

CR - 08 - 341 FILED

SWALED

**AFFIDAVIT IN SUPPORT OF
APPLICATION FOR ARREST WARRANT**

NOV 18 2008

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

I, John M. Patarini, a Special Agent with the Federal Bureau of Investigation (FBI), being first duly sworn, hereby depose and state as follows:

1. I make this affidavit in support of an arrest warrant for JEREMY P. RIDGEWAY,

2. I have been a Special Agent of the FBI since 1989, and I am currently assigned to the Counterterrorism Squad CT-2, Counterterrorism Division, Washington Field Office. As a Special Agent of the FBI, I am authorized to investigate crimes in which the United States is or may be a party in interest, and perform other duties imposed by law.

3. The Federal Bureau of Investigation has been investigating possible violations of 18 U.S.C. §§ 1112 (Voluntary Manslaughter), 1113 (Attempt to Commit Manslaughter), and related weapon charges, arising out of a September 16, 2007 fatal shooting at Nisur Square in Baghdad, Iraq involving employees of a U.S. government contractor, Blackwater Worldwide. Criminal acts committed by federal contractors in foreign countries are subject to prosecution under the Military Extraterritorial Jurisdiction Act ("MEJA"), 18 U.S.C. § 3261(a)(1), et al., when their work "relates to supporting the mission of the Department of Defense overseas." 18 U.S.C. § 3267(1)(A)(ii)(II).

4. FBI investigators have interviewed many of the Iraqi survivors of the September 16 shooting incident, and other eyewitnesses who were present on the scene. The witnesses report that a convoy of four heavily-armored Blackwater vehicles entered the Nisur Square traffic circle located just outside the International Zone in western Baghdad at around noon on September 16, 2007, and positioned their vehicles in a manner to stop the flow of civilian traffic from all directions. FBI investigators have confirmed the identification of this particular Blackwater convoy as "Red Detail Tactical Support Team No. 23," or "Raven 23." The four armored vehicles were occupied by a total of 19 Blackwater independent contractors.

5. The eyewitnesses state that, while parked at the circle, one or more of the turret gunners in the Blackwater vehicles opened fire into a small white Kia sedan that had approached the intersection from the south, fatally wounding the driver. Heavy machine gunfire continued from the Blackwater convoy, directed at the white Kia sedan and other vehicles in the traffic lanes south of the circle, and eventually toward unarmed civilians attempting to run to safety. The witnesses also observed the convoy fire several grenades into civilian vehicles and over the fence of a nearby middle school. The white Kia sedan burst into flames and the two occupants of the vehicle were killed.

6. As the convoy departed from the intersection, the witnesses observed the Blackwater independent contractors continue to fire at pedestrians to the east of the traffic circle, and at a red bus and unarmed civilians to the west of the circle. As the convoy proceeded back to the International Zone on a road to the north of the circle, other eyewitnesses observed members of the convoy open fire again into the rooftops, windshields, and trunks of three other vehicles, wounding at least three other civilians.

7. An FBI review of hospital records, Iraqi police and army reports, and an examination of several vehicles recovered from the scene, has confirmed that at least 14 people were killed in the attack, at least 20 more were injured, and approximately 18 vehicles were damaged by gunfire or grenades in the vicinity of the traffic circle, and on the road proceeding north from the circle. Another 18 individuals were targeted by gunfire from the Blackwater convoy, but not injured.

I. Request for Arrest Warrant for Defendant Jeremy P. Ridgeway

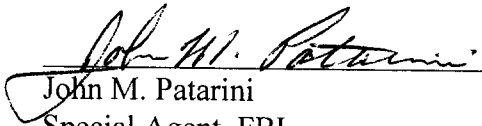
8. One of the Blackwater independent contractors who fired his weapon during the September 16 shooting has been positively identified by witnesses as JEREMY P. RIDGEWAY.

9. Mr. Ridgeway and his legal counsel have met with the federal prosecutors handling the investigation, and has agreed to voluntarily enter a plea of guilty to two criminal charges in this case. Mr. Ridgeway has agreed to a written factual proffer describing his actions on September 16, and acknowledging that his use of deadly force against the Iraqi civilians was not objectively reasonable. The factual proffer will be filed with the Court in support of Mr. Ridgeway's guilty plea. A true and accurate copy of the factual proffer is affixed to this affidavit, and incorporated by reference. All of the factual assertions contained in the factual proffer are accurate to my knowledge, and are supported by information that the FBI has received from witness interviews, forensic testing, and other sources.

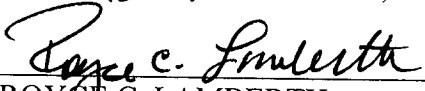
II. Request for Sealing

10. Since this investigation is continuing, disclosure of the arrest warrant, this affidavit, and/or this application and the attachments thereto will jeopardize the progress of the investigation.

Accordingly, I request that the Court issue an order that the arrest warrant, this affidavit in support of application for arrest warrant, the application for arrest warrant, and all attachments thereto be filed under seal until further order of this Court.


John M. Patarini
Special Agent, FBI
Washington Field Office

Sworn to and subscribed before me
on this 18th day of November, 2008,



ROYCE C. LAMBERTH
Chief Judge
United States District Court