

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.
	(b)(3), (b)(6), (b)(7)c		20120221	0726		
5. NAME (Last, First, MI)	(b)(3), (b)(6), (b)(7)c	8. ORGANIZATION OR ADDRESS	(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			

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 15, 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:

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. 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)

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

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 -

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- 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 (b)(3), (b)(6), (b)(7)c
2. DATE (YYYYMMDD) (b)(3), (b)(6), (b)(7)c
3. TIME (b)(3), (b)(6), (b)(7)c
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6), (b)(7)c
7. GRADE/STATUS (b)(3), (b)(6), (b)(7)c
8. ORGANIZATION OR ADDRESS (b)(3), (b)(6), (b)(7)c

9. I, (b)(3), (b)(6), (b)(7)c, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
On February 20, 2012 I arrived to work knowing that it was my time to make the burn pit run. I was told by (b)(3), (b)(6), (b)(7)c and (b)(3), (b)(6), (b)(7)c that we need to pick up some books from the DFIP library and take them to the burn pit. Once we left the warehouse we headed over to the DFIP library where we loaded the books into the back of the LMTV. Headed over to the burn pit where (b)(3), (b)(6), (b)(7)c filled out the necessary paper work. Drove over to the fire installers where we began throwing the books into the fire. Two local nationals waited over to the LMTV, one began climbing on the LMTV to see what was in the back of the truck rambling through the books asking us what were we doing. (b)(3), (b)(6), (b)(7)c told the local to get down so he could explain to him what was going on. I then turned around and saw about 15 other locals waiting and running over to the LMTV. I told (b)(3), (b)(6), (b)(7)c to get back into the vehical. Then I reached over to the

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6), (b)(7)c
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

Camp Sabal, Honduras

DATED

2012 02 21

9. STATEMENT (Continued)

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

drivers side and told him to get inside the LMTV
 When I over heard the local telling (b)(3), (b)(6), (b)(7)c that
 there was korans in the back of the vehical
 (b)(3), (b)(6), (b)(7)c finally got into the LMTV and drove
 off. once we ~~reached~~ ^{drove off} the exit local nationals
 began running after us. (b)(3), (b)(6), (b)(7)c picked up
 his speed. when we got to the exit gate the
 locals began throwing orange cones at the LMTV.
 we headed back to the DFIP warehouse where
 we downloaded the books/korans into four large
 triwalls. I then informed (b)(3), (b)(6), (b)(7)c to call
 big ops and let them know what had happened.
 (b)(3), (b)(6), (b)(7)c was informed that things would
 be okay. (b)(3), (b)(6), (b)(7)c then went back to his room.
 About 20-30 mins later when it was time to
 do the DFIP Push two MPs showed up at the
 back door. Asking us did we just return from
 the burn pit? and what was on the back of the
 LMTV or did we know what was on the back of
 the LMTV? My NCOIC of night shift ask what
 was going on one of the MP's began to us profanity
 and my NCOIC asked him why was he cursing
 we then told the MP's that it was blankets
 on the LMTV and that the books/korans was
 downloaded into four triwalls and put into the
 warehouse. I then called the Battle CPT/NCO
 at Big ops and informed them of the situation and
 told them they needed to come and explain what was

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

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

9. STATEMENT (Continued)

going on. My NCOIC then went to get my supervisor then both of them showed up and began talking to the MP's later on after the push I was escorted down to PMO.

Q- Prior to the local national stating that there were Korans in the LUTV, did you know they were there? (b)(3), (b)(6), (b)(7)c

A- No (b)(3), (b)(6), (b)(7)c

Q- Who told you to load the books into the LUTV and take them to the dump pit? (b)(3), (b)(6), (b)(7)c

A- (b)(3), (b)(6), (b)(7)c and (b)(3), (b)(6), (b)(7)c they received it from higher up. (b)(3), (b)(6), (b)(7)c

Q- How often do you take items/trash to the dump pit to be burned? (b)(3), (b)(6), (b)(7)c

A- Every day (b)(3), (b)(6), (b)(7)c

END OF STATEMENT

(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
(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 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 21st day of FEB, 2012 at CAMP SABAHI-HARRISON

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

(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 1310.01
(Authority To Administer Oaths)

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

SWORN STATEMENT

For use of this form, see AR 160-48; the proper use of a PUIP.

