

B3
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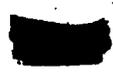
USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF  *b6* TAKEN AT 0837 HRS DATED 2009/06/18

b6

STATEMENT (Continued) *Not U.S. Citizen*

INITIALS OF PERSON MAKING STATEMENT



PAGE 2 OF 3 PAGES

b6

PAGE 2, DA FORM 3882, 080 1000

USAPA VI.20

~~SECRET//NOFORN~~ U

Formica Report - Annex 94

B3
B6

STATEMENT OF

SECRET 003785

DATE: 30/10/19

B. STATEMENT (Continued No. 14)

AFFIDAVIT
I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]
Signature of Person Making Statement

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18th day of June, 2002
at WARE, Texas

ORGANIZATION OR ADDRESS

[REDACTED]
Signature of Person Administering Oath

ORGANIZATION OR ADDRESS

[REDACTED]
Notary Public for Person Administering Oath
Ant 136, 130m.T
Authority To Administer Oaths

Confidential
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INITIALS OF PERSON MAKING STATEMENT

FORM 2, SEPTEMBER 1980, AND 1982

PAGE 3 OF 3 PAGES
USGPO VLS 81

~~SECRET/NOFORN~~

Formica Report - Annex 94

B3
96

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [REDACTED] [REDACTED] DATED [REDACTED]

A. STATEMENT CHANGES

NOT USED

INITIALS OF PERSON MAKING STATEMENT

PAGE 2, DA FORM 3022, DEC 1966

PAGE 2 OF 7 PAGES

~~SECRET/NOFORN~~ U
Formica Report - Annex 95

B3
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STATEMENT OF

[REDACTED]

FOR THE YEAR

STATEMENT

100-2500

APPROAVIT

I HAVE READ OR HAVE HAD READ TO ME THE STATEMENT
I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE
BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE
CONCERNING THE STATEMENT. I HAVE MADE THE STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT
THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

26

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to
administer oaths, this 18 day of June, 2002

ORGANIZATION OR ADDRESS

[REDACTED]

B6

ORGANIZATION OR ADDRESS

IDENTITY OF PERSON MAKING STATEMENT

PAGE 17 OF 17 PAGES

~~SECRET//NOFORN~~ Formica Report Annex 95

32
B6

SWORN STATEMENT

For use of this form, see AR 150-45; the preparation agency is OCSOPS.

LOCATION

FOIB HOTEL, NAJAF, IRAQ

DATE

TIME

FILE NUMBER

SOCIAL SECURITY NUMBER

GRADIENT STATUS

E-7/RA

LAST NAME, FIRST NAME, MIDDLE NAME

R PATRY, 2D BATTALION, 31 FRENCH ARTILLERY

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

1. Did you guard or work at 2-3 FA Detainee Holding Facility in the [redacted] area anytime during December 2003 or January 2004?

YES

2. How often did you guard or work at the facility? What shifts did you normally work?

EVERYDAY, BUT NO SPECIFIC SHIFT BECAUSE I WAS AVAILABLE 24 HOURS A DAY

3. What were your primary tasks when working at the 2-3 FA Detainee Holding Facility (i.e. in-processing detainees, guarding, providing food, escorting them when they were removed from the holding area, etc.)?

I MADE SURE THAT DETAINEES NEEDS WERE MET SUCH FOOD, WATER, MEDICAL CARE, SLEEPING GEAR AND THAT GUARDS WERE PROTECTED

4. Were detainees ever removed from the holding facility for interrogation or medical questioning?

YES

5. Where were the interrogations/questioning conducted?

IN THE QUESTIONING TENT LOCATED NEAR THE D-CELL

Were there any other reasons detainees would be removed from the facility and returned? If yes, for what?

YES, TO GO TO THE BATHROOM

7. Were detainees ever removed by personnel from [redacted] and later returned? For what purpose (if you know)? How long were they gone?

NOT TO MY KNOWLEDGE

8. Do you know a person named Mohammed Saddam or a person named Roy (Raha)?

YES

DOBENT

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [redacted] TAKEN AT [redacted] DATED [redacted] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [redacted] OF [redacted] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823, JUL 72

SUPersedes DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

USAFS V.1.10

b6

~~SECRET//NOFORN~~ Eornica Report - Annex 96

136
B6

STATEMENT (Continued)

9. If the answer to question 8 is yes, were either of them allowed access to the detainee holding areas? Were they allowed to be present at any detainee questioning or interrogation? What were the circumstances?

NO, AND I NOT AWARE of them being present during Questioning

10. Do you remember the following detainees being at the 2-3 FA Holding Facility in late December 2003?

I REMEMBER HUDA BECAUSE SHE WAS THE FIRST WOMAN WE EVER DETAINED THERE

11. If you answered yes to question 10, were any of those listed ever released from the 2-3 FA Holding Facility to personnel from 512 ODA? If so, who was released, into whose custody were they released, and what were the circumstances?

No

12. If you answered yes to question 10, were [redacted] ever allowed to interrogate or question any/all of those listed, either alone or with others? Were either allowed to be present at any of their interrogations?

NO, NOT THAT I AM AWARE OF

13. If you answered yes to question 10, was there a time when any of those individuals appeared to have been physically injured? If yes, do you know the cause of the injury?

No

14. Is there anything else you would like to add?

No

AFFIDAVIT

[redacted] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL ENDEAVOR.

[redacted]
Signature of Person Making Statement

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 1st day of Jan, 2004
at NAFAP, TRAP

ORGANIZATION OR ADDRESS

[redacted]
Signature of Person Administering Oath

ORGANIZATION OR ADDRESS

[redacted]
(Typed Name of Person Administering Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

USAF 06 V1.10

~~SECRET//NOFORN~~ Foreign Report Annex 96

B3
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SWORN STATEMENT

For use of this form, see AR 190-48; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 201; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSA).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

LOCATION CAMP VICTORY, NORTH
6. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]
7. GRADE/STATUS E-5
2. DATE 20071118
3. TIME 0819
4. FILE NUMBER
5. SSN [REDACTED]

8. ORGANIZATION OR ADDRESS [REDACTED]

9. [REDACTED]

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

[REDACTED STATEMENT]

1.4(a)

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b6

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

FORM 2823, DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE

USAPA V1.00

~~SECRET/NOFORN~~

Formica Report - Annex 97

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06

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF

[REDACTED]

TAKEN AT 0919

DATED 20040618

STATEMENT (Continued)

and the prisoners would say, "he's a very good man, he's cleaning up the streets of [REDACTED]" not that he would rather just go out and grab somebody, whereas I would rather develop the case against somebody than arrest them. I didn't think he was good as an interrogator. He wasn't aggressive or abusive, he just asked bad questions. I don't know that well. I just didn't like [REDACTED] I didn't like his personality. [REDACTED] seemed to me to be the type of person who'd go into a series of questions, with his answer already formulated, not objectively, and if he suspected something was true about a detainee, I think he would lean all of his techniques toward getting that answer. I think that [REDACTED] could potentially deliberately ask the wrong question or give the wrong answer if he were interpreting and the interrogator didn't speak Arabic. There were times I remember correcting [REDACTED] about his translations. When he'd start to ask a question I had said, he would start it and I'd say, "no, that's not what I'm asking". I don't trust [REDACTED] I trust [REDACTED] to the extent that I could use him. Would I trust him to do this on his own? No, at the time there were so many detainees coming in that I think it would have been a logistical hassle for 2-3 to arrange the transport of the [REDACTED] and hand them over to the [REDACTED] team, get them brought back, without any of the other prisoners noticing. The detainees called the Brigade Detention Facility "The Rasuf Police Station." There is also a police college right across the street from there.

END

Nothing Follows

Nothing Follows

INITIALS OF PERSON MAKING STATEMENT

FFH

2. DA FORM 2632, DEC 1988

PAGE 2 OF 3 PAGES

USAPA V1.00

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Formica Report - Annex 97

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STATEMENT OF [REDACTED] TAKEN AT 0919 DATED 2004 Dec 18

9. STATEMENT (Continued)

Not Used

Not Used

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON [REDACTED] AND ENDS ON [REDACTED]. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18 day of June, 2004 at Camp Victory North.

ORGANIZATION OR ADDRESS

[REDACTED]
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Art. 136, UCMJ
(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT KFH

PAGE 3 OF 3 PAGES

3, DA FORM 3823, DEC 1998

USAM V1.00

SECRET//NOFORN U

Formica Report - Annex 97

~~MAJ MNC-I C3Effects JA~~

From: ~~MAJ MNC-I C3Effects JA~~
Sent: 86 Monday, June 14, 2004 9:19 AM
To: ~~MAJ MNC-I C3Effects JA~~
Subject: RE: Request for Assistance

86

Thanks for the assistance with the statements. I unfortunately have a follow up because we did not draft the questions with enough specificity (as you noted) The following soldiers: PFC ~~XXXXXX~~, SPC ~~XXXXXX~~, SGT ~~XXXXXX~~, PFC ~~XXXXXX~~, and SPC ~~XXXXXX~~ all said that ~~XXXXXX~~ sometimes removed detainees from the holding facility for brief periods of time (5 minutes to one hour) for questioning. What we need to know is: Was the questioning done at ~~XXXXXX~~ location, such as the interrogation tent, or did they take the detainees back to their ~~XXXXXX~~. If you could ask this follow up, and let me know what they said via e-mail, that would be sufficient.

86

1.4(a)

86

We also need to get sworn statements for LTC ~~XXXXXX~~, CPT ~~XXXXXX~~, 1LT ~~XXXXXX~~ and SP ~~XXXXXX~~. We can scan and send you the statements, that we did based on a summary of a recording of the interviews BG Fornica conducted; you can print them, have each person read his, each person can make changes, such as deleting portions or adding information (handwritten is okay) and then they can swear and sign; you can send electronic versions to us and mail the original back to us. Will this process work?

86

~~SECRET//NOFORN~~ U

Fornica Report - Annex 88

MAJ MNC-I C3Effects JA

From: [redacted]
Sent: B6 [redacted]@us.army.mil
To: Thursday, June 17, 2004 3:33 AM
Subject: B6 [redacted] MAJ MNC-I C3Effects JA
E-mail responses for follow-up question

Here are the results of the follow-on questions you asked for.

- B6 PFC [redacted] "They were taken to the larger detention cell in the back"
- B6 SPC [redacted] "They were always taken to the large detention cell"
- B6 SPC [redacted] "I always saw them taken to the large detention cell"
- B6 SPC [redacted] "Most of the the time, I saw them take them to the interpreters tent, but sometimes to the large detention cell"

B6 PFC [redacted] is not available as he has been sent to Kuwait for port detail.

B6 SPC [redacted] is not available as he is on SML.

B6 I added SPC [redacted] because he did answer question seven in the positive.

I am getting the other statements together and I think by Saturday we will be able to post them to the server. I'll let you know when I am finished and ready to do this.

v/r
B6 [redacted]

~~SECRET~~ U

Formica Report - Annex 88

SWORN STATEMENT

For use as form, see AR 190-45; the preparer signs JCCSOFT

LOCATION FOR Hoff, NATAE IMAG LAST NAME, FIRST NAME, MIDDLE NAME	DATE 7.14.04	TIME 0915	FILE NUMBER
ORGANIZATION OR ADDRESS HHS/2.3 FA	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS E-5/RA	

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

1. Did you guard or work at 2-3 FA Detainee Holding Facility in the [REDACTED] area anytime during December 2003 or January 2004?

YES. [REDACTED] B6

2. How often did you guard or work at the facility? What shifts did you normally work?

EVERY OTHER DAY, BUT NO SET TIME. [REDACTED] B6

3. What were your primary tasks when working at the 2-3 FA Detainee Holding Facility (i.e. in-processing detainees, guarding, providing food, escorting them when they were removed from the holding area, etc.)?

BASIC PRISONER CARE LIKE FOOD, WATER, AND GOING TO THE LATRINE [REDACTED] B6

4. Were detainees ever removed from the holding facility for interrogation or tactical questioning?

YES, ALL THE TIME. [REDACTED] B6

5. Where were the interrogations/questioning conducted?

SOMETIMES IN THE INTERPRETERS TENT OR IN THE LARGE DETAINEE CELL [REDACTED] B6

6. Were there any other reasons detainees would be removed from the facility and returned? If yes, for what?

IF IT WAS COLD OR RAINY, THEY WOULD BE PUT ON THE BUS TO [REDACTED] B6
KEEP THEM WARM AND DRY.

7. Were detainees ever removed by personnel from ODA 523 and later returned? For what purpose (if you know)? How long were they gone?

YES, FOR 30 TO 45 MINUTES FOR QUESTIONING. [REDACTED] B6

8. Do you know a person named [REDACTED] or a person named [REDACTED]

NO. [REDACTED] B6

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT
[REDACTED] B6

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823, JUL 72

SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

USAMC VI.15

~~SECRET//NOFORN~~ U

Formica Report - Annex 99

STATEMENT (Continued)

9. If the answer to question 8 is yes, were either of them allowed access to the detainees holding areas? Were they allowed to be present at any detainee questioning or interrogation? What were the circumstances?
N/A [redacted] B6

10. Do you remember the following detainees being at the 2-3 FA Holding Facility in late December 2003: [redacted] B6

NO, I did not know their names but I remember the group because OF THE TWO FEMALES. [redacted] B6

11. If you answered yes to question 10, were any of those listed ever released from the 2-3 FA Holding Facility to personnel from [redacted] If so, who was released, [redacted] custody were they released, and what were the circumstances?
I don't remember. [redacted] B6

12. If you answered yes to question 10, were [redacted] ever allowed to interrogate or question any/all of those listed, either alone or with others? Were either allowed to be present at any of their interrogations?
I don't think so. [redacted] B6

13. If you answered yes to question 10, was there a time when any of those individuals appeared to have been physically injured? If yes, do you know the cause of the injury?
YES, there was one guy [redacted] was bruised up, but I don't know if he came in that way. [redacted] B6

14. Is there anything else you would like to add?
No. [redacted] B6

I, [redacted] [redacted] B6
I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE [redacted]. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.
[redacted] B6

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7th day of [redacted], 2004 at NAFB, Iraq

ORGANIZATION OR ADDRESS

[redacted] B6
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[redacted] B6
(Typed Name of Person Administering Oath)

INITIALS OF PERSON MAKING STATEMENT
[redacted] B6

(Authority To Administer Oath)

PAGE 2 OF 2 PAGES

USAFPC V1.10

~~SECRET~~/NOFORN U

Formica Report - Annex 99

For use in form, see AR 190-48; the proponent agent ODCSOPS

LOCATION: **FOR HVTM. NATAF TRAP**

DATE: **7 JUN 04** TIME: **1615**

FILE NUMBER: [REDACTED]

LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]

SOCIAL SECURITY NUMBER: [REDACTED]

GRADE/STATUS: **E-4 / RA**

ORGANIZATION OR ADDRESS: **HHS / 2-3**

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

1. Did you guard or work at 2-3 FA Detainee Holding Facility in the [REDACTED] area anytime during December 2003 or January 2004?

YES. [REDACTED] B6

2. How often did you guard or work at the facility? What shifts did you normally work?

ABOUT ONCE EVERY THREE DAY, BUT NO PARTICULAR SHIFT [REDACTED] B6

3. What were your primary tasks when working at the 2-3 FA Detainee Holding Facility (i.e. in-processing detainees, guarding, providing food, escorting them when they were removed from the holding area, etc.)?

I GUARDED THEM, FED THEM, GAVE THEM WATER, AND TOOK THEM TO THE LATRINE. I MADE SURE THEY ALWAYS CLEANED UP AFTER THEMSELVES. [REDACTED] B6

4. Were detainees ever removed from the holding facility for interrogation or tactical questioning?

YES. [REDACTED] B6

5. Where were the interrogations/questioning conducted?

SOMETIMES IN THE INTERPRETERS TENT, SOMETIMES IN THEIR CELL, OR SOMETIMES IN THE JEDC SLEEPING ROOM. [REDACTED] B6

6. Are there any other reasons detainees would be removed from the facility and returned? If yes, for what?

NOT THAT I KNOW OF. [REDACTED] B6

7. Were detainees ever removed by personnel from [REDACTED] and later returned? For what purpose (if you know)? How long were they gone?

YES TO BE QUESTIONED FOR 10 TO 15 MINUTES. [REDACTED] B6

8. Do you know a person named [REDACTED] or a person named [REDACTED]?

YES. [REDACTED] B6

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823, JUL 72

SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

USARPC VI.18

~~SECRET/NOFORN~~ U

Formion Report - Annex 100

STATEMENT (Continued)

9. If the answer to question 8 is yes, were either of them allowed access to the detainee holding areas? Were they allowed to be present at any detainee questioning or interrogation? What were the circumstances?

NOT WITHOUT ESCORT, but they were present during questioning because they would interpret. B6

10. Do you remember the following detainees being at the 2-3 FA Holding Facility in late December 2003: [redacted] B6

I remember two females because I put them all on the bus when it got cold outside. B6

11. If you answered yes to question 10, were any of those listed ever released from the 2-3 FA Holding Facility to personnel from [redacted] if so, who was released, into whose custody were they released, and what were the circumstances?

Not in that group, but there were detainees released to go home. B6

12. If you answered yes to question 10, were [redacted] or [redacted] ever allowed to interrogate or question any/all of those listed, either alone or with others? Were either allowed to be present at any of their interrogations?

YES, but they didn't ask ANY questions directly, only the SF guys did that. B6

13. If you answered yes to question 10, was there a time when any of those individuals appeared to have been physically injured? If yes, do you know the cause of the injury?

Not that I remember. FK. B6

14. Is there anything else you would like to add?

No. B6

AFFIDAVIT

I, [redacted] B6, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted] B6
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7th day of June, 2004 at NATAF TRAP

ORGANIZATION OR ADDRESS

[redacted] B6
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[redacted]
(Typed Name of Person Administering Oath)

INITIALS OF PERSON MAKING STATEMENT

[redacted] B6

PAGE 2 OF 2 PAGES

USAFPC V1.10

~~SECRET//NOFORN~~ Formica Report - Annex 100

SWORN STATEMENT

For use . . . as form, see AR 190-48; the proponent agency, ODCSOPS

LOCATION

FOS HOTEL - NATAF TAAP

LAST NAME, FIRST NAME, MIDDLE NAME

DATE

7 JAN 04 0950

TIME

FILE NUMBER

SOCIAL SECURITY NUMBER

GRADE/STATUS

ORGANIZATION OR ADDRESS

HMP/ 2-3 FA

REGINALD LYNARD MOORE B6

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

1. Did you guard or work at 2-3 FA Detainee Holding Facility in the Adamiya Palace area anytime during December 2003 or January 2004?

YES. B6

2. How often did you guard or work at the facility? What shifts did you normally work?

ABOUT ONCE EVERY 5 TO 6 DAYS, BUT NO PARTICULAR SHIFT. B6

3. What were your primary tasks when working at the 2-3 FA Detainee Holding Facility (i.e. in-processing detainees, guarding, providing food, securing them when they were removed from the holding area, etc.)?

I GUARDED THEM, FEED THEM, GAVE THEM WATER, TOOK THEM TO THE LATRINE AND MADE SURE THE ZIP CLOSERS WEREN'T TOO TIGHT. B6

4. Were detainees ever removed from the holding facility for interrogation or tactical questioning?

YES. B6

5. Where were the interrogations/questioning conducted?

USUALLY THEY WERE DONE IN THE LARGE HOLDING CELL. B6

6. Were there any other reasons detainees would be removed from the facility and returned? If yes, for what?

JUST TO GO TO THE LATRINE. B6

7. Were detainees ever removed by personnel from the facility and later returned? For what purpose (if you know)? How long were they gone?

YES, FOR MAYBE 30 MINUTES TO QUESTION THEM I THINK. B6

8. Do you know a person named [redacted] or a person named [redacted]?

NO. B6

ENDORSE

INITIALS OF PERSON MAKING STATEMENT

[redacted] B6

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [redacted] TAKEN AT [redacted] DATED [redacted] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [redacted] OF [redacted] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823, JUL 72

SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

USAPFC V1.10

SECRET//NOFORN Fomica Report - Annex 101

STATEMENT (Continued)

9. If the answer to question 8 is yes, were either of them allowed access to the detainee holding areas? Were they allowed to be present at any detainee questioning or interrogation? What were the circumstances?

N/A [redacted] B6

10. Do you remember the following detainees being at the 2-3 FA Holding Facility in late December 2003: [redacted] B6

WAS NOT THERE during late December because I was in FIELD SANITATION TRAINING [redacted] B6

11. If you answered yes to question 10, were any of those listed ever released from the 2-3 FA Holding Facility to personnel from [redacted] If so, who was released, into whose custody were they released, and what were the circumstances?

N/A [redacted] B6

12. If you answered yes to question 10, were [redacted] or [redacted] ever allowed to interrogate or question any/all of those listed, either alone or with others? Were either allowed to be present at any of their interrogations?

N/A [redacted] B6

13. If you answered yes to question 10, was there a time when any of those individuals appeared to have been physically injured? If yes, do you know the cause of the injury?

N/A [redacted] B6

14. Is there anything else you would like to add?

No. [redacted] B6

AFFIDAVIT

[redacted] B6, I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted] B6
Signature of Person Making Statement

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7th day of [redacted] 1st Lt. [redacted] at [redacted] FAP

ORGANIZATION OR ADDRESS

[redacted] B6
[redacted] M.A.T. FA
[redacted] [redacted]

ORGANIZATION OR ADDRESS

[redacted] B6
[redacted]

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[redacted] B6

PAGE 2 OF 2 PAGES

USAFPC V1.10

SECRET//NOFORN Formosa Report - Annex 101

STATEMENT
 For use with form, see AR 180-45; the proponent of is ODCSOPS

LOCATION Fob Hotel NATAF Iraq	DATE 7 Jun 04	TIME 1049	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS E-4/RA
ORGANIZATION OR ADDRESS HNB/7-3 FA			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

- Did you guard or work at 2-3 FA Detainee Holding Facility in the [REDACTED] area anytime during December 2003 or January 2004?
 YES, [REDACTED] B6
- How often did you guard or work at the facility? What shifts did you normally work?
 YES, ABOUT ONCE A WEEK BUT NO PARTICULAR SHIFTS [REDACTED] B6
- What were your primary tasks when working at the 2-3 FA Detainee Holding Facility (i.e. in-processing detainees, guarding, providing food, escorting them when they were removed from the holding area, etc.)?
 I GUARDED THEM, FED THEM, GAVE THEM WATER AND TOOK THEM TO THE LATRINE. [REDACTED] B6
- Were detainees ever removed from the holding facility for interrogation or medical questioning?
 YES [REDACTED] B6
- Where were the interrogations/questioning conducted?
 YES EITHER IN THE INTERPRETER TENT OR THE OTHER DETAINEE CELL. [REDACTED] B6
- Were there any other reasons detainees would be removed from the facility and returned? If yes, for what?
 YES, TO BE INPROCESSED [REDACTED] B6
- Were detainees ever removed by personnel from [REDACTED] and later returned? For what purpose (if you know)? How long were they gone?
 YES TO BE QUESTIONED WHICH USUALLY LASTED ABOUT 20 MINUTES [REDACTED] B6
- Do you know a person named [REDACTED] or a person named [REDACTED]?
 NO. [REDACTED] B6

EXHIBIT INITIALS OF PERSON MAKING STATEMENT [REDACTED] BC PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823, JUL 72 SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED. USAFRC VI.10

SECRET/NOFORN Formica Report - Annex 102

STATEMENT (Continued)

9. If the answer to question 8 is yes, were either of them allowed access to the detainee holding areas? Were they allowed to be present at any detainee questioning or interrogation? What were the circumstances?

N/A B6

10. Do you remember the following detainees being at the 2-3 FA Holding Facility in late December 2008: [redacted] B6

I don't remember ANY by name, but I remember two families. B6

11. If you answered yes to question 10, were any of those listed ever released from the 2-3 FA Holding Facility to personnel from [redacted] If so, who was released, into whose custody were they released, and what were the circumstances?

NO, NOT WHILE I WAS ON SHIFT. B6

12. If you answered yes to question 10, were [redacted] ever allowed to interrogate or question any/all of those listed, either alone or with others? Were either allowed to be present at any of their interrogations?

NO, NOT WHEN I WAS ON SHIFT. B6

13. If you answered yes to question 10, was there a time when any of those individuals appeared to have been physically injured? If yes, do you know the cause of the injury?

NO. NOT TO MY KNOWLEDGE. B6

14. Is there anything else you would like to add?

Negative. B6

AFFIDAVIT

I, [redacted] B6, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted] B6
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 17th day of June, 2008, at NATAF, TRAP

ORGANIZATION OR ADDRESS

[redacted]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[redacted]
(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT
[redacted] B6

PAGE 2 OF 2 PAGES

USAFCV1.10

SECRET//NOFORN Formion Report - Annex 102

SWORN STATEMENT

For use on this form, use AR 180-46; the preparer's age is ODCSOPE

LOCATION

FOB HOTEL, NATAF, T-RAP
LAST NAME, FIRST NAME, MIDDLE NAME
[REDACTED] (N/A-1)
ORGANIZATION OR ADDRESS
HHR/2.3 FA
[REDACTED] B6

DATE: 7 JAN 04 TIME: 1115
SOCIAL SECURITY NUMBER: [REDACTED] B6

FILE NUMBER
GRADE/STATUS
E-4/RA

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

1. Did you guard or work at 2-3 FA Detainee Holding Facility in the [REDACTED] area anytime during December 2003 or January 2004?

YES. [REDACTED] B6

2. How often did you guard or work at the facility? What shifts did you normally work?

ABOUT ONCE EVERY THREE DAYS, BUT NO PARTICULAR SHIFT. [REDACTED] B6

3. What were your primary tasks when working at the 2-3 FA Detainee Holding Facility (i.e. in-processing detainees, guarding, providing food, escorting them when they were removed from the holding area, etc.)?

I GUARDED THEM, FED THEM, GAVE THEM WATER AND TOOK THEM TO THE BARRACKS. [REDACTED] B6

4. Were detainees ever removed from the holding facility for interrogation or tactical questioning?

YES. [REDACTED] B6

5. Where were the interrogations/questioning conducted?

SOMETIMES THEY WERE CONDUCTED RIGHT THERE IN THE CELL AND SOMETIMES THEY WERE CONDUCTED IN THE ICDL ROOM. [REDACTED] B6

Were there any other reasons detainees would be removed from the facility and returned? If yes, for what?

NO, NOT THAT I REMEMBER. [REDACTED] B6

7. Were detainees ever removed by personnel from [REDACTED] and later returned? For what purpose (if you know)? How long were they gone?

