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RECORDS MANAGEMENT DIVISION
LAW ENFORCEMENT RECORDS

Package ID #: 0028531-001655
Name: (b)(6), (b)(7)(C)
AKA:
Social Security Number:
Context: Subject
Date of Birth: (b)(6), (b)(7)(C) State of Birth: Country of Birth: (b)(6), (b)(7)(C)
Case Number: 10AUG12CRAF00767HMA Dossier:
DCII INDEX CODE: K = 50 Years RECORD SERIES #: 5580/4a(1)(b) Date Closed: 08/05/2014
RECORD SERIES (FILE PLAN)
ty Svcs - Law Enforcement - NCIS Criminal Investigative - Controlled Death, Sex Investigations, & Case Files (Created on or after 1 January 1988)
Criminal Investigative Reports
Comments:
CLOSED CASE FILE FOR SUBMISSION INTO RIMS
Disseminate to AFMES; FOIA 2014-008524
Polygraph Examination Conducted Sexual Offender Registry Completed
Finger Prints Submitted to Code 23C2 Final Disposition Report to FBI
CIS - Closed Status Dup Title Dup CCN
Disclosure/Accountability Statement: If this investigation is disseminated outside NCIS, complete NCIS Form 009/10-80, and ensure it is retained in the case file.
Barcode: RUR00139NL
14 / 12856
(b)(6), (b)(7)(C) certify th (b)(6), (b)(7)(C)
Typed Name of SSA
18 Aug 14
DATE

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CROSS REFERENCE SHEET

(Insert this behind the cover sheet)

The dossier **10AUG12-CRAF-0076**
(Case Control Number (CCN))

on
(Subject Name/Title)

ENCLOSURE (B) TO EXHIBIT 1 contains the following additional material on
DEATH SCENE PHOTOS

(Subject of the additional material)

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

TYPE

LOCATION NUMBER

(To be completed by Code 11C13)

Grand Jury

X - Rays

Video Tapes

Audio Tapes

Photographs (images of photographs

are contained in the electronic dossier,
actual photographs(s) from hard copy
dossier is/are filed separately.)

Polygraph Material

Source Envelope

Other

(Description)

CROSS REFERENCE SHEET

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The dossier **10AUG12-CRAF-0076**
(Case Control Number (CCN))

on
(Subject Name/Title)

ENCLOSURE (B) TO EXHIBIT 1 contains the following additional material on
DEATH SCENE PHOTOS

(Subject of the additional material)

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

TYPE

LOCATION NUMBER

(To be completed by Code 11C13)

Grand Jury

X – Rays

Video Tapes

Audio Tapes

Photographs *(images of photographs are contained in the electronic dossier, actual photographs(s) from hard copy dossier is/are filed separately.)*

Polygraph Material

Source Envelope

Other

(Description)

CROSS REFERENCE SHEET

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The dossier **10AUG12-CRAF-0076**
(Case Control Number (CCN))

on
(Subject Name/Title)

ENCLOSURE (A) TO EXHIBIT 8 contains the following additional material on
GREEN ON BLUE TSE DAY/NIGHT PICS

(Subject of the additional material)

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

TYPE

LOCATION NUMBER

(To be completed by Code 11C13)

- Grand Jury** _____
- X – Rays** _____
- Video Tapes** _____
- Audio Tapes** _____
- Photographs** (images of photographs are contained in the electronic dossier, actual photographs(s) from hard copy dossier is/are filed separately.) _____
- Polygraph Material** _____
- Source Envelope** _____
- Other** _____
(Description)

CROSS REFERENCE SHEET

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The dossier 10AUG12-CRAF-0076

(Case Control Number (CCN))

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

(Subject Name/Title)

ENCLOSURE (A) TO EXHIBIT 50 contains the following additional material on

ME12-0489 14AUG12 (b)(6), (b)(7)(C) FOUO

(Subject of the additional material)

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

TYPE

LOCATION NUMBER

(To be completed by Code 11C13)

Grand Jury

X – Rays

Video Tapes

Audio Tapes

Photographs (images of photographs are contained in the electronic dossier, actual photographs(s) from hard copy dossier is/are filed separately.)

Polygraph Material

Source Envelope

Other

(Description)

CROSS REFERENCE SHEET

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The dossier 10AUG12-CRAF-0076
(Case Control Number (CCN))

on
(Subject Name/Title)

ENCLOSURE (B) TO EXHIBIT 50 contains the following additional material on

ME12-0490 14AUG12 V/RIVERA JR, RICHARD ANTHONY

(Subject of the additional material)

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

TYPE	LOCATION NUMBER (To be completed by Code 11C13)
<input type="checkbox"/> Grand Jury	_____
<input type="checkbox"/> X - Rays	_____
<input type="checkbox"/> Video Tapes	_____
<input checked="" type="checkbox"/> Audio Tapes	_____
<input type="checkbox"/> Photographs (images of photographs are contained in the electronic dossier, actual photographs(s) from hard copy dossier is/are filed separately.)	_____
<input type="checkbox"/> Polygraph Material	_____
<input type="checkbox"/> Source Envelope	_____
<input type="checkbox"/> Other _____ (Description)	_____

CROSS REFERENCE SHEET

(Insert this behind the cover sheet)

The dossier **10AUG12-CRAF-0076**
(Case Control Number (CCN))

on
(Subject Name/Title)

ENCLOSURE (B) TO EXHIBIT 51 contains the following additional material on

COPY OF AFMES CD ME12-0488

(Subject of the additional material)

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

TYPE

LOCATION NUMBER

(To be completed by Code 11C13)

Grand Jury

X – Rays

Video Tapes

Audio Tapes

Photographs (images of photographs
are contained in the electronic dossier,
actual photographs(s) from hard copy
dossier is/are filed separately.)

Polygraph Material

Source Envelope

Other

(Description)

CROSS REFERENCE SHEET

(Insert this behind the cover sheet)

The dossier 10AUG12-CRAF-0076
(Case Control Number (CCN))

on
(Subject Name/Title)

ENCLOSURE (B) TO EXHIBIT 61 contains the following additional material on

INT/CASE CRACKER (VIDEO) ISN 09OCT13

(Subject of the additional material)

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

TYPE

LOCATION NUMBER

(To be completed by Code 11C13)

Grand Jury

X – Rays

Video Tapes

Audio Tapes

Photographs (images of photographs
are contained in the electronic dossier,
actual photographs(s) from hard copy
dossier is/are filed separately.)

Polygraph Material

Source Envelope

Other

(Description)

CROSS REFERENCE SHEET

(Insert this behind the cover sheet)

The dossier **10AUG12-CRAF-0076**
(Case Control Number (CCN))

on
(Subject Name/Title)

ENCLOSURE (C) TO EXHIBIT 61 contains the following additional material on

VOICE RECORDING INTERVIEW OF

(Subject of the additional material)

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

TYPE

LOCATION NUMBER (To be completed by Code 11C13)

Grand Jury

X - Rays

Video Tapes

Audio Tapes

Photographs (images of photographs
are contained in the electronic dossier,
actual photographs(s) from hard copy
dossier is/are filed separately.)

Polygraph Material

Source Envelope

Other

(Description)

CROSS REFERENCE SHEET

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The dossier **10AUG12-CRAF-0076**
(Case Control Number (CCN))

or
(Subject Name/Title)

ENCLOSURE (B) TO EXHIBIT 63 contains the following additional material on

VIDEO RECORDING OF INTERVIEW OF 06NOV13

(Subject of the additional material)

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

TYPE

LOCATION NUMBER

(To be completed by Code 11C13)

Grand Jury

X – Rays

Video Tapes

Audio Tapes

Photographs (images of photographs
are contained in the electronic dossier,
actual photographs(s) from hard copy
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Polygraph Material

Source Envelope

Other

(Description)

CROSS REFERENCE SHEET

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The dossier **10AUG12-CRAF-0076**
(Case Control Number (CCN))

on
(Subject Name/Title)

ENCLOSURE (C) TO EXHIBIT 63 contains the following additional material on

AUDIO RECORDING TRANSLATION OF INTERVIEW OF

(Subject of the additional material)

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

TYPE

LOCATION NUMBER (To be completed by Code 11C13)

- Grand Jury**
- X - Rays**
- Video Tapes**
- Audio Tapes**
- Photographs** (images of photographs are contained in the electronic dossier, actual photographs(s) from hard copy dossier is/are filed separately.)
- Polygraph Material**
- Source Envelope**
- Other** _____
(Description)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

22AUG14

DEATH (II)

CONTROL: 10AUG12-CRAF-0076-7HMA/C

V/DICKINSON, SCOTT EDWARD/UNK
M/W/ZZZZ/S(b)(6), (b)(7)(C) /25FEB83/CALIFORNIA
SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV
V/RIVERA, RICHARD ANTHONY/UNK
M/W/ZZZZ/S(b)(6), (b)(7)(C) /26JUL92
SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV
V/BUCKLEY, GREGORY THOMAS/UNK
M/W/ZZZZ/N/(b)(6), (b)(7)(C) /17JUL91/NEW YORK
SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV

COMMAND/1ST MARINE DIVISION/11000

MADE AT/CRFO/CONTINGENCY RESPONSE FIELD OFFICE/ (b)(6), (b)(7)(C) OFFICE
ADMINISTRATOR

REFERENCE(S)

- (A) NCISHQ CODE 0023 ROI (SUPP)/19AUG14
- (B) NCISRA Afghanistan ROI (INTERIM) (Contains Exhibits 49-53)/05APR13

NARRATIVE

1. Pursuant lead tasking set forth in Reference (A), the NCIS Contingency Response Field Office forwarded Enclosure (B) of Exhibit (51) of Reference (B) to NCISHQ Code 0023 Attn: (b)(6), (b)(7)(C) via registered mail, RE 190 499 576 US, on 22Aug14.

2. Lead tasking at CRFO is complete.

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INFO :CRFG/CRAF

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (SUPP)

19AUG14

DEATH (II)

CONTROL: 10AUG12-CRAF-0076-7HMA/C

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

V/DICKINSON, SCOTT EDWARD/UNK

M/W/ZZZZ/S (b)(6), (b)(7)(C) / 25FEB83/CALIFORNIA

SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV

V/RIVERA, RICHARD ANTHONY/UNK

M/W/ZZZZ/S (b)(6), (b)(7)(C) / 26JUL92

SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV

V/BUCKLEY, GREGORY THOMAS/UNK

M/W/ZZZZ/N (b)(6), (b)(7)(C) / 17JUL91/NEW YORK

SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV

COMMAND/1ST MARINE DIVISION/11000

MADE AT/0023/CRIMINAL INVESTIGATIONS DIRECTORATE (b)(6), (b)(7)(C) OFFICE
ADMINISTRATOR

REFERENCE(S)

- (A) NCIS Contingency Response Field Office ROI (CLOSED)/05AUG14
- (B) NCISRA Afghanistan ROI (INTERIM) (Contains Exhibits 49-53)/05APR13

NARRATIVE

1. Reference (A) closed this investigation. Upon review, it was noted that Enclosure (B) of Exhibit (51) of Reference (B) was missing from the complete closed case report.

ACTION

R.CRFO: Please provide Enclosure (B) of Exhibit (51) of Reference (B) to NCISHQ Code 0023, ATTN: (b)(6), (b)(7)(C) A
CLEOC and mail response are required.

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ACTION:CRFO
INFO :CRFO/CRAF

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (SUPP)

11AUG14

DEATH (II)

CONTROL: 10AUG12-CRAF-0076-7HMA/C

V/DICKINSON, SCOTT EDWARD/UNK

M/W/ZZZZ/S/(b)(6), (b)(7)(C) 25FEB83/CALIFORNIA

SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV

V/RIVERA, RICHARD ANTHONY/UNK

M/W/ZZZZ/S/(b)(6), (b)(7)(C) 26JUL92

SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV

V/BUCKLEY, GREGORY THOMAS/UNK

M/W/ZZZZ/N/(b)(6), (b)(7)(C) 17JUL91/NEW YORK

SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV

COMMAND/1ST MARINE DIVISION/11000

MADE AT/CRFO/CONTINGENCY RESPONSE FIELD OFFICE (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S)

(A) NCIS CRFO ROI (CLOSED)/05AUG14

NARRATIVE

1. Subsequent to the transmission of Reference (A), the following mistake, "Exhibit (67) pertains" was discovered at the end of paragraph 5, within the narrative. The end of the paragraph should state "Exhibit (68) pertains" vice "Exhibit (67) pertains."

ACTION

23B1: Make the following pen and ink change to Reference (A), paragraph 5, within the narrative to reflect "Exhibit (68) pertains."

DISTRIBUTION

NCISHQ:0023/23B1

ACTION:23B1

INFO :International and Operational Law, Judge Advocate
Division, 3000 Marine Corps Pentagon (Branch Head (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) (M) /CRFO/002G/CRAF (b)(7)(C)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (CLOSED)

05AUG14

DEATH (II)

CONTROL: 10AUG12-CRAF-0076-7HMA/C

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

V/DICKINSON, SCOTT EDWARD/UNK
M/W/ZZZZ/S (b)(6), (b)(7)(C) 25FEB83/CALIFORNIA
SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV
V/RIVERA, RICHARD ANTHONY/UNK
M/W/ZZZZ/S (b)(6), (b)(7)(C) 26JUL92
SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV
V/BUCKLEY, GREGORY THOMAS/UNK
M/W/ZZZZ/N (b)(6), (b)(7)(C) 17JUL91/NEW YORK
SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV

COMMAND/1ST MARINE DIVISION/11000

MADE AT/CRFO/CONTINGENCY RESPONSE FIELD OFFICE (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) SPECIAL AGENT

REFERENCE(S)

- (A) NCISRA Afghanistan ROI (INTERIM) /07Sep12 (Contains Exhibits 1-31)
- (B) NCISRA Afghanistan ROI (INTERIM) /07Nov12 (Contains Exhibits 32-33)
- (C) NCISRA Afghanistan ROI (INTERIM) /26Nov12 (Contains Exhibits 34-39)
- (D) NCISRA Afghanistan ROI (INTERIM) /26Dec12 (Contains Exhibit 40)
- (E) NCISRA Afghanistan ROI (INTERIM) /03Feb13
- (F) NCISRA Afghanistan ROI (INTERIM) /26Feb13
- (G) NCISRA Afghanistan ROI (INTERIM) /18Mar13 (Contains Exhibits 41-48)
- (H) NCISRA Afghanistan ROI (INTERIM) /05Apr13 (Contains Exhibits 49-53)
- (I) NCIS CRFO ROI (INTERIM) /17Apr13
- (J) NCIS CRFO ROI (INTERIM) /17May13 (Contains Exhibits 54-56)
- (K) NCIS CRFO ROI (INTERIM) /04Jun13
- (L) NCIS CRFO ROI (INTERIM) /02Jul13
- (M) NCIS CRFO ROI (INTERIM) /01Aug13
- (N) NCIS CRFO ROI (INTERIM) /03Sep13
- (O) NCIS CRFO ROI (INTERIM) /02Oct13
- (P) NCIS CRFO ROI (INTERIM) /02Dec13 (Contains Exhibits 57-62)
- (Q) NCIS CRFO ROI (INTERIM) /06Jan14 (Contains Exhibit 63)
- (R) NCIS CRFO ROI (INTERIM) /10Mar14 (Contains Exhibits 64-66)
- (S) NCIS CRFO ROI (INTERIM) /01Apr14

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL:10AUG12-CRAF-0076-7HMA/C

05AUG14

(T) NCIS CRFO ROI (INTERIM)/12MAY14
(U) NCIS CRFO ROI (INTERIM)/02JUL14

EXHIBIT(S)

- (67) IA: RECEIPT OF AFGHANISTAN GOVERNMENT AGE VERIFICATION TEST OF (b)(6), (b)(7)(C) /23Jul14
- (68) IA: RESULTS OF TRIAL FOR (b)(6), (b)(7)(C) /04Aug14

EXECUTIVE SUMMARY

1. On 10Aug12, at approximately 2030, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) an Afghan National, attacked U.S. Marines in an open air makeshift gym inside an Afghan National Police (ANP) compound at Forward Operating Base Delhi, Garm Ser District, Helmand Province, Afghanistan (AFG). (b)(6), (b)(7)(C) utilized an ANP AK-47 rifle as the instrument of his attack. V/DICKINSON, V/RIVERA and V/BUCKLEY were fatally wounded and (b)(6), (b)(7)(C) sustained non-life threatening injuries. Immediately following the attack, U.S. Marines detained (b)(6), (b)(7)(C) (Inmate Serial Number - ISN (b)(6), (b)(7)(C)) was placed into custody and was taken to the Afghan National Detention Facility (ANDF), Bagram Airfield, Bagram District, Parwan Province, AFG. In support of U.S. Government interests, the Department of Justice (DoJ), U.S. Attorney's Office, Eastern District of New York, New York City, NY and NCIS developed a Federal "collateral prosecution" case against (b)(6), (b)(7)(C). Additionally, DoJ forwarded a Mutual Liaison Assistance Treaty to U.S. Embassy Kabul seeking government-to-government investigative coordination with the Government of the Islamic Republic of Afghanistan (GIROA). NCISRA Afghanistan continues to provide investigative support and maintains law enforcement liaison with the U.S. Advisory Team at the Justice Center in Parwan, AFG. On 07Jun14, (b)(6), (b)(7)(C) CIV, the (b)(6), (b)(7)(C) U.S. Advisory Team, Justice Center in Parwan (JCIP), Bagram Airfield, advised the indictment of S/KHDAIRAHAM was referred to Afghan Court. On 22Jun14, (b)(6), (b)(7)(C) USAF, replaced (b)(6), (b)(7)(C) as Justice Advisory. On 30Jun14, (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) ruled (b)(6), (b)(7)(C) would be tried as a juvenile. On 22Jul14, (b)(6), (b)(7)(C) was convicted in the Afghan Juvenile Court System and found guilty. (b)(6), (b)(7)(C) was sentenced to seven years and six months confinement. This investigation is closed.

NARRATIVE

1. This reactive investigation pertains to suspected violations of Article 118 (Murder) of the Uniform Code of Military Justice (UCMJ); Title 18 U.S.C. 1114 (Murder), which criminalizes the murder of U.S. Officers and Employees operating in their official capacity, Title 18 U.S.C. 2332 (Murder), which criminalizes the murder of U.S. Nationals overseas; and GIROA Penal Code Article 395 (Murder), as related to the circumstances surrounding the "Green on Blue" shooting deaths of three U.S. Marines.

2. On 23Jul14, (b)(6), (b)(7)(C) USAF, Justice Center in Parwan, Bagram, Afghanistan provided Special Agent (b)(6), (b)(7)(C) with a copy of the Islamic Republic of Afghanistan Ministry of Public Health, Forensic Laboratory report pertaining to the age verification testing of (b)(6), (b)(7)(C). The test was ordered to determine whether or not (b)(6), (b)(7)(C) criminal case would be tried within the Afghan Juvenile Court System. The results of the exam determined (b)(6), (b)(7)(C) was between the age of nineteen (19) and twenty (20) years old

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL:10AUG12-CRAF-0076-7HMA/C

05AUG14

at the time of testing. Therefore, [redacted] was determined to be a juvenile at the time of the shooting, and his trial would convene in the Afghan Juvenile Court System, Exhibit (67) pertains.

3. On 23Jul14, [redacted] advised SA [redacted] that [redacted] was tried and found guilty for his role in the shooting deaths of V/BUCKLEY, V/RIVERA, V/DICKINSON and the shooting of [redacted] was sentenced to seven (7) years and six (6) months confinement, the maximum sentence allowed within the Afghan Juvenile Court System.

4. Subsequent to [redacted] conviction between 26Jul14-03Aug14, Special Agent [redacted] NCIS CRFO, contacted each of the witnesses willing to testify in the [redacted] trial and ensured they were properly informed the results of the trial.

5. On 03Aug14, the official Afghan verdict slip and translation of the body of the verdict was obtained from [redacted] Exhibit (67) pertains.

6. [redacted] International and Operational Law (JAO), Judge Advocate Division, Marine Corps Pentagon, has been briefed the results of the [redacted] trial. This investigation is now closed.

PARTICIPANTS

[redacted] CIAL AGENT, NCIS Camp Leatherneck, Afghanistan
[redacted] SPECIAL AGENT, NCIS CRFO, Brunswick, GA

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INFO :CRFO/CRAF/CRFG/002G/International and Operational Law,
Judge Advocate Division, 3000 Marine Corps Pentagon (Branch
Head [redacted] (M)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

23JUL14

CONTROL: 10AUG12-CRAF-0076-7HMA/C

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

RECEIPT OF AFGHANISTAN GOVERNMENT AGE VERIFICATION TEST OF (b)(6), (b)(7)(C)

1. On 23Jul14, (b)(6), (b)(7)(C) Justice Center Parwan, Bagram, Afghanistan provided Reporting Agent (RA) with the Islamic Republic of Afghanistan, Ministry of Public Health, Forensic Laboratory report pertaining to the age verification testing of (b)(6), (b)(7)(C)

2. As background, age verification testing of (b)(6), (b)(7)(C) was conducted in order to determine (b)(6), (b)(7)(C) age during his role in the shooting deaths of V/BUCKLEY; V/RIVERA, V/DICKINSON and the shooting of (b)(6), (b)(7)(C). Furthermore, age verification of (b)(6), (b)(7)(C) was required in order to further determine whether (b)(6), (b)(7)(C) criminal case would be tried within the Afghan Juvenile Court System.

3. According to the Islamic Republic of Afghanistan, Ministry of Public Health, Forensic Laboratory, age verification testing conducted between the dates of 04May14 and 10May14, revealed (b)(6), (b)(7)(C) was determined to be between the ages of nineteen (19) and twenty (20) years old at the time of testing. A copy of the forensic laboratory report and it's translation is attached as Enclosure (A) and (B).

4. The aforementioned age verification testing resulted in the determination that (b)(6), (b)(7)(C) criminal case would be presented within the Afghan Juvenile Court System, as (b)(6), (b)(7)(C) was determined to be a juvenile at the time of his involvement in the shooting incident.

ENCLOSURE(S)

- (A) Ministry of Public Health, Forensic Laboratory Report/23Jul14
- (B) Translation of Ministry of Public Health, Forensic Laboratory Report/23Jul14

REPORTED BY: (b)(6), (b)(7)(C) Special Agent
OFFICE: RESIDENT AGENCY AFGHANISTAN

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EXHIBIT (47)

Pages 19 through 20 redacted for the following reasons:

Pages (19) - (20), Enclosures (a) - (b): Medical information exempt under (b)(6) and (b)(7)(C)

...

Pages (19) - (20), Enclosures (a) - (b): Medical information exempt under (b)(6) and (b)(7)(C)

...

