

OCT 03 BCCP INSPECTION RESULTS

020445

CS3# 11

EXECUTIVE SUMMARY

TFIH Brigade Central Collection Point (BCCP) compliance inspection (6 Oct 03)

Scope of inspection. The 4ID Provost Marshal conducted a compliance inspection of all TFIH BCCP's on 6 Oct 03. The provost marshal office operated two teams IOT conduct the inspections. Team 1 (Provost Marshal lead) inspected the 2nd and 3rd BCT's. Team 2 (Deputy Provost Marshal lead) inspected the 1st and 173rd BCT's.

Two checklists were used during the inspection. The first assesses units for compliance to applicable portions of AR 190-8 (Enemy Prisoners of War, Retained Personnel, Civilian Internee's, and other detainee's) and the Geneva conventions relative to the treatment of Prisoners of War. The second assesses the units compliance with TFIH FRAGO 1291 (Detainee Operations).

The scale of assessment used is: Fair, Good, Above Average, and Excellent.

1 BCT:

Overall assessment: Above Average.

Summary. The facility is well organized and the leaders in charge have a firm understanding of detention operations and requirements outlined in FRAGO 1291. BCCP operations are being run by Military Police and augmented by [REDACTED] soldiers as directed. The procedures for receiving detainees from capturing units and detainee in-processing ensure only detainees with proper documentation are accepted into the facility. The guard force used for internal and external security of the BCCP is [REDACTED] and the unit has made good use of the hard site facilities and concertina wire. The unit has a good plan for use employment of a [REDACTED] in the event of a detainee disturbance or uprising. (b)(2)3 (b)(2)3 (b)(2)3

Key Observations:

Observation: FRAGO 1291 directs units to transfer all detainees to the TFIH DCCP NLT 14 days after capture. The unit had 61 detainees on hand that had been held for over 14 days.

Recommendation: The BCCP has 65 detainees scheduled for transfer to the DCCP on 8 Oct 03; many of whom fall into the category of held over 14 days. Unit should continue to coordinate with 1BCT to transfer all detainees on hand over 14 days to the DCCP as required.

020446

Observation: [REDACTED] are being utilized for external security of the BCCP.

(b)(2)3

Recommendation: [REDACTED]

(b)(2)3

Observation: The facility has a shortage of mats and blankets. The winter months are rapidly approaching and the need for these items increases on a daily basis.

Recommendation: The unit has a winterization plan that includes the purchase of mats and blankets, but command emphasis must be placed on this plan to ensure it is executed as soon as possible.

Observation: The evidence/property on hand is properly accounted for and clearly marked and inventoried, but it is stored in MRE boxes in the property room.

Recommendation: The unit has a plan to build shelves and cabinets for all evidence and property and should expedite the construction of these fixtures.

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Two checklists were used during the inspection. The first assesses units for compliance to applicable portions of AR 190-8 (Enemy Prisoners of War, Retained Personnel, Civilian Internee's, and other detainee's) and the Geneva conventions relative to the treatment of Prisoners of War. The second assesses the units compliance with TFIH FRAGO 1291 (Detainee Operations).

The scale of assessment used is: Fair, Good, Above Average, and Excellent

2 BCT:

Overall assessment: Fair.

Summary. Failure to comply with the contents of FRAGO 1291 has created an unsafe condition for detainee's and US personnel operating the facility at FOB Warhorse. The unit is performing numerous tactical tasks with MP assets assigned to the BCT, with detainee operations being pushed far down in priority. Priority must be given to assigning MP to the principle task of detainee operations to ensure adequate safeguards for detainee's, the safety of US forces, and to comply with applicable rules of warfare outlined in the previous references. It is clear that this facility is under the direction/control of the BDE S2, not Military Police.

Key Observations:

Observation: The unit had only [REDACTED] MP's on duty working a 24-hour shift. The senior leader in the facility was a SSG. No leadership for the MP PLT could be found.

(b)(2) 3

Recommendation: As a minimum the [REDACTED] or [REDACTED] should always be present at the facility. The unit must have [REDACTED] MP operating the facility on shifts not to exceed 12 hours. Additionally, augmentee personnel to the facility should work on 12 hour shifts at the rate of [REDACTED] per shift.

(b)(2) 3

Observation: Detainee's had access to material [REDACTED] inside of the main cell, which was unobserved from guard positions.

(b)(2) 3

020448

Recommendation: [REDACTED]

(b)(2)3

Observation: No [REDACTED] was identified to quell collection point disturbances with escalated force.

(b)(2)3

Recommendation: A dedicated [REDACTED] MP needs to be identified by SOP as a response force for all detainee incidents within 2-5 minutes of alert. Battle drills and alert signals should be clearly understood and common to all.

(b)(2)3

Observation: Improper storage of [REDACTED]

(b)(2)3

Recommendation: A clear procedure must be established for overall [REDACTED] within the facility. Additionally, further measures need to be emplaced for [REDACTED] visual deterrence on the external portion of the facility.

(b)(2)3

Observation: [REDACTED]

(b)(2)3

Recommendation: [REDACTED] must be placed in charge of all items taken from a detainee or seized in conjunction with their detention so that a legal chain of property/evidence can be established in order to protect the command from future allegations.

(b)(2)3

Observation: [REDACTED] No plan for future upgrades for cold weather were present.

(b)(2)3

Recommendation: The unit must invest adequate resources (both personnel and funds) to ensure that persons under US detention are safeguarded from all elements and [REDACTED]

(b)(2)3

Observation: The facility has a shortage of mats and blankets. The winter months are rapidly approaching and the need for these items increases on a daily basis.

Recommendation: The unit has a winterization plan that includes the purchase of mats and blankets, but command emphasis must be placed on this plan to ensure it is executed as soon as possible.

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TFIH Brigade Central Collection Point (BCCP) compliance inspection (6 Oct 03)

Scope of inspection. The 4ID Provost Marshal conducted a compliance inspection of all TFIH BCCP's on 6 Oct 03. The provost marshal office operated two teams IOT conduct the inspections. Team 1 (Provost Marshal lead) inspected the 2nd and 3rd BCT's. Team 2 (Deputy Provost Marshal lead) inspected the 1st and 173rd BCT's.

Two checklists were used during the inspection. The first assesses units for compliance to applicable portions of AR 190-8 (Enemy Prisoners of War, Retained Personnel, Civilian Internee's, and other detainee's) and the Geneva conventions relative to the treatment of Prisoners of War. The second assesses the units compliance with TFIH FRAGO 1291 (Detainee Operations).

The scale of assessment used is: Fair, Good, Above Average, and Excellent.

3 BCT:

Overall assessment: Good.

Summary. This facility was recently (upon the posting of FRAGO 1291, 22 Sep 03) transferred to MP control. The facilities overall physical security measures need improvement. The facility is under the control of MP. Greater command emphasis in obtaining [REDACTED] is required.

Observation: An inadequate [REDACTED] was identified to quell collection point disturbances with escalated force—it had a 15-minute response time.

Recommendation: A dedicated [REDACTED] MP needs to be identified by SOP as a response force for all detainee incidents within 2-5 minutes of alert. Battle drills and alert signals should be clearly understood and common to all.

all
(b)(2)3

Observation: [REDACTED]

Recommendation: The unit must invest adequate resources (funds) to ensure that persons under US detention are safeguarded and that the facility that they are detained [REDACTED]

Observation: The MP unit has developed a suitable plan for winterization of the facility, but is having difficulty getting command emphasis and priority in accomplishing this task.

020450

Recommendation: Command emphasis in addressing the upcoming cold weather issues for detainee's is needed.

Observation: [REDACTED]

[REDACTED] As a minimum, (b)(2)3
dedicated personnel are required at this facility to continually display [REDACTED]
detainees. A [REDACTED]

Observation: The facility has a shortage of mats and blankets. The winter months are rapidly approaching and the need for these items increases on a daily basis.

Recommendation: The unit has a winterization plan that includes the purchase of mats and blankets, but command emphasis must be placed on this plan to ensure it is executed as soon as possible.

EXECUTIVE SUMMARY

TFIH Brigade Central Collection Point (BCCP) compliance inspection (6 Oct 03)

Scope of inspection. The 4ID Provost Marshal conducted a compliance inspection of all TFIH BCCP's on 6 Oct 03. The provost marshal office operated two teams IOT conduct the inspections. Team 1 (Provost Marshal lead) inspected the 2nd and 3rd BCT's. Team 2 (Deputy Provost Marshal lead) inspected the 1st and 173rd BCT's.

Two checklists were used during the inspection. The first assesses units for compliance to applicable portions of AR 190-8 (Enemy Prisoners of War, Retained Personnel, Civilian Internee's, and other detainee's) and the Geneva conventions relative to the treatment of Prisoners of War. The second assesses the units compliance with TFIH FRAGO 1291 (Detainee Operations).

The scale of assessment used is: Fair, Good, Above Average, and Excellent.

173 BCT:

Overall assessment: Good.

Summary. The military police platoon in charge of BCCP recently took over the facility. The BCCP is well organized and the OIC and NCOIC are ensuring the requirements of FRAGO 1291 are being accomplished. The BCCP is receiving outstanding logistical support and has a winterization plan that includes heating units, plexi-glass for all buildings and additional mats and blankets.

Observation: [REDACTED] are being utilized for external security of the BCCP.

Recommendation: [REDACTED]

all (b)(2)3

Observation: The unit prepared detainees for transfer to TFIH DCCP escorts without [REDACTED]

Recommendation: [REDACTED]

020452

Observation: The facility does not have designated isolation rooms or female holding area. At the time of inspection, there were no detainees that required being in isolation nor any females on hand. The OIC explained he would identify at least 3 isolation rooms and a designated area for any females that may arrive in the future.

Observation: FRAGO 1291 directs units to transfer all detainees to the TFIH DCCP NLT 14 days after capture. The NCOIC stated there were 15 detainees on hand that had exceeded the 14 days.

Recommendation: Continue to work with 173 BDE to expedite the processing of detainee packets to ensure the transfer of detainees occurs NLT the 14th day after capture.

NOV 03 BCCP INSPECTION RESULTS

020454

C53# 12

EXECUTIVE SUMMARY

TFIH Brigade Central Collection Point (BCCP) compliance inspection (3-4 Nov 03)

Scope of inspection. The 4ID Provost Marshal conducted a compliance inspection of all TFIH BCCPs on 3-4 Nov 03. The provost marshal office operated three teams IOT conduct the inspections. Team 1 inspected 1st BCT, Team 2 inspected 173rd BCT, and Team 3 inspected 2nd and 3rd BCTs.

Two checklists were used during the inspection. The first assesses units for compliance to applicable portions of AR 190-8 (Enemy Prisoners of War, Retained Personnel, Civilian Internee's, and other detainee's) and the Geneva conventions relative to the treatment of Prisoners of War. The second assesses the units compliance with TFIH FRAGO 1291 (Detainee Operations).

The scale of assessment used is: Fair, Good, Above Average, and Excellent.

1 BCT:

Overall assessment: Fair.

Summary. The facility is well-run and overall in compliance with the requirements outlined in FRAGO 1291. [REDACTED]

[REDACTED] The BCCP's winterization plan is in motion; [REDACTED] along with mats and blankets. The number of detainees held over 14 days was significantly reduced from 61 in the last inspection to only 6 on this inspection.

all (b)(2)3

Key Observations:

Observation: [REDACTED] are being utilized for external security of the BCCP.

Recommendation:

Observation: The evidence/property on hand is properly accounted for and clearly marked and inventoried; but it is stored in MRE boxes placed in a cabinet within in the

020455

property room. Additionally, boxes of personal hygiene items were located in the evidence room.

Recommendation: The unit needs to build shelves and cabinets for all evidence and property and should expedite the construction of these fixtures. A storage room, separate from the property room needs to be identified for the boxes of sundry items for detainees

Observation: Unit has been in charge of the BCCP for approximately 45 days, but does not have an approved SOP for the facility on hand. The BCCP has a copy of the DCCP SOP, but does not have a written SOP that details specific procedures for the BCCP.

Recommendation: Systems are in place that are working, but an SOP on hand is necessary IOT ensure all standards/requirements are understood and can be referenced if required.

Observation: [REDACTED]

and (b)(2) 3

Recommendation: [REDACTED]

2 BCT:

Overall assessment: Fair.

Summary. Significant improvement in BCCP Operations from last inspection. Military Police continue the principle task of detainee operations in this facility. A winterization plan is complete with required materials to implement. A generator is on hand, and ECU\$ are ordered. There continue to be a few key issues that need to be addressed to ensure adequate safeguards for detainees and the safety of US personnel operating the facility at FOB Warhorse.

Key Observations:

Observation: [REDACTED]

(b)(2) 3

[REDACTED] efficiency was identified to the BCCP last month, but was not corrected

Recommendation: [REDACTED]

Observation: [REDACTED]

add (b)(2) 3

Recommendation: [REDACTED] Battle drills and alert signals should be clearly understood and common to all.

Observation: The evidence/property room contains a large amount of personal property from detainees who have already been transferred.

Recommendation: Identify property of detainees that have been transferred to the DCCP and forward to TFIH PMO so the status and location of detainees can be identified.

3 BCT:

Overall assessment: Fair.

Summary: [REDACTED] There is a plan to move to a new location that will provide improved living conditions conducive to rapidly approaching winter months.

Observation: [REDACTED] This deficiency was identified last month, but the chain of command has chosen to disregard the PMO recommendation from last month.

add (b)(2) 3

Recommendation: [REDACTED] Battle drills and alert signals should be clearly understood and common to all.

Observation: [REDACTED]

Recommendation: [REDACTED]

Observation: Unit has been in charge of the BCCP for approximately 45 days, but does not have an approved written SOP that details specific procedures for the BCCP.

Recommendation: An SOP on hand is necessary IOT ensure all standards/requirements are understood and can be referenced if required.

Observation: [REDACTED]

Recommendation: [REDACTED]

Observation: [REDACTED]

Recommendation: [REDACTED]

173RD ABN:

Overall assessment: Good.

Summary. The facility is well organized and the leaders in charge have a firm understanding of detention operations and requirements outlined in FRAGO 1291. BCCP operations are being run by Military Police. The procedures for receiving detainees from capturing units and detainee in-processing ensure only detainees with proper documentation are accepted into the facility. [REDACTED]

[REDACTED] in the event of a detainee disturbance or uprising with additional support from an Air Force Security Force unit with [REDACTED]

Key Observations:

all (b)(2)3

Observation: [REDACTED] manpower support has decreased since the previous inspection. [REDACTED]

Recommendation: [REDACTED]

[REDACTED]. Battalion leadership must meet the intent of FRAGO 1291.

Observation: The [REDACTED] This constraint limits the platoons ability to train the [REDACTED] soldiers that are needed to work inside the wire to ensure that all MP's provide external security in the towers.

Recommendation: The brigade that supports the BCCP must place command emphasis directing strict guidance followed with compliance checks to ensure that they meet the intent of FRAGO 1291.

Observation: [REDACTED] and materials necessary upgrade the facility. The temperature has dropped and winter weather is becoming difficult to bear for the detainees and security.

Recommendation: The unit has a winterization plan that includes the purchase of plexiglass and wood to upgrade the facility. The unit has submitted a PRC request for funding for these improvements.

Observation: [REDACTED]

all(b)(2)

Recommendation: [REDACTED]

Observation: The facility does not have designated isolation rooms or a female holding area. At the time of inspection, there were no detainees that required being in isolation, nor any females on hand. The OIC explained he would identify at least 3 isolation rooms and a designated area for any females that may arrive in the future.

Recommendation: This deficiency was identified last month. The BCCP must have locations identified for isolation cells and for females if on hand.

Observation: FRAGO 1291 directs units to transfer all detainees to the TFIH DCCP NLT 14 days after capture. The NCOIC stated there were 37 detainees on hand that had exceeded the 14 days however, the day of the inspection all 37 detainees were either transferred or release to local police.

Recommendation: Continue to work with 173 BDE ABN to expedite the processing of detainee packets to ensure the transfer of detainees occurs NLT the 14th day after capture.

JAN 04 BCCP INSPECTION RESULTS

020460

CS3#13

EXECUTIVE SUMMARY

TFIH Brigade Central Collection Point (BCCP) compliance inspection (21 Jan 04)

Scope of inspection. The 4ID Provost Marshal and the 4ID Inspector General conducted a compliance inspection of one TFIH BCCP as well as two TF collection points on 21 Jan 04. The provost marshal officer operated one team IOT conduct the inspections. The team (CPT [REDACTED], SFC [REDACTED], SSG [REDACTED]) inspected 3rd BCT and two TF collection points. (b)(6)(2)

Two checklists were used during the inspection. The first assesses the units for compliance to applicable portions of AR 190-8 (Enemy Prisoners of War, Retained Personnel, Civilian Internee's, and other detainee's) and Geneva conventions relative to the treatment of Prisoners of War. The second assesses the unit's compliance with TFIH FRAGO 1291 (Detainee Operations).

The scale of assessment used is: Fair, Good, Above Average, and Excellent.

3 BCT:

Overall Assessment: Above Average

Summary. The facility is well organized and the leaders in charge have a firm understanding of detention operations and requirements outlined in FRAGO 1291. The operations are being run by 4th Platoon of the 411th Military Police Company. The procedures for receiving detainees from capturing units and detainee in-processing ensure only detainees with proper documentation are accepted into the facility. (b)(2)3

[REDACTED]

Observation: The facility did not have an adequate climate control for the detainee's.

020461

Recommendation: That the unit develop a plan to improve the facility to deal with the Seasonal change in weather for both the Summer and Winter.

Observation: The facility does not have a shower facility for the detainees to properly wash or sanitize themselves.

Recommendation: Command emphasis needs to be put on sanitary conditions for detainees at the brigade level.

Observation: The CAT II translator that works with the CI team was on vacation and they did not have the capability to interrogate detainees.

Recommendation: Assign another translator or transfer the detainees to the Division detention facility.

TF FOB's :

Overall Assessment: Fair

Summary. Two collection points were inspected. One collection point was very good, however they were not compliant with FRAGO 1291. [REDACTED] were not running either collection point. Additionally detainees are routinely held for 96 hours or longer. The other facility was "Unsat" and not too standard. It met the minimum standard of a hastily prepared collection point. The TF was holding a detainee for 8 days. Both unit S2's and one S3 expressed their reluctance to transfer detainees because they did not receive any Intel or feedback once they were transferred to Brigade and or division Control. One TF S2 indicated that his unit was trying to determine whether or not the detainee was a "bad guy" although he was in possession of two Mortar tubes and ammunition. This specific detainee had been held for 8 days. The PMO transferred the detainee to the Brigade Collection Point for the unit.

(b)(2) 3

Observation: At the two TF collection points the exception of holding detainees more than 24 to 48 hours has become the rule.

Recommendation: Once they arrive at battalion ensure the paperwork is complete as soon as possible and that the detainee be transported to the brigade immediately.

020462

**05 FEB 04 BCCP INSPECTION
RESULTS**

020463

CS3 #15

EXECUTIVE SUMMARY

TFIH Brigade Central Collection Point (BCCP) compliance inspection (5 Feb 04)

b-6(2)
Scope of inspection. The 4ID Provost Marshal and the 4ID Inspector General conducted a compliance inspection of one TFIH BCCP on 5 Feb 04. The provost marshal officer operated one team IOT conduct the inspections. The team (2LT [REDACTED] SFC [REDACTED] inspected 173rd ABN.

Two checklists were used during the inspection. The first assesses the units for compliance to applicable portions of AR 190-8 (Enemy Prisoners of War, Retained Personnel, Civilian Internee's, and other detainee's) and Geneva conventions relative to the treatment of Prisoners of War. The second assesses the unit's compliance with TFIH FRAGO 1291 (Detainee Operations).

The scale of assessment used is: Fair, Good, Above Average, and Excellent.

173ABN:

Overall Assessment: Excellent

Summary. The facility is well organized and the leaders in charge have a firm understanding of detention operations and requirements outlined in FRAGO 1291. The operations are being run by 3rd Platoon of the 64th Military Police Company. They have made a number of improvements to include storage bins for the evidence room [REDACTED]

[REDACTED] They are in the process of installing heating systems located in the detainee holding cells and proper lighting throughout the facilities cells. The procedures for receiving detainees from capturing units and detainee in-processing ensure only detainees with proper documentation are accepted into the facility. They also do an outstanding job of documenting injuries sustained to detainees before arrival at the BCCP. [REDACTED]
[REDACTED]
[REDACTED]

are (b)(2)3

020464

[REDACTED]

Observation: [REDACTED]

all (b)(7) 3

Recommendation: The unit is currently in the process of renovating a nearby building, which has four rooms. Two of the rooms can be utilized as [REDACTED]

Observation: This was the best facility in the division. The platoon leadership has done an outstanding job of utilizing their resources to improve the facility. The BCCP clearly exceeds the standards that have been outlined in TFIH Frago 1291.

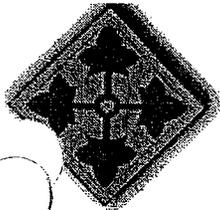
Recommendation: Keep up the hard, dedicated work that has made the facility the best in the division.