NO, NOT THAT I REMEMBER. [REDACTED] B6

8. Do you know a person named [REDACTED] or a person named [REDACTED] B6

NO. [REDACTED]

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823, JUL 72

SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

USAPPC V1.10

SECRET//NOFORN Foreign Report - Annex 103

STATEMENT (Continued)

9. If the answer to question 8 is yes, were either of them allowed access to the detainees holding areas? Were they allowed to be present at any detainee questioning or interrogation? What were the circumstances?

N/A. [REDACTED] B6

10. Do you remember the following detainees being at the 2-3 FA Holding Facility in late December 2003: [REDACTED] B6

No, not by name but I remember two women and the guy who died who they said was their brother. [REDACTED] B6

11. If you answered yes to question 10, were any of those listed ever released from the 2-3 FA Holding Facility to personnel from [REDACTED] If so, who was released, into whose custody were they released, and what were the circumstances?

No. [REDACTED] B6

12. If you answered yes to question 10, were [REDACTED] B6 or [REDACTED] B6 ever allowed to interrogate or question any/all of those listed, either alone or with others? Were either allowed to be present at any of their interrogations?

No. [REDACTED] B6

13. If you answered yes to question 10, was there a time when any of those individuals appeared to have been physically injured? If yes, do you know the cause of the injury?

No. [REDACTED] B6

14. Is there anything else you would like to add?

No [REDACTED] B6

AFFIDAVIT

I, [REDACTED] B6, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED] B6
Signature of Person Making Statement

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7th day of June, 2004.

W. NATAL. EGAD

ORGANIZATION OR ADDRESS

[REDACTED] FA
Signature of Person Administering Oath

ORGANIZATION OR ADDRESS

[REDACTED]
(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] B6

PAGE 2 OF 2 PAGES

USAFPC VI.10

SECRET//NOFORN Formica Report - Annex 103

SWORN STATEMENT

For use of this form, see AR 190-48; the proponent agency is ODCSOPS

LOCATION

FOR HOTEL NAME LEAD
LAST NAME, FIRST NAME, MIDDLE NAME

DATE

7 JAN 04

TIME

1210

FILE NUMBER

SOCIAL SECURITY NUMBER

GRADE/STATUS

E-3/RA

ORGANIZATION OR ADDRESS

HMB/7-3FA

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

1. Did you guard or work at 2-3 FA Detainee Holding Facility in the [redacted] area anytime during December 2003 or January 2004?

YES [redacted] B6

2. How often did you guard or work at the facility? What shifts did you normally work?

YES ABOUT ONCE EVERY FIVE DAY ON THE 0500 TO 0800 HR SHIFT, BUT SOMETIMES I WORKED NIGHTS. [redacted] B6

3. What were your primary tasks when working at the 2-3 FA Detainee Holding Facility (i.e. in-processing detainees, guarding, providing food, escorting them when they were removed from the holding area, etc.)?

I GUARDED THEM, FED THEM 3 TIMES PER DAY, GAVE THEM WATER ONCE A DAY TOOK THEM TO THE LATRINE AFTER AND I MADE SURE THEY ZIP UPped WHEN REMOVED.

4. Were detainees ever removed from the holding area for interrogation or tactical questioning?

YES [redacted] B6

5. Where were the interrogations/questioning conducted?

YES, USUALLY AT THE INTERPRETER TENT OR THE TROOP ROOM ON THE [redacted] OF THE BUILDING. [redacted] B6

6. Were there any other reasons detainees would be removed from the facility and returned? If yes, for what?

NO, UNLESS IT WAS TO GO TO THE LATRINE. [redacted] B6

7. Were detainees ever removed by personnel from [redacted] and later returned? For what purpose (if you know)? How long were they gone? b3

YES, FOR QUESTIONING FOR AT LEAST 30 MINUTES. [redacted] B6

8. Do you know a person named Mohammed Saddam or a person named Roy (Rafai)?

NO. [redacted] B6

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

[redacted] B6

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [redacted] TAKEN AT [redacted] DATED [redacted] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [redacted] OF [redacted] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823, JUL 72

SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

USAMC V1.10

~~SECRET/NOFORN~~ Formica Report - Annex 104

STATEMENT (Continued)

9. If the answer to question 8 is yes, were either of them allowed access to the detainee holding areas? Were they allowed to be present at any detainee questioning or interrogation? What were the circumstances?

N/A. [REDACTED] B6

10. Do you remember the following detainees being at the 2-3 FA Holding Facility in late December 2003: [REDACTED] B6

NO, NOT by name, BUT I remember two females in the facility. [REDACTED] B6

11. If you answered yes to question 10, were any of those listed ever released from the 2-3 FA Holding Facility to personnel from [REDACTED] If so, who was released, into whose custody were they released, and what were the circumstances?

YES, THE SF MEDIC AND ANOTHER GUY WHO WAS BLACK TOOK BOTH WOMEN INDIVIDUALLY TO THE INTERPRETERS TENT TO QUESTION THEM. BUT THESE GUYS TOOK A LOT OF DETAINees THAT DAY AND QUESTIONED THEM.

12. If you answered yes to question 10, were [REDACTED] or [REDACTED] ever allowed to interrogate or question any/all of those listed, either alone or with others? Were either allowed to be present at any of their interrogations?

I don't know. [REDACTED] B6

13. If you answered yes to question 10, was there a time when any of those individuals appeared to have been physically injured? If yes, do you know the cause of the injury?

NOT THAT I EVER SAW. [REDACTED] B6

14. Is there anything else you would like to add?

NO. [REDACTED] B6

AFFIDAVIT

[REDACTED] B6, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED] B6
Signature of Person Making Statement

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7th day of June, 19 [REDACTED] at NATAF FRAO

ORGANIZATION OR ADDRESS

[REDACTED] NATAF FA
Signature of Person Administering Oath

ORGANIZATION OR ADDRESS

[REDACTED] B6
(Typed Name of Administering Oath)

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] B6

PAGE 2 OF 2 PAGES

USAFV 01.10

SECRET//NOFORN Formica Report - Annex 104

Q: Who contacted the rest of the interrogators for this family?
A: The Army unit notified us [REDACTED]
Q: Is there anything else you wish to add to the statement?
A: NO !!! LAST ENTRY !!! [REDACTED] B6

AFFIDAVIT

I, [REDACTED] B6 HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT. 60

WITNESSES:

[REDACTED] B6
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 11 day of June, 2004 at [REDACTED] B6

ORGANIZATION OR ADDRESS

[REDACTED] B6
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [REDACTED] B6
(Typed Name of Person Administering Oath)

5 USC 303
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] B6 | PAGE 2 OF [REDACTED] B6 PAGES

SECRET//NOFORN Formica Report - Annex 105

WORK STATEMENT

PRIVACY ACT STATEMENT
AUTOMATICALLY GENERATED BY THE FBI
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

LOCATION: [REDACTED] 2. DATE (YYYYMMDD): 2003/12/24 3. TIME: 02:21 4. FILE NUMBER: [REDACTED]
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED] 6. SSN: [REDACTED] 7. GRADE/STATUS: TRAFIC CIVILIAN
8. ORGANIZATION OR ADDRESS: H.H.R 217F-A B6

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
ACCORDING TO MY KNOWLEDGE THAT THE MASTER MIND OF THE TERRORISTS IS [REDACTED] WHO SUPPLYING THE TERRORISTS WITH FOOD, MONEY, CLOTHES AND HER BROTHERS [REDACTED] AND [REDACTED] INVOLVED WITH HER AS WELL AND ALSO GUY CALLED [REDACTED] AND THOSE GROUP OF TERRORISTS ARE SADAM COMMANDOS CALLED [REDACTED] AND OTHER GUY CALLED [REDACTED] AND [REDACTED] WHO RIDING A SUPER SALON CAR/WHITE COLOUR AND [REDACTED] AND [REDACTED] AND [REDACTED] ALL OF THEM ARE ATTACKERS AND OTHER GUY CALLED [REDACTED] AND [REDACTED] AND [REDACTED] AND [REDACTED] WHO SUPPORTED BY THEIR FIGHT [REDACTED] AND HIS BROTHER [REDACTED] INSIDE [REDACTED] HOUSE

10. EXHIBIT: [REDACTED] 11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED] PAGE 1 OF [REDACTED] PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADINGS STATEMENT TAKEN AT [REDACTED] AND [REDACTED]
THE BOTTOM OF EACH OPTIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING STATEMENT AND PAGE NUMBER OR MUST BE INDICATED [REDACTED]

FORM 2823, DEC 1998 DA FORM 2823, JUL 72, IS OBSOLETE

SECRET//NOFORN Formica Report - Annex 106

b6
b6
b6

PAGES OF PAGE

(Authority To Administer Oath)

(Typed Name of Person Administering Oath)

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

ORGANIZATION OR ADDRESS

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____

(Signature of Person Making Statement)

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

APPROVANT

THERE WERE FOUR GUYS OF [REDACTED] FOLLOWERS HE ENTERTAINED THEM DURING THE COLLAPSE NIGHT OF BAGHDAD. INFORMING YOU THERE IS A GUY HIS NAME ([REDACTED]) A BIG BOSS SENIOR HE IS AN OLD MAN HAS A WHITE HAIR AND OTHER COMMANDOS NAMED ([REDACTED]) AND ([REDACTED]) AND THERE WAS A GUY SUPPORT THE COMMANDOS CALLED ([REDACTED]) INFORMING YOU THAT [REDACTED] HAD SHOT THE COALITION GPSC VEHICLE BY THE SHRINE. I AM [REDACTED] TRANSLATED THIS FROM [REDACTED] WORD BY WORD

[REDACTED]

STATEMENT OF

TAKEN AT

DATE

STATEMENT (Continued)

b6

SECRET//NOFORN Formosa Report - Annex 108

SWORN STATEMENT

Use of this form, see AR 190-45; the proponent is ODCSOPS

PRIVACY ACT STATEMENT

Title 10 USC Section 201; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which informants may be accurately identified.

ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION OLIVANA MAIN POLICE	2. DATE (YYYYMMDD) 2003 12 24	3. TIME 08:20	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN IZ CUV	7. GRADE/STATUS	
8. ADDRESS HAG 313 J-19			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

R. I'm writing this statement because [REDACTED] can't write. [REDACTED] he takes money from his sister [REDACTED] to buy weapons to the fedayeen. And I saw [REDACTED] taking the weapons from the Jeep Cherokee red car, putting the weapons in [REDACTED] house and he is his friend and give some to [REDACTED]. His sister [REDACTED] she is the leader of the fedayeen so they can attack the Americans. [REDACTED] he is the brother of [REDACTED] and [REDACTED] he sets the IED's. There is [REDACTED] he is the Ambulance driver he used to transport weapons for the fedayeen such as grenades and RPG's. I know a lot of people that they work with the fedayeen's and they used to attack the US Army and they are: [REDACTED] and [REDACTED] takes the weapons from [REDACTED] Hafeth and [REDACTED] to attack [REDACTED].

SECRET//NOFORN

Formica Report - Annex 107

9. STATEMENT (Continued) But they didn't do it because they had kids with them, but they will attack once again. There is a car park in front of Abu Hanifa house they used to gather there and have meetings. The fatalities that meet there [REDACTED] he was in the demonstration and threw grenades. And there is [REDACTED] he attacks US Army. And the one who provide them by money and weapons is [REDACTED]. And the cars that might be found in the car park full with weapons and it might be found after 6:00 P.M. The cars are red B.H.W it belongs to [REDACTED] Mercedes 300 belongs to [REDACTED] and gray Toyota supra it belongs [REDACTED] with another car which is yellow sunny car.

[REDACTED] he used to attack US Army and the person who provides him is [REDACTED]. Four days ago a person from Howrah area came to me and gave me IED's because he was taking it to my friend [REDACTED] but he didn't find him so he gave it to me when I found that it was IED's I throw it in a trash case, and when [REDACTED] knew that he came asking for the IED's, so I told him I throw it in the river so he start to be upset. He thinks that it's still there but he doesn't want to get it he said that it is without remote control. [REDACTED] he always carry grenades in his pocket to attack US patrols, [REDACTED] works with nothing follows

PERDAVIT

[REDACTED] HAVE READ OR HAVE HAD READ THE ENTIRE STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]

b6

SECRET//NOFORN

Formica Report - Annex 107

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is DDCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2051; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION <i>CLUNY WAGON PALACE</i>	2. DATE (YYYYMMDD) <i>2003 12 24</i>	3. TIME <i>02:21</i>	4. FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME	5. SSN <i>52 001</i>		7. GRADE/STATUS

6. ORGANIZATION OR ADDRESS
NWS 813 FA

1.4. (a)

THE FOLLOWING STATEMENT UNDER OATH:

[REDACTED]

10. EXHIBIT | 11. INITIALS OF PERSON MAKING STATEMENT | PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

DA FORM 2823, DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE

LEAPs V1.00

SECRET/NOFORN Formica Report - Annex 107

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

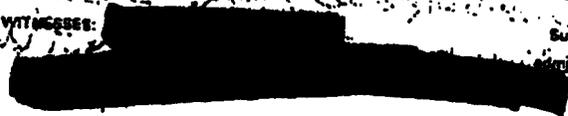
Handwritten initials: H/C



... I HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(Signature of Person Making Statement)

WITNESSES:



Subscribed and sworn to before me, a person authorized by law to administer oaths, this 24 day of December, 2003, at the MASS PALACE.

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS



ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 3, DA FORM 2823, DEC 1998

PAGE 2 OF 2 PAGES

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12

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Fornica Report - Annex 107

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION *In Prisons, Abu Ghaid, BCCF* DATE *06 JUL 2004* TIME *1348 hrs* FILE NUMBER

LAST NAME FIRST NAME MIDDLE NAME [REDACTED] SOCIAL SECURITY NUMBER [REDACTED] GRADE/STATUS *MAJ/USAR*

ORGANIZATION OF SPONSOR *341 ST MP BU, BCCF at Abu Ghaid*

B6
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[REDACTED] MAJ MC, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
On June 6th, 2004, I interviewed and examined two detainees
AS per request of Command. Both detainees were co-operative
and were good historians.

Detainee *[REDACTED]* a 36 1/2 year old *amir/US* x-mechanics engineer car
Soldierman. Arrested by history 24 December in Baghdad.
Complete handwritten notes on attached and
authenticated by me as being true and accurate from
my interview of this detainee.

Summary: States he was beaten at *Abderson* and
Left flank and punctured on top side of
near *Casim's* forehead and internal bleeding.
States he was hung by a nail from the
wall with his hands bound behind his
back with 1 knot. States he was
lay upon the floor of his stomach with
his hands bound and sodomized with a
metal "penis" that they "never forgive".
He also states that his interrogators
grabbed his testicles with a *phal* which
caused localized pain and bloody discharge
from his penis for more than a week.
After being sodomized, he reports his
underwear had blood everywhere, and
he has had very painful defecations

EXHIBIT

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] DATED [REDACTED] CONTINUED."
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED
AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE
STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823, JUL 72 SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED. USMPC v. 1.0

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SECRET//NOFORN Formlos Report - Annex 108

STATEMENT (Continued)

examine. This detainee's exam is notable for left side abdominal and flank tenderness and some tenderness of the left testicle. The only physical findings were obvious ligation scars on his wrists consistent with his history. He also has some anal pain and "fear" with a pale area of breakdown of the skin of the anus and changes consistent with an anal fissure at the 6 o'clock position. Internal exam is [redacted]

B6

Detainee [redacted] - a 36 yo Iraqi married male, ex-Iraq Army Engineer/mason. Arrested 04 April 2003 at his home in Baghdad. He was taken to the [redacted] in Baghdad and held for about 16 days.

Summary: States he was beaten with a stick on the bottoms of his feet and hands with lit cigarettes on the dorsum of both feet. He was also beaten on his left forearm and punched in right eye and left ear. He also states that they attempted to sodomize him but stopped prior to significant entry to his [redacted]. Exam reveals scars by ligation of some [redacted] on his feet but [redacted] and other areas are normal.

Right Shoulder

AFFIDAVIT

I, [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE [redacted] AND ENDS ON PAGE [redacted]. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INFLUENCE.

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Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6th day of June, 2004 at [redacted] IRAQ

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Signature: [redacted]
151 Camp [redacted]
ORGANIZATION OR ADDRESS

B6

(Signature of Person Administering Oath)

[redacted]

(Typed Name of Person Administering Oath)
AM. 136 [redacted]
(Authority To Administer Oaths)

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ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

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[REDACTED]

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Formica Report - Annex 108

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[REDACTED]

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Formica Report - Annex 108

[REDACTED]

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Formica Report - Annex 108

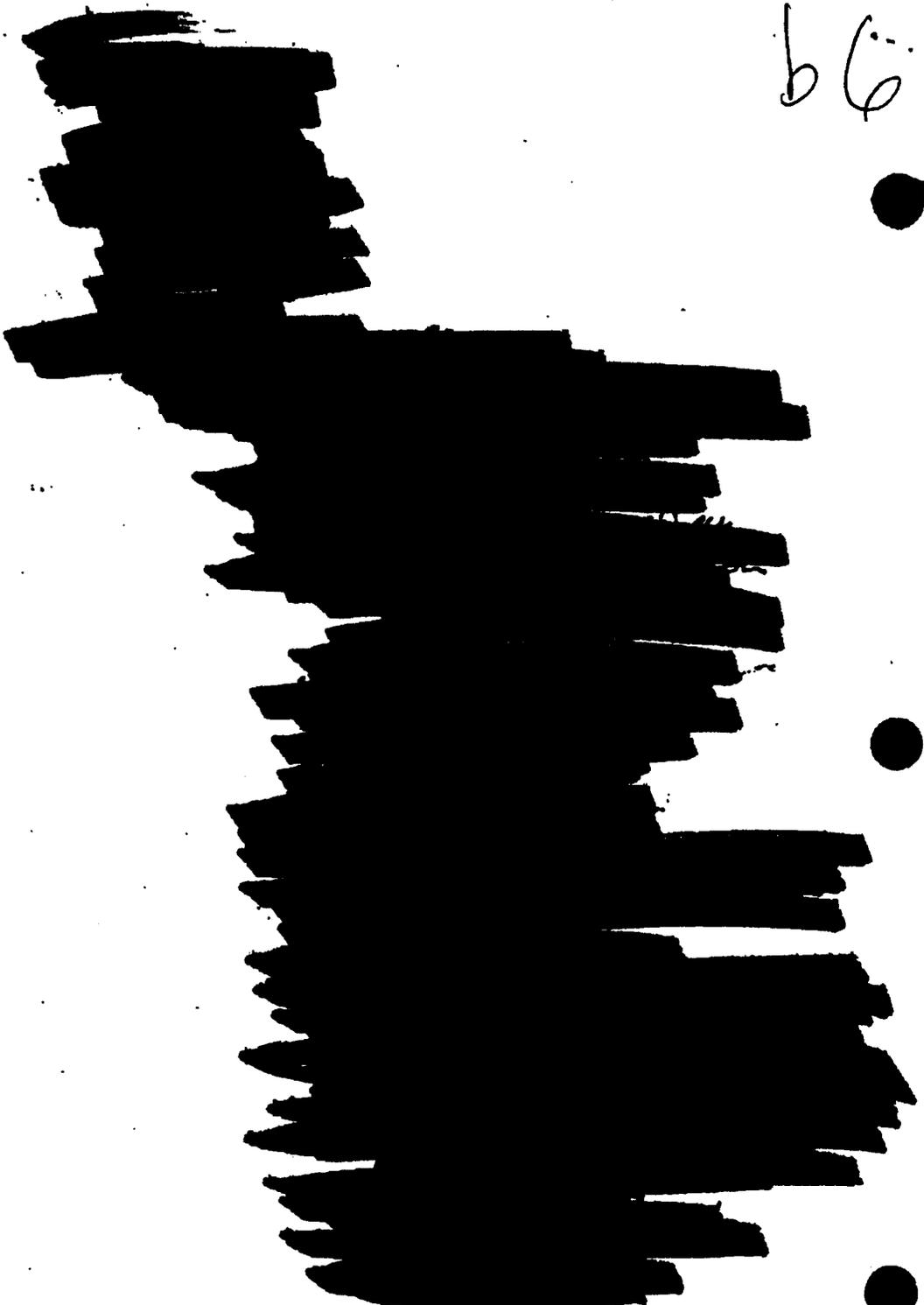
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Formica Report - Annex 108

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SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9297 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: Fort Carson, Colorado
2. DATE (YYYYMMDD): 2004/06/30
3. TIME
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. ORGANIZATION OR ADDRESS: Fort Carson, Colorado 80913
7. GRADE/STATUS

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was deployed to Iraq for about 4 months from February until the end of May of 2004. I was based in Tikrit, Iraq. I had a separate team house in Tikrit from the conventional forces. It was located adjacent to an area separated by Highway 1. I was in the area and area of operation that was used generally by the CISOTF-AP for the performance and occupation by ODA 163 for operations in our area of operation.

Additionally, we had 12 man Kurdish Peshmerga Security Force and an infantry squad, initially from the 10th Mountain Division and then the 1st Infantry Division. Our interpreters included an American named [redacted] and two Kurdish Iraqis named [redacted]. [redacted] was in his 30s, about 5'2" or 3" with dark hair, sometimes he had a mustache and or a beard and a fair, almost Caucasian, complexion. [redacted] was in his mid to late 40s had a dark complexion and some facial hair.

The Kurdish Guards were used to only secure the outer door of the holding area. The holding cells were monitored by cameras as well. The interpreters and others who were not authorized to interrogate the detainees did not have access to the detainees.

While deployed to Iraq, we detained and interrogated Iraqis. The interrogations were performed either on the target location or in the team house. We seldom conducted interrogations at FOB Danger. We would capture the detainees, do the initial interrogation on the target site, then return to the team house for further interrogation. The only personnel at my ODA authorized to do interrogations were: myself, [redacted] and [redacted]. During the 4 months of our operations, we interrogated about 30 detainees in our team house. At any given time, we did not have more than about 8 to 10 detainees in our team house being interrogated.

Our interrogation room was a plain room with 10 to 15 foot high ceilings, a small box that was used as a table or desk, one or two chairs, it was well lit and then there was only a single door for entry and exit. The holding facility was separate from the other areas by a small open-air walkway.

When a detainee was brought into the team house, we did an initial interview with medical screening, photograph, and spot intelligence report. This detainee file would include the date of retention and of release or transfer. The detainee file would be kept with the detainee when they were transported out of the detention facility and would remain with the detainee through the entire detention time. There may have been some form of backup or copy file that was maintained in the team house.

I recall detaining [redacted]. He was a fedsyeen cell leader that we spent close to 60 days building a case on and conducted operations [redacted] that resulted in the detention of himself and his entire cell of about 20 personnel. This was done in April 2004. [redacted] was interrogated [redacted]. He could have been interrogated by [redacted] or any combination of the three at different times. I never conducted interrogations in the team house during our deployment to Iraq. I only did immediate tactical interrogations on the objective. [redacted] would have plenty of reasons to make false allegations because he is an enemy combatant fighting, what he believes, is a war against American Forces, as such he would do whatever he could to weaken U.S. efforts or seek an advantage. I would question his basic credibility based my knowledge of him, his emotional state and his psychological state. I do not believe him.

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT: [redacted]
PAGE 1 OF 3 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT [redacted] TAKEN AT [redacted] DATED [redacted]"
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

DA FORM 2823, DEC 1996

DA FORM 2823, JUL 72, IS OBSOLETE

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SECRET//NOFORN Foreign Report - Annex 100

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

TAKEN AT Fort Carson, CO DATED 2004/06/30

86

STATEMENT OF [REDACTED]

STATEMENT (Continued)

He was combative and evasive during his capture and his return to the team house. I am not aware of any actions once he was detained at the house or to be physically restrained, but I would not rule it out.

I used the interrogation techniques approved by CJSOTF-AP. These techniques included baseline, direct, fulfillment, and knowledge. Additionally, there were other techniques that had to be approved by a higher headquarters, in all. Some of the other techniques include Mutt/Jeff, incentive, fear up, pride down, loud music, working dogs; about to use them, to the best of my knowledge. This approval was given by AOB Commander, or at least that is who it was requested for approval. That is why I believe we had a standing authority to use the elevated techniques and thus I did not feel a need to request it in each individual case.

14(a)

I have never been in the interrogation room during the interviews and thus I cannot state anything about the actions in the interview room. However, I would state that no member of the team ever abused detainees.

We used music to segregate detainees and for force protection. The music was to reduce communication between detainees and to diminish any ability for them to communicate to those outside. The music was all types but generally it was American rock music. Most of the detainees ignored the music and would sleep.

Sleep management was an authorized technique that we used. We could reduce the sleep to the minimum requirement of 4 hours of sleep per every 24 hours but this could not be continued for more than 72 hours. When we would use sleep management techniques, we would bang on the cell door until we received a response.

Our interpreters were vital part of the investigations but they never interrogated, they interpreted our questions and the detainee's answers. The Kurdish Guards were used to guard the external door to the holding area, but not the internal holding area. I am not sure if any guards or interpreter were ever used to assist in restraining any detainee, but it is possible if they became combative.

We fed the detainees dry goods, like bread and cereal, as well as MREs. Detainees were never denied or restricted food or limited to bread and water. In fact, there were times that the detainees refused the food. To the best of my knowledge, Hytham never refused food and I know that he was not denied food. I don't know the exact times the detainees were given their meals or the number of times that they were given food, but it was several times a day.

The clothing that was provided to the detainees during their detention time was what they had with them at the time of their apprehension. The detainees were never stripped of their clothing and detained naked. There was a time that a detainee either disheveled or threw up on himself and then we had to remove the clothing to wash it. At that time, the detainee was provided additional clothing to wear while his clothes were being washed.

The holding area was outside of the interrogation room. It consisted of a low building with 3 separate rooms and an external holding area. It was removed from the main area by a walkway.

There were 5 or 6 individual holding cells in the holding area and then there was a larger holding area in front of the holding cells. These cells were about 4 feet high, almost 2 feet wide, and about 4 or 5 feet in depth. They were not deep enough to lay down in. There was no furniture or other items in the cells. The entire cell was concrete and the doors slid open. The detainees were rotated in and out of the cells as they were interviewed and for latrine and shower times. Most of the detainees slept on the floor on the main holding area. The detainees were not detained in the cells for a 72-hour period straight or for the entire duration of their detention. There would be latrine breaks and shower breaks, as needed. The time in the cell was based on the detainee. The cells were secured primarily for security and segregation of dangerous personnel or segregation of detainees when we needed to restrict the communication with other detainees. Securing detainees in the cells for two days was a reasonable time since they were given plenty of drink, food, and latrine breaks.

