

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

FOR OFFICIAL USE ONLY  
PAGE 1 LAST WJ V2 LNN  
NNNN

WARNING

THIS DOCUMENT IS THE PROPERTY OF THE NAVAL CRIMINAL INVESTIGATIVE SERVICE  
CONTENTS MAY BE DISCLOSED ONLY TO PERSONS WHOSE OFFICIAL DUTIES REQUIRE ACCESS  
HERE TO. CONTENTS MAY NOT BE DISCLOSED TO THE PARTY (S) CONCERNED WITHOUT SPECIFIC  
AUTHORIZATION FROM THE NAVAL CRIMINAL INVESTIGATIVE SERVICE

EXHIBIT (22)

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

08APR06

CONTROL: 13MAR06-MEBJ-0164-7HMA

Personal information has been withheld.

## RESULTS OF POLYGRAPH EXAMINATION OF X/MENDOZA

1. On 02Apr06, subsequent to executing Enclosures (A) and (B), Humberto MENDOZA (X/MENDOZA), was administered a polygraph examination by Examiner/Reporting Agent (RA) in conjunction with a death investigation of Iraqi civilians. The following are the relevant questions utilized during the polygraph examination and X/MENDOZA's responses thereto:

- (a) Did you lie when you said that man reached into the closet? No
- (b) Did you lie when you said that man reached into the closet that morning? No

After chart evaluation and prior to NCISHQ quality control review the RA concluded that deception was indicated based on X/MENDOZA's physiological responses to the relevant questions. X/MENDOZA terminated the interview shortly after being informed of the examiner's opinion. X/MENDOZA was then escorted back to his command by NCIS personnel.

### ENCLOSURE(S)

- (A) Military Suspect's Acknowledgement and Waiver of Rights/  
MENDOZA/02Apr06
- (B) Polygraph Examination Waiver/MENDOZA/02Apr06

REPORTED BY: Michael J. Wright  
OFFICE: NWVB

FOR OFFICIAL USE ONLY

WARNING

Page 1 LAST LM V2 LNY

THIS DOCUMENT IS THE PROPERTY OF THE NAVAL CRIMINAL INVESTIGATIVE SERVICE  
CONTENTS MAY BE DISCLOSED ONLY TO PERSONS WHOSE OFFICIAL DUTIES REQUIRE ACCESS  
HERE TO. CONTENTS MAY NOT BE DISCLOSED TO THE PARTY(S) CONCERNED WITHOUT SPECIFIC  
AUTHORIZATION FROM THE ISSUING OFFICE.

R.O.I. 12 Apr 06  
00111

# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

09APR06

CONTROL: 13MAR06-MEBS-0164-7HMA

████████████████████  
Personal information has been withheld.

## RESULTS OF POLYGRAPH EXAMINATION OF X/SHARRATT

1. On 02Apr06, after executing Enclosures (A) and (B), Justin SHARRATT (X/SHARRATT) was administered a polygraph examination regarding the death of Iraqi civilians. The following are the relevant questions utilized and X/SHARRATT's responses:

- (a) Did you lie when you said that man pointed that AK47 at you?...No
- (b) Did you lie when you said that man pointed that AK47 at you that morning?...No

After chart evaluation, prior to NCISHQ quality control review, it was the examiner's opinion that there were no significant physiological responses to the relevant questions. X/SHARRATT was informed that the final results would be determined by headquarters and additional testing or questioning may be requested. X/SHARRATT was then escorted back to his command by NCIS personnel.

## ENCLOSURES

- (A) Military Suspect's Acknowledgement and Waiver of Rights/  
X/SHARRATT/02Apr06
- (B) Polygraph Examination Waiver/X/SHARRATT/02Apr06

REPORTED BY: MICHAEL J. WRIGHT  
OFFICE: NWVB

FOR OFFICIAL USE ONLY

Page 1 LAST LM V2 LNY

WARNING

THIS DOCUMENT IS THE PROPERTY OF THE NAVAL CRIMINAL INVESTIGATIVE SERVICE  
CONTENTS MAY BE DISCLOSED ONLY TO PERSONS WHOSE OFFICIAL DUTIES REQUIRE ACCESS  
HERETO. CONTENTS MAY NOT BE DISCLOSED TO THE PARTY(S) CONCERNED WITHOUT SPECIFIC

EX-111 22

R.O.I. 12 Apr 06  
00154