020465

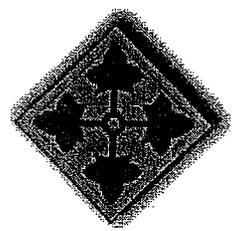
DETAINEE PROCESSING DOCUMENTS

020466

CS¹⁸



4TH INFANTRY DIVISION (M) DETAINEE DISPOSITION WORKSHEET



4ID MP#: _____
 Capturing unit #: _____
 DETAINEE NAME: _____
 DATE OF CAPTURE: _____

CRIMINAL DETAINEE SECURITY DETAINEE MEDICAL ISSUE

Capturing Unit: 1 BCT 2 BCT 3 BCT 173 BCT DIVARTY 1-10 CAV

STAFF RECOMMENDATION:

G2: RELEASE CHA IRAQI POLICE
 Comment: _____

G3: RELEASE CHA IRAQI POLICE
 Comment: _____

PM: RELEASE CHA IRAQI POLICE
 Comment: _____

SJA: RELEASE CHA IRAQI POLICE
 Comment: _____

CoS DECISION: RELEASE CHA IRAQI POLICE


 COL, GS
 Chief of Staff

b(6)(2)

CAPTURING UNIT NOTIFICATION: CONCUR NON-CONCUR
 (Required for release only)

_____ (NAME) _____ (RANK) _____ (DATE)

4ID RECOMMENDATION TO CJTF-7 REVIEW BOARD:

- Do not release this individual without notifying the 4ID Provost Marshal (534-8003).
- Retain for the duration of the conflict. This individual is a threat to US forces.
- Retain for 3 months and review with 4ID for concurrence for release.
- Retain for 6 months and review with 4ID for concurrence for release.
- Conduct further Intelligence screening and recommendation to 4ID G2 (534-0204).

020467

**INFANTRY DIVISION
PROVOST MARSHAL
OFFICE
TIKRIT MAIN PALACE, IRAQ**

Date
التاريخ

On (today's date)

I (your name)

_____ (إسمك) اتا _____ على اليوم (تاريخ اليوم)

request information or the status of a suspected detainee captured by U.S. Forces in the vicinity of (name of city where detainee was captured) _____

التمس معلومات او الوضع الشرعي للمعتقل المسبوه قبض عليه من قبل قوات اللامريكية في ضاحية (إسم المدينة التي اعتقل به المعتقل فيه) _____

on (date and time of capture) _____

تاريخ الاعتقال _____

I understand that the current location of the detainee may not be given due to security concerns.

افهم إن موقع المعتقل ربّما قد ال يُطي بسبب اهتمامات الامن.

This Form is to be filled out by family members of detainees only (assistance from interpreters is authorized)

Information requests for detainees not detained by requesting units MSC will not be processed

Signatures cannot be photocopied.

Concerns for the welfare of US forces and the safeguarding of all detainee's/internee's will dictate the level of response given.

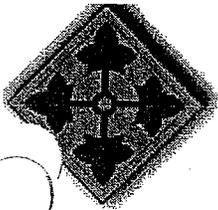
التوقيع
Signature

علاقة للمعتقل
Relationship to the Detainee

**Requesting Unit FOR US ARMY USE
(Must be Task Organized to 4ID)**

POC (SSG or above) DSN Number
OR ARMY USE

20468



4TH INFANTRY DIVISION (M)



DETAINEE INQUIRY RESPONSE FORM

4ID Capture # _____ Date _____

Transferred to Corps _____
(Date)

Corps Inquiries: [REDACTED] (b)(6) z

Location: Corps / Unknown / released / Iraqi police / OPSEC Concerns
(No info will be given)

Health: Good / Poor / Unknown

Provost Release of information: Yes / No

Remarks:

- 1) It is the requesting units responsibility to provide the information on this form to the requesting individual.
- 2) This form is intended to verify the custody of individuals to concerned family members of detained individuals only.
- 3) Full notification to include the possibility of visitation occurs at the theater induction center (Baghdad). Upon induction, detainee's/Internee's names and locations are posted at the above WEB site if OPSEC permits.
- 4) The 4ID Provost office does not have any additional information beyond what is on the CJTF-7 WEB site.

TFIH Provost Marshal DCCP working issues

020470

- Halal Meals: Requested through G4 (1,000 per day)—reluctance at C4 to resource due to cost
- Geneva Convention in Arabic: Working through CJTF-7 Provost Office
- Korans: Complete (Numerous throughout facility)
- Newspaper: Coordinated W/ IO—will receive 10 copies weekly
- Wash Basins: Complete (150 available for laundry)
- Towels/wash clothes: PR&C complete and funded—awaiting vendor delivery
- Gravel: 23 loads complete, final 10 will be delivered 9 Nov
- Phone Calls: Not workable at this point—will be a pass back to CJTF-7
- Letters: Recommend pass back, postal issues, pens as weapons, etc.
We only have them for about 30 days.
- Sick Call: 41D DIV Surg does not have required assets
CJTF-7 Surg reports that they can not support
- Winterization: -2 of 6 ECU's delivered remaining 4 due NLT 9 Nov
 - Generators awaiting award of vendor contract
 - Weather proof tents. ENG design complete—awaiting lumber/roofing/plastic delivery
 - Coordination complete w/ BRK to provide soup/coffee when temps are below 55
 - Sleeping mats/blankets: Complete (2,000 EA)
 - Continuing to draw JS-LISTS, canteen cups and poncho's from DSE

TF-20 DETAINEE SIGN OUT PROCEDURES

1. TF-20 CAN GO TO THE CAGE AND CALL UP HERE FOR A 'TEMP SIGN OUT'

OR
COME HERE

2. THE PM OR SENIOR PERSON PRESENT NOTIFIES THE CHIEF OF STAFF OF THE REQUEST AND TAKES THE PACKET TO HIM FOR SIGNATURE

3. IF THE TF-20 REP DOES NOT COME TO THE PMO (PHONE CALL) THEY CAN GET A VOCO AUTHORIZATION THROUGH THE PMO FROM THE CHIEF OF STAFF

4. IF A VOCO IS GIVEN, THE PACKET WILL IMMEDIATELY BE IDENTIFIED AND TAKEN TO THE CHIEF OF STAFF'S LOCATION FOR SIGNATURE...THIS WILL NOT WAIT---DO IT ASAP. IN THE INTERIM---TF-20 CAN TAKE THE DETAINEE

5. THE DETAINEE PACKET WILL HAVE A HAND WRITTEN SPACE FOR THE CHIEF OF STAFF TO SIGN THAT STATES 'DETAINEE IS TRANSFERRED TO TF-20 CONTROL FOR ID PURPOSES, DATE AND TIME OF SIGN OUT'

6. NO DEVIATIONS ARE AUTHORIZED UNLESS THE PM DIRECTS

STAFF JUDGE ADVOCATE
Documents provided by the 4th Infantry Division SJA

020472

CS3#21

12 MAY 2004

MEMORANDUM FOR IG, 4th Infantry Division, Fort Hood Texas 76544

SUBJECT: Detainee Abuse by Taskforce Ironhorse Soldiers as Reported to CJTF-7

1. This report contains information on alleged detainee abuse by soldiers assigned to the Taskforce Ironhorse.

a. On or about 8 September 2003, an Iraqi man, [REDACTED] was (b)(6)4 detained by the [REDACTED]. He alleges that immediately (b)(6)2 after his arrest he was blindfolded and taken to a jail cell somewhere in the North Tikrit area. He alleges that American soldiers in civilian dress and an Iraqi interpreter named [REDACTED] hit him repeatedly for two hours. He claims that they (b)(6)4 struck him all over his body but primarily his stomach using their fists and that at one point a rope was put around his neck and he was choked almost to the point of blacking out. He reported that he had blood in his urine and stool. He refused medical treatment but also reported he was feeling better. CID investigated the alleged abuse and obtained a written statement. However, while his statement emphasizes the event occurred, he refused to provide any details saying he was pending release and did not want to cooperate any further in the investigation. A brigade-level inquiry concluded that the description of the assailants did not match any 1st Brigade Combat Team personnel or Iraqi interpreter named (b)(6)4 [REDACTED]. No information on soldiers because no soldiers were identified. CID conducted an investigation (Report # 0174-03-CID469-60225) and was not able to identify any soldier suspects.

b. On 11 September 2003, SPC [REDACTED] was performing guard (b)(6)2 duty at the FOB Packhorse detention facility. A detainee, [REDACTED] (b)(6)4 was being held in an isolation cell in flexi cuffs. SPC [REDACTED] was standing (b)(6)2 in the hallway of the isolation cell when he saw the detainee move toward the wire. He was informed that detainees were not to go near the concertina wire. SPC [REDACTED] fired his weapon stating that he saw the detainee with his (b)(6)2 hands near the wire. First aid was administered and he was taken to the aid station. He died of a gunshot wound to his abdomen. On 7 October, SPC [REDACTED] was charged with one violation of Article 119, UCMJ, (b)(6)2 Manslaughter. He submitted a Chapter 10 request, which was granted on 12 November 2003. SPC [REDACTED] had no specialized training in handling (b)(6)2 detainees. He was acting in a law enforcement capacity as a guard in the isolation cell.

c. On 13 July 2003, PFC [REDACTED] and PFC [REDACTED] (b)(6)2 through simple negligence, discharged a 9mm pistol in the B Co, 3-67 AR BN

020473

detainee holding facility. The round struck an Iraqi civilian detainee wounding him in the lower back. No UCMJ action was taken against the soldiers. 4ID is gathering additional information on the soldiers' background in the States.

d. On 13 August 2003, a 56 year-old male detainee died in the 4th MP detention facility. The detainee was provided with food, water and medical treatment. The detainee was complaining of his stomach and nose hurting, and of the heat. The detainee died after receiving CPR, IV, defibrillation of 200-300-360 joules, epinephrine, lidocaine and repeat defibrillation of 360 joules. No autopsy was performed and no cause of death determined. No abuse by American forces.

e. Two detainees, [redacted] and [redacted] (b)(6)4 were apprehended on 22 November 2003. After apprehension, the detainees sustained trauma to the head. Not all injuries were a direct result of the apprehension. [redacted] sustained one of his injuries when he (b)(6)4 grabbed CPT [redacted] weapon. His other injury happened when PFC [redacted] (b)(6)2 [redacted] kicked him in the back of the head while the unit was transporting him to (b)(6)2 the detention facility. [redacted] was injured when PFC [redacted] (b)(6)2 (b)(6)4 [redacted] struck him in the back of the head when the unit was transporting him to the detention facility. One injury to [redacted] that could not be (b)(6)4 accounted for was a cut on his lip. PFC [redacted] and PFC [redacted] (b)(6)2 [redacted] received field grade Article 15 punishment. (b)(6)2

f. On 20 August 2003, approximately five soldiers accompanied LTC [redacted] (b)(6)2 Commander TF 2/20, to the Gunner Holding Area to interrogate a detainee, (b)(6)4 [redacted]. During the interrogation, the soldiers hit the detainee when he was not forthcoming with information. Specifically, they admitted they punched him with a closed fist in the stomach and torso, and one soldier punched him on the side of the head. Each of the soldiers (SFC [redacted] SSG [redacted] SPC [redacted] SPC [redacted] and PFC [redacted] [redacted], received field grade Article 15 punishment. LTC [redacted] was present during the interrogation when the soldiers were punching the detainee and threatened the detainee that he would kill him. When the interrogation did not reveal the information the group was seeking, LTC [redacted] took the detainee outside to the nearest clearing barrel and after shooting a warning shot, placed his 9mm weapon near the detainee's head and fired off a round. LTC [redacted] was relieved from command and later charged with three violations of Article 128, UCMJ and one violation of Article 134, UCMJ for communicating a threat. The charges were investigated at an Article 32(b) hearing. The Investigating Officer recommended Article 15 punishment. On 12 December 2003, LTC [redacted] received a general officer Article 15. The incident was investigated by CID, Report # 0152-03-CID469-602125C1A/5C2/5T1. } all (b)(6)2

g. On or about 15 October 2003, three soldiers from A/3-29 guarding the Gunner Holding Area found a detainee trying to escape from his cell by

squeezing between the bars. A fourth soldier reported to his chain of command that at least two of the three soldiers mistreated the detainee (SSG [REDACTED] and SPC [REDACTED] by throwing a water bottle at him, hitting near him with a hat rack in an effort to scare him, and hitting him once in the stomach. The third soldier, SPC [REDACTED], saw the incident, but did not report it. Some level of force was required to restrain the detainee from escaping, but the chain of command decided during a commander's inquiry that the above acts exceeded the authorized level of force. SSG [REDACTED] was given a field grade Art 15 for his active participation, SPC [REDACTED] was given a field grade Art 15 for his active participation, and SPC [REDACTED] was given summarized Art 15 for not reporting the actions that he witnessed. This unit is now back with their parent unit, 3 BCT/4ID, and the complete adjudicated file is with the A/3-29 commander.

all (b)(6) z

h. On 24 September 2003, at FOB Ironhorse, SPC [REDACTED] a trained interrogator with 104th Military Intelligence Battalion (MI BN), DISCOM, hit the bottom of a detainee's feet, back and buttocks with an MP baton. The detainee was not seriously injured, but did complain of discomfort to his back and buttocks for two days. SPC [REDACTED] was also present during the incident and was the interpreter for the interrogation. The incident was investigated under the provisions of AR 15-6. SPC [REDACTED] received field grade article 15 punishment, and SPC [REDACTED] received a summarized article 15 for being present and failing to report it. Both soldiers were relieved of interrogation duties. 4ID is gathering additional information on the soldiers' background.

all (b)(6) z

(b)(6) z i. On 2 August 2003, SSG [REDACTED], D Battery, 319th AFAR, was at the Taza police station when two Iraqis were brought in to be questioned about RPG attacks. While SSG [REDACTED] was interrogating one of the detainees, (b)(6) z (b)(6) z [REDACTED], pointed a pistol at him. During the interrogation SSG [REDACTED] (b)(6) z punched the detainee several times in the stomach, head area, face and nose. The detainee had a cut over his right eye that required stitches and a broken nose. This incident occurred the same day that the unit lost a soldier in an RPG attack. On 9 October 2003, SSG [REDACTED] was charged with four violations of Article 128, UCMJ. The soldier submitted a Chapter 10 request, which was granted on 23 October 2003. SGT [REDACTED] who was present and also hit the detainee, received field grade Article 15 punishment.

(b)(6) z

j. On 7-8 February 2004, a 61 year-old detainee [REDACTED], died (b)(6) z while in detention at the Detention Central Collection Facility FOB Ironhorse, Iraq. Preliminary investigation by CID disclosed that Mr. [REDACTED] was found about (b)(6) z 0640 hours on 8 February 2004, unresponsive in his bed during the morning head count procedures. SSG [REDACTED] of the 4th Military Police Company (b)(6) z found him in a state of rigor mortis and without vital signs. He was last seen alive about 2000 hours, the night before (7 February 2004). His remains were transported first to the Mortuary Affairs center at Camp Speicher and later on to

020475

the Mortuary Affairs section at BIAP. CID Report # – 0025-04-CID469-79635/5H9B. (?) (Criminal Investigation conducted by CID)

k. On 28 February 2004, members of the 1-27th Infantry Battalion conducted a cordon and search in Taal Al Jal, Iraq. At a TCP, set up during the search, a platoon was instructed to detain local nationals in their vicinity. SGT [REDACTED] (NFI) a platoon member, attempted to detain an Iraqi in a nearby field. While SGT [REDACTED] attempted to place flexi-cuffs on the Iraqi, he began to resist. PFC [REDACTED] a member of the platoon, raised his weapon in the high cover position to protect the sergeant. SGT [REDACTED] was able to complete the cuffing process and was moving the detainee away when PFC [REDACTED] believed the Iraqi was lunging at SGT [REDACTED]. PFC [REDACTED] responded to the perceived threat by firing one round from his weapon which struck the detainee in the head and killed him. PFC [REDACTED] in his statement to CID, said that he believed that the Iraqi was still resisting being cuffed and that he fired his weapon intending to kill the Iraqi. PFC [REDACTED] received ROE training, the extent of which is unknown. CID is still investigating. CID Report # 004-04-CID469-79638-5HIA. Note: Soldier is now assigned to Taskforce Danger and 1st ID.

ale
(b)(6) z

l. On 3 January 2004, at approximately 2245 hours, two male Iraqis, [REDACTED] and [REDACTED] were stopped at an ICDC checkpoint in the city of Samarra. They were warned that curfew was about to begin (2300 hours) but were released when they informed the ICDC detail that they were close to home and would make it in time. They drove off. A short distance from the ICDC checkpoint, members of 1st platoon, A company, 1/8th infantry regiment stopped the two Iraqis, requested identification and questioned them. One of the Iraqis allegedly provided a false identification. They were released but then stopped again. Mr. [REDACTED] and Mr. [REDACTED] were then taken into custody, their hands were zip tied behind their back and they were placed in a Bradley fighting vehicle. The Bradley was driven to a nearby bridge over the Tigris River. Members of the platoon, SGT [REDACTED] SPC [REDACTED] and SPC [REDACTED], were then instructed by the platoon leader, 1LT [REDACTED] and the platoon sergeant, SFC [REDACTED] to push the detainees into the river. SPC [REDACTED] refused to take part in it and instead stood guard. SGT [REDACTED] ordered the zip ties removed and he and SPC [REDACTED] pushed Mr. [REDACTED] and [REDACTED] into the river. They then returned to their vehicle and continued their patrolling duties. Mr. [REDACTED] allegedly could not swim and subsequently drowned. Mr. [REDACTED] made it safely to the riverbank, climbed out and reported the incident to the ICDC soldiers who had stopped him earlier. When the family of the drowning victim reported the incident to American authorities members of the platoon denied they had pushed Mr. [REDACTED] and Mr. [REDACTED] into the river. They were instructed by their chain of command to deny the incident and to not cooperate with CID investigators. The chain of command implicated in the obstruction of justice charge are the battalion commander, LTC [REDACTED], the battalion executive officer, MAJ [REDACTED], and the

(b)(6) 4

(b)(6) 4

(b)(6) z

(b)(6) 4

(b)(6) z

all (b)(6)z

company commander, CPT [REDACTED], 1LT [REDACTED], on several occasions, also instructed members of the platoon to deny any wrongdoing. MAJ [REDACTED], in a sworn statement, denied that he instructed anyone to lie. After the CID investigation, LTC [REDACTED] and MAJ [REDACTED] received a reprimand under Article 15, UCMJ. The actions were filed in their restricted fiche. CPT [REDACTED] received a general officer memorandum of reprimand. SGT [REDACTED], SPC [REDACTED] and SPC [REDACTED] received field grade Article 15 punishment. 1LT [REDACTED] and SFC [REDACTED] are pending court-martial charges. CID Report 0011-04-CID469-79630.

2. POC this report is MAJ [REDACTED] 287-[REDACTED]

[REDACTED]

LTC, JA
Staff Judge Advocate

020477

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 LTC	SSN [REDACTED]	UNIT HHC, 1-8 th IN, 3BCT APO AE 09391	PAY (Basic & Sea/Foreign) \$6489.70
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considering whether you should be punished under Article 15, UCMJ, for the following misconduct: ^{1/} In that you, did, at or Samarra, Iraq, on or between 3 January 2004 and 16 January 2004, wrongfully endeavored to impede an investigation by influencing the sworn statements of First Lieutenant [REDACTED], Sergeant First Class [REDACTED]

SEE CONTINUATION SHEET

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. ^{2/} 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. ^{3/} In deciding what you want to do you have the right to consult with legal counsel

located at CPT [REDACTED] DSN 318-[REDACTED] [REDACTED]@us.army.mil You now have 48 hours to decide what you want to do. ^{4/}

DATE 8 MAR 04 TIME 1400	NAME, GRADE, AND ORGANIZATION OF COMMANDER RAYMOND T. ODIERNO, MG, 4 th IN DIV (MECH)	SIGNATURE [Signature]
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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 13 Mar 04	NAME AND GRADE OF SERVICE MEMBER [REDACTED], LTC	[REDACTED]
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4. In a(n) Open Closed hearing ^{5/} all matters presented in defense, mitigation, and/or extenuation, having been considered, the following punishment is imposed: ^{5/6/}

to be reprimanded.

5. I direct the original DA Form 2627 be filed in the Performance fiche Restricted fiche of the OMPF. ^{7/} NA

6. You are advised of your right to appeal to the Cdr, CJTF-7 within 5 calendar days. An appeal made after that time may be rejected as untimely. Punishment is effective immediately unless otherwise stated above.

DATE 13 Mar 04	NAME, GRADE, AND ORGANIZATION OF COMMANDER RAYMOND T. ODIERNO, MG, 4 th IN DIV (MECH)	SIGNATURE [Signature]
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7. (*Initial appropriate block, date, and sign*)

- a. I do not appeal b. I appeal and do not submit additional matters ^{8/9/} c. I appeal and submit additional ^{8/9/}

DATE 13 Mar 04	NAME AND GRADE OF SERVICE MEMBER [REDACTED], LTC	[REDACTED]
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8. I have considered the appeal and it is my opinion that:

DATE	NAME AND GRADE OF JUDGE ADVOCATE	SIGNATURE
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9. After consideration of all matters presented in appeal, the appeal is:
 Denied Granted as follows: ^{10/}

DATE	NAME, GRADE, AND ORGANIZATION OF COMMANDER	SIGNATURE
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10. I have seen the action taken on my appeal.	DATE	SIGNATURE OF SERVICE MEMBER
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11. ADDITIONAL DOCUMENTS AND/OR COMMENTS ^{11/12/13/} Blk/M
1- Informal Commander's Inquiry containing 78 pages
1- ORB

all (b)(6) z

DA FORM 2627, PERTAINING TO [REDACTED] HHC, 1-8th IN, 3BCT,
APO AE 09391

(b)(6)z

Item 1, Continued:

[REDACTED] Sergeant [REDACTED], Specialist [REDACTED] and Specialist [REDACTED] to deny that Mr. [REDACTED] and Mr. [REDACTED] were pushed into the Tigris River, near Samarra, Iraq, and that they instead were left at the side of the roadway. This is a violation of Article 134, UCMJ.

