

**UNCLASSIFIED FOR OFFICIAL USE ONLY
USMC ALLEGED DETAINEE ABUSE CASES SINCE 11 SEP 01**

Total as of 5 Aug 04: 10 Substantiated incidents; 13 (plus unknown #) Unsubstantiated incidents

1. **Substantiated:** 10 incidents - All 1stMARDIV - 8 OIF I, 2 OIF II.
24 suspects: 11 Court-martial convictions - 1 General Court-martial, 7 Special Courts-martial; 3 Summary Courts-martial
2 Non-judicial Punishments (1 followed by Board of Inquiry & pending discharge)
1 page 11 (official counseling)
6 - charges withdrawn or dismissed
4 cases pending:
3 pending General Courts-martial
1 pending Art 32 investigation
2. **Unsubstantiated:** 13 incidents (plus unknown #); 25 known suspects & unknown # other suspects (2 NJPs for false official stmts alleging abuse).
3. **Other:**
1 detainee death investigated with no allegation of abuse.
4 investigations pending.

For DODIG Report (Ongoing/Closed): Preliminary Inquiries 0/5, Criminal Investigations 3/8 (10 are NCIS-DODIG counts under Navy; 1 open is joint Army CID & NCIS), Non-criminal Investigations 2/7, Inspections/Reviews 0/0, Total 25 Investigations 5/20 (2/12 without NCIS/Army CID)

Unit	Date of Incident	Date Reported	Suspect, Location & Allegation	Type of Investigation	Disposition & Date	Stat
[1] 3 rd BN, 7 th MAR, 1st MarDiv, I MEF 1 SUBSTANTIATED INCIDENT; 3 SUSPECTS	15 May 03	Original rpt 20 May 03. [redacted] also rptd it to CNN 11 May 04 & to WCQS rprtr 23 Mar 04. [redacted] was 3/7 SSgt separated 31 Dec 03 on combat related physical disability)	SUSPECTS: (1) [redacted] (2) [redacted] (3) [redacted] LOCATION: Karbalā, Iraq (Logistics Base West of Karbala) ALLEGATION: [redacted] mistreated a bound detainee [redacted] by holding a 9mm pistol to the back of the detainee's head while another Marine took a picture. [redacted] also admitted to pouring a glass of water on the detainee's head. [redacted] took a photograph of the detainee while an American flag was draped over the detainee's body. [redacted] failed to properly guard the detainee in the execution of his duties during these occurrences of maltreatment.	Command (JAGMAN)	(1) SPCM 7 Jan 04 Guilty of dereliction, maltreatment, assault SENTENCE Conf 90 days, forf \$500 x 3 mos, red E-1 (2) SCM 2 Jan 04 Guilty of Art 92 SENTENCE Conf 30 days, forf 2/3 pay x 1 mo, red E-1 (3) SCM 15 Jan 04 FINDINGS Guilty of dereliction, maltreatment SENTENCE Conf 20 days, forf 2/3 pay x 1 mo, red E-1	c. bb

