

DEPARTMENT OF THE ARMY
2D BRIGADE, 4TH INFANTRY DIVISION (MECHANIZED)
BAQUBAH AIRFIELD, IRAQ

AFYB-AR-CDR

25 November 2003

MEMORANDUM FOR MAJ [REDACTED] Headquarters and Headquarters Company, 2d Brigade, 4th Infantry Division (Mechanized), Fort Hood, Texas 76544

SUBJECT: Appointment of Investigating Officer

1. You are hereby appointed as an investigating officer to conduct a formal investigation pursuant to AR 15-6 (Procedures for Investigating Officers and Boards of Officers) on the circumstances surrounding the release of civilian detainee [REDACTED] from the Warhorse detention facility to the custody of 588th Engineer Battalion between 22 November 2003 and 24 November 2003. Your investigation will include but not be limited to answering the following questions:

- a. What if any possible offenses occurred which violated the Uniform Code of Military Justice?
- b. Which individuals questioned the civilian detainee during that period of time?
- c. Who acted as an interpreter?
- d. Which leaders from the unit were present?
- e. Which leaders knew why he was taken out and questioned?
- f. What was the medical condition of the detainee once he left the detention center and following his return?
- g. Who had knowledge of his medical condition when he left the detention center and when he returned?


2. All witness statements will be sworn and recorded on DA Form 2823 if possible and you will obtain Privacy Act Statements from all witnesses who complete a written statement. If, in the course of your investigation, you come to suspect that an individual may be criminally responsible, you will advise that individual of their rights under Article 31, UCMJ, or the Fifth Amendment as appropriate. Use the DA Form 3881 to advise soldier of rights.

3. Legal advice and assistance must be obtained from the Office of the Staff Judge Advocate before you take any action on this matter. Consult with your legal advisor (CPT [REDACTED] HHC, 2d BCT) prior to your investigation. You will familiarize yourself with the provisions of AR 15-6 and the Guide for Informal 15-6 Investigations.

4. Your report, together with all evidence marked as exhibits, will be submitted to me on DA Form 1574 no later than 2000 hours on 2 December 2003. Submit any requests for delay to me

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either orally or in writing. You will obtain a written legal review prior to submitting the completed investigation.



COL, AR
Commanding