

FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

DEPARTMENT OF THE ARMY
United States Army Criminal Investigation Command
3rd Military Police Group (CID)
22nd Military Police Battalion (CID)(FWD)
Detainee Abuse Task Force
Baghdad, Iraq
APO AE 09342

CIMPR-FR

8 Jan 04

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL (C) / SSI - 0184-04-CID259-80230-
/SC2/5Y2E/5X1

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 11 FEB 2004/0001 HRS - 17 FEB 2004/2400 HRS; CAMP AL BAGHDADI, IRAQ
2. 1 MAR 2004/ 0001 HRS - 7 MAR 2004/2400 HRS; CAMP AL BAGHDADI, IRAQ (IZ).

DATE/TIME REPORTED: 24 JUN 2004, 1500 HRS.

INVESTIGATED BY: SA [REDACTED]

SA [REDACTED]

SA [REDACTED]

SA [REDACTED]

SA [REDACTED]

SA [REDACTED]

SA [REDACTED]

SUBJECT: 1. (UNKNOWN); (NFI) [ASSAULT] [CRUELTY AND MALTREATMENT]
[CONSPIRACY (INSUFFICIENT EVIDENCE)]

2. (UNKNOWN); W; MALE; (NFI) [ASSAULT] [CRUELTY AND
MALTREATMENT] [CONSPIRACY (INSUFFICIENT EVIDENCE)]

VICTIM: 1. [REDACTED] CIV; INTERMENT SERIAL NUMBER (ISN): [REDACTED]
[REDACTED] UNKNOWN; M; WHITE; DATE OF CAPTURE: 8 FEB 04 (NFI) [ASSAULT]
[CRUELTY AND MALTREATMENT] [CONSPIRACY (INSUFFICIENT EVIDENCE)]

2. [REDACTED] CIV; ISN: [REDACTED] M;
WHITE; DATE OF CAPTURE: UNKNOWN; (NFI) [ASSAULT] [CRUELTY AND
MALTREATMENT] [CONSPIRACY (INSUFFICIENT EVIDENCE)]

INVESTIGATIVE SUMMARY:

On 24 Jun 04, this investigation was initiated upon receipt of a Transmittal of Criminal Information (0279-04-CID001) from the US Army Criminal Investigation Command, Fort Belvoir, VA, of a possible abuse involving unknown detainees by unknown person(s) at an unknown location, in IZ. This investigation is also documented under Request for Investigation (RFI) 0549-04-CID001 from the Detainee Assessment Task Force, US Army Criminal Investigation Command, Fort Belvoir, VA.

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Investigation established there was insufficient evidence to prove or disprove the allegation of Conspiracy. Both victims stated they were abused by American soldiers, indicating there was more than one soldier. However, subsequent investigation did not identify any witnesses to the incident(s). Further investigation did not further diminish the integrity or credibility of Mr. [REDACTED] and Mr. [REDACTED] allegation, as it pertains to the offense of Conspiracy.

STATUTES:

Article 128, UCMJ: Assault

Article 93, UCMJ: Cruelty and Maltreatment

Article 81, UCMJ: Conspiracy

EXHIBITS/SUBSTANTIATION:

Attached:

