

Continuation of voluntary sworn statement of
Jonathon Elliot Keefe
on September 6, 2009


This statement, consisting of this page and 1 other page(s) was typed for me by Special Agent John Stamp as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief.

Signature: 

Sworn to and subscribed before me this 6 day of September in the year 2009 at

NCISRA Ramadi, Iraq

Witnessed: _____


Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

~~SECRET//NOFORN~~

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

14SEP09

UNCLASSIFIED//FOR OFFICIAL USE ONLY

S/MCCABE, MATTHEW VERNON/SO2, USN

M/W/NEE5/S/270-84-1386/12JUN85/TOLEDO, OH

DUSTA: NAVAL SPECIAL WARFARE TEAM 10, NORFOLK, VA

X/HUERTAS, JULIO ANTONIO/SO1, USN

M/H/NEE6/TS/331-72-8310/09APR81/CHICAGO, IL

DUSTA: NAVAL SPECIAL WARFARE TEAM 10, NORFOLK, VA

X/KEEFE, JONATHON ELLIOT/SO2, USN

M/W/NEE5/S/224-33-1893/10MAY84/NEWPORT NEWS, VA

DUSTA: NAVAL SPECIAL WARFARE TEAM 10, NORFOLK, VA

V/HASHIM, AHMAD ABD AL-ISAWI M/W/FNIZ/N/01JUL69/IRAQ

RESULTS OF INTERVIEW OF SO2 JONATHAN KEEFE, USN

1. On 14SEP09, RA attempted to interrogate SO2 Jonathon KEEFE (X/KEEFE), USN, regarding MA3 Kevin DEMARTINO'S, USN allegation of obstruction of justice. X/KEEFE was presented with and read a Military Suspects Waiver of rights form and elected to seek legal counsel.

REPORTED BY: JOHN R. STAMP, SPECIAL AGENT

OFFICE: NCISRA IRAQ, AR RAMADI, IRAQ

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

14SEP09

UNCLASSIFIED//FOR OFFICIAL USE ONLY

I/CAMP SCHWEDLER, IRAQ/ALLEGED OBSTRUCTION OF JUSTICE BY MEMBERS OF
NAVAL SPECIAL WARFARE TEAM 10

RESULTS OF INTERVIEW OF SO2 JONATHAN KEEFE, USN

1. (U) On 14SEP09, RA attempted to interrogate SO2 Jonathon KEEFE (X/KEEFE), USN, regarding MA3 Kevin DEMARTINO'S, USN allegation of obstruction of justice. X/KEEFE was presented with and read a Military Suspects Waiver of rights form and elected to seek legal counsel.

REPORTED BY: JOHN R. STAMP, SPECIAL AGENT

OFFICE: NCISRA IRAQ, AR RAMADI, IRAQ

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 <u>Det Baharia, Iraq</u>	2. DATE (YYYYMMDD) <u>20090904</u>	3. TIME <u>2053Local</u>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME <u>Huertas Julio Antonio</u>	6. SSN <u>331 728310</u>	7. GRADE/STATUS <u>E-6</u>	
8. ORGANIZATION OR ADDRESS <u>SEAL TEAM 10</u>			

9. I, Julio A Huertas, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

After the operation our platoon debriefed with the Iraqis and I continued to my office. I was under the impression that the detainee was under Iraqi control. After doing a few things my OIC told me that the MA was watching the detainee. This was originally not the plan, the Iraqis were supposed to take custody of him. I decided to go to the detention center in the back of the compound to see if MA3 Demario needed anything. As I walked out of the TOC I saw SGT McCabe and SGT Krefe on a 4-wheeler. I asked them to give me a ride to the detention center. They were on their way to the dining facility which is near the detention center. They drove me to the back and I entered the detention center. I saw MA3 Demario and asked him if he needed anything. He said he was fine and didn't need assistance. I also saw the detainee sitting on a chair with his hands behind his back and a blind fold on. The detainee appeared the same as when we first put him on

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT <u>JAH</u>	PAGE 1 OF <u>3</u> 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.

