

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary.

1. LOCATION	(b)(3), (b)(6), (b)(7)c	DATE	(b)(3), (b)(6), (b)(7)c	TIME	(b)(3), (b)(6), (b)(7)c	FILE NO.
CAMP SABALU - HARRISON/BAF	(b)(3), (b)(6), (b)(7)c	02/20/21		0557		
5. NAME (Last, First, MI)	(b)(3), (b)(6), (b)(7)c	ORGANIZATION OR ADDRESS	(b)(3), (b)(6), (b)(7)c			
6. SSN	(b)(3), (b)(6), (b)(7)c	GRADE/STATUS	(b)(3), (b)(6), (b)(7)c			
	(b)(3), (b)(6), (b)(7)c		CAMP SABALU - HARRISON/BAF			

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army (b)(3), (b)(6), (b)(7)c and wanted to question me about the following offense(s) of which I am suspected/accused: ARTICLE 134 VIOLATION (UCMJ)

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

- I do not have to answer any question or say anything.
- Anything I say or do can be used as evidence against me in a criminal trial.
- (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

- or -

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

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

5. COMMENTS (Continue on reverse side)

Section B. Waiver

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE
1a. NAME (Type or Print)		(b)(3), (b)(6), (b)(7)c
b. ORGANIZATION OR ADDRESS AND PHONE		4. SIGNATURE OF INVESTIGATOR (b)(3), (b)(6), (b)(7)c
2a. NAME (Type or Print)		5. TYPED NAME OF INVESTIGATOR (b)(3), (b)(6), (b)(7)c
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR (b)(3), (b)(6), (b)(7)c

Section C. Non-waiver

- I do not want to give up my rights
 I want a lawyer
 I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE

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

PART II - RIGHTS WARNING PROCEDURE

THE WARNING

1. WARNING - Inform the suspect/accused of:
 - a. Your official position.
 - b. Nature of offense(s).
 - c. The fact that he/she is a suspect/accused.
2. RIGHTS - Advise the suspect/accused of his/her rights as follows:

"Before I ask you any questions, you must understand your rights."

 - a. "You do not have to answer my questions or say anything."
 - b. "Anything you say or do can be used as evidence against you in a criminal trial."
 - c. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer

can be a civilian you arrange for at no expense to the Government or a military lawyer detailed for you at no expense to you, or both."

- or -

(For civilians not subject to the UCMJ) You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer can be one you arrange for at your own expense, or if you cannot afford a lawyer and want one, a lawyer will be appointed for you before any questioning begins."

- d. "If you are now willing to discuss the offense(s) under investigation, with or without a lawyer present, you have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if you sign a waiver certificate."

Make certain the suspect/accused fully understands his/her rights.

THE WAIVER

"Do you understand your rights?"
 (If the suspect/accused says "no," determine what is not understood, and if necessary repeat the appropriate rights advisement. If the suspect/accused says "yes," ask the following question.)

"Have you ever requested a lawyer after being read your rights?"
 (If the suspect/accused says "yes," find out when and where. If the request was recent (*i.e.*, fewer than 30 days ago), obtain legal advice whether to continue the interrogation. If the suspect/accused says "no," or if the prior request was not recent, ask him/her the following question.)

"Do you want a lawyer at this time?"
 (If the suspect/accused says "yes," stop the questioning until he/she has a lawyer. If the suspect/accused says "no," ask him/her the following question.)

"At this time, are you willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer and without having a lawyer present with you?" *(If the suspect/accused says "no," stop the interview and have him/her read and sign the non-waiver section of the waiver certificate on the other side of this form. If the suspect/accused says "yes," have him/her read and sign the waiver section of the waiver certificate on the other side of this form.)*

SPECIAL INSTRUCTIONS

WHEN SUSPECT/ACCUSED REFUSES TO SIGN WAIVER CERTIFICATE: If the suspect/accused orally waives his/her rights but refuses to sign the waiver certificate, you may proceed with the questioning. Make notations on the waiver certificate to the effect that he/she has stated that he/she understands his/her rights, does not want a lawyer, wants to discuss the offense(s) under investigation, and refuses to sign the waiver certificate.

IF WAIVER CERTIFICATE CANNOT BE COMPLETED IMMEDIATELY: In all cases the waiver certificate must be completed as soon as possible. Every effort should be made to complete the waiver certificate before any questioning begins. If the waiver certificate cannot be completed at once, as in the case of street interrogation, completion may be temporarily postponed. Notes should be kept on the circumstances.

PRIOR INCRIMINATING STATEMENTS:

1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do not obligate him/her to answer further questions.

2. If the suspect/accused was questioned as such either without being advised of his/her rights or some question exists as to the propriety of the first statement, the accused must be so advised. The office of the serving Staff Judge Advocate should be contacted for assistance in drafting the proper rights advisal.

