CROSS REFERENCE SHEET
(Insert this behind the cover sheet)

The dossier 06APR18-SWND-0206-7HINA on S/GALLAGHER, EDWARD RYAN/CPO USN
(Case Control Number (CCN))

Enc ( A ) to Exh ( 126) contains the following additional material on:

Disc containing interview of , 01NOV18

(Subject of the additional material)

that has been retained in its original format and stored separately as specified below:

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<td>□ Photographs (images of photographs are contained in the electronic dossier, actual photographs(s) from hard copy dossier is/are filed separately.)</td>
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CD enclosure - Withheld in total NCIS redactions: (b)(6), (b)(7)(C)
COMNAVSPECWARCOM redactions: (b)(3) (10 USC § 130b), (b)(6), (b)(7)(C)
Pages 1964 through 1965 redacted for the following reasons:

Pages (1964) - (1965), Exhibit (127) - Results of Interview with (redacted)
NCIS redactions: (b)(6), (b)(7)(C)
COMNAVSEPCWARCOM redactions: (b)(3) (10 USC § 130b), (b)(6), (b)(7)(C)
CD enclosure - Withheld in total NCIS redactions: (b)(6), (b)(7)(C) COMNAVSPECSWARCOM redactions: (b)(3) (10 USC § 130b), (b)(6), (b)(7)(C)

CROSS REFERENCE SHEET

(Insert this behind the cover sheet)

The dossier 06APR18-SWND-0206-7HNA on S/GALLAGHER, EDWARD RYAN/CPO USN
(Case Control Number (CCN)
(Subject Name/Title)

Enc ( A ) to Exh ( 127) contains the following additional material on

Disc containing interview of

(Slot of the additional material)

that has been retained in its original format and stored separately as specified below:

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<td>Polygraph Material</td>
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<td>Other</td>
<td>CD/DVD/BD-R (Description)</td>
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</table>
REPORT OF INVESTIGATION (INTERIM) 24OCT18

DEATH (II) CONTROL: 06APR18-SWND-0206-7HNA

S/GALLAGHER, EDWARD RYAN/CPO USN M/W/NEE7/1

COMMAND/NAVSPECWARGRU ONE DET TRAINING/39589

MADE AT/SWND/RESIDENT AGNCY SAN DIEGO SPECIAL AGENT

REFERENCE(S)
(A) NCISRA SAN DIEGO, CA ROI (INTERIM) (CONTAINS EXHIBITS 1-33)/07MAY18
(B) NCISRA SAN DIEGO, CA ROI (INTERIM) (CONTAINS EXHIBITS 34-62)/06JUN18
(C) NCISRA SAN DIEGO, CA ROI (INTERIM) (CONTAINS EXHIBITS 63-79)/28JUN18
(D) NCISRA SAN DIEGO, CA ROI (INTERIM) (CONTAINS EXHIBITS 80-85)/26JUL18
(E) NCISRA SAN DIEGO, CA ROI (INTERIM) (CONTAINS EXHIBITS 86-90)/23AUG18
(F) NCISRA SAN DIEGO, CA ROI (INTERIM) (CONTAINS EXHIBITS 91-96)/21SEP18

EXHIBIT(S)
(97) IA: ADDITIONAL MESSAGES TO LT. JACOB PORTIER, USN/02OCT18
(98) IA: RESULTS OF INTERVIEWS OF $/GALLAGHER/02OCT18
(99) IA: RESULTS OF EXPEDIENT CRIME SCENE EXAMINATIONS OF MOSUL EAST/WEST SNIPER TOWERS AND FORMER IRAQI EMERGENCY RESPONSE DIVISION (ERD) COMPOUND IN MOSUL IRAQ/18SEP18
(100) IA: ADDITIONAL REVIEW OF $/GALLAGHER PHONE/27SEP18
(101) IA: RESULTS OF EVIDENCE SHIPMENT/19OCT18
(102) IA: RESULTS OF NCIS TIPLINE CHECK/02OCT18
(103) IA: FOLLOW UP INTERVIEW WITH $/GALLAGHER /02OCT18
(104) IA: RESULTS OF REVIEW FOR PRIVILEGED MATERIAL/03OCT18
(105) COMMAND AUTHORIZATION FOR SEARCH AND SEIZURE FOR SAMPLE OF $/GALLAGHER'S DEOXYRIBONUCLEIC ACID/01OCT18
(106) COMMAND AUTHORIZATION FOR SEARCH AND SEIZURE FOR SAMPLE OF $/GALLAGHER'S HANDWRITING/01OCT18
(107) IA: EXECUTION OF COMMAND AUTHORIZATIONS FOR SEARCH AND SEIZURE/02OCT18
(108) IA: RESULTS OF ANALYST REVIEW OF $/GALLAGHER JAILHOUSE PHONE CALLS/17OCT18
(109) IA: RESULTS OF ELECTRONIC MEDIA EXAMINATION/03OCT18
(110) IA: RESULTS OF FOLLOW UP INTERVIEW WITH USN/09OCT18
(111) IA: RESULTS OF FOLLOW UP INTERVIEW WITH

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001967 001967
EXECUTIVE SUMMARY

