



DEPARTMENT OF THE ARMY
HEADQUARTERS TASK FORCE IRONHORSE
OFFICE OF THE STAFF JUDGE ADVOCATE
TIKRIT, IRAQ

REPLY TO
ATTENTION OF:

AFYB-JA-AL

26 February 2004

MEMORANDUM FOR Commander, Task Force Ironhorse, Tikrit, Iraq

SUBJECT: AR 15-6 Investigation Legal Review

1. In accordance with AR 15-6, paragraph 2-3, I have reviewed the AR 15-6 investigation into the circumstances surrounding the death of a detainee on 08 February 2004. I make the following determinations:

- a. The proceedings comply with the legal requirements.
 - b. Errors in the proceedings, if any, do not have a material adverse effect on any individual's substantial rights.
 - c. Sufficient evidence supports the findings.
 - d. The recommendations are consistent with the findings.
2. The investigation is legally sufficient.
3. The point of contact is the undersigned at (DNVT) [REDACTED]

[REDACTED]
[REDACTED]
CPT, JA
Chief, Administrative Law

2
b6-2
b7c-2

6547



DEPARTMENT OF THE ARMY
HEADQUARTERS, 4TH INFANTRY DIVISION (MECHANIZED)
TIKRIT, IRAQ, APO, AE 09323

REPLY TO
ATTENTION OF:

AFYB-SG

2 March 2004

MEMORANDUM for SJA, 4th Infantry Division (Mech):

SUBJECT: AR 15-6 Investigation of the death detainee # [REDACTED] (b)6-4

After reviewing the findings, and statements from this investigation, I make the following recommendations:

1. A Doctor or PA should review all intake medical screenings, and sign/date the form as reviewed. They will personally examine detainees as indicated, based on the results of the screening form. This review will occur after each transfer of an EPW as well as after the initial intake.
2. A Doctor or PA should conduct weekly rounds with MP medics.
3. The intake medical assessment must be reviewed and updated by the medic at the accepting facility. The reviewer will sign and date the updated form. All assessments will then be delivered to the supervising doctor or PA for their review.

4. [REDACTED]

b(5)-3
delivered
process

5. [REDACTED]

6. POC of this memorandum is the undersigned at [REDACTED] or b64 b7c4
[REDACTED] b64 b7c4

[REDACTED] b64-b7c4

Taskforce Ironhorse Surgeon

6548

For use of this form, see AR 15-6; the proponent agency is OTJAG.

SECTION I - APPOINTMENT

Commanding General

(Appointing authority)

(Attach inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)

SECTION II - SESSIONS

FOB IRON HORSE

at 1200

on _____ (Date) (If a formal board met for more than one session, check here ☐. Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.) The following persons (members, respondents, counsel) were present: (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)

The following persons (*members, respondents, counsel*) were absent: (*Include brief explanation of each absence.*) (See paras 5-2 and 5-8a, AR 15-6.)

1536

он 26 FEB 04

(Time).

— ON

(Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES

Inclosures (para 3-15, AR 15-6)		YES	NO ¹	NA ²
Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)				
a.	The letter of appointment or a summary of oral appointment data?			
b.	Copy of notice to respondent, if any? (See item 9, below)			
c.	Other correspondence with respondent or counsel, if any?			X
d.	All other written communications to or from the appointing authority?			X
e.	Privacy Act Statements (Certificate, if statement provided orally)?			
f.	Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?			X
g.	Information as to sessions of a formal board not included on page 1 of this report?			X
h.	Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?			X

FOOTNOTES: 1. Explain all negative answers. 2. Explain all "Not Applicable" answers.

FOOTNOTES: 1) Explain all negative answers on an attached sheet.
2) Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

SECTION VI - AUTHENTICATION (para 3-17, AR 15-6)

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. (If any voting member or the recorder fails to sign here or in Section VII below, indicate the reason in the space where his signature should appear.)

b64 b7c4

(Recorder)

(Member)

(Member)

(Member)

(Member)

SECTION VII - MINORITY REPORT (para 3-13, AR 15-6)

To the extent indicated in Inclosure _____, the undersigned do(es) not concur in the findings and recommendations of the board. (In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)

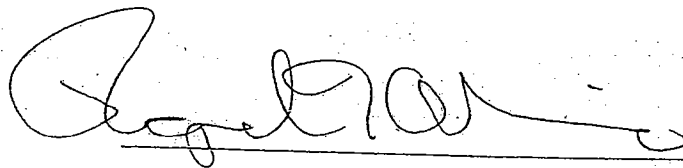
(Member)

(Member)

SECTION VIII - ACTION BY APPOINTING AUTHORITY (para 2-3, AR 15-6)

The findings and recommendations of the (investigating officer) (board) are (approved) (disapproved) (approved with following exceptions/substitutions). (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence (or a summary, if oral) as a numbered inclosure.)

