

**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

609532 11:54 20080430 IN:SSDEMAIL #5385 OUT:CODE0224C #6461

REPORT OF INVESTIGATION (INTERIM)

29APR08

DEATH (II)

CONTROL: 20FEB08-24IZ-0029-7HMA

V/JABAR, WALID TAWFIQ/CIV  
 M/W/FNIQ/N//31DEC87/IRAQ  
 SUPP: DETAINEE NUMBER (b)(2)

COMMAND/3D MAW (FWD), CAMP AL ASAD, IRAQ/01079

MADE AT/24IZ/CAMP AL ASAD, (b)(6), (b)(7)(C) SPECIAL AGENT

## REFERENCES

- (A) NCISRA Iraq Camp Al Asad ROI (INTERIM)/12MAR08 (Contains Exhibits 1 - 23)  
 (B) NCISRA Iraq Camp Al Asad ROI (INTERIM)/31MAR08

## EXECUTIVE SUMMARY

1. On 19FEB08, this reactive investigation was initiated to determine the events surrounding the death of Walid Tawfiq JABAR (V/JABAR), an Iraqi National who was a detainee held at the Regional Detention Facility (RDF), Camp Al Asad, Iraq. No criminal statutes apply at this time. On 19FEB08 at approximately 1645 hours, V/JABAR passed out during an interrogation and was subsequently transported to the 325th Combat Support Hospital (CSH), Camp Al Asad, Iraq for emergency treatment. V/JABAR was stabilized and transferred to the Intensive Care Unit (ICU) for treatment. In the early morning hours of 20FEB08, while in the ICU, V/JABAR died. The initial opinion from medical personnel at the 325th CSH was that V/JABAR died as a result of complications due to his self imposed starvation regimen. V/JABAR was pronounced dead on 20FEB08, at approximately 0651 by (b)(6), (b)(7)(C) United States Army (USA). Inquires at the RDF revealed that V/JABAR had not been eating or drinking in sufficient amounts at the time of his death due to his own self imposed starvation regimen. Scene examinations, as well as, numerous witness interviews were conducted. The autopsy of V/JABAR, conducted at the Dover Air Force Base, Dover, Delaware, did not reveal any apparent soft tissue injuries, and they were unable to determine a possible cause of death and manner of death absent the toxicology results. This investigation is pending the receipt of the final autopsy and toxicology report.

## NARRATIVE

1. This reactive investigation was initiated to determine the events surrounding the death of V/JABAR. No criminal statutes apply at this time.
2. References (A) and (B) detail investigative efforts to date.
3. This investigation remains pending the receipt of the final autopsy and toxicology report, as well as the receipt of the death certificate. Upon receipt, this investigation will be presented to the Contingency Response Field Office (CRFO) Death Review Panel (DRP) for review and closure authority.

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# U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

20FEB08-24IZ-0029-7HMA

29APR08

SUBJ: V/JABAR, WALID TAWFIQ/CIV

## PARTICIPANT(S)

(b)(6), (b)(7)(C) , Special Agent, NCISRA Iraq, Camp Al Asad  
 Special Agent, NCISRA Iraq, Camp Al Asad  
 Special Agent, NCISRA Iraq, Camp Al Asad  
 , Special Agent, NCISFO Washington, DC

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NCISHQ: 0023B

INFO: 024C/24IZ/SJA, 3DMAW (FWD), CAMP AL ASAD, IRAQ (H)

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 (b)(7)  
 (C)

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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

581595 06:06 20080402 IN:SSDEMAIL #64043 OUT:CODE0224C #6247

REPORT OF INVESTIGATION (INTERIM)

31MAR08

DEATH (II)

CONTROL: 20FEB08-24IZ-0029-7HMA

V/JABAR, WALID TAWFIQ/CIV  
 M/W/FNIQ/N//31DEC87/IRAQ  
 SUPP: DETAINEE NUMBER (b)(2)

COMMAND/3D MAW (FWD), CAMP AL ASAD, IRAQ/01079

MADE AT/24IZ/CAMP AL ASAD (b)(6), (b)(7)(C) SPECIAL AGENT

## REFERENCE(S)

NCISRA Iraq Camp Al Asad ROI/12MAR08...(Contains Exhibits 1 - 23)

## EXECUTIVE SUMMARY

1. On 19FEB08, this reactive investigation was initiated to determine the events surrounding the death of Walid Tawfiq JABAR (V/JABAR), an Iraqi National who was a detainee held at the Regional Detention Facility (RDF), Camp Al Asad, Iraq. On 19FEB08 at approximately 1645 hours, V/JABAR passed out during an interrogation and was subsequently transported to the 325th Combat Support Hospital (CSH), Camp Al Asad, Al Asad, Iraq for emergency treatment. V/JABAR was stabilized and transferred to the Intensive Care Unit (ICU) for treatment. In the early morning hours on 20FEB08, while in the ICU, V/JABAR died. The initial opinion from medical personnel at the 325th CSH was that V/JABAR died as a result of complications due to his self imposed starvation regimen. V/JABAR was pronounced dead on 20FEB08 at approximately 0651 by (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) United States Army (USA). Inquires at the RDF revealed that V/JABAR had not been eating or drinking in sufficient amounts at the time of his death due to his own self imposed starvation regimen. Scene examinations, as well as, numerous witness interviews were conducted. The autopsy of V/JABAR, conducted at the Dover Air Force Base, Dover, Delaware, did not reveal any apparent soft tissue injuries, and they were unable to determine a possible cause of death and manner of death absent the toxicology results. This investigation is pending the receipt of the final autopsy report and toxicology report. Due to Reporting Agent's redeployment, this case is being reassigned to SA (b)(6), (b)(7)(C)

## NARRATIVE

1. This reactive investigation was initiated to determine the events surrounding the death of V/JABAR. No criminal statutes apply at this time.

2. Reference (A) details investigative efforts to date.

3. Due to Reporting Agent's redeployment, this case is being reassigned to SA (b)(6), (b)(7)(C)

## PARTICIPANT(S)

(b)(6), (b)(7)(C) Special Agent, NCISRA Iraq, Camp Al Asad

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**U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE**

20FEB08-24IZ-0029-7HMA

31MAR08

SUBJ: V/JABAR, WALID TAWFIQ/CIV

(b)(6), (b)(7)(C)

Special Agent, NCISRA Iraq, Camp Al Asad  
Special Agent, NCISRA Iraq, Camp Al Asad

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Force MP, Camp Al Asad Iraq (H).

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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

562585 13:19 20080312 IN:SSDEMAIL #59531 OUT:CODE0224C #6037

REPORT OF INVESTIGATION (INTERIM)

12MAR08

DEATH (II)

CONTROL: 20FEB08-24IZ-0029-7HMA

V/JABAR, WALID TAWFIQ/CIV

M/W/FNIQ/N//31DEC87/IRAQ

SUPP: DETAINEE NUMBER (b)(2)

