

all b-6-2

1LT C5-18MP115S1

From: [REDACTED] 1LT C5-18MP115S1  
Sent: Sunday, August 03, 2003 11:54 PM  
To: [REDACTED] @93SigBde2,army.smil.mil; [REDACTED] CPT CJTF7-320TH MP BN S1;  
[REDACTED] 1LT C5-18MP115S1; [REDACTED] CPT CJTF7 400TH MP BN S1;  
[REDACTED] LTC CJTF7-800TH MP BDE SJA  
Subject: Message Form Coalition Provisional Authority Ministry of Justice Representative

All:

For those of you that have not yet met me, let me take this opportunity to say hello and introduce myself. I am a JAG officer whose formal title is Special Assistant to the CFLCC Staff Judge Advocate for EPW Operations. In this capacity, I have been working in a variety of EPW missions since the conflict began in March, and I am now here in Baghdad (actually situated at Camp Cropper) to try to help address to crisis that has developed with regard to the number of criminal detainees we are holding throughout the theatre. I have begun a process of screening these prisoners files with an eye towards segregating them into prosecution categories. These categories include Refer to Court (file ready to initiate judicial proceedings), Needs Further Investigation, and Release. This last category will include files where I have determined that there is no criminal case present, or there is a case however the charge is minor and the prisoner has been in custody for a period of time and will be given "credit for time served". Another class of case in this category are those where there is a case however the charge is non-violent and considering how long it will take to bring the case to court in light of the state of the Iraqi judicial system at this time (and again the time already spent in custody), further detention before trial would result in an injustice. As you might surmise, my mission statement from MG (Ret) Campbell, the senior CPA representative at the MOJ, included an understanding that I may have to liberally exercise my discretion in making these determinations in favor of release.

Earlier today I was informed that LTG Sanchez has approved a change to the process by which you can release individuals in your custody. With regard to persons who are in our custody solely as a result of a criminal charge, an Iraqi judge or a representative from the CPA MOJ can direct their release. It will no longer be necessary to forward a recommendation of release through channels to the 800th MP Bde Release Board for them to consider and then make a recommendation to BG Karpinski. The process is now streamlined to recommend release at the level the charges on the case are resolved. I suggest that you advise your prisoners of the fact that their cases are in the process of being reviewed (to show them that they may not be here forever) and that the review process has been modified to expedite the release of those prisoners whose cases are otherwise eligible for this result. As of right now, I am working alone so the process is a little slow, but in 10 days I have gotten through over 500 cases and its going more quickly now.

Toward this end, I am now prepared to recommend the release of over 175 prisoners. Printed below are the names and sequence numbers of the affected prisoners broken down by the facility where they are currently held according to a database maintained here at Cropper. As the names on the list were lifted from the Apprehension Reports prepared when the detention commenced, the name may vary a little from any compound manifests you maintain at your facility. Additionally, please account for the cultural translation problems inherent in this entire operation (i.e. Mohammed vs Muhamad) when checking the list. Please do NOT just release the prisoners on the list based on my say so; check to make sure there are no MI or CID holds on them first. These holds may have been imposed locally, and I have no way of knowing if they exist. However you choose to do this is for your camp commander to decide. I recommend continuing to use the sign off form included as an attachment to FRAGO 415. This will insure that a proper record is kept of the release process.

If you have any questions regarding any prisoner on this list or with this message, please feel free to ask me before you take any action on a release. Remember its better to be safe than sorry. Without any further ado, here is the list of prisoners.

ALL B-6-4

ABU GHAREB

[REDACTED]

ALL b-6-4

AL-Salhiya

[REDACTED]

CAMP BUCCA

[REDACTED]

ALL b-6-4

CAMP CROPPER

Bucca

ABU

Bucca

ABU

ABU

Al-Salhi

TASFERRAT

Good luck! Let the releases begin....

Best Regards,

COL. JA

CPA Ministry of Justice Representative