PRIVACY ACT STATEMENT

AUTHORITY: Title 16, USC Section 3011; Title 5, USC Section 552a; E.O. 9807 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.

LOCATION: CAMP SABALU HARRISON/BTF DATE: 2012 02 21 TIME: 1337 FILE NUMBER: (b)(3), (b)(6), (b)(7)c
LAST NAME, FIRST NAME, MIDDLE NAME: (b)(3), (b)(6), (b)(7)c SSN: (b)(3), (b)(6), (b)(7)c GRADE STATUS: (b)(3), (b)(6), (b)(7)c
ORGANIZATION OR ADDRESS: (b)(3), (b)(6), (b)(7)c

(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 ETAG I would like to add the following information:
Q - Approximately what time you arrived at the burn pit? (b)(3), (b)(6), (b)(7)a
A - 2200 (b)(3), (b)(6), (b)(7)a
Q - Did you throw books into the burn stacks? (b)(3), (b)(6), (b)(7)a
A - Yes (b)(3), (b)(6), (b)(7)c
Q - Could you see into the burn stacks? (b)(3), (b)(6), (b)(7)c
A - No (b)(3), (b)(6), (b)(7)c
Q - Do you think it possible for someone to have taken a break out of the burn stack? (b)(3), (b)(6), (b)(7)c
A - No (b)(3), (b)(6), (b)(7)c
Q - Have you ever used the burn stacks before to burn sensitive material? (b)(3), (b)(6), (b)(7)c
A - Yes, for documents, shredded paper and note pads from the detainees (b)(3), (b)(6), (b)(7)c
Q - About how many books do you think were thrown in the burn stack? (b)(3), (b)(6), (b)(7)c
A - About 30-40 (b)(3), (b)(6), (b)(7)c

EXHIBIT: 11. INITIALS OF PERSON MAKING STATEMENT: (b)(3), (b)(6), (b)(7)c PAGE 1 OF 2

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

STATEMENT (Continued)

Q- Where did you pick up the LMTV from? [redacted] [redacted] [redacted]

A- At the warehouse [redacted] [redacted] [redacted]

Q- Was it already loaded when you got there? [redacted] [redacted] [redacted]

A- No [redacted] [redacted] [redacted]

Q- Who loaded the LMTV? [redacted] [redacted] [redacted]

A- Myself, [redacted] [redacted] [redacted] and [redacted] [redacted] [redacted] and A-Team [redacted] [redacted] [redacted]

Q- What time did you return to your place of duty? [redacted] [redacted] [redacted]

A- Around 1030pm [redacted] [redacted] [redacted]

Q- When did you notify your supervisor or chain of command? [redacted] [redacted] [redacted]

A- As soon as we returned [redacted] [redacted] [redacted]

Q- Did you know anything about the books that were loaded into the LMTV? [redacted] [redacted] [redacted]

A- Yes I knew that they had terrorist information, [redacted] [redacted] [redacted] them, contraband, and was unable to be used [redacted] [redacted] [redacted]

Q- When you left the burn pit area, did you see anyone pull a book out of the smoke stack? [redacted] [redacted] [redacted]

A- No [redacted] [redacted] [redacted]

END OF STATEMENT
[redacted] [redacted] [redacted]

AFFIDAVIT

[redacted] [redacted] [redacted] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. 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.

WITNESSES: [redacted] [redacted] [redacted]

Subscribed and sworn to before me on this day of 21 FEBRUARY 2012 at Camp Salabu-Harrisburg.

