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After Action Report (AAR)
Preliminary Investigation into the death of a Detainee at
Geresch Forward Operating Base, Helmand Province, Afghanistan

MISSION: Conduct a Preliminary investigation into the death of a detainee in custody at Geresch Forward Operating Base (FOB), Helmand Province, Afghanistan.

SYNOPSIS:

On or about 4 Nov 03, USSF personnel took custody of Mr [REDACTED] an Afghani male, 25-27 yrs of age, a self-confessed member of the Taliban. When processed by the USSF medical staff he was noted to having several bruises to his hips, groin and buttocks area (some severe to minor), and numerous burns to his chest (which is a known interview/interrogation "technique" used by the local Afghanistan Militia Forces (AMF)). Allegedly, during interrogation [REDACTED] admitted to being involved in ambushes of OGA, USSF personnel and other coalition forces. [REDACTED] admitted to being involved in intelligence collection in efforts to ambush or kill coalition members, or impede operations conducted by coalition members. On 6 Nov 03, [REDACTED] was guarded by the AMF security force at the Geresch FOB with one other detainee. The AMF Security guard left the detainment area, and when he returned he discovered [REDACTED] laying in a supine position, wrapped in a wool blanket in the center of the detainee area. The guard immediately summoned USSF medical personnel, who determined [REDACTED] was deceased. No life-saving measures were attempted due to the presence of rigor mortis. USSF personnel at the FOB immediately notified their higher headquarters (3rd Bn, 3rd SFG, Kandahar Air Field, AF) of the death. During an examination of the areas and the remains, no apparent signs of foul play, or struggle were noted.

An Autopsy of the remains is pending at the time of this report. The undetermined cause and manner of death is currently being investigated by the US Army Criminal investigation Command ([REDACTED]), Kandahar Branch Office, AF, APO AE 09355.

SIGNIFICANT INTERVIEWS:

About 2130Z, 6 Nov 03, SA [REDACTED] interviewed SFC [REDACTED] (18D, SF Medic), [REDACTED] A Co, 3rd Bn, 3rd SFG, Geresch FOB, who stated he was the SF Medic notified that the detainee was found dead in the detainee area. SFC [REDACTED] stated he conducted a preliminary assessment and based on the onset of rigor mortis no lifesaving measures were attempted (see attached Sworn Statement of SFC [REDACTED] for details).

About 2230Z, 6 Nov 03, SA [REDACTED] interviewed SFC [REDACTED] A Co, 3rd Bn, 3rd SFG, Geresch FOB, who stated he initially received [REDACTED] from the AMF. SFC [REDACTED] stated at the time of his release to USSF, he was photographed and medically assessed by USSF personnel (SSG [REDACTED] A Co, 3rd Bn, 3rd SFG, Geresch FOB, AF). SFC [REDACTED] stated he was the last USSF person to see [REDACTED] alive (See attached Sworn Statement for details).

AGENT'S COMMENT: SFC [REDACTED] is a 18E, SF Military Intelligence NCO.

About 0030Z, 7 Nov 03, SA [REDACTED] interviewed SSG [REDACTED] (18D SF Medic), who related he conducted an initial assessment of [REDACTED] when he was released to USSF personnel. SSG [REDACTED] stated [REDACTED] was observed to have burns to his chest and stomach areas, and bruising to his hips, groin and buttocks areas. SSG [REDACTED] it was not unusual to see detainees released to USSF with this injury. SSG [REDACTED] described these injuries as a normal interview/interrogation method used by the local AMF, that discovery was always determined by medical personnel, and never reported by the detainee. SSG [REDACTED] stated this was due

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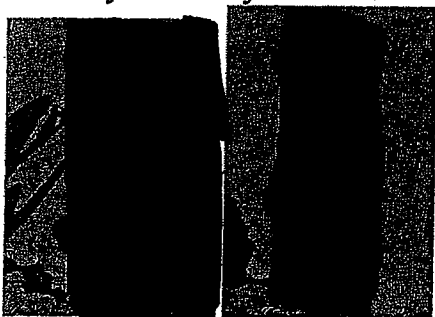
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Exhibit 9

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to a cultural difference. SSG [REDACTED] stated that showing your buttocks to other personnel (especially males) was offensive and embarrassing to the detainee, and was also considered a sign of weakness.

