



DEPARTMENT OF THE ARMY
38th MILITARY POLICE DET (CID)
22nd MILITARY POLICE BATTALION (CID)
CAMP VICTORY NORTH, BAGHDAD, IRAQ
APO AE 09342

CIRF-CHD

23 Jul 04

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL (C) - 0152-04-CID899-81708-5C1L/5Y2P9

DATES/TIMES/LOCATIONS OF OCCURRENCES:

- 1. 23 Apr 2004/0100 - 8 May 2004/1700; UNKNOWN LOCATION, IRAQ

DATE/TIME REPORTED: 14 May 2004, 1400

INVESTIGATED BY: SA [REDACTED] *7C1 b61 b2*

SUBJECT: 1. NONE; [AGGRAVATED ASSAULT (UNFOUNDED)] [MALTREAT PRISONER (UNFOUNDED)]

VICTIM: 1. *7C4 b64 7F* [REDACTED], CIV; DETAINEE CASE NUMBER [REDACTED]; M; OTHER; CAMP COOKE DETENTION CENTER, TAJI, IRAQ; (NFI) [AGGRAVATED ASSAULT (UNFOUNDED)] [MALTREAT PRISONER (UNFOUNDED)]

2. *7C4 b64 7F* [REDACTED], CIV; DETAINEE CASE NUMBER CD [REDACTED]; M; OTHER; CAMP *7F 7C1 b64* COOKE DETENTION CENTER, TAJI, IRAQ; (NFI) [AGGRAVATED ASSAULT (UNFOUNDED)] [MALTREAT PRISONER (UNFOUNDED)]

INVESTIGATIVE SUMMARY:

About 1400, 14 May 04, this office was notified by COL *7C3 b63* [REDACTED], Cavalry Division (1CD) Chief of Staff, (COS), Baghdad, Iraq of allegations of prisoners being abused prior to being turned over to the Camp Cooke Detention Center (CCDC), Camp Cooke, Taji, Iraq.

Investigation established that the offenses of Aggravated Assault and Maltreatment of a Prisoner did not occur as initially alleged. Mr. [REDACTED] and Mr. [REDACTED] reported that *7F 7C4 b64* during early May 04, they were detained by coalition forces and prior to being turned over to the Camp Cooke CCDC, Taji, Iraq they were beaten by unknown coalition forces. *7F 7C4 b64* Mr. [REDACTED] and Mr. [REDACTED] alleged they were forced to drink urine, hit and kicked in the ribs, and sexually assaulted with a phallic type object.

Further investigation established when member of Operational Detachment Alpha (ODA), 554, 5th Special Forces Group, Baghdad, Iraq were interviewed they detailed the conditions in which Mr. [REDACTED] and Mr. [REDACTED] were detained and denied any physical abuse. Further, two medical examination were conducted of Mr. [REDACTED] and Mr. [REDACTED] neither of which disclose any evidence to suggest Maltreatment or Physical Abuse. *7F b6 7C4*
7F 7C4 b6 4

STATUTES:

Article 128, UCMJ: Aggravated Assault (Unfounded)
Article 93, UCMJ: Maltreatment of a Prisoner (Unfounded)

EXHIBITS/SUBSTANTIATION:

ATTACHED:

1. Agent's Investigation Report (AIR) of SA [REDACTED] *7C1 b6 1* 16 May 04, detailing the initial notification, coordination with MAJ [REDACTED] and CPT [REDACTED] interviews of SPC [REDACTED], Mr. [REDACTED], Mr. [REDACTED] and SGT [REDACTED]. *7C3 b6 3*
7F 7C4 b6 4 *7F 7C4 b6 4* *7F 7C4 b6 4*
2. Arabic Language Sworn Statement of Mr. [REDACTED] 11 May 04, detailing his allegations of abuse. (USACRC and File only)
3. English Language translation of Exhibit 2, 11 May 04.
4. Arabic Language Sworn Statement of Mr. [REDACTED] *7F 7C4 b6 4* 11 May 04, clarifying issues from his previous statement. (USACRC and File only)
5. English Language translation of Exhibit 4, 11 May 04.
6. Sworn Statement of CPT [REDACTED] *7C3 b6 3* 14 May 04, detailing his examination of Mr. [REDACTED] and Mr. [REDACTED], and the lack of any evidence of abuse. *7C4 b6 4*
7. AIR of SA [REDACTED] *7C1 b6 1* 22 Jul 04, detailing the interview of CPT [REDACTED] *7C4 b6 4*, SFC [REDACTED] *7C4 b6 4*, and SSG [REDACTED] *7C3 b6 3*, and coordination with CPT [REDACTED] *7C4 b6 4*. *7C4 b6 4*
8. Rights Waiver Certificate and Sworn Statement of CPT [REDACTED] 21 Jul 04, detailing the treatment of detainees by ODA 554, and denying ever abusing the detainees.
9. Rights Waiver Certificate and Sworn Statement of SFC [REDACTED] *7C4 b6 4* 21 Jul 04, detailing the treatment of detainees by ODA 554, and denying ever abusing the detainees.
10. Rights Waiver Certificate and Sworn Statement of SSG [REDACTED] *7C4 b6 4* 21 Jul 04, detailing the treatment of detainees by ODA 554, and denying ever abusing the detainees.

NOT ATTACHED:

None

The originals of Exhibits 1 through 10 are forwarded with the USACRC copy of this report.

STATUS: This is a Final (C) Report. This investigation is being terminated in accordance with CIDR 195-1, paragraph 4-17 a (6), in that the Special Agent in Charge has determined that furtherance of this investigation would be of little or no value, and the leads remaining to be developed were not significant.

LEADS REMAINING: Interviews of SGT *7C3/b63* [redacted], SGT *7C3/b63* [redacted], SFC [redacted], and 2LT *7C3/b63* [redacted]

Report Prepared By:

[redacted] *7C1*
[redacted] *b61*
[redacted] *b2*
Special Agent

Report Approved By:

[redacted] *7C1/b61*
Special Agent in Charge

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- 1 - File

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0152-04-CID899-81708

PAGE 1 OF 2 PAGE

DETAILS

About 1400, 14 May 04, this office was notified by COL [redacted] 1st Cavalry Division (1CD) Chief of Staff (COS), Baghdad, Iraq of allegations of prisoners being abused prior to being turned over to the Camp Cooke Detention Center (CCDC), Camp Cooke, Taji, Iraq.

Agent's Comment: The detainee's claiming abuse were the same detainee's who claimed to be abused on 11 May 04. SA [redacted] this office, coordinated with CPT [redacted] C Co (MED), 39th Support BN at that time and determined that there were no physical signs of torture or abuse.

About 1050, 16 May 04, SA [redacted] coordinated with MAJ [redacted] PM, 39th BCT, who provided statements made by detainee [redacted] detainee number [redacted] detailing the alleged torture at the hands of coalition forces. MAJ [redacted] also provided a sworn statement of CPT [redacted], wherein he details his examination of the detainee's and the lack of physical signs of torture.

About 1100, 16 May 04, SA [redacted] coordinated with CPT [redacted] SJA, 39th BCT, who related his interview of detainee [redacted] CPT [redacted] showed concern in the handover of the detainees because of a lapse of over seven days between capture and turn-in to the detention facility, a violation of coalition policy. CPT [redacted] stated that he has been in contact with the commander of the detaining unit, Special Forces (SF) Operational Detachment Alpha (ODA) 554, located near the Adymiah Palace, who related he and his team would be willing to cooperate with the prosecution of the detainees.

About 1145, 16 May 04, SA [redacted] interviewed SPC [redacted] A Co, 502nd Military Intelligence (MI) BN, who related his interaction with the detainees during their interrogation. SPC [redacted] stated that he was the interrogator who brought the allegations of abuse to the attention of CPT [redacted], after being told of the allegations by the detainees. SPC [redacted] stated he had seen bruises on one of the detainees, but was unqualified to determine their origin.