When [REDACTED] was in the cell area, there was an incident where the group of detainees discussed escaping. At that time, we placed [REDACTED] in the individual cells and detained them in the cells for the better part of two days with the exception of the time for showers and latrine breaks. [REDACTED] was detained in a cell during that time. [REDACTED] may not have been detained in the cell area. I believe that he was detained in late April 2004. He was considered to be a low threat. [REDACTED] was not likely to be detained in a cell for some period of time.

86

INITIALS OF PERSON MAKING STATEMENT

[Signature]

PAGE 2, DA FORM 2823, DEC 1998

PAGE 2 OF 3 PAGES

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SECRET//NOFORN - Fomies Report - Annex 100

STATEMENT OF [REDACTED]

TAKEN AT Fort Carson, CO DATED 2004/06/30

9. STATEMENT (Continued)

We could hold a detainee for [REDACTED] For an extension past the 72-hour authorized detention time, I would have to contact my AOB via voice or digital over the SATCOM. I would send the request to either CW [REDACTED] or the Operations Sergeant at that level. The detainee would be taken to the 1st Infantry Division Detention Facility and to process the detainee into the facility and then returned for further interrogation. I notified the 1st Infantry Division because I was operating in their battle area and I wanted to ensure that they were aware of my operations. I only recall detaining two persons past the 72-hour mark. I requested the extension on Halthem for further interrogation and then the other one was detained for transport to Abu Garib, so I did not request an extension on him. The request for extension was very informal. I am not sure who was the authorizing level, our AOB would report back to us with our authorization. I consider a multiple request being more than one and I think we only requested it two times or so via email or verbal request. If a detainee was retained more than 72 hours, then they continued to receive food, water, and medical care. NOTHING FOLLOWS [REDACTED]

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AFFIDAVIT

[REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30th day of June, 2004 at Fort Carson, Colorado

ORGANIZATION OR ADDRESS [REDACTED]

[REDACTED]
(Signature of Person Administering Oath)
[REDACTED]
(Typed Name of Person Administering Oath)

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ORGANIZATION OR ADDRESS [REDACTED]

Article 136, UCMI
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 3, DA FORM 2823, DEC 1998

PAGE 3 OF 3 PAGES

USIPA V1.00

SECRET//NOFORN Formica Report - Annex 100

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 6397 dated November 22, 1943 (SSW).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: Fort Carson, Colorado
2. DATE (YYYYMMDD): 2004/06/29
3. TIME
4. FILE NUMBER
5. LAST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS: Group, Fort Carson, Colorado

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I am the Operations Sergeant for [redacted] As the Operations Sergeant my tactical and operational duties are to serve as the chief advisor to the detachment commander on all the operational matters as well as to be the chief administrator for the rest of the enlisted men.

We would do tactical interrogations on sight, to gather intel for force protection, and then we would go ahead and bring detainees back to the coalition forces detention facilities (1st or 4th ID) or our team house. If we did take them over to coalition forces we could always retrieve them later. Although we had fewer resources than the detention facilities, we had the ability to quickly conduct the interrogations without having the detainees collaborate with one another like they could in the general population of the detention facilities. At times we simply had too many to deal with at one time, therefore we would go ahead and turn them over to 1st ID or 4th ID if we didn't have too many, my first choice would be to bring them to the team house.

The commander, myself, [redacted], and [redacted] were authorized to do interrogations. 99% of the time I would conduct interrogations in civilian clothes.

During our deployment time we interrogated about 15-30 detainees at [redacted] At any given time, we would have anywhere from one to about 11 detainees at the team house. We could stay now detainees at the team house for 72 hours unless we asked for an extension. A request for an extension would go up through the AOB commander and then on to the FOB, then up to the CISOTF. If I determined that we needed to keep the guy longer than 72 hours I would ask [redacted] and [redacted] would forward it if he agreed with me. I would talk to [redacted] personally. I'm not familiar with the request process and was not responsible for it. I believe [redacted] would talk to [redacted] and [redacted] would either make a decision to deny the request or forward it up. I wasn't there for decisions. It was a command issue.

We kept [redacted] over 72 hours. He was our number one target because of his involvement in the death of four Americans and in killing an Iraqi National as well as injuring U.S. soldiers in combat. He signed two confessions admitting to killing four American Soldiers. He was also a cell leader for a cell there in Tikrit. We asked for and received permission to keep him longer than 72 hours. I think we kept him around 11 day to 14 days, but we were waiting on transportation to Abu Gharib for about six days.

[redacted] was captured by Iraqi police on a tip and turned over [redacted] I'm not sure how long the Iraqi police had him before they turned him over. He did come to us after the 1-18th let us know that [redacted] had been captured. According to the 1-18th personnel, at one point he was fighting the Iraqi police and an Iraqi policeman busted in with a pistol and beat [redacted] with the pistol to the point where his head was split open in a number of different directions, like a starfish on his head. They ended up turning him over to the 1-18th. The 1-18th guys took him over to their aid station and he received staples in his head. We picked up [redacted] from their facility and brought him over to our facility and then we proceeded to interview him and let our command know that we had [redacted] As soon as we put him in the truck he started banging his head on the window [redacted] was driving and so I dragged him to the center of the back seat and sat him in there and held his head down to calm him down. When we got back to [redacted] in the detention facility. Our medic took a look at [redacted] head and said he was fine. He also had figure marks on his wrists. We documented his condition in his packet.

10. EXHIBIT
11. [redacted] MAKING STATEMENT PAGE 1 OF 3 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT [redacted] DATED [redacted]

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

DA FORM 2823, DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE

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USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [REDACTED] Day

TAKEN AT Fort Carson, CO DATED 2004/06/29

8. STATEMENT (Continued)

We kept [REDACTED] for about five days. [REDACTED] was a leader of a cell in Al Winat, a small town outside of Tikrit. He is also responsible for the death of Americans. I captured [REDACTED]. When I apprehended him, he grabbed my rifle barrel. I could have shot him right through the head at that point, but I chose not to because his pregnant wife was in the room. I also felt that I could get my rifle away, which I did. After a short struggle, [REDACTED] and I were able to flex cuff him. [REDACTED] was taken straight to the team house after we completed the series of raids in Al Winat.

[REDACTED] was captured in a separate raid. He was a mid-level financier from up in Tikrit. I don't think he was there at the same time Hashem was there. I'm guessing that we had him for three days. I interrogated him but he didn't give us anything.

[REDACTED] was captured the same time as [REDACTED]. He was also taken [REDACTED]. He stayed probably around three days. I did not interview him.

I interviewed [REDACTED] and he was not mistreated. No one suffocated him, electrocuted him, stabbed him, or used knives during the interrogation process. We did not put duct tape around his mouth and nose to suffocate him. I never threatened to have sex with [REDACTED] wives in front of him in the interrogation room and I highly doubt that [REDACTED] ever said anything like that. We did put duct tape around his eyes so that he couldn't see. I believe that by the time we had [REDACTED] we were told we could no longer use hoods. They could see right through the hoods so we would tape around the eyes of the sandbag as well. By April, we only used 100 mile per hour tape. He would close his eyes and I would go ahead and put it around his head. If we had cravats we would put a cravat on and then tape it. We didn't want anyone to suffocate, so we didn't put tape around their mouths. We didn't want anyone to die. We were absolutely careful to make sure that prisoners would not die. I could have shot him legitimately and I chose not to and so obviously I didn't want this guy to die.

[REDACTED] was not pleasant to interview. He was non-compliant and combative. There was one time that we needed to restrain him during an investigation and that's when [REDACTED] and I just sat on him for a short while until he stopped. At no time was [REDACTED] in danger of injury while we restrained him.

The Kurdish Iraqi guards did not have any role in the interrogation of the detainees. The guard force was never in the room during the interrogation. The interpreters were in the room since the detainees did not speak English. There are three interpreters. One is an American citizen named [REDACTED]. The other two are [REDACTED] and [REDACTED]. [REDACTED] is 35 years old, he is about 5 foot 6 or 7, weighs about 140 pounds and he had a small mustache and salt and pepper hair with a dark complexion. [REDACTED] age 34, 5 foot 4 or 5, weighs about 150 or 155 pounds, has a mustache and dark skin. The interpreters never had any physical contact with the detainees.

Several interrogation techniques were authorized. I could question detainees as often as I wanted. We had some of the detainees stand for a few minutes, but not for extended periods of time. I did not use any other stress position like the push-up position or kneeling or arms up or anything. You can have them sit down or stand, but not for extended periods of time. [REDACTED] arms were behind his back since he was restrained. We did not use temperature control as an interrogation technique. We did not even have an air conditioner.

Sleep management was implemented by waking detainees up at different hours to interview them and for food and showers. We could limit their sleep to four hours per 24 hour period for up to 72 hours. We would bang on the cell door to wake detainees up.

I feel that the cells were to standards for the situation that we were in. The cell has a thin steel door. There were five cells and each was about two feet wide, three to three and half feet tall and no more than about 4 to 6 feet in depth. The inner walls were made of cinder block. We maintained some of the detainees in the cell area except for latrine breaks, eating, showers, as well as interviewing. The detainees could sit and some could lay down in the cells. When we went to talk to [REDACTED] he was always asleep against the wall. Not all of the detainees entered the cells, there are 2 different rooms and in the bigger room some would sit and look at the wall. For example, some of the older guys or if we were crowded, I would have the detainees sit in the large room. I had to calculate as to who would go into a cell the decision with direct threats to my guards or my ODA. We did not want to lock the door because the detainees might start fighting or talking. The front door was generally open and the guard could look inside and see what was happening. There were two separate closed circuit TV cameras for the main room and the cell area that were monitored by the operation room in the team house.

All of the detainees received three meals a day and they were served the same food that we ate at the team house. There were only two times that I served them MREs. The detainees were not denied food. [REDACTED] as not deprived of food for any time and there was plenty of water. We never restricted the detainees to a diet of bread and water.

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2, DA FORM 3823, DEC 1998

PAGE 2 OF 3 PAGES

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SECRET//NOFORN Formica Report - Annex 110

STATEMENT OF [REDACTED]

TAKEN AT Fort Carson, CO DATED 2004/06/29

9. STATEMENT (Continued)

[REDACTED] was given new clothing because when we pulled him out of the vehicle, he had urinated on himself. [REDACTED] was naked when we washed his clothes, but only for about hour or two. He then urinated again on himself, so we took away his clothes and then gave him some that we had at the team house. He always had clothes on when I interviewed him. [REDACTED] was naked a time or two when I checked on him or fed him because he kept urinating on himself. We continued to clean his clothes because the urinated clothing was dirty and we did not want any issues to raised based on keeping him in dirty clothes. [REDACTED] was not naked for 5 to 7 days, especially since we did not have him that length of time.

We did play music loud enough that they would have to speak loudly to hear each other. There was a time that [REDACTED] as telling the other detainees to keep their mouth shut and the Americans could not do anything, no matter what they did, and that they (meaning the prisoners) would be released no later than 3 months.

No one ever hit [REDACTED] with any object or any part of their bodies. Some detainees came with marks, bruises, or bumps from their detention at the objective. NOTHING FOLLOWS.

See attached statement from 01 May 2004

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29th day of June, 2004 at Fort Carson, Colorado.

[REDACTED]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Article 136, UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT
[REDACTED]

PAGE 3, DA FORM 2823, DEC 1998

PAGE 3 OF 3 PAGES

USAPA V1.00

~~SECRET/NOFORN~~ Fornica Report - Annex 110

B6

B6

SWORN STATEMENT

For use of this form, see AF 160-45; the preparing agency is ODCSOPS

7-27-66

PRIVACY ACT STATEMENT

AUTHORITY:

Title 10 USC Section 301; Title 5 USC Section 3061; E.O. 9807 dated November 22, 1949 (NSM).

FUNCTIONAL PURPOSE:

To provide commanders and law enforcement officials with means by which information may be accurately

ROUTINE USE:

Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE:

Disclosure of your social security number is voluntary.

1. LOCATION

T20 HOUSE, TEHRIT IRAQ

2. DATE (MM/DD/YYYY)
2004/05/01

3. TIME
2230

4. FILE NUMBER

6. LAST NAME

7. GRADE/STATUS
E-8

8. ORGANIZATION OR ADDRESS
C/2/16 SFG, TEHRIT, IZ

9.

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 22 APRIL 2004, AT APPROX 01300 HOURS, A MULTIPLE TARGET/MULTIPLE UNIT RAID WAS CONDUCTED NOT CAPTURE OR KILL AN ANTI-COALITION CELL IN AL-WHAT VILLAGE. THE UNITS PARTICIPATING IN THE RAID WERE ODA 055, TP 6-26, 1/15 BTR, 1/77 ABNCOB, AOB 002.

NAMED INDIVIDUALS

NOTHING FOLLOWS

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT
S-T

PAGE 1 OF 1 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

DA FORM 2823, DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE

USAFS 11-89

SECRET/NOFORN

Formion Report - Annex 110

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b3
b6

b6

STATEMENT OF [REDACTED]

TAKEN AT TICRIT, IRACI DATED 02 MAY 61

7416

2. STATEMENT CONTINUED

B6

NOTHING TO FOLLOW

AFFIDAVIT

[REDACTED] I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CONNECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL ENJOINMENT.

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

B6

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

(Authority To Administer Oaths)

PAGE 2, DA FORM 3833, DEC 1958

PAGE 1 OF 2 PAGES
USAFM V1.00

SECRET//NOFORN

Formica Report - Annex 110

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSNO).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. FACTORY BASE, IRAQ ADX KE | 2. DATE 09 FEB 00 | 3. TIME | 4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME | 6. SSN | 7. GRADE/STATUS E-3
8. ORGANIZATION OR ADDRESS HHB, III Corps Artillery

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I swear that the summary of [redacted] oral statement given to [redacted] on 6 June 2004, is accurate and complete. It is not verbatim, but does contain the substance of all statements made by [redacted]

My name is [redacted]. On the night of my capture at 2 o'clock, while I was sleeping, I heard something. The door didn't open after the explosion because it was very strong. After that the wall including the door fell off. Then the forces were in with the guns. They intruded inside. They said, "Are you [redacted]?" I said yes. They kicked my head with their shoes in front of my wives and children. They handcuffed me and took me somewhere in Turk. They were interrogating me. They put me in a very small place. This was as long as it is, white. This was how high it was, I couldn't even stand up. It was an iron ceiling and a door. The door opens a slight up or down. It was a box not a room. It was a building, you could not move it. It was like a bathroom that was divided, three rooms on this side and three rooms on the other side. The vision was limited. The only comfortable position I would be in was when I was sitting down. The place was for many people. I was captured on the 27th of April. The compartmented area was the first place I went to and I was there for seven days. Three times I was just about to die. They put duct tape around my mouth and nose. I was almost out of breath. It was suffocating. When they realized I was about to die they took the tape off of me. They opened my mouth so they could resuscitate me. I started breathing and I started to get alert a little bit. I was not completely out of it. Then they throw water all over me to revive me. They let me have some rest. One guy was stepping on me on this side, and the other guy was stepping on the other. I was suffocating. Then they let me rest. There were three men. One of them was Kurdish and two Americans. I was blindfolded at some point, but I rubbed it a little bit so I saw them. I recognized their voices also, they were the same guys who were beating me up while they let me rest. I saw them the minute that they walked into my house, and I saw them when I was in my compartment. One was [redacted] color and the other one was white. They were both Americans but one of them was not a black guy, but just dark in color, [redacted]. Neither of them had a mustache or beard. They would give me a break then come back and do the same thing over again. They were asking me to confess that I was attacking the Coalition forces. I didn't attack anybody. And every time that I said I didn't do it, he beat me more. The darker guy and the Kurdish guy were beating me up. The third one, an American white guy, was asking me the questions, asking me to confess. The Kurdish was the one that was mostly beating me up. When they were holding me the way I described before, it was the Kurdish and the white American that were doing that to me. The American dark skinned man was just standing there. They kept on beating me up until I said any name. I was just saying any name that came to my mind to get out of this, they were all lies. They were asking me about Fedayeen. They hit me on my foot too with a big stick until my feet were all blue. The dark American was hitting me with the stick. They kicked me in the eye; I didn't see who kicked me. It was all blue for forty days. They didn't say what kinds of weapons I was accused of using to attack Coalition forces. The Kurdish guy threatened me and said he was going to fuck me and bring my two wives and fuck them in front of my eyes. One of the persons that I was detained with is here; his name is [redacted]. Another guy is here also, his name was [redacted]. On the night they took us, 28 or 30 people were captured that day. The three of us were in each one of these compartments. They didn't offer me food or water. They were throwing water at me but not giving me any to drink. They were shocking me with electricity. Only five days no food no drink. On the sixth day they gave me a piece of cake and a full bottle of water. On the eighth day they took me to an Islamic school that was being turned into a prison. I was there for 24 days. It was a pleasant stay. Good guys. They cut off my clothes at the first place and for seven days I was naked. All the detainees were the same. Before I went to the school they gave me this dress. The building I stayed in for seven days there was very loud, irritating, frightening music, sounds like somebody telling somebody else that I'm going to cut your head off, in weak Arabic. It continued for about seven days. The room where they beat me, the floor was tiled. There was like some kind of dripping water in there. The walls were white. The light wasn't very strong. No furniture in the room. We were all standing. It was a big house. It was [redacted] fiber in law's [redacted]. They beat me bad here, and I was urinating blood for seven days. They did the same thing to the other two guys. I told the doctors and they gave me medicine. The blood stopped from the urine

10. EXHIBIT | 11. INITIALS [redacted] MAKING STATEMENT | PAGE 1 OF 5 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT [redacted] DATED [redacted]"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.
FORM 2823, DEC 1998 DA FORM 2823, JUL 72, IS OBSOLETE USAPA V1.00

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B6

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [REDACTED] TAKEN AT VICTORY BASE DATED 20 JUNE 02
IRAQ

9. STATEMENT (Continued)
Kurdish guy was about 5'9, muscular, mustache, his head was big. He was speaking to me in Arabic.

NO NOTHING FOLLOWS [REDACTED]

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 3 PAGES
USAPA V1.00

~~SECRET//NOFORN~~ Formica Report - Annex 111

B6

STATEMENT OF [REDACTED] b7

TAKEN AT [REDACTED] DATED 20 JUNE 2004
1RA2

9. STATEMENT (Continued)

NOTHING FOLLOWS [REDACTED] B6

[REDACTED] b6

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE [REDACTED]. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED] b7

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20th day of JUNE, 2004 at CAMP VICTORY 1RA2

ORGANIZATION OR ADDRESS

[REDACTED] b6

ORGANIZATION OR ADDRESS

[REDACTED] b6

INITIALS OF PERSON MAKING STATEMENT [REDACTED] b6

ART 13h UCMJ
(Authority To Administer Oaths)

DA FORM 2823, DEC 1996

PAGE 3 OF 3 PAGES

USAPA VI.00

SECRET//NOFORN Formica Report - Annex 111

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

B6

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9367 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

LOCATION: VICTORY BASE, IRAQ APART 0952A
2. DATE (YYYYMMDD): 20020620
3. TIME:
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED] 1200
6. SSN: [REDACTED]
7. GRADE/STATUS: E-3
8. ORGANIZATION OR ADDRESS: HHB, III Corps Artillery

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I swear that the summary of [REDACTED] statement given to [REDACTED] on 10 June 2004, is accurate and complete. It is not verbatim, but does contain the substance of all statements made by [REDACTED]

My name is [REDACTED]. On the night I was captured, I was at home, it was around 2 a.m. We feel there was American around the house, and my family they told me come down because we were sleeping, me and my wife, on the second floor. When we came down close to the garage and we saw the Americans, they told us to get out. My father talked to them. The chief of the mission told my father that they would search the house. They didn't find anything, still they took us. They took me first, if they took anybody after me I don't know. They didn't take any property. I don't know the area around Tikrit, but the rest of the detainees that had been captured that night they told me we were in the northern base in Tikrit. That was the first day. The next day, late afternoon, they covered my eyes, and we were five in the cell, the rest are relatives to each other and I'm the only one between them. They took us to an area that was very narrow with a loud music player, they kept all five of us in that narrow area, except one who has stainless steel in his leg, without food or anything. I started choking because I couldn't breathe. And I started beating the wall on the steel around me and hollering. "Please kill me." I couldn't sleep in two days. They were playing very loud western music, like rock music. It was music like someone was trying to kill them, trying to cut the heads off, like he's hollering and choking. It was a cassette player that repeated itself. The area we were held was like a rack, round, one separated with sheets for different cells. It was steel; it has a door that you can slide it to open. Even though the speaker was loud, I got tired and tried to sleep, but someone would come every ten minutes and beat on the door with a piece of steel. It was like a box, just enough for one person in it. When I sat, my feet would be touching the door, the left side of me would be a wall, and two three millimeters from the top of you would be the top cover. The people detained before us said they peed in the box they were in. I didn't pee in the box. I was wearing the same thing they captured me in, like a t-shirt you sleep in. I was wearing a suit sheet at the time I was in the cell. I was in the cell for two and half days. The people that were there with me told me three days. No food or drink. After two days, they took me out for interrogation, and then they put me back again. Going to the third day I started hollering and beating the wall, then they took me out and put me in a different cell. The interrogator was sitting in front of me; he was wearing a mask, only his eyes were able to see. His eyes were green and his eyebrows were light brown. The translator was sitting behind me. The translator had a piece of pipe or metal in his hands; he was beating my neck and telling me "Look at him, you understand, don't look back." The interrogator asked me "what's your name, married or single, how old you are, date of birth, have you attacked any Americans?" I told them I never attacked any Americans, I don't want Americans to leave Tikrit, because if they do there'll be a civil war. The translator slapped me three times and told me to shut up. The translator was wearing a mask; he was a fat man, shorter than me, wearing a black t-shirt, military uniform pants, and sport shoes. The translator was Kurdish. One of the detainees [REDACTED] asked the translator if his name was [REDACTED] who is Kurdish. When the translator beat me the interrogator said why are you beating him and then he stopped beating me. They gave me a piece of cake to eat. They took some photos of me. My hands were bound in front of me. After the first interrogation, they took me back to the cell, after the second interrogation, they took me to a different cell that was white. In the second interrogation they asked me "You didn't hear anybody attacking the Coalition forces, try to squeeze your brain and remember if you know anybody attacking the Americans." I told them when I was in a billboard shop there were people talking about one attack that happened. When I heard my neighbor [REDACTED] was the Fedayeen and he was attacking Americans. I told them we heard stuff from our neighbors. Nobody hit me in the second interrogation. The next time the translator was in front of me and the interrogator was behind me. The interrogator said you are my friend, lifted his mask and showed his face. He had light brown, thick mustache, light complexion. After the second interrogation they took me to a big tent, when I went there I saw [REDACTED] and some people I was detained with, and then they brought some MREs to us. Then they brought me here and I've been here 30, 31 days. They took me from my house May 8th. The place they held me in before I think was a house. I couldn't tell where I was because of the loud music. We went up two or three steps. [REDACTED] and [REDACTED] were speaking in front of everybody, he had wounds on

10. EXHIBIT [REDACTED] 11. INITIALS [REDACTED] MAKING STATEMENT PAGE 1 OF 3 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT [REDACTED] DATED [REDACTED]

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

FORM 2823, DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE

USAPA V1.00

SECRET//NOFORN Formica Report - Annex 112

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

B6

STATEMENT OF [REDACTED] B6

TAKEN AT Victory Base, DATED 20 JUNE 1966

STATEMENT (Continued)
[REDACTED] both of his shoulders from where they were pulling him on the ground and he had some head injuries from where they beat him with a pistol in the back of his head. This was in the same area I was in, the small cell. They were surprised I was there and they didn't beat me but just slapped three times by the translator. [REDACTED] likes to exaggerate.
did

B6

Nothing follows [REDACTED] B6

INITIALS OF PERSON MAKING [REDACTED] B6

DA FORM 2823, DEC 1956

PAGE 2 OF 3 PAGES

USARV V1.03

~~SECRET//NOFORN~~ Formica Report - Annex 112

B6

STATEMENT OF [REDACTED]

TAKEN AT VICTORY BASE DATED 20 JUNE 2004
IRAQ

9. STATEMENT (Continued)

NOTHING FOLLOWS [REDACTED]

[REDACTED] AFFIDAVIT
I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE [REDACTED]. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE [REDACTED]

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20th day of JUNE, 2004 at Camp Victory, IRAQ

ORGANIZATION OR ADDRESS [REDACTED]

[REDACTED]

ORGANIZATION OR ADDRESS [REDACTED]

Typed Name of Person Administering Oath
ART Rb UCAJ
(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 3 OF 3 PAGES

DA FORM 2823, DEC 1998

USAPA V1.00

~~SECRET//NOFORN~~ Economic Report - Annex 112

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is OCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2881; E.O. 9397 dated November 22, 1943 /SSM.
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

LOCATION: VICTORY BASE 1000 MILES
1. LAST NAME, FIRST NAME, MIDDLE NAME: 01324-1400
2. DATE (YYYYMMDD): 2006-06-20
3. TIME:
4. FILE NUMBER:
5. ORGANIZATION OR ADDRESS: HHB, III Corps Artillery
6. SSN:
7. GRADE/STATUS: E-3

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I swear that the summary of my oral statement given to me on 6 June 2004, is accurate and complete. It is not verbatim, but does contain the substance of all statements made by me.

My name is [redacted]. When they went to arrest me they asked me about somebody and during my torturing they accused me of doing operations against the Coalition forces. They asked me if I knew [redacted]. I was detained on the 27th of April, at my house in Erwinat. It's 35 kilometers south of Tikrit. I was detained by Special Forces; I know this because of writing in Tikrit. I made a friendship with a sergeant and 20 days later I found out they were Special Forces. The sergeant's name was [redacted]. He was military police. This man was at the second place. The second place was in Tikrit. When they captured me they took me somewhere up North, in a big hall. 31 people were apprehended the same day. I was at the big hall for two days and then some people took us. The ICDC told me that the CIA picked me up after two days. Then they took me to the [redacted] house. Where I stayed was one meter long, one meter high. Three days no food no drink, very loud music, they were hitting me ceiling so we won't sleep. I said what do you want from me, I'll tell you anything. As soon as I got out they hit me on my eyes and head. A Kurd hit me and some Americans. There were five or six. I was hit with a pistol on my head; I can't tell who was hitting me because I was blindfolded. They were all beating me. They shrad my clothes so I was naked. I was naked for two days. After five days of this I was interrogated. A guy with a beard and glasses interrogated me, he was a good man. I was tortured the first days but when the interrogations started they treated me humanely. I was beaten at the [redacted] house. I was beaten with the pistol at the [redacted] house. I was handcuffed and put on the ground and they kept on beating me. I was naked all this time. The first three days I was not beaten. It was the last two days I was beaten. I ate cake and water. They gave me that on the first three days, no food when they were beating me up, and they gave me cake and water on the day they interrogated me. I was able to see people that were more tortured than me. The Kurd was wearing a ski mask and the Americans were not. One [redacted] Wall, had a t-shirt and pants, bald, sunglasses. The other one was a strong man. Two of them had mustaches. I know [redacted] brother [redacted] and his cousin [redacted] and another guy named [redacted]. There was another guy who might be dead by [redacted] now from all the torture, he refused to tell me his name. At the [redacted] house I was kept on the first floor, there was a shower head and toilets. I didn't hear any names. The ICDC guys knew that this center belonged to the CIA.