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

04AUG14

CONTROL: 10AUG12-CRAF-0076-7HMA/C

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

RESULTS OF TRIAL FOR

1. On 23Jul14, Reporting Agent (RA) received notification from (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Justice Center Parwan, Bagram, Afghanistan of the trial of (b)(6), (b)(7)(C) pertaining to his involvement in the shooting deaths of V/BUCKLEY, V/RIVERA, V/DICKINSON and the shooting of (b)(6), (b)(7)(C)

2. (b)(6), (b)(7)(C) advised on 21Jul14, (b)(6), (b)(7)(C) aforementioned trial in the Afghan Juvenile Court System resulted in (b)(6), (b)(7)(C) being found guilty for his role in the shooting deaths of V/BUCKLEY, V/RIVERA, V/DICKINSON and the shooting of (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) was subsequently sentenced to seven (7) years and six (6) months confinement, the maximum sentence allowed within the Afghan Juvenile Court System.

3. On 03Aug14, (b)(6), (b)(7)(C) provided the official Afghanistan Juvenile Courts System Verdict Slip documenting the sentenced awarded on 22Jul14 to (b)(6), (b)(7)(C) Enclosures (A) and (B) pertain.

4. Furthermore, (b)(6), (b)(7)(C) relayed in accordance with the Afghan Criminal Justice System, (b)(6), (b)(7)(C) criminal case will automatically be subject to Afghan Judicial appellate review at a future date.

ENCLOSURE(S)

- (A) AFGHANISTAN JUVENILE COURTS SYSTEM VERDICT SLIP
22JUL14/03AUG14
- (B) TRANSLATION OF AFGHANISTAN JUVENILE COURTS SYSTEM VERDICT
SLIP 22JUL14/03AUG14

REPORTED BY: (b)(6), (b)(7)(C) Special Agent
OFFICE: RESIDENT AGENCY AFGHANISTAN

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Page 22 redacted for the following reason:

-----Page (22): Enclosure (a) - Translation provided on page (23). Information exempt under (b)(6) and (b)(7)(C) is unable to be segregated and redacted from original

...

Date of court 22 Jul 2014

Suspected (b)(6), (b)(7)(C) was sentenced 2 years on membership and for terrorist activities from the date of captured 10 Aug 2012, 7 years and 6 months.

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

02JUL14

DEATH (II)

CONTROL: 10AUG12-CRAF-0076-7HMA

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

...

V/DICKINSON, SCOTT EDWARD/UNK

M/W/ZZZZ/S/(b)(6), (b)(7)(C) 25FEB83/CALIFORNIA

SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV

V/RIVERA, RICHARD ANTHONY/UNK

M/W/ZZZZ/S/(b)(6), (b)(7)(C) 26JUL92

SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV

V/BUCKLEY, GREGORY THOMAS/UNK

M/W/ZZZZ/N/(b)(6), (b)(7)(C) 17JUL91/NEW YORK

SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV

COMMAND/1ST MARINE DIVISION/11000

MADE AT/CRFO/CONTINGENCY RESPONSE FIELD OFFICE/
SPECIAL AGENT

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

REFERENCE(S)

- (A) NCISRA Afghanistan ROI (INTERIM)/07Sep12 (Contains Exhibits 1-31)
- (B) NCISRA Afghanistan ROI (INTERIM)/07Nov12 (Contains Exhibits 32-33)
- (C) NCISRA Afghanistan ROI (INTERIM)/26Nov12 (Contains Exhibits 34-39)
- (D) NCISRA Afghanistan ROI (INTERIM)/26Dec12 (Contains Exhibit 40)
- (E) NCISRA Afghanistan ROI (INTERIM)/03Feb13
- (F) NCISRA Afghanistan ROI (INTERIM)/26Feb13
- (G) NCISRA Afghanistan ROI (INTERIM)/18Mar13 (Contains Exhibits 41-48)
- (H) NCISRA Afghanistan ROI (INTERIM)/05Apr13 (Contains Exhibits 49-53)
- (I) NCIS CRFO ROI (INTERIM)/17Apr13
- (J) NCIS CRFO ROI (INTERIM)/17May13 (Contains Exhibits 54-56)
- (K) NCIS CRFO ROI (INTERIM)/04Jun13
- (L) NCIS CRFO ROI (INTERIM)/02Jul13
- (M) NCIS CRFO ROI (INTERIM)/01Aug13
- (N) NCIS CRFO ROI (INTERIM)/03Sep13
- (O) NCIS CRFO ROI (INTERIM)/02Oct13
- (P) NCIS CRFO ROI (INTERIM)/02Dec13 (Contains Exhibits 57-62)
- (Q) NCIS CRFO ROI (INTERIM)/06Jan14 (Contains Exhibit 63)
- (R) NCIS CRFO ROI (INTERIM)/10Mar14 (Contains Exhibits 64-66)
- (S) NCIS CRFO ROI (INTERIM)/01Apr14

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE
CONTROL:10AUG12-CRAF-0076-7HMA

02JUL14

(T) NCIS CRFO ROI (INTERIM) /12MAY14

EXECUTIVE SUMMARY

1. On 10Aug12 at approximately 2030, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) an Afghan National, attacked U.S. Marines in an open air makeshift gym inside an Afghan National Police (ANP) compound at Forward Operating Base Delhi, Garm Ser District, Helmand Province, Afghanistan (AFG). (b)(6), (b)(7)(C) utilized an ANP AK-47 rifle as the instrument of his attack. V/DICKINSON, V/RIVERA and V/BUCKLEY were fatally wounded and (b)(6), (b)(7)(C) sustained non-life threatening injuries. Immediately following the attack, U.S. Marines detained (b)(6), (b)(7)(C) (Inmate Serial Number - ISN [redacted]) was placed into custody and was taken to the Afghan National Detention Facility (ANDF), Bagram Airfield, Bagram District, Parwan Province, AFG. In support of U.S. Government interests, the Department of Justice (DoJ), U.S. Attorney's Office, Eastern District of New York, New York City, NY and NCIS continue to develop a Federal "collateral prosecution" case against [redacted]. Additionally, DoJ forwarded a Mutual Liaison Assistance Treaty to U.S. Embassy Kabul seeking government-to-government investigative coordination with the Government of the Islamic Republic of Afghanistan (GIROA). NCISRA Afghanistan continues to provide investigative support and maintains law enforcement liaison with the U.S. Advisory Team at the Justice Center in Parwan, AFG. To date, a criminal trial for the prosecution of [redacted] has not been scheduled. Overall, [redacted] remains in GIROA custody at the ANDF, Parwan Province, AFG.

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

NARRATIVE

1. This reactive investigation pertains to suspected violations of Article 118 (Murder) of the Uniform Code of Military Justice (UCMJ); Title 18 U.S.C. 1114 (Murder), which criminalizes the murder of U.S. Officers and Employees operating in their official capacity, Title 18 U.S.C. 2332 (Murder), which criminalizes the murder of U.S. Nationals overseas; and GIROA Penal Code Article 395 (Murder), as related to the circumstances surrounding the "Green on Blue" shooting deaths of three U.S. Marines.

2. Since the submission of Reference (T), [redacted] of Team, U.S. Advisory Team, Justice Center in Parwan (JCIP), Bagram Airfield, AFG advised circa 07Jun14 the indictment of [redacted] was referred to Afghan Court. On 22Jun14, [redacted] USAF, replaced [redacted] as Justice Advisor due to [redacted] future redeployment. On 30Jun14, [redacted] advised Judge [redacted] ruled [redacted] would be tried as a juvenile and returned the case to the Saranwal (Afghan Prosecutor's Office) for action under this guidance.

3. As of 02Jul14, at the request of the U.S. Advisory Team, JCIP, [redacted] USMC, were notified they would potentially be needed to testify as witnesses in the trial. All four (4) witnesses are willing to testify. Both [redacted] and [redacted] stated they are able to positively identify [redacted] as they did at the time of the incident.

4. All logical investigative efforts have been completed and this investigation is pending the prosecution of [redacted]

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE
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02JUL14

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

12MAY14

DEATH (II)

CONTROL: 10AUG12-CRAF-0076-7HMA

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

...

V/DICKINSON, SCOTT EDWARD/UNK

M/W/ZZZZ/S/(b)(6), (b)(7)(C) 25FEB83/CALIFORNIA

SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV

V/RIVERA, RICHARD ANTHONY/UNK

M/W/ZZZZ/S/(b)(6), (b)(7)(C) 26JUL92

SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV

V/BUCKLEY, GREGORY THOMAS/UNK

M/W/ZZZZ/N/(b)(6), (b)(7)(C) 17JUL91/NEW YORK

SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV

COMMAND/1ST MARINE DIVISION/11000

MADE AT/CRFO/CONTINGENCY RESPONSE FIELD OFFICE (b)(6), (b)(7)(C)

SUPERVISORY SPECIAL AGENT

REFERENCE(S)

- (A) NCISRA Afghanistan ROI (INTERIM)/07Sep12... (Contains Exhibits 1-31)
- (B) NCISRA Afghanistan ROI (INTERIM)/07Nov12... (Contains Exhibits 32-33)
- (C) NCISRA Afghanistan ROI (INTERIM)/26Nov12 (Contains Exhibits 34-39)
- (D) NCISRA Afghanistan ROI (INTERIM)/26Dec12 (Contains Exhibit 40)
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- (P) NCIS CRFO ROI (INTERIM)/02Dec13 (Contains Exhibits 57-62)
- (Q) NCIS CRFO ROI (INTERIM)/06Jan14 (Contains Exhibit 63)
- (R) NCISRA Afghanistan ROI (CLOSED)/03Feb14/I/1st Marine Division/Information Pertaining to the Death of U.S. Marines at

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL:10AUG12-CRAF-0076-7HMA

12MAY14

FOB Delhi/CCN: 03FEB14-CRAF-0011-5XMA/C

(S) NCIS CRFO ROI (INTERIM)/10Mar14 (Contains Exhibits 64-66)

(T) NCIS CRFO ROI (INTERIM)/01Apr14

EXECUTIVE SUMMARY

1. On 10Aug12 at approximately 2030, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C), an Afghan National, attacked U.S. Marines in an open-air makeshift gym inside an Afghan National Police (ANP) compound at Forward Operating Base Delhi, Garm Ser District, Helmand Province, Afghanistan (AFG). (b)(6), (b)(7)(C) utilized an ANP AK-47 rifle as the instrument of his attack. V/DICKINSON, V/RIVERA and V/BUCKLEY were fatally wounded and (b)(6), (b)(7)(C) sustained non-life threatening injuries. Immediately following the attack, U.S. Marines detained (b)(6), (b)(7)(C) (Inmate Serial Number - ISN [redacted] was placed into custody and was taken to the Afghan National Detention Facility (ANDF), Bagram Airfield, Bagram District, Parwan Province, AFG. In support of U.S. Government interests, the Department of Justice (DoJ), U.S. Attorney's Office, Eastern District of New York, New York City, NY and NCIS continue to develop a Federal "collateral prosecution" case against : Additionally, DoJ forwarded a Mutual Liaison Assistance Treaty to U.S. Embassy Kabul seeking government-to-government investigative coordination with the Government of the Islamic Republic of Afghanistan (GIROA). NCISRA Afghanistan continues to provide investigative support and maintains law enforcement liaison with the U.S. Advisory Team at the Justice Center in Parwan, AFG. To date, a criminal trial for the prosecution of [redacted] has not been scheduled. Overall, [redacted] remains in GIROA custody at the ANDF, Parwan Province, AFG.

NARRATIVE

1. This reactive investigation pertains to suspected violations of Article 118 (Murder) of the Uniform Code of Military Justice (UCMJ); Title 18 U.S.C. 1114 (Murder), which criminalizes the murder of U.S. Officers and Employees operating in their official capacity, Title 18 U.S.C. 2332 (Murder), which criminalizes the murder of U.S. Nationals overseas; and GIROA Penal Code Article 395 (Murder), as related to the circumstances surrounding the "Green on Blue" shooting deaths of three U.S. Marines.

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

2. Since the submission of Reference (T), on 05May14, U.S. Advisory Team, Justice Center in Parwan (JCIP), Bagram Airfield, AFG advised circa 30Mar14, Afghan authorities transported [redacted] from Parwan to Kabul, AFG for an age verification test to establish his age to determine if he should be prosecuted as an adult or juvenile. On 10Aug12, when [redacted] was taken into custody, an initial bone density examination of him estimated he was probably 17 years old. As of 12May14, it is unknown if the age verification process has been completed or what are the results of the examination. Additional information will be obtained.

3. A criminal trial for the prosecution of [redacted] has not been scheduled because the case remains in an investigative or pre-trial phase versus a prosecutorial phase with the Afghan authorities. Currently the focal (pivotal) point of the investigation are the results of age verification process. If [redacted] is convicted as a juvenile for

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL:10AUG12-CRAF-0076-7HMA

12MAY14

murder, then the maximum sentence is 7.6 years confinement; whereas, if he is convicted as an adult for murder, then the death penalty is the maximum sentence that can be adjudicated.

4. Afghan Chief Prosecutor (b)(6), (b)(7)(C) the original assigned prosecutor, is no longer assigned to the (b)(6), (b)(7)(C) case; instead, Afghan Juvenile Primary Court Prosecutor (b)(6); (b)(7)(C) (b)(6), (b)(7)(C) is the lead Afghan prosecutor.

5. An Afghan judge has not been assigned to the (b)(6), (b)(7)(C) case, since it remains in an investigative phase with the age verification process pending.

6. (b)(6), (b)(7)(C) is not considered to be one in a group of criminal offenders referred to as "The Lucky 88."

7. The (b)(6), (b)(7)(C) investigation is one of 15 cases that have not been reviewed by the Afghan Review Board, a procedural static situation.

8. JCIP (b)(6), (b)(7)(C) advised classified information is generally not presented at an Afghan criminal trial; however, in similar cases, Afghan authorities have presented declassified information. As an example, Afghan authorities may make the following type of statements to the court "Classified information indicates that the Accused is a member of . . ." or "Classified information indicates that the Accused is an expert IED maker for . . ." The use of declassified information would be a GIROA generated initiative. In general, all attempts are made to keep courtroom proceedings at an unclassified level.

9. On 12May14, Special Agent (b)(6), (b)(7)(C) manages Special Agent (b)(6), (b)(7)(C) as the NCIS Case Agent for the (b)(6), (b)(7)(C) investigation, due to Special Agent (b)(6), (b)(7)(C) transfer to the NCIS Middle East Field Office.

10. Overall, as of 12May14, the case against (b)(6), (b)(7)(C) remains in a pre-trial phase, there is no progress toward a projected trial date, and (b)(6), (b)(7)(C) remains in Afghan custody at the Afghan National Detention Facility, Bagram Airfield, Bagram District, Parwan Province, Afghanistan.

PARTICIPANTS

(b)(6), (b)(7)(C) SPECIAL AGENT, NCISRA Afghanistan

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

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

01APR14

DEATH (II)

CONTROL: 10AUG12-CRAF-0076-7HMA

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

...

V/DICKINSON, SCOTT EDWARD/UNK
M/W/ZZZZ/S/(b)(6), (b)(7)(C) 25FEB83/CALIFORNIA
SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV
V/RIVERA, RICHARD ANTHONY/UNK
M/W/ZZZZ/S/(b)(6), (b)(7)(C) 26JUL92
SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV
V/BUCKLEY, GREGORY THOMAS/UNK
M/W/ZZZZ/N/(b)(6), (b)(7)(C) 17JUL91/NEW YORK
SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV

COMMAND/1ST MARINE DIVISION/11000

MADE AT/CRFO/CONTINGENCY RESPONSE FIELD OFFICE (b)(6), (b)(7)(C)
SUPERVISORY SPECIAL AGENT

REFERENCE (S)

- (A) NCISRA Afghanistan ROI (INTERIM)/07Sep12 (Contains Exhibits 1-31)
- (B) NCISRA Afghanistan ROI (INTERIM)/07Nov12 (Contains Exhibits 32-33)
- (C) NCISRA Afghanistan ROI (INTERIM)/26Nov12 (Contains Exhibits 34-39)
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- (E) NCISRA Afghanistan ROI (INTERIM)/03Feb13
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- (G) NCISRA Afghanistan ROI (INTERIM)/18Mar13 (Contains Exhibits 41-48)
- (H) NCISRA Afghanistan ROI (INTERIM)/05Apr13 (Contains Exhibits 49-53)
- (I) NCIS CRFO ROI (INTERIM)/17Apr13
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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL:10AUG12-CRAF-0076-7HMA

01APR14

Division/Information Pertaining to the Death of U.S. Marines at
FOB Delhi/CCN: 03FEB14-CRAF-0011-5XMA/C
(S) NCIS CRFO ROI (INTERIM)/10Mar14 (Contains Exhibits 64-66)

EXECUTIVE SUMMARY

1. On 10Aug12 at approximately 2030, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) an Afghan National, attacked U.S. Marines in an open-air makeshift gym inside an Afghan National Police (ANP) compound at Forward Operating Base Delhi, Garm Ser District, Helmand Province, Afghanistan (AFG). (b)(6), (b)(7)(C) utilized an ANP AK-47 rifle as the instrument of his attack. V/DICKINSON, V/RIVERA and V/BUCKLEY were fatally wounded and (b)(6), (b)(7)(C) sustained non-life threatening injuries. Immediately following the attack, U.S. Marines detained (b)(6), (b)(7)(C) (Inmate Serial Number (ISN) (b)(6), (b)(7)(C) was placed into custody and was taken to the Afghan National Detention Facility (ANDF), Bagram Airfield, Bagram District, Parwan Province, AFG. In support of U.S. Government interests, the Department of Justice (DoJ), U.S. Attorney's Office, Eastern District of New York, New York City, NY and NCIS continue to develop a Federal "collateral prosecution" case against (b)(6), (b)(7)(C) Additionally, DoJ forwarded a Mutual Liaison Assistance Treaty to U.S. Embassy Kabul seeking government-to-government investigative coordination with the Government of the Islamic Republic of Afghanistan (GIROA). NCIS Resident Agency Afghanistan continues to provide investigative support and maintains law enforcement liaison with the U.S. Advisory Team at the Justice Center in Parwan, AFG. To date, a criminal trial for the prosecution of (b)(6), (b)(7)(C) has not been scheduled. Overall, (b)(6), (b)(7)(C) remains in GIROA custody at the ANDF, Parwan Province, AFG.

NARRATIVE

1. This reactive investigation pertains to suspected violations of Article 118 (Murder) of the Uniform Code of Military Justice (UCMJ); Title 18 U.S.C. 1114 (Murder), which criminalizes the murder of U.S. Officers and Employees operating in their official capacity, Title 18 U.S.C. 2332 (Murder), which criminalizes the murder of U.S. Nationals overseas; and GIROA Penal Code Article 395 (Murder), as related to the circumstances surrounding the "Green on Blue" shooting deaths of three U.S. Marines.

2. Due to an administrative error Exhibits (1), (2) and (3) were incorrectly numbered into the electronic version Reference (S), via the Consolidated Law Enforcement Operations Center (CLEOC) report writing system. The three exhibits were incorrectly numbered in the Exhibits and Narrative sections in paragraphs 2, 3 and 4. None of the investigative (written, documentary) information was changed. This report includes the three exhibits correctly renumbered from Exhibits (1), (2) and (3) to Exhibits (64), (65) and (66) of Reference (S) for publication into CLEOC.

3. On 25Mar14, (b)(6), (b)(7)(C) U.S. Advisory Team, Justice Center in Parwan (JCIP), AFG confirmed a JCIP Afghan Juvenile Prosecutor has been assigned to the (b)(6), (b)(7)(C) investigation. (b)(6), (b)(7)(C) met with the JCIP Afghan Chief Prosecutor (b)(6), (b)(7)(C), who advised he intends to submit a request to his Commanding Officer (b)(6), (b)(7)(C) to temporarily transfer (b)(6), (b)(7)(C) from Parwan to Kabul, for an Afghan age verification test, to establish if (b)(6), (b)(7)(C) was a juvenile

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL:10AUG12-CRAF-0076-7HMA

01APR14

or an adult on 10Aug12, when he attacked the U.S. Marines. The age verification test can be a lengthy process involving three Afghan medical doctors at the Ministry of Health Forensic Laboratory in Kabul, AFG. [redacted] advised for criminal sentencing purposes, if [redacted] is prosecuted as a juvenile he could receive a maximum sentence of 7.6 years confinement; whereas, if he is prosecuted as an adult, the death sentence is the maximum sentence that can be adjudicated.

4. NCIS Case Agent continues to maintain contact with the U.S. Attorney's Office, Eastern District of New York, National Security and Cybercrime Section, Brooklyn, NY regarding investigative updates and coordination.

5. As of 01Apr14, a criminal trial for the prosecution of [redacted] has not been scheduled. Overall, [redacted] remains in Afghan (GIROA) custody at the Afghan National Detention Facility, Bagram Airfield, Bagram District, Parwan Province, Afghanistan.

