

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-6; the proponent agency is OTJAG.

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

SECTION I - APPOINTMENT

Appointed by BG JANIS L. KARPINSKI
(Appointing authority)

on 15 JAN 04 (Date) (Attach inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6)

SECTION II - SESSIONS

The (investigation) (board) commenced at CAMP ARIFJAN, KUWAIT at 1200
(Place) (Time)

on 15 JAN 05 (Date) (If a formal board met for more than one session, check here . Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.) The following persons (members, respondents, counsel) were present: (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)

The following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence.) (See paras 5-2 and 5-8a, AR 15-6.)

The (investigating officer) (board) finished gathering/hearing evidence at 1430L on 18 JAN 04
(Time) (Date)

and completed findings and recommendations at 1700 on 19 JAN 04
(Time) (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES		YES	NO ¹⁾	NA ²⁾
1	Inclosures (para 3-15, AR 15-6)			
	Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)			
	a. The letter of appointment or a summary of oral appointment data?	X		
	b. Copy of notice to respondent, if any? (See item 9, below)			X
	c. Other correspondence with respondent or counsel, if any?			X
	d. All other written communications to or from the appointing authority?			X
	e. Privacy Act Statements (Certificate, if statement provided orally)?			X
	f. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?			X
	g. Information as to sessions of a formal board not included on page 1 of this report?			
	h. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?			X

FOOTNOTES: 1) Explain all negative answers on an attached sheet.
2) Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

ANNEX 12

Exhibits (para 3-16, AR 15-6)		YES	NO	NA ²⁾
a.	Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?	X		
b.	Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	X		
c.	Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	X		
d.	Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?			X
e.	Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?	X		
f.	Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?			X
g.	If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?			X
3.	Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?			X
B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)				
4.	At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-3b, AR 15-6)?			
5.	Was a quorum present at every session of the board (para 5-2b, AR 15-6)?			
6.	Was each absence of any member properly excused (para 5-2a, AR 15-6)?			
7.	Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?			
8.	If any members who voted on findings or recommendations were not present when the board received some evidence, does the inclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?			
C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)				
9.	Notice to respondents (para 5-5, AR 15-6):			
a.	Is the method and date of delivery to the respondent indicated on each letter of notification?			
b.	Was the date of delivery at least five working days prior to the first session of the board?			
c.	Does each letter of notification indicate -			
(1)	the date, hour, and place of the first session of the board concerning that respondent?			
(2)	the matter to be investigated, including specific allegations against the respondent, if any?			
(3)	the respondent's rights with regard to counsel?			
(4)	the name and address of each witness expected to be called by the recorder?			
(5)	the respondent's rights to be present, present evidence, and call witnesses?			
d.	Was the respondent provided a copy of all unclassified documents in the case file?			
e.	If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?			
10.	If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings):			
a.	Was he properly notified (para 5-5, AR 15-6)?			
b.	Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-4c, AR 15-6)?			
11.	Counsel (para 5-6, AR 15-6):			
a.	Was each respondent represented by counsel?			
	Name and business address of counsel:			
	(If counsel is a lawyer, check here <input type="checkbox"/>)			
b.	Was respondent's counsel present at all open sessions of the board relating to that respondent?			
c.	If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the action taken on it included in the report (para 5-6b, AR 15-6)?			
12.	If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6):			
a.	Was the challenge properly denied and by the appropriate officer?			
b.	Did each member successfully challenged cease to participate in the proceedings?			
13.	Was the respondent given an opportunity to (para 5-8a, AR 15-6):			
a.	Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?			
b.	Examine and object to the introduction of real and documentary evidence, including written statements?			
c.	Object to the testimony of witnesses and cross-examine witnesses other than his own?			
d.	Call witnesses and otherwise introduce evidence?			
e.	Testify as a witness?			
f.	Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?			
	If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (para 5-8b, AR 15-6)?			
15.	Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (para 5-11, AR 15-6)?			
FOOTNOTES: 1) Explain all negative answers on an attached sheet. 2) Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.				

INVESTIGATION WAS CONDUCTED AS FOLLOWS:

ON 13 JANUARY 2004 I WENT TO CAMP BUCCA TO INVESTIGATE THE 7 JANUARY ESCAPE. AT THAT TIME I WAS INFORMED BY LTC FARRELL THAT ANOTHER ESCAPE HAD OCCURED THE PRIOR EVENING. WHEN I WENT OUT TO THE INTERNMENT FACILITY WITH ILI MULLIGAN I HAD HIM SHOW ME WHERE THE ESCAPE HAD OCCURIED FOR BOTH EVENTS.