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

FORM 2823, DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE

USAPA V1.00

SECRET/NOFORN Formion Report - Annex 113

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

8p

STATEMENT OF

[REDACTED]

8p

TAKEN AT VICTORY BASE DATED 20 June 2002
1200R

9. STATEMENT (Continued)

NOTHING FOLLOWS [REDACTED] 8b

INITIALS OF PERSON [REDACTED] 8b

DA FORM 2022, DEC 1958

PAGE 2 OF 3 PAGES
USAPA V1.00

~~SECRET//NOFORN~~ Foreign Report - Annex 113

B6

STATEMENT OF [REDACTED] b6

TAKEN AT Victory Base DATED 20 JUNE 04
IRAG

B. STATEMENT (Continued)

NOTHING FOLLOWS [REDACTED] B6

[REDACTED] b6

AFFIDAVIT

[REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE [REDACTED]. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20th day of JUNE, 2004 at Camp Victory, Iraq

ORGANIZATION OR ADDRESS

[REDACTED] b6
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED] b6
(Typed Name of Person Administering Oath)
ART 136, UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED] b6

PAGE 3 OF 3 PAGES

DA FORM 2823, DEC 1988

USAPA V1.00

SECRET//NOFORN - Eornica Report - Annex 113

SWORN STATEMENT

For use in form, see AR 190-46; the proponent age is ODCSOPS

86

LOCATION
TIKRIT, IRAQ

DATE

TIME

FILE NUMBER

LAST NAME, FIRST NAME, MIDDLE NAME

SOCIAL SECURITY NUMBER

GRADE/STATUS
MAJ/04

b3

ORGANIZATION OR ADDRESS
A/3/5 SFG(A), FT. CAMPBELL, KY 42223

I, [REDACTED] b6
WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
I made the following comments to the Investigating Officer, [REDACTED] 10 June 04:

The guidance I have from my FOB is to get the detainee information paperwork straight, determine what category the detainee is, and turn over the detainee to the CP as soon as possible. Anything beyond that will require permission from the FOB. If more time was required, the detachment commander would contact me and I would get permission from the FOB. That's our FOB's SOP, not a regulation. Under normal circumstances, from the time of capture the detainee should be turned in to the DCCP within four hours. The longest I think we would be required to keep a detainee, which would require FOB approval, is 24 hours. It would be an extreme circumstance to keep a detainee beyond that [REDACTED] in Mosul so communication with them by radio. [REDACTED] Regardless of the distance from the DCCP,

1.4.4
1.4.4
1.4.4
1.4.4
1.4.4

[REDACTED] Nothing Follows

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF _____ PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823, JUL 72

SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

USAFC V2.00

~~SECRET//NOFORN~~ Formica Report - Annex 114

SWORN STATEMENT

For use in form, see AR 190-45; the proponent uses a OCSOPS

LOCATION
FOB Danger, Tikrit Iraq

DATE
12 Jul 04

TIME

FILE NUMBER

LAST NAME, FIRST NAME, MIDDLE NAME
[REDACTED]

SOCIAL SECURITY NUMBER
[REDACTED]

GRADE/STATUS
SGM

ORGANIZATION OR ADDRESS
A COMPANY, 3RD BATTALION, 5TH SPECIAL FORCES GROUP AIRBORNE, FTCKY 42223

86

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 10 June 2003, BG Formica visited Tikrit Iraq. The following is a summary of our discussion.

My battalion, [REDACTED] moved into the Rawaniya Palace Complex Baghdad Iraq on 9 April 2003. Eventually CJISOF-AP moved in that complex as well. We were there from early April to about the 10th of October and we were relieved by [REDACTED]. By the beginning of May we were the only Special Forces Battalion operating in central and southern Iraq. By late May a Company size element of the [REDACTED] to us which were operating in northern Iraq. The CJISOF and FOB detainee policy was to do field interrogation, process, and to turn over detainees to Conventional US Forces within 72 hours. Any deviation required CJISOF approval.

Our detachments operated throughout Baghdad proper, [REDACTED] and up to [REDACTED]. Some of these out lying teams had temporary areas set aside to initially hold detainees due to their remote locations. There were no detachments operating directly out of the Rawaniya Palace Complex. From April 03 until July 03 we had no need for a detention facility.

The first mission that they did was at the beginning of August. They detained some suspects and it became immediately apparent for the need of a temporary holding facility at RPC. You can't stay on the target and question people in an unsecured environment. You do the mission, come off the target, process the detainees, and turn them in to Camp Cropper BIAP.

We had a couple of houses that we were not using on the complex, that were outside our main perimeter but inside our own perimeter. We took one of the houses and made it into our questioning room. It was a single house with a wall around it. Furniture on the inside. It probably had six rooms downstairs and four rooms upstairs. [REDACTED] team would bring them back there. We would take the prisoners from the detachment.

The longest anybody stayed was six hours. When we were relieved by [REDACTED] we said this is what we do, and went home. For the most part I cannot recall a single time when we kept anybody [REDACTED].

Before any team did a mission, they'd submit a CONOP to the battalion. Once the mission went down within four hours they had to submit the five w's, who, what, when, where, why. Within 12 hours they're required to do an OPSUM, to include the status of the prisoners, either turn them in or if they still had them when they were going to turn them in. The rule was 72 hours but I knew we never kept anybody 72 hours and I am pretty sure never over 14 hours.

My duty position was the Battalion Operations Sergeant Major from Oct 02 until April 04.

////////////////////////////////////nothing follows////////////////////////////////////

EXHIBIT

INITIAL [REDACTED] MAKING STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823, JUL 72

SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

USAPPC V2.00

~~SECRET/NOFORN~~ Formica Report - Annex 115

~~SECRET~~
B6

FICI-ECC-JA

7 August 2004

MEMORANDUM FOR RECORD

SUBJECT: Statement of [REDACTED] B6

1. The statement enclosed in the AR 15-6 investigation is a summary of the oral comments made by [REDACTED] on 23 June 2003 at Fort Sill, OK.
2. The oral comments were recorded and summarized in writing on the sworn statement form. At this time, we have not yet received a signed copy of this form, but [REDACTED] in the Fort Sill Office of the Staff Judge Advocate, is coordinating to expedite our request for one.
3. Given the circumstances of the summarization, including the recording and summarization at the direction of [REDACTED] who was present for the interview, I conclude that the summarization has sufficient reliability to be included in and cited in this report pending receipt of the sworn version. When this sworn version arrives, we will insert it into this annex as a substitute for the current summarization.
4. POC is the undersigned.

[REDACTED] B6
 [REDACTED] B6
 MAJ, JA
 AR 15-6 Legal Advisor

Encl
as

UNCLASSIFIED//FOUO

Fornica Report - Annex 116

B6

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

Title 18 USC Section 301; Title 5 USC Section 2951; E.O. 12957 dated November 22, 1993 (SSN).
To provide commanders and law enforcement officials with means by which information may be accurately identified.
Your social security number is used as an additional alternate means of identification to facilitate filing and retrieval.
Disclosure of your social security number is voluntary.

AUTHORITY:
PRINCIPAL PURPOSE:
ROUTINE USES:
DISCLOSURE:

1. LOCATION Fort Carson, Colorado	2. DATE (YYYYMMDD) 2004/06/29	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]		7. GRADE/STATUS OS/AD
8. ORGANIZATION OR ADDRESS [REDACTED] Fort Carson, Colorado			

b3
b3

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I am the Commander of the [REDACTED] year. We deployed to Iraq in late January 2004. I have been in command of 3rd Battalion for almost a

My battalion headquarters in Iraq was based in Mosul [REDACTED]

[REDACTED]

b3
1.4c

The CJSOTF policy did give us clear guidance on the types of interrogations that we could use and the various approving authorities. We also had clear guidance on how long we could hold an individual and what authorities we required to hold them in excess of and the proper processing. I have found no clear guidance on detention facility requirements. There is very clear guidance on how they are to be treated and how they are to be maintained and processing procedures, but I have seen no guidance on the facility requirements themselves. I did not promulgate any battalion level implementing guidance to my companies.

In the CJSOTF Policy that I was using, it did specify the interrogating techniques that were approved and not approved. There were approximately twenty-one approved techniques approved by the CGTF Commanding General in the CJSOTF Policy. Within that policy, there were additional interrogation techniques that required elevated approval authority. The twenty-one approved techniques did not require any special approval. The detachment commander, detachment could exercise the first twenty-one. There is an additional ten that require the battalion commander's approval. Some of these are just an extension of the first twenty-one that are listed.

1.4c
1.4c

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED]"

TAKEN AT [REDACTED] DATED [REDACTED]

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

DA FORM 2823, DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE

06AP11100

SECRET//NOFORN

Formica Report - Annex 116

STATEMENT OF [REDACTED] b6

TAKEN AT Fort Carson, CO DATED 2004/06/29

2. STATEMENT (Continued)

The elevated techniques that they wanted approval for were incentive removal, fear up, which is a harsh technique, pride and ego down, [REDACTED] isolation, yelling, loud music, light control and stress positions. I know that [REDACTED] played music in order to prevent the detainees from talking to each other. I cannot say if it was to the point where it induced stress. The music was not played to prevent the detainees from sleeping.

To the best of my knowledge neither Iraqis nor Kurds were used directly in interrogation other than interpreters during questioning. We never had Iraqis interrogating guys.

We were allowed to detain for up to 72 hours unless approval was obtained from the CJSOTF-AP Commander to retain longer. I don't recall ever seeking his authority to detain someone for more than 72 hours. [REDACTED] was there for longer than 72 hours, it would have exceeded my authority.

My expectation is that detainees would be provided with adequate food, clothing, and water. I expected that the detainees would be fed in the same manner we feed our Kurdish Guard Force, to include three meals a day. I do not think any of the detachments did bread and water diet. We may have given them MREs.

I expect my Soldiers to treat detainees properly. I do not believe that there was ever any intentional abuse or neglect other than my own neglect for not inspecting detention facilities. NOTHING FOLLOWS [REDACTED] b6

AFFIDAVIT

[REDACTED] b6 HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, [REDACTED] b6 [REDACTED] b6 (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29th day of June, 2004 at Fort Carson, Colorado [REDACTED] b6 [REDACTED] b6 (Administrating Oath)

ORGANIZATION OR ADDRESS [REDACTED] b6

ORGANIZATION OR ADDRESS [REDACTED] b6

INITIALS OF PERSON MAKING STATEMENT [REDACTED] b6

Article 136, UCMJ (Authority To Administer Oaths)

PAGE 2 OF 2 PAGES

PAGE 2, DA FORM 2822, DEC 1999

SECRET/NOFORN

Fornica Report - Annex 116

Handwritten initials/signature in a circle and "B6" next to it.

FICI-ECC-JA

7 August 2004

MEMORANDUM FOR RECORD

SUBJECT: Statement of [REDACTED] b6

1. The statement enclosed in the AR 15-6 investigation is a summary of the oral comments made by [REDACTED] on 23 June 2003 at Fort Sill, OK. b6
2. The oral comments were recorded and summarized in writing on the sworn statement form. At this time, we have not yet received a signed copy of this form, but [REDACTED] in the Fort Sill Office of the Staff Judge Advocate, is coordinating to expedite our request for one. b6
3. Given the circumstances of the summarization, including the recording and summarization at the direction of [REDACTED] who was present for the interview, I conclude that the summarization has sufficient reliability to be included in and cited in this report pending receipt of the sworn version. When this sworn version arrives, we will insert it into this annex as a substitute for the current summarization.
4. POC is the undersigned.

[REDACTED SIGNATURE]

Encl
as

MAJ, JA
AR 15-6 Legal Advisor

UNCLASSIFIED//FOUO

Formica Report - Annex 117

SWORN STATEMENT

For use of this form, see AR 190-45 the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

Title 10 USC Section 301; Title 5 USC Section 2081 E.O. 13526 dated November 22, 1943 (SSN).
To provide commanders and law enforcement officials with means by which information may be accurately
Your social security number is used as an additional/alternate means of identification to facilitate filing and
Disclosure of your social security number is voluntary.

THORITY:

PRINCIPAL PURPOSE:

ROUTINE USES:

DISCLOSURE:

1. LOCATION

Fort Sill, Oklahoma

5. LAST NAME, FIRST NAME, MIDDLE NAME

8. ORGANIZATION OR ADDRESS

2. DATE (YYYYMMDD)
2004/06/24

3. TIME

4. FILE NUMBER

6. SSN

7. GRADE/STATUS
O4/AD

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I am the Commander of Charlie Company, 2nd Battalion, 10 Special Forces Group. I have been the commander for since 26 June 03. I have been deployed to Iraq during my command from 10 February to 31 May 2004. My [redacted] does not present during their interrogations. I am not familiar with the individuals making these allegations. [redacted] I was never inside of the detention facility during the four to five times that I was at their compound. I never saw the cells. From the description I received from [redacted] Commanders [redacted] I thought it was an adequate facility for the purpose of temporary detention. Short-term detention to me is anywhere from 0 to 72 hours. If someone was there for more than 5 to 7 days, I would think that it was excessive.

The only other [redacted] that had a detention facility was in Samarra. The detention facility was approximately 20x12 and normally held three to four detainees. The [redacted] Teams were authorized to keep personnel up to 72 hours for tactical interrogations with a 48-hour SITREP up to CJSOTF-AP through the AOB to the POB. The SITREP included pretty much the five W's/H surrounding a detainee and included such matters as the state of health and any background evidence.

The local commanders play a large role in what we do within our AORs. My counterpart was normally the 2nd BCT commander. My decision to keep someone longer than the 72-hour period was defined by a CJTF-7 and by a CJSOTF-AP. I had to answer to both policies. I could not keep someone beyond 72 hours if the 2nd BCT commander said "no" and the CJSOTF-AP said "yes."

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

DA FORM 2823, DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE

USAFM V1.00

SECRET//NOFORN Formica Report - Annex 117

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

B6

STATEMENT OF [REDACTED] B6

TAKEN AT Fort Sill, Oklahoma DATED 2004/06/24

B. STATEMENT (Continued)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2, DA FORM 2823, DEC 1996

PAGE 2 OF 3 PAGES

USAPA V1.00

~~SECRET//NOFORN~~ 43

Foreign Report - Annex 117

[REDACTED]

STATEMENT OF [REDACTED]

STATEMENT (Continued)

TAKEN AT Fort Sill, Oklahoma DATED 2004/06/24

B6

AFFIDAVIT

[REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law administer oaths, 24 day of June, 2004 at Fort Sill, Oklahoma

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

Article 136, UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3, DA FORM 2823, DEC 1999

PAGE 3 OF 3 PAGES

USAPA V1.00

SECRET//NOFORN

Formica Report - Annex 117

FICI-ECC-JA

7 August 2004

[Handwritten signature]
B6

MEMORANDUM FOR RECORD

SUBJECT: Statement of [REDACTED] B6

1. The statement enclosed in the AR 15-6 investigation is a summary of the oral comments made by [REDACTED] on 23 June 2003 at Fort Sill, OK. *[Handwritten: B6]*
2. The oral comments were recorded and summarized in writing on the sworn statement form. At this time, we have not yet received a signed copy of this form, but [REDACTED] in the Fort Sill Office of the Staff Judge Advocate, is coordinating to expedite our request for one. *[Handwritten: B6]*
3. Given the circumstances of the summarization, including the recording and summarization at the direction of [REDACTED] who was present for the interview, I conclude that the summarization has sufficient reliability to be included in and cited in this report pending receipt of the sworn version. When this sworn version arrives, we will insert it into this annex as a substitute for the current summarization. *[Handwritten: B6]*
4. POC is the undersigned.

[REDACTED] *[Handwritten: B6]*
MAJ, JA
AR 15-6 Legal Advisor

Encl
as

~~SECRET//NOFORN~~ *[Handwritten: u]*

Formica Report - Annex 118

SWORN STATEMENT

For use of this form, see AR 190-45 the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

Title 10 USC Section 301/Title 5 USC Section 2851, E.O. 9397 dated November 22, 1943 (SCM).

AUTHORITY:
PRINCIPAL PURPOSE:

To provide commanders and law enforcement officials with means by which information may be accurately
Your social security number is used as an additional/alternate means of identification to facilitate filing and
Disclosure of your social security number is voluntary.

ROUTINE USES:

DISCLOSURE:
1. LOCATION
Fort Sill, Oklahoma

2. DATE (YYYYMMDD)
2004/06/24

3. TIME

4. FILE NUMBER

5. LAST NAME, FIRST NAME, MIDDLE NAME
[REDACTED]

6. SSN

7. GRADE/STATUS
CW2/AD

8. ORGANIZATION OR ADDRESS
[REDACTED]

Fort Carson, Colorado

9.

[REDACTED]

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

[REDACTED] The first was to in process the detainee into the 1st ID detention facility and
then check the detainee back out. The ODA then had the authority to hold the detainee for an additional 72 hours. This was
rarely done and was never used with the intent to circumvent the 72-hour limitation. The second option the ODA had was to
request an extension through the AOB. I only recall this being done once, by [REDACTED] for an Iraqi named [REDACTED]. The ODA
made the request by sending a verbal or plain text which was sent via SATCOM. I then forwarded the request to [REDACTED]. The ODA
received an affirmative response to the request. It was a very informal process and we did not have a specific form or format to
use when making the request. It is possible that other requests to hold detainees over 72 hours were made, but I do not recall any.
I never received any requests from [REDACTED]. Nothing follows.

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER
MUST BE INDICATED.

DA FORM 2823, DEC 1988

DA FORM 2823, JUL 72, IS OBSOLETE

NSAFA V1.00

SECRET//NOFORN Formica Report - Annex 118

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

B6

STATEMENT OF [REDACTED]

TAKEN AT Fort Sill, Oklahoma DATED 2004/06/24

B. STATEMENT (Continued)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

PAGE 2, DA FORM 2823, DEC 1998

USAPA V1.00

~~SECRET//NOFORN~~

Fornica Report - Annex 118



STATEMENT OF [REDACTED] **B1**

TAKEN AT Fort Sill, Oklahoma DATED 2004/06/24

B6

STATEMENT (Continued)

B1
I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

AFFIDAVIT

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, 24 day of June, 2004 at Fort Sill, Oklahoma

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

B6
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Article 136, UCMJ

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 FORM 2823, DEC 1999

PAGE 3 OF 3 PAGES

USAPA V1.00

SECRET//NOFORN Formica Report - Annex 118

HEADQUARTERS
Multi National Corps-Iraq
CAMP VICTORY, IRAQ
APO AE 09342-1400

REPLY TO
ATTENTION OF:

MNCI-ECC-JA

6 June 2004

MEMORANDUM FOR COMMANDER, FFA and MNC-I Effects, Camp Victory, Iraq, APO
AE 09342-1400.

SUBJECT: 15-6 Investigation into Death of Detainee ([REDACTED])

b(6)

1. **Purpose.** To provide an executive summary of the enclosed 15-6 investigation.
2. **Findings.** The following are the most significant findings:
 - Detained on 22 DEC: [REDACTED] was intoxicated
 - Three-Day Stay at 2-3 FA: [REDACTED] appeared to be mentally challenged, repeatedly took off his clothes and defecated on himself on two occasions; he was often seen with his pants around his ankles
 - 25 DEC: 501 FSB for Interrogation: Aide Station determined [REDACTED] had low body temperature, shallow respiration, and weak cardio rhythms; he had little response to stimuli and was moaning to himself
 - 26 DEC: [REDACTED] air lifted to [REDACTED] where he died due to total cardio failure
3. **Conclusion.** There was no evidence of misconduct or maltreatment. [REDACTED] did have some healing abrasions on his shin and bruises on his shoulders and knees. The report of the 15-6 states that the treating doctor (CPT [REDACTED]) said that the abrasions and bruises did not appear to be recent. However, the doctor's statement (TAB Y) simply notes the abrasions and bruises. The doctor's statement is silent as to when these injuries may have occurred.
4. The POC for this memorandum is the undersigned.

b(6)

b(6)

b(6)

b(6)

1 Encl
as

[REDACTED]
Captain, Judge Advocate
III Corps Artillery/MNC-I Effects

b(6)

SECRET//NOFORN

Formica Report - Annex 119

DEPARTMENT OF THE ARMY
HEADQUARTERS, 1ST BRIGADE, 1ST ARMORED DIVISION
UNIT 21104 APO AE 09074
BAGHDAD, IRAQ

AETV-THN-CO

31 December 2003

MEMORANDUM FOR MAJ [REDACTED] HHC 1st Brigade, 1st Armored Division

b(6)

SUBJECT: Appointment of AR 15-6 Investigating Officer

1. You are hereby appointed as an investigating officer pursuant to AR 15-6 to conduct an informal investigation into the circumstances surrounding the death of a detainee, [REDACTED] taken into custody by [REDACTED] and transported to the 501st FSB Detention Center on 25DEC03.

b(6)

2. In your investigation, all witness statements will be sworn using DA Form 2823. You will examine all circumstances leading up to and surrounding the incident. You should determine whether proper measures were taken by all individuals involved to ensure the physical safety and care of detainees and to provide necessary medical treatment of detainees in accordance with the Geneva Convention and all established orders, regulations and SOP's.

3. If at any time you discover that the completion of your investigation requires examining the conduct or performance of duty of, or may result in findings or recommendations adverse to, a person senior to you, you will report this fact to the appointing authority.

4. If at any time you suspect any person of criminal misconduct you must advise that person of his Article 31 Fifth Amendment rights as appropriate. Document rights waivers by witnesses on a DA Form 3881.

5. Prior to beginning your investigation you should contact your legal advisor, CPT [REDACTED] located in the Brigade Headquarters at DNVT 551-7634.

b(6)

6. Your findings and recommendations should be submitted on DA Form 1574. Submit your investigation to me in the following order:

- a. DA Form 1574 with sufficient findings and recommendations;
- b. This letter of appointment as Enclosure 1;
- c. An executive summary of the facts as Enclosure 2;
- d. Your chronology as Enclosure 3;

~~SECRET//NOFORN~~ ^u
Formica Report - Annex 119

AETV-THN-CO
SUBJECT: AR 15-6 Investigating Officer Appointment

31 December 2003

- e. Any Privacy Act statements as subsequent Enclosures;
 - f. An index of exhibits as the final numbered Enclosure; and
 - g. All exhibits labeled in successive order (A, B, C, etc.).
7. This investigation and all accompanying documentation will be returned to me no later than 03 January 04.


COL, Armor
Commanding

b(6)

~~SECRET/NOFORN~~ *h*

Formica Report - Annex 119

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-6; the proponent agency is USAF.

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

SECTION I - APPOINTMENT

Appointed by COL [redacted] 1st Armored Brigade Commander
(Appointing authority)

b6)

on 31 December 2003 (Date) (Attach inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)

SECTION II - SESSIONS

The (investigation) (board) commenced at 1st Armored Brigade, Baghdad, Iraq at 1000 (Time)
on 01 January 2004 (Date) (If a formal board met for more than one session, check here . Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.) The following persons (members, respondents, counsel) were present: (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)

The following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence.) (See paras 3-2 and 3-2a, AR 15-6.)

The (investigating officer) (board) finished gathering/hearing evidence at 1400 (Time) on 05 January 2004 (Date)
and completed findings and recommendations at 1900 (Time) on 07 January 2004 (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES

1. Inclosures (para 3-15, AR 15-6)
 - a. The letter of appointment or a summary of oral appointment data?
 - b. Copy of notice to respondent, if any? (See item 9, below)
 - c. Other correspondence with respondent or counsel, if any?
 - d. All other written communications to or from the appointing authority?
 - e. Privacy Act Statements (Certificates, if statements provided orally)?
 - f. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?
 - g. Information as to contents of a formal board not included on page 1 of this report?
 - h. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?

YES	NO	NA
X		X
		X
		X
		X
		X
X		X

FOIA: 1) Explain all negative answers on an attached sheet.
2) One of the NA columns contains a positive representation that the circumstances described in the question did not occur in this investigation or board.

DA FORM 1574, MAR 83

EDITION OF NOV 77 IS OBSOLETE.

Page 1 of 1 page

00000123

SECRET//NOFORN

Formion Report - Annex 119

SECTION IV - FINDINGS (para 3-10, AR 15-6)

The *(investigating officer) (board)*, having carefully considered the evidence, finds:
Refer to attached Memorandum For Record.

SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

In view of the above findings, the *(investigating officer) (board)* recommends:
Refer to attached Memorandum For Record.

Page 3 of 4 pages, DA Form 1576, Mar 83

~~SECRET//NOFORN~~ ^u Formica Report - Annex 119

SECTION III - AUTHENTICATION (para 3-17, AR 15-6)

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. (If any voting member or the recorder fails to sign here or in Section VII below, indicate the reason in the space where his signature should appear.)

(Recorder)

MAJ [Redacted]
(Investigating Officer) (President)

b(4)

(Member)

(Member)

(Member)

(Member)

SECTION IV - MINORITY REPORT (para 3-13, AR 15-6)

To the extent indicated in inclosure _____, the undersigned do(es) not concur in the findings and recommendations of the board. (In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. Show the reasons for disagreement. Additional/substantive findings and/or recommendations may be included in the inclosure.)

(Member)

(Member)

SECTION V - ACTION BY APPOINTING AUTHORITY (para 2-3, AR 15-6)

The findings and recommendations of the (Investigating officer) (board) are (approved) (disapproved) (approved with following exceptions - substitutions). (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence for a summary, if oral) as a numbered inclosure.)