PARTICIPANTS

[redacted] SPECIAL AGENT, NCISRA Afghanistan

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

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

10MAR14

DEATH (II)

CONTROL: 10AUG12-CRAF-0076-7HMA

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

V/DICKINSON, SCOTT EDWARD/UNK

M/W/ZZZZ/S/(b)(6), (b)(7)(C)/25FEB83/CALIFORNIA

SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV

V/RIVERA, RICHARD ANTHONY/UNK

M/W/ZZZZ/S/(b)(6), (b)(7)(C)/26JUL92

SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV

V/BUCKLEY, GREGORY THOMAS/UNK

M/W/ZZZZ/N/(b)(6), (b)(7)(C)/17JUL91/NEW YORK

SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV

COMMAND/1ST MARINE DIVISION/11000

MADE AT/CRFO/CONTINGENCY RESPONSE FIELD OFFICE/... (b)(6), (b)(7)(C)
SUPERVISORY SPECIAL AGENT

REFERENCE(S)

- (A) NCISRA Afghanistan ROI (INTERIM)/07Sep12 (Contains Exhibits 1-31)
- (B) NCISRA Afghanistan ROI (INTERIM)/07Nov12 (Contains Exhibits 32-33)
- (C) NCISRA Afghanistan ROI (INTERIM)/26Nov12 (Contains Exhibits 34-39)
- (D) NCISRA Afghanistan ROI (INTERIM)/26Dec12 (Contains Exhibit 40)
- (E) NCISRA Afghanistan ROI (INTERIM)/03Feb13
- (F) NCISRA Afghanistan ROI (INTERIM)/26Feb13
- (G) NCISRA Afghanistan ROI (INTERIM)/18Mar13 (Contains Exhibits 41-48)
- (H) NCISRA Afghanistan ROI (INTERIM)/05Apr13 (Contains Exhibits 49-53)
- (I) NCIS CRFO ROI (INTERIM)/17Apr13
- (J) NCIS CRFO ROI (INTERIM)/17May13 (Contains Exhibits 54-56)
- (K) NCIS CRFO ROI (INTERIM)/04Jun13
- (L) NCIS CRFO ROI (INTERIM)/02Jul13
- (M) NCIS CRFO ROI (INTERIM)/01Aug13
- (N) NCIS CRFO ROI (INTERIM)/03Sep13
- (O) NCIS CRFO ROI (INTERIM)/02Oct13
- (P) NCIS CRFO ROI (INTERIM)/02Dec13 (Contains Exhibits 57-62)
- (Q) NCIS CRFO ROI (INTERIM)/06Jan14 (Contains Exhibit 63)
- (R) NCISRA Afghanistan ROI (CLOSED)/03Feb14/I/1st Marine Division/Information Pertaining to the Death of U.S. Marines at

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL:10AUG12-CRAF-0076-7HMA

10MAR14

FOB Delhi/CCN: 03FEB14-CRAF-0011-5XMA/C

EXHIBIT(S)

- 64 (A) IA: Documentation of Case in Presentation Summary/07Jan14
- 65 (A) IA: Digital Diagrams of Crime Scene/07Jan14
- 66 (A) IA: Results of Interview of (b)(6), (b)(7)(C) [redacted] Afghan National Police/31Jan14

EXECUTIVE SUMMARY

1. On 10Aug12 at approximately 2030, (b)(6), (b)(7)(C) [redacted] an Afghan National, attacked U.S. Marines in an open-air makeshift gym inside an Afghan National Police (ANP) compound at Forward Operating Base Delhi, Garm Ser District, Helmand Province, Afghanistan (AFG). (b)(6), (b)(7)(C) [redacted] utilized an ANP AK-47 rifle as the instrument of his attack. V/DICKINSON, V/RIVERA and V/BUCKLEY were fatally wounded and (b)(6), (b)(7)(C) [redacted] sustained non-life threatening injuries. Immediately following the attack, U.S. Marines detained (b)(6), (b)(7)(C) [redacted] was placed into custody and was taken to the Afghan National Detention Facility (ANDF), Bagram Airfield, Bagram District, Parwan Province, AFG. In Mar13, the U.S. Advisory Team at the ANDF advised (b)(6), (b)(7)(C) [redacted] was scheduled to be prosecuted by the Government of the Islamic Republic of Afghanistan (GIROA) circa Apr14. Subsequently, in direct support of U.S. Government interests, the Department of Justice (DoJ), U.S. Attorney's Office, Eastern District of New York, NYC, NY and NCIS continue to develop a Federal "collateral prosecution" case against (b)(6), (b)(7)(C) [redacted]. Additionally, DoJ forwarded a Mutual Liaison Assistance Treaty to U.S. Embassy Kabul seeking government-to-government investigative coordination with the GIROA. NCISRA Afghanistan continues to provide investigative support and maintains law enforcement liaison with the U.S. Advisory Team at the ANDF. To date, a criminal trial for the prosecution of (b)(6), (b)(7)(C) [redacted] has not been scheduled. Overall, (b)(6), (b)(7)(C) [redacted] remains in GIROA custody at the ANDF.

NARRATIVE

1. This reactive investigation pertains to suspected violations of Article 118 (Murder) of the Uniform Code of Military Justice (UCMJ); Title 18 U.S.C. 1114 (Murder), which criminalizes the murder of U.S. Officers and Employees operating in their official capacity, Title 18 U.S.C. 2332 (Murder), which criminalizes the murder of U.S. Nationals overseas; and GIROA Penal Code Article 395 (Murder), as related to the circumstances surrounding the "Green on Blue" shooting deaths of three U.S. Marines.
2. Since the submission of Reference (Q), on 07Jan14, Participating Agents (b)(6), (b)(7)(C) [redacted] completed an updated NCIS Case Presentation Summary. The NCIS Case Presentation Summary provides a brief overview of the investigation and lists the Subject, Victims, Witnesses and other pertinent information, Exhibit (1) pertains.
3. On 07Jan14, a copy of two digital diagrams of the crime scene prepared by Participating Agent (b)(6), (b)(7)(C) [redacted] were received. One diagram includes a timeline of events and a layout of the gym with location of (b)(6), (b)(7)(C) [redacted] and victims as (b)(6), (b)(7)(C) [redacted] approached the gym. The second diagram includes several slides displaying a visual depiction of the timeline of events from the time (b)(6), (b)(7)(C) [redacted] approached the gym until he was captured,

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CONTROL:10AUG12-CRAF-0076-7HMA

10MAR14

Exhibit (2) pertains.

4. On 30Jan14, NCISRA Afghanistan Special Agents interviewed (b)(6), (b)(7)(C) in Lashkar Gah, District of Lashkar Gah, Helmand Province, AFG. On 10Aug12, when the attack occurred, [redacted] was the Afghan National Police (ANP) District at Forward Operating Base Delhi, Garm Ser District, Helmand Province, AFG. Currently [redacted] is an ANP in Lashkar Gah. [redacted] was interviewed for his knowledge of and association with [redacted] Investigative questions generated by the NCISHQ Criminal Investigations and Operations Directorate were used. [redacted] minimized his relationship with [redacted] and denied having prior knowledge of or involvement in the attack, Exhibit (3) pertains. Reference (R) is a classified report of the interview of [redacted]

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

5. On 06Feb14, NCISHQ forwarded to the NCIS Contingency Response Field Office (CRFO) a U.S. Navy Inspector General (NAVIG) inquiry, which had been initiated from The Office of U.S. Congressman Peter T. KING (R-NY), Representative of the Second District of New York and Chairman of the Committee on Homeland Security, Massapequa Park, Long Island, NY. The inquiry consisted of seven questions about [redacted] CRFO, via the NCISHQ Criminal Investigations and Operations Directorate, answered the NAVIG questions in a prompt and thorough manner.

6. On 17Feb14, NCISRA Afghanistan confirmed [redacted] was not one of the 65 prisoners released on 15Feb14 by the Afghan national government.

7. On 23-24Feb14, NCISRA Afghanistan Special Agents completed their fifth law enforcement liaison trip traveling from Camp Leatherneck to the ANDF, Bagram Airfield, Parwan Province, AFG. NCIS Afghanistan continues to conduct liaison and provide investigative support to the U.S. Advisory Team.

8. On 01Mar14, NCIS Special Agent [redacted] replaced Special Agent [redacted] as the primary field agent in Afghanistan.

9. As of 06Mar14, NCIS Case Agent continues to maintain contact with the U.S. Attorney's Office, Eastern District of New York, National Security and Cybercrime Section, Brooklyn, NY regarding investigative updates and coordination.

10. To date, a criminal trial for the prosecution of [redacted] has not been scheduled. Overall, [redacted] remains in Afghan (GIROA) custody at the Afghan National Detention Facility, Bagram Airfield, Bagram District, Parwan Province, Afghanistan.

PARTICIPANTS

- ECIAL AGENT , NCISRA Afghanistan
- ECIAL AGENT , Contingency Response Field Office, Glynco, GA
- AGENT , NCISRA Jacksonville, FL
- AGENT , NCISRA Afghanistan
- AGENT , NCISRA Afghanistan

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10MAR14

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

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

07JAN14

CONTROL: 10AUG12-CRAF-0076-7HMA

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

DOCUMENTATION OF CASE IN PRESENTATION SUMMARY

1. On 07Jan14, Reporting Agent updated an NCIS Case Presentation Summary prepared by Participating Agent (b)(6), (b)(7)(C) The NCIS Case Presentation provides a brief overview of this case and lists the Subject, Victims, Witnesses and other pertinent information. The NCIS Case Presentation Summary is appended hereto as Enclosure (A).

ENCLOSURE(S)

(A) NCIS Case Presentation Summary/07Jan14

REPORTED BY: (b)(6), (b)(7)(C) Special Agent
OFFICE: RESIDENT AGENCY AFGHANISTAN

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PAGE 1 LAST 2 LNN

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

EXHIBIT (64)

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NCIS CASE PRESENTATION SUMMARY

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

07 JAN 14

CCN: 10AUG12-CRAF-0076-7HMA

SUSPECTED VIOLATIONS:

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

is suspected of violating the following:

-Article 118 (Murder) of the Uniform Code of Military Justice (UCMJ); Title 18 U.S.C. Section 1114 (Murder), which criminalizes the murder of U.S. officers and Employees operating in their official capacity

-Title 18 U.S.C. Section 2332 (Murder), which criminalizes the murder of U.S. Nationals overseas

- Government of the Islamic Republic of Afghanistan (GIROA) Penal Code Article 395 (Murder), as related to the circumstances surrounding the "Green and Blue" shooting deaths of three U.S. Marines.

VICTIMS:

V/BUCKLEY, Gregory Thomas/LCpl USMC (Deceased)

V/DICKINSON, Scott Edward/SSgt USMC (Deceased)

V/RIVERA, Richard Anthony/Cn1 USMC (Deceased)

(b)(6), (b)(7)(C) (Seriously Injured)

EXECUTIVE SUMMARY:

1. At approximately 2030, 10Aug12, (b)(6), (b)(7)(C), an Afghan national, attacked U.S. Marines in an open-air makeshift gym inside an Afghan National Police (ANP) Compound at Forward Operating Base (FOB) Delhi, Garm Ser District, Helmand Province, Afghanistan (AFG).

(b)(6), (b)(7)(C) utilized an ANP AK-47 rifle as the instrument of his attack. V/DICKSON, V/RIVERA and V/BUCKLEY were fatally wounded and (b)(6), (b)(7)(C) sustained non-life threatening injuries. Immediately following the attack U.S. Marines detained (b)(6), (b)(7)(C) is currently in Afghan custody at the Afghan National Detention Facility in Parwan, AFG.

SUBJECT BIOGRAPHICAL INFORMATION:

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

SUSPECT INTERVIEW:

On 19AUG12, (b)(6), (b)(7)(C) was interviewed and stated he did not know why he was being detained. Throughout the interview (b)(6), (b)(7)(C) wavered between not remembering the incident to denying shooting the Marines. (Ex 30)

Exhibit (64) Enclosure (A)

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

CCN: 10AUG12-CRAF-0076-7HMA

WA

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

Cont ...

from

CCN: 10AUG12-CRAF-0076-7HMA

/CIV

CIV

NCIS CASE PRESENTATION SUMMARY

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

IV

07JAN14

CCN: 10AUG12-CRAF-0076-7HMA

On 24SEP12, The (b)(6), (b)(7)(C) toxicology report was received from Armed Forces Medical Examiner System (AFMES). As background, during the initial questioning (b)(6), (b)(7)(C) stated he had smoked hashish prior to shooting the Marines. The results of the screening of (b)(6), (b)(7)(C) blood and urine were negative for any drugs or alcohol. (Ex 33)

On 10SEP13, NCIS met with (b)(6), (b)(7)(C) at the Justice Center in Parwan, Task Force Vigilant, Camp Sabalu-Harrison, Bagram Airfield, Parwan Province, Afghanistan. The meeting was to photograph and check on (b)(6), (b)(7)(C) provided no new information. (Ex 60)

VICTIM INTERVIEW:

1. (b)(6), (b)(7)(C)
1st Battalion, 12 Marines, 3D MARDIV, Hawaii

Interviewed on 29AUG12, (b)(6), (b)(7)(C) was in the gym working out with V/DICKINSON on one bench while V/RIVERA and V/BUCKLEY worked out on another bench. As shots began to fired into the gym, (b)(6), (b)(7)(C) ran toward the tower and then to the right where the fence and wall meet in order to escape. (b)(6), (b)(7)(C) does not remember seeing the shooter. (b)(6), (b)(7)(C) was shot twice in the right shoulder, twice in left thigh, and once in the right elbow. (b)(6), (b)(7)(C) provides details of the layout of the gym in his statement and in a drawing. (Ex 31)

WITNESS INTERVIEWS:

A. The following individuals were present at the time of the shooting:

1. (b)(6), (b)(7)(C)
3 Battalion, 8 Marines Regiment Police Advisor Team

Interviewed on 10AUG12, (b)(6), (b)(7)(C) was in the gym working out at the time of the attack. (b)(6), (b)(7)(C) heard gunshots and saw a man at the entrance of the gym firing an AK-47 on full-automatic at the Marines in the gym. (b)(6), (b)(7)(C) escaped from the gym by squeezing through a gap between the fence and the wall near the tower. (b)(6), (b)(7)(C) ran to the DPHQ and notified other Marines about the attack. (b)(6), (b)(7)(C) positively identified (b)(6), (b)(7)(C) as the shooter. (b)(6), (b)(7)(C) also assisted with the walk through of the scene with NCIS. (Ex 2 & 5)

2. (b)(6), (b)(7)(C)
3 Battalion, 8 Marines Regiment Police Advisor Team

Interviewed on 11AUG12, (b)(6), (b)(7)(C) was in the gym working out when the shooting occurred. (b)(6), (b)(7)(C) heard gunshots and saw sparks flying all around his feet. (b)(6), (b)(7)(C) fled the gym behind (b)(6), (b)(7)(C) and made his way to the DPHQ. (b)(6), (b)(7)(C) also assisted NCIS during a walkthrough of the scene detailing the positions of the Marines when the shooting started. (Ex 3, 5, & 62)

3. (b)(6), (b)(7)(C)
3 Battalion, 8 Marines Regiment Police Advisor Team

Interviewed on 11AUG12, (b)(6), (b)(7)(C) was working out in the gym and saw an Afghan man in a tan and white man dress enter the gym and began shooting at Marines. (b)(6), (b)(7)(C) saw him shoot V/DICKINSON and (b)(6), (b)(7)(C) positively identified (b)(6), (b)(7)(C) as the shooter. (b)(6), (b)(7)(C) escaped from the gym then returned to render aid to (b)(6), (b)(7)(C) and V/RIVERA. (b)(6), (b)(7)(C) also assisted NCIS during a walkthrough of the scene detailing the positions of the Marines when the shooting started. (Ex 4 & 5)

4. (b)(6), (b)(7)(C)
ANP Soldier, Intelligence Officer

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NCIS CASE PRESENTATION SUMMARY

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

07JAN14

CCN: 10AUG12-CRAF-0076-7HMA

FOB Delhi, Garm Ser District, Helmand Province, AFG

Interviewed on 10AUG12, (b)(6), (b)(7)(C) was present in the guard tower located at the end of the gym at the time of the shooting. (b)(6), (b)(7)(C) can testify to hearing shots fired and Marines screaming. Then (b)(6), (b)(7)(C) entered the tower with an AK-47 and said, "I just killed Marines." (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) jumped on (b)(6), (b)(7)(C) and took his rifle and held him until Marines arrived. (Ex 34 & 45)

5. (b)(6), (b)(7)(C) ANP
FOB Delhi, Garm Ser District, Helmand Province, AFG

Interviewed on 10AUG12, and 09OCT13, (b)(6), (b)(7)(C) was present in the guard tower located at the end of the gym at the time of the shooting. Stated he knew (b)(6), (b)(7)(C) from working his checkpoint with ANP. (b)(6), (b)(7)(C) positively identified (b)(6), (b)(7)(C) via a photo line-up. (b)(6), (b)(7)(C) stated he heard the gunshots and he and the three other Afghans in the tower with him laid down on the floor for safety. Then (b)(6), (b)(7)(C) entered the tower and said, "Do you want to help me kill Americans?" (b)(6), (b)(7)(C) said he grabbed (b)(6), (b)(7)(C) weapon and detained him until the Marines arrived. (b)(6), (b)(7)(C) said (b)(6), (b)(7)(C) threatened to kill them because they did not help him. (Ex 35, 44 & 61)

6. (b)(6), (b)(7)(C) Civ. Afghan Local Police
(b)(6), (b)(7)(C)

Interviewed on 10AUG12, (b)(6), (b)(7)(C) was present in the guard tower located at the end of the gym at the time of the shooting. (b)(6), (b)(7)(C) can testify to hearing shots fired and Marines screaming. Then (b)(6), (b)(7)(C) entered the tower with an AK-47. (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) jumped on (b)(6), (b)(7)(C) and took his rifle and held him until Marines arrived. (Ex 36 & 43)

7. (b)(6), (b)(7)(C) ANP
FOB Delhi, Garm Ser District, Helmand Province, AFG

Interviewed on 10AUG12 & 06NOV13, (b)(6), (b)(7)(C) was present in the guard tower located at the end of the gym at the time of the shooting. (b)(6), (b)(7)(C) can testify to hearing shots fired and a man, he later identified as (b)(6), (b)(7)(C) entered the tower with an AK-47 and said, "I killed a Marine, Help me escape." (b)(6), (b)(7)(C) attempted to capture (b)(6), (b)(7)(C) in the tower, but he escaped through the window. (Ex 37 & 63)

8. (b)(6), (b)(7)(C)
3 Battalion, 8 Marines Weapons Command 81's

Interviewed on 10AUG12 and 01AUG13, (b)(6), (b)(7)(C) was on watch at the Entry Control Point with (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) heard multiple gunshots coming from the direction of the open air gym. Prior to the shooting, (b)(6), (b)(7)(C) recalled seeing (b)(6), (b)(7)(C) enter the base and interacted with the ANP guards then walk toward the gym. (b)(6), (b)(7)(C) provided a drawing of the scene. (Ex 9 & 57)

9. (b)(6), (b)(7)(C)
3 Battalion, 8 Marines Weapons Command 81's

Interviewed on 10AUG12 and 01AUG13, (b)(6), (b)(7)(C) had just completed a roving patrol of the around the inner walls of the ANP when he heard gunshots coming from the direction of the open air gym. (b)(6), (b)(7)(C) continued to maintain his responsibilities at the entry point. (b)(6), (b)(7)(C) provided a drawing of the scene. (Ex 10 & 58)

B. Additional Interviews:

1. (b)(6), (b)(7)(C)
3 Battalion, 8 Marines Kilo Company 1st PLT, Tactical Site Exploitation (TSE) Team

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NCIS CASE PRESENTATION SUMMARY

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

07JAN14

CCN: 10AUG12-CRAF-0076-7HMA

Provided a statement on 11AUG12. Prior to the arrival of NCIS, (b)(6), (b)(7)(C) conducted a search of the crime scene, photographed the scene and collected evidence; to include shell casings and a bullet fragment. Evidence items were turned over to (b)(6), (b)(7)(C) also prepared a rough sketch of the scene. (b)(6), (b)(7)(C) gave a CD containing scene photographs to NCIS. (Ex 6 & 8)

2. (b)(6), (b)(7)(C)
3 Battalion, 8 Marines Kilo Company 1st PLT, TSE Team

Provided a statement on 11AUG12, (b)(6), (b)(7)(C) along with (b)(6), (b)(7)(C) he conducted a search of the crime scene, photographed the scene and collected evidence; to include shell casings and a bullet fragment. Evidence items were turned over to (b)(6), (b)(7)(C) also prepared a rough sketch of the scene. (Ex 7)

3. (b)(6), (b)(7)(C)
3 Battalion, 8 Marines Kilo Company

Provided a statement on 11AUG12, (b)(6), (b)(7)(C) provided medical aid to Victims subsequent to the shooting. At the time of the incident (b)(6), (b)(7)(C) was in the Battalion Aid Station. (Ex 11)

4. (b)(6), (b)(7)(C)
3 Battalion, 8 Marines Kilo Company CLIC

Provided a statement on 11AUG12, (b)(6), (b)(7)(C) was at his living quarters and said he heard four or five bursts of gunfire at approximately 2030 on 10AUG12. After the attack, (b)(6), (b)(7)(C) assisted with the in-processing documents and guarded (b)(6), (b)(7)(C) until the following morning. (Ex 12)

5. (b)(6), (b)(7)(C)
3 Battalion, 8 Marines Kilo Company

Provided a statement on 11AUG12. At the time of the attack (b)(6), (b)(7)(C) was posted on a camera watch and reported the incident and updates to the watch officer. (Ex 13)

6. (b)(6), (b)(7)(C)
3 Battalion, 8 Marines Kilo Company 1st PLT

Provided a statement on 11AUG12, (b)(6), (b)(7)(C) had left the gym prior to the shooting. While walking toward his quarters (b)(6), (b)(7)(C) heard shots fired. (b)(6), (b)(7)(C) ran to his room and retrieved his weapon and gathered other Marines. (Ex 14)

CRIME SCENE:

1. Results of Death Scene Examination

On 14Aug12, NCIS conducted a Crime Scene Examination. A search of the scene was conducted, as well as a sketch prepared and photographs taken to document the scene. Items of evidentiary value were collected and are documented below. (Ex 1)

2. Review of LEP ROI Detailing Response to Scene:

On 10AUG12, Law Enforcement Professional, (b)(6), (b)(7)(C), Civ, responded to the crime scene along with the Marines assigned to the Quick Reaction Force (QRF). Subsequent to apprehension (b)(6), (b)(7)(C) told Marines he had been smoking Hashish earlier that day and he did not mean to kill the Marines. A Gunshot Residue (GSR) test was collected from (b)(6), (b)(7)(C) and resulted in positive findings. (Ex 42)

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NCIS CASE PRESENTATION SUMMARY

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

07 JAN 14

CCN: 10AUG12-CRAF-0076-7HMA

EVIDENCE:

NCISRA Afghanistan Log Number 103-12:

- A. (b)(6), (b)(7)(C) clothing, knife, sheath, cigarettes, Afghan and Pakistan currency, matches, and 2 Keys
- B. (b)(6), (b)(7)(C) J-Mobile phone
- C. AK-47, SN:432657, # 10 labeled on butt stock, one magazine with 7.62 rounds
- D. From gym floor: one 5.56mm round, one suspected 7.62 mm fragmented round, and 16 7.62mm spent shell casings
- E. Two swabs

NCISRA Afghanistan Log Number 104-12:

A-S. There were a total of 32 swabs taken at the crime scene; 20 swabs were taken from sites of suspected blood stains and 12 swabs were taken from suspected bullet impact sites. 3 bullet fragments were collected.