1. Agent's Investigation Report (AIR) of SA [REDACTED] 26 Jul 04, detailing the receipt of the Transmittal of Criminal Information, coordination with SA [REDACTED] and the receipt of Mr [REDACTED] detainee file.
2. AIR of SA [REDACTED] 17 Mar 04, detailing the receiving the report of abuse; the interviews of SPC [REDACTED] Mr [REDACTED] CPT [REDACTED] and Mr [REDACTED] and the collection of photographs of the [REDACTED] injuries.
3. Sworn Statement of SPC [REDACTED] 8 Mar 04, detailing Mr [REDACTED] claim of prisoner abuse.
4. (2) Statements of Possible Prisoner Abuse concerning Mr [REDACTED] 3 Mar 04.
5. Arabic Statement of Mr [REDACTED] 9 Mar 04, detailing the allegations of abuse. (USACRC and File Copy Only)
6. English Translation of Mr [REDACTED] Arabic statement, exhibit 5, translated by Mr [REDACTED]
7. Sworn Statement of CPT [REDACTED] (Misdated) 14 Nov 04 (correct date 14 Mar 04), detailing the injuries to Mr [REDACTED]
8. Photograph Packet comprised of four color photographs of Mr [REDACTED] injuries (Provided by CPT [REDACTED]).
9. AIR of SA [REDACTED] 20 Jul 04, detailing the receipt of Mr [REDACTED] detainee file and the loss of Mr [REDACTED] detainee file and obtaining copies of Mr [REDACTED] and Mr [REDACTED] medical records.
10. Medical records of Mr [REDACTED] 19 Feb 04-23 Feb 04.
11. Medical records of Mr [REDACTED] 11 Mar 04.
12. Dossier of Mr [REDACTED]

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13. Dossier of Mr [REDACTED] *b7C-4, 66-4*
14. Naval Criminal Investigative Service (NCIS) report 16OCT04-MEBJ-0467-7XMA/C, 25 Oct 04, detailing the Request for Assistance; coordination with 1st Mar Div Detention Operations and Baghdad Central Correctional Facility. *b7C-4, 66-4*
15. AIR of SA [REDACTED] 23 Nov 04, detailing the receipt of the Request for Assistance; coordination with CPT [REDACTED] MS [REDACTED] SSG [REDACTED] and 1SG [REDACTED] various records queries; and the prior interview of CW3 [REDACTED] and the interviews of SGT [REDACTED] SGT [REDACTED] and SGT [REDACTED] *b7C-4, 66-4*
16. 2/3 ACR Daily Staff Journal Log, DA Form 1594, 8 Feb 04,
17. 2/3 ACR Spot Report concerning Mr [REDACTED] capture, 8 Feb 04. *b7C-4, 66-4*
18. Rights Non-Waiver Certificate of CW3 [REDACTED] 9 Aug 04. *b7C-4, 66-4*
19. Rights Non-Waiver Certificate of SGT [REDACTED] 23 Nov 04. *b7C-4, 66-4*
20. Sworn Statement of SGT [REDACTED] 23 Nov 04, pertaining to his knowledge of the capture of Mr [REDACTED] the lack of injuries to Mr [REDACTED] and the lack of witnessing any abuse to Mr [REDACTED] *b7C-4, 66-4*
21. Sworn Statement of SGT [REDACTED] 23 Nov 04, pertaining to his knowledge of the capture of Mr [REDACTED] the lack of injuries to Mr [REDACTED] and the lack of witnessing any abuse to Mr [REDACTED] *b7C-4, 66-4*
22. AIR of SA [REDACTED] 6 Dec 04, detailing the receipt of the Request for Assistance; coordination with MAJ [REDACTED] CPT [REDACTED] CPT [REDACTED] LTC [REDACTED] CPT [REDACTED] MAJ [REDACTED] and 1SG [REDACTED] and the interviews of SGT [REDACTED] SPC [REDACTED] SPC [REDACTED] and SPC [REDACTED] *b7C-4, 66-4*
23. AIR of SA [REDACTED] 21 Dec 04, detailing the interviews of SGT [REDACTED] SGT [REDACTED] and Dr [REDACTED] and SJA coordination, and receipt of the Air Force Office of Special Investigation (OSI) information packet. *b7C-4, 66-4*
24. OSI information packet pertaining to interviews conducted of medical personnel who were stationed at Abu Ghraib, IZ.

Not Attached:

None.