(b)(6)4



DEPARTMENT OF THE ARMY
4TH INFANTRY DIVISION (MECHANIZED)
TIKRIT, IRAQ
APO AE 09323-2628

REPLY TO
ATTENTION OF:

AFYB-CG

MEMORANDUM FOR LTC [REDACTED] Commander, 1st Battalion, 8th
Infantry Regiment, 3rd Brigade Combat Team, 4th Infantry Division (Mechanized)

(b)(6) z

SUBJECT: Reprimand for Obstruction of Justice

1. You are hereby reprimanded for wrongfully endeavoring to impede an investigation into the drowning death of an Iraqi civilian by members of your command. On 7 January 2004, you were briefed by the A Company commander, CPT [REDACTED] that soldiers of 1st platoon pushed two Iraqi men into the Tigris River causing one of them to drown. You ordered them to deny that the men were pushed into the river and to say that they were dropped off at the side of the road. Your conduct was wrongful, criminal and will not be tolerated.

(b)(6) z

2. Good order and discipline requires leaders to live and enforce standards of conduct we expect from our subordinates. Your conduct is a poor example for other soldiers to follow. As a commissioned officer, I expect much more from you. Your actions have brought discredit upon you, 1-8th Infantry, 4th Infantry Division, and the United States Army. Your violation of the Uniform Code of Justice (UCMJ) casts severe doubt on your suitability for leadership in the U.S. Army.

3. This reprimand is imposed IAW Article 15, UCMJ and will be filed in conjunction with DA Form 2627.

RAYMOND T. ODIERNO
Major General, USA
Commanding

020480



DEPARTMENT OF THE ARMY
4TH INFANTRY DIVISION (MECHANIZED)
TIKRIT, IRAQ
APO AE 09323-2628

REPLY TO
ATTENTION OF:

AFYB-CG

all (b)(6) z

MEMORANDUM FOR LTC [REDACTED] 1st Battalion, 8th Infantry Regiment,
3rd Brigade Combat Team, 4th Infantry Division

SUBJECT: Memorandum of Counseling

1. The purpose of this memorandum is to formally counsel you concerning your leadership failure and outline measures you must take to salvage your command. This memorandum will be used in lieu of DA Form 4856.
2. On 7 January 2004, CPT [REDACTED] and 1LT [REDACTED] briefed you on an incident involving soldiers in your battalion forcing two Iraqi civilians into the Tigris River on the night of 3 January 2004. Apparently, you were briefed that both civilians made it safely out of the water but later you knew there was an allegation that one civilian drowned. Instead of doing the morally and legally right thing you told CPT [REDACTED] A Company Commander, to lie and have his soldiers lie about what actually happened. As a result, several soldiers and officers provided false sworn statements to CID seriously impeding the investigation into the death of a civilian.
3. You will personally brief the officers and non-commissioned officers (SFC and above) of your battalion on this incident and the negative consequences of your actions. Moreover, you will brief your leaders on ethical decision-making, the Army value of integrity and the importance of honesty. You will accomplish this briefing by 22 April 2004 and back brief me 48 hours before and after you conduct the brief.
4. You will acknowledge receipt of this counseling by signing the enclosed acknowledgement.

RAYMOND T. ODIERNO
Major General, USA
Commanding

020481

MEMORANDUM FOR Commander, 4th Infantry Division

SUBJECT: Acknowledgement

I acknowledge receipt of the counseling memorandum on this date:

13 Mar 04

[REDACTED]

(b)(6) z

LTC, IN

020482

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 MAJ	SSN [REDACTED]	UNIT HHC, 1-8 th IN, 3BC APO AE 09391	PAY (Basic & Sea/Foreign) \$5671.60
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considering whether you should be punished under Article 15, UCMJ, for the following misconduct: ^{1/} In that you, did, at or near Samarra, Iraq, on or between 3 January 2004 and 16 January 2004, wrongfully endeavored to impede an investigation by influencing the sworn statements of First Lieutenant [REDACTED], Sergeant First Class [REDACTED]

SEE CONTINUATION SHEET

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. ^{2/} 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. ^{3/} In deciding what you want to do you have the right to consult with legal counsel

located at CPT [REDACTED] DSN: 318 [REDACTED] @us.army.mil You now have 48 hours to decide what you want to do. ^{4/}

DATE 18 MAR 04	NAME, GRADE, AND ORGANIZATION OF COMMANDER RAYMOND T. ODIERNO, MG, 4 th IN DIV (MECH)	SIGNATURE [Signature]
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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 20 MAR 04	NAME AND GRADE OF SERVICE MEMBER [REDACTED], MAJ	SIGNATURE [REDACTED]
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4. In a(n) Open Closed hearing ^{5/ 6/} all matters presented in defense, mitigation, and/or extenuation, having been considered, the following punishment is imposed:

be reprimanded.

5. I direct the original DA Form 2627 be filed in the Performance fiche Restricted fiche of the OMPF. ^{7/} NA

6. You are advised of your right to appeal to the Cdr, CJTF-7. within 5 calendar days. An appeal made after that time may be rejected as untimely. Punishment is effective immediately unless otherwise stated above.

DATE 20 MAR 04	NAME, GRADE, AND ORGANIZATION OF COMMANDER RAYMOND T. ODIERNO, MG, 4 th IN DIV (MECH)	SIGNATURE [Signature]
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7. (*Initial appropriate block, date, and sign*)

a. I do not appeal b. I appeal and do not submit additional matters ^{8/ 9/} c. I appeal and submit additional matters ^{8/ 9/}

DATE 20 Mar 04	NAME AND GRADE OF SERVICE MEMBER [REDACTED], MAJ	SIGNATURE [REDACTED]
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8. I have considered the appeal and it is my opinion that:

DATE	NAME AND GRADE OF JUDGE ADVOCATE	SIGNATURE
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9. After consideration of all matters presented in appeal, the appeal is:

Denied Granted as follows: ^{10/}

DATE	NAME, GRADE, AND ORGANIZATION OF COMMANDER	SIGNATURE
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I have seen the action taken on my appeal.	DATE	SIGNATURE OF SERVICE MEMBER
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11. ATTACHED DOCUMENTS AND/OR COMMENTS ^{11/ 12/ 13/}

1- Informal Commander's Inquiry containing 78 pages

1- ORB

Blk/M
020483

Item 1, Continued:

[REDACTED] Sergeant [REDACTED], Specialist [REDACTED] and Specialist [REDACTED] to deny that Mr. [REDACTED] and Mr. [REDACTED] were pushed into the Tigris River, near Samarra Iraq, and that they instead were left at the side of the roadway. This is a violation of Article 134, UCMJ. (b)(6)2 (b)(6)4

In that you, did, at or near LSA Anaconda, Iraq, on or about 25 January 2004, with intent to deceive, make to CID Special Agent [REDACTED] false official statements, to wit: "no" when asked by Special Agent [REDACTED] at any point did you instruct the unit personnel to withhold information regarding the incident when talking to CID or anybody else" and "no idea" when asked by Special Agent [REDACTED] "why would soldiers within the unit state they were instructed to withhold information regarding this incident," which statements were totally false and were then known by you to be so false. This is a violation of Article 107, UCMJ. (b)(6)1



DEPARTMENT OF THE ARMY
4TH INFANTRY DIVISION (MECHANIZED)
TIKRIT, IRAQ
APO AE 09323-2628

REPLY TO
ATTENTION OF:

AFYB-CG

(b)(6)z

20 March 2004

MEMORANDUM FOR MAJ [REDACTED] Headquarters and Headquarters
Company, 1-8th Infantry Battalion, 3rd Brigade Combat Team, 4th Infantry Division
(Mechanized)

SUBJECT: Reprimand for Obstruction of Justice

1. You are hereby reprimanded for wrongfully impeding a criminal investigation division (CID) investigation into the drowning death of an Iraqi citizen by members of the battalion. Specifically, you instructed soldiers in A Company, 1-8th Infantry Battalion, to deny that two civilians were pushed into the Tigris River which was totally false. Your conduct was wrongful, criminal and will not be tolerated.
2. Good order and discipline requires leaders to live and enforce standards of conduct we expect from our soldiers. In the 4th Infantry Division, we have an inherent trust in our commanders to do the right thing which you violated. Your conduct is a poor example for other soldiers to follow. As a commissioned officer, I expect much more from you. Your actions have brought discredit upon you, 1st Battalion, 8th Infantry Regiment, 3rd Brigade, 4th Infantry Division, the Officer Corps, and the United States Army. Your violation of the Uniform Code of Military Justice casts severe doubts on your suitability for leadership in the U.S. Army.
3. This reprimand is imposed IAW Article 15, UCMJ and will be filed in conjunction with DA Form 2627.

RAYMOND T. ODIERNO
Major General, USA
Commanding

020485

RECORD OF PROCEEDINGS UNDER ARTICLE 15, UCMJ

For instructions of this form, see AR 27-10; the proponent agency is the proponent's AG.

See Notes on Reverse Before Completing Form

NAME [REDACTED] (b)(6) z	GRADE E3	SSN [REDACTED] (b)(6) z	UNIT A Co, 588 th EN, 2d Bde, 4ID(M)	PAY (Basic & Sea/Foreign) \$1,356.90
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I am considering whether you should be punished under Article 15, UCMJ, for the following misconduct: ^{1/}
 That you, did, at or near Ba'Qubah, Iraq, on or about 22 Nov 03, unlawfully strike [REDACTED] on the back of the head with an open hand. This is in violation of Article 128, UCMJ.

(b)(6) y

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. ^{2/} 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. ^{3/} In deciding what you want to do you have the right to consult with legal counsel located at TDS, Tikrit, Iraq, DNV 534-0135. You now have 48 hours to decide what you want to do. ^{4/}

DATE 15 Dec 03	NAME, GRADE, AND ORGANIZATION OF COMMANDER [REDACTED] LTC, 588 EN, 2d Bde, 4ID(M)
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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 I do not request.
 (3) Matters in defense, mitigation, and/or extenuation: Are not presented Will be presented in person Attached.

DATE 22 Dec 03	NAME AND GRADE OF SERVICE MEMBER [REDACTED] PFC	SIGNATURE [REDACTED]
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4. In a(n) Open Closed hearing ^{5/} all matters presented in defense, mitigation, and/or extenuation, having been considered, the following punishment is imposed: ^{6/} *Extra Duty for 45 days; Suspended, to be practically remitted if not vacated before 22 MAR 03.*

5. I direct the original DA Form 2627 be filed in the Performance fiche Restricted fiche of the OMPF. ^{7/}
 6. You are advised of your right to appeal to the CDR, 4ID(M) within 5 calendar days. An appeal made after that time may be rejected as untimely. Punishment is effective immediately unless otherwise stated above.

DATE 22 Dec 03	NAME, GRADE, AND ORGANIZATION OF COMMANDER [REDACTED] LTC, 588 EN, 2d Bde, 4ID(M)
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7. (*Initial appropriate block, date, and sign*)
 a. I do not appeal. b. I appeal and do not submit additional matters ^{8/9/} c. I appeal and submit additional matters ^{8/9/}

DATE 22 Dec 03	NAME AND GRADE OF SERVICE MEMBER [REDACTED]	SIGNATURE [REDACTED]
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8. I have considered the appeal and it is my opinion that:

DATE	NAME AND GRADE OF JUDGER ADVOCATE	SIGNATURE
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9. After consideration of all matters presented in appeal, the appeal is:
 Denied Granted as follows: ^{10/}

DATE	NAME, GRADE, AND ORGANIZATION OF COMMANDER	SIGNATURE
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I have seen the action taken on my appeal.	DATE	SIGNATURE OF SERVICE MEMBER
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ALLIED DOCUMENTS AND/OR COMMENTS ^{11/ 12/ 13/}
 1. DA FORM 3881 4. DA FORM 268
 2. DA FORM 2823 (3) 5. ERB
 3. PHOTOS (5)

020486

except as noted (b)(6) z

RECORD OF PROCEEDINGS UNDER ARTICLE 15, UCMJ

For a complete explanation of this form, see AR 27-10; the proponent agency is the JAG.

See Notes on Reverse Before Completing Form

NAME [REDACTED]	GRADE E3	SSN [REDACTED]	UNIT A Co, 588 th EN, 2d Bde, 4ID(M)	PAY (Basic & Sea/Fore) \$1,356.90
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I am considering whether you should be punished under Article 15, UCMJ, for the following misconduct: ^{1/}
 That you, did, at or near Ba'Qubah, Iraq, on or about 22 Nov 03, unlawfully strike [REDACTED] on the back of the head with your foot. This is in violation of Article 128, UCMJ.

(b)(6)4

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. ^{2/} 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. ^{3/} In deciding what you want to do you have the right to consult with legal counsel located at TDS, Tikrit, Iraq, DNVT 534-0135. You now have 48 hours to decide what you want to do. ^{4/}

DATE 15 Dec 2003	NAME, GRADE, AND ORGANIZATION OF COMMANDER [REDACTED] LTC, 588 EN, 2d Bde, 4ID(M)
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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 not requested.
 (3) Matters in defense, mitigation, and/or extenuation: are not presented will be presented in person Attached.

DATE 22 Dec 03	NAME AND GRADE OF SERVICE MEMBER [REDACTED] PFC
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4. In a(n) Open Closed hearing ^{5/} all matters presented in defense, mitigation, and/or extenuation, having been considered, the following punishment is imposed: ^{6/} *Forfeiture of \$500 pay and extra duty for 30 days, both suspended, to be automatically remitted if not vacated before 1 Mar 03.*

5. I direct the original DA Form 2627 be filed in the Performance fiche Restricted fiche of the OMPF. ^{7/}
 6. You are advised of your right to appeal to the CDR, 4ID(M) within 5 calendar days. An appeal made after that time may be rejected as untimely. Punishment is effective immediately unless otherwise stated above.

DATE 22 Dec '03	NAME, GRADE, AND ORGANIZATION OF COMMANDER [REDACTED] LTC, 588 EN, 2d Bde, 4ID(M)
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7. (Initial appropriate block, date, and sign)
 a. do not appeal b. I appeal and do not submit additional matters ^{8/9/} c. I appeal and submit additional matters ^{8/9/}

DATE 22 Dec 03	NAME AND GRADE OF SERVICE MEMBER [REDACTED]
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8. I have considered the appeal and it is my opinion that:

DATE	NAME AND GRADE OF JUDGER ADVOCATE	SIGNATURE
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9. After consideration of all matters presented in appeal, the appeal is:
 Denied Granted as follows: ^{10/}

DATE	NAME, GRADE, AND ORGANIZATION OF COMMANDER	SIGNATURE
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I have seen the action taken on my appeal.	DATE	SIGNATURE OF SERVICE MEMBER
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ALLIED DOCUMENTS AND/OR COMMENTS ^{11/ 12/ 13/}
 1. DA FORM 3881 4. DA FORM 268
 2. DA FORM 2823 (3) 5. ERB
 3. PHOTOS (3)

020487

except as noted all (b)(6) 2

STATUS OF ACTIONS – 13 May

– in a connex not yet returned to fort hood.

Chapter 10s:

SPC [REDACTED]
SSG [REDACTED]

Art. 15s:

SPC [REDACTED]
LTC [REDACTED]
SFC [REDACTED]
SSG [REDACTED]
SPC [REDACTED]
SPC [REDACTED]
PFC [REDACTED]
SGT [REDACTED]

all (b)(6) 2

- obtaining from 3d BCT Fort Carson

Art. 15s:

SSG [REDACTED]
SPC [REDACTED]
SPC [REDACTED]
SFC [REDACTED]
SGT [REDACTED]
SPC [REDACTED]
SPC [REDACTED]

LOR:

CPT [REDACTED]

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

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

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

SECTION I - APPOINTMENT

Appointed by Commanding General (Appointing authority)

on 8 FEB 04 (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 FOB IRONHORSE (Place) at 1200 (Time)

on _____ (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 5-2 and 5-8a, AR 15-6.)

The (investigating officer) (board) finished gathering/hearing evidence at 1536 (Time) on 26 FEB 04 (Date)

and completed findings and recommendations at _____ (Time) on _____ (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES		YES	NO ¹⁾	NA ²⁾
1	Inclosures (para 3-15, AR 15-6)			
	Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)			
	a. The letter of appointment or a summary of oral appointment data?			
	b. Copy of notice to respondent, if any? (See item 9, below)			X
	c. Other correspondence with respondent or counsel, if any?			X
	d. All other written communications to or from the appointing authority?			
	e. Privacy Act Statements (Certificate, if statement provided orally)?			X
	f. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?			X
	g. Information as to sessions of a formal board not included on page 1 of this report?			X
	h. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?			

020489

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

SECTION VI - 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.)

(b)(6)z

(Recorder)



MAJ, MC

(Member)

(Member)

(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) (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 oral) as a numbered inclosure.)

1. A doctor or physician's assistant should review all intake medical screenings, and sign/date the form as reviewed. They will personally examine detainees as indicated, based on the results of the screening form. This review will occur after each transfer of a detainee as well as after the initial intake.
2. A doctor or physician's assistant should conduct weekly rounds with military police medics.
3. The intake medical assessment must be reviewed and updated by the medic at the accepting facility. The reviewer will sign and date the updated form. All assessments will then be delivered to the supervising doctor or physician's assistant for review.

RAYMOND T. ODIERNO
Major General, USA
Commanding

07 MAR 2004

MEMO FOR RECORD – EVIDENCE

On 04 Feb 2004, it was noticed by shift change that detainee # [REDACTED] was not moving. (exhibit G) After the medic summoned the physician on call, Dr. [REDACTED], the EPW was pronounced dead at 0730. (exhibit G) Prior to pronouncing the detainee, Dr. [REDACTED] had never seen, treated or been called to render advice on the patient. (exhibit D)

Prior to arrival at FOB Ironhorse, the detainee was processed at Brassfield Move FOB. (exhibit F) An intake physical done at that time by SPC [REDACTED] recorded that the patient had diabetes and anemia, as well as left kidney failure. The diabetes notation was crossed off without explanation. (exhibit F) Of particular importance, it was noted that the detainee was urinating only 1 oz. daily. (exhibit F)

The detainee was transported to Ironhorse on 5 Feb 2004. At the time of reception, the detainee was noted to be frail appearing, weak, and required assistance in dismounting the vehicle. (exhibit C) During the incarceration, the detainee had two episodes of fainting or near fainting, one resulting in injury requiring wound care. In addition, he was so weak that he required assistance in holding his head up for the photo ID. (exhibit C)

On the morning of 7 Feb 2004, the detainee was seen by the MP medic, SPC [REDACTED]. He stated that through an interpreter, the detainee reported painful urination. No action was taken by the medic. (exhibit E)

On the morning of 8 Feb 2004, SSG [REDACTED] and [REDACTED] were summoned to the detainee's area because he was not moving. SSG [REDACTED] check the detainee's pulse and also noted that he was cold. (exhibit B) The detainee was last seen alive during the evening coffee and soup administration. (exhibit A) Prior to the detainee's demise, the patient was not interrogated at FOB Ironhorse. (exhibit B)

FINDINGS:

1. The medic at FOB Ironhorse failed to recognize the seriousness of the detainee's condition, did not read the intake physical and failed to contact appropriate medical personnel for guidance and treatment.
2. The medic at FOB Brassfield MAY not have recognized the seriousness of the detainee's condition and may not have sought appropriate medical advice.
3. The medic at FOB Ironhorse appeared not to be aware of the detainee's medical conditions and it appears that the intake sheet was not available to the medic.

020491

4. Although in hindsight, officer personnel at the detention center were aware of the frail nature of the detainee, it appears that this was not communicated to the medic.

MEMO FOR RECORD – RECOMMENDATIONS

1. All detainee screening exams completed at another facility be made available to the medic on duty. These must be read and a statement endorsed on the physical saying that the medic has read and understands the detainee's medical conditions. This must be done by end of shift.
2. All detainee's screening exams at this facility must be accomplished by end of shift.
3. A copy of all detainee screening exams whether performed at this or another facility be provided to the Aid Station on a daily basis. The physician on call must review and sign off on all exams and recommend appropriate treatment and followup.
4. The medical officer on call schedule must be posted in the roll call area with phone numbers and physician living address annotated. All MP personnel may call the physician on duty for an apparent problem.
5. All consults with medical provider personnel must be documented using the standard SOAP note or telecon note procedure and these notes are provided to the arriving AID station physician on shift change.
6. SPC [REDACTED] and SPC [REDACTED] receive remedial training.

(b)(6) 2

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

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

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

SECTION I - APPOINTMENT

Appointed by Commanding General, 4th Infantry Division
(Appointing authority)

on 12 Sep 03 (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 Forward Operating Base Raider, Tikrit, Iraq at 1830 hrs
(Place) (Time)

on 12 Sep 03 (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 5-2 and 5-8a, AR 15-6.)

The (investigating officer) (board) finished gathering/hearing evidence at 2030 hrs on 13 Sep 03
(Time) (Date)

and completed findings and recommendations at 1900 on 14 Sep 03.
(Time) (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES		YES	NO ^{1/}	NA ^{2/}
1	Inclosures (para 3-15, AR 15-6)			
	Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)			
	a. The letter of appointment or a summary of oral appointment data?	X		
	b. Copy of notice to respondent, if any? (See item 9, below)			X
	c. Other correspondence with respondent or counsel, if any?			X
	d. All other written communications to or from the appointing authority?			X
	e. Privacy Act Statements (Certificate, if statement provided orally)?	X		
	f. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?			X
	g. Information as to sessions of a formal board not included on page 1 of this report?			X
	h. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?	X		

FOOTNOTES: ^{1/} Explain all negative answers on an attached sheet.