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<p>[5] 3rd BN, 23rd MAR, 1st MarDiv, 1 MEF (SNO is Reservist, Parent command is 4thMARDIV, MARFORRES)</p> <p>2 SUBSTANTIATED INCIDENTS; 1 SUSPECT</p>	<p>(1) 23 Jun 03 (2) 29 Jun 03</p>	<p>Jun/Jul 03</p>	<p>SUSPECT: [REDACTED] LOCATION: Al Kut, Iraq ALLEGATIONS: (1) 23Jun03- SNO, as Combined Anti-Armor (CAAT) Plt Cdr, detained 4 Iraqi males for looting brass from the Ammunition Supply Pt. After the 4th time of detaining them the same day, SNO had them searched, stripped of clothing except shoes & underwear, & released. SNO failed to account for their personal property & currency. (2) 29Jun03-SNO's Plt fired in self-defense at a semi-truck attempting to run a checkpoint 28Jun03. The 2 occupants were injured & transported to the hospital for treatment of minor injuries. 29Jun03, the Iraqis returned to recover their personal effects, but SNO denied them access & ordered his Marines to burn their property. SUSPECT: [REDACTED] LOCATION: Al Mumudiyah, Iraq (LSA Dogwood) ALLEGATION: Mistreated detainee [REDACTED] causing 2nd degree burns/blisters to back of detainee's hands. Detainee requested to use hand sanitizer following a head call. As the detainee squatted down, a Marine guard squirted alcohol-based sanitizer into detainee's hands; excess cleaner formed puddle on floor. As the Marine guard turned to dispose of the empty bottle, [REDACTED] lit a match & threw it onto the puddle of hand sanitizer. The liquid ignited, & flames burned the detainee's hands, causing large blisters.</p>	<p>WFA</p> <p>Command (JAGMAN)</p>	<p>CG's NJP 1 Aug 03 Guilty of Conduct unbecoming, Failing to rpt & turn over captured property SENTENCE: Forf \$2,034 x 1 mo, ltr of censure. MFR BOI 6Apr04 substantiated misconduct & recommended separation w/ Hon discharge.</p>	<p>Close Separation pending DC M&K rec & SECN V fina action</p>
<p>[6] 4thLARBN, 1st MarDiv, 1 MEF</p> <p>1 SUBSTANTIATED INCIDENT; 1 SUSPECT</p>	<p>3 Aug 03</p>	<p>3 Aug 03</p>	<p>SUSPECTS: (1) [REDACTED] shocked victim. (2) [REDACTED] helped [REDACTED] operate transformer. (3) [REDACTED] escort for victim while he was shocked. (4) [REDACTED] HET NCO, present during incident (5) [REDACTED] discussed shocking detainees before LOCATION: Al Mahmudiyah, Iraq (2/2 holding area) ALLEGATION: [REDACTED] reported he witnessed [REDACTED] & [REDACTED] shock an Iraqi detainee with an electric transformer; that [REDACTED] held the wires against the shoulder area of the detainee & that the detainee "danced" as he was shocked. The detainee-victim was released on 14 April & cannot be located.</p>	<p>Command (JAGMAN)</p>	<p>SPCM 5 Apr 04 Guilty of Art 128, assault with means likely to produce death or grievous bodily harm. SENTENCE: Confinement 90 days, Red to E-2</p>	<p>Close</p>
<p>[7] 2nd Bn, 2d MAR 1st MarDiv, 1 MEF (2/2 is based at Camp Lejeune NC with 2d MARDIV)</p> <p>1 SUBSTANTIATED INCIDENT; 5 SUSPECTS</p>	<p>13 Apr 04</p>	<p>15 Apr 04</p>	<p>(1) GCM 14 May 04 Fallujah, Iraq. Guilty of assault, cruelty & maltreatment, dereliction, & conspiracy to assault detainee. SENTENCE: 1 yr conf; red E-1; total forf; BCD (2) SPCM 14 May 04 Fallujah, Iraq. Guilty of cruelty & maltreatment, dereliction, false official stmt, orders violation, &</p>	<p>Command (vice NCIS)</p>	<p>(1) GCM 14 May 04 Fallujah, Iraq. Guilty of assault, cruelty & maltreatment, dereliction, & conspiracy to assault detainee. SENTENCE: 1 yr conf; red E-1; total forf; BCD (2) SPCM 14 May 04 Fallujah, Iraq. Guilty of cruelty & maltreatment, dereliction, false official stmt, orders violation, &</p>	<p>(1)-(4) Close (5) Pending GCM. Art 39 23Aug 04. Request Individual Militia</p>

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				<p>conspiracy to commit assault. SENTENCE: 8 mos conf, red E-1, total forf, BCD.</p> <p>(3) SPCM 15 Jul 04 Fallujah, Iraq. Guilty of dereliction. SENTENCE: 60 das conf, red E-1, 30 das hard labor w/o conf, forf \$100 x 4 mos.</p> <p>(4) P.11 - official counseling entry (date TBD). SNM not in room, ordered Marines to stop when heard commotion, & reported it to others.</p> <p>(5) Pending GCM.</p>	<p>Couns fm CONT grante</p>
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UNSUBSTANTIATED

