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**DEPARTMENT OF THE ARMY**  
U.S. ARMY CRIMINAL INVESTIGATION COMMAND  
87th Military Police Detachment (CID)  
3d Military Police Group (CID), Building 8-1221 Randolph Street, Fort Bragg,  
North Carolina 28310-8310

17 Aug 2004

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL (C)/SSI - 0473-2004-CID023-67329 -  
5C2B

**DATES/TIMES/LOCATIONS OF OCCURRENCES:**

1. 23 AUG 2003, 0001 - 30 NOV 2003, 2359; (CAMP VIGILANT) ABU GHRAIB  
PRISON, ABU GHRAIB, IRAQ

DATE/TIME REPORTED: 24 JUN 2004, 0900

**INVESTIGATED BY:**

SA [REDACTED] 7C, b6, b2

**SUBJECT:**

1. NONE, ; DETAINEE ABUSE (UNFOUNDED) (NFI)

**VICTIM:**

1. UNKNOWN, IZ MALE ; DETAINEE ABUSE (UNFOUNDED) (NFI)

**INVESTIGATIVE SUMMARY:**

This investigation was initiated upon receipt of a Request for Investigation (0272-04-CID001) from HQ USACIDC, Fort Belvoir, VA 22060-5506 (FBVA), which reflected that on 9 Jun 04, during a review of the MG [REDACTED] report by the Detainee Assessment Task Force (DATF), USACIDC, FBVA, it was discovered there were allegations of detainee abuse by members of the 519th Military Intelligence Battalion, Ft Bragg, NC (FBNC) 28310. The incidents allegedly took place in Nov 03, after several soldiers from 519th MI Bn were injured or killed during a mortar attack at the Abu Ghraib Prison (AGP), Abu Ghraib, Iraq. 7C, b6, b2

Investigation established the offense of detainee abuse did not occur as alleged by members of the 229th Military Police Company, Virginia Beach, VA.

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STATUTES:

Article 128, UCMJ: Assault (Detainee Abuse)

EXHIBITS/SUBSTANTIATION:

Attached:

1. Agent's Investigation Report (AIR) of SA [REDACTED] 7C1bb-1 5 Aug 04, detailing the Basis for Investigation; Subject Interview, Other Interviews; Coordination with Office of the Staff Judge Advocate (SJA) and other Investigative Activity.
2. AIR of SA [REDACTED] 7C1bb-1  
interview of CPT [REDACTED] 7C4bb4 7C1bb Ft Huachuca Resident Agency, 24 Jun 04, detailing the 304th MI BN, Ft Huachuca, AZ.
3. Sworn Statement of CPT [REDACTED] 7C1bb 24 Jun 04, detailing her knowledge of the incident.
4. Sworn Statement of MSG [REDACTED] 7C1bb4 29 Jun 04, detailing his knowledge of the incident.
5. AIR of SA [REDACTED] 7C1bb-1  
interview of CPT [REDACTED] 7C4bb4 Ft Leavenworth Resident Agency, 12 Jul 04, detailing the title Command Training Program, Ft Leavenworth, KS.
6. Sworn Statement of CPT [REDACTED] 7C1bb4 12 Jul 04, wherein he detailed his knowledge of the incident.
7. AIR of SA [REDACTED] 7C1bb-1  
interview of SFC [REDACTED] 7C4bb4 Ft Polk Resident Agency, 12 Jul 04, detailing the Joint Readiness Center, Ft Polk, LA.
8. Sworn Statement of SFC [REDACTED] 7C1bb4 12 Jul 04, wherein he detailed his knowledge of the incident.
9. AIR of SA [REDACTED] 7C1bb-1  
interview of SGT [REDACTED] Monterey Branch Office, 12 Jul 04, detailing the Presidio of Monterey, CA. Company, 229th Military Intelligence Battalion.
10. Sworn Statement of SGT [REDACTED] 7C1bb4 12 Jul 04, wherein he detailed his knowledge of the incident.
11. AIR of SA [REDACTED] 7C1bb-1  
Ft Lee Resident Agency, 13 Jul 04, detailing the

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termination (Chap 3, AR 25-55)

2

00525

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7C, b6 4  
interview of SGT [REDACTED] 229th MP CO, Virginia Beach, VA.

12. Sworn Statement of SGT [REDACTED] 13 Jul 04, wherein he detailed his allegation of detainee abuse while working at Abu Ghraib Prison, Abu Ghraib, Iraq.

7C, b6 4  
13. AIR of SA [REDACTED], Carlisle Barracks Resident Agency, 12 Jul 04, detailing the interview of MAJ [REDACTED] 20th MP Battalion (MP BN), Ashley, Pa.

7C, b6 4  
14. Sworn Statement of MAJ [REDACTED], 2 Jul 04, wherein he detailed his knowledge of the incident.

7C, b6 4  
15. AIR of SA [REDACTED] 2th MP DET CID, Ft Eustis, VA, 14 Jul 04, detailing the interviews of 1LT [REDACTED], SFC [REDACTED], SGT [REDACTED] and SPC [REDACTED] all from 229th MP CO, Virginia Beach, VA.

7C, b6 4  
16. Sworn Statement of SFC [REDACTED] 29 Jun 04, wherein he detailed his allegation of detainee abuse while working at Abu Ghraib Prison, Abu Ghraib, Iraq.

7C, b6 4  
17. Sworn Statement of SPC [REDACTED] 30 Jun 04, wherein he detailed his allegation of detainee abuse while working at Abu Ghraib Prison, Abu Ghraib, Iraq.

7C, b6 4  
18. Sworn Statement of SGT [REDACTED] 2 Jul 04, wherein he detailed his allegation of detainee abuse while working at Abu Ghraib Prison, Abu Ghraib, Iraq.

7C, b6 4  
19. Sworn Statement of LT [REDACTED] 21 Sep 03, wherein he rendered on the night of the incident wherein he detailed his knowledge of the alleged abuse.

7C, b6 4  
20. Waiver Certificate of SGT [REDACTED] Aug 04.

Not Attached:

None.

The originals of Exhibits 1-18 and 20 are attached to the USACRC copy of this report. The original of Exhibit 19 is maintained in the files of the Abu Ghraib Prison, Abu Ghraib, Iraq.

STATUS: This is a Final (C) Report. This investigation is being terminated IAW CIDR 195-1, chapter 4-17a(6), in that the Special Agent in Charge (SAC) of this office has determined that the furtherance of this investigation would be of little or no value and the leads remaining to be developed are not significant. Leads Remaining: Interviews of LTC [REDACTED] and SGT [REDACTED]

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PRESNELL. Commander's Report of Disciplinary Action Taken (DA Form 4833) is not required.

REPORT PREPARED BY

7C, b6, b2

REPORT APPROVED BY

7C, b6, b2

**DISTRIBUTION:**

Dir, USACRC, Ft Belvoir, VA  
Cdr, 10th MP Bn, Ft Bragg, NC  
CDR 3D MP GRP USACIDC FT GILLEM GA  
CDR USACIDC CURRENT OPERATIONS (DETAINEE ABUSE CASES)  
CHIEF OF STAFF, 18TH AIRBORNE CORPS, (COL [REDACTED] 7C, b6, b2  
CID CRIMINAL INTELLIGENCE CENTER (MR [REDACTED] 7C, b6, b2  
COMMUNITY PROVOST MARSHAL, FORT BRAGG (LTC [REDACTED] 7C, b6, b6  
DEPUTY GARRISON COMMANDER, FBNC (MR [REDACTED] 7C, b6  
PMO BLOTTER CLERK 7C, b6, b3  
PMO OPERATIONS SGT (SFC [REDACTED] 7C, b6, b6  
PROVOST MARSHAL, XVIII ABN CORPS (COL [REDACTED] )  
SJA, XVIII ABN CORPS (SR TRIAL COUNSEL) (CPT [REDACTED] 7C, b6, b3  
SAC, 12th MP Det, Ft Eustis, VA  
SAC, Ft Huachuca RA, Ft Huachuca, AZ  
FILE

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# AGENTS INVESTIGATION REPORT

ROI NUMBER

0473-04-CID023-673.

RFI 0272-04-CID001

CID REGULATION 195-1

PAGE 1 OF 5 PAGES

**BASIS FOR INVESTIGATION:** This investigation was initiated upon notification from CID COMMAND that on 9 Jun 04, during a review of the MG [REDACTED] report by the Detainee Assessment Task Force (DATF), United States Army Criminal (USACIDC), Fort Belvoir, VA, it was discovered there were additional allegations of detainee abuse by members of the 519<sup>th</sup> Military Intelligence Battalion (MI BN), Ft Bragg, NC (FBNC) 28310. The incidents allegedly took place in Nov 03, after several soldiers from 519<sup>th</sup> MI Bn were injured or killed during a mortar attack at the Abu Ghraib Prison (AGP), Abu Ghraib, Iraq. 7C, b6 2

## DETAILS:

At 1030, 24 Jun 04, SA [REDACTED] drafted Requests For Assistance (RFA) and sent same to Ft LEE, VA and Ft EUSTIS, VA to interview complainants; SFC [REDACTED] SPC [REDACTED] d SGT [REDACTED] all from 229<sup>th</sup> Military Police Company (MP CO), (Formerly with duty at AGP), Virginia Beach, VA. They claimed to have witnessed a detainee assaulted by several unknown members of the 519<sup>th</sup> MI BN, FBNC, after a mortar attack on the prison. They further alleged a military working dog handled by a PO1 [REDACTED] (NFI) was utilized as a method of obtaining information and subsequently bite a flexi cuffed detainee. SGT [REDACTED] and SPC [REDACTED] so stated they witnessed an unidentified U.S. Army captain strike a detainee several times while inside the prison after a U.S. soldier had allegedly been shot by one of the detainees. It is currently unknown if the three aforementioned incidents are connected to each other or if soldiers from the 519<sup>th</sup> MI BN were involved in all three incidents. If it is determined they are not involved in all of the incidents, the matter will be forwarded to the appropriate CID office of HQ USACIDC for their actions deemed appropriate. 7C, b6 4

Ft Eustis case number is 0156-04-CID222.

Ft Lee case number is 0153-04-CID022. 7C, b6 1

At 1130, 24 Jun 04, SA [REDACTED] coordinated with the Radio Telegraph Operator (RTO), Provost Marshal Office (PMO), FBNC who conducted a Post Locator check which disclosed MSG [REDACTED] Company (A Co), 519<sup>th</sup> MI BN, FBNC is the only individual mentioned in Request For Information (RFI) 0272-04-CID001 that is currently located at FBNC. 7C, b6 4

At 1300, 24 Jun 04, SA [REDACTED] coordinated with CSM [REDACTED] 519<sup>th</sup> MI BN, FBNC, who verified MSG [REDACTED] was assigned to A Co, 519<sup>th</sup> MI BN, FBNC. CSM [REDACTED] stated the names (LT [REDACTED] MAJ [REDACTED], MSG [REDACTED] SGT [REDACTED] SGT [REDACTED] and SGT [REDACTED] listed in the RFI seemed familiar but he was unsure. CSM [REDACTED] stated the 519<sup>th</sup> MI BN was stationed in Tikrit, Iraq during the time frame of the suspected abuse, while A Co, MI BN was attached to AGP along with the 229<sup>th</sup> MP CO, Virginia Beach VA. CSM [REDACTED] 7C, b6 4

TYPED NAME, SEQUENCE NUMBER

87<sup>th</sup> MP Det (CID) (ABN), DSE  
Fort Bragg, NC 28310

CID FORM 94-E

1 OCT 95

Protective marking is excluded from automatic termination (Chap 3, AR 25-55)

PROTECTIVE MARKING IS EXCLUDED FROM  
AUTOMATIC TERMINATION (Para 13, AR 340-16)  
(When Data is Entered)

DATE

5 Aug 04

EXHIBIT

EXHIBIT 00528

## AGENTS INVESTIGATION REPORT

ROI NUMBER

0473-04-CID023-6732

FI 0272-04-CID001

CID REGULATION 195-1

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1002 further stated CPT [REDACTED] (FI) is now stationed at FT Huachuca, AZ and that he would brief LTC [REDACTED] 19<sup>th</sup> MI BN Commander on the status of the investigation.

At 1330, 24 Jun 04, SA [REDACTED] coordinated with MSG [REDACTED], who related he had just returned from Washington, DC where he testified before a sub committee overseen by MG [REDACTED] (Army G2 office) and provided them all the information on the incident he witnessed. 1SG [REDACTED] stated all the individuals involved in the incident provided Sworn Statements which he assembled into a packet and gave to COL [REDACTED] (NFI), shortly after the incident occurred.

At 1500, 24 Jun 04, SA [REDACTED] drafted RFA and sent same to Ft Huachuca to interview CPT [REDACTED]

At 1645, 24 Jun 04, SA [REDACTED] drafted RFA and sent to the Special Agent in Charge (SAC) of this office, who forwarded to the Operations Officer, DATF to obtain all the statements they have from SFC [REDACTED], PC [REDACTED] and SGT [REDACTED] anyone related to this RFI as they have conducted interviews of all the complainants of this investigation already.

Between 25 - 28 Jun 04, this office received numerous emails from CID Command & 10<sup>th</sup> MP Battalion Operations, FBNC in reference to case file. The three individuals have already been interviewed by the DATF and MG [REDACTED] office but CID Command has directed they be re-interviewed and Sworn Statements taken in regards to the mortar attack incident. The incident involving the CPT (CPT [REDACTED] was staged and SA [REDACTED] AGP, Abu Ghraib, Iraq stated it does not need to be investigated. (Posted all emails to file).

At 1315, 24 Jun 04, SA [REDACTED] received 2nd Information Report # 0132-04-CID446, which contained AIR of SA [REDACTED] FT Huachuca, AZ and Sworn Statement of CPT [REDACTED] A Co, 304<sup>th</sup> MI BN, Ft Huachuca, AZ 85613. (SEE AIR and Sworn Statement for Details)

At 1500, 28 Jun 04, SA [REDACTED] conducted review of 0460-04-CID023, which is an RFA for 0006-04-CID149 to conduct interviews in reference to the alleged use of Military Working Dogs (MWD) as an interrogation tool at the Abu Ghraib Prison (AGP). PO1 [REDACTED] Naval Air Station (NAS) (formerly assigned to the 229<sup>th</sup> MP CO, AGP), Sigonella, Sicily was interviewed and stated he never allowed nor did his MWD bite any detainees while at AGP. PO1 [REDACTED] stated in a subsequent interview that on he was requested along with his MWD [REDACTED] to a cell where there were several unidentified people yelling at a detainee. PO1 [REDACTED] stated he asked SGT [REDACTED] what was going on after one of the male individuals yelled at the detainee "to provide information or else they would let the dog loose". PO1 [REDACTED] related he told SGT [REDACTED] "We don't use our dogs for interrogation purposes and that is not what my dog is trained for" and left the area.

TYPED NAME, SEQUENCE NUMBER

87<sup>th</sup> MP Det (CID) (ABN), DSE  
Fort Bragg, NC 28310

CID FORM 94-E

1 OCT 95

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(When Data is Entered)

DATE

5 Aug 04

EXHIBIT

Protective marking is excluded from automatic  
termination (Chap 3, AR 25-55)

EXHIBIT

100529

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0473-04-CID023-6732

7 0272-04-CID001

CID REGULATION 195-1

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Agents Comment: Posted copies of PO1 [REDACTED] statements and Case Agents Investigative Report (AIR) to this case file.

NOTE: PO1 [REDACTED] is listed as a SSG on his Sworn Statement.

At 1200, 29 Jun 04, SA [REDACTED] interviewed MSG [REDACTED] who provided a Sworn Statement wherein he related his knowledge of the incident and his actions upon learning of the incident. (See Sworn Statement for Details)

At 1100, 12 Jul 04, SA [REDACTED] drafted and sent Requests for Assistance to the Ft Leavenworth Resident Agency, Carlisle Barracks Resident Agency, Fort Polk Resident Agency and Monterey Branch Office to interview several individuals involved in or witnessed the incident.

Ft Polk case number is 0182-04-CID054.

Ft Leavenworth case number is 0068-04-CID055.

Carlisle Barracks case number is 0076-04-CID342.

Monterey's case number is 0082-04-CID036.

At 1600, 12 Jul 04, SA [REDACTED] contacted SA [REDACTED] (Ft Lee), who related his office had closed the RFA as they misunderstood the need for obtaining a NEW Sworn Statement from SGT [REDACTED]. He stated they would reinterview him as soon as possible. Their new case number is 0170-04-CID022.

At 0830, 13 Jul 04, SA [REDACTED] reviewed case 0182-03-CID259-61203, which documented the deaths of the two MI soldiers at Abu Ghraib prison as a result of the mortar attack on 20 Sep 03. There were no subjects listed and the case disclosed no relevant information.

At 1200, 14 Jul 04, SA [REDACTED] received 1st Information Report # 0068-04-CID055, which contained AIR of SA [REDACTED] FT Leavenworth Resident Agency, FT Leavenworth, KS and Sworn Statement of CPT [REDACTED] Battle Command Training Program, Operations Group B, 400 Kearney Avenue, FT Leavenworth, KS 66027. (SEE AIR and Sworn Statement for Details)

At 1201, 14 Jul 04, SA [REDACTED] received 1st Information Report # 0182-04-CID054, which contained AIR of SA [REDACTED] FT Polk Resident Agency, FT Polk, LA and Sworn Statement of SFC [REDACTED] Joint Readiness Training Center (JRTC) Operations Group, FT Polk, LA 71459. (SEE AIR and Sworn Statement for Details)

TYPED NAME, SEQUENCE NUMBER

87th MP Det (CID) (ABN), DSE  
Fort Bragg, NC 28310

CID FORM 94-E

1 OCT 95

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DATE

5 Aug 04

EXHIBIT

LAW ENFORCEMENT SENSITIVE  
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EXHIBIT 90530

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0473-04-CID023-67329

0272-04-CID001

CID REGULATION 195-1

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At 1445, 14 Jul 04, SA [REDACTED] received 1st Information Report # 0082-04-CID036 which contained AIR of SA [REDACTED] Monterey Branch Office, Presidio of Monterey, CA and Sworn Statement of SGT [REDACTED] E Company, 229<sup>th</sup> Military Intelligence Battalion, Presidio of Monterey, CA 93944. (SEE AIR and Sworn Statement for Details)

At 1000, 15 Jul 04, SA [REDACTED] coordinated with SA [REDACTED] DATF, who stated the USACIDC Staff Judge Advocate is coordinating with MG [REDACTED] office to obtain the paperwork obtained by them.

