



DEPARTMENT OF THE ARMY  
400th MILITARY POLICE BATTALION  
BIAP, IRAQ, APO AE 09302-1322

AFRC-CPA-AO-D-PR  
2004

19 October

MEMORANDUM FOR Commander, 400<sup>th</sup> Military Police Battalion

SUBJECT: Escape and shooting at Abu Gharaib

1. This 15-6 investigation includes two parts. An escape that took place around 1400 and a riot that resulted in a shooting and death of one detainee and injuries to seven other detainees around 1600.
2. The Escape: The detainee (b)(6) 4 used a piece of cardboard from a water bottle box to push the triple strain concertina wire up and slide under. The detainee did this while the tower guard was turned the other way. The QRF was activated and quickly apprehended the detainee while other guards pursued. Reference enclosure 21.
  - a. This location was previously used by detainees to escape seven days earlier. This is an ideal spot to use because of the concealment along the wall. This spot was reinforced after the first escape attempt. A step to prevent an attempted escape attempt like this would be a cellblock enclosure. The cellblock is currently being renovated. Prisoners use cardboard boxes to sleep on. This is good for preventive medicine.
  - b. The SOP does not specifically cover an escape attempt. This is a general guard order to prevent detainees from escaping
3. The Riot: Around 1600, 30-40 detainees started to throw rocks from their compounds at the three interior guards. The interior guards tried to get behind a generator to avoid the rock throws. They then proceeded to the exit. Enroute to the exit the interior guards were hit with baseball size rocks. A prisoner was about to throw a tent pole like a javelin at the interior guards only 10-15 feet away, when all three guard towers fired at the main threat 8 times and one tower shot 3 times into the crowd. This effectively dispersed the crowd and eliminated the threat. Reference enclosure 20 and 22 for the prison overlay and tower shooting layout.
  - a. Upon reading the sworn statements (enclosure 7-19), I determined that the shooting was justified. All three towers determined that the lives of the interior guards were threatened. This fact under the current rules of engagement gives authorization for the soldier to respond with a lethal force. Prior to lethal response the towers even tried to verbally control the crowd ineffectively. The rules of engagement are reinforced in the company SOP and stationed at the guard towers. They were followed.
  - b. The company having placed a variety of weapons (M16 or shotgun) gives the guards the choice to avoid unnecessary ricochet or firepower thru a target. This choice let the guard in tower #6 control the crowd effectively with fewer deaths but more injuries.
  - c. The QRF responded immediately after the shots. They helped secure the injured detainees for treatment and secure the compounds.

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4. Recommendations.

- a. Extra concertina wire passed the far tower
- b. Post a daytime roving patrol
- c. Less lethal weapon capability with proper training
- d. Proper life support for prisoners (hygiene support and supplies, variety of food, linguist support, MI support)
- e. Slug shotgun rounds
- f. Remove all rocks in compound areas
- g. Refresh on rules of engagement
- h. Post compound rules in Arabic and English
- i. Contracted translators

5. The POC is the undersigned at [redacted]@us.army.mil.

[redacted]  
CPT, MP  
Adjutant

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ENCL

- 1 - Appointment orders
- 2 - Camp Vigilant SOP
- 3 - [redacted] Custody Document
- 4 - 72<sup>nd</sup> Commander SITREP
- 5 - Prison Count 141045DJUN2003
- 6 - Prison Count 142115DJUN2003
- 7 - DA 2823, SPC [redacted] - tower shooter
- 8 - DA 2823, CPT [redacted] - Commander
- 9 - DA 2823, SGT [redacted] - tower shooter
- 10 - DA 2823, SPC [redacted] - tower shooter
- 11 - DA 2823, 1SG [redacted] - First SGT
- 12 - DA 2823, SSG [redacted] - RTO
- 13 - DA 2823, SGT [redacted] - Interior Guard
- 14 - DA 2823, SGT [redacted] - Interior Guard
- 15 - DA 2823, SPC [redacted] - Interior Guard
- 16 - DA 2823, SGT [redacted] - external tower guard
- 17 - DA 2823, SGT [redacted] - prison transport escort

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18 – DA 2823, SSG [REDACTED] – Yard tower guard  
19 – DA 2823, SFC [REDACTED] – Yard tower guard  
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- 20 – Yard Overlay map
- 21 – Escape Overlay map
- 22 – Shooting Overlay map
- 23 – Battalion Serious Incident Report
- 24 – Investigation Log
- 25 – Evidence photo CD
- 26 – Shotgun shells tower #6
- 27 – Shotgun shells tower #5
- 28 – M-16 shells Yard tower

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