha Hospital, Haditha, IZ. (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) advised he is currently living with and being cared for by (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) advised he was sleeping in his parents' bedroom on the morning of 19NOV05 when he was awoken by a very loud explosion. (b)(6), (b)(7)(C) stated he did not have any foreknowledge that the improvised explosive device (IED) was going to go off that morning. (b)(6), (b)(7)(C) denied that he was getting ready to go to school, because at the time of the attack, the U.S. military had the city of Haditha, IZ entirely cordoned off and the schools were closed. (b)(6), (b)(7)(C) stated after the explosion, everybody in his family, with the exception of his grandmother and his father went into the living room. (b)(6), (b)(7)(C) stated the Marines entered the house and shot his grandmother as she tried to answer the door. (b)(6), (b)(7)(C) advised the Marines proceeded to the bedroom, where the Marines shot and killed his father. (b)(6), (b)(7)(C) stated after his father was killed, the Marines left the house and headed in the direction of House #2. (b)(6), (b)(7)(C) related after the Marines left, his aunt picked up his younger sister and left the house. (b)(6), (b)(7)(C) advised his uncle left the house trying to catch up to his aunt. (b)(6), (b)(7)(C) related he could not remember how much time had passed, but the Marines came back to the house. (b)(6), (b)(6), (b)(7)(C) advised the Marines shot and killed his grandfather. (b)(6), (b)(6), (b)(7)(C) stated a Marine with a pistol starting shooting at the rest of (b)(6), (b)(7)(C) his family members in the living room and then another Marine threw a grenade in the living room. (b)(6), (b)(7)(C) stated the grenade blew up his grandfather and then the Marines starting shooting at the rest of his family. (b)(6), (b)(7)(C) stated other than his grandfather, he and the rest of his family were huddled together in the southwest corner of the living room when the Marines were shooting at his family. (b)(6), (b)(7)(C) advised he did not recall his sister leaving the house. (b)(6), (b)(7)(C) related the Marines came back a third time and removed he and (b)(6), (b)(7)(C) advised he did not remember the house being on fire when he and (b)(6), (b)(7)(C) were taken away, exhibit (23) pertains.

26. On 08JUN06, PA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) said that on the morning of 19NOV05, the Marines entered her house between 0730 and 0800. (b)(6), (b)(7)(C) stated when the Marines entered the house, the Marines shot her grandfather, father, mother, uncle and brother with rifles. (b)(6), (b)(7)(C) said the Marines left the house and shortly thereafter, her aunt left as well. (b)(6), (b)(7)(C) advised the Marines returned to the house and threw a hand grenade into the room where the family was. (b)(6), (b)(7)(C) reported that, at some point, she ran out of the house by herself to go to her aunt and uncle's house. (b)(6), (b)(7)(C) said when she got to her aunt and uncle's house, she saw her uncle dead and tried to find her aunt to tell her to take her uncle to the hospital. (b)(6), (b)(7)(C) stated the Marines came back into the house later, but did not speak to her. (b)(6), (b)(7)(C) insisted it was IA soldiers who picked up her and (b)(6), (b)(7)(C) and carried them from the house. (b)(6), (b)(7)(C) advised when she left the house, she could see there was a fire in her father's room. (b)(6), (b)(7)(C) said she and (b)(6), (b)(7)(C) were carried outside and waited for the helicopter to get there.

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said when the helicopter arrived, it was ISF soldiers who carried she and to the helicopters for transport to a hospital, exhibit (24) pertains.

27. On 08JUN06, PA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) said the Marines came to her house about 15 minutes after she heard the explosion outside. said her father was inside the house when he was shot by the Marines. After the Marines shot her father, stated the Marines threw a grenade into the house. advised the Marines then came into the house and started shooting everyone. related the Marines returned to the house a while later, but does not know how much time had passed from when they left previously. stated when the Marines came back in, she heard them say, "Oh, they're dead." explained she does not speak any English, but was able to understand what was said, because it was spoken in Arabic. reported she saw smoke coming from the house of but she did not see fire with the smoke. stated she went to house after the Marines left her house, but did not see anyone alive, so she returned to her house, exhibit (25) pertains.

28. On 08JUN06, PA interviewed stated on the morning of 19NOV05, he was in his home and heard Mr. RASHEED yelling for help. stated he knew Mr. RASHEED was dead approximately fifteen minutes later. stated he saw one or two "empty AK-47 bullets", but he did not remember where, exhibit (26) pertains.

29. On 08JUN06, RA and PA interviewed CIV, at the Haditha Hospital, Haditha, IZ. stated he has never talked to the U.S. media about what he witnessed on 19NOV05. stated on the morning of 19NOV05, he was in his home, which is located on the east side of Route Viper, approximately two hundred yards north of Route Chestnut (Across the street from Houses #3 and #4). According to he was standing in the kitchen of his home, when he heard his neighbor screaming for help. Shortly thereafter, stated he saw his neighbor's daughter-in-law at his front door. stated his neighbor's daughter-in-law was screaming and crying and saying that everybody in the house was killed. advised at approximately 0930-1000, he decided to go across the street and see what was going on. stated as he went to open the exterior door to access the courtyard to Houses #3 and #4, he was shot in the lower left abdomen by the Marines who were on the rooftop of the house located at the northeast corner of Route Chestnut and Route Viper. advised his wife helped him into a house behind Houses #3 and #4. related he stayed there for a couple hours, before his wife and several other unidentified people from the neighborhood drove him to the Haditha Hospital. stated the U.S. military granted permission for him to leave Haditha and he was driven to Baghdad in an ambulance for additional medical treatment, exhibit (27).

30. On 08JUN06, RA and PA interviewed CIV, at the Haditha Hospital, Haditha, IZ. advised

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he was sleeping on the morning of 19NOV05, when he heard a loud explosion. At approximately 1000, (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C)

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

CIV, arrived at his house and told him his brothers had been killed.

(b)(6), (b)(7)(C) stated he, (b)(6), (b)(7)(C) immediately made their way towards House #4. (b)(6), (b)(7)(C) related as he, (b)(6), (b)(7)(C) were one street west of Houses #3 and #4, they were stopped by a soldier from the IA. (b)(6), (b)(7)(C) stated the Iraqi soldier fired one round over his head and told him to go back to his house or he would be killed.

(b)(6), (b)(7)(C) advised he, Ms. (b)(6), (b)(7)(C) tried to get to Houses #3 and #4 by going down another street, but were stopped by the Marines and (b)(6), (b)(7)(C) was taken into custody. (b)(6), (b)(7)(C) stated he had his hands bound behind his back, (b)(7)(E) (b)(7)(C) and was then placed on the ground. (b)(6), (b)(7)(C) related at no time was he mistreated by the Marines or the IA. (b)(6), (b)(7)(C) stated he did not observe the Marines or any of the Iraqi soldiers abusing the detainees. (b)(6), (b)(7)(C) related (b)(6), (b)(7)(C) was employed as an engineer at the Haditha Water Station. (b)(6), (b)(7)(C) advised the U.S. military came and took down (b)(6), (b)(7)(C) biographical information, so they could issue (b)(6), (b)(7)(C) a special access badge, however (b)(6), (b)(7)(C) related he never saw the access badge and does not think his brother every received it. (b)(6), (b)(7)(C) stated after his brothers were killed, he moved into House #3 with his parents, his brothers' widows and all their children. (b)(6), (b)(7)(C) advised he and the rest of the family lived in House #3 for approximately one week before they eventually reoccupied House #4 and divided the family between the two houses, exhibit (28) pertains.

31. On 08JUN06, PA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) CIV, at Haditha Hospital, Haditha, IZ. (b)(6), (b)(7)(C) related on the morning of 19NOV05, (b)(6), (b)(7)(C) AKRAM Hamid Flied Hassan left the families' home in a taxi around 0650. (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) AKRAM was headed to Baghdad Technical College and would be attending classes there. According to (b)(6), (b)(7)(C) rode in the taxi with four other passengers that day. (b)(6), (b)(7)(C) listed these passengers as KHALID Eyada Abd Hussani, WAJDI Eyada Abd Hussani and an individual named MUHAMMED Bata (LNU). (b)(6), (b)(7)(C) stated on 20NOV05, an individual by the name (b)(6), (b)(7)(C) came to his home to inform (b)(6), (b)(7)(C) that (b)(6), (b)(7)(C) AKRAM was killed the day before. (b)(6), (b)(7)(C) related (b)(6), (b)(7)(C) AKRAM had nothing to do with the insurgency and when AKRAM (b)(6), (b)(7)(C) the house, he was carrying approximately 80,000 Iraqi Dinar and a watch, exhibit (29) pertains.

32. On 08JUN06, PA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) CIV, at the Haditha Hospital, Haditha, IZ. (b)(6), (b)(7)(C) related on the morning of 19NOV05, (b)(6), (b)(7)(C) KHALID Eyada Abd Al Hussani, CIV, and WAJDI Eyada Abd Al Hussani, CIV, left (b)(6), (b)(7)(C) home in Haditha, IZ, in a taxi around 0650. According to (b)(6), (b)(7)(C) were headed to Baghdad where WAJDI was attending classes at Baghdad University and KHALID was employed with the North Oil Company, in Baji, Iraq. (b)(6), (b)(7)(C) related WAJDI was carrying 100,000 Iraqi Dinar and KHALID was carrying 60,000 Iraqi Dinar and \$100 in US currency. (b)(6), (b)(7)(C) related at approximately 0700 hrs on 19NOV05, he heard an explosion, which was followed by gunfire. (b)(6), (b)(7)(C) stated he was told the next day by

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(b)(6), (b)(7)(C) CIV, that (b)(6), (b)(7)(C) WAJDI and KHALID were dead and their bodies were located at the Haditha Hospital. (b)(6), (b)(7)(C) related he found out about the circumstances surrounding the death of (b)(6), (b)(7)(C) via a witness who told (b)(6), (b)(7)(C) that Marines had shot (b)(6), (b)(7)(C) after ordering them out of the taxi. (b)(6), (b)(7)(C) related he did not know the name of the person who claims to have witnessed the event, although (b)(6), (b)(7)(C) did mention he brought the witness to his first interview with NCIS, where the witness was interviewed. (b)(6), (b)(7)(C) further related (b)(6), (b)(7)(C) were not involved in the insurgency and were innocent at the time of their death, exhibit (30) pertains.

33. On 08JUN06, RA and PA (b)(6), (b)(7)(C) attempted to interview (b)(6), (b)(7)(C) CIV, at Haditha Hospital, Haditha, IZ. RA was advised by (b)(6), (b)(7)(C) that (b)(6), (b)(7)(C) preferred not to be re-interviewed regarding the captioned investigation, exhibit (31) pertains.

34. On 08JUN06, PA (b)(6), (b)(7)(C) was approached by (b)(6), (b)(7)(C) who reported that during his contact with the IA soldiers, he learned that two of the IA soldiers who had provided statements regarding the captioned investigation, had not witnessed the events that took place on 19NOV05. (b)(6), (b)(7)(C) stated that an IA soldier (NFI) had related to him that on the day of 19NOV05, two of the IA soldiers who were working with US Marines, were possibly under the influence of "drugs". According to (b)(6), (b)(7)(C) IA soldiers (LNU) related they had taken "pills" on the morning of 19NOV05, and were incoherent when the IED explosion, struck the last vehicle of the convoy they were traveling in. (b)(6), (b)(7)(C) related (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) provided information to NCIS investigators which they had obtained second hand from hearing the accounts of other IA soldiers, exhibit (32) pertains.

35. On 08JUN06, PA (b)(6), (b)(7)(C) contacted LT (b)(6), (b)(7)(C) regarding the recovery of the MERC Chat information and the 3/1 JENS. LT (b)(6), (b)(7)(C) stated the 3/1 MERC Chat information was originally discovered by CPL (b)(6), (b)(7)(C) USMC, 3/3 data technician, on 04JUN06. LT (b)(6), (b)(7)(C) stated while reviewing the 3/1 MERC Chat logs from the week of 19NOV05, he observed correspondence between 3/1 members related to the events of 19NOV05, which lead to this investigation. PA (b)(6), (b)(7)(C) took possession of one compact disc containing portions of the 3/1 MERC Chat logs and one compact disc containing portions of the 3/1 JENS. On 09JUN06, PA (b)(6), (b)(7)(C) transported the aforementioned compact discs to NCIS Al Asad, IZ where they were entered into the NCIS MEBJ evidence control system utilizing log #211-06. On 11JUN06, these items were transferred via Federal Express to PA (b)(6), (b)(7)(C) for a forensic examination, utilizing Federal Express #8495 8801 2590, exhibit (33) pertains.

36. On 12JUN06, PA (b)(6), (b)(7)(C) made contact with Mr. (b)(6), (b)(7)(C) L-3 Communications Site Manager, Ramadi, IZ. PA (b)(6), (b)(7)(C) queried Mr. (b)(6), (b)(7)(C) regarding the location of (b)(6), (b)(7)(C) CIV, L-3 Contract linguist. (b)(6), (b)(7)(C) advised PA (b)(6), (b)(7)(C) that he did not have any record of (b)(6), (b)(7)(C) working at Ramadi, IZ.

**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

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

**15Jun06**

**ACTION**

0023B: Lead tasking complete.

**PARTICIPANTS**

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

Agent, NCIS Marine Corps West Field Office  
1 Agent, NCIS Fallujah, Iraq  
al Agent, NCIS Fallujah, Iraq  
ial Agent, NCIS Ramadi, Iraq  
Special Agent, NCIS Al Asad, Iraq  
Special Agent, SCID Baghdad, Iraq  
cial Agent, NCIS Al Asad, Iraq

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ACTION: 0023B

INFO: MWPE (M)/MEBJ (E)

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

15JUN06

DEATH (II)

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

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

SUPP: ((ET AL))

COMMAND/I MEF/11931

MADE AT/0024/CRFO GLYNCO GA (b)(6), (b)(7)(C) SPECIAL AGENT

## REFERENCES

(A) NCISHQ 0023 ROI (ACTION)/24May06

(B) NCISHQ 0023 ROI (ACTION)/06Jun06

## NARRATIVE

1. References (A), and (B) tasked this office to conduct numerous interviews of individuals identified as having knowledge of the facts and circumstances surrounding the criminal and/or negligent homicide of civilians in Haditha, Iraq on 19Nov05. Subsequent to the submission of reference (B) all operational lead tasking has been completed. Lead tasking is pending the full documentation of operational activity. The Estimated Date of Completion is 30Jun06.

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

13JUN06

DEATH (II)

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

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

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

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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

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

**13Jun06**

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

COMMAND/I MEF/11931

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

REFERENCE(S) (S)  
(A) NCISRA DCWA ROI (ACTION)/07Jun06

**NARRATIVE**

1. In accordance with lead tasking set forth within Reference (A), the computers seized from (b)(6), (b)(7)(C) are being forwarded to MWPE as of this date. Lead tasking is considered complete; however, closure will be delayed in anticipation of additional tasking.

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

12JUN06

DEATH (II)

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

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

COMMAND/I MEF/11931

MADE AT/NEBK/BRUNSWICK ME (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S) (S)  
(A) 0023 ROI (ACTION)/07JUN06

EXHIBIT(S)  
(1) IA: Interview of (b)(6), (b)(7)(C) 09Jun06... (Copy  
0023/NEPN only)

NARRATIVE

1. Pursuant to Reference (a), on June 9, 2006, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) was interviewed at his residence, (b)(6), (b)(7)(C) Reporting Agent utilized screening interview questions and determined that (b)(6), (b)(7)(C) was not in the area of Chestnut and Viper on November 19 2005. (b)(6), (b)(7)(C) advised he was on R&R and did not hear of the incident until later that day or the next day. (b)(6), (b)(7)(C) had not spoken to any of the individuals involved regarding the incident, nor did he ever receive or view any videos/pictures of the incident except for what came across the television. Lead tasking complete.

PARTICIPANT(S)  
Detective, NAS Brunswick, ME Police

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NCISHQ: 0023 (M)  
INFO: NENP/NEPN/NEBK

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

12JUN06

DEATH (II)

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

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

COMMAND/I MEF/11931

MADE AT/NENP/NEWPORT RI (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S) (S)

(A) 0023 ROI (ACTION)/07JUN06

EXHIBIT

(1) IA: Interview with (b)(6), (b)(7)(C) 12JUN06... (Copy all)

NARRATIVE

1. Pursuant to the tasking set forth in Reference (A), on 12JUN06, (b)(6), (b)(7)(C) USMC, was interviewed regarding the 19NOV05 events at Haditha, Iraq. (b)(6), (b)(7)(C) was a member of 3rdBn, 1stMARREG, Kilo Co, Weapons Platoon (b)(7)(C) and Squad at the time of the incident. (b)(6), (b)(7)(C) stated that on 19NOV05, he was assigned to the USMC Combat (b)(7)(C) post approximately 900-1000 meters south of Chestnut and Viper. Although (b)(6), (b)(7)(C) did not participate in or witness the incident, he heard the (b)(7)(C) blast and a firefight between M-16s and AK-47s. (b)(6), (b)(7)(C) did not speak to any individuals involved about the incident and never received or viewed any photos. Further information provided in Exhibit (1). Lead tasking complete.

DISTRIBUTION

NCISHQ: 0023 (ATTN: SA (b)(6), (b)(7)(C))

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

12JUN06

DEATH (II)

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

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

V/ALI, ABDUL HAMEED HUSIN/CIV  
M/W/FNIZ/N//01JUL29/HADITHA, AL ANBAR PROVINCE, IRAQ

COMMAND/I MEF/11931

MADE AT/GCGL/NCISRA GREAT LAKES IL/(b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S) (S)

(A) NCISHQ 0023, Washington, DC ROI (ACTION)/07Jun06

NARRATIVE

1. Lead tasking set forth in Reference (A) was received by NCISRA Great Lakes, IL. Using contact information provided, on 11Jun05,

(b)(6), (b)(7)(C) was contacted regarding this investigation. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) sustained a brain injury while deployed in Iraq on 14Nov05. According to (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) is currently receiving weekly rehabilitation service at the Minneapolis, MN Veterans' Administration (VA) Hospital. (b)(6), (b)(7)(C)

explained she is currently serving as primary caretaker for Jesus. (b)(6), (b)(7)(C) explained (b)(6), (b)(7)(C) is suffering, as a result of the 14Nov05 brain injury, loss of memory, slowed speech, delayed processing, and severe depression. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) may be available to be interviewed on Friday, 16Jun06.