1. A doctor or physician's assistant should review all intake medical screenings, and sign/date the form as reviewed. They will personally examine detainees as indicated, based on the results of the screening form. This review will occur after each transfer of a detainee as well as after the initial intake.
2. A doctor or physician's assistant should conduct weekly rounds with military police medics.
3. The intake medical assessment must be reviewed and updated by the medic at the accepting facility. The reviewer will sign and date the updated form. All assessments will then be delivered to the supervising doctor or physician's assistant for review.



RAYMOND T. ODIERNO
Major General, USA
Commanding

07 MAR 2004

6550

USAPA V1.20

MEMO FOR RECORD – EVIDENCE

On 04 Feb 2004, it was noticed by shift change that detainee # [REDACTED] (b6-4) was not moving. (exhibit G) After the medic summoned the physician on call, [REDACTED] 664 67c4 the EPW was pronounced dead at 0730. (exhibit G) Prior to pronouncing the detainee, [REDACTED] had never seen, treated or been called to render advice on the patient. (exhibit D) 664 67c4

Prior to arrival at FOB Ironhorse, the detainee was processed at Brassfield Move FOB. (exhibit F) An intake physical done at that time by [REDACTED] 664 67c4 recorded that the patient had diabetes and anemia, as well as left kidney failure. The diabetes notation was crossed off without explanation. (exhibit F) Of particular importance, it was noted that the detainee was urinating only 1 oz. daily. (exhibit F)

The detainee was transported to Ironhorse on 5 Feb 2004. At the time of reception, the detainee was noted to be frail appearing, weak, and required assistance in dismounting the vehicle. (exhibit C) During the incarceration, the detainee had two episodes of fainting or near fainting, one resulting in injury requiring wound care. In addition, he was so weak that he required assistance in holding his head up for the photo ID. (exhibit C)

On the morning of 7 Feb 2004, the detainee was seen by the MP medic, [REDACTED] 664 67c4. He stated that through an interpreter, the detainee reported painful urination. No action was taken by the medic. (exhibit E) 664 67c4 664 67c4

On the morning of 8 Feb 2004, [REDACTED] and [REDACTED] were summoned to the detainee's area because he was not moving. [REDACTED] 664-67c4 check the detainee's pulse and also noted that he was cold. (exhibit B) The detainee was last seen alive during the evening coffee and soup administration. (exhibit A) Prior to the detainee's demise, the patient was not interrogated at FOB Ironhorse. (exhibit B)

FINDINGS:

1. The medic at FOB Ironhorse failed to recognize the seriousness of the detainee's condition, did not read the intake physical and failed to contact appropriate medical personnel for guidance and treatment.
2. The medic at FOB Brassfield MAY not have recognized the seriousness of the detainee's condition and may not have sought appropriate medical advice.
3. The medic at FOB Ironhorse appeared not to be aware of the detainee's medical conditions and it appears that the intake sheet was not available to the medic.

6551

4. Although in hindsight, officer personnel at the detention center were aware of the frail nature of the detainee, it appears that this was not communicated to the medic.

6552

MEMO FOR RECORD – RECOMMENDATIONS

[REDACTED]