At 0900, 19 Jul 04, SA [REDACTED] received 1st Information Report # 0170-04-CID022 which contained AIR of SA [REDACTED] Fort Lee Resident Agency, Fort Lee, VA 23801 and Sworn Statement of SGT [REDACTED] (SEE AIR and Sworn Statement for Details)

At 0945, 21 Jul 04, SA [REDACTED] received 1st Information Report # 0076-04-CID342 which contained AIR of SA [REDACTED] Carlisle Barracks Resident Agency, Carlisle, PA and Sworn Statement of MAJ [REDACTED] 320<sup>th</sup> MP BN, 140 Stewart Road, Ashley, PA 18706. (SEE AIR and Sworn Statement for Details)

At 0945, 22 Jul 04, SA [REDACTED] received 1st Information Report # 0156-04-CID222 which contained AIR of SA [REDACTED] 12<sup>th</sup> MP DET (CID), Ft Eustis, VA and Sworn Statements of SFC [REDACTED] SGT [REDACTED] SPC [REDACTED] and 1LT [REDACTED] all from 229<sup>th</sup> MP CO, Virginia Beach, VA. (SEE AIR and Sworn Statement for Details)

At 1130, 2 Aug 04, SA [REDACTED] coordinated with SA [REDACTED] who stated the information obtained by MG [REDACTED] office could not be released by order of the Secretary of Defense. SA [REDACTED] also stated he initially investigated this complaint while he was deployed to Iraq but could not substantiate the allegation and referred it back to the Chain of Command for appropriate action.

At 1350, 5 Aug 04, SA [REDACTED] advised SGT [REDACTED] A Company, 519<sup>th</sup> MI BN, FBNC of his legal rights which he waived and made a statement wherein he said he did not abuse the detainee; however he did pick him up from behind underneath the arms, escorted him to the vehicle and placed him in the back of it as the detainee was being resistant to the verbal commands of the MI interrogation team. SGT [REDACTED] related upon the arrival of the MI team at the location of the detainees, they went into their "Shock of Capture" routine, where they began yelling and screaming at the detainee to capitalize upon his being afraid. SGT [REDACTED] reemphasized he never struck or physically harmed the detainee and believed the MP'S did not like the way SGT [REDACTED] had addressed MAJ [REDACTED] so they reported the incident. (See Waiver Certificate)

TYPED NAME, SEQUENCE NUMBER

87<sup>th</sup> MP Det (CID) (ABN), DSE  
Fort Bragg, NC 28310

CID FORM 94-E

1 OCT 95

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DATE

5 Aug 04

EXHIBIT

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EXHIBIT



AGENTS INVESTIGATION REPORT

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CID REGULATION 195-1

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*TCibb-1*

*TCibb*

At 1600, 5 Aug 04, SA [REDACTED] briefed MAJ [REDACTED] Chief of Criminal Law Division, Office of the Staff Judge Advocate, FBNC, who opined there was no probable cause to believe SGT [REDACTED] committed the offense of Detainee Abuse/Assault.

///Last Item///

*TCibb1b2*

*TCibb-1*

TYPED NAME, SEQUENCE NUMBER

87th MP Det (CID) (ABN), DSE  
Fort Bragg, NC 28310

CID FORM 94-E  
1 OCT 95

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DATE

5 Aug 04

EXHIBIT

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041J-04-CID023-67329

AGENT'S INVESTIGATIVE REPORT

CID Regulation 195-1

ROI NUMBER

0132-2004-CID446-

Page 1 of 1 pages

DETAILS:

About 1330, 24 Jun 04, a Request for Assistance (RFA) was received by this office, to located, fully identify and interview CPT [REDACTED], A Co, 304<sup>th</sup> Military Intelligence Battalion, Fort Huachuca, AZ 85613 (FHAZ), reference her knowledge of any physical abuse of Iraqi Detainees at the Abu Ghraib Prison (AGP) during a mortar attack on Nov 03.

About 1500, 24 Jun 04, SA [REDACTED] interviewed CPT [REDACTED] who rendered a sworn statement detailing her knowledge of detainee abuse at the AGP. (See sworn statement of CPT [REDACTED])

Agent's Note: CPT [REDACTED] conferred via telephone with her Defense Lawyer CPT [REDACTED] Defense Trial Services, Fort Irwin, CA.

No further investigative activity is expected at this time.

-----LAST ENTRY-----

ORGANIZATION

Fort Huachuca Resident Agency, Ft Huachuca, AZ 85613

DATE

24 Jun 04

EXHIBIT

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EXHIBIT

10

# SWORN STATEMENT

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

0475-04-CID023-67320

## 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 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

Fort Huachuca RA (CID), Fort Huachuca, AZ 85613

### 2. DATE (YYYYMMDD)

2004/06/24

### 3. TIME

1535

### FILE NUMBER

0132-04-CID446

### 5. LAST NAME, FIRST NAME, MIDDLE NAME

[REDACTED] 7C,bb-4

### 6. SSN

[REDACTED] 7C,bb-4

### 7. GRADE/STATUS

CPT/Active

### 8. ORGANIZATION OR ADDRESS

A Co, 304th Military Intelligence Battalion, Fort Huachuca, AZ 85613

### 9.

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: SA [REDACTED] 7C,bb-4

A: CPT [REDACTED] 7C,bb-4

Q: Do you know SGT [REDACTED] 7C,bb-4

A: I do not know either of these two soldiers personally.

Q: After a mortar attack sometime in November 2003, on the Abu Ghraib Prison, did SGT [REDACTED] 7C,bb-4 and or SPC [REDACTED] 7C,bb-4 tell you about unknown MI/MP soldiers physically assaulting detainees?

A: I do not have any recollection of a mortar attack in November 2003 where a detainee was physically assaulted by unknown MI/MP soldiers.

Q: Do you know 1SG [REDACTED] 7C,bb-4

A: Yes, 1SG [REDACTED] was the 1SG for A/519th MI Bn.

Q: After the mortar attack at the Abu Ghraib Prison in November 2003, when SGT [REDACTED] 7C,bb-4 and SPC [REDACTED] 7C,bb-4 claim to have told you about the physical assault of detainees, do you recall 1SG [REDACTED] stating "they would handle it"?

A: I do not have any recollection of a mortar attack in November 2003 where a detainee was physically assaulted by unknown MI/MP soldiers.

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

No. [REDACTED] 7C,bb-4

END OF STATEMENT

EXHIBIT

11.

ALL PAGES MUST CONTAIN THE HEADING "STATEMENT OF"

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

DA FORM 2823, DEC 1993

DA FORM 2823, JUL 72, IS OBSOLETE

LAWS ENFORCEMENT SENSITIVE  
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MAKING STATEMENT

PAGE 1 OF

2

PAGES

AT \_\_\_\_\_ DATED \_\_\_\_\_

USA A V1.00

FYHIRIT

7C1007

STATEMENT OF [REDACTED] TAKEN AT BLDG 31022 FHAZ DATED 2406/04/

9. STATEMENT (Continued)

0473-04-CID023-1732

NOT

USED

7C1064

[REDACTED]

7C1064

AFFIDAVIT

1. I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE TO 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.

7C1064

[REDACTED]

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 24 day of June, 2004, at Building 31022, Fort Huachuca, AZ 85613

ORGANIZATION OR ADDRESS

[REDACTED]

7C1064

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [REDACTED] 7C1061

(Typed Name of Person Administering Oath)

Article 136 (b)(40 UCMJ)

(Authority To Administer Oaths)

NAME OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

For use of this form, see AI

# SWORN STATEMENT

45; the proponent agency is Office of The Deputy.

415-11-CID023-67329

LOCATION

Bldg 8-1221 FRNC 28310

DATE

29 Jun 04

TIME

1303

FILE NUMBER

0473-04-CID023

ORGANIZATION OR ADDRESS

GRADE/STATUS

MSG 1 ACTIVE

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 20 September 2003, Following a mortar attack @ Abu Ghraib Prison, we (Sgt) were informed by the MP's that they had captured 2 individuals that they believed responsible for the attack. I told SSG [redacted] to take a team and do a screening on the detainees. SSG [redacted] Sgt [redacted] Sgt [redacted] and Sgt [redacted] I believe one other Sgt went to the site where the MP's were holding the detainees. SSG [redacted] returned shortly thereafter and said there was a problem with Sgt [redacted] and the MP's. I immediately went and spoke with Maj [redacted] and he said that a couple of MP's were really upset with how the prisoners were treated (LT? and SFC?). I found the LT and SFC and they told me that my interrogations were not professional and they had never seen anything like it on all their years on the force. I said that no way did my Sgt's abuse a detainee. I spoke with SSG [redacted] and all the other sergeants and made them each write a sworn statement. After reviewing them with my [redacted] [redacted] we gave copies of all statements to LTC [redacted] and myself then went to the inprocessing area and spoke with a LT? about the condition of the prisoner. He stated that he was fine a showed no signs of striking whatsoever. He gave us a sworn statement to that affect. We checked (con & I) with [redacted] periodically after but he said there [redacted] would be no action against my Sgt (Sgt [redacted] regarding incident. I kept the sworn statements until 12 Feb 04 destroyed them upon leaving theatre.

INITIAL

STATEMENT

PAGE 1 OF 3 PAGES

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

FORM 2823

ARMY ENFORCEMENT SENSITIVE

SUPERSEDES DA FORM 2823, 1 JAN 88, WHICH IS OBSOLETE

13

STATEMENT OF

TAKEN AT FBN C

DATED 29 JUN 04 / CONTINUED

Q: [REDACTED] 7C1bb4  
A: [REDACTED] 7C1bb4  
Q: DOES ANYONE HAVE COPIES OF THE STATEMENTS? 7C1bb4  
A: LTC [REDACTED] WAS GIVEN COPIES BY SSG [REDACTED] 7C1bb4  
Q: CAN YOU DESCRIBE THE LT WHO CHECKED OUT THE  
4 DETAINEE, IF YOU DON'T KNOW HIS NAME.  
A: HE WAS APPROX 30 YRS OLD, GLASSES, BLONDE HAIR,  
THIN, 5'10 - 6' TALL, AND ABOUT 170 LBS.  
Q: WHAT IS SSG [REDACTED] FIRST NAME? 7C1bb4  
A: [REDACTED] AND IS LOCATED AT JRTC.  
Q: WHAT IS SSGT [REDACTED] FIRST NAME? 7C1bb4  
A: [REDACTED] AND IS LOCATED AT DFICIN CALIFORNIA.  
Q: WHAT IS THE NAME OF YOUR CDR WHO REVIEWED THE  
STATEMENTS? 7C1bb4  
A: CPT [REDACTED], AND HE IS AT FT LEAVENWORTH.  
Q: WHAT WAS THE SEX OF THE DETAINEES BROUGHT IN.  
A: 1 15 YR OLD BOY AND 1 40 YR OLD FEMALE.  
Q: ON THE NIGHT OF THE ATTACK HOW MANY SOLDIERS  
DID YOUR UNIT HAVE KILLED OR WOUNDED.  
A: 2 WERE KILLED, AND ABOUT 10 OTHERS WHICH WERE  
WOUNDED. THERE WAS ALSO A COL [REDACTED] AND A MAJ  
[REDACTED] WHICH WERE WOUNDED. 7C1bb4  
Q: DID YOU PHYSICALLY SEE THE DETAINEES AFTER THE  
ALLEGED INCIDENT?  
A: I SCREENED BOTH OF THEM.  
Q: DID YOU NOTICE ANY SIGNS OF INJURY TO THEM.  
A: I DID NOT. 7C1bb4  
Q: DO YOU HAVE ANYTHING ELSE TO ADD TO THIS STATEMENT?  
A: YES I BELIEVE THAT LTC [REDACTED] CHECKED INTO THIS CASE @  
THE ABU GHARIB PRISON AND FOUND THAT THE ALLEGATIONS  
WERE UNSUBSTANTIATED. I / ETID OF STATE MENT I /

7C1bb4

7Cibb4

STATEMENT OF  
STATEMENT (Continued)

TAKEN AT FBNC

FILE NUMBER:  
DATED 2/20/04 CONTINUED:

NOT USED  
7Cibb4

7Cibb4

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. 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, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

7Cibb4

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29 day of JUNE, 2004, at Bids 8-122, FBNC

ORGANIZATION OR ADDRESS

7Cibb4

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

7Cibb4

(Typed Name of Person Administering Oath)

ART 136 B(4) UCMJ  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

LAW ENFORCEMENT SENSITIVE  
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EXHIBIT 4  
00538

15

0473-04-CID023-67329

0068-04-CID055

PAGE 1 OF 1 PAGES

On 12 Jul 04, this office received a Request for Assistance (RFA) for the 87th Military Police (MP) Detachment, 3d Military Police Group, Building 8-1221 Randolph Street, Fort Bragg, NC 28310-5000, 7C requesting this office locate, fully ID and obtain a sworn statement from CPT [REDACTED], Operations Group B, Battle Command Training Program (BCTP), Fort Leavenworth, KS 66027 (FLKS), 684-9669, pertaining to detainee abuse occurring in September 2003 at Abu Ghraib Prison (AGP), Abu Ghraib, Iraq.

About 1630, 12 Jul 04, SA [redacted] obtained a sworn statement from [redacted] pertaining to alleged detainee [redacted].

about 1905, 12 Jul 04, SA [redacted] emailed the unsigned copy of the sworn statement obtained from [redacted] to SA [redacted] **///LAST ENTRY///**

///LAST ENTRY///

Fort Leavenworth CID, 801 McClellan Avenue  
Fort Leavenworth, KS 66027

EXHIBIT

FORM 94  
FEB 1978  
ENFORCEMENT SENSITIVE  
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10

EXHIBIT



# SWORN STATEMENT

For use of Form, see AR 190-45; the agency is ODC

LOCATION Fort Leavenworth Resident Agency	DATE 12 Jul 04	TIME 1900hrs	FILE NUMBER 0068-04-CID055
LAST NAME [REDACTED]	IDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS O3/AD
ORGANIZATION OR ADDRESS Battle Command Training Program, Operations Group B, 400 Kearney Avenue, Fort Leavenworth, KS 66027			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

Captain

... was the Alpha Company, 519<sup>th</sup> MI BN Company Commander from August 2002 through 30 September 2003. My company and I were in Iraq from April 2003 through September 2003. One of my platoons was at Abu Ghraib from August 2003 until sometime January 2004. I was there on-and-off from August 2003 until 30 September 2003. We were under mortar fire on a regular basis and, on two separate occasions mortar rounds landed inside our compound and killed military and detainee personnel. The first event happened in August 2003 and approximately 6-8 detainees were killed. The second event happened sometime in the first half of September 2003. Two military intelligence personnel were killed, both from the 205<sup>th</sup> MI BDE (one from 309<sup>th</sup> MI BN, and the other from 325<sup>th</sup> MI BN [USAR]). A handful of soldiers were wounded during the attack. My 1SG, some of my soldiers, and myself were involved in cleaning up the aftermath. I believe the attack happened right at dusk, sometime around 1830-1900. Later on during the evening, around 2300 hours, we were notified by the MP operations (I don't recall the unit designation of the MP BN HQ), that their security force apprehended two suspects in the mortar attack. They requested a counter-intelligence/interrogation/translator team to go out to the location where the security force had the two suspects. SFC [REDACTED] (97B), my first sergeant and I put together an ad-hoc team comprised of who we thought were more experienced and level-headed personnel. We did this to avoid any perception that we would take out "revenge" on the suspects in light of the mortar attack. The team was made up of SSG [REDACTED] (97B), SGT [REDACTED] (97B), SGT [REDACTED] (97E), SGT (97B) [I do not recall his name but will provide it at a later date], and a translator (I do not recall which translator went with them since we had about 13 translators at the facility). The team went to the location after receiving a quick briefing from the MP Operations (I am not sure if this was given by MAJ [REDACTED], the MP Battalion S3). SFC [REDACTED] and I along with some of the remaining soldiers went back to cleaning up and standing by for further information on the two suspects. Approximately 20-30 minutes later SSG [REDACTED] reported in to SFC [REDACTED] and I reference a verbal altercation between SGT [REDACTED] and one of the NCOs from the MP security force. I believe it was the platoon sergeant SGT [REDACTED] had a verbal exchange with. According to SSG [REDACTED] when his team arrived at the location, the MP security force was standing by with two detainees (a woman and a teenage boy) kneeling on the ground with their hands tied behind their backs. I believe they were blindfolded and their hands were secured with zip ties. SSG [REDACTED] said they approached the detainees after receiving a quick situation report from the MP security force. The team approached the detainees and started yelling at them with rapid fire questioning and probably even cursed at them. One of the MPs (I am not sure if this was the platoon sergeant) voiced concern about what he thought was a little too aggressive and unprofessional. SGT [REDACTED] told the SGT to "fuck off" (I believe this is what he said) and we are professional. I am not sure if there were any other words exchanged. At this point, the MPs turned the detainees over to SSG [REDACTED] team for handling. SFC [REDACTED] and I questioned SSG [REDACTED] as to why his team had to bring the detainees in when normally, the MPs or capturing unit would do this. I do not recall specifically, why this was done. I preferred at the MPs handle the detainees and we just question them (I suspect the reason was the security force had to continue their patrolling). Soon after talking to SSG [REDACTED], SFC [REDACTED] and I talked to the remaining soldiers on the team. All of the team members gave us similar accounts. SGT [REDACTED] told us that he did have a verbal altercation with the NCO. He was subsequently verbally counseled by SFC [REDACTED] and I about his actions toward the NCO. SGT [REDACTED] (I do not recall his name but will provide at a later date) told the first sergeant and I that several of the MPs might

INITIALS C	SIGNATURE [REDACTED]	PAGE 1 OF 4 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED."  
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

FORM 2823, JUL 72

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

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EXHIBIT 406

STATEMENT OF [REDACTED], TAKEN AT Fort Leavenworth Res. Agency, Fort Leavenworth, KS, 66027, DATED 12 July 2004, CONFIDENTIAL.