About 1515, 16 May 04, SA [redacted] interviewed detainee [redacted], with interpreter assistance from SPC [redacted]. Also present during the interview was Dr (1LT) [redacted] C Co (MED) 39th Support BN, CCIZ. Detainee [redacted] stated he was detained by U.S. Forces on the night of 23 Apr 04. He related he was taken to a house near the Adymiah Palace where he was held for 15-16 days. [redacted] stated he was beaten with fists in the ribs, forced to drink urine, electrocuted, and denied food and water. [redacted] stated the abuse was not at the hands of U.S. Forces, but at the hands of either an Egyptian or Palestinian and an Iraqi man. [redacted] described the Egyptian as tall and skinny, under 30 years of age, wearing tight pants. [redacted] described the Iraqi as a gray haired man, over 35 years of age, muscular and wearing prescription glasses. [redacted] stated he could recognize both men if he saw them again. [redacted] stated that U.S. Forces witnessed the beatings, but did not

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA [redacted]	[redacted] 7C1	38 th MP Det (CID)	
SIGNATURE [redacted]	[redacted] b61	22 nd MP BN (CID) Baghdad Iraq	
	[redacted] b2	DATE	EXHIBIT
		16 May 04	1

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

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DETAILS

participate. Finally [redacted] stated that during the initial hours of his detention, a U.S. soldier put his penis on [redacted] head and asked him how big it was. [redacted] stated that the last time he was beaten was 2-3 days prior to being dropped off at the Camp Cooke Detention Center (CCDC). 1LT [redacted] examined [redacted] and found no physical signs of torture or abuse. 1LT [redacted] stated that he had witnessed earlier examinations of [redacted] and had not seen any signs of abuse.

About 1625, 16 May 04, SA [redacted] interviewed detainee [redacted] with interpreter assistance from SPC [redacted], and with 1LT [redacted] in attendance. Detainee [redacted] stated he was detained on the night of 30 Apr 04, and was kept in the basement of a house for eight days. Detainee [redacted] stated that during his detention he was punched in the ribs and had his head dunked in a bucket of water. The only physical marks on detainee [redacted] were abrasions on the anterior portions of his hips. 1LT [redacted] examined the abrasions and stated they were at least two weeks old, and were not consistent with being hit or kicked. No other signs of abuse were noted.

7C
4
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4
7F

Agent's Comment: During the interview of detainee [redacted], CPT [redacted] was told that he was punched in the throat as he ate. No physical signs of this abuse were noted during the physical exam on 16 May 04, and detainee [redacted] denied it happened. During the initial physical examination detainee [redacted] stated he could not take a deep breath and had intense pain in his ribs. Approximately 15 minutes later 1LT [redacted] examined the detainee's chest with a stethoscope, and the detainee had no problems taking deep breaths and did not complain of any pain.

About 1720, 16 May 04, SA [redacted] interviewed SGT [redacted] the NCOIC of the CCDC at the time the detainees were in processed. SGT [redacted] stated that during the in processing, he did not witness any injuries on detainee [redacted] or [redacted]. ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [redacted]

7C1
1/61

ORGANIZATION

38th MP Det (CID)
22nd MP BN (CID) Baghdad Iraq

SIGNATURE

[redacted signature]

1/72

DATE

16 May 04

EXHIBIT

1

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Page(s)

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Referred to:

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

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

AGENT'S INVESTIGATION REPORT CID Regulation 195-1	ROI NUMBER 0152-04-CID899-81708
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DETAILS

C-4
 About 1629, 21 Jul 04, SA *7C1 b61* advised CPT *7C4 b64*, Operational Detachment Alpha (ODA) 554, 5th Special Forces Group, Baghdad, Iraq, of his legal rights which he waived. CPT *7C4 b64* rendered a sworn statement detailing the treatment of detainees kept by ODA 554. (See Sworn Statement for details)

About 1737, 21 Jul 04, SA *7C1 b61* advised SFC *7C4 b64* ODA 554, 5th Special Forces Group, Baghdad, Iraq, of his legal rights which he waived. SFC *7C4 b64* rendered a sworn statement detailing the treatment of detainees kept by ODA 554, and denied ever abusing any of the detainees. (See Sworn Statement for details)

About 1907, 21 Jul 04, SA *7C1 b61* advised SSG *7C4 b64* ODA 554, 5th Special Forces Group, Baghdad, Iraq, of his legal rights which he waived. SSG *7C3 b63* rendered a *7C3 b63* sworn statement detailing the treatment of detainees kept by ODA 554, and denied ever abusing any of the detainees. (See Sworn Statement for details)

b6 3
 About 0900, 22 Jul 04, SA *7C1 b61* briefed CPT *7C3 b63* Office of the Staff Judge Advocate (OSJA), 39th Infantry Brigade, Camp Cooke, Taji, Iraq, on all aspects of this investigation. CPT *7C3 b63* opined that there was not sufficient evidence to prove that the offense of aggravated assault and maltreatment of a prisoner occurred as initially alleged.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER	ORGANIZATION
SA <i>7C1 b61</i>	38 th MP Det (CID) 22 nd MP BN (CID) Baghdad Iraq
SIGNATURE DATE	EXHIBIT
<i>7C1 b61</i> <i>b2</i>	22 Jul 04 7

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RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
 PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
 ROUTINE USES: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.
 DISCLOSURE: Disclosure of your Social Security Number is voluntary.

1. LOCATION <i>Baghdad Iraq</i>	2. DATE <i>21 Jul 04</i>	TIME <i>1629</i>	FILE NO.
3. NAME (Last, First, MI) [REDACTED]	8. ORGANIZATION OR ADDRESS <i>OBA 554, 5th SFLB Baghdad, Iraq</i>		
4. SSN [REDACTED]	7. GRADE/STATUS <i>O3</i>		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army *Criminal Investigation Command* and wanted to question me about the following offense(s) of which I am suspected/accused: *Aggravated Assault, Abuse of a Prisoner (1)*

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

- 1. I do not have to answer any question or say anything. *[REDACTED] 7C4 b64*
- 2. Anything I say or do can be used as evidence against me in a criminal trial. *[REDACTED] 7C4 b64*
- 3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both. *[REDACTED] 7C4 b64*

- or -

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

- 4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below. *[REDACTED] 7C4 b64*

5. COMMENTS (Continue on reverse side)

Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE <i>[REDACTED] 7C4 b64</i>
1a. NAME (Type or Print)		
b. ORGANIZATION OR ADDRESS AND PHONE		4. SIGNATURE OF [REDACTED] <i>[REDACTED] 7C1 b64</i>
2a. NAME (Type or Print)		5. NAME OF INVESTIGATOR <i>SA [REDACTED] 7C1 b64</i>
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR <i>38th MA Det (CID)</i>

Section C. Non-waiver

- 1. I do not want to give up my rights
 I want a lawyer
 I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

SWORN STATEMENT

0152-04-CID899-81708

File Number : 0152-04-CID899
 Location : Bagdad, Iraq
 Date : 21-Jul-04 Time: 1700
 Statement of: [REDACTED] RANK: CPT/AD
 SSN: [REDACTED]
 Org/Address : ODA 554, 5th SFG

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 I am the ODA commander for ODA 554, Adhamiyah Baghdad. My ODA detained [REDACTED] and [REDACTED] around the 1st of May. I'm not sure of the actual date without looking at the records. Both of these individuals were targeted with multi-source reports and they were both known AIF. We detained both of these targets and interrogated them at the 554 team house THF. This was an authorized detention facility at the time and we could hold detainees up to 14 days (with AOB 550 approval). This was usually done for follow-on PIDs of additional targets. The 554 THF was a large 5-room facility with a function latrine. It was well ventilated and had comfortable conditions - to include a pillow and blanket for each detainee. Detainees ate a large piece of local bread 3 times a day and always had bottled water. Detainees were handcuffed to an eyebolt on the floor with chain - however detainees could sit, stand, or lay down as they pleased. Mostly, detainees slept as conditions were so comfortable. During interrogations 3 personal were generally present - an USSF interrogator, a USSF recorder, and a terp. I personally witnessed multiple interrogations. Methods generally used included the direct approach, the "we know all approach" and mild fear (ie "you are going to jail for the rest of your life" approach). Detainees were never abused by ODA 554 personnel conducting interrogations or terps. C/3-153 IN and ODA 554 personnel transported these two individuals to Camp Cooke, Taja in a 5 ton truck on 8 May 04. These detainees were processed with a number of other detainees from other raids and some of C/3-153 IN detainees. I'm not sure the exact number.