STATEMENT OF Julio A. Huertas TAKEN AT 2053 local DATED 2009 09 04

9. STATEMENT (Continued)

The trucks returning to our compound from the HLZ. He was fine with no visible marks and looked calm. As the SEA I felt responsible to ensure MAB was fine after such short notice to stand watch. After he told me he was fine I turned, noticed SO2 Keefer and SO2 McCabe had entered behind me. They observed the detainee detention center. The time was approximately 0530 local when we entered the facility, MAB Demarkino, myself, SO2 McCabe, SO2 Keefer were the only ones in the facility. After Demarkino replied he did not need assistance SO2 Keefer, SO2 McCabe and myself all departed together on the 4-wheeler to the dining facility leaving Demarkino alone with the detainee. At around 0800 Lt. Oneil knocked on my berthing room door. He asked me if the detainee had been abused or mistreated. I was shocked at his statement and told him I wanted to see the detainee. We walked to the front gate where he was being held by Demarkino and noticed that he had a cut

AFFIDAVIT

I, Julio A. Huertas, 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

SO1
(Signature of Person Making Statement)

WITNESSES

[Signature]

ORGANIZATION OR ADDRESS

SOTF-W

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 4th day of September, 2009 at RAMADI, IRAQ

[Signature]
(Signature of Person Administering Oath)

ALAN WING
(Typed Name of Person Administering Oath)

LCDR USN
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT
JAH

PAGE 2 OF 3 PAGES

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

STATEMENT OF Jillie A. Huerter TAKEN AT 2093 Local DATED 2009 09 07

9. STATEMENT (Continued)

on his lower lip and had blood on his dish-dasha. I was completely surprised by this, and asked Demarkino what happened. He said he didn't know. We had some extra dish dashas on our compound, so Mr. Oneil and I put a new one on him. Mr. Oneil then said that he had to inform Mr. Stahl that something happened to the detainee. I agreed, ~~we then~~ The only physical thing I saw on him was the cut on his lip. He was standing upright and showed no physical pain. We then walked him out the front gate towards the SWAT vehicles. At that point he began continuously spitting with some blood and moaning. He was also bent over as if in pain and speaking to the Iraqis, almost mumbling. We completed the transfer and then departed.

At no time in my presence was the detainee abused or harmed in any way by Mr. Oneil, SO2 McLabe, SO2 Krefe, MA3 Demarkino or myself.

Q1. Did you see HMI Weatherman when you visited the detainment facility?

A. Not that I recall.

Q2. Do you know of any reason why MA3 Demarkino would lie about abusing a detainee?

A. NO

Q3. Do you think anyone at the camp abused the detainee?

A. NO

Nothing further this reg.

SO1 

JAH

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

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 <i>Det Baharia, IRAQ</i>	2. DATE <i>04 SEP 09</i>	3. TIME <i>2049 Local</i>	4. FILE NO.
5. NAME (Last, First, MI) <i>Huertas, Julie A.</i>	8. ORGANIZATION OR ADDRESS <i>SEAZ TEAM 10 1900 Gater Blvd Norfolk VA. 23521</i>		
6. SSN <i>331 728310</i>	7. GRADE/STATUS <i>E-6</i>		

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 _____ and wanted to question me about the following offense(s) of which I am suspected/accused: _____

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 <i>SO1 [Signature]</i>
1a. NAME (Type or Print) <i>YNCISW) ISABEL CHRISTINA GARCIA</i>		4. SIGNATURE OF INVESTIGATOR <i>[Signature]</i>
b. ORGANIZATION OR ADDRESS AND PHONE <i>COMNAVSPECWARCOM 2000 TRIDENT WAY SAN DIEGO, CA 92145</i>		5. TYPED NAME OF INVESTIGATOR <i>ALAN WING</i>
2a. NAME (Type or Print)		6. ORGANIZATION OF INVESTIGATOR <i>SOTF-W</i>
b. ORGANIZATION OR ADDRESS AND PHONE		

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)

STATEMENT

Place : NCISRA Ramadi, Iraq

Date : September 6, 2009

✓ I, Julio Antonio Huertas, make the following free and voluntary statement to Special Agent John Stamp whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the alleged abuse of detainee Ahmad Hashim Abd Al-Isawi. ✓

✓ For identification purposes I am 28 years old and was born on 09APR1981 in Chicago, IL. My social security number is 331-72-8310 and my race and sex are Hispanic male. I am approximately 5'6" and weigh approximately 175lb. I have brown eyes and black hair. I currently reside at SOTF West, Shark Base, Camp Ramadi, Iraq. I am a member of the United States Navy currently assigned to Seal Team Ten, my rank is E-6. I have a Top Secret security clearance. ✓

✓ This statement is given as a supplemental to the statement I provided to command on 04SEP09. ✓

