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DEPARTMENT OF THE ARMY

U.S. ARMY CRIMINAL INVESTIGATION COMMAND Afghanistan MP Det (CID) ilding 591, Bagram Airfield, APO, Armed Forces Africa, Canada, E

Building 591, Bagram Airfield, APO, Armed Forces Africa, Canada, Europe & Middle East 09354-9354

27 Aug 2004

MEMORANDUM FOR: SEE DISTRIBUTION
SUBJECT: CID REPORT OF INVESTIGATION - FINAL SUPPLEMENTAL/SSI - 0059-2004-CID369-69279 - 5C1L / 5Y2E
DATES/TIMES/LOCATIONS OF OCCURRENCES: 1. 02 JAN 2002, 0001 - 02 OCT 2002, 0000; BAGRAM AIRFIELD DETAINEE FACILITY, BAGRAM AIRFIELD, AFGHANISTAN
DATE/TIME REPORTED: 20 MAY 2004, 0900
INVESTIGATED BY: SA SA SA SA SA SA SA SA SA S
SUBJECT: 1. UNKNOWN, ; AGGRAVATED ASSAULT, MALTREATMENT OF A PERSON IN US CUSTODY (NFI)
VICTIM: 67e-4, 66-4
, MALE; WHITE; XZ; AKA: ISN., ; AGGRAVATED ASSAULT, MALTREATMENT OF A PERSON IN US CUSTODY (NFI)
INVESTIGATIVE SUMMARY:
This office was notified by HQ, USACIDC via Request for Investigation (RFI) 0220-04-CID001, that Mr. was abused by U.S. Forces by being beaten while in the Bagram Collection Point, Bagram Airfield, APO AE 09354.
Investigation failed to prove or disprove that Mr. was beaten an initially reported, as 676-4, 66-4, he was not able to be interviewed due to charges being preferred against him by the U.S.
1
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Government

STATUTES:

Article 93, UCMJ: Maltreatment Article 128, UCMJ: Assault

EXHIBITS/SUBSTANTIATION:

Added Attached:

2. Naval Criminal Investigative Services (NCIS) Report of Investigation (ROI), control number 07JUL04-MPGT-0066-7GNA/C, detailing their attempts to interview Mr.

670-4,66-4

Added Not Attached:

None.

The original of Exhibit 2 is forwarded to USACRC with the original of this report.

STATUS: This is a Final Supplemental Report. This investigation will be reopened once Mr. becomes available for interview. 67e-4, 66-4

REPORT PREPARED BY

67E-1166-1

Special Agent,

REPORT APPROVED BY



, 676-1,66-1

Special Agent-in-Charge

DISTRIBUTION:

1-Dir, USACRC, Ft Belvoir, VA

1-THRU: CDR, 3D MP GRP

TO: CG, USACIDC, FT BELVOIR VA//CIOP-ZA//

1-Chief of Staff, CJTF-76 (email only less exhibits)

1-CDR, Task Force Dragon (email only less exhibits)

67c-3,66-3 67c-3,66-3 1-PM, CJTF-76 (LTC (email only less exhibits)

1-SJA, CJTF-76 (MAJ (email only less exhibits)

1-FILE

2

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DATE 26 AUG 2004

FROM AFGHANISTAN CID OFFICE, BAGRAM AIRFIELD //CICR-BGR//

TO:

DIR USACRC FT BELVOIR VA //CICR-ZA// CG USACIDC FT BELVOIR VA //CIOP-ZA//

CDR, 3D MP GRP

CHIEF OF STAFF, CJTF-76

CDR, TASK FORCE DRAGON (COL

676-3,66-3 676-3,66-3

PM, CJTF-76 (LTC

SJA, CJTF-76 (MAJ

1) 670-3,66-3

SUBJECT:

CID REPORT OF INVESTIGATION - 1ST SUPPLEMENTAL /SSI -

0059-2004-CID369-69279 - 5C1L / 5Y2E

DRAFTER:

676-1,66-1

RELEASER:

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 02 JAN 2002, 0001 - 02 OCT 2002, 0000; BAGRAM AIRFIELD DETAINEE FACILITY, BAGRAM AIRFIELD, AFGHANISTAN