Q. How many interpreters were used by ODA 554 and what were their nationalities?

A. Three interpreters, one Egyptian and two Lebanese.

Q. What is a PID?

A. Positive Identification. We would take the detainee in a civilian vehicle and have them identify other targets.

Q. Were the detainee's ever hit while being interrogated?

A. No.

Q. Were the detainee's ever embarrassed in a sexual manner while being interrogated?

A. Absolutely not.

Q. Were the interpreters ever left in the room alone with the detainee's?

A. Not to my knowledge.

Q. To your knowledge, was any detainee abused while being kept at the ODA 554 Team house?

A. No.

Q. Is there anything else you wish to add to this statement?

A. During the time that we had detainee's, we had our interpreters stand outside the area where they were being held. The interpreters overheard the detainee's making statements "All you have to do is wait until you get to the airport, and they will lose the paperwork and claim you were abused"

Q. Is there anything else you wish to add to this statement?

INITIALS [REDACTED]

PAGE 1 OF 2

EXHIBIT

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8 11
 [REDACTED]

DOD-DOACID000603

7cib4
A. These two individuals should be prosecuted for making false abuse claims.
Q. Is there anything else you wish to add to this statement?
A. No.///END OF STATEMENT/// *7cib4*

7cib4 AFFIDAVIT

I, [REDACTED] HAVE READ OR HAVE 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] *7cib4*
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 July, 2004 at Baghdad, Iraq.

[REDACTED] *7cib01*
(Administering Oath)

SA [REDACTED] *7cib01*
(Typed Name of Person Administering Oath)

136 UCMJ
(Authority to Administer Oaths)

WITNESS:

INITIALS [REDACTED] *7cib4* PAGE 2 OF 2 EXHIBIT _____

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EXHIBIT 8

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
 PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
 ROUTINE USES: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.
 DISCLOSURE: Disclosure of your Social Security Number is voluntary.

1. LOCATION <u>Baghdad Iraq</u>	2. DATE <u>21 Jul 04</u>	3. TIME <u>1737</u>	4. FILE NO.
NAME (Last, First, MI) [REDACTED] <u>704 104</u>	8. ORGANIZATION OR ADDRESS <u>ODDA 554 5 SIFB</u> <u>Baghdad Iraq</u>		
SSN [REDACTED]	7. GRADE/STATUS <u>SFC</u>		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation and wanted to question me about the following offense(s) of which I am suspected/accused Aggravated Assault, Abuse of a Prisoner (I)

before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

- I do not have to answer any question or say anything. 704 b64
- Anything I say or do can be used as evidence against me in a criminal trial. 704 b64
- (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both. 704 b64

- or -

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

- If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below. 704 b64

5. COMMENTS (Continue on reverse side)

Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE [REDACTED] <u>704 b64</u>
1a. NAME (Type or Print)		
b. ORGANIZATION OR ADDRESS AND PHONE		4. SIGNATURE OF INVESTIGATOR [REDACTED] <u>704 b64</u>
2a. NAME (Type or Print)		5. TYPED NAME OF INVESTIGATOR <u>SA</u> [REDACTED] <u>704 b64</u>
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR <u>38th MA Det (CID)</u>

Section C. Non-waiver

1. I do not want to give up my rights
 I want a lawyer I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

SWORN STATEMENT

File Number : 0152-04-CID899
Location : Bagdad, Iraq
Date : 21-Jul-04 Time: 1814
Statement of: [REDACTED] RANK: SFC/AD
SSN: [REDACTED] 7C4 b6 4
Org/Address : ODA 554, 5th SFG

7C4 b6 4

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
[REDACTED] was detained in a joint 1/12 Cav USSF operation on 1 May 04. There were 2 USSF personnel along for PID and SSE. Once [REDACTED] was PID'd USSF took control of him and placed cuffs on him and began field interrogation of the detainee. [REDACTED] was targeted because he was the number 2 man in charge of a large AIF group operating in the Kamaliya area. He was involved in attacks on convoys and kidnapping for ransom of Iraqi's with money and a Sadr Militia supporter. [REDACTED] was transported back to Camp War Eagle in the back of a Bradley IFV. Once back at War Eagle he was placed in the back seat of an USSF SUV for transportation to the team house THF. Once back at the team house [REDACTED] was placed into the THF. [REDACTED] was only interrogated a couple of times due to the changing rules that were occurring around the time of his capture. He was transported to the Taji BIF on 8 May 04 with other prisoners by 3/153INF.

7C 4
b6 4

7F b6 7C 4

Q. Who conducted the interrogations of [REDACTED] 7C 4 b6 4 7F

7C4 b6 4

A. SSG [REDACTED] and SFC [REDACTED]. I was present during the interrogations as the recorder. I don't recall which interpreter was used.

Q. During the interrogation, was [REDACTED] ever physically harmed or intimidated?

7F 74 b6 4

A. No. 7C4 b6 4 7F

Q. Was [REDACTED] ever interrogated while he was eating?

A. No. 7F b6 7C 4

Q. Was [REDACTED] ever sexually assaulted or embarrassed?

A. Never.

Q. Do you have any knowledge of detainee's planning to make false abuse claims?

A. Our interpreters have over heard the detainee's telling each other what to say when making false claims. Also, I have [REDACTED] tell me that there are attorneys coaching AIF groups on what to say, prior to being detained.

Q. Do you have any knowledge of detainee abuse at the ODA 554 Team House?

A. No.

Q. Is there anything else you wish to add to this statement?

A. There was no point in us abusing the detainee's. When we arrested them, we already had enough information on them. We only interrogated them for information on follow on targets.

Q. Is there anything else you wish to add to this statement?

A. No///END OF STATEMENT//[REDACTED] 7F b6 7C 4

7F b6 7C 4

INITIALS [REDACTED]

PAGE 1 OF 2

EXHIBIT _____

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9 20
SECRET

7Cb64
STATEMENT OF SFC [REDACTED] TAKEN AT Baghdad, Iraq DATED 21 Jul 04
CONTINUED:

7Cb64 AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE 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] 7Cb64
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 July, 2004 at Baghdad, Iraq.

[REDACTED]

7C1 b61
b2

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

136 UCMJ
(Authority to Administer Oaths)

WITNESS:

7C1b64
INITIALS [REDACTED]

9
[REDACTED]

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary.