1. This reactive investigation was initiated on 06Apr18, upon notification by JAGC USN, Naval Special Warfare Group One (NSWG1), regarding allegations of a Law of Armed Conflict (LOAC) Violation committed by S/GALLAGHER. The allegations are that while an unnamed ISIS fighter was being treated for non-life threatening wounds sustained during a kinetic airstrike in Mosul, Iraq circa May17, S/GALLAGHER deliberately stabbed the ISIS fighter in the neck causing his death. S/GALLAGHER was assigned to SEAL Team 7, and attached to Special Operations Task Force Iraq at the time of the incident. Digital images of the alleged victim both alive and responsive and later appearing to be deceased were recovered from a laptop identified as being utilized by various platoon members during the deployment. Multiple interviews resulted in identification of several eye-witnesses to the event and corroborated initial reporting. Further, throughout the course of the interviews, two additional incidents which appear to involve the deliberate injury via gunshot to non-combatant, civilian local Iraqi nationals, were identified. On 20Jun18, S/GALLAGHER declined to make a statement when agents attempted to interview him. Search warrants were executed on S/GALLAGHER’s residence and work place and the knife S/GALLAGHER is believed to have used to stab the ISIS fighter was seized. Witness interviews revealed the reports surrounding the allegation of murder were reported to senior command staff circa Feb18. On 11Sep18, S/GALLAGHER was placed into pretrial confinement. This investigation is ongoing.

NARRATIVE

1. This reactive investigation pertains to suspected violations of Title 18, Section 2441 of the United States Code – War Crimes and/or Uniform Code of Military Justice, Article 118 – Murder and other applicable statutes.

2. References (A) through (F) document previous investigative activity for the captioned investigation.

3. On 23Aug18, a review of the cellphone data extraction for the phone seized from S/GALLAGHER’s residence pursuant to a federal search warrant was
performed. The extraction report failed to pull the messages for both
numbers associated with LT Jake PORTIER, USN, SEAL Team Seven. On 02Oct18,
an additional report was generated to document the missing messages from
the extraction report. Exhibit (97) pertains.

4. On 15Sep18, Participating Agent (PA) interviewed
regarding the compound where S/GALLAGHER is alleged
to have killed the ISIS detainee. Exhibit (98) pertains.

5. On 15Sep18, PA completed a crime scene examination of the "towers"
in Mosul, Iraq and the compound near Badush, Iraq. These are building towers
which S/GALLAGHER reportedly used as his sniper post and from where
S/GALLAGHER allegedly shot a 12 year-old female non-combatant and an elderly
male non-combatant. PA discovered multiple phrases were written on
the wall about "Eddie G." These phrases were written on the wall in a
bathroom with tile on the walls. At the compound, PA found several
items that may contain trace amounts of biological material. Exhibit (99)
pertains.

6. A second review of S/GALLAGHER phone that was seized from his residence
on 20Jun18 resulted in location of a photo depicting S/GALLAGHER sitting in
a room while looking through the scope of his sniper rifle. The room has
debri and rubble all over the ground and the tile on the wall appears to
match the type of tile the message was written on. Exhibit (100)
pertains.

7. On 23Sep18, evidence from Iraq was shipped to the NCISRA San Diego, CA.
Exhibit (101) pertains.

8. On 28Sep18, Reporting Agent (RA) conducted a check of the NCIS Tip Line
to see if any reports were received regarding S/GALLAGHER, violations of
Laws of Armed Conflict, killing of ISIS detainees, or stabbing prisoners.
Reviewed indicated no tips were reported to NCIS about this investigation
prior to NCIS being notified on 06Apr18 of the allegations against
S/GALLAGHER. Exhibit (102) pertains.

9. On 30Sep18, Reporting Agent (RA) contacted CIV, former
member of SEAL Team Seven, about the phrases written on the wall in one of
the towers in Iraq. CIV stated one of the messages which stated "It wasn't
the killing of the children that disturbed me, we were in a war after all... it was
the massive erection I got from doing it," is a movie quote. CIV
recalled seeing the quote written on the wall in one of the towers.
CIV said he is almost certain S/GALLAGHER wrote the phrase on the wall in the
tower. Exhibit (103) pertains.

10. On 01Oct18, a review of S/GALLAGHER's phones were completed and
extraction reports were created with all privileged material removed.
Exhibit (104) pertains.

11. On 01Oct18, a Command Authorization for Search and Seizure (CASS) was
obtained authorizing NCIS to collect a sample of S/GALLAGHER's
deoxyribonucleic acid (DNA). Exhibit (105) pertains.
12. On 01Oct18, a CASS was obtained authorizing NCIS to collect a sample handwriting sample from S/GALLAGHER. Exhibit (106) pertains.

13. On 02Oct18, agents attempted to execute the two CASS related to S/GALLAGHER. S/GALLAGHER willingly provided a sample of his DNA, however, S/GALLAGHER refused to provide a handwriting sample to agents. Exhibit (107) pertains.

14. On 02Oct18, NCIS representatives reviewed the phone calls placed by S/GALLAGHER while he was at the Navy Consolidated Brig Miramar, CA. No pertinent information was discovered. Exhibit (108) pertains.

15. Between 20Jun18 and 03Oct18, NCIS Cyber Field Office provided support for the review of electronic media seized from S/GALLAGHER. This included providing extractions of all pertinent electronic devices. Exhibit (109) pertains.

16. On 05Oct18, a follow up interview was conducted with USN, Naval Special Warfare Basic Training Command. Additional information related to what he witnessed from S/GALLAGHER and when he reported the situation to PORTIER. Exhibit (110) pertains.