RESULTS OF AUTOPSIES:

1. Results of Autopsy for V/DICKINSON:
On 28AUG12, (b)(6), (b)(7)(C) USN, Deputy Medical Examiner conducted an Autopsy and concluded the cause of death was a result of multiple (2) gunshot wounds he sustained during hostile fire. V/DICKINSON sustained wounds to his heart, lungs, liver, spleen, stomach, and left kidney. Manner of death is homicide. (EX 39 &49)
2. Results of Attendance of Autopsy of V/RIVERA:
On 24AUG12, (b)(6), (b)(7)(C) USAF, MC, Chief Deputy Medical Examiner, conducted an Autopsy and concluded the cause of death was a result of a gunshot wound to the neck. Manner of death is homicide. (Ex 40 &50)
3. Results of Attendance at Autopsy of V/BUCKLEY:
On 17OCT12, (b)(6), (b)(7)(C) MC, USN, Chief Deputy Medical Examiner conducted an Autopsy and concluded the cause of death was a result of multiple (5) gunshot wounds he sustained during hostile fire. V/BUCKLEY sustained non-survivable wounds to his heart, lungs and liver. Manner of death is homicide. (Ex 38 & 51)

OTHER INVESTIGATIVE COVERAGE:

Additional interviews conducted not resulting in pertinent information:

- 1. (b)(6), (b)(7)(C) MC (Ex 15)
- 2. ... MC (Ex 16)
- 3. USMC (Ex 17 & 59)
- 4. SN (Ex 18)
- 5. SMC (Ex 19)
- 6. SMC (Ex 20)
- 7. JSMC (Ex 21)
- 8. MC (Ex 22)
- 9. C (Ex 23)
- 10. v (Ex 41)

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NCIS CASE PRESENTATION SUMMARY

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

07 JAN 14

CCN: 10AUG12-CRAF-0076-7HMA

CASE AGENT:

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

PARTICIPANTS:

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

CISRA Afghanistan, Camp Leatherneck, AFG
Special Agent, NCIS, CRFO, Glynco, GA
ent, NCISRA Afghanistan, Camp Dwyer, AFG
ICIS, CRFO, Glynco, GA
NCIS Forensic Consultant
ecial Agent, NCISRA Camp Pendleton, CA
NCISRA Earle, NJ
CISRA Afghanistan
Special Agent, NCIS, CRFO, Glynco, GA
t, NCIS Forensic Consultant
Agent, NCISRA Afghanistan
t, NCIS Forensic Consultant
Agent, NCISRA Afghanistan
, NCISRA Afghanistan
ent, NCISRA Afghanistan
Agent, NCISFO Southeast, Jacksonville, FL
NCISRA Afghanistan, Camp Dwyer, AFG

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

07JAN14

CONTROL: 10AUG12-CRAF-0076-7HMA

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

DIGITAL DIAGRAMS OF CRIME SCENE

1. On 07Jan14, Reporting Agent received a copy of two digital diagrams of the crime scene prepared by Participating Agent (b)(6), (b)(7)(C). One diagram includes a timeline of events and a layout of the gym with location of (b)(6), (b)(7)(C) and victims as (b)(6), (b)(7)(C) approached the gym, Enclosure (A) pertains. The second diagram includes several slides displaying a visual depiction of the timeline of events from the time (b)(6), (b)(7)(C) approached the gym until he was captured, Enclosure (B) pertains.

ENCLOSURE(S)

- (A) Digital Diagram Displaying Timeline of Events/07Jan14
- (B) Digital Diagram Displaying Visual Depiction of Complete Event/07Jan14

REPORTED BY: (b)(6), (b)(7)(C) Special Agent
OFFICE: RESIDENT AGENCY AFGHANISTAN

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

EXHIBIT (65)

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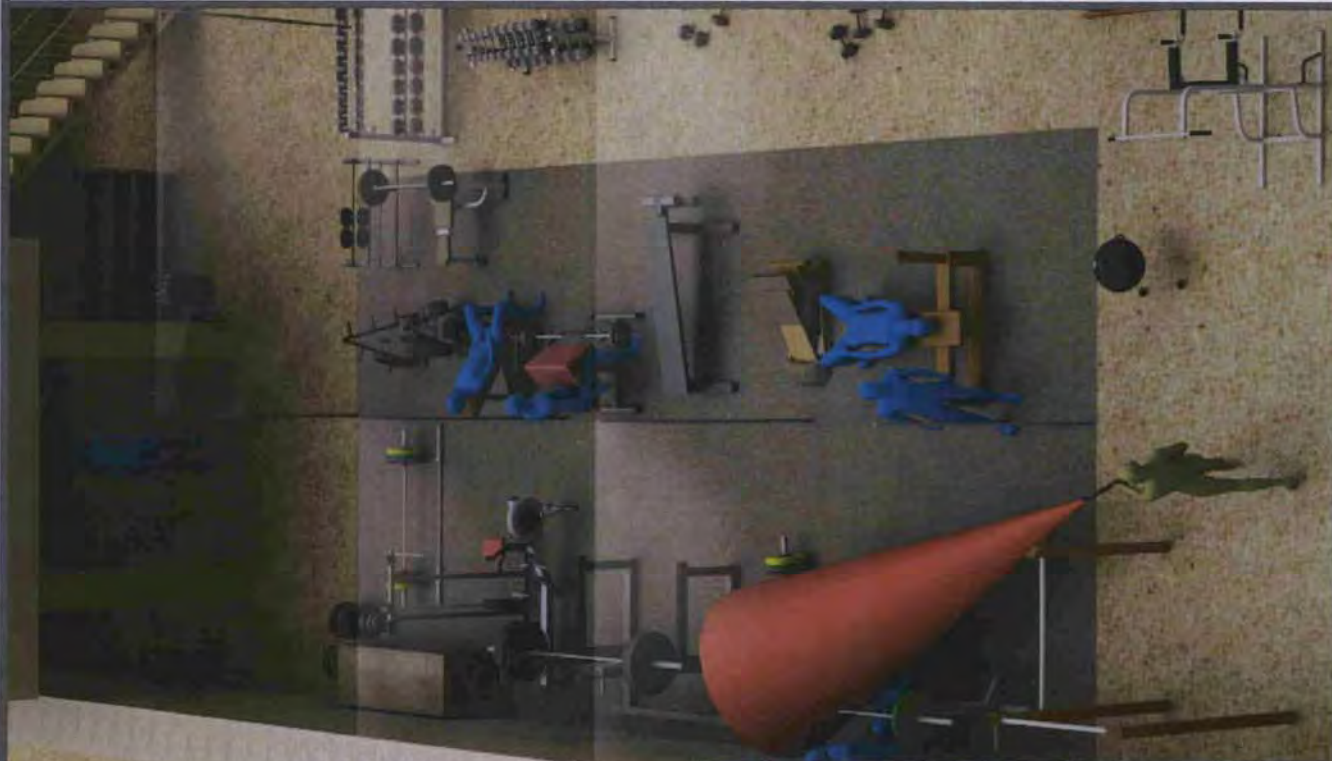


Exhibit 65 Enclosure A

CCN: 10AUG12-CRAF-0076-7HMA

CCN: 10AUG12-CRAF-0076-7HMA

Timeline of Events:

**All times are approximations*

- 2020:** A lone shooter walks up to seven (7) U.S. Marines working out in an outdoor gym next to the district Police Headquarters Building and opens fire with an AK-47 assault rifle.
- 2022:** Marines from DPHQ respond and begin clearing the DPHQ and outdoor areas.
- 2023:** Shooter moves into the NE watchtower, asks 4 AUP members to join in his jihad, and is disarmed by them.
- 2025:** Two Marines assault the watchtower and detain the shooter after he attempts to escape by jumping out a window.
- 2032:** Kilo Company Marines reach DPHQ compound and begin evacuating casualties and securing the area, detaining AUP personnel for questioning.
- 2050:** Patrol exits DPHQ compound, disarms and detains AUP for questioning.

The blue figures represent the approximate location and activity of the USMC inside or immediately adjacent to the exercise tent at the time [redacted] entered the exercise tent at the time the shooting commenced. This is based on the statements provided by

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

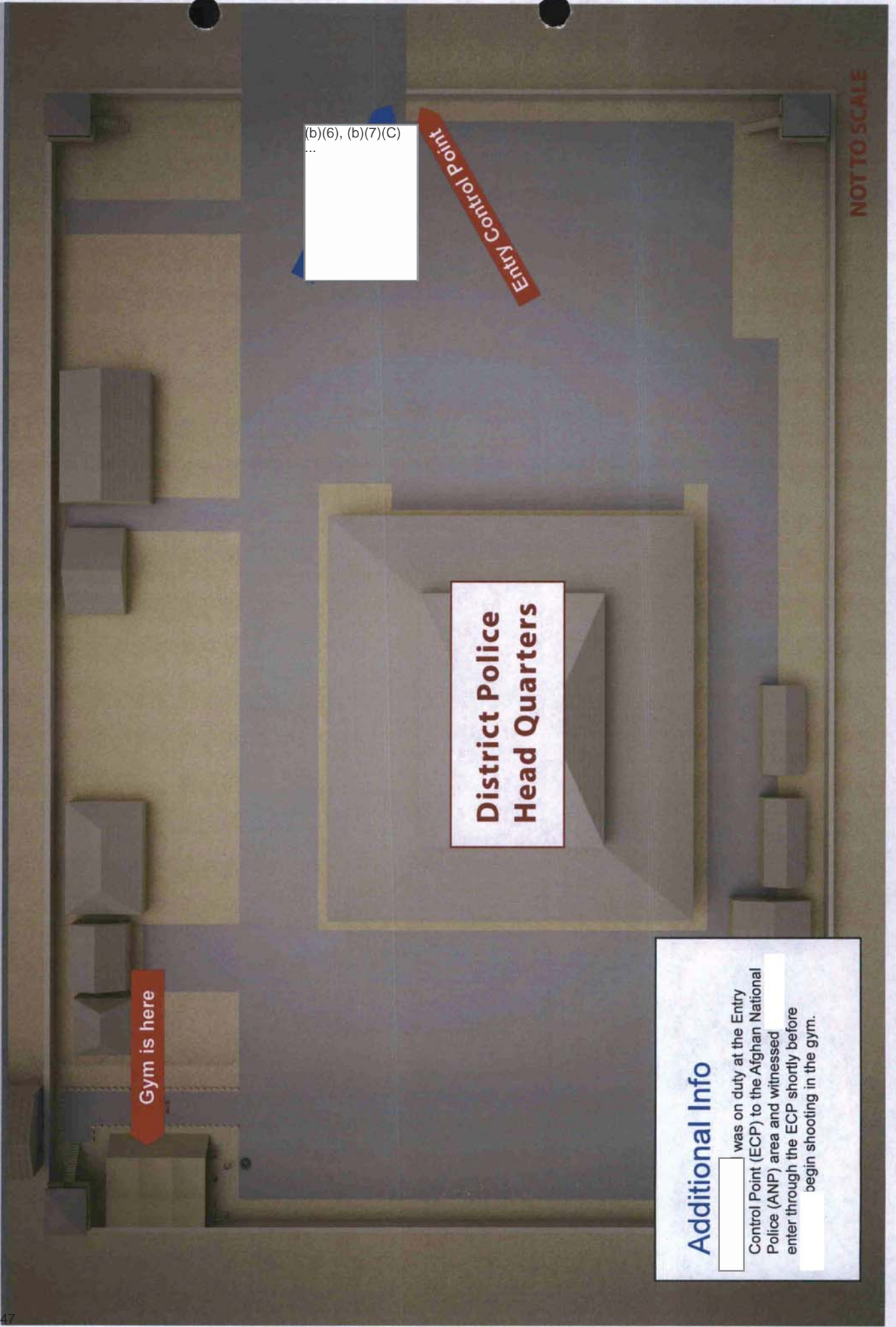
Page 46 redacted for the following reason:

Page (46): Photograph containing geodetic information exempt under (b)(3) - in conjunctino with 10 U. S. C. 455

...

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

CCN# 10AUG12-CRAF-0076-7HMA



Gym is here

District Police
Head Quarters

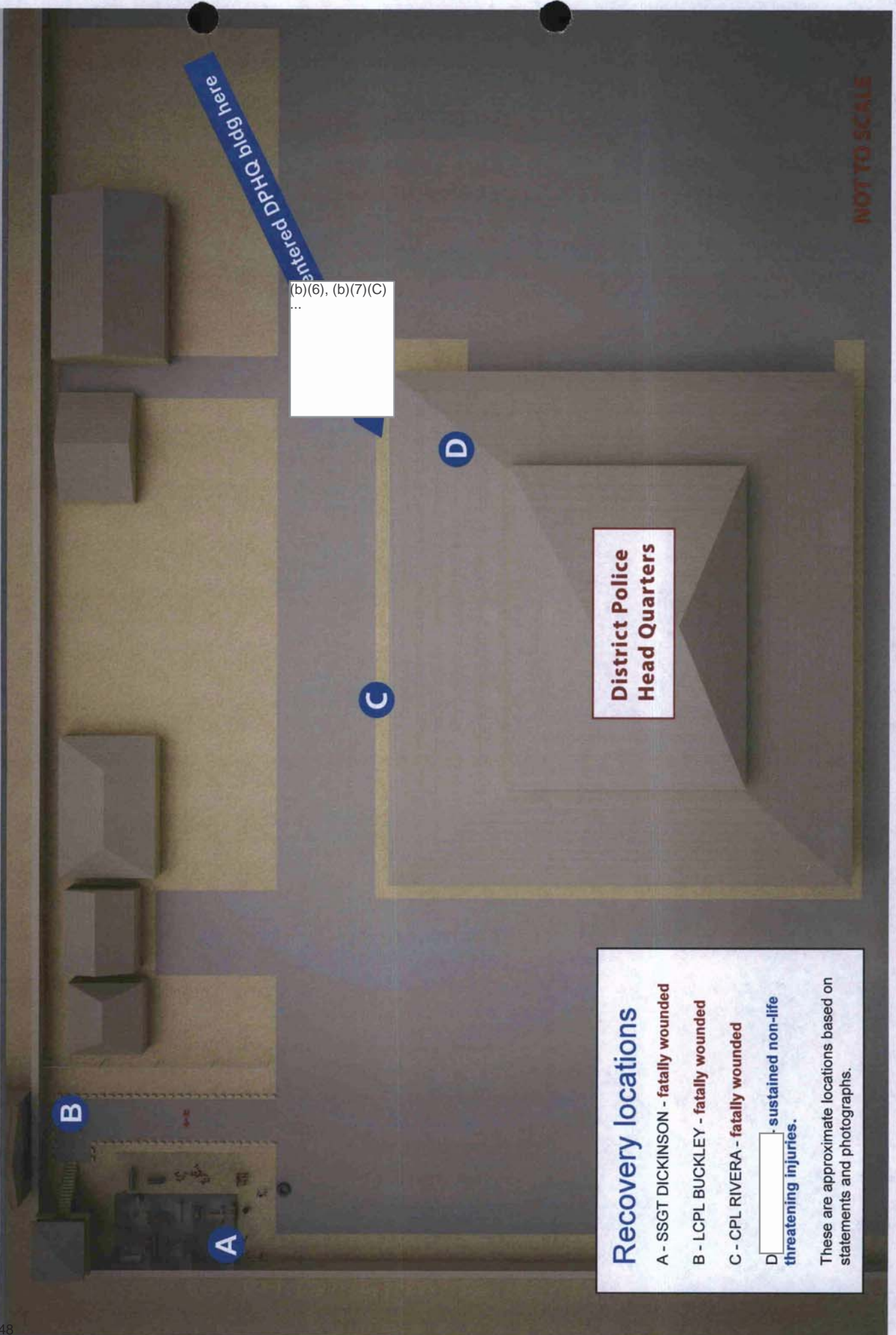
Entry Control Point

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

Additional Info

[redacted] was on duty at the Entry Control Point (ECP) to the Afghan National Police (ANP) area and witnessed enter through the ECP shortly before begin shooting in the gym.

NOT TO SCALE



Entered DPHQ bldg here

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

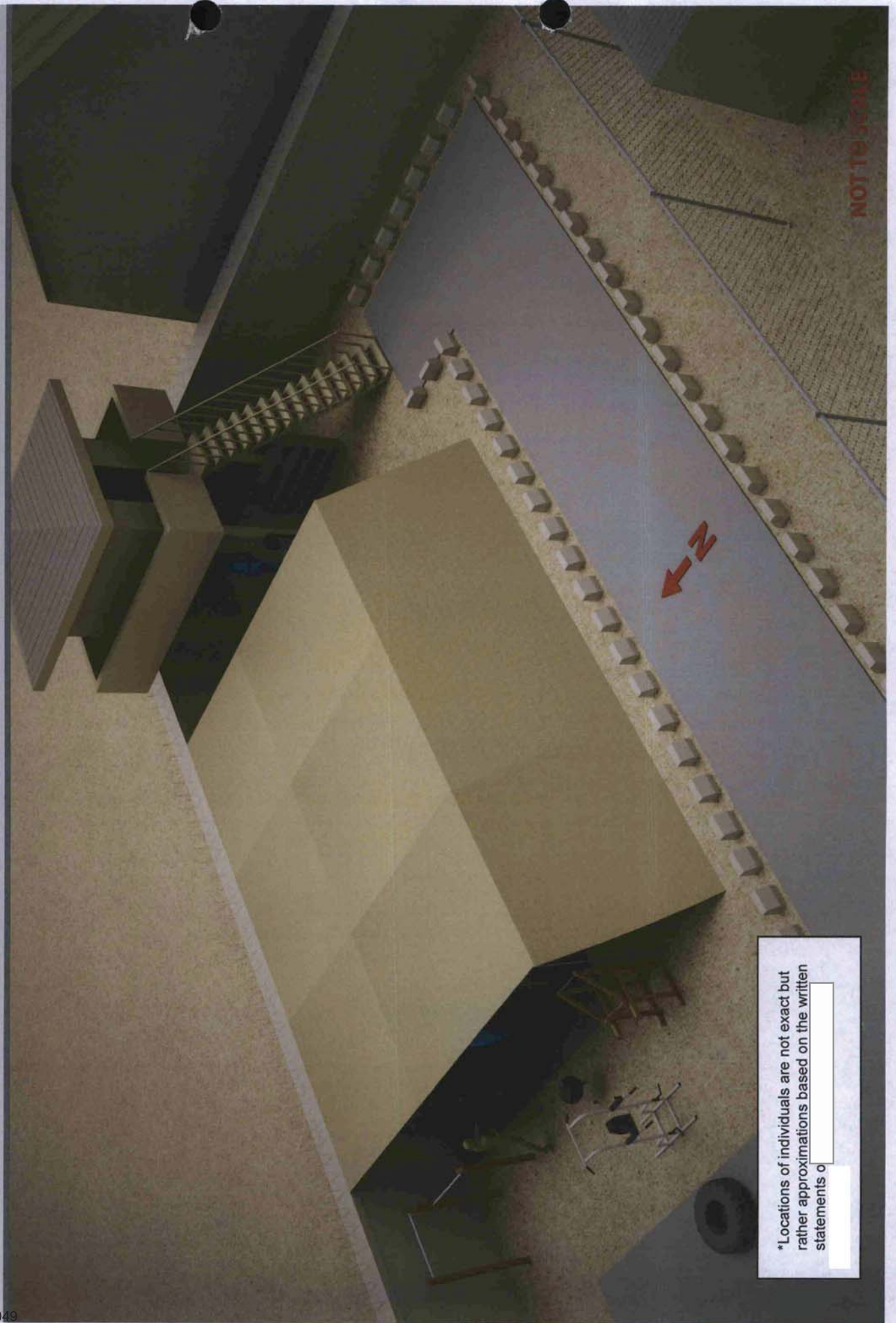
Recovery locations

- A - SSGT DICKINSON - fatally wounded
- B - LCPL BUCKLEY - fatally wounded
- C - CPL RIVERA - fatally wounded
- D - [redacted] - sustained non-life threatening injuries.

These are approximate locations based on statements and photographs.

NOT TO SCALE

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

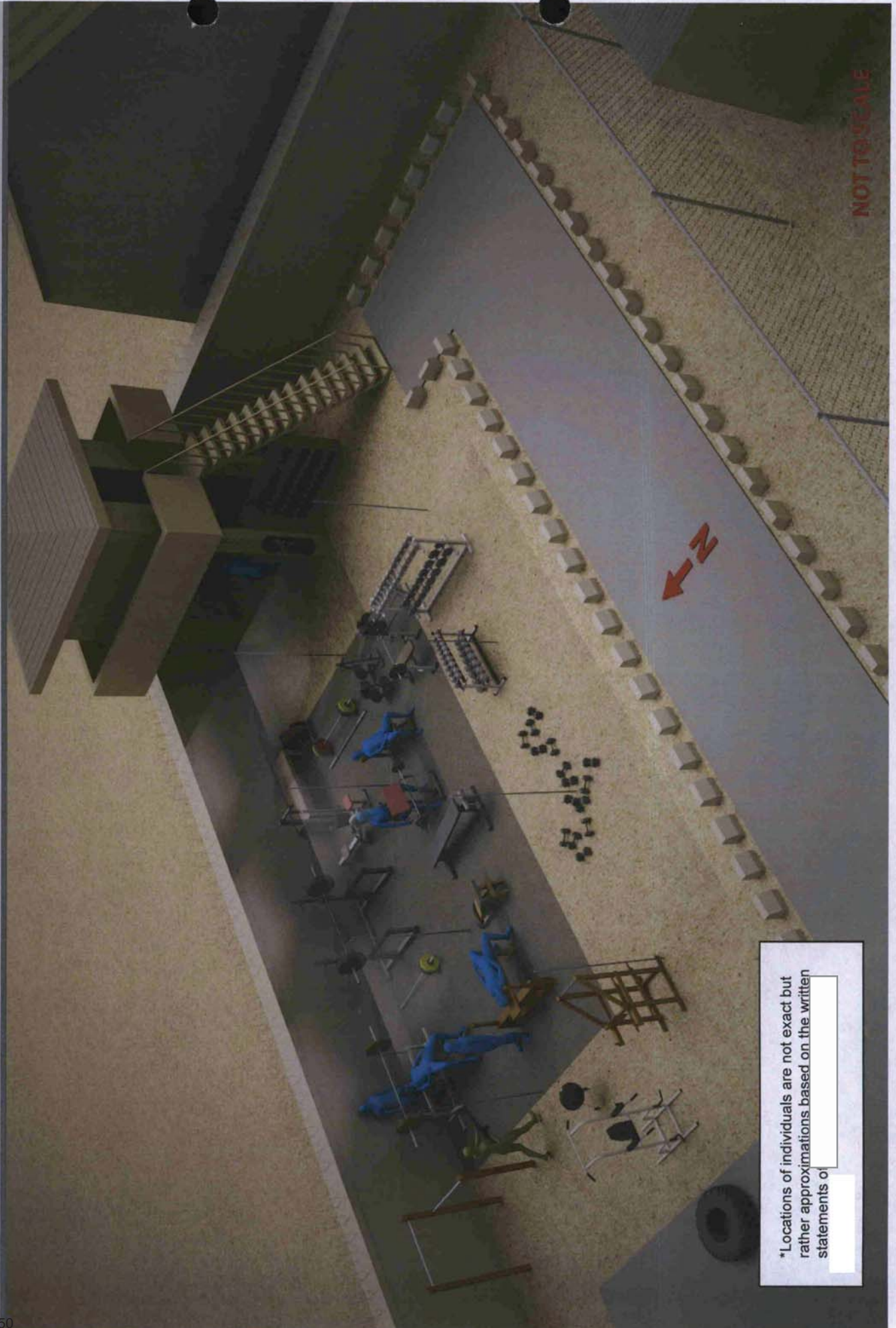


NOT TO SCALE

*Locations of individuals are not exact but rather approximations based on the written statements of [redacted]