NOTE: If 1 or 2 applies, the fact that the suspect/accused was advised accordingly should be noted in the comment section on the waiver certificate and initialed by the suspect/accused.

WHEN SUSPECT/ACCUSED DISPLAYS INDECISION ON EXERCISING HIS OR HER RIGHTS DURING THE INTERROGATION PROCESS: If during the interrogation, the suspect displays indecision about requesting counsel (for example, "Maybe I should get a lawyer."), further questioning must cease immediately. At that point, you may question the suspect/accused only concerning whether he or she desires to waive counsel. The questioning may not be utilized to discourage a suspect/accused from exercising his/her rights. (For example, do not make such comments as "If you didn't do anything wrong, you shouldn't need an attorney.")

COMMENTS *(Continued)*

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: CALL STATION - HARRISON
2. DATE: 20120221
3. TIME: 0552
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME:
6. SSN:
7. GRADE/STATUS:
8. ORGANIZATION OR ADDRESS: CALL STATION - HARRISON / BAF

I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the 20 of feb I came into work and was told that I would be picking up Books From S-2 on my nightly burn pit run. My NCO simply told me that the books were sensitive Intel items. At 21:00 is [redacted], [redacted], and I proceeded into the facility. When I got there I went to the kitchen to get bags for the books. When I returned to the vehicle Books were already being loaded so I Assisted with the task untill competed. The I Drove with [redacted] and [redacted] to the Burnpit. Continued on next Page III

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT:
PAGE 1 OF 1 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [redacted] TAKEN AT [redacted] DATED [redacted]
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b)(3), (b)(6), (b)(7)c TAKEN AT DEPS-HI BAF DATED 2012 07 21

9. STATEMENT (Continued)

When we arrived at the burnpit we signed in as usual and drove on to the burn stacks. We backed the vehicle, as usual, and started throwing books into the fire. An employee walked up to us and after looking into the vehicle he told us there were some Qur'ans in with the other books. At that point we stopped throwing them into the burnpit. The employee told me that he was going to remove the Qur'ans from the vehicle. Due to the nature of the Books, sensitive items that needed to be burned, I told him I was sorry and that we wouldnt Burn anything else. He insisted on removing the Qur'ans and a crowd began to gather around the vehicle. I told him I was leaving

Continued on next Page

STATEMENT OF (b)(3), (b)(6), (b)(7)c TAKEN AT Camp SH/BAF DATED 20120221

9. STATEMENT (Continued)

And got back into my vehicle. We Pulled away from the Burnpit. The workers attempted to stop us but due to the sensitive nature of the books we drove past. When we returned to S-4 we placed the books into tri-walls and informed the battle cpt. and S-2 of the situation. Shortly afterwards I was escorted to the BAF PMO.

~~Nothing follows~~ (b)(3), (b)(6), (b)(7)c

Q-Who told you to burn the books? (b)(3), (b)(6), (b)(7)c

A: (b)(3), (b)(6), (b)(7)c told us he had received a request from S-2 to dispose of sensitive items (b)(3), (b)(6), (b)(7)c

Q-Has you ever burned sensitive items for the SZ before? (b)(3), (b)(6), (b)(7)c
 it is the first time I have gone out of my way to do so. normally they place their burn items in the burn bins with all the other housing units (b)(3), (b)(6), (b)(7)c

Q-Did you know that there were Koreans with the books that you were burning? (b)(3), (b)(6), (b)(7)c

A. Not until the burn pit employee told us that some were in the trucks (b)(3), (b)(6), (b)(7)c

Q-Do you believe that (b)(3), (b)(6), (b)(7)c if (b)(3), (b)(6), (b)(7)c knew there were Koreans with the books that you were burning? (b)(3), (b)(6), (b)(7)c

A. Not to my knowledge. If they were aware they did not say anything (b)(3), (b)(6), (b)(7)c

STATEMENT OF

(b)(3), (b)(6), (b)(7)c

TAKEN AT

CAMP S-H

DATED

2012 22 21

9. STATEMENT (Continued)

Q. Do you know the name of the TCW that stopped you? (b)(3), (b)(6), (b)(7)c

A. NO, but I saw him at the PMO, they maybe able to identify him. (b)(3), (b)(6), (b)(7)c

Q. About how many books were in the LMTV? (b)(3), (b)(6), (b)(7)c

A. the whole bed was full of books, I would estimate at least a few hundred. (b)(3), (b)(6), (b)(7)c

Q. How many books were burned before the TCW stopped you? (b)(3), (b)(6), (b)(7)c

A. Under 100 books. (b)(3), (b)(6), (b)(7)c

Q. when you left the burn pit area about how many TCWs were forming around the vehicle? (b)(3), (b)(6), (b)(7)c

A. Around 15 on my side of the vehicle. I am unsure of the number on the other side. (b)(3), (b)(6), (b)(7)c

End of statement nothing follows
(b)(3), (b)(6), (b)(7)c
(b)(3), (b)(6), (b)(7)c
(b)(3), (b)(6), (b)(7)c