17. On 05Oct18, a follow up interview was conducted with the CIV, former member of SEAL Team Seven, who provided additional details about S/GALLAGHER's actions on the deployment including several statements S/GALLAGHER made about killing individuals. Exhibit (111) pertains.

18. On 09Oct18, RA contacted USAF, Pope Air Force Base, in an attempt to identify if he was the Air Force representative with SEAL Team Seven. On the day the ISIS prisoner was allegedly killed by S/GALLAGHER, the ISIS prisoner stated he was not yet assigned toAF and believed that at that time and believed S/GALLAGHER, the correct individual RA was attempting to identify. Exhibit (112) pertains.

19. On 09Oct18, RA contacted the platoon photo with multiple members, S/GALLAGHER, and the deceased ISIS fighter. RA confirmed he was in the photo and stated he was ordered by PORTIER to participate in the photo. Exhibit (113) pertains.

20. On 11Oct18, a follow up interview was conducted with USN, Naval Special Warfare Basic Training Command. Provided additional information about when he observed S/GALLAGHER stabs the ISIS prisoner multiple times while still providing medical care for the individual. Exhibit (114) pertains.

21. On 12Oct18, a follow up interview was conducted with the USN, Naval Special Warfare Basic Training Command. Provided additional information about the young female non-combatant he witnessed being shot while deployed to Iraq in 2017. She stated he learned later in the day S/GALLAGHER was the one who shot the girl. Exhibit (115) pertains.
22. On 15 Oct 18, RA contacted USMC, Marine Forces Special Operations Command (MARSOC), in an attempt to obtain a statement from S/Gallagher about what he may have witnessed the day S/GALLAGHER allegedly stabbed the ISIS prisoner. S/GALLAGHER declined to provide a statement to NCIS. Exhibit (116) pertains.

23. On 16 Oct 18, RA reviewed the 2009/2010 SEAL Team One video found on S/GALLAGHER’s computer. The video appears to show S/GALLAGHER enlisting on the battlefield during this deployment. According to S/GALLAGHER’s service records, the enlistment was conducted by USN, SEAL Team Seven. Exhibit (117) pertains.

24. On 17 Oct 18, RA interviewed S/GALLAGHER. He stated he recalled the day the ISIS prisoner was killed and he remembered S/GALLAGHER was present. S/GALLAGHER stated he believed the ISIS prisoner died from gunshot wounds he sustained and he did not see S/GALLAGHER stab the individual. Exhibit (118) pertains.

25. On 22 Oct 18, a YouTube video was identified that appears to show the ISIS prisoner being interviewed by a reporter before he was transferred to the location of medical treatment. Exhibit (119) pertains.

26. On 23 Oct 18, a translation of the video revealed the ISIS prisoner was interviewed and revealed he joined ISIS because of his father. Also in the video, S/GALLAGHER is interviewed and said the ISIS prisoner will be transported for medical treatment and then interviewed for information. Exhibit (120) pertains.

27. On 25 Oct 18, JAGC, USN, Senior Trial Counsel, Region Legal Services Office Southwest, was briefed on status of investigation to date. This investigation continues.

PARTICIPANTS

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

DISTRIBUTION
NCISHQ: 0238
INFO :RLSO
USN, Senior Trial Counsel
(H)/SWFO/COMMAND (b)(6), (b)(7)(C)
(SWFO/COMMAND (GRPl JAG)) (E)

FOR OFFICIAL USE ONLY
PAGE 5 LAST 2 LNN
1. On 23 Aug 18, Reporting Agent (RA) completed a review of a cellular phone seized from S/GALLAGHER's residence pursuant to a federal search warrant executed on 20 Jun 18. During the review of the phone, text messages were found exchanged between S/GALLAGHER and LT Jacob PORTIER, USN, Officer in Charge, SEAL Team Seven. One message in particular was of interest in which S/GALLAGHER says to PORTIER, "Call me later, heard another rumor they are spreading today that you need to squash or end."

2. During the review of the phone, two phone numbers were identified as being used by PORTIER to communicate with S/GALLAGHER. During the generation of the report, the extraction of PORTIER's messages only included one of the phone numbers. This report is being generated to attach the additional messages which were inadvertently not extracted to the last report. A separate report was created for all messages between S/GALLAGHER's phone and phone number under the contact name "Jake." Enclosure (A) pertains.
Pages 1973 through 2013 redacted for the following reasons:

Pages (1973) - (1974), Exhibit (97) - Additional Messages with LT Jake Portier
NCIS redactions: (b)(6), (b)(7)(C)
COMNAVSPECWARCOM redactions: (b)(3) (10 USC § 130b), (b)(6), (b)(7)(C)

Pages (1975) - (1977), Exhibit (98) - Results of Interview of (redacted)
NCIS redactions: (b)(6), (b)(7)(C)
COMNAVSPECWARCOM redactions: (b)(3) (50 USC § 3024(i)), (b)(6), (b)(7)(C)

Pages (1978) - (2013), Exhibit (99) - Results of Expeditionary Crime Scene Examination
NCIS redactions: (b)(6), (b)(7)(C), (b)(7)(F)
COMNAVSPECWARCOM redactions: (b)(2), (b)(3) (50 USC § 3024(i)), (b)(6), (b)(7)(C)
ADDITIONAL REVIEW OF S/GALLAGHER PHONE

1. On 21Sep18, Reporting Agent (RA) conducted a second review of the extraction from S/GALLAGHER's phone that was seized from his residence on 20Jun18. The phone was previously reviewed and additional investigative actions pertain. The second review of the phone was done after Participating Agent (PA) provided a photograph of a message he found while conducting a crime scene examination in Iraq. The photograph shows a message written in red ink on what appears to be kitchen or bathroom tiles. PA found the message while searching one of the building towers which S/GALLAGHER reportedly used as his sniper post and from where S/GALLAGHER allegedly shot a 12 year-old female non-combatant and an elderly male non-combatant. The message states "It wasn't the killing of the children that disturbed me, we were in a war after all... it was the massive erection I got from doing it."

