3rd MILITARY POLICE GROUP (CID) UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND BAGHDAD, IZ APO AE 09342

CIMPR-FR

22 Jun 04

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL (C)/SSI - 0131-04-CID259-80197-

DATES/TIMES/LOCATIONS OF OCCURRENCES:

11 MAY 2004/1300 HRS - 15 MAY 2004/0600 HRS; UNKNOWN DETENTION FACILITY, BAGHDAD, IZ

DATE/TIME REPORTED: 27 MAY 2004, 1000 HRS

676-1,66-1,62

INVESTIGATED BY: SA

SA

SUBJECT: 1. (UNKNOWN); (NFI); [AGGRAVATED ASSAULT] [CRUELTY AND

MALTREATMENT

671-4,66-4

VICTIM: 1. CIV; NDRS# UNKNOWN; M; C; DATE OF

CAPTURE: 11 MAY 2004; IZ (NFI) [AGGRAVATED ASSAULT] [CRUELTY AND

MALTREATMENT

INVESTIGATIVE SUMMARY:

On 27 May 04, this office was notified by the 22<sup>nd</sup> Military Police Battalion (CID), Baghdad Iz (BIAP) that Mr was detained and abused 1576-4, 66-4 International Airport, Baghdad, IZ (BIAP) that Mr was detained and abused.

Investigation did not develop sufficient evidence to prove or disprove Mr 676-4,66-4 allegations that he was detained by U.S. Forces, transported to an unknown detention facility, where he was kicked and threatened numerous times over a three-day period and then released at the same location he was detained. Mr was released prior to the 678-4,66-4 initiation of this investigation and efforts to locate the detaining unit and Mr unsuccessful. Investigation disclosed that the unit, which operated in the Al-Adamyia Region, were 576-4,66-4 IZ, during the time frame of the incident, had no records to reflect the apprehension Mr Investigation did not further diminish the integrity or credibility of Mr allegation. 676-4,66-4

STATUTES:

Article 128, UCMJ: Aggravated Assault

Article 93, UCMJ: Cruelty and Maltreatment

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## **EXHIBITS/SUBSTANTIATION:**



672-1,66-1

Attached:

1. Agent's Investigation Report (AIR) of SA 27 May 04, detailing the receipt of the 575-4,66-4 initial complaint and review of the statements provided by Mrs and Mr

- 2. Written Statement of Mrs received on 27 May 04. 676-4766-47
- 3. Written Statement of Mr received on 27 May 04. 675-4, 66-4
- 4. Agent's Investigation Report (AIR) of SA (AIR), 16 Jun 04, detailing the search of the Combined Joint Special Operations Task Force - Arabian Peninsula (CJSOTF-AP) Detainee Database and coordination with CMDR SPC SA 57-3,66-3 572-1667 572-3,66-3 57c-3,66-3 and CPT Not Attached: 3 670-3,66-3

None.

The originals of Exhibits 1 through 4 are forwarded with USACRC copy of this report.

STATUS: This is a Final (C) Report. This investigation is terminated in accordance with CIDR 195-1, Chapter 4-17 (a)(6), the Special Agent in Charge determined further of the investigation would be of little or no value. Remaining Leads: Interview Mr Interview Mrs 676-4,664

670-1,66-1 Report Prepared By: Special Agent,

Report Approved By: 678-1,66-1 Special Agent in Charge

### Distribution:

1-DIR, USACRC, 6010, 6<sup>th</sup> Street, Fort Belvoir, VA 22060-5506 (original)

1-Thru: CDR, 22<sup>nd</sup> MP BN (CID), APO AE 09342 Thru: CDR, 3<sup>rd</sup> MP Group (CID)

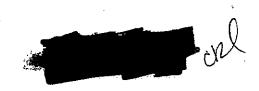
To: CDR, USACIDC, ATTN: CIOP-ZA, Fort Belvoir, VA 22060

1-PMO, MNF-I (e-mail only)

1-CID LNO, MNF-I, APO AE 09335 (e-mail only)

676-3,66-3 1-Office of the Staff Judge Advocate, III Corps, ATTN: CPT (email only)

1-File



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AGENT'S	S IN	ÆSTIGA:	TION	REPORT

0131-04-CID259-80197

CID Regulation 195-1

Page 1 of 1

Basis for Investigation: This investigation was initiated based on notification from the 22<sup>nd</sup>
Military Police Battalion (CID), Baghdad International Airport, Baghdad, IZ (BIAP) that Mr. 1975-4, bloth
(NFI) was detained and abused.