I have a problem with the way in which the two suspects were handled. I told him to explain. He said since they had to transport the suspects by HMMVW to the in-processing/screening section of the detention facility, they had to load them on the back of their truck. He told SFC [REDACTED] and I, that since their hands were bound, that we physically picked them up, shuffled them to the truck and loaded them on the back of the truck (I do not recall if he was the only one to load the suspects). He is a larger man and very capable of doing so. I specifically asked him if he mishandled either of the suspects, he said "no". SFC [REDACTED] asked each member of the team and the response was "no." We both had no reason to doubt them. Finally, SSG [REDACTED] mentioned that the MP in charge of the security force said he would file a complaint to his battalion commander, LTC [REDACTED]. I am not sure if the complaint was aimed at the verbal confrontation between him and SGT [REDACTED] or the perception that the MI team was unprofessional by yelling at the suspects, or how the suspects were loaded on the back of the truck. SFC [REDACTED] I directed that SSG [REDACTED] give a written statement to the LTC [REDACTED] or MAJ [REDACTED] in reference to what happened. Additionally, SSG [REDACTED] was to collect statements from his team members to give to LTC [REDACTED] or MAJ [REDACTED]. Shortly after the briefing, SFC [REDACTED] and I went to LTC [REDACTED] and MAJ [REDACTED] to discuss what happened. I believe they both stated that the verbal altercation was unprofessional but were also concerned about perceptions of detainee mishandling or abuse. I explained to him what my soldiers' told me had occurred, and told him SSG [REDACTED] would provide him a statement. MAJ [REDACTED] explained to me that his BN was sensitive to detainee mishandling or abuse because his battalion had several soldiers who had recently been found guilty of prisoner use in Um Qasr (I believe this is where it happened). I told him SGT [REDACTED] was counseled about his professional behavior towards the MP NCO. Also, I told him based on what my soldiers briefed SFC [REDACTED] and I on, that they did not mishandle or abuse the suspects/detainees. I believe LTC [REDACTED] told us a complaint would be sent to the 800th MP BDE, their higher headquarters. After talking with LTC [REDACTED] and MAJ [REDACTED] SFC [REDACTED] and I went over to the in-processing/screening section of the facility (approximately 100-150 yards away from the MP Operations). We were met by SGT [REDACTED] one of the interrogators who was in charge of screening. His job was to determine if the suspects/detainees were intelligence/security threats or criminal, or innocent bystanders. He told us he believed that both the suspects/detainees (a mother, approximately 40-45; and her teenage son, approximately 15) were not involved in the mortar attack that had occurred earlier that night. According to the detainees, they were farmers from the area who were out shutting off their water around the irrigation ditches. The MP Security force said they were hit with a shovel and mentioned they were tied in with a white pick-up truck that was seen in the area at the time of the mortar attacks. SGT [REDACTED] assured me, based on what he could gather, that they were not involved in the attacks and were not an intelligence/security risk. Based on his assessment, these detainees did not come over to the MI hold/interrogation section of the detention facility. I looked at both detainees, although somewhat shaken (the boy seemed a little more shaken than the mother) with the shock of capture, the fact that they were at Abu Ghraib, I did not observe any signs of abuse. They were in separate rooms in the hall from each other. Both were fully clothed. I could observe their faces, hands, part of their arms, and part of their lower legs. Neither were blind folded or bound. I did not see any signs of cuts, abrasions, or marks on the exposed portions of their bodies. From what I observed, both of these detainees were properly handled by MP and MI personnel. Since they were not coming over to the MI hold/interrogation section, I expected they would spend a night in the other part of the detention facility with the possibility of being released the morning. However, that would not have been something I or my soldiers had the authority to do. SFC [REDACTED] and I then returned to our company operations area/sleeping area. I explained the situation with my soldiers and the MPs to LTC [REDACTED] my Battalion Commander. He was visiting my soldiers the night of the mortar attack (his command post was located in Al Sahra near Tikrit). He spent his time assisting with the aftermath of the mortar attacks. I do not recall the altercation between my soldiers and the MPs coming up. I informed my soldiers that they would not handle the detainees or transport them no matter what. SFC [REDACTED] and I also informed all of our soldiers about the proper handling of detainees and professionalism in MI and MP personnel that was to take place at all times. I do not recall ever having another altercation between my soldiers and MP personnel (we worked with MPs from the 72nd MP Company on a daily basis).

You type the above narrative?

is AD-HOC?

atin for a phrase I'm not familiar with but basically means something put together hastily.

OF PERSON MAKING STATEMENT  
N ENFORCEMENT SENSITIVE  
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PAGE 2 OF 4 PAGES

EXHIBIT

FAX 200541

STATEMENT OF [REDACTED], TAKEN AT Fort Leavenworth Res. [REDACTED] Agency, Fort Leavenworth, KS, 66027, DATED 12 July 2004, CONTINUED.

[REDACTED] have the newspaper clipping with the soldiers names that died, but I don't recall the exact date.

Q. Do you know the rank of translator?

A. It was a male civilian contractor. We didn't have any female translators? He was Arabic, category 2 translator which means they are a naturalized American citizen with a Secret clearance.

Q. Do you have copies of the statements made by the soldiers involved?

A. No, I know that SSG [REDACTED] received the statements and forwarded them. I kept newspaper clippings and my daily operations notebook pertaining to my daily duties and not holding any Secret or Top Secret information.

Q. What kind of counseling did SGT [REDACTED] receive?

7C, b6 4

A. He received a verbal from myself and the 1SG. We had never had problems with him before.

Q. How were the detainees dressed when you saw them?

A. They were dressed in their own clothing.

Q. They weren't dressed in orange jumpsuits?

A. No.

Q. Did any of your soldiers on the Ad-Hoc team pick up the detainees?

A. I know one for a fact and that was the SGT that told me what had happened. I can't recall his name now, but I will provide that to you tomorrow.

Q. You have his name in your notes?

A. Yes.

Q. Did any of your soldiers choke or strike either of the detainees?

A. I did not observe any of that and from what they told me, no.

Q. Who do you mean by they?

A. The soldiers on the Ad-Hoc team and the soldiers in the screening area. Myself and my 1SG showed up unannounced at the screening area and observed both of the detainees sitting and they were not bound, blind folded, or gagged. They appeared to be unhurt.

Q. Did you observe or hear anybody talk about one of the detainees having a bloody lip?

A. No. I saw both detainees and from what I saw I did not see any blood, cuts or fat lips.

Q. How much time elapsed between the detainees being loaded into the truck by your soldiers and you seeing them in the screening area?

A. I would say it was less than an hour.

Q. Do you know if any of your soldiers place an arm-lock around the neck of either detainee?

A. I do not. They told me they did not mistreat the detainees.

Q. Do you know if any of your soldiers punched the detainees in the stomach?

A. I do not know. When I and the 1SG asked them if they abused the detainees, every guy on the team said no.

Q. Did you question each soldier individually or in a group?

A. I know SGT [REDACTED] and the SGT who's name I can't remember were questioned all individually. SGT [REDACTED] was questioned individually as well, to the best of my memory. They were then questioned as a group. All of this took place immediately after the incident occurred.

Q. You said the detainees were already blind folded, do you know which soldier told you this?

A. I believe it was SGT [REDACTED] who said the detainees were already zip-tied and on their knees. I believe, and I can't remember for sure, they (the team) said the detainees were already blindfolded when they got there. I don't recall ever seeing anyone with a hood on.

Q. Is there any of your soldiers on this team that you think would abuse a detainee in any manner?

A. From what I have seen from these guys, no.

Q. Have any of these soldiers been reprimanded for detainee abuse?

A. As far as I know, they have never been reprimanded. While they were in my command there were no issues concerning detainee abuse.

Q. Do you have anything else to add to this statement?

A. No. ///END OF STATEMENT/// [REDACTED]

7C, b6 4

7C, b6 4

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 3 OF 4

PAGES

EXHIBIT 6

LAW ENFORCEMENT SENSITIVE  
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0051219

7C1664

AFFIDAVIT

I HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE SIGNED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

7C1664

ISSUES:

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 12th day of July, 2004 at Fort Leavenworth, KS.

7C1664

IZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

Article 136, UCMJ

(Authority to Administer Oaths)

IZATION OR ADDRESS

OF PERSON MAKING STATEMENT

AGENT'S INVESTIGATION REPORT

01 -04-CID054-

CID Regulation 195-1

Page 1 of 1 Pages

BASIS FOR INVESTIGATION: About 1128, 12 Jul 04, this office received a Request for Assistance (RFA) 0473-04-CID023-67329/RFI 0272-04-CID001, from the 87th Military Police Detachment (ABN), Division Support Element (CID), Fort Bragg, NC, to locate, fully identify and interview SFC [REDACTED] Joint Readiness Training Center (JRTC), Operations Group (Ops Grp), Fort Polk, LA 71459 (FPLA), in reference to the alleged abuse of detainees at Abu Ghraib Prison (AGP), Abu Ghraib, Iraq. TC/bb 4

About 1305, 12 Jul 04, SA [REDACTED] coordinated with SFC [REDACTED] Acting Command Sergeant Major, JRTC Ops Grp, FPLA, who was briefed on all aspects of this investigation. TC/bb 1 TC/bb 4

About 1830, 12 Jul 04, SA [REDACTED] interviewed SFC [REDACTED] who provided a sworn statement detailing the events surrounding the alleged abuse of detainees at the prison. SSG [REDACTED] stated on 20 Sep 03, after a mortar attack on the prison, he and several other Military Intelligence (MI) personnel were called to pick up two Iraqi civilians suspected of participating in the mortar attack. SFC [REDACTED] stated during the time they picked up the detainees, one Iraqi was non compliant and had to be carried to the vehicle. SFC [REDACTED] also stated during the time the Iraqi was being non compliant he did not witness any abuse or any physical altercation occur between his personnel and the Iraqi civilian. (See Sworn Statement for details) TC/bb 4 TC/bb 4

All requested investigative activity has been completed and no further activity is anticipated. This action is closed within the files of this office.///Last Item///

SA [REDACTED] TC/bb 1

Fort Polk Resident Agency  
6th Military Police Group (CID),  
Fort Polk, Louisiana 71459

Signature: [REDACTED] TC/bb 4

Date: 12 Jul 04

CID Form 94

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EXHIBIT

EXHIBIT 7

# SWORN STATEMENT

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

LOCATION

Fort Polk Resident Agency (CID), 6<sup>th</sup> MP Group (CID)

DATE

12 Jul 04

TIME

1930hrs

FILE NUMBER

0182-04-CID054-

LAST NAME, FIRST NAME, MIDDLE NAME

██████████ 7C166,4

SOCIAL SECURITY NUMBER

██████████ 064

RANK/STATUS

SFC/ACTIVE

ADDRESS/ORGANIZATION

Joint Readiness Training Center Operations Group, Fort Polk, LA 71459

1. SSG

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

During Operation Iraqi Freedom, I was assigned to Alpha Company, 519<sup>th</sup> Military Intelligence Battalion and my responsibilities were NCOIC of the Interrogation Control Element of Abu Gharib Prison, Abu Gharib, Iraq. My duties were mainly administrative and I did not interrogate any detainees while I was there. On 20 Sep 03, the Military Intelligence section of the prison was attacked by mortars. During the attack, two U.S. service members were killed and thirteen were wounded. We established a triage area inside the area and rendered first aid to the wounded. About forty-five minutes later we received notification from the TOC that two Iraqi's were apprehended and being detained by Military Police who were patrolling just outside Abu Gharib. SGT ██████████, SGT ██████████, SGT ██████████, SGT ██████████, an interpreter and myself drove up the gate to take control of the two Iraqi's that were being detained. When we arrived there I noticed one of the Iraqi was a teenage male and the other was an elderly female. Both were blindfolded and the male had his hands bound behind his back and the elderly female's hand was bound in front of her. There was several MP's in the area and when we arrived I immediately got out and spoke to the MP's there who briefed me on the situation. During that time SGT (██████████) and SGT ██████████ went and made contact with the detainees. SGT ██████████ and the interpreter followed them over after exiting the vehicle. I noticed SGT ██████████ and the interpreter were speaking to the detainees in an authoritative manner. SGT ██████████ then assisted the male up on his feet and walked with him to the back of vehicle. At the same time I had walked over to the female and assisted the female up on her feet and led her to the passenger side of the vehicle. As I was assisting the female into the vehicle, I looked over and saw the male was being resistant to the demands by SGT ██████████ to walk to the vehicle. The male was resisting by pulling away from SGT ██████████ however, about halfway to the vehicle the male detainee, stopped walking and would not move. After several verbal attempts to get the male to walk to the vehicle, SGT ██████████ picked up the male and carried him to the rear of the vehicle. SGT ██████████ and the male disappeared behind the vehicle as I was still assisting the female into the passenger seat. I suddenly heard a loud noise, like something dropping on metal come from the rear of the vehicle and I asked them what was happening. I was immediately approached by an MP that was there you told me that my personnel were acting unprofessional and that I needed to get control of my guys. I walked back to the rear of the vehicle and SGT ██████████ told me the male had fallen out of the vehicle while he was trying to get into the rear of the vehicle. SGT ██████████ told me he fell out, and I looked over at SGT ██████████ and SGT ██████████ and they both nodded in agreement with SGT ██████████ statement. I then looked into the vehicle and saw the male lying there in a calm manner. I didn't notice any injuries on the male detainee so we got in the vehicle and drove back into the prison.

Q: SA ██████████  
A: SSG ██████████  
Q: Were the two Iraqi's who were detained, suspected of participating in some manner, in the mortar attack, which occurred earlier?  
A: Yes.

Q: Were mortar attacks common around and in the prison?  
A: Yes.  
Q: Had your team questioned other detainees who were suspected of carrying out other attacks?  
A: Yes. That was a common occurrence at the prison.  
Q: Did any member of your team, at anytime, ever wish to seek revenge on any of the detainees for those

GHIBIT INITIALS C ██████████

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

AW ENFORCEMENT SENSITIVE  
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(CONTINUED)

TAKEN AT: Fort Polk, LA DA

2 Jul 04.

attacks?

A: No. Not to my knowledge.

Q: In retrospect, is there any reason to think any member of your team may have wanted to physically harm any detainees for prior attacks?

A: No.

Q: You said SGT [REDACTED] was speaking to the detainees in an "authorative manner, what does that mean?

A: They were speaking loudly to the detainees as a way of letting them know who was in charge of the situation.

Q: Do you think SGT [REDACTED] or any other member of your team, purposely harmed the Iraqi male on 20 Sep 03?

A: No.

Q: Can you describe the demeanor of the Iraqi male when you arrived to the site to pick him up?

A: He looked scared.

Q: Why do you think he was scared?

A: Because the Iraqi populace is afraid of the prison because of former atrocities committed there under [REDACTED] rule.

Q: Can you describe the "resistance" the Iraqi male was committing at the time he was being led to the vehicle by SGT [REDACTED]?

A: He was making loud noises, kicking and pulling away from SGT [REDACTED].

Q: Did you witness anyone strike the Iraqi male at anytime? He was in a frightened and

A: No.

Q: Did you notice any injuries to the Iraqi male at the time he was loaded into the vehicle?

A: No.

Q: Did medical personnel see the Iraqi male after arriving in the prison?

A: Yes. There was no physical harm evident to the detainee.

Q: Did you witness the Iraqi male fall out of the vehicle?

A: No.

Q: When the MP's approached you and told you to get control of your guys, did the MP describe any misconduct he may have witnessed?

A: No.

Q: Do you know whom the MP was that told you to get control of your guys?

A: I don't know his name.

Q: Can you describe the method used to bound the hands of the two detainees?

A: The MP's used plastic, zip ties to bound the hands and they were blindfolded with an Iraqi head-dressing

placed over the eyes.

Q: Can you describe the female's demeanor during her detention?

A: She was frightened but completely compliant.

Q: Were you or your team ever trained on physically escorting prisoners or detainees?

A: No.

Q: Who is trained to do those types escorts?

A: The MP's are the ones who are supposed to escort the detainees at all times, however, due to troop strength we are responsible for escorting prisoners and detainees all the time.

Q: You told me SGT [REDACTED] picked up the detainee and carried him to the vehicle; can you describe how he

A: He wrapped his arms around the Iraqi's body, in a bear hug, and picked him up a few inches off the ground

and carried him to the rear of the vehicle. The whole time the Iraqi was kicking and screaming.

Q: Do you have anything else you would like to add to this statement?

A: //END OF STATEMENT///

AW ENFORCEMENT SENSITIVE  
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FYU/DIT

Not Used

7Cibb 4

7Cibb 4

AFFIDAVIT

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

7Cibb 4

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths.