2. A review of the phone resulted in locating a photograph of S/GALLAGHER sitting in a room while looking through the scope of his sniper rifle. The room has debris and rubble all over the ground and the tile on the wall appears to match the type of tile the message was written on. The metadata on the photograph show the photo is titled 5003.143 and was taken 16Jun17 at 01:07:04. This time zone corresponds to San Diego time, not the local Iraqi time zone where it was taken. This is two days before S/GALLAGHER allegedly shot the elderly male non-combatant. The photograph was printed. Enclosure (A) pertains.

ENCLOSURE (S)
(A) PHOTOGRAPH LOCATED ON S/GALLAGHER'S PHONE THAT APPEARS TO SHOW THE SAME TILE AS THE MESSAGE/21SEP18

REPORTED BY: Special Agent
OFFICE: RESIDENT AGENCY SAN DIEGO
1. As background, this reactive investigation pertains to suspected violations of Title 18 USC 2441 (War Crimes), ART 118 UCMJ (Murder), ART 134 UCMJ and/or any applicable statutes pursuant to the UCMJ. This investigation, reported by Naval Special Warfare Group One (NSWG1), pertains to possible Law of Armed Conflict allegations against S/GALLAGHER; a US Navy SEAL previously deployed to Iraq during the 2017 Mosul, Iraq clearance operations.

2. On 23SEP18, Reporting Agent (RA) transferred/shipped all suspected physical evidence collected in Mosul Iraq related to this investigation via US Military Post Office APO AE 09305 - a forward deployed official military branch of the United States Postal Service (USPS). All suspected evidence was photographed, collected, packaged and shipped with corresponding NCIS Evidence Custody Document (ECD) via Certified/Official US Mail under USPS Tracking Number: 7018 0040 0000 2225 5408. The package was mailed to:

NCIS Southwest Field Office
c/o [REDACTED]
3405 Welles St., Bldg. 57
Suite 1
San Diego, CA 92136

3. The following suspected evidence is contained in the package:

A. (11) Spent rifle shell casings photographed, collected & packaged in a brown paper bag - double packaged.
B. (1) Suspected hair fiber possibly containing biological material, collected & packaged in a brown paper bag - double packaged.
C. (1) Tubed syringe (needle) possibly containing biological material, photographed, collected & packaged in a box and a brown paper bag - double packaged.
D. (3) Spent rifle shell casings - one w/ a feather in the casing, photographed, collected & packaged in a brown paper bag.

4. All seams on the USPS shipping container/box were sealed/covered with red NCIS Evidence Tape, initialed and dated for integrity purposes.
U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE
CONTROL: 06APR18-SWND-0206-7HNA

REPORTED BY: [REDACTED]
OFFICE: CONTINGENCY RESPONSE FIELD OFFICE

19OCT18
RESULTS OF NCIS TIPLINE CHECK

1. On 28Sep18, Reporting Agent (RA) conducted a check of the NCIS Tip Line to see if any reports were received regarding S/GALLAGHER, violations of Laws of Armed Conflict, killing of ISIS detainees, or stabbing prisoners. As background, USN, Naval Special Warfare Group One, stated he previously provided information to SEAL Team Seven, members about how to report the allegations to NCIS.

2. A check of the NCIS Tip Line resulted in no indication of any tips being submitted to NCIS regarding any of the above mentioned topics.

REPORTED BY: Special Agent
OFFICE: RESIDENT AGENCY SAN DIEGO
Page 2019 redacted for the following reasons:

**Page (2019), Exhibit (103) - Follow-up Interview with (redacted)**

NCIS redactions: (b)(6), (b)(7)(C)

COMNAVSPECWARCOM redactions: (b)(2), (b)(3) (10 USC § 130b), (b)(6), (b)(7)(C)
BACKGROUND
1. On 06Apr18, NCIS initiated a case upon notification by JAGC USN, Naval Special Warfare Group One (NSWGI), regarding allegations of a Law of Armed Conflict (LOAC) Violation committed by S/GALLAGHER Edward Ryan. Multiple phones have been seized from S/GALLAGHER at both his residence and from his person. Due to the nature of this case and the fact that S/GALLAGHER has retained counsel, NCIS needs to utilize a "Taint Team" to insure all attorney client privileged material is removed from these devices.

REQUEST
1. On 01OCT18, Special Agent requested Cyber Field Office San Diego examine the acquired data from the seized devices and remove attorney client privileged material.