2. An interview with (b)(6), (b)(7)(C) is scheduled for 16Jun06. Lead tasking continues.

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INFO: GCPF

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

12JUN06

DEATH (II)

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

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

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

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

12Jun06

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

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

COMMAND/I MEF/11931

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

## NARRATIVE

1. On 19Nov05 at approximately 0715, members of 1st Squad, 3rd Platoon, Kilo Company, 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), (b)(7)(C) and (b)(6), (b)(7)(C) were involved in the shooting (b)(7)(C) of and 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. The NCIS Investigative Task Force-Iraq has requested the following forensic analyses be conducted by the NCIS Cyber Department-Pacific Division:

## ACTION

R.24D5(SWND): Hash mark video footage involving the dismembered human foot on the (b)(6), (b)(7)(C) evidence and run against all seized digital media in an attempt to determine if any other media contains the video in question. Work closely with MWPE agents in an attempt to determine if the video is in any of the media that is in evidence at RCFL San Diego on captioned case. If other copies of the video are found, attempt to determine if it was copied to removable media such as thumb drives, flash

**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

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

**12Jun06**

cards and CDs, or if was e-mailed and to whom. Also, concerning (b)(6), (b)(7)(C) laptop in evidence, verify whether or not the CD burner is functioning. Additionally, review all evidence seized from (b)(6), (b)(7)(C) USMC, and focus on the 30-31 photos of the 19Nov05 Haditha, Iraq incident. Determine if there is evidence showing that the photos were forwarded or copied from (b)(6), (b)(7)(C) to anyone, including journalist (b)(6), (b)(7)(C)

**DISTRIBUTION**

NCISHQ (SI): 0023B

ACTION: 24D5

INFO: MWPE

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

09JUN06

DEATH (II)

CONTROL: 13MAR06-MEJ-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) NCISHQ ROI (ACTION)/09May06

## EXHIBIT

(1) IA: Results of Interview (b)(6), (b)(7)(C) 07Jun06... (Copy 0023/MWPE only)

## NARRATIVE

1. Pursuant to lead tasking set forth in Ref (A), Major (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) U.S. Army Medical Corps, was interviewed at Fort Campbell, KY, on June 7, 2006. MAJ (b)(6), (b)(7)(C) is a surgeon and was assigned to the Al Asad Airbase Hospital, Iraq on November 19, 2005. He vaguely recalled the treatment of the two children, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) A translator, (b)(6), (b)(7)(C) (NFI) was utilized in assisting with communication, however, MAJ (b)(6), (b)(7)(C) recalled only speaking with the children about their conditions. Neither child provided information to MAJ (b)(6), (b)(7)(C) about the incident at their home. Details of the interview are included in Exhibit (1). Lead tasking at NCISRA Memphis is complete.

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

09JUN06

DEATH (II)

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

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

COMMAND/I MEF/11931

MADE AT/24D1/NCISHQ WASHINGTON DC (b)(6), (b)(7)(C) SPECIAL AGENT

## REFERENCE

(A) NCISHQ 0023 ROI (Action)/24May06

## EXHIBITS

- (1) IA: Results of Cyber Profile on (b)(6), (b)(7)(C) USMC/07Jun06... (Copy 0023 Only)
- (2) IA: Results of Cyber Profile on (b)(6), (b)(7)(C) USMC/09Jun06... (Copy 0023 Only)
- (3) IA: Results of Cyber Profile on Selected I MEF Marines/09Jun06... (Copy 0023 Only)

## NARRATIVE

1. Reference (A) requested cyber profiles be conducted on Marines assigned to I MEF and identified in the lead tasking. The cyber profile on (b)(6), (b)(7)(C) USMC resulted in the identification of one Internet Service Provider (ISP) he has association with, Exhibit (1) pertains. The cyber profile on (b)(6), (b)(7)(C) USMC resulted in the identification of three Internet Service Providers he has association with. Further, (b)(6), (b)(7)(C) has posted approximately two hundred pictures on two websites, Exhibit (2) pertains. Cyber profiles were also conducted on twenty-nine additional Marines; however, no association was found with any Internet Service Providers, Exhibit (3) pertains.

2. Lead tasking requested in Reference (A) is complete.

## PARTICIPANTS

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

Intelligence Analyst, NCISHQ Washington DC  
Intelligence Analyst, NCISHQ Washington DC

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INFO: MWPE/24D5

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

09JUN06

DEATH (II)

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

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

SUPP: ((ET AL))

COMMAND/I MEF/11931

MADE AT/24C /CRFO GLYNCO GA (b)(6), (b)(7)(C) SPECIAL AGENT

## REFERENCES

- (A) NCISHQ 0023 ROI (ACTION)/08JUN06
- (B) NCISHQ 000L ROI (ACTION)/26MAY06

## EXHIBIT(S)

- (1) IA: RESULTS OF ORAL WIRE INTERCEPT/25MAY06...(Original MWPE/Copy All)
- (2) IA: RESULTS OF ORAL WIRE INTERCEPT/31MAY06...(Copy All)
- (3) PERMISSIVE AUTHORIZATION FOR HOTMAIL/01JUN06...(Original MWPE)
- (4) PERMISSIVE AUTHORIZATION FOR MY SPACE/01JUN06...(Original MWPE)
- (5) IA: RESULTS OF ORAL WIRE INTERCEPT/03JUN06...(Copy All)

## NARRATIVE

1. Reference (A) directed reporting of this lead tasking. Reference (B) documents consensual oral and wire electronic interception authorization by the Director, Naval Criminal Investigative Service, from 24 May through 24 August 2006. Pursuant this case, Reporting Agent (RA) witnessed registration of Cooperating Witness (CW) (b)(7)(E) and installation of a laptop computer hardware and software allowing NCIS to monitor activity on the internet, web based email, instant messaging, and chats. Keystroke logger data will be extracted by the Pacific Cyber Division and provided to the case agent for review. In addition, consensual wire intercepts were conducted against

2. On 25MAY06 RA and Participating Agent (PA) met with and secured a Consensual Intercept Waiver. Intercept

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

09Jun06

(b)(7)(D)

[Redacted]

4. On 01JUN06 (b)(7)(E) signed Permissive Authorizations for Search/Seizure (PASS) for access to his "My Space" and "Hotmail" accounts.

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

[Redacted]

(b)(7)(D)

Following the last intercept, (b)(7)(E) opined that further attempts would be unproductive due to publicity surrounding this case. Finalized digital files of these consensual intercepts were prepared by SA (b)(6), (b)(7)(C) and submitted to the NWBR Evidence Custody System and (b)(6), (b)(7)(C) referred by mail to the Marine West Field Office. Exhibits (1) through (5) provide detail.

PARTICIPANTS

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

ACTION

0023: Lead tasking completed.

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INFO: MWPE/NWBR/NWBG (M)

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

09JUN06

DEATH (II)

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

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

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

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

09Jun06

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

## EXHIBIT(S)

1. Al Asad Air Base Hospital patient log/17Nov05-23Nov05... (Copy SWND and DCWA)

## 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), (b)(7)(C) and (b)(6), (b)(7)(C) were involved in the shooting deaths of and 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. Two survivors, (b)(6), (b)(7)(C) a 9 year-old female, and (b)(6), (b)(7)(C) a 6 year-old male, were treated at Al Asad Air Base Hospital, Iraq on 19Nov05. Additionally, an unidentified Iraqi male, listed on the hospital's patient log as EPW, was also treated at Al Asad Air Base Hospital on 19Nov05 for gunshot wounds to the head and abdomen. Al Asad Hospital officials reported all records regarding the treatment of the three individuals are archived at "Combat Trauma Registry, Trauma Registry Code 22, Naval Health Research Center, P.O. Box 85122, San Diego, CA 92186-5122." LCDR (b)(6), (b)(7)(C) was identified at the attending

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**09Jun06**

physician to the patient known as EPW; (b)(6), (b)(7)(C) is currently assigned to the Naval Medical Center, Bethesda, MD.

**ACTION**

R.SWND: Utilizing exhibit (1), contact the Combat Trauma Registry, Naval Health Research Center, San Diego, CA and obtain all medical reports/records pertaining to the treatment of [redacted] and the individual identified as EPW at Al Asad Air Base Hospital, Iraq on 19Nov05. Exhibit (1) is a patient log. The patient log refers to (patient) and to (patient). The patient identified as EPW is listed as patient #8. Forward all records to MWPE.

R.DCWA: Utilizing exhibit (1), interview LCDR regarding the medical treatment and injuries of the person identified as EPW on 19Nov05. Additionally, obtain any information regarding the EPW's reports of how he was injured. Forward results of interview to MWPE.

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NCISHQ (SI): 023B

ACTION: SWND (F)/DCWA (F)

INFO: MWPE

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

08JUN06

DEATH (II)

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

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

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

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08Jun06

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

COMMAND/I MEF/11931

MADE AT/0023/WASHINGTON DC

, SPECIAL AGENT

## NARRATIVE

1. On 19Nov05 at approximately 0715, members of 1st Squad, 3rd Platoon, Kilo Company, 3 Battalion, 1st Marines, 1st Marine Division, came under attack by insurgents who detonated an Improvised Explosive Device (IED) on their convoy in Haditha, Iraq. The convoy consisted of [redacted] vehicles, of which the fourth vehicle was hit. As a result of the IED, the driver was killed, and the other 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 [redacted] (b)(6), (b)(7)(C). 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, [redacted] (b)(6), [redacted] (b)(6), (b)(7)(C) and [redacted] (b)(6), (b)(7)(C) were involved in the shooting deaths of an 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 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,

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

08Jun06

including (b)(6), (b)(7)(C) and all the co-subjects of this investigation in conversations, both verbally and via computer emails, about what actually occurred on 19Nov05.

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) It is also anticipated the CW will engage these same targets in telephone and personal conversation. CRFO (24C) personnel are requested to liaison with CW (b)(7)(E) and assist in the capture of oral, wire, and electronic communications between the CW and the above-listed targets.

ACTION

R.24C: Liaison with CW (b)(7)(E) and prepare necessary NCIS documentation for CW registration. Assist with the recording of wire, oral and electronic communications between the CW and the above-listed targets. Report results of all intercepts to MWPE when tasking is completed.

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ACTION: 24C  
INFO: MWPE

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

07JUN06

DEATH (II)

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

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

V/ALI, ABDUL HAMEED HUSIN/CIV  
M/W/FNIZ/N//01JUL29/HADITHA, AL ANBAR PROVINCE, IRAQ  
V/ALI, KHAMISA TUEMA/CIV  
F/W/FNIZ/N//01JAN39/HADITHA, AL ANBAR PROVINCE, IRAQ  
V/HASAN, WALEED ABDALHAMID/CIV  
M/W/FNIZ/N//01JAN68/HADITHA, AL ANBAR PROVINCE, IRAQ  
V/HAMEED, ABDULLAH WALEED ABDUL/CIV  
M/W/FNIZ/N//06AUG01/HADITHA, AL ANBAR PROVINCE, IRAQ  
V/HASAN, GUHID ABDALHAMID/CIV  
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ  
V/HASAN, RASHEED ABDALHAMID/CIV  
M/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ  
V/RASIF, ASMAA SALMAN/CIV  
F/W/FNIZ/N///HADITHA, AL ANBAR PROVINCE, IRAQ  
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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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**CONTROL: 13MAR06-MEBJ-0164-7HMA/T**

**07Jun06**

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

COMMAND/I MEF/11931

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

EXHIBIT(S)

- (1) Screening interview questions/undated... (Copy NPNP, NEBK, and GCGL)
- (2) NEWSWEEK article- "Probing a Bloodbath," slated for 12Jun06 issue/found on MSNBC.com... (Copy 24C only)

NARRATIVE

1. On 19Nov05 at approximately 0715, members of 1st Squad, 3rd Platoon, Kilo Company, 3rd Battalion, 1st Marines, 1st Marine Division, came under attack by insurgents who detonated an Improvised Explosive Device (IED) on their convoy in Haditha, Iraq. The convoy consisted of (b)(7)(F) vehicles, of which the fourth vehicle was hit. As a result of the IED, the driver, LCPL Miguel TERRAZAS, was killed and the other (b)(6), (b)(7)(C) 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, 3rd Platoon including four women and six children.

2. The NCIS Investigative Task Force-Iraq has identified the following interviews of 3rd Battalion, 1st Marines to be conducted:

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

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

07Jun06

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

3. In addition, CALE is requested to forward laptops seized from  to MWPE to be examined by the NCIS

Cyber Department.

ACTION

R.NENP: Locate and interview  Exhibit (1) contains screening interview questions. If screening questions prompt positive responses, ask the below questions as well as any additional logical follow-on questions that arise during the interview. Obtain a sworn statement. Inquire whether received any correspondence or photographs/video from Kilo company members regarding the events on 19Nov05. If  has images/video documenting the 19Nov05 events on a computer, obtain permission to have the computer examined. Coordinate computer examination with SA  NCISHQ 23B.

R.NEBK: Locate and interview  Exhibit (1) contains screening interview questions. If screening questions prompt positive responses, ask the below questions as well as any additional logical follow-on questions that arise during the interview. Obtain a sworn statement. Inquire whether received any correspondence or photographs/video from Kilo company members regarding the events on 19Nov05. If  has images/video documenting the 19Nov05 events on a computer, obtain permission to have the computer examined. Coordinate computer examination with SA  NCISHQ 23B.

R.GCGL: Locate and interview  is currently on medical leave. Exhibit (1) contains screening interview questions. If screening questions prompt positive responses, ask the below questions as well as any additional logical follow-on questions that arise during the interview. Obtain a sworn statement. Inquire whether  received any correspondence or photographs/video from Kilo company members regarding the events on 19Nov05. If  has images/video documenting the 19Nov05 events on a computer, obtain permission to have the computer examined. Coordinate computer examination with SA  NCISHQ 23B.

R.24C: Locate and interview  was interviewed for a NEWSWEEK article, exhibit (2) provides details. In the article,  claims to have been monitoring the radio at

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

07Jun06

Kilo Company's base on 19Nov05. (b)(6), (b)(7)(C) also claims to have entered the houses where some of the Iraqi civilians were killed. Ask the below questions as well as any additional logical follow-on questions that arise during the interview. Obtain a sworn statement. Inquire whether (b)(6), (b)(7)(C) received any correspondence or photographs/video from Kilo Company members regarding the events on 19Nov05. If (b)(6), (b)(7)(C) has images/video documenting the 19Nov05 events on a computer, obtain permission to have the computer examined. Coordinate computer examination with SA (b)(6), (b)(7)(C) NCISHQ 23B.

Follow-up questions to be used for (b)(6), (b)(7)(C) 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 each 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 the 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 Iraqi Security Force (ISF) members 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 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/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 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 that were entered? What activity, if any, did you observe in or around the

## WARNING

**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

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

**07Jun06**

houses (e.g., insurgents shooting, Iraqis running, Iraqis being placed in two rows outside of any of the houses)?

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?

R.MWPE: Locate and interview (b)(6), (b)(7)(C)

R.CALE: Forward (b)(6), (b)(7)(C) computers to MWPE for examination.

R.24D5: Conduct forensic examination of (b)(6), (b)(7)(C) computers. Computers may contain images of the 19Nov05 events.

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)

(b)(6), (b)(7)(C) Forward results of interviews to MWPE.

DISTRIBUTION  
NCISHQ (SI): 0023B

ACTION: NPNP (F)/NEBK (F)/GCGL (F)/24C (F)/MWPE/CALE/24D5  
INFO: GCPF

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

07JUN06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA

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

COMMAND/I MEF/11931

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

REFERENCE(S) (S)

(A) NCISHQ 0023 Washington, DC ROI (ACTION)/31MAY06

NARRATIVE

1. Since receipt of Reference (A), technical investigative support has been provided in the form of a site survey conducted on 05JUN05. Survey requirements were completed, a feasibility determination was made, and equipment requirements were determined and ordered from a vendor.

PARTICIPANT(S)

(b)(6), (b)(7)(C) ISFO Marine Corps West, Camp Pendleton, CA  
USMC, Brig Supervisor, MCB Camp Pendleton, CA

ACTION

0023B: Lead tasking remains pending arrival and installation of ordered equipment.

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ACTION: 0023B

INFO: MWPE/24B1/000L

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

06JUN06

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**

**06Jun06**

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)/24May06

**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), (b)(7)(C) and (b)(6), (b)(7)(C) were involved in the shooting deaths of and 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. Reference (A) directed the following interviews to be conducted by members of the CRFO (24C):

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)

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

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

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEJ-0164-7HMA

06Jun06

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

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

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

3. The CRFO is now requested to conduct the following interviews:

a. HET Marines (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) EOD; all are stationed aboard MCB Camp Lejeune, NC.

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

4. MWPE is requested to conduct the following interviews:

a. Human Intelligence Exploitation Team 2 (HET-2) Marines (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) all are stationed aboard Marine Corps Base (MCB) Camp Lejeune, NC.

b. Three USN members of the Explosives Ordnance Disposal Mobile Unit 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) was present during a Feb06 debrief given by CAPT (b)(6), (b)(7)(C) on or about 19Nov05. SAUL is currently attending a training course in Newport, RI.

d. (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 MAJ (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.

e. (b)(6), (b)(7)(C) assigned as the 6th CAG Detachment 3 Headquarters Team NCO and the Regimental Combat Team 2 Commander's Emergency Response Program (CERP) Coordinator.

(b)(6), (b)(7)(C) currently lives at (b)(6), (b)(7)(C)

f. (b)(6), (b)(7)(C) radio operator for HET3 at Haditha Dam.

(b)(6), (b)(7)(C) is now assigned to the Chemical Biological Incident Response Force, Naval Surface Warfare Center, Indian Head, MD.

ACTION

R.24C: Disregard interviews of (b)(6), (b)(7)(C)

**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

**CONTROL: 13MAR06-MEBJ-0164-7HMA**

**06Jun06**

(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) Interview HET Marines (b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)  
EOD; all are stationed aboard MCB Camp Lejeune, NC.  
Interview as well.

R.MWPE: Locate and interview

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  
Forward results of lead tasking, to include original documents and statements, to SA Code 023B.