COMMAND/3D MAW (FWD), CAMP AL ASAD, IRAQ/01079

MADE AT/24IZ/CAMP AL ASAD (b)(6), (b)(7)(C) SPECIAL AGENT

## EXHIBIT(S)

- (1) IA: Results of Interview of [REDACTED] USMC/05MAR08... (Copy All)
- (2) IA: Results of Interview of [REDACTED] USMC/23FEB08... (Copy All)
- (3) IA: Results of Interview of [REDACTED] (b)(6), (b)(7)(C) , USMC/23FEB08... (Copy All)
- (4) IA: Results of Interview of [REDACTED] USMC/28FEB08... (Copy All)
- (5) IA: Results of Interview of [REDACTED] USMC/28FEB08... (Copy All)
- (6) Stmt of (b)(6), (b)(7)(C) USN/04MAR08... (Orig 24IZ/Copy All)
- (7) IA: Receipt of RDF Records/23FEB08... (Copy All)
- (8) Stmt of (b)(6), (b)(7)(C) USN/23FEB08... (Orig 24IZ/Copy All)
- (9) IA: Results of Interview of (b)(6), (b)(7)(C) USMC/01MAR08... (Copy All)
- (10) Stmt of [REDACTED] USN/24FEB08... (Orig 24IZ/Copy All)
- (11) Stmt of [REDACTED] 24FEB08... (Orig 24IZ/Copy All)
- (12) Stmt of (b)(6), (b)(7)(C) USN/23FEB08... (Orig 24/Copy All)
- (13) Stmt of [REDACTED] USN/24FEB08... (Orig 24IZ/Copy All)
- (14) Stmt of [REDACTED] 23FEB08... (Orig 24IZ/Copy All)
- (15) IA: Receipt of Ambulance Run Sheet/23FEB08... (Copy All)
- (16) Stmt of (b)(6), (b)(7)(C) 23FEB08... (Orig 24IZ/Copy All)
- (17) IA: Receipt of Medical Records/23FEB08... (Copy All)
- (18) IA: Examination of Interrogation Room Regarding V/JABAR/01MAR08... (Copy All)
- (19) IA: Seizure of Video (Compact Disc) of Interrogation of V/JABAR at Camp Al Asad Regional Detention Facility/23FEB08... (Copy All)
- (20) IA: Photographic coverage of V/JABAR's body at Mortuary Affairs/05MAR08... (Copy All)
- (21) IA: Receipt of PRP Records/23FEB08... (Copy All)
- (22) IA: Receipt of PMO Records/23FEB08... (Copy All)
- (23) IA: Results of Autopsy/29FEB08... (Copy All)

## EXECUTIVE SUMMARY

1. On 19FEB08, an investigation was initiated to determine the events surrounding the death of Walid Tawfiq JABAR (V/JABAR), an Iraqi National who was a detainee held at the Regional Detention Facility (RDF), Camp Al Asad, Iraq. On 19FEB08 at approximately 1645 hours, V/JABAR passed out during an interrogation and was subsequently transported to the 325th Combat Support Hospital (CSH), Camp Al Asad, Al Asad, Iraq for emergency treatment. V/JABAR was stabilized and transferred to the Intensive Care Unit (ICU) for treatment. In the early morning hours on 20FEB08, while in the ICU, V/JABAR died. The initial opinion from medical personnel at the 325th CSH was that V/JABAR died as a result of complications due to his self imposed starvation regimen. V/JABAR was pronounced dead on

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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

20FEB08-24IZ-0029-7HMA

12MAR08

SUBJ: V/JABAR, WALID TAWFIQ/CIV

20FEB08 at approximately 0651 by (b)(6), (b)(7)(C) United States Army (USA). Inquires at the RDF revealed that V/JABAR had not been eating or drinking in sufficient amounts at the time of his death due to his own self imposed starvation regimen. Scene examinations, as well as, numerous witness interviews were conducted. The autopsy of V/JABAR, conducted at the Dover Air Force Base, Dover, Delaware, did not reveal any apparent soft tissue injuries, and they were unable to determine a possible cause of death and manner of death absent the toxicology results. This investigation is pending the receipt of the final autopsy report and toxicology report.

## NARRATIVE

1. This reactive investigation was initiated to determine the events surrounding the death of V/JABAR. No criminal statutes apply at this time.
2. On 23FEB08, (b)(6), (b)(7)(C) USMC, was interviewed in reference to his knowledge of V/JABAR, exhibit (1) pertains. (b)(6), (b)(7)(C) indicated that for several days prior to V/JABAR's death on 19FEB08, he would not eat, would not shower, and would "fake" falling down. (b)(6), (b)(7)(C) related he knew V/JABAR was faking due to him falling in such a manner as to shield himself, as well as dramatically tossing objects while falling. (b)(6), (b)(7)(C) stated that on 19FEB08, V/JABAR was brought to medical and examined in preparation for his interrogation. After the exam, V/JABAR walked under his own power to the interrogation room. Shortly after his arrival to the interrogation room, medical was called to respond to V/JABAR due to him apparently passing out.
3. On 23FEB08, (b)(6), (b)(7)(C) USMC was interviewed in reference to his knowledge of V/JABAR, exhibit (2) pertains. (b)(6), (b)(7)(C) related he knew V/JABAR due to his history of not eating, drinking, and faking illnesses. (b)(6), (b)(7)(C) indicated he knew V/JABAR was faking illness due to him "catching" himself when he would fall. According to (b)(6), (b)(7)(C) every time V/JABAR would pretend to be sick, or fall, he would be evaluated by medical personnel and would always be deemed okay. (b)(6), (b)(7)(C) was also present during the medical treatment of V/JABAR on 19FEB08.
4. On 23FEB08, (b)(6), (b)(7)(C) USMC, was interviewed regarding his knowledge of V/JABAR, exhibit (3) pertains. (b)(6), (b)(7)(C) related that V/JABAR had a history of problems while detained at the RDF that included uncooperative behavior during transport, and faking illness. (b)(6), (b)(7)(C) also related V/JABAR faked passing out on more the one occasion. (b)(6), (b)(7)(C) stated he knew this due to V/JABAR always "catching" himself in an attempt to prevent injury during his staged falls. It was also noted by (b)(6), (b)(7)(C) that immediately after V/JABAR would "fall" he would be coherent, and understand instructions. (b)(6), (b)(7)(C) also indicated V/JABAR was constantly under the care of the RDF Corpsman, and always appeared fine after his medical exams. (b)(6), (b)(7)(C) was also present during the medical treatment of V/JABAR on 19FEB08.
5. On 23FEB08, (b)(6), (b)(7)(C) USMC, was interviewed in reference to his knowledge of V/JABAR, exhibit (4) pertains. (b)(6), (b)(7)(C) also related he knew V/JABAR due to his history of being difficult and not eating sufficient amounts while detained at the RDF. (b)(6), (b)(7)(C) reported V/JABAR was medically evaluated on a daily basis. (b)(6), (b)(7)(C) was present on 19FEB08 when V/JABAR passed out while being questioned, and he subsequently witnessed the medical measures given to V/JABAR.

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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