^{2/} Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

020494

Report by AR 15-6 Investigating Officer on Shooting Death of Iraqi Detainee, FOB Packhorse, Tikrit Iraq, 11 Sep 03

Narrative: On 11 Sep 03, 1LT [REDACTED] SPC [REDACTED] and SPC [REDACTED] were performing guard duty at the FOB Packhorse detention facility. 1LT [REDACTED] the Officer of the Guard, was standing less than twenty feet away from SPC [REDACTED] in the breezeway portion of the facility facing into the facility's back yard when he heard a shot fired (Exhibit A). SPC [REDACTED] a member of the guard force, was standing between 1LT [REDACTED] and SPC [REDACTED] when the shot was fired. SPC [REDACTED] was standing in the hallway of the isolation cell portion of the facility. At some point, SPC [REDACTED] looked away from the detainees in isolation in order to speak to SPC [REDACTED] (Exhibit B). Within a few seconds of turning back to see the detainees, SPC [REDACTED] raised his rifle, placed the selector on fire, and shot [REDACTED] (Exhibit C). [REDACTED] was handcuffed with plastic "flexicuffs" at the time he was shot. Neither 1LT [REDACTED] nor SPC [REDACTED] saw [REDACTED] pull the trigger. They were not in a position to see [REDACTED] activity. The other detainee in the isolation cell, [REDACTED] (b)(6)(c)4 [REDACTED]s brother), saw SPC [REDACTED] fire his weapon, but did not see [REDACTED]s activity either (Exhibit D). Upon hearing the shot, 1LT [REDACTED] moved to SPC [REDACTED] to assess the situation. According to 1LT [REDACTED] [REDACTED] stated, "He was standing right up next to the wire." Initially, 1LT [REDACTED] did not see any blood on the fallen [REDACTED], and asked [REDACTED] if he had indeed shot the detainee. SPC [REDACTED] stated again that he had shot [REDACTED] (b)(6)(c)4 because he was standing next to the wire (Exhibit A). When 1LT [REDACTED] noticed that [REDACTED] was bleeding, he moved to the radio in the breezeway and called the 4th FSB TOC (Packhorse Mike) for assistance. SPC [REDACTED], who was guarding prisoners at a building directly across from the detention facility entrance, left his position to assess the situation at the main detention facility. Upon arriving at the scene, SPC [REDACTED] asked for a combat lifesaver's bag and SPC [REDACTED] went to the storage closet in the interview office to retrieve it (Exhibit E). SPC [REDACTED] and SPC [REDACTED] performed first aid on [REDACTED] at this time. SPC [REDACTED] went into the interview office and sat down. At around 2320, SSG [REDACTED] and SGT [REDACTED], medics, arrived. They assessed [REDACTED]s condition and transported him by ambulance to the aid station (Exhibit F). Upon [REDACTED] arrival at the aid station, more life-saving steps were taken. 1LT [REDACTED] the physician's assistant on duty at the time, declared [REDACTED] dead at (b)(6)(c)4 approximately 2330 hrs (Exhibit G). The body was photographed by CPT [REDACTED] with 1LT [REDACTED] assisting, as part of the 4th FSB's initial inquiry.

Facts.

a. [REDACTED] was a detainee at the FOB Ironhorse Detention Facility when he died of a gunshot wound to the abdomen on 11 Sep 01 at approximately 2315 hours. He had turned himself at FOB Arrow on 02 Sep 03 upon learning that he was a targeted individual from Operation Arrow Sky, conducted by TF 4-42 (Exhibit H). He and his brother, [REDACTED] were in separate isolation cells at the detention facility. [REDACTED] had been incarcerated in the isolation cell since 8 Sep 03. [REDACTED] had been seen by

020495

except as noted (b)(6)(c)2

Report by AR 15-6 Investigating Officer on Shooting Death of Iraqi Detainee, FOB Packhorse, Tikrit Iraq, 11 Sep 03

medics earlier in the day on 11 Sep. He had complained of joint and back pain and couldn't sleep. The medics advised the guards, SPC [REDACTED] included, that the detainee should be allowed to get up and walk around in order to reduce his back and joint pain. Furthermore, the detainees in isolation had been told not to speak and to stay away from the concertina wire or they would be shot. According to 1LT [REDACTED] he did not see any indication that the concertina wire had been moved at the time of the shooting. According to INTSUM reporting, the brothers were alleged Saddam loyalists (Exhibit H).

b. SPC [REDACTED] D Co., 4th FSB, shot [REDACTED] (b)(6)4
observed [REDACTED] standing and touching the single strand concertina wire at his cell. SPC [REDACTED] did not give a verbal warning prior to firing his weapon. A round had already been chambered in the weapon. SPC [REDACTED] was aware that the medics had suggested that [REDACTED] be allowed to stand and walk around in his cell in order to relieve some of the joint and shoulder pain [REDACTED] had been experiencing while being held in the cell (Exhibits A and B). (b)(6)4

c. SPC [REDACTED] requested a lawyer before any questioning could be done. He provided a statement on DA Form 2823 during 4th FSB's initial inquiry, but he was not read his rights (Exhibit B). In that statement, SPC [REDACTED] stated that the detainee had been fidgeting with his handcuffs earlier in the day. Furthermore, the detainee had been told not to speak. According to the statement, at about 2315 hours, [REDACTED] said something in Arabic. SPC [REDACTED] [REDACTED], who had been speaking with SPC [REDACTED], turned to look at the detainee and saw him standing near the wire and touching it. At that instant, SPC [REDACTED] raised his weapon and fired. (b)(6)4

d. There are conflicting accounts about the training that the guards received prior to assuming their duties at the detention facility. SPC [REDACTED] and SPC [REDACTED] were on their second full day of detention guard duty. They had received a briefing from 1LT [REDACTED] on their duties, but SPC [REDACTED] did not recall any instructions with respect to graduated force IAW TF Ironhorse FRAGO 422 (Exhibit C). SPC [REDACTED] believed that they could shoot a detainee if the detainee approached the wire without permission. 1LT [REDACTED] stated that he gave that order but with the understanding that verbal warnings and other measures would first be considered before applying lethal force. No rehearsals or drills had been conducted.

e. The guard force had wooden clubs readily available in order to deal with belligerent detainees using less than lethal force (Exhibit J). Upon initial set-up of the detention facility, the guard force did not have weapons inside of the detention facility. At some point between the initial set-up of the facility and 11 Sep 03, the 1st BCT Commander instructed the 4th FSB to have guards carry weapons inside of the wire to ensure the presentation of authority (Exhibit K).

except as noted all (b)(6) z

Report by AR 15-6 Investigating Officer on Shooting Death of Iraqi Detainee, FOB Packhorse, Tikrit Iraq, 11 Sep 03

f. The guard force has no written instructions and there is no written battalion guidance for the operation of the detention facility. Guards received their instructions verbally by the shift leader, in this case, 1LT [REDACTED] (Exhibit A).

g. TF Ironhorse FRAGO 422, Maintenance of Law and Order, dated 16 May 03, provides guidance for the use of graduated force and specifically identifies a "Shout, Show, Shove, Shoot, Shoot" methodology (Exhibit L).

h. Paragraph 3-2f, Army Regulation 190-14, The Carrying of Firearms by Law Enforcement Personnel and Personnel Performing Security Duties, states that, "Deadly force is justified only under conditions of extreme necessity and as a last resort when all lesser means have failed or cannot be reasonably employed." Furthermore, paragraph 3-2g requires that personnel give an order to halt before firing (Exhibit M).

(b)(6) 4
i. [REDACTED] the other isolated detainee in the detention facility, stated that he received no warnings about what would happen if he tried to escape. He stated that none of the other prisoners provided the information. One prisoner held in the general population cell, [REDACTED] stated he had received a briefing on what would happen if he tried to escape (Exhibit D). (b)(6) 4

j. SPC [REDACTED] was described as overly aggressive by 1LT [REDACTED]. The other guards, SPC [REDACTED] and PFC [REDACTED], described SPC [REDACTED] as being unnecessarily vulgar towards the detainees. Also, SPC [REDACTED] had banged wooden clubs on the cell doors unnecessarily and had used vulgar language toward the prisoners on 10 Sep. 1LT [REDACTED] had corrected that behavior (Exhibits A, E, and N).

k. There is no indication that the detainee had been physically abused prior to being fatally shot. He had adequate medical attention for his aching back and joints; the guards understood that the detainees could stand up and stretch in order to relieve some of the discomfort. Adequate food and water had been given to the detainee (Exhibit G and O).

(b)(6) 4
Findings: The convergence of several conditions resulted in the shooting of [REDACTED] on the evening of 11 Sep 03.

a. Statements reveal that there is sufficient cause to believe that SPC [REDACTED] knowingly or not, was in violation of Army use of force policy and TF Ironhorse directives governing the use of deadly force. No verbal warning was given, and no lesser means of force was considered before applying deadly force. Furthermore, the fact that [REDACTED] was handcuffed and his position on the floor in his cell once he was shot provide sufficient doubt about [REDACTED] intent to escape (Exhibits A, B, C, and V).

(b)(6) 4

except as noted
(b)(6) 2

Report by AR 15-6 Investigating Officer on Shooting Death of Iraqi Detainee, FOB Packhorse, Tikrit Iraq, 11 Sep 03

b. There are insufficient instructions for guards in performing their duties. There are no written SOPs or post instructions for guards (Exhibits A and K). Instructions are given verbally by the shift leader, and the guards on-duty that evening had a different understanding of their responsibilities. For example, SPC [redacted] and PFC [redacted] did not have a round chambered in their weapons prior to the shooting—even though they were guarding isolated detainees—while SPC [redacted] and SPC [redacted] did. 1LT [redacted] did not have a round chambered in his weapon, either. SPC [redacted] and PFC [redacted] had an understanding of the use of force as it applied to the application of deadly force (Exhibit E and N). SPC [redacted] had not heard of graduated force or differing levels of force, nor did he remember receiving a briefing which covered verbal warnings prior to shooting an escaping detainee (Exhibit C).

c. The combination of loaded weapons within the confines of the detention facility, in addition to the inadequate number of guards on duty, created an environment conducive for the quick escalation to the use of deadly force. There were plenty of wooden clubs available to use in applying less than deadly force. SPC [redacted] had used a club before in order to rattle the cage doors.

b)(2)3 — There were [redacted] guards on duty at two different buildings with 56 detainees on 11 September. While the majority of detainees were in the general population, incarcerated in a large open room, there were eight others held in isolation cells who required increased visual surveillance. It is difficult for guards to maintain adequate situational awareness over such a dispersed operation. Furthermore,

[redacted]

(b)(2)3

b(6)(4)

d. The isolation cells in which the [redacted] brothers were held were unkempt and had [redacted] barriers. There were full MRE boxes in the cells which could provide materials for [redacted]. Furthermore, [redacted] used as the barrier in place of the cell doors could have been improved, thus making it more difficult for detainees to move or negotiate, and making it clearer for guards to determine a detainee's intent to escape. Without a witness who might have seen [redacted]'s actions which caused SPC [redacted] to shoot, it is difficult to determine [redacted]'s intent with respect to crossing the wire on the evening of the shooting.

(b)(2)3

(b)(6)4

e. Based on comments by the interviewees, the detention facility had been visited on numerous occasions by leaders in the chain of command. Shift leaders were either a senior NCO or an officer. The officer in charge of detainee operations was on site daily. The battalion commander had inspected on numerous occasions. The brigade commander had inspected the facility and provided guidance in handling the detainees. Detainees were adequately fed, had plenty of water, and received adequate medical attention. Detainees were allowed to conduct hygiene and had access to latrines.

ex apt as listed (b)(6)2

Report by AR 15-6 Investigating Officer on Shooting Death of Iraqi Detainee, FOB Packhorse, Tikrit Iraq, 11 Sep 03

Recommendations:

a. A criminal investigation should be initiated immediately in order to determine possible violations of the UCMJ by SPC [REDACTED]. Statements from 1LT [REDACTED], SPC [REDACTED], and PFC [REDACTED] indicate that SPC [REDACTED] exhibited overly aggressive behavior when around the detainees. [REDACTED] was handcuffed when he was shot, and SPC [REDACTED] did not apply graduated force IAW established regulations and orders. (b)(6)4

b. [REDACTED] (b)(2)3

c. [REDACTED] (b)(2)3

d. Clear the facility, especially holding cells, of MRE boxes, equipment, etc., that can be used as weapons or projectiles.

e. Improve the barrier system for the isolation cells. Two stacked strands of concertina wire would allow guards to better determine a detainee's intent to breach the wire and escape.

f. Improve the facility's wire perimeter entrance to ensure that the entrance is closed off when not in use.

g. Develop a written SOP and provide guards with post instructions to ensure that guards are aware of approved procedures for the use of force, detainee handling, briefing procedures, and security of special population/isolated detainees.

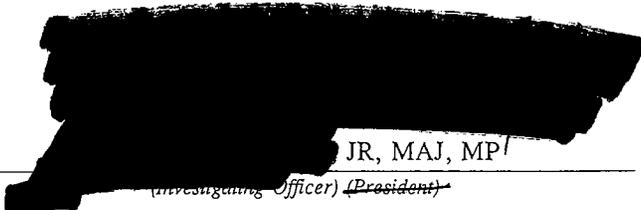
h. Train the guard force on the SOP and ensure that rehearsals and drills are conducted to deal with special situations, such as medical emergencies, attempted escapes, and fights between prisoners.

FRANK Y. RANGEL, JR.
MAJ, MP
Investigating Officer

SECTION VI - 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.)

(b)(6) z



JR, MAJ, MP/

(Recorder)

(Investigating Officer) (President)

(Member)

(Member)

(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) (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 oral) as a numbered inclosure.)

020500

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

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

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

SECTION I - APPOINTMENT

Appointed by COLONEL [REDACTED] (b)(6)z
(Appointing authority)

on 15 August 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 21st CSH, LSA Anaconda, Balad, Iraq at 1000 hours
(Place) (Time)

on 16 August 2003 (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 5-2 and 5-8a, AR 15-6.)

The (investigating officer) (board) finished gathering/hearing evidence at 1330 hours on 16 August 2003
(Time) (Date)
and completed findings and recommendations at 1800 hours on 24 August 2003
(Time) (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES

	YES	NO ^{1/}	NA ^{2/}
1 Inclosures (para 3-15, AR 15-6)			
Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)			
a. The letter of appointment or a summary of oral appointment data?	X		
b. Copy of notice to respondent, if any? (See item 9, below)			X
c. Other correspondence with respondent or counsel, if any?			X
d. All other written communications to or from the appointing authority?			X
Privacy Act Statements (Certificate, if statement provided orally)?	X		
Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?			X
g. Information as to sessions of a formal board not included on page 1 of this report?			X
h. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?			

020501

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

SECTION VI - 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.)

SEE ATTACHED FINDINGS + RECOMMENDATIONS MEMORANDUM, Investigating Officer (President)

(Recorder)

(Member)

(Member)

(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)

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 (or a summary, if oral) as a numbered inclosure.)

Raymond T. Odierno

RECEIVED

09 SEP 2003

RAYMOND T. ODIERNO
Major General, USA
Commanding

020502

DEPARTMENT OF THE ARMY
C CO, 64 FORWARD SUPPORT BATTALION
3 BRIGADE COMBAT TEAM, 4 INFANTRY DIVISION (M)
BALAD, IRAQ AP0-AE 09323

AFCZ-FC-C

24 August 2003

MEMORANDUM FOR Commander, Task Force Ironhorse, ATTN: Chief of Staff,
Headquarters, Task Force Ironhorse, Tikrit, Iraq

SUBJECT: Findings and Recommendations of Informal Investigation of death of Iraqi
detainee # [REDACTED]

1. FINDINGS

a. On 13 August 2003, Iraqi detainee # [REDACTED] was declared dead due to
cardiopulmonary arrest by CPT [REDACTED] E Co, 204 FSB, 2 BCT. The ailment(s)
and medical conditions that led to the cardiopulmonary arrest are unknown as no autopsy
was performed. (b)(6)4 (b)(6)2

b. Detainee # [REDACTED] was a 56-year-old male that was apprehended on 3 August
2003. He was brought to the detainee center at Camp Warhorse on the same day and
Coalition Provisional Authority Forces Apprehension Form was completed. The 4th MP
Co and E Co 204th FSB report that each new detainee undergoes a medical screening
within 24 hours of arriving at the camp which includes listing chronic medications, a
brief physical examination, and treating any significant injuries/ailments. The medical
information is placed in the detainee's file. "Sick call" is provided daily by E Co 204
FSB and all detainees have access to this service. "Sick call" encounters were not
documented until 11 August 2003 when CPT [REDACTED] required written documentation to
be performed. Detainee # [REDACTED] had no documentation of a medical screening or "sick
call" encounters in his file. (b)(6)4 (b)(6)2

c. SSG [REDACTED] reports that detainee # [REDACTED] complained of being hot on the
evening of 12 August 2003 and was let out of his cell to cool down. The detainee was
given water to drink and water was poured on him by SSG [REDACTED]. The detainee was
placed back into his cell due to mortar fire and SSG [REDACTED] heard nothing more from him
that evening. (b)(6)2 (b)(6)4 (b)(6)2

d. On the 13th of August, detainee # [REDACTED] was lying on the concrete outside of his
cell. MAJ [REDACTED] CRNA, was the medical officer tending to the detainees.
She asked the MPs what was wrong and they informed her that the detainee had been
feeling ill from the night prior. SSG [REDACTED] reports that the detainee told him that he had
stomach problems and couldn't eat meat and wanted milk. She informed the MPs that
she wanted to see him after evaluating the new detainees. MAJ [REDACTED] reports that
(b)(6)4 (b)(6)2

020503

AFZC-FC-C

SUBJECT: Findings and Recommendations of Informal Investigation of death of Iraqi detainee # [REDACTED] (b)(6)4

the detainee was able to walk without assistance and through another detainee that spoke English; she was able to determine that detainee # [REDACTED] complained of his nose hurting. She obtained vital signs and examined his nose and found nothing to be abnormal. She instructed the MPs to send him to E Co 204 FSB if he worsened. SSG [REDACTED] reports that MAJ [REDACTED] instructed the MPs to give the detainee extra water and two dairy shakes in the morning and evening. She reports that she documented her encounter and the MPs assisting her confirm she wrote a medical note but the note was not found during this investigation.

(b)(6)4
e. At approximately 1600 the same day, detainee [REDACTED] was let out of cell as he complained of being hot per SSG [REDACTED] SPC [REDACTED] claims that the detainee complained of chest pain. The detainee was placed in the shade and given water. Within 30 minutes, detainee # [REDACTED] was vomiting. SPC [REDACTED] (4th MP medic) was summoned but was not in the area. E Co 204 FSB was called and SPC [REDACTED] came to the detainee camp. SPC [REDACTED] saw the detainee and decided to go to the aid station to ask the medical officers for further guidance. He arrived and was informed to give intravenous fluids and phenergan. Once he returned to the detainee camp, the detainee was noted to be unconscious without respirations or pulse. SPC [REDACTED] confirmed that the detainee had no pulse and went to the aid station to get help. SSG [REDACTED] had initiated CPR once the detainee became unresponsive. CPR was continued until the detainee was transported to E Co 204 FSB.

(b)(6)4
f. CPT [REDACTED] was the medical officer in charge of running the code. Upon presentation, detainee # [REDACTED] was unresponsive without spontaneous respirations or a pulse. CPR was resumed, IV access was obtained, and the detainee was intubated. Cardiac monitoring revealed ventricular tachycardia without a pulse. The detainee received defibrillation of 200-300-360 joules, followed by epinephrine and lidocaine and repeat defibrillation of 360 joules. No change in cardiac conversion was noted. Blood work revealed a glucose of 293, BUN 22, Sodium 140, potassium 3.8, hematocrit 29, pH 7.152, bicarbonate 9, and base excess of -20. An axial temperature was noted to be 104.0 F. On obtaining a rectal temperature, bowel function was noted to be lost. CPR was terminated and CPT [REDACTED] declared the time of death at 1719. Medical care was appropriate and met the standard.

g. The conditions of the detainee camp are adequate. The detainees are given 5-6 bottles of water a day and can have more if they ask for it. All of the detainees have a rug or mat to sit or lie on. They are released from their cells to use the restroom and to walk in the courtyard at scheduled times but can also leave their cell if they request. The camp consists of two large cells that are designed to hold 30-35 adults each. There are two smaller cells that are used to separate detainees with tribal conflict or those that hold titles or power within the country. The MPs report that there are usually more detainees than they have room for so overcrowding has been an issue. The facility is clean without evidence of garbage or trash. There is no air conditioning or fans that circulate air. The cells are warm and the air is stagnant within them. Detainees are

except as noted (b)(6)2

020504

AFZC-FC-C

SUBJECT: Findings and Recommendations of Informal Investigation of death of Iraqi detainee # [REDACTED]

(b)(6)4

given three MREs a day but the MPs report that most of the detainees don't eat them as they complain of the smell and taste.

h. An interpreter from the MI BN is available on occasion but most of the time the MPs and medical personnel rely on other detainees to help with the language barrier. The MI interpreter claims that he had talked with detainee # [REDACTED] in the past but not during this incident and has no knowledge of any medical history on the detainee.

all

(b)(6)4

i. The medical officers of E Co 204 FSB and the 1982 FST. Physicians, physician's assistants, nurse anesthetists, and registered nurses perform the medical evaluations and sick call duties at the detainee camp. Physicians and physician's assistants have credentials to provide this type of medical care, however, nurse anesthetists and registered nurses do not have the same practicing privileges. Individual's credential packets were not available for review.