2. DATE/TIME REPORTED: 20 MAY 2004, 0900

3. INVESTIGATED BY:

SA

SA

676-1,66-1,62

4. SUBJECT:

1. UNKNOWN, ; AGGRAVATED ASSAULT, MALTREATMENT OF A PERSON IN US CUSTODY (NFI)

5. VICTIM:

1.4 , CIV; ; MALE; WHITE; XZ ; AKA: ISN: 676-4,66-4 (NFI)

AGGRAVATED ASSAULT, MALTREATMENT OF A PERSON IN US CUSTODY (NFI)

6. INVESTIGATIVE SUMMARY:

THE INFORMATION IN THIS REPORT IS BASED UPON AN ALLEGATION OR PRELIMINARY INVESTIGATION AND MAY BE CHANGED PRIOR TO THE COMPLETION OF THE INVESTIGATION.

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1ST SUPPLEMENTAL:

THIS SUPPLEMENTAL REPORT IS BEING GENERATED TO REOPEN THIS INVESTIGATION TO FURTHER IDENTIFY MR AND TO DOCUMENT RECEIPT OF THE NAVAL CRIMINAL INVESTIGATIVE SERVICES (NCIS) REPORT OF INVESTIGATION.

THIS OFFICE RECEIVED A FINAL REPORT OF INVESTIGATION FROM NCIS, WHICH DISCLOSED THAT THEY COULD NOT INTERVIEW MR DUE TO CHARGES 672 44, 664 BEING BROUGHT AGAINST HIM BY THE UNITED STATES.

FINAL REPORT:

THIS OFFICE WAS NOTIFIED BY HQ, USACIDC VIA REQUEST FOR INVESTIGATION (RFI) 0220-04-CID001, THAT MR WAS ABUSED BY U.S. FORCES BY BEING 670-44, 66-109354.

INVESTIGATION FAILED TO PROVE OR DISPROVE THAT MR WAS 572-4, 66-44 BEATEN AS INITIALLY REPORTED, AS HE WAS NOT ABLE TO BE INTERVIEWED DUE TO CHARGES BEING PREFERRED AGAINST HIM BY THE U.S. GOVERNMENT.

7. COMMANDERS ARE REMINDED OF THE PROVISIONS OF AR 600-8-2 PERTAINING TO SUSPENSION OF FAVORABLE PERSONNEL ACTIONS AND AR 380-67 FOR THE SUSPENSION OF SECURITY CLEARANCES OF PERSONS UNDER INVESTIGATION.

8. USACIDC REPORTS ARE EXEMPT FROM AUTOMATIC TERMINATION OF PROTECTIVE MARKINGS IN ACCORDANCE WITH CHAPTER 3, AR 25-55.

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DEPARTMENT OF THE ARMY

U.S. ARMY CRIMINAL INVESTIGATION COMMAND
Afghanistan MP Det (CID)

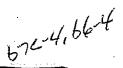
Building 591, Bagram Airfield, APO, Armed Forces Africa, Canada, Europe & Middle East 09354-935

25 Jul 2004

	MEMORANDUM FOR: SEE DISTRIBUTION
=	SUBJECT: CID REPORT OF INVESTIGATION - FINAL (C)/SSI - 0059-2004-CID369-69279 - 5C1L / 5Y2E
	DATES/TIMES/LOCATIONS OF OCCURRENCES: 1. 02 JAN 2002, 0001 - 02 OCT 2002, 0000; BAGRAM AIRFIELD DETAINEE FACILITY, BAGRAM AIRFIELD, AFGHANISTAN
	DATE/TIME REPORTED: 20 MAY 2004, 0900 INVESTIGATED BY: SA SA SA SA SA SA SA SA SA S
•	SUBJECT: 1. UNKNOWN, ; AGGRAVATED ASSAULT, MALTREATMENT OF A PERSON IN US CUSTODY (NFI)
	VICTIM: 67C-4,66-4
	1. ; MALE; WHITE; XZ; AGGRAVATED ASSAULT, MALTREATMENT OF A PERSON IN US CUSTODY (NFI)
	INVESTIGATIVE SUMMARY:
	This office was notified by HQ, USACIDC via Request for Investigation (RFI) 0220-04-CID001, that Mr was abused by U.S. Forces, by being beaten while in Bagram Airfield detainee facility, Bagram Airfield, APO AE 09354. Investigation failed to prove or disprove that Mr was beaten as initially reported, as he was not able to be interviewed due to charges being preferred against him by the U.S.