1. LOCATION <i>Baghdad Iraq</i>	2. DATE <i>21 Jul 04</i>	3. TIME <i>1907</i>	4. FILE NO.
NAME (Last, First, MI) [REDACTED]	8. ORGANIZATION OR ADDRESS <i>ODA 554 5th SFG</i>		
SSN [REDACTED]	GRADE/STATUS <i>S5G</i>	<i>Baghdad Iraq</i>	

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army *Criminal Investigation Command* and wanted to question me about the following offense(s) of which I am suspected/accused: *Aggravated Assault, Abuse of a Prisoner //*

- before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:
- I do not have to answer any question or say anything.
 - Anything I say or do can be used as evidence against me in a criminal trial.
 - (For personnel subject to the UCMJ)* I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both. *[REDACTED] 7C664*
 - (For civilians not subject to the UCMJ)* I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.
 - If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below. *[REDACTED] 7C4 1264*

5. COMMENTS (Continue on reverse side)

Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE [REDACTED] <i>7C4 664</i>
1a. NAME (Type or Print)		4. SIGNATURE OF INVESTIGATOR [REDACTED] <i>7C1 661</i>
b. ORGANIZATION OR ADDRESS AND PHONE		5. GRADE/STATUS OF INVESTIGATOR <i>SA [REDACTED] 7C1 664</i>
2a. NAME (Type or Print)		6. ORGANIZATION OF INVESTIGATOR <i>38th MA Det (CID)</i>
b. ORGANIZATION OR ADDRESS AND PHONE		

Section C. Non-waiver

1. I do not want to give up my rights
 I want a lawyer I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

PRIVACY ACT STATEMENT

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

1. LOCATION Baghdad	2. DATE 21 JUL 04	3. TIME 1942	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-6	
8. ORGANIZATION OR ADDRESS ODA 564 B/2/5 th SFG(A) Adhamiyah, Baghdad			

704 064 [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 [REDACTED] was detained during a raid on the bakery where he works on approximately 6 May 04 and detained at the THF in the Adhamiyah Palace Compound. [REDACTED] was detained during a raid on his house in Kamaliyah on approximately 7 May 04, and [REDACTED] was also held at the THF at the APC. I don't remember the exact dates, but I believe they were both transferred to Taji on 8 May 04. The conditions they were kept in were as follows: they were handcuffed & chained to the floor. They were given blankets and pillows, they had enough room to stretch out, sit back, stand up, & lay down. They had a constant supply of bottled water, they were allowed to use the bathroom and wash up several times a day. They were fed 3 times a day. They were interrogated in a separate room. Interrogations were always conducted by a minimum of 2 SF soldiers and an interpreter. At no time was any interpreter allowed to be with detainees unaccompanied. At no time were any detainees abused, hit, harassed, or humiliated.
 Q. Were the detainees ever interrogated while they were eating?
 A. No
 Q. Were the detainees ever sexually assaulted or sexually humiliated?
 A. No
 Q. Do you have anything else to add to this statement?
 A. No // End of Statement // [REDACTED] 704 064

9. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] 704 064	PAGE 1 OF 2 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"		
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.		

FOR OFFICIAL USE ONLY

10

9. STATEMENT (Continued)

[Lined area for statement content, mostly blank with a diagonal line drawn across it]

Not used
701664

AFFIDAVIT

I, [REDACTED] 701664, 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] 701664
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21st day of July, 2004, at Baghdad Iraq

ORGANIZATION OR ADDRESS

[REDACTED] 701664
(Signature of Person Administering Oath)
SA [REDACTED] 701664
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Art 136 USC
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED] 701664

PAGE 2 OF 2 PAGES

DATE: 22 JUL 2004

FROM: SAC, 38TH MILITARY POLICE DET (CID)
TO: DIRECTOR, USACRC, USACIDC, FORT BELVOIR, VA
CDR, USACIDC //CIOP-ZA//
CDR, 22ND MP BN (CID)//OPS//
CDR, 3D MP GROUP (CID)//OPS//
PM, 1CD //PM//
SJA, 1CD //SJA//

SUBJECT: CID REPORT OF INVESTIGATION - 2D STATUS/SSI - 0152-04-CID899-81708-5C1L/5Y2P9

DRAFTER: SA [REDACTED] *7C1 b6 1*
RELEASER: SAC [REDACTED]

UNCLASSIFIED - FOR OFFICIAL USE ONLY

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 23 APR 04/0100 - 8 MAY 04/1700; UNKNOWN LOCATION, IRAQ

2. DATE/TIME REPORTED: 14 MAY 2004, 1400

3. INVESTIGATED BY: SA [REDACTED] *7C1 b6 1 b2*

4. SUBJECT: 1. NONE [AGGRAVATED ASSAULT (UNFOUNDED)] [MALTREAT PRISONER (UNFOUNDED)]

7C4 b6 4
5. VICTIM: 1. [REDACTED] CIV; DETAINEE CASE NUMBER CD [REDACTED]; M; OTHER; CAMP COOKE DETENTION CENTER, TAJI, IRAQ; ZZ; (NFI) [AGGRAVATED ASSAULT (UNFOUNDED)] [MALTREAT PRISONER (UNFOUNDED)]

7C4 b6 4
2. [REDACTED] CIV; DETAINEE CASE NUMBER [REDACTED] M; OTHER; CAMP COOKE DETENTION CENTER, TAJI, IRAQ; ZZ; (NFI) [AGGRAVATED ASSAULT (UNFOUNDED)] [MALTREAT PRISONER (UNFOUNDED)] *7C4 b6 4*

6. INVESTIGATIVE SUMMARY: THE INFORMATION IN THIS REPORT IS BASED UPON AN ALLEGATION OR PRELIMINARY INVESTIGATION AND MAY CHANGE PRIOR TO THE COMPLETION OF THE INVESTIGATION.

THIS IS AN "OPERATION IRAQI FREEDOM 2" INVESTIGATION.

2D STATUS:

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

THIS STATUS REPORT IS BEING GENERATED TO UNFOUND THE OFFENSES OF AGGRAVATED ASSAULT AND MALTREATMENT OF A PRISONER.

7C4 b64
ON 21 JUL 04, THIS OFFICE INTERVIEWED MEMBERS OF OPERATIONAL DETACHMENT ALPHA (ODA) 554, 5TH SPECIAL FORCES GROUP, BAGHDAD, IRAQ, WHO WERE IDENTIFIED AS THE DETAINING UNIT AND PROVIDED SWORN STATEMENTS WHEREIN THEY DETAILED THE CONDITIONS IN WHICH MR. [REDACTED] AND MR. [REDACTED] WERE DETAINED AND DENIED ANY PHYSICAL ABUSE OR MALTREATMENT.

7C4 b64
FURTHER, TWO MEDICAL EXAMINATIONS WERE CONDUCTED OF MR. [REDACTED] AND MR. [REDACTED] NEITHER OF WHICH DISCLOSED ANY EVIDENCE TO SUGGEST MALTREATMENT OR PHYSICAL ABUSE.

7C3 b63
ON 22 JUL 04, THIS OFFICE COORDINATED WITH CPT [REDACTED] OFFICE OF THE STAFF JUDGE ADVOCATE, 39TH BCT, CAMP COOKE, TAJI, IRAQ, WHO OPINED THERE WAS NOT PROBABLE CAUSE TO BELIEVE THE OFFENSE OF AGGRAVATED ASSAULT OR MALTREATMENT OF A PRISONER OCCURRED AS ALLEGED.

INITIAL:

THE DELAY IN REPORTING THIS INCIDENT WAS DUE TO LOGISTICAL REASON AND THIS OFFICE ATTEMPTING TO IDENTIFY THE ALLEGED VICTIMS OF THIS INVESTIGATION.

7C3 b63
ABOUT 1400, 14 MAY 04, THIS OFFICE WAS NOTIIED BY COL [REDACTED] (NFI) 1CD, CHIEF OF STAFF (COS), CAMP COOKE, TAGI, IRAQ, OF ALLEGATIONS OF PRISONERS BEING ABUSED PRIOR TO BEING TURNED OVER TO THE CAMP COOKE DETENTION CENTER (CCDC), CAMP COOKE, TAJI, IRAQ.

7C4 b64
PRELIMINARY INVESTIGATION REVEALED ON 8 MAY 04, MR. [REDACTED] AND MR. [REDACTED] WERE TRANSPORTED AND RELEASED TO THE CCDC BY THEIR DETAINING UNIT. ON 10 MAY 04, WHILE BEING INTERROGATED BY MILITARY INTELLIGENCE, MR. [REDACTED] AND MR. [REDACTED] REPORTED THEY 7C4 b64 WERE TORTURED PRIOR TO BEING TAKEN INTO THE CUSTODY BY THE CCDC.