7Cibb 4

ORGANIZATION OR ADDRESS

SA

7Cibb 4

(Typed Name of Person Administering Oath)  
UCMJ: Article 136 (b) 4

(Authority to Administer Oaths)

ORGANIZATION OR ADDRESS

NAME OF PERSON MAKING STATEMENT

7Cibb 4



AGENT'S INVESTIGATION REPORT

ROI Num/ 0082--04-CID036

CID Regulation 195-1

Page 1 of 1 Pages

DETAILS

1 About 1350, 12 Jul 04, the undersigned interviewed SGT [REDACTED] 7Cib6 4  
2 who provided a sworn statement pertaining to his knowledge of  
3 prisoner abuses in Iraq. (See Statement)  
4

5 STATUS: All investigative activity has been completed as stated  
6 above. No further investigative activity is anticipated by this  
7 office. ///LAST ENTRY///

TYPED NAME SEQUENCE NUMBER

SIGNATURE

DATE

SA

7Cib6/b2

12 JUL 04

CID Form 94-E

1 OCT 95

340-16)

FOR OFFICIAL USE ONLY

EXHIBIT

Protective Marking is Excluded from Automatic Termination (para 13, AR

25

AW ENFORCEMENT SENSITIVE

(When Data is Entered)

FYHIRT

0

# SWORN STATEMENT

For use in this form, see AR 190-45; the proc agency is

LOCATION  
Monterey Branch Office CID

DATE

12 Jul 04

TIME

15:39

FILE NUMBER

0007-04-CID036

ORGANIZATION OR ADDRESS

ELO 229TH MI BN, DLI, FLC, POM, CA

GRADE/STATUS

SGT/AD

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

At the end of July 2003 I Moved from Baghdad International airport's interrogation facility to Abu Ghuraib Prison. At Abu Ghuraib Prison my Authority extended to assigning interrogators to detainees, oversight of interrogations for information, report writing, buffering information between Agencies and interrogators, compiling and sending out requests for information, and welfare of 12 soldiers assigned to the Saddam Fedayeen Interrogation facility. From the end of July thru Mid to end of September I oversaw the interrogations of a massive amount of former Saddam Fedayeen members. I worked in a trash tent in the court yard of the vigilante side of abu Ghuraib Prison. Next to my tent was 2 adjoined R FABS THAT WAS THE LIVING & working area for our Trojan Operators AND HIGH side connection for TS materials. ON THE OPPOSITE SIDE OF MY TENT WAS 3 open (meaning they had the side, but no doors) R FABS THAT we used for interrogations. At no time did I see or even hear about anything that could remotely be considered Abuse. Every day we recieved Mortar fire for a couple of weeks, then after that about every other day we would receive mortars. ON DAY RIGHT AFTER I finished my change over brief to the 325TH MT Personnel who had just arrived there, AN 82 MM MORTAR LANDED ON THE high side computer in the 2 adjoined R FABS NEXT TO MY TENT, killing 2 of my soldiers and throwing shrapnel into about 14 others. The MPS CALLED UP A Co. 54THs office AND ASKED if we could send A TEAM TO THE gate to receive prisoners

EXHIBIT

INITIALS OF PERSON

EMENT

PAGE 1 OF 4 PAGES

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

DA FORM 2823, JUL 72

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

W ENFORCEMENT SENSITIVE

They were suspected to be involved in the attack. Myself, and several other soldiers went to the gate to receive them, there was an older woman, mid 30's and a man with a hood on at the gate. I asked the MPs about why they were suspected of being the one's responsible for the mortaring, he said they were in the area and a whole bunch of other reasons why he thought they were responsible, but I don't remember what he said, so I went to ask the lady why she was arrested, at the same time a different interrogator was attending to the male, and brought the guy over for transport in the back of our Humvee. I only know this because the MP's started yelling at one of the interrogators that was behind the vehicle, and afterwards I learned that they were yelling at SGT [REDACTED] for the way he put the guy into the truck. I walked the lady over to the Humvee, helped her into it, she wasn't hooded, and I think she sat in front. We brought them over to the processing and talked to the woman, and the male which turned out to be her 14 year old kid and came to the conclusion that they were packing dirt onto a crack in the canal that they use to water the field, I was able to get the woman released within the next 2 days and she visited her son for an hour every Monday before I left the prison.

Q: WHAT IS YOUR DEFINITION OF ABUSE?

A: Physical; beating someone, touching inappropriately (not just sexual) situation driven, if I had some examples I could say whether or not it was abuse, and allowed to ask follow up questions.

Emotional; threatening someone's life verbally

Q: If someone was not being aggressive but refused to provide information would this warrant physical abuse?

A: No, not at all as a matter of fact, you'll most likely get the wrong information out of the individual if you use physical abuse

Q: Did you ever hear anything about abuse going on in your area or any where else? 7C/bb 4 7C/bb 4

0473-04-00023-6732  
A: I did not hear about or see anything pertaining to abuse while I was in Iraq. I didn't hear about the incident involving the Marines or the MPs at Abu Ghurayb Prison until I was back in the United States. Even when I heard about the alleged abuse, the timelines that the news gave started in mid to late October with a possible death caused by a member of OGA or the CIA, and then the pictures, both of which I was not located at the prison for. However, while at the prisons in Iraq, to include Abu Ghurayb, to ensure that abuse wasn't happening, especially on the rare occasions that we were forced to allow other agencies to use our tents and the prisoners, a member of our company accompanied them and sat in on the interrogations. I have also done this on several occasions. While at the same time, lobbying through my Officer in Charge CW2 [REDACTED] to not allow other agencies to use our facility because the blame and responsibility would fall on us. TC/1664

Q: WHAT DO YOU MEAN WHEN YOU SAY "FORCED" TO ALLOW OTHER AGENCIES TO USE YOUR FACILITIES? TC/1664

A: When Col [REDACTED] would say himself or through Maj [REDACTED] that it would happen, then there was no choice but to do it. The only way it would be done though is with a representative of our company there. TC/1664

Q: WHAT WERE YOUR DIRECTIONS WHEN YOU WITNESSED OR CONDUCTED INTERROGATIONS?

A: I would fill out an interrogation pre check sheet which listed the reasons for why I was doing the interrogation, biographical information of the individual, approaches that I would like to use 1st one being direct and the second two blanks for approaches such as Prodd & Ego up, Down, We know all approach, Fear up (mild, harsh) and several others approved by General [REDACTED] however, some approaches had to be approved by higher, the exact Roe I don't remember though. Then the sheet (if it didn't need approval from higher) was signed off by myself, CW2 [REDACTED] or [REDACTED] before the interrogation could begin. TC/1664

STATEMENT (Continued)

Q: DID ANYONE TELL [REDACTED] WHAT WAS WRONG WITH THE WAY SGT [REDACTED] PUT THE PRISONER IN THE VEHICLE?

A: No, not that I remember.

Q: DO YOU HAVE ANYTHING TO ADD TO THIS STATEMENT?

A: No. /// END OF STATEMENT /// [REDACTED] 7C/bb4

7C/bb4

AFFIDAVIT

[REDACTED] HAVE READ OR HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT. [REDACTED] 7C/bb4

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 12 day of JUL, 2004 at PRESTON OF MONTEREY POLICE DEPARTMENT, POM, CA

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

SP

(Typed Name of Person Administering Oath)

Article 136 (b)(4) UCMJ/Title 5 USC, Section 303

ORGANIZATION OR ADDRESS

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 4 OF 4

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# AGENT'S INVESTIGATIVE REPORT

CID Regulation 195-1

0473 14 - CID 23 - 67329  
ROI NUML R #0170-04-CID022

PAGE 1 OF 1 PAGES

## DETAILS

About 0900, 13 Jul 04, this office received a Request For Assistance (RFA) from 87th Military Police (MP) Detachment, 3D MP Group (CID), Fort Bragg, N.C. 28310 requesting the interview of Mr. [REDACTED] concerning witnessing physically assaults of Iraqi detainees by Military Intelligence soldiers.

About 1340, 13 Jul 04, SA [REDACTED] interviewed Mr. [REDACTED] who provided a written statement detailing that he witnessed mistreatment of an Iraqi detainee by Military Intelligence soldiers in Sep 03. (See Written Statement for details)

Agent's Comment: Mr. [REDACTED] related he did not know the age of the Iraqi male detainee but he was younger and the Iraqi female detainee was an older lady.

LAST ENTRY

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA. [REDACTED]

ORGANIZATION

Fort Lee Resident Agency, 3D MP Group  
USACIDC, Fort Lee, VA 23801

30

GNAT/RY

DATE

13 Jul 04

EXHIBIT

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Law Enforcement Sensitive

00553

04-3-04-CID023-67329

## SWORN STATEMENT

For use of this form, see AR 190-45: The proponent agency of the Deputy Chief of Staff for Personnel.

## LOCATION

Fort Lee Resident Agency (CID), Fort Lee, VA 23801-1702

## DATE

13 Jul 04

## TE

1340

## LE NUMBER

0170-04-CID022

## E NAME

## SOCIAL SECURITY NUMBER

## GRADE/STATUS

E-5 / NG

I, [REDACTED] do hereby make the following statement under oath:

I am a National Guard soldier with the Mobilization Training Center (MTC), Fort Pickett, VA and became attached to the 229<sup>th</sup> Military Police Company, Virginia Beach, VA prior to deploying. I was stationed in Iraq from Aug 03 - Apr 04 and was assigned to the Abu Ghraib Prison. As a military police (MP) soldier I performed normal duties as a MP and was also assigned as a member of the Internal Response Force (IRF). As an IRF member I would respond to all hostilities within the compound in the capacity of a first responder. For example if mortars hit a certain area of the compound we would be the first responders and would secure the area and would perform basis first aid. Sometime in Sep 03, I think towards the end of the month after 21 Sep 03 there was a mortar attack on the compound of Abu Ghraib. The Military Intelligence (MI) personnel were located in a command tent located in Camp Vigilance, one of the mortars hit there and I believe killed three MI soldiers and injured approximately 10-13 MI soldiers. After the mortar attack my IRF team was called to assist the Quick Response Force (QRF) who were located outside of the gate of the compound that was on the north wall, there was only one gate on the compound at the time and this was around 2200-2300. My team, consisting of three E-5 and one E-4, arrived at the gate and QRF was escorting a white pick up truck that contained two Iraqi public civilians, a male and a female. The truck came in through the gate and my team went from the gate to a small field located off to the left of the gate and the QRF soldiers put the two Iraqi on the ground. The QRF soldiers tied both Iraqis hands with zip ties, I recall that the male had his hands tied behind his back and I don't remember where the female hands were tied. The QRF soldiers put a towel over both Iraqi's head to obstruct their vision but was not tied down in anyway nor was it a hood. At this time the Iraqis were turned over to the IRF teams. My team was instructed to watch over the male Iraqi and informed that MI soldiers were en-route. The other IRF team, consisting of four soldiers, was instructed to watch the female Iraqi. I approached the Iraqi male in order to have a physical description of him. I noticed that he appeared very scared, however, he had not suffered any injuries that I could see but I only looked at his face. I then re-positioned the towel on his head and positioned myself directly behind the male Iraqi approximately 2-3 feet. My other team members formed a half moon around the male Iraqi with two soldiers to my right and one to my left. After approximately 10 - 15 minutes passed MI soldiers arrived in a Humvee. There appeared to be about 8 MI soldiers. One of the MI soldiers walked between myself and the IRF soldier to my left and walked directly up to the male Iraqi and struck him on the back of the head with a closed right handed fist. The Iraqi male fell over to his side and then the MI soldier proceeded to yell in English to the male Iraqi, stating to get up and asked if he liked killing his people. The MI soldier then re-positioned the towel on the Iraqis head and continued yelling at him from the Iraqi male's left front side. The MI soldier then manhandled the Iraqi by grabbing him by the scruff of his shirt at his shoulders and forced him to his knees. The MI soldier then pushed him to the ground and continued to bring the Iraqi back to his knees. It appeared to me that the Iraqi was somewhat unconscious because he kept falling over to his side and showed no resistance or ability to get himself to his knees when instructed to do so by the MI soldier. I then called for Lt [REDACTED] was the Officer-in-charge of the IRF teams. Lt [REDACTED] came over and asked the MI soldier what he was doing and who he was. The MI soldier responded I know what I am doing and I am a professional and refused to tell his name or any other identifying information. Lt [REDACTED] also stated to the MI soldier that he did not even know if they were guilty or not referring to their possible participation in the mortar attack and stated they could be just normal citizens. SFC [REDACTED] who was the NCOIC of the IRF teams also overheard this conversation. A second MI soldier came over to take control of the Iraqi male and he approached him and put his one of his arms around the Iraqi's neck from

## EXHIBIT

2

## INITIALS OF PER

TC, KB

## STATEMENT

PAGE 1 OF 3 PAGES

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

DA FORM 2823 (AUTOMATED)

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EXHIBIT

7231

STATEMENT OF

TAKEN AT Fort Lee Resident

047 04 - CID 023 - 67329  
cy ON 13-Jul-04, CONTINUED:

behind and dragged him backwards. The Iraqi at first tried to stand up and then he went limp. The MI soldiers dragged him to their humvee, which was about 10 - 15 feet back from where we were standing. My attention was then drawn to Lt [REDACTED] who approached MAJ [REDACTED], the Compound Commander and CSM [REDACTED] (I think that is how you spell his name), the Compound Sergeant Major and asked if they were going to allow this to continue referring to the behavior of the MI soldiers and they did not respond. Lt [REDACTED] then ordered the IRF teams back onto our vehicles. As I approached our vehicle I witnessed Lt [REDACTED] walking over to the MI soldiers and asking who was the OIC or the NCOIC. I could see the MI soldiers who appeared to be taking turns beating the Iraqi with their fists. I also saw SFC [REDACTED] and Lt [REDACTED] and SPC [REDACTED] trying to pull the MI soldiers off of the Iraqi. I do not know what had happened with the female Iraqi but she was also on the back of the Humvee and it did not appear as though any soldiers were touching her. All IRF members got into our vehicle and SPC [REDACTED] made the comment to me that the MI soldiers had re-arranged the male Iraqi's face. I then said in response that his face was fine when we arrived because I had looked at his face intentionally to see what he looked like and he had no injuries then. Later the IRF members were briefed that if a similar situation arose the detainees that were in our control would remain in our control because we were to ensure their safety.

Q: SA [REDACTED]

A: Mr. [REDACTED]

Q: Were either of the Iraqi detainees suspected of participating in the mortar attack?

A: Yes, they were both suspected.

Q: Describe the Iraqi male detainee.

A: The Iraqi male appeared quite thin and was of average height. He had dark colored eyes with thick eyebrows and he had some form of facial hair and it was dark in color although I do not recall how it was shaped. I only took a quick peek at his face upon my IRF team taking control of him.

Q: Describe the first MI soldier.

A: The MI soldier was a white male with a military style haircut but I don't recall his hair color. I don't think he had any facial hair. He was taller than me and I am 5'11 and he was somewhat thin. He was wearing the desert BDU bottoms and a brown t-shirt but no headgear.

Q: Describe the second MI soldier.

A: The MI soldier was a white male with a military style haircut but I don't recall his hair color. He had no facial hair and was about 5'8" and had a medium to stocky type build. He was wearing desert BDUs and flak vest with no headgear.

Q: Did you visually witness any other direct hits to the Iraqi male detainee besides the one to the back of his head and him being put in the choke hold and dragged to the MI soldier's humvee?

A: It appeared there were four MI soldiers around the Iraqi male detainee when he was on the back of the humvee and again it appeared the soldiers were taking turns beating him with their fists.

Q: Did you witness any mistreatment or abuse towards the Iraqi female detainee?

A: No, I did not.

Q: How were the detainees dressed when you saw them?

A: They both were wearing civilian attire, he was wearing shorts and a t-shirt and I don't think he had any shoes on. The female was wearing a veil and completely covered by a long dress.

Q: Who were the soldiers assigned to the IRF team?

A: My team consisted of myself, SFC [REDACTED], SGT [REDACTED], SGT [REDACTED], SGT [REDACTED] and SFC [REDACTED]. The other team consisted of SGT [REDACTED], SGT [REDACTED], SPC [REDACTED], Then Lt [REDACTED] and SFC [REDACTED].

Q: Did any members of the IRF team strike or choke either of the detainees?

A: No, we had no physical contact with them besides when I lifted the towel from the Iraqi male's head to look at his face.

Q: Did you observe either of the detainees after they were put on the MI soldier's humvee?

A: No, I did not.

Q: Did you make any statements or reports of this incident or any other you may have witnessed?

A: Yes, after the incident I typed a statement detailing the sequence of events and what I witnessed and provided this statement to my chain of command. Myself and other members of the IRF made many written and verbal statements voicing our concerns of detainee abuse and mistreatment all of which were directed or given to my chain of command. The chain of command included SFC [REDACTED], who would review the statement then Lt [REDACTED] would pass the statements on to CPT [REDACTED], Commander, 229th MP Company.

Q: Would you consider this behavior exhibited by the MI soldiers towards the Iraqi male detainee as abuse?

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EXHIBIT

32

12



...yes absolutely, the MI soldiers at the Iraqi male detainee in English. No facts as to whether they had committed type of crime and screaming stood any of the commands.

Q: How were you treated during interview?

A: WITH RESPECT.

Q: Is this statement true?

A: YES.

Q: Did you read this statement?

A: YES.

Q: Do you have anything you wish to add?

A: No.///END OF STATEMENT///

7C/bb4

AFFIDAVIT

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

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAJ

Form 2823 (AUTOMATED)

Making Statement)

SUBSCRIBED AND SWORN BEFORE ME, A PERSON BY LAW TO ADMINISTER OATHS, THIS 13 DAY OF Jul, 2004 AT FORT LEE RESIDENT AGENCY (CID), FORT LEE, VA 23801-1702

SA (Name of Person Administering Oath)

10 USC 536 (b) (4) (Authority to Administer Oath)

PAGE 3 OF 3 PAGES

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EVIDIT

AGENT'S INVESTIGATIVE REPORT

047 04-CID023-67329  
6-04-CID342-

CID Regulation 195-1

PAGE 1 OF 1 PAGES

*7c/bb, 4*  
BASIS FOR INVESTIGATION: At 1156, 12 Jul 04, this office received a Request For Assistance from the 87<sup>th</sup> Military Police Detachment (ABN) (CID), 3d Military Police Group (CID), Building 8-1221 Randolph Street, Fort Bragg, NC 28310, to interview MAJ [REDACTED] 20<sup>th</sup> MP BN, 140 Stewart Road, Ashley, PA 18706, to conduct a witness interview pertaining to his knowledge of Iraqi detainee abuse by US Service members.