✓ During the time of the alleged detainee abuse of Al-Isawi, SO2 Mccabe, SO2 Keefe, MA3 Demartino, and I were in the screening facility aboard Camp Schwedler, Baharia, Iraq. I had gone to the screening facility after learning we still had custody of Al-Isawi. I wanted to check on Demartino and make sure he didn't need anything since he was the only MA and was pulling watch on short notice. Keefe and Mccabe were with me because I rode with them on the four wheeler they were driving. They were on their way to the dining facility which is close to the screening facility and accompanied me into the screening facility. When I entered the screening facility Demartino was there at the desk just inside the door. Adjacent to the desk is a barrier. I stepped behind the barrier and observed Al-Isawi sitting on a chair. He was still bound in flex cuffs and had a mask on his face. I then made sure Demartino was alright and that he did not need anything. Myself, Mccabe, and Keefe then left the screening facility and went to the galley. At the galley I saw Higbie, Freeh, Mitchell, Crawford, other members of my team who were already eating. I did not see HM1 Weatherman at the screening facility. ✓

✓ The next time I saw the detainee was in the morning when Lt. Oneil knocked on my door and advised me that the detainee was injured. I went to the front gate with Oneil and observed the detainee had an approximately 2cm cut on his lip and there was some blood on his dishdasha. Lt. Oneil and I cleaned Al-Isawi up and provided him with a new dishdasha. We then turned Al-Isawi over to the Iraqi Police. During the time leading up to when we met the Iraqi Police, Al-Isawi seemed fine and did not appear to be in pain or complaining of injury. When we came in proximity of the Iraqi Police however, he started to double over and moaned as if in pain. ✓

✓ During the time my team had custody of Al-Isawi I did not see anyone display aggressive behavior towards Al-Isawi. I did not see anyone abuse the detainee in any way. ✓

Continuation of voluntary sworn statement of
Julio Antonio Huertas
on September ~~5~~⁹ 2009
JAH

This statement, consisting of this page and 1 other page(s) was typed for me by Special Agent John Stamp as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief.

Signature: SO' [Signature]

Sworn to and subscribed before me this 9 day of September in the year 2009 at

Witnessed: _____
[Signature]

Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

UNCLAS//FOUO

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

06SEP09

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S/MCCABE, MATTHEW VERNON/SO2, USN

M/W/NEE5/S/270-84-1386/12JUN85/TOLEDO, OH

DUSTA: NAVAL SPECIAL WARFARE TEAM 10, NORFOLK, VA

X/HUERTAS, JULIO ANTONIO/SO1, USN

M/H/NEE6/TS/331-72-8310/09APR81/CHICAGO, IL

DUSTA: NAVAL SPECIAL WARFARE TEAM 10, NORFOLK, VA

X/KEEFE, JONATHON ELLIOT/SO2, USN

M/W/NEE5/S/224-33-1893/10MAY84/NEWPORT NEWS, VA

DUSTA: NAVAL SPECIAL WARFARE TEAM 10, NORFOLK, VA

V/HASHIM, AHMAD ABD AL-ISAWI M/W/FNIZ/N/01JUL69/IRAQ

Results of Interview of SO1 Julio HUERTAS, USN

1. (U) On 06SEP09, Reporting Agent (RA) conducted an interview of SO1 Julio Antonio HUERTAS (X/HUERTAS), USN, Naval Special Warfare Team 10, regarding the alleged abuse of Iraqi Detainee Ahmad Hashim Abd AL-ISAWI (V/HASHIM) on 01SEP09. X/HUERTAS is alleged to have witnessed SO2 Matthew MCCABE, USN (S/MCCABE) strike V/HASHIM in the abdomen while V/HASHIM was being detained at Camp Schwedler, Baharia, Iraq. HUERTAS, provided a sworn written statement regarding the allegation, which is enclosed within the case file. X/HUERTAS consented to be re-interviewed to confirm his version of events.

REPORTED BY: JOHN R. STAMP, SPECIAL AGENT

OFFICE: NCISRA IRAQ, AR RAMADI, IRAQ

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EXHIBIT (())

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

06SEP09

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S/MCCABE, MATTHEW VERNON/SO2, USN