[redacted] [redacted] [redacted]

[redacted] [redacted] [redacted]

[redacted] [redacted] [redacted]

ARTICLE 136 PCMS

WITN. G. OF PERSON MAKING STATEMENT: [redacted] [redacted] [redacted]

RIGHTS

For use c

INING PROCEDURE/WAIVER CERTIFIC

form, see AR 190-30; the proponent agency is ODCSOF

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, Bagram, Afghanistan, APO AE 09354	2. DATE 21 Feb 12	3. TIME 1642	4. FILE NO. 0053-12-CID369-
5. NAME (Last, First, MI) (b)(3), (b)(6), (b)(7)c	8. ORGANIZATION OR ADDRESS (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	Bagram, Afghanistan, APO AE 09354	

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 Criminal Investigation Division and wanted to question me about the following offense(s) of which I am suspected/accused: Disobey a Lawful Order (Article 92, UCMJ) and False Official Statement (Article 107, 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 speak 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 (b)(3), (b)(6), (b)(7)c
1a. NAME (Type or Print)		
b. ORGANIZATION OR ADDRESS AND PHONE		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 Afghanistan, APO AE 09354

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."

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 - 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."

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- 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.

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PRIOR INCRIMINATING STATEMENTS:

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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.

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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. 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.

LOCATION Bagram CID Office, Bagram, Afghanistan, APO AE 09354	DATE 21 Feb 12	TIME (b)(3), (b)(6), (b)(7)c 12:02	FILE NUMBER 0053-12-CID369-
LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6), (b)(7)c	SOCIAL SECURITY NUMBER (b)(3), (b)(6), (b)(7)c	GRADE/STATUS (b)(3), (b)(6), (b)(7)c	
ORGANIZATION OR ADDRESS (b)(3), (b)(6), (b)(7)c Bagram, Afghanistan, APO AE 09354			

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

I, (b)(3), (b)(6), (b)(7)c, want to provide the following statement, under oath: On February 20, 2012 when I arrived at work I knew that it was my turn to make the daily burn pit run. I was informed by (b)(3), (b)(6), (b)(7)c and (b)(3), (b)(6), (b)(7)c that we needed to pick up some books from the DFIP Library that needed to be taken to the burn pit. We then left the warehouse to head over to the DFIP Library where we then loaded the books onto the LMTV. We headed over to the burn pit and (b)(3), (b)(6), (b)(7)c filled out the necessary paper work that needed to be filled out. We drove over to the burn pit stacks and began throwing the books in to the fire. Two local national walked over to the truck, one climb on the truck and began looking through the books asking us what where we doing? That's when me and (b)(3), (b)(6), (b)(7)c stopped throwing books in to the fire. (b)(3), (b)(6), (b)(7)c then told the local national to get down so that he could explain to him what was going on. Then I turn around and notice that there were about 15 other locals running and walking towards the LMTV I then told (b)(3), (b)(6), (b)(7)c to get back in to the vehicle and then I approached the driver side door and told (b)(3), (b)(6), (b)(7)c let's go. (b)(3), (b)(6), (b)(7)c was told by the local national that there was Korans on the back on the truck. (b)(3), (b)(6), (b)(7)c finally got into the vehicle and then we proceeded to the exit in a speeding manner when we notice that locals were running after the vehicle once we got to the exit the local nationals began throwing orange cones in front of the vehicle. We then arrived at the warehouse were we downloaded the books/Korans in to four tri walls and placed them inside the warehouse. Once we were done I then told (b)(3), (b)(6), (b)(7)c to inform his chain of command (Battle NCO) what was going on. About 20-30 minutes later when it was time to do the daily supply push the MP's showed up at the back door asking us did we just come from the burn pit and what was on the back of the truck or did we know what was on the back of the truck. We informed the MP's that it was blankets on the back of the LMTV. One MP began to use profanity towards us and my NCOIC asked him why he was cursing. My NCOIC of night shift then went to inform my supervisor of the incident that had taken place that night and I went to call the Battle NCO to inform him that the MP's were there and that he Initials of Person Making Statement (b)(3), (b)(6), (b)(7)c

Page 1 of 5 Pages

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

Taken on: 21 Feb 12

Continued:

needed to come down and explain what was going on. My supervisor, Battle CPT, and Battle NCO all arrived at the same time and began talking to the MP's. Later that day after the daily push I was informed that I had to be taken down to Disney where I was questioned and had to write a sworn statement.