b-5-1

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

6553

		YES	NO	NA?
2	Exhibits (para 3-16, AR 15-6)			
	a. Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?			X
	b. Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	X		
	c. Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?		X	
	d. Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?		X	
	e. Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?		X	
	f. Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?			X
	g. If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?			X
3	Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?			X
B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)				
4	At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-3b, AR 15-6)?			
5	Was a quorum present at every session of the board (para 5-2b, AR 15-6)?			
6	Was each absence of any member properly excused (para 5-2a, AR 15-6)?			
7	Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?			
8	If any members who voted on findings or recommendations were not present when the board received some evidence, does the inclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?			
C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)				
9	Notice to respondents (para 5-5, AR 15-6):			
	a. Is the method and date of delivery to the respondent indicated on each letter of notification?			
	b. Was the date of delivery at least five working days prior to the first session of the board?			
	c. Does each letter of notification indicate --			
	(1) the date, hour, and place of the first session of the board concerning that respondent?			
	(2) the matter to be investigated, including specific allegations against the respondent, if any?			
	(3) the respondent's rights with regard to counsel?			
	(4) the name and address of each witness expected to be called by the recorder?			
	(5) the respondent's rights to be present, present evidence, and call witnesses?			
	d. Was the respondent provided a copy of all unclassified documents in the case file?			
	e. If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?			
10	If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings):			
	a. Was he properly notified (para 5-5, AR 15-6)?			
	b. Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-4c, AR 15-6)?			
11	Counsel (para 5-6, AR 15-6):			
	a. Was each respondent represented by counsel?			
	Name and business address of counsel:			
	(If counsel is a lawyer, check here <input type="checkbox"/>)			
	b. Was respondent's counsel present at all open sessions of the board relating to that respondent?			
	c. If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the action taken on it included in the report (para 5-6b, AR 15-6)?			
12	If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6):			
	a. Was the challenge properly denied and by the appropriate officer?			
	b. Did each member successfully challenged cease to participate in the proceedings?			
13	Was the respondent given an opportunity to (para 5-8a, AR 15-6):			
	a. Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?			
	b. Examine and object to the introduction of real and documentary evidence, including written statements?			
	c. Object to the testimony of witnesses and cross-examine witnesses other than his own?			
	d. Call witnesses and otherwise introduce evidence?			
	e. Testify as a witness?			
	f. Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?			
14	If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (para 5-8b, AR 15-6)?			
15	Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (para 5-11, AR 15-6)?			
FOOTNOTES: 1) Explain all negative answers on an attached sheet. 2) Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.				

SECTION IV - FINDINGS (para 3-10, AR 15-6)

The (investigating officer) (board), having carefully considered the evidence, finds:

SEE ATTACHED MEMO

SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

In view of the above findings, the (investigating officer) (board) recommends:

SEE ATTACHED MEMO

6555

USAPA V1.20

1. A doctor or physician's assistant should review all intake medical screenings, and sign/date the form as reviewed. They will personally examine detainees as indicated, based on the results of the screening form. This review will occur after each transfer of a detainee as well as after the initial intake.
2. A doctor or physician's assistant should conduct weekly rounds with military police medics.
3. The intake medical assessment must be reviewed and updated by the medic at the accepting facility. The reviewer will sign and date the updated form. All assessments will then be delivered to the supervising doctor or physician's assistant for review.

6556

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. NAME (LAST, FIRST, MIDDLE)	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
TASK Force Iiwitbase	20040219	10 50	
5. SSN	6. GRADE/STATUS	7. GRADE/STATUS	
b64 b7c4	b64 b7c4	b64 b7c4	
8. ORGANIZATION OR ADDRESS			
b64 b7c4			
b64 b7c4			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I went on shift at 1900 hrs I got off that morning at 0700 hrs. During night shift the only thing that happened was the soup and coffee distribution to the detainees around 2000 hrs. Shift was running very smoothly that night until the morning. Shift change was at 0700 hrs. The on coming shift did a head count of detainees and one detainee didn't come out of his room during the count. A soldier from the on coming shift went to check on the detainee. The soldier came out of the room and said to me, "I think he has passed." At that time the NCOIC's went inside the cage to confirm that the detainee passed. At that time I was told to stand by and pull security while they went to notify higher of the situation. When they returned they said I could proceed to my living quarters.

9. SIGNATURE	10. INITIALS OF PERSON MAKING STATEMENT	11. PAGE 1 OF 2 PAGES
A	b64 b7c4	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF

TAKEN AT DATED 19 Feb 04

6557

MENT OF

564 5704

TAKEN AT

FBI IRONHOUSE

DATED

19 Feb 04

STATEMENT (Continued)

NOTHING FOLLOWS

564 5704 AFFIDAVIT

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.