DISTRIBUTION  
NCISHQ (SI): 023B  
ACTION: MWPE/24C

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

05JUN06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA

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

COMMAND/I MEF/11931

MADE AT/DCQV/QUANTICO VA (b)(6), (b)(7)(C) SPECIAL AGENT

## REFERENCE

(A) 0023 ROI (ACTION)/31MAY06

## EXHIBIT

(1) IA: RECEIPT OF SERVICE RECORD BOOKS AND OFFICER QUALIFICATION RECORDS/05JUN06... (MWPE Only)

## NARRATIVE

1. Ref (A) requested NCISRA Quantico obtain copies of the Service Record Books and Officer Qualification Records of fifteen (15) Marines associated with instant investigation. These records were obtained on 31May06 and forwarded to NCISRA Marine West on 01Jun06, via Federal Express, Exhibit (1) pertains. Lead tasking complete.

## DISTRIBUTION

NCISHQ (SI): 0023B

INFO: MWPE/MEBJ/DCWA/DCQV

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

05JUN06

DEATH (II)

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

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

COMMAND/I MEF/11931

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

## REFERENCE(S) (S)

- (A) NCISHQ Washington DC ROI (ACTION)/26May06
- (B) NCISFO Marine West CA ROI (ACTION)/04May06

## EXHIBIT(S)

- (1) IA: Results of Interview of (b)(6), (b)(7)(C) /01Jun06... (Copy MWPE and Orig 0023B only)
- (2) IA: Results of Interview of (b)(6), (b)(7)(C) /01Jun06... (Copy MWPE and Orig 0023B only)
- (3) Sworn Statement (b)(6), (b)(7)(C) /22May06... (Orig MWPE/Copy 0023B)
- (4) MSN Authorization (b)(6), (b)(7)(C) Release Account Information (b)(6), (b)(7)(C) /01Jun06... (Orig MWPE/Copy 0023B only)
- (5) MySpace Account Access Authorization (b)(6), (b)(7)(C) /01Jun06... (Orig MWPE/Copy 0023B only)

## NARRATIVE

1. Subsequent to receipt of Reference (A), on 01Jun06, RA and Participating Investigator (PI) (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) civilian, and (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) civilian, in relation to communication they had with (b)(6), (b)(7)(C) USN. Specifically, the purpose of the interview was to discuss communication regarding the incident in Haditha, Iraq on 19Nov06.

2. RA and PI first interviewed (b)(6), (b)(7)(C) in Myrtle Point, OR. (b)(6), (b)(7)(C) gave a positive character assessment of (b)(6), (b)(7)(C). She described brief conversations via telephone, letters, and one (1) email. (b)(6), (b)(7)(C) provided an original letter from (b)(6), (b)(7)(C) dated 26Nov06, which included a description of 19Nov06, to include (b)(6), (b)(7)(C) reporting being shot at while providing medical attention to CPL (b)(6), (b)(7)(C) USMC. Also in the letter, (b)(6), (b)(7)(C) described having to clear the dead Iraqi's from their houses and stack them in a HUMVEE. Along with the letter, (b)(6), (b)(7)(C) provided the only email she had sent (b)(6), (b)(7)(C) and the only email she had received from him. She signed (b)(6), (b)(7)(C) Permissive Authorization for Search and Seizure (PASS) of the email account (b)(6), (b)(7)(C) used. The single emails were all the correspondence conducted via the Internet. (b)(6), (b)(7)(C) advised that (b)(6), (b)(7)(C) only spoke briefly about the incident on 19Nov05. (b)(6), (b)(7)(C) did not know any specifics regarding the actions of the Marines after the IED explosion except that of (b)(6), (b)(7)(C) his treatment of (b)(6), (b)(7)(C) and his observations of LCPL Miguel TERRAZAS, USMC. Exhibit (1) pertains.

3. RA and PI then interviewed

in Monmouth, OR.

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

05Jun06

described a close relationship with (b)(6), (b)(7)(C) since their graduation from Myrtle Point High school in 2002. (b)(6), (b)(7)(C) said they have stayed in touch via telephone and letters. (b)(6), (b)(7)(C) provided the RA with several letters (b)(6), (b)(7)(C) sent while he was deployed, however, none were dated after 19Nov05. One (1) letter was dated 11Nov06 and 16Nov06 and vaguely described an undated IED attack. The original letter was collected. (b)(6), (b)(7)(C) was in possession of ten (10) color photographs that (b)(6), (b)(7)(C) had given her after his return to Camp Pendleton on 01Apr06. The photographs were of his Marine unit. The photographs were collected for examination. (b)(6), (b)(7)(C) indicated she had received only one (1) email from (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) affirmed it was the same email (b)(6), (b)(7)(C) received. (b)(6), (b)(7)(C) signed two (2) separate PASS forms for the email account she shares with (b)(6), (b)(7)(C) and her university issued account. She reported accessing the Internet from school computers only and indicated not using the Internet to communicate with (b)(6), (b)(7)(C) outside of the one (1) email previously mentioned. (b)(6), (b)(7)(C) described brief conversations regarding the incident on 19Nov05, but appeared to have the details of two (2) separate incidents confused, Exhibit (2) pertains.

4. In further support of lead tasking received via Reference (B), Participating Agent (b)(6), (b)(7)(C) and RA obtained an additional sworn statement from (b)(6), (b)(7)(C) USMC, on 22May06. In the statement, (b)(6), (b)(7)(C) recounted the events following the improvised explosive device attack that occurred in Haditha, Iraq on 19Nov05, Exhibit (3) pertains.

5. On 01Jun06, PA (b)(6), (b)(7)(C) obtained signed authorization forms to access the MSN and MySpace accounts of (b)(6), (b)(7)(C) exhibits (4) and (5) pertain.

6. Evidence collected in support of captioned investigation is being permanently transferred to MWPE. NCISRA Bremerton log numbers 092-06, 095-06, 096-06, 097-06 and 098-06 were sent on 06Jun06 via Fed-Ex tracking number 8481-8394-6904.

## ACTION

DIST: The original transmission of this ROI contained administrative errors in relation to the exhibit numbers. Any previous transmission of this ROI should be destroyed. This transmission supercedes all others and contains the accurate exhibit numbers.

0023: Lead tasking complete.

## DISTRIBUTION

NCISHQ (SI): 0023B/0024D

ACTION: 0023

INFO: NWBR/NWBG/MWPE

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Page 2 of 2

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

05JUN06

DEATH (II)

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

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

COMMAND/I MEF/11931

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

## EXHIBIT(S)

- (1) IA: Results of Interview of (b)(6), (b)(7)(C) 01Jun06... (Copy MWPE and Orig 0023B only)
- (2) IA: Results of Interview of (b)(6), (b)(7)(C) / 01Jun06... (Copy MWPE and Orig 0023B only)
- (3) Sworn Statement (b)(6), (b)(7)(C) 22May06... (Orig MWPE/Copy 0023B)
- (4) Consensual Intercept Waiver (b)(6), (b)(7)(C) / 25May06... (Orig MWPE/Copy 0023B only)
- (5) MSN Authorization to Release Account Information (b)(6), (b)(7)(C) 01Jun06... (Orig MWPE/Copy 0023B only)
- (6) MySpace Account Access Authorization (b)(6), (b)(7)(C) 01Jun06... (Orig MWPE/Copy 0023B only)

## NARRATIVE

1. Subsequent to receipt of Reference (A), on 01Jun06, RA and Participating Investigator (PI) (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) (b)(6), (b)(7)(C), civilian, and (b)(6), (b)(7)(C), civilian, in relation to communication they had with (b)(6), (b)(7)(C) USN. Specifically, the purpose of the interview was to discuss communication regarding the incident in Haditha, Iraq on 19Nov06.

2. RA and PI first interviewed (b)(6), (b)(7)(C) in Myrtle Point, OR. (b)(6), (b)(7)(C) gave a positive character assessment of (b)(6), (b)(7)(C). She described brief conversations via telephone, letters, and one (1) email. (b)(6), (b)(7)(C) provided an original letter from (b)(6), (b)(7)(C) dated 26Nov06, which included a description of 19Nov06, to include (b)(6), (b)(7)(C) reporting being shot at while providing medical attention to (b)(6), (b)(7)(C) USMC. Also in the letter (b)(6), (b)(7)(C) described having to clear the dead Iraqi's from their houses and stack them in a HUMVEE. Along with the letter, (b)(6), (b)(7)(C) provided the only email she had sent (b)(6), (b)(7)(C) and the only email she had received from him. She signed a Permissive Authorization for Search and Seizure (PASS) of the email account (b)(6), (b)(7)(C) used. The single emails were all the correspondence conducted via the Internet. (b)(6), (b)(7)(C) advised that (b)(6), (b)(7)(C) only spoke briefly about the incident on 19Nov05. (b)(6), (b)(7)(C) did not know any specifics regarding the actions of the Marines after the IED explosion except that of (b)(6), (b)(7)(C) his treatment of (b)(6), (b)(7)(C) and his observations of LCPL Miguel TERRAZAS, USMC. Exhibit (1) pertains.

3. RA and PI then interviewed (b)(6), (b)(7)(C) in Monmouth, OR. (b)(6), (b)(7)(C) described a close relationship with (b)(6), (b)(7)(C) since their graduation from Myrtle Point High school in 2002. She said they have stayed in (b)(6), (b)(7)(C)

## WARNING

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

05Jun06

touch via telephone and letters. (b)(6), (b)(7)(C) provided the RA with several letters (b)(6), (b)(7)(C) sent while he was deployed, however, none were dated after 19Nov05. One (1) letter was dated 11Nov06 and 16Nov06 and vaguely described an undated IED attack. The original letter was collected. (b)(6), (b)(7)(C) was in possession of ten (10) color photographs that (b)(6), (b)(7)(C) had given her after his return to Camp Pendleton on 01Apr06. The photographs were of his Marine unit. The photographs were collected for examination. (b)(6), (b)(7)(C) indicated she had received only one (1) email from (b)(6), (b)(7)(C) and confirmed it was the same email received. (b)(6), (b)(7)(C) signed two (2) separate PASS forms for the email account she shares with (b)(6), (b)(7)(C) and her university issued account. She reported accessing the Internet from school computers only and indicated not using the Internet to communicate with (b)(6), (b)(7)(C) outside of the one (1) email previously mentioned. (b)(6), (b)(7)(C) described brief conversations regarding the incident on 19Nov05, but appeared to have the details of two (2) separate incidents confused, Exhibit (2) pertains.

4. In further support of lead tasking received via Reference (B), Participating Agent (b)(6), (b)(7)(C) and RA obtained an additional sworn statement from (b)(6), (b)(7)(C) USMC, on 22May06. In the statement, (b)(6), (b)(7)(C) recounted the events following the improvised explosive device attack that occurred in Haditha, Iraq on 19Nov05, Exhibit (3) pertains.

5. On 25May06, PA (b)(6), (b)(7)(C) obtained a signed Consensual Intercept Waiver from (b)(6), (b)(7)(C) exhibit (4) pertains.

6. On 01Jun06, PA (b)(6), (b)(7)(C) obtained signed authorization forms to access the MSN and MySpace accounts of (b)(6), (b)(7)(C) Exhibits (5) and (6) pertain.

7. Evidence collected in support of captioned investigation is being permanently transferred to MWPE. NCISRA Bremerton log numbers 092-06, 095-06, 096-06, 097-06 and 098-06 were sent on 06Jun06 via Fed-Ex tracking number 8481-8394-6904.

## ACTION

0023: Lead tasking complete.

## DISTRIBUTION

NCISHQ (SI): 0023B/0024D

ACTION: 0023

INFO: NWBR/NWBG/MWPE

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

05JUN06

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  
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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/T

05Jun06

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/MWYU/YUMA AZ (b)(6), (b)(7)(C), SPECIAL AGENT

REFERENCE(S) (S)

(A) NCISHQ WASHINGTON DC ROI (ACTION)/26May06

EXHIBIT(S)

- (1) IA: Results of Interviews of (b)(6) Family/31May06... (Copy ALL)
- (2) Sworn Statement of (b)(6), (b)(7)(C) (b)(7)(C) 01Jun06... (Orig 0023B Copy MWPE Only)

NARRATIVE

1. On 30May06, Reference (A) was received requesting the expeditious interviews of (b)(6), (b)(7)(C) Civilian, and (b)(6), (b)(7)(C) Civilian, concerning correspondence received from Kilo Company members subsequent to the death of LCpl Miguel TERRAZAS, USMC. Pursuant to lead tasking set forth in Reference (A), contact with  , Civilian, and  , Civilian, was effected on 31May06, and copies of all correspondence from Kilo Company members was requested. During the contact   denied that he had received any correspondence from Kilo Company members; however,   related that he had received "hundreds of letters from all over the United States from people who wanted to send their condolences"; however, "at no time did anyone ever say anything to indicate that the other Marines in   platoon had acted to avenge   death".   related that he would conduct a review of all received correspondence in an effort to identify letters authored by Kilo Company members at a later date. On 01Jun06, an additional interview resulted in the receipt of a sworn statement from   concerning the aforementioned correspondence, and a newspaper article, which quoted   as stating that Kilo Company Marines had stated that the "insurgence had used women and children as human shields". During that interview,   related that he could not find "any letters from any of those men".   further related that the he had been misquoted by the reporter in the aforementioned article, adding that   LCpl TERRAZAS had told him of the use of human shields upon his return from his first tour of duty in Iraq. Exhibits (1) and (2) provide amplifying detail.

2. Lead tasking for NCISRA Yuma has been completed.

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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

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

**05Jun06**

PARTICIPANT(S)

(b)(6), (b)(7)(C) Special Agent, NCISRA Yuma, AZ

DISTRIBUTION

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INFO: MWPE (F)

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

05JUN06

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-MEBJ-0164-7HMA

05Jun06

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

COMMAND/I MEF/11931

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

## NARRATIVE

1. On 19Nov05 at approximately 0715, members of 1st Squad, 3rd Platoon, Kilo Company, 3 Battalion, 1st Marines, 1st Marine Division, came under attack by insurgents who detonated an Improvised Explosive Device (IED) on their convoy in Haditha, Iraq. The convoy consisted of [ ] vehicles, of which the fourth vehicle was hit. As a result of the IED, the driver, LCPL Miguel TERRAZAS, was killed and the other [ ] 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), [ ] 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), [ ] 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), [ ] 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 completed:

## ACTION

R.24C: As a result of recent intense media coverage regarding this investigation, please make telephonic contact with (b)(6), [ ] and (b)(6), (b)(7)(C) in an effort to ascertain their current status and mental/emotional well being. Locate and interview (b)(6), (b)(7)(C) [ ] regarding his knowledge and participation in the events

of 19Nov05. [ ] was with 2nd Squad, 3rd Platoon on 19Nov05 and was reported to have been involved in the shooting of two Iraqi males from a rooftop on Chestnut Ave. [ ] has been

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEBJ-0164-7HMA

05Jun06

placed on legal hold by the USMC but is currently located at  
(b)(6), (b)(7)(C)

Conduct full interview of [ ] utilizing the standard interview questions, with emphasis on the questions below as well as any additional logical follow-on questions that arise during the interview

1. Question regarding the comments he made about dropping AKs to provide support for shooting individuals, etc. as related by [ ] in his statement.
2. Question regarding the shooting of two Iraqi males from the rooftop of a building on Chestnut on 19Nov05, (i.e., his actions and comments before, during and after the shooting and the actions of other Marines with him, who gave the authorization to shoot, etc).
3. Provide any information on any radio traffic received, who received it, who called in the information before/during and after the IED blast, the shooting etc.
4. Determine whether [ ] took any photographs/videos of this incident, whether he had any in his possession, if other Marines had photos or showed him photos. Ascertain whether [ ] emailed or sent photos or information about his incident to any other persons. If it is determined [ ] has any photos, obtain an Electronic Permissive Authorization for Search and Seizure for his computer. Obtain all email accounts that [ ] may have utilized to send photos/information regarding the events of 19Nov05. Obtain the respective ISP Passes for his specific email accounts

Locate and interview [ ] former [ ] in the USMC and obtain a sworn statement regarding his knowledge and participation in the events of 19Nov05. [ ] was a member of the EOD security team that responded to the IED blast scene on Chestnut Ave. on 19Nov05. . Interview of other security team members has surfaced that many of them downloaded photos of the victims from [ ] is currently located at [ ]

Conduct a full interview of [ ] utilizing the standard interview questions, with particular emphasis on the following questions as well as any additional logical follow-on questions that arise during the interview

1. 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 security team/EOD 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.). What condition was the white taxi in, was there any major damage, bullet holes, etc.?

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 13MAR06-MEBJ-0164-7HMA

05Jun06

2. Did you observe any chest rigs, grenades, AK-47s, etc. on the bodies of the victims near the white taxi, inside the taxi or around it.
3. Did you hear and/or observe SAF at 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 arriving at the IED blast, when did the SAF end, and did you observe any armed Iraqi males firing?
4. 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.)
5. Determine whether (b)(6), (b)(7)(C) took any photographs/videos of this incident, whether (b)(6), (b)(7)(C) had any in his possession, if other Marines had photos or showed him photos. Ascertain whether (b)(6), (b)(7)(C) emailed or sent photos or information about his incident to any other persons. If it is determined (b)(6), (b)(7)(C) has any photos, obtain an Electronic Permissive Authorization for Search and Seizure for his computer. Obtain all email accounts that (b)(6), (b)(7)(C) may have utilized to send photos/information regarding the events of 19Nov05. Obtain the respective ISP Passes for his specific email accounts.