[Redacted]
COL, Armor
Commanding

SECRET//NOFORN Formica Report - Annex 119

DEPARTMENT OF THE ARMY
HEADQUARTERS, 1ST BRIGADE, 1ST ARMORED DIVISION
UNIT 21104 APO AE 09074

AETV-THN-HC

07 January 2004

MEMORANDUM FOR RECORD

SUBJECT: Investigative Report for death of detainee, [REDACTED]

1. Purpose: I, MAJ [REDACTED], was appointed as the investigating officer for the death of an Iraqi detainee, [REDACTED] and submit the following report. b(6)
b(6)
2. Summary:

- a. [REDACTED] was detained on 22 December 2003 after C/2-3 FA conducted a raid on a café in [REDACTED] pursuant to gathered intelligence. [REDACTED] was reportedly intoxicated and, though not aggressive, not fully compliant to instructions. [REDACTED] had to be assisted on to the 5-ton which took the detainees to the 2-3 FA Detention Center. During the approximate three days [REDACTED] spent at the 2-3 FA Detention Center, he appeared to be mentally challenged, often talking as though he was still in the café. [REDACTED] continuously would remove his clothes and defecated in his pants twice. Though many attempts were made to instruct [REDACTED] to leave his clothes on, he was often seen with his pants dropped down to his ankles. [REDACTED] as well as all the detainees at 2-3 FA Detention Center, was seen twice a day by medical personnel. One of the interpreters for 2-3 FA is an Iraqi MD who also examined the detainees during the time of [REDACTED] detention. b(6)

- b. On 25 December 2003 [REDACTED] and the rest of the detainees from 2-3 FA Detention Center were transported to 501 FSB Detention Center for interrogation by brigade intelligence personnel. Upon arrival at 501 FSB Detention Center, [REDACTED] appeared to have little response to stimuli; however, he was breathing and making moaning sounds. [REDACTED] was taken to the 501 FSB Aide Station where it was determined he had a low body temperature, shallow respiration, and weak cardio rhythms. The medical staff attempted to raise [REDACTED] body temperature and improve his respiratory and cardio symptoms. b(6)

- c. Approximately 0100, 26 December 2003, [REDACTED] was air lifted to 28TH CSH where he received further treatment in attempts to improve his condition. [REDACTED] later died due to total cardio failure. The 28TH CSH reported [REDACTED]'s death to the 501 FSB at 260600DEC03. b(6)

3. Findings: After interviewing and examining statements from many individuals involved in the incident with [REDACTED] I found no evidence of misconduct or maltreatment. [REDACTED] medical care record states he had healing abrasions on his shin and bruises on his shoulders and knees. When interviewing CPT [REDACTED] who treated [REDACTED] she stated the abrasions and bruises did not appear to be recent. Lastly, many detention center guards seemed to discover for themselves that [REDACTED] was acting strangely. b(6)

SECRET/NOFORN

Formica Report - Annex 110

AETV-THN-HC

07 January 2004

SUBJECT: Investigative Report for death of detainee [REDACTED]

[REDACTED]

b(5)(a)
deliberative
process

5. Chronology of Events: See Enclosure 1.

6. List of Exhibits: See Enclosure 2.

Encl 1, Chronology of Events
Encl 2, List of Exhibits

[REDACTED]

MAJ, SC
15-6 Investigating Officer

b(6)

~~SECRET//NOFORN~~ h

Formica Report - Annex 119

DEPARTMENT OF THE ARMY
HEADQUARTERS, 2ND BATTALION, 3RD FIELD ARTILLERY
ADHAMIYA, BAGHDAD, IRAQ
APO AE 09324-2856

AETV-TFK-A-S3

27 December 2003

MEMORANDUM FOR RFCT S3

SUBJECT: Commanders Incident Report: Death of a Local National

1. REPORT MADE BY:

- a. Rank: CPT
- b. Name: [REDACTED]
- c. Duty Position: Assistant S-3
- d. Unit: HHB/2-3 FA

b(6)

2. TYPE OF REPORT: CIR

3. TYPE OF INCIDENT: Death of a Local National while in Custody

4. DTG OF INCIDENT: 26 (Unknown Time) CDEC03

5. LOCATION OF INCIDENT: MB 401 929 (Zone 18)

6. UNITS INVOLVED: HHB/2-3 FA

7. UNIT ADDRESS (Current Location if deployed): [REDACTED] MB397974

8. LIST OF PERSONNEL INVOLVED:

- a. [REDACTED]
 - (1) Iraqi Detainee
 - (2)
 - (3) MALE
 - (4)
 - (5) Died of pneumonia (as reported by Brigade S2 Update Brief, 270900CDEC03)

b(6)

9. NARRATIVE: On 22 DEC 03, at 1830, C Btry detained 9 local nationals suspected to have ties to an IED attack earlier in the day. He was detained at a café vicinity [REDACTED]. An informant had pointed all nine suspects out to the patrol. [REDACTED] was extremely [REDACTED]

1.4(a)
b(6)

~~SECRET/NOFORN~~

Exhibit CC

Fornica Report - Annex 110

intoxicated upon arrival to the 2-3 FA FOB. He was placed in the Detention cell located on the FOB. After questioning him it was apparent that [REDACTED] was psychologically unable to provide useful information. [REDACTED] spent the majority of his time in detention on a bus. This bus is used to shelter and warm detainees during periods of inclement weather. Additionally, the detainees were provided wool blankets for warmth which included [REDACTED]. On numerous occasions U.S. Army Medics checked all the detainees for signs of injuries or illnesses. [REDACTED] defecated in his pants so he was provided with dry pants on two separate occasions. When Brigade requested to speak with him for more information we informed them he would be useless for intelligence purposes and we recommended his release. This was based on his initial interview and the fact his other family members stated he was taken to the psychologist many times. The [REDACTED] told us that because of his relationship as the brother of [REDACTED] that they still wanted to talk with him. Before all the detainees were moved to the BSA on 25 December at 1800, the medics conducted another screening to ensure all the detainees were in good health; this included [REDACTED] who was in good condition. The Battalion TOC was notified on or about 2200 hours on 25 DEC 03 by CPT [REDACTED] that [REDACTED] was sent to the 28th CSH for medical treatment and that his prognosis was not good. At approximately 1500 hours on 26 DEC 03 the Brigade XO notified the Battalion XO that [REDACTED] was dead and that an autopsy would follow.

b(6)

b(6)

1.4(a)

b(6)

b(6)

10. TIME UNIT COMMANDER WAS NOTIFIED: 26 DEC 03
11. UNIT COMMANDER: LTC [REDACTED] 2-3 FA CDR
12. DRUGS OR ALCOHOL INVOLVED: No (US); yes deceased local national was drunk when he was detained.
13. ESTIMATED COST OF DAMAGE: UNK.
14. COMMANDER'S EVALUATION AND OTHER COMMENTS.
 - a. IMPACT ON OPERATIONAL READINESS: None.
 - b. INDICATE COMMANDER'S JUDGMENT OF CAUSE: The Detainee had a pre-existing condition that could not be detected by medical personnel on site.
15. ACTIONS TAKEN BY UNIT COMMANDER: The detainees were placed in a guarded bus during inclement weather periods to provide a heated environment. As a result of increased inclement weather, a roof and a forced air heater were added to the detention cell in order to discontinue the use of the bus.
16. AUTHENTICATION and POC: CPT [REDACTED] @ DNV [REDACTED]

b(6)

b(6)

SECRET//NOFORN

Formica Report - Annex 119

07 APR 04

From: LT [REDACTED]
To: Commander, Naval Special Warfare Task Group [REDACTED]

b(6)
1.4(a)
b(6)

Subj: PRELIMINARY INQUIRY INTO DEATH OF [REDACTED]

Ref: (a) JAGMAN Section 0204

1. This reports completion of the preliminary inquiry conducted in accordance with reference (a) into the events surrounding the death of [REDACTED] while in the custody of [REDACTED]

b(6) | 1.4(a)

2. Personnel contacted (all contact info is DSN [REDACTED] DNVT [REDACTED]):

b(6) | 1.4(a)

- [REDACTED] LCDR, [REDACTED] SEAL Team [REDACTED]
- [REDACTED] LTC, CJSOTF Surgeon, [REDACTED]
- [REDACTED] LT, AOIC, SEAL Team [REDACTED]
- [REDACTED] LT, AOIC, SEAL Team [REDACTED]
- [REDACTED] HMCS, TU LCPO, SEAL Team [REDACTED]
- [REDACTED] BMCS, PLT LCPO, SEAL Team [REDACTED]
- [REDACTED] GM1, TU Interrogator, SEAL Team [REDACTED]
- [REDACTED] HM1, Platoon Corpsman, SEAL Team [REDACTED]
- [REDACTED] ICI, Detainee Guard, SEAL Team [REDACTED]
- [REDACTED] HM2, Platoon Corpsman, SEAL Team [REDACTED]
- [REDACTED] IT2, TU Interrogator, SEAL Team [REDACTED]
- [REDACTED] HM2, Platoon Corpsman, SEAL Team [REDACTED]
- [REDACTED] IT3, Detainee Guard, SEAL Team [REDACTED]



3. Materials reviewed:

- [REDACTED] CONOPs
- [REDACTED] Operation Summary
- [REDACTED] SSE Item Inventory
- NSW Detainee Receipt for [REDACTED]
- [REDACTED] Interrogation and Counter-Resistance Policy, [REDACTED]
- [REDACTED]
- Detainee Medical Screening Sheet (02 APR 04)
- SF 558 Emergency Care and Treatment Form (05 APR 04)
- SF 600 Chronological Record of Medical Care (05 APR 04)
- Sworn Statement from [REDACTED]

1.4(a)

b(6)

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~~Classification~~

Formica Report - Annex 120

Sworn Statement from [REDACTED]

4. Summary of findings:

[REDACTED] conducted mission [REDACTED] in the early morning hours of 02 APR 04. Two [REDACTED] were detained on target along with 6 fully assembled Improvised Explosive Devices (IEDs), a large quantity of IED component material, 27 grenades, and numerous explosive items.

- During approximately 64 hours of detention and interrogation, [REDACTED] personnel followed all procedures outlined in both [REDACTED] Interrogation and Counter-Resistance Policy, [REDACTED] and [REDACTED] Interrogation and Counter-Resistance Policy [REDACTED].

At regular intervals, fully qualified 18D corpsman took the detainee's vital signs and documented this information, none of which was outside healthy parameters.

[REDACTED] gained significant actionable intelligence from the questioning of both detained AI members.

[REDACTED] exhibited signs of intense distress and extremely unusual behavior during his captivity, likely based on the stress of detainment and the fact that this very committed [REDACTED] member had provided actionable intelligence during his detainment.

- At 050104CAPR04, approximately thirty minutes prior to the detainee's cardiac arrest, his body core temperature was measured at 97.5 degrees Fahrenheit (well within normal parameters). Based on this body temperature, both HMCS [REDACTED] and LTC [REDACTED] ruled out the possibility that the detainee was even mildly hypothermic at the time of his cardiac arrest.

[REDACTED] family medical history, previous health and exact age are all unknown at this point. His reported age of 27 years old is based on information gained during his interrogation, and given his pattern of providing misleading or false information when given the chance, is of questionable validity.

- According to LTC [REDACTED] there have been a surprising number of cardiac problems, including the recent full cardiac arrest of an Iraqi citizen in his mid-30s, which have occurred in the vicinity of Mosul. The health demographics of young to middle-aged Iranian males are completely unknown at this time.

- Prior to the detainee's cardiac arrest at 0137C, he was wrapped in two blankets and laying by a fire in preparation for his final medical screening and turnover to the Stryker Brigade holding facility.

- After the detainee's cardiac arrest, he was attended by five 18D corpsmen and the [REDACTED] Surgeon (LTC [REDACTED]), who had full access to all necessary modern medical equipment in a nearby aid station.

b(6)

1.4(a)
b(6)

1.4(a)

1.4(a)
b(6)

b(6)/1.4(a)

b(6)

b(6)

b(6)

b(6)

b(5)(a)

[REDACTED]

~~SECRET//NOFORN~~

Formica Report - Annex 120

[REDACTED]

b(5)(a)

[REDACTED]

LT USN

b(4)

FIRST ENDORSEMENT

Concur with recommendation
 Other:

[REDACTED]

b(5)(a)

[REDACTED]

Commander

16 APR 04

b(4)
1.4(a)

~~SECRET/NOFORN~~

Formica Report - Annex 120

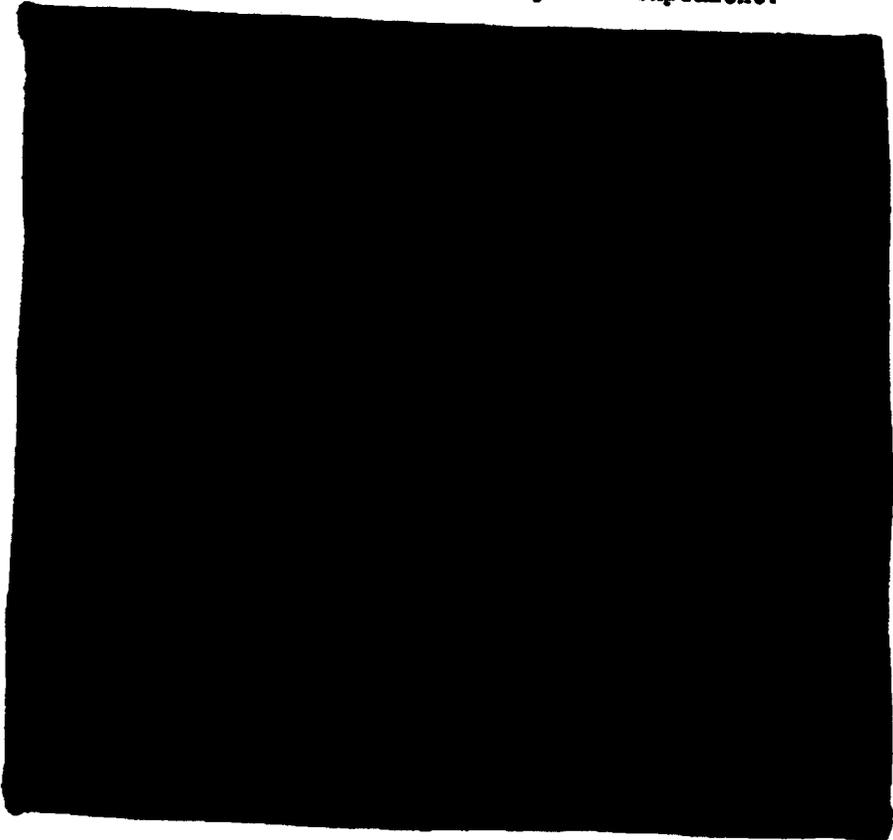
12 Apr 04

From: [REDACTED], LT, JAGC, USNR
To: Commanding Officer, [REDACTED]

Subj: PRELIMINARY INQUIRY INTO DEATH OF FARHAD MOHAMED ALI

Ref: (a) JAGMAN Section 204

1. Pursuant to section 204 of reference (a) I have reviewed the preliminary inquiry (PI) conducted by LT [REDACTED] regarding the subject above. I found that LT [REDACTED] investigation was thorough and expedient.



b(5)(e)
b(5)(f)
b(5)(g)

~~SECRET//NOFORN~~

Formica Report - Annex 120

Subj: PRELIMINARY INQUIRY INTO DEATH OF [REDACTED]

b(6)

[REDACTED]

b(5)(a)
b(5)(f)
b(5)(g)

[REDACTED]

b(6)

~~SECRET//NOFORN~~ u

Formica Report - Annex 120

NSWTGAP_JAG

From: [REDACTED] JAG
Sent: Friday, April 16, 2004 10:32 PM
To: [REDACTED]
Cc: [REDACTED] SJA; [REDACTED] (GP1 JAG)
Subject: Preliminary JAGMAN RE: Detainee Death

b(6)

Classification: ~~SECRET~~
Caveats: NONE

Sir,

[REDACTED] requested that I forward you the IO report on the preliminary investigation on the detainee's death in Mosul. Also enclosed is my written recommendation. CDR [REDACTED] will retain the hardcopies with enclosures and bring them to San Diego.

b(4)
b(5)(a),
(f)(g)

Finally, the last time I checked on the investigation, CID told me they sent a request to NCIS to continue the investigation in San Diego.

VK
LT [REDACTED]

b(6)

 
Prelm Inquiry 07 JAG
APR 04.doc recommendation.doc

Classification: ~~SECRET~~
Caveats: NONE

~~SECRET/NOFORN~~

Formica Report - Annex 120

NSWTGAP, JAG

From: [REDACTED] JAG
Sent: Monday, April 12, 2004 8:22 PM
Subject: JAG Endorsement of Detainee Death Investigation

b(6)/1.4(w)

Classification: ~~SECRET~~
Caveats: NONE

Sr,

Enclosed with this e-mail is my endorsement of LT [REDACTED] Preliminary Inquiry into the detainee's death in Mosul. On a related note, I contacted CID in Mosul today. [REDACTED] Let me know if you need to discuss anything further.

b(6)
b(5)(f)
and(g)

Vr
JAG



JAG
Endorsement.doc

Attachment Classification: ~~SECRET~~
Attachment Caveats: NONE

Classification: ~~SECRET~~
Caveats: NONE

~~SECRET//NOFORN~~

Formica Report - Annex 120

NSWTGAP_JAG

From: [REDACTED] COL CJTF7-SJA [REDACTED]
 Sent: Thursday, April 08, 2004 2:18 PM
 To: [REDACTED] JAG; [REDACTED]
 Cc: [REDACTED] CO; [REDACTED] SJA OIC; [REDACTED] SJA OIC; [REDACTED] CJTF7-SJA;
 FOBNS JAG OIC; [REDACTED] SJA OIC; [REDACTED] Provost Marshal; IRAQI
 Staff; [REDACTED] DEPUTY CHIEF OF STAFF; [REDACTED] CJTF7-CHIEF ADMIN LAW; [REDACTED] Chief of
 SJA; [REDACTED] Chief of Staff; [REDACTED] SJA;
 [REDACTED] (GP1 JAG); [REDACTED] DEP CDR; [REDACTED]

Subject: RE: Update on Detainee Death Investigation (SECRET)

b(6)
1.4a

LT [REDACTED]
 Thanks for the update. Critical issue, based on my time in this theater and responses to other inquiries of this nature, is a thorough investigation. I think that issue is well in hand now.
 COL [REDACTED]

b(6)

-----Original Message-----

From: [REDACTED] JAG (mailto:[REDACTED])
 Sent: Thursday, April 08, 2004 04:08
 To: [REDACTED]
 Cc: [REDACTED] SJA OIC; [REDACTED] SJA OIC; [REDACTED] Provost Marshal;
 [REDACTED] Chief of Staff; [REDACTED] CJTF7-CHIEF ADMIN LAW; [REDACTED] G;
 CJTF7 SJA; [REDACTED] Chief of Staff; [REDACTED] SJA;
 [REDACTED] (GP1 JAG); [REDACTED] NJ (MNS -N) DEP CDR; CFSOCC-SJA;
 Subject: Update on Detainee Death Investigation (SECRET)

b(6)
1.4a

Classification: ~~SECRET~~

Caveats: NONE

Sir,

[REDACTED]

b(5)(a)
(f)(g)

5/23/2004

~~SECRET/NOFORN~~

Formica Report - Annex 120

V/r
[redacted]
[redacted]
LT. JAGC, USNR
[redacted]

b(6)

-----Original Message-----

From: [redacted] SJA OIC [mailto:[redacted]]
Sent: Wednesday, April 07, 2004 6:58 PM
To: [redacted] CJTF7-SJA
Cc: [redacted] Provost Marshal; [redacted] JAG OIC; [redacted] CJTF7-CHIEF ADMIN LAW; [redacted] JAG; [redacted] Chief of Staff; [redacted] DEPUTY CHIEF OF STAFF; [redacted] Chief of Staff; [redacted] SJA; [redacted] DEP CDR
Subject: RE: Detainee Death Investigation (SECRET)

b(6)
1.4a

Sir, it is our understanding that NCIS personnel are on their way here to investigate. Our CID are now only assisting with the investigation by taking statements of the detachment personnel before they re-deploy and potentially coordinating the autopsy.

b(5)(a)

[redacted] Therefore, we have no outstanding issues for CJTF-7. Thanks for the assistance. LTC [redacted]

-----Original Message-----

From: [redacted] CJTF7-SJA
Sent: Wednesday, April 07, 2004 4:35 PM
To: [redacted]
Cc: [redacted] SJA OIC; [redacted] Provost Marshal; [redacted] OIC; [redacted] CJTF7-CHIEF ADMIN LAW; [redacted] JAG; [redacted] Chief of Staff; [redacted] DEPUTY CHIEF OF STAFF; [redacted] SJA
Subject: RE: Detainee Death Investigation (SECRET)

b(6) 1.4a

Please see my most recent e-mails. This represents the most current info that I have received from CID and LTC [redacted]

b(6)
b(5)(a)(g)
(g)

-----Original Message-----

From: [redacted]
[mailto:[redacted]]
Sent: Wednesday, April 07, 2004 08:53
To: [redacted] SJA OIC
Cc: [redacted] Provost Marshal; [redacted] OIC; [redacted] SJA (E-mail); [redacted] CJTF7-CHIEF ADMIN LAW (E-mail); [redacted] JAG; [redacted] Chief of Staff; [redacted] DEPUTY CHIEF OF STAFF; [redacted] SJA
Subject: Detainee Death Investigation (SECRET)
Importance: High

b(6) 1.4a

5/23/2004

~~SECRET/NOFORN~~

Formosa Report - Annex 120

Classification: ~~SECRET~~

Caveats: NONE

[Redacted]

b(6)

Sir,

I was up in Mosul for the last couple of days, but I returned to Baghdad today. I'm sorry that my schedule did not allow me to swing by your office while I was there (though I did meet LTC [Redacted], your PM). Here's an update on the status of the detainee death investigation:

[Large Redacted Block]

b(5)(A),
(f)(g)
b(6)
1.4a

Please keep me updated from your end, and I'll do the same from here.

vr,

[Redacted]

MAJ [Redacted]
Staff Judge Advocate

[Redacted]

b(6)
1.4(a)

5/23/2004

~~SECRET//NOFORN~~ u

Formica Report - Annex 120

DSN (318) 230-0275

-----Original Message-----

From: [redacted] SJA OIC

[mailto: [redacted]]

Sent: Wednesday, April 07, 2004 11:07 AM

To: [redacted] JAG OIC

Cc: [redacted] SJA; [redacted] SJA; [redacted]

(MNB-N) Provost Marshal

Subject: Detainee Issue

b(6)

[redacted]

b(5)(a),
(f)(g)

[redacted]

Please keep me posted. Thanks, [redacted]

b(6)

Classification: ~~SECRET~~

Caveats: NONE

Classification: ~~SECRET~~

Caveats: NONE

5/23/2004

~~SECRET//NOFORN~~

Formica Report - Annex 120

From: [REDACTED] JAG
 Sent: Thursday, April 08, 2004 12:08 PM
 To: [REDACTED] CAPT
 Cc: [REDACTED] CO; [REDACTED] SJA OIC; [REDACTED] CJTF7-SJA;
 Provost Marshal; [REDACTED] SJA OIC; [REDACTED] JAG;
 LAW; [REDACTED] OIC; [REDACTED] PT CJTF7-CHIEF ADMIN
 STAFF; [REDACTED] JAG; [REDACTED] Chief of Staff; [REDACTED] DEPUTY CHIEF OF
 [REDACTED] SJA; [REDACTED] Chief of Staff;
 [REDACTED] DEP CDR; [REDACTED] SJA; [REDACTED];
 [REDACTED] N3

Subject: Update on Detainee Death Investigation (SECRET)

Classification: SECRET

Caveats: NONE

Sir,

I just returned from Mosul. Here is the latest on the Detainee Death Investigation:

[REDACTED]

[REDACTED]

[REDACTED]

b(5)(a),
(f)(g)

V/r
 LT [REDACTED]
 [REDACTED]
 LT, JAGC, USNR
 [REDACTED]

b(6)

-----Original Message-----

From: [REDACTED] SJA OIC (mailto:[REDACTED])
 Sent: Wednesday, April 07, 2004 6:58 PM
 To: [REDACTED] JTF7-SJA
 Cc: [REDACTED] Provost Marshal; [REDACTED] OIC; [REDACTED]
 CJTF7-CHIEF ADMIN LAW; [REDACTED] JAG; [REDACTED] Chief of Staff; [REDACTED] DEPUTY
 CHIEF OF STAFF; [REDACTED] SJA; [REDACTED] Chief of Staff;
 Staff; [REDACTED] SJA; [REDACTED] SJA; [REDACTED] Chief of
 Staff; [REDACTED] DEP CDR
 Subject: RE: Detainee Death Investigation (SECRET)

b(6) | 1.4(a)

Sir: It is our understanding that NCIS personnel are on their way here to investigate. Our CID are

5/23/2004

~~SECRET//NOFORN~~ h

Formica Report - Annex 120

now only assisting with the investigation by taking statements of the detachment personnel before they re-deploy and potentially coordinating the autopsy. [REDACTED]
[REDACTED] Therefore, we have no outstanding issues for CJTF-7. Thanks for the assistance. [REDACTED]

b(5)(a)

-----Original Message-----

From: [REDACTED]-SJA
Sent: Wednesday, April 07, 2004 4:35 PM
To: [REDACTED]; [REDACTED] SJA OIC
Cc: [REDACTED] Provost Marshal; [REDACTED] JAG OIC; [REDACTED] CJTF7-CHIEF ADMIN LAW; [REDACTED] JAG; [REDACTED] Chief of Staff; [REDACTED] DEPUTY CHIEF OF STAFF; [REDACTED] SJA
Subject: RE: Detainee Death Investigation (SECRET)

b(6)/1.4a

Please see my most recent e-mails. This represents the most current info that I have received from CID and [REDACTED]
[REDACTED]

b(6)
b(5)(a),
(f)(g)

-----Original Message-----

From: [REDACTED] SJA (mailto:[REDACTED])
Sent: Wednesday, April 07, 2004 08:53
To: [REDACTED] SJA OIC
Cc: [REDACTED] Provost Marshal; [REDACTED] OIC; [REDACTED] (E-mail); [REDACTED] CHIEF ADMIN LAW; [REDACTED] (E-mail); [REDACTED] JAG; [REDACTED] Chief of Staff; [REDACTED] DEPUTY CHIEF OF STAFF; [REDACTED] SJA
Subject: Detainee Death Investigation (SECRET)
Importance: High

b(6)/1.4a

Classification: ~~SECRET~~

Comments: NONE

[REDACTED]
Sir,

b(6)

I was up in Mosul for the last couple of days, but I returned to Baghdad today. I'm sorry that my schedule did not allow me to swing by your office while I was there (though I did meet LTC [REDACTED], your PM). Here's an update on the status of the detainee death investigation:

[REDACTED]
[REDACTED]

b(5)(a),
(f)(g)
b(6)
1.4a

5/23/2004

~~SECRET/NOFORN~~

Formica Report - Annex 120

[REDACTED]

b(5)(a)(f)
(g)
b(6)
1.4a

Please keep me updated from your end, and I'll do the same from here.

w/

[REDACTED]
Staff Judge Advocate
[REDACTED]

b(6)
1.4(a)

DSN (318) 230-0275

-----Original Message-----

From: [REDACTED] SJA OIC
[mailto:[REDACTED]]
Sent: Wednesday, April 07, 2004 11:07 AM
To: [REDACTED] OIC
Cc: [REDACTED] SJA; [REDACTED] SJA; [REDACTED]
Provost Marshal
Subject: Detainee Issue

[REDACTED]

b(5)(a)(f)
(g)

5/23/2004

~~SECRET//NOFORN~~

[REDACTED] Formosa Report - Annex 120

[REDACTED]

b(5)(a)(4)(5)

Please keep me posted. Thanks. [REDACTED]

b(4)

Classification: ~~SECRET~~

Caveats: NONE

Classification: ~~SECRET~~

Caveats: NONE

5/23/2004

~~SECRET//NOFORN~~

Fornica Report - Annex 120

CID Doc.

b(7)



DEPARTMENT OF THE ARMY
76th MP DETACHMENT (CID)
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
LSA DIAMONDBACK - MOSUL, IRAQ
APO AE 08334-6189

REPLY TO
ATTENTION OF

CIRC-WBE (195-2)

15 May 2004

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL-REFERRED - [REDACTED]

b(6)/b(7)

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 5 Apr 2004/0200 - 5 Apr 2004/0215; Special Operations Compound, LSA
Diamondback, Mosul, Iraq

DATE/TIME REPORTED: 5 Apr 2004, 1700

INVESTIGATED BY: SA [REDACTED] SA [REDACTED]

b(6)

SUBJECT: 1. (NONE) [UNDETERMINE DEATH]

VICTIM: 1. [REDACTED] (DECEASED); [REDACTED], IRAQI;
CIV; M; WHITE; XZ (NFI) [UNDETERMINED DEATH]

b(6)

INVESTIGATIVE SUMMARY:

"This is an Operation Iraqi Freedom Investigation"

This office was notified by Mortuary Affairs, Mosul, that the remains of an Iraqi detainee had been delivered by 67th Combat Support Hospital (CSH) personnel.