About 1000, 27 May 04, this office received statements from was detained and abused in the Baghdad area by bye-4, blo-4 unknown American forces for a three day period. (See statements for details) ///LAST ENTRY///

676-1,66-1,62

SA Special Agent,

78<sup>th</sup> DET Forward (CID)

Signature

Date: 27 May 04 Exhibit:

CID Form 94

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36663.3

1578-4, block

From: To: MOJ

Sub: Complaint

Sir.

-

My brother's son had arrested on May 11th 2004 at 13:00 p.m. His name is his age is just 18 years old, and he is a student in high 157c-4, 66-2 school (last class). He was studying hard these days because he must pass the final examination a few days later. He was going to his teacher to take some lessons and he arrested in his way back to home.

They took off his shoes and socks, and they tied his hands with wire and putting sack on his head, most time even when he slept, they remove it just when he ate and through investigation.

They never let him use bathroom or give him water. We are looking for him in every police station and military places and no one find his name in any data base until they release him.

Please, regard my case and take the necessary actions to investigate in it. This case represents a penetration for all arresting laws and human rights. So we should regarding this case in order to avoid repeating it with other Iraqis people and getting back the confidence with justice as the supreme power.

With my appreciation...

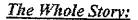
May 16th 1/2004
Details attached

B7C-4, b6-4

B7C-4, b6-4

Tell ph.

FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE Juijuu . 4



I was returning from my teacher house which is in Palestine Street to my home in Al-Mansour. In the middle of the road and specifically in Al-Adamyia region, Near Al-Olympic club at half past one afternoon, there was an American patrol and they stopped the taxi then asked the driver and me about our Identities, after that we gave them the identities. The translator took my identity to the American soldier who looked at it like he knows Arabic language.

The driver brings my books from the car and gave them to me. Then I want to go but they told me (by the translator) you are under arrest. I was surprised but I was sure that they will just ask me some questions and leave me go after that because I didn't do anything. Therefore I did not ask the taxi driver to go to my family and told them about this incident.

The soldier tied my hands to the back and dragged my head to put the sack on it (this situation is not acceptable in the whole world), then he knew from my hair touching that I was putting jell on it, therefore he bend my head and remove jell by water. After that he put the sack on my head and put me in the hummer vehicle. I wasn't able to see the watch but I supposed that I stayed for three hours in the vehicle under sun, I have breathing problems from my early childhood and so I suffocated and started moving my head to the right and left in spontaneously way because of fearing from what it will happen after that. It seemed that there was an American female soldier monitor me and I didn't recognize here existing, she took the sack up from the nose and made it just cover the eyes. Then the vehicle moved (they returned the sack on whole my face for many hours until we reached to a place).

They took my shoes and socks off, and then took me to a room and the wires were still in my hands and the sack on my head. They threw me on the ground, I tried to sit but I didn't know if there was a wall beside me or not. I heard the soldiers entering, and then they start kicking me, the first kick which was under my back the most painful one because I didn't guess that they will treat me in this shameful way. The kicking continued until I fatigued, I did not know from where the kicks came and my hands were not free in order to protect my body.

The kicking repeated for three times and there was a break between each one of them for thirty minutes approximately. After that I felt horror surrounded me and this matter will last until I'll die without seeing my family. Some of them entered and the translator was with them, they didn't kick me, therefore, I thought that they are another soldiers not the previous ones who beat me so I told them about my thirsty. Finally they bring me a coca and hamburger sandwich, they took the sack and the wires off, gave me the food, one of the soldiers stand near me, with a rifle in his hand directed towards my eyes about just 5 cm, I couldn't eat but they force me to eat, so because of fearing I started

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eating in spite of that I couldn't eat anything at that time. At the end of the path I noticed a watch referring to one or two o'clock at the night, and I couldn't specific the time exactly.

Again they tied me and made an investigation with me. The officer started the investigation with me and the entire questions were about my father and family. What is your father working? When is he returning to home? How many uncles do you have? Where are you father work? Then I told them about my father place and I said "if you don't believe me you can make sure by yourself" then I thought that they will go to my father work place and knowing him about me so he will feel comfortable about me especially that he is very sick, it is possible that he would die from this nerve exhausting if still worried about me. Then I realized that the translator change some of my answers, for example when the investigator asked me "how many uncles do you have?" I answered "I have two" in Arabic language and the translator said "seven" then I said in English language "No, They are only two" then the translator started to insult me and he had threaten me that I never ever utter any word in English.

