

## STATEMENT

Place : Al Asad Airbase, Iraq

Date : April 2, 2006

SPD I, CPL Sanick Pallerna DELA CRUZ, make the following free and voluntary statement to SA Richard C. Garbett whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of Criminal and/or Negligent Homicide of Iraqi citizens on 19NOV05. SPD

SPD For purposes of identification I am a 23 year old male, SS# [REDACTED], DPOB: 21OCT82, Cavite City, PI. I am attached to Kilo Company, 3/1, Camp Pendleton, CA SPD

SPD I am giving this statement regarding the shooting of 4 or 5 Iraqi citizens beside a car located on Chestnut Street, Haditha, IZ, on 19NOV05. First of all I would like to say that the statement I provided to NCIS on 18MAR06, was correct with the exception of the events that occurred around the Iraqi's car. SPD

SPD I was the driver of second vehicle of a four vehicle convoy going down Chestnut Street at about 0700 hrs, 19NOV05. An IED went off and destroyed the fourth vehicle in the convoy. I stopped my vehicle and exited the driver's door. Everyone in my vehicle to include the four or five Iraqi Army (IA) troops also exited. As I exited I noticed a civilian vehicle parked directly across the median and street from me. The front of the vehicle was facing east. The vehicle was pulled completely off of the street and I saw that four or five Iraqi civilians were standing outside of the passenger's side, lined up. They were facing away from the vehicle. I then saw an Iraqi army (IA) soldier standing about 10 feet to the east of the Iraqi citizens. As I crossed the median I saw one of the Iraqi civilians, who was standing in the center of the line, drop to the ground. Immediately afterwards another Iraqi standing by him raised his hands to his head. I then heard other small arm fire (SAM) and looked to my left and saw SGT Wuterich kneeling on one knee and shooting his M16 in the direction of the Iraqi civilians. He also was about 10 feet from the Iraqis however, he was positioned towards the rear of the Iraqis at about an 8 o'clock position. Sgt Wuterich was aiming and taking head shots at the Iraqis. I proceeded to the rear of the Iraqi's car. When I arrived I noticed SGT Wuterich had also advanced and was standing over the Iraqi civilians who were all lying on the ground and shooting each one of them, single action. I believe that they were dead at the time. I proceeded around the car and began shooting the Iraqis, single action, as they lay on the ground. I did not see or hear any automatic fire at the vehicle. After that I left to check on the damage to the fourth vehicle that got hit by the IED. Later that day around 1700 hrs I was at the intersection of Viper and Chestnut when SGT Wuterich told me to say that the Iraqis were running from the car and that the IAs shot them. I don't recall seeing any other Marines there when this happened. However, I heard LCPL Graviss say that witnessed SGT Wuterich shooting the Iraqis outside of their car. I don't remember exactly where or when I heard that. SPD

SPD SA Garbett asked me if any of the Marines involved in the events that occurred in the houses off of Chestnut that day has ever admitted to me to that they knowingly shot any unarmed Iraqi civilians who posed no threat. They are very quiet about it, and have never said anything to me. SPD

*David del Cruz*  
(Formerly NCISFOR)

SPD I would like to end by saying that the events of that day have weighed heavy on my conscious. I'm sure the Iraqi civilians were dead by the time I started shooting at their bodies, but I still should not have. That day was very emotional for me, as I lost a fellow Marine, LCPL Terrazas to the IED. SPD

SPD This statement, consisting of this page and one other page was typed for me by SA Garbett form information I provided him as we discussed the contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge. SPD

Signature: \_\_\_\_\_

*David de la Cruz* 1323

Sworn to and subscribed before me this 19<sup>th</sup> day of January in the year 2006 at NCISRA Camp Lejeune, NC.

Witness: \_\_\_\_\_

*P. C. [Signature]*

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