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

CCN# 10AUG12-CRAF-0076-7HMA



NOT TO SCALE

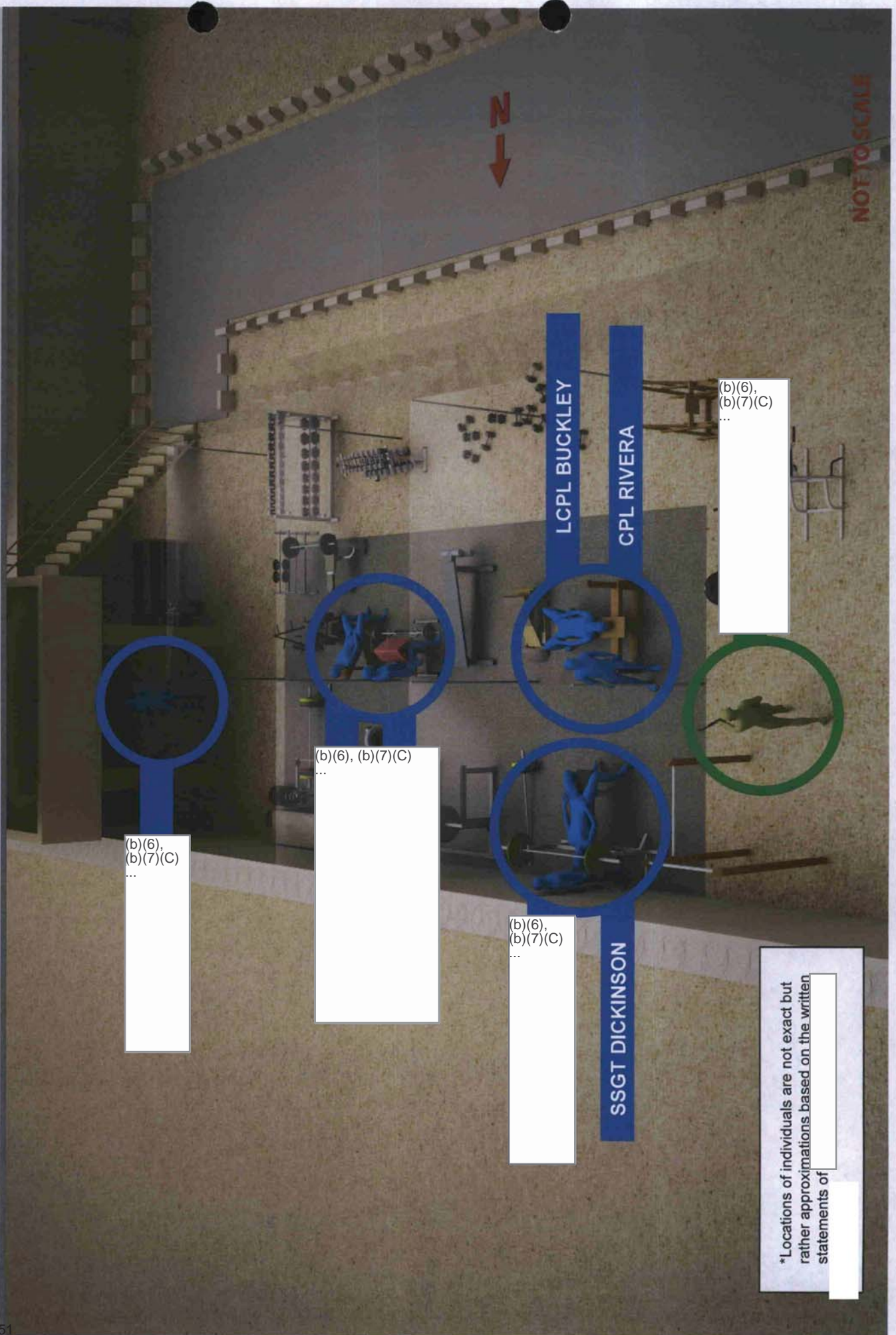
*Locations of individuals are not exact but rather approximations based on the written statements of [redacted]

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



CCN# 10AUG12-CRAF-0076-7HMA

000051



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

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

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

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

*Locations of individuals are not exact but rather approximations based on the written statements of [redacted]

NOT TO SCALE

LCPL BUCKLEY

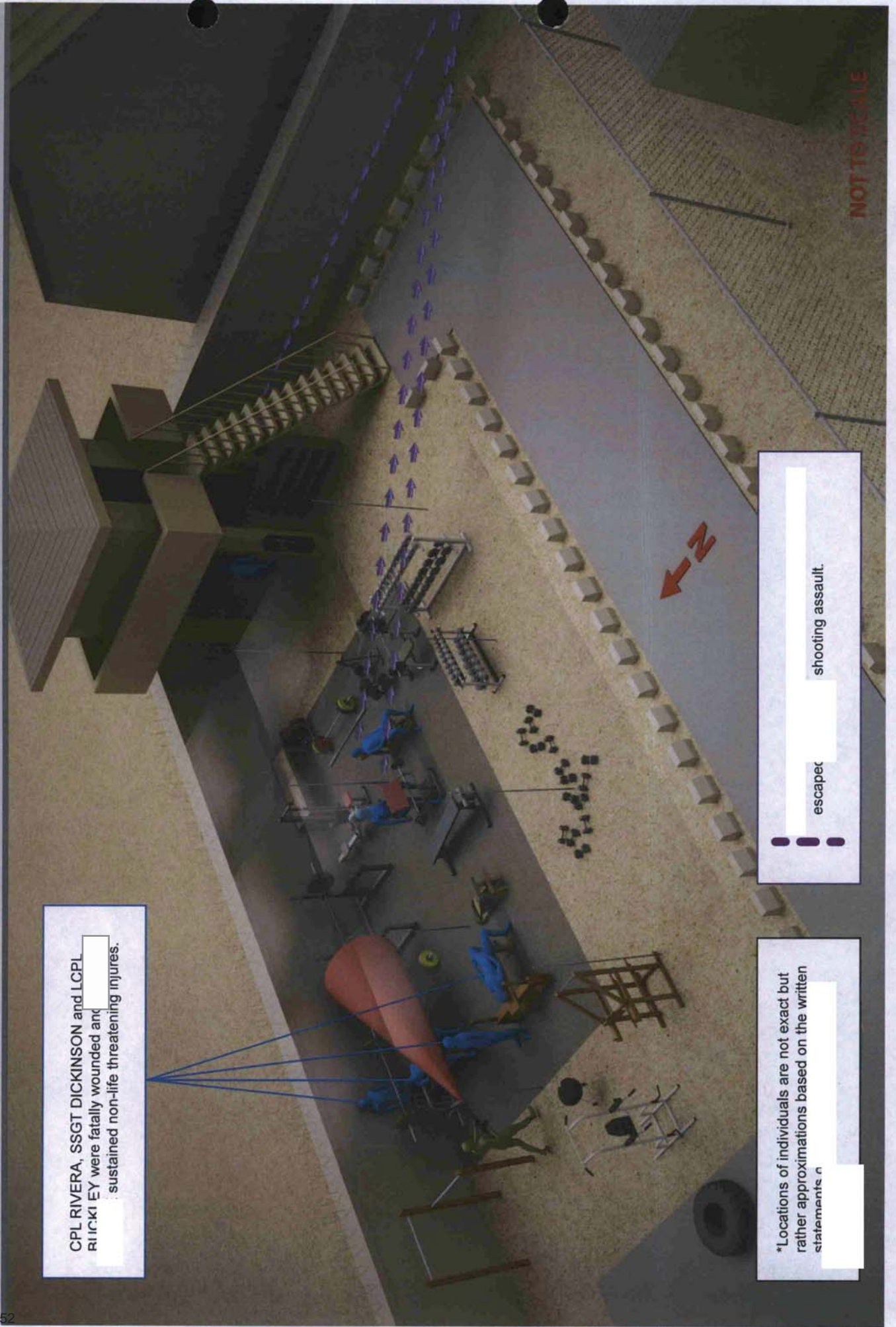
CPL RIVERA

SSGT DICKINSON

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

CCN# 10AUG12-CRAF-0076-7HMA

CPL RIVERA, SSGT DICKINSON and LCPL RUCKI EY were fatally wounded and [redacted] sustained non-life threatening injuries.



*Locations of individuals are not exact but rather approximations based on the written statements of [redacted]

[redacted] escaped [redacted] shooting assault.

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

CCN# 10AUG12-CRAF-0076-7HMA

CPL RIVERA, SSGT DICKINSON and LCPL
BUCKLEY were fatally wounded and
[redacted] sustained non-life threatening injuries.

*Locations of individuals are not exact but
rather approximations based on the written
statements of [redacted]

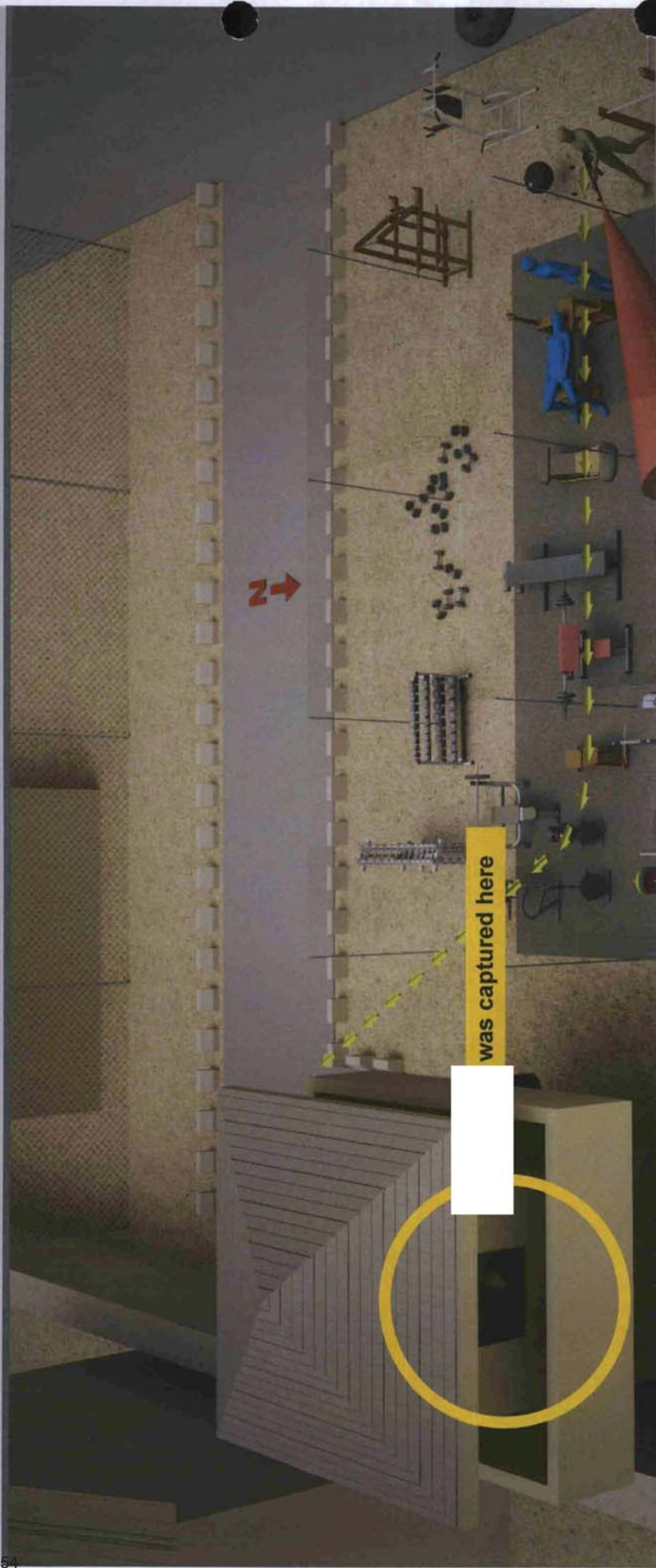
[redacted]
route during shooting

NOT TO SCALE

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

CCN# 10AUG12-CRAF-0076-7HMA

000054



*Locations of individuals are not exact but rather approximations based on the written statements of [redacted]

[redacted] route during shooting

NOT TO SCALE

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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31JAN14

CONTROL: 10AUG12-CRAF-0076-7HMA

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

RESULTS OF INTERVIEW OF (b)(6), (b)(7)(C) A.K.A.
(b)(6), (b)(7)(C) AFGHAN NATIONAL POLICE

1. On 30Jan14, Reporting Agent (RA) and Participating Agent (PA) (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) (also known as (b)(6), (b)(7)(C) and referred to as (b)(6), (b)(7)(C) in this report), Afghan National Police (ANP) at Main Operating Base Lahskar Gah, Afghanistan. The interview was conducted to determine what knowledge had regarding (b)(6), (b)(7)(C) attack against U.S. Marines at Forward Operating Base Delhi (FOB) on 10Aug12. (b)(6), (b)(7)(C), a Category II Linguist assigned with Mission Essential Personnel, translated the questions and answers between RA, PA and (b)(6), (b)(7)(C) spoke to each other in Pashto.

2. (b)(6), (b)(7)(C) reported he is (b)(6), (b)(7)(C) years old and was born in (b)(6), (b)(7)(C) father's name is (b)(6), (b)(7)(C) and he is from the (b)(6), (b)(7)(C) tribe. (b)(6), (b)(7)(C) is currently a (b)(6), (b)(7)(C) with ANP in Lashkar Gah, Afghanistan. (b)(6), (b)(7)(C) cell phone number is (b)(6), (b)(7)(C)

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

3. (b)(6), (b)(7)(C) stated that prior to his assignment at FOB Delhi, he was a (b)(6), (b)(7)(C) for 3rd Battalion and commanded several areas in Helmand Province and was also unemployed for three months. (b)(6), (b)(7)(C) reported he was told to go to (b)(6), (b)(7)(C) Garmser, Afghanistan by (b)(6), (b)(7)(C) ANP, Helmand Province. (b)(6), (b)(7)(C) stated he was at FOB Delhi for 16 days and later said 12 days. After the incident at FOB Dehli, (b)(6), (b)(7)(C) was unemployed for approximately one year. (b)(6), (b)(7)(C) initially stated he is currently (b)(6), (b)(7)(C) in ANP including 40 ANP officers in Nawzad and 60 ANP officers in Lashkar Gah, Afghanistan. According to the linguist, (b)(6), (b)(7)(C) had difficulties in creating a timeline of events in logical order.

4. (b)(6), (b)(7)(C) reported that (b)(6), (b)(7)(C) was not with the police and then later stated (b)(6), (b)(7)(C) worked for Afghan Uniform Police (AUP), also known as the "Milli Police", but wanted to work for the ANP. (b)(6), (b)(7)(C) stated he never worked with (b)(6), (b)(7)(C) or interacted with him at FOB Delhi. (b)(6), (b)(7)(C) stated he told (b)(6), (b)(7)(C) he needed to go to Lashkar Gah to get law enforcement training if he wanted to work with (b)(6), (b)(7)(C) in ANP. (b)(6), (b)(7)(C) informed RA and PA that (b)(6), (b)(7)(C) went to Lashkar Gah for two days and then went to FOB Delhi. (b)(6), (b)(7)(C) claimed to have no knowledge of how (b)(6), (b)(7)(C) had access to FOB Delhi, but explained it is common for local police and citizens to get access to Afghan bases. (b)(6), (b)(7)(C) explained he was not at FOB Delhi when (b)(6), (b)(7)(C) committed the crime, but if he were there, he would not have let (b)(6), (b)(7)(C) onto the base. (b)(6), (b)(7)(C) stated he went to Lashkar Gah for

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supplies for Ramadan.

5. [] stated [] did not appear to have any problems with the U.S. Marines, ANP or Afghans at FOB Delhi. [] explained that [] worked out with the U.S. Marines and spoke a small amount of English. [] stated he did not have any knowledge of [] being harassed by ANP, Afghans or U.S. Marines at FOB Delhi. [] stated [] slept at FOB Delhi but did not give an exact location.

6. [] informed RA and PA that on the day of the incident, which was during Ramadan, [] obtained the weapon from an ANP officer, who had left his weapon unattended in his room while he went to wash prior to praying. [] was punished for leaving his weapon unattended in his room. [] was served time in prison for three months. After [] release, he was on restriction for one year, was not eligible for a promotion for one year, and cannot leave Afghanistan.

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

7. On the date of the shooting, [] was in Lashkar Gah eating dinner at [] home. [] explained that on the day of the incident, he traveled from FOB Delhi to Lashkar Gah using the rural roads. [] stated on this same date, [] traveled from Lashkar Gah to FOB Delhi using the village roads. During dinner, [] called [] on his cell phone and told him about the shooting. [] informed agents that the cell phone he was contacted on is his current cell phone with cell number []. [] is an ANP officer. [] stated he called his Commandant and asked what was going on at FOB Delhi. [] reported he took several police officers and traveled in two vehicles to FOB Delhi which took approximately three hours. Upon arrival to FOB Delhi, at approximately midnight, the Marines had taken all ANP weapons and [] was no longer there.

8. [] stated if [] was put into his hands, he would kill him. [] reported that [] destroyed his life. [] explained that prior to [] killing the U.S. Marines, he was a Commander for many bases and areas and then he lost everything due to the shootings. [] stated if we gave [] to him, he would destroy his life.

9. [] reported [] family consists of his mother, father, step-father and five brothers. [] family lives in Lashkar Gah. [] stated he believes [] was 18 years old when he shot the U.S. Marines because police officers have to be at least 18 years old.

10. Toward the end of the interview, [] informed RA and PA that he did spend two days with [] at FOB Delhi. [] stated [] did not have any official or unofficial duties during this time and mostly sat around speaking to other officers about their duties and experiences at the police academy.

11. [] stated some people from "Canada" went to his house and asked him the same questions that PA and RA asked. [] did not know the identities of these individuals.

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31JAN14

ENCLOSURE(S)

(A) Photo of (b)(6), (b)(7)(C) [redacted]
[redacted] Afghan National Police/30Jan14

REPORTED BY: (b)(6), (b)(7)(C) [redacted] Special Agent
OFFICE: RESIDENT AGENCY AFGHANISTAN

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

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Page 58 redacted for the following reason:

(b)(6), (b)(7)(C): Page (58), Enclosure (a): Photograph
...

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

06JAN14

DEATH (II)

CONTROL: 10AUG12-CRAF-0076-7HMA

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

...

V/DICKINSON, SCOTT EDWARD/UNK
M/W/ZZZZ/S/(b)(6), (b)(7)(C) 25FEB83/CALIFORNIA
SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV
V/RIVERA, RICHARD ANTHONY/UNK
M/W/ZZZZ/S/(b)(6), (b)(7)(C) 26JUL92
SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV
V/BUCKLEY, GREGORY THOMAS/UNK
M/W/ZZZZ/N/(b)(6), (b)(7)(C) 17JUL91/NEW YORK
SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV

COMMAND/1ST MARINE DIVISION/11000

MADE AT/CRFO/CONTINGENCY RESPONSE FIELD OFFICE/(b)(6), (b)(7)(C)
SPECIAL AGENT

REFERENCE(S)

- (A) NCISRA Afghanistan ROI (INTERIM)/07Sep12 (Contains Exhibits 1-31)
- (B) NCISRA Afghanistan ROI (INTERIM)/07Nov12 (Contains Exhibits 32-33)
- (C) NCISRA Afghanistan ROI (INTERIM)/26Nov12 (Contains Exhibits 34-39)
- (D) NCISRA Afghanistan ROI (INTERIM)/26Dec12 (Contains Exhibit 40)
- (E) NCISRA Afghanistan ROI (INTERIM)/03Feb13
- (F) NCISRA Afghanistan ROI (INTERIM)/26Feb13
- (G) NCISRA Afghanistan ROI (INTERIM)/18Mar13 (Contains Exhibits 41-48)
- (H) NCISRA Afghanistan ROI (INTERIM)/05Apr13 (Contains Exhibits 49-53)
- (I) NCIS CRFO ROI (INTERIM)/17Apr13
- (J) NCIS CRFO ROI (INTERIM)/17May13 (Contains Exhibits 54-56)
- (K) NCIS CRFO ROI (INTERIM)/04Jun13
- (L) NCIS CRFO ROI (INTERIM)/02Jul13
- (M) NCIS CRFO ROI (INTERIM)/01Aug13
- (N) NCIS CRFO ROI (INTERIM)/03Sep13
- (O) NCIS CRFO ROI (INTERIM)/02Oct13
- (P) NCIS CRFO ROI (INTERIM)/02Dec13... (Contains Exhibits 57-62)

EXHIBIT(S)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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06JAN14

(63) IA: RESULTS OF INTERVIEW OF (b)(6), (b)(7)(C)

EXECUTIVE SUMMARY

1. On 10Aug12 at approximately 2030, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) an Afghan National, attacked U.S. Marines in an open-air makeshift gym inside an Afghan National Police (ANP) Compound at Forward Operating Base (FOB) Delhi, Garm Ser District, Helmand Province, Afghanistan (AFG). (b)(6), (b)(7)(C) utilized an ANP AK-47 rifle as the instrument of his attack. V/DICKINSON, V/RIVERA and V/BUCKLEY were fatally wounded and (b)(6), (b)(7)(C) sustained non-life threatening injuries. Immediately following the attack, U.S. Marines detained (b)(6), (b)(7)(C) is currently in Afghan custody at the Afghan National Detention Facility in Parwan, AFG. (b)(6), (b)(7)(C) is scheduled to be prosecuted by the Afghan government in Apr14. Subsequently, in direct support of U.S. Government interest, the Department of Justice (DoJ), U.S. Attorney's Office (USAO) for the Eastern District of New York (EDNY) and NCIS have begun developing a Federal "collateral prosecution" case against (b)(6), (b)(7)(C) DoJ forwarded a Mutual Liaison Assistance Treaty to U.S. Embassy Kabul seeking government-to-government investigative coordination with the Government of the Islamic Republic of Afghanistan (GIROA). NCISRA Afghanistan continues efforts to locate and interview potential key witnesses in support of captioned investigation.

NARRATIVE

1. This reactive investigation pertains to suspected violations of Article 118 (Murder) of the Uniform Code of Military Justice (UCMJ); Title 18 U.S.C. 1114 (Murder), which criminalizes the murder of U.S. Officers and Employees operating in their official capacity, Title 18 U.S.C. 2332 (Murder), which criminalizes the murder of U.S. Nationals overseas; and, the Government of the Islamic Republic of Afghanistan (GIROA) Penal Code Article 395 (Murder), as related to the circumstances surrounding the "Green on Blue" shooting deaths of three U.S. Marines.

2. Since the submission of Reference (P), discussions continue between representatives from the Department of Justice (DoJ), U.S. Attorney's Office, Eastern District of New York (EDNY) and the Department of State at the U.S. Embassy Kabul, Afghanistan (AFG) regarding DoJ's submission of a Mutual Liaison Assistance Treaty (MLAT) seeking government-to-government criminal investigative coordination and assistance. NCIS and DoJ team members are seeking approval from the Afghan Government to visit the Afghan National Army (ANA) Afghan National Detention Facility in Parwan (ANDF-P) near Bagram Airfield, AFG.