20FEB08-24IZ-0029-7HMA

12MAR08

SUBJ: V/JABAR, WALID TAWFIQ/CIV

6. On 23FEB08, (b)(6), (b)(7)(C) USMC, was interviewed in reference to his knowledge of V/JABAR, exhibit (5) pertains. (b)(6), (b)(7)(C) indicated he also knew V/JABAR due to his history of not cooperating with guards at the RDF, his exaggerated attempts of falling down and getting up, going limp when escorted somewhere he did not want to go, and acting normal and cooperative when it was something V/JABAR did not mind doing. (b)(6), (b)(7)(C) also stated V/JABAR would not eat, even after several attempts to get him to eat by interpreters and RDF medical personnel (b)(6), (b)(7)(C) was also present during the medical treatment given to V/JABAR on 19FEB08.
7. On 04MAR08, (b)(6), (b)(7)(C) USN, was interviewed in reference to his knowledge of V/JABAR, exhibit (6) pertains. (b)(6), (b)(7)(C) said the first time he saw V/JABAR, V/JABAR was pretending to be sick in an attempt to get out of questioning. V/JABAR continued this ruse by feigning passing out, moaning, and crying on several occasions. According to (b)(6), (b)(7)(C) V/JABAR was cooperative and answered simple questions at first, however when more pointed questions were asked he began pretending to be sick. (b)(6), (b)(7)(C) stated that after V/JABAR was more or less given his way, he apologized to the guards for acting and told them he would not act that way in the future. (b)(6), (b)(7)(C) said it was policy for all detainees to be medically cleared before and after all interrogations.
8. On 23FEB08, (b)(6), (b)(7)(C) USMC, Officer in Charge of the Camp Al Asad RDF provided his records of V/JABAR, exhibit (7) pertains. (b)(6), (b)(7)(C) indicated V/JABAR was continually under medical care during his stay at the RDF. (b)(6), (b)(7)(C) also mentioned V/JABAR had a history of faking illness, self induced vomiting, and refusing to eat or drink.
9. On 23FEB08, (b)(6), (b)(7)(C) USN, was interviewed about his knowledge of V/JABAR, exhibit (8) pertains. (b)(6), (b)(7)(C) related he was the senior U.S. Navy (USN) Corpsman in the RDF and was in charge of V/JABAR's medical care. (b)(6), (b)(7)(C) indicated from the beginning of V/JABAR's detainment he refused to eat or drink in sufficient amounts. Almost on a daily basis (b)(6), (b)(7)(C) would have to physically sit with V/JABAR to make sure he ate even the smallest amounts of food. On two occasions (b)(6), (b)(7)(C) administered an IV in order to nourish and hydrate V/JABAR due to his refusal to eat or drink. (b)(6), (b)(7)(C) also indicated he personally witnessed V/JABAR on several occasions pretend to be sick in order to get his way. On one occasion (b)(6), (b)(7)(C) told V/JABAR that due to his acting, it was difficult to accurately determine what medical issues he had. (b)(6), (b)(7)(C) related V/JABAR understood, however he continued faking illness, not eating and not drinking despite attempts to accurately assist him. (b)(6), (b)(7)(C) also assisted with the life saving measures taken in an effort to re-establish V/JABAR's heart beat after he passed out during questioning on 19FEB08.
10. On 01MAR08, (b)(6), (b)(7)(C) USMC, was interviewed in reference to V/JABAR, exhibit (9) pertains. (b)(6), (b)(7)(C) indicated he did not have previous contact with V/JABAR and only walked him into the interrogation room on 19FEB08. (b)(6), (b)(7)(C) further related V/JABAR did not appear to have any medical problems during his transfer from medical to the interrogation room. (b)(6), (b)(7)(C) also witnessed the medical procedures given to V/JABAR after he passed out on 19FEB08.

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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

20FEB08-24IZ-0029-7HMA

12MAR08

SUBJ: V/JABAR, WALID TAWFIQ/CIV

11. On 24FEB08, (b)(6), (b)(7)(C) USN, was interviewed in reference to his actions surrounding the death of V/JABAR, exhibit (10) pertains. (b)(6), (b)(7) indicated it was during his interrogation when V/JABAR passed out. Initially (b)(6), (b)(7) suspected V/JABAR was pretending to be sick in order to avoid questioning. When it was noticed V/JABAR had apparently soiled himself (b)(6), (b)(7) called the guards to assist. Shortly after the guard's arrival, medical measures were begun on V/JABAR. Due to (b)(6), (b)(7) being a USN Independent Duty Corpsman (IDC), he also assisted in the emergency medical procedures administered to V/JABAR.

12. On 24FEB08, (b)(6), (b)(7)(C) was interviewed in reference to what he witnessed during the interrogation of V/JABAR, exhibit (11) pertains. (b)(6), (b)(7) indicated he was the linguist (b)(6), (b)(7)(C) used during this particular interrogation (b)(6), (b)(7) indicated that during the questioning, he noticed that V/JABAR's buttocks area was wet and thought he had soiled himself. At that point he told (b)(6), (b)(7)(C) then called the guards, and for a USN Corpsman to assist.

13. On 23FEB08, (b)(6), (b)(7)(C) USN, was interviewed in reference to the medical care he provided V/JABAR, exhibit (12) pertains. (b)(6), (b)(7) related that during the routine medical screening all detainees received before interrogation, V/JABAR did not complain about, or seem to be suffering from any ailment. Subsequently, he was medically cleared for questioning. A short time later (b)(6), (b)(7) was called to check on V/JABAR. Upon (b)(6), (b)(7) arrival, V/JABAR had a weak pulse and his breathing was shallow. According to (b)(6), (b)(7) it appeared V/JABAR'S condition worsened, so he left V/JABAR in the care of (b)(6), (b)(7) and went to get his medical bag and call on the other IDC (b)(6), (b)(7)(C) (b)(6), (b)(7) indicated when he returned, (b)(6), (b)(7) was also there and took over the care of V/JABAR.

14. On 24FEB08, (b)(6), (b)(7)(C) USN, was interviewed in reference to his knowledge of V/JABAR, and his actions during the medical treatment of V/JABAR, exhibit (13) pertains. (b)(6), (b)(7) stated he first met V/JABAR during sick call. (b)(6), (b)(7) remembered asking V/JABAR if he had any medical issues and V/JABAR indicated he did not. (b)(6), (b)(7) said he remembered V/JABAR due to being told by (b)(6), (b)(7) a few days before, that he required a few bags of IV fluid due to him being dehydrated. (b)(6), (b)(7) further related to (b)(6), (b)(7)(C) that V/JABAR was refusing to eat or drink in sufficient amounts. The next time (b)(6), (b)(7)(C) dealt with V/JABAR was after he was called due to V/JABAR acting weak before an interrogation. (b)(6), (b)(7) stated he conducted a complete head to toe physical exam, and V/JABAR was cleared medically. (b)(6), (b)(7) said he told V/JABAR to stop acting like he was sick due to the inaccuracies in determining a real sickness, and V/JABAR agreed to stop. On 19FEB08, when V/JABAR passed out during questioning (b)(6), (b)(7) was called by (b)(6), (b)(7)(C) to assist. Upon (b)(6), (b)(7) arrival to V/JABAR's location, he had V/JABAR removed from his chair and placed on the floor to better assess his medical condition. Once down, (b)(6), (b)(7) determined V/JABAR did not have a pulse, so he began life saving measures, called for an ambulance, and called for (b)(6), (b)(7)(C). Once the ambulance arrived, the Kellogg Brown and Root (KBR) paramedics took over V/JABAR's care, and transported him to the 325th Combat Support Hospital (CSH), aboard Camp Al Asad, Iraq.

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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

20FEB08-24IZ-0029-7HMA

12MAR08

SUBJ: V/JABAR, WALID TAWFIQ/CIV

15. On 23FEB08, (b)(6), (b)(7)(C) was interviewed in reference to his action during the medical care of V/JABAR, exhibit (14) pertains. (b)(6), (b) related that upon his arrival to the scene he saw several USN Corpsmen and USMC members medically assisting V/JABAR. (b)(6), (b) related he saw that an IV was already established, V/JABAR was intubated, and an Automatic External Defibrillator (AED) was attached. (b)(6), (b) told the Corpsmen to continue working on V/JABAR and attached his AED to V/JABAR. Once the AED was attached, it was shown that V/JABAR had no electrical activity in his heart. At that point (b)(6), (b) handed (b)(6), (b)(7)(C) one milligram of epinephrine to be administered in an attempt to get his heart beating. They re-checked V/JABAR's pulse, however it was still absent (b)(6), (b) handed (b)(6), (b) one milligram of atropine to be administered to V/JABAR in another attempt to gain a heartbeat. They continued life saving treatment for a short period and then discovered a pulse. At that point V/JABAR was placed into the back of the KBR ambulance and driven to the 325th CSH for treatment. (b)(6), (b) also provided a copy of the KBR ambulance run sheet during the interview, exhibit (15) pertains.