AFFIDAVIT

I, (b)(3), (b)(6), (b)(7)c, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(3), (b)(6), (b)(7)c

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 day of february, 2012 at Camp Sabalu-Harrison 0522

(b)(3), (b)(6), (b)(7)c

(Signature of Person Administering Oath)

(b)(3), (b)(6), (b)(7)c

(Typed Name of Person Administering Oath)

Article 136 UCMR

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

(b)(3), (b)(6), (b)(7)c

PAGE 4 OF 4 PAGES (b)(3), (b)(6), (b)(7)c

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: CAMP SABELLO-HARRISON
2. DATE: 20120221
3. TIME: 1218
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME:
6. SSN:
7. GRADE/STATUS:

8. ORGANIZATION OR ADDRESS: CAMP SABELLO - HARRISON / BAF

9. I, (b)(3), (b)(6), (b)(7)c, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

In addition to my previous statement on 21 Feb 2012 at 0552 I would like to add the following information. We arrived at the bunnypit shortly after 2200. The books were thrown into burn stacks. Towers that rose up from the ground with wide swinging doors the are 15-20 feet from the base. there is a slope leading to the doors however the doors are still 6 to 7 feet above the slope. There is also a set of closed doors at the base of the towers back side. my previous estimate of the number of books thrown in is based on the amount of books that were left in the LMTV since (continued on next page)

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT:
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b)(3), (b)(6), (b)(7)c TAKEN AT CAMPUS-H DATED 20120221

9. STATEMENT (Continued)

I did not keep a count on how many were thrown in the pit.

Q - Do you believe anyone could have pulled a book out of the burn stack after you left? (b)(3), (b)(6), (b)(7)c

A. Not through the doors we threw them in. I do not believe there was enough material in the stack to elevate the books to a reachable level. And no means of getting out if you entered the stack. (b)(3), (b)(6), (b)(7)c

Q - Could the doors on the back have been open to retrieve any of the books that were thrown in? (b)(3), (b)(6), (b)(7)c

A. The doors could have been opened. But I am unsure if any books could have been retrieved. (b)(3), (b)(6), (b)(7)c

Q - Did you know anything about where the books in the LMTV came from? (b)(3), (b)(6), (b)(7)c

I knew they were from the library and had been deemed 'sensitive' items due to detainee writing in the books labeled 'unauthorized communication'. (b)(3), (b)(6), (b)(7)c

Q - were you involved in the collection of the books from the library? (b)(3), (b)(6), (b)(7)c

I helped carry the books to the LMTV but did not decide which books were going. (b)(3), (b)(6), (b)(7)c

INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6), (b)(7)c

PAGE 2 OF 3 (b)(3), (b)(6), (b)(7)c

STATEMENT OF

(b)(3), (b)(6), (b)(7)c

TAKEN AT

LAW 5-H

DATED

20120221

9. STATEMENT (Continued)

Q - As you were leaving the burn pit area, did you see ^{(b)(3), (b)(6), (b)(7)c} anyone carrying a book that may have been pulled from the burn pit ^{(b)(3), (b)(6), (b)(7)c}

A. No ^{(b)(3), (b)(6), (b)(7)c}

Q - Approximately what time did you leave the burn pit area? ^{(b)(3), (b)(6), (b)(7)c}

A. Around 2230. ^{(b)(3), (b)(6), (b)(7)c}

Q - What time did you return to your place of duty? ^{(b)(3), (b)(6), (b)(7)c}

A. We drove straight back to the warehouse. I would say around 2245. ^{(b)(3), (b)(6), (b)(7)c}

Q - When did you notify your supervisor or chain of command? ^{(b)(3), (b)(6), (b)(7)c}

A. I did not personally notify the chain of command but a soldier from S-4 called the battle capt. When we returned to the warehouse. ^{(b)(3), (b)(6), (b)(7)c}

END of Statement ^{(b)(3), (b)(6), (b)(7)c}

AFFIDAVIT

I, ^{(b)(3), (b)(6), (b)(7)c}

, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT

WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

^{(b)(3), (b)(6), (b)(7)c}

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 day of Feb, 2012 at Camp Sabalu-Harrison

^{(b)(3), (b)(6), (b)(7)c}

(Signature of Person Administering Oath)

^{(b)(3), (b)(6), (b)(7)c}

(Typed Name of Person Administering Oath)

ARTICLE 136 UCMJ
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

^{(b)(3), (b)(6), (b)(7)c}

PAGE 3 OF 3 PAGES ^{(b)(3), (b)(6), (b)(7)c}

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE
 For use on DA Form 3881, see AR 190-30; the proponent agency is JDCSOPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary.