7C3 b63
7C4 b64
7C3 b63
ON 11 MAY 04, MR. [REDACTED] WAS EXAMINED BY DR (CPT) [REDACTED] [REDACTED], C CO (MED) 39TH SUPPORT BN, 39TH BCT, CAMP COOKE, TAJI, IRAQ. DR [REDACTED] CONDUCTED A COMPLETE PHYSICAL EXAMINATION OF MR. [REDACTED] AND STATED THERE WERE NO PHYSICAL EVIDENCE OF CURRENT OR RECENT ABUSE. DR [REDACTED] STATED THERE WERE NO 7C3 b63 HEALING OR BRUISES OF THE FACE OR CHEST. THERE WERE NO LIGATURE MARKS OR BRUISES ON THE NECK. THERE WERE NO PETECHIA

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

HEMMORAGES OF THE CONJUNCTIVA OR ORAL LESIONS. FURTHER, MR [REDACTED] TESTICLES AND PERINEUM REVEALED NO EVIDENCE OF BRUISING OR BURNS AS INITIALLY ALLEGED. DR [REDACTED] CONCLUDED THAT HE FOUND NO PHYSICAL EVIDENCE OF TORTURE. *70063*

703
b6-3
ON 16 MAY 04, MR [REDACTED] AND MR [REDACTED] WERE RE-EXAMINED BY DR (1LT) [REDACTED] C CO (MED) 39TH SUPPORT BN, 39TH BCT, CAMP COOKE, TAJI, IRAQ. THE EXAMINATION WAS CONDUCTED IN THE PRESENCE OF USACIDC. MR [REDACTED] AND MR [REDACTED] WERE ASKED *704664 7F* WHAT TYPE OF TORTURE THEY HAD BEEN SUBJECTED TO, AND WHAT TYPE OF INJURIES THEY HAD SUSTAINED. DR [REDACTED] STATED THERE WERE NO PHYSICAL SIGNS OF TORTURE, AND NONE OF THE INJURIES WERE CONSISTENT WITH MR [REDACTED] AND MR [REDACTED] ALLEGATIONS. *704664 7F*

EFFORTS ARE ONGOING TO LOCATE AND INTERVIEW THE SOLDIERS INVOLVED IN THIS INCIDENT.

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 300-67 FOR THE SUSPENSION OF SECURITY CLEARANCES OF PERSONS UNDER INVESTIGATION.

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

DATE: 20 MAY 2004

FROM: SAC, 38TH MILITARY POLICE DET (CID)
TO: DIRECTOR, USACRC, USACIDC, FORT BELVOIR, VA
CDR, USACIDC //CIOP-ZA//
CDR, 22ND MP BN (CID)//OPS//
CDR, 3D MP GROUP (CID)//OPS//
PM, 1CD //PM//
SJA, 1CD //SJA//

SUBJECT: CID REPORT OF INVESTIGATION- INITIAL/SSI - 0152-04-CID899-81708-5C1L/5Y2P9

DRAFTER: SA [REDACTED] *7C1 b61*
RELEASER: SAC [REDACTED]

UNCLASSIFIED - FOR OFFICIAL USE ONLY

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:
1. 23 APR 04/0100 - 8 MAY 04/1700; UNKNOWN LOCATION, IRAQ

2. DATE/TIME REPORTED: 14 MAY 2004, 1400

3. INVESTIGATED BY: SA [REDACTED] *7C1 b61 b2*

4. SUBJECT: 1. UNKNOWN; (NFI) [AGGRAVATED ASSAULT]
[MALTREAT PRISONER]

7C4 b64 7F
5. VICTIM: 1. [REDACTED]; CIV; DETAINEE CASE NUMBER [REDACTED] M; OTHER; CAMP COOKE DETENTION CENTER, TAJI, IRAQ; ZZ; (NFI) [AGGRAVATED ASSAULT] [MALTREAT PRISONER]

7C4 b64 7F
2. [REDACTED]; CIV; DETAINEE CASE NUMBER [REDACTED] M; OTHER; CAMP COOKE DETENTION CENTER, TAJI, IRAQ; ZZ; (NFI) [AGGRAVATED ASSAULT] [MALTREAT PRISONER]

6. INVESTIGATIVE SUMMARY: THE INFORMATION IN THIS REPORT IS BASED UPON AN ALLEGATION OR PRELIMINARY INVESTIGATION AND MAY CHANGE PRIOR TO THE COMPLETION OF THE INVESTIGATION.

THIS IS AN "OPERATION IRAQI FREEDOM 2" INVESTIGATION.

THE DELAY IN REPORTING THIS INCIDENT WAS DUE TO LOGISTICAL REASON AND THIS OFFICE ATTEMPTING TO IDENTIFY THE ALLEGED VICTIMS OF THIS INVESTIGATION.

703163 ABOUT 1400, 14 MAY 04, THIS OFFICE WAS NOTIFIED BY COL [REDACTED] 703163 [REDACTED] 1CD, CHIEF OF STAFF (COS), OF ALLEGATIONS OF PRISONERS BEING ABUSED PRIOR TO BEING TURNED OVER TO THE CAMP COOKE DETENTION CENTER (CCDC), CAMP COOKE, TAJI, IRAQ.

7F667C4 PRELIMINARY INVESTIGATION REVEALED ON 8 MAY 04, MR [REDACTED] 703163 AND MR [REDACTED] WERE TRANSPORTED AND RELEASED TO THE CCDC BY THEIR DETAINING UNIT. ON 10 MAY 04, WHILE BEING INTERROGATED BY MILITARY INTELLIGENCE, MR [REDACTED] AND MR 704664 7F [REDACTED] REPORTED THEY WERE TORTURED PRIOR TO BEING TAKEN INTO THE CUSTODY BY THE CCDC.

702663 ON 11 MAY 04, MR 7F667C4 [REDACTED] WAS EXAMINED BY DR (CPT) [REDACTED] 703163 [REDACTED] C CO (MED) 39TH SUPPORT BN, 39TH BCT, CAMP COOKE, TAJI, IRAQ. DR [REDACTED] CONDUCTED A COMPLETE PHYSICAL EXAMINATION OF MR [REDACTED] AND STATED THERE WERE NO PHYSICAL EVIDENCE OF CURRENT OR RECENT ABUSE. DR [REDACTED] STATED THERE WERE NO HEALING OR BRUISES OF THE FACE OR CHEST. THERE WERE NO LIGATURE MARKS OR BRUISES ON THE NECK. THERE WERE NO PETECHIA HEMMORAGES OF THE CONJUNCTIVA OR ORAL LESIONS. FURTHER, MR [REDACTED] TESTICLES AND PERINEUM REVEALED NO EVIDENCE OF BRUISING OR BURNS AS INITIALLY ALLEGED. DR [REDACTED] CONCLUDED THAT HE FOUND NO PHYSICAL EVIDENCE OF TORTURE.

7F667C4 7F667C4 ON 16 MAY 04, MR [REDACTED] AND MR [REDACTED] WERE RE-EXAMINED BY DR (1LT) [REDACTED] C CO (MED) 39TH SUPPORT BN, 39TH BCT, CAMP COOKE, TAJI, IRAQ. THE EXAMINATION WAS CONDUCTED IN THE PRESENCE OF USACIDC. MR [REDACTED] AND MR [REDACTED] WERE ASKED WHAT TYPE OF TORTURE THEY HAD BEEN SUBJECTED TO, AND WHAT TYPE OF INJURIES THEY HAD SUSTAINED. DR [REDACTED] STATED THERE WERE NO PHYSICAL SIGNS OF TORTURE OR INJURIES.

EFFORTS ARE ONGOING TO LOCATE AND INTERVIEW THE SOLDIERS INVOLVED IN THIS INCIDENT.