[REDACTED] (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19 day of Feb, 2004 at FBI IRONHOUSE

ORGANIZATION OR ADDRESS

[REDACTED] (Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

PRIVACY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
LEGAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
HOW IT IS USED: 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. NAME (LAST, FIRST, MIDDLE)	2. DATE (YYYYMMDD)	3. TIME (HH:MM)	4. FILE NUMBER
POB IN WSC	20040219	10:52	
5. GRADE/STATUS	6. SSN	7. GRADE/STATUS	8. GRADE/STATUS
b64 b7c4	b64 b7c4	b64 b7c4	b64 b7c4
9. ORGANIZATION OR ADDRESS	10. ORGANIZATION OR ADDRESS	11. ORGANIZATION OR ADDRESS	12. ORGANIZATION OR ADDRESS
b64 b7c4	b64 b7c4	b64 b7c4	b64 b7c4

ON FEBRUARY 20, 2004, I CALLED [REDACTED] AND MYSELF TO COME INTO ROOM #2 TO SEE SOMETHING. WHEN I GOT INTO THE ROOM, [REDACTED] WAS LYING THERE NOT MOVING. I CHECKED HIS PULSE. HE WAS COLD AND DIDN'T HAVE A PULSE. I TOLD [REDACTED] THAT HE WAS DEAD. THAT WE NEEDED TO GET A MEDIC AND A DOCTOR. [REDACTED] WENT UP TO OPS TO NOTIFY [REDACTED] AND [REDACTED]. [REDACTED] WAS NOT INTERVIEWED THE NIGHT BEFORE. THE SOUP WAS GIVEN OUT TO ALL PERSONNEL THAT WANTED IT THE NIGHT BEFORE. END OF STATEMENT

13. INITIALS OF PERSON MAKING STATEMENT	14. PAGE 1 OF 2 PAGES
[REDACTED]	2

TOTAL PAGES MUST CONTAIN THE READING: STATEMENT OF

TAKEN AT [REDACTED] DATED 19 FEB 04

6559

664 67c4

MENT OF

TAKEN AT

FOB IRRAWADDI

DATED

19 Feb 04

STATEMENT (Continued)

no thing follows

664 67c4

AFFIDAVIT

STATEMENT BEGINS ON PAGE 1, AND ENDS ON PAGE 2

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT

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

664 67c4

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this

19 day of

FEBRUARY 2004

at FOB IRRAWADDI

664 67c4

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

664 67c4

2 2

6560

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

PRIVACY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
LEGAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
HOW IT IS USED: 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. NAME, FIRST NAME, MIDDLE NAME	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
[REDACTED] b64 b7c4	20/11/02	1110	
5. ORGANIZATION OR ADDRESS	6. SSN	7. GRADE/STATUS	
[REDACTED] b64 b7c4	[REDACTED] b64 b7c4	[REDACTED] b64 b7c4	
[REDACTED] b64 b7c4			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON OR ABOUT 8 FEB 2004 I RECEIVED DETAINEE [REDACTED] FROM 3BCT. MY INITIAL CONTACT WITH THIS DETAINEE WAS WHEN HE WAS FIRST PULLED OFF OF THE LMTV HE WAS TRANSPORTED IN. HE WAS VERY FRAIL AND NEEDED ASSISTANCE DISMOUNTING THE VEHICLE. WHILE IN PROCESSING THE DETAINEE COULD NOT HOLD HIS HEAD UP ENOUGH IN ORDER FOR US TO TAKE HIS PICTURE SO ANOTHER MP HAD TO ASSIST HIM. HIS WRISTS WERE SO SMALL THAT HE COULD SLIDE THE HANDCUFFS OFF WITH EASE. DUE TO HIS FRAIL STATE WE DID NOT REQUIRE HIM TO COME OUT OF HIS ROOM FOR HEAD COUNT; AN MP WOULD GO IN TO ENSURE HE WAS STILL ACCOUNTED FOR, THERE WERE TIMES (2 TO BE EXACT) THAT THE DETAINEE FELL OUT OF THE LATRINE AND INJURED HIMSELF (MEDIC TREATED THE CUT ON HIS NOSE AS A RESULT OF THE FALL). ON THE EVENING OF 7 FEB 04 THE DETAINEE DID RECEIVE HIS COFFEE AND SOUP, THE NEXT MORNING AT APPROX 0645 [REDACTED] b64 b7c4 DISCOVERED THE DETAINEE WHILE CONDUCTING HEAD COUNT. [REDACTED] b64 b7c4 INFORMED THE [REDACTED] WHO IN TURN CONTACTED THE [REDACTED] THAT TIME THE SENIOR MEDIC REQUESTED THE PRESENCE OF A DOCTOR TO PRONOUNCE THE DEATH. I AM NOT SURE OF THE NAMES OF THE PA OR DOCTOR THAT PRONOUNCED THE DEATH.

EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF	PAGES
C	[REDACTED]	2	2

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF

TAKEN AT DATED

6561

MENT OF

664 67c4

TAKEN AT

1130

DATED

19 FEB 04

STATEMENT (Continued)

NOT USED

664

67c4

AFFIDAVIT

I, _____, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. 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.

664 67c4

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19 day of Feb 2004 at Ft. Monmouth

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

SWORN STATEMENT

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

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 <i>Fob Ironhorse</i>	2. DATE (YYYYMMDD) <i>20040219</i>	3. TIME <i>1525</i>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME <i>b64 b7c4</i>	6. SSN <i>b64 b7c4</i>	7. GRADE/STATUS <i>b64 b7c4</i>	
8. ORGANIZATION OR ADDRESS <i>b64 b7c4</i>			
9. <i>b64 b7c4</i>			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was awakened by the medic on call; I was told a doctor was needed to pronounce an EPW dead. I walked to the EPW camp and into the cell where the EPW was. The EPW did not have spontaneous respirations, no pulse was felt, eyes were fixed and dilated. A medic took the patient's rectal temp which was $<95^{\circ}\text{F}$. Prior to pronouncing this patient dead, I had never treated him, seen him, or heard of him.

10. EXHIBIT <i>D</i>	11. INITIALS OF PERSON MAKING STATEMENT <i>b64 b7c4</i>	PAGE 1 OF 2 PAGES
-------------------------	--	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF

TAKEN AT DATED *19 Feb 04*

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

MENT OF

6646704

TAKEN AT

FBI Ithaca

DATED

19 Feb 44

STATEMENT (Continued)

Nothing follows

I, [REDACTED] 6646704 AFFIDAVIT
[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.

[REDACTED] 664
[REDACTED] 6704
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to
administer oaths, this 15 day of Feb 204
at FBI Ithaca

ORGANIZATION OR ADDRESS

[REDACTED] 6646704
(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

6564

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. NAME (LAST, FIRST, MIDDLE)	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
FOR JAM HOUSE	20040226	1501	
5. GRADE/STATUS	6. SSN	7. GRADE/STATUS	
b64 b7c4	b64 b7c4	b64 b7c4	b64 b7c4
8. ORGANIZATION OR ADDRESS			
b64 b7c4			
b64 b7c4			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the morning of 7 Feb 04 I went to the Epw cage to hand out medications between 0800 to 0900. Upon arrival to the Epw cage The mps on duty informed me that one of the detainees was complaining of something. Upon completion of handing out medications I checked out the detainee. The detainee was laying down and I asked him through another detainee acting as an translator what was the problem. The detainee stated that it hurt when he urinated. I then asked The detainee if he had kidney stones. After this I took his vital signs. Everything was within normal ranges. While I was doing this the mps told me that he had fainted leaving the latrine. I noticed he scratched his nose so I cleaned it up. I then asked the detainee if he had any other medical problems. He said no, just the kidney stones. I then asked if he was on any medication, again the detainee said no. After this I told him if it didn't get better to let me know. I then left the cage area.

EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF	PAGES
E	b64 b7c4	2	2

TOTAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF b64 b7c4 TAKEN AT DATED 26 Feb 04

6565

MENT OF

TAKEN AT

66467C4
FBI Dallas

DATED

26 Feb 04

STATEMENT (Continued)

— end of statement —

66467C4
AFFIDAVIT

1. WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE

2. HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT

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.