I WENT BACK TO CAMP BUCCA ON 18 JANUARY TO INTERVIEW THE FOLLOWING SOLDIERS AND COLLECT ADDITIONAL STATEMENTS;

MAJ [REDACTED], ACTING BN COMMANDER

CPT [REDACTED] 724TH MP BN S-3

SGM [REDACTED] 724TH MP BN OPEERATIONS SGM

SFC [REDACTED] 822ND MP CO, CO SOG (SFC SHAEFER IS IN GERMANY WITH A MEDICAL EVAC)

SPC [REDACTED] 822ND MP CO FRONT TOWER GUARD

SPC [REDACTED] TOWER GUARD, COMPOUND 11

SPC [REDACTED] COMPOUND CONTROL NCO

SGT [REDACTED] COMPOUND CONTROL NCO.

CHAIN OF COMMAND THAT NIGHT:

724TH MP BN - OVERALL COMMAND

ND MP GUARD CO. COMPOUND GUARDS (TOWERS/ROVERS/SOG)

HHC, 310TH MP BN. COMPOUND COiNTROL GUARDS

267TH MP CO. QRF

ATTACHMENTS:

1. APPOINTMENT LETTER
2. SIR
3. NDRS PRINTOUT, ESCAPEES
4. COPY OF FOG PLAN
5. SKETCH OF COMPOUND AND ROUTE OF ESCAPE.
6. MEMORANDUM FOR RECORD BY 310TH MO BN S-3
7. STATEMENTS.

SECTION IV - FINDINGS (para 3-10, AR 15-6)

the (investigating officer) (board), having carefully considered the evidence, finds:

THE INVESTIGATION FINDS THAT ROOT CAUSE OF THE ESCAPE WAS DUE TO EXTREMELY LOW VISIBILITY, INEXPERIENCED COMPOUND GUARDS, OVERCROWDING AND MOVEMENT OF GUARD ASSETS FROM TOWERS BEFORE A COMPLETE COUNT WAS MADE.

DURING THE EVENING IN QUESTION, 12 JANUARY, THE SOG DECIDED TO PUT THE "FOG PLAN" INTO EFFECT. WHAT THIS ENTAILS IS CLEARING ALL DETAINEES FROM THEIR TENTS AND MOVING THEM TO THE INNER COMPOUND TO SHRINK THE PERIMETER. ALL DETAINEES ARE ACCOUNTED FOR AND THEN THE TOWER GUARDS MOVE IN TO FORM A PERIMETER AROUND THE INNER COMPOUND. THE TOWER GUARD IN FRONT OF COMPOUND 10, SPC MARSHALL WAS INSTRUCTED BY SFC [REDACTED] (SOG) TO KEEP EYES ON THE COMPOUND CONTROL MP THAT WENT TO WAKE DETAINEES FROM THEIR TENTS. FROM HIS TOWER LOOKING SOUTH, HE COULD NOT SEE CLEARLY THE FRONT HOLDING CELL DUE TO THE FOG AND A BLIND SPOT FROM THE CP TENT. IT IS BELIEVED THAT AT THIS TIME, 3 DETAINEES EXCITED THE FRONT HOLDING CELL AND CROSSED CENTERLINE ROAD WHERE THERE IS NO WIRE AND VERY LITTLE LIGHTING. THE THIRD DETAINEE WAS SITED BY THE TOWER GUARD (DISMOUNTED FROM TOWER) IN COMPOUND 11. HE CHALLENGED HIM, SHOT HIM WITH NON LETHAL AND HE JUMPED BACK IN THE WIRE.

ONCE WHAT THEY THOUGHT A COMPLETE COUNT WAS OBTAINED, THE SOG INSTRUCTED THE TOWER GUARDS TO DISMOUNT FROM THE TOWERS AND MOVE IN CLOSER TO THE INNER COMPOUND. I BELIEVE THAT WHEN THIS OCCURRED, THE FOUR DETAINEES THAT GOT OUT THE SOUTH SIDE OF THE INNER COMPOUND HAD ALREADY EXCITED THE COMPOUND WIRE AND HAD MOVED THROUGH THE TENTS TOWARD THE SOUTH SIDE OF THE OUTER COMPOUND. WHEN THE TOWER GUARDS MOVED UP TO THE NORTH SIDE, THE DETAINEES WENT OUT THE BACK AND WERE APPREHENDED BY THE QRF THAT WAS ROAMING THE SOUTH BERM AND SPOTTED THEM.