<p>[1] CTF-58 Suspects' ranks/units/svc/ names not provided by complainant 2 UNSUBSTANTIATED INCIDENTS; UNKNOWN # SUSPECTS</p>	<p>No dates were provided</p>	<p>4 Jan 02</p>	<p>SUSPECTS: Unknown LOCATION: Kandahar, Afghanistan ALLEGATIONS: (1) Excessive force by guards when detainees moved from transport aircraft to TF-58 Short Term Holding Facility (STHF) at Kandahar International Airport (2) Harsh physical treatment during interrogations - including interrogators hitting the head of a detainee on a table and squeezing testicles. Allegation made in Afghanistan to CTF-58, though unclear where interrogations occurred.</p>	<p>Preliminary Inquiry (Oral), which requested names of detainees/ suspects & dates but did not receive further information from complainant</p>	<p>Unsubstantiated Feb02 -Guards use only force necessary to control detainee & provide safety & security for detainee & guard force. No medical treatment required/requested. -Physical abuse during any detainee's interrogation did not occur at TF 58 STHF.</p>	<p>Closer</p>
<p>[2] Task Force Tarawa, I MEF 1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT</p>	<p>29 Mar 03</p>	<p>30 Mar 03</p>	<p>SUSPECT: Marine Guard LOCATION: Detainee Collection Point An Nasiriyah, Iraq ALLEGATION: Detainee (Hamdan Shihbey ISN 0408400C) was shot & killed by a Marine guard. Investigation determined that the detainee attacked the Marine guard and the guard acted in self-defense when he shot the detainee that was lunging for the guard's service rifle.</p>	<p>NCIS (initially Preliminary Inquiry by Command per TF Tarawa SJA) (Counting as NCIS for DODIG Report)</p>	<p>Unsubstantiated 31 Mar 03</p>	<p>Closer</p>
<p>[3] 2nd BN, 23rd MAR, 1st MarDiv I MEF 1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT; NJP FOR FALSE OFFICIAL STMT</p>	<p>8 Apr 03</p>	<p>Jan 04 (open source - news article)</p>	<p>SUSPECT: [REDACTED] USMCR LOCATION: Baghdad, Iraq ALLEGATION: [REDACTED] told Las Vegas Newspaper that he personally executed 2 Iraqis that were out of combat.</p>	<p>NCIS</p>	<p>Unsubstantiated for abuse/homicide Substantiated for False Official Stmt, NJP 28 Apr 04 Guilty of False Official Statement -- false allegation SENTENCE Forf I mo pay. SNM to retire.</p>	<p>Closer</p>

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	9-12-Apr 03	2 Dec 03 CONGRINT	SUSPECT: "U.S. Marines" LOCATION: Baghdad/Umm Qasar, Iraq ALLEGATION: [redacted] alleged U.S. Marines "stole my belongings... and started torturing me" in Baghdad, Iraq. On 30 Apr 04, [redacted] filed a claim against the U.S. Army claiming abuse while at Camp Bucca, Umm Qasar, Iraq, an Army detention facility where he was transferred after being under Marine control for 3-4 days in Baghdad.	Command	Unsubstantiated Apr 04	Closer /
[4] 3dBN 4 th MAR 1stMarDiv I MEF <i>1 UNSUBSTANTIATED INCIDENT; UNKNOWN # SUSPECTS</i>	Apr 03	13 Jun 03	SUSPECT: Cpl USMC. LOCATION: Iraq. ALLEGATION: Suspect told several unit inbrs that he was ordered by his former [redacted] to execute 3 Iraqi EPWs during combat ops near abandoned Iraqi pharmaceutical factory south of Baghdad; that [redacted] threatened to kill him if he did not carry out the executions; & that he killed 3 Iraqi EPWs & disposed of bodies in 8-ft deep hole.	NCIS	Unsubstantiated. Suspect said he was intoxicated & fabricated entire story. He passed polygraph.	Clo. <i>be</i>
[5] Combat Services Support Co 1 st FSSG I MEF <i>1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT</i>	N/A False allegation	9 Jul 03	SUSPECT: LCpl USMC LOCATION: Iraq. ALLEGATION: Suspect was being treated at the Naval Medical Center San Diego, when he was overheard bragging about stabbing dead & wounded Iraqi EPWs.	NCIS Preliminary Inquiry & Command Preliminary Inquiry (Counting as NCIS for DODIG Report)	Unsubstantiated. Suspect also told medical staff he was meritoriously promoted to Sgt, wounded in Iraq, awarded Purple Heart, honored by hometown ceremony, treated to dinner by Congressman, & assaulted 1 night in San Diego. In fact, suspect was assigned to chaplain's vehicle in Iraq, & there is no record of hometown ceremony or promotion.	Closed. Due to totality of fictitious stories b suspect, full field investigation deemed unwarranted.
[6] 2dBN 5 th MAR 1stMarDiv I MEF <i>1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT</i>						