3. On 06Nov13, Afghan Chief Prosecutor (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) in interviewed (b)(6), (b)(7)(C) spelled (b)(6), (b)(7)(C) in previous reporting), regarding his observations of the incident as he was an ANP Guard present in the FOB Delhi guard tower where (b)(6), (b)(7)(C) fled after the shooting in the gym. (b)(6), (b)(7)(C) stated he heard shots fired and a man, he later identified as (b)(6), (b)(7)(C) entered the tower with an AK-47 and said, "I killed a Marine, Help me escape." (b)(6), (b)(7)(C) stated he attempted to capture (b)(6), (b)(7)(C) in the tower, but he escaped through the window and was captured by Marines; Exhibit (63) pertains.

4. NCISRA Afghanistan continues efforts to interview (b)(6), (b)(7)(C) the

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06JAN14

Deputy District Police Chief who allegedly sponsored (b)(6), (b)(7)(C) onto FOB Delhi. Additionally, the NCIS Contingency Response Field Office is awaiting the re interview of (b)(6), (b)(7)(C) USMC, by the Eastern District of New York U.S. Attorney's Office.

5. Due to Reporting Agent's upcoming deployment, the case is being transferred to Supervisory Special Agent (b)(6), (b)(7)(C) Investigation continues.

PARTICIPANTS

(b)(6), (b)(7)(C) SPECIAL AGENT, CRFO

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

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24NOV13

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

RESULTS OF INTERVIEW OF (b)(6), (b)(7)(C)
...

1. On 06Nov13, from approximately 1109-1118, Afghan Chief Prosecutor (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Afghan National Police (ANP) regarding his observations and (b)(6), (b)(7)(C) interaction with (b)(6), (b)(7)(C) immediately following (b)(6), (b)(7)(C) attack against U.S. Marines at Forward Operating Base Delhi on 10Aug12. The interview was conducted at the Justice Center in Parwan (JCIP) at Bagram Airfield (BAF), Parwan Province, AFG. (b)(6), (b)(7)(C) is a civilian Afghan Chief Prosecutor and holds a civilian rank of (b)(6). He goes by his first name, (b)(6), (b)(7)(C) therefore he is referred to as (b)(6), (b)(7)(C) throughout this report.

2. As background, at the time of the attack, (b)(6), (b)(7)(C) was approximately 21 years and currently, at the time of the interview, he is approximately years old. (b)(6), (b)(7)(C) is (b)(6), (b)(7)(C) from the Garamser District, Helmand Province, AFG. (b)(6), (b)(7)(C) has a 5th grade level of education and speaks Dari. At the time of the incident, (b)(6), (b)(7)(C) was a Sergeant with ANP. After (b)(6), (b)(7)(C) shot at the U.S. Marines, he fled and entered the guard tower where (b)(6), (b)(7)(C) and ANP Soldiers (b)(6), (b)(7)(C) nephew, (b)(6), (b)(7)(C) were located. (b)(6), (b)(7)(C) was previously interviewed by Law Enforcement Professional (b)(6), (b)(7)(C) immediately following the incident and provided a statement regarding his observations and interaction with (b)(6), (b)(7)(C)

3. The interview between (b)(6), (b)(7)(C) was conducted in Dari. Near the conclusion of the interview, (b)(6), (b)(7)(C) was requested to identify (b)(6), (b)(7)(C) via a photographic lineup, which he agreed to do. (b)(6), (b)(7)(C) presented to (b)(6), (b)(7)(C) a single-page photographic lineup with eight (8) facial pictures of male prisoners developed by the U.S. Advisory Team. When presented with the photographic lineup, without hesitation, (b)(6), (b)(7)(C) selected picture [] by pointing to picture and then placing a print of his left thumb to the right of [] picture, Enclosure (A) pertains. A thumbprint in lieu of a written signature is a common and accepted legal practice to verify individual consent or identification in Afghanistan.

4. The video recorded interview was placed on a DVD-R disc and appended hereto as Enclosure (B). (b)(6), (b)(7)(C) an Afghan translator, employed with PAE and assigned to JCIP, translated the interview between (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) from Dari to English. The translation of the interview was recorded, placed on a DVD-R disc and appended hereto as Enclosure (C).

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

Exhibit (63)

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CONTROL:10AUG12-CRAF-0076-7HMA

24NOV13

5. A written transcription of the interview is as follows:

(b)(6), (b)(7)(C) By the name of (b)(6), (b)(7)(C) Today is the date of 6th of November, 2013. We want to start the interview of (b)(6), (b)(7)(C) because he is the witness against (b)(6), (b)(7)(C) who killed one Marine in FOB Delhi in Nimroz Province. For all of us, you should introduce yourself.

(b)(6), (b)(7)(C) Good morning, my name is (b)(6), (b)(7)(C) My father's name is [unintelligible] and I am a police soldier.

(b)(6), (b)(7)(C) Where are you from?

(b)(6), (b)(7)(C) I am from Helmand Province.

(b)(6), (b)(7)(C) Where do you live now?

(b)(6), (b)(7)(C) I live at the same place.

(b)(6), (b)(7)(C) Who is (b)(6), (b)(7)(C) How do you know him?

(b)(6), (b)(7)(C) is a police officer and he is a friend of mine.

(b)(6), (b)(7)(C) Where is he right now?

(b)(6), (b)(7)(C) He is here with me in the other room.

(b)(6), (b)(7)(C) What is his job?

(b)(6), (b)(7)(C) His job is as police and he is in my same station.

(b)(6), (b)(7)(C) Who is (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) is the DCOP officer or commander in the province.

(b)(6), (b)(7)(C) : Before the incident happened or did you know (b)(6), (b)(7)(C) or accused person?

(b)(6), (b)(7)(C) : No, I have never seen him before.

(b)(6), (b)(7)(C) Was (b)(6), (b)(7)(C) present at the camp when the attack happened?

(b)(6), (b)(7)(C) Yes.

(b)(6), (b)(7)(C) Where is (b)(6), (b)(7)(C) right now?

(b)(6), (b)(7)(C) I don't know. I don't know where is he right now.

(b)(6), (b)(7)(C) So, (b)(6), (b)(7)(C) who committed the crime- was he living with (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) I don't know.

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(b)(6), (b)(7)(C) I will ask again, was (b)(6), (b)(7)(C) was living with (b)(6), (b)(7)(C) in the same room and in the same station?

(b)(6), (b)(7)(C) I don't know.

(b)(6), (b)(7)(C) When the incident happened, did you know (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) No, I did not know (b)(6), (b)(7)(C) before the incident. I saw him only once or twice before it happened.

(b)(6), (b)(7)(C) Now, tell us what happened during the attack.

(b)(6), (b)(7)(C) I saw (b)(6), (b)(7)(C) at the time after attack and he entered the room.

(b)(6), (b)(7)(C) Please tell us everything that you saw.

(b)(6), (b)(7)(C) We heard shooting. After the shooting, he came into our room. (b)(6), (b)(7)(C) came to our room. It about five minutes he came to our room.

(b)(6), (b)(7)(C) Whenever he first entered your room, what did he say?

(b)(6), (b)(7)(C) He told us to help him because he killed a Marine and help him escape from this place.

(b)(6), (b)(7)(C) What did you do after that?

(b)(6), (b)(7)(C) After that, we surrender (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) No, after that what happened and what did (b)(6), (b)(7)(C) have with him?

(b)(6), (b)(7)(C) There was 1 AK-47 with him and he did not say anything else after that (b)(6), (b)(7)(C) tried to give his AK-47 to us and tried to take AK-47 by force.

(b)(6), (b)(7)(C) Did he say anything else? Did he say any bad words?

(b)(6), (b)(7)(C) No, he didn't say anything else. He just said that, "I killed a Marine now help me escape from here."

(b)(6), (b)(7)(C) Was he alone or was someone else with him?

(b)(6), (b)(7)(C) No, he was alone.

(b)(6), (b)(7)(C) So after the attack and shooting, who came and entered your room?

(b)(6), (b)(7)(C) Only (b)(6), (b)(7)(C) After a while, some Marines other coalition forces came into our room.

(b)(6), (b)(7)(C) The first time, what did he say?

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(b)(6), (b)(7)(C) The first time, he said, "Help me. I killed a Marine. Help me escape from here."

(b)(6), (b)(7)(C) Before that day, did you see him around?

(b)(6), (b)(7)(C) No. We never, especially I, never saw him before.

(b)(6), (b)(7)(C) Tell me again. How did you guys surrender (b)(6), (b)(7)(C) How did you guys capture him?

(b)(6), (b)(7)(C) Whenever he entered the tower, he had his weapon down and he told us to help him to escape from there that he killed a Marine. After that, we tried to capture him, but he tried to escape from the window of the tower.

(b)(6), (b)(7)(C) So do you know if (b)(6), (b)(7)(C) was involved in this attack?

(b)(6), (b)(7)(C) We don't really know if he was involved in that attack or not.

(b)(6), (b)(7)(C) Who gave him the AK-47? Who gave (b)(6), (b)(7)(C) the AK-47?

(b)(6), (b)(7)(C) The AK-47 belonged to another ANP. The AK-47 belonged to the ANP and the ANP was in his room and the coalition forces captured the ANP too.

(b)(6), (b)(7)(C) Was he involved in the attack, the other ANP?

(b)(6), (b)(7)(C) No, the ANP was not in his room and his weapon was lying on his bed. This guy took from ANP and took the AK-47 from his room and committed the crime.

(b)(6), (b)(7)(C) Who else was there with you?

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

(b)(6), (b)(7)(C) So the ANP that the weapon belonged to, do you know his name?

(b)(6), (b)(7)(C) No, I don't know his name. He was (unintelligible) but we don't know his name.

(b)(6), (b)(7)(C) We are going to show American officials his picture, would you recognize him if you saw the picture?

(b)(6), (b)(7)(C) Yes, I would recognize him.

(b)(6), (b)(7)(C) How many guys were wounded or how many guys got killed in the attack?

(b)(6), (b)(7)(C) I don't really know how many guys were killed.

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(b)(6), (b)(7)(C) Did he shoot the Americans or at the Afghans?

(b)(6), (b)(7)(C) I don't know. I just heard the shooting and then following the shooting, the guy entered our room. The shooting happened (unintelligible)

(b)(6), (b)(7)(C) Now, we are going to show you the pictures. Would you recognize him?

(b)(6), (b)(7)(C) Yes, I recognize him. That's his picture. This is the guy that shoot the Marines.

(b)(6), (b)(7)(C) Thank you. The information you have provided us was done so under no harassment?

(b)(6), (b)(7)(C) No. I provided this information on my own. There was no pressure on me.

6. After the interview was completed, (b)(6), (b)(7)(C) asked (b)(6), (b)(7)(C) a series of questions for a statement. The statement was documented and translated to English, Enclosure (D) pertains.

7. Biographical Information:

Witness: (b)(6), (b)(7)(C)
Estimated Age: years old.
District: Garm Ser District.
Province: Helmand, Afghanistan

SUSPECT:

Interment Security Number (ISN):
Estimated Age: 20 or 21 years old.
Tribe:
Village: Tor Tang.
District: Lashkar Gah.
Province: Helmand, Afghanistan

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

ENCLOSURE(S)

- (A) Eight (8) person Photo Line-up marked with thumbprint of '06Nov13
- (B) DVD-R Disc containing video of Interview of /06Nov13
- (C) DVD-R Disc containing translated audio recording of Interview of '06Nov13
- (D) Statement of ;)6Nov13

REPORTED BY: Special Agent
OFFICE: CONTINGENCY RESPONSE FIELD OFFICE

CCN: 10AUG12-CRAF-0076-7HMA

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Page 67 redacted for the following reason:

(b)(6), (b)(7)(C): Page (67), Enclosure (a) - Photograph

...

CROSS REFERENCE SHEET

(Insert this behind the cover sheet)

The dossier **10AUG12-CRAF-0076**
(Case Control Number (CCN))

of
(Subject Name/Title)

ENCLOSURE (B) TO EXHIBIT 63 contains the following additional material on

VIDEO RECORDING OF INTERVIEW OF 06NOV13

(Subject of the additional material)

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

TYPE

LOCATION NUMBER (To be completed by Code 11C13)

Grand Jury

X – Rays

Video Tapes

Audio Tapes

Photographs (images of photographs
are contained in the electronic dossier,
actual photographs(s) from hard copy
dossier is/are filed separately.)

Polygraph Material

Source Envelope

Other

(Description)

CROSS REFERENCE SHEET

(Insert this behind the cover sheet)

The dossier 10AUG12-CRAF-0076
(Case Control Number (CCN))

on
(Subject Name/Title)

ENCLOSURE (C) TO EXHIBIT 63 contains the following additional material on

AUDIO RECORDING TRANSLATION OF INTERVIEW OF

(Subject of the additional material)

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

TYPE

LOCATION NUMBER (To be completed by Code 11C13)

Grand Jury

X – Rays

Video Tapes

Audio Tapes

Photographs (images of photographs
are contained in the electronic dossier,
actual photographs(s) from hard copy
dossier is/are filed separately.)

Polygraph Material

Source Envelope

Other

(Description)

Personnel Data Sheet

Name:	(b)(6), (b)(7)(C)	Father name and occupation:	(b)(6), (b)(7)(C) Deceased
F/Name:		Uncle name and occupation:	
GF/Name:		Cousin name and occupation:	.....
Permanent Residence:	Garamser district, Helmand Province	Uncle name and occupation:	.....
Current Residence:	Garamser district, Helmand Province	Cousin name and occupation:	.....
Education:	5th Grade	Father and law name:	.....
Nationality:	(b)(6), (b)(7)(C)	Brother and law name:	.....
Age:	.....	Date of incident:	.....
Rank:	NCO	Kind of incident:	.....
Occupation:	.....	Date of Capture:	.....
Tazkira#:	.....	Date of information acquire:	06th Nov 2013
Marital Status:	Single		
Current Condition:	Healthy		
Monthly Income:	13,800 Af		
Cell#:	(b)(6), (b)(7)(C)		

The person mentioned above was advised to say the truth.

Finger Print

I, whose information is mentioned above, am permanent and current resident of Garamser district, Helmand Province and I am currently working in Garmaser district police center. One day I was in the tower along with my 3 friends that were also working with me in the police station, we suddenly heard some shooting, after a while a guy that i did not know his name, entered the tower, he had one Ak47 with himself, he shouted and told us that "Help me, I just killed the Americans." and then he dropped his weapon, then we captured him and gave his custody to the Americans.

The three other guys in that tower were (b)(6), (b)(7)(C) that was all the incident that I narrated to you. I agree to whatever is written above.

Sincerely

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

Finger Print

Exhibit (63) Enclosure (D)

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

CCN: 10AUG12-CRAF-0076-7HMA

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

CCN: 10AUG12-CRAF-0076-7HMA

Islamic Republic Of Afghanistan
Attorney General's Office
General Department Of Attorney Combatin
Crimes Against Internal And External Security

Question	Answer
Respectable (b)(6), (b)(7)(C) please provide your complete biographic data along with your current and permanent residence address.	I am (b)(6), (b)(7)(C) Permanent and current resident of Garamser District of Helmand Province.
Please explain if you are healthy and ready to answer our questions?	Yes, I am healthy and ready to answer your questions.
Please provide information about the incident that happened on 10 Aug 2012 in FOB DELHI.	As I mentioned before, I was setting in the tower when I heard some shooting, after that a man entered the tower and shouted "Help me I killed the Americans." and then we captured him and gave his custody to the Americans.
Please provide some information that who is <input data-bbox="727 1138 792 1180" type="text"/>	was the Police Commander in Garamser District and I don't know that where he is from.

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

Islamic Republic Of Afghanistan
Attorney General's Office
General Department Of Attorney Combatin
Crimes Against Internal And External Security

Question	Answer
Dear (b)(6), (b)(7)(C)	
Please explain who is (b)(6), (b)(7)(C) and how do you know him?	He is my friend, he is a police soldier and he is from Garamser district.
Please explain if (b)(6), (b)(7)(C) was present at the time of the attack?	No, he was in Lashkargah, the center of Helmand province, then he came to the camp.
Do you know if (b)(6), (b)(7)(C) was working with (b)(6), (b)(7)(C) [redacted]	I don't know, but he was there.
Do you know if [redacted] was staying in the same room with [redacted]	No, he was living in a separate room.
Please explain if you saw [redacted] while he was shooting?	No, I just heard the shooting.

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

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Attorney General's Office
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Crimes Against Internal And External Security

Question	Answer
Mr. (b)(6), (b)(7)(C)	
When (b)(6), (b)(7)(C) entered the tower, what did he say?	He shouted "Help me, I just killed the Americans."
What did (b)(6), (b)(7)(C) say to (b)(6), (b)(7)(C)	He did not say anything, he captured him.
How did he capture (b)(6), (b)(7)(C)	He held (b)(6), (b)(7)(C) tight, and then gave his custody to the Americans.
What was (b)(6), (b)(7)(C) role in this attack, please explain?	I don't know, I don't know anything about his role in this attack.
(b)(6), (b)(7)(C) please explain if you are agree to the statement you just provided?	Yes, I am agree to the statement I just provided.

Islamic Republic Of Afghanistan

Attorney General's Office

General Department Of Attorney Combatin

Crimes Against Internal And External Security

Question	Answer
<p>(b)(6), (b)(7)(C)</p>	
<p>Did you know (b)(6), (b)(7)(C) before?</p>	<p>No, I did not know him before, I had never seen him before.</p>
<p>If we show you some photos, will you recognize him amongst the photos?</p>	<p>Yes, I will recognize him.</p>
<p>There are 8 photos, please point the one that is (b)(6), (b)(7)(C)</p>	<p>Photo number 7 is (b)(6), (b)(7)(C) who entered the tower.</p>

Pages 75 through 79 redacted for the following reasons:

-----Pages (75) - (79): Translation provided on pages (70) - (74). Information exempt under (b)(6) and (b)(7)(C) is unable to be segmented from original

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

02DEC13

DEATH (II)

CONTROL: 10AUG12-CRAF-0076-7HMA

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

V/DICKINSON, SCOTT EDWARD/UNK
M/W/ZZZZ/S/(b)(6), [redacted]/25FEB83/CALIFORNIA
SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV
V/RIVERA, RICHARD ANTHONY/UNK
M/W/ZZZZ/S/(b)(6), (b)(7)(C)/26JUL92
SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV
V/BUCKLEY, GREGORY THOMAS/UNK
M/W/ZZZZ/N/(b)(6), (b)(7)(C) 17JUL91/NEW YORK
SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV

COMMAND/1ST MARINE DIVISION/11000

MADE AT/CRFO/CONTINGENCY RESPONSE FIELD OFFICE (b)(6), (b)(7)(C)
SPECIAL AGENT

REFERENCE(S)

- (A) NCISRA Afghanistan ROI (INTERIM)/07Sep12 (Contains Exhibits 1-31)
- (B) NCISRA Afghanistan ROI (INTERIM)/07Nov12... (Contains Exhibits 32-33)
- (C) NCISRA Afghanistan ROI (INTERIM)26Nov12... (Contains Exhibits 34-39)
- (D) NCISRA Afghanistan ROI (INTERIM)/26Dec12 (Contains Exhibit 40)
- (E) NCISRA Afghanistan ROI (INTERIM)/03Feb13
- (F) NCISRA Afghanistan ROI (INTERIM)/26Feb13
- (G) NCISRA Afghanistan ROI (INTERIM)/18Mar13 (Contains Exhibits 41-48)
- (H) NCISRA Afghanistan ROI (INTERIM)/05Apr13 (Contains Exhibits 49-53)
- (I) NCIS CRFO ROI (INTERIM)/17Apr13
- (J) NCIS CRFO ROI (INTERIM)/17May13 (Contains Exhibits 54-56)
- (K) NCIS CRFO ROI (INTERIM)/04Jun13
- (L) NCIS CRFO ROI (INTERIM)/02Jul13
- (M) NCIS CRFO ROI (INTERIM)/01Aug13
- (N) NCIS CRFO ROI (INTERIM)/03Sep13
- (O) NCIS CRFO ROI (INTERIM)/02Oct13

EXHIBIT(S)

(57) IA: RESULTS OF INTERVIEW OF (b)(6), (b)(7)(C) USMC/01AUG13

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- (58) IA: RESULTS OF INTERVIEW OF (b)(6), (b)(7)(C)
USMC/01AUG13
- (59) IA: RESULTS OF INTERVIEW OF (b)(6), (b)(7)(C)
USMC/10SEP13
- (60) IA: RESULTS OF AN OBSERVATI (b)(6), (b)(7)(C) P13
- (61) IA: RESULTS OF INTERVIEW OF ... T13
- (62) IA: RESULTS OF INTERVIEW OF (b)(6), (b)(7)(C) 10OCT13

EXECUTIVE SUMMARY

1. On 10Aug12 at approximately 2030, (b)(6), (b)(7)(C) (b)(6), (b)(7)(C), an Afghan National, attacked U.S. Marines in an open-air makeshift gym inside an Afghan National Police (ANP) Compound at Forward Operating Base (FOB) Delhi, Garm Ser District, Helmand Province, Afghanistan (AFG). (b)(6), (b)(7)(C) utilized an ANP AK-47 rifle as the instrument of his attack. V/DICKINSON, V/RIVERA and V/BUCKLEY were fatally wounded and (b)(6), (b)(7)(C) sustained non-life threatening injuries. Immediately following the attack, U.S. Marines detained (b)(6), (b)(7)(C) is currently in Afghan custody at the Afghan National Detention Facility in Parwan, AFG. (b)(6), (b)(7)(C) is scheduled to be prosecuted by the Afghan government in Apr14. Subsequently, in direct support of U.S. Government interest, the Department of Justice (DoJ), U.S. Attorney's Office (USAO) for the Eastern District of New York (EDNY) and NCIS have begun developing a Federal "collateral prosecution" case against (b)(6), (b)(7)(C) DoJ forwarded a Mutual Liaison Assistance Treaty to U.S. Embassy Kabul seeking government-to-government investigative coordination with the Government of the Islamic Republic of Afghanistan (GIROA). NCISRA Afghanistan continues efforts to locate and interview potential key witnesses in support of captioned investigation.

NARRATIVE

1. This reactive investigation pertains to suspected violations of Article 118 (Murder) of the Uniform Code of Military Justice (UCMJ); Title 18 U.S.C. 1114 (Murder), which criminalizes the murder of U.S. Officers and Employees operating in their official capacity, Title 18 U.S.C. 2332 (Murder), which criminalizes the murder of U.S. Nationals overseas; and, the Government of the Islamic Republic of Afghanistan (GIROA) Penal Code Article 395 (Murder), as related to the circumstances surrounding the "Green on Blue" shooting deaths of three U.S. Marines.

2. For purposes of corrective action, it should be noted that V/DICKINSON'S last name was inadvertently misspelled as DICKSON in the Executive Summaries of References (M) through (O) and is properly reflected in the Executive Summary above. Additionally, previous reporting designated this active investigation was complete; however, the investigation continues.

3. Since the submission of Reference (O), discussions continue between representatives from the Department of Justice (DoJ), U.S. Attorney's Office, Eastern District of New York (EDNY) and the Department of State at the U.S. Embassy Kabul, Afghanistan (AFG) regarding DoJ's submission of a Mutual Liaison Assistance Treaty (MLAT) seeking government-to-government criminal investigative coordination and assistance. NCIS and DoJ team members are seeking approval from the Afghan Government to visit the Afghan National Army (ANA) Afghan National Detention Facility in Parwan (ANDF-P) near Bagram Airfield, AFG.