Please note: Expeditious handling of 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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INFO: MWPE

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

05JUN06

DEATH (II)

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

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

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

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

### U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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

COMMAND/I MEF, CAMP PENDLETON, CA/11931

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

#### REFERENCE

(A) NCISHQ Washington DC ROI (INTERIM)/12Apr06 (Contains Exhibits 1-57)

#### EXHIBITS

- (58) Military Suspect's Acknowledgement and Waiver of Rights (b)(6), (b)(7)(C) 24Mar06... (Orig 0023/Copy MWPE)
- (59) Statement of (b)(6), (b)(7)(C) 24Mar06... (Orig 0023/Copy MWPE)
- (60) Military Suspect's Acknowledgement and Waiver of Rights (b)(6), (b)(7)(C) 24Mar06... (Orig 0023/Copy MWPE)
- (61) Statement of (b)(6), (b)(7)(C) 24Mar06... (Orig 0023/Copy MWPE)
- (62) Military Suspect's Acknowledgement and Waiver of Rights (b)(6), (b)(7)(C) 24Mar06... (Orig 0023/Copy MWPE)
- (63) Statement of (b)(6), (b)(7)(C) 24Mar06... (Orig 0023/Copy MWPE)
- (64) Military Suspect's Acknowledgement and Waiver of Rights (b)(6), (b)(7)(C) 24Mar06... (Orig 0023/Copy MWPE)
- (65) Statement of (b)(6), (b)(7)(C) 24Mar06... (Orig 0023/Copy MWPE)
- (66) Military Suspect's Acknowledgement and Waiver of Rights (b)(6), (b)(7)(C) 24Mar06... (Orig 0023/Copy MWPE)
- (67) Statement of (b)(6), (b)(7)(C) 24Mar06... (Orig 0023/Copy MWPE)
- (68) Military Suspect's Acknowledgement and Waiver of Rights (b)(6), (b)(7)(C) 09May06... (Orig 0023/Copy MWPE)
- (69) Statement of (b)(6), (b)(7)(C) 09May06... (Orig 0023/Copy MWPE)
- (70) Military Suspect's Acknowledgement and Waiver of Rights (b)(6), (b)(7)(C) 09May06... (Orig 0023/Copy MWPE)
- (71) IA: Results of Interview (b)(6), (b)(7)(C) 09May06... (Orig 0023/Copy MWPE)
- (72) IA: Results of Attempt to Re-Interview (b)(6), (b)(7)(C) 09May06... (Orig 0023/Copy MWPE)
- (73) Statement of (b)(6), (b)(7)(C) 09May06... (Orig 0023/Copy MWPE)
- (74) Statement of 11May06... (Orig 0023/Copy MWPE)
- (75) Statement of May06... (Orig 0023/Copy MWPE)
- (76) Statement of (b)(6), (b)(7)(C) 05May06... (Orig 0023/Copy MWPE)
- (77) Statement of (b)(6), (b)(7)(C) 08May06... (Orig 0023/Copy MWPE)
- (78) Statement of 08May06... (Orig 0023/Copy MWPE)
- (79) Statement of 1May06... (Orig 0023/Copy MWPE)
- (80) Statement of (b)(6), (b)(7)(C) 02May06... (Orig 0023/Copy MWPE)
- (81) IA: Results of Interview (b)(6), (b)(7)(C) 02May06... (Orig 0023/Copy

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

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MWPE)

- (82) Statement of (b)(6), (b)(7)(C) 03May06... (Orig 0023/Copy MWPE)
- (83) Statement of (b)(6), (b)(7)(C) 05May06... (Orig 0023/Copy MWPE)
- (84) Record of Authorization for Search/19May06... (Orig 0023/Copy MWPE)
- (85) Statement of (b)(6), (b)(7)(C) May06... (Orig 0023/Copy MWPE)
- (86) Statement of (b)(6), (b)(7)(C) 03May06... (Orig 0023/Copy MWPE)
- (87) Statement of (b)(6), (b)(7)(C) 04May06... (Orig 0023/Copy MWPE)
- (88) Statement of (b)(6), (b)(7)(C) May06... (Orig 0023/Copy MWPE)
- (89) Statement of (b)(6), (b)(7)(C) 4May06... (Orig 0023/Copy MWPE)
- (90) Statement of (b)(6), (b)(7)(C) 5May06... (Orig 0023/Copy MWPE)
- (91) Statement of (b)(6), (b)(7)(C) 05May06... (Orig 0023/Copy MWPE)
- (92) Statement of (b)(6), (b)(7)(C) 11May06... (Orig 0023/Copy MWPE)
- (93) IA: Results of Interview/(b)(6), (b)(7)(C) CIV/08May06... (Orig 0023/Copy MWPE)
- (94) IA: Results of Command E-mail Inquiries/23Mar06... (Orig 0023/Copy MWPE)
- (95) IA: Seizure of Internet Café Logbooks/30Mar06... (Orig 0023/Copy MWPE)
- (96) IA: Results of Interview/(b)(6), (b)(7)(C) 24MAR06... (Orig 0023/Copy MWPE)
- (97) IA: Results of Interview/(b)(6), (b)(7)(C) 30Mar06... (Orig 0023/Copy MWPE)
- (98) IA: Results of Records Check/11Apr06... (Orig 0023/Copy MWPE)
- (99) IA: Recovery of Al Asad Hospital Patient Log for Nov05/04May06... (Orig 0023/Copy MWPE)
- (100) Statement of (b)(6), (b)(7)(C) y06... (Orig 0023/Copy MWPE)
- (101) Statement of (b)(6), (b)(7)(C) 02May06... (Orig 0023/Copy MWPE)
- (102) IA: Acquisition and Review of Service Record Books/22May06... (Orig 0023/Copy MWPE)
- (103) IA: Acquisition and Review of Service Record Books for Additional Marines/25May06... (Orig 0023/Copy MWPE)
- (104) IA: Results of Medical Record Review/25May06... (Orig 0023/Copy MWPE)
- (105) IA: Results of Family Advocacy Program/Counseling Services Branch Checks/25May06... (Orig 0023/Copy MWPE)

**EXECUTIVE SUMMARY**

1. On 19Nov05 at approximately 0716, 1st Squad, 3rd Platoon, Kilo Company, 3rd Battalion (3DBN), 1st Marine Division (MARDIV), I Marine Expeditionary Force (MEF) (3/1), and four Iraqi Security Forces (ISF) members were conducting a convoy on route "Chestnut" in Haditha, Al Anbar Province, Iraq, when they received a complex attack (i.e., an attack wherein the enemy strikes in more than one manner). Specifically, the fourth High Mobility Multi-Wheel Vehicle (HMMWV) was struck by an improvised explosive device (IED) 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 explosion by dismounting their vehicles, attending to the injured, and securing the perimeter. According to the Marines involved, they received SAF after the explosion. Consequently, they broke into fire teams, searched/cleared nearby homes, and identified detainees. Over a period of several hours (b)(6), (b)(7)(C) and co-subjects' actions

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resulted in the deaths of twenty-four (24) Iraqi civilians and two (2) injured Iraqi children. In the evening hours of 19Nov05, Marines from 3/1 conducted a battle damage assessment (BDA) and transported the dead to the Haditha hospital morgue.

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

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

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

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

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

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

b. TAXI (5 killed): Moments before the attack, the lead vehicle in

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

c. HOUSE #1 (6 killed): A quick reaction force (QRF), led by (b)(6), (b)(7)(C) USMC, arrived at the ambush scene within fifteen minutes (between approximately 0715 - 0730). The QRF attended to the casualties and prepared to remove them from the scene. In response to a report from (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) that SAF was observed coming from the vicinity of a nearby home (house #1), (b)(6), (b)(7)(C) instructed a fire team to "take the house." First, (b)(6), (b)(7)(C) fired rounds with a M203 grenade launcher toward house #1. Then a fire team consisting of (b)(6), (b)(7)(C), (b)(6), (b)(7)(C), (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) conducted a forced entry into house #1. All members of the fire team reported they were not receiving SAF upon their approach to house #1. (b)(6), (b)(7)(C) shot and killed an unarmed Iraqi adult female in the hallway. After reportedly hearing the sound of an AK-47 racking, the team threw two (2) fragmentation grenades into a room on the left, but only one (1) exploded. (b)(6), (b)(7)(C) then cleared a room on the right of the hallway, killing an unarmed Iraqi male adult. At that time, an unidentified Marine reportedly yelled that there was someone running from the house. This caused the fire team to cease the clearing operation and immediately exit house #1 toward house #2. A total of six (6) Iraqis were killed in house #1, including two (2) women and one (1) child. No weapons were found.

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

e. OBSERVATION POST (1 killed): After houses #1 and #2 were cleared, the fire team cleared two (2) additional homes in the area before moving to the observation post (OP) site. Both homes were unoccupied. The OP was established around 0830. Some members of the fire team posted themselves on the rooftop of the OP. At

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approximately 0845, Marines manning the OP observed an unarmed Iraqi male running on a ridgeline in the vicinity of house #1. (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) fired shot(s), killing the individual (identified as a household member of house #1). Some time later, the OP observed one (1) or two (2) unidentified Iraqi males looking at them from another nearby house, hereafter referred to as house #4. At approximately 0945, a team of three (3) Marines, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) decided to investigate.

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

g. HOUSE #4 (4 killed): (b)(6), (b)(7)(C) reported entering house #4 and encountering four (4) Iraqi males, at least one of which was armed with an AK-47. (b)(6), (b)(7)(C) killed the armed Iraqi male when he allegedly raised the weapon in the direction of he and (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) shot and killed the three (3) other men with his 9mm pistol in the clearing operation. Subsequently, (b)(6), (b)(7)(C) shot into the four (4) bodies with his M-16 rifle. Iraqi witnesses/surviving family members from house #3 and #4 provide different accounts. The key difference surrounds the fire team's approach to house #3 and interaction with the occupants of house #4. Iraqi witnesses indicate the three (3) family members from house #3 were escorted to an area in front of house #4 and the occupants of house #4 (four (4) adult Iraqi males, three (3) adult Iraqi females, and a child) were brought out of the house to the same area. While outside house #4, the Marines reportedly separated four (4) of the adult males from the women, and one elderly male. Accompanied by one (1) Marine, the women, children (one male infant and teenaged male), and elderly male were returned to House #3. Thereafter, family members reported hearing shots fired and observed the Marines leaving the area. After the fire team departed, family members reported finding the four (4) adult males dead in house #4. Marine reports regarding the number of weapons recovered from House #4 vary, ranging from one (1) to three (3) AK-47s. Iraqi witness statements indicate that there

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was one (1) AK-47 in house #4 but said it was surrendered to the Marines after they questioned the family members in front of house #4 (at or about the same time the AK-47 from house #3 was provided to the fire team).

h. At approximately 1245, (b)(6), (b)(7)(C) USMC, Human Intelligence Exploitation Team (HET) arrived at the scene with the 2nd QRF and began to collect potential intelligence, take photographs of the deceased, and interview detainees. The HET took an undetermined number of digital photographs of the deceased but reportedly deleted those images.

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

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

7. Since the submission of Reference (A), investigative efforts have included interviews and re-interviews of 3/1 Marines, records checks, e-mail inquiries, retrieval of a patient medical log, and acquisition of a laptop computer which contained photographs of the deceased taken during the BDA.

**NARRATIVE**

1. This investigation pertains to potential violations of Article 118 (Murder) and Article 81 (Conspiracy) of the Uniform Code of Military Justice (UCMJ). The remainder of this report will be presented in the following manner: the first section will address the interview results from 3/1 Marines that were in the ambushed convoy; the second section will cover the 3/1 Marines that manned the Combat Operations Center (COC) on 19Nov05; the third section will provide a synopsis of statements from QRF team (1st Platoon) that arrived at the scene on foot in the afternoon from Firmbase Sparta; the fourth section will summarize an Iraqi survivor's account of what occurred in house #1; and the fifth section will discuss the death scenes/evidence recovery.

**SECTION I - 3/1 Marines in Convoy**

2. In March 2006, the U.S. Army requested that NCIS administer a twenty-nine (29) point questionnaire to (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) regarding the training they have received during their respective Marine Corps careers. The foregoing Marines were interviewed after they were read and waived their Article 31B rights. The questions and answers were captured in statements which covered the training the Marines received during Boot Camp, School of Infantry (SOI), and pre-deployment(s) station

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work-ups on the Rules of Engagement, (ROE), Military Operations in Urban Terrain (MOUT), and the Law of Armed Conflict (LOAC). A few of the details obtained during these interviews follow:

a. IRAQ TOURS & COMBAT: The Marines listed above were asked whether or not this was their first tour in Iraq. (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) related they had been deployed to Iraq before their tour in Haditha, Iraq, from Sep06-Mar06. Moreover, (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) asserted they had experienced combat during their prior tours to Iraq. (b)(6), (b)(7)(C) noted he participated in Operation Phantom Fury in Fallujah, where he estimated shooting approximately 2,000 rounds of ammunition. (b)(6), (b)(7)(C) reported that their deployment in Haditha was their first tour to Iraq.

b. POSITIVE IDENTIFICATION: The Marines were also asked about the training they received regarding the positive identification (PID) of enemy combatants. The interviewees indicated they had received several presentations both verbally and by power point on how to conduct/implement PID. The Marines were further questioned on whether they felt the training they had received on PID prepared them for their experience in Iraq. (b)(6), (b)(7)(C) responded, "No, because every individual in training was considered an armed cardboard target or a live armed target. There was never any training to differentiate between a combatant and a non-combatant in a house." (b)(6), (b)(7)(C) expressed a similar opinion when he stated, "In MOUT training they set us for 'tunnel vision' where we encountered enemy combatants and just dealt with them. Otherwise we dealt with civilians/non-combatants and only non-combatants but we never dealt with scenarios where they mixed both combatants and non-combatants." Conversely, (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) felt they were well prepared on the issue of PID for combat in Iraq.

c. ENEMY COMBATANTS SHOOTING FROM STRUCTURES: When asked whether their training covered the subject of encountering enemy combatants firing from structures or areas where there may be civilians or non-combatants, a majority of the Marines responded in the positive. In general, the interviewees related that when fire is received from a structure, the entire structure/area is considered "hostile" and they could destroy it or consider any occupants as hostile. Exhibits (58)-(67) pertain.

3. On 09May06, after a reading and waiver of his Article 31B rights, (b)(6), (b)(7)(C) was re-interviewed/interrogated regarding his knowledge of the Iraqi civilian shootings and the events that followed. (b)(6), (b)(7)(C) advised that the statement he provided to NCIS on 18Mar06 was correct with the exception of his description of the shooting that involved the five (5) Iraqi occupants of the white taxi. (b)(6), (b)(7)(C) confirmed the statement he provided on 02Apr06 was correct. [See Reference (A), Exhibits (13) and (16)]. On 09May06, provided the following clarifying details:

a. TAXI: (b)(6), (b)(7)(C) reported that after the IED blast, he dismounted his vehicle, saw the parked white car off the roadway, and observed the male passengers from the white car standing in a line

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with their backs towards him. (b)(6), (b)(7)(C) observed some of the Iraqi males had their hands behind their heads or straight above them while one or possibly two of them had hands down to their sides. (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) asserted the Iraqi males did not have weapons.

(b)(6), (b)(7)(C) opined the passengers did not make any movement that suggested they were going to harm the Marines in the convoy. (b)(6), (b)(7)(C) stated he did not give the Iraqi males any orders in Arabic or English.

(b)(6), (b)(7)(C) reconfirmed that none of the Iraqis ran, even after one victim was shot and fell to the ground. (b)(6), (b)(7)(C) advised that it is common knowledge among Iraqis to pull over and stand outside their vehicle with their hands up when interacting with the Marines. In reference to the Iraqi passengers, (b)(6), (b)(7)(C) conceded, "So they looked like they were doing and acting as they were suppose to."

b. SHOOTING: (b)(6), (b)(7)(C) said when he saw the first Iraqi go down, he looked around to see who shot the Iraqi and spotted (b)(6), (b)(7)(C) on his knee with his weapon shouldered within ten (10) to twenty (20) feet of the Iraqis. (b)(6), (b)(7)(C) observed that the Iraqis had their back left sides towards (b)(6), (b)(7)(C) when he shot them. (b)(6), (b)(7)(C) stated the shots hit the victims in the back of their heads and in the back of their upper bodies/torsos. (b)(6), (b)(7)(C) asserted he was approximately fifteen (15) feet from (b)(6), (b)(7)(C) and nothing obstructed his view of (b)(6), (b)(7)(C) actions. After all the Iraqis went down, (b)(6), (b)(7)(C) admitted he and (b)(6), (b)(7)(C) walked over to the victims and shot into their bodies. (b)(6), (b)(7)(C) could not recall who shot into the bodies first. He believed the victims were dead because they did not move or cry out in pain. (b)(6), (b)(7)(C) looked over at (b)(6), (b)(7)(C) face while (b)(6), (b)(7)(C) stood over the bodies and shot within a foot of them. (b)(6), (b)(7)(C) opined, "...he looked very angry, like 'madness.'" Later that day, (b)(6), (b)(7)(C) noted blood on (b)(6), (b)(7)(C) uniform.

c. DISCUSSIONS BETWEEN (b)(6), (b)(7)(C) & (b)(6), (b)(7)(C) related (b)(6), (b)(7)(C) asked him to provide false information if questioned on the issue at hand. (b)(6), (b)(7)(C) noted this occurred on four (4) separate occasions. The first time (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) to lie was on 19Nov05. The second time occurred a few days after 19Nov05. In January 2006, they met for the third time and discussed details of the "story" (b)(6), (b)(7)(C) would tell if questioned. Specifically, (b)(6), (b)(7)(C) would claim he said, "Qif, Qif" to the Iraqi male passengers, which means "stop." The fourth time (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) about the incident was a few days after NCIS interviewed (b)(6), (b)(7)(C) in March 2006. At that time, (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) that he had "stuck to the story."

d. (b)(6), (b)(7)(C) advised on 19Nov05, while he was with (b)(6), (b)(7)(C) guarding detainees in a house, he heard someone yelling his name from the location of (b)(6), (b)(7)(C) and his team members. (b)(6), (b)(7)(C) sent (b)(6), (b)(7)(C) to respond to the calling of his name. Upon (b)(6), (b)(7)(C) return, he told (b)(6), (b)(7)(C) "Do you know what they want us to do? They want us to untie them, take the flexi-cuffs off, and let them loose and shoot them." (b)(6), (b)(7)(C) explained he did not know who instructed (b)(6), (b)(7)(C) to do this but he believed he was referring to the Iraqi detainees under (b)(6), (b)(7)(C) control. (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C)

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he did not allow that to happen.

e. MEETINGS: (b)(6), (b)(7)(C) stated meetings were held regarding the events of 19Nov05. At one meeting, (b)(6), (b)(7)(C) noted the XO, LT (b)(6), (b)(7)(C) told the Marines they did the right thing on 19Nov05 and advised them to be careful when approached by the media. At another meeting, (b)(6), (b)(7)(C) and the CO, CAPT (b)(6), (b)(7)(C), told the squad to tell the truth and cooperate with the impending Army investigation. Exhibits (68) and (69) pertain.