16. On 23FEB08, (b)(6), (b)(7)(C) was interviewed in reference to the medical care he provided to V/JABAR, exhibit (16) pertains. (b)(6), (b) indicated he was the driver of the KBR ambulance, and that he had minimal contact with V/JABAR. (b)(6), (b)(7) accounts of the events on the scene were similar to (b)(6), (b).

17. On 22FEB08, (b)(6), (b)(7)(C) MD, United States Army Reserve (USAR) provided all the medical records pertaining to V/JABAR's treatment while at the 325th CSH aboard Camp Al Asad, Iraq, exhibit (17) pertains. (b)(6), (b) opined that V/JABAR's death was a direct result of his own "starvation campaign," and that V/JABAR might have had a pre-existing renal condition, however was not able to make that determination due to not having the appropriate equipment to test that theory.

18. On 19FEB08, a scene examination was completed, exhibit (18) pertains. The scene was subsequently photographed, and processed, however no items of evidentiary value were recovered from the scene.

19. On 20FEB08, a copy of the video detailing V/JABAR's interrogation was seized. The video, contained on a compact disc (CD) was entered into the NCISRA Iraq, Camp Al Asad evidence Custody System under log number #021-08. Exhibit (19) provides amplifying details.

20. On 20FEB08, V/JABAR's body was photographed before shipment to Dover Delaware for autopsy, exhibit (20) pertains.

21. On 22FEB08, the USMC Personal Retrieval and Processing Detachment (PRP) report was obtained in reference to V/JABAR, exhibit (21) pertains. The report contains the relevant medical records required for international transport.

22. On 23FEB08, the USMC Provost Marshal's Office (PMO) report in reference to V/JABAR was obtained, exhibit (22) pertains.

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PAGE 5

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ACLU DD II 5804

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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

20FEB08-24IZ-0029-7HMA

12MAR08

SUBJ: V/JABAR, WALID TAWFIQ/CIV

23. On 27FEB08, the autopsy of V/JABAR was conducted at the Dover Air Force Base, Dover, Delaware, by (b)(6), (b)(7)(C) MD, USN, Office of the Armed Forces Medical Examiner (OAFME), exhibit (23) pertains. The autopsy did not reveal any apparent soft tissue injuries, and (b)(6), (b)(7)(C) was unable to determine a possible cause of death and manner of death absent the toxicology results.

24. This investigation is pending the final autopsy and toxicology report from OAFME.

## PARTICIPANT(S)

(b)(6), (b)(7)(C) Special Agent, NCISRA Iraq, Camp Al Asad (b)(6), (b)(7)(C) Special Agent, NCISRA Iraq, Camp Al Asad (b)(6), (b)(7)(C) Special Agent, NCISRA Iraq, Camp Al Asad

## DISTRIBUTION

NCISHQ: 0023B

INFO: 024C/24IZ/SJA, 3DMAW (FWD), CAMP AL ASAD, IRAQ (H)

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PAGE 6 LNY

(b)(6),  
(b)(7)  
(C)

V2 LNY

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ACLU DD II NCIS 1502

## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

562588 13:19 20080312 IN:SSDEMAIL #59533 OUT:CODE0224C #6038

INVESTIGATIVE ACTION

05MAR08

CONTROL: 20FEB08-24IZ-0029-7HMA

V/JABAR, WALID TAWFIQ/CIV  
 M/W/FNIQ/N//31DEC87/IRAQ  
 SUPP: DETAINEE NUMBER (b)(2)

RESULTS OF INTERVIEW OF (b)(6), (b)(7)(C) USMC

1. On 23Feb08, (b)(6), (b)(7)(C) USMC (b)(6), (b)(7)(C) Regional Detention Facility (RDF), Camp Al Asad, Iraq was interviewed (b)(6), (b)(7)(C) observed that for several days prior to 19Feb08, V/JABAR developed a history of expressing discontent in the RDF. V/JABAR would not eat, would not shower, and would fake falling. V/JABAR would fall in such a way as to shield himself, and would dramatically toss objects while falling. Each time V/JABAR fell, a corpsman was called.

2. On 19Feb08, V/JABAR was taken to a corpsman for a scars and marks examination in preparation for being interrogated. Based on V/JABAR's history of faking falls, four Marines, including (b)(6), (b)(7)(C) were on hand during the examination. Two Marines are all that is required. Once V/JABAR's examination was completed, (b)(6), (b)(7)(C) and the other Marines (NFI) led him to the interrogation conex box. V/JABAR followed direction, and walked and stepped under his own power. When in the conex box, while V/JABAR's handcuffs were being removed, he attempted to slip down. (b)(6), (b)(7)(C) supported V/JABAR in his arms from behind to prevent V/JABAR from falling. V/JABAR's (b)(7)(E) and he was positioned on a chair. Afterwards, (b)(6), (b)(7)(C) returned to the RDF.

3. Approximately ten minutes later, (b)(6), (b)(7)(C) (NFI) told (b)(6), (b)(7)(C) a corpsman was needed in the conex box. (b)(6), (b)(7)(C) saw V/JABAR on the RDF's monitor, lying down in the box. (b)(6), (b)(7)(C) got (b)(6), (b)(7)(C) immediately and went directly to the conex box, arriving in about thirty seconds. (b)(6), (b)(7)(C) checked V/JABAR's neck and wrist for a pulse. (b)(6), (b)(7)(C) had (b)(6), (b)(7)(C) who was on hand in the box, leave to get him a stethoscope. (b)(6), (b)(7)(C) returned with the stethoscope about a minute later. (b)(6), (b)(7)(C) called for (b)(6), (b)(7)(C). A medical code blue was called, and the RDF Operations Chief (NFI) arrived on scene with others (NFI) (b)(6), (b)(7)(C) performed CPR on V/JABAR. (b)(6), (b)(7)(C) was tasked with bringing a spine board to the conex box. (b)(6), (b)(7)(C) returned, and the Operations Chief had all non-essential personnel out of the conex box. (b)(6), (b)(7)(C) was directed to go out to the road and wait for the ambulance to arrive for V/JABAR. After the ambulance arrived, (b)(6), (b)(7)(C) returned to the RDF.

## BIOGRAPHICAL DATA

EMPLOYMENT: U.S. MARINE CORPS  
 SSN: (b)(6), (b)(7)(C)  
 DOB:   
 POB:   
 RESIDENCE: SEE CASE FILE

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 PAGE 1

EXHIBIT (1)

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ACLU-RDP-58015-11

526

## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

20FEB08-24IZ-0029-7HMA

05MAR08

SUBJ: V/JABAR, WALID TAWFIQ/CIV

REPORTED BY: (b)(6), (b)(7)(C) Special Agent  
OFFICE: NCISRA Iraq, Camp Al Asad

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PAGE 2 LAST

(b)(6),  
(b)(7)(C)

V2 LNY

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ACLU DD II 5807-512

200

200

200



## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

562590 13:20 20080312 IN:SSDEMAIL #59535 OUT:CODE0224C #6039

INVESTIGATIVE ACTION

23FEB08

CONTROL: 20FEB08-24IZ-0029-7HMA

V/JABAR, WALID TAWFIQ/CIV

M/W/FNIQ/N//31DEC87/IPAO

SUPP: DETAINEE NUMBER (b)(2)

RESULTS OF INTERVIEW OF (b)(6), (b)(7)(C) USMC

1. On 23Feb08, at approximately 0937, (b)(6), (b)(7)(C), USMC, was interviewed regarding the events surrounding the death of V/JABAR. The interview was conducted in the Joint Prosecution Exploitation Cell (JPEC) office spaces aboard Al Asad Air Base, Iraq.

