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3 May 2004

INFORMATION PAPER

SUBJECT: Update on Abu Ghraib Prison Misconduct

1. Purpose. To provide an update on investigations into allegations of detainee abuse at the Abu Ghraib Prison.

2. Discussion.

a. On 14 Jan 04, USACID opened a criminal investigation based on information provided by a U.S. Soldier working at the Abu Ghraib detention facility. Some of the abuse was photographed with digital cameras and saved on CDs. The investigation uncovered approximately 100 relevant photographs including (1) detainees being ordered to masturbate in front of guards and other detainees; (2) detainees being ordered to form nude human pyramids; (3) detainees being handcuffed to doors or bed frames; and (4) guards sitting or standing on detainees. CID also found short videos of detainees masturbating and the nude pyramids.

b. Shortly after initiation of the USACID investigation, at the request of the CJTF-7 Commander, the CFLCC Commander directed his deputy to conduct an administrative investigation under AR 15-6 into systemic issues such as command policies and internal procedures relating to detention operations. A separate assessment of detainee operations in theater was also requested by CJTF-7 and is being conducted by the DAIG. The DAIG assessment is nearing completion and a final report.

c. On 20 March 2004, BG Kimmit announced at a Coalition Press Briefing that the investigations had resulted in six Soldiers being charged with criminal offenses under the UCMJ and reiterated the Coalition policy to treat detainees with dignity and respect. BG Kimmit provided only summaries of the charges and did not provide Soldier names or units. All charged soldiers were in the 372d MP Company, a USAR unit from Cumberland, MD.

d. The ranks of the Soldiers charged were SSG, SGT, and included four Specialists. The alleged offenses include (1) indecent acts for ordering detainees to publicly masturbate; (2) maltreatment of subordinates for non-physical abuse like ordering detainees into nude pyramids and taking pictures of the nude detainees; (3) battery for shoving and stepping on detainees; (4) dereliction of duty; and (5) conspiracy to maltreat subordinates. Additionally, the two NCOs were charged with aggravated assault for striking detainees with enough force to cause serious injury, and one soldier was charged with desecrating a corpse by taking pictures with two dead bodies. A seventh former-372nd Soldier, a PFC redeployed to Fort Bragg, N.C., is pending preferral of court-martial charges – perhaps this week.

e. The Commander, CFLCC approved the AR 15-6 Investigation findings and some of its recommendations on 6 April 2004. Final adverse administrative actions were approved on 30 April 2004. The Commander CFLCC and CJTF-7 took some form of adverse administrative actions against the entire chain of command, including among others the brigade, battalion, and company commanders.

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