Investigation disclosed Mr. [REDACTED] was detained by [REDACTED] personnel and subsequently interrogated. During the morning of 5 Apr 04, Mr. [REDACTED] was allowed to sleep and when checked by Navy corpsmen was found to be unresponsive. Mr. [REDACTED] was transported to the 67th CSH where he received emergency medical care. Mr. [REDACTED] was unable to be revived and subsequently died of unknown causes.

b(6)

On 26 Apr 04, an autopsy of the remains of Mr. [REDACTED] was conducted by LTC (Dr.) [REDACTED], USAF, Deputy Medical Examiner, Office of the Armed Forces Medical Examiner (OAFME), Armed Forces Institute of Pathology (AFIP), Rockville, MD. Dr. [REDACTED] related the cause and manner of death were both undetermined with no obvious signs of a homicide nor of a natural death.

FOR OFFICIAL USE ONLY

~~SECRET//NOFORN~~

Formica Report - Annex 120

CIRC-WBE
SUBJECT: CID REPORT OF INVESTIGATION -FINAL-REFERRED - [REDACTED]

b(7)

b(2)

On 11 May 04, the Naval Criminal Investigative Service (NCIS), accepted investigative responsibility for this matter.

STATUTES: N/A

EXHIBITS/SUBSTANTIATION:

Attached:

1. Agent's Investigation Report (AIR) of SA [REDACTED] 12 May 04, detailing initial notification; coordination with Mortuary Affairs, Provost Marshal, Seal Team [REDACTED] LT [REDACTED] NCIS, and CW4 [REDACTED]; interviews of SPO [REDACTED] HM2 [REDACTED] HM1 [REDACTED] HM1 [REDACTED] HMCS [REDACTED] GM1 [REDACTED] LTC [REDACTED] SPC [REDACTED] SGT [REDACTED] CPT [REDACTED] SGT [REDACTED] and SGT [REDACTED]; death scene examination; and autopsy.
2. Certificate of Death (Overseas), 5 Apr 04, pertaining to Mr. [REDACTED]
3. Photographic packet comprised of 23 photographs. (Mr. [REDACTED])
4. Packet containing unit rosters, medical information, and statements obtained from Seal Team [REDACTED]
5. Waiver Certificate and Sworn Statement of HM2 [REDACTED] 7 Apr 04, relating he provided treatment to Mr. [REDACTED] after he went into cardiac arrest.
6. Sworn Statement of HM1 [REDACTED] 7 Apr 04, relating he assisted in the primary treatment of Mr. [REDACTED]
7. Sworn Statement of HM1 [REDACTED] 7 Apr 04, relating he administered primary aid to Mr. [REDACTED]
8. Sworn Statement of HMCS [REDACTED] 7 Apr 04, relating he was on duty when Mr. [REDACTED] went into cardiac arrest.
9. Waiver Certificate and Sworn Statement of GM1 [REDACTED] 7 Apr 04, relating he was on detainee watch while Mr. [REDACTED] was in custody.
10. Sworn Statement of LTC (Dr.) [REDACTED] 8 Apr 04, relating he provided primary treatment to Mr. [REDACTED] after he went into cardiac arrest.
11. Death scene sketch, 8 Apr 04, prepared by SA [REDACTED]

b(6)

b(6)

1.4(a)

b(6)



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[REDACTED] Formion Report - Annex 120 [REDACTED]

CIRC-WBE

SUBJECT: CID REPORT OF INVESTIGATION - FINAL-REFERRED - [REDACTED]

b(7)

12. Photographic packet comprised of 11 photographs. (scene)

b(2)

13. Compact disk, [REDACTED] containing originals of Exhibits 3 and 12.

Not Attached: None.

The originals of Exhibits 1 and 5-11 are forwarded with the NCIS copy of this report. The original of Exhibit 2 is retained in the files of the 67th CSH. The originals of Exhibit 4 are retained in the files of Seal Team [REDACTED] Coronado, CA.

1.4(b)
b(6)

STATUS: This is a Final Referred Report prepared IAW CIDR 195-1, Para 4-10a(1) in that the Army CID does not have the primary investigative responsibility and NCIS has accepted referral of this investigation.

Report Prepared By:

Report Approved by:

[REDACTED]
Special Agent, 6079

[REDACTED]
Special Agent in Charge

b(6)

DISTRIBUTION:

- 1 - Director, USACRC
- 1 - NCIS Field Office Middle East, PSC 451, FPO AE 09234-2800 (originals)
- 1 - THRU: Commander, 22nd MP BN (CID) (FWD), Baghdad, Iraq
- THRU: Commander, 3rd MP Group (CID), Ft Gillem, GA
- TO: HQUSACIDC, ATTN: CIOP-COP, 6010 6th Street, Ft Belvoir, VA 22060
- 1 - Director, OAFME, AFIP, Rockville, MD 20850
- 1 - Chief of Staff, TFO (e-mail only, less exhibits)
- 1 - SJA, SBCT (e-mail only, less exhibits)
- 1 - PMO, SBCT (e-mail only, less exhibits)
- 1 - File

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Formica Report - Annex 120

07 APR 04

From: LT [REDACTED]
To: Commander, Naval Special Warfare Task Group [REDACTED]

b(6)
1.4(a)
b(6)

Subj: PRELIMINARY INQUIRY INTO DEATH OF [REDACTED]

Ref: (a) JAGMAN Section 0204

1. This reports completion of the preliminary inquiry conducted in accordance with reference (a) into the events surrounding the death of [REDACTED] while in the custody of [REDACTED]

b(6) | 1.4(a)

2. Personnel contacted (all contact info is DSN [REDACTED] DNVT [REDACTED]):

b(6) | 1.4(a)

- [REDACTED] LCDR, [REDACTED] SEAL Team [REDACTED]
- [REDACTED] LTC, CJSOTF Surgeon, [REDACTED]
- [REDACTED] LT, AOIC, SEAL Team [REDACTED]
- [REDACTED] LT, AOIC, SEAL Team [REDACTED]
- [REDACTED] HMCS, TU LCPO, SEAL Team [REDACTED]
- [REDACTED] BMCS, PLT LCPO, SEAL Team [REDACTED]
- [REDACTED] GM1, TU Interrogator, SEAL Team [REDACTED]
- [REDACTED] HM1, Platoon Corpsman, SEAL Team [REDACTED]
- [REDACTED] ICI, Detainee Guard, SEAL Team [REDACTED]
- [REDACTED] PM2, Platoon Corpsman, SEAL Team [REDACTED]
- [REDACTED] IT2, TU Interrogator, SEAL Team [REDACTED]
- [REDACTED] HM2, Platoon Corpsman, SEAL Team [REDACTED]
- [REDACTED] IT3, Detainee Guard, SEAL Team [REDACTED]



3. Materials reviewed:

- [REDACTED] CONOPs
- [REDACTED] Operation Summary
- [REDACTED] SSE Item Inventory
- NSW Detainee Receipt for [REDACTED]
- [REDACTED] Interrogation and Counter-Resistance Policy, [REDACTED]
- [REDACTED]
- Detainee Medical Screening Sheet (02 APR 04)
- SF 558 Emergency Care and Treatment Form (05 APR 04)
- SF 600 Chronological Record of Medical Care (05 APR 04)
- Sworn Statement from [REDACTED]

1.4(a)

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~~[Handwritten signature]~~

Formos Report - Annex 120

Sworn Statement from [REDACTED]

4. Summary of findings:

[REDACTED] in the early morning hours of 02 APR 04. Two [REDACTED] conducted mission [REDACTED] including [REDACTED] were detained on target along with 6 fully assembled Improvised Explosive Devices (IEDs), a large quantity of IED component material, 27 grenades, and numerous explosive items.

- During approximately 64 hours of detention and interrogation, [REDACTED] personnel followed all procedures outlined in both [REDACTED] Interrogation and Counter-Resistance Policy, [REDACTED] and [REDACTED] Interrogation and Counter-Resistance Policy [REDACTED]

At regular intervals, fully qualified 18D corpeman took the detainee's vital signs and documented this information, none of which was outside healthy parameters.

[REDACTED] gained significant actionable intelligence from the questioning of both detained AI members.

[REDACTED] exhibited signs of intense distress and extremely unusual behavior during his captivity, likely based on the stress of detainment and the fact that this very committed [REDACTED] member had provided actionable intelligence during his detainment.

- At 050104CAPR04, approximately thirty minutes prior to the detainee's cardiac arrest, his body core temperature was measured at 97.5 degrees Fahrenheit (well within normal parameters). Based on this body temperature, both HMCS [REDACTED] and LTC [REDACTED] ruled out the possibility that the detainee was even mildly hypothermic at the time of his cardiac arrest.

[REDACTED] family medical history, previous health and exact age are all unknown at this point. His reported age of 27 years old is based on information gained during his interrogation, and given his pattern of providing misleading or false information when given the chance, is of questionable validity.

- According to LTC [REDACTED] there have been a surprising number of cardiac problems, including the recent full cardiac arrest of an Iraqi citizen in his mid-30s, which have occurred in the vicinity of Mosul. The health demographics of young to middle-aged Iranian males are completely unknown at this time.

- Prior to the detainee's cardiac arrest at 0137C, he was wrapped in two blankets and laying by a fire in preparation for his final medical screening and turnover to the Stryker Brigade holding facility.

- After the detainee's cardiac arrest, he was attended by five 18D corpemen and the [REDACTED] Surgeon (LTC [REDACTED]), who had full access to all necessary modern medical equipment in a nearby aid station.

b(6)

1.4(a)
b(6)

1.4(a)

1.4(a)
b(6)

b(6)/1.4(a)

b(6)

b(6)

b(6)

b(6)

b(5)(a)

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Formica Report - Annex 120

[REDACTED]

b(5)(a)

[REDACTED]

LT USN

b(6)

FIRST ENDORSEMENT

Concur with recommendation
 Other:

[REDACTED]

b(5)(a)

[REDACTED]

Commander 16 APR 04

b(6)
1.4(a)

~~SECRET//NOFORN~~

Formica Report - Annex 120

12 Apr 04

From: [REDACTED] LT, JAGC, USNR
To: Commanding Officer, [REDACTED]

Subj: PRELIMINARY INQUIRY INTO DEATH OF [REDACTED]

Ref: (a) JAGMAN Section 204

1. Pursuant to section 204 of reference (a) I have reviewed the preliminary inquiry (PI) conducted by LT [REDACTED] regarding the subject above. I found that LT [REDACTED] investigation was thorough and expedient.

b(5)(e)
b(5)(f)
b(5)(g)

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Formica Report - Annex 120

Subj: PRELIMINARY INQUIRY INTO DEATH OF [REDACTED]

[REDACTED]

b(1)

b(5)(a)

b(5)(f)

b(5)(g)

[REDACTED]

b(1)

~~SECRET//NOFORN~~ u

Formica Report - Annex 120

NSWTGAP_JAG

From: [REDACTED] JAG
Sent: Friday, April 16, 2004 10:32 PM
To: [REDACTED]
Cc: [REDACTED] SJA; [REDACTED] (GP1 JAG)
Subject: Preliminary JAGMAN RE: Detainee Death

b(6)

Classification: ~~SECRET~~
Caveats: NONE

Sir,

[REDACTED] requested that I forward you the IO report on the preliminary investigation on the detainee's death in Mosul. Also enclosed is my written recommendation. CDR [REDACTED] will retain the hardcopies with enclosures and bring them to San Diego.

b(6)
b(5)(a),
(f)(9)

Finally, the last time I checked on the investigation, CID told me they sent a request to NCIS to continue the investigation in San Diego.

VH
LT [REDACTED]

b(6)

 
Prelim Inquiry 07 JAG
APR 04.doc recommendation.doc

Classification: ~~SECRET~~
Caveats: NONE

~~SECRET//NOFORN~~

Formica Report - Annex 120

NSWTGAP, JAG

From: [REDACTED] JAG
Sent: Monday, April 12, 2004 6:22 PM
Subject: JAG Endorsement of Detainee Death Investigation

b(6)/1.4(a)

Classification: ~~SECRET~~
Caveats: NONE

Sr,

Enclosed with this e-mail is my endorsement of LT [REDACTED] Preliminary inquiry into the detainee's death in Mosul. On a related note, I contacted CID in Mosul today. [REDACTED] Let me know if you need to discuss anything further.

b(6)
b(5)(f)
and(g)

V/r
JAG



JAG
Endorsement.doc

Attachment Classification: ~~SECRET~~
Attachment Caveats: NONE

Classification: ~~SECRET~~
Caveats: NONE

~~SECRET//NOFORN~~

Formica Report - Annex 120

NSWTGAP_JAG

From: [REDACTED] COL CJTF7-SJA [REDACTED]
 Sent: Thursday, April 08, 2004 2:18 PM
 To: [REDACTED] JAG; [REDACTED]
 Cc: [REDACTED] CO; [REDACTED] SJA OIC; [REDACTED] SJA OIC; [REDACTED] CJTF7-SJA; [REDACTED] Provost Marshal; IRAQI Chief of Staff; [REDACTED] CJTF7-CHIEF ADMIN LAW; [REDACTED] Chief of Staff; [REDACTED] DEPUTY CHIEF OF STAFF; [REDACTED] SJA; [REDACTED] Chief of Staff; [REDACTED] SJA; [REDACTED] (GP1 JAG); [REDACTED] DEP CDR; [REDACTED]

b(6)
1.4a

Subject: RE: Update on Detainee Death Investigation (SECRET)

LT [REDACTED]
 Thanks for the update. Critical issue, based on my time in this theater and responses to other inquiries of this nature, is a thorough investigation. I think that issue is well in hand now.
 COL [REDACTED]

b(6)

-----Original Message-----

From: [REDACTED] JAG [mailto:[REDACTED]]
 Sent: Thursday, April 08, 2004 04:08
 To: [REDACTED]
 Cc: [REDACTED] SJA OIC; [REDACTED] SJA OIC; [REDACTED] SJA; [REDACTED] Provost Marshal; [REDACTED] Chief of Staff; [REDACTED] CJTF7-CHIEF ADMIN LAW; [REDACTED] Chief of Staff; [REDACTED] SJA; [REDACTED] SJA; [REDACTED] Chief of Staff; Knight, Tom COL (MNB -R) DEP CDR; CFSOCC-SJA; [REDACTED] (GP1 JAG); [REDACTED] N3
 Subject: Update on Detainee Death Investigation (SECRET)

b(6)
1.4a

Classification: ~~SECRET~~

Caveats: NONE

Sir,



b(5)(a)
(f)(g)

5/23/2004

~~SECRET/NOFORN~~

Formica Report - Annex 120

V/r
[redacted]
[redacted]
LT. JAGC, USNR
[redacted]

b(6)

-----Original Message-----
From: [redacted] SJA OIC [mailto:[redacted]]
Sent: Wednesday, April 07, 2004 6:58 PM
To: [redacted] CJTF7-SJA
Cc: [redacted] Provost Marshal; [redacted] JAG OIC; [redacted] CJTF7-CHIEF ADMIN LAW; [redacted] JAG; [redacted] Chief of Staff; [redacted] DEPUTY CHIEF OF STAFF; [redacted] Chief of Staff; [redacted] SJA; [redacted] DEP CDR
Subject: RE: Detainee Death Investigation (SECRET)

b(6) / 1.4a

Sir: It is our understanding that NCIS personnel are on their way here to investigate. Our CID are now only assisting with the investigation by taking statements of the detachment personnel before they re-deploy and potentially coordinating the autopsy. [redacted]
[redacted] Therefore, we have no outstanding issues for CJTF-7. Thanks for the assistance. LTC [redacted]

b(5)(a)

-----Original Message-----
From: [redacted] CJTF7-SJA
Sent: Wednesday, April 07, 2004 4:35 PM
To: [redacted] SJA OIC
Cc: [redacted] Provost Marshal; [redacted] OIC; [redacted] CJTF7-CHIEF ADMIN LAW; [redacted] JAG; [redacted] Chief of Staff; [redacted] DEPUTY CHIEF OF STAFF; [redacted] SJA
Subject: RE: Detainee Death Investigation (SECRET)

b(6) / 1.4a

Please see my most recent e-mails. This represents the most current info that I have received from CID and LTC [redacted]
[redacted]

b(6) / b(5)(a) (5) (9)

-----Original Message-----
From: [redacted]
[mailto:[redacted]]
Sent: Wednesday, April 07, 2004 08:53
To: [redacted] SJA OIC
Cc: [redacted] Provost Marshal; [redacted] OIC; [redacted] SJA (E-mail); [redacted] CJTF7-CHIEF ADMIN LAW (E-mail); [redacted] JAG; [redacted] Chief of Staff; [redacted] DEPUTY CHIEF OF STAFF; [redacted] SJA
Subject: Detainee Death Investigation (SECRET)
Importance: High

b(6) / 1.4a

5/23/2004

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Formica Report - Annex 120

Classification: ~~SECRET~~

Caveats: NONE

[Redacted]

b(6)

Sir,

I was up in Mosul for the last couple of days, but I returned to Baghdad today. I'm sorry that my schedule did not allow me to swing by your office while I was there (though I did meet LTC [Redacted], your PM). Here's an update on the status of the detainee death investigation:

[Large Redacted Block]

b(5)(a),
(f)(g)
b(6)
1.4a

Please keep me updated from your end, and I'll do the same from here.

v/r,

[Redacted]

MAJ [Redacted]
Staff Judge Advocate

[Redacted]

b(6)
1.4(a)

5/23/2004

~~SECRET/NOFORN~~ u

Formica Report - Annex 120

DSN (318) 230-0275

-----Original Message-----

From: [REDACTED] SJA OIC

(mailto:[REDACTED])

Sent: Wednesday, April 07, 2004 11:07 AM

To: [REDACTED] JAG OIC

Cc: [REDACTED] SJA; [REDACTED] SJA; [REDACTED]

(MNS-N) Provost Marshal

Subject: Detainee Issue

b(6)

[REDACTED]

b(5)(a),
(f)(g)

[REDACTED]

Please keep me posted. Thanks, [REDACTED]

b(6)

Classification: ~~SECRET~~

Caveats: NONE

Classification: ~~SECRET~~

Caveats: NONE

5/23/2004

~~SECRET//NOFORN~~ u

Formica Report - Annex 120

From: [REDACTED] JAG
 Sent: Thursday, April 08, 2004 12:08 PM
 To: [REDACTED] CAPT
 Cc: [REDACTED] CO; [REDACTED] SJA OIC; [REDACTED] CJTF7-SJA;
 Provost Marshal; [REDACTED] SJA OIC; [REDACTED] JAG;
 LAW; [REDACTED] OIC; [REDACTED] PT CJTF7-CHIEF ADMIN
 STAFF; [REDACTED] JAG; [REDACTED] Chief of Staff; [REDACTED] DEPUTY CHIEF OF
 STAFF; [REDACTED] SJA; [REDACTED] Chief of Staff;
 [REDACTED] N3 DEP CDR; [REDACTED] SJA; [REDACTED];

Subject: Update on Detainee Death Investigation (SECRET)

Classification: SECRET

Caveats: NONE

Sir,

I just returned from Mosul. Here is the latest on the Detainee Death investigation:

[REDACTED]

[REDACTED]

[REDACTED]

b(5)(a)
(f)(g)

VII
LT [REDACTED]

[REDACTED]
LT, JAGC, USNR
[REDACTED]

b(6)

-----Original Message-----
 From: [REDACTED] SJA OIC [mailto:[REDACTED]]
 Sent: Wednesday, April 07, 2004 6:58 PM
 To: [REDACTED] JTF7-SJA
 Cc: [REDACTED] Provost Marshal; [REDACTED] OIC; [REDACTED]
 CJTF7-CHIEF ADMIN LAW; [REDACTED] JAG; [REDACTED] Chief of Staff; [REDACTED] DEPUTY
 CHIEF OF STAFF; [REDACTED] SJA; [REDACTED] Chief of Staff;
 Staff; [REDACTED] SJA; [REDACTED] SJA; [REDACTED] Chief of
 Staff; [REDACTED] DEP CDR
 Subject: RE: Detainee Death Investigation (SECRET)

b(6) | 1.4(a)

Sir. It is our understanding that NCIS personnel are on their way here to investigate. Our CID are

5/23/2004

~~SECRET//NOFORN~~ u

Formica Report - Annex 120

now only assisting with the investigation by taking statements of the detachment personnel before they re-deploy and potentially coordinating the autopsy. [REDACTED]
[REDACTED]
Therefore, we have no outstanding issues for CJTF-7. Thanks for the assistance. [REDACTED]

b(5)(a)

-----Original Message-----

From: [REDACTED] SJA
Sent: Wednesday, April 07, 2004 4:35 PM
To: [REDACTED]; [REDACTED] SJA OIC
Cc: [REDACTED] Provost Marshal; [REDACTED] JAG OIC; [REDACTED] CJTF7-CHIEF ADMIN LAW; [REDACTED] JAG; [REDACTED] Chief of Staff; [REDACTED] DEPUTY CHIEF OF STAFF; [REDACTED] SJA
Subject: RE: Detainee Death Investigation-(SECRET)

b(6)1.4a

Please see my most recent e-mails. This represents the most current info that I have received from CID and [REDACTED]
[REDACTED]

b(6)
b(5)(a),
(f)(g)

-----Original Message-----

From: [REDACTED] SJA (mailto:[REDACTED])
Sent: Wednesday, April 07, 2004 08:53
To: [REDACTED] SJA OIC
Cc: [REDACTED] Provost Marshal; [REDACTED] OIC; [REDACTED] (E-mail); [REDACTED] CHIEF ADMIN LAW; [REDACTED] (E-mail); [REDACTED] JAG; [REDACTED] Chief of Staff; [REDACTED] DEPUTY CHIEF OF STAFF; [REDACTED] SJA
Subject: Detainee Death Investigation-(SECRET)
Importance: High

b(6)1.4a

Classification: ~~SECRET~~

Caveats: NONE

[REDACTED]
Sir,

b(6)

I was up in Mosul for the last couple of days, but I returned to Baghdad today. I'm sorry that my schedule did not allow me to swing by your office while I was there (though I did meet LTC [REDACTED], your PM). Here's an update on the status of the detainee death investigation:

[REDACTED]
[REDACTED]

b(5)(a),
(f)(g)
b(6)
1.4a

5/23/2004

~~SECRET/NOFORN~~

Formica Report - Annex 120

[REDACTED]

b(5)(a)(f)
(g)
b(6)
1.4a

Please keep me updated from your end, and I'll do the same form here.

vr,

[REDACTED]
Staff Judge Advocate
[REDACTED]

b(6)
1.4(a)

DSN (318) 230-0275

-----Original Message-----

From: [REDACTED] SJA OIC
[mailto:[REDACTED]]

Sent: Wednesday, April 07, 2004 11:07 AM

To: [REDACTED] OIC

Cc: [REDACTED] SJA; [REDACTED] SJA; [REDACTED]

Provost Marshal

Subject: Detainee Issue

[REDACTED]

b(5)(a)(f)
(g)

5/23/2004

~~SECRET//NOFORN~~

Fornice Report - Annex 120

[REDACTED]

b(5)(a)(4)(5)

Please keep me posted. Thanks, [REDACTED]

b(4)

Classification: ~~SECRET~~

Caveats: NONE

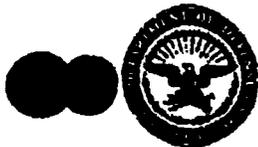
Classification: ~~SECRET~~

Caveats: NONE

5/23/2004

~~SECRET//NOFORN~~ ~

[REDACTED] Formica Report - Annex 120



DEPARTMENT OF THE ARMY
 Headquarters, 3d Battalion, 505th Parachute Infantry Regiment
 82d Airborne Division
 APO AE 09384

REPLY TO
 ATTENTION OF:

AFVC-CC

4 February 2004

MEMORANDUM THRU *Conner JG* Commander, 3d Battalion, 505th Parachute Infantry Regiment, 82d Airborne Division, APO AE 09384

MEMORANDUM FOR Commander, 505th Parachute Infantry Regiment, 82d Airborne Division, APO AE 09384

SUBJECT: Report of Commander's Inquiry

1. GENERAL. On 31 January 2004, I was appointed to conduct an investigation into the circumstances surrounding the injuries sustained by the [REDACTED].
 [REDACTED] Outlined below are my findings and recommendations.

b(6)

2. FINDINGS.

- a. On or about 180200 January 2004, SEAL Team [REDACTED] detained [REDACTED] based upon intelligence that he was the head of a terrorist cell responsible for attacks against coalition forces. LCDR [REDACTED] the SEAL [REDACTED] the raid, stated that [REDACTED] tried to resist being captured on the objective, and that force was necessary to detain him (TAB B). Upon bringing him to the [REDACTED], the detainee was taken outside and a battlefield interrogation was performed in an attempt to acquire information on where another ACF member was located. Approximately five or six men gathered around the detainee while he was being interrogated. The detainee kept trying to get up and move around, and one of the SEALs used his foot to keep him down (TAB B).
- b. SPC [REDACTED] was on guard in the SHTF at the time that [REDACTED] was brought in by the SEALs. He related that the SEALs needed to ask the detainee some questions, and SPC [REDACTED] recommended the holding area outside the PUC tent. SPC [REDACTED] took them out to the holding area, and watched as they threw the detainee on the ground. About four or five SEALs surrounded the PUC, and one SEAL knelt by the detainee's head, shining a red light on a piece of paper written in Arabic. While the kneeling soldier asked the detainee questions, the other SEALs had SureFire lights shined on the detainee. When the man interrogating received no response to his questions, the order was given to turn off the lights. At that point all of the men surrounding the detainee began to kick him. After about ten seconds, when the detainee began moaning and sounded short of breath, the SEALs again turned their SureFire lights onto the detainee. When the soldier interrogating again received no response, the lights were again shut off, and the detainee was kicked again. At that point SPC [REDACTED] walked back into the PUC tent (TAB C). Once inside, he saw a SEAL filling out a CPA Forces Apprehension Form on the detainee (TAB D).
- c. SSG [REDACTED] the overall NCOIC of the SHTF, showed up there after the SEALs had already arrived. As he walked towards the PUC tent, he saw a PUC on the ground surrounded by a group of military personnel. As he walked by, he heard someone speaking Arabic to

b(6)
 b(2)
 1.4(a)

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b(6)

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Formica Report - Annex 121

the PUC and heard the PUC say "No mister" several times. He then heard sounds that he described as if someone had weight put on him or was being punched. Once inside the tent, he heard more of what he thought were Arabic words being spoken and heard more sounds similar to what he described before (TAB E).