2. (b)(6), (b)(7)(C) related he was familiar with V/JABAR, who he knew as (b)(2). (b)(6), (b)(7) stated V/JABAR had been at the Al Asad Regional Detention Facility (RDF) for less than two weeks prior to his death, and had a well-documented history of faking fainting spells. (b)(6), (b)(7) recalled V/JABAR was cooperative for the first day or two at the RDF, but started exhibiting problems on about the third day. (b)(6), (b)(7) related seeing V/JABAR refuse to stand up in his cell and show his identification number tag to the Sergeant of the Guard, who checks each detainee at (b)(2) every day. (b)(6), (b)(7) stated that after that, V/JABAR would routinely pretend to faint when he was taken from his cell. (b)(6), (b)(7) related everyone believed he was pretending, because he would begin to fall, then "catch" himself before he hit the ground. (b)(6), (b)(7) stated that when V/JABAR did this, he or the other guards would repeat commands to get up, then call a Corpsman over to evaluate V/JABAR. (b)(6), (b)(7) related the Corpsmen would check V/JABAR's vitals and evaluate him, every time saying that V/JABAR was fine. (b)(6), (b)(7) stated this was unusual behavior, and that most detainees were pretty cooperative.

3. (b)(6), (b)(7) stated V/JABAR did not eat much, and would refuse to eat the food given to him each day. (b)(6), (b)(7) related he had seen V/JABAR eat very little, but that he would drink water. (b)(6), (b)(7) stated that the Corpsmen would occasionally hook V/JABAR up to an IV to give him nutrients.

4. (b)(6), (b)(7) related he does not believe that V/JABAR had been abused or ill-treated in any way, either by the RDF staff or by any of the interrogators or interpreters. (b)(6), (b)(7) explained that all detainees undergo regular "scars and marks" checks, where they are screened by medical personnel prior to and after every interrogation, and that no problems were noted with V/JABAR. (b)(6), (b)(7) added that he never witnessed nor heard of any scuffles or fights involving V/JABAR that would lead him to believe he had been abused by anyone at the RDF.

5. (b)(6), (b)(7) stated that on 19Feb08, at about 1500, V/JABAR was given a medical check prior to being escorted out to the HUMINT Exploitation Team (HET) Compound to be interrogated. (b)(6), (b)(7) stated he was escorting V/JABAR with (b)(6), (b)(7)(C)

(b)(6), (b)(7) and

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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

20FEB08-24IZ-0029-7HMA

23FEB08

SUBJ: V/JABAR, WALID TAWFIQ/CIV

(b)(6), (b)(7)(C) , and that he was holding the keys and opening the doors and gates while the other three walked with V/JABAR. (b)(6), (b)(7) related that V/JABAR was "going limp" on the way to Box One, a converted CONEX box used for interrogations. (b)(6), (b)(7) stated he and the other guards took off V/JABAR's restraints at the request of the interrogator, (b)(6), (b)(7)(C) and that V/JABAR appeared coherent and aware of his surroundings. (b)(6), (b)(7) related he and the other guards then left the box, and he let (b)(6), (b)(7)(C) out of the HET Compound before standing post just outside the box. (b)(6), (b)(7) stated that about 15 to 20 minutes later (b)(6), (b)(7) opened the door of the trailer and asked him to get (b)(6), (b)(7)(C) and a portable pulse monitor. (b)(6), (b)(7) related he ran over to the side of the RDF building and knocked on the wall, and told RDF staff members to get (b)(6), (b)(7) out to the HET Compound. (b)(6), (b)(7) stated (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) came out, he let them into the HET compound, and they all went to Box One.

6. (b)(6), (b)(7) related he and the others entered Box One, and when they did, he saw V/JABAR sitting slumped over with his head lying on his arm, completely still. (b)(6), (b)(7) recalled (b)(6), (b)(7)(C) immediately checked V/JABAR for vital signs, got only a faint pulse, and asked (b)(6), (b)(7) to go back into the RDF building and grab his stethoscope. (b)(6), (b)(7) stated he went with (b)(6), (b)(7)(C) let him out of the HET Compound, and returned to Box One with (b)(6), (b)(7) after he retrieved a stethoscope. (b)(6), (b)(7) related (b)(6), (b)(7) checked V/JABAR's vitals again with the stethoscope, and a call was put out to send for (b)(6), (b)(7)(C) the Independent Duty Corpsman (IDC) on duty. (b)(6), (b)(7) stated (b)(6), (b)(7)(C) is NCOIC, and (b)(6), (b)(7)(C) the Operations Sergeant, all came to Box One shortly thereafter, and (b)(6), (b)(7) called a "Code Blue Medical" upon seeing the situation. (b)(6), (b)(7) related (b)(6), (b)(7)(C) and (b)(6), (b)(7) began CPR on V/JABAR, and (b)(6), (b)(7) and the other guards stood back to stay out of the way, but available if needed.

7. (b)(6), (b)(7)(C) called that shortly thereafter (b)(6), (b)(7)(C) the Operations Chief, and (b)(6), (b)(7)(C) the other RDF IDC, arrived at Box One, and (b)(6), (b)(7)(C) told (b)(6), (b)(7) and (b)(6), (b)(7)(C) to take another detainee back to the RDF building to clear out the HET Compound. (b)(6), (b)(7) stated that after escorting the other detainee into the building, he and (b)(6), (b)(7)(C) stayed inside, as they were no longer needed at the HET Compound.

8. (b)(6), (b)(7) recalled that he later ran a handcuff key outside to two guards that were following V/JABAR to the Al Asad Combat Surgical Hospital (CSH), and that he later did a guard watch shift at the CSH, where V/JABAR was still alive, but on life support. (b)(6), (b)(7) related he was told that V/JABAR was breathing and had a pulse when he was transported to the CSH, but that his prognosis was not good. (b)(6), (b)(7) related no further pertinent information.

## BIOGRAPHICAL DATA

EMPLOYMENT: GUARD, AL ASAD REGIONAL DETAINMENT FACILITY, F CO, 1/10

MARINE REGIMENT

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ACLU-RDF-5801-014

639

## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

20FEB08-24IZ-0029-7HMA

23FEB08

SUBJ: V/JABAR, WALID TAWFIQ/CIV

SSN:

DOB:

POB:

(b)(6), (b)(7)(C)

REPORTED BY: (b)(6), (b)(7)(C) Special Agent  
 OFFICE: NCISRA Iraq, Camp Al Asad

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(b)(6),  
(b)(7)  
(C)

V2 LNY

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ACLU RD 5801 D 15

340

## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

562591 13:20 20080312 IN:SSDEMAIL #59536 OUT:CODE0224C #6040

INVESTIGATIVE ACTION

23FEB08

CONTROL: 20FEB08-24IZ-0029-7HMA

V/JABAR, WALID TAWFIQ/CIV

M/W/FNIQ/N//31DEC87/IRAQ

SUPP: DETAINEE NUMBER (b)(2)

RESULTS OF INTERVIEW OF (b)(6),(b)(7)(C) USMC

1. On 23Feb08, at approximately 0937, (b)(6),(b)(7)(C) USMC, was interviewed regarding the events surrounding the death of V/JABAR. The interview was conducted in the Joint Prosecution Exploitation Cell (JPEC) office spaces aboard Al Asad Air Base, Iraq.

2. (b)(6),(b)(7)(C) related he serves as the (b)(6),(b)(7)(C) for the First Squad of the Guard Section at the Al Asad Regional Detention Facility (RDF). (b)(6),(b)(7) stated he was familiar with V/JABAR, whom the RDF staff knows as "Detainee (b)(2)

(b)(6),(b)(7) related V/JABAR had a history of problems at the RDF, and was reported to be uncooperative during transport, often acting as if he were passing out. (b)(6),(b)(7) stated V/JABAR would appear to suddenly lose consciousness and start to fall, but would always "catch himself" before hitting the ground or injuring himself. (b)(6),(b)(7) related that immediately afterwards, V/JABAR would appear coherent. (b)(6),(b)(7) related that every time V/JABAR did this, an RDF Corpsman would come to check on him, and each time V/JABAR appeared to be fine. (b)(6),(b)(7) stated this behavior was unusual, and that the majority of detainees were very cooperative. (b)(6),(b)(7) related there was a good deal of documentation of these problems available at the RDF.