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About 0045Z, 7 Nov 03, SA [REDACTED] coordinated with SFC [REDACTED] and confirmed the cultural aspects of showing buttocks, etc... SFC [REDACTED] stated they often saw this activity, or interview "technique" used by the AMF for this very reason. SFC [REDACTED] stated he could provide photographs of prior detainees with similar injuries when initially processed and photographed by the SF medics. SA [REDACTED] asked if the detainee complained of injury during his interrogations. SFC [REDACTED] stated he did not complain of anything, which he would noted as unusual. Additionally, had the detainee showed signs of medical distress SF Medics would have been immediately summoned.

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Additionally, SFC [REDACTED] stated he did not believe the AMF guards, watching the detainees (which consisted of the deceased and one other person) did not harm the detainee. SFC [REDACTED] stated he believed they had no reason to cause the detainee any harm. In fact, the USSF personnel were worried they may cause harm to the other detainee, due to his being involved in the ambush and killing of the local AMF commander, and they were only briefed that the deceased was a member of the Taliban and should be watched closely.



Detainee at time of release from AMF to USSF

OTHER INVESTIGATIVE ACTIVITY:

Initial Notification to CITF and CID:

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About 1720Z, 6 Nov 03, CPT [REDACTED], Office of the Staff Judge Advocate, 3rd Battalion, 3rd Special Forces Group (SFG), Kandahar Air Field (KAF), AF reported a local national being detained by US Special Forces (USSF), and guarded by the AF Militia Security Forces (AMF), at Geresch Forward Operating Base (FOB), Helmand Province, AF, was discovered by an AMF guard crumpled on the floor dead. CPT [REDACTED] further requested this office (and USACIDC) conduct a preliminary investigation to determine culpability of USSF personnel, or eliminate wrongdoing on the part of USSF.

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About 2030Z, 6 Nov 03, CPT [REDACTED], SA [REDACTED], SA [REDACTED], USACIDC, and MAJ (DR) [REDACTED], Battalion Surgeon, 3rd Bn, 3rd SFG, KAF, traveled via helicopter to the FOB.

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NOTE: Prior to take off it was learned that the remains had been released to the next-of-kin for burial. USSF personnel at the FOB normally released remains for cultural and religious reasons. However, once learned the remains would be needed, FOB personnel were dispatched to recover the remains. It should be noted that the deceased ([REDACTED]; s/o [REDACTED]; approx. 26 years of age, and from the village of Geresch, Helmand Province, AF) was a self confessed member of the Taliban, and lived in an area known to be pro-Taliban. Attempting to recovery the remains was a dangerous task due to the family's ties to ACM forces. However, while enroute to the FOB it was learned the remains were recovered, and safeguarded at the FOB medical center.

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Medical Assessment at FOB:

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 About 2100Z, 6 Nov 03, SA [REDACTED] exposed photographs of injuries noted by MAJ (DR) [REDACTED], who stated there was extensive bruising and swelling to the hips, buttocks and groin area. Further, there were burn marks (which were in various stages of healing) to the chest area. Further, there was a bruise to the left shoulder, and various abrasions to his lower extremities, in various stages of healing. There were no apparent injuries to the head or neck area, and the deceased did not have any injuries to his hands (palm or back of hand). DR [REDACTED] noted the presence of rigor mortis, and lividity to the back and back of the legs of the deceased. At the time of the examination the deceased was unclothed and wrapped in a wool blanket. (See photographs for details). b(7)(C)-3

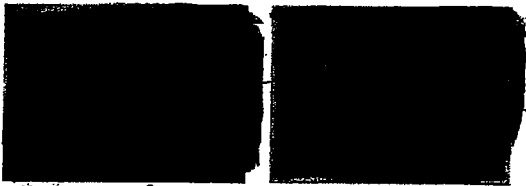
NOTE: The clothes of the deceased were reported as removed by the family in preparation for burial.