4. On 09May06, (b)(6), (b)(7)(C) was re-interviewed after he waived his Article 31B rights and agreed to discuss his involvement in and knowledge of the deaths of Iraqi civilians in Haditha on 19Nov05. (b)(6), (b)(7)(C) related that the first statement he provided NCIS in March was accurate, but he provided additional details that are outlined below. (b)(6), (b)(7)(C) did not provide a statement during this interview because he became confused by fragmented memories that he began to recall during the interview. He requested time to sort out his thoughts before submitting an official statement.

a. TAXI: (b)(6), (b)(7)(C) revealed that after the incident he spoke to an Iraqi soldier that was with their convoy on 19Nov05. According to (b)(6), (b)(7)(C) the soldier admitted shooting two (2) of the Iraqi's in the white car. (b)(6), (b)(7)(C) explained that the Iraqi soldier's account coincided with his memory of hearing AK-47 fire in front of their convoy (i.e., the Iraqi soldier was firing his AK-47).

b. HOUSE #1: (b)(6), (b)(7)(C) clarified that he did not hear an AK-47 racking in house #1 but he did hear "metal on metal." Subsequently, (b)(6), (b)(7)(C) heard (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) announce they heard an AK-47 racking. (b)(6), (b)(7)(C) conveyed he accepted their conclusion and told (b)(6), (b)(7)(C) to "double frag" the room from which the sound came. After he and (b)(6), (b)(7)(C) threw grenades into the room, (b)(6), (b)(7)(C) entered the room and fired. (b)(6), (b)(7)(C) said he entered the room after (b)(6), (b)(7)(C) and shot approximately four (4) people, none of which were standing. (b)(6), (b)(7)(C) admitted he did not PID the individuals he shot by gender or age, but he used the "size method" where he distinguished individuals by their size. Using this method, (b)(6), (b)(7)(C) concluded he shot two (2) men and (2) women. (b)(6), (b)(7)(C) did not identify any of the occupants he shot as children in house #1. (b)(6), (b)(7)(C) explained he shot people in the room because (b)(6), (b)(7)(C) had shot them first. (b)(6), (b)(7)(C) stated he did not see anyone with a weapon and felt like he and (b)(6), (b)(7)(C) had control of the situation. (b)(6), (b)(7)(C) added that he entered house #1 with the belief that the entire house was hostile. (b)(6), (b)(7)(C) further recalled that at one point (b)(6), (b)(7)(C) was standing in the doorway of the kitchen, but (b)(6), (b)(7)(C) became confused when asked for amplifying details. To assist (b)(6), (b)(7)(C) recall, (b)(6), (b)(7)(C) version of events was presented to him during the interview. In turn, (b)(6), (b)(7)(C) remembered hearing "clear by fire" and someone shooting a 9mm pistol in house #1. (b)(6), (b)(7)(C) further recalled seeing (b)(6), (b)(7)(C) place his M240G on the floor inside house #1. (b)(6), (b)(7)(C) was confused by the order of events and conceded that they possibly returned to house #1 at some point with (b)(6), (b)(7)(C) being involved. When asked if the Marines first verbally confronted any of the occupants of house #1,

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(b)(6), (b)(7)(C) stated they never spoke with anyone inside the house.

c. HOUSE #2: (b)(6), (b)(7)(C) confirmed they were not taking fire when the fire team approached house #2. (b)(6), (b)(7)(C) said he observed (b)(6), (b)(7)(C) shoot a man through a closed door prior to entering house #2. (b)(6), (b)(7)(C) recalled that (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) went into the kitchen and posted on the sides of the hallway that led to the remainder of house #2. (b)(6), (b)(7)(C) noted he was right behind (b)(6), (b)(7)(C) when (b)(6), (b)(7)(C) threw a grenade into the first room on the right but it did not explode. Consequently, (b)(6), (b)(7)(C) instructed (b)(6), (b)(7)(C) to "frag" the same room but (b)(6), (b)(7)(C) explained he did not have any more grenades. Therefore, (b)(6), (b)(7)(C) believed he obtained a grenade from (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) acknowledged that he could have received the grenade from (b)(6), (b)(7)(C) instead, but he was not positive. (b)(6), (b)(7)(C) then heard movement in a room toward the end of the hallway and proceeded to follow (b)(6), (b)(7)(C) down the hallway. (b)(6), (b)(7)(C) related he was about halfway down the hallway when he heard a grenade explode. (b)(6), (b)(7)(C) concluded that (b)(6), (b)(7)(C) was the only Marine that could have thrown the grenade because the others were behind him and (b)(6), (b)(7)(C). While clearing another room, (b)(6), (b)(7)(C) heard (b)(6), (b)(7)(C) shooting into another room. (b)(6), (b)(7)(C) verified he was able to PID the women and children before he also shot them. (b)(6), (b)(7)(C) advised he shot the women and children because he was trained to engage any target deemed hostile. (b)(6), (b)(7)(C) believed them to be hostile because (b)(6), (b)(7)(C) was shooting them first. (b)(6), (b)(7)(C) estimated he shot five (5) to six (6) individuals inside the room of house #2. (b)(6), (b)(7)(C) expressed remorse for his actions but reiterated that he did what he had been trained to do. (b)(6), (b)(7)(C) added that the Marine Corps trains Marines how to kill but it does not train them how to turn it off or how to differentiate between individuals once they are deemed hostile.

5. On 09May06, 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 silence. Simultaneously, (b)(6), (b)(7)(C) remarked that he did not want to talk about the incident because he has been drinking every night since his return from Iraq in an effort to forget the incident. Exhibit (72) pertains.

6. On 09May06, (b)(6), (b)(7)(C) USMC was interviewed regarding his knowledge of what happened on 19Nov05 in Haditha. (b)(6), (b)(7)(C) stated he was a Squad Automatic Weapon (SAW) gunner with the 1st Squad, 1st Platoon, Kilo Company while he was deployed in Iraq. (b)(6), (b)(7)(C) confirmed he was injured when the IED hit the HMMWV he was riding in on the morning of 19Nov05. (b)(6), (b)(7)(C) provided the following details:

a. IED: After the IED blast, (b)(6), (b)(7)(C) indicated he was in shock and realized he had been thrown into the middle of the road. (b)(6), (b)(7)(C) reported his SAW had been blown away and he was without a weapon. (b)(6), (b)(7)(C) reported he did not obtain another weapon or shoot anyone on 19Nov05. Furthermore, (b)(6), (b)(7)(C) asserted he did not see any insurgents; however, he did observe an Iraqi man standing near a house that was north of route Chestnut. (b)(6), (b)(7)(C) explained he did not consider the Iraqi a threat because he did not have any weapons. From his

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

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position, (b)(6), (b)(7)(C) said he could observe houses to the south of route Chestnut and did not see any threats or persons in that direction.

(b)(6), (b)(7)(C) related he could not see directly in front of the convoy because the HMMWVs blocked his view. While positioned on the ground,

(b)(6), (b)(7)(C) saw (b)(6), (b)(7)(C) run toward him, then look in LCPL TERRAZAS' direction and say, "Fuck." (b)(6), (b)(7)(C) noted that (b)(6), (b)(7)(C) also came by him to ask whether he was "OK."

b. SAF: After the above occurred, (b)(6), (b)(7)(C) recalled hearing one (1) shot but he did not know who fired or what direction the sound came from. (b)(6), (b)(7)(C) believed it was incoming fire so he looked for his helmet. (b)(6), (b)(7)(C) subsequently, (b)(6), (b)(7)(C) looked up and saw (b)(6), (b)(7)(C) talking on the radio. (b)(6), (b)(7)(C) conveyed that he could not hear everything (b)(6), (b)(7)(C) was saying but he heard (b)(6), (b)(7)(C) ask him for his "kill number." (b)(6), (b)(7)(C) explained a kill number is a number assigned to each Marine to assist in his identification if he becomes a casualty.

c. QRF: (b)(6), (b)(7)(C) estimated the QRF arrived approximately ten (10) minutes after the IED blast. Once the QRF was on-scene, (b)(6), (b)(7)(C) stood up, walked toward one of the HMMWVs, and (b)(6), (b)(7)(C) helped him into it. While sitting in the HMMWV, (b)(6), (b)(7)(C) looked toward the south and observed about seven (7) or eight (8) Marines running toward the house that was closest to route Chestnut. (b)(6), (b)(7)(C) assumed the Marines were going to clear the house but remarked that he did not see any insurgents in the area nor did he hear any SAF. (b)(6), (b)(7)(C) stated he did not see Marines engaged in firefights while he was on-scene.

d. LANDING ZONE: While en route to the landing zone (LZ), (b)(6), (b)(7)(C) recalled hearing SAF coming from the direction of the IED site. (b)(6), (b)(7)(C) estimated that he heard the SAF about fifteen (15) to twenty (20) minutes after he saw the Marines heading toward the house near route Chestnut. Upon arrival at the LZ, (b)(6), (b)(7)(C) informed he was loaded into the helicopter with (b)(6), (b)(7)(C) advised they were taken to Al Asad for medical treatment. (b)(6), (b)(7)(C) indicated that no more than thirty (30) minutes passed from the time of the IED hit and the time he was placed on the helicopter.

e. (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) related he spoke with (b)(6), (b)(7)(C) about the incident in mid-April. According to (b)(6), (b)(7)(C) told him after (b)(6), (b)(7)(C)'s evacuation, the Marines got in a firefight with insurgents and cleared homes near the IED blast site killing twenty (20) people. (b)(6), (b)(7)(C) also mentioned one Iraqi male was shot several times but did not provide any further details. (b)(6), (b)(7)(C) reported he did not speak to any of the other Marines involved in the shootings. Exhibit (73) pertains.

7. On 11May06, (b)(6), (b)(7)(C) USMC was interviewed and confirmed he was a member of the 1st Squad, 3rd Platoon, Kilo Company that was hit by the IED blast on 19Nov05. (b)(6), (b)(7)(C) related that after the convoy was hit, he woke up and found himself on the ground. He could not see anyone but could hear (b)(6), (b)(7)(C) and others telling him he would be "OK." Subsequently, (b)(6), (b)(7)(C) said he passed out and then woke up in the helicopter. About one month later during his

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recovery, (b)(6), (b)(7)(C) received a United Parcel Service package from (b)(6), (b)(7)(C) that (b)(6), (b)(7)(C) contained his laptop computer, which had been in Iraq when he was injured. About a week later, (b)(6), (b)(7)(C) found fifteen (15) to twenty (20) images of dead Iraqi men, women, and children on his computer. (b)(6), (b)(7)(C) noted he was the only Marine in his squad with a laptop in Iraq. Therefore, (b)(6), (b)(7)(C) explained it was common for other Marines to download photographs from their digital camera onto his laptop. (b)(6), (b)(7)(C) does not know who downloaded the photographs. Since the incident, (b)(6), (b)(7)(C) stated he has spoken to or e-mailed a few of the Marines involved. The details follow:

a. (b)(6), (b)(7)(C) In February or March 2006, (b)(6), (b)(7)(C) revealed that he received an e-mail message from (b)(6), (b)(7)(C) that speculated the squad may be in trouble for what occurred after the IED blast. (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) that they had killed a lot of people. (b)(6), (b)(7)(C) noted he asked (b)(6), (b)(7)(C) what the photographs on his laptop were from and (b)(6), (b)(7)(C) related the images were of people "from that day."

b. (b)(6), (b)(7)(C) In May 2006, (b)(6), (b)(7)(C) said (b)(6), (b)(7)(C) called him. During their conversation, (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) how he was doing and (b)(6), (b)(7)(C) related he was not doing well because of the pending investigation. (b)(6), (b)(7)(C) also requested that (b)(6), (b)(7)(C) send him a computer disk with copies of the photographs. (b)(6), (b)(7)(C) did not provide him the photographs.

c. (b)(6), (b)(7)(C) reported he also spoke with (b)(6), (b)(7)(C) USMC regarding the incident. According to (b)(6), (b)(7)(C) related he was with the QRF when he saw two (2) male Iraqis bounding back from the IED site. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) that he shot and killed the Iraqis. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) he did not hear any SAF while he responded to the incident location. Exhibit (74) pertains.

## SECTION II - COC 3/1 MARINES

8. On 02May06, the (b)(6), (b)(7)(C) of Kilo Company, (b)(6), (b)(7)(C) USMC, was interviewed regarding his participation in the events that occurred on 19Nov05. (b)(6), (b)(7)(C) reported that after he was awakened on the morning of 19Nov05 with the news of the IED blast, he remained at Firmbase Sparta the entire day and assisted in the COC. (b)(6), (b)(7)(C) related he and the combat watch officer, SSGT (b)(6), (b)(7)(C) received radio reports from the squad on scene and relayed the information to the battalion. The details of (b)(6), (b)(7)(C) interview follow:

a. SQUADS LAUNCHED: (b)(6), (b)(7)(C) reported that after the IED blast, a medical evacuation was requested and they launched one of the QRFs, Spartan 3rd platoon, 2nd squad (Spartan 3/2) to secure the LZ. (b)(6), (b)(7)(C) related that the CO, CAPT (b)(6), (b)(7)(C), went with Spartan 3/2. (b)(6), (b)(7)(C) noted that around the same time 3/2 was sent, Spartan 3/1 reported they had received SAF from the north and south of their position at the IED blast site; however, the report was incomplete. In the meantime, Spartan 1st platoon, 1st squad (Spartan 1/1) was conducting a security patrol on River road (a road that intersects route Chestnut from the east). (b)(6), (b)(7)(C) stated he ordered Spartan 1/1 to set up a blocking position to support the troops located at the

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intersection of Chestnut and Viper. However, Spartan 1/1 was delayed by a surface-laid IED. Consequently, (b)(6), (b)(7)(C) explained the explosive ordinance disposal (EOD) team was called in. While EOD traveled on River road, they reported receiving SAF from the palm groves east of River road and north of the hospital. In turn, (b)(6), (b)(7)(C) related they launched Spartan 3/1 to attack the enemy in the palm groves. This squad received SAF from the intersection of Haditha road and Market street. (b)(6), (b)(7)(C) advised that the squad pursued the enemy but the enemy broke contact near the hospital. (b)(6), (b)(7)(C) added this squad found another IED at the intersection of Rhino and Haditha roads.

b. SCAN EAGLE: (b)(6), (b)(7)(C) reported that within the COC they were able to observe a live feed from Scan Eagle, an unmanned aerial vehicle (UAV). (The UAV was reportedly used in the area to determine and assist in eliminating the threat during combat activity.) (b)(6), (b)(7)(C) noted Scan Eagle reported seven (7) military age males (MAMS) in a vehicle traveling south on Palm Grove Trail near the hospital. Shortly thereafter, four (4) of the seven (7) MAMS were seen exiting the vehicle into a house while armed with AK-47s. (b)(6), (b)(7)(C) explained they had a section of Cobras on station, and the Cobras responded by firing two (2) rockets into the house. Subsequently, (b)(6), (b)(7)(C) directed Weapons Platoon, (Spartan 4/1) to conduct a BDA. (b)(6), (b)(7)(C) reported that as 4/1 attempted to clear a house, they received heavy grenade and SAF that resulted in seven (7) casualties to 4/1. (b)(6), (b)(7)(C) advised Spartan 4/1 and Spartan 4/2 established a cordon around a hostile house and fixed wing aircraft attacked the target with five hundred (500) pound bombs. (b)(6), (b)(7)(C) recalled Scan Eagle followed one (1) male out of the rubble of the bombed house who was later arrested.

c. SITUATION REPORTS: At one point, (b)(6), (b)(7)(C) noted that (b)(6), (b)(7)(C) called him while located at Chestnut and Viper to request medical evacuation for an injured civilian. (b)(6), (b)(7)(C) stated he arranged for the LZ to be in the vicinity of (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) advised the battalion asked the company for situation reports throughout the day. (b)(6), (b)(7)(C) stated they reported fifteen (15) total KIA and eight (8) EKIA. (b)(6), (b)(7)(C) explained he assumed this meant there were fifteen (15) total KIAs, which included eight (8) EKIA. (b)(6), (b)(7)(C) indicated he received these numbers from unknown Marines on ground at the intersection of Chestnut and Viper. (b)(6), (b)(7)(C) clarified these numbers did not include those killed by Weapons Platoon. Although (b)(6), (b)(7)(C) acknowledged receiving situation reports from the Marines located at Chestnut, he could not recall the details of such reports due to the kinetic activity occurring elsewhere in the battle space. (b)(6), (b)(7)(C) noted the situation reports from the Marines at Chestnut were that they were continuing to exploit the situation; they did not clarify the specifics of their actions. At one point, (b)(6), (b)(7)(C) recalled someone reported over the radio that eight (8) AK-47s had been found in the vicinity of Chestnut and Viper. (b)(6), (b)(7)(C) confirmed he never saw any of the eight (8) AK-47s.

d. ARRIVAL OF HMMWVs WITH BODIES: (b)(6), (b)(7)(C) related that around midnight, Marines returned to Firmbase Sparta in three (3) HMMWVs loaded with several bodies. (b)(6), (b)(7)(C) explained initially they were going to segregate the EKIA from neutrals killed in action (NKIA)

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before transporting the bodies to the Haditha hospital. However, (b)(6), (b)(7)(C) said they could not decipher between the two (2) categories since those at the Firmbase were not on scene. At this point, (b)(6), (b)(7)(C) learned there were twenty-three (23) bodies and not the originally reported number of fifteen (15). Therefore, (b)(6), (b)(7)(C) assumed that the numbers were fifteen (15) NKIA plus eight (8) ERIA. Consequently, (b)(6), (b)(7)(C) related he changed the report to reflect what he perceived as the correct numbers and informed the Battalion of the discrepancy in the initial report. (b)(6), (b)(7)(C) noticed women and children were among the deceased. (b)(6), (b)(7)(C) asked a member of Spartan 3/1, whom he believed was (b)(6), (b)(7)(C) why children were killed. (b)(6), (b)(7)(C) explained to (b)(6), (b)(7)(C) they were clearing a house and while inside, they heard "metal on metal," and threw a fragmentation grenade into the room. Thereafter, they entered the room and saw that the grenade had killed women and children. Once the bodies were taken to the hospital, (b)(6), (b)(7)(C) instructed the platoon commanders to make sure there were no photographs of the detainees or dead bodies in accordance with policy. (b)(6), (b)(7)(C) asserted he deleted the photographs from (b)(6), (b)(7)(C) camera. Finally, at the end of the night, (b)(6), (b)(7)(C) reported that (b)(6), (b)(7)(C) led a debrief with 3rd platoon but (b)(6), (b)(7)(C) did not attend. Exhibit (75) pertains.