2. RECOMMENDATIONS

a. All medical information and encounters should be documented. A paper trail becomes significant and is standard of care throughout the world. Documentation provides better care and protects those providing the care. Recommend that the initial medical screening and all medical encounters and interventions be documented and placed in the detainee's file.

b. Ensure all providers providing medical care have the appropriate credentials and skills. Many nurses have learned through their experiences how to care for individuals but they do not have the authority to examine, diagnose, and treat medical conditions. With that said, they may not have the knowledge base to recognize a problem that needs further attention. Recommend that nurses and nurse anesthetists provide care within the scope of their credentials. If nurses continue to provide care, recommend that the supervising physician provide a guideline for them to follow and list the conditions/procedures that they can perform autonomously and those conditions that need to be referred to a physician or physician assistant. Also recommend that all documentation be reviewed and signed by a physician with the appropriate credentials.

c. Interpreters are a must. It is apparent that many individuals had differing opinions as to what detainee # [REDACTED] was complaining of and the designated interpreter was not involved in any aspect of this case. Without the use of an interpreter and relying on another detainee to bridge the language gap, it becomes a guessing game as to what an individual is saying. If detainee # [REDACTED] had chest pain the night prior to his death, no one was aware of it and that may be due to the language barrier. If this was known, his death may have been prevented. Recommend that an interpreter be readily available in all detainee camps, especially for the initial medical interview and during sick call.

(b)(6)4

AFZC-FC-C

SUBJECT: Findings and Recommendations of Informal Investigation of death of Iraqi detainee # [REDACTED] (b)(6) 4

d. Autopsy. To give a definitive cause of death, an autopsy is required. Without an autopsy I can not comment on whether or not detainee # [REDACTED]'s death was related to his living conditions, heat, medical care (or lack of), or underlying ailments. Recommend that future deaths of Iraqi detainees undergo autopsy so more can be learned about the causative factors and can possibly help with future operations and care.

3. The POC is the undersigned (DNVT 534 [REDACTED]) (b)(6) 2

[REDACTED]
[REDACTED] M.D.

MAJ, MC
BN Surgeon, 64 FSB

020506

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER, BOARD OF OFFICERS

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

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

SECTION I - APPOINTMENT

Appointed by MG RAYMOND ODIERNO
(Appointing authority)

on 22 JULY 03 (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 TIKRIT, IRAQ at 1200
(Place) (Time)

on _____ (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 5-2 and 5-8a, AR 15-6.)

The (investigating officer) (board) finished gathering/hearing evidence at _____ on _____
(Time) (Date)

and completed findings and recommendations at _____ on _____
(Time) (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES

		YES	NO ¹⁾	NA ²⁾
1	Inclosures (para 3-15, AR 15-6)			
	Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)			
	a. The letter of appointment or a summary of oral appointment data?	X		
	b. Copy of notice to respondent, if any? (See item 9, below)			X
	c. Other correspondence with respondent or counsel, if any?			X
	d. All other written communications to or from the appointing authority?			X
	Privacy Act Statements (Certificate, if statement provided orally)?	X		
	Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?			X
	g. Information as to sessions of a formal board not included on page 1 of this report?			X
	h. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?	X		

020507

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

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

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

FACTS:

Prisoner # (b)(6)4 died at approximately 0445D on 22 July 2003 at the TFCCP. According to the parties the deceased had been helped to the latrine for nausea by two other prisoners just prior to his death. After leaving the latrine, the deceased lost consciousness and was carried back to his tent. The prisoners then alerted SPC (b)(6)4 and PV2 (b)(6)4 who checked on the prisoner. The prisoner was unconscious with what was felt to be a weak pulse. SPC (b)(6)4 notified SGT (b)(6)4, who instructed PFC (b)(6)4 to get a medic. SGT (b)(6)4, 4th MP medic, responded and did not feel a pulse. SSGT (b)(6)4, senior medic, was notified and responded with CPT (b)(6)4 from the aid station. The prisoner was pronounced dead at 0545.

The deceased had been held at the DCCP since 27 June 2003. During this time he had sought medical attention from MP medics on multiple occasions. According to the MP daily log, the deceased had been seen on 02 July for chest pain. The deceased was taken to the aid station and eventually to the 28th CSH for treatment. The deceased was seen by a cardiologist at the 28th CSH and diagnosed with coronary artery disease, angina and type II diabetes. The prisoner was discharged back to the DCCP with medications. Prisoner # (b)(6)4 stated that he had taken care of the deceased since his arrival at the DCCP. He further stated that the deceased had advanced coronary artery disease and had some sort of procedure done last year (presumably angioplasty since there was no chest scar indicating bypass surgery) and was allegedly scheduled to have a second procedure done in April of this year. The deceased had received his medications regularly during his stay in the DCCP. The deceased had also been seen on 03 July for vomiting, was treated and released by the MP medics, seen 16 July for passing out, treated and released by MP medics, and 19 July for dehydration, treated and released by MP medics. # (b)(6)4 stated that the deceased had not been feeling well for the last 4-5 days and had been feeling weaker and was unable to eat. The evening before his death, the deceased had complained of abdominal pain. # (b)(6)4 stated he told the guard, and the deceased was given an aspirin. Several MP's verified that the deceased had not been eating well for the past one to two weeks. The MP's also verified that the deceased had to have help going to the latrine during the last 2-3 days.

An autopsy was performed on the deceased by Dr. (b)(6)4 chief of forensics for Salah-al-din province. The autopsy did not reveal any external or internal signs of trauma. The cause of death was listed as congestive heart failure. This was most likely secondary to a myocardial infarction (heart attack).

The MP medics are utilized for sick call and treating the EPW's within the DCCP, although this is not their primary responsibility. They have very limited assets for patient care. All EPW's with medical complaints are screened by MP Medics. The medics then decide who should be seen at the aid station or whether a higher medical personell should be consulted.

EPW's are not screened for medical problems when they are placed in the DCCP and there was no medical record keeping prior to the death of this prisoner.

FACTS:

The deceased prisoner more than likely suffered a myocardial infarction and developed congestive heart failure which reached a critical point prior to his death. (C) The patient had a known history of coronary artery disease. (M, L) His last contact with the MP medics was on 19 July, 3 days prior, for dehydration. The prisoner also allegedly complained of abdominal pain with nausea and vomiting during the days preceding his death, which are symptoms consistent with his disease. (M) According to the autopsy report there was no evidence of foul play or traumatic injury. (C) The MP medics are ill suited to handle complex medical patients and provide sick call to the EPW's as well as carry out their primary mission of supporting the MP unit. (P)

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

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

There should be no disciplinary action taken against the MP medics or other.

The MP medics should not be used as the primary care giver for the EPW's ✓

A physicians assistant or other higher medical authority should be assigned to provide sick call and medical care for the prisoners at the DCCP. This will allow the MP medics to accomplish their mission of providing medical support for their unit and remove them being the primary care giver of the EPW's.

If providing a Physicians assistant is not possible, a formal Standard operating procedure should be established for the MP medics to operate under in providing care for the EPW's with direct oversight by physicians assistant or other higher medical authority. In addition a system to identify complex medical patients, medical screening of patients and tracking of medical problems should be instituted for the DCCP. This would however place even more of a burden on the MP medics and keep them from accomplishing their primary mission of medical support for the MP unit.

all
except as noted (b)(6)2

020508

SECTION VI - 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.)

(b)(6) z



CPT

(Recorder)

(Investigating Officer) (President)

(Member)

(Member)

(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) (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 oral) as a numbered inclosure.)

[Handwritten Signature]

4 AUGUST 2003

020509

DEPARTMENT OF THE ARMY
HHC, 2-8 Infantry Battalion(M)
Fort Hood, Texas 76544
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AETV-SCS-TE

19 May 2003

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Detention of Civilians

1. Reference: V Corps SJA; TF IH SJA; International Law
2. TF Talon units are authorized to detain civilians who are believed to possess information important to, or are interfering with mission accomplishment. Unless directed otherwise by a more senior commander, the decision to detain civilians is the responsibility of the senior U.S. soldier on the scene.
 - a. Talon forces are authorized to stop all civilian traffic and search all vehicles for weapons, explosives, cell phones and other communication devices, GPS, maps, note pads, cameras, uniforms and other identifiable enemy equipment, and evidence of any activity posing a threat to coalition forces, including intelligence gathering.
 - b. TF Talon forces may also detain civilians if they:
 1. Obstruct the progress of U.S. or coalition forces whether by demonstration, riot or other means;
 2. Enter or attempt to enter, without authority, any area controlled by U.S. or coalition forces;
 3. Commit, attempt, conspire, threaten or solicit another to commit or aid or abet in the commission of a crime; or
 4. Have been detained pursuant to a warrant, order o indictment issued by competent authority.
 - c. Commanders are also authorized to take action to prevent looting.

Authorized actions include:

 1. Detention of persons observed in the act, or reasonably suspected, of looting;
 2. Placements of areas or locations off-limits;
 3. Establishments of checkpoints that confirm the identity and residence of persons in order to permit them to enter specified areas;
 4. Use of non-lethal weapons
 5. Use, if necessary, graduated force to detain persons observed in the act, or reasonably suspected, of looting is authorized. **DEADLY FORCE IS NOT AUTHORIZED UNLESS AMMUNITON, WEAPONS OR EXPLOSIVES ARE BEING LOOTED. WARNING SHOTS ARE NOT PERMITTED TO STOP LOOTING.**
 - d. Initial detention will be automatically terminated at 21 days, unless a review is conducted by the military magistrate or other competent legal authority as designated by V Corps or the TF IH SJA. A record of the review will be maintained by the staff judge advocate.

020510

CS3#25

DEPARTMENT OF THE ARMY
HHC, 2-8 Infantry Battalion(M)
Fort Hood, Texas 76544

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e. Categories of Detainees:

Category A consists of civilian non-combatants whose names are contained on the "black list"; who are the subject of any warrants, orders or indictments issued by the U.S. or any international tribune; who are suspected of a violation of the law of war, or who are members of the following international terrorist organizations, or any groups/cells/facilities associated therewith; AL Qaida, Ansar Islam(AI), Taliban, Asbat Al-Ansar, Egyptian Islamic Group(aka Gamaat Al-Islamiyya), Hamas, Hizballah/Islamic Jihad Organization, Al Aqsa Martyrs Brigade, Harakut Ul Mujahadin, Lashkar E Tayyiba, Palestinian Islamic Jihad, Egyptian Islamic Jihad, Jemaah Islamiyah, and the Islamic Movement of Uzbekistan.

f. Category B consists of civilian non-combatants who pose a serious threat to U.S. forces, other protected persons, key facilities, or property designated mission-essential; obstruct the progress of coalition forces whether by demonstration, riot or other means; enter or attempt to enter, without authority, any area controlled by coalition forces; commit or attempt to commit any of the following criminal offenses: assault upon any member of coalition forces; murder, rape, kidnapping, arson, aggravated assault; any crime involving a suspect who has been previously detained by V Corps; any crime in which a weapon was used in the commission of the crime, and/or any other serious criminal conduct, including aiding or abetting those who commit the above listed offenses, or conspiring to commit the above listed offenses.

g. Category C consists of civilian non-combatants who steal, loot, or attempt to steal or loot coalition or protected property, commit or attempt to commit any of the following offenses; burglary, housebreaking, larceny, looting, driving under the influence of alcohol or drugs, prostitution, destruction of property, simple assault, harassment, use or possess illegal drugs, possess stolen property, commit or attempt to commit auto theft, carjacking, including aiding or abetting.

h. Category D consists of civilian non-combatants who have valuable intelligence information important to mission accomplishment. This category also includes personnel who, through non-violent means, obstruct or attempt to obstruct military operations, commit curfew violations, are drunk and disorderly, commit traffic violations, and/or commit any offense in violation of administration orders.

3. Rules of engagement:

- a. U.S. forces may use force in a manner consistent with the rules of engagement at the time if they are acting in order to defend themselves and their units, enforce facility rules or procedures, protect detainees from escaping.
- b. A commander's inherent authority and obligation to use all necessary means available and to take all appropriate action in self-defense of the

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DEPARTMENT OF THE ARMY
HHC, 2-8 Infantry Battalion(M)
Fort Hood, Texas 76544

=
commander's unit and other U.S. and coalition forces in the vicinity is not, however, limited. A commander must consider the assigned mission, current situation, higher commander's intent and all other available guidance in determining the level of force required for mission accomplishment. Use of force will be proportional in that it should be reasonable in intensity, duration, and magnitude, based on all facts known to the commander at the time.

- c. With respect to detainees, the use of force, including deadly force is authorized to respond to hostile acts, demonstration of hostile intent or to prevent the commission of crimes involving death or serious bodily harm and to prevent "Category A" and "Category B" detainees from escaping.
 - d. With regard to the use of force to prevent an escape, deadly force is a last resort after all other means have failed.
4. Property seizure: complete the property seizure form for any civilian or personal property seized. Provide one copy to detainee and keep one copy with the seized property.

Arrest Procedures

1. Arresting officials should only use that degree of force necessary to effect the arrest while, at all times, ensuring their own safety and taking into account the safety of innocent bystanders.
2. The subject will be informed that they are under arrest and the reason for the arrest.
3. The subject will be restrained in handcuffs, flex-cuffs, or similar means and searched. When possible, female subjects will be searched by female Coalition Force personnel.
4. It is recommended that a translator/interpreter be used as soon as possible to help explain the arrest. In coordination with a translator, the arresting officer will confirm that the subject understands the reason for their arrest and the recording of the interrogation.
5. The subject will be advised that anything they say or do will be recorded and may be used in judicial proceedings against them.
6. The subject will be processed, to include collecting and recording all data and personal information, completing detention forms, photographs and placing the subject in the detention facility.

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DEPARTMENT OF THE ARMY
HHC, 2-8 Infantry Battalion(M)
Fort Hood, Texas 76544

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Once detained:

- Give receipt for any property confiscated
- Fill out SALUTE report with details on reasons for detention
- Inform Bn Cdr through chain of command to receive approval for temporary detention
- Once approved, evacuate to detention facility

4. POC for this memorandum is LTC [REDACTED] at DNV 534 [REDACTED]

all (b)(6) 2

[REDACTED]
LTC, IN
Commanding

020513



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
TASK FORCE IRONHORSE
TIKRIT MAIN PALACE, TIKRIT, IRAQ

AFYB-CG

21 SEP 03

MEMORANDUM FOR ALL DETAINEE COLLECTION POINT VISITORS

SUBJECT: Detainee Collection Point Access Control Guidance

1. The proper safeguarding of detainees is the responsibility of capturing US forces as directed by AR 190-8. Within TFIH this responsibility is solely that of the Provost Marshal.
2. In order to properly safeguard detainees under the control of TFIH, the release of the names and detailed information to third parties not directly related to the detainee is not authorized.
3. Exceptions to this policy are members of the International Committee of the Red Cross or legal representatives to the party that have been properly documented.
 - a. Visitation to TFIH collection points and the DCCP by HN personnel is not authorized.
 - b. Visitation to TFIH collection points and the DCCP by US/Coalition forces is limited to:
 - Military Police performing security/detainee duties
 - MI/CI personnel performing interview/screening duties
 - Linguists directly supporting TFIH DCCP/BCCP operations
 - SJA personnel performing interview/screening duties
 - Visitors authorized as directed by the TFIH, CG/CoS
 - ICRC visits as approved by the TFIH, CG
 - Designated guard force augmentee's as directed by the G3/S3
 - Work details authorized by the TFIH PM/MP OIC/NCOIC
 - Medical personnel performing health screenings
 - Capturing unit personnel delivering detainees to the facility
4. Detainees are not authorized to receive items from outside of the facility (food, clothing, notes, etc).

020514

AFYB-CG

SUBJECT: Release of Detainee Status

5. OPSEC is of paramount concern in operating a facility such as those designated in TF IH:

a. Alerting the local populace to who is located exactly where and when has obvious implications, and poses a direct threat against individual BCCP's and our soldiers.

b. Concurrently, identifying these three W's to the local populace potentially places the detainee at risk due to his/her past position or information that they may be sharing with our interviewers.

6. Point of contact is the Task Force Ironhorse Provost Marshal, MAJ(P) [REDACTED] at 534-

all (b)(6) z

RAYMOND T. ODIERNO
MG, USA
Commanding

020515



DEPARTMENT OF THE ARMY
HEADQUARTERS,
4TH INFANTRY DIVISION (MECHANIZED)
TIKRIT, IRAQ

REPLY TO
ATTENTION OF

AFYB-CG

21 September 2003

MEMORANDUM FOR TF Ironhorse Commanders, Leaders and Soldiers

SUBJECT: Treatment of Detainees in the Custody of U.S. Forces

1. The purpose of this memorandum is to provide guidance for the treatment of enemy prisoners of war (EPW), civilian internees (CI) and other detainees (OD) in the custody of U.S. Forces.
2. Commanders at all levels will ensure that EPWs, civilian internees (to include unlawful combatants and terrorists) and other detainees are humanely treated in accordance with AR 190-8, Enemy Prisoners of War, Retained Personnel, Civilian Internees, and Other Detainees; Field Manual 27-10, The Law of Land Warfare; the 1949 Geneva Convention Relative to the Treatment of Prisoners of War; and, the 1949 Geneva Convention Relative to the Protection of Civilians in a Time of War.
3. TF Ironhorse soldiers will treat all detainees with dignity and respect and, at the very least, will meet the standards for humane treatment as articulated in international law. TF Ironhorse soldiers will treat all CI and OD in a manner consistent with the protections afforded EPWs pursuant to the principles outlined in the Geneva Convention. Such treatment will be extended to EPWs, CI, and OD from the moment they fall into the hands of U.S. Forces to the time of their final release or repatriation.
4. EPWs, CI, and OD will be respected as human beings. They will be protected against all acts of violence, including, but not limited to: assault, insults, public curiosity, bodily injury, and reprisals of any kind. While detainees in U.S. custody may be interrogated for intelligence purposes, the use of physical or mental torture, or coercion to compel individuals to provide information is strictly prohibited. Interrogations will be conducted by intelligence or counter-intelligence personnel.
5. Detainees will receive humane treatment without regard to race, nationality, religion, political opinion, sex, or other criteria. U.S. Forces may, however, segregate detainees by category for operational and security reasons.
6. Inhumane treatment of EPWs, CI, and OD is strictly prohibited. Neither the stresses of combat, nor deep provocation will justify inhumane treatment. Such ill treatment of detainees is a serious crime, punishable under international law and the Uniform Code of Military Justice (UCMJ). All reports of detainee or civilian maltreatment will be investigated and reported to the supporting judge advocate or Division SJA.

020516

AFYB-CG

SUBJECT: Treatment of Detainees in the Custody of U.S. Forces

7. POC for this memorandum is LTC [REDACTED] Staff Judge Advocate, at DNVT 534-

(b)(6) Z

"STEADFAST AND LOYAL!"

[REDACTED] RAYMOND T. ODIERNO
Major General, USA
Commanding

020517

—

**SEP 03 PPT BRIEFING/LAYDOWN OF DIVISION
DETENTION OPERATIONS**

020518

CS3#95

DETAINEE PROCESS

AGENDA

- PURPOSE
- TYPES OF DETAINEES
- DETAINEE FLOW
- TIMELINE
- DETAINEE/INFORMATION FLOW
- HOLDING AREA PURPOSE
- HOLDING AREA APPROVAL AUTHORITY
- REQUIRED DOCUMENTATION
- THE WHY FOR A RHA
- VIGNETTES
- QUESTIONS

020519

CS3#87¹

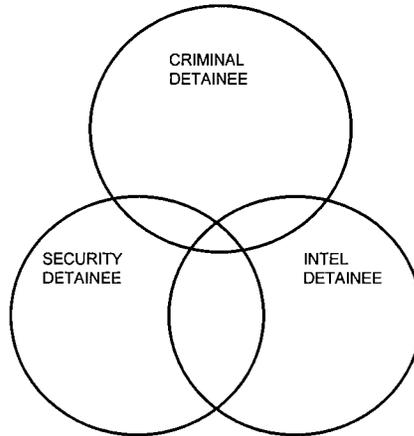
PURPOSE

- TO INFORM SQUADRON COMMANDERS OF THE TASK, CONDITIONS, AND STANDARDS OF THE DETAINEE SOP.

