

LAW ENFORCEMENT SENSITIVE

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19 May 04

EXECUTIVE SUMMARY

[U] ALLEGED NEW PHOTOS OF DETAINEE ABUSE (IRAQ) [USACIDC]: This responds to an RFI from HQDA regarding "new" photographs allegedly depicting additional detainee abuse, to include sexual assaults. On 14 May 04, during a meeting in OSD, a member of the CIA's Office of General Counsel (OGC) provided a disk to the DoD OGC that contained 26 digital photographs and suggested that it might be of some use during the investigation of detainee abuse at Abu Ghraib prison. DoD OGC then had the disk couriered to COL [REDACTED] SJA, CJTF-7. On 19 May 04, the photographs were provided to Army CID in Iraq. A review of the photographs disclosed that one was an innocuous photograph of Secretary Rumsfeld with BG Karpinski during a briefing, 14 were captured images of the Abu Ghraib detainee photographs shown by 60 Minutes (and the CBS logo can be seen on the photographs), two photographs depicting three nude apparent Iraqi males being guarded by four apparent US Soldiers in combat gear, not in a detention facility setting, and nine photographs depicting sexual acts between a female and several males dressed in green BDU-like uniforms.

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There is no indication that any of these last nine photographs involve US Soldiers or occurred in either Iraq or Afghanistan. Some of the same photographs appeared in several Egyptian newspapers on 4 May 04. On 5 May 04, the U.S. Embassy in Cairo, Egypt demanded a retraction for the photographs, and issued a statement saying "We have done a thorough investigation of the origin of these photos and have conclusive evidence that they originated on a pornographic website. They are clearly staged photos, done by actors, as the site itself states." Army CID has identified the pornographic website as sexinwar.com, the photographs are on that site, and the site does say the events are staged by actors.

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On 17 May 04, Mr. [REDACTED] of Weare, NH (SSG [REDACTED] defense attorney), advised that he had received information from his client's family which might be evidence in the case, to include original journal entries and an "mpg stick" with relevant pictorial information, photographs, and writings. Mr. [REDACTED] has agreed to release the items to a CID Agent at 0930, 21 May 04 (Friday) after he has made copies of the items. It is unknown if the photographs will be new photographs or just more duplicates of photographs already in custody.

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Mr. [REDACTED] /703 [REDACTED]  
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APPROVED BY: COL [REDACTED]

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All information related to this matter is law enforcement sensitive and should be restricted. Any premature release of case-sensitive information could jeopardize the investigation and affect successful prosecution. This information is protected by the Privacy Act. By law and regulation, it may not be disclosed to any person or organization outside the Department of Defense without the individual's authorization and prior approval of the U.S. Army Criminal Investigation Command.

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