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02DEC13

4. On 01Aug13, (b)(6), (b)(7)(C) USMC, was interviewed and provided details concerning his involvement and response to the shooting incident in captioned investigation. (b)(6), (b)(7)(C) was on duty and located at the Entry Control Point (ECP) at the time the shooting occurred. (b)(6), (b)(7)(C) witnessed (b)(6), (b)(7)(C) enter the base, interact with ANP Guards and walk toward the makeshift gym. Exhibit (57) provides amplifying details.

5. On 01Aug13, (b)(6), (b)(7)(C) USMC, was interviewed and provided details concerning his involvement and response to the shooting incident in captioned investigation. (b)(6), (b)(7)(C) stated he was checking the inner perimeter prior to the shooting incident in the gym; Exhibit (58) pertains.

6. On 10Sep13, (b)(6), (b)(7)(C) USMC, was interviewed concerning his knowledge of the events of the captioned investigation. (b)(6), (b)(7)(C) stated he was about to begin his shift when he heard the call "green on blue" on his radio. After accounting for his Marines, (b)(6), (b)(7)(C) stated he linked up with two Tactical Site Exploitation (TSE) Marines and proceeded to the ANP side of FOB Delhi. (b)(6), (b)(7)(C) related he managed security over the incident scene; Exhibit (59) pertains.

7. On 10Sep13, (b)(6), (b)(7)(C) was observed and photographed by Participating Agents (PA) (b)(6), (b)(7)(C) while under guard at the Justice Center in Parwan (JCIP), Bagram Airfield, Parwan Province, Afghanistan. (b)(6), (b)(7)(C) advised he was being treated well at the Afghan National Detention Facility; Exhibit (60) pertains.

8. On 09Oct13, Afghan Chief Prosecutor, (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) who was present in the guard tower adjacent to the the FOB Delhi gym where (b)(6), (b)(7)(C) fled after the shooting. (b)(6), (b)(7)(C) positively identified (b)(6), (b)(7)(C) via a photographic lineup provided by (b)(6), (b)(7)(C) as the subject of captioned investigation. The interview was recorded and translated from Dari to English. Exhibit (61) provides amplifying details.

9. On 10Oct13, (b)(6), (b)(7)(C) former USMC, was re-interviewed and confirmed the information he previously provided in a sworn statement. had no new information to add; Exhibit (62) pertains.

10. NCISRA Afghanistan continues efforts to interview the Deputy District who allegedly sponsored onto FOB Delhi. Additionally, the NCIS Contingency Response Field Office is awaiting the receipt of documentation detailing the interview of (spelled in previous reporting), an ANP Guard present in the FOB Delhi guard tower where fled after the shooting and the re-interview of USMC, by the Eastern District of New York U.S. Attorney's Office. Investigation continues.

PARTICIPANTS

- AGENT, CALE
- L AGENT, CRAF
- AGENT, CALE
- SPECIAL AGENT, MWPE

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

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

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

01AUG13

CONTROL: 10AUG12-CRAF-0076-7HMA

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

RESULTS OF INTERVIEW OF (b)(6), (b)(7)(C) USMC

1. On 01Aug13, Reporting Agent (RA) interviewed (b)(6), (b)(7)(C) USMC, regarding the captioned investigation. For background, (b)(6), (b)(7)(C) has been identified as a potential key witness to the shooting incident in captioned investigation. (b)(6), (b)(7)(C) was on duty at the Entry Control Point (ECP) to the Afghan National Police (ANP) area of Forward Operating Base (FOB) Delhi, Garm Ser District, Helmand Province, Afghanistan, at the time of the shooting.

2. (b)(6), (b)(7)(C) stated he was on duty at the ECP with (b)(6), (b)(7)(C) USMC, at the time of the shooting. (b)(6), (b)(7)(C) stated he and (b)(6), (b)(7)(C) were just sitting and talking when they heard the shots. (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) to lock down the ECP and not let anyone in or out. (b)(6), (b)(7)(C) stated he then progressed from the ECP towards the ANP Headquarters building and took cover behind some parked cars. While behind cover, (b)(6), (b)(7)(C) stated he saw two injured Marines run in front of him towards the ANP Headquarters building. (b)(6), (b)(7)(C) stated one was shot in the neck, V/RIVERA, and the other was shot in the leg. (b)(6), (b)(7)(C) stated he did not know the Marine's name with the leg wound. (b)(6), (b)(7)(C) stated it was dark outside, explaining that there were some lights, but once the shooting started, the lights went out. (b)(6), (b)(7)(C) further explained the level of darkness by stating he had to use a flashlight to see identification cards while working the ECP that night, prior to the shooting. (b)(6), (b)(7)(C) stated that after the lights went out, all he could see were the sparks coming off the bullets hitting the weights in the gym. (b)(6), (b)(7)(C) stated at one point, the shooter was standing with his back against the wall in the gym, shooting into the gym. (b)(6), (b)(7)(C) described the shots as a mixture of bursts. (b)(6), (b)(7)(C) stated he did not see the shooter reload, nor did he see the shooter target anyone specifically. When (b)(6), (b)(7)(C) saw the shooter in this position on the wall, (b)(6), (b)(7)(C) was behind cover of the cars. (b)(6), (b)(7)(C) stated that if the lights had been on, he would have been able to see the shooter's face. (b)(6), (b)(7)(C) stated the shooter was wearing a "man dress", but could not describe the shooter any further. (b)(6), (b)(7)(C) stated he turned to look at the Police Advisory Team (PAT) Marines coming out of the ANP Headquarters building and when he looked back towards the gym, the shooter had progressed to the tower and was going up the stairs. (b)(6), (b)(7)(C) stated he told the PAT Marines this information and he and the PAT Marines moved in a single file line towards the gym. (b)(6), (b)(7)(C) stated once they reached the gym, the split into two groups. One group went up to the tower and the other group, to which (b)(6), (b)(7)(C) belonged, went to assist the casualties. (b)(6), (b)(7)(C) stated he went to help the SSgt over by the bench press. (b)(6), (b)(7)(C) explained he ran back to his post to grab his medical kit because the corpsman did not have his medical bag

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 10AUG12-CRAF-0076-7HMA

01AUG13

initially. (b)(6), (b)(7)(C) stated he then held gauze to either the chest or stomach wound of the SSgt.

3. (b)(6), (b)(7)(C) stated he did not hear the shooter say anything, nor does he specifically remember seeing the shooter with a weapon when he went up the tower stairs. Once the shooter was captured, (b)(6), (b)(7)(C) stated he recognized him as an individual that had entered the ECP just minutes prior to the shooting. (b)(6), (b)(7)(C) stated he did not know the shooter's name, but knew that he worked for the ANP. (b)(6), (b)(7)(C) told RA the shooter entered the ECP approximately two minutes prior to the shooting. (b)(6), (b)(7)(C) stated the shooter walked towards the ANP Headquarters building after entering the ECP. RA asked (b)(6), (b)(7)(C) to describe his interaction with the shooter at the ECP. (b)(6), (b)(7)(C) stated they did not ask for identification because they recognized him as working there. (b)(6), (b)(7)(C) stated the shooter was carrying a weapon, which (b)(6), (b)(7)(C) believed was an AK-47 platform. (b)(6), (b)(7)(C) could not remember if it had a sling or not. RA asked (b)(6), (b)(7)(C) if the shooter spoke as he was entering the ECP. (b)(6), (b)(7)(C) stated the shooter remarked that his friends (referring to the Marines in the gym) were leaving and going back to America. (b)(6), (b)(7)(C) stated the shooter asked for Gatorade and when he turned to get it, the shooter said he'd be right back and walked off.

4. RA asked (b)(6), (b)(7)(C) if he had any interaction with the shooter after he was captured. (b)(6), (b)(7)(C) stated he handcuffed the shooter. (b)(6), (b)(7)(C) stated the Marines that initially detained the shooter only had zip ties; however, the shooter was resisting and needed real handcuffs. (b)(6), (b)(7)(C) stated the shooter actively resisted him handcuffing him and was smiling; however, the shooter did not say anything to (b)(6), (b)(7)(C) did not remember who gave him the handcuffs and told him to cuff the detainee. (b)(6), (b)(7)(C) stated he did not remember the face of the shooter and did not recognize the photograph of (b)(6), (b)(7)(C) shown to him by RA.

5. Based on RA's interview with (b)(6), (b)(7)(C) was asked the following questions. RA asked (b)(6), (b)(7)(C) if he ever remembered the shooter sitting with and conversing with the Marines at the ECP. (b)(6), (b)(7)(C) stated he did not, that they did not do anything with the local nationals as far as turnover. RA asked (b)(6), (b)(7)(C) if he recalled any interactions between the shooter and the PAT Marines. (b)(6), (b)(7)(C) stated he did not remember seeing them interact prior to the shooting. (b)(6), (b)(7)(C) drew a picture depicting his movements and the movements of the shooter during the shooting. Enclosure (A) pertains.

ENCLOSURE (S)

(A) Drawing of scene by (b)(6), (b)(7)(C) 01Aug13

REPORTED BY: (b)(6), (b)(7)(C) Special Agent
OFFICE: RESIDENT AGENCY CAMP LEJEUNE

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PAGE 2 LAST V2 LNN

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

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Drawn by
20130801

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



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Gym + Shoots
NAW

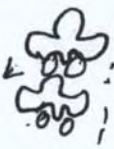
+
4

Jail
District
Police Hq

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

garden

Cars



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



ECP

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

+
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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

01AUG13

CONTROL: 10AUG12-CRAF-0076-7HMA

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

RESULTS OF INTERVIEW OF (b)(6), (b)(7)(C) USMC

1. On 01Aug13, Reporting Agent (RA) interviewed (b)(6), (b)(7)(C) USMC, regarding the captioned investigation. For background, (b)(6), (b)(7)(C) has been identified as a potential key witness to the shooting incident in captioned investigation. (b)(6), (b)(7)(C) was on duty at the Entry Control Point (ECP) to the Afghan National Police (ANP) area of Forward Operating Base (FOB) Delhi, Garm Ser District, Helmand Province, Afghanistan, at the time of the shooting.

2. (b)(6), (b)(7)(C) stated just prior to the shooting, he had completed his check of the inner perimeter of the compound and made sure there was fuel in the three generators. After conducting this perimeter check, (b)(6), (b)(7)(C) stated he returned to the ECP, where he and (b)(6), (b)(7)(C) USMC, (b)(6), (b)(7)(C) and talked. (b)(6), (b)(7)(C) stated that at first, there were several Afghan men sitting outside the ANP Headquarters building eating and drinking tea, but that they eventually went inside and it was quiet. (b)(6), (b)(7)(C) stated it was dark outside. (b)(6), (b)(7)(C) further explained that it was Ramadan, and that was why the Afghans were outside eating so late. (b)(6), (b)(7)(C) stated while he and (b)(6), (b)(7)(C) were talking, they heard "slaps", which he identified as gunshots from an AK-47 based on the way they sounded. (b)(6), (b)(7)(C) stated he racked his weapon to make sure he had a round chambered but he could not get positive identification on the shooter. (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) advanced towards the ANP Headquarters building and (b)(6), (b)(7)(C) told (b)(6), (b)(7)(C) to lock down the ECP and not let anyone enter or exit. (b)(6), (b)(7)(C) stated he saw Marines running behind the small buildings beside the gym and towards the ANP Headquarters building. (b)(6), (b)(7)(C) stated several ANP that were outside the ECP started to come in and he told them to stop and drop their weapons. (b)(6), (b)(7)(C) remarked that they were not carrying weapons. (b)(6), (b)(7)(C) stated he was keeping an eye on the ANP around the ECP while still keeping it secure. (b)(6), (b)(7)(C) stated he saw Marines from the Police Advisory Team (PAT) exit the ANP Headquarters building and join (b)(6), (b)(7)(C) stated part of the PAT Marines joined him and begin searching the ANP gathered around the ECP and the other PAT Marines, along with (b)(6), (b)(7)(C) advance towards the gym area. (b)(6), (b)(7)(C) explained that because it was dark, he could only track the shooter's movement by the muzzle flash. (b)(6), (b)(7)(C) stated there were light bars in the gym and a light in the tower; however, they did not illuminate enough for him to identify the shooter. (b)(6), (b)(7)(C) could tell the shooter was wearing a "man dress" and possibly a vest. (b)(6), (b)(7)(C) stated the shooter moved through the gym towards the tower and up the tower stairs, shooting the entire way, even from the tower stairs. (b)(6), (b)(7)(C) described the shots as "quick", that the shooter was "just shooting", no specific rhythm or burst pattern. (b)(6), (b)(7)(C) stated he did

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CONTROL:10AUG12-CRAF-0076-7HMA

01AUG13

not hear the shooter say anything; however, (b)(6), (b)(7)(C) did hear a Marine shout "stand down" or "stop" from the tower once the FAT Marines made it to the tower. (b)(6), (b)(7)(C) stated he never saw the shooter, even after the shooter was detained because he was busy with the ANP.

3. Based on RA's interview with (b)(6), (b)(7)(C) was asked the following questions. RA asked (b)(6), (b)(7)(C) if he remembered anyone entering the ECP and asking for Gatorade on the night of the shooting. (b)(6), (b)(7)(C) stated he did remember an Afghan male asking for Gatorade and that (b)(6), (b)(7)(C) was the same Afghan male that had been sitting with them (b)(6), (b)(7)(C) and V/BUCKLEY) at the ECP for several days conducting turnover. (b)(6), (b)(7)(C) stated this Afghan would point out which ANP were Dari and which were Pashto and explained to the Marines that even though they were all police, they didn't get along. (b)(6), (b)(7)(C) explained that he and (b)(6), (b)(7)(C) were taking over duty at the ECP because V/BUCKLEY and the other Marines were going home. (b)(6), (b)(7)(C) also stated V/RIVERA and the Sgt that was shot in the arm (b)(6), (b)(7)(C) could not remember his name) were also present at the ECP conducting turnover for several days prior to the shooting. (b)(6), (b)(7)(C) stated V/BUCKLEY vouched for the Afghan male and called him a "good dude". (b)(6), (b)(7)(C) explained they would regularly trade juice boxes for Gatorade with the Afghan; however, this particular Afghan was not the only one to whom they would give Gatorade. RA asked (b)(6), (b)(7)(C) if he remembered seeing this particular Afghan during his perimeter check, to which (b)(6), (b)(7)(C) replied he had not. RA asked (b)(6), (b)(7)(C) what this Afghan was wearing and he stated a "man dress" and a vest. When RA asked (b)(6), (b)(7)(C) to describe this Afghan, (b)(6), (b)(7)(C) stated he couldn't guess his age, nor did he remember if he had facial hair or not. RA asked (b)(6), (b)(7)(C) if this individual was carrying a weapon on the night of the shooting; (b)(6), (b)(7)(C) stated he didn't remember if this Afghan had a weapon on that night, but stated he had never seen him carry a weapon before.

4. RA showed (b)(6), (b)(7)(C) a photo of (b)(6), (b)(7)(C) and asked if this was the individual that asked for Gatorade at the ECP on the night of the shooting. (b)(6), (b)(7)(C) stated he could not remember if that was him or not. AGENT'S NOTE: At no point during the interview did RA tell (b)(6), (b)(7)(C) that (b)(6), (b)(7)(C) was detained as the shooter. (b)(6), (b)(7)(C) provided RA with a hand drawing, which depicts (b)(6), (b)(7)(C)'s position and movements as well as the shooter's position and movements during the shooting. Enclosure (A) pertains.

ENCLOSURE(S)

(A) Drawing of scene by (b)(6), (b)(7)(C) 01Aug13

REPORTED BY: (b)(6), (b)(7)(C) Special Agent
OFFICE: RESIDENT AGENCY CAMP LEJEUNE

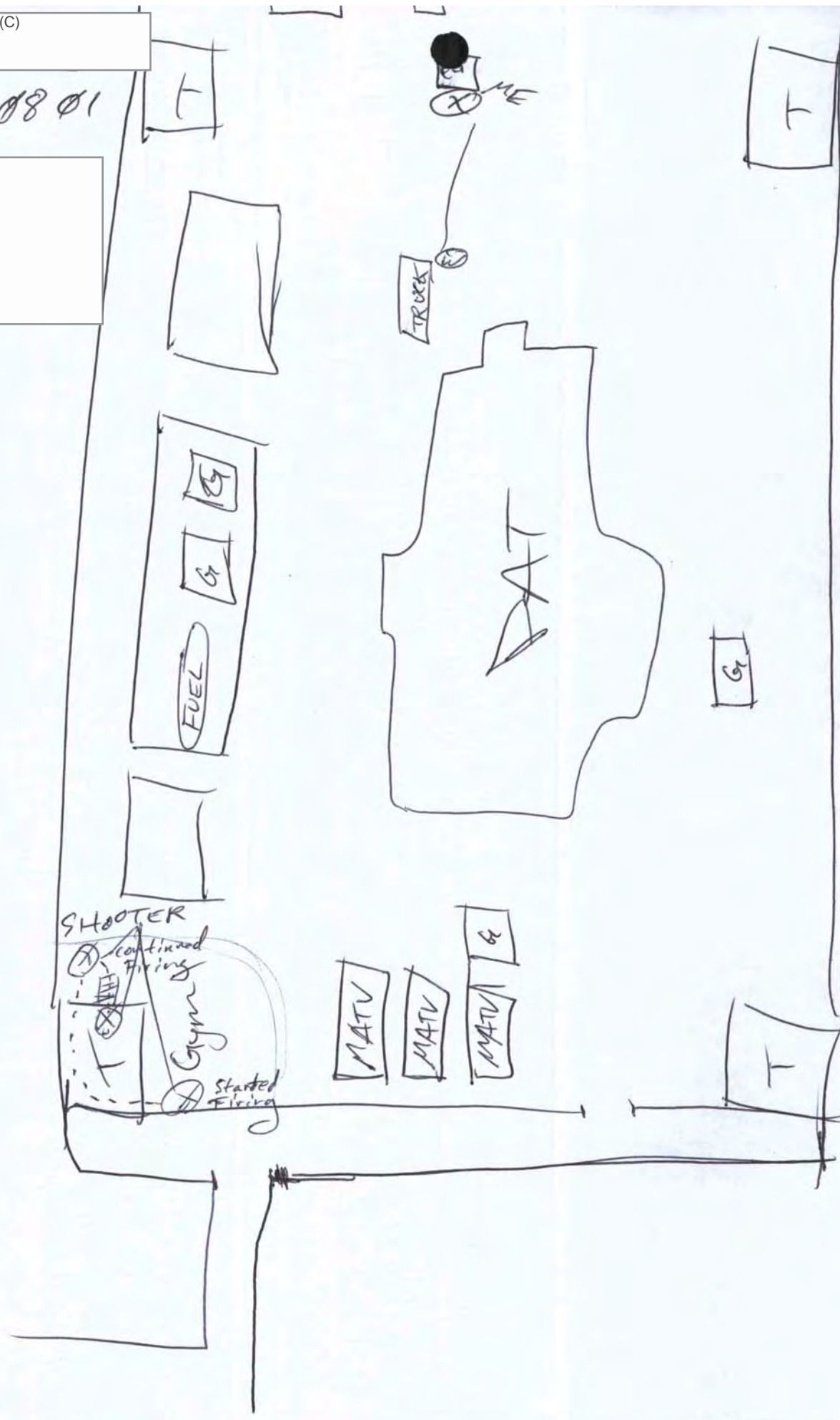
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(b)(6), (b)(7)(C)

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Drawn By: (b)(6), (b)(7)(C)
2013 08 01

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



U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

10SEP13

CONTROL: 10AUG12-CRAF-0076-7HMA

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

RESULTS OF INTERVIEW OF (b)(6), (b)(7)(C) USMC

1. On 09Sep13, Reporting Agent (RA) interviewed (b)(6), (b)(7)(C) USMC, regarding the captioned investigation. For background, (b)(6), (b)(7)(C) has been identified as a potential key witness to the shooting incident in captioned investigation. (b)(6), (b)(7)(C) had previously provided a written statement in which cited he heard (b)(6), (b)(7)(C) admit culpability in the shooting deaths of several U.S. Marines in an open-air makeshift gym inside the Afghan National Police (ANP) area of Forward Operating Base (FOB) Delhi, Garm Ser District, Helmand Province, Afghanistan.

2. (b)(6), (b)(7)(C) stated he was just waking up and about to begin his shift when he heard "green on blue" on his radio. (b)(6), (b)(7)(C) immediately took accountability of his Marines. (b)(6), (b)(7)(C) stated he never heard the shots fired. (b)(6), (b)(7)(C) stated he then linked up with the two Tactical Site Exploitation (TSE) Marines and went to the ANP side. (b)(6), (b)(7)(C) stated he managed security and watched the scene.

3. (b)(6), (b)(7)(C) stated he had never seen the shooter prior to the incident, explaining that he (b)(6), (b)(7)(C) had only been on the ANP side of the FOB approximately twice before that night. (b)(6), (b)(7)(C) stated he was nearby when (b)(6), (b)(7)(C) (NFI), the Law Enforcement Professional (LEP), was questioning (b)(6), (b)(7)(C) and the Afghans that were in the tower. (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) was wearing a "mandress" and that while (b)(6), (b)(7)(C) was questioning him, (b)(6), (b)(7)(C) urinated on himself. (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) looked scared, but (b)(6), (b)(7)(C) did not notice any obvious signs of bleeding or injury.

4. (b)(6), (b)(7)(C) stated he overheard the LEP talking to one of the ANP soldiers that was in the tower. This ANP soldier told the LEP the shooter came into the tower and asked them to join his jihad. (b)(6), (b)(7)(C) stated this soldier then told the LEP they took the shooter's rifle and beat him up. (b)(6), (b)(7)(C) does not remember the name of the interpreter and also stated the interpreter used to question (b)(6), (b)(7)(C) was not the same interpreter used to question the ANP soldiers. (b)(6), (b)(7)(C) explained two (2) ANP soldiers were questioned by the LEP because their hands tested positive for gun powder residue. RA asked (b)(6), (b)(7)(C) what he specifically remembered about (b)(6), (b)(7)(C) questioning. (b)(6), (b)(7)(C) explained that he did not remember specific questions that were asked by the LEP and he does not remember the interpreter that was used. (b)(6), (b)(7)(C) told RA he remembered (b)(6), (b)(7)(C) initially claimed to have no idea what happened, then (b)(6), (b)(7)(C) stated he blacked out and then finally stated he was on drugs. (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) requested water, but (b)(6), (b)(7)(C) did not hear

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EXHIBIT (59)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL:10AUG12-CRAF-0076-7HMA

10SEP13

him request to speak with anyone specifically. (b)(6), (b)(7)(C) did not hear (b)(6), (b)(7)(C) state why he did it. (b)(6), (b)(7)(C) stated he believed (b)(6), (b)(7)(C) was speaking Pashto. (b)(6), (b)(7)(C) explained he had been taking classes in Pashto and felt he would have known if (b)(6), (b)(7)(C) was speaking something other than Pashto.