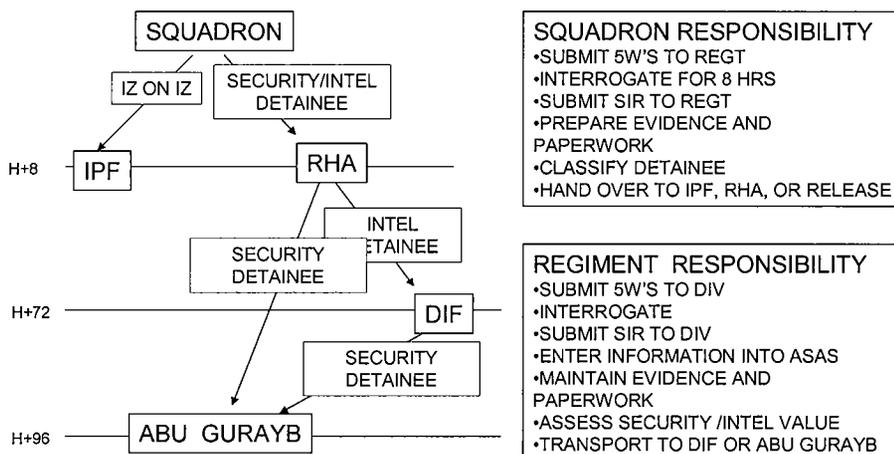
TYPES OF DETAINEES

- CRIMINAL DETAINEE
 - SUSPECTED OF HAVING COMMITTED A CRIME AGAINST IRAQI NATIONALS OR PROPERTY AND NOT RELATED TO COALITION FORCES
- SECURITY DETAINEE
 - POSE A THREAT TO THE SECURITY OF COALITION FORCES OR THEIR MISSION
- DETAINEES OF INTEL VALUE
 - DETAINEES IDENTIFIED AS HAVING INTELLIGENCE VALUE THAT WARRANTS FURTHER INTERROGATION

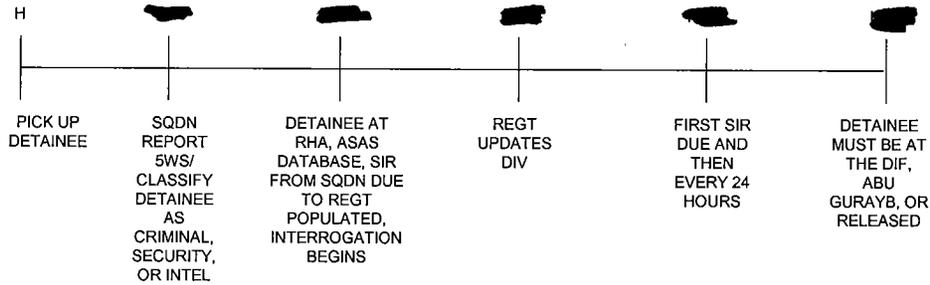
TYPES OF DETAINEES



DETAINEE FLOW



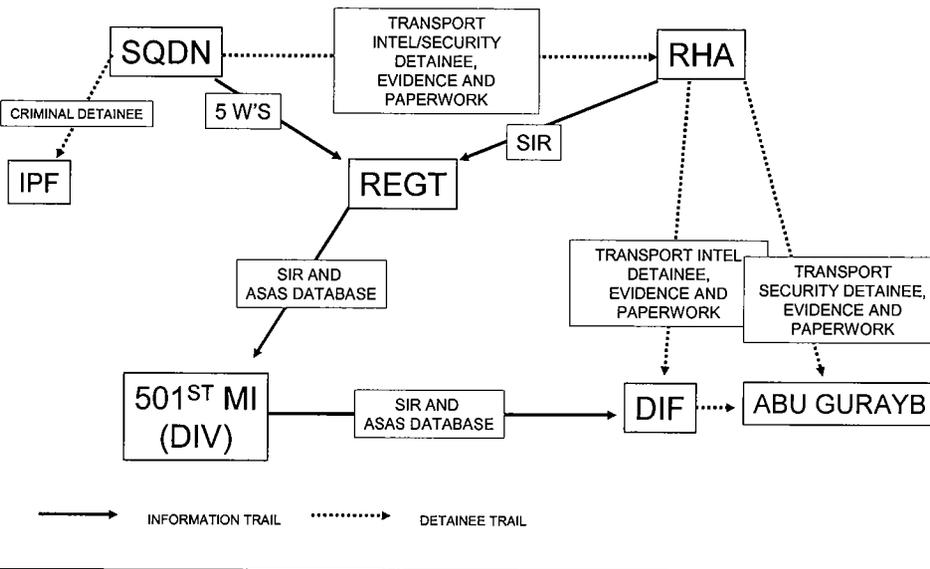
TIMELINE



TIMELINE SUBJECT TO HIGHER INTERVENTION

b(2)(3)

DETAINEE/ INFORMATION FLOW



020522

HOLDING AREA PURPOSE

- REGIMENTAL HOLDING AREA (RHA)
 - ONLY SECURITY/ INTEL DETAINEES GO TO THE RHA WITH APPROVAL FROM REGT; ALL OTHER ARE HANDED OVER TO IPF.
- DIVISION INTERROGATION FACILITY (DIF)
 - ONLY DETAINEES WITH INTEL VALUE OR SECURITY DETAINEES WITH INTEL VALUE
- COALITION INTERROGATION FACILITY (CIF)
 - ONLY DA BLACK LIST DETAINEES
- ABU GURAYB
 - SECURITY DETAINEES

HOLDING AREA APPROVAL AUTHORITY

- REGIMENTAL HOLDING AREA (RHA)
 - REGIMENTAL COMMANDER
 - SQUADRON COMMANDERS MAKE RECOMMENDATION
- DIVISION INTERROGATION FACILITY (DIF)
 - DIVISION COMMANDER THRU THE 501ST MI BN, S3
 - REGIMENTAL COMMANDER MAKES RECOMMENDATION
- COALITION INTERROGATION FACILITY (CIF)
 - C-JTF7 COMMANDER
- ABU GURAYB
 - DIVISION COMMANDER THRU THE 501ST MI BN, S3
 - REGIMENTAL COMMANDER MAKES RECOMMENDATION

REQUIRED DOCUMENTATION

- REGIMENTAL HOLDING AREA (RHA)
 - SQUADRON SUMMARY INTERROGATION REPORT (SIR)
 - CPA APPREHENSION FORM
 - DA FORM 2823 (SWORN STATEMENT)*2
 - DA FORM 4137 (EVIDENCE/PROPERTY CUSTODY)
 - POPULATE ASAS DATABASE
 - EVIDENCE
- DIVISION INTERROGATION FACILITY (DIF)
 - SUMMARY INTERROGATION REPORT (SIR)
 - CPA APPREHENSION FORM
 - DA FORM 2823 (SWORN STATEMENT)*2
 - DA FORM 4137 (EVIDENCE/PROPERTY CUSTODY)
 - EVIDENCE

REQUIRED DOCUMENTATION

- ABU GURAYB
 - SUMMARY INTERROGATION REPORT (SIR)
 - CPA APPREHENSION FORM
 - DA FORM 2823 (SWORN STATEMENT)*2
 - DA FORM 4137 (EVIDENCE/PROPERTY CUSTODY)
 - EVIDENCE

THE WHY

- ENSURE STANDARDS FOR DETAINEES GOING HIGHER ARE MET
 - PAPERWORK
 - EVIDENCE
 - SIRS
 - ASAS DATABASE
- ECONOMY OF FORCE FOR SQUADRONS
 - GUARD REQUIREMENTS
 - TRANSPORTATION TO DIF/ABU GURAYB
- MALE/ FEMALE FACILITY
- MEDICAL SUPPORT ON SITE
- DEDICATED INTERROGATION TEAM
 - 97 SERIES SOLDIER PERMANENTLY ON SITE
 - CAT II LINGUIST PERMANENTLY ON SITE
- ACCURATE TRACKING OF DETAINEE HISTORY

VIGNETTES

- IZ IS DRUNK AND SHOOTS AT AND MISSES A PATROL.
- IZ IS SEEN ON THE SIDE OF THE ROAD WITH SEVERAL RPG'S.
- IZ IS FOUND WITH FAKE PASSPORTS.
- IZ SHOOTS AT ANOTHER IZ AND HITS A SOLDIER.
- VEHICLE IS STOPPED AT AN IZ/US CHECKPOINT WITH LARGE SUMS OF COUNTERFEIT DINAR.

QUESTIONS



DEPARTMENT OF THE ARMY
REGIMENTAL SUPPORT SQUADRON
2D ARMORED CAVALRY REGIMENT
CAMP MULESKINNER, BAGHDAD, IRAQ (OIF)



AFZX-CS-S2

18 December 03

MEMORANDUM FOR CONCERNED PERSONNEL

Subject: RSS/RHA Detainee Holding Area Guidance

References:

- a. OPORD 03-06 [Procedures for detainees of intelligence interest and criminal detainees]
- b. 2 ACR FRAGO 139 [Regimental Holding Area]
- c. ENCLOSURE 1 [Min Standards for Brigade Holding Areas] FRAGO 539A, OPORD 03-215
- d. 1 AD PAM 1-201 Command Inspection Checklist [Detainee Holding Facilities] September 2003

1. Regimental Support Squadron (RSS) will maintain the Regimental Detainee Holding Area (RHA). This guidance will assist in the daily operations of the Facility and ensure its compliance with International Humanitarian Law. RHA personnel will treat the detained personnel with dignity and respect and will handle all detainees with the minimum force necessary as required by the situation.

2. RHA personnel will not assume responsibility for any detainee until such time that all required documentation has been correctly filled out and all personal effects have been inventoried, cataloged, and stored. When appropriate, detainees will be segregated based upon their individual status. Criminal detainees must be segregated from EPWs and internees held for intelligence or security reasons.

3. A RHA advisory counsel will meet NLT 0800 hrs daily to review the detainee case files to ensure compliance with established procedures and that the detainee is processed and ready to be transferred or released. At a minimum, the counsel will consist of the Squadron S-2, and Assistant Operations Officer, and RHA NCOIC. No detainee will be moved, transferred or released from the RHA without the RSS Squadron Commander's approval.

4. RHA guard force will maintain a ratio of [redacted] between detainees and guards with a minimum of [redacted] guards present at all times. The RHA NCOIC will maintain the guard roster and will ensure that it is posted weekly. At no other time will the roster be altered without the approval of the RHA NCOIC. Sections tasked to provide guards will ensure that the RHA NCOIC is notified of planned missions that require the roster to be altered. Sections will not pull guards without ensuring that there is a replacement.

5. RHA NCOIC will ensure that [redacted] is on roving duty monitoring the activities of the detainees in their respective cells at all times. [redacted] will record their initials and time of their check, at a minimum [redacted] on the cell inspection form. If available [redacted] will be utilized as an outdoor roving guard to ensure secondary perimeter security.

6. At a minimum, the RHA guard force will:

- a. Treat all detainees with dignity and respect. Detained Foreign Military Officers will be treated as appropriate to their rank.
- b. Handle all detainees with the minimum force necessary as required by the situation. No form of abuse, physical or mental (including the use of abusive language), will be directed at the detainees.
- c. Interior guards will check all cells with detainees constantly. At least once [redacted] checks will be recorded on cell logs. Guards coming onto shift will ensure the presence of all detainees and their compliance of established guidelines as brief to them upon their reception at RHA.

all
(b)(2)3

020527 CS3 #88

- d. If a detainee is unaccounted, at any time guards, will IMMEDIATELY report the absence to the Shift NCOIC who will in turn notify Camp Muleskiner FPC at DNVT: 587 [REDACTED] (b)(6) 2
- e. Prior to shift change the outgoing Shift NCOIC will conduct a full inspection of the RHA area and conduct a prisoner count with the incoming Shift NCOIC present. Only after inspections are complete and detainees are accounted for will the outgoing NCOIC and Guards be relieved of duty.
- f. Guards will read and review all special instructions prior to assuming guard duties in RHA.
- g. Ensure that detainees maintain the cleanliness of their respective holding cell. The guard force is responsible for the cleanliness of the common areas and police call around the RHA. Police call and trash removal will be conducted at the change of shifts. Daily inspections of cells will be conducted to ensure integrity, security, and cleanliness of the cells. Any attempts to weaken the cells will result in the detainee being restrained (zip-tied) and removed from the cell so that repairs / corrections can be made.
- h. Ensure that the detainees are provided meals (MREs) and water throughout their shift. Meals will be given out at 0800, 1200, and 1800 hours daily. Empty water bottles will be filled and given to each detainee upon request. Guards will ensure there is enough potable water on hand to re-fill the bottles as needed.
- i. Maintain and enforce the uniform policy. The uniform for inside the RHA is DCUs, but may be upgraded as the situation dictates. At no time will the guards remove their blouse while on duty. RHA guards will enforce this standard.
- j. While out of the ready room guards will not eat, drink soft drinks, read, write letters, or conduct any other business that may distract them while on duty. Guards will perform their duties IAW FM 22-6 and established procedures. Guards are not permitted to leave the RHA without ensuring that the detainee guard ration is maintained. Guards will be permitted to leave the RHA to use the latrine, however, they are not permitted to go to the barracks/ sleeping areas to wake up the next shift.
- k. Maintain an [REDACTED] weapon status with [REDACTED] Upon shift change, the off going guards will move to the nearest clearing barrel and clear their weapon. Guards will maintain positive control of their weapons while on duty. At no time will the weapon be left unattended or under the control of another guard. (b)(2) 3
- l. The Stand-by guards will escort detainees being transferred to the DIF or Corps Holding Area. The only exception it this is when all detainees are being transferred the current shift will provide the escort.

7. Upon arrival and while detained the detainees will:

- a. Be interviewed by the RHA NCOIC, CI agent, or Squadron S-2 and screened for medical problems or signs of physical abuse.
- b. Have any restraints (hand-cuffs, zip-ties) replaced so that their hands are in front. Zip-ties will be placed so that they secure the detainee's hands, but not to the extent that they pose a medical risk. Restraining devices will be used until the detainee is determined that he/she is no longer a security risk. This determination will be made during the interview with S-2 or CI personnel.
- c. No talking until after the completion of the initial interview. If a detainee refuses to adhere to this policy, the RHA guards are authorized to gag them. By taping his / her mouth. The gag will not be placed so that it poses a medical risk. Detainees will be briefed on this policy upon arrival with the assistance of a qualified translator.
- d. Be permitted, after the initial interview, to walk freely around their respective cell. They will not be permitted outside of the cell unless under escort. The only authorized reasons for leaving the cell are to use the latrine, to be moved for questioning, or as directed by the chain of command.
- e. Be permitted, upon completion of the initial interview, to conduct religious activities (pray). If needed, the RHA guards will un-bind the detainee's hands.

8. If any medical issue is identified, the RHA NCOIC will be notified and proper medical treatment will be given. The medics on site will assess the EPW to determine what is needed. If determined that the detainee has to be transferred to the medical treatment facility, RSS, Transportation will be provided with guards to RSS. The medic will stay with the patient as needed to brief the on call PA of symptoms found.

020528

9. If adequate supplies are available, detainees will be permitted to conduct personal hygiene in the morning under the supervision of the RHA guards.

10. Requests for special privileges, such as smoking, will be brought to the attention of the RHA NCOIC, Squadron Assistant Operations Officer, S-2, or chain of command for action. The decision will be made based on the detainee's status and overall demeanor/ level of cooperation.

11. All EPWs that are of 17 years or younger and or female will be put in a separate cell. At no time will a male soldier search a female EPW. A female soldier will be requested if not available to conduct the search in the presence of an NCO and a translator. At no time will this ever be negotiated to save time.

12. While in the RHA, the detainee will be treated within the guideline established under international humanitarian law and through military channels. RHA guards are permitted to use the appropriate force, including deadly force, if needed. If force is used, it will be reported and if need, an investigation will be conducted by the command. If determined that excessive force or any form of abuse was used on the detainees, the person or persons can be subject to disciplinary actions under the Uniformed Code of Military Justice.

13. Point of contact for this policy memorandum is CPT [REDACTED] at DNVT 587 [REDACTED]

[REDACTED]
LTC, QM
Commanding

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DEPARTMENT OF THE ARMY
REGIMENTAL SUPPORT SQUADRON
2D ARMORED CAVALRY REGIMENT
CAMP MULESKINNER, BAGHDAD, IRAQ (OIF)



AFZX-CS-S2

18 December 03

MEMORANDUM FOR CONCERNED PERSONNEL

Subject: RSS/RHA Special Instructions

1. As soldiers and Dragoons, we are expected to maintain our professional standards and individual discipline at all times. Every soldier should execute a high level of initiative, competence, pride and professional excellence in all that we do. Teamwork is the basic building block of RSS and it will take each individual doing a little extra to enable us to accomplish our mission in a professional manner.
2. At a minimum, the RHA guard force will read and review on a daily basis the follow list of special instructions thereby ensuring that they understand their duties as a guard at the RHA.

Basic Duties:

- a. Guards will perform their duties IAW FM 22-6 and established procedures.
- b. Treat all detainees with dignity and respect.
- c. Prisoners shall be separated according to Sex, Rank, Age, Criminal, and intelligence detainees. Detained Foreign Military Officers will be treated as appropriate to their rank.
- d. Handle all detainees with the minimum force necessary as required by the situation. No form of abuse, physical or mental (including the use of abusive language), will be directed at the detainees.
- e. All prisoners will be searched upon reception, every two days (if held beyond 72 hours), and upon transfer to another facility. Ensure that the detainee is not retaining any weapons, personal property, food, tobacco products, or hazardous items (i.e. belts, and shoelaces).
- f. RHA guard force will maintain a ratio of [REDACTED] between detainees and guards with a minimum of [REDACTED] [REDACTED] present at all times. The RHA NCOIC will ensure that guard force is assigned areas of work to include interior, exterior guard, and RTO.
- g. Interior guards will conduct check all cells with detainees constantly. At least once [REDACTED] checks will be recorded on cell logs. Guards coming onto shift will ensure the presence of all detainees and their compliance of established guidelines as brief to them upon their reception at RHA.
- h. Exterior guards will perform roving patrol outside the RHA structure. Securing access to the RHA facility, inspecting the perimeter integrity, and providing presence to discourage escape.
- i. Prior to shift change the outgoing Shift NCOIC will conduct a full inspection of the RHA area and conduct a prisoner count with the incoming Shift NCOIC present. Only after inspections are complete and detainees are accounted for will the outgoing NCOIC and Guards be relieved of duty.
- j. If a detainee is unaccounted, at any time guards, will IMMEDIATELY report the absence to the Shift NCOIC who will in turn notify Camp Muleskiner FPC at DNV: 587- [REDACTED] (b)(6) z

(b)(2) 3

Health and Welfare:

- a. Ensure that detainees maintain the cleanliness of their respective holding cell.
- b. The guard force is responsible for the cleanliness of the common areas and police call around the RHA. Police call and trash removal will be conducted at the change of shifts.
- c. Daily inspections of cells will be conducted to ensure integrity, security, and cleanliness of the cells. Any attempts to weaken the cells will result in the detainee being restrained (zip-tied) and removed from the cell so that repairs / corrections can be made.

020530 CS3 #89

- d. Ensure that the detainees are provided meals (MREs) and water throughout their shift. Meals will be given out at 0800, 1200, and 1800 hours daily. Empty water bottles will be filled and given to each detainee upon request. Guards will ensure there is enough potable water on hand to re-fill the bottles as needed.
- e. If any medical issue is identified, the shift NCOIC will notify the chain of command and proper medical treatment will be given. Medic support will be requested for the RHA IOT determine what level of treatment the EPW requires. If determined that the detainee has to be transferred to the medical treatment facility, RSS, Transportation will be provided with guards to RSS. The medic will stay with the patient as needed to brief the on call PA of symptoms found.
- f. If adequate supplies are available, detainees will be permitted to conduct personal hygiene in the morning under the supervision of the RHA guards.

Guard Procedures and Policies:

- a. Maintain an [redacted] status with [redacted] Upon shift change, the off going guards will move to the nearest clearing barrel and clear their weapon. Guards will maintain positive control of their weapons while on duty. At no time will the weapon be left unattended or under the control of another guard.
- b. Maintain and enforce the uniform policy. The uniform for inside the RHA is DCUs, but may be upgraded as the situation dictates. At no time will the guards remove their blouse while on duty.
- c. Guards will be permitted to leave the RHA to use the latrine, however, they are not permitted to go to the barracks/ sleeping areas to wake up the next shift or to return for anything personal.
- d. While not on stand-by, (i.e. on interior /exterior guard duty) guards will NOT eat, drink soft drinks, read, write letters, or conduct any other business that may distract them while on duty. Guards are not permitted to leave the RHA without ensuring that the detainee guard ration is maintained.
- e. Personal property / evidence will be inventoried, tagged, and stored by the RHA NCOIC upon receipt of detainee at the RHA. All weapons shall be transferred to the RSS weapons milvan for storage.

(b)(2)3

3. Point of contact for this policy memorandum is 1LT [redacted] at DNV 587 [redacted]

[redacted]

LTC, QM
Commanding

(b)(6)2

**This portion of Bates Page 020532 depicts a photos
which is nonresponsive and has not been provided
based on application of the Judge's in camera rulings
(tourist-type photos)**

	<u>Agenda</u>	
<ul style="list-style-type: none">-Overview-Definitions-References-Property accountability-Use of force-Back-haul operations-Release process (Division level)		

**BATES PAGE 20533-20547
HAVE BEEN WITHHELD IN THEIR ENTIRITY PURSUANT TO
FOIA EXEMPTIONS (b)(2) – 3**

Bates Pages 20548-20549 depict photos which are nonresponsive and have not been provided based on application of the Judge's in camera rulings (tourist-type photos)

all (b)(6)4

Chronology of Guard / Detainee Issues

Jan 5, 2002

- Detainee complains that guard hit him
- Detainee complains that guards are treating him roughly during transport
- 1615Z-0100Z Operations stop due to in-processing
- Observing medic (Rank PFC) struck detainee at approximately 2200 hours, during in-processing, he was kicked out of tent

Jan 6, 2002

- 0130Z-0200Z Operations stop due to drill
- Detainee complained that guards beat him
- 1145Z- Detainee # [REDACTED] requested- 1231Z ICE is informed that guards have lost the key to the section of the facility that the detainee was being held-1440Z ICE is informed that the guards have discovered the missing key, and operations resume
- 1600Z until 1700Z Operations stop due to In-processing run-through.

Jan 7, 2002

- Operations stop due to detainee head-count 0115Z until 0300Z.
- Detainees observed ignoring guards.
- 0815Z Operations stop due to re-organization of the facility, projected duration, 4 hours
- Reorganization last from 0815Z until 2000Z.