EVIDENCE
1. Duplicate Digital Evidence (DDE) of the following original evidence items were examined for attorney client privileged material:

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<td>Apple iPhone 6s</td>
<td>(b)(6), (b)(7)(C)</td>
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<tr>
<td>SWND 0808-18, Item A</td>
<td>Apple iPhone 8 (Gallagher's phone from Arrest)</td>
<td>(b)(6), (b)(7)(C)</td>
</tr>
<tr>
<td>SWND 0558-18, Item A</td>
<td>Apple iPhone 8 IMEI (Gallagher's phone from Interview)</td>
<td>(b)(6), (b)(7)(C)</td>
</tr>
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</table>

RESULTS
1. No privileged material was located on the Apple iPhone 6s (SWND 0552-18, Item Q) extraction, and no new electronic report was generated.
2. Privileged material was located on the Apple iPhone 8 (SWND 0808-18, Item A - Gallagher's phone from Arrest) and the Apple iPhone 8 (SWND 0558-18, Item A - Gallagher's phone from Interview) extractions.
3. An electronic report was generated for the Apple iPhone 8 (SWND 0558-18, Item A - Gallagher's phone from Interview), Enclosure (A) pertains.
4. An electronic report was generated for the Apple iPhone 8 (SWND 0552-18, Item A - Gallagher's phone from Arrest), Enclosure (B) pertains.
FORENSIC TOOLS USED
1. Cellebrite Physical Analyzer version 7.8.0.94 was used to review the Apple iPhone 6s (SWND 0552-18, Item Q) and the Apple iPhone 8 (SWND 0808-18, Item A - Gallagher's phone from Arrest) extractions. Cellebrite Physical Analyzer was also used to generate a new electronic report for the Apple iPhone 8 (SWND 0808-18, Item A - Gallagher's phone from Arrest) extraction, which excludes the located privileged material.

2. Cellebrite UFED (Universal Forensic Extraction Device) Reader version 7.3.0.75 was used to review and generate a new electronic report for the Apple iPhone 8 (SWND 0558-18, Item A - Gallagher's phone from Interview) extraction, which excludes the located privileged material.

EXAMINATION DETAILS

1. KEYWORD SEARCHES: A series of keyword searches were performed to identify potentially privileged communications. The following keywords were used:

   - Attorney name: (b)(6), (b)(7)(C) (and variations)
   - (b)(6), (b)(7)(C)
   - Attorney name: (b)(6), (b)(7)(C) (and variations)
   - (b)(6), (b)(7)(C)

DISPOSITION OF EVIDENCE

1. Archive media for this examination was prepared. Archive media consists of all the new electronic reports (derivative evidence) generated for this request, logs, and Physical Analyzer session files. The archive media will be retained by CBSD for a period of one (1) year unless otherwise directed.

GLOSSARY OF TERMS:

IMEI: International Mobile Equipment Identity is a globally unique number on a Global System for Mobile Communications (GSM) network. The IMEI is used for identifying the device and is used by the GSM network to identify valid devices.

Duplicate Digital Evidence: An accurate representation of all data from an original digital evidence item.

ENCLOSURE(S)

(A) Results disc (DVD) containing report for the Apple iPhone 8 (SWND 0558-18, Item A - Gallagher's phone from Interview).

(B) Results disc (DVD) containing report for the Apple iPhone 8 (SWND 0808-18, Item A - Gallagher's phone from Arrest).
CROSS REFERENCE SHEET
(Insert this behind the cover sheet)

The dossier 06APR18-SWND-0206-7HNA on S/GALLAGHER, EDWARD RYAN/CPO USN
(Case Control Number (CCN)

Enc ( A ) to Exh (104) contains the following additional material on Disc containing report for Apple iPhone 8(interview)

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NCIS 5000/4 (Rev. 03-2008) 002023
CROSS REFERENCE SHEET

The dossier 06APR18-SWND-0206-7HNA on S/GALLAGHER, EDWARD RYAN/CPO USN

Enc (B) to Exh (104) contains the following additional material on Disc containing report for Apple iPhone 8 (arrest)

that has been retained in its original format and stored separately as specified below:

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NCIS 5000/4 (Rev. 03-2008) 002024
Command Authorization for Search and Seizure

UNITED STATES OF AMERICA
VS.
SOC Edward GALLAGHER

TO: NCIS Special Agent

Affidavit(s) having been made before me by NCIS Special Agent

That there is reason to believe that on the person of and/or on the premises known as:
SOC Edward Ryan GALLAGHER

which is/are under my jurisdiction.

there is now being concealed certain property, namely:
The deoxyribonucleic acid sample of SOC Edward Ryan GALLAGHER

I am satisfied that there is probable cause to believe that the property so described is being concealed on the person and/or premises above described and that grounds for application for issuance of a command authorized search exist as stated in the supporting affidavit(s).

YOU ARE HEREBY AUTHORIZED TO SEARCH the person and/or place named for the property specified and if the property is found there to seize it, leaving a copy of this authorization and receipt for the property taken. You will provide a signed receipt to this command, containing a full description of every item seized.

Any assistance desired in conducting this search will be furnished by this command.

Dated this 1 day of October, 2018.