M/W/NEE5/S/270-84-1386/12JUN85/TOLEDO, OH

DUSTA: NAVAL SPECIAL WARFARE TEAM 10, NORFOLK, VA

X/HUERTAS, JULIO ANTONIO/SO1, USN

M/H/NEE6/TS/331-72-8310/09APR81/CHICAGO, IL

DUSTA: NAVAL SPECIAL WARFARE TEAM 10, NORFOLK, VA

X/KEEFE, JONATHON ELLIOT/SO2, USN

M/W/NEE5/S/224-33-1893/10MAY84/NEWPORT NEWS, VA

DUSTA: NAVAL SPECIAL WARFARE TEAM 10, NORFOLK, VA

V/HASHIM, AHMAD ABD AL-ISAWI M/W/FNIZ/N/01JUL69/IRAQ

RESULTS OF INTERVIEW OF SO2 JONATHAN ELLITO KEEFE, USN

1. (U) On 06SEP09, Reporting Agent (RA) conducted an interview of SO2 Jonathan KEEFE (X/KEEFE), USN, Naval Special Warfare Team 10, regarding the alleged abuse of Iraqi Detainee Ahmad Hashim Abd AL-ISAWI (V/HASHIM) on 01SEP09. X/KEEFE is alleged have witnessed SO2 Matthew MCCABE, USN (S/MCCABE) strike V/HASHIM in the abdomen while V/HASHIM was being detained at Camp Schwedler, Baharia, Iraq. X/KEEFE provided a sworn written statement regarding the allegation which is enclosed within the case file. X/KEEFE consented to be re-interviewed to confirm his version of events.

REPORTED BY: JOHN R. STAMP, SPECIAL AGENT

OFFICE: NCISRA IRAQ, AR RAMADI, IRAQ

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EXHIBIT (7)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

14SEP09

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S/MCCABE, MATTHEW VERNON/SO2, USN

M/W/NEE5/S/270-84-1386/12JUN85/TOLEDO, OH

DUSTA: NAVAL SPECIAL WARFARE TEAM 10, NORFOLK, VA

X/HUERTAS, JULIO ANTONIO/SO1, USN

M/H/NEE6/TS/331-72-8310/09APR81/CHICAGO, IL

DUSTA: NAVAL SPECIAL WARFARE TEAM 10, NORFOLK, VA

X/KEEFE, JONATHON ELLIOT/SO2, USN

M/W/NEE5/S/224-33-1893/10MAY84/NEWPORT NEWS, VA

DUSTA: NAVAL SPECIAL WARFARE TEAM 10, NORFOLK, VA

V/HASHIM, AHMAD ABD AL-ISAWI M/W/FNIZ/N/01JUL69/IRAQ

RESULTS OF INTERVIEW OF SO1 JULIO ANTONIO HUERTAS, USN

1. On 14SEP09, RA attempted to interrogate SO1 Julio HUERTAS (X/HUERTAS), USN, regarding MA3 Kevin DEMARTINO'S, USN allegation of obstruction of justice. X/HUERTAS was presented with and read a Military Suspects Waiver of rights form and elected to seek legal counsel.

REPORTED BY: JOHN R. STAMP, SPECIAL AGENT

OFFICE: NCISRA IRAQ, AR RAMADI, IRAQ

UNCLASS//FOUO

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

14SEP09

UNCLASSIFIED//FOR OFFICIAL USE ONLY

I/CAMP SCHWEDLER, IRAQ/ALLEGED OBSTRUCTION OF JUSTICE BY MEMBERS OF
NAVAL SPECIAL WARFARE TEAM 10

RESULTS OF INTERVIEW OF SO1 JULIO ANTONIO HUERTAS, USN

1. (U) On 14SEP09, RA attempted to interrogate SO1 Julio HUERTAS (X/HUERTAS), USN, regarding MA3 Kevin DEMARTINO'S, USN allegation of obstruction of justice. X/HUERTAS was presented with and read a Military Suspects Waiver of rights form and elected to seek legal counsel.

REPORTED BY: JOHN R. STAMP, SPECIAL AGENT

OFFICE: NCISRA IRAQ, AR RAMADI, IRAQ

UNCLASS//FOUO

Exhibit (4)

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 <i>Kamadi</i>	2. DATE (YYYYMMDD) <i>2009 09 04</i>	3. TIME <i>2150</i>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME <i>WEATHERMAN, Patrick L.</i>	6. SSN <i>652-931025</i>	7. GRADE/STATUS <i>E-6 HM1</i>	
8. ORGANIZATION OR ADDRESS <i>SEAL TEAM TEN 1900 Gator Blvd Norfolk VA 23521</i>			

9. *Patrick L. Weatherman* . WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

After the debrief Lt ONEILL Asked me to perform a medical exam on a detainee from Objective Amber. I then proceeded to the holding cell. On arrival I found P.O. Dimartino watching the detainee inside the cell. I told him that I was there to perform a medical screening and asked where the forms were. He stated he wasn't sure and stated they may be in a clipboard in his room. He asked if I would watch the detainee and I said yes. He gave me his rifle and left the cell and I waited outside. Once he brought the clipboard back. we both looked for the forms. THE forms were not in the clipboard and I left to get some blank ones from the medical dept. Once I returned, he was outside the cell and we went in and performed the medical screening.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT <i>PLW</i>	PAGE 1 OF <u><i>3</i></u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF *PLW* 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.