1

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After Mr trial, this investigation will be re-opened for further investigation, and he will be interviewed.

STATUTES:

Article 93, UCMJ: Maltreatment

Article 128, UCMJ: Assault

EXHIBITS/SUBSTANTIATION:

EXHIBITS:

Attached:

67e-1,66-1

1. Agents Investigation Report (AIR) of SA (Language 12 Jul 04, documenting the Basis for Investigation and coordination with the Naval Criminal Investigation Service (NCIS).

Not Attached:

None.

The original of Exhibit 1 is forwarded to USACRC with the original of this report.

STATUS: This is a Final (C) Report. This investigation was terminated in accordance with CID-R 195-1, Paragraph 4-17(6) in that the Special Agent-in-Charge (SAC) of this USACIDC unit has determined that furtherance of this investigation would be of little or no value. This investigation will be re-opened after completion of the victim's judicial proceedings.

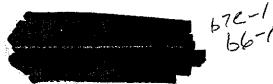
SUMMARY OF REMAINING LEADS: Interview of the victim.

Law Enforcement Sensitive

REPORT PREPARED BY

67K-1,66-1

REPORT APPROVED BY



Special Agent-in-Charge

DISTRIBUTION:

Special Agent,

1-Dir, USACRC, Ft Belvoir, VA

1-THRU: CDR, 3D MP GRP

TO: CG, USACIDC, FT BELVOIR VA //CIOP-ZA//

1-Chief of Staff, CJTF 76 (email only less exhibits)

1-CDR, Task Force Dragon (COL (cmail only less exhibits) 1-PM, CJTF 76 (LTC)

)(email only less exhibits) 1576-3,66-3 1-PM, CJTF 76 (LTC

1-SJA, CJTF 76 (MAJ (email only less exhibits)

1-FILE

670-3,66-3

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AGENT'S INVESTIGATION REPORT

0059-04-CID369-69279

CID Regulation 195-1

PAGE 1 OF 1 PAGE

About 0730, 18 May 04, this office received a Request for Investigation (RFI), 0220-04-CID001,
from Headquarters, U.S. Army Criminal Investigation Command (HQUSACIDC) requesting this
office initiate an investigation into the allegations that Mr. (NFI), former detainee at 670-4,66-
Bagram Airfield, Afghanistan, was abused by U.S. Forces.
On 18 May 04, a Request for Assistance (RFA) was sent to the SA
Criminal Investigation Services (NCIS), Guantanamo Bay, Cuba, to conduct a victim interview
of Mr at Guantanamo Bay, Cuba. 67と-466-4
Between 18 May 04 and 7 Jul 04, numerous attempts were made to coordinate with SA
for a status of this RFA; however negative contact was made. $67C-1, 66-1$ $67C-3, 66-3$
About 1000, 22 Jun 04, SA coordinated with SSG Operations, Bagram
Airfield detainee facility, APO AE 09354, who stated his office did not have a detainee packet
on Mr. 67C-4, 66-4 67C-1, 56-1
On 7 Jul 04, this office was contacted by SA
Cuba, who stated his office had received this office's RFA.
About 0759, 10 Tul 04, this office manifest described by the NIOIG Co
About 0758, 12 Jul 04, this office received notification from the NCIS, Guantanamo Bay, Cuba,
About 0758, 12 Jul 04, this office received notification from the NCIS, Guantanamo Bay, Cuba, that the prosecuting attorney, COL USANC, Deputy Chief Prosecutor, Office of 67c-3, 66-3 Military Commissions (OMC), Guantanamo Bay, Cuba, had preferred charges against Mr.
and would not let him be interviewed until after his trial was complete. 672-4, 56-4
//////////////////////////////////////

676-4,66-4,62

Special Agent,	Afghanistan MP Detachment (CID) Bagram APO AE 09354		
Signature: 67C-tuble-t	Date: 12 Jul 04	Exhibit:	

CID Form 94

Page(s)

9

Referred to:

DEPARMENT OF THE NAVY CHIEF OF NAVAL OPERATIONS ROOM DN536 2000 NAVY PENTAGON WASHINGTON, DC 20350-2000

MS. DORIS LAMA navyfoia@hq.navy.mil (202) 685-6544/5/6

DATE 27 MAY 2004
FROM AFGHANISTAN CID OFFICE, BAGRAM AIRFIELD //CICR-BGR//
TO: DIR USACRC FT BELVOIR VA //CICR-ZA// CG USACIDC FT BELVOIR VA //CIOP-ZA// CDR USACIDC 3D MP GRP FT GILLEM GA CG USACIDC FT BELVOIR VA //CIOP-ZA// BAGRAM BLOTTER CLERK CHIEF OF STAFF, CJTF-180, BAGRAM AIR FIELD COMMANDER, TF DRAGON, BAGRAM AIR FIELD (COL PROVOST MARSHAL OFFICE, BAGRAM AIRFIELD (1LT PROVOST MARSHAL OFFICE, CJTF 76 (LTC STAFF JUDGE ADVOCATE, CJTF 76 (MAJ
SUBJECT: CID REPORT OF INVESTIGATION - INITIAL/SSI - 0059-2004-CID369-69279 - 5C1L / 5Y2E
DRAFTER: 676-1, 66-1 RELEASER:
1. DATES/TIMES/LOCATIONS OF OCCURRENCES:
1. 02 JAN 2002, 0001 - 02 OCT 2002, 0000; BAGRAM AIRFIELD DETAINEE FACILITY, BAGRAM AIRFIELD, AFGHANISTAN
2. DATE/TIME REPORTED: 20 MAY 2004, 0900
3. INVESTIGATED BY: SA SA SA SA SA SA SA SA SA S

4. SUBJECT:

1. UNKNOWN, ; AGGRAVATED ASSAULT, MALTREATMENT OF A PERSON IN US CUSTODY (NFI)

5. VICTIM: 672-4, 66-4; MALE; WHITE; XZ; AGGRAVATED ASSAULT, MALTREATMENT OF A PERSON IN US CUSTODY (NFI)

6. INVESTIGATIVE SUMMARY:

THE INFORMATION IN THIS REPORT IS BASED UPON AN ALLEGATION OR PRELIMINARY INVESTIGATION AND MAY BE CHANGED PRIOR TO THE COMPLETION OF THE INVESTIGATION.

"THIS IS A DETAINEE ABUSE INVESTIGATION"

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THIS OFFICE WAS NOTIFED BY HQ, USACIDC, REQUEST FOR INVESTIGATION 0220-04-CID001, THAT MR WAS ABUSED BY US FORCES, BY BEING 672-4, 66-4 BEATEN, WHILE IN BAGRAM AIRFIELD DETAINEE FACILITY.

PRELIMINARY INVESTIGATION REVEALED BETWEEN 2 JAN 02 AND 2 OCT 02, WHILE BEING DETAINED IN THE BAGRAM AIRFIELD DETAINEE FACILITY, MR WAS SEEN BLEEDING FROM HIS NOSE, AFTER BEING INTERVIEWED, 676-4, 66-47 THAT WAS CONSISTANT WITH ABUSE. MR FURTHER STATED HE HAD 676-44, 66-48 BEEN BEATEN AND TREATED INHUMANLY BY US FORCES.

MR IS CURRENTLY IN US CUSTODY IN GUANTANAMO BAY, CUBA, 1376-4, 66-4 HOLDING FACILITY.

A VICTIM INTERVIEW OF MR IS PENDING. 672-4, 66-4

IDENTIFICATION OF SUBJECT(S) IS PENDING.

INVESTIGATION CONTINUES BY USACIDC.

7. COMMANDERS ARE REMINDED OF THE PROVISIONS OF AR 600-8-2 PERTAINING TO SUSPENSION OF FAVORABLE PERSONNEL ACTIONS AND AR 380-67 FOR THE SUSPENSION OF SECURITY CLEARANCES OF PERSONS UNDER INVESTIGATION.