9. On 05May06, (b)(6), (b)(7)(C) USMC, was interviewed and asserted he was located at the Firmbase in Haditha the entire day on 19Nov05. (b)(6), (b)(7)(C) reported he first learned of the IED blast around 0700-0730. In turn, (b)(6), (b)(7)(C) responded to the COC where he asked LT (b)(6), (b)(7)(C) and the radio operator, CPL (b)(6), (b)(7)(C), about any casualties. At that time, (b)(6), (b)(7)(C) related he was not informed of the KIA but later learned of the KIA around 1000. (b)(6), (b)(7)(C) indicated he was irritated he had not been informed earlier as he believed incorrect information had been reported to the battalion (i.e., omission of the KIA). (b)(6), (b)(7)(C) explained he asked (b)(6), (b)(7)(C) if they were keeping a log entry of the events that were occurring. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) that he was writing things on scratch paper but would enter them in a logbook. (b)(6), (b)(7)(C) opined the COC was not being operated as it should have been and that he faced resistance from those in charge when he attempted to correct several perceived administrative problems before 19Nov05.) Later that day, (b)(6), (b)(7)(C) recalled the CO, CAPT (b)(6), (b)(7)(C), returning to the Firmbase and holding a meeting with 3rd Platoon in the briefing room. (b)(6), (b)(7)(C) advised that at the meeting (b)(6), (b)(7)(C) talked about the loss of LCPL TERRAZAS. Additionally, (b)(6), (b)(7)(C) explained he first learned of an investigation when (b)(6), (b)(7)(C) held another meeting in February 2006. During this meeting, (b)(6), (b)(7)(C) met with a few Marines and informed them of the pending investigation. During the weeks that followed the incident on 19Nov05, (b)(6), (b)(7)(C) noted he checked on his Marines' welfare but no one discussed the shootings with him. (b)(6), (b)(7)(C) stated he did not see weapons or any of the deceased on 19Nov05. Exhibit (76) pertains.

10. On 08May06, (b)(6), (b)(7)(C) USMC, was interviewed and related he was the (b)(6), (b)(7)(C) in the COC on 19Nov05. Specifically, (b)(6), (b)(7)(C) said he monitored the communications between ground, air, and command elements. After the IED blast, (b)(6), (b)(7)(C)

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recalled hearing the hit convoy call in and relay they were taking SAF from a white vehicle that approached them after the IED blast. (b)(6), (b)(7)(C) added he could hear gunfire over the radio. (b)(6), (b)(7)(C) also heard the QRF report that they were trying to follow four (4) individuals in a nearby house. (b)(6), (b)(7)(C) asserted the units at the IED site did not call in any seizure of weapons. However, (b)(6), (b)(7)(C) believed Weapons Platoon reported capturing weapons. The following day, (b)(6), (b)(7)(C) saw weapons at the COC and thought them to be the ones that Weapons Platoon had obtained. At one point, (b)(6), (b)(7)(C) noted the CO was on-scene and requested medical evacuation for civilians. After the IED blast, (b)(6), (b)(7)(C) advised three (3) other engagements occurred and resulted in more casualties. (b)(6), (b)(7)(C) related all of his notes regarding the receipt of incoming radio reports were provided to either LT (b)(6), (b)(7)(C) who were sending information to the battalion throughout the day. Around midnight, (b)(6), (b)(7)(C) said he was off duty when he spoke to several Marines at the smoke pit and learned there had been women and children killed. According to (b)(6), (b)(7)(C) several of the unknown Marines opined that something was not right with what happened. Exhibit (77) pertains.

11. On 08May06, (b)(6), (b)(7)(C) USMC, was interviewed and advised while he was in Iraq he was an Intelligence Analyst attached to Kilo Company. (b)(6), (b)(7)(C) conveyed his job was to debrief Kilo Company personnel after they returned from maneuvers, in an effort to gather intelligence. (b)(6), (b)(7)(C) processed such information by typing it into his computer and briefing both his company and battalion chains of command. The details regarding (b)(6), (b)(7)(C) knowledge of 19Nov05 follow.

a. COC: (b)(6), (b)(7)(C) was at Firmbase Sparta when he heard the IED blast. Immediately thereafter, (b)(6), (b)(7)(C) reported he went to the COC and used his computer to assist the Company in relaying intelligence to the Battalion S-2. Additionally, (b)(6), (b)(7)(C) worked with directing the UAV support. (b)(6), (b)(7)(C) recalled LT (b)(6), (b)(7)(C) told him a convoy had been ambushed, that there were multiple people in the area with SAF and Marines had returned fire. (b)(6), (b)(7)(C) revealed at the same time the IED exploded, another logistical convoy came under SAF near the Rafi mosque that was about two (2) to two and a half (2 1/2) kilometers from the Firmbase. Moreover, (b)(6), (b)(7)(C) indicated the 4th Platoon was part of a QRF and in a convoy when they entered a firefight from a palm grove near the Sabani mosque, east of Chestnut on River road. According to (b)(6), (b)(7)(C) the UAV came into the area, and headquarters called for a GBU bomb to be dropped on the house in the palm grove. (b)(6), (b)(7)(C) observed that the UAV spotted a male leaving the bombed house and followed him while he traveled west to other homes.

b. PATROL BRIEFS: (b)(6), (b)(7)(C) reported he remained at the COC the entire morning and afternoon. Around 1600, (b)(6), (b)(7)(C) started to conduct the patrol briefs with Marines who returned to the Firmbase from the IED site. (b)(6), (b)(7)(C) obtained briefs from both LT (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) and typed them into his computer. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) the IED hit the convoy, they came under SAF from the houses, and they returned fire. (b)(6), (b)(7)(C) also informed (b)(6), (b)(7)(C) that once the cease-fire was called, they set up cordons, called the QRF and turned over the scene

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to LT (b)(6), (b)(7)(C) when he arrived. (b)(6), (b)(7)(C) could not recall whether (b)(6), (b)(7)(C) related anything about clearing houses but he remembered (b)(6), (b)(7)(C) indicated civilians had been killed in crossfire. Around 1700-1800, (b)(6), (b)(7)(C) spoke with LT (b)(6), (b)(7)(C) about the IED blast, the QRF, and the casualty evacuation. (b)(6), (b)(7)(C) could not remember the details of their conversation but reiterated that such information would be in his patrol debrief report. (b)(6), (b)(7)(C) advised the content of his patrol briefs would be used in the S-2's intelligence summary, the S-3's spreadsheets, and the battalion's Significant Activity Reports (the activity reports are sent to the Division).

c. HOSPITAL: (b)(6), (b)(7)(C) reported he left the Firmbase that night with the convoy that dropped off dead bodies at the hospital. He was en-route to the Haditha Dam. (b)(6), (b)(7)(C) stated some of the bodies were in body bags and others were in sheets or blankets. (b)(6), (b)(7)(C) did not see the bodies closely but could tell there were women and children. Exhibit (78) pertains.

12. On 11May06, (b)(6), (b)(7)(C) USMC, was interviewed and related he was the (b)(6), (b)(7)(C) while deployed with 3/1 in Iraq. (b)(6), (b)(7)(C) described his duties as tracking all Marine personnel located at Firmbase Sparta. On the morning of 19Nov05, (b)(6), (b)(7)(C) recalled hearing the IED blast and potential gunfire. (b)(6), (b)(7)(C) explained he immediately obtained his gear and went to the COC to check if there were any Marines wounded or killed. (b)(6), (b)(7)(C) said he learned about LCPL TERRAZAS' death and recorded the information. Thereafter, (b)(6), (b)(7)(C) reported he remained at the Firmbase and slept until about 2000-2200. At that time, (b)(6), (b)(7)(C) recalled GYSGT (b)(6), (b)(7)(C) waking Headquarters Platoon up and instructing Marines to assist the vehicles that returned to the Firmbase. (b)(6), (b)(7)(C) ordered (b)(6), (b)(7)(C) and other Marines to remove the bodies from the HMMVs and separate the fighting aged males from the women and children. While this was done, (b)(6), (b)(7)(C) noted the CO (b)(6), (b)(7)(C) told them they were doing a nasty job and that it was a hard day for Kilo Company but to keep their heads up, or words to that effect. When asked if he had any knowledge of photographs taken on 19Nov05, (b)(6), (b)(7)(C) advised he knew squad leaders carried cameras to "prosecute" (b)(6), (b)(7)(C) targets for a database, but he had not heard of any photographs from the incident. Exhibit (79) pertains.

**SECTION III - QRF, 1st PLATOON, Afternoon Team**

13. On 02May06, (b)(6), (b)(7)(C) USMC, (b)(6), (b)(7)(C) for 1st Platoon, Kilo Company was interviewed regarding his knowledge of the events that occurred on 19Nov05. (b)(6), (b)(7)(C) related that around 1230 or 1300 on 19Nov05, he was at Firmbase Sparta when he learned of the IED blast and that (b)(6), (b)(7)(C) squad had been reportedly engaged in a firefight. In turn, (b)(6), (b)(7)(C) informed his squad and departed for (b)(6), (b)(7)(C) location. The details of (b)(6), (b)(7)(C) interview follow:

a. SAF: (b)(6), (b)(7)(C) reported he departed with LT (b)(6), (b)(7)(C) and his squad around 1300-1330. During their foot patrol to Chestnut, (b)(6), (b)(7)(C) stated he did not hear any SAF or see any insurgents with weapons. About one hour to one and a half hours later, (b)(6), (b)(7)(C) noted his

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squad arrived on-scene and they did not observe or hear any gunfire. Additionally, (b)(6), (b)(7)(C) advised he never saw any AK-47s which were reportedly collected on 19Nov05.

b. TAXI: While on-scene, (b)(6), (b)(7)(C) observed a white vehicle with personal effects scattered nearby and four (4) dead males positioned within ten (10) feet from the car. (b)(6), (b)(7)(C) advised he saw two (2) males with headshots but did not see any weapons or shell casings near the bodies.

c. (b)(6), (b)(7)(C) Around 1430, (b)(6), (b)(7)(C) stated he met with (b)(6), (b)(7)(C) and asked him what had happened. According to (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) said that after the IED blast, the white car pulled up, and the male occupants engaged the convoy with firearms. (b)(6), (b)(7)(C) also told (b)(6), (b)(7)(C) that he dropped to his knee and fired at the males with his M-16. (b)(6), (b)(7)(C) opined that (b)(6), (b)(7)(C) appeared to be upset about losing one of his Marines. After they ended their conversation, (b)(6), (b)(7)(C) saw   and (b)(6), (b)(7)(C) talk for about ten (10) minutes. Subsequently,   went to houses #1, #2 and #4.

d. HOUSE #1: While inside house #1,   advised he saw smoke, a body with small flames on it, a deceased elderly woman in the hallway, a male with a leg blown off, a dead male leaning against a wall, and a woman and a young boy that were in a "praying position."   speculated some of the injuries on the bodies appeared to be caused by a fragmentation grenade.

e. HOUSE #2: In house #2,   saw a dead male in the kitchen doorway. In a separate room,   observed two women and several dead children on a bed.   noted one child's head was "completely gone."   hypothesized the room had been "fraggged" because there was a lot of blood on the walls and ceiling.

f. HOUSES #3-#4: After he left house #2,   checked on his Marines and then went to house #4 with  . While in house #4,   saw other Marines in a back room and one (1) dead male with gunshot wounds.   did not see any other bodies and decided to inspect house #3 while   remained at house #4. At house #3,   saw two (2) Marines from (b)(6), (b)(7)(C) squad posting security on Iraqis located inside the house.   advised the Iraqis appeared to be upset.

g. REMOVAL OF BODIES: Around 1600-1700,   recalled supervising Marines as they removed and loaded the bodies into HMMWVs.   explained he did not participate in the BDA as it would have been (b)(6), (b)(7)(C) responsibility as the senior Marine on scene when the incident occurred.   estimated he and his Marines departed the area with the bodies around 2000. Upon their return to Firmbase Sparta,   related he turned the squad over to CPL   and went to his room.   stated he did not participate in any debriefs. Exhibit (80) pertains.

14. On 02May06,  , USMC, was interviewed regarding his knowledge of the events that occurred on 19Nov05 in

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Haditha, Iraq. (b)(6), (b)(7)(C) advised he is the (b)(6), (b)(7)(C) of the 2nd squad, 1st platoon (Spartan 2/1). (b)(6), (b)(7)(C) reported his platoon commander, LT (b)(6), USMC, informed him of the IED blast shortly after the convoy was hit on 19Nov5. (b)(6), (b)(7)(C) noted he and his team responded to the scene at approximately 1100 (several hours after the IED blast occurred). The details of (b)(6), (b)(7)(C) interview follow:

a. SAF: (b)(6), (b)(7)(C) stated when they arrived at the ambush site, there was no gunfire, no explosions, and no SAF.

b. TAXI: Upon arrival at the scene, (b)(6), (b)(7)(C) observed the white taxi with bullet holes and four (4) to five (5) civilian Iraqi male bodes in or near the taxi. (b)(6), (b)(7)(C) recalled one of the deceased had a chest wound and another had a massive facial injury. (b)(6), (b)(7)(C) also noted suitcases and clothing were positioned on the ground near the taxi.

c. OVER WATCH & SEARCHES: (b)(6), (b)(7)(C) reported that shortly after arriving on scene, he and other members of his squad/platoon walked to a nearby house, set up an over watch on top of the roof of the house, and remained there until about 1400. At this point, (b)(6), (b)(7)(C) recalled LT (b)(6), ordered LCPI (b)(6), (b)(7)(C) to set up a security post about 30 feet east of the taxi on route Chestnut. Around 1600, (b)(6), (b)(7)(C) related he accompanied LT (b)(6), and other command members during searches of nearby buildings for insurgents; however, none were found. Thereafter, (b)(6), (b)(7)(C) returned to his post and checked on his fellow Marines from 1700-2000.

d. REMOVAL OF BODIES: (b)(6), (b)(7)(C) advised he observed other unknown Marines loading the deceased into HMMWVs but did not witness anyone taking photographs. (b)(6), (b)(7)(C) noted he assisted in placing the victims from the white taxi into body bags. Later, (b)(6), (b)(7)(C) stated he and his squad accompanied the Marines who transported the bodies to the Haditha hospital. (b)(6), (b)(7)(C) estimated they returned to Firmbase Sparta from the hospital at approximately 2110. Exhibit (81) pertains.

15. On 03May06 (b)(6), (b)(7)(C) of 1st Platoon, Kilo Company, was interviewed regarding his participation and knowledge of the shootings that occurred on 19Nov05. (b)(6), (b)(7)(C) advised when he learned of the IED attack on 3rd Platoon, he obtained updates of ongoing events from the COC while he and his Marines stood by for orders. (b)(6), (b)(7)(C) related he left the Firmbase with 2nd squad late in the afternoon after several other units had been launched. (b)(6), (b)(7)(C) provided the following details of what happened once he and his Marines arrived on scene:

a. ROUTE CHESTNUT: When (b)(6), (b)(7)(C) reached route Chestnut, he instructed his squad leader, CPL (b)(6), (b)(7)(C) to set up security. (b)(6), (b)(7)(C) also spoke briefly to SGT (b)(6), (b)(7)(C) regarding the detainees they had in their control. Thereafter, (b)(6), (b)(7)(C) spoke to (b)(6), (b)(7)(C) about what had happened. According to (b)(6), (b)(7)(C) said after the IED blast the first HMMWV dismounted and fired at the males next to a white car on Chestnut. (b)(6), (b)(7)(C) noted they were receiving fire but

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did not state whether they received fire from the individuals from the white vehicle. (b)(6), (b)(7)(C) also informed (b)(6), (b)(7)(C) he and his Marines cleared buildings from which they received fire. While in one house, (b)(6), (b)(7)(C) related to (b)(6), (b)(7)(C) that he heard an AK-47 racking and retrieved AK-47s from the same house. (b)(6), (b)(7)(C) explained he wanted (b)(6), (b)(7)(C) and his squad to get some rest so he instructed (b)(6), (b)(7)(C) to take his unit to one of the houses.

b. HOUSES #1 & #2: Subsequent to his conversation with (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) toured the cleared houses with SGT (b)(6), (b)(7)(C). At the first house they entered, (b)(6), (b)(7)(C) did not observe any bodies but noticed several bullet holes in the door and a pile of casings a few meters from the door. (b)(6), (b)(7)(C) reported the next house (house #1) they entered had been burned and was still hot. (b)(6), (b)(7)(C) observed several bodies, including one with an unattached leg. In house #2, (b)(6), (b)(7)(C) saw a dead male in the doorway and several bodies of women and children in another room.

c. DECISION TO DOCUMENT THE DECEASED: (b)(6), (b)(7)(C) related he and (b)(6), (b)(7)(C) returned to Chestnut when they left house #2. At this point, (b)(6), (b)(7)(C) advised that (b)(6), (b)(7)(C) left the area to take the detainees back to the Firmbase. Around dusk, (b)(6), (b)(7)(C) recalled receiving the XO's (LT (b)(6), (b)(7)(C) command to police the bodies. (b)(6), (b)(7)(C) then tasked CPL (b)(6), (b)(7)(C) to document the houses where the deceased were and to have photographs taken of them. In turn, (b)(6), (b)(7)(C) assigned two (2) Marines to conduct (b)(6), (b)(7)(C) order but (b)(6), (b)(7)(C) could not recollect the identity of these Marines. (b)(6), (b)(7)(C) explained the idea to document and photograph the deceased was SGT (b)(6), (b)(7)(C) and the purpose discussed was to gather intelligence.

d. REMOVAL OF BODIES: (b)(6), (b)(7)(C) asserted he and HN (b)(6), (b)(7)(C) removed about 90% of the bodies and loaded them into HMMWVs. While handling the bodies, (b)(6), (b)(7)(C) noticed several severe injuries. After the bodies were placed in HMMWVs, (b)(6), (b)(7)(C) advised they split into two (2) units wherein CPL (b)(6), (b)(7)(C) took the vehicles back to the Firmbase and (b)(6), (b)(7)(C) patrolled back on foot with CPL (b)(6), (b)(7)(C). Shortly after (b)(6), (b)(7)(C) returned to the Firmbase, CAPT (b)(6), (b)(7)(C) instructed (b)(6), (b)(7)(C) to take the bodies to the morgue with MAJOR (b)(6), (b)(7)(C) and his interpreter, (b)(6), (b)(7)(C) reported he followed the CO's order.

e. RE-INTERVIEW: On 05May06, (b)(6), (b)(7)(C) was re-interviewed regarding the use of his personal camera on 19Nov05. During (b)(6), (b)(7)(C) first interview, he stated he possibly took photographs on 19Nov05 but was uncertain of the images' contents. (b)(6), (b)(7)(C) also claimed he no longer had his camera as it was located in the midwest with a friend of a family member. However, after conducting his own search, (b)(6), (b)(7)(C) explained he found his camera among his possessions and decided to voluntarily turn it over to NCIS. During the interview that followed the receipt of his camera, (b)(6), (b)(7)(C) clarified that he took photographs of the HMMWV wreckage, the crater created by the IED, his blood-stained clothing, and possibly of the burned home (house #1). (b)(6), (b)(7)(C) provided a detailed description of the use of his camera since 19Nov05. On 19May06, a Command Authorized search was obtained for the review/analysis of (b)(6), (b)(7)(C) camera.