*7c/bb-1*  
At 1900, 12 Jul 04, SA [REDACTED] interviewed MAJ [REDACTED] *7c/bb, 4* who rendered a sworn statement wherein he detailed his account of the incident. MAJ [REDACTED] stated after a mortar attack on the Baghdad Central Correction Facility (BCCF) the Quick Reactionary Force (QRF) secured a 14 year old male and 40 year old female, who were suspected to have participated in the assault. Shortly after the individuals were detained and secured with in the BCCF, a Military Intelligence (MI) screening team responded. One of the MI soldier, who was visibly emotional, grabbed the male by his collar and started to push him towards the MI HMMWV. During which time the MI soldier yelled sporadically at the male. Before the MI soldier placed the male into the HMMWV he was ordered to relinquish custody of the male detainee to another MI soldier (See Sworn Statement for details).

STATUS: This RFA is closed in the files of this office as no further investigative activity is anticipated. ///LAST ENTRY///

*7c/bb, 1/2*  
[REDACTED]  
Carlisle Barracks Resident Agency (CID)  
3d Military Police Group, USACIDC  
Carlisle, PA 17013

CID FORM 94

Exhibit:

EXHIBIT

ENFORCEMENT SENSITIVE

SWORN STATEMENT

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

04-04-CID023-67329

PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSM).  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately 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

2. DATE (YYYYMMDD)

3. TIME

4. FILE NUMBER

5. LAST NAME, FIRST NAME, MIDDLE NAME

2004/07/12

2013 hrs

0076-04-CID342

8. ORGANIZATION OR ADDRESS

320th MP BN, 140 Stewart Road, Ashley PA 18706

6. SSN

7. GRADE/STATUS

O-4/AGR

9.

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was the S3 of the 320th Military Police Battalion in Iraq during Operation Iraqi Freedom. The unit was located at Camp Bucca from March 03 to July 03. The unit was then located at Abu Ghraib Prison from JUL 03 to FEB 04. One evening in September 2003 the prison received mortar fire from the south fields. During the attack two MI soldiers were killed and several others were wounded. I was in the 320th MP BN TOC during the attack then went to the area where the mortars hit. I was called on the radio that our southern towers saw two suspicious individuals in the south fields in the vicinity of the mortar launches. I dispatched the QRF to go to that area and call back with an assessment. They did so and informed me that they had detained two individuals in that area. I instructed them to bring them inside the West ECP and I would have the IRF secure them to relieve the QRF for other missions. I also informed the MI unit that they were bringing in two individuals to the ECP and requested they send a screening team to interview them. This was standard practice. LTC [redacted] then directed me to go to the ECP as he was in the TOC. Upon my arrival the IRF had the 2 individuals secured awaiting the arrival of the MI screening team. The MI team arrived shortly after I did and pulled their cargo HMMWV behind mine. As I saw them arrive, the TOC was calling me on the radio. I did not hear him as I was on the radio with the TOC. I held my hand up as to say wait a minute and then he walked away. When I finished I exited the vehicle and went behind my vehicle and the MI vehicle with LT [redacted]. I then saw a MI soldier pushing the male detainee to the back of the MI vehicle. He was yelling and seemed out of control. I intervened and notice that the MI soldier was emotionally distraught and crying. The female detainee was already in the back of the HMMWV. I sought out the NCOIC of the MI team and told him that that soldier was to have no contact with the detainees and that the NCOIC was to escort the detainees to the holding area, and then to meet me in the TOC with his chain of command. When I arrived at the TOC I met with CPT [redacted] 3 of the MI battalion and SFC [redacted] 1SG of the MI Company. I informed them that it was a poor decision to send that soldier to the ECP and that he needs to be reprimanded and sent to counseling. I learned that one of the soldiers that died in the mortar attack was his good friend. I then briefed LTC [redacted] of the situation and informed him that I had spoken with the MI Chain of Command. The IRF was instructed to do statements that were to be collected by their Company Commander and given to LTC [redacted]. I later learned that they were given to CID who conducted a preliminary investigation but turned it back over to the MI Chain of Command. The soldier and his unit redeployed several weeks later.

Q: SA [redacted]

A: MAJ [redacted]

Q: What is ECP?

A: Entry Control Point

Q: What is IRF?

A: Internal Reaction Force

Q: Did you find out what LT [redacted] was trying to tell you while you were on the radio?

A: He was trying to tell me that he thought the MI guys were being to rough with the detainees.

Q: Did MI comply with your suggestion to not have the emotional soldier involved with the detainees?

A: Yes, after I went to the TOC the MI Command realized it was a poor decision. The MI command told me that they would take care of it; however I still brief my commander about the incident.

Q: Do you know the name of the MI soldier who appeared to be out of control?

A: No.

Q: Can you describe the individual?

A: He about 5'10", stocky, approximately 200lbs, and had light brown hair. I think he was a SGT, but I am not sure because MI did not routinely wear rank or name tapes.

Q: Did you provide a sworn statement about the incident?

A: Not initially. I did provide one to the investigative panel, which looked in to the matter.

Q: To your knowledge, who provided sworn statements about the incident?

10. CAPTION

11. INITIALS

12. SIGNATURE

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [redacted] TAKEN AT [redacted] DATED [redacted]"

PAGE 1 OF 3 PAGES

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

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EXHIBIT

35

14

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

0076-04-CID342-

STATEMENT OF

7C,bb-4

TAKEN AT

Drums, PA

0473

04-CID-023-67329

DATED

2004/07/12

9. STATEMENT (Continued)

7C,bb-4

7C,bb-4

7C,bb-4

A: I only knew this after the fact, SFC

LT

and SGT

did not write a statement on this

Q: Did you collect any sworn statements about the incident?

A: No.

Q: Do you know who did?

A: I think they were given to CPT, the commander of the 229th MP CO. This is only a guess though.

Q: Do you know what CPT would have done with the statements?

A: He would have turned them in to the Battalion commander. I know somehow they got to CID. CID kicked it back because they did not think it was an abuse. This was also the decision of the SJA and Military Magistrate.

Q: Who were the SJA and Magistrate who made that decision?

A: I am not sure who they talked to. I found this out later, after I had appeared before in investigating panel.

Q: When you saw the soldier push the detainee, was he secured?

A: I think the detainee might have been zipped tied or handcuffed behind his back.

Q: Did you witness the soldier physically abuse or assault the subdued detainee?

A: I don't want to say it was abuse. He was standing directly behind the detainee, and had his hand on the detainees

collar. He was shoving the detainee forward with his hand that was on the collar. He was also yelling at the detainee, but it was incoherent to me.

Q: Did the soldier ever point his weapon at the detainee and threaten to fire?

A: No. I think he was holding his weapon in his left hand, and the muzzle was pointing down.

Q: Did you witness the soldier place the detainee in the HMMWV?

A: No, because I stopped him before he could. When they got to the HMMWV, I stopped them, and got the NCOIC. I then made sure the emotional soldier sat in the front seat of the HMMWV.

Q: Did you see who placed the female in the HMMWV?

A: No, she was already in the HMMWV when I arrived.

Q: Did you see anyone physically handle the female?

A: No.

Q: What was the emotional state of the male detainee?

A: While at the HMMWV, he was scared. When I saw him later at the screening area, he appeared to be fine.

Q: Did you see any injuries on either the male or female detainees?

A: None.

Q: At the time of the incident did you view the soldier actions as abuse?

A: No.

Q: Do you today?

A: No. I think that it was a direct result of the combat stress. He was crying and red in the face. I don't feel that he was

trying to abuse the detainee, just over the edge with emotion.

Q: Did you ever see the soldier after the incident?

A: I don't recall. I know the unit redeployed a couple weeks after the incident.

Q: Do you know where LTC is currently assigned?

A: I am not sure. He is no longer the Battalion commander. He went into the IRR

Q: Do you know where CPT is currently assigned?

I think he is still in the 229th, from Virginia Beach.

Q: Do you have anything you wish to add to this statement?

No. //END OF STATEMENT//

7C,bb-4

7C,bb-4

S OF PERSON MAKIN

DA FORM 2822 DEC 1998

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PAGE 2 OF 3 PAGES

36

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ENFORCEMENT SENSITIVE

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ENFORCEMENT SENSITIVE

0076-04-CID342-

STATEMENT OF

TAKEN AT Drums, PA

DATED 2004/07/12

0473-04-CID023-67322

9. STATEMENT (Continued)

7C/b6-4

7C/b6-4

AFFIDAVIT

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

7C/b6-4

Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12th day of July, 2004 at

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

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

Article 136 (b) (4)  
(Authority To Administer Oaths)

AGENT'S INVESTIGATION REPORT

0156-0 CID222-

CID Regulation 195-1

Page 1 of 3 Pages

At 1015, 24 Jun 04, this office received a Category 1 Level Request for Assistance (RFA) from the 87th Military Police Detachment (CTD), Fort Bragg, NC, requesting this office interview two (2) individuals who witnessed various individuals abusing detainees, while they were deployed with their National Guard unit in Iraq. The individuals were identified as SFC [REDACTED] 29th Military Police Company (MPC), 1096 Birdneck Road, Virginia Beach, VA (VBVA) and SPC [REDACTED] 229th MPC, VBVA. 7C, b6-4

7C, b6 AGENT COMMENT: The subsequent request to interview SFC [REDACTED] s received shortly after the initial RFA was received by this office.

7C, b6-1  
At 1121, 25 Jun 04, SA [REDACTED] interviewed SPC [REDACTED] concerning the incident under investigation. SPC [REDACTED] reviewed his original statement rendered on 20 Jan 04, and related he had no further information to provide concerning the abuse of prisoners he witnessed. A photo lineup was conducted with SPC [REDACTED] of the photographs provided. SPC [REDACTED] identified the photograph of CPT [REDACTED] NFI, as the individual he observed physically abusing a prisoner in the prison. SPC [REDACTED] said that on 24 Jun 04, an unidentified individual from GEN [REDACTED] NFI, Task Force, interviewed him (SPC [REDACTED]) and conducted a photo lineup with exactly the same photographs. SPC [REDACTED] explained he identified CPT [REDACTED] during that lineup also. According to SPC [REDACTED] the unidentified individual took a sworn statement from him after the photo lineup was conducted. 7C, b6-4

b6, 4  
b6, 4  
AGENT'S COMMENT: The statement reference by SPC [REDACTED] as provided along with other documentation at the time the RFA was received by this office. 7C, b6-4

7C, b6-1 b2  
[REDACTED]  
12th MP Det (CID) (PASE),  
3rd Military Police Group (CID)  
Fort Eustis, Virginia 23604-5534

Signature:

Date: 14 Jul 04

Exhibit: 1

CID Form 94

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LAW ENFORCEMENT SENSITIVE

EXHIBIT

At 1115, 29 Jun 04, SA [REDACTED] interviewed SFC [REDACTED] who rendered a sworn statement concerning the incident under investigation. SFC [REDACTED] related that he witnessed an unknown male soldier, assigned to an unknown Military Intelligence Unit, abuse a Iraqi detainee after a mortar attack (See statement for further details).

At 1122, 30 Jun 04, SA [REDACTED] interviewed [REDACTED] concerning the abuse of a detainee after a mortar attack. SPC [REDACTED] rendered a sworn statement relating he saw an unidentified individual physically abusing an Iraqi detainee (See statement for details).

AGENT'S COMMENT: There were two (2) names mentioned in the statement of SPC [REDACTED] 1LT [REDACTED] 229<sup>th</sup> MRC, VBVA and SGT [REDACTED] 229<sup>th</sup> MPC, VBVA, who were also members of his unit and resided in this offices AOR. SPC [REDACTED] related all individuals who witnessed the incident under investigation made statements in Iraq, which SFC [REDACTED] maintained on his computer.

At 0945, 9 Jul 04, SA [REDACTED] interviewed 1LT [REDACTED] concerning the incident under investigation. 1LT [REDACTED] related he forgot to bring his statement and his recollection of the events from memory weren't that good. 1LT [REDACTED] stated he was present when the two (2) detainees were brought to their location. One (1) of the detainees was a female and the other was a male. 1LT [REDACTED] said he saw two (2) individuals physically abuse the male detainee, while there were other individuals yelling and screaming at the female detainee. 1LT [REDACTED] explained he divided his personnel into two (2) five (5) person groups to guard the detainees, once they were brought into the camp. According to 1LT [REDACTED] there were was a MP Commander and CSM

SA [REDACTED]

12<sup>th</sup> MP Det (CID) (PASE),  
3rd Military Police Group (CID)  
Fort Eustis, Virginia 23604-5534

Signature: [REDACTED]

Date: 14 Jul 04

Exhibit: 1

# SWORN STATEMENT

File Number : 0156-04-C10222  
Location : Virginia Beach, VA  
Date : 29 Jun 04  
Statement of :  
SSN :  
Org/Address : 229<sup>th</sup> Military Police Company, Virginia Beach, VA

7C1b6-4

Time: 1159

7C1b6-4

## WANT TO MAKE THE FOLLOWING STATEMENT UNDER

### OATH:

On 20 Sep 03 at approx 2145, a mortar attack was received in the vicinity of Camp Vigilant. At approx 2230 the IRF (Internal Reaction Force) was called to the 320<sup>th</sup> BNTOC and advised that a mortar had landed in the MI BN tent and there were approx 15 wounded that were being medivaced. We were told to stand by there and wait for further instructions. Shortly thereafter we were told to go back to our living quarters and stand by to be called again. About 2330 we were called to respond to the ECP (Entry Control Point). Once arriving we were told that the QRF was outside the wire attempting to stop a vehicle which they believed may be involved with the attack. We were told to stand fast and be prepared to be their backup should the need arise. They soon stopped the vehicle and transported it back to the ECP with the 2 occupants - a male and a female. Once arriving the vehicle was searched and the two in custody were taken over to the visitor tent where we responded and watched over the two. A few minutes later at approx 0030, 21 Sep 03, a HMMWV pulled up with approx 10 soldiers and came over to us. The first soldier, wearing a desert camo flak jacket, came up to the male prisoner and began screaming at him telling him "eyes down" and asking "what the fuck are you looking at?" He then grabbed him by the back of the head and pushed it down into the dirt. 1LT told him that was unnecessary and the soldier looked at him and told him that "he was the professional at this and that he knew what he was doing." 1LT said that doesn't look too professional. I then said that I had never been taught that when I went through interrogator school. At this point another soldier (a very large, stocky soldier) came over and started yelling at him to get up. He grabbed him and yanked him up off the ground and secured his arms and began walking him back towards the vehicle. He continued screaming and forcefully moving him towards the truck. As he passed me I told him to "at east and calm down." He continued past me to the back of the truck. Once reaching the back of the truck he began striking the prisoner in the back of the head

7C1b6-4

7C1b6-4

CONTINUED ON NEXT PAGE:

7C1b6-4

7C1b6-4

INITIALS

PAGE 1 OF 34

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EXHIBIT

3

41

W ENFORCEMENT SENSITIVE  
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11 JUL 2004



and back. He continued screaming at him to get into the truck. The soldier then forcefully slammed the prisoner into the bed of the truck. Once the prisoner was in the bed of the truck he was struck a few more times and told to put a mask on. When the prisoner turned towards the back of the truck it appeared that he was bleeding from the lip but I was unsure due to the poor lighting. At this point I asked the NCOIC what unit he was from and he told me the 519<sup>th</sup> MI. I then realized that there were soldiers from the unit that had been attacked. At this point the vehicle left and the IRE secured back to our living area. After arriving back in our area 1LT [REDACTED] was called by MAJ [REDACTED] and asked that both he and I respond to the TOC. Once arriving, we were introduced to 1SG [REDACTED] who is the 1SG of the MI group. He told us that this had never happened and that he had been doing these operations for 14 months in Afghanistan and Iraq. He continued to apologize and remind us that he had people that were wounded and everyone was upset. MAJ [REDACTED] told us that CPT [REDACTED] had been told and she was very upset over the incident. We explained to them that during our many years of law enforcement that you never send a suspect back to a group of officers that were directly affected by an incident because you don't know what they might do and that this case was exactly the same. We were told by the 1SG that they would handle it and we advised that we were going to forward statements of the incident as well. MAJ [REDACTED] advised that he would forward that paperwork to the BNCDR so that action could be taken. 1LT [REDACTED] and I then responded back to the IRE barracks where we advised the team to complete statements of the incident and we advised them of what the 1SG had told us.