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 300-67 FOR THE SUSPENSION OF SECURITY CLEARANCES OF PERSONS UNDER INVESTIGATION.

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

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DOD-DOACID000616

7C1 b61

[REDACTED]

7C1 b61

From: [REDACTED] CW4 MNC-I Operations Officer
Sent: Tuesday, July 06, 2004 10:06 AM
To: MAJ [REDACTED] CJSOTFAP SJA (E-mail)
Cc: CW2 [REDACTED] (E-mail); CW3 [REDACTED] (E-mail)
Subject: FW: Interview of SF personnel

7C1 b61

Sir,

One of our detachments conducting an investigation and they need to talk with some of your people. Special Agent

7C1
b61

[REDACTED] needs to interview SSG [REDACTED] (NFI) and [REDACTED] (NFI) They are all assigned to ODA 554.

7C1 b61

Could we get a time to interview these personnel. We would like to interview them in our office on North Victory. The office is colocated with the 545th MP CO.

Thank You

[REDACTED] 7C1 b61

7C1 b61
[redacted] CW3 7C1 b61
From: [redacted] C-I Operations Officer 7C1 b61
Sent: Tuesday, July 06, 2004 2:49 PM
To: CW3 [redacted] (E-mail)
Subject: FW: Interview of SF personnel [redacted] 7C1 b61

[redacted] 7C1 b61
You can now go direct and provide as much info as you want to.

[redacted] 7C1 b61
-----Original Message-----
From: CJSOTFAP SJA [mailto:CJSOTFAP_SJA@cjsotfap.iraq.socent.centcom.smil.mil]
Sent: Tuesday, July 06, 2004 1:30 PM
To: [redacted] CW4 CJTF7-Operations Officer [redacted]
Subject: RE: Interview of SF personnel [redacted] 7C1 b61

7C1 b61

[redacted] 7C1 b61
Caveats: NONE
[redacted] 7C1 b61

[redacted] what is the nature of the allegation and who is making it? I'll let you know when FOB 52 coordinates the time, although the interviews may have to take place at FOB 52. Vlr [redacted] 7C1 b61

[redacted] 7C1 b61

[redacted]

CJSOTF-AP SJA

S:

N: HYPERLINK "mailto:[redacted]@us.army.mil" [redacted]@us.army.mil
7C1 b61 7C1 b61

DSN: 318-2300159

-----Original Message----- 7C1 b61
From: [redacted] CW4 MNC-I Operations Officer
[mailto:[redacted]@iraq.centcom.smil.mil]
Sent: Tuesday, July 06, 2004 2:06 AM
To: MAJ [redacted] CJSOTFAP SJA (E-mail) 7C1 b61
Cc: CW2 [redacted] (E-mail); CW [redacted] (2) (E-mail)
Subject: FW: Interview of SF personnel

Sir,

One of our detachments conducting an investigation and they need to talk with some of your people. Special Agent [redacted] needs to interview SSG [redacted] 7C 3 b63

[redacted] (NFI) and ST [redacted] (NFI) They are all assigned to ODA 554.
7C1 b61 7C1 b61 7C 3 b63

Could we get a time to interview these personnel. We would like to interview them in our office

7/7/2004

000-2

on North Victory. The office is colocated with the 545th MP CO.

Thank You

Classification:
Caveats: NONE



701/1961

7/7/2004

Page 3

AGENT'S ACTIVITY SUMMARY

Control Number

04-CID899-

(CID Regulation 195-1)

052

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

1400, 14 May 04

71661

Notified by 1CD COS, COL [redacted] of an allegation by detainees at Camp Cooke, Iraq, that they were assaulted prior to being released to the BDE DIF at Camp Cooke. COL [redacted] related the CG, 39th BCT, had contacted the 1CD CG concerning the allegation and was requesting this office conduct an investigation. BG [redacted] is the POC concerning the allegations

70363

70363

1415, 14 May 04

701661

Contacted BG [redacted] Commander, 39th BCT, Camp Cooke, Iraq, who related several detainees stated their confessions were tainted as they were tortured by the unit (OGA) that detained them prior to being released to the 39th BCT. BG [redacted] stated that one of the detainees was examined by a doctor and had signs of bruising. BG [redacted] stated the detainees had been transferred to Abu Ghraib and he would obtain the detainee numbers for this office.

70363

703
663

1425, 14 May 04

701661

Contacted MAJ [redacted] PM, 39th BCT, who stated the individuals were detained by a SF unit prior to being released to the 39th BCT. MAJ [redacted] stated a doctor examined the detainees and none of them had any signs of injuries. MAJ [redacted] stated one of the detainees alleged he was beaten and made to drink urine.

70363

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663

703 663

1435, 14 May 04

701661

Contacted by CPT [redacted], Trial Counsel, SJA, 39th BCT, Camp Cooke, Iraq, who related he would email this agent the report he prepared and submitted to BG [redacted] concerning the allegations. CPT [redacted] further related the detainees had not been transferred to Abu Ghraib; they were still at Camp Cooke.

70363

703663

1445, 14 May 04

701661

Received report via email from CPT [redacted], posted to file.

70363

1520, 14 May 04

701661

Contacted CPT [redacted] informed him 3 agents would be flying to Camp Cooke on first flight on the morning of 15 May 04. Also requested he keep the detainees at Camp Cooke until personnel from this office could interview them.

70363

000 4

AGENT ACTIVITY SUMMARY
(CID Regulation 195-1)

CONTROL NUMBER

0152-04-CID899

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

0700, 15 May 04
[redacted] 7C1 b61

SA [redacted] 7C1 b61, SA [redacted] 7C1 b61, and SA [redacted] 7C b61 arrived, Pegasus LZ, awaiting transportation to Camp COOKE.

0800, 15 May 04
[redacted] 7C1 b61

Informed by flight crew that aircraft was being pulled for security mission.

0930, 15 May 04
[redacted] 7C1 b61

Contacted 4th BDE TOC who stated that aircraft would be on the ground in approximately 20 minutes.

1030, 15 May 04
[redacted] 7C1 b61

Aircraft never arrived at Pegasus LZ. Rescheduled flight for 1830, 15 May 04.

1730, 15 May 04
[redacted] 7C1 b61

Coordinated with 4th BDE TOC who stated that all aircraft were grounded due to weather.

2100, 15 May 04
[redacted] 7C1 b61

Rescheduled flight for 0930, 16 May 04.

1000, 16 May 04
[redacted] 7C1 b61

SA [redacted] 7C1 b61 and [redacted] 7C b61 depart Pegasus LZ for Camp COOKE.

1050, 16 May 04
[redacted] 7C1 b61

Received statements concerning detainee abuse from MAJ [redacted] 7C3 b63, PMO, 39th BCT.

1100, 16 May 04
[redacted] 7C1 b61

Coordinated with CPT [redacted] 7C3 b63, SJA, 39th BCT, who detailed his interview with the detainee alleging abuse. CPT [redacted] provided interrogation summary for review.

1145, 16 May 04
[redacted] 7C1 b61

Interviewed SPC [redacted] 7C3 b63 who detailed his knowledge of the abuse allegations.

1315, 16 May 04
[redacted] 7C1 b61

Reviewed detainee paperwork. Obtained copies for case file.

1515, 16 May 04
[redacted] 7C1 b61

Interviewed Detainee [redacted] 7F 7C4 b64. See AIR for details.

1625, 16 May 04
[redacted] 7C1, b61

Interviewed Detainee [redacted] 7F 7C4 b64. See AIR for details.

1720, 16 May 04
[redacted] 7C1 b61

Interviewed SGT [redacted] 7C3 b63. See AIR for details.