3. (b)(6),(b)(7)(C) related that on 19Feb08, he was on duty at the RDF when he was notified at 1530 that the detainee in HUMINT Exploitation Team (HET) Box One was having medical problems and appeared to be unconscious. As background, detainees at the RDF are routinely interrogated in modified CONEX boxes within the HET compound aboard the RDF. (b)(6),(b)(7) stated that he went to the HET Compound and found (b)(6),(b)(7)(C) and an interrogator (NFI) and interpreter (NFI) inside the trailer with V/JABAR. (b)(6),(b)(7) noted he did not know the names of the interrogator or interpreter. (b)(6),(b)(7) related (b)(6),(b)(7)(C) was checking V/JABAR for vitals, and asked (b)(6),(b)(7)(C) to retrieve his stethoscope from the RDF medical office. (b)(6),(b)(7) stated (b)(6),(b)(7)(C) brought the stethoscope to (b)(6),(b)(7)(C) who listened to V/JABAR's vital signs for a few minutes, then left to retrieve further medical supplies and to call (b)(6),(b)(7)(C) the RDF Independent Duty Corpsman (IDC) then on duty. (b)(6),(b)(7) related he and the other guards stayed in the trailer to watch V/JABAR, and (b)(6),(b)(7) told (b)(6),(b)(7)(C) to check V/JABAR for a pulse. (b)(6),(b)(7) stated (b)(6),(b)(7)(C) told him V/JABAR appeared to have a weak pulse. (b)(6),(b)(7) related that at that time, he realized V/JABAR was having an actual medical emergency, and called the Security Chief, (b)(6),(b)(7)(C) to inform him of what was happening.

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ACLU-RDI-5801-D-16

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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

562592 13:21 20080312 IN:SSDEMAIL #59537 OUT:CODE0224C #6041

INVESTIGATIVE ACTION

28FEB08

CONTROL: 20FEB08-24IZ-0029-7HMA

V/JABAR, WALID TAWFIQ/CIV

M/W/FNIQ/N//31DEC87/IRAQ

SUPP: DETAINEE NUMBER (b)(2)

RESULTS OF INTERVIEW OF (b)(6),(b)(7)(C) USMC

1. On 23Feb08, at approximately 1221, (b)(6),(b)(7)(C) USMC, was interviewed regarding the events surrounding the death of V/JABAR. The interview was conducted in the Joint Prosecution Exploitation Cell (JPEC) office spaces aboard Al Asad Air Base, Iraq.

2. (b)(6),(b)(7) related he was familiar with V/JABAR, who he knew as Detainee (b)(6),(b)(7)(C). (b)(6),(b)(7) stated V/JABAR had a history of not cooperating with guards during his time at the Al Asad Regional Detention Facility (RDF). (b)(6),(b)(7) recalled that he had heard of several instances of V/JABAR "dropping his weight" while being escorted at the RDF, and of V/JABAR refusing to get up to be escorted for head calls. (b)(6),(b)(7) stated all of these incidents were documented, and that V/JABAR was given thorough check-ups by RDF medical personnel on a daily basis. (b)(6),(b)(7) related that V/JABAR was unusually lazy and uncooperative, and that most detainees did not exhibit this level of difficulty.

3. (b)(6),(b)(7) advised he believes V/JABAR would eat when given meals, though he does not know how much of those meals he ate. (b)(6),(b)(7) related he knows RDF medical personnel had encouraged V/JABAR to drink water and at least eat some peanuts.

4. (b)(6),(b)(7) related that on 19Feb08, he escorted V/JABAR from the RDF building out to the HUMINT Exploitation Team (HET) Compound for interrogation. (b)(6),(b)(7) stated he, (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) took V/JABAR to Box One, a converted CONEX trailer used for interrogations. (b)(6),(b)(7) related that he was holding the back of V/JABAR's belt while (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) were at V/JABAR's sides as they walked, and that V/JABAR had to be 'guided' at one point as he began to list to one side. (b)(6),(b)(7) related that after they brought V/JABAR to Box One, he and the other guards released him from his restraints, and V/JABAR was sitting upright on his own and appeared to be alert and responsive. (b)(6),(b)(7) stated he and the other RDF guards then left Box One, with (b)(6),(b)(7)(C) posting guard outside the door while (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) returned to the RDF building,

5. (b)(6),(b)(7) recalled that (b)(6),(b)(7)(C) the interrogator in Box One, requested (b)(6),(b)(7)(C) (b)(6),(b)(7) the duty Corpsman, come to Box One shortly thereafter, and (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) all accompanied (b)(6),(b)(7)(C) out to the HET Compound. (b)(6),(b)(7) stated he saw V/JABAR leaning against the table in Box One, and (b)(6),(b)(7)(C) began to check V/JABAR's vital signs, then sent (b)(6),(b)(7)(C) to go into the RDF building and retrieve his stethoscope. (b)(6),(b)(7) related (b)(6),(b)(7)(C) retrieved the stethoscope, which (b)(6),(b)(7)(C) used to recheck V/JABAR's vital signs before calling for the Independent Duty Corpsman (IDC) on duty, (b)(6),(b)(7)(C). (b)(6),(b)(7) related that at one point, when (b)(6),(b)(7)(C) stepped out of Box One, (b)(6),(b)(7) shift supervisor (b)(6),(b)(7)(C) asked him to check V/JABAR's pulse. (b)(6),(b)(7) explained that he was a certified lifeguard, and when he

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EXHIBIT (4)

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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

20FEB08-24IZ-0029-7HMA

28FEB08

SUBJ: V/JABAR, WALID TAWFIQ/CIV

checked V/JABAR, he felt a weak pulse.

6. (b)(6), (b)(7) related (b)(6), (b)(7)(C) came to Box One soon thereafter (b)(6), (b)(7)(C) initiated a "Code Medical" over the radio, and an ambulance was requested. (b)(6), (b)(7)(C) stated (b)(6), (b)(7)(C) evaluated V/JABAR, and requested (b)(6), (b)(7)(C) the other RDF IDC, be called to the scene, then initiated CPR with the assistance of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) recalled he took over chest compressions a few minutes later for (b)(6), (b)(7)(C) and continued to administer CPR with (b)(6), (b)(7)(C) related he and (b)(6), (b)(7)(C) continued to give CPR to V/JABAR, and (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) NFI) relieved him and took over chest compressions until the ambulance arrived at the RDF. (b)(6), (b)(7)(C) stated the ambulance crew evaluated V/JABAR while CPR was administered, then evacuated him to the Al Asad Combat Surgical Hospital (CSH). (b)(6), (b)(7)(C) related he stayed at the RDF at that time. (b)(6), (b)(7)(C) related no further pertinent information.