The originals of exhibits 1, 2, 3, 5-7, 15, and 19-23 are forwarded with USACRC copy of this report. The originals of exhibits 4 and 10-13 are maintained in the detainee files of the Detainee Operations, Multi National Forces Iraq (MNF-I) Baghdad, Iraq. The originals of exhibits 8, 16, and 17 are maintained at an unknown location. The original of exhibit 14 is maintained in the files of the Naval Criminal Investigative Service Resident Agency, Al Asad, IZ. The original of exhibits 9 and 18 are maintained in the USACRC under CID ROI 0210-04-CID259-80245. The original of exhibit 24 is maintained at an unknown location.

STATUS: This is Final (C) Report. This investigation was terminated in accordance with CIDR 195-1,

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paragraph 4-17 (a) (6), in that the Special Agent-in-Charge has determined that the furtherance of the investigation would be of little or no value and that the leads remaining to be developed are not significant. Remaining leads include the interviews of the unknown subject(s) and locating Camp Al Baghdadi and determine who operated it. Commander's report of action (DA Form 4833) is not required.

Report Prepared By:

Report Approved By:

67C-166-462-1
[Redacted]
Special Agent,

67C-166-1
[Redacted]
Special Agent in Charge

Distribution:

1-DIR, USACRC, 6010, 6th Street, Fort Belvoir, VA 22060-5506 (original)

1-Thru: CDR, 22nd MP BN (CID) (FWD), APO AE 09342

Thru: CDR, 3rd MP Group (CID)

To: CDR, USACIDC, ATTN: CIOP-ZA, Fort Belvoir, VA 22060

1-PMO, MNF-I (e-mail only)

1-CID LNO, MNF-I, APO AE 09335 (e-mail only)

1-Office of the Staff Judge Advocate, III Corps, ATTN: MAJ [Redacted] (email only)

1-File

015013

Basis for Investigation: On 24 Jun 04, this office received a Transmittal of Criminal Information (0279-04-CID001) from the U.S Army Criminal Investigation Command (USACIDC), Fort Belvoir, VA of a possible abuse involving unknown detainees by unknown person(s) at an unknown location.

About 1300, 2 Jul 04, SA [REDACTED] coordinated with SA [REDACTED] Forensic Science Officer (FSO), 22nd MP Bn, Baghdad, IZ, who advised he had reviewed the photo's on file and found none matching the photo's provided by USACIDC. *67C-466-1*

About 0900, 9 Jul 04, SA [REDACTED] received the Raw Data File (RDF), which pertained to allegations of abuse reported by CPT [REDACTED] at BCCF. The RDF identified the two unknown individuals as Mr. [REDACTED] NDRS# [REDACTED] and Mr. [REDACTED] NDRS# [REDACTED]. It appears Mr. [REDACTED] is the person in the photographs with the injuries to the wrists and ankles. Mr. [REDACTED] and [REDACTED] described their abuse which occurred at AL-BAGHDADI, IZ. *67C-466-1* *67C-466-4* *67C-466-4* *67C-466-4* *67C-466-4*

About 0900, 26 Jul 04, SA [REDACTED] received the detainee file pertaining to Mr. [REDACTED] the file pertaining to Mr. [REDACTED] was reported lost by Military Intelligence at BCCF (See detainee file for details)///LAST ENTRY/// *67C-466-1* *67C-466-4* *67C-466-4*

SA [REDACTED]
Special Agent, [REDACTED]

Signature: [REDACTED]

67C-466-1
78th MP DET Forward (CID)
Baghdad, Iraq APO AE 09342

Date: 26 Jul 04 Exhibit: *f*

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CID Form 94

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

PAGE 1 OF 2 PAGE

DETAILS

BASIS FOR INVESTIGATION: On 8 Mar 04, this office received notification from SPC [REDACTED] E Section, Joint Interrogation and Debriefing Center (JIDC), Abu Ghryeb Prison, Iraq, that Detainee [REDACTED] National Detainee Reporting System (NDRS) Number [REDACTED] was physically abused by Military Police (MP) at a Coalition Camp called Baghdadi. b7C-4,66-8
b7C-4,66-4
b7C-4,66-4