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f. REPORTING PROCEDURE: When asked about reporting procedures taken on 19Nov05, (b)(6), (b)(7)(C) related he believed the CO, (b)(6), (b)(7)(C) and the COC already knew everything he knew while he was on-scene. (b)(6), (b)(7)(C) indicated he thought all the information was being passed via radio reports. (b)(6), (b)(7)(C) asserted he had no obligation to file an official report or document the incident for investigative purposes. (b)(6), (b)(7)(C) related he had it documented solely for intelligence purposes. (b)(6), (b)(7)(C) advised he did not question the shootings because he did not believe the Marines would do anything wrong. Based on his knowledge of the shootings, (b)(6), (b)(7)(C) believed the Marines' actions were legitimate. (b)(6), (b)(7)(C) said, "I thought we had killed the enemy and accomplished the mission." When he saw the women and children, (b)(6), (b)(7)(C) explained he could think of ways that such collateral damage could occur. Finally, (b)(6), (b)(7)(C) reported (b)(6), (b)(7)(C) held a meeting before the U.S. Army investigator arrived. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) and those at the meeting to tell their Marines to treat the Army investigator professionally. Exhibits (82)-(84) pertain.

16. On 03May06, (b)(6), (b)(7)(C), USMC, was interviewed regarding his participation and observations of the events that occurred on 19Nov05. While deployed in Iraq, (b)(6), (b)(7)(C) was assigned to the 2nd Squad, 1st Platoon, and his platoon sergeant was SSGT (b)(6), (b)(7)(C). The details of his interview follow:

a. QRF: (b)(6), (b)(7)(C) reported he was on the QRF team that (b)(6), (b)(7)(C) led on 19Nov05. (b)(6), (b)(7)(C) stated his platoon left Firmbase Sparta around 1400 to provide security at the 3rd platoon's location. (b)(6), (b)(7)(C) estimated they arrived on-scene around 1430 and he noticed the white vehicle parked on the right side of the road.

b. TAXI: (b)(6), (b)(7)(C) related he saw personal effects around the vehicle. When he looked inside the car, (b)(6), (b)(7)(C) noted he did not see any blood or shell casings. (b)(6), (b)(7)(C) also observed four (4) dead males positioned near the white vehicle.

c. SECURITY: (b)(6), (b)(7)(C) noted that CPL (b)(6), (b)(7)(C) instructed he and LCPL (b)(6), (b)(7)(C) to post security. (b)(6), (b)(7)(C) followed (b)(6), (b)(7)(C) instruction and remained on post for several hours. At one point, (b)(6), (b)(7)(C) saw LT (b)(6), (b)(7)(C) and SSGT (b)(6), (b)(7)(C) head to houses southeast of his position. About two (2) hours later, (b)(6), (b)(7)(C) informed (b)(6), (b)(7)(C) there were dead women and children inside the homes. Around 1830-1900, (b)(6), (b)(7)(C) advised he was ordered to provide security while bodies were loaded into HMMWVs. When asked to help remove bodies, (b)(6), (b)(7)(C) related he refused to do so because he was disgusted with the deaths of women and children.

d. HOUSES #1-#4: (b)(6), (b)(7)(C) asserted he did not enter houses #1, #2, or #3; however, (b)(6), (b)(7)(C) instructed him to assist in the removal of bodies from house #4. While in house #4, (b)(6), (b)(7)(C) noted Marines conducting a search of the home and four (4) dead males in a back bedroom. (b)(6), (b)(7)(C) stated he did not see any weapons recovered from house #4. When (b)(6), (b)(7)(C) departed house #4, he posted security for the HMMWVs parked near the home.

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e. TRANSPORT OF BODIES: Around 2300, [ ] recalled departing the area and taking the bodies to Firmbase Sparta. [ ] advised they later transported the bodies to the Haditha morgue between midnight and 0100. When they reached the morgue, [ ] believed LT [ ] spoke with the morgue employees with the assistance of [ ] an interpreter. Additionally, [ ] noted the morgue employees removed the bodies from the HMMWVs.

f. DEBRIEF: [ ] advised when they returned from the morgue around 0200-0300, they did not have a debriefing. However, [ ] recalled attending a debriefing led by CAPT [ ] in the days that followed 19Nov05. At the debriefing, [ ] recalled informing the Marines that even though civilians died, they had obtained information on the location of IEDs and insurgents. [ ] opined that LT [ ] attempted to justify what had happened.

g. METHOD OF CLEARING HOMES: [ ] stated he heard that 3rd platoon had received fire from the direction of one of the houses they later cleared with fragmentation grenades on 19Nov05. [ ] opined although this form of clearing had been used in the higher risk area of Fallujah, it was not appropriate in Haditha. [ ] explained the method of clearing they operated under in Haditha was to stack up and clear rooms one by one without excessive force. Exhibit (85) pertains.

17. On 03May06, [ ] USMC, was interviewed regarding his participation in the events that occurred on 19Nov05. [ ] related he is assigned to 2nd Squad, 1st Platoon, Kilo Company. Although [ ] advised of the IED early in the day, [ ] reported he and the other members of his QRF team did not depart on foot for route Chestnut until approximately 1200. Upon their arrival to Chestnut, [ ] estimated he was posted on security for five (5) hours. From his position, [ ] observed a white vehicle and two (2) bodies positioned near the car, but he was not close enough to provide further details. [ ] indicated no gunfire was exchanged while he was on scene. Around 1800, [ ] stated his squad was ordered to walk back to Firmbase Sparta. Later, [ ] and other members of his squad provided security for the HMMWVs that transported the deceased to the Haditha morgue. [ ] asserted he did not enter any of the houses, remove bodies, participate in any BDA, or attend any debrief on 19Nov05. Exhibit (86) pertains.

18. On 04May06, [ ] USMC, was interviewed regarding his participation in the events that occurred on 19Nov05. [ ] reported he was the [ ] for the first QRF that evacuated the casualties from the scene on route Chestnut. The details follow:

a. SAF: After he arrived on scene, [ ] said he assisted in loading the casualties and heard "pop shots and explosions to the south." Once the injured Marines were loaded up, LT [ ] informed [ ] he was going to remain behind. Thereafter, [ ] recalled hearing gunfire and possibly "203s" as they left the scene for the LZ. [ ] also remembered seeing a white car with blinking lights

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and dead men positioned ten (10) to fifteen (15) feet from the vehicle. After the casualties were picked up, (b)(6), (b)(7)(C) related he returned to the Firmbase around 0800 and remained there for about six (6) hours.

b. REMOVAL OF BODIES: Around 1600, (b)(6), (b)(7)(C) and his squad returned to route Chestnut to retrieve the bodies. When he reached the scene, (b)(6), (b)(7)(C) advised he met with LT (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) informed the foregoing Marines they had to provide a body count to the COC. (b)(6), (b)(7)(C) could not recall the number, but he believed it was (b)(6), (b)(7)(C) that called in the body count. Subsequently, (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) he knew where the bodies were located. Consequently, (b)(6), (b)(7)(C) had LCPL (b)(6), (b)(7)(C) go with him to the first house. (b)(6), (b)(7)(C) reported they marked the bodies and took photographs of each one. (b)(6), (b)(7)(C) believed (b)(6), (b)(7)(C) was in charge of marking while (b)(6), (b)(7)(C) took photographs. (b)(6), (b)(7)(C) could not recall whether he was ordered to document the bodies, but explained it was possible as they "always took pictures of anything that happens." (b)(6), (b)(7)(C) noted a few of the injuries while the bodies were being removed. While in house #4, (b)(6), (b)(7)(C) remembered a Marine said three (3) women were in the house initially but they had since gone next door. Thereafter, (b)(6), (b)(7)(C) went to house #3 where they asked the occupants if they had weapons and conducted a search of the residence. When they did not find anything, both (b)(6), (b)(7)(C) smoked a cigarette in the living room where the women were seated.

c. DEBRIEF: (b)(6), (b)(7)(C) stated GYSGT (b)(6), (b)(7)(C) met him outside when they arrived with the bodies to the Firmbase. (b)(6), (b)(7)(C) indicated (b)(6), (b)(7)(C) had a camera and was to turn it into CPL (b)(6), (b)(7)(C) in the COC; however, (b)(6), (b)(7)(C) was not certain what happened to the photographs or the paper used to document the body count. Later, while at the Firmbase, (b)(6), (b)(7)(C) attended a meeting wherein the CO spoke with the 1st and 3rd squads in a conference room. According to (b)(6), (b)(7)(C) told the squads they had done a good job, acknowledged they had lost a couple people, and instructed them to move forward. Exhibit (87) pertains.

19. On 04May06, (b)(6), (b)(7)(C) of 2nd Squad, 1st Platoon, Kilo Company, was interviewed. (b)(6), (b)(7)(C) advised he and his Marines were tasked to provide security to the 3rd Platoon on 19Nov05. (b)(6), (b)(7)(C) estimated his squad arrived on scene around noon. He initially noticed a white vehicle and SGT (b)(6), (b)(7)(C) interviewing twelve (12) detainees.

a. (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) reported he posted his Marines on security and asked (b)(6), (b)(7)(C) what had happened. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) the white car was approaching the convoy after the IED hit and they engaged the people or the vehicle. (b)(6), (b)(7)(C) noted (b)(6), (b)(7)(C) did not tell him who conducted the shooting. (b)(6), (b)(7)(C) also informed (b)(6), (b)(7)(C) that his platoon had taken SAF from a house southeast of the IED site. When (b)(6), (b)(7)(C) looked toward the area (b)(6), (b)(7)(C) directed him to, he could not see the house, but he saw a body of an Iraqi male on the ridgeline and pieces of the HMMWV wreckage.

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b. REMOVAL OF BODIES: Around 1400-1500, (b)(6), (b)(7)(C) noted CPL (b)(6), (b)(7)(C) and his squad arrived for removal of the bodies. (b)(6), (b)(7)(C) followed (b)(6), (b)(7)(C) squad while his Marines remained on security. (b)(6), (b)(7)(C) noted LT (b)(6), (b)(7)(C) assisted (b)(6), (b)(7)(C) with the bodies. (b)(6), (b)(7)(C) reported entering houses #2 and #4 where he observed several dead bodies. Around 2200, (b)(6), (b)(7)(C) said his squad went back to the Firmbase on foot. (b)(6), (b)(7)(C) related he met with his squad and conducted a debriefing to discuss the loss of a fellow Marine. Later, (b)(6), (b)(7)(C) squad provided security to the HMMWVs that transported the bodies to the hospital with MAJ (b)(6), (b)(7)(C) and his interpreter. Subsequently, (b)(6), (b)(7)(C) ordered (b)(6), (b)(7)(C) to have the 1st squad wash the blood out of the HMMWVs. Around 0200-0230, (b)(6), (b)(7)(C) returned to the Firmbase.

c. DEBRIEF: (b)(6), (b)(7)(C) related sometime after 19Nov05, CAPT (b)(6), (b)(7)(C) held a meeting where he spoke with either most or all of Kilo Company regarding what happened on 19Nov05. (b)(6), (b)(7)(C) could not remember what was discussed but recalled having a moment of silence for LCPL TERRAZAS. Exhibit (88) pertains.

20. On 04May06, (b)(6), (b)(7)(C) USMC, was interviewed regarding his knowledge of what occurred on 19Nov05. (b)(6), (b)(7)(C) stated he is assigned to 2nd Squad, 1st Platoon, Kilo Company, and is one of the team leaders under CPL (b)(6), (b)(7)(C) and his platoon commander, LT (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) estimated his squad departed the Firmbase around noon with CPL (b)(6), (b)(7)(C). When they reached Chestnut and Viper, (b)(6), (b)(7)(C) explained CPL (b)(6), (b)(7)(C) ordered him to post his team on security on the southern end of route Viper. (b)(6), (b)(7)(C) related he and his team remained on security for four (4) to five (5) hours. (b)(6), (b)(7)(C) noted he was positioned on a rooftop and saw other Marines posted on rooftops as well. At one point, (b)(6), (b)(7)(C) ordered LCPL (b)(6), (b)(7)(C) to assist in the removal of the bodies. (b)(6), (b)(7)(C) asserted he did not go into any of the houses, participate in a BDA, transport the bodies, or attend any debriefs. Moreover, (b)(6), (b)(7)(C) stated he did not observe any weapons that were reportedly seized. (b)(6), (b)(7)(C) asserted when an enemy weapon is located, the proper procedure includes securing, documenting, and taking such weapons back to Firmbase Sparta. Exhibit (89) pertains.

21. On 05May06, (b)(6), (b)(7)(C) USMC, was interviewed regarding his observations and participation in the events that occurred on 19Nov05. (b)(6), (b)(7)(C) reported he is assigned to the 2nd Squad, 1st Platoon, Kilo Company, under his squad leader (b)(6), (b)(7)(C) and team leader, (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) estimated his squad departed the Firmbase for the IED blast site around 1200. Upon their arrival, (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) ordered him to post security on route Viper, north of houses #3 and #4. (b)(6), (b)(7)(C) recalled that some time later, (b)(6), (b)(7)(C) ordered (b)(6), (b)(7)(C) to join him on a rooftop. While on the rooftop, (b)(6), (b)(7)(C) learned Marines needed help with the removal of bodies from house #4. In turn, (b)(6), (b)(7)(C) and LCPL (b)(6), (b)(7)(C) left the rooftop to assist Marines located at house #4. (b)(6), (b)(7)(C) noted he did not enter house #4 because the bodies had already been removed from inside. (b)(6), (b)(7)(C) added that because the four male dead bodies were so heavy, it took him and other Marines about an hour to load the bodies into the HMMWVs. After the HMMWVs left the area with the bodies, (b)(6), (b)(7)(C) said his squad foot-patrolled back to the

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

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Firibase and provided security when the HMMWVs transported the bodies from the Firibase to the hospital. (b)(6), (b)(7)(C) advised he did not enter any of the houses, participate in the BDA, attend any debriefs, or see any weapons that were reportedly secured. Exhibit (90) pertains.

22. On 05May06, (b)(6), (b)(7)(C) USMC, was interviewed regarding his knowledge of the events that took place on 19Nov05. (b)(6), (b)(7)(C) related he is assigned to 2nd Squad, 1st Platoon, Kilo Company, as the (b)(6), (b)(7)(C). Around 0730, (b)(6), (b)(7)(C) recalled LT (b)(6), (b)(7)(C) awoke him and told him about the IED blast. (b)(6), (b)(7)(C) advised he and his squad left the Firibase around 1130 on foot and moved to the 3rd platoon's location. While they patrolled, (b)(6), (b)(7)(C) stated he did not hear any gunfire or encounter any hostile forces. When they reached route Chestnut, (b)(6), (b)(7)(C) observed a white vehicle with five (5) dead males positioned near the car. Per (b)(6), (b)(7)(C) order, (b)(6), (b)(7)(C) reported he posted security on a rooftop where he remained for approximately eight (8) hours. (b)(6), (b)(7)(C) noted (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) were also on the rooftop with him; however, he claimed they did not talk because they were located on separate corners of the roof. Around 1830-1900, (b)(6), (b)(7)(C) said he and (b)(6), (b)(7)(C) left the rooftop to assist other Marines in loading bodies into HMMWVs. Once the bodies were loaded, (b)(6), (b)(7)(C) stated his squad returned to Firibase Sparta. Later, (b)(6), (b)(7)(C) said he provided security to the HMMWVs that delivered the bodies to the morgue. (b)(6), (b)(7)(C) advised he had a personal camera with him that day but he was unable to take any photographs because the battery was dead. (b)(6), (b)(7)(C) added he did not see any seized weapons, participate in a BDA, or attend debriefs. Exhibit (91) pertains.

23. On 11May06, (b)(6), (b)(7)(C) USMC, was interviewed and reported he was a member of the QRF that went to provide security/over watch to 3rd Platoon on 19Nov05. (b)(6), (b)(7)(C) estimated it took thirty (30) minutes for the QRF to reach the area near Chestnut from the time they departed the Firibase around 1200. The details of his interview follow: While on scene, (b)(6), (b)(7)(C) observed a white vehicle with dead bodies near it, but did not see any luggage, shell casings, or weapons near the car. (b)(6), (b)(7)(C) stated that (b)(6), (b)(7)(C) then ordered his team to provide over watch on the roof of a nearby house. (b)(6), (b)(7)(C) estimated he maintained his watch for about nine (9) to ten (10) hours. At nightfall, (b)(6), (b)(7)(C) recalled two (2) of his team members were sent to homes to assist with the removal and loading of bodies. (b)(6), (b)(7)(C) asserted he did not enter any of the houses or handle any of the bodies; however, he provided security for the transport of the bodies to the Haditha hospital/morgue. (b)(6), (b)(7)(C) remarked two (2) interpreters known as (b)(6), (b)(7)(C) assisted the Marines while at the hospital. Two (2) to three (3) days after the incident, (b)(6), (b)(7)(C) conveyed he attended a meeting wherein (b)(6), (b)(7)(C) spoke about LCPL TERRAZAS' death. (b)(6), (b)(7)(C) said the ambush and the deaths of innocent women and children were also discussed. Exhibit (92) pertains.