Jan 8, 2002

- Two detainees arrive at 0200Z. Interrogations continue, but no new guests are brought out for questioning. The two new detainees are in-processed.
- 0608Z requested detainee # [REDACTED] hold up because guards lost key then they had to stop processing due to feeding. Still waiting for detainee # [REDACTED] at 0709Z **(Lost keys seems to be an endemic problem for the guards. This is the 4th day in a row where processing was delayed due to lost keys.)**
- Stopped processing due to detainee feeding process 0700Z-0800Z
- Operations stop while MPs move detainees. Projected down time is one hour. Stoppage lasts from 1750Z until 1945Z.
- Detainee [REDACTED] arrived 06 JAN 01. No screening record on file. Only reference in ICE database states [REDACTED] speaks Pashtu. Name and nationality entered into Master In-Processing Database from Ops info

020550

Jan 9, 2002

- At 1010 – 1050Z entire camp shut down due to reaction drill
- In-processing stoppage 1700 until 2130Z.
- In-processing stoppage 2335Z

Jan 10, 2002

- Resumed normal operations at 0500Z
- Requested detainee 323 at 0620Z. At 0723Z we discover that detainee (b)(6)4 is in the medical tent. It took the MP's one hour and 3 minutes to tell us the disposition of the detainee. **Are the MP's really that unaware of the disposition of their detainees?**
- It is taking upwards of one hour from the time the ICE requests a detainee to the time the detainee is in the booth for debriefing / screening
- Detainee (b)(6)4 has broken finger due to rough handling by the guards. Guard states that detainee was "giving them a hard time." (In cuffs and shackles "?")
- Took guards 1 hour to **locate** detainee number (b)(6)4
- 30 minute delay in screening detainee (b)(6)4 because guards would not touch the piss bucket or pass it to the group inside the medical tent even though the guards were wearing gloves. Total waiting period was 1 hour.
- 1604 until 2000 stoppage due to reaction to contact. After stand-down MPs move detainees and eat until 2200. In-processing begins at 2300.
- 2330z ICE personnel notice that the JIF has been without lights since base stand-down, MPs on duty with SSG (b)(6)2 NCOIC, took no initiative to recognize the existence of a problem until ICE personnel brought it to their attention. Lights are turned on approximately 15 minutes later—SSG (b)(6)2
- ICE OIC instructed SSG (b)(6)2 to inquire about the possibility of conducting a minimal number of interrogations while in-processing was being conducted. He (b)(6)2 asked if this was possible and how many MPs are required to run the JIF. After discussing the situation with SSG (b)(6)2 JIF MP NCOIC, he stated it was impossible. Upon SSG (b)(6)2's departure SSG (b)(6)2 used profanity and told him (b)(6)2 to leave his area and stop telling him (b)(6)2 how to do his job. (b)(6)2

Jan 11, 2002

- Detainee 374 had deep cut and swelling of right hand, cuts and bruises on face, cuts on ankles. Could not communicate due to language barrier, he's around 70 years old, I doubt that he gave them much trouble.
- Night Shift began requesting detainees at approximately 1630. Average wait time for the MPs to bring detainees was at least 30 to 45 minutes. SSG (b)(6)2 waited an hour and fifteen minutes for detainee (b)(6)4
- 2245Z MPs shut down JIF for incoming detainees. 2335Z ICE is informed detainees will not arrive until 0200Z.

020551

Jan 12, 2002

- Stoppage for incoming detainees 0142Z.
- In-processing begins at 0220Z
- Detainee feeding time-1850 until 1950
- 1950Z—MPs begin contraband search in compound because MREs were not properly broken down. Operations resume at 2330Z.

Jan 13, 2002

- Stoppage 1856Z-Detainee feeding time. MPs shutdown JIF to handle problem inside Det. Operations resume at 2200Z.

Jan 14, 2002

- 0715Z, MPs are MIA while retrieving # [REDACTED], fifty-seven minutes later, source arrives for questioning.

Jan 15, 2002

- Stoppage 0005—MPs shutdown to prep for second incoming group of detainees.
- (b)(6)4] MPs could not locate Detainee [REDACTED] after one hour of waiting.
- [REDACTED] complains of guards "beating" him during screening.
- Operations resume 0300Z.
- Took MP's 20 minutes to find handcuff key for detainee's cuffs
- 0850Z- Operations reduced to one escort team due to out-processing

Jan 16, 2002

- Special guest in booth 4 requested special device in which to defecate. MP's could not accommodate his request
- ICE is informed the MPs will be conducting 3 exercises throughout the night within the DET. The lights will be turned off for approximately 15 to 20 minutes per exercise and the JIF will be locked down.
- 2145Z-JIF is shut down until 0140Z for exercise and detainee movement.

Jan 17, 2002

- 0710Z- 0729Z Operations halted due to MP support of out-processing
- MP stoppage, 1730Z to move prisoners. Operations resume at 1853Z

Jan 18, 2002

- After MP dayshift leaves the JIF nightshift does not show up for 15 to 20 minutes leaving the JIF unguarded. [REDACTED] (b)(6)2
- 1630Z JIF stoppage for incoming bird. MPs will only run one room until the bird lands. COC informs ICE that once the bird lands that one interrogation would have to stop.
- 1920Z -2030Z MPs feeding prisoners.

020552

Jan 19, 2002

- 1830Z MPs feeding prisoners, estimate shut down time to be one hour.

Jan 20, 2002

- In-processing from 2005 until 2355.

Jan 21, 2002

- MP shift change stoppage 25 minutes
- At 0530 can only run 4 booths due to MPs sick and one MP on offsite mission
- MP# [REDACTED] states that he was roughly treated and beaten by guards during in-processing (Remington)
- MP# [REDACTED] was unhurt during in-processing, picture shows no physical damage, upon screening the next day, detainee says he was beaten by the guards, another picture was taken which shows some physical damage
- MP # [REDACTED] complains of abuse by guards. After in-processing in the isolation cage an unidentified guard hit [REDACTED] with the butt of his or her weapon. Detainee was wearing a hood and could not provide any further information. Detainee head was swollen on the top left side. – [REDACTED]

b (6) (2)

(b)(6)4

Jan 22, 2002

- 0500Z MPs dedicated to the JIF are tasked to count blankets and water, operations are halted
- 2005Z - Operations stopped by MPs at JIF, MPs discover detainees building sand tables and possibly plotting to escape. Reported by [REDACTED]

(b)(6)2

Jan 24, 2002

- Ceased screening / interrogation operations 0010 – 0450Z due to in-processing. MP's fed detainees from 0500 – 0630Z thereby continuing the work stoppage.
- Approximately 0700Z the MPs misplace the keys to the cages and operation are halted for 10 minutes
- Waited 42 minutes for detainee # [REDACTED] from 0925 – 1008
- Stopped Screening/ Interrogation operations 1158Z due to in-processing operations.

(b)(6)4

Jan 26, 2002

- Ceased screening/interrogation operations from [REDACTED] due to MP shift change and detainee meal break.
- In-processing begins at 1700. Operations resume at 1800.

(b)(2)3

020553

Jan 27, 2002

- 0100 stoppage for feeding of prisoners
- 0600 – 0700Z could only conduct 2 interrogations due to lack of MP guards / escorts

Jan 28, 2002

- 272200ZJAN02 until 280030ZJAN02 In-processing
- MP stoppage 0240Z until 0310.
- MP stoppage from 0400Z - ? due to detainee movement and shake-down
- We arranged with day shift MP's to keep detainee # [REDACTED] in JIF booth number 1 on sleep dep beginning 271507ZJAN02. When we came into work on 28 Jan, there were no detainees in the JIF (b)(6)4
- There is a new procedures were instituted by the MP night shift for collecting detainees which greatly increases the time it takes to start screenings / interrogations. This is the cycle: ICE calls our rep in the JIF, the rep calls the MP TOC who contacts the MP COC who in turn contacts the JIF MP rep (*who has been sitting next to our rep the entire time*) then the JIF MP rep assigns escorts to fetch the detainee.
Thank you night shift MP OIC/NCOIC.
- 2000~~00~~ Stoppage for detainee feeding one hour.

Jan 29, 2002

- 0130-Stoppage for detainee movement. Approximate down-time will be one hour
- Could only operate 4 booths due to lack of MP guards

Jan 30, 2002

- It took nearly 40 minutes from the time we requested detainee # [REDACTED] until the time we received him at 0535Z [REDACTED] (b)(6)2 (b)(6)4
- MP guard refused to take the handcuffs off detainee when the interrogator requested it. They think the JIF and detainees in the JIF are property of the MP's even when we are conducting interrogations. MP was dayshift JIF escort NCOIC SSG [REDACTED] (b)(6)2
- Able to operate 5 booths at 30 0810Z JAN02
- Guard refused to provide interrogation incentive item (additional blanket) to MP# [REDACTED] - UBL Dvr to aid in interrogator's rapport building strategy (MP was dayshift JIF escort NCOIC [REDACTED] (b)(6)2 (b)(6)4

Jan 31, 2002

- Operations ceased due to prisoner movement 0250Z – 0500Z

Feb 1, 2002

- PFC [REDACTED] and SPC [REDACTED] question MP# [REDACTED] notice multiple cuts, bruises, and abrasions on detainees face; detainee complains of (b)(6)2 (b)(6)4

020554

severe headache, and sore ribs. (See picture/statement in Detainee File.)

- 0625Z operations are halted due to shift change and MP escorts working with the doctors in the facility.
- MP SPC [REDACTED] did not loosen ankle cuffs when asked to do so, (b)(6) 2 stating they were not tight. When requested once again, SPC [REDACTED] (b)(6) 2 used unnecessary and excessive force with detainee # [REDACTED] (b)(6) 4 pulling his feet out from under him by the ankle chains, stepping on his thigh while loosening the cuffs then kicking him in the feet when finished. Later, the MP NCOIC, SSG [REDACTED], barged into the booth, where detainee (b)(6) 2 # [REDACTED] (b)(6) 4 was being interviewed by the FBI and CID with an MI Interpreter, demanding to know the problem. Detainee asked not to make a fuss over the treatment for fear of further mistreatment .
- In-processing begins at 2200 and ends at 0100.
- (b)(6) 4 Detainee [REDACTED] complains that he has not seen the doctor for the last two days. COC is informed that [REDACTED] wishes to see medical for frostbite injuries to his foot. (b)(6) 4

Feb 2, 2002

- 0430, 15 minute delay due to bathing time.
- 1025Z – 1055Z guards unavailable to escort detainees due to their lunch break
- 1900Z-MP inform ICE they can only support three rooms at the JIF. MP NCOIC will attempt to reallocate personnel to support more rooms.

Feb 4, 2002 (b)(6) 4

- MP# [REDACTED] states that when he was praying the guards asked him a question and when he did not answer, because he was praying, he was punished with physical training. (CPL [REDACTED] (b)(6) 2

Feb 5, 2002 (b)(6) 4

- Detainee [REDACTED] still has not seen the doctor for frostbite injuries. MPs stated that they have no record of [REDACTED]'s request to see the doctor, COC is informed again. (b)(6) 4
- SPC (female medic) is unprofessional and bordering on disrespectful to an officer (interpreter) during medical rounds (LT [REDACTED]). She is not responsive to detainee needs and appears callous (b)(6) 2
- (b)(6) 4 Detainee [REDACTED] complains that the guards interrupted him while praying to bring him to the JIF.

Feb 6, 2002

- Night shift is informed upon arrival to the JIF that the MPs can support a **staggering** 5 booths.... Something is amiss....

020555

Feb 7, 2002

- Inprocessing begins at 2145.

Feb 13, 2002

- At 1300Z MP's have enough guards to support only 3 booths
-

020556

SWORN STATEMENT

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

LOCATION KANDAHAR DETENTION FACILITY	DATE	TIME	FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER (b)(6)z - [REDACTED]		GRADE/STATUS E4/AR
ORGANIZATION OR ADDRESS TF 202 MI BN			

(b)(6)z [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

AT 0149Z ON FEB 02, I A1 AND PFC [REDACTED] (b)(6)z ENTERED BOOTH 1 OF THE JOINT INTERROGATION FACILITY TO QUESTION MP NUMBER [REDACTED]. I NOTICED SEVERAL CUTS AND BRUISES ON MP NUMBER [REDACTED]'S FACE. HE ALSO COMPLAINED OF PAIN AND SORENESS TO RIBS. MP NUMBER [REDACTED] STATED THAT APPROXIMATELY FOUR DAYS AGO HE WAS BEATEN BY THREE TO FOUR GUARDS. MP NUMBER [REDACTED] STATED THAT EVERYONE IN THE PEN WAS INSTRUCTED TO GET UP BUT HE WAS UNABLE DUE TO NUMBNESS IN HIS LEG. THAT IS WHEN THE GUARDS APPROACHED HIM AND BEGAN TO BEAT HIM. THE FOLLOWING TWO NIGHTS MP NUMBER [REDACTED] STATED THAT THREE TO FOUR GUARDS ENTERED THE PEN AND KICKED HIM REPEATEDLY AND LEFT.

(b)(6)z

Nothing Follows

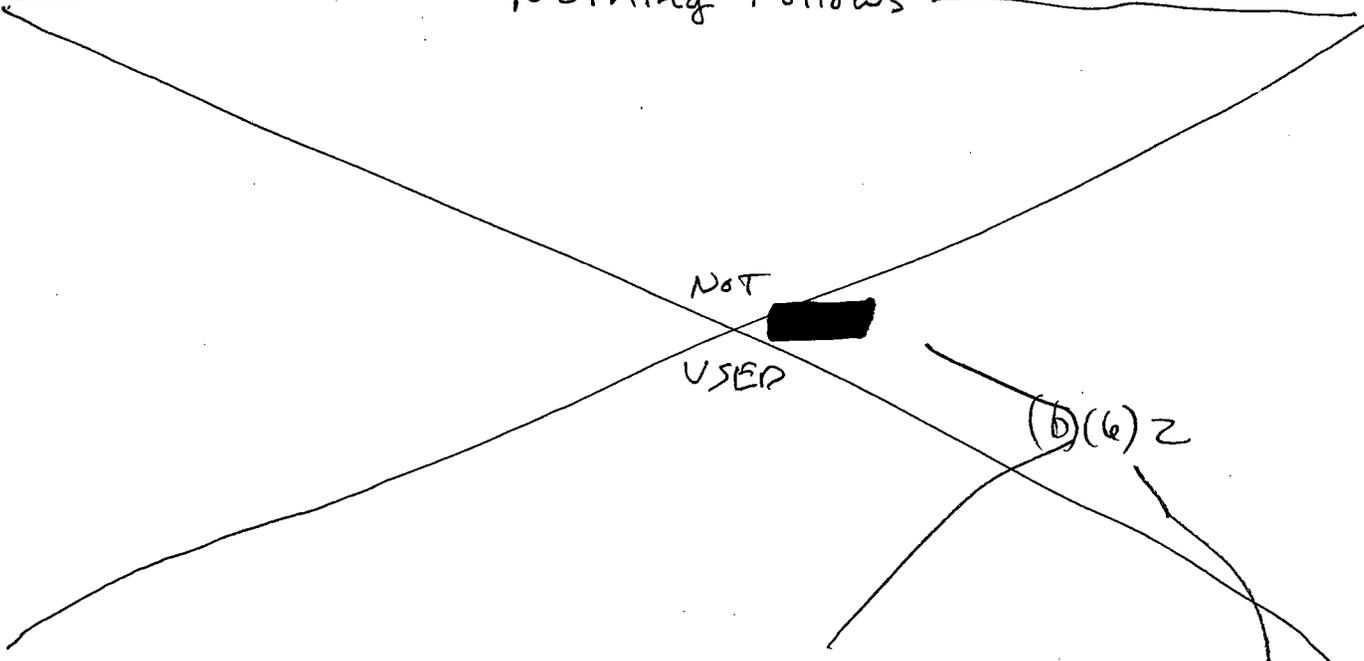


EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING 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.

(b)(6)z

STATEMENT (Continued)

(b)(6)4

I HAD SPOKEN TO MP NUMBER [REDACTED] ABOUT A WEEK PRIOR TO 1 FEB 02 MEET. AT WHICH TIME I DO NOT RECALL ANY VISIBLE MARKS ON HIS FACE. IT IS QUITE APPARENT THAT BETWEEN MY INITIAL AND [REDACTED] MEET AND 01 FEB 02 MEET THAT SOMETHING HAD HAPPENED TO MP NUMBER [REDACTED]'S FACE.

Nothing Follows

(b)(6)4

(b)(6)z

Not

(b)(6)z

Used

all (b)(6)z below

AFFIDAVIT

I, [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 INDUCEMENT.

WITNESSES:

[REDACTED] CWZ

ORGANIZATION OR ADDRESS

[REDACTED] CW3 202 ME B6

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18 day of FEBRUARY 2002 at KANDAHAR AFGHANISTAN

[REDACTED] MAJ

JUDGE ADVOCATE

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

020558

all (b)(6)z

SWORN STATEMENT

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

LOCATION JOINT INTERROGATION FACILITY	DATE 11 Feb 2002	TIME ± 2100	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS 04
ORGANIZATION OR ADDRESS 202 MI			

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON THE ABOVE DATE AND TIME, I WAS WORKING IN SUPPORT OF AN IN-PROCESSING OF ABOUT 8 EPW'S. ONE OF THE STATIONS IN THE PROCESS IS THE MEDICAL EXAM, DURING WHICH AN ANAL PROBE IS CONDUCTED. WHEN THE 6TH OR 7TH EPW WAS AT THIS STATION, I NOTICED THAT ONE OF THE MP'S WAS LUBRICATING TWO OF HIS FINGERS PREPARING TO PERFORM THE ANAL PROBE INSTEAD OF THE MEDICAL PERSON. HE WAS A LARGE MAN, WITHOUT WARNING THE EPW, AND IN A CRUEL WAY, HE PUSHED BOTH HIS FINGERS INTO THE EPW'S ANUS. THIS CAUSED THE EPW TO SCREAM AND FALL TO THE GROUND VIOLENTLY. HIS LEG IRONS, WHICH, I SUPPOSE, WERE NOT LOCKED, CAME OPEN BY THE FORCE OF HIS REACTION. UPON MY RETURN TO THE TF/202 I.C.E. (INTERROGATION CONTROL ELEMENT), I INFORMED CHIEF WO [REDACTED] OF THIS OBSERVATION.

NOTHING FOLLOWS

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED."
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all (b)(6) z

STATEMENT (Continued)

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AFFIDAVIT

I, [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 INDUCEMENT.

[REDACTED]

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18 day of FEBRUARY, 2002 at KANDAHAR, AFGHANISTAN

[REDACTED] CW3
202 AF BN

ORGANIZATION OR ADDRESS
[REDACTED] CW2
202^d MI Bn

[REDACTED] MAJ
(Typed Name of Person Administering Oath)
JUDGE ADVOCATE
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

LOCATION	DATE	TIME	FILE NUMBER
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LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY NUMBER	GRADE/STATUS
------------------------------------	------------------------	--------------

HOME ADDRESS	
--------------	--

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 21 JAN 02, I SCREENED DETAINEE NUMBER [REDACTED].
 AT THE END OF THE SCREENING, I SHOWED [REDACTED] THE CAMP RULES.
 AFTER HAVING [REDACTED] READ THE CAMP RULES OUT LOUD, SPECIFICALLY THE
 SECTION ON RAISING COMPLAINTS ON GUARD TREATMENT, [REDACTED]
 INFORMED ME THAT HE HAD BEEN STRUCK ON THE HEAD WITH A
 HEAVY OBJECT. [REDACTED] STATED HE BELIEVED IT TO BE THE BUTT OF
 THE GUARD'S RIFLE. [REDACTED]'S EYES WERE HOODED AT THE TIME,
 AND SO HE WAS UNABLE TO IDENTIFY OR DESCRIBE THE
 INDIVIDUAL THAT STRUCK HIM. [REDACTED] SHOWED ME A LARGE
 BUMP ON THE TOP OF HIS HEAD WHERE HE WAS STRUCK.
 NOTHING FOLLOWS

all (b)(6)(7)(4)

(b)(6)(7)(2)

(b)(6)(7)(2)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 2 PAGES
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all (b)(6)z

AFFIDAVIT

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WITNESSES:

[REDACTED] CW3
202011B11

ORGANIZATION OR ADDRESS

[REDACTED] CW2
202011B17

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18 day of FEBRUARY, 2002 at KANDAHAR, AFGHANISTAN

[REDACTED] MAJ

(Typed Name of Person Administering Oath)

JUDGE ADVOCATE

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

all (b)(6)Z except as noted

SWORN STATEMENT

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

LOCATION	DATE	TIME	FILE NUMBER
	16 FEB 02		
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY NUMBER		GRADE/STATUS
[REDACTED]	[REDACTED]		E-4
ORGANIZATION			
202 MI BN 513 MI BDE			

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 031445 Z JAN 02 to 031610 Z JAN 02 I interrogated detainee number [REDACTED] (b)(6) through arabic-speaking interrogator SPC [REDACTED] in the Kandahar Afghanistan airport JIF in booth number six. Approximately an hour into the interrogation I temporarily terminated questioning to leave the booth to discuss the course of the interrogation with SPC [REDACTED], leaving the guard in the booth with the detainee. SPC [REDACTED] and I walked approximately 20 feet from the booth and spoke for 5 to 10 minutes before reentering the booth, where 3 to 5 individuals were gathered around the detainee. One or two appeared to blow cigar smoke in his face. I told them to get out and they did. The guard was still present. Detainee stated through SPC [REDACTED] that the men had been blowing smoke in his face and had touched his wrists and hands with some sort of electrical device. Detainee was upset. SPC [REDACTED] and I calmed him but terminated the interrogation after assessing detainee to be too upset to continue.