66467C4

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 26 day of Feb 2004

at FBI Dallas

ORGANIZATION OR ADDRESS

66467C4
b6(2)
(Typed Name of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

6566

3RD

BCT EPW CAGE

Exhibit F

NAME: 66-4 SEX: M DOB: 1943
EPW NO: CAGE ADATE SCREENED: 1 Feb 04
MEDIC:
6646704

ASSESSMENT

GENERAL IMPRESSION: GOOD/BAD/MEDIUM
PHYSICAL INJURIES: 0IF OLD HOW OLD: BLEEDING PRESENT: 0MEDICATIONS ON HAND: MEDICAL HISTORY/CONDITIONS: pt states he takes meds for anemia and
diabetes at home, name he does not know

HEART
STROKE
HEART DISEASE:
DYSRHYTHMIAS
HYPERTENSION
HYPOTENSION
OTHER
B/P:
P:
MEDS:
P02:

LUNGS
COPD
BRONCHITIS
TB
ASTHMA
MEDS
LUNG SOUNDS:
COUGHING? Y/N

OTHER
DIABETES ☒ not diabetic
ANEMIA ☒
PSYCHIATRIC
SEIZURES
LIVER DISEASE
KIDNEY ☒
partial ☒
kidney failure

ALLERGIES: URA, NKDAMEDICAL COMMENTS: pt is old and needs time necessary to urinate.
if too much urine in a case of kidney failure can become emergency

MEDICAL EXAMINATION AND TREATMENT:

SMOKE HX: 2 packs daily x 25 yearsETOH: SCARS: above umbilical, surgical HOW OLD: INFECTIONS: 0SKIN TEMPERATURE /CONDITION/APPEARANCE: yellowEYES: jaundice, periorbitalLICE/ITCHING: 0SUBJECTIVE: 61 yo pw fatigue, dizziness from standing up and walking
says has not eating anything except crackers. pt has been drinking
bottle of water and urinating daily only 1oz daily. Urine is yellow
abdominal is bloated.TREATMENT: allow time to urinate. Talk with M.D. about pt.
given vitamin C Ting 100%, peribismol table in between
meds.

6567

INCIDENT REPORT FORM

Type of Report: Initial

Date/time of report: 080805February2004

Date/time of incident: 080708February2004

Location of incident: LD 80132903 (TF IH CCP-Tikrit Main Palace)

Unit involved in the incident: 4th Platoon, 4th Military Police Company

Name of senior person involved in incident and contact information: [REDACTED] b64 b7c4

[REDACTED] All persons named can be reached by DNV at [REDACTED] b64 b7c4

Narrative of Incident: On the morning of 08FEB04 at approximately 0700 4th platoon, 4th Military Police Company assumed responsibility of the detention facility from 5th platoon, 4th Military Police Company. At every shift change there is a head count conducted with both the on coming shift and off going shift personnel present. As the head count was being conducted it was noticed by [REDACTED] b64 b7c4 that one of the detainees was not present. [REDACTED] went into cell #2 to check on the detainee and that is when it was recognized that the detainee wasn't moving. [REDACTED] nudged the detainee and asked him if he was ok and he received no response. [REDACTED] notified the off going Sergeant of the Guard who was [REDACTED] that the detainee wasn't moving. At that time [REDACTED] b64 b7c4 took the detainee's pulse and determined that there was no pulse. [REDACTED] b64 b7c4 informed [REDACTED] to go to the company to inform a medic of the situation and to get a doctor to officially pronounce the detainee as being deceased. At approximately 0730 [REDACTED] pronounced detainee #5982 as being deceased. [REDACTED] from the PMO was notified immediately upon discovery of the body who in turn notified the deputy provost marshal [REDACTED] b64 b7c4 and Mortuary Affairs. b61 b7c1

Friendly Casualties: N/A

Enemy Casualties: N/A

EPWs: Deceased of unknown causes b61 b7c1

POC name and contact information: [REDACTED] 4th MP b61 b7c1

[REDACTED] DNV [REDACTED] at DNV [REDACTED] b61 b7c1

6568

EXHIBIT H

MEMO FOR RECORD

26 February 2004

b64
b7C4
On 20 Feb 2004 at approximately 1100 hrs, I conducted a phone interview with [REDACTED] assigned to Brassfield Move FOB. [REDACTED] the FOB that did the initial intake processing on the EPW named [REDACTED] Ahmed. The intake processing was accomplished on 1 Feb 2004.

b64
b7C4
[REDACTED] had no recollection of the above mentioned EPW or of the medical note written on that date (Exhibit F). He did say that the note would have prompted a call to the physician on duty but can't recall if that call was made or if a physician was contacted.

[REDACTED] b64 b7C4

6569