## BIOGRAPHICAL DATA

EMPLOYMENT: GUARD, AL ASAD REGIONAL DETAINMENT FACILITY, F CO, 1/10

MARINE REGIMENT

SSN: (b)(6), (b)(7)(C)

DOB:

POB:

REPORTED BY: Special Agent

OFFICE: NCISRA Iraq, Camp Al Asad

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PAGE 2 LAST (b)(6), (b)(7)(C) V2 LNY

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ACLU RDI 5801-D-19

44

## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

562593 13:22 20080312 IN:SSDEMAIL #59538 OUT:CODE0224C #6042

INVESTIGATIVE ACTION

28FEB08

CONTROL: 20FEB08-24IZ-0029-7HMA

V/JABAR, WALID TAWFIQ/CIV  
 M/W/FNIQ/N//31DEC87/IRAQ  
 SUPP: DETAINEE NUMBER (b)(2)

RESULTS OF INTERVIEW OF (b)(6), (b)(7)(C) USMC

1. On 23Feb08, at approximately 1122, (b)(6), (b)(7)(C) USMC, was interviewed regarding the events surrounding the death of V/JABAR. The interview was conducted in the Joint Prosecution Exploitation Cell (JPEC) office spaces aboard Al Asad Air Base, Iraq.

2. (b)(6), (b)(7)(C) related he was familiar with V/JABAR, who he knew as Detainee (b)(6), (b)(7)(C) (b)(6). (b)(6) stated V/JABAR had a history of not cooperating with guards during his time at the Al Asad Regional Detention Facility (RDF). (b)(6), (b)(7)(C) related, as an example, that when the Sergeant of the Guard would come around the RDF to take a regular count, V/JABAR would make a show of attempting to get up and falling down in an exaggerated manner, tossing his water bottle into the air. (b)(6), (b)(7)(C) stated V/JABAR would go limp while being escorted somewhere he did not want to go, but would walk without assistance when it was something he wanted to do. (b)(6), (b)(7)(C) related V/JABAR was checked out by Corpsmen every time he pretended a fainting spell. (b)(6), (b)(7)(C) recalled that on one occasion, he and other RDF guards had brought V/JABAR to the RDF Medical section, and been advised by (b)(6), (b)(7)(C), an Independent Duty Corpsman (IDC) assigned to the RDF, to slowly release their hold on V/JABAR. (b)(6), (b)(7)(C) stated that V/JABAR appeared to pretend to faint once he realized he was no longer being supported, but caught himself from hitting the ground.

3. (b)(6), (b)(7)(C) stated he was on the convoy that transported V/JABAR to the Al Asad RDF, and that V/JABAR was cooperative and appeared fine at that time and during in-processing at the RDF. (b)(6), (b)(7)(C) advised his later behavior was unusual, and that most detainees were much more cooperative.

4. (b)(6), (b)(7)(C) stated V/JABAR was not eating during his time at the RDF, and that he had been told numerous times by interpreters and RDF medical personnel that he needed to eat. (b)(6), (b)(7)(C) related V/JABAR would frequently refuse meals and refuse to go to the bathroom. (b)(6), (b)(7)(C) stated RDF detainees were routinely fed three meals a day, but he had only seen V/JABAR eat a few peanuts. (b)(6), (b)(7)(C) related the RDF guards documented this, and informed medical personnel that V/JABAR wasn't eating. (b)(6), (b)(7)(C) stated he heard the RDF medical personnel had hooked V/JABAR up to IVs to feed him, but he had not personally witnessed this.

5. (b)(6), (b)(7)(C) related that on 19Feb08, he was on duty as the RDF Sergeant of the Guard, and he ordered (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) to escort V/JABAR out to the HUMINT Exploitation Team (HET) Compound next to the main RDF building. (b)(6), (b)(7)(C) stated V/JABAR was being brought to Box One, a converted CONEX container used to conduct interrogations of detainees. (b)(6), (b)(7)(C) explained that he wanted four guards

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EXHIBIT (5)

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ACLU DD II NCIS 1512

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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

20FEB08-24IZ-0029-7HMA

28FEB08

SUBJ: V/JABAR, WALID TAWFIQ/CIV

to escort V/JABAR because of his habit of being uncooperative, and that most detainees only need two guards to escort them out. (b)(6), (b)(7)(C) related he was watching them escort V/JABAR from his duty desk, and that he set the camera in Box One to 'record' once V/JABAR was brought into Box One. (b)(6), (b)(7)(C) stated he watched on the monitor at his desk as V/JABAR was released from his handcuffs and belt by the guards, and (b)(6), (b)(7)(C) noted V/JABAR was sitting upright after they did.

6. (b)(6), (b)(7)(C) related he did not watch the interrogation as it took place, but that it had been going on for about 10 minutes when (b)(6), (b)(7)(C) came back to the RDF building from the HET Compound asking for the duty Corpsman. (b)(6), (b)(7)(C) stated he thought V/JABAR was faking a collapse, as he had in the past, but he informed the duty Corpsman (b)(6), (b)(7)(C) and his Shift Supervisor, (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) went into Box One and checked V/JABAR's vital signs, then came back in and asked (b)(6), (b)(7)(C) to call the IDC on duty. (b)(6), (b)(7)(C) came down to the HET Compound. (b)(6), (b)(7)(C) advised (b)(6), (b)(7)(C) came, a "Code Medical" was sounded shortly thereafter, and an ambulance was called to the RDF. (b)(6), (b)(7)(C) related that he went out to the HET Compound a short while after and told (b)(6), (b)(7)(C) to escort a second detainee back into the RDF in order to clear out the HET Compound. (b)(6), (b)(7)(C) stated that while he was in the HET Compound, he saw (b)(6), (b)(7)(C) conducting CPR on V/JABAR. (b)(6), (b)(7)(C) related he went back into the RDF, and that an ambulance arrived at about 1600. (b)(6), (b)(7)(C) advised that the ambulance left with V/JABAR at 1610, evacuating V/JABAR from the RDF to the Al Asad Combat Surgical Hospital (CSH).

7. (b)(6), (b)(7)(C) related he stood hospital watch later that night, while V/JABAR was on life support at the CSH. (b)(6), (b)(7)(C) stated he was told by medical personnel at the CSH that V/JABAR probably would not last long. (b)(6), (b)(7)(C) related no further pertinent information.

## BIOGRAPHICAL DATA

EMPLOYMENT: GUARD, AL ASAD REGIONAL DETAINMENT FACILITY, F CO, 1/10

## MARINE REGIMENT

SSN: (b)(6), (b)(7)(C)

DOB: [REDACTED]

POB: [REDACTED]

REPORTED [REDACTED] Special Agent

OFFICE: NCISRA Iraq, Camp Al Asad

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PAGE 2 LAST (b)(6), (b)(7)(C) V2 LNY

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ACLU RDE5801 p 24

## STATEMENT

(b)(6), (b)(7)(C) : Camp Al Asad, Iraq  
 (C) : March 4, 2008

I, (b)(6), (b)(7)(C) USN(R), make the following free and voluntary statement to (b)(6), (b)(7)(C) whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the detainee Walid Tawfiq JABAR

For the purposes of identification I am (b)(6), (b)(7)(C) year old (b)(6), (b)(7)(C) male and my social security number is (b)(6), (b)(7)(C). I was born in (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) I am approximately (b)(6), (b)(7)(C) feet tall, weigh (b)(6), (b)(7)(C) pounds, and have (b)(6), (b)(7)(C) hair. I am currently assigned to Seal Team One, Camp Al Asad, Iraq as an interrogator.

The first time I met the detainee, who I knew as Walid, was approximately two days after he got here, I believe it was around February 8<sup>th</sup> 2008. Around midnight I went to the RDF to interrogate Walid, and (b)(6), (b)(7)(C) upon seeing him I noticed he had trouble getting up and out of his cell. He had to be assisted by the (b)(6), (b)(7)(C) guards on this occasion and once he was up, he would continuously fall into the guards. I noticed that when Walid would do this, he would always fall into the guards, making sure he was supported, so as not to fall to the floor.