Q. Do you know the identity of either of the two (2) individuals who assaulted the detainee?

A. No I asked for their names and they wouldn't provide it.

Q. Did the detainee do anything to provoke the incident?

A. NO, he followed all commands given to him

Q. Do you know the name of the detainee who was assaulted?

A. No

Q. Can you describe the detainee?

A. NO, Iraqi Male 30-35 yoa, average build, dark hair

Q. I am showing you six photographs of individuals. Do you recognize any of the individuals who assaulted the detainee?

A. No, the photos shown were of MP Commanders none of these were of MI soldiers. The picture I identified was of a CPT involved in assaulting a detainee On Nov 24 the day of the riot and shooting in the hard site. On this date we responded to the hard site after a detainee had shot a soldier from his solitaire cell. We were tasked with

CONTINUED ON NEXT PAGE:

INITIALS [REDACTED]

PAGE 2 OF 8

EXHIBIT 3

42

7c/b6-4 clearing the remaining cells in search of a hand grenade. This CPT had come upstairs and pulled out an individual nicknamed [REDACTED] and held him by the throat screaming at him. He was then taken into another cell where he was questioned and screamed at some more. This detainee was an informant and this was staged to make it appear that he was not assisting us with identifying the detainee that had the hand grenade. After interrogating the detainee the CPT went back downstairs and pulled out another detainee. I was not in a position to see anything; I could only hear lots of screaming from the CPT, detainee and other soldiers. After a short time I moved into a position to look downstairs and observed that the detainee was naked and handcuffed lying on the floor. SPC [REDACTED] was downstairs and later provided details that the CPT was hitting and kicking the detainee. He asked what he should do and I told him to write a sworn statement if he felt the actions were inappropriate.

Q. Was there any legitimate reason to assault the detainee?  
A. None that I am aware of.

Q. Who else witnessed this incident?

66-4 A. SPC [REDACTED] and SGT [REDACTED] 229<sup>th</sup> MP CO, VA Beach, VA

Q. Have you ever witnessed anyone assaulting detainee's other than what is described above?

A. NO

Q. Did this individual strike the detainee with a closed fist?

A. I can't recall.

Q. Did the detainee resist at anytime?

A. NO

Q. Do you recall any of the bumper markings on the vehicle the detainee was placed into?

A. NO

Q. Do you have anything else to add to this statement at this time?

A. No.///END OF STATEMENT///

7c/b6-4

CONTINUED ON NEXT PAGE:  
7c/b6-4

INITIALS [REDACTED]

PAGE 3 OF 84

W/ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY  
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EXHIBIT

3

EXHIBIT

43

160

STATEMENT OF SFC  
04, CONTINUED:

TAKEN AT Virginia Beach, VA dated 29 Jun

7C1bb-4

AFFIDAVIT

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

7C1bb-4

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29th day of June, 2004, at Virginia Beach, VA:

7C1bb-1  
[REDACTED]

(Oath)

Typed Name of Person Administering Oath)

Article 136 UCMJ OR 5 USC (303)

WITNESS:

CONTINUED ON NEXT PAGE:

INITIALS [REDACTED]

PAGE 4 OF 4

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EXHIBIT

3

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EXHIBIT

116

# SWORN STATEMENT

File Number : 0156-04-C10202 7C/bb-4 7C/bb-4  
Location : Newport News, VA  
Date : 30 Jun 04 Time: 1137  
Statement of : [REDACTED]  
SSN : [REDACTED] 7C4, b44  
Org/Address: 229<sup>th</sup> Military Police Company, Virginia Beach, VA  
7C/bb-4

## OATH:

WANT TO MAKE THE FOLLOWING STATEMENT UNDER

On 20 Sep 03 at approx 2145, a mortar attack was received in the vicinity of Camp Vigilant. At approx 2230 the IRF (Internal Reaction Force) was called to the 320<sup>th</sup> BNTOC and advised that a mortar had landed in the MI BN tent and there were approx 15 wounded that were being medivaced. We were told to stand by there and wait for further instructions. Shortly thereafter we were told to go back to our living quarters and stand by to be called again. About 2330 we were called to respond to the ECP (Entry Control Point). Once arriving we were told that the QRF was outside the wire attempting to stop a vehicle which they believed may be involved with the attack. We were told to stand fast and be prepared to be their backup should the need arise. They soon stopped the vehicle and transported it back to the ECP with the 2 occupants - a male and a female. Once arriving the vehicle was searched and the two in custody were taken over to the visitor tent where we responded and watched over the two. A few minutes later at approx 0030, 21 Sep 03, a HMMWV pulled up with approx 10 soldiers and came over to us. I observed an unknown male soldier walk over to the male detainee who was sitting cross-legged on the ground, flex-cuffed behind his back. This soldier pushed the male detainee's head forward, past his legs until his head touched the ground. I observed another unknown male soldier approach the male detainee and scream at him to get up. This soldier then grabbed the detainee by his arms and pulled him off the ground. The soldier led the detainee to the back of a vehicle, with one hand choking the detainee. As the soldier and the detainee got to the back of the vehicle, the soldier then began to strike the detainee with his fists. I could not identify either soldier due to the lighting conditions. I cannot identify either the male or female detainee. After this incident, I returned to my living area and wrote a sworn statement referencing this incident that I provided to 1LT [REDACTED] the IRF Commander. I heard nothing further about this incident.

Q. Did the detainee do anything to justify the assault?

CONTINUED ON NEXT PAGE:

INITIALS [REDACTED] 7C/bb-4

PAGE 1 OF 3  
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EXHIBIT 2

45

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EXHIBIT 17

STATEMENT OF SPC [REDACTED]  
04, CONTINUED:

156-04-10000  
TAKEN AT Newport News, VA dated 30 Jun

A. No. He was offering no resistance whatsoever.

Q. Did you see any injuries to the detainee?

A. No.

Q. Did the soldier strike the detainee with a closed fist?

A. Yes. Multiple times, but I could not tell you exactly how many times.

Q. Did the detainee say anything during the assault?

A. He was doing a lot of screaming and he was saying something, but I could not understand what he was saying.

Q. Was the detainee provided any medical attention?

A. Not that I saw.

Q. Who else was present from your unit that witnessed this incident?

A. SFC [REDACTED] 1LT [REDACTED] SGT [REDACTED] SGT [REDACTED] and 7C166-4  
SGT

Q. Can you describe the individual who assaulted the detainee?

A. No. Other than the fact he was a male soldier.

Q. Did you speak with anyone from the Military Intelligence Company regarding the abuse of the detainee?

A. No.

Q. Do you have anything else to add to this statement?

A. Yes. My initial statement regarding this incident was more detailed. I can't recall specific details at this time that would have been included in my original statement.///END OF STATEMENT///  
7C166-4

CONTINUED ON NEXT PAGE:

INITIALS [REDACTED] 7C166-4

PAGE 2 OF 3

EXHIBIT 2

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EXHIBIT 17

00568

STATEMENT OF SP( [REDACTED] )  
04, CONTINUED:

OC p4C032  
TAKEN AT Newport News, VA dated 30 Jun

1C, b6-4

AFFIDAVIT

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

1C-4  
b6-4

[REDACTED]

Subscribed and sworn to before me, a person authorized by law to administer oaths this 30th day of June, 2004, at Newport News, VA.

1C-1  
b6-1

[REDACTED]

1C, b6-1

SA [REDACTED]

Typed Name of Person Administering Oath)

Article 136 UCMJ OR 5 USC (303)

WITNESS:

1C, b6-4

CONTINUED ON NEXT PAGE:

INITIALS [REDACTED]

PAGE 3 OF 3

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EXHIBIT

2  
EXHIBIT

47

# SWORN STATEMENT

File Number : 0156-04-C10322

Location : Ft. Eustis, VA

Date : 12 Jul 04

Time: 1050

Statement of : [REDACTED]

SSN : [REDACTED]

Org/Address: 229<sup>th</sup> Military Police Company, Virginia Beach, VA

WANT TO MAKE THE FOLLOWING STATEMENT

On 21 SEPT 03 at approximately 0015 hours, I, SGT [REDACTED]

, along with 1LT [REDACTED]

SGT [REDACTED], SGT [REDACTED]

SFC [REDACTED]

SFC [REDACTED]

SGT [REDACTED]

SGT [REDACTED]

and SPC [REDACTED]

members of the Internal Reaction Force with the 229th MP Co., were asked to watch over a male and female detainee that were picked up during a search of possible suspects who were firing weapons and/or mortars at the Abu Ghraib Prison. SGT [REDACTED], SGT [REDACTED] and myself were watching the male Iraqi suspect. The male suspect was sitting on the ground with his legs crossed and hands bound behind his back with Flexi Cuffs. The male suspect had not spoken a word and was sitting. At approximately 0030 hours a military HUMVEE pulled up and approximately six military individuals exited the vehicle. One of the unknown individuals walked with a fast pace directly towards the male suspect and shouted "What the fuck are you looking at". The unknown military soldier then placed his hands on the male suspects neck and, with force, shoved the suspects neck and head towards the suspects feet and ground while yelling "eyes down". 1LT [REDACTED] was standing close by and told the soldier that his actions were not necessary. The soldier approached 1LT [REDACTED] and stated that he was "with Military Intelligence" and that "He was a trained professional." 1LT [REDACTED] then replied "well that didn't look too professional to me". The soldier heard 1LT [REDACTED] reply and walked off.

A few minutes later another unknown soldier was told to get the male suspect and put him in the back of the HUMVEE. That soldier walked over, grabbed the male suspects arms and began to yank up, yelling "Get the fuck up". The soldier continued to yank and pull in an upward manner on the suspect's arms for approximately fifteen seconds until the suspect got to his feet. The two unknown soldiers then pushed and shoved the suspect until he was at the rear of the HUMVEE. At that time I lost sight of the male suspect. A few minutes later the IRF was told to mount up on our vehicle and the HUMVEE with the two suspects left the area. The IRF team then came back to our living quarters and began filling out our sworn statements.

Q. Did the detainee's do anything to justify the assault?

A. No. They were both offering no resistance whatsoever.

Q. Did you see any injuries to either of the detainees?

A. No.

Q. Did the soldier strike the detainee with a closed fist?

CONTINUED ON NEXT PAGE:

INITIAL: [REDACTED]

PAGE 1 OF 3

ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY

EXHIBIT 4

STATEMENT OF  
Jul 04, CONTINUED:

TAKEN AT POR

VA. *7C1607C1B22*  
MOUTH, dated

- A. No. The only thing I saw was the individual grab the male detainee by the back of the neck and shove his face forward. The detainee was sitting with his legs crossed and when he was shoved his face touched the ground.
- Q. Did the detainee say anything during the assault?
- A. No. Just moaned.
- Q. Was the detainee provided any medical attention?
- A. Not that I saw.
- Q. Who else was present from your unit that witnessed this incident?
- A. SFC *7C166-4*, 1LT *7C166-4*, SGT *7C166-4* and SGT *7C166-4*
- Q. Can you describe the individual who assaulted the detainee?
- A. No. Other than the fact he was a male soldier.
- Q. Did you speak with anyone from the Military Intelligence Company regarding the abuse of the detainee?
- A. No. 1LT *7C166-4* spoke for us when he said something to the senior personnel who were present. The senior personnel were CSM *7C166-4* and MAJ *7C166-4*
- Q. Did anyone abuse the female detainee?
- A. No.
- Q. Do you have anything else to add to this statement?
- A. No.///END OF STATEMENT///
- 7C166-4*

CONTINUED ON NEXT PAGE.

INITIALS *7C166-4*

PAGE 2 OF 3

AW ENFORCEMENT SENSITIVE FOR OFFICIAL USE ONLY  
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EXHIBIT *4*

EXHIBIT *10*



STATEMENT OF [REDACTED]  
Jul 04, CONTINUED:

FILE # 88 0156-04-01322  
TAKEN AT POF MOUTH, VA dated

7C,bb-4

AFFIDAVIT

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

7C-4  
bb-4  
(S)

[REDACTED]

(S)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12th day of July 7, 2004, at Ft. Eustis, VA.

2-1  
bb-1

[REDACTED]

[REDACTED]

Typed Name of Person Administering Oath)

Article 136 UCMJ OR 5 USC (303)

WITNESS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CONTINUED ON NEXT PAGE:

7C,bb-4

INITIALS [REDACTED]

PAGE 3 OF 3

AW ENFORCEMENT SENSITIVE FOR OFFICIALS

EXHIBIT 4

or use of this form, see AR 19Q-45; the proponent agency is ODCSOP.

0156-04-CA222

**AUTHORITY:**

Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9897 dated November 22, 1943 (SSN).

**PRINCIPAL PURPOSE:**

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

**ROUTINE USES:**

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

**DISCLOSURE:**

Disclosure of your social security number is voluntary.

### 1. LOCATION

Abu Ghurayb, Iraq

2. DATE /YYMMDD/

### 3. TIME

4. FILE NUMBER

2003/09/21

0130

5. LAST NAME, FIRST NAME, MIDDLE NAME

8. ESTV

## 7. GRADE/STATUS

0-2/Platoon Leader

8. ORGANIZATION OR ADDRESS

229th MP Co., Baghdad, Iraq APO AE 09335

3.

1. 1LT

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 21 September 2003, at approximately 0020 hours I witnessed an unprofessional act by MI personnel at the visiting area of Abu Ghurayb Prison. On 20 September 2003 at approximately 2200 hours I heard two explosions. Shortly thereafter, I was notified by SSG [REDACTED] of the 229th MP Co. that the IRF was was to report to the 320th BN TOC and wait for instructions. I am the OIC for the Internal Reaction Force (IRF) at Abu Ghurayb Prison.

Once on station at the BN TOC, I was informed that a mortar round had struck one of the MI tents and eleven soldiers were injured. We waited for further instructions until MAJ [redacted] relieved us and instructed us to stand by at our company area. Once back at the company area I reported our status to CPT [redacted]. We were then ordered to the ECP to back up the QRF if needed. While we were at the ECP we observed the QRF stop a vehicle near the canal, approximately 500 meters to the southeast of the compound. The QRF searched the vehicle then escorted it back to the ECP. Once at the ECP, the vehicle was searched again, then escorted to the visitors area. My element relieved the QRF of their duties so they could continue their search for more suspects in the mortar attack.

The two subjects in custody were one Iraqi male, 30-40 years of age, and one Iraqi Female, 50-60 years of age. Three of my personnel guarded the male, who was sitting on the ground with his hands bound behind his back. He appeared to be blind-folded as well. Three other IRF soldiers guarded the female, who was not restrained. She was sitting on the tailgate of the pickup truck. She was visibly upset, speaking to us in Arabic. The male was docile and not talking. To the best of my knowledge there were no weapons or ammunition found in the vehicle.

About 10 minutes after we relieved the QRF, a HMMWV with MI personnel arrived. One soldier wearing a desert tan flak-jacket walked over to the male prisoner and, without warning, shoved the male prisoner's head towards the ground and yelled at him saying "What the fuck are you looking at? Eyes Down!" I immediately intervened and told the soldier his actions were unnecessary. He stated to me he was a professional and that was what he was supposed to do. My retort to him was that his actions didn't look professional at all. Another MI soldier came over and began to escort the suspect towards the vehicle. I observed the female prisoner placed in the passenger seat of the MI HMMWV and the male prisoner placed in the back seat. The vehicle then drove away.

I observed the female prisoner placed in the passenger seat of the MI HMMWV and the male suspect was being shoved and dragged to the rear of the truck. The MI soldiers were yelling and screaming at the male prisoner. I felt that the situation was rapidly deteriorating and I approached MAJ [REDACTED] and asked him if he was going to allow this to happen. He was talking to the S-3 SGM and didn't appear to be aware of what was going on at the rear of the MI truck. I went to the MI truck and found an E-6 who said he was in charge. I ordered him to get control of his personnel. He spoke to his soldiers and they stopped yelling at the male prisoner. I never saw the female prisoner being mistreated. MAJ [REDACTED] came to the back of the truck and asked what happened. SFC [REDACTED] explained what was going on and I ordered the IRF personnel to assemble in the IRF truck. I reported what I saw to CPT [REDACTED] immediately upon my return to the company area and he instructed me to have my personnel write sworn statements about what had occurred.

\*\*\*\*\*  
 About twenty minutes later MAJ [redacted] called for SFC [redacted] and I to meet with him at the BN TOC. The 1SG for the MI unit and the SSG I spoke to at the visitors tent were there. The 1SG apologized for the actions of his soldiers and assured me they don't do business that way. He said their commander was informed of what went on and is taking steps to correct the problem. \*\*\*\*\*  
 \*\*\*\*\*END OF STATEMENT\*\*\*\*\*  
 \*\*\*\*\*

\*END OF STATEMENT

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF

TAKEN AT

**DATED**

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

DA FORM 2823, DEC 1998

DA FORM 2623, JUL 72, IS OBSOLETE

**LAW ENFORCEMENT SENSITIVE  
FOR OFFICIAL USE ONLY**

FOR OFFICIAL USE ONLY

**EXHIBIT**

EXHIBIT

-10-2004 SAT 07:38PM ID:

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE  
For use in this form, see AR 190-30; the proponent agency is ( )  
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 87<sup>th</sup> MP DET CID (ABN) Fort Bragg, NC 28310  
2. DATE 5 Aug 2004  
3. TIME 1350 hrs  
4. FILE NUMBER 7C1664  
5. ORGANIZATION OR ADDRESS ACO  
6. GRADE/STATUS 519<sup>th</sup> MIBN  
7. SGT/AD Fort Bragg, NC 28310

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: Detainee Abuse

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 questions 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.

-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 the right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below:

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)

1. NAME (Type or Print)

ORGANIZATION OR ADDRESS AND PHONE

NAME (Type or Print)

ORGANIZATION OR ADDRESS AND PHONE

SECTION C. Non-waiver

I do not want to give up my rights

☐ I want a lawyer

SIGNATURE OF INTERVIEWEE

☐ I do not want to be questioned or say anything

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

## II - RIGHTS WARNING PROCEDURE

### THE WARNING

1. WARNING - Inform the suspect/accused of
  - a. Your official position.
  - b. Nature of the offense(s)
  - c. The fact that he/she is a suspect/accused.
2. RIGHTS - Advise the suspect/accused of his/her rights as follows:
  - a. "Before I ask you any questions, you must understand your rights."
  - b. "You do not have to answer my questions or say anything."
  - c. "Anything you say or do can be used as evidence against you in a criminal trial."
  - d. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer can be one you arrange for at your own expense, or if you cannot afford a lawyer and want one, a lawyer will be appointed for you before any questioning begins."
  - e. "If you are now willing to discuss the offense(s) under investigation, with or without a lawyer present, you have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if you sign a waiver certificate."

can be a civilian you arrange for at no expense to the Government or a military lawyer detailed for you at no expense to you, or both."