8. USACIDC REPORTS ARE EXEMPT FROM AUTOMATIC TERMINATION OF PROTECTIVE MARKINGS IN ACCORDANCE WITH CHAPTER 3, AR 25-55.

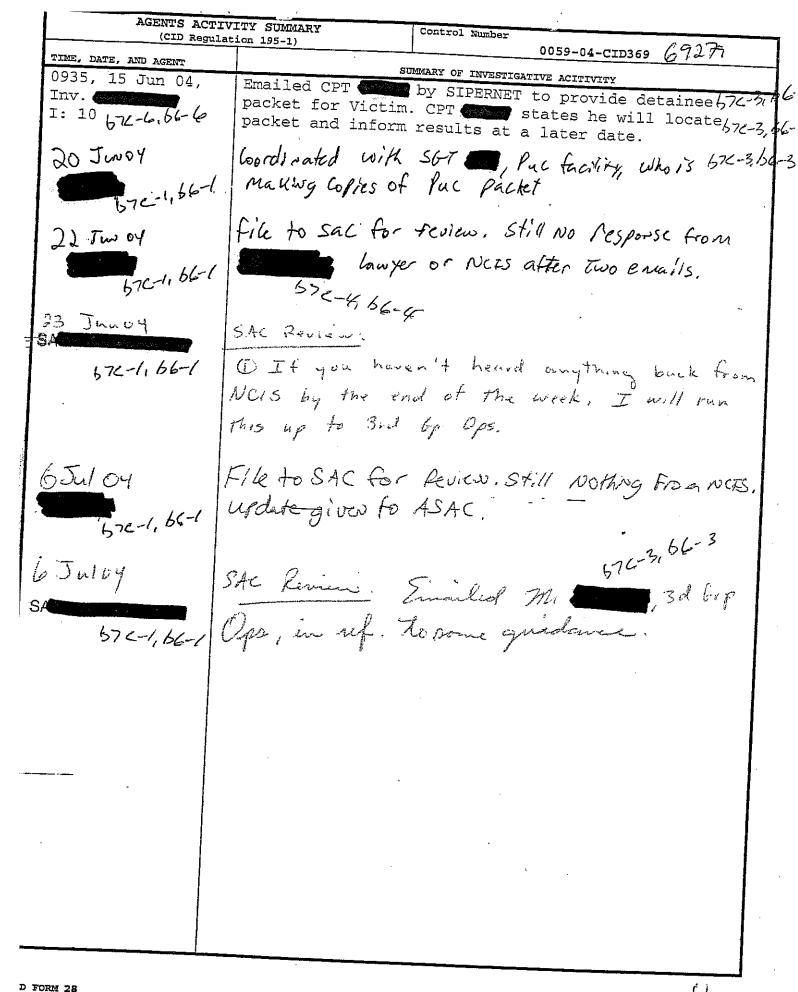
UNCLASSIFIED - FOR OFFICIAL USE ONLY

AGENT'S ACTIVITY SUMMARY Control Number 0059-2004-CID369 69271 TIME, DATE, AND AGENT SUMMARY OF INVESTIGATIVE ACTIVITY 05/18/2004 07:30 About 0730, 18 May 04, this office received a Request for Investigation 672-1,66-1 (RFI), 0220-04-CID001, from Headquarters, U.S. Army Criminal 0:10 INV Investigation Command (HQUSACIDC) requesting this office initiate an 676-4, 66-4 investigation into the allegations that Mr. (NFI), former detainee at Bagram Airfield, Afghanistan, was abused by U.S. Forces. 05/18/2004 07:35 Reviewed information received from HQUSACIDC on the SIPRNET 6741,66-1 email account for this office, and noted several documents marked with 0.05 INV classified markings. Emailed CW5 3d Mp Grp (CID) Operations Officer, to inquire about how to initiate the file based on the classified material. 05/18/2004 07:50 € 67K-3,66-3 Received an email from Mr. relating that a LTCMDR would be interviewing the victim in regards to the allegations. Mr. 0:10 INV requested this office to draft a list of questions for the victim. 676-3, 66-3 Questions were drafted then emailed to Mr. 674-3,66-3 Received information from Mr. to initiate a sequence number, 672-3, 66-3 05/19/2004 11:50 678-1.66-1 and keep the classified information as background information in a 0:05 INV separate (secured) file. Since, LTCDR would be interviewing the 67c-3, 66-3 victim for this office, we don't have credible information at this point to initiate an ROI. Once this office receives the results of the interview and review the information, this office will initiate an ROI, if necessary. 05/20/2004 15:12 Case Initiation 0:01 INV 670-1,66-1