- d. SPC [REDACTED], the NCOIC of the current shift in the SHTF, was also in the PUC tent at the time. He heard someone ask a question in English, followed by another man stating a question in Arabic. After the detainee replied, SPC [REDACTED] heard body contact followed by the detainee yelling in pain. He walked outside to see what was going on. He saw a SEAL pulling security on the detainee. When SPC [REDACTED] asked what they were doing, the SEAL replied that they were interrogating him (TAB F). b(L)
- e. PVZ [REDACTED] was also on duty in the SHTF when [REDACTED] was brought in. After the SEALs took him outside, he describes hearing noises that sounded like moaning coming from the detainee. The statements of SSG [REDACTED], SPC [REDACTED] and PVZ [REDACTED] reinforce the testimony of SPC [REDACTED]. b(L)
- f. After the SEALs handed the detainee over to the SHTF guards, SSG [REDACTED] relates that he saw a bruise on the detainee's forehead (TAB E). SPC [REDACTED] relates that he saw bruises on the detainee's forehead, one eye, and the side of his chin. The bruises did not look bad enough for medical treatment, and they gradually faded before the detainee was taken to the Division Interrogation Facility (DIF) on 27 January (TAB F). b(L)
- g. While PVZ [REDACTED] tried to remove the zip ties on the detainee, the [REDACTED] moved and the knife cut his hand (TAB E, F). The detainee was taken to the aid station, where SPC [REDACTED] treated the injury (TAB H, I). b(L)
- h. At approximately 1400 on January 18, PFC [REDACTED], the head SHTF inprocessing medic, went to the SHTF and medically inprocessed [REDACTED] on a [REDACTED] Detainee Medical Work Sheet (TAB I). As per the existing SOP, after performing some basic medical checks and asking basic questions, PFC [REDACTED] asked the detainee if anything was medically or physically wrong with him. The detainee shook his head no but did not respond verbally (TAB J). Under the SOP at the time, if the detainee did not state that something was wrong with him, the detainee's entire body was not examined. b(L)
b(P)
- i. [REDACTED] was held in the SHTF from 18-27 January. CPT [REDACTED] stated that, to the best of his knowledge, nothing unusual occurred on the objective that would warrant unusual use of force on the detainee. Also, he stated that to the best of his knowledge no other agency signed out the detainee while he was in [REDACTED] custody (TAB K). I confirmed this by examining the SHTF sign-out logs (TAB L). b(L)
- j. [REDACTED] served as the [REDACTED] interrogator for [REDACTED]. SGT [REDACTED] stated that no physical force was used on the detainee during interrogations (TAB M). b(L)
- k. On 27 January [REDACTED] served as the NCOIC for transporting the detainee to the DIF. He stated that during the movement to the DIF, no force was used against the detainee (TAB N). b(L)
- l. Upon arrival at the DIF, SPC [REDACTED] gave a medical exam (TAB O) to [REDACTED]. SPC [REDACTED] noticed large bruises on both of the detainee's legs, the cut on his hand, and a possible cigarette burn on his arm. 1LT [REDACTED] wrote a sworn statement on the condition of the detainee (TAB P) and had 5 pictures taken of his injuries (TAB Q). b(L)

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Fornica Report - Annex 121

[REDACTED]

b(5)(a)

[REDACTED]

3. RECOMMENDATIONS.

[REDACTED]

b(5)(a)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

4. POC for this memorandum is the undersigned, at DNV [REDACTED]

[Signature]
[REDACTED]
1LT, IN
Investigating Officer

b(6)

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Formion Report - Annex 121

[REDACTED]

TABS

- A Appointment Orders
- B ██████████ MFR
- C SPC ██████████ statement
- D CPA Forces Apprehension Form
- E SSG ██████████ statement
- F SPC ██████████ statement
- G PV2 ██████████ statement
- H SPC ██████████ statement
- I ██████████ Detainee Medical Work Sheet
- J PFC ██████████ statement
- K CPT ██████████ statement
- L Detainee Cell records MFR
- M SGT ██████████ statement
- N SGT ██████████ statement
- O DIF Detainee Medical Screening Worksheet
- P ILT ██████████ statement
- Q 5 Pictures of Detainee's Bruises

b(6)
b(2)

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Formica Report - Annex 121

DEPARTMENT OF THE ARMY
Headquarters, 3d Battalion,
505th Parachute Infantry Regiment, 3d Brigade
Fort Bragg, North Carolina 28310

AFVC-CC (15-6)

31 January 2004

MEMORANDUM FOR First Lieutenant [REDACTED] Headquarters and Headquarters Company, 3d Battalion, 505th Parachute Infantry Regiment, 3d Brigade Fort Bragg, North Carolina 28310

b(6)

SUBJECT: Appointment as an Investigating Officer

1. You are hereby appointed as an Investigating Officer under provisions of AR 15-6 to investigate the circumstances surrounding the injuries sustained by the detainee [REDACTED]

b(6)

2. Your investigation will be conducted IAW AR 15-6. You are authorized to take sworn statements IAW AR 15-6. All written statements will be sworn. This investigation is your primary duty until completed and takes precedence over all other duties and assignments. Your investigation must be completed NLT 4 February 2004.

3. You will determine

- a. When and how his injuries were sustained
- b. Who is responsible for the injuries
- c. Whether negligence was involved

4. If in the course of your investigation you suspect that certain people may be criminally responsible in this matter, you must advise them of their rights under Article 31, UCMJ.

5. Your legal advisor for this investigation is CPT [REDACTED] 3d Brigade Judge Advocate, at DSNVT 582-3014. Consult with him before beginning your investigation.

b(6)

[REDACTED]
LTC, IN
Commanding

b(6)

~~SECRET//NOFORN~~

Formica Report - Annex 121



REPLY TO
ATTENTION OF:

AOSO-SFA-F-CO

DEPARTMENT OF THE ARMY
HEADQUARTERS
1ST BATTALION, 5TH SPECIAL FORCES GROUP (AIRBORNE)
BAGHDAD, IRAQ, APO AE 0935

14 January 2004

MEMORANDUM FOR CPT [REDACTED], HSC, 1st
Battalion, 5th Special Forces Group (Airborne), [REDACTED] APO AE
09335

b(6)
b(7)

SUBJECT: Appointment of Investigating Officer

1. Effective 14 January 2004, you are hereby appointed as an investigating officer pursuant to Army Regulation (AR) 15-6, for a Commander's Informal Inquiry involving [REDACTED] with Al Asad Detention Facility and Detainee [REDACTED] between on or about 4 January 2004 and 10 January 2004.
2. In your investigation, use informal procedures under AR 15-6.
3. In the course of your investigation you must advise all witnesses of their rights under the UCMJ, Article 31, or the Fifth Amendment, as appropriate. You may obtain assistance with these legal matters from the office of the Staff Judge Advocate.
4. Submit your findings in memorandum format within 10 days.
5. During the course of your investigation, you will, when possible, obtain sworn statements from witnesses. Do not, however, unduly delay your investigation simply to obtain sworn statements. If, in the course of your investigation, you suspect any person may have committed a criminal offense, you will advise that person of their rights under Article 31, UCMJ, prior to questioning. You will make findings and recommendations based on the evidence you discover during the course of your investigation.
6. Your findings and recommendations will be submitted on DA Form 1574 to this Headquarters NLT 24 January 2004. Requests for extensions of time should be submitted in writing and approved by the undersigned.
7. Period: Until officially released or relieved from appointment or assignment.

b(2) (1, 4(a))
b(6)

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Formica Report - Annex 122



AOSO-SFA-F-CO
SUBJECT: Appointment of Investigating Officer

8. This appointment supersedes all previous duty appointments.

[REDACTED]

b(6)

LTC, SF
Commanding

DISTRIBUTION:
1 - Bn Cdr
2 - Bn Xo
3 - Appointed Officer

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Formica Report - Annex 122

[REDACTED]



09335

DEPARTMENT OF THE ARMY
HEADQUARTERS SUPPORT COMPANY
1ST BATTALION, 5TH SPECIAL FORCES GROUP (AIRBORNE)
BAGHDAD, IRAQ

AOSO-SFA-F-SA

23 January 2004

MEMORANDUM FOR Commander, 1st Battalion, 5th Special Forces Group (Airborne)

Subject: Commanders Informal Inquiry

1. The purpose of this inquiry is to determine the relevant facts of [REDACTED] and the death of detainee [REDACTED], Forward Operating Base Rifles Base, Al Asad Air Base, Iraq.
2. It is my conclusion that the death of [REDACTED], resulted from injuries sustained during an escape attempt at 090230CJAN04 and the placement of a gag in his mouth by guards at the temporary tactical holding facility at Al Asad Air Base, Iraq at approximately 090645CJAN04. Furthermore, [REDACTED] did not contribute to the circumstances of [REDACTED].
3. Investigating Officer examined the following evidence to support the facts in this report.
 - 19 interviews with witnesses, protagonists, and experts.
 - Preliminary autopsy report and interpretation of medical doctor.
 - 2 interrogations summaries from the deceased.
 - Photographs of relevant locations.
4. The relevant facts of this inquiry are as follows:

b(2) / 1.1a
b(6)
b(6)
b(2) / 1.4a
b(6)

On the 4th of January, 2004, [REDACTED] was detained by elements of the 1st Squadron 3rd ACR while traveling north west in a taxi on highway 12. [REDACTED] was captured with three Motorola radios rigged as initiators for an Improvised Explosive Device (IED). Special Forces (SF) [REDACTED], located on Forward Operating Base (FOB) Rifles Base, Al Asad air base, Iraq, were notified from 66th Military Intelligence Company (MI) interrogators at the Temporary Tactical Holding Facility (TTHF) that a detainee had been captured with what appeared to be IED initiators in his possession. [REDACTED] had been assigned to the Al Asad TTHF as [REDACTED].

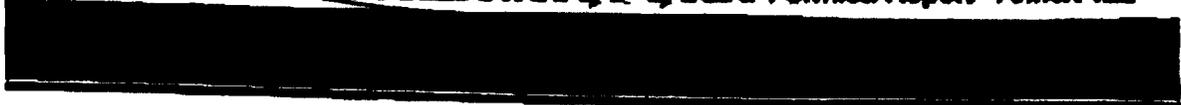
b(6)
b(2)
1.4a

At approximately 1030 on the 6th of January, Sergeant First Class (SFC) [REDACTED] and Titan Interpreter (TI) [REDACTED] picked up [REDACTED] from the TTHF located in an Iraqi aircraft hanger. [REDACTED] had been placed in a concertina wire isolation cage adjacent to the remainder of the detainees as punishment for repeatedly talking (see photographs 1, 2, 3, 4) since his arrival. [REDACTED] and three other detainees were ready for transport flexi-cuffs secured in place when [REDACTED] arrived. Two of the detainees, numbered [REDACTED] were the taxi driver

b(6)

1 of 6 pages

~~SECRET//NOFORN~~ Formica Report - Annex 122



Subject: Commanders Informal Inquiry

and his friend who [redacted] had been captured with. The fourth detainee was [redacted], who was a SF informant and had been placed in the TTHF to gather information on other detainees. The four were driven to the SF holding facility located near [redacted] team house and living quarters (see photographs 5, 6). Detainees [redacted] were interrogated briefly first by SFC [redacted], SSG [redacted], and TI [redacted] in the SF interrogation room (see photographs 7, 8)

b(6)
b(2)

At approximately 1130 on the 6th, [redacted] interrogation began (see 6th January Interrogation Summary). [redacted] was flexi-cuffed and the [redacted] members who would conduct the interrogation wore civilian clothes and black masks with 9mm pistols in shoulder holsters. TI [redacted] sat behind a large table serving as the interpreter. [redacted] began the interrogation by providing his personal information. [redacted] had been an Air Defense Lieutenant Colonel in the Iraqi Army in Iraq under Saddam Hussein. [redacted] continued the interrogation by providing the interrogators false statements about where and why he had gotten the radios, and his final destination when captured. At approximately 1200, the interrogators received the three detainees' initial capture report, which corroborated detainees' [redacted] story. The interrogators were apparently [redacted] and the interrogators confronted him with the information. [redacted] began explaining how he had made a number of bombs in the past, but had recently set an IED near highway 12 in an attempt to kill Americans to free his country. [redacted] went into detail the how the initiators worked and the methods he used to place the IED.

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Due to [redacted] cooperation, the flexi-cuffs were removed from his wrists as a measure of good faith. At this point, SFC [redacted] entered the interrogation room, and stood between [redacted] and the exit. [redacted] unexpectedly lunged at [redacted], grabbing the front of his shirt and bringing him to the ground. TI [redacted] remained behind the table and did not interfere. [redacted] grabbed [redacted] feet and legs and hung on to keep him from kicking the interrogators. [redacted] and [redacted] worked to try to flexi-cuff [redacted] for his and the team's safety, as [redacted] had a 9mm pistol in a shoulder holster near [redacted] hands. Because the team could not hand-cuff [redacted], they gave him blows to his sides in an attempt to get him to bring his arms down into a position that hand cuffs could be placed on his wrists. [redacted] fought hard for approximately one or two minutes. Once [redacted] was hand cuffed and settled, the interrogation continued.

b(6)

[redacted] was given water from a plastic bottle by [redacted]. After gulping from the bottle, [redacted] spit one of his top front teeth onto the floor of the interrogation room. [redacted], who has medical training, examined [redacted] mouth to see why his tooth had come out, while [redacted] looked at the tooth. [redacted] tooth had come out whole, with little or no blood present on the tooth or in his mouth. It was determined that [redacted] tooth had been rotten, and he had extensively poor dental hygiene. [redacted] continues with the interrogation and explained that he could show the team the location of the IED that he had placed. The interrogators show [redacted] a map of the area, and ask that he show them the exact spot of the IED. [redacted] could not pinpoint the location on the map. The team had brought in terrain images of the general area that [redacted] had described, and again [redacted] was unable to pinpoint the IED location for the team. The team decided that [redacted] would have to accompany the team to find the exact location of the IED.

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Detainees [redacted] had been returned to the TTHF, while the team had prepared equipment and vehicles for the mission. The team radioed in that they would be taking detainee

b(6)

2 of 6 pages

~~SECRET//NOFORN~~ ~~Formal Report - Annex 122~~

Subject: Commanders Informal Inquiry

██████ to locate the IED, and additional team members were prepared to assist with the mission. Asad had set outside the holding area while the team's white Defender pick-up and tan Hi-Lux pick-up arrived. SFC ██████ had explained to ██████ that they all would be going to identify the location of the IED that he had placed, and asked him if had any questions; he had replied that he did not. TI ██████ had then gone to his room to get his body armor, while SFC ██████ conducted radio checks in the vehicles. Staff Sergeant (SSG) ██████ had climbed into the back seat of the Defender, which was used to transport ██████. ██████ attempted to help ██████ into the truck, where he began to actively and passively resist getting into the back seat. Several minutes passed where ██████ continued with his defiance, and the team had begun to feel pressured that somewhere on highway 12 was an IED that could be used against Coalition Forces (CF). ██████ was pulling ██████ from inside the truck while ██████ was pushing from the rear. ██████ was halfway into the truck, and ██████ used his foot to shove ██████ the rest of the way into the back seat. ██████ was hooded, and sat in the back seat with ██████ while ██████ drove and TI ██████ translated from the front passenger seat. ██████ and SSG ██████ had driven the Hi-Lux as the security force.

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██████ was given water and had his hood removed during the first leg of mission to Baghdadi, a small town several miles from the front gate of Al Asad Air Base toward highway 12. The team continued to the IED site, and upon arrival ██████ and ██████ identified the components associated with the system, while ██████ and TI ██████ stayed in the Defender (see 06 JAN Interrogation Summary for IED details). Generally, the system was five meters from the road and had consisted of three 155mm artillery shells dual primed and dual initiated, buried with a five meter spread and ground tamped to focus the blast toward passing vehicles. ██████ flexi-cuffs were removed and he was given more water. ██████ led him to the IED system to have his picture taken where ██████ had sat down and relaxed for approximately 30 minutes while the team cleared the IED components. ██████ flexi-cuffs were replaced, and the team loaded into the trucks and moved to a safe detonation location. The team had pulled the initiators and drove fast over rough terrain to escape the blast radius of the IED.

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b(6)

██████ had then volunteered the location of the munitions cache where he had gotten the 155mm shells. The team radioed back to Al Asad the neutralized IED and their intent to identify a potential cache. As the team had approached the cache access road, ██████ had repeatedly insisted that the team drive on the dirt road. For this reason, the team had driven across rough terrain to reach the site. The team had passed a disused Mujahadin training camp enroute to the cache. Upon arrival at the cache site the team cleared several abandoned buildings, detained, and later released four local Iraqis whom were questioned. The cache had been secured, the location radioed to the 3rd ACR, and the team had waited for the arrival of conventional forces. ██████ flexi-cuffs had been removed and he and the team climbed a small hill in the area to eat dinner. ██████ had rejected the food offered, but drank more water. ██████ had joked with ██████ that he needed to eat for energy so they could all go swimming in the river nearby. ██████ had joked back about not being able to swim well, and suggested they could do that another time. As the team relaxed, ██████ had told the team that his wrists and lower back were sore. Elements from the 3rd ACR had arrived after approximately two hours, and the team loaded back into the trucks. On the return trip, ██████ had made an effort to escape by opening the truck door. As a result the team had placed a hood on ██████ head. The two trucks went in separate directions upon arrival

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3 of 6 pages

~~SECRET/NOFORN~~ Formica Report - Annex 122

Subject: Commanders Informal Inquiry

to the Al Asad Air Base; Hi-Lux returned to the team house, while the Defender returned [redacted] to his isolation cage at the TTHF. b(6)

The team had decided that as a result of the successful identification of the IED, and complexity with which it was designed and placed, [redacted] had known more than he had admitted to. The team's engineers examined the initiators on the 7th of January, and had wanted more information from [redacted] about how he had made them or from whom he had gotten them. The conclusion was drawn that [redacted] probably did not set the IED by himself, due to the size and number of shells used. b(6)

The team had used Sergeant (SGT) [redacted] and Warrant Officer [redacted], 66th MI Company interrogators as their primary points of contact at the TTHF interrogation facility. The team would request access to the building and detainees through these points of contact, and often shared intelligence, which had been gathered through interrogation. The team had not signed out detainees for interrogations in the past, and had only completed paperwork for detainees that were not returning to the TTHF, or going on a mission. b(6)

On the 8th of January, TI [redacted] as interpreter and SFC [redacted] as interrogator had donned their civilian clothes and black masks and returned to the TTHF to further interrogate [redacted]. [redacted] did not have flexi-cuffs on upon arrival for interrogation, but instead, had bandages on his wrists and leg shackles on. [redacted] "shuffled" [redacted] approximately 50 meters from the TTHF to the interrogation room, and Asad was out of breath when he had arrived. [redacted] had questioned [redacted] about the details of the initiators, including circuitry and capacitors. [redacted] had been scared enough that his leg had trembled throughout the interrogation, and he had appealed to TI [redacted] as an "Iraqi" to let him go home [redacted] heritage is Kurdish - Iraqi, although he is a US citizen]. The interrogation had lasted less than an hour, and [redacted] returned [redacted] to his isolation cage while [redacted] talked with SGT [redacted] about the interrogation. [redacted] and [redacted] both had agreed that [redacted] had probably had more Anti-Coalition Force contacts and resources that might have been exploited with future interrogations. b(6)

Later on the 8th of January, between the hours of 1600C and 2000C, [redacted] had repeatedly stood up and tried talking with the guards. No interpreters were on site, none of the guards spoke Arabic, and nobody had understood what [redacted] was saying, other than the word "home" he had repeated in English. At approximately 2100C, the night before his death, [redacted] had been punished by the guards for not standing or sitting fast enough with the other detainees. [redacted] had been hog-tied with his arms over his shoulders, his hands tied to at least one foot, and his face toward the floor. [redacted] had remained hog-tied for approximately a half an hour, after which his leg shackles and flexi-cuffs were removed. [redacted] may have been stepped on or sat on by at least one guard (see item 4, "inconsistencies" in this report). Approximately 090230C, [redacted] had attempted to escape by stepping over the concertina wire, which had surrounded his cage. Once on the far side of the wire, [redacted] had "troued," moving fast down a narrow corridor toward the TTHF exit. A guard named [redacted] and possibly SGT [redacted] (see item 4, "inconsistencies" in this report) tackled [redacted] and returned him to his cage. SGT [redacted] had shackled [redacted] legs together to keep him from escaping again. Sometime after his escape attempt and before 090400C [redacted] had defecated in his clothing. b(6)

4 of 6 pages

~~SECRET/NOFORN~~ Fomina Report - Annex 122

Subject: Commanders Informal Inquiry

At approximately 090630C, [redacted] and other guards had woken all the detainees by telling them to stand up. By 0640C, all the detainees were standing and told to stop talking. [redacted] had remained in a sitting position in his isolation cage before wake up and after. [redacted] had gone to [redacted] cage and told him stand, which [redacted] had done. Each time [redacted] had turned his back on [redacted], [redacted] would sit down. After three attempts, [redacted] had taken another set of flexi-cuffs and tied [redacted] hands to the top of the metal door frame leading into his cage. [redacted] shirt had risen above his ribs to where the other detainees had seen large, dark bruises on [redacted] abdomen and sides. This had been the first and only confirmed time bruises were seen on [redacted] prior to his death. [redacted] had begun to speak incessantly, and had not stopped after repeated demands from the guards. None of the guards understood what [redacted] had been saying. As a result of [redacted] talking, [redacted] had taken a three or four foot section of cloth from a mattress, in which a knot had been tied multiple times near the center, and had attempted to gag [redacted]. [redacted] had refused to open his mouth for the gag to be set, and [redacted] had called for the assistance of another guard, Specialist (SPC) [redacted]. [redacted] had put pressure on [redacted] lower jaw and neck to force [redacted] mouth open for the gag to be placed. Once [redacted] had opened his mouth, [redacted] had inserted the knot and tied the gag into place around the back of [redacted] head. [redacted] had gone to wash his hands after setting the gag because [redacted] had defecated in his clothing. After approximately five to fifteen minutes, [redacted] had seen [redacted] slumped down, hanging by his hands. [redacted] had gone to check on [redacted] and had realized he was not breathing. [redacted] sent SPC [redacted] to the MI interrogation building to call the ambulance, which had arrived between 15 and 30 minutes later. The ambulance medics had assessed that CPR was unnecessary due to the condition of the body. Doctor [redacted] was called from the Al Asad Medical Facility, and had arrived at approximately 090900C to pronounce Asad dead.

b(6)
↓

5. Inconsistencies noted during this inquiry are as follows:

[redacted]
[redacted]

b(5)(a)
b(6)

6. Additional relevant facts:

- a. [redacted] had not asked for medical attention at any time that he could have been understood by interpreters or interrogators.
- b. None of the persons interviewed had seen [redacted] with any physical disabilities or injuries, other than being tired and needing bandages on his wrists, until minutes

5 of 6 pages

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Foreign Report - Annex 122

[redacted]

Subject: Commanders Informal Inquiry

before [REDACTED] had died. He had been seen "trotting" and "moving fast" during his escape attempt.

b(6)

c. [REDACTED] had not been medically evaluated or treated, other than by a Special Forces medic inspecting his mouth, until the time of his death.

b(6)

d. [REDACTED] only been interrogated by members of [REDACTED].