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

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

Q: Did you type the above statement?

A: Yes.

Q: What time do you arrive at the Detention Facility In Parwan (DFIP)?

A: 2115.

Q: How often do you take items from the DFIP to be destroyed?

A: Everyday.

Q: What type of items do you receive from the DFIP to be destroyed?

A: Mattresses, cloths, and documents.

Q: What type documents do you receive?

A: Shredded paper and note pads that detainees write.

Q: Have you ever received books from the DFIP?

A: No.

Q: Have you ever seen a Qur'an?

A: No.

Q: Do you know what a Qur'an is?

A: I know it is similar to the Bible.

Q: Are you aware the process of discarding a Qur'an?

A: No.

Q: Did you know the books you took were Qur'ans?

A: No.

Q: Did you know they were of any type of religious material?

A: No.

Q: At any point from when you received the Qur'ans to the time at the burn pit, did you know they were religious material?

A: No.

Q: At any time did (b)(3), (b)(6), (b)(7)c or (b)(3), (b)(6), (b)(7)c say what the books were?

A: No.

Q: Are you in the same unit as (b)(3), (b)(6), (b)(7)c and (b)(3), (b)(6), (b)(7)c?

A: Yes.

Q: How long have you known (b)(3), (b)(6), (b)(7)c and (b)(3), (b)(6), (b)(7)c?

A: I have known (b)(3), (b)(6), (b)(7)c for about two years and (b)(3), (b)(6), (b)(7)c for about almost a year.

Q: Have you ever heard (b)(3), (b)(6), (b)(7)c or (b)(3), (b)(6), (b)(7)c say racial slanders about the Muslim religion?

A: No.

Q: Did you get briefed about what was to be destroyed that day?

A: Yes, by (b)(3), (b)(6), (b)(7)c and (b)(3), (b)(6), (b)(7)c.

Q: What were your duties for the burn pit run?

A: Go inside the DFIP and to get was inside the burn boxes.

Q: Did you personally grab the items from the burn boxes from within the DFIP on 20 Feb 12?

A: No, (b)(3), (b)(6), (b)(7)c said the boxes were empty.

Initials of Person Making Statement: (b)(3), (b)(6), (b)(7)c

Page 2 of 5 Pages

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

Taken on: 21 Feb 12

Continued:

Q: Where were the books located when you picked them up?

A: DFIP library.

Q: From whom did you receive the book from?

A: Nobody they were just waiting for us to pick them up.

Q: Did (b)(3), (b)(6), (b)(7)c or (b)(3), (b)(6), (b)(7)c receive a brief on the items to be destroyed?

A: Yes.

Q: From whom did they receive the brief from?

A: (b)(3), (b)(6), (b)(7)c received his (b)(3), (b)(6), (b)(7)c and (b)(3), (b)(6), (b)(7)c received his from (b)(3), (b)(6), (b)(7)c.

Q: Did (b)(3), (b)(6), (b)(7)c tell you what he was briefed on?

A: Yes.

Q: Were you present during the briefing?

A: No.

Q: Did (b)(3), (b)(6), (b)(7)c or (b)(3), (b)(6), (b)(7)c give you a brief on what they were briefed about?

A: Yes.

Q: What did (b)(3), (b)(6), (b)(7)c brief you?

A: (b)(3), (b)(6), (b)(7)c told us that we need to pick up books from the library and take them to the burn pit.