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<p>[7] 1st BN 4th MAR 1stMarDiv I MEF 1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT; NJP FOR FALSE OFFICIAL STATEMENT</p>	<p>15 Apr 03</p>	<p>15 Apr 03</p>	<p>SUSPECT: ██████████ LOCATION: Iraq ALLEGATION: SNM was medevaced with a broken hand. He told the BN surgeon that he broke it "punching an EPW in the face" & told another officer he broke it punching an EPW "in the back of the head." In CONUS, he recanted, stating he punched the ground.</p>	<p>Preliminary Inquiry (JAGMAN)</p>	<p>Unsubstantiated for detainee abuse. Substantiated for False Official Statement (false allegation) & infliction of self-injury. NJP 11 Aug 03. Forf \$692 x 2 mos, Red E-3 (susp).</p>	<p>Closer</p>
<p>[8] Combined Anti-Armor Tm (CAAT), Wpns Co, 1st BN 1stMARDIV 1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT</p>	<p>N/A False Allegation</p>	<p>Oct 03</p>	<p>SUSPECT: ██████████ Navy Corpsman detailed from Naval Hospital, Oak Harbor, Washington, in support of 1stMARDIV in OIF from 21 Feb 03 to 13 Sep 03. LOCATION: Iraq. ALLEGATION: That suspect claimed to have "roughed up some EPW's while in Iraq."</p>	<p>NCIS NAS Whidbey Island WA</p>	<p>Unsubstantiated. Suspect said he never abused or assaulted EPW's, though admitted pushing one EPW's face in the dirt & tripping other difficult EPW's to put them on the ground while assisting USMC members conducting "pat down" searches.</p>	<p>Closed. Case has no prosecutive or disciplinary merit per Trial Svcs Office-West N/Whidbey Island.</p>
<p>[9] 1st Intel BN, 1st MarDiv, I MEF 1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT</p>	<p>12 Apr 04</p>	<p>15 Apr 04 Serious Incident Report, I MEF FWD 15 Apr 04</p>	<p>SUSPECT: ██████████ Counterintelligence Specialist LOCATION: Division Interrogation Facility, Camp Fallujah, Iraq ALLEGATION: That detainee was kicked & struck during screening.</p>	<p>Preliminary Inquiry</p>	<p>Unsubstantiated. Inquiry found evidence limited & conflicting. SIR indicated immediate medical exam of detainee found no associated injury.</p>	<p>Closer</p>
<p>[10] Moved from "Other" category 2nd Bn, 2d MAR 1stMarDiv I MEF (2/2 based at Camp Lejeune NC with 2d MarDiv) UNKNOWN #</p>	<p>15-26 Apr 04</p>	<p>25 May 04</p>	<p>SUSPECT(S): Unknown LOCATION: IVO Al Mahmudiyah, Iraq ALLEGATIONS: 2 detainees, Sermed ██████████ & ██████████ alleged that while in custody of Marines or Task Force 626 they were struck w/a rifle on the hands, wrists & backs of legs & that ██████████ was sodomized w/a rifle muzzle. FACTS: On 15 Apr 04, G Co 2/2 detained them & a 3rd man, ██████████ at a vehicle ckpt w/ wpns, comm equipment & \$500K in vehicle. They identified themselves as mbrs of Supreme Council for Islamic Revolution in Iraq (SCIRI). On 16</p>	<p>Command Preliminary Inquiry Approved by CG 1stMarDiv 3 Jun 04</p>	<p>Unsubstantiated. No evidence that abuse occurred in Marine custody. No signs of abuse during inprocessing at DIF which included medical assessment, nor when Dr. examined detainees prior to transfer to TF</p>	<p>Closer</p>