5 PA asked (b)(6), (b)(7)(C) if he could identify any other witnesses. (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) (NFI) worked with the interpreters and might be able to provide their names. (b)(6), (b)(7)(C) also identified (b)(6), (b)(7)(C) USMC, and (b)(6), (b)(7)(C) USMC, and two of the first Marines on the ANP side after the shooting.

REPORTED BY: (b)(6), (b)(7)(C) Special Agent
OFFICE: RESIDENT AGENCY CAMP LEJEUNE

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(b)(6),
(b)(7)(C)
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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

10SEP13

CONTROL: 10AUG12-CRAF-0076-7HMA

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

RESULTS OF AN OBSERVATION OF (b)(6), (b)(7)(C)
...

1. On 10Sep13 from approximately 1100-1110, NCIS Special Agents (b)(6), (b)(7)(C) NCISRA Camp Lejeune, NC and (b)(6), (b)(7)(C) NCISRA Camp Pendleton, CA, both assigned to NCISRA Afghanistan, observed (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) in person in a conference room at the Justice Center in Parwan (JCIP), Task Force Vigilant, Camp Sabalu-Harrison, Bagram Airfield, Parwan Province, Afghanistan (AFG). Their meeting with (b)(6), (b)(7)(C) had been arranged by (b)(6), (b)(7)(C) Investigative Justice Advisor, U.S. Advisory Team, JCIP. The NCIS Special Agents, via an Afghan JCIP interpreter, interacted with (b)(6), (b)(7)(C) was asked how he was being treated in the Afghan National Detention Facility. (b)(6), (b)(7)(C) stated he was being treated well and he was doing okay. The NCIS Special Agents took pictures of (b)(6), (b)(7)(C) Enclosure (A) pertains. (b)(6), (b)(7)(C) is holding a placard (b)(6), (b)(7)(C) 10 September 2013." (b)(6), (b)(7)(C) last name is misspelled on the placard; that is, (b)(6), (b)(7)(C) versus the correct spelling of (b)(6), (b)(7)(C) The NCIS Special Agents estimated (b)(6), (b)(7)(C) age to be between 20 to 21 years old.

2. Biographical Information:

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

ENCLOSURE(S)
(A) Eight (8) pictures of (b)(6), (b)(7)(C) 0Sep13

REPORTED BY: (b)(6), (b)(7)(C), Special Agent
OFFICE: CONTINGENCY RESPONSE FIELD OFFICE

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PAGE 1 LAS (b)(6), (b)(7)(C) V2 LNN

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EXHIBIT (60)

Pages 93 through 100 redacted for the following reasons:

(b)(6), (b)(7)(C): Pages (93) - (100), Enclosure (a) - Photographs

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

09OCT13

CONTROL: 10AUG12-CRAF-0076-7HMA

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

RESULTS OF INTERVIEW OF ANP (b)(6), (b)(7)(C)

1. On 09Oct13, from approximately 1335-1352, Afghan Chief Prosecutor, (b)(6), (b)(7)(C) hereby referred to as (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) (full name) assigned to the Afghan National Police (ANP) at Forward Operating Base (FOB) Delhi, Garm Ser (Garmsir) District, Helmand Province, Afghanistan (AFG).

AGENT NOTES: (b)(6), (b)(7)(C) uses his first name (b)(6), (b)(7)(C) and is referred to throughout this report as (b)(6), (b)(7)(C). Additionally, (b)(6), (b)(7)(C) an Afghan Chief Prosecutor, holds the civilian rank of (b)(6), (b)(7)(C) as seen in U.S. police departments.

2. (b)(6), (b)(7)(C) was interviewed because of his interaction with suspect (b)(6), (b)(7)(C) immediately following (b)(6), (b)(7)(C) attack against U.S. Marines at FOB Delhi on 10Aug12. Following the attack (b)(6), (b)(7)(C) fled to an ANP guard tower, the northeast guard tower, where he encountered (b)(6), (b)(7)(C) two other ANP non-commissioned officers (b)(6), (b)(7)(C). The interview of (b)(6), (b)(7)(C) took place at the Justice Center in Parwan (JCIP), Task Force Vigilant, Camp Sabalu-Harrison, Bagram Airfield, Parwan Province, Afghanistan (AFG). (b)(6), (b)(7)(C) conducted the interview in Dari. (b)(6), (b)(7)(C) willingly and voluntarily participated in the interview.

3. At the time of the attack (10Aug12), (b)(6), (b)(7)(C) was approximately () years old, now, at the time of this interview (09Oct13), he is approximately () years old. (b)(6), (b)(7)(C) is an ethnic Baloch (Balooch). He possesses a limited formal education. (b)(6), (b)(7)(C) is from the village of Khary, Garm Ser District, Helmand Province, AFG. (b)(6), (b)(7)(C) native (primary) language is Balochi; however, he can converse in Pastu and Dari, and he is able to speak limited English.

4. Near the end of the interview, (b)(6), (b)(7)(C) asks (b)(6), (b)(7)(C) if he will identify (b)(6), (b)(7)(C) via a photographic lineup, which he agrees to do. (b)(6), (b)(7)(C) presents to (b)(6), (b)(7)(C) a single-page photographic lineup that lists eight (8) facial pictures of male prisoners. When presented with the photographic lineup, without hesitation, (b)(6), (b)(7)(C) selects Picture (b)(6), (b)(7)(C) pointing to (b)(6), (b)(7)(C) picture and then drawing a circle around it with an ink pen. (b)(6), (b)(7)(C) then asks (b)(6), (b)(7)(C) to place a print of his left thumb to the right of (b)(6), (b)(7)(C) s picture. The photographic lineup was developed by JCIP U.S. Advisory Team members.

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

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EXHIBIT (61)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 10AUG12-CRAF-0076-7HMA

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Enclosure (A) pertains. In Afghanistan, because of the high rate of illiteracy, it is a common and accepted legal practice to verify individual consent or an answer by providing a thumb print in place of a written signature.

5 [redacted] (b)(6), (b)(7)(C) an Afghan translator, assigned to Echo Company, 2nd Battalion, 8th Marines, II Marine Expeditionary Force (Forward), FOB Delhi, AFG translated the interview between [redacted] (b)(6), (b)(7)(C) and [redacted] (b)(6), (b)(7)(C) from Dari to English and recorded it. A recording of the translated interview was provided to NCIS and the JCIP U.S. Advisory Team. Enclosures (B) and (C) pertain.

6. The transcription of interview below does not include Agent comments or explanations; it is how the interview was conducted.

Begin Interview

[redacted] (b)(6), (b)(7)(C) Today is the 9th of October, 2013 in the afternoon. We are here to talk about the incident which happened at FOB Delhi. Sir, please briefly introduce yourself to us.

[redacted] (b)(6), (b)(7)(C) My name is [redacted] (b)(6), (b)(7)(C) I am from Helmand Province, in the Garm Ser District. When I lived in this district, me and my family, we came to Helmand Province. This is my seventh year serving the Garm Ser District. So, I'm still working there.

[redacted] (b)(6), (b)(7)(C) What was your previous position? And what were you doing in the past?

[redacted] (b)(6), (b)(7)(C) I was studying at school. Because my father was working there and after I finished my studies, he enrolled me in the ANP or Afghan National Police.

[redacted] (b)(6), (b)(7)(C) Let us talk about the incident. Do you know [redacted] (b)(6), (b)(7)(C) as friend?

[redacted] (b)(6), (b)(7)(C) Yes, I am in the ANP and I worked at a checkpoint. I was working with [redacted] (b)(6), (b)(7)(C) He was a guy from some district of Afghanistan. When I came there, I was introduced to [redacted] (b)(6), (b)(7)(C) I think he was new to the district. I don't know him personally.

[redacted] (b)(6), (b)(7)(C) : Would you know him if we show you his picture?

[redacted] (b)(6), (b)(7)(C) Yes, I am in the ANP and I worked at a checkpoint. I was working with [redacted] (b)(6), (b)(7)(C) He was a guy from some district in Afghanistan. When I came there, I was introduced to [redacted] (b)(6), (b)(7)(C) I think he was new to the district.

[redacted] (b)(6), (b)(7)(C) Do you know about his residency? What district is he from?

[redacted] (b)(6), (b)(7)(C) No, I do not know. I don't know his residency or what district he belonged to. We just had a few days where we working together. So, I just knew him for a few days. I also knew him when the incident took

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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place.

(b)(6), (b)(7)(C) Would you please tell us honestly what happened and when it happened? It is good to start from the beginning. What happened in the beginning and what happened after?

(b)(6), (b)(7)(C) It was the month of Ramadan, but I don't know which specific day of the month. So when we were at the post. I was actually in charge of a post in the detention facility and I was in charge of the tower, you know. There was a person by the name of [Unintelligible] and we were friends. We worked in the guard tower, so we actually decided to go to the tower. It is only ten meters, the tower is only ten meters away from the room where I had my office. So we went to the tower and some guys were, you know, doing workouts at the gym. When we were in the tower, we heard some firings, some gunshots. So we just laid down because of fear of who had actually fired the guns. We did not know who was firing. So we hid ourselves and laid down. So I asked one of my friends, "What has happened?" My friend told me that someone had shot some Marines. I took my pistol from my side and I was angry. I wanted to fight against this man who had started shooting. So I actually grabbed my pistol and we were just by the door when this guy, who was the shooter, came into the room. After a conversation, my friend attacked him. I pointed my gun at him and said, "Drop yourself down." He then tried to leap from the wall, but we had captured him before. Many Marines came and were also there. The Marines asked us, "Where were you when the firings started?" I told him that we were in one of the towers. There is a distance between the wall of the tower and the actual detention facility. We do not know what had actually been near the tower. In the past, I've also given several types of statements about this incident.

(b)(6), (b)(7)(C) You've already given a statement after the incident?

(b)(6), (b)(7)(C) Yes, I have. I have given a statement and have confessed about this incident.

(b)(6), (b)(7)(C) So you confessed about who the shooter was?

(b)(6), (b)(7)(C) They interrogated us many times. Not just once or twice. I remember that I gave statements about this as a witness.

(b)(6), (b)(7)(C) What was the time difference from when the shooting started to when he entered your tower? Can you tell me about the difference in time?

(b)(6), (b)(7)(C) After the shooting began, it was about ten minutes.

(b)(6), (b)(7)(C) When he actually entered the tower, what was the first sentence or word he said?

(b)(6), (b)(7)(C) He said, "Do you want to help me kill some Americans?" He then said, "If you don't help me fight against the unbelievers, then I will shoot you guys." And so I told him, "Yes, I will help you." So I grabbed my pistol, but I was just pretending that we were going to help him. He turned and then we captured him and took his gun away from him.

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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(b)(6), (b)(7)(C) When you captured him, what was he telling you guys?

(b)(6), (b)(7)(C) When we captured him, he was just trying to intimidate us by saying "I will kill you guys because you did not help me." He said, "When I am released, I will come talk to you guys and I will kill you." Actually, my brother was kidnapped. And the kidnapers told me, "If you come, I will release your brother." And they said, "If you do not show up, then we will kill your brother." My brother's nails were taken out of his fingers and he was badly tortured by the kidnapers. So I have actually been intimidated by his friends. They are threatening me saying, "Where are you? We will kill you." Hey have also been threatening other family members.

(b)(6), (b)(7)(C) So what was he wearing? What type of uniform and gun was he wearing?

(b)(6), (b)(7)(C) He had an AK-47 when he entered the tower. From thirty rounds there were twelve left. He must have fired the others against the Marines. But the twelve rounds were still there.

(b)(6), (b)(7)(C) Was he trying to escape from you?

(b)(6), (b)(7)(C) Yes, he was trying. He came to us originally I think to get assistance. He was in shock though and he was trying to flee. When he entered the room he said "I have started a holy war against these unbelievers. So if you assist me, good; otherwise, I will kill you." I said, "I will help you." I grabbed my pistol to make him calm. At that time, one of my friends attacked him and grabbed his AK-47 and I also assisted him in this. When we grabbed the AK-47 he just dropped himself down.

(b)(6), (b)(7)(C) I would like to show you some photos. We will show you some photos. Can you tell us who was the shooter at that incident?

(b)(6), (b)(7)(C) He is the guy who came into the tower and did had the AK-47. It is the photo, number

: Just make a circle on the photo.

This is the guy who entered into our tower and told us that he had killed Marines and asked us for help or he would shoot us.

You can sit down. Put your finger print on the top near his photo. Thank you for the information you have given us. Did you have any problems? Did you come here willingly? You weren't intimidated? You were not actually forced by someone to come here and give us this interview?

No. There has been no pressure on me. I willingly came here in order to give this confession about this man. I do not know him personally but of course I saw him when he entered the tower after the shooting.

: Thank you so much for helping us.

End Interview

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

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 10AUG12-CRAF-0076-7HMA

09OCT13

7. Biographical Information:

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

ENCLOSURE(S)

- (A) Eight (8) person Photo Line-up marked with thumbprint of ANP (b)(6), (b)(7)(C) 1/09Oct13
- (B) DVD RW CDROM Recording of an Interview between (b)(6), (b)(7)(C) and ANP (b)(6), (b)(7)(C) in Dari/09Oct13
- (C) DVD RW CDROM Recording of an Interview between (b)(6), (b)(7)(C) and ANP (b)(6), (b)(7)(C) Translated from Dari to English/09Oct13

REPORTED BY: (b)(6), (b)(7)(C) Special Agent
OFFICE: CONTINGENCY RESPONSE FIELD OFFICE

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PAGE 5 LAST [] V2 LNN

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Page 106 redacted for the following reason:

Page (106), Enclosure (a): Photograph - not processed

...

CROSS REFERENCE SHEET

(Insert this behind the cover sheet)

The dossier **10AUG12-CRAF-0076**
(Case Control Number (CCN))

on
(Subject Name/Title)

ENCLOSURE (B) TO EXHIBIT 61 contains the following additional material on

INT/CASE CRACKER (VIDEO) ISN 09OCT13
(Subject of the additional material)

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

TYPE

LOCATION NUMBER

(To be completed by Code 11C13)

Grand Jury

X - Rays

Video Tapes

Audio Tapes

Photographs (images of photographs

are contained in the electronic dossier,
actual photographs(s) from hard copy
dossier is/are filed separately.)

Polygraph Material

Source Envelope

Other

(Description)

CROSS REFERENCE SHEET

(Insert this behind the cover sheet)

The dossier **10AUG12-CRAF-0076**
(Case Control Number (CCN))

on
(Subject Name/Title)

ENCLOSURE (C) TO EXHIBIT 61 contains the following additional material on

VOICE RECORDING INTERVIEW OF AT JCIP

(Subject of the additional material)

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

TYPE

LOCATION NUMBER (To be completed by Code 11C13)

Grand Jury

X - Rays

Video Tapes

Audio Tapes

Photographs (images of photographs
are contained in the electronic dossier,
actual photographs(s) from hard copy
dossier is/are filed separately.)

Polygraph Material

Source Envelope

Other _____
(Description)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

10OCT13

CONTROL: 10AUG12-CRAF-0076-7HMA

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

RESULTS OF INTERVIEW OF (b)(6), (b)(7)(C) 10OCT13

1. On 10Oct13, Reporting Agent (RA) conducted a telephonic interview of (b)(6), (b)(7)(C) a former USMC Sergeant assigned to FOB Delhi, regarding captioned investigation. For background, (b)(6), (b)(7)(C) was identified as a witness to the shooting incident in captioned investigation. (b)(6), (b)(7)(C) had previously provided a written statement in which cited he was working out in an open-air, makeshift gym, inside the Afghan National Police (ANP) area of Forward Operating Base (FOB) Delhi, Garm Ser District, Helmand Province, Afghanistan when he heard guns shots and immediately fled the area.

2. RA reviewed (b)(6), (b)(7)(C) previous written statement line by line with him. (b)(6), (b)(7)(C) recalled the events in his statement to be the truth, and could not provide any additional details. (b)(6), (b)(7)(C) clarified that he did not see (b)(6), (b)(7)(C) enter the gym and fire a weapon. (b)(6), (b)(7)(C) stated he had never been shot at before this incident. (b)(6), (b)(7)(C) advised, when he heard the shots and saw bullets hitting the ground around his feet, he assumed that the shots were coming from the tower above him. (b)(6), (b)(7)(C) said he fled immediately to get out of the area and to get his gear. (b)(6), (b)(7)(C) said he took over the communications desk and did not return to the scene that day.

3. (b)(6), (b)(7)(C) provided no further pertinent information. RA advised (b)(6), (b)(7)(C) of the upcoming court date in Afghanistan. (b)(6), (b)(7)(C) stated he will be available if he is needed for further questioning or to appear in court.

BIOGRAPHICAL DATA

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

REPORTED BY: (b)(6), (b)(7)(C) Special Agent

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EXHIBIT (62)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL:10AUG12-CRAF-0076-7HMA

10OCT13

OFFICE: CONTINGENCY RESPONSE FIELD OFFICE

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PAGE 2 LAST (b)(6), (b)(7)(C) V2 LNN

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

02OCT13

DEATH (II)

CONTROL: 10AUG12-CRAF-0076-7HMA

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

V/DICKINSON, SCOTT EDWARD/SSGT USMC
M/W/MEE6/S (b)(6), (b)(7)(C)/25FEB83/CALIFORNIA
SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV
V/RIVERA, RICHARD ANTHONY/CPL USMC
M/W/MEE4/S (b)(6), (b)(7)(C)/26JUL92
SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV
V/BUCKLEY, GREGORY THOMAS/LCPL USMC
M/W/MEE3/N (b)(6), (b)(7)(C)/17JUL91/NEW YORK
SUPP: DUSTA: HQ CO, 3RD MARINES, 3D MARDIV

COMMAND/1ST MARINE DIVISION/11000

MADE AT/CRFO/CONTINGENCY RESPONSE FIELD OFFICE (b)(6), (b)(7)(C)
SPECIAL AGENT

REFERENCE(S)

- (A) NCISRA Afghanistan ROI (INTERIM)/07Sep12... (Contains Exhibits 1-31)
- (B) NCISRA Afghanistan ROI (INTERIM)/07Nov12... (Contains Exhibits 32-33)
- (C) NCISRA Afghanistan ROI (INTERIM) 26Nov12... (Contains Exhibits 34-39)
- (D) NCISRA Afghanistan ROI (INTERIM)/26Dec12 (Contains Exhibit 40)
- (E) NCISRA Afghanistan ROI (INTERIM)/03Feb13
- (F) NCISRA Afghanistan ROI (INTERIM)/26Feb13
- (G) NCISRA Afghanistan ROI (INTERIM)/18Mar13 (Contains Exhibits 41-48)
- (H) NCISRA Afghanistan ROI (INTERIM)/05Apr13 (Contains Exhibits 49-53)
- (I) NCIS CRFO ROI (INTERIM)/17Apr13
- (J) NCIS CRFO ROI (INTERIM)/17May13 (Contains Exhibits 54-56)
- (K) NCIS CRFO ROI (INTERIM)/04Jun13
- (L) NCIS CRFO ROI (INTERIM)/02Jul13
- (M) NCIS CRFO ROI (INTERIM)/01Aug13
- (N) NCIS CRFO ROI (INTERIM)/03Sep13

EXECUTIVE SUMMARY

1. At approximately 2030, 10Aug12, (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) an Afghan National, attacked U.S. Marines in an open-air
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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL:10AUG12-CRAF-0076-7HMA

02OCT13

makeshift gym inside an Afghan National Police (ANP) Compound at Forward Operating Base (FOB) Delhi, Garm Ser District, Helmand Province, Afghanistan (AFG). (b)(6), (b)(7)(C) utilized an ANP AK-47 rifle as the instrument of his attack. V/DICKSON, V/RIVERA and V/BUCKLEY were fatally wounded and (b)(6), (b)(7)(C) sustained non-life threatening injuries. Immediately following the attack U.S. Marines detained (b)(6), (b)(7)(C) is currently in Afghan custody at the Afghan National Detention Facility in Parwan, AFG.

(b)(6), (b)(7)(C) is scheduled to be prosecuted by the Afghan government in April. Subsequently, in direct support of U.S. Government interest, the Department of Justice (DoJ), U.S. Attorney's Office (USAO) for the Eastern District of New York (EDNY) and NCIS are developing a federal "collateral prosecution" case against (b)(6), (b)(7)(C). DoJ forwarded a Mutual Liaison Assistance Treaty to U.S. Embassy Kabul seeking government-to-government investigative coordination with the Government of the Islamic Republic of Afghanistan (GIROA). NCISRA Afghanistan continues efforts to locate and interview potential key witnesses in support of captioned investigation.

NARRATIVE

1. This reactive investigation pertains to suspected violations of Article 118 (Murder) of the Uniform Code of Military Justice (UCMJ); Title 18 U.S.C. 1114 (Murder), which criminalizes the murder of U.S. Officers and Employees operating in their official capacity, Title 18 U.S.C. 2332 (Murder), which criminalizes the murder of U.S. Nationals overseas; and, the Government of the Islamic Republic of Afghanistan (GIROA) Penal Code Article 395 (Murder), as related to the circumstances surrounding the "Green on Blue" shooting deaths of three U.S. Marines.

2. Since the submission of Reference (N), discussions continue between representatives from the Department of Justice (DoJ), U.S. Attorney's Office, Eastern District of New York (EDNY) and the Department of State at the U.S. Embassy Kabul, Afghanistan (AFG) regarding DoJ's submission of a Mutual Liaison Assistance Treaty (MLAT) seeking government-to-government criminal investigative coordination and assistance. NCIS and DoJ team members are seeking approval from the Afghan Government to visit the Afghan National Army (ANA) Afghan National Detention Facility in Parwan (ANDF-P) near Bagram Airfield, AFG.

3. On 16Sep13, NCIS CRFO Agents assisted the AUSA EDNY in conducting telephonic interviews of (b)(6), (b)(7)(C) CIV (former HN, USN, Naval Medical Center, San Diego, CA), and Law Enforcement Professional (LEP) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) CIV, Camp Dwyer, Helmand Province, AFG. No new information was gleaned from the interviews following a line-by-line review with (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) of their previously provided statements. Efforts to assist EDNY in the re-interview of (b)(6), (b)(7)(C) USMC, Marine Corps Base Hawaii, Kaneohe Bay, HI continue. The estimated completion date of the interview is 30Sep13.

4. NCISRA Afghanistan continues efforts to locate and interview (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) the Deputy District (b)(6), (b)(7)(C) who allegedly sponsored (b)(6), (b)(7)(C) onto FOB Delhi and went missing shortly before the incident. NCISRA Afghanistan also continues efforts to locate and interview (b)(6), (b)(7)(C) ANP guard, present in the guard tower where (b)(6), (b)(7)(C) died after the shooting. Investigation continues.

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