-or-

(For civilians not subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer can be one you arrange for at your own expense, or if you cannot afford a lawyer and want one, a lawyer will be appointed for you before any questioning begins."

d. "If you are now willing to discuss the offense(s) under investigation, with or without a lawyer present, you have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if you sign a waiver certificate."

Make certain the suspect/accused fully understands his/her rights.

### THE WAIVER

"Do you understand your rights?" **YES**  
 (If the suspect/accused says "no," determine what is not understood, and if necessary repeat the appropriate right advisement. If the suspect/accused says "yes," ask the following question.)

"Have you ever requested a lawyer after being read your rights?"  
 (If the suspect/accused says "yes," find out when and where. If the request was recent (i.e., fewer than 30 days ago), obtain legal advice on whether to continue the interrogation. If the suspect/accused says "no," or if the prior request was more than 30 days ago, ask him/her the following question.) **NO**

"Do you want a lawyer at this time?" **NO**  
 (If the suspect/accused says "yes," stop the questioning until he/she has a lawyer. If the suspect/accused says "no," ask him/her the following question.)

"At this time, are you willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer and without having a lawyer present with you?" (If the suspect/accused says "no," stop the interview and have him/her read and sign the non-waiver section of the waiver certificate on the other side of this form. If the suspect/accused says "yes," have him/her read and sign the waiver section of the waiver certificate on the other side of this form.) **YES**

### SPECIAL INSTRUCTIONS

**WHEN SUSPECT/ACCUSED REFUSES TO SIGN WAIVER CERTIFICATE:** If the suspect/accused orally waives his/her rights but refuses to sign the waiver certificate, you may proceed with the questioning. Make notations on the waiver certificate to the effect that he/she has stated that he/she understands his/her rights, does not want a lawyer, wants to discuss the offense(s) under investigation, and refuses to sign the waiver certificate.

**IF WAIVER CERTIFICATE CANNOT BE COMPLETED IMMEDIATELY:** In all cases the waiver certificate must be completed as soon as possible. Every effort should be made to complete the waiver certificate before any questioning begins. If the waiver certificate cannot be completed at once, as in the case of street interrogation, completion may be temporarily postponed. Notes should be kept on the circumstances.

#### FOR INCRIMINATING STATEMENTS:

1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do not obligate him/her to answer further questions.

COMMENTS (Continued)

2. If the suspect/accused was questioned as such either without being advised of his/her rights or some question exists as to the propriety of the first statement, the accused must be so advised. The office of the serving Staff Judge Advocate should be contacted for assistance in drafting the proper rights advisal.

**NOTE:** If 1 or 2 applies, the fact that the suspect/accused was advised accordingly should be noted in the comment section on the waiver certificate and initialed by the suspect/accused.

**WHEN SUSPECT/ACCUSED DISPLAYS INDECISION ON EXERCISING HIS OR HER RIGHTS DURING THE INTERROGATION PROCESS:** If during the interrogation, the suspect displays indecision about requesting counsel (for example, "Maybe I should get a Lawyer."), further questioning must cease immediately. At that point, you may question the suspect/accused only concerning whether he or she desires to waive counsel. The questioning may not be utilized to discourage a suspect/accused from exercising his/her rights. (For example, do not make such comments as "If you didn't do anything wrong, you shouldn't need an attorney.")

VERSE OF DA FORM 3881

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**EXHIBIT**

**20**

**00575**

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DATE 06 AUG 2004

FROM SAC USACIDC 87TH MP DET FT BRAGG NC

TO: DIR USACRC FT BELVOIR VA //CICR-ZA//  
CDR USACIDC 10TH MP BN FT BRAGG NC  
CDR USACIDC 3D MP GRP FT GILLEM GA  
CID CRIMINAL INTELLIGENCE CENTER (MR [REDACTED] 7C1b6-4  
COMMANDER, 10TH MILITARY POLICE BN, FORT BRAGG, NC (LTC  
UPSHAW)  
DEPUTY GARRISON COMMANDER, FBNC (MR [REDACTED] 7C1b6-3  
COMMUNITY PROVOST MARSHAL, FORT BRAGG (LTC [REDACTED]  
PMO BLOTTER CLERK [REDACTED] 7C1b6-3  
PMO OPERATIONS SGT (MSG [REDACTED] 7C1b6-3  
SJA, XVIII ABN CORPS (CHIEF)(LTC [REDACTED]  
CDR USACIDC CURRENT OPNS (DETAINEE ABUSE CASES)  
CHIEF OF STAFF, 18TH AIRBORNE CORPS, (COL [REDACTED] 7C1b6-3  
SJA, XVIII ABN CORPS (SR TRIAL COUNSEL) (CP [REDACTED]

SUBJECT: CID REPORT OF INVESTIGATION - 2D STATUS/SSI -  
0473-2004-CID023-67329 - 5C2B

DRAFTER: [REDACTED] 7C1b6-1 b2

RELEASER: [REDACTED]

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 23 AUG 2003, 0001 - 30 NOV 2003, 2359; (CAMP VIGILANT) ABU GHRAIB  
PRISON, ABU GHRAIB, IRAQ

2. DATE/TIME REPORTED: 24 JUN 2004, 0900

3. INVESTIGATED BY:

SA [REDACTED] 7C1b6-1

4. SUBJECT:

1. ADDED NONE, ; DETAINEE ABUSE (UNFOUNDED) (NFI)

2. DELETED UNKNOWN, ; DETAINEE ABUSE (NFI)

5. VICTIM:

1. CHANGED UNKNOWN, IZ MALE ; DETAINEE ABUSE (UNFOUNDED) (NFI)

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00576

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**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 INVESTIGATION WAS INITIATED UPON RECEIPT OF A REQUEST FOR INVESTIGATION (0272-04-CID002) FROM HQ USACIDC, FORT BELVOIR, VA THAT ON 9 JUN 04, DURING A REVIEW OF THE MG [REDACTED] REPORT BY THE DETAINEE ASSESSMENT TASK FORCE, USACIDC, IT WAS DISCOVERED THERE WERE ADDITIONAL ALLEGATIONS OF DETAINEE ABUSE BY UNKNOWN MEMBERS OF THE 519TH MILITARY INTELLIGENCE BATTALION (MI BN), FT BRAGG, NC (FBNC). THE INCIDENTS ALLEGEDLY TOOK PLACE IN NOV 03, AFTER SEVERAL SOLDIERS FROM 519TH MI BN, FBNC, WERE INJURED/KILLED DURING A MORTAR ATTACK. 7c, b6-6

**2ND STATUS REPORT:**

THIS STATUS REPORT IS BEING GENERATED TO UNFOUND THE OFFENSE OF DETAINEE ABUSE.

INVESTIGATION DISCLOSED THE ALLEGATION OF DETAINEE ABUSE DID NOT OCCUR AS REPORTED BY MEMBERS OF THE 229TH MILITARY POLICE COMPANY (MP CO), VIRGINIA BEACH, VA. SGT [REDACTED] A COMPANY, 519TH MI BN, FBNC, WAS IDENTIFIED AS THE INDIVIDUAL WHO PICKED UP THE DETAINEE AND PLACED HIM INTO THE BACK OF A VEHICLE AFTER THE DETAINEE BECAME RESISTANT TO THE COMMANDS OF THE MI INTERROGATION TEAM. THIS WAS VERIFIED BY STATEMENTS FROM THE OTHER MI INTERROGATION TEAM MEMBERS. MAJ [REDACTED] (S-3) BOTH FROM 229TH MP CO, VIRGINIA BEACH, VA WERE INTERVIEWED AND STATED THEY DID NOT WITNESS ANY ABUSE OF THE DETAINEE. 7c, b6-4

ON 5 AUG 04, SGT [REDACTED] WAS INTERVIEWED AND STATED HE DID NOT ABUSE OR ASSAULT THE DETAINEE; HOWEVER HE DID PICK HIM UP AND CARRY HIM TO THE VEHICLE AS THE DETAINEE REFUSED TO MOVE OR COOPERATE WITH THE INTERROGATION TEAM. SGT [REDACTED] ALSO STATED HE DID YELL AND SCREAM AT THE DETAINEE AS THIS WAS THEIR PROCEDURE FOR "SHOCK AND CAPTURE". 7c, b6-6

ON 5 AUG 04, MAJ [REDACTED] CHIEF, CRIMINAL LAW DIVISION, OFFICE OF THE STAFF JUDGE ADVOCATE, XVIII AIRBORNE CORPS, FBNC, CONDUCTED A THOROUGH REVIEW OF THIS INVESTIGATION AND STATED IN HIS LEGAL OPINION THERE WAS NO PROBABLE CAUSE TO BELIEVE SGT [REDACTED] 7c, b6-4

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COMMITTED DETAINEE ABUSE OR ANY CRIMINAL OFFENSE.

THE INCIDENT WHICH CONCERNED THE USE OF A MILITARY WORKING DOG AS A METHOD OF OBTAINING INFORMATION WAS INVESTIGATED UNDER REPORT OF INVESTIGATION #0006-04-CID149-83132. *7C1126-1*

IT WAS ALSO DETERMINED BY SA [REDACTED] DETAINEE ASSESMENT TASK FORCE (DATF), THE INCIDENT WHEREIN A CAPTAIN STRUCK A DETAINEE WAS STAGED AND DID NOT HAVE TO BE INVESTIGATED.

INITIAL REPORT:

*1164* PRELIMINARY INVESTIGATION DISCLOSED SFC [REDACTED] *7C1126-4* AND SPC [REDACTED] SGT

*1164* FROM THE 229TH MILITARY POLICE COMPANY, VIRGINIA BEACH, VA (FORMERLY WITH DUTY AT ABU GHRAIB PRISION, ABU GHRAIB, IRAQ), CLAIMED TO HAVE WITNESSED A DETAINEE ASSAULTED BY SEVERAL UNKNOWN MEMBERS OF THE 519TH MI BN, FBNC, AFTER A MORTAR ATTACK ON THE PRISON. THEY FURTHER ALLEGED A MILITARY WORKING DOG HANDLED BY A PO1 [REDACTED] (NFI) WAS UTILIZED AS A METHOD OF OBTAINING INFORMATION AND SUBSEQUENTLY BITE A FLEXI CUFFED DETAINEE. SGT [REDACTED] ND SPC [REDACTED] ALSO STATED THEY WITNESSED AN UNIDENTIFIED US ARMY CAPTAIN STRIKE A DETAINEE SEVERAL TIMES WHILE INSIDE THE PRISON AFTER A US SOLDIER HAD ALLEGEDLY BEEN SHOT BY ONE OF THE DETAINEES. IT IS CURRENTLY UNKNOWN IF THE THREE AFOREMENTIONED INCIDENTS ARE CONNECTED TO EACH OTHER OR IF SOLDIERS FROM THE 519TH WERE INVOLVED IN ALL THREE INCIDENTS. IF IT IS DETERMINED THEY ARE NOT INVOLVED IN ALL OF THE INCIDENTS, THE MATTER WILL BE FORWARDED TO THE APPROPRIATE CID OFFICE OF HQ USACIDC FOR THEIR ACTIONS DEEMED APPROPRIATE.

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.

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DATE 25 JUN 2004

FROM SAC USACIDC 87TH MP DET FT BRAGG NC

TO: DIR USACRC FT BELVOIR VA //CICR-ZA//  
CDR USACIDC 10TH MP BN FT BRAGG NC  
CG USACIDC FT BELVOIR VA //CIOP-ZA//  
CDR USACIDC 3D MP GRP FT GILLEM GA  
CID CRIMINAL INTELLIGENCE CENTER (MR [REDACTED] 7C1b6-4  
COMMANDER, 10TH MILITARY POLICE BN, FORT BRAGG, NC (LTC [REDACTED] 7C1b6-4  
DEPUTY GARRISON COMMANDER, FBNC (MR [REDACTED] 7C1b6-4  
COMMUNITY PROVOST MARSHAL, FORT BRAGG (LTC [REDACTED] 7C1b6  
PMO BLOTTER CLERK  
PMO OPERATIONS SGT (MSG [REDACTED] 7C1b6  
SJA, XVIII ABN CORPS (CHIEF)(LTC [REDACTED]  
CDR USACIDC CURRENT OPNS (SAPI CASES)  
CHIEF OF STAFF, 18TH AIRBORNE CORPS, (COL [REDACTED] 7C1b6-6  
SJA, XVIII ABN CORPS (SR TRIAL COUNSEL) (CPT [REDACTED]

SUBJECT: CID REPORT OF INVESTIGATION - INITIAL/SSI - 0473-2004-CID023-67329  
- 5C2B

DRAFTER: [REDACTED] 7C1b6-1

RELEASER: [REDACTED]

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 23 AUG 2003, 0001 - 30 NOV 2003, 2359; (CAMP VIGILANT) ABU GHRAIB  
PRISON, ABU GHRAIB, IRAQ

2. DATE/TIME REPORTED: 24 JUN 2004, 0900

3. INVESTIGATED BY:

SA [REDACTED] 7C1b6-1b2

4. SUBJECT:

1. UNKNOWN, ; DETAINEE ABUSE (NFI)

5. VICTIM:

1. UNKNOWN, ; DETAINEE ABUSE (NFI)

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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 INVESTIGATION WAS INITIATED UPON RECEIPT OF A REQUEST FOR INVESTIGATION (0272-04-CID002) FROM HQ USACIDC, FORT BELVOIR, VA THAT ON 9 JUN 04, DURING A REVIEW OF THE MG TAGUBA REPORT BY THE DETAINEE ASSESSMENT TASK FORCE, USACIDC, IT WAS DISCOVERED THERE WERE ADDITIONAL ALLEGATIONS OF DETAINEE ABUSE BY UNKNOWN MEMBERS OF THE 519TH MILITARY INTELLIGENCE BATTALION (MI BN), FT BRAGG, NC (FBNC). THE INCIDENTS ALLEGEDLY TOOK PLACE IN NOV 03, AFTER SEVERAL SOLDIERS FROM 519TH MI BN, FBNC, WERE INJURED/KILLED DURING A MORTAR ATTACK.

PRELIMINARY INVESTIGATION DISCLOSED SFC [REDACTED] AND SPC [REDACTED] ; SGT [REDACTED] ALL FROM THE 229TH MILITARY POLICE COMPANY, VIRGINIA BEACH, VA (FORMERLY WITH DUTY AT ABU GHRAIB PRISION, ABU GHRAIB, IRAQ), CLAIMED TO HAVE WITNESSED A DETAINEE ASSAULTED BY SEVERAL UNKNOWN MEMBERS OF THE 519TH MI BN, FBNC, AFTER A MORTAR ATTACK ON THE PRISON. THEY FURTHER ALLEGED A MILITARY WORKING DOG HANDLED BY A PO1 [REDACTED] NFI) WAS UTILIZED AS A METHOD OF OBTAINING INFORMATION AND SUBSEQUENTLY BITE A FLEXI CUFFED DETAINEE. SGT [REDACTED] ND SPC [REDACTED] ALSO STATED THEY WITNESSED AN UNIDENTIFIED US ARMY CAPTAIN STRIKE A DETAINEE SEVERAL TIMES WHILE INSIDE THE PRISON AFTER A US SOLDIER HAD ALLEGEDLY BEEN SHOT BY ONE OF THE DETAINEES. IT IS CURRENTLY UNKNOWN IF THE THREE AFOREMENTIONED INCIDENTS ARE CONNECTED TO EACH OTHER OR IF SOLDIERS FROM THE 519TH WERE INVOLVED IN ALL THREE INCIDENTS. IF IT IS DETERMINED THEY ARE NOT INVOLVED IN ALL OF THE INCIDENTS, THE MATTER WILL BE FORWARDED TO THE APPROPRIATE CID OFFICE OF HQ USACIDC FOR THEIR ACTIONS DEEMED APPROPRIATE.

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.



(CID Form 66)

67329

**CASE NUMBER:** 0473-2004-CID023

**CASE TYPE:** Significant Data File/ROI

INITIATION DATE/TIME: 6/24/2004 9:36:00 AM

PRIMARY AGENT:

SUBJECT/KEY ENTITY: UNKNOWN, ; DETAINEE ABUSE (NFI)

VICTIM: UNKNOWN, ; DETAINEE ABUSE (NFI)

**OFFENSE:** Detainee Abuse

REMARKS: RFI 0272-04-CID001 wherein it was alleged soldiers from the 519th MI BN, FBNC abused detainees while in Iraq.