1. LOCATION Bagram CID Office, AF, APO AE 09354		2. DATE 21 Feb 12 (b)(3), (b)(6), (b)(7)c	3. TIME 1717 (b)(3), (b)(6), (b)(7)c	4. FILE NO.
5. NAME (Last, First, MI) (b)(3), (b)(6), (b)(7)c		8. ORGANIZATION OR ADDRESS Bagram Airfield, AF, APO AE 09354		
6. SSN (b)(3), (b)(6), (b)(7)c	7. GRADE/STATUS (b)(3), (b)(6), (b)(7)c			

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he is with the United States Army **Criminal Investigation Command (CID)** as a **Special Agent** and wanted to question me about the following offense(s) of which I am suspected/accused **Failure to Obey a Lawful Order, Article 92 Violation, False Official Statement** (b)(3), (b)(6), (b)(7)c

Before he asked me any questions about the offense(s), however, he made it clear to me that I have the following rights:

- I do not have to answer any questions or say anything.
- Anything I say or do can be used as evidence against me in a criminal trial.
- For personnel subject to the UCMJ I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

- or -

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

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

5. COMMENTS (Continue on reverse side)

Have you ever requested a lawyer after being read your rights in the last 30 days? **No** (b)(3), (b)(6), (b)(7)c

Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me (b)(3), (b)(6), (b)(7)c

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE (b)(3), (b)(6), (b)(7)c	
1a. NAME (Type or Print)	b. ORGANIZATION OR ADDRESS AND PH	4. SIGNATURE OF INVESTIGATOR (b)(6), (b)(7)c	
2a. NAME (Type or Print)		5. TYPED NAME OF INVESTIGATOR (b)(6), (b)(7)c	
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR Bagram CID Office, Bagram Airfield, AF, APO AE 09354		

Section C. Non-Waiver

1. I do not want to give up my rights:

I want a lawyer.

I do not want to be questioned or say anything.

2. SIGNATURE OF INTERVIEWEE

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

SWORN STATEMENT
FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE

File Number: 0053-12-CID369

Location: Bagram Airfield, Afghanistan, APO AE 09354

Date: 21 Feb 12 (b)(3), (b)(6), (b)(7)c **Time: 1757** (b)(3), (b)(6), (b)(7)c

Statement of: (b)(3), (b)(6), (b)(7)c

Rank: (b)(3), (b)(6), (b)(7)c

Status: (b)(3), (b)(6), (b)(7)c

SSN: (b)(3), (b)(6), (b)(7)c

Org/Address: (b)(3), (b)(6), (b)(7)c **Bagram Airfield, Afghanistan, APO AE 09354**

(b)(3), (b)(6), (b)(7)c, (b)(3), (b)(6), (b)(7)c, want to make the following statement under oath: This statement is to clarify my original statement to Military Police Investigations,

(b)(6), (b)(7)c on 21 Feb 12 (b)(3), (b)(6), (b)(7)c

Q: (b)(6), (b)(7)c

A: (b)(3), (b)(6), (b)(7)c

Q: Were you told at anytime that you were burning Qur'ans?

A: I did not know until the gentleman at the Bagram Airfield trash point told us that we were burning Qur'ans.

Q: What did you do once you were told that you were burning Qur'ans?

A: The way the gentleman said it all three of us heard him. We immediately stopped throwing the books into the incinerator. At some point (b)(3), (b)(6), (b)(7)c and (b)(6), (b)(7)c (b)(3), (b)(6), (b)(7)c got back into the vehicle. I began saying sorry to the gentleman and he began saying he needed to take the Qur'ans out and take them to the Mosque. I told him we could not allow him to take the books out of the vehicle because they had sensitive information in them. I then noticed a group of approximately 15 local nationals began to surround the truck so I got into the truck and drove back to the warehouse on Camp Sabula Harrison.

Q: Once you were in the vehicle driving back to the warehouse what was discussed between yourself, (b)(3), (b)(6), (b)(7)c and (b)(3), (b)(6), (b)(7)c?

A: We thought the situation we were just in was very crazy. We said we were going to notify our battle captain as soon as we returned to notify them of the situation. We knew that now that we were told that we were burning Qur'ans that we knew this was a serious situation. We just wanted to get back as soon as possible so the Chain of Command could handle the situation.

Q: At anytime did (b)(3), (b)(6), (b)(7)c or (b)(3), (b)(6), (b)(7)c tell you that they knew you were going to be burning Qur'ans?

A: Negative.

Q: Did you get briefed on what you were going to be burning?

A: No. (b)(3), (b)(6), (b)(7)c said that the items we were disposing was sensitive in nature and was collected as contraband because the books were being passed around the prison with messages.

Q: Did any of the books that you threw into the incinerator have English writing on them or use of the English language?