[REDACTED]

b(6)

CPT, SF
Investigation Officer

- Enc.
- TAB A IO Report
- TAB B Photographs
- TAB C Interview Summaries
- TAB D [REDACTED] Interrogation
Summaries and Supplemental
Action Report
- TAB E Preliminary Autopsy Report
- TAB F Height Reference (photographs)
- TAB G DA Forms 3881
Rights Waivers
- TAB H Inquiry Appointment Orders

b(6)/1.4a

6 of 6 pages

~~SECRET//NOFORN~~ Formica Report - Annex 122

DEPARTMENT OF THE ARMY
Charlie Company, 2ND Battalion, 14th Infantry Regiment
2nd Brigade, 10th Mountain Division (LI)
Fort Drum, New York 13602

AFZS-LF-AC

03 November 2003

MEMORANDUM FOR RECORD

SUBJECT: Informal Commander's Inquiry of SPC [REDACTED]

b(6)

1. Purpose. Determine validity of allegations that SPC [REDACTED] did, on 30 Oct 03, physically assault an Iraqi detainee in Ar Ramadi, Iraq and to recommend necessary actions to the chain of command.

b(6)

2. Background. Since Jun 03, C/2-14 IN has supported 3rd BN and now 1st BN, 5th SFG by conducting security for [REDACTED] at 12 locations throughout Iraq. During this time the company has operated in team and squad size elements in order to provide necessary force at each team location. SPC [REDACTED] has supported teams in Baghdad [REDACTED] and Ar Ramadi [REDACTED]. Although SPC [REDACTED] primary MOS is 13F, he has operated as an infantryman during the past six months. SPC [REDACTED] has been part of the security element in Ar Ramadi since early August 03. During his time in Ar Ramadi, the team house has been attacked several times by rocket propelled grenades, mortars, and small arms.

b(2)

b(1)
b(2) // 1.4a

3. Events Preceding Incident. On 29 Oct 03, [REDACTED] conducted a joint [REDACTED]. During this operation, the team detained two personnel transporting 12 RPG rounds. One of these personnel was a man named [REDACTED] worked at the [REDACTED] team house and had been employed there for several months. He was a trusted employee of the team and worked closely with the C/2-14 IN personnel guarding the team house. [REDACTED] held [REDACTED] at the team house to conduct initial interrogation. On the evening of 30 Oct 03, the team house came under small arms fire (small fire turned out to be friendly fire from 82nd FOB). SPC [REDACTED] was outside at the time and rounds were fairly close to his position. This occurred at approximately 1930 hrs. Additionally, sometime in the third week of October, SPC [REDACTED] wife told him that she and his little boy would not return to Fort Drum when SPC [REDACTED] redeploys. All attempts to contact her since that time had failed.

b(2) // 1.4a

b(6)

b(6)

4. Incident. The incident occurred at approximately 1930 on 30 Oct 03. SPC [REDACTED] entered the detainee-holding cell and assaulted the prisoner. PFC [REDACTED] promptly entered the detainee cell, witnessed the assault, and verbally instructed SPC [REDACTED] to stop. SPC [REDACTED] obeyed these instructions, exited the cell, and returned to the house. PFC [REDACTED] immediately reported the incident to his squad leader, SSG [REDACTED]

b(6)

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Formica Report - Annex 122

5. Actions Following Incident. SSG [redacted] was preparing to depart for a mission with the ODA when he was informed of the incident. SSG [redacted] instructed SGT [redacted] (a team leader at the site) to ensure SPC [redacted] had no further contact with the detainee and proceeded with the operation. During the mission, SSG [redacted] discussed the incident with SFC [redacted] (member of ODA 522). The [redacted] commander, [redacted] learned of SPC [redacted] actions at approximately 2200hrs. Notification up the chain of command continued on 31 Oct 03, following completion of the mission. SPC [redacted] was counseled by SSG [redacted], removed from the site, and returned to C/2-14 IN Headquarters. During this time, [redacted] ensured the detainee received a medical examination. An 18D from within the [redacted] conducted the initial examine and determined that the detainee had possible fractures of the ribs, nose, and jaw. After further medical review by a doctor, the detainee suffered no broken bones during the incident.

b(6)
b(2)
1.4a

6. Findings. There is no doubt that SPC [redacted] assaulted the detainee on 30 Oct 03. SPC [redacted] and SPC [redacted] statements both attest that SPC [redacted] struck the detainee three or four times. There is no evidence that the detainee attempted to escape or provoked the assault when SPC [redacted] entered the detainee holding area.

7. [redacted]

b(5)(a)

8. POC for this memorandum is the undersigned at DSN [redacted]

Enclosures

original signed /

[redacted]
CPT, IN
Commanding

b(6)

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Formica Report - Annex 122

[redacted]

Enclosures

1. DA Form 4856 (Counseling), DA Form 3881 (Rights Warning)

2. DA Forms 2823 (Sworn Statements)

SPC [REDACTED]
PFC [REDACTED]
SSG [REDACTED]
SGT [REDACTED]

b(6)

3. Official Message Traffic from ODA 522

4. Medical Documentation of Detainee's Injuries
Medical Summary from CPT [REDACTED]
Record of Medical Care dated 31 Oct 03
Record of Medical Care dated 1 Nov 03
Detainee's X-Rays

b(6)

5. Letter's of Recommendation for SPC [REDACTED]

SFC [REDACTED] Recommendation
1LT [REDACTED] (C/2-14 IN Fire Support Officer) Recommendation
SSG [REDACTED] (C/2-14 IN Fire Support NCO) Recommendation
SSG [REDACTED] Incident Report dated 29 June 03

b(6) / b(6)
1.4a

6. SPC [REDACTED] ERB and 2-1 and Copy of Deployment Orders.

b(6)

~~SECRET/NOFORN~~

Formica Report - Annex 122

RECORD OF PROCEEDINGS UNDER ARTICLE 15, UCMJ

For use of this form, see AR 27-10; the proponent agency is TJAG.

See Notes on Reverse Before Completing Form

NAME [redacted] GRADE E4 SSN [redacted] UNIT C Co, 2/14 IN APO AE 09335 PAY (Basic AS&F/Foreign) \$1,356.90

b(1)

In considering whether you should be punished under Article 15, UCMJ, for the following misconduct:

In that on or about 30 October 2003, you were attached and under the tactical and operational control of 1st Battalion, 5th Special Forces Group, at or near Ar Ramadi, Iraq, were cruel toward and committed maltreatment against a detainee named [redacted] by striking a this individual at least three times. This is in violation of Article 93 of the UCMJ.

b(1)

2. You are not required to make any statements, but if you do, they may be used against you in this proceeding or at a trial by court-martial. You have several rights under this Article 15 proceeding. First I want you to understand that I have not yet made a decision whether or not you will be punished. I will not impose any punishment unless I am convinced beyond a reasonable doubt that you committed the offense(s). You may ordinarily have an open hearing before me. You may request a person to speak on your behalf. You may present witnesses or other evidence to show why you shouldn't be punished at all (matters of defense) or why punishment should be very light (matters of extenuation and mitigation). I will consider everything you present before deciding whether I will impose punishment or the type and amount of punishment I will impose. If you do not want me to dispose of this report of misconduct under Article 15, you have the right to demand trial by court-martial instead. In deciding what you want to do you have the right to consult with legal counsel located at [redacted] VIA telephone [redacted]. You now have 48 hours to decide what you want to do.

DATE TIME [redacted] NAME, GRADE, AND ORGANIZATION OF COMMANDER [redacted] CO 1 Bt. 5th SF Group SIGNATURE [redacted]

b(1)

3. Having been afforded the opportunity to consult with counsel, my decision are as follows: (Initial appropriate blocks, date, and sign)

- a. I demand trial by court-martial.
b. I do not demand trial by court-martial and in the Article 15 proceedings:
(1) I request the hearing be Open Closed. (2) A person to speak in my behalf Is Is not requested.
(3) Matters in defense, mitigation, and/or extenuation: Are not presented Will be presented in person Are attached.

DATE [redacted] NAME AND GRADE OF SERVICE MEMBER [redacted] E4 SIGNATURE [redacted]

b(1)

4. In a(n) Open Closed hearing all matters presented in defense, mitigation, and/or extenuation, having been considered, the [redacted] punishment is imposed.

5. I direct the original DA Form 2627 be filed in the Performance fiche Restricted fiche of the OMPP. N/A

6. You are advised of your right to appeal to the Cdr, 4/31 IN within 5 calendar days. An appeal made after that time may be rejected as untimely. Punishment is effective immediately unless otherwise stated above.

DATE [redacted] NAME, GRADE, AND ORGANIZATION OF COMMANDER [redacted] 1st Battalion, 5th SF Group SIGNATURE [redacted]

b(1)

7. (Initial appropriate block, date, and sign)

- a. I do not appeal b. I appeal and do not submit additional matters c. I appeal and submit additional matters

DATE [redacted] NAME AND GRADE OF SERVICEMEMBER [redacted] SIGNATURE [redacted]

b(1)

8. I have considered the appeal and it is my opinion that:

DATE [redacted] NAME AND GRADE OF JUDGE ADVOCATE [redacted] SIGNATURE [redacted]

9. After consideration of all matters presented in appeal, the appeal is: Denied Granted as follows:

DATE [redacted] NAME, GRADE, AND ORGANIZATION OF COMMANDER [redacted] SIGNATURE [redacted]

10. I have seen the action taken on my appeal. DATE [redacted] SIGNATURE OF SERVICE MEMBER [redacted]

RELATED DOCUMENTS AND/OR COMMENTS Form 4856X4

C/M

DA FORM 2627, AUG 84 (EG)

EDITION OF NOV 82 IS OBSOLETE

ORIGINAL

SECRET//NOFORN

Formica Report - Annex 123

NOTES

- 1/ Insert a concise statement of each offense in terms stating a specific violation and the Article of the UCMJ (Part IV, MCM). If additional space is needed, use item 11 or continuation sheets as described in note 11 below.
- 2/ Inform the member of the maximum punishment which may be imposed under Article 15.
- 3/ Inform the member that if he or she demands trial, trial could be by SCM, SPCM, or GCM. Additionally, inform the member that he or she may object to trial by SCM and that as SPCM or GCM he or she would be entitled to be represented by qualified military counsel, or by civilian counsel at no expense to the government. If the member is attached to or embarked in a vessel, he or she is not permitted to refuse Article 15 punishment. In such cases, all reference to a demand for trial will be lined out and an appropriate remark will be made in item 11 indicating the official name of the vessel and that the member was attached to or embarked in the vessel at the time punishment was imposed.
- 4/ Give the member copy 3 of this form.
- 5/ Offenses determined not to have been committed will be lined out. If the imposing commander decides not to impose any punishment, the member will be notified and all copies of this form destroyed.
- 6/ Amounts of forfeitures of pay will be rounded off to the next lower whole dollar. If a punishment is suspended, the following statement should be added after to: To be automatically remitted if not vacated before (date). If punishment includes a written admonition or reprimand, it will be attached to this form and listed in item 11.
- 7/ The imposing commander will initial the appropriate block. The OMPF performance fiche is routinely used by MOS/specialty career managers and DA selection boards. The OMPF restricted fiche is not given to MOS/specialty career managers or DA selection boards without approval of the Cdr, MILPERCEN or selection board proponent.
- 8/ If the member appeals, this form and all written evidence considered by the imposing commander will be forwarded to the superior authority.
- 9/ Before acting on an appeal, it must be referred to a judge advocate for advice when the punishment, whether or not suspended, includes reduction or one or more pay grades from the fourth or a higher pay grade, or is in excess of one of the following: 7 days arrest in quarters, 7 days correctional custody, 7 days forfeiture of pay, or 14 days of either extra duties or restriction. (See Article 15e(1) to (7), UCMJ.)
- 10/ The superior authority will initial the appropriate block. If the appeal is granted, the specific relief granted will be stated according to note 12.
- 11/ In this space indicate the number of pages attached as follows: Allied documents on appeal consist of _____ pages. Allied documents include all written matters considered by the imposing commander submitted by the member on appeal and the commander's rebuttal, if applicable. If additional space is needed for completion of any item(s), use plain bond headed "Continuation Sheet 1", etc.
- 12/ Applicable portions of the following format may be used to record action taken on appeal. Appropriate language should be entered in item 11 or, if necessary, on a continuation sheet. Supplementary actions (para 3-38, AR 27-10) will be recorded on DA Form 2627-2.

Suspension, Mitigation, Remission, or Setting Aside

On (date), the punishment(s) of

(DATE)

imposed on
 (date of punishment) (was) (were) (suspended and will be automatically remitted if not vacated before (date))
 (mitigated to) (set aside, and all rights, privileges, and property affected restored) (by my order) (by order of) (the
 officer who imposed the punishment) (the successor in command to the imposing commander) (as superior authority).
 (Typed name, grade, and organization of commander)

13/ Racial/ethnic identifiers will be placed in item 11 (Chapter 15, AR 27-10).

Reverse of DA Form 2627, Aug 84

DA FORM 2627, PERTAINING TO [REDACTED]

2/14th IN, APO AE 09335

C Co.

b(6)

~~SECRET/NOFORN~~

Formica Report - Annex 123

[REDACTED] MAJ MNC-I EFFECTS SJA

From: **[REDACTED] CPT SJA (Marie.Anderson@drum.army.mil)**
Sent: Friday, July 09, 2004 22:48
To: **[REDACTED] @vcmain.hq.c5.army.mil**
Cc: **[REDACTED] LTC SJA; [REDACTED] MAJ SJA**
Subject: RE: RFA

b(6)

Sir,
[REDACTED] 1st Battalion 5th Special Forces Group, commander imposed a FG Art 15 against **[REDACTED]**. He was reduced one rank, forfeited pay, and was placed on extra duty for 45 days. Although I do not have a copy of the Article 15, the I spoke to the C, 2-14 IN Cdr who recalls this case and the punishment imposed.
Vr,
CPT **[REDACTED]**

b(6)

-----Original Message-----

From: **[REDACTED] @vcmain.hq.c5.army.mil (mailto:[REDACTED]@vcmain.hq.c5.army.mil)**
Sent: Friday, July 09, 2004 8:49 AM
To: **[REDACTED] @drum.army.mil**
Subject: RFA

b(6)

Thanks for the assistance on this matter. If you get something today, please shoot it to me. A definitive "no action was taken" is just as good as a message saying "_____ was done."

b(6)

[REDACTED]
Multi-National Corps Iraq
Force Field Artillery and Effects Judge Advocate
Camp Victory, Iraq
DSN **[REDACTED]**

~~**SECRET//NOFORN**~~ *u*

7/10/2004

Formica Report - Annex 123

DEPARTMENT OF THE ARMY
HEADQUARTERS, TASK FORCE OLYMPIA
MOBIL, IRAQ 0303

12 March 2004

TFO-CG

MEMORANDUM FOR MA [REDACTED] 6th CA BN

SUBJECT: Appointment as AR 15-6 Investigating Officer

1. You are appointed to conduct an investigation into an allegation of abuse at the Mosul Air Field Detention Facility made by an Iraqi detainee, [REDACTED]. You should use the attached preliminary inquiry as a starting point for your investigation. At a minimum, you will make specific findings of fact regarding the following matters:
 - a. The identity, location, and activity of all involved parties.
 - b. What Coalition Forces units and unit members were involved in the incident?
 - c. What Other Governmental Agencies and members of these agencies were involved in the incident?
 - d. Was Detainee [REDACTED] taken from the Facility? If so, why and by whom was he taken from the Facility?
 - e. Are Detainee [REDACTED] allegations of having water poured into his mouth and being flex-cuffed and dragged true? If so, why and by whom was this done?
 - f. Were the Facility policies and procedures followed in this case?
 - g. Were there any flaws or omissions in the policies and procedures that contributed to the accident?
2. You will prepare a detailed chronology of your investigation. You will also prepare a chronology that describes the occurrence of each major event related to the allegations..
3. You will make recommendations, based on your findings, for any changes in the current policies and procedures. You will obtain and preserve all available evidence for future reference as necessary.
4. You will conduct your investigation using the informal procedures of Chapter 4, AR 15-6. You may consult with subject matter experts, as you deem appropriate. All witness statements, if feasible, will be sworn. During the course of your investigation, if you determine that it is

~~SECRET/NOFORN~~

Formica Report - Annex 124

TFO-CO
SUBJECT: Appointment as AR 15-6 Investigating Officer

relevant and necessary to inquire into the conduct of an individual senior in rank to you, you will report this matter to me through the Command Judge Advocate and obtain direction from me before proceeding with your investigation.

5. If, in the course of your investigation, you suspect an individual of an offense, you will advise that person of his or her rights under Article 31, UCMJ, using a DA Form 3881 and proceed with questioning only if the individual waives their rights.

6. Before beginning your investigation, you will receive a briefing by CP [REDACTED] located with the Office of the Command Judge Advocate. He will also be available to you for legal advice during the conduct of this investigation.

7. You will submit your report using a DA Form 1574 to the Command Judge Advocate for legal review NLT 19 March 2004. Requests for extension of this suspense will be submitted to me through the Command Judge Advocate.

Encl
53

[REDACTED]
Lieutenant General, USA
Commanding

~~SECRET//NOFORN~~

Formica Report - Annex 124

DEPARTMENT OF THE ARMY
HEADQUARTERS, TASK FORCE OLYMPIA (MNB-N)
MOSUL, IRAQ, APO AE 09385

AFZH-GT-F-CG

25 MAR 2004

MEMORANDUM FOR MA [REDACTED] 416th CA BN

SUBJECT: Amendment of Scope of AR 15-6 Investigation

1. You are appointed to conduct an investigation into an allegation of abuse at the Mosul Air Field Detention Facility made by an Iraqi detainee [REDACTED]. This investigation should be conducted in conjunction with your original appointment to investigate allegations of abuse by Iraqi detainees [REDACTED]. You should use the attached preliminary inquiry as a starting point for your investigation. At a minimum, you will make specific findings of fact regarding the following matters concerning detainee [REDACTED] allegations:

- a. The identity, location, and activity of all involved parties.
 - b. What Coalition Forces units and unit members were involved in the incident?
 - c. What Other Governmental Agencies and members of these agencies were involved in the incident?
 - d. Was Detainee [REDACTED] taken from the Facility? If so, why and by whom was he taken from the Facility? How did he receive abrasions to his knees?
 - e. Is there merit to Detainee [REDACTED] allegations of having his foot and neck twisted, being placed into a headlock, and having a foot placed into his back during interrogation? If so, why and by whom was this done?
 - f. Were the Facility policies and procedures followed in this case?
 - g. Were there any flaws or omissions in the policies and procedures that contributed to Detainee [REDACTED] injuries?
2. You will prepare a detailed chronology of your investigation. You will also prepare a chronology that describes the occurrence of each major event related to the allegations.
3. You will make specific findings as to whether there was any misconduct on the part of any detention facility or other coalition personnel. You will also make recommendations, based on your findings, for any changes in the current policies and procedures. You will obtain and preserve all available evidence for future reference as necessary.

Formica Report - Annex 124

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AFZH-GT-F-CG

SUBJECT: Amendment of Scope of AR 15-6 Investigation

4. You will conduct your investigation using the informal procedures of Chapter 4, AR 15-6. You may consult with subject matter experts, as you deem appropriate. All witness statements, if feasible, will be sworn. During the course of your investigation, if you determine that it is relevant and necessary to inquire into the conduct of an individual senior in rank to you, you will report this matter to me through the Command Judge Advocate and obtain direction from me before proceeding with your investigation.

5. If you suspect an individual of an offense during the course of your investigation, you will advise that person of his or her rights under Article 31, UCMJ, using a DA Form 3881 and proceed with questioning only if the individual waives his or her rights.

6. CP [REDACTED] will continue to provide any necessary legal advice during the conduct of this investigation. b6

7. You will submit your report using a DA Form 1574 to the Command Judge Advocate for legal review NLT 27 March 2004. Requests for extension of this suspense will be submitted to me through the Command Judge Advocate.

Encl
as

[REDACTED]
Brigadier General, USA
Commanding b6

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Formica Report - Annex 124
[REDACTED]

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

Form 1574, 1 MAR 83. Use of this form is mandatory. The governing agency is OTJAG.

IF THIS FORM IS USED FOR THIS FORM, ATTACH ADDITIONAL SHEETS

(Appointing authority)

Letter of appointment or summary of oral appointment data. (See para 3-15, AR 15-6.)

SECTION II - SESSIONS

The (investigation) (board) commenced at **Mosul, Iraq** on **17 March 2004** at **0900** (Time).
 (Place) (Time)
 (If a formal board met for more than one session, check here . Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.) The following persons (members, respondents, counsel) were present: (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)

The following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence.) (See paras 3-2 and 3-8a, AR 15-6.)

The (investigating officer) (board) finished gathering/gathering evidence at **2400** on **26 March 2004** and completed findings and recommendations at **1600** on **27 March 2004**.
 (Time) (Date) (Time) (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES

- 1. Inclosures (para 3-15, AR 15-6)
 - a. Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)
 - e. The letter of appointment or a summary of oral appointment data?
 - f. Copy of notice to respondent, if any? (See item 9, below)
 - g. Other correspondence with respondent or counsel, if any?
 - h. All other written communications to or from the appointing authority?
 - i. Privacy Act Statements (Certificate, if statement provided orally)?
 - 2. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?
 - 3. Information as to sessions of a formal board not included on page 1 of this report?
 - 4. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?

YES	NO	NA
X		Y
X		Y
X		Y

FOOTNOTES: 1 Explain all negative answers on an attached sheet.
 2 Use of the NA column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

DA FORM 1574, MAR 83

EDITION OF NOV 77 IS OBSOLETE.

Page 1 of 1 page

UBAPA VI.

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SECTION IV - FINDINGS (para 3-10, AR 15-6)

The (investigating officer) (board), having carefully considered the evidence, finds:

attached memo.

SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

In view of the above findings, the (investigating officer) (board) recommends:

See attached memo.

Page 3 of 4 pages, DA Form 1574, Mar 83

~~SECRET//NOFORN~~

Formica Report - Annex 124

USAPA V1

SECTION VI - AUTHENTICATION (para 3-17, AR 15-6)

HIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. (If any voting member or the recorder fails to sign here or in Section VII below, indicate the reason in the space where his signature should appear.)

[Redacted signature area]

(Recorder)

(Member)

(Member)

(Investigating Officer/President)

(Member)

(Member)

SECTION VII - MINORITY REPORT (para 3-13, AR 15-6)

To the extent indicated in inclosure _____, the undersigned do(es) not concur in the findings and recommendations of the board. In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)

(Member)

(Member)

SECTION VIII - ACTION BY APPOINTING AUTHORITY (para 2-3, AR 15-6)

The findings and recommendations of the (investigating officer) (the board) are (approved) (disapproved) (approved with following exceptions/substitutions). (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence (or a summary, if any) as a numbered inclosure.)

Precautions will be taken immediately to prevent detainees from receiving abrasions on their knees and elbows during interrogation. The Task Force Olympia Provost Marshal will bring to my attention any inability to comply with the recommendations from this report.

[Redacted signature]

Brigadier General, USA
Commanding

~~SECRET/NOFORN~~

Formica Report - Annex 124

AR 15-8 Investigation into Allegations of Detainee Abuse

SUMMARY OF INVESTIGATION:

During my investigation, I interviewed individuals from the TFO Detention Facility and the NSWTU and other persons whom I deemed had information relevant to my investigation. Based on all the evidence that I collected through review of records and personal interviews, I do not find any evidence to substantiate allegations of abuse made by [REDACTED]

b6

Allegation by [REDACTED]

b6

Findings of Fact:

1. The SBCT was involved in the apprehension of [REDACTED] during a target series executed on 03 March 04. Later, at approximately 1900, [REDACTED] was picked up from the detention facility and questioned by members of NSWTU and later returned at approximately 0530 on 04 March.

b6

2. The FBI was interrogated [REDACTED] prior to the NSWTU.

b6

3. [REDACTED] was removed from the detention facility at approximately 1900 on 03 Mar by [REDACTED] for further interrogations because they suspected that [REDACTED] had valuable information that could be of benefit. [REDACTED] was later returned to the detention facility at approximately 0530 on 04 Mar.

b6

4. I found no evidence to support allegations that [REDACTED] had water poured into his mouth and was drug on his knees while flex-cuffed. [REDACTED]

b6
b2 / b1(1.4a)

b2 / b1(1.4a)

[REDACTED] Detainees are often flex-cuffed when being moved but I cannot find any evidence to suggest that any member of the NSWTU dragged [REDACTED]. Nor did [REDACTED] complain to any member at the detention facility of any such incident occurring and never asked to see the PA who is on duty everyday at the detention facility. I find the most likely explanation of the marks on [REDACTED] lower extremities is that the bruising was caused by long periods of kneeling. This is consistent with bruises the detention facility PA has seen on other detainees. [REDACTED]

b6
b5a

J [Signature]
SECRET//NOFORN Formica Report - Annex 124

[REDACTED]

b5a

[REDACTED]

b5a

Allegation by [REDACTED]

b6

Findings of Fact

1. [REDACTED] apprehended [REDACTED] on or about 1100, 08 Mar 04, and later he was taken to the Detention Facility and inprocessed.

b6

2. [REDACTED] was removed from the Detention Facility on two separate occasions; 18 Mar for a period of 4 hours and 19 Mar for a period of 24 hours by the NSW TU for further questioning. It is not uncommon for a person to be interrogated more than once if a person is deemed to have time sensitive information.

b6

3. I found no evidence to support allegations that detainee [REDACTED] was beaten up, assaulted or being intentionally placed by a fire to be burned. The [REDACTED] operators admitted to being very rough with him on the initial take down on 8 Mar because he would not get down on the ground when instructed to do so in both English and Arabic and as a result he was tacked to the ground very hard and received several bruises. These bruises are also noted in medical reports taken by both the [REDACTED] corpsman as well as by the Detention Facility PA. I find that [REDACTED] routinely resisted during each time that he was taken by the NSW TU and interrogated. He also passively resisted by suddenly falling to the ground on the rocks; thus injuring himself. He would also lean up against the concrete wall within the interrogation area and scrape his back. The corpsman applied first aid and continued to question [REDACTED] about his medical condition. Each time [REDACTED] would state that he had no medical condition. However it was later discovered that [REDACTED] does suffer from a pre existing condition that affects his skin and causes inflammation of the feet. Once this information was obtained, the [REDACTED] corpsman took additional measures to ensure his health...i.e. elevating and continually sanitizing [REDACTED] swelling feet. I find that the [REDACTED] members did not assault [REDACTED] or cause him injury but rather that his injuries are a result of his current pre existing

b6

b6

b6

condition, the injuries he incurred while resisting arrest on 8 Mar and a result of repeated falls and frequent collapses during his periods of interrogation. With regards to the blisters below his knees, I do not find that [redacted] was intentionally placed by a heat source to be burned. The presence of hair around and at the blister sites leads me to conclude that the blisters were not the result of exposure to a heat source. I believe the blisters could have been a result of his skin condition and the medications that were applied to his abrasions.

b6

4. [redacted]
[redacted] At that time the PA was also able to determine that [redacted] had, in fact, have a pre existing condition. The second corrective action that they took was to notify the PMO's office because of the nature of the detainee's injuries.

b5a
b6

[redacted]
[redacted] However my investigation revealed that this error did not contribute to this incident and as a result I do not find any negligence on the part of the Detention Facility.

b5a
b6

Recommendations:

[redacted]
[redacted]
[redacted]
[redacted]
[redacted]
[redacted]
[redacted]
[redacted]
[redacted]
[redacted]

b5a



ANNEX

125

DENIED IN FULL

EXEMPTION 1

ANNEX

126

DENIED IN FULL

EXEMPTION 1

ANNEX

127

DENIED IN FULL

EXEMPTION 1

ANNEX

128

DENIED IN FULL

EXEMPTION 1

ANNEX

129

DENIED IN FULL

EXEMPTION 1

ANNEX

130

DENIED IN FULL

EXEMPTION 1

ANNEX

131

DENIED IN FULL

EXEMPTION 1

ANNEX

132

DENIED IN FULL

EXEMPTION 1