[illegible]

# INVESTIGATIVE PLAN

PAGE 1 of 1 PAGES

SEQUENCE NUMBER

0473-04-00020 0732

DATE NOTED	PLANNED ACTIVITY	SUSPENSE DATE	DATE COMPLETED
	Receive P/W From DATF		
	Info/28235 From FT EUSTIS		
	" " From Ft Huachuca		255 JUN 04
	INT MSG [REDACTED] 7C1064		29 JUL 04
12 JUL 04	RFA TO [REDACTED] POIK, CARUSLE	12 JUL 04	
	BKS, Monterey BO		
12 JUL 04	INT SGT [REDACTED] 7C1064	5 AUG 04	
12 JUL 04	INT SGT [REDACTED] 7C1064		
12 JUL	RFA TO INTERVIEW LTC [REDACTED]		LEADS
12 JUL	INT SGT [REDACTED] 777		Remain
	7C1064		NIA
12 JUL	LEADS REMAINING. ID THE TWO		
	IT'S + INTERVIEW		NIA

## VICTIM/WITNESS FORMS (DD Form 2701) (Annotate on AAS)

Circle	Last Name	Date Issued	Circle	Last Name	Date Issued	Circle	Last Name	Date Issued
V W			V W			V W		
V W			V W			V W		
V W			V W			V W		

## MISCELLANEOUS ACTIVITY

Action	Completed	Action	Completed
Photograph /fingerprint subjects		NCIC entry on stolen prop	
Film submitted for processing		Negatives submitted for photos	

## CONTACTS / PHONE NUMBERS

Activity / Person	Phone Number
7C1064	215-353-[REDACTED]

## INVESTIGATIVE STANDARDS

INTERVIEW VICTIM/NEE WITNESS	24 hours
INITIAL REPORT/ASS	72-24 hours
EVIDENCE DEPOSITED	1 duty day
LAB REQUESTS	5 duty days
RFA'S SENT OUT	5 duty days
MEANINGFUL INV ACTIVITY	10 duty days
RFA FOLLOW UP	15 duty days
KNOWN SUBJ & UNFOUNDED FINALS	15 duty days
UNKNOWN SUBJ FINALS	

[illegible]

## AGENT'S ACTIVITY SUMMARY

Control Number 0473-2004-CID023

TIME, DATE, AND AGENT

## SUMMARY OF INVESTIGATIVE ACTIVITY

06/24/2004 09:00

0:15 INV

This investigation was initiated upon notification from CID COMMAND that on 9 Jun 04, during a review of the MG [REDACTED] report by the Detainee Assessment Task Force, USACIDC, it was discovered there were additional allegations of detainee abuse by members of the 519th MI Bn, Ft Bragg, NC. The incidents allegedly took place in Nov 03, after several soldiers from 519th MI Bn were injured/killed during a mortar attack.

06/24/2004 09:15

0:10 INV

Conducted DEIDS check for information on individuals in photographs sent in email from CID Command. Posted to casefile.

06/24/2004 09:36

0:01 INV

Case Initiation

06/24/2004 10:30

0:45 INV

Drafted RFA'S and sent same to Ft LEE and Ft EUSTIS to interview complainants.

Ft Eustis Case is 0156-04-CID222

06/24/2004 11:30

0:30 INV

Ft Lee Case is 0153-04-CID022

Coordinated with RTO, who conducted Post Locator check which disclosed 1SG [REDACTED] is the only individual mentioned in RFI that is at FBNC.

06/24/2004 13:00

0:30 OTH

At 1300, 24 Jun 04, SA [REDACTED] briefed CSM [REDACTED] 519th Military Intelligence Battalion (MI BN), Fort Bragg, NC (FBNC), who related 1SG [REDACTED] was assigned to A Co, 519th MI BN, FBNC. CSM [REDACTED] stated the names (LT [REDACTED] MAJ [REDACTED] MSG [REDACTED] SGT [REDACTED] SGT [REDACTED] and SGT [REDACTED] listed in

the Request For Information (RFI) seemed familiar but he was unsure. CSM [REDACTED] stated 519th MI BN was stationed in Tikrit, Iraq during the time frame of the suspected abuse, while A Co, MI BN was attached to Abu Gharib along with the 229th Military Police Company (MP CO), Virginia Beach VA. CSM [REDACTED] further stated CPT [REDACTED] is now stationed at FT Huachuca, AZ and that he would brief LTC [REDACTED] 519th MI Battalion Commander on the status of the investigation.

06/24/2004 13:30

0:15 INV

At 1330, 24 Jun 04, SA [REDACTED] coordinated with 1SG [REDACTED] who related he had just returned from Washington, DC where he testified before a sub committee overseen by MG [REDACTED] Army G2 office) and provided them all the information on the incident he witnessed. 1SG [REDACTED] stated all the individuals involved in the incident provided Sworn Statements which he assembled into a packet and gave to COL [REDACTED] (NFI), shortly after the incident occurred.

06/24/2004 14:00

0:15 OTH

Briefed SAC on status of interview and the investigation being conducted by the office of Army G2 (MG [REDACTED] SAC stated he was just notified by Ft LEE, SGT [REDACTED] had already been interviewed by Detainee Assessment Task Force, USACIDC, Ft Belvoir, VA.

06/24/2004 14:30

0:25 OTH

Drafted SSI Notification and sent same via email. Posted to casefile.

06/24/2004 15:00

0:20 OTH

Drafted RFA and sent same to Ft Huachuca to interview CPT [REDACTED] Posted to casefile.

06/24/2004 16:30

Received Notification from Ft Eustis that they contacted SFC [REDACTED] who stated he was away on vacation and would be available for

AGENT'S ACTIVITY SUMMARY	Control Number 0473-2004-CID023
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY <i>7C/bb 4</i>

0:05 OTH

interview on 28 Jun 04. Negative contact with SPC [REDACTED] sted all emails to casefile.

06/24/2004 16:45 *7C/bb1*

Drafted RFA and sent to SAC, who forwarded to the Operations Officer, Detainee Assessment Task Force to obtain all the statements they have from SGT [REDACTED] or related to this RFI.

0:30 OTH

1800 24 JUN 04 *7C/bb1*

*7C/bb1* Received call from Ft Huachuca. CPT [REDACTED] WAS INTERVIEWED but had no relevant information. SA [REDACTED] STATED she would fax INFO, statements & 44 OF CPT [REDACTED] *7C/bb 4*

*7C/bb1* 1930 24 JUN 04

*7C/bb1* Drafted INI/SSI.

2315 24 JUN 04 *7C/bb1*

*7C/bb1* Received INFO Report from Ft. Huachuca. Posted to casefile. *7C/bb1*

*7C/bb1*

Rev. sent initial-copy to SA [REDACTED] read through all statements & ID each name in there. Send a lead to obtain a sworn statement from them ASAP. *7C/bb 4*

SAC Rev

25 JUN 04

Re interview 1st [REDACTED] & get a detail sworn statement from him.

*7C/bb 4* ID & interview soldier mentioned by 2SG [REDACTED] & get statement.

Keep up with Ft Enstis & the task force RFA's for status!

IS/when we get paperwork from the task force, scrub the statements for other names of subjects/witnesses.

*7C/bb1* Get with SA [REDACTED] & see who did case on the mortar attack & coordinate with them

AGENT'S ACTIVITY SUMMARY		Control Number 0473-2004-CID023-67329
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06/25/2004 14:50

Send Investigative Report for Approval

0:01 INV

06/25/2004 15:16

Approve Investigative Report

0:01 INV

06/28/2004 11:00

0:10 IA

Received numerous emails from Command & Ops in reference to casefile. Will do ROI. The three individuals have already been interviewed by the Detainee Assessment Task Force and MG office but Command/Op's has directed they be reinterviewed and Sworn Statements taken in regards to the mortar attack incident. The incident involving the CPT was staged and SA [redacted] stated it does not need to be investigated. Posted all emails to file.

Left message for 1SG [redacted] to contact this agent. 1SG [redacted] currently in training.

06/28/2004 11:00

0:05 OTH

06/28/2004 11:15

0:10 OTH

#### RESPONSE TO SAC REVIEW:

1. Will add each new name to IP and send appropriate lead as necessary.

2. Will reinterview 1SG [redacted] ASAP.

3. Will ID soldier after interview of 1SG.

4. Will do.

5. Will contact SA [redacted] in reference to mortar case and obtain copies of their paperwork.

Recorded data pertaining to [redacted]

06/28/2004 12:52

0:01 INV

06/28/2004 15:00

0:10 OTH

At 1500, 28 Jun 04, SA [redacted] conducted review of 0460-04-CID023, which is an RFA for 0006-04-CID149 to conduct interviews in reference to the alleged use of Military Working Dogs (MWD) as an interrogation tool at the Abu Ghraib Prison (AGP). PO1 [redacted] as interviewed and stated he never allowed nor did his MWD bite any detainees while at AGP. Posted copies of PO1 [redacted] statements and Case Agents Agents Investigative Report (AIR) to this case file.

NOTE: PO1 [redacted] is listed as a SSG on his Sworn Statement. Contacted by 1SG [redacted] Scheduled Appointment for 1130, 29 Jun 04.

06/28/2004 16:00

0:05 OTH

AGENT'S ACTIVITY SUMMARY		Control Number 0473-2004-CID023-67329
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06/29/2004 12:00

0:59 INV

At 1200, 29 Jun 04, SA [REDACTED] interviewed MSG [REDACTED] who provided a Sworn Statement wherein he related his knowledge of the incident and his actions upon learning of the incident. (See Sworn Statement for Details)

Agents Comment: MSG [REDACTED] claims the incident was investigated the AGP CID personnel, who found no wrong doing. Discussed with SAC, who concurred to hold off any further interviews until corroboration with AGP CID can be conducted to determine if they did an investigation.

Drafted CAT 1 Update Memo, sent via email and posted to casefile.

06/29/2004 14:30

0:15 OTH

6/29/04

SENT EMAIL TO SA [REDACTED] REQUESTING INFO.

6/30/04

SA [REDACTED] stated HE WAS UNAWARE OF ANY INVESTIGATION INTO THIS INCIDENT.



AGENT'S ACTIVITY SUMMARY		Control Number 0473-2004-CID023-67329
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07/12/2004 07:00 [REDACTED] *7C/bb-1*

0:05 OTH

Limited Investigative Activity:

2 - 5 July for Federal Holiday (4th of July)

6 - 9 July Attended Reid Interview and Interrogation course.

07/12/2004 11:00 [REDACTED] *7C/bb-1*

2:00 OTH

At 1100, 12 Jul 04, SA [REDACTED] *7C/bb-1* and sent Requests for Assistance to the Ft Leavenworth Resident Agency, Carlisle Barracks Resident Agency, Fort Polk Resident Agency and Monterey Branch Office to interview several individuals involved in the incident. (See RFA for Details)

Ft Polk case number is 0182-04-CID054.

Ft Leavenworth case number is 0068-04-CID055.

Carlisle Barracks case number is 0076-04-CID342.

Ft POLK Resident Agency acknowledged receipt of RFA, their case number is 0182-04-CID054.

07/12/2004 13:00 [REDACTED] *7C/bb-1*

0:05 OTH

07/12/2004 16:00 [REDACTED] *7C/bb-1*

0:15 OTH

At 1600, 12 Jul 04, SA [REDACTED] *7C/bb-1* contacted SA [REDACTED] *7C/bb-1* (Ft Lee), who related his office had closed the RFA as they misunderstood the need for obtaining a NEW Sworn Statement from SGT [REDACTED] *7C/bb-1*. He stated they would reinterview him as soon as possible. Their new case number is 0170-04-CID022. *7C/bb*

07/13/2004 08:30 [REDACTED] *7C/bb-1*

0:15 INV

At 0830, 13 Jul 04, SA [REDACTED] *7C/bb-1* reviewed case 0182-03-CID259-61203, which documented the deaths of the two MI soldiers at Abu Ghraib prison as a result of the mortar attack on 20 Sep 03. There were no subjects listed and the case disclosed no relevant information.

07/13/2004 09:58 [REDACTED] *7C/bb-1*

0:01 INV

Recorded data pertaining to [REDACTED]

07/13/2004 12:00 [REDACTED] *7C/bb-1*

0:10 INV

At 1200, 14 Jul 04, SA [REDACTED] *7C/bb-1* received 1st Information Report # 0068-04-CID055, which contained AIR of SA [REDACTED] *7C/bb-1* FT Leavenworth Resident Agency, FT Leavenworth, KS and Sworn Statement of CPT [REDACTED] *7C/bb-1* Battle Command Training Program, Operations Group B, 400 Kearney Avenue, FT Leavenworth, KS 66027. (SEE AIR and Sworn Statement for Details)

07/13/2004 12:01 [REDACTED] *7C/bb-1*

0:10 INV

At 1201, 14 Jul 04, SA [REDACTED] *7C/bb-1* received 1st Information Report # 0182-04-CID054, which contained AIR of SA [REDACTED] *7C/bb-1* FT Polk Resident Agency, FT Polk, LA and Sworn Statement of SFC [REDACTED] *7C/bb-1* Joint Readiness Training Center (JRTC) Operations Group, FT Polk, LA 71459. (SEE AIR and Sworn Statement for Details)

07/13/2004 14:45 [REDACTED] *7C/bb-1*

0:15 INV

At 1445, 14 Jul 04, SA [REDACTED] *7C/bb-1* received 1st Information Report # 0082-04-CID036 which contained AIR of SA [REDACTED] *7C/bb-1* Monterey Branch Office, Presidio of Monterey, CA and Sworn Statement of SGT [REDACTED] *7C/bb-1* E Company, 229th Military Intelligence Battalion, Presidio of Monterey, CA 93944. (SEE AIR and Sworn Statement for Details)

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07/14/2004 16:00

0:05 OTH

07/15/2004 10:00

0:10 OTH

Sent email to DATF Operations Officer to determine status of CAT 1 RFA sent to their office on 24 Jun 04.

At 1000, 15 Jul 04, SA [REDACTED] coordinated with SA [REDACTED] ATF, who stated the USACIDC Staff Judge Advocate is coordinating with MG [REDACTED] office to obtain the paperwork obtained by them.

16 JUL 04 7CBB4

Requested Fax or EMAIL COPIES OF STATEMENTS FROM FT EUSIS, IN ORDER TO INTERVIEW SUSPECT (SGT [REDACTED] 7CBB4). FT EUSIS HAS COMPLETED RPT, WAITING ON HARD COPY OF PAPERWORK TO ARRIVE.

16 JUL 04

TO SAC FOR REVIEW. SGT [REDACTED] 7CBB4 IS ON LEAVE UNTIL 23 JUL 04. PER CONVERSATION W/ ISG, [REDACTED] 7CBB4.

AGENT'S ACTIVITY SUMMARY		Control Number 0473-2004-CID023-67329
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY	
07/19/2004 09:00 [REDACTED] 0:10 INV	At 0900, 19 Jul 04, SA [REDACTED] received 1st Information Report # 0170-04-CID022 which contained AIR of SA [REDACTED] Lee Resident Agency, Fort Lee, VA 23801 and Sworn Statement of SGT [REDACTED] (SEE AIR and Sworn Statement for Details) <span style="float: right;">7C, b6-1</span>	
07/21/2004 09:45 [REDACTED] 0:10 INV	At 0945, 21 Jul 04, SA [REDACTED] received 1st Information Report # 0076-04-CID342 which contained AIR of SA [REDACTED] Carlisle Barracks Resident Agency, Carlisle, PA and Sworn Statement of MAJ [REDACTED] 320th MP BN, 140 Stewart Road, Ashley, PA 18706. (SEE AIR and Sworn Statement for Details) <span style="float: right;">7C, b6-1</span>	
07/22/2004 09:45 [REDACTED] 0:15 INV	At 0945, 22 Jul 04, SA [REDACTED] received 1st Information Report # 0156-04-CID222 which contained AIR of SA [REDACTED], 12th MP DET (CID), Ft Eustis, VA and Sworn Statements of SFC [REDACTED] 1LT [REDACTED] II from 229th MP CO, Virginia Beach, VA. (SEE AIR and Sworn Statement for Details) <span style="float: right;">7C, b6-1</span>	
07/26/2004 16:45 [REDACTED] 0:10 INV	About 1645, 26 Jul 04, located LTC [REDACTED] Submitted pertinent information to SA [REDACTED] on DEIDS. <span style="float: right;">7C, b6-1</span>	
07/27/2004 10:15 [REDACTED] 0:10 INV	About 1015, 27 Jul 04, SA [REDACTED] attempted to coordinate with LTC [REDACTED] 320th Military Police Battalion (Reserve), PA by phoning his residence [REDACTED] but met with negative results. The DEIDS check provided LTC [REDACTED] email as [REDACTED] @us.army.mil. An email requesting him contact this office will be sent. <span style="float: right;">7C, b6-1</span>	
08/02/2004 11:30 [REDACTED] 0:15 INV	At 1130, 2 Aug 04, SA [REDACTED] coordinated with SA [REDACTED] who stated the information obtained by MG [REDACTED] office could not be released by order of the Secretary of Defense. SA [REDACTED] also stated he initially investigated this complaint while he was deployed to Iraq but could not substantiate the allegation and referred it back to the Chain of Command for appropriate action. <span style="float: right;">7C, b6-1</span>	

AGENT'S ACTIVITY SUMMARY		Control Number 0473-2004-CID023-67329
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY	
08/05/2004 13:50 0:45 INV	<p>At 1350, 5 Aug 04, SA [redacted] advised SGT [redacted] his legal rights which he waived and made a statement wherein he said he did not abuse the detainee; however he did pick him up from behind underneath the arms, escorted him to the vehicle and placed him in the back of it. SGT [redacted] elated upon the arrival of the MI team at the location of the detainees, they went into their "Shock of Capture" routine, where they began yelling and screaming at the detainee to capitalize upon his being afraid. SGT [redacted] emphasized he never struck or physically harmed the detainee and believed the MP'S did not like the way SGT [redacted] addressed MAJ [redacted], so they reported the incident. (See MFR)</p> <p>At 1600, 5 Aug 04, SA [redacted] briefed MAJ [redacted], Chief of Criminal Law Division, Office of the Staff Judge Advocate. FBNC, who opined there was no probable cause to believe SGT [redacted] committed the offense of Detainee Abuse/Assault.</p>	

6 Aug 04 [redacted] Drafted STATUS TO SAC.

[redacted] Rev.  
SAC Rev  
6 Aug 04  
Cancel any outstanding RFA's.  
Get final done ASAP.

why did we miss the SAC's  
suspense for review? please get  
final done ASAP!!!

Put case file in one of those big red  
folders.

- 2 Aug 04 [redacted]
- ① NO OUTSTANDING RFA'S.
  - ② NO RFA.
  - ③ TURN IN ON THE 10<sup>th</sup> FOR SAC REVIEW, BUT  
TOOK OUT TO COMPLETE INVESTIGATION.
  - ④ DISCUSSED W/ SAC, NO NEED FOR RED FOLDER.
- Drafted FINC. TO SAC.