**SECTION IV - IRAQI SURVIVOR**

24. On 04May06, (b)(6), (b)(7)(C) an Iraqi adult female and survivor of the Marine attack on house #1 was interviewed regarding her knowledge of the events. Although (b)(6), (b)(7)(C) speaks some

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

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English, the interview was conducted in Arabic with the assistance of a translator.

a. HOUSE #1: (b)(6), (b)(7)(C) reported that on the morning of 19Nov05, a loud explosion awoke her and (b)(6), (b)(7)(C) V/HASAN, Rasheed Abdalhamid. After the explosion, (b)(6), (b)(7)(C) heard Marines yelling and gunfire. (b)(6), (b)(7)(C) advised no more than thirty (30) minutes after the explosion, four (4) to five (5) Marines forced their way into the house. According to (b)(6), (b)(7)(C) the Marines were yelling at her (b)(6), (b)(7)(C) V/HASAN, Waleed Abdalhamid, "Did you set the bomb?" (b)(6), (b)(7)(C) indicated (b)(6), (b)(7)(C) did not speak English and could not respond. (b)(6), (b)(7)(C) related that when the Marines did not get a response, they shot him at least two (2) times in the chest. In turn, (b)(6), (b)(7)(C) V/ALI, Khamisa Tuema, started yelling at the Marines for killing her son. (b)(6), (b)(7)(C) observed that when V/ALI, Khamis Tuema walked to her son's body, the Marines shot her in the back of her head approximately five (5) times. (b)(6), (b)(7)(C) noted this caused (b)(6), (b)(7)(C) V/ALI, Abdul Hameed Husin, to yell at the Marines for shooting his wife and the Marines responded by shooting him several times in the chest. (b)(6), (b)(7)(C) remarked that her other family members were crying hysterically. (b)(6), (b)(7)(C) also could hear the Marines laughing and saying, "1-2-3." (b)(6), (b)(7)(C) believed the Marines were counting the number of people they killed. Subsequently, (b)(6), (b)(7)(C) reported the Marines threw a grenade into the room with everyone inside except for her husband, who was still in the bedroom. (b)(6), (b)(7)(C) noted the grenade blew V/ALI, Abdul Hameed Husin's body into pieces and the shrapnel went all over the room but nobody else was injured or killed by the grenade.

b. ESCAPE: (b)(6), (b)(7)(C) explained the grenade caused the power to go out and it was quiet for a few minutes after the explosion. At this point, (b)(6), (b)(7)(C) decided to take (b)(6), (b)(7)(C) and run to her neighbor's residence. (b)(6), (b)(7)(C) related when she left the house, (b)(6), (b)(7)(C) (V/HASAN, Rasheed), her niece (survivor - (b)(6), (b)(7)(C) her nephews (survivor - (b)(6), (b)(7)(C) (4-year-old male child), (b)(6), (b)(7)(C) (V/RASIF, Asmaa (b)(6), (b)(7)(C), and (b)(6), (b)(7)(C) (V/HASAN, Guhid Abdalhamid) were still alive and uninjured. (b)(6), (b)(7)(C) advised there was no fire when she left the house.

c. RETURN TO HOUSE #1: (b)(6), (b)(7)(C) reported that around 1430 the same day, she returned to her house and saw about fifty (50) Marines standing in the street. (b)(6), (b)(7)(C) asserted she tried to open the door to house #1 but it was extremely hot and there was smoke coming from inside. (b)(6), (b)(7)(C) did not go inside the house; however, she remarked that the odor coming from the house was distinct. Consequently, (b)(6), (b)(7)(C) asked someone about the smell and she was informed it was phosphorus. (b)(6), (b)(7)(C) could not recall who told her this.) (b)(6), (b)(7)(C) affirmed she did not know when the Marines returned to house #1 and killed or wounded the remaining family members. Moreover, (b)(6), (b)(7)(C) speculated the Marines set fire to the home but she acknowledged she did not see them or anyone else do so.

d. RIDGELINE VICTIM: When she returned to house #1, (b)(6), (b)(7)(C) said

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she saw V/HASAN, Rasheed, body. noted he had been shot in the head and the shoulder. informed she did not know when left house #1 or when he was killed.

e. AK-47: conveyed there was one (1) AK-47 in house #1 at the time of the attack but did not know where it was kept in the house. asserted no one pointed a weapon of any type at the Marines that entered the house that morning. added no one racked a weapon or created a similar noise while the Marines were inside house #1. indicated she did not see the Marines remove the AK-47 from the home and does not know its current location. Approximately six (6) months before the incident, recalled Marines came to her home and removed the firing pin from the weapon. Exhibit (93) pertains.

**SECTION V - DEATH SCENE EXAMINATIONS & EVIDENCE RECOVERY**

25. On 21Mar06, attempts were made to locate and seize military e-mail accounts for the eleven (11) Marines and one (1) sailor involved in the convoy that was hit on 19Nov05. However, 1stLT

Officer in Charge, S-6, 3rd Battalion, 3rd Marines, Haditha Dam, Iraq, advised none of the Marines had deployed military or home unit e-mail accounts. Exhibit (94) pertains.

26. On 30Mar06, logbooks were obtained from the Internet Café located on the sixth (6th) floor of the Haditha Dam, Iraq. The review of the logbook entries revealed several of the Marines involved in the convoy had signed for Internet access at the Internet Café. No personal e-mail accounts were listed within the logbooks. However, the Internet Café clerk, LCPL USMC, advised Marines were known to access their personal account e-mail addresses via the café computers. Exhibit (95) pertains.

27. On 24Mar06, USMC was interviewed and related he was one of the 3/1 members who would provide periodic training on the Rules of Engagement (ROE) to Kilo Company Marines.

advised that on 03Nov05, LT provided ROE training to Marines. stated he prepared the attendance sheet and confirmed that

(b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) attended the training on 03Nov05. Additionally, provided a copy of the ROE card used to conduct the training. The ROE card is also distributed for Marines as a reference in the field. Exhibit (96) pertains.

28. On 30Mar06, a civilian translator, was interviewed regarding the distribution of Civil Affairs Group (CAG) identification cards to Haditha residents. related he was assigned to assist Major USMC, CAG officer, in November 2005. explained he would translate for when he provided identification cards to local Iraqis that had professional/trade skills. provided a copy of the logbook that recorded the recipients of such cards. A review of the logbook was conducted in search of V/AHMED, Marwan Aiad's name. a family member from house #4, reported V/AHMED had attempted to show a CAG

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

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badge/identification card when the Marines came to house #4 on 19Nov05). The logbook did not contain V/AHMED's name. However, (b)(6), (b)(7)(C) reported that approximately 25-30 cards were distributed in November 2005, prior to the creation of the logbook in December 2005. Exhibit (97) pertains.

29. On 11Apr06, a NCIC, DEIDS, and DCII records checks of the subject and co-subjects titled above were conducted. The DEIDS and DCII records check revealed no prior criminal history. Exhibit (98) pertains.

30. On 01May06, the patient log for November 2005 was obtained from the Al Asad Hospital emergency room. The log indicated the two (2) survivors from house #1, (b)(6), (b)(7)(C) were treated and released from the Al Asad hospital on 19Nov05. Exhibit (99) pertains.

31. On 01May06, (b)(6), (b)(7)(C) USMC, was re-interviewed regarding the digital photographs he took of the deceased on 19Nov05, during the BDA. The photographs were taken with his personal camera. (b)(6), (b)(7)(C) admitted while he was deployed in Iraq, he sent a few of the photographs to his friend, (b)(6), (b)(7)(C) civilian, via e-mail. (b)(6), (b)(7)(C) advised he also posted some of the photographs to a photo album website on the Internet. (b)(6), (b)(7)(C) provided the e-mail addresses he used when he sent and/or posted the photographs. Exhibit (100) pertains.

32. On 02May06, (b)(6), (b)(7)(C) civilian, was interviewed and reported he and (b)(6), (b)(7)(C) have been friends for three (3) years. (b)(6), (b)(7)(C) related he has received and/or viewed several photographs pertaining to (b)(6), (b)(7)(C) first and second deployments to Iraq. (b)(6), (b)(7)(C) stated in March 2006, (b)(6), (b)(7)(C) visited him and showed him photographs of dead bodies. (b)(6), (b)(7)(C) also downloaded a few of the photographs to (b)(6), (b)(7)(C) thumb drive. (b)(6), (b)(7)(C) explained the photographs disturbed him; therefore, he deleted them from his thumb drive. (b)(6), (b)(7)(C) asserted he did not save any of the photographs to his computer hard drive and did not show or discuss the photographs with anyone else. (b)(6), (b)(7)(C) provided two (2) of his thumb drives to NCIS and allowed NCIS to mirror his hard drive for forensic analysis. Exhibit (101) pertains.

33. On 18May06, copies of Service Record Books (SRB) and Basic Training Records (BTR) and Officer Qualification Records (OQR) pertaining to several Marines involved in the investigation were obtained. A review of these records did not surface any remarkable information pertaining to the investigation at hand. Exhibits (102)-(103) pertain,

34. On 25May06, a review of the medical records for (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) (b)(6), (b)(7)(C) USMC was conducted. These records were unremarkable and did not reveal any additional pertinent information for this investigation. Exhibit (104) pertains.

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35. On 25May06, records checks with the Family Advocacy Program and Counseling Services Branch, Marine Corps Base, Camp Pendleton, CA, for (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) USMC were conducted. Results of these checks were negative. Exhibit (105) pertains.

36. Currently, additional interviews and re-interviews of several Marines are being conducted. The evidence seized thus far is being processed and has been submitted for forensic examination. Considerable effort continues to be expended to identify all possible sources of photography and video for review of possible evidentiary value. Additionally, a review of the photographic images taken on 19Nov05 and a forensic reconstruction of the death scenes are in progress.

37. Command has been fully briefed on the status of this investigation. On 05Jun06, (b)(6), (b)(7)(C) LTCOL, USMC, SJA, I MEF / Marine Corps Forces Central Command (MARFORCENT), MacDill AFB, FL, informed NCIS Headquarters, Washington, DC that MARFORCENT would be the convening authority in the event criminal charges are preferred following this investigation. Additionally, MARFORCENT will be the recipient of the NCIS reports of investigation and will coordinate the distribution of the investigation within the USMC. As the investigation progresses, command will be advised of new and substantive information as it develops.

#### PARTICIPANTS

- (b)(6), (b)(7)(C) Agent, NCIS Fallujah, Iraq
- Special Agent, NCIS Al Asad, Iraq
- Agent, NCISFO Camp Pendleton, CA
- ial Agent, NCISFO Camp Pendleton, CA
- tigator, NCISFO Camp Pendleton, CA
- Special Agent, NCISFO Camp Pendleton, CA
- pecial Agent, NCISFO Camp Pendleton, CA
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- Special Agent, NCISFO Camp Pendleton, CA
- Agent, NCISFO Camp Pendleton, CA
- , Special Agent, NCISRA Monterey, CA
- Special Agent, CRFO, Brunswick, GA
- Special Agent, CRFO, Brunswick, GA
- al Agent, CRFO, Brunswick, GA
- ial Agent, NCISFO San Diego, CA
- cial Agent, NCISFO, Northwest Puget Sound, WA
- al Agent, NCISRA, Bremerton, WA
- Agent, Forensic Consultant, NCISFO Mayport, FL
- pecial Agent, Forensic Consultant, NCISRA Okinawa
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- Intelligence Specialist, NCISHQ Washington DC

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Forces Central Command (H) /LTCOL (b)(6), (b)(7)(C) USMC, DSJA,  
I MEF (H) /LTGEN (b)(6), (b)(7)(C) USA, GC, MNC-I (H) /MG (b)(6),  
(b)(6), USMC, CG, MNF-W (H) (b)(7)(C)  
(b)(7)(C)

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

02JUN06

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  
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V/AHMED, KAHTAN AIAD/CIV

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02Jun06

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

- (A) 0023 ROI (ACTION)/09MAY06
- (B) NFHV ROI (ACTION)/23MAY06

## EXHIBIT(S)

- (1) IA: Results of Interview with (b)(6), (b)(7)(C) USN/  
30MAY06 (Copy all)
- (2) IA: Results of Interview with (b)(6), (b)(7)(C) USN/  
01JUN06 (Copy all)
- (3) Case Notes and Interview Logs/Various dates (Orig. 0023B only)

## NARRATIVE

1. NCISRU NAVMEDCEN Portsmouth, VA received lead tasking contained within reference (A) to fully identify and interview (b)(6), (b)(7)(C) (b)(6) USN on 16MAY06. Subsequently, on 18MAY06 Reporting Agent (RA) (b)(7)(C) interviewed (b)(6), (b)(7)(C) and reported out results via reference (B). RA further identified additional NAVMEDCEN Portsmouth, VA Command members that may have information relative to this investigation. 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.

2. On 30MAY06, RA interviewed HMC (b)(6), (b)(7)(C) USN in reference to the treatment of two (2) civilian Iraqi nationals that were injured in Haditha, Iraq circa 19NOV05. (b)(6), (b)(7)(C) confirmed that the two children were treated at the hospital aboard Al Asad Air Base, Al Asad, Iraq circa 19NOV06, however he could not provide an exact date. HMC (b)(6), (b)(7)(C) did not treat either child, or any other injured personnel (b)(6), (b)(7)(C) that arrived with them at Al Asad on 19NOV05. HMC (b)(6), (b)(7)(C) could provide no information relevant to their injuries or the mechanism of those injuries. HMC (b)(6), (b)(7)(C) provided the names of several service members who may have been present at the hospital aboard Al Asad circa 19NOV06, exhibit (1) pertains.

3. On 31MAY06 and 01JUN06, Reporting Agent (RA) interviewed CAPT (b)(6), (b)(7)(C) USN in reference to the treatment of two (2) civilian Iraqi nationals that were injured in Haditha, Iraq circa

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02Jun06

19NOV05. CAPT (b)(6), (b)(7)(C) provided that he was stationed at the hospital aboard Al Asad from approximately 01SEP05 until 05MAR06 as the Surgical Company Commander. CAPT (b)(6), (b)(7)(C) confirmed that he remembered two (2) young Iraqi children being treated at Al Asad in late 2005 and retrieved records wherein he accounted for every person treated at Al Asad while he was stationed there. The list consisted of the individual's identifying information, nature of injury, arrival/departure information and which doctor treated them. CAPT (b)(6), (b)(7)(C) provided RA with the list, accounting for all individuals (b)(6), (b)(7)(C) stated on 19NOV05 at Al Asad. The list included (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) an "EPW" (Enemy Prisoner of War) and (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) all brought to the Al Asad hospital around the same time on 19NOV05. When asked if he remembered the treatment of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) stated that he only recalled the children being treated at Al Asad because they had arrived unexpectedly on a helicopter. CAPT (b)(6), (b)(7)(C) stated that they were expecting injured military members and (b)(6), (b)(7)(C) EPW, however when the helicopter arrived from Haditha, Iraq there were two injured Iraqi children aboard. CAPT (b)(6), (b)(7)(C) explained that the only explanation for (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)'s injuries that he received was that someone stated the children's "home got hit", exhibit (2) pertains.

4. Lead tasking complete.

PARTICIPANT(S)

(b)(6), (b)(7)(C) Special Agent, NCISFO Norfolk, VA

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

01JUN06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA

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

COMMAND/I MEF/11931

MADE AT/24D1/NCISHQ WASHINGTON DC (b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S) (S)

(A) NCISHQ 0023 ROI/25MAY06

EXHIBIT(S)

- (1) IA: RESULTS OF A CYBER PROFILE-(b)(6), (b)(7)(C) USMC; MR. (b)(6), (b)(7)(C) USMC/22MAY06... (COPY ALL)
- (2) IA: RESULTS OF A CYBER PROFILE-(b)(6), (b)(7)(C) USMC; AND (b)(6), (b)(7)(C) USMC/22MAY06... (COPY ALL)
- (3) IA: RESULTS OF A CYBER PROFILE-(b)(6), (b)(7)(C) USMC/26MAY06... (COPY ALL)
- (4) IA: RESULTS OF A CYBER PROFILE-(b)(6), (b)(7)(C) USMC/22MAY06... (COPY ALL)

NARRATIVE

1. In response to lead tasking set forth in Reference (A), Cyber profiles were conducted on the following individuals: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C), USMC. The IA's documenting these Cyber Profiles are attached as Exhibits (1) through (4). Other than a statement by a (b)(6), (b)(7)(C) stating "Hello NCIS, ... should be concentrating on others under investigation, some are very good and practiced in the art of lying...", nothing pertinent was documented.

2. Thirty-two cyber profiles remain to be conducted. Estimated date of completion for accomplishing these remaining profiles is 09JUN06.

PARTICIPANT(S)

- (b)(6), (b)(7)(C) Intelligence Analyst, Code 24D2, NCISHQ Washington, DC
- (b)(6), (b)(7)(C) Intelligence Analyst, Code 24D2, NCISHQ Washington, DC
- (b)(6), (b)(7)(C) Intelligence Analyst, Code 24D2, NCISHQ Washington, DC

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

01JUN06

DEATH (II)

CONTROL: 13MAR06-MEBJ-0164-7HMA

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

COMMAND/I MEF/11931

MADE AT/NENL/NEW LONDON CT/(b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE

(A) NCISHQ Washington DC ROI (ACTION)/24MAY06

EXHIBIT

(1) IA: RESULTS OF PERMISSIVE SEARCH OF (b)(6), (b)(7)(C)  
COMPUTER/26MAY06...(ORIG MWPE/COPY 0023)

NARRATIVE

1. As requested in Ref (A), Reporting Agent (RA) provided support to Lead Agent (b)(6), (b)(7)(C) CRFO, during his 25MAY06 interview of (b)(6), (b)(7)(C) USMC, in Colchester, CT. During the interview, (b)(6), (b)(7)(C) voluntarily relinquished his personal laptop computer to RA for the purpose of imaging its hard drive. On 26MAY06, the hard drive was imaged and (b)(6), (b)(7)(C) s laptop computer was returned to him. The imaged hard drive was placed into evidence, and ultimately forwarded to MWPE Cyber for forensic examination. Exhibit (1) pertains.

ACTION

0023B: Lead tasking complete.

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

01JUN06

DEATH (II)

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

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

COMMAND/1 MEF/11931

MADE AT/NENP/NEWPORT RI (b)(6), (b)(7)(C) SPECIAL AGENT

## REFERENCE

(A) 0023 ROI/30May06

## NARRATIVE

1. Reference (A) requested the interview (b)(6), (b)(7)(C), a photojournalist embedded with Kilo Company, 3 Battalion, 1st Marines, 1st Marine Division, in New York, NY.

2. On 31MAY06, Special Agent (b)(6), (b)(7)(C) contacted (b)(6), (b)(7)(C) employer during the 19NOV05 incident, World Picture News, New York City, NY. Special Agent [redacted] learned that [redacted] was currently unavailable for interview in the New York City area, due to the fact that he was currently on travel in Los Angeles, CA for 2 weeks. [redacted] is reportedly due to return to New York City, NY on 17JUN06. [redacted] cell phone number was provided:

3. Lead at NENP remains pending [redacted] ; return to the New York area and interview. Should 0023 coordinate contact with [redacted] prior to his return to New York, advise NENP to cancel this lead.

4. Provided as status.

## PARTICIPANT

Special Agent, NCISRA New London, CT

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