A: None that I recognized. I don't recall any of the ones that I threw in to have English. (b)(3), (b)(6), (b)(7)c

INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6), (b)(7)c

PAGE 1 OF 3 PAGES

~~FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE~~

Exhibit _____

SWORN STATEMENT

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

(b)(3), (b)(6), (b)(7)c

Q: About how many books do you think yourself; (b)(3), (b)(6), (b)(7)c and (b)(6), (b)(7)c
(b)(3), (b)(6), (b)(7)c threw into the incinerator?

A: I would guess under 100.

Q: Did (b)(3), (b)(6), (b)(7)c at anytime brief you on what you were burning?

A: Negative. I have not had any contact with him for the last week.

Q: At anytime did anyone in your COC or in the S-Shops tell you to burn the books but not to let any of the local national's see you?

A: Not that I recall.

Q: During your train-up for deployment what training do you remember that covered the Qur'an?

A: I know we had a cultural awareness briefing and a General Orders briefing.

Q: Did you know it was a General Order violation to burn a Qur'an?

A: Yes.

Q: Did you intentionally take books that you knew to be Qur'ans and proceed to burn them by throwing them into the incinerator?

A: No.

Q: Did you receive orders to take books that you knew to be Qur'ans and proceed to burn them by throwing them into the incinerator?

A: No.

Q: If you would have known the books that you were to dispose of were Qur'ans, what steps would you have taken?

A: We would of immediately stopped and gotten in touch with S-2 and our NCOIC and related the information.

Q: Do you have anything further you would like to add to this statement at this time?

A: No.//END OF STATEMENT (b)(3), (b)(6), (b)(7)c

INITIALS OF PERSON MAKING STATEMENT

(b)(3), (b)(6), (b)(7)c

PAGE 2 OF 3 PAGES

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

Exhibit _____

SWORN STATEMENT
~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

AFFIDAVIT

I, (b)(3), (b)(6), (b)(7)c, have read or had read to me this statement which begins on page 1 and ends on page 3. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence, or unlawful inducement.

(b)(3), (b)(6), (b)(7)c

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oath, this 21st day of February 2012 at Bagram Airfield, Afghanistan, APO AE 09354.

WITNESSES:

ORGANIZATION AND ADDRESS

(b)(6), (b)(7)c

(Signature of Person Administering Oath)

(b)(6), (b)(7)c

(Typed Name of Person Administering Oath)

10 USC, 936

(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6), (b)(7)c
PAGE 3 OF 3 PAGES

~~FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE~~

Exhibit _____

Military Police Interview Worksheet

Privacy Act Statement			
Authority: 10 U.S.C. 3012(g) Principal Purpose: To provide commanders and law enforcement officials with means by which information may be accurately identified. Routine Uses: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval. Disclosure: Disclosure of you Social Security Number is voluntary.			
MPR#:		MPI/CID#:	DATE: 21 February 2012
Incident: Article 92			
Location of Incident: Burn Pit			
Date/Time of Incident: approx 2100-2230		Military Police Officer: (b)(6), (b)(7)c	
Status: <input checked="" type="checkbox"/> Subject <input type="checkbox"/> Witness <input type="checkbox"/> Victim <input type="checkbox"/> Complainant <input type="checkbox"/> Driver <input type="checkbox"/> Other:			
Last Name:	First Name:	Middle Name:	
(b)(3), (b)(6), (b)(7)c	(b)(3), (b)(6), (b)(7)c	(b)(3), (b)(6), (b)(7)c	
SSN/FNN/Alien Reg.#:	Rank/Grade:	DOB(YYYY/MM/DD):	POB (City, State, Country):
(b)(3), (b)(6), (b)(7)c	(b)(3), (b)(6), (b)(7)c	(b)(3), (b)(6), (b)(7)c	(b)(3), (b)(6), (b)(7)c
Age:	Height:	Weight:	Juvenile:
(b)(3), (b)(6), (b)(7)c	(b)(3), (b)(6), (b)(7)c	(b)(3), (b)(6), (b)(7)c	(b)(3), (b)(6), (b)(7)c
Gender:	Race:	Ethnicity:	
(b)(3), (b)(6), (b)(7)c	(b)(3), (b)(6), (b)(7)c	(b)(3), (b)(6), (b)(7)c	
Hair Color (Circle One):	Eye Color (Circle One):	Complexion(Circle One):	
(b)(3), (b)(6), (b)(7)c	(b)(3), (b)(6), (b)(7)c	(b)(3), (b)(6), (b)(7)c	
Unit/Organization:		Task Force O-6 Level:	
(b)(3), (b)(6), (b)(7)c		(b)(3), (b)(6), (b)(7)c	
Category (Circle One):			
(b)(3), (b)(6), (b)(7)c			
Duty Phone #:	Home Phone #:	Cellular Phone #:	
In-Theater Address: Sabalu Harrison			
Post/Base/Installation Assigned: Bagram Airfield/			
(b)(3), (b)(6), (b)(7)c			
Drivers License #:	Drivers License State/Country:		
(b)(3), (b)(6), (b)(7)c	(b)(3), (b)(6), (b)(7)c		
Citizenship (Circle One):			
(b)(3), (b)(6), (b)(7)c			
Identifying Marks/Location (Tattoos/Scars):			
(b)(3), (b)(6), (b)(7)c			
How Dressed:			
(b)(3), (b)(6), (b)(7)c			
Security Clearance (Circle One):		Injuries: yes/no	
(b)(3), (b)(6), (b)(7)c		(b)(3), (b)(6), (b)(7)c	
Marital Status (Circle One):			
(b)(3), (b)(6), (b)(7)c			
Commander's Information (Name, Rank, Unit):			
First Sergeant's Information (Name, Rank, Unit):			
(b)(3), (b)(6), (b)(7)c			
Supervisor's Information (Name, Rank, Unit):			
(b)(3), (b)(6), (b)(7)c			
DD FM 2701 Issued:	If Not Issued: Declined	Involvement: Drugs Alcohol None	
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Not Required <input type="checkbox"/>		