At 1714, 8 Mar 04, SA [REDACTED] this office, interviewed SPC [REDACTED] who rendered a Sworn Statement which detailed her knowledge of the incident. (See Sworn Statement for details) b7C-4,66-4

AGENT'S COMMENT: SPC [REDACTED] provided the Possible Prisoner Abuse Report, 3 Mar 04. (See Incident Report for details) b7C-4,66-4

At 0940, 9 Mar 04, SA [REDACTED] and Mr. [REDACTED] Interpreter, Titan Corporation, Baghdad International Airport (BIAP), Baghdad, Iraq, interviewed Detainee [REDACTED] who provided an Iraqi Language Statement, which detailed the physical abuse he suffered at Camp Baghdadi by the Military Police. (See Iraqi Language Statement for details) b7C-3,66-3
b7C-4,66-4

AGENT'S COMMENT: Mr. [REDACTED] wrote the statement for Detainee [REDACTED] as Detainee [REDACTED] had an injury to his hand and was unable to write the statement himself. b7C-3,66-3

On 9 Mar 04, Mr. [REDACTED] translated the Iraqi Language Statement of Detainee [REDACTED] (See Translation for details) b7C-4,66-4

At 1700, 14 Mar 04, SA [REDACTED] obtained a Sworn Statement from CPT [REDACTED] 49th Medical Detachment, Abu Ghryeb Prison, Iraq, which detailed injuries to Detainee # [REDACTED] sustained while in U.S. custody at Camp Al-Baghdadi. (See Sworn Statement for details) b7C-4,66-4

AGENT'S COMMENT: CPT [REDACTED] provided color photographs of the injuries. (See Photographs for details) b7C-1,66-1
b7C-3,66-3

At 1300, 17 Mar 04, SA [REDACTED] and Ms [REDACTED] Interpreter, Titan Corporation, BIAP, Baghdad, Iraq, interviewed Detainee [REDACTED] NDRS# [REDACTED] Detainee [REDACTED] stated he was at Camp Al-Baghdadi on/about 1 Mar 04. Detainee [REDACTED] related he was handcuffed and drug around the ground. Detainee [REDACTED] further stated he was "hog-tied" and was hung from the chain and also hung from his handcuffs. Detainee [REDACTED] stated the torture would occur twice a day, in the morning and in the evening before dinner. Detainee [REDACTED] was forced to drink water until he would throw up, and then taken to a dark room and tortured. Detainee [REDACTED] described the individual who would torture him b7C-4,66-4
b7C-4,66-4
b7C-4,66-4

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED]

SIGNATURE [REDACTED]

ORGANIZATION

Prisoner Interrogation Team (PIT) (CID)

Abu Ghryeb Prison, Iraq

DATE

17 Mar 04

EXHIBIT

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CID FORM 94

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AGENT'S INVESTIGATION REPORT

ROI NUMBER

CID Regulation 195-1

PAGE 2 OF 2 PAGE

DETAILS

as a very large, muscular, white male, [REDACTED]

Detainee [REDACTED] related the man was called " [REDACTED] Detainee [REDACTED] described what was believed to be a ASP baton, which was pressed into his arm and left bruises. Detainee [REDACTED] stated the large man would place his boot over his mouth and press down and would also kick him when he would fall on the ground. Detainee [REDACTED] stated there would usually be group of MP's present, but no one would stop this abuse from taking place. Detainee [REDACTED] further stated there was an Egyptian interpreter present during the beatings and described him as about forty years old with a receding hairline and some gray hair. Detainee [REDACTED] could not provide any further information for this investigation.