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<p>0800, 17 May 04 [REDACTED] 7C1 b61 ADM - 15</p> <p>1600, 19 May 04 [REDACTED] 7C1 b61 ADM - 15</p> <p>1120, 20 May 04 [REDACTED] 7C1 b61 ADM - 60</p> <p>1300, 20 May 04 [REDACTED] 7C1 b61 ADM - 15</p> <p>1500, 20 May 04 [REDACTED] 7C1 b61</p> <p>22 May 04 [REDACTED] 7C1 b61</p>	<p>Briefed CDR and SAC on the status of this investigation. Was instructed that this would be a Significant Data File.</p> <p>Was instructed by SAC to continue this investigation as a ROI.</p> <p>Prepared initial report. Built Case File</p> <p>Case file to TC/SAC for review.</p> <p>TC: Received + reviewed. Discussed with CIA, who stated X-rays were performed on the detainees, which failed to detect any bruising or injuries. Further [REDACTED] 7C1 b61 the examining Dr. stated there were no injuries consistent with the alleged victim's story. Coordinate with OJSA + interview soldier involved. So SAC.</p> <p>Reviewed:</p> <ol style="list-style-type: none"> 1. Let's get the remaining leads completed. 2. Once we determine the charges did not happen as attorney ^{expected}, we need to do a status on founded the offenses. 3. To SA [REDACTED] 7C1 b61 for completion.
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AGENT'S ACTIVITY SUMMARY (CID Regulation 195-1)		Control Number	0152-04-CID899
TIME, DATE, AND AGENT		SUMMARY OF INVESTIGATIVE ACTIVITY	

1100, 21 May 04 ██████████ <i>TC/bkl</i> INV 15	Attempted to Contact ODA 554.
0900, 22 May 04 ██████████ <i>TC/bkl</i> INV 15	Attempted to contact ODA 554
1300, 22 May 04 ██████████ <i>TC/bkl</i> INV 15	Attempted to contact ODA 554
0900, 24 May 04 ██████████ <i>TC/bkl</i> ADM - 15	Response to TC Review: 1. Coordinated with OSJA who provided telephone number for ODA554 2. Attempted to contact ODA 554. Will complete interviews ASAP
0930, 24 May 04 ██████████ <i>TC/bkl</i> ADM - 15	Response to SAC Review: 1. Noted 2. Dr's have already said abuse did not happen. Will interview soldiers and close. 3. Noted.

AGENT'S ACTIVITY SUMMARY (CID Regulation 195-1)		Control Number	0152-04-CID899
TIME, DATE, AND AGENT		SUMMARY OF INVESTIGATIVE ACTIVITY	

<p>1300, 30 May 04 ██████████ 7011261 INV - 15</p> <p>1300, 4 Jun 04 ██████████ 7011261 ADM</p>	<p>Attempted to contact ODA 554 to set up interviews. Negative contact.</p> <p>Coordinated with SA ██████████ 7011261, 78th MP Det, who provided a DNVT number for ODA 554. Will coordinate interviews during next trip to Camp Cooke.</p>
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<p>10 Jun 04 [REDACTED] <i>TC: b61</i> ADM - 15</p> <p>15 Jun 04 [REDACTED] <i>TC: b61</i> ADM - 15</p> <p>[REDACTED] <i>TC: b61</i> <i>16 Jun 04</i></p>	<p>Response to TC Review:</p> <ol style="list-style-type: none"> 1. Noted, will not happen again. 2. Was not able to complete interviews due to priority 0184-04. 3. Noted. 4. Noted. 5. Noted <p>To TC For Review</p> <p>TC: Received + reviewed.</p> <ol style="list-style-type: none"> 1. Conduct the interviews by next review + have final draft ready. 2. Resubmitted. 3. Square your AIR away asap!
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AGENT'S ACTIVITY SUMMARY (CID Regulation 195-1)	Control Number	0152-04-CID899
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY	

<p>21 Jun 04 <i>TCI b61</i> ADM - 15</p>	<p>Response to TC Review:</p> <ol style="list-style-type: none">1. Noted2. Noted3. Noted
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AGENT'S ACTIVITY SUMMARY (CID Regulation 195-1)	Control Number 0152-04-CID899
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY

<p>22 Jun 04 ██████████ <i>7C1 b6e1</i> ADM - 15</p> <p>25 Jun 04 ██████████ <i>7C1 b6e1</i> ADM - 15</p> <p>1100, 25 Jun 04 ██████████ <i>7C1 b6e1</i> ADM - 15</p>	<p>Notified by CDR that all interviews of SF Personnel must be routed through BN.</p> <p>MP's unable to provide convoy escort 24-28 Jun 04. C/A will be at Camp Cooke on 29 Jun 04, will complete interviews at that time.</p> <p>Briefed CDR on SF Personnel to be interviewed.</p>
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<p>28 Jun 04 [REDACTED] 7C1 b61 ADM - 15</p>	<p>Case File was not submitted to SAC for review due to C/A leaving unexpectedly for Camp Cooke. Discussed with SAC, will review upon return.</p>
<p>30 Jun 04 [REDACTED] 7C1 b61 INV - 60</p>	<p style="text-align: center;"><i>7C3 b63</i></p> <p>Interviewed SGT [REDACTED], 239th MICO, who stated that he remembered some of the detainee's from the group that Mr [REDACTED] and Mr [REDACTED] were in having bruises, but could not recall which ones. SGT [REDACTED] stated that he did not conduct the interrogation of Mr [REDACTED] or Mr [REDACTED].</p>
<p>4 Jul 04 [REDACTED] 7C1 b61 ADM - 20</p>	<p>Coordinated with CDR to forward names of ODA 554 personnel to be interviewed to BN. Due to a miscommunication, it was believed by the C/A that the information had been forwarded on 25 Jun 04.</p>
<p>5 Jul 04 [REDACTED] 7C1 b61</p>	<p><i>TC: Received + revised. Discussed with C/A. Will coordinate with BN to schedule the SF interviews. Complete remaining leads. Review person.</i></p>

*7F
7C3
b64*

<p>7 Jul 04 ██████████ <i>R1/b61</i> ADM - 15</p>	<p style="text-align: center;"><i>7C/b61</i></p> <p>SA ██████████ coordinated with SF. Individuals will be at this office to be interviewed between 18-20 Jul 04.</p>
<p>14 Jul 04 ██████████ <i>R1/b61</i></p>	<p>SAC Review:</p> <ol style="list-style-type: none"> 1. Interviews are scheduled between 18-20 July. 2. CA will will be attending an Article 32, however, someone from this office will conduct the interviews if CA is not back. <p>3. T. SA <i>7C/b61</i> ██████████.</p>

AGENT'S ACTIVITY SUMMARY (CID Regulation 195-1)	Control Number	0152-04-CID899
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY	

0900, 19 Jul 04
[REDACTED] *70162ef*
ADM - 15

Response To SAC Review:
1. Interviews are scheduled for 20 Jul 04.
2. Art 32 was cancelled.
3. Will conduct interviews.