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary.

1. LOCATION Bagram Airfiled	2. DATE (b)(3), (b)(6), (b)(7)c 20120221	3. TIME (b)(3), (b)(6), (b)(7)c 0131	4. FILE NO.
5. NAME (Last, First, MI) (b)(3), (b)(6), (b)(7)c	8. ORGANIZATION OR ADDRESS		
6. SSN (b)(3), (b)(6), (b)(7)c	7. GRADE/STATUS (b)(3), (b)(6), (b)(7)c		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Joint Military Police Station, Bagram Airfield and wanted to question me about the following offense(s) of which I am

(b)(3), (b)(6), (b)(7)c accused: Article 92 General Order 1 Violation (b)(3), (b)(6), (b)(7)c

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

1. I do not have to answer any question or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

- or -

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

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

5. COMMENTS (Continue on reverse side)

Have you been read your rights in the last 30 days? NO (b)(3), (b)(6), (b)(7)c

Section B. Waiver

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

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE (b)(3), (b)(6), (b)(7)c
1a. NAME (Type or Print)		4. SIGNATURE OF INVESTIGATOR (b)(6), (b)(7)c
b. ORGANIZATION OR ADDRESS AND PHONE		
2a. NAME (Type or Print)		5. (b)(6), (b)(7)c
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR JPMO Bagram Afghanistan 09354

Section C. Non-waiver

1. I do not want to give up my rights
 I want a lawyer I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE

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

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION BAGRAM AF	2. DATE (YYYYMMDD) 2012/02/21	3. TIME (b)(3), (b)(6), (b)(7)c 0256	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6), (b)(7)c	6. SSN (b)(3), (b)(6), (b)(7)c	7. GRADE/STATUS (b)(3), (b)(6), (b)(7)c	
8. ORGANIZATION OR ADDRESS Bagram Airfield Afghanistan APO AE 09354			

9. (b)(3), (b)(6), (b)(7)c, (b)(3), (b)(6), (b)(7)c, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Around 1945 this evening I showed up to work, we were doing our normal thing when we come in and I was told that S-2 was requesting that we take some stuff to the burn pit and around 915 or so we left for the burn pit. At 915 (b)(3), (b)(6), (b)(7)c and myself got into our LMTV to go pick up the stuff for the burn pit. When you go into the facility there is a gate by the kitchen in the DFIP where you can back up your vehicle and we backed up the LMTV there, I got out and I knew there was going to be books so I went to grab trash bags to help carry them and by the time I got back (b)(3), (b)(6), (b)(7)c and members of the A Team were loading up the items to be burned into the LMTV. Some of the items were in boxes and some of them were loose. I helped load books up and we closed the back of the LMTV and proceeded to the burn pit. Once we got to the burn pit we proceeded as we normally do, we signed into the burn pit and then drive up to the burn stacks, then we backed up the vehicle to the burn stack and the people with started throwing books into one of the burn stacks, and I went to talk to one of the attendants and he got up in the truck to see what was in the vehicle, like they normally do, and the attendant realized that some of the books we had were Qur'ans. The attendant said you can't burn these this is our religion and I was trying to tell him that we were not going to burn them but we could not leave them with him and at that time a bunch of people started gathering around the vehicle, I was trying to get him to understand that we had to take the Qur'ans and there was a bad situation because I was told there was sensitive information and there was all these people around looking at it and that when I told him to please get his people off the vehicle and pulled away. After we pulled away a bunch of the people started running after us, I was worried because there were only three of us and a bunch of them and I know how they feel about their Qur'an but they couldn't have these due to the sensitive information in them and I just wanted to get out of there before the situation became worse.