CAPT, USN CDR
Rank, Service, Title
NSWGI
Command
Command Authorization for Search and Seizure

UNITED STATES OF AMERICA
VS.
SOC Edward GALLAGHER

TO: NCIS Special Agent

Affidavit(s) having been made before me by NCIS Special Agent

That there is reason to believe that on the person of and/or on the premises known as:
SOC Edward Ryan GALLAGHER

which is/are under my jurisdiction,

there is now being concealed certain property, namely:
The handwriting sample of SOC Edward Ryan GALLAGHER

I am satisfied that there is probable cause to believe that the property so described is being concealed on the person and/or premises above described and that grounds for application for issuance of a command authorized search exist as stated in the supporting affidavit(s).

YOU ARE HEREBY AUTHORIZED TO SEARCH the person and/or place named for the property specified and if the property is found there to seize it, leaving a copy of this authorization and receipt for the property taken. You will provide a signed receipt to this command, containing a full description of every item seized.

Any assistance desired in conducting this search will be furnished by this command.

Dated this 1 day of October, 2018.

[Signature]
Rank, Service, Title

[Signature]
Command

NCIS 5580/7 (2/1999)

Page 1 of 1

EXHIBIT (10(e))

(Formerly NCISFORM 024/08-92)
U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

CONTROL: 06APR18-SWND-0206-7HNA

S/GALLAGHER, EDWARD RYAN/CPO USN
M/W/NEE7/1

EXECUTION OF COMMAND AUTHORIZATIONS FOR SEARCH AND SEIZURE

1. On 02Oct18, Reporting Agent (RA) and Participating Agents and attempted to execute two Command Authorizations for Search and Seizure (CASS) regarding S/GALLAGHER at the Naval Consolidated Brig aboard Marine Corp Air Station Miramar. The first CASS authorized NCIS Special Agents to obtain a sample of S/GALLAGHER's deoxyribonucleic acid (DNA). The second CASS authorized NCIS Special Agents to obtain a sample of S/GALLAGHER's handwriting for comparison to handwriting found during a crime scene examination in Iraq. Both CASSes were signed by USN, Commodore, Naval Special Warfare Group-1.

2. S/GALLAGHER allowed PA to obtain a sample of his DNA using established NCIS procedures. Two cotton swabs were used to take the sample of the DNA. The swabs were packaged and entered into the NCISPO Southwest Consolidated Evidence Facility under log number 0843-18. S/GALLAGHER was provided a copy of the CASS for his records.

3. S/GALLAGHER refused to provide a handwriting sample as ordered by the second CASS. S/GALLAGHER stated "my attorney ordered me not to do it." The CASS was not executed.

REPORTED BY: Special Agent
OFFICE: RESIDENT AGENCY SAN DIEGO

WARNING
THIS DOCUMENT IS THE PROPERTY OF THE NAVAL CRIMINAL INVESTIGATIVE SERVICE. CONTENTS MAY BE DISCLOSED ONLY TO PERSONS WHOSE OFFICIAL DUTIES REQUIRE ACCESS HERETO. CONTENTS MAY NOT BE DISCLOSED TO THE PARTY(S) CONCERNED WITHOUT SPECIFIC AUTHORIZATION FROM THE NAVAL CRIMINAL INVESTIGATIVE SERVICE.
RESULTS OF ANALYST REVIEW OF S/GALLAGHER JAILHOUSE PHONE CALLS

1. On 02Oct18, Reporting Intelligence Specialist (RIS) reviewed audio recordings of outgoing phone calls made by S/GALLAGHER from 14-18Sep18 during subject's pre-trial confinement at Miramar Consolidated Brig. RIS reviewed recordings of 29 phone calls totaling 188 minutes of conversation.

2. Nothing of evidentiary value was revealed in these recordings.
RESULTS OF ELECTRONIC MEDIA EXAMINATION

BACKGROUND
1. This reactive investigation was initiated on 06Apr18, upon notification by JAGC USN, NSWG1 regarding allegations of a Law of Armed Conflict (LOAC) violation committed by S/GALLAGHER.

REQUEST
1. Special Agent NCISRA San Diego, CA requested assistance in the examination of multiple electronic devices seized from S/GALLAGHER's residence and person for the presence of photographs, videos, or messages regarding the alleged stabbing of an ISIS fighter circa May17.

AUTHORIZATION
2. Command Authorization for Search and Seizure
   a. Authorized by: Commanding Officer Naval Base San Diego
   b. Date: 21Jun18
3. Permissive Authorization for Search and Seizure
   a. Authorized by: 
   b. Date: 20Jun18

EVIDENCE
1. A list of all evidence obtained for examination is listed under Enclosure (A).

EXAMINATION SUMMARY
1. All items were examined in accordance with the search warrant with the following results:
   a. Several photographs of S/GALLAGHER holding the head of a believed "ISIS" member who appears to be deceased were located on an Apple iPhone listed under evidence Log 0552-18, Item Q.
   b. Several video files of S/GALLAGHER's 2017 Deployment to Iraq were located on the Toshiba external hdd found under 0552-18, Item L. One of these videos contains a classified document located on the dashboard of the vehicle being driven.

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c. Three (3) video files from S/GALLAGHER's 2009 Seal Team 1 Afghanistan Deployment were located on evidence 0552-18, Item MM. These videos contain sensitive information/images and could be of interest to the investigation.

ACQUISITION AND FORENSIC TOOLS
1. INVENTORY: All original evidence items submitted for examination were individually inventoried and photographed prior to imaging.