As per the RDF procedures the detainees are medically screened before and after all interrogations. Once Walid was up and supported by the guards, he was brought to the RDF medical for a screening. I saw that once Walid was placed into a chair in the medical area, he slowly went to the ground. I also (b)(6), (b)(7)(C) thought this looked strange because it seemed as though Walid was again acting like he was injured. I say this because when he went down to the ground, he first looked around, then put his hands out to catch himself. If someone was really passing out they would not do it slowly, or use their hands to break their fall.

While the guards and the corpsman were doing their best to deal with Walid, I was outside medical asking the remaining guards if this was normal behavior for this particular detainee. The guards (b)(6), (b)(7)(C) indicated that this was a normal occurrence with Walid, and that once he was in his cell, he was o.k. (b)(6), (b)(7)(C) The guards joked that Walid deserved an award for his acting abilities. I told the guards to make sure that Walid was medically cleared, and that I would be back to interrogate him in 24 hours.

On February 9<sup>th</sup>, I went back down to the RDF for Walid's interrogation. Once I got there it was the same scenario as the night before. Walid was pretending to fall down, but only did so on to the guard (b)(6), (b)(7)(C) he was brought to medical and he basically did the same thing. After he was medically cleared for (b)(6), (b)(7)(C) interrogation, I had him brought to the interrogation room. Due to Walid continuing to pretend he was sick, I was beginning to get the impression that Walid was doing this to get out of being questioned.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Continuation of voluntary sworn statement

(b)(6), (b)(7)(C)

USN(R)

on March 4, 2008

Once Walid was brought to the interrogation room I began to ask him the basic non-sensitive questions. During questions about his sisters, mother, brothers, etc he was fine. Once I began asking Walid about his uncle, who was another detainee, he began acting sick again. He did this by groaning, moaning, and attempting to fall out of his chair. I purposefully left his handcuffs on as a deterrent to keep him from falling over, and it worked for a period of time. I could see that Walid was looking around and down at the ground, judging it to see if he could fall without hurting him self.

At one point during the interview he leaned forward as far as he could in his chair, and using the wall to lean on, slowly slid out of the chair and onto the floor. Once he was down, he looked up at me in amazement, almost like he was impressed he fell with out hurting him self. At that point I just called the guards, who placed him back into his chair. Once back in his chair, I could tell he was very mad. I could tell this by his body language and the way he stopped being cooperative during the interview. He would still answer questions, but just with what I would call more attitude.

Due to him being non corporative by moaning very loudly over my questions, trying to blow snot on my pants legs, and claiming he was dizzy, I told the guards I wanted to make Walid stand up, vice sit down in his chair. The guards came in and made him stand, however Walid began leaning on the wall for support. I stood close to him, so he could not fall forward. Once he saw that I would not move to let him fall, he started to slide down the wall into a sitting position. Once he was in a sitting position, I would just start to lift him back up, and he would stand under his own power. He was able to stand on his own with out any problems. I know this due to when I touched his armpit to lift him he would just simply stand up.

After I kept him from sliding down the wall, he began moving to the chair that was close to where we were standing. Walid came off the wall, faced me and took a few steps backward to where he thought the chair would be. He attempted to fall into the chair from a standing position; however I caught him by his shirt before he fell. He did not see exactly where the chair was, and if he would have injured himself. He began fighting me to get into the chair, he did this by forcefully putting his weight against me. This was not a fall like he was sick it was a fall like he was attempting to get his way and sit down. I called the guard for assistance, and the guard made him stand next to the wall. Walid was then put into the chair. Once he was in the chair Walid started crying, saying that he was tired and that he would tell me everything tomorrow. I told him I wanted him to make sure he was not lying to me and that I had more questions for him. At that point he began moaning, telling me in English that he wanted to go.

After he stopped moaning we began talking, and he began giving me information. I believe he began talking because he knew he could not control the interview. After I got a bit more information, I terminated the interrogation. I called the guards and when they arrived, Walid apologized to them saying he would not act like he did before and would cooperate in the future. The guards then took him back to his cell with out issue.

(b)(6), (b)(7)(C)

Juf

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)  
 on March 4, 2008

I saw Walid the following night I think it was February 10<sup>th</sup>. Walid walked out of the RDF unassisted and into the interrogation room. Walid began talking to me very openly with out issue, until we began getting into specifics about his uncle and terrorist activity. When we began talking about that, Walid began acting sick again, moving his head from side to side, shoulder to shoulder. He answered a few questions, however did not answer sensitive questions. The interview lasted maybe two hours with no issues, other than his smell. Walid smelled very bad due to his refusal to bath. Once we were done, he was brought back to his cell. After that interview it was the last time I saw or dealt with him.

I believe that Walid would act sick in order to get out of answering sensitive questions. I say this despite him acting normal and corporative during simple questions and when not put on the spot. However when ever a sensitive question was asked of him, he would begin his temper tantrum.

This statement, consisting of this page and 2 other page(s) was typed for me by [redacted] as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief.

Signature:

Sworn to and subscribed before me this 4 day of MARCH in the year 2008 at

M-ASAD 12

Witnessed:

Representative, Naval Criminal Investigative Service  
 AUTH: DERIVED FROM ARTICLE 136,  
 UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

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## U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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INVESTIGATIVE ACTION

23FEB08

CONTROL: 20FEB08-24IZ-0029-7HMA

V/JABAR, WALID TAWFIQ/CIV  
 M/W/FNIQ/N//31DEC87/IRAO  
 SUPP: DETAINEE NUMBER (b)(2)

## RECEIPT OF RDF RECORDS

1. On 22FEB08, Reporting Agent (RA) met with 1st (b)(6), (b)(7)(C) USMC, Camp Al Asad, Iraq, Regional Detention Facility (RDF), Officer In Charge (OIC), in reference to V/JABAR's death. (b)(6), (b)(7)(C) provided RA with all the relevant records, enclosure (A), in reference to V/JABAR's medical treatment while in the custody of the RDF.
2. (b)(6), (b)(7)(C) indicated V/JABAR had a known history of "faking" illness, self induced vomiting, and refusing to eat or drink. According to (b)(6), (b)(7)(C) V/JABAR had also been under the care of the medical staff attached to the RDF due to his refusal to eat and drink, and due to his legitimate medical complaints.
3. Due to V/JABAR's death, (b)(6), (b)(7)(C) obtained sworn statements from all USMC and USN personnel that came into contact with V/JABAR. The statements detail the actions of the USN medical personnel, the USMC guards, and the USN interrogator and civilian linguist that were interrogating V/JABAR when he passed out. Enclosure (B) through (J) are copies of the statements.

## ENCLOSURE(S)

- (A) RDF Medical records/19FEB08 (Copy)
- (B) Sworn statement of (b)(6), (b)(7)(C) /19FEB08 (Copy)
- (C) Sworn statement of (b)(6), (b)(7)(C) /19FEB08 (Copy)
- (D) Sworn statement of (b)(6), (b)(7)(C) /19FEB08 (Copy)
- (E) Sworn statement of (b)(6), (b)(7)(C) /19FEB08 (Copy)
- (F) Sworn statement of (b)(6), (b)(7)(C) /19FEB08 (Copy)
- (G) Sworn statement of (b)(6), (b)(7)(C) /19FEB08 (Copy)
- (H) Sworn statement of (b)(6), (b)(7)(C) /19FEB08 (Copy)
- (I) Sworn statement of (b)(6), (b)(7)(C) /19FEB08 (Copy)
- (J) Sworn statement of (b)(6), (b)(7)(C) /19FEB08 (Copy)

## BIOGRAPHICAL DATA

EMPLOYMENT: RDF, CAMP AL ASAD IRAQ

SSN: (b)(6), (b)(7)(C)

DOB:

POB:

REPORTED BY: \_\_\_\_\_, Special Agent  
 OFFICE: NCISRA IRAQ, CAMP AL ASAD

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EXHIBIT (7) 300

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