Q: Do you know if (b)(3), (b)(6), (b)(7)c told (b)(3), (b)(6), (b)(7)c that the books were Qur'ans?

A: No.

Q: What did (b)(3), (b)(6), (b)(7)c brief you about?

A: The books had contraband written in them, not usable and they had mold on them.

Q: Did (b)(3), (b)(6), (b)(7)c state that they were Qur'ans or religious material?

A: No.

Q: Did (b)(3), (b)(6), (b)(7)c state to you or (b)(3), (b)(6), (b)(7)c to not allow the local nationals see what you guys were to destroy?

A: No.

Q: Who threw the books in the burn stacks?

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

Q: How many were thrown in the burn stack?

A: About 30 to 40.

Q: How many books did you throw into the burn stack?

A: About 15.

Q: How many did (b)(3), (b)(6), (b)(7)c throw into the burn stack?

A: I am not sure.

Q: How many did (b)(3), (b)(6), (b)(7)c throw into the burn stack?

A: About 15.

Q: How did the local national know what you were throwing in the burn stack?

A: They climbed in the truck?

Q: What type of truck were you in?

A: LMTV.

Q: What is a LMTV?

A: A military vehicle.

Q: Is a LMTV a big or small?

A: Big.

Q: Is the LMTV an armored military vehicle?

A: I don't know.

Initials of Person Making Statement: (b)(3), (b)(6), (b)(7)c

Page 3 of 5 Pages

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

Taken on: 21 Feb 12

Continued:

Q: Does the LMTV have a open truck bed?

A: Yes.

Q: Why did the local national climb into the truck?

A: To see what was in the truck bed.

Q: Have the local national climbed into your truck bed before?

A: Yes.

Q: Why would they climb into the truck bed?

A: To see what was in there.

Q: What is your Standard Operating Procedure (SOP) on allowing local nationals in your truck bed?

A: I don't know.

Q: Did the local national appear to be upset on what you were burning?

A: Yes.

Q: Did the local nationals speak English?

A: He didn't speak to me.

Q: Who did the local national speak to?

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

Q: What did local nationals tell (b)(3), (b)(6), (b)(7)c?

A: That local nationals wanted to take the books and that there were Qur'ans mixed in.

Q: Did the local nationals say that the books being burned were Qur'ans?

A: No, they didn't see us throwing them into the burn stack.

Q: Why did the local nationals get upset?

A: Because they noticed they were Qur'ans in the back of the LMTV.

Q: When were you informed they were Qur'ans that is being burned?

A: When I told (b)(3), (b)(6), (b)(7)c get in the vehicle, I overheard the local national say they were Qur'ans.

Q: Were the local nationals getting aggressive towards you, (b)(3), (b)(6), (b)(7)c and (b)(3), (b)(6), (b)(7)c?

A: No, they were just walking up to (b)(3), (b)(6), (b)(7)c.

Q: How many local nationals came to your truck?

A: About 15.

Q: Did any of the local national throw rocks or any other items at your truck?

A: Yes, an orange cone.

Q: Did they say anything to you as the cone was thrown?

A: No, I don't know the window was up.

Q: Did you feel a threat from the local nationals while you were at the burn stack or leaving the burn pit area?

A: Yes.

Q: What type of threat did you observe?

A: I thought they were going to jump on (b)(3), (b)(6), (b)(7)c.

Q: Did you have your weapon during that time?

A: No.

Q: Did (b)(3), (b)(6), (b)(7)c or (b)(3), (b)(6), (b)(7)c have a weapon during that time?

A: No.

Q: Where was your weapon?

A: Locked up in the warehouse.

Q: Where were (b)(3), (b)(6), (b)(7)c and (b)(3), (b)(6), (b)(7)c weapons?