Q: (b)(3), (b)(6), (b)(7)c, (b)(3), (b)(6), (b)(7)c
A: (b)(3), (b)(6), (b)(7)c
Q: When you were at the DFIP loading up the stuff for the burn pit did you pay attention to what was specifically being put in your truck for the burn pit?
A: no, most of the time I just take the stuff that people give me and dont pay attention because I want to get the detail done quickly
Q: Who is the person that told you that S-2 had stuff that needed to be burned?
A: (b)(3), (b)(6), (b)(7)c he is the NCOIC of the warehouse and he was just letting us know because we were the ones who were going to be burning the stuff
Q: Does S-2 usually go with you when you burn stuff from the S-2?
A: they never have accompanied us before but normally there isnt a large amount of items so (b)(3), (b)(6), (b)(7)c probably just wanted to help out since there was so much stuff, and they said it had classified information
Q: Do you have a security clearance?
A: no I do not
Q: Does (b)(3), (b)(6), (b)(7)c have a security clearance?
A: I believe so (continued next page) (b)(3), (b)(6), (b)(7)c

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6), (b)(7)c	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF (b)(3), (b)(6), (b)(7)c TAKEN AT Bagram Airfield DATED 2012/02/21

9. STATEMENT (Continued)

(b)(3), (b)(6), (b)(7)c continued from page 1)

Q: Are you familiar with what a Qur'an looks like?

A: I know we stock them in our warehouse but they usually come in brown bags and I have never actually handled one

Q: What did the books look like that you took to the burn pit?

A: It was dark out there and I couldn't make out any of them, all the books all looked different like someone took a bunch of books out of a library shelf, so I just took his word for it that the books were Qur'ans.

Q: So have you ever seen a Qur'an or been showed what a Qur'an looks like?

A: no, if I have been shown it might have been at a briefing but if you lined up a whole bunch of books I wouldn't be able to point you out a Qur'an out of them

Q: Who was the attendant at the Burn pit that informed you that the books were Qur'ans?

A: I am not sure his name I have never actually seen him before out there

Q: what did he look like?

A: he was (b)(6), (b)(7)c wearing a reflective vest, had a (b)(6), (b)(7)c, he is a (b)(6), (b)(7)c

Q: What is your understanding about the burning of religious material here in Afghanistan?

A: I understand they view the Qur'an as sacred, and if it was in America people would be mad if you burned the Bible so I understand why they would be mad about burning their religious book

Q: Have you ever been briefed that the burning of religious material is against a General Order?

A: One of the briefs I am sure I have been told that we have about ten thousand of them leading up to the deployment, but I can't remember a specific briefing when I was told that

Q: How often do you burn items for the S-2?

A: In the (b)(3), (b)(6), (b)(7)c we have been here there has only been one other time that was specifically something for them, all the other times we burn everything that is collectively put into one of the three trifolds that are designated for the burn pit, we probably burned stuff for them before but there is only one other time we were told that we were picking stuff up from S-2

Q: Where did you go after you left the burn pit?

A: we went straight back to the warehouse

Q: what did you do once you got to the warehouse?

A: we immediately put the books into some tri-walls, and then everyone else went up front and I loaded up blankets onto the truck

Q: Did you tell anybody about what happened at the burn pit?

A: Either (b)(3), (b)(6), (b)(7)c or (b)(3), (b)(6), (b)(7)c said they were going to get in touch with someone and let them know what happened

Q: Do you know who they told?

A: I wasn't up there to see if they told anyone, I don't know who they told, but (b)(3), (b)(6), (b)(7)c or (b)(3), (b)(6), (b)(7)c said they were going to get in touch with the battle captain

Q: Who is the battle captain?

A: I believe the (b)(3), (b)(6), (b)(7)c who accompanied me up here I am not sure of (b)(6) name

Q: Do you know what this (b)(3), (b)(6), (b)(7)c did about the situation at the burn pit?

A: I'm not sure, I don't know what (b)(6) role is in all of this I didn't witness him doing anything

Q: Where is the vehicle that you drove to the burn pit at now?

A: the last place that I saw it was the DFIP but I heard someone on the police center say that it was in the warehouse

Q: Did all of the items from the burn pit get taken off the truck?

A: yes everything should be off the truck

Q: Did you take everything off yourself?

A: No, it was me, (b)(3), (b)(6), (b)(7)c and (b)(3), (b)(6), (b)(7)c who is a supply person that works in the warehouse that didnt go with us he was in the warehouse the whole time. Everyone loaded the items in the box and then I moved it off the truck.

Q: So you seen that there was nothing left on the truck?

A: yes, nothing from the burn pit was left on the truck

Q: Where are all the books at now?

A: the books are in four tri-walls in the ware house

Q: Are they secured?

A: there are people there, I don't know if anyone is wathching the books themselves but I know the warehouse is a secure building

Q: What did (b)(3), (b)(6), (b)(7)c want to do with the books?