AGENTS ACTIV		Control Number	-03-7 -03-2-04-CID369	69279	
TIME, DATE, AND AGENT	ıs	MMARY OF INVESTIG	56-5 ATIVE ACITIVITY		
1430, 16 May 04	Coordinated with			s custodian,	
0:30 b7c-1,66-1		this office	with a sheet		
1000, 20 May 04	Coordinated with	LTC	(PM) and MA	J 66-3	
0:30 67c-1,66-1				De 67 C-3, 66-3	
1340, 27 May 03 0:55 676-1	An interview of Mr is scheduled to be completed by NCIS and his defense counsel. An RFA was sent to				
		,			
1355, 27 May 04 0:45 57c-1,66-1	Completed INI rep	ort. File to	SAC for revi	ew.	
0:45			0		
37 May 04 / 672-1, 66-1	This office recei	ved notifice abuse cas	ation from the es were Cake	equisación de company I	
672-1,66-1	investigations. The allegation.	here tore, em	Mittal Wes	geni acamenne	
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AGENTS ACTIVITY SU. ARY (CID Regulation 195-1) O What is the status of the RFA? I Should know something by now!

Drafted 2d Cat I update and posted to file.



AGENTS ACTIVITY SUMMARY Control Number (CID Regulation 195-1) 0059-04-CID369-69279 TIME, DATE, AND AGENT SUMMARY OF INVESTIGATIVE ACITIVITY Received email from NCIS who stated they received the 0900, 8 Jul 04 RFA and would give a status of it weekly. 674-1,66-1 0:10 Prepared and submitted 7th Cat report. 0900, 11 Jul 04 676-1166-1 0900, 13 Jul 04 File to TC for review. 1572-1,66-1 13 JUL OU TC REVIEW: 1. DISCUSSEN W/ CASE AGENT RECIEVED EMAIL ADARE ON RFA. DOWNENT. AND POST TO FILE.

AGENTS ACTIVITY SUMMARY Control Number (CID Regulation 195-1) 0059-04-CID369- 69279 TIME, DATE, AND AGENT SUMMARY OF INVESTIGATIVE ACITIVITY 1020, 13 Jul 04 Received case file back noted TC comments. cannot interview Mr as the U.S. Government has NCIS 676-419 676-1, 16-1 0:10 preferred charges against him and the prosecuting attorney will not allow him to be interviewed. 2010, 19 Jul 04 Prepared and sent 8th Cat update. Posted to file. 575-1, 66-1 0:10 2100, 19 Jul 04 File to SAC for review. 676-1,86-1 20 Jul 04 bill SAR Review: 676-3,66-3 1) Coordinated with cws (3d MP Gp, Ops, who concurred with closing this investigation because of the length of time to want before the alleged "wintim" can be interviewed. (2) Close Final (1) ease. 3) Need to make sure this is trocked and that we have good contact infor for the prosecuting attorney, so we Can check on this in about 6 months

AGENTS ACTIVITY SUMMARY Control Number (CID Regulation 195-1) 0059-04-CID369-69279 TIME, DATE, AND AGENT SUMMARY OF INVESTIGATIVE ACITIVITY 1330, 20 Jun 04/166 Received case file back noted SAC comments. Will close file and track until trial is complete. 0:20 1630,22 Jun 04 Completed IFI. Posted to file. To SAC for review. 676-1,66-1 73 Jul 04 | SAC: birchiber Final (1) and AIR,

AGENTS ACTIVITY SUMMARY Control Number (CID Regulation 195-1) 0059-04-CID369-69279 TIME, DATE, AND AGENT SUMMARY OF INVESTIGATIVE ACITIVITY Received case file back will correct AIR and Final. 0900, 23 Jul 04 676-1,66-1 0:20 1100,24 Jul 04 Corrected AIR and Final. Posted to file. To SAC for 157c-1,66d review. 25 Jul 04 Reviewed and transmitted Final(s)

Bistro'd. lopy to file.

Closed and filed.

Where were you initially held before being transported to Bagram? Were you abused before being taken to Bagram? Who abused you? Americans? Afghan Nations? Were you blind folder while being interviewed? Were you sexually or verbally abused? Were you abused any other times other than during interviews? How many times were you struck? Was it open handed or closed hand? Describe the force on a 1 to 10 scale with 10 being the worst of the strikes that hit you? Were you kicked? Did you suffer any broke bones? Did you bleed after any of the abuse? Why did you have a medical mask on? Did anyone witness the abuse? Did you see any other detainee's abused?

Page(s)

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Referred to:

U.S. CENTRAL COMMAND
7115 SOUTH BOUNDARY BLVD
ATTN: CCJ6-DM
MACDILL AIR FORCE BASE
FLORIDA 33621-5101

MS. JACQUELINE SCOTT scottj@centcom.smil.mil (813) 827-5341/2830