They investigated me four times. Then they took me to the place that I was in it to sleep where they offered me a bed but I couldn't sleep because of the sack, wires and the horrible noises. I still reserved there for two days and in the third day they took me with them at six o'clock in the morning in their vehicle and finally the left me in the same place where they arrested me and at the same time.

Juda bi

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CID Regulation 195-1	1.664	Page 1 of 1	
About 0945, 2 Jun 04, SA	conducted a search	h of the Combined Joint Specia	l Operations
Task Force-Arabian Peninsula (C	JSOTF-AP) Detaine	ee Database, which disclosed no	,
information which pertained to M	îr <b>dina dina dina dina dina dina dina dina </b>	57C-4.66-4	
6727,		67C-31	66-5
About 1430, 4 Jun 04, SA	coordinated with	CMDR ,	Deputy
Commander, CJSOTF-AP, who	conducted a search o	f the records maintained by CIS	COTE-AD
The search disclosed Mr CJSOTF-AP.	was not detair	ed by any unit in theater subord	linate to 670
CISOTT-AF.	1,66-1	3.66-	3
About 1130, 7 Jun 04, SA		67C-3166-	
About 1130, 7 Jun 04, SA	coordinated with	SPC	S-
2, 2/162 Infantry Task Force (INFAdamiya region; however, no one	r 1r), who stated 2/	162 INF TF conducted operation	ns in the Al-
one was apprehended by 2/162 TN	TE TE on Delection C	was apprehended by 2/162 If	NF TF; no 67
one was apprehended by 2/162 IN	or ir on Palestine S	treet on 11 May 04; and no furt	her
information regarding the apprehe	Sision of Mr	was available. 1576-4	1,66-4
About 1440, 7 Jun 04, SA	Dogondinata d suite C	676-1,66+1	
Coordinator, 22 <sup>nd</sup> Military Police	Pottolion (CII) Do	A Criminal Intel	. <del>-</del> .
who stated he was unable to provi	de any information	gudad international Airport, Ba	ghdad, IZ, Ar 🚛 📁 5
unless a National Detair	nee Reporting System	regarding the apprehension of N n (NDRS) Number was assigne	dr 📆 🦻 🖰
or the detention faci	lity where he was to	u (NDKS) Number was assigned	d to Mr 2-4,66-4
676-1	166-1	Ren could be determined. 5 /	CTOP T
About 1600, 8 Jun 04, SA	coordinated with C	OI	67C
Ministry of Justice, Baghdad, IZ.	who stated the Minis	stry of Justice did not maintain	socorda of
combiguits then with Millistly of .	Justice once the com	migint was referred to the arong	
COL stated he could prov	ide no information	which would assist this office:-	agency.
Mr or Mrs	67E-4,6		i iocaiiiig
676-1	166-1	670-3,66-2	
About 1400, 11 Jun 04, SA	coordinated with	Mr.	S
Department, Ministry of Justice. B	aghdad 17, who sta	ted if a detainee was apprehend	
mustan a obergueing with MSS Hot Lei	eased to the Ministr	y of Justice for judicial hearing	s, suach as
the events affeged by Mil	no record of the	e detainee was kept by the Min	istry of bic
Justice.			<b>√</b> = = <b>*</b>
About 1020 16 1 0 2 5	(166-1	676-3,66-3	
About 1030, 16 Jun 04, SA	briefed CPT	, Chief of Criminal	Law,
Prince of the Staff Judge Advocate	. III Corps. Baghdad	17 on all agreets of this inves	tiontinu
or remark objuted insufficient 6A	idence was present t	to prove or disprove Mr	sugation.
allegations.///LAST ENTRY///			•
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572-1,66-1,6			
SA		Detachment (Forward)	(CID)
Special Agent,	Baghdad,	Iraq APO AE 09342	(ULD)
Signature:	Date:	Exhibit:	·
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CID Form 94 676-1,66-1	OR OFFICIAL US		<u> </u>
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# UNCLASSIFIED - FOR OFFICIAL USE ONLY

DATE: 27 MAY 2004

FROM: SAC, 78TH MILITARY POLICE DET (CID) (FWD)