A: (b)(3), (b)(6), (b)(7)c was going to make a phone call to the S-2 Chain of command to see what they wanted to do about the books(continued)

(b)(3), (b)(6), (b)(7)c

INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6), (b)(7)c

PAGE 2 OF 3 PAGES

STATEMENT OF (b)(3), (b)(6), (b)(7)c TAKEN AT Bagram Airfield DATED 2012/02/21

9. STATEMENT (Continued)

(b)(3), (b)(6), (b)(7)c Do you have anything else that you would like to add?
A: negative///End of Statement///(b)(3), (b)(6), (b)(7)c

AFFIDAVIT

I, (b)(3), (b)(6), (b)(7)c, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(3), (b)(6), (b)(7)c
Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 day of February, 2012 at Bagram Airfield, (b)(6), (b)(7)c

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)c
Person Administering Oath)

ORGANIZATION OR ADDRESS

(b)(3), (b)(6), (b)(7)c
(Typed Name of Person Administering Oath)

Article 136 (b) (4)
(Authority To Administer Oaths)

RECEIPT FOR INMATE OR DETAINED PERSON

1. RECEIVED FROM (Unit or Agency and Station) (b)(3), (b)(6), (b)(7)c BAGRAM, AFGHANISTAN APO AE 09354		2. TIME 0445HRS	3. DATE (YYYYMMDD) 20120221
4. INMATE NAME (Last, First, Middle) (b)(3), (b)(6), (b)(7)c		5. SSN (b)(3), (b)(6), (b)(7)c	6. GRADE (b)(3), (b)(6), (b)(7)c
7. ORGANIZATION (b)(3), (b)(6), (b)(7)c		8. STATION BAGRAM AIRFIELD	
9. OFFENSE ART 92			
10. PERSONAL PROPERTY PATROL CAP, WALLET, GLOVES (ALL RETURNED TO (b)(3), (b)(6), (b)(7)c)			
11. REMARKS RELEASED TO UNIT IN GOOD HEALTH TO (b)(3), (b)(6), (b)(7)c UNIT.			
12. NAME AND TITLE OF PERSON RECEIVING ABOVE INDIVIDUAL (b)(3), (b)(6), (b)(7)c		13. SSN (b)(3), (b)(6), (b)(7)c	14. GRADE (b)(3), (b)(6), (b)(7)c
15. RECEIVING UNIT OR AGENCY AND STATION (b)(3), (b)(6), (b)(7)c BAGRAM AFGHANISTAN		16. SIGNATURE (b)(3), (b)(6), (b)(7)c	

23 February 2012

Interview of

(b)(3), (b)(6), (b)(7)c

[BG Watson advised (b)(3), (b)(6), (b)(7)d of his UCMJ, Article 31 rights for possible violations of Article 92, dereliction of duty. (b)(3), (b)(6), (b)(7)c waived his right to counsel and agreed to make a statement.]

[BG Watson administered the oath to (b)(3), (b)(6), (b)(7)d.]

(b)(3), (b)(6), (b)(7)c

U.S. Army, first being duly sworn, did testify in substance as follows:

We picked up the books from the library because we had been told that there were materials that we needed to dispose of. After we picked up the books, we proceeded to the burn pit. We left for the burn pit around 2115 hours. When we got to the burn pit, we normally come in, back the vehicle straight up to the incinerator, and then we just start throwing whatever material we're disposing of that day into the incinerator. The books went straight from the back of the truck and into the incinerator. The books never went on the ground. While we were disposing of the material, a worker came over and looked inside the vehicle. He told us that there were Qurans within the books. It was just a normal procedure for us. After we found out what they were, we immediately stopped. Then we proceeded to take the vehicle back to the DFIP [Detention Facility in Parwan].

I was very surprised by the reaction of the Afghan workers. One of the gentlemen who had told us that Qurans were in there, we were talking, and I was trying to reassure him that we did not know but that we have to take them back to the DFIP. By this point, many of the employees had gathered around.

I was not there when the books were separated in the library. I just went to the library and they were handing us the books to put on the truck. I just grabbed them and loaded them into the back of the truck. The person handing me the books was another Soldier, but I do not recall who (b)(3), (b)(6) was. There was no one working in the library at the time. I guess it was a work detail of about a dozen people helping move the books. There were probably two or three people handing us the books to load in the back of the truck. There were probably a couple of thousand books loaded into the back of the truck. I would guess that about 100 of the books were thrown into the burn pit, but I wasn't counting.

[End of interview.]

4 March 2012, 2114 hours

Interview of

(b)(3), (b)(6), (b)(7)c

[At 2115 hours, BG Watson advised (b)(3), (b)(6), (b)(7)c of his UCMJ, Article 31 rights for possible violations of the UCMJ, Article 92, dereliction of duty. At 2116 hours, (b)(3), (b)(6), (b)(7)c stated (b)(6) had conferred with legal counsel and was advised not to make a statement.]

[Interview terminated at 2117 hours.]