Initials of Person Making Statement: (b)(3), (b)(6), (b)(7)c

Page 4 of 5 Pages

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

Taken on: 21 Feb 12

Continued:

- A: (b)(3), (b)(6), (b)(7)c was locked up at the warehouse and (b)(3), (b)(6), (b)(7)c was in the DFIP armory.
- Q: What is your SOP on having your weapons with you during operations?
- A: Take it everywhere you go except to the gym and to the shower.
- Q: Why didn't you have your weapon with you on 20 Feb 12?
- A: We didn't go back to the warehouse to pick them up.
- Q: Has anyone told you to lie or give false statements regarding this incident?
- A: No.
- Q: Where you told on what to say by anyone in your chain of command or anyone in your unit?
- A: No.
- Q: Did (b)(3), (b)(6), (b)(7)c tell you anything regarding this incident?
- A: No.
- Q: Did (b)(3), (b)(6), (b)(7)c brief you on the items taken from the DFIP on 20 Feb 12?
- A: No.
- Q: Is everything you typed in your statement and the questions you answered to be the truth?
- A: Yes.
- Q: Is there anything that you would like to add to this statement?
- A: No.///End of Statement///

AFFIDAVIT

(b)(3), (b)(6), (b)(7)c (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 5. 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 OR PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT. (b)(3), (b)(6), (b)(7)c

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

WITNESSES:

SUBSCRIBED AND SWORN BEFORE ME, A PERSON BY LAW TO ADMINISTER OATHS, THIS 21 DAY OF FEB 2012 AT THE BAGRAM CID OFFICE, BAGRAM, AFGHANISTAN.

ORGANIZATION OR ADDRESS

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

(Signature of Person Administering Oath)

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

(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 5 of 5 Pages

Military Police Interview Worksheet

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 U.S.C. Section 3012

PRINCIPAL PURPOSE(S): To provide commanders and law enforcement officials with means by which information may be accurately identified.

ROUTINE USE(S): 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.

MPI/CID#:

DATE:

21 Feb 2012

BURN Pit / Transferring what they thought were "BOOKS"

Time of Incident: 0146

Military Police Officer:

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

Subject: Witness Victim Complainant Sponsor Civil Authority

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

First Name:

(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

DOB(YYYY/MM/DD):

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

POSITION:

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

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

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

in:

Weight:

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

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

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

Task Force:

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

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

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

Home Phone #:

Cellular #:

Header Address: Camp Salabu-Harrison Aids/S-Bus/Tank:

Base/Installation assigned:

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

Home Address:

Citizenship (Circle One):

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

Reporting Station Location:

Address:

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

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

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

Marital Status:

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

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

Commander's Information (Name, Rank, Unit):

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

First Sergeant's Information (Name, Rank, Unit):

Supervisor's Information (Name, Rank, Unit):

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

Signature:

Decline:

Not Required

Involve:

Other:

~~FOR OFFICIAL USE ONLY~~

~~LAWS ENFORCEMENT SENSITIVE~~

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE
 For use of this form, see AR 190-30; the proponent agency is: OPS

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 <p align="center">BAF Pmo</p>	2. DATE <p align="center">21 Feb 12</p>	3. TIME <p align="center">0343</p>	4. FILE NO.
5. NAME (Last, First, MI) _____ (b)(3), (b)(6), (b)(7)c	8. ORGANIZATION OR ADDRESS _____ (b)(3), (b)(6), (b)(7)c		
6. SSN _____ (b)(3), (b)(6), (b)(7)c	7. GRADE/STATUS <p align="center">AP0 A5 00354</p> (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 Military Police and wanted to question me about the following offense(s) of which I am

suspected of: (Article 92) violation

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.

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)

In the last 30 days have you been advised of your rights or requested a lawyer?