TO: DIRECTOR, USACRC, USACIDC, FORT BELVOIR, VA

CDR, HQUSACIDC ATTN: CIOP-ZA, FORT BELVOIR, VA
CDR, 22<sup>ND</sup> MILITARY POLICE BATTALION (CID) (FWD)

CDR, 3D MILITARY POLICE GROUP (CID)

CDR, 78<sup>TH</sup> MILITARY POLICE DET (CID) (FWD)

MNF-1, CHIEF OF STAFF, DETAINEE OPS PROVOST MARSHAL, 1<sup>ST</sup> ARMORED DIVISION

PROVOST MARSHAL, CJTF-7

LNO CID, CJTF-7 (FOR FURTHER DISTRIBUTION)

SUBJECT: CID REPORT -INITIAL/SSI - 0131-04-CID259-80197-/5ClQ2/5Y2E

DRAFTER : SA

RELEASER: SA

67e-1,66-1

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 11 MAY 2004/ 1300 HRS - 15 MAY 2004/0600 HRS; UNKNOWN DETENTION FACILITY, BAGHDAD, IZ

2. DATE/TIME REPORTED: 27 MAY 2004, 1000 HRS

670-1,66-1,63

3. INVESTIGATED BY: SA

SA

4. SUBJECT: 1. (UNKNOWN); (NFI) [AGGRAVATED ASSAULT] [CRUELTY AND MALTREATMENT]

5. VICTIM: 1. CIV; NDRS# 672-4,66-4
UNKNOWN; M; C; DATE OF CAPTURE: 11 MAY 2004; IZ (NFI)
[AGGRAVATED ASSAULT] [CRUELTY AND MALTREATMENT]

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" INVESTIGATION.

ON 27 MAY 04, THIS OFFICE WAS NOTIFIED BY THE 22ND MILITARY POLICE BATTALION (CID), BAGHDAD INTERNATIONAL AIRPORT, BAGHDAD, IZ (BIAP) THAT MR. WAS DETAINED AND 67C-4, 66-4 ABUSED.

02545<sup>8</sup>

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PRELIMINARY INVESTIGATION REVEALED AMERICAN FORCES DETAINED

MR. AT PALESTINE STREET, BAGHDAD, IZ, PLACED A 67C-4,66-4

BAG OVER HIS HEAD, AND TRANSPORTED HIM TO AN UNKNOWN

LOCATION. MR. WAS KICKED AND THREATENED 67C-4,66-4

NUMEREOUS TIMES OVER A THREE-DAY PERIOD AND THEN RELEASED

AT THE SAME LOCATION WHERE HE WAS APPREHENDED.

EFFORTS ARE ON-GOING TO LOCATE THE DETENTION FACILITY WHERE

MR. WAS TAKEN AND LOCATE, FULLY IDENTIFY AND 67C-4,66-4

INTERVIEW THE INDIVIDUALS WHO APPREHENDED HIM.

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

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TO 14193	cate, fully ID, and interview Mr	reliension rear	n .			
27 May 04 Lo	cate, fully ID, and interview Mrs		<u> 57C</u>	-4,66.	-4	
27 May 04 Me	dical evaluation of Mr	All Control	<u> 57e -</u>	-4,66-	.4	
Jun 04 Loc	cate, fully ID, and interview interp	oreter of interv	<u> 672 -</u>	4 16-	4	
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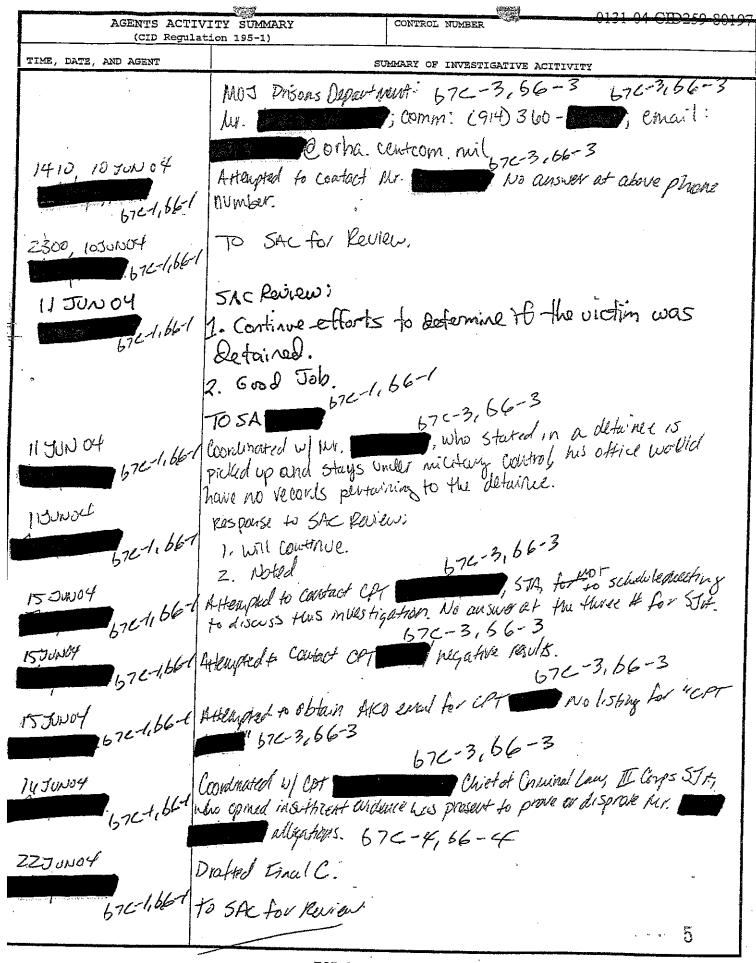
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PAGE /

