

NOTES

1. Insert a concise statement of each offense in terms stating a specific violation and the Article of the UCMJ (Part IV, MCM). If additional space is needed, use last 11 of continuation sheet as described in note 11 below.
 2. Inform the member of the maximum punishment which may be imposed under Article 15.
 3. Inform the member that if he or she demands trial, trial could be by SCM, SPCM, or OCM. Additionally, inform the member that he or she may object to trial by SCM and that at SPCM or OCM he or she would be entitled to be represented by qualified military counsel, or by civilian counsel at no expense to the government. If the member is attached to or embarked in a vessel, he or she is not permitted to refuse Article 15 punishment. In such cases, all reference to a demand for trial will be lined out and an appropriate remark will be made in item 11 indicating the official name of the vessel and that the member was attached to or embarked in the vessel at the time punishment was imposed.
 4. Give the member copy 3 of this form.
 5. Offenses determined not to have been committed will be lined out. If the imposing commander decides not to impose any punishment, the member will be notified and all copies of this form destroyed.
 6. Amounts of forfeiture of pay will be rounded off to the next lower whole dollar. If a punishment is suspended, the following statement should be added after it: To be automatically remitted if not vacated before (date). If punishment includes a written reprimand or reprimand, it will be attached to this form and listed in item 11.
 7. The imposing commander will initial the appropriate block. The OMPP performance fiche is routinely used by MOS/specialty career managers and DA selection boards. The OMPP restriction fiche is not given to MOS/specialty career managers or DA selection boards without approval of the Cdr, MILPERCEN or selection board proponent.
 8. If the member appeals, this form and all written evidence considered by the imposing commander will be forwarded to the superior authority.
 9. Before acting on an appeal, it must be referred to a judge advocate for advice when the punishment, whether or not suspended, includes reduction of one or more pay grades from the fourth or a higher pay grade, or is in excess of one of the following: 7 days arrest in quarters, 7 days correctional custody, 7 days forfeiture of pay, or 14 days of other extra duties or restriction. (See Article 15a (1) to (7), UCMJ.)
 10. The superior authority will initial the appropriate block. If the appeal is granted, the specific relief granted will be stated according to note 12.
 11. In this space indicate the number of pages attached as follows: Allied documents on appeal consist of _____ pages. Allied documents include all written matters considered by the imposing commander submitted by the member on appeal and the commander's rebuttal, if applicable. If additional space is needed for completion of any item (3), use plain bond headed "Continuation Sheet 1".
 12. Applicable portions of the following format may be used to record action taken on appeal. Appropriate language should be entered in item 11 or, if necessary, on a continuation sheet. Supplementary actions (para 3-32, AR 27-10) will be recorded on DA Form 2627-2.
- Suspension, Mitigation, Remission, or Setting Aside
- On (date), The punishment(s) of _____ (DATE)
 imposed on (name of punishment) (was) (were) (suspended and will be automatically remitted if not vacated before (date))
 (mitigated by) (set aside, and all rights, privileges, and property affected restored) (by my order) (by order of) (the officer who
 imposed the punishment) (the successor in command to the imposing commander) (at superior authority).
 (Typed name, grade, and organization of commander) _____
11. Racial/ethnic identifiers will be placed in item 11 (Chapter 15, AR 27-10).

REVERSE OF DA FORM 2627, AUG 84

DAFPC VI 00

00027

ITEM NO. 1 CONTINUATION SHEET, DA FORM 2627, [REDACTED]
[REDACTED]

In that you, U.S. Army, did, at U.S. Naval Base, Guantanamo Bay, Cuba, on or about 17 September 2002, assault Detainee [REDACTED] by attempting to spray him with a water hose. This is in violation of Article 128, UCMJ.

00028



JOINT TASK FORCE - 160
160th Military Police Battalion
Guantanamo Bay, Cuba
APO AE 09360

160-MP-CDR

08 October 2002

MEMORANDUM FOR RECORD

SUBJECT: Commander's Inquiry, [REDACTED] 239th MP Co.

I have spoken with the Company Commander, [REDACTED] and reviewed the sworn statement of [REDACTED] concerning an incident at Camp Delta on 17 September 2002. Based on the sworn statement of [REDACTED] the information given to the undersigned about the incident and [REDACTED] background, a Field Grade Article 15 should be initiated regarding this incident as there is cause to believe that a UCMJ violation was committed.

[REDACTED]
LTC, MP
Commanding

00029

SWORN STATEMENT			
For use of this form, see AR 190-46; the proposed agency to Office of The Deputy Chief of Staff for Personnel.			
LOCATION Camp Delta / GTMO Bay Cuba	DATE 9-19-02	TIME 1470	FILE NUMBER [REDACTED]
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SPECIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS [REDACTED]
ORGANIZATION OR ADDRESS 23A th MP CO GTMO Bay Cuba			
I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH On 17 September 2002 [REDACTED] was working India Block. From the beginning of shift the entire block was upset banging on cells in protest of something [REDACTED] found out later from an interpreter for the reason the detainees were upset were the temperature was too hot in their cells and we would not turn the lights of in their cells by order of [REDACTED] command. The banging went on periodically throughout the shift. [REDACTED] was obviously the individual inciting the riot because the block would go quiet then [REDACTED] would begin to holler in his language then begin to kick on his door then the rest of block would follow suit. Then dinner Chow was served [REDACTED] heard what sounded like paper tearing from [REDACTED] cell [REDACTED] then approached his cell to identify the sound at this time [REDACTED] shouted loudly in his language then threw his shredded dinner plate out of his serving hole followed by the rest of India block doing the same. All serving holes were then closed and the food was being cleaned up. [REDACTED] was knocking on his window like he needed something so [REDACTED] opened the window to see what [REDACTED] needed at that time [REDACTED] threw water in [REDACTED] face. Later on the order came from the CP to take the CI from all detainees that threw out their plates. [REDACTED] began with [REDACTED] asking for CI when [REDACTED] got to [REDACTED] and opened the window to ask for CI [REDACTED] threw water in [REDACTED] face again water was warm and did not smell good so water was suspected to be toilet water. At that time [REDACTED] looked down and the water hose was laying on the floor that was going to be used to clean the food off the floor so without thinking [REDACTED] bent down to pick up hose and spray [REDACTED] but [REDACTED] jumps failed because [REDACTED] had placed his PT mat over the window and did not even get sprayed. -///END OF STATEMENT///-			
EXHIBIT [REDACTED]		INITIALS OF PERSON MAKING STATEMENT [REDACTED]	
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.		PAGE 1 OF 2 PAGES	

DA FORM 2823

SUPERSEDES DA FORM 2823, 1 JAN 66, WHICH WILL BE USED.

00030

STATEMENT (Continued)

NOT USED

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE [REDACTED]. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY 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.

WITNESSES:

[REDACTED]
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by I.R. to administer oaths, this 18 day of September, 1962.
G. T. M. [REDACTED], Clerk

ORGANIZATION OR ADDRESS

[REDACTED]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Typed Name of Person Administering Oath)
Art 136 (h) & 14 MS
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

U.S. GOVERNMENT PRINTING OFFICE: 1959-300-071/50002

00031