2. FORENSIC ACQUISITIONS: A list of forensic tools and hash values are listed under Enclosure (A).

EXAMINATION DETAILS

APPLE IPHONE 6S (0552-18, ITEM Q)

1. This is an IOS mobile phone device containing 64 GB of internal memory. This device was damaged. There were cracks on the screen and a lot of rust or dirt on the back. This item was inventoried and photographed prior to imaging.

2. EXTRACTION: This device was locked with a six (6) digit pin code. SA [b](6), [b](7)(C) provided the pin code [b](6), [b](7)(C), which was used to unlock the phone. During the extraction attempt it was noted that the iTunes Backup was encrypted. SA [b](6), [b](7)(C) reset the user settings on the device and removed the iTunes encryption password. Once the iTunes Backup Encryption was removed an Advanced Logical extraction was successfully completed for this device.

3. DEVICE INFORMATION

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4. PRELIMINARY REVIEW: A preliminary review of text messages stored on this device resulted in the identification of several text messages to and from S/GALLAGHER speaking to his teammates about this investigation and two (2) digital photos of S/GALLAGHER posing with the deceased ISIS prisoner circa May 2017.

5. CELLEBRITE REPORT DISC: A full extraction report (UFDR) was created and burned to optical disc for SA [b](6), [b](7)(C) subsequent review.

TOSHIBA EXTERNAL HARD DRIVE (0552-18, Item L)

1. This is 2TB USB external hard drive. This item was inventoried and photographed prior to imaging. Also included in the evidence package was
one USB-3 data cable.

2. **SYSTEM INFORMATION**
   a. ECD: 0552-18, Item 'L'
   b. Make: Toshiba
   c. Model: v73600-H
   d. Serial No: (b)(6), (b)(7)(C)

3. **MEDIA FILES**: This drive consisted of several folders and subfolders with various movies and military deployment media. Several of the files match those that were located on the Alienware laptop reported out previously. No media was found in relation to the deceased ISIS prisoner, however a video containing a classified document on the dashboard was discovered. A copy of this file was exported to optical media for the Case Agent's subsequent review.

**MACBOOK PRO Laptop** (0552-18, Item MM)

1. This is a laptop computer containing one installed 120GB hard drive. This item was inventoried and photographed prior to imaging.

2. **SYSTEM INFORMATION**
   a. ECD: 0552-18, Item 'MM'
   b. Make: Apple MacBook Pro
   c. Model: A1211
   d. Serial No: (b)(6), (b)(7)(C)

2. **USER INFORMATION**: User account information used on this system.
   a. User Account: (b)(6), (b)(7)(C)
   b. Computer Name: Edward Gallagher's MacBook-Pro-15
   c. Skype Username: (b)(6), (b)(7)(C)

3. **Media**: Reporting ICS reviewed all photographs and video files for items relevant to this investigation. No files related to S/GALLAGHER's 2017 deployment were found, however three (3) video files from a 2009 Seal Team 1 Afghanistan deployment were located. These videos contain sensitive information/images and could be of interest to the investigation and have been exported to optical media for the Case Agent's subsequent review.

Remaining evidence items seized from S/GALLAGHER's residence were either damaged and/or belonged to S/GALLAGHER's wife and children, with the exception of a MacBook Pro (0552-18, Item K) and MacBook Air (0552-18, Item N) that contain file vault encryption. Cyber San Diego continues to try to break the file vault encryption for these items and if successful will be reported out under separate cover.

**EXAMINATION ARCHIVES**
1. Archive media for this examination was prepared. Archive media consists of working copies of examined data and derivative evidence. All archive media will be retained by CBSD for a period of one (1) year unless otherwise directed.

**CONCLUSION**

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1. Requested examination are complete. Additional examination can be conducted upon further requests.

GLOSSARY OF TERMS

FORENSIC IMAGE: An accurate and complete representation of digital data that may be authenticated through the use of industry-standard hash algorithms.

IOS: Previously referred to as the "iPhone Operating System", IOS is a mobile operating system developed by Apple, Inc. and used on all Apple mobile devices including the iPhone, iPod, iPad and Apple TV.

ENCLOSURE(S)
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Pages 2034 through 2062 redacted for the following reasons:

Pages (2034) - (2035), Exhibit (110) - Results of Follow-up Interview with (redacted)
NCIS redactions: (b)(6), (b)(7)(C)
COMNAVSPECWARCOM redactions: (b)(2), (b)(3) (10 USC § 130b), (b)(6), (b)(7)(C)

Pages (2036) - (2038), Exhibit (111) - Results of Follow-up Interview with (redacted)
NCIS redactions: (b)(6), (b)(7)(C)
COMNAVSPECWARCOM redactions: (b)(2), (b)(3) (10 USC § 130b), (b)(6), (b)(7)(C)

Page (2039), Exhibit (112) - Results of Interview of (redacted)
NCIS redactions: (b)(6), (b)(7)(C)
COMNAVSPECWARCOM redactions: (b)(2), (b)(3) (10 USC § 130b), (b)(6), (b)(7)(C)

Page (2040), Exhibit (113) - Results of Interview with (redacted)
NCIS redactions: (b)(6), (b)(7)(C)
COMNAVSPECWARCOM redactions: (b)(2), (b)(3) (10 USC § 130b), (b)(6), (b)(7)(C)

Pages (2041) - (2043), Exhibit (114) - Results of Interview with (redacted)
NCIS redactions: (b)(6), (b)(7)(C)
COMNAVSPECWARCOM redactions: (b)(3) (10 USC § 130b), (b)(6), (b)(7)(C)