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<p>UNSUBSTANTIATED INCIDENTS, UNKNOWN # SUSPECTS</p>			<p>Apr 04 they were transferred by convoy to 2/2's FOB & holding facility. On 18 Apr 04 they were transferred to the Division Interrogation Facility (DIF). On 26 Apr 04 they were transferred to TF 626, thus terminating Marine custody. TF 626 is a SpecOps theatre level asset. TF 626 transferred them at some point to an unknown US govt agency, where allegations were made.</p>		<p>626. Inquiry included interview of personnel who had contact with detainees, & review of wpns handling & custody SOP.</p>	
<p>[11] 22nd MEU 1 UNSUBSTANTIATED INCIDENT; 18 SUSPECTS</p>	<p>25 Jun 04</p>	<p>26 Jun 04</p>	<p>SUSPECT(S): 8 Marines from MEU Service Support Group & 10 Marines from C Co, 1/6. LOCATION: Forward Operating Base (FOB) Ripley, Afghanistan ALLEGATION: Mistreatment of 6 Afghani nationals while being held at the temporary detention facility at FOB Ripley by: a. Forced to repeat stand up & sit down. b. Move small rocks from 1 pile to another. c. Stand with extended arms for long periods. d. Kneel in place for long periods. e. Kneel with feet propped up on 2x4. f. Kneel while holding large rock overhead. g. Kneel on small pebble. h. Lay with chest across wooden board.</p>	<p>NCIS (initially command investigation; counting as NCIS for DODIG Rpt)</p>	<p>Unsubstantiated 6 Jul 04. No evidence or injury to substantiate abuse. (a)-(d) are control measures for sleep deprivation & punishment for breaking camp rules, last 2-20 min only (1 detainee tried to grab guard's pistol). Little to no evidence of (e)-(h). Investigation found actions appropriate, within SOP, guidance & training.</p>	<p>Closer</p>
<p>[12] 2d BN 2d MAR 1stMarDiv I MEF (2/2 based Camp Lejeune NC w/ 2dMarDiv) 1 UNSUBSTANTIATED INCIDENT; UNKNOWN # SUSPECTS</p>	<p>18 Jul 04</p>	<p>1 Aug 04</p>	<p>SUSPECTS: Raiding Team, 2/2 LOCATION: Mahmudiyah, Iraq ALLEGATION: Team searched home of Iraqi Police Force [redacted] suspected as an AIF sympathizer who possessed a weapon to be used against Iraqi & MNF units. Weapon was found, & [redacted] was detained in accordance with SOP with flex cuffs, afforded due deference to rank, taken to Camp Mahmudiyah for questioning, & released 5 hours later. [redacted] later alleged he was kicked while enroute to 2/2's FOB, & verbally abused by disparaging remarks about himself & the Iraqi Police Force during his detention.</p>	<p>Command Preliminary Inquiry 1 Aug 04 Approved by CG 1stMarDiv</p>	<p>Unsubstantiated. No evidence or injury to substantiate allegation. Witnesses included BNCO & OpsO on raid, XO & HET OIC during questioning, whom IO found credible.</p>	<p>Closer</p>

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OTHER						
[1]	[REDACTED] INVESTIGATION PENDING	[REDACTED]	13 Jun 04	<p>SUSPECT: LOCATION: ALLEGATION:</p> <p>[REDACTED]</p>	<p>NCIS</p> <p>[REDACTED]</p>	Investigation pendin.
[2]	[REDACTED] INVESTIGATION PENDING	[REDACTED]	10 Jun 04	<p>SUSPECT: LOCATION: ALLEGATION:</p> <p>[REDACTED]</p>	<p>NCIS as of 17 Jun 04 (initially a Command Preliminary Inquiry; counting as NCIS for DODIG Rpt)</p>	Investigation pendin
[3]	3 rd Bn, 7th MAR 1st MarDiv, I MEF NON-INCIDENT	19 Apr 04	19 Apr 04	<p>SUSPECT: N/A LOCATION: Husaybah, Iraq (3/7 holding area) On 19 Apr 04, a detainee (suspected Muj martyr) captured during heavy combat operations died of unknown causes 36 hours after he was apprehended. The detainee is suspected to have died from head injuries suffered during one of over 20 escape attempts, including one in which he escaped from his restraints and threw himself through a window, landing on his head. Subsequent examination by a medical officer (MO) had him conscious, with good pupils, and responsive. However, a few hours later he took a turn for the worse and died with a Corpsman present. The examining MO surmised that the detainee died from internal cranial bleeding from the fall that was slow to kill him. The entire period of the detainee's captivity occurred during an intense combat engagement. Since the fall out the window did not appear to have caused any injury, the detainee was not evacuated due to military necessity.</p>	<p>Command/ Reportable Incident Assessment Team (RIAT)</p>	N/A -- No allegation of abuse
						Closer

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<p>[4]  INVESTIGATION PENDING</p>	<p></p>	<p>21 Jun 04</p>	<p>SUSPECT(S):  LOCATION:  ALLEGATION: </p>	<p>Joint Army CID & NCIS (Army CID initiated)</p>	<p>Investigation pending</p>	<p>Investigation pending</p>
<p>[5] RCT 1, 1st MARDIV I MEF INVESTIGATION PENDING</p>	<p>Jul 04</p>	<p>7 Jul 04</p>	<p>SUSPECT(S): Unknown. LOCATION: Fallujah, Iraq ALLEGATION: Detainee states he was forced to lie face down in the dirt, kneel next to a mud pile, and was pushed into the mud pile.</p>	<p>Command</p>	<p>Investigation pending</p>	<p>Investigation pending</p>