NOTHING FOLLOWS

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

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all (b)(6) z

AFFIDAVIT

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[REDACTED SIGNATURE]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18th day of FEBRUARY 2002 at KANDAHAR, AFGHANISTAN

[REDACTED] CW2
202nd MI BN

ORGANIZATION OR ADDRESS

[REDACTED] CW3
202nd MI BN

ORGANIZATION OR ADDRESS

[REDACTED SIGNATURE] (Signature of Person Administering Oath)

[REDACTED] MAJ

(Typed Name of Person Administering Oath)

JUDGE ADVOCATE

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

all (b)(6) z

SWORN STATEMENT

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

LOCATION Kandahar, Afghanistan	DATE 14 Feb 02	TIME 0403 z	FILE NUMBER 553
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS E-5
ORGANIZATION OR ADDRESS TF 202 MI, TFRakkason, TF 202 APO AE 09355			

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Detainee asked why the guards were so rough with him and said that about three guards on the plane here hit him and others on the plane. He said he was struck by the guards in the back and the kidneys and that one of them strangled him with his hand. Detainee complained of the position in which he had to sit on the plane, which was with his head down. He said that this made his shoulder cramp up and his whole body ached from the bumpy plane ride. He also said that the guards here, during in process, were rough with him when they flattened his hands and feet to the ground.

Note: Detainee made these comments during his screening after arriving to Kandahar from Bagram.

Nothing follows

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED."
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Nothing follows

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all (b)(6) 2

AFFIDAVIT

I, [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

[redacted signature] (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18 day of FEBRUARY 2002 at KANDAHAR, AFGHANISTAN

ORGANIZATION OR ADDRESS

[redacted signature] (Signature of Person Administering Oath)

[redacted] CW2 202nd MIBn

[redacted name] MAJ (Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

JUDGE ADVOCATE (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

SWORN STATEMENT

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

LOCATION KANDAHAR, AFGHANISTAN	DATE	TIME	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS E-4
ORGANIZATION OR ADDRESS TF 202 ML			

[REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 01 FEB 02, I SPOKE WITH MP# [REDACTED] USING SPC [REDACTED] AS MY TRANSLATOR. IMMEDIATELY UPON [REDACTED] ENTRANCE INTO THE INTERVIEW BOOTH, I NOTICED THAT THE BACKSIDE OF HIS ISSUED BLUE JUMPSUIT HAD BEEN TORN. WHEN THE MP EXORT REMOVED [REDACTED]'S HOOD, I OBSERVED THAT HIS FACE WAS CUT AND SWOLLEN IN SEVERAL PLACES, CONSISTENT WITH REPEATED BLOWS TO THE FACE. WHEN I ASKED [REDACTED] ABOUT THE MARKS ON HIS FACE, HE STATED THAT THE GUARDS HAD ENTERED THE DETENTION FACILITY AND STARTED YELLING. EVERYONE ELSE IN [REDACTED]'S DEN STOOD, SO HE, NOT UNDERSTANDING THE LANGUAGE, ASSUMED HE WAS ALSO TO STAND. AS HE ATTEMPTED TO STAND, HIS RIGHT LEG AND FOOT WERE "VERY COLD AND NUMB." [REDACTED] STATED THAT HIS RIGHT LEG AND FOOT WOULDN'T WORK, SO HE SAT BACK DOWN. AT THIS TIME, THREE OR FOUR UNIDENTIFIED GUARDS APPROACHED [REDACTED] AND KICKED REPEATEDLY IN THE HEAD AND FACE. [REDACTED] SPECIFICALLY STATED THAT HE WAS NOT STRUCK WITH A CLOSED FIST TO HIS KNOWLEDGE. [REDACTED] ALSO STATED THAT HE WAS ASSAULTED THE FOLLOWING TWO NIGHTS, BY TWO OR THREE GUARDS EACH NIGHT. FOLLOWING THE QUESTIONING, I TOOK SEVERAL PHOTOGRAPHS OF [REDACTED]'S FACE TO COMPARE WITH HIS PHOTOGRAPH FROM IMPROCESSING. THESE PHOTOGRAPHS, ALONG WITH A STATEMENT WRITTEN BY MYSELF AND SPC [REDACTED] ARE IN [REDACTED]'S PERMANENT FILE.

(b)(6) 4

(b)(6) 2

(b)(6) 2

NOT

USED

(b)(6) 2

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED."
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all (b)(6) z

STATEMENT (Continued)

NOT

USED

AFFIDAVIT

I, [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 INDUCEMENT.

WITNESSES:

[REDACTED] CW2

ORGANIZATION OR ADDRESS 202^d M. Bn

[REDACTED] CW3

ORGANIZATION OR ADDRESS 202^d M. F. Bn

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18 day of FEBRUARY, 2002 at KANDAHAR, AFGHANISTAN

[REDACTED] MAJ

(Typed Name of Person Administering Oath) JUDGE ADVOCATE

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 2 PAGES

020568

except as noted (b)(6)2

SWORN STATEMENT

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

LOCATION Khandahar, Afghanistan	DATE 14 FEB 02	TIME	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS E-4	
ORGANIZATION OR ADDRESS [REDACTED]			

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

At approximately 0600Z on 14 FEB 02, I began an interrogation with detainee # [REDACTED]. I noticed that he was breathing heavily (b)(6)4 and appeared to be disoriented. I asked the detainee if he had any problems concerning his health. The detainee said that since his arrival at Khandahar he had been beaten and had received extremely poor treatment from guards inside the detention facilities. The detainee relayed that he had been thrown around & rough-handled by guards. In addition, the detainee said that he had been struck, on his body, by a guard.

At approximately 0645Z I decided to terminate the interrogation and inform my NCOIC; oic

Nothing Follows

EXHIBIT	IN [REDACTED] STATEMENT	PAGE 1 OF 2 PAGES
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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.

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AFFIDAVIT

I, [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, U

[REDACTED SIGNATURE]
(Signature of Person Making Statement)

WITNESSES:

[REDACTED]
CW2
202nd MIBn

ORGANIZATION OR ADDRESS

[REDACTED]
MAJ
202nd MIBn

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18 day of FEBRUARY 2002 at KANDAHAR AFGHANISTAN

[REDACTED SIGNATURE]
(Signature of Person Administering Oath)

[REDACTED], MAJ
(Typed Name of Person Administering Oath)
JUDGE ADVOCATE
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED INITIALS]

except as noted all (b)(6)z

SWORN STATEMENT

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

LOCATION

DATE

TIME

FILE NUMBER

16 FEB 02

0430 ZULU

LAST NAME, FIRST NAME, MIDDLE NAME

SOCIAL SECURITY NUMBER

GRADE/STATUS

ORGANIZATION OR ADDRESS

E-5

I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

1. On 16 February 2002, Lance Corporal [redacted] and myself were doing screening of individuals in the Joint Interrogation Facility (JIF). When MP # [redacted] entered the facility (b)(6) (b)(7) he was harassed roughly. One of the escorts kicked the detainee in the back of the knee to get him to kneel and then said get down. As is customary to their culture the detainee submitted. The escorts yelled at him to sit down and then pulled him backwards until he was laying on his back with his feet under him, trying to get him in a sitting position. I pulled the NCO (E-5 name unknown) out of the booth and told him that I would not tolerate misuse of force on the detainees while in my booth. He directed me to talk to the NCOIC of the Shift. I explained to them what I observed. He told me that our safety and the safety of the MPs is his first concern and that if the detainee is resisting that certain force is necessary. He also stated that "all detainees know the procedure by now." I explained to SSG [redacted] that this detainee just came in that morning and this was his first time in American custody, therefore not knowing their procedures. The NCOIC said he would talk to the escorts. I reported this to my supervisors.

2. While on translator duty with the medics inside the detention facility on 3 and 10 February 2002 between six to twelve detainees, each time, complained of headaches, sore jaws and kidneys due to abuse by the guards. I asked each individual who complained of this exactly what happened. These individuals stated that the guards beat them and hit them some while being moved when their heads were covered. While explaining to the doctor the situation, a female medic, SPC [redacted], and a male doctor, CPT [redacted] both made comments to the effect that they, the detainees, wouldn't hurt if they didn't get hit and to tell them not to get hit again. These two individuals did not want to give pain medicine to these particular detainees. Two individuals complained of dislocated soldiers from the way the guards moved the detainees, hands cuffed behind their backs with a guard on both side pulling their arms up and outward. The detainees were able to raise their arms only to shoulder level. The doctor told them that their shoulders were strained but not dislocated. This was reported to my supervisors.

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING [redacted] 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.

STATEMENT (Continued)

(b)(6) 4

3. On 12 February 2002, I observed MP1 [redacted] being returned to the detention facility. The detainee had been caught putting rocks into a hood prior to screening. The detainee admitted to wanting to try to escape. Upon his return to the facility his hood was twisted at the rope of his neck until his facial features could be distinguished and his nose searched. He was pulled along at a fast rate of speed, with his arms behind his back and feet shackled, over a pile of rubbish upon which he ~~was~~ tripped, and the second escort said that the first escort was going too fast. One of his shackles came undone. The detainee was thrown on the ground until the shackle could be fixed. He was then picked up and moved into the facility. I did not mention this treatment to anyone, as I felt their response would justify the MIA behavior since the detainee planned to escape, just as we are taught to do.

NOTHING FOLLOWS

all (b)(6) 2 below

AFFIDAVIT

I, [redacted], 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.

[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 FEBRUARY, 2002 at KANDAHAR, AFGHANISTAN

[redacted] CV2

ORGANIZATION OR ADDRESS 202^d MI Bn

[redacted] (Administering Oath)

MAJ, JA

ORGANIZATION OR ADDRESS [redacted]

(Authority To Administer Oath) JUDGE ADVOCATE

INITIALS OF PERSON MAKING STATEMENT [redacted]

PAGE 2 OF 2 PAGES

020572

except as noted (b)(6)z

SWORN STATEMENT

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

LOCATION KANDAHAR DETENTION FACILITY	DATE 13 FEB 02	TIME 1100	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS E4 SPC
ORGANIZATION OR ADDRESS ACO 202 JIF KANDAHAR AF			

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I am writing this in response to events that I witnessed while performing my duties as an interrogator with the TF 202 JIF.

SPC [REDACTED] & I were conducting an interrogation of MP [REDACTED] on 3 JAN 2002. Special Forces personnel had been visiting the booth area previously & helping out by giving information that they had from their raids. [REDACTED] & I took a break to regroup & check our notes. I was the translator. While we were out of the booth, several special forces members entered the booth. At the time I did not think anything of it, & thought they were just observing him based on previous experiences with their people. This was a different group of people I hadn't seen before. [REDACTED] & I finished the break & went back to continue the interrogation. When we entered the booth, we found the special forces members all crouched around the prisoner. They were blowing cigarette smoke in his face. The prisoner was extremely upset. It took a long time to calm him down & find out what had happened. The prisoner was visibly shaken & crying. [REDACTED] immediately told them to get out & not to come back anywhere near anyone that we were talking to. I could tell that something was wrong. The prisoner was extremely upset. He said that they had hit him, told him that he was going to die, blew smoke in his face, & had shocked him with some kind of ~~device~~ device. He used the term "electricity". [REDACTED] & I immediately notified our NCOIC of what had happened. The Chain of Command took actions to ensure that nothing of the sort could happen again. A new policy was established requiring that any of the special forces members who wanted to assist with any part of the interrogation process had to first check in with the interrogation control element (ICE). The individuals who committed the acts were told that they were no longer welcome in the facility. I was very upset that such a thing

(b)(6)4

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

(b)(6) z

STATEMENT (Continued) STATEMENT OF [REDACTED] TAKEN AT KANDAHAR DATED 13 FEB 02 CONTINUED

could happen. I take my job & responsibilities as an interrogator & as a human being very seriously. I understand the importance of the Geneva Convention & what it represents. If I don't honor it, what right do I have to expect any other military to do so?

This section left blank intentionally

AFFIDAVIT

I, _____, 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.

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____, 19 _____ at _____

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

Spc. [REDACTED] (b)(6)z
TF 202
14FEB02

Abuse Complaint by Detainee # [REDACTED] (b)(6)4

The following is a summary complaint of abuse offered by detainee # [REDACTED]. At approximately 0600z on 14FEB02 I began an interrogation with # [REDACTED]. I noticed that the detainee was breathing heavily and appeared to be disoriented. I asked the detainee if he had any problems concerning his health. The detainee said that since his arrival at Khandahar he had been beaten and received extremely poor treatment by the guards inside the detention facility. I asked the detainee to describe the treatment he had received at the detention facility. The detainee relayed that he had been thrown around and rough-handled by guards. In addition, the detainee said that he had been struck, on his body, by a guard.

I asked the detainee if he needed to see a doctor. The detainee said no and that he just wanted to proceed with the interview. I began a biographical questioning of the detainee. However, the detainee still appeared to be shaken and was having difficulty breathing. I had asked the initial guards/escorts to place the detainee's hands in front of him. However, the guards said that they were unable to move the detainee's hands because they did not have handcuffs (the detainee's hands were behind him bound with "zip-ties"). At approximately 0615z I decided to terminate the interrogation and inform my NCOIC and OIC of the abuse complaint.

Comment:

The detainee said that he could recognize the guards who, allegedly, mistreated him. The detainee also said that his previous incarceration in Bagram, AF had been much better than his treatment in Khandahar. The detainee stated, "I am Kuwaiti and have always appreciated the American; they saved our country from Saddam. But, the treatment I have received here is changing my view of Americans."

[REDACTED] (b)(6)z
Spc. [REDACTED]
TF 202
Khandahar, Afghanistan

020575

MP # [REDACTED] (b)(6)4
SCREENER: [REDACTED] (b)(6)2
140328ZFEB02 - 140403ZFEB02

DETAINEE ASKED WHY THE GUARDS WERE SO ROUGH WITH HIM AND SAID THAT AROUND THREE GUARDS ON THE PLANE HERE HIT HIM AND OTHERS ON THE PLANE. HE SAID HE WAS STURCK IN THE BACK AND THE KIDNEYS AND THAT A GUARD STRANGLD HIM WITH HIS HAND. DETAINEE COMPLAINED OF THE POSITION IN WHICH HE HAD TO SIT ON THE PLANE AND SAID THAT THIS MADE HIS SHOULDER CRAMP UP AND HIS WHOLE BODY ACHED FROM THE BUMPY PLANE RIDE. HE ASLO SAID THAT THE GUARDS HERE (KANDAHAR AIRPORT) WERE ROUGH WITH HIM WHEN THEY PUSHED HIS HAND AND FEET FLAT DURING INPROCESSING.

[REDACTED] (b)(6)2
[REDACTED]

010149FEBZJAN02, KANDAHAR DETENTION FACILITY, KANDAHAR AIR
FIELD, AFGHANISTAN

(b)(6)z

AT 0149Z ON 01FEB02, I AND SPC [REDACTED] ENTERED BOOTH 1 OF
THE JOINT INTERROGATION FACILITY (JIF) TO QUESTION MP# [REDACTED]
[REDACTED] WHEN THE MP GUARD PULLED [REDACTED]'S STOCKING CAP FROM
HIS FACE, I NOTICED SEVERAL CUTS, SCRATCHES, BRUISES, AND SCABS
ON [REDACTED]'S FACE. [REDACTED] HAS A LARGE SCABBED OVER CUT ON THE RIGHT
SIDE OF BOTH HIS TOP AND BOTTOM LIPS; A LARGE SCABBED OVER CUT
ON THE BRIDGE OF HIS NOSE, APPROXIMATELY ONE HALF INCH IN
DIAMETER; A CUT OVER THE CORNER OF HIS LEFT EYE, APPROXIMATELY
ONE HALF TO THREE QUARTERS INCH LONG (THIS CUT HAS BEEN STERI-
STRIPPED); HIS LEFT EYE IS BRUISED, SWOLLEN, AND THERE IS A LARGE
BLOOD SPOT ON THE WHITE OF [REDACTED]'S EYE (OUTSIDE); SEVERAL, SMALL,
SCABBED OVER SCRATCHES BY HIS RIGHT EYE; HE IS COMPLAINING OF A
SEVERE HEADACHE, AND SORE RIBS. ([REDACTED] FLINCHED WHEN I APPLIED
VERY LIGHT PRESSURE TO THE LOWER RIGHT SIDE OF HIS TORSO. THERE
IS NO VISIBLE BRUISING ON HIS TORSO.)

(b)(6)4

[REDACTED] STATED THAT APPROXIMATELY FIVE DAYS AGO, AN UNKNOWN
NUMBER OF GUARDS CAME INTO HIS PEN AND TOLD EVERYONE TO
STAND UP. [REDACTED] WAS UNDER THE IMPRESSION THAT THE GUARDS
WANTED THEM TO STAND BECAUSE EVERYONE ELSE IN HIS PEN STOOD
UP) WHEN [REDACTED] ATTEMPTED TO STAND, HIS RIGHT FOOT AND LEG WAS
COLD AND NUMB, SO HE SAT BACK DOWN. [REDACTED] STATED THAT THIS
PROBLEM WITH HIS FOOT AND LEG STARTED AT BAGRAM.) AT THIS TIME,
THREE OR FOUR UNIDENTIFIED GUARDS APPROACHED HIM AND BEGAN
KICKING HIM UNTIL HE LAID DOWN. HE STATED THAT THE GUARDS
CONTINUED TO KICK HIM REPEATEDLY IN THE HEAD.

[REDACTED] STATED THAT HE WAS ASSAULTED THE FOLLOWING TWO NIGHTS,
BY TWO OR THREE GUARDS EACH NIGHT. HE SAID THAT THE GUARDS
ENTERED HIS PEN, KICKED HIM REPEATEDLY, AND LEFT.

[REDACTED]
PFC, USA

(b)(6)z

[REDACTED]
SPC, USA

020577

On 21 JAN 02, I screened detainee number [REDACTED]. At the end of the screening, I showed him the camp rules. After having [REDACTED] read the camp rules out loud, specifically the section on raising complaints on guard treatment, [REDACTED] informed me that he had been struck on the head with a heavy object. [REDACTED] stated he believed it to be the butt of the guard's rifle. [REDACTED] s eyes were hooded at the time, and so he was unable to identify or describe to me the guard that struck him. [REDACTED] showed me a large bump on the top of his head, from where the guard struck him.

} (b)(6) 4

[REDACTED]

(b)(6) 2

[REDACTED]

[REDACTED]

SPC, US Army
TF 202
Interrogator

(b)(6)z

I SGT [REDACTED] am writing this statement in response to events that I witnessed while performing my duties as an interrogator/translator with TF 202.

1. On 11 January 2002, Lance Corporal [REDACTED] and myself were doing screening of individuals in the Joint Interrogation Facility (JIF). When MP # [REDACTED] entered the facility the escort guards were rougher than necessary. One of the escorts kicked the detainee in the back of the knee to get him to kneel and then said get down. As is customary to their culture the detainee squatted. The escorts yelled at him to sit down and then pulled him backwards until he was laying on his back with his feet under him trying to get him in a sitting position. I pulled the NCO (E-5, name unknown) out of the booth and told him that I would not tolerate misuse of force on the detainees while in my booth. He directed me to talk to the NCOIC of the shift. I explained to him what I observed. He told me that our safety and the safety of the MPs is his first concern and that if the detainee is resisting that certain force is necessary. He also stated that "all detainees know the procedure by now." I explained to the SSG [REDACTED] that this detainee just came in that morning and this was his first time in American custody, therefore not knowing their procedures. The NCOIC said he would talk with the escorts. (b)(6)z

2. While on translator duty with the medics inside the detention facility on 3 and 10 February 2002 between six to twelve detainees complained of headache, sore jaws and kidneys due to abuse by the guards. I asked each individual who complained of this, what happened and if they got into a fight. These individuals stated that the guards beat them and hit them, some while being moved when their heads were covered. While explaining to the doctor the situation, a female medic, SPC [REDACTED] and a male doctor, CPT [REDACTED] both made comments to the effect that they, the detainees, wouldn't hurt if they didn't get hit and to tell them not to get hit again. These two individuals did not want to give pain medicine to these particular detainees. Two individuals complained of dislocated shoulders from the way the guards moved the detainees, hands handcuffed behind their backs with a guard on both side pulling their arms up and outward. The detainees were able to raise their arms only to shoulder level. The doctor told them that their shoulders were strained but not dislocated. (b)(6)z

3. On 12 January 2002, I observed MP# [REDACTED] being returned to the detention facility. The detainee had been caught putting rocks into a hood prior to screening. Upon his return to the facility his hood was twisted at the nape of his neck until his facial features could be distinguished and his nose squished. He was pulled along at a fast rate of speed, with his arms behind his back and feet shackled over a pile of rubbish upon which he tripped, and the second escort said that the first escort was going to fast. One of his shackles came undone. The detainee was thrown on the ground until it could be fixed. He was then picked up and moved into the facility. (b)(6)z

[REDACTED]
SGT, USA

(b)(6)z

020579

(b)(6) 2
I CPL [redacted] am writing this statement in response to events that I was told about form
detainee number [redacted] while performing my duties as an interrogator with TF 202 JIF. (b)(6) 4

On February 04 2002 I was interrogating detainee number [redacted] when he told me that the guards had
punished him by forcing him to do physical exercises. Detainee was praying when the guards asked him a
question and when the detainee did not answer because he was praying they forced him to do physical
exercises.

[redacted] (b)(6) 2
[redacted], CPL
SSN: [redacted]
ACO, 202MI BN, 513 MI BDE

SWORN STATEMENT

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

LOCATION Kandahar Detention Facility	DATE	TIME	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS E-4/AR
ORGANIZATION OR ADDRESS TF 202 MI	(b)(6)2		(b)(6)4

I, CPL [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On February 04 2002 I was interrogating detainee number [REDACTED] when he told me that the guards had punished him by forcing him to do physical exercises. Detainee was praying when the guards asked him a question and when the detainee did not answer (because he was praying) the guards forced him to do physical exercises.

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EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF _____ PAGES
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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.

STATEMENT (Continued)

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AFFIDAVIT

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(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____, 19____ at _____

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

020582