Detainee injuries at time of processing of scene

Physical Examination of the Remains:

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 About 0830Z, 7 Nov 03, LTC (DR) [REDACTED], General Surgeon, 911th Forward Surgical Team (FST), Task Force (TF) Warrior, KAF, conducted a physical examination of [REDACTED] remains, in an effort to ascertain the cause and manner of death. LTC [REDACTED] limited his examination to opening the chest cavity, obtaining tissue (heart and liver) and blood samples for toxicology. X-rays of the remains were exposed, and no remarkable injuries were noted. Photographs of the examination were exposed by SA [REDACTED] (see the Medical Report, Evidence Form and Photographs for details). b(7)(C)-5



"Pulmonary Trunk"

"Heart w/scale"

NOTE: LTC [REDACTED] could not make an opinion of findings, and a medical legal autopsy was scheduled, to be performed at Bagram Air Field. b(7)(C)-3

CRIME SCENE VERIFICATION:

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 About 2200Z, 6 Nov 03, SA [REDACTED] conducted a crime scene examination of the detainee area, located 3' from the main entrance into Geresch FOB, Helmand Province, AF.

CHARACTERISTICS OF THE SCENE: The area identified, as the detainee area was a plywood structure shaped octagonal, with approximately 4' high, and 4' deep cubicles. The cubicle areas had a ceiling (about 3' x 4') and three walls (about 4' x 3'), and was open in the center of the structure. The area was free of debris and appeared clean. There was a folding metal chair, resting upright on the floor, and centered on the west wall, and a box, which contained drinking bottled water. The structure was unpainted and was constructed of treated plywood. There was an entrance and exit way, which was merely a 2" x 4" piece of wood, which made a person bend at the waist to enter the structure. There was no door, nor locks to keep a person from leaving. However, the structure was surrounded by concertina wire, and two Afghanistan Militia Forces soldiers, who was stationed inside the detainee area, guarded the area. The guard area consisted of merely a holding area within the structure, and the folding metal chair. The over-watch consisted of US Special Forces (USSF).

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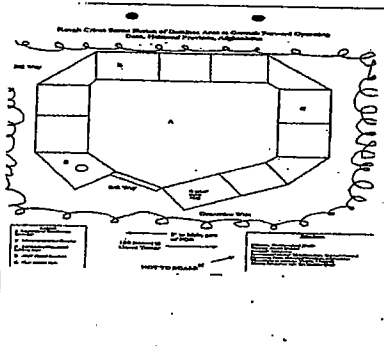
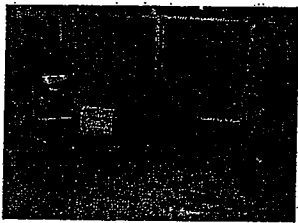
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soldier's on-duty in a guard tower within the FOB, which was 100 meters inside the base, and was about 50' high up.

CONDITION OF THE SCENE: The scene was clean of dirt, and there were several empty bottles of water laid on the floor of the detainee area at the time of the examination, and there was only one detainee sleeping in a cell of the structure. The detainee area was structurally sound, and appeared unsecured, besides the guards positioned inside the structure guarding the detainee. There was also a heat source in another of the cells, which was not operating at the time of the examination.

ENVIRONMENTAL CONDITIONS: At the time of the outdoor scene examination the outside temperature was about 35 degrees Fahrenheit, and there was a slight wind. No unusual odors were noted. There had not been any precipitation within the last twenty-four hours.

SCENE DOCUMENTATION: A Rough Crime Scene Sketch was completed by SA [REDACTED] and verified by SA [REDACTED]. SA [REDACTED] also exposed digital photographs of the scene using a Nikon Coolpix, Model 995 (see sketch and photographs for details).
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IMPROVEMENTS:

SA [REDACTED] coordinated with CPT [REDACTED] Trial Counsel, 3rd Bn, 3rd SFG, regarding future deaths of detainees at FOB's. SA [REDACTED] and CPT [REDACTED] agreed that medico legal autopsy's in the future be conducted by qualified Pathologist. Further, that CTF/CID could coordinate with our higher headquarters to ensure a Pathologist was available in a timely manner. CPT [REDACTED] stated this would become policy, to ensure future incidents were conducted properly.
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STATUS OF INVESTIGATION: This investigation is currently being investigated by the local USACIDC element under Report of Investigation: [REDACTED]. No further action is anticipated by this office.
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