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

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

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: Bygram Air Field PMO
2. DATE: 20120221
3. TIME: 0518
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME:
6. SSN:
7. GRADE/STATUS:
8. ORGANIZATION OR ADDRESS: 535th MP BN APO, AE 09354

9. (b)(3), (b)(6), (b)(7)c, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
February 20, 2012 I arrived at work. I knew it was my day to make a burn pit run. I was informed by (b)(3), (b)(6), (b)(7)c and (b)(3), (b)(6), (b)(7)c that we need to pick up some books from the DFIP Library. We finally left the warehouse and headed into the DFIP Library to pick up these books. We placed the books on to the back of the LMTV and headed to the burn pit. Once we arrived at the burn pit (b)(3), (b)(6), (b)(7)c filled out the necessary paperwork that needed to be filled. We proceeded to the burn pit installations and began throwing the books into the installators. A local national walked over to the LMTV and begin climbing on the back of the truck another local followed him. He said to us what were we doing? And (b)(3), (b)(6), (b)(7)c told him to get down and step to the side so we could talk with him. Other locals began walking and running over to the LMTV that's when me and (b)(3), (b)(6), (b)(7)c got into the LMTV. The local nationals was mentioning to (b)(3), (b)(6), (b)(7)c that there were Korans in the back of the LMTV. I then told (b)(3), (b)(6), (b)(7)c to get back inside the vehicle and let's go. Finally (b)(3), (b)(6), (b)(7)c got into the LMTV and we drove off. Local Nationals began running after the LMTV once we got to the exit the Local Nationals began throwing orange cones in front of our LMTV. We arrived at the warehouse were I told (b)(3), (b)(6), (b)(7)c to inform his NCO what had just happened. (b)(3), (b)(6), (b)(7)c had informed his NCO (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 4 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

BAF MPO

DATED

21 FEB 12

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

9. STATEMENT (Continued)

and then went to his room. Maybe like 20-30 mins later me and the other warehouse workers was on the way to do the supply push that we normally do into the DFIP. When we got outside there was a mp's. They asked us did we just return from the Burnpit and what was on the back of the LMTV. One MP used profanity and my NCOIC at the time asked him what was the need or why was he cruising. The MP informed us what had happened at the burnpit. We was all told they they was roiting. Myself and the others informed the MP's that the books Korans was inside the DFIP Warehouse and put into triwalls. After that I had called the NCO of Big OPS and told him what was going on and told him that he needs to come down to explain. My NCO of night shift went to inform my supervisor of what was going on. Then the Battle CPT and NCO of Big OPS arrived and so did my supervisor. Then ~~my~~ and the other warehouse workers that got permission to leave so we could do the push. The battle CPT and NCO and supervisor was still at the warehouse discussing what had happened with the MP's. This whole situation was an order that was given to us and that's simply what we did followed the order.

Q: Military Police

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

A:

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

Q: who told you to pick up the books and take them to the burn pit?

A: No one necessary informed me but informed and told me.

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

and

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

Q: can you describe

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

and ?

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

A: is about is a unknown person misspelled he's name wrong.

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

Q: Did you know you were taking books to the burn pit?

A: Yes, once I put up the burn pit stuff.

INITIALS OF PERSON MAKING STATEMENT

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

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

PAGE 2 OF 4 PAGES

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

STATEMENT OF

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

TAKEN AT

BAF PMO

DATED

21 FEB 2012

9. STATEMENT (Continued)

Q: Did you know that the books were Korans?

A: No, not until I had stop throwing them into the burn pit
and I got into the LMTV.

Q: who told you that the books were Korans?

A: The local told (b)(3), (b)(6), (b)(7)c that they were korans and I overheard him when I was telling (b)(3), (b)(6), (b)(7)c to get inside the LMTV.

Q: Did you stop throwing the Korans in after you found out

A: Yes I did

Q: Did you leave any Korans behind when you left the burn pit?

A: I'm not to sure but I did see two miss the burn pit
we were throwing them in. But none was really left behind.

Q: About how many Korans did you throw in the burn pit?

A: about 30

Q: Approximately, how many Korans did they give to you to throw in the burn pit?

A: I'm not sure but it was a lot of Books.

