

MEMORANDUM FOR AF/JAO

FROM: 435 ABW/JA

(b)(6),(b)(7)(C) SUBJECT: Legal Review of Detainee Photographs – SSgt [redacted] (Subject)

(b)(6),(b)(7)(C) 1. **Background:** On 28 Jan 02, [redacted] a photo developer at the Ramstein Base Exchange and active duty Air Force member, developed pictures depicting hooded individuals on a military aircraft with hands and feet bound. There were also individuals in military uniforms in the photographs. He reported these photographs to AFOSI. AFOSI retrieved all photographs and negatives. (Electronic versions of the photographs are attached to this review.)

(b)(6),(b)(7)(C) 2. AFOSI recovered a signed credit card receipt indicating the film belonged to SSgt [redacted] a member of the 137th Aeromedical Evacuation Squadron, Will Rogers Air National Guard Base, Oklahoma. SSgt [redacted] commander, Lt Col [redacted] confirmed SSgt [redacted] was a member of his unit currently supporting Operation ENDURING FREEDOM.

(b)(6),(b)(7)(C) 3. AFOSI contacted SSgt [redacted] who admitted to taking the photographs on 27 December 2001 and 3 January 2002. SSgt [redacted] explained a verbal policy prohibiting photography on missions was issued on 9 January 2002. He stated he took no further pictures and, to the best of his knowledge, all other crew members complied with this policy.

4. The photographs in question specifically portrayed the following:

a. The majority of the photographs are relatively nondescript, depicting hooded detainees with hands and feet bound. Some photos contain detainees with varying injuries. There are US military in some of these photographs, with some members holding weapons. There are three photographs, however, of more significant concern.

(1) A hooded detainee with a For Him Magazine sitting in his lap. The detainee is hooded, has his feet shackled and his hands are bound behind his back. Although not "pornographic", For Him Magazine is a periodical targeted at men consisting substantially of photographs of women in suggestive poses wearing only lingerie or other skimpy outfits.

(2) The same hooded detainee discussed in (1) above with what appears to be either another magazine with a female dressed in combat gear on the cover or a doll box containing a doll dressed in combat gear on his lap.

(3) The third photograph depicts a male military member showing an open magazine to a hooded/bound detainee. The photograph the member is pointing to is a woman dressed in lingerie, purportedly from the same For Him

Magazine. The member is smiling, as if sharing a joke with the detainee. There are five military members standing behind the detainee, looking on.

5. AFOSI contacted an attorney at the Ramstein base legal office on 29 January 2002.

(b)(5)

Accordingly, AFOSI "zeroed" the case file and did not complete any additional investigation. No formal report of investigation was completed. Although several other crew members are depicted in the photographs, no other crew members were questioned, nor was the commander interviewed. There is no further information about any predeployment briefings or other training provided to the unit regarding treatment and photographing of detainees. No disciplinary action was taken.

(b)(5)

(b)(6),(b)(7)(C)

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(b)(5)

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(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

11. If you have questions about this review, please contact me at DSN 314-480-5908.

 Lt Col, USAF
Deputy Staff Judge Advocate

Attachment:
Photographs

PHOTO
DENIED IN FULL
EXEMPTION

6&7

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