////////////////////////////////////LAST ENTRY////////////////////////////////////

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED]

SIGNATURE [REDACTED]

ORGANIZATION

Prisoner Interrogation Team (PIT) (CID)
Abu Ghriyeb Prison, Iraq

DATE

17 Mar 01

EXHIBIT

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SWORN STATEMENT

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

67C-4,66-4

LOCATION Abu Ghurayb Prison, Abu Ghurayb, IZ 09342	DATE 2004/03/08	TIME 1714	FILE NUMBER 67C-4,66-4
LAST NAME FIRST NAME MIDDLE NAME [REDACTED] 67C-4,66-4	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS SPC

ORGANIZATION OR ADDRESS

E Section, Joint Interrogation and Debriefing Center (JIDC) Abu Ghurayb, IZ 09342

67C-4,66-4

I, [REDACTED] 67C-4,66-4, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 3 March 2004, Detainee [REDACTED] relayed to me his claims of possible prisoner abuse. Detainee arrived to a Coalition Camp near Heat, IZ, called Baghdadi and was transferred to Abu Gharib on 19 February 04. Detainee claims that for the first six days he was put in stress positions both sitting and standing for over 4 hours at a time. Detainee claims that the military police soldiers directed the other detainees to circle around him and hit him one after the other in a round-robin fashion. Detainee claims that two military police soldiers had him on the ground and they were kicking his face which made a cut. Immediately after that a military police officer came and yelled at those two soldiers and they stopped. The military police officer then took a picture of the detainee's face and got him medical treatment. Detainee claims that for the last two days he was treated well at that camp.

- Q. Does this detainee speak English?
 A. He understands and speaks very little.
 Q. What are the stress positions he was talking about?
 A. He would have to stand at attention and sit in a chair that slopped. These are common positions used by MI personnel.
 Q. How does the detainee know the soldiers were MP's?
 A. I asked him and he stated they were MP's, as they were wearing the brassards that had MP on it.
 Q. Does he know what unit they were from?
 A. I did not ask him.
 Q. Do you know what MP unit covers this camp?
 A. No, but the area is covered by 3rd ACR.
 Q. What do you mean by Round Robin Style?
 A. They were all circled around him and then the next detainee would hit him.
 Q. How does the detainee know it was military officers who stopped the MP's?
 A. I did not ask him.
 Q. Did the detainee have any injuries from the abuse?
 A. He claims it hurt his arm, and he was being treated for it. The medical paperwork stated he had abrasions on his wrist from the hand irons.
 Q. Has this detainee been interviewed by MI personnel prior to your interview?
 A. Yes, he was interviewed at screening, as well as either Heat or AL Ramadi.
 Q. Did he make any complaints at these areas?
 A. No.
 Q. Why did he not report this sooner?
 A. I do not know.
 Q. Why was this detainee detained?
 A. His name was on a list. The list was of military members. There is no other reason for his being detained.
 Q. Did he provide any names of the MP's or soldiers who abused him?
 A. No, he did not know any names, or physical descriptions of the soldiers.
 Q. Did his abuse happen every day for the six days he was detained at Heat?
 A. Yes.
 Q. Does he know any of the detainees who were forced to abuse him?
 A. I did not ask.
 Q. Did he provide any other information pertinent to this investigation?
 A. No.
 Q. Do you wish to add anything else to your statement?
 A. No//END OF STATEMENT//

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED] 67C-4,66-4	PAGE 1 OF 2 PAGES
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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.

DA FORM 2823, JUL 72

SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

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EXHIBIT 000009

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STATEMENT (Continued)

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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 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 INFLUENCE.

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 8th day of March, 19 2004 at Abu Ghraib Prison, Abu Ghraib, IZ

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ART 136 UCMJ

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

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EXHIBIT

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Page(s)

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Referred to:

U.S. CENTRAL COMMAND
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MACDILL AIR FORCE BASE
FLORIDA 33621-5101

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015019

Page(s)

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Withheld due to:

☒ Foreign Language

☐ Photos depicting Americans

☐ Photos depicting foreign nationals

☐ Civilian Agency Records

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