

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

07APR06

CONTROL: 13MAR06-MEBJ-0164-7HMA

I/KILO CO 3, 1, IMEF/ALLEGED VIOLATIONS OF LAW OF ARMED CONFLICT IN
HADITHA IZ

RESULTS OF POLYGRAPH EXAMINATION OF CPL DELA CRUZ/02APR06

On 02APR06, subsequent to executing Enclosures (1) and (2), CPL Sanick P. DELA CRUZ was administered a polygraph examination at Al Asad Airbase, IZ. The following relevant questions were utilized with CPL DELA CRUZ's responses thereto:

- (a) Were any of those men kneeling when you shot them?...NO
- (b) Did you shoot any of those men at close range?...NO

After chart evaluation, and prior to NCISHQ quality review, it was the opinion of the examiner that CPL DELA CRUZ was not being truthful in his responses to the relevant questions. During post-test interview CPL DELA CRUZ admitted culpability to shooting unarmed Iraqi males at close range. CPL DELA CRUZ also implicated SGT WUTERICH in shooting the unarmed Iraqi males. Enclosure (1), provides details.

ENCLOSURES

- (1) Military Suspect's Acknowledgement and Waiver of Rights/Statement/CPL DELA CRUZ/02APR06
- (2) Polygraph Examination Waiver/CPL DELA CRUZ/02APR06

REPORTED BY: RICHARD C. GARBETT, SPECIAL AGENT
OFFICE: NCISRA CHARLESTON, SC

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EXHIBIT (22)