Pages (2044) - (2048), Exhibit (115) - Results of Interview of (redacted)
NCIS redactions: (b)(6), (b)(7)(C)
COMNAVSPECWARCOM redactions: (b)(3) (10 USC § 130b), (b)(6), (b)(7)(C)

Page (2049), Exhibit (116) - Results of Contact with (redacted)
NCIS redactions: (b)(6), (b)(7)(C)
COMNAVSPECWARCOM redactions: (b)(3) (10 USC § 130b), (b)(6), (b)(7)(C)

Pages (2050) - (2057), Exhibit (117) - Review of S/GALLAGHER'S 2009/2010 Platoon Video
NCIS redactions: (b)(6), (b)(7)(C)
COMNAVSPECWARCOM redactions: (b)(2), (b)(3) (10 USC § 130), (b)(3) (10 USC § 130b), (b)(6), (b)(7)(C)

Pages (2058) - (2062), Exhibit (118) - Results of Interview of (redacted) and (redacted)
NCIS redactions: (b)(6), (b)(7)(C)
COMNAVSPECWARCOM redactions:(b)(3) (50 USC § 3024(i)), (b)(6), (b)(7)(C)
DISCOVERY OF YOUTUBE VIDEO

1. On 22Oct18, Reporting Agent (RA) was contacted by S/GALLAGHER, Edward Ryan/CPO USN, Naval Special Warfare Basic Training Command, regarding a YouTube video that may be pertinent to this investigation. S/GALLAGHER stated he was contacted by one of the Iraqi interpreters he worked with frequently while SEAL Team Seven was deployed to Iraq in 2017. The interpreter, who uses the name (NFI), stated the news stories about S/GALLAGHER were being broadcast on Iraqi TV and he drew one of the news stories and remembered seeing a YouTube video showing the ISIS fighter S/GALLAGHER is alleged to have killed. He sent the link to RA, who forwarded it to RA.

2. The video shows an individual laying on the ground with people standing all around him. The individual on the ground appears to be the same individual previously identified by other witnesses as the ISIS fighter S/GALLAGHER allegedly stabbed and killed. The ISIS fighter is being questioned by an individual holding a blue microphone and wearing a ballistic vest with “PRESS” markings on it. None of the conversation is in English. After their conversation finishes, the video then begins showing videos of Iraqi soldiers and multiple explosions going on. The video lasts 9 minutes and 20 seconds.

3. Attempts to copy or download this video met with negative results. Selected screenshots of the video are appended as Enclosures (A) and (B).

ENCLOSURE(S)
(A) YouTube video screenshot 1
(B) YouTube video screenshot 2
RESULTS OF IRAQI NEWS COVERAGE YOUTUBE VIDEO TRANSLATION

1. As background, this reactive investigation pertains to suspected violations of Title 18 USC 2441 (War Crimes), ART 118 UCMJ (Murder), and ART 134 UCMJ and/or any applicable statutes pursuant to the UCMJ. This investigation, reported by Naval Special Warfare Group One (NSWG1), pertains to possible Law of Armed Conflict allegations against S/GALLAGHER, a US Navy SEAL previously deployed to Iraq during the 2017 Mosul, Iraq clearance operations.

2. On 23OCT18, Reporting Agent (RA) along with the [redacted] reviewed YOUTUBE video media coverage post located at: https://youtu.be/BQ5Q0gUKWtc, which is a documentary/Iraqi news coverage regarding the clearance of Mosul, Iraq operations that took place in 2017.

3. The aforementioned YOUTUBE/media coverage was hosted and covered by a local Iraqi journalist, who has a segment on "Quick Reaction Television Show" - Alharamat Liberation - West Mosul. The journalist is [redacted] a Combat Reporter, an active supporter/sympathizer of Shia Militia Groups, particularly Badr Organization. [redacted] was an active militant member of Badr, fighting ISIS, and was killed in combat.

4. The following is an approximate translation from the interview with the alleged murder victim involving this case:
   a. Reporter: Speak up
   b. Victim: I joined ISIS before Ramadan month
   c. Reporter: Why did you join ISIS
   d. Victim: My dad was beating me, and telling me we do not go with ISIS
   e. Reporter: So why did you join them if your dad did not accept
   f. Victim: So they can tell me "good job"
   g. Reporter: That's it, so they can say to you "good job"
   h. Reporter: Dear our channel watchers, here is a young man, about 17 years old - ISIS fooled him to join them

5. The reporter then began interviewing [redacted] a field Commander during the Mosul clearance operations. The following is the approximate translation from the interview with [redacted]

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PAGE 1
a. Reporter: Sir, where are we now and how did you capture this kid by the way? The kid was carrying a PKC, so our soldiers shot at him, injured him, and now he is ready for transfer to get medical attention so we can make use of his information. We are now in Dijla Village at Alharamat Sector of Mosul

6. The remainder of the YOUTUBE coverage video depicts the journalist/reporter traveling across areas of Mosul, which appears to RA, his vehicle was following the vehicle that transported the victim to the former passing the area and not going into the compound. RA recognized the area and scenery from being in that area of Mosul. RA also recognized the cemeteries in which the journalist was passing, due to them being in close proximity of the ERD compound.

REPORTED BY: Special Agent OFFICE: RESIDENT AGENCY SAN DIEGO