AGENT'S ACTIVITY SUMMARY (CID Regulation 195-1)	Control Number 0152-04-CID899
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY

<p style="text-align: center;"><i>7C31063</i></p> <p>1000, 20 Jul 04 ██████████ <i>7C11061</i> ADM - 30</p> <p>1330, 20 Jul 04 ██████████ <i>7C11061</i> ADM - 30</p> <p>0900, 21 Jul 04 ██████████ <i>7C11061</i> ADM - 30</p> <p>1000, 21 Jul 04 ██████████ <i>7C11061</i> ADM - 30</p> <p>1300, 21 Jul 04 ██████████ <i>7C11061</i> ADM - 30</p> <p>1500, 21 Jul 04 ██████████ <i>7C11061</i> ADM - 30</p> <p>1629, 21 Jul 04 ██████████ <i>7C11061</i> INV - 30</p> <p>1720, 21 Jul 04 ██████████ <i>7C11061</i> INV - 60</p> <p>1737, 21 Jul 04 ██████████ <i>7C11061</i> INV - 30</p> <p>1814, 21 Jul 04 ██████████ <i>7C11061</i> INV - 60</p> <p>1907, 21 Jul 04 ██████████ <i>7C11061</i> INV - 30</p>	<p>E-mailed 1LT ██████████ to determine when ODA 554 personell would be at this office.</p> <p style="text-align: center;"><i>7C31063</i></p> <p>Received e-mail fro 1LT ██████████ stating that the personell would not be able to be at this office as planned. Was told that the interviews would have to happen at the SF Compound, 1400, 20 Jul 04. Instructed 1LT ██████████ to have the individuals at this office, 0900, 21 Jul 04.</p> <p style="text-align: center;"><i>7C31063</i></p> <p>Attempted to contact 1LT ██████████</p> <p style="text-align: center;"><i>7C31063</i></p> <p>Attempted to contact 1LT ██████████</p> <p style="text-align: center;"><i>7C31063</i></p> <p>Contacted 1LT ██████████ who stated he would have all personell to be interviewed at this office today. Will call back with time.</p> <p style="text-align: center;"><i>7C31063</i></p> <p>Contacted 1LT ██████████ who stated all personell would be at this office at 1600, 21 Jul 04.</p> <p style="text-align: center;"><i>7C1064</i></p> <p>Advised CPT ██████████ of his legal rights which he waived.</p> <p style="text-align: center;"><i>7C1064</i></p> <p>Interviewed CPT ██████████ who rendered a sworn statement detailing the treatment of detainee's. (See Sworn Statement for details)</p> <p style="text-align: center;"><i>7C1064</i></p> <p>Advised SFC ██████████ of his legal rights which he waived.</p> <p style="text-align: center;"><i>7C1064</i></p> <p>Interviewed SFC ██████████ who rendered a sworn statement detailing the treatment of detainee's. (See Sworn Statement for details)</p> <p style="text-align: center;"><i>7C1064</i></p> <p>Advised SSG ██████████ of his legal rights which he waived.</p>
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AGENT'S ACTIVITY SUMMARY (CID Regulation 195-1)		Control Number	0152-04-CID899
TIME, DATE, AND AGENT		SUMMARY OF INVESTIGATIVE ACTIVITY	

70363

<p>1942, 21 Jul 04 ██████████ 701 b61 INV - 60</p>	<p>Interviewed SSG ██████████ who rendered a sworn statement detailing the treatment of detainee's. (See Sworn Statement for details)</p>
<p>0900, 22 Jul 04 ██████████ 701 b61 INV - 30</p>	<p>70363 Briefed CPT ██████████, 39th BCT SJA on all aspects of this investigation. CPT ██████████ opined that there was not sufficient evidence to believe that any offense occurred.</p>

AGENT'S ACTIVITY SUMMARY (CID Regulation 195-1)	Control Number 0152-04-CID899
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY

<p>1100, 22 Jul 04 ██████████ 7C1b61 ADM - 60</p> <p>22 Jul 04 ██████████ 7C1b61</p> <p>27 Jul 04 ██████████ 7C1b61</p>	<p>Prepared Status Report and Final Report. To TC for review.</p> <p>SAC Review:</p> <ol style="list-style-type: none"> 1. Sent 2nd status report. 2. Case file need to go through TL before it come to me. 3. To SA ██████████ 7C1b61 <p>Distro completed.</p>
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DATA REQUIRED BY PRIVACY ACT

AUTHORITY: Title 10, United States Code Section 3012 (g)

ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate and retrieval.

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

DISCLOSURE: Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office - CID	9. ROI #	Offense:
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10. Last Name:	11. First Name:	12. Middle Name:	13. Grade/Rank:
[REDACTED]	[REDACTED] 703/b63	UMN	SPC E-4

14. Social Security Number:	15. Other ID Number:	16. Date of Birth:	17. POB City:	18. POB St:	19. POB Zip:
[REDACTED]	[REDACTED]	[REDACTED]	703/b63	[REDACTED]	[REDACTED]

20. Sex:	21. Race:	22. Ethnic:	23. Height:	24. Weight:	25. Hair:	26. Eye Color:	27. Citizen:	28. Educ:	29. Pribr Record:	30. Marital:
M	Other	Arab	69in	180lbs	Black	Brown	yes	College		married

31. MOS:	32. Job Description/Location:	33. MC:	34. Security Clr:	35. Physical Marks/ Tattoos:	36. Spouse Military:	Branch:
97C10					Yes: <input type="checkbox"/> No: <input type="checkbox"/>	

37. Alias/Nicknames:	38. Alias/Nicknames:	39. Alias/Nicknames:

40. Unit Organization:	41. Unit Phone Number:	Home:	Cell/Pager:
502nd MI BN A Co			

42. Military Service:	43. Sub Unit:	44. For/City:	45. State:	46. Country:	47. Zip Code/APO:
US Army					

48. Home Address:	49. City:	50. State:	51. Country:	52. Zip Code/APO:
[REDACTED]	[REDACTED]	[REDACTED]	USA	[REDACTED]

53. JUV:	54. Family Rel:	55. Last Name:	56. First Name:	57. Middle Name:

58. Social Security:	59. Grade/Rank:	60. MC:	61. Unit:

62. City:	63. State:	64. ZIP/APO:	65. Phone: Wk:	Hm:

66. Offense Code:	67. UFC:	68. Offense Code:	69. UFC:	70. Offense Code:	71. UFC:	72. Offense Code:	73. UFC:

Telephone:	ETS:	PCS/DEROS:	Date / Time Interview START:
			Date: Time:

Place of Interview:	Date / Time Interview END:
	Date: Time:

Disposition:

74. Category:	75. Type:	76. Recovered: Yes: <input type="checkbox"/> No: <input type="checkbox"/>	77. Value:	78. Insurer:	Policy:	Year/Date Exp:

79. Year:	80. Make:	81. Model:	82. Vehicle Style:	83. # of Doors:	84. Color:	85. Size:

86. V.I.N.:	87. License Plate:	88. State:	89. DOD Decal Number:

NOTES:
 Currently direct support to 239th MI Co.

LAST HIV TEST:
 CID FORM 44-R...Online version

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I ~~_____~~ 7C 464
want to make the following statement under oath:

A number of interrogators, in the first hour of my arrest, hit me in the face and in my ribs with their heads and their feet and I do not know the reason, for a whole hour, until I lost consciousness. For days, they left me without food or water. Then, they came and ~~said~~ asked how I ~~got~~ the weapons out of Falujah. I said "I didn't"; and then they ~~hit~~ me in the ribs and then they placed (something on my leg to electrocute me). Then they said "You do know (about the weapons)" And I said to them that I didn't ~~to~~ smuggle weapons, but I was left without food and was electrified in my thighs. I started to scream and scream, but he didn't care and electrocuted me again on my hand and he also tied rope around my knee, placed me on the ground started to ~~step~~ stamp on my head with feet and I lost consciousness. And they also tied my hands behind my back and they put my head in a bucket of water several times until there was blood in the water. And then they hit me in my knee with something wooden on my knee cap. And then he ^{also} said to me that they would "take my honor" with "an artificial phallus". All these acts were committed over 10 days by grey-haired iraqi men who wore prescription glasses and with them was an american interrogator and an egyptian interrogator. And for 3 days, I was tied up and left on the ground while 3 men hit me with their hands and feet until they became tired. I said "why are you hitting me like this?" They said



(2)

* I (want to) add to what I wrote in the previous statements that I was in Adhanyiah region in one of the houses next to Adhanyiah palace belonging to the U.S. Army. And I was detained there and my torture was undertaken there. And there I was forced to drink urine

(they were going to hit me) until they knew the truth. I said that I told the truth; so ~~the~~ they started a new beating and started ~~curst~~ cursing) and when I first arrived to their base in the first hour, one of the americans put his penis on my head and said how big it was, and everyone laughed. And there were no American Interrogators who refused (these acts from taking place). And I drank urine.