Q: Do you believe it was more than 100?

A: I'm not sure im not to familiar with what a Koran looks like.

Q: Do you know who gave initial permission to burn the Korans?

A: (b)(3), (b)(6), (b)(7)c said it just came from higher up.

Q: Do you think ~~that~~ (b)(3), (b)(6), (b)(7)c or (b)(3), (b)(6), (b)(7)c knew the books were Korans?

A: No

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

A: higher up.

Q: Do you know a name?

NO

INITIALS OF PERSON MAKING STATEMENT

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

PAGE

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PAGES

9. STATEMENT (Continued)

Q: Is there only one (b)(3), (b)(6), (b)(7)c that you work with or two?

A: One

Q: Can you describe (b)(3), (b)(6), (b)(7)c?

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

Q: What has your unit briefed you on General Order 1 as far as burning religious materials?

A: I can't touch them when it comes to supply but other than that nothing.

Q: Who briefed you about touching religious materials?

A: Unit that I replaced.

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

A: Yes;

The remaining books and korans were placed in four tri-walls and put into the warehouse.

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

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

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 day of FEBRUARY 2012 at BAF PMO

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

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

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 0525HRS	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 NONE			
11. REMARKS (b)(3), (b)(6), (b)(7)c			
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)c of her UCMJ, Article 31 rights for possible violations of Article 92, dereliction of duty. (b)(3), (b)(6), (b)(7)c waived her right to counsel and agreed to make a statement.]

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

(b)(3), (b)(6), (b)(7)c, **U.S. Army, first being duly sworn, did testify in substance as follows:**

One of my higher ups told another Soldier to bring some bags/boxes of books to the burn pit. Normally, an escort goes to the burn pit, and it was my day to go. I was informed by a Soldier that we had to bring some books that day. I did not separate the books into the boxes/containers; they were already separated when we picked them up, and we just put them in the vehicle and took them to the burn pit. When we were putting the books into the burn pit, someone came up to the truck to check the books, they noticed that there was something in there, and when I turned around, there were other workers running up to the truck. I told another Soldier that was with me to get back inside the vehicle but another Soldier was still outside the vehicle. The workers informed him that there were Qurans in the [inaudible due to aircraft]. We didn't realize that there were Qurans [inaudible due to aircraft]. After that, we left.

There were about 30 boxes. We took the books out of the boxes three or four at a time. There were probably 300 or more books in the back of the truck. I estimated that we put 30 to 40 in the burn pit. Well, that's how many I put in the burn pit. I wasn't watching what everyone else was doing.

When the workers noticed that there were Qurans in the boxes, some of them were running over to the truck and some of them were walking. Me and another soldier got off the back of the truck and got into it as the workers were gathering around. Some of them looked upset. When we got back to the DFIP [Detention Facility in Parwan], we did inform our superiors about what had happened. When we took the books from the library to the burn pit, we had no idea that they were Qurans and religious materials. I overheard one of the workers at the burn pit say that there were Qurans inside the boxes. Though we are new coming into Afghanistan, we do normally make the run to the burn pit. Our day shift goes to the burn pit when they receive stuff and night shift goes to the DFIP to take anything that needs to be taken that night. The DFIP run is a normal burn pit run. We did not take anything else to the burn pit that day, but we have taken other things to the burn pit, like mattresses, trash, and shredded paper.

When we came back from the burn pit, we placed the remaining books in tri-walls, which are like storage units. No one directed us to do that. We did it because after we came back from the burn pit run, we needed that truck to load supplies. So we placed the books into tri-walls until further notice.

[End of Interview.]

4 March 2012, 2112 hours

Interview of

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

[At 2112 hours, BG Watson advised (b)(3), (b)(6), (b)(7)c that the interview was being recorded. At 2112 hours, (b)(3), (b)(6), (b)(7)c stated she did not want to make a statement.]

[Interview terminated at 2112 hours.]