TIME, DATE, AND AGENT 0945, 2 Jun 04		0131-04-CID 259-80197
0945, 2 Jun 04	[	SUMMARY OF INVESTIGATIVE ACITIVITY
678-1,66-1	Conducted a search which disclosed not be was not detained the database were	ch of the CJSOFT-AP Detainee Database, no information which pertained to Mr 672-672, this does not mean Mr 672 by CJSOFT-AP, as numerous entries in listed as "Iraqi," "Iraqi x 11,"
•	676-1166-1	676-4,66-4
1300, 2 Jun 04	.SA att	empted to contact Mrs at provided, which met with negative
2115, 2 Jun 04		SA who stated he would conduct
b7e-1,66-1	a search of his r information regard	ding what units patrolled near between 11 and 14 May 04.
676-1.66-1	the search for any	mFC-1 LNO, to request information regarding patrols lestine Street, which met with
118, 4 Jun 04	Attempted to conta via Iridium Phone,	act Mrs at her cell phone which met with negative results.
125, 4 Jun 04 67e-1.66-1	Coordinated with C was responsible for and should be able what unit patrolle	who stated the 89 <sup>th</sup> MP BN or liaison with local law enforcement to provide information regarding and in Al-Adamyia Region during the 639-63-3
135, 4 Jun 04 67c-1,66-1	maintained no reco conduct patrols.	PS SGM, 89 <sup>th</sup> MP BN, who stated they ords of patrolling units and did not Recommended C/A coordinate with 1 tho was in the Al-Adamyia Region on
40, 4 Jun 04 57e-1.661	Region. 39th BCT T	8 <sup>th</sup> MP DET (CID), who stated the 3 <sup>rd</sup> onducted operations in Al-Adamyia OC: 646-3 3 <sup>rd</sup> BCT S-1: 531-676-66-66-66-66-66-66-66-66-66-66-66-66
50, 4 Jun 04	BCT LNO, CPT	
55, 4 Jun 04 676-1,66-1	Coordinated with CF provide any information BDE LNO, 646-	PT $\bigcirc$ , who stated he could not $^{57C-3,6}$ ation. Referred C/A to MAJ $\bigcirc$ , $^{67C-3,66}$
30, 4 Jun 04 672-1, 66-1	disclosed Mr theater subordinate	MDR Deputy Commander, 676-3,66-3 ted a query of his records which was not detained by any unit inboth to CJSOFT.



AGENTS ACTIVITY SUMMARY (CID Regulation 195-1) -04-CID259-80197 TIME, DATE, AND AGENT SUMMARY OF INVESTIGATIVE ACITIVITY 225 W04 SAC Review: 1. Pairewell AMI CROport. There is no further investigative activity required by this office. 2. File closed. TO ADMW FOR DISTRO. ad June 04 DISTO DOLE copy in Ale. 676-1,66-1

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27 MAY 04 - 1000					0/3/-	24-CEQ259-8	30197	
3. OFFENSE Dotange Abse			·	`.	8. ASS	GIGNED 70-1	<i>;</i> .	
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Mr. was apprehended and was assalled			alfed	SAC	1150004	T .		
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