RECOMMENDATIONS:

1. THAT MP'S BE POSITIONED AROUND THE INNER COMPOUND BEFORE THE DETAINEES ARE BROUGHT FORWARD AND THAT THE TOWER GUARDS ARE NOT PULLED OUT BEFORE THIS OCCURS.
2. MOVE CP TENTS SO THEY DO NOT OBSTRUCT TOWER GUARD SITE OF INNER COMPOUND.
3. EMLACE CHAIN LINK FENCING (AS PLANNED IN SOW 9 TO LOGCAP CONTRACT). THE CONCERTINA WIRE IN PLACE IS NOT IN GOOD SHAPE AND EASILY PENETRATED AT THIS POINT.
4. COMMUNICATIONS EQUIPMENT BE UPGRADED. BATTERIES ARE NOT HOLDING CHARGES AND THERE IS INADEQUATE COMMUNICATIONS AROUND THE COMPOUND. MP'S SHOULD NOT GO IN DETAINEE TENTS WITHOUT COMMUNICATION. (SGT [REDACTED] SHOULD BE COUNCELLED ON THIS)
5. REHEARSALS OF THE FOG PLAN SHOULD CONTINUE TO BE CONDUCTED.
6. DO NOT EXCEED COMPOUND CAPACITY OF 500. THERE WERE 651 DETAINEES IN THE WIRE THAT NIGHT.
7. PUT UP FENCING ON THE OTHER SIDE OF CENTERLINE ROAD AND IMPROVE LIGHTING. IMPROVE INNER COMPOUND WIRE SO THEY CAN'T EASILY GET OUT ONCE ACCOUNTED FOR THERE.

SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

In view of the above findings, the (investigating officer) (board) recommends:

AFTER THOROUGHLY REVIEWING THE SITUATION, I CAN NOT FAULT ANY INDIVIDUAL SOLDIERS IN THE COMPOUND FOR BEING NEGLIGENT OR DERELICT IN THEIR DUTIES RESULTING IN THE ESCAPES. THE FOG PLAN WORKED IN THE OTHER TWO COMPOUNDS WITHOUT INCIDENT THAT NIGHT. WITH ADDITIONAL REHEARSALS AS WELL AS IMPLEMENTATION OF THE OTHER RECOMMENDATIONS I DO NOT SEE THIS REOCCURRING.

ADDITIONAL RECOMMENDATIONS:

8. EMERGENCY ACTION PLANS SHOULD BE WRITTEN UP AS SOPS THAT CAN BE THOROUGHLY UNDERSTOOD.
9. HIGHER HEADQUARTERS CONDUCT PERIODIC REVIEW OF SOPS'S FOR EAP'S, PRISONER DAILY SCHEDULE, INFRACTIONS/PUNISHMENT ETC.

SECTION VI - AUTHENTICATION (para 3-17, AR 15-6)

...IS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. (If any voting member or the recorder fails to sign here or in Section VII below, indicate the reason in the space where his signature should appear.)

(Recorder)



(Investigating Officer) (President)

(Member)

(Member)

(Member)

(Member)

SECTION VII - MINORITY REPORT (para 3-13, AR 15-6)

To the extent indicated in Inclosure _____, the undersigned do(es) not concur in the findings and recommendations of the board. (In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)

(Member)

(Member)

SECTION VIII - ACTION BY APPOINTING AUTHORITY (para 2-3, AR 15-6)

The findings and recommendations of the (investigating officer) (board) are (approved) (disapproved) (approved with following exceptions/substitutions). (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence (or a summary, if oral) as a numbered inclosure.)

Serious Incident Report (1-002)

1. Category: N/A
2. Type of Incident: EPW escape
3. 120330Z Jan 04
4. Camp Bucca, Compound 10
5. Other Information: None
6. Personnel Involved:

a. Subject 1.

- i. Name: [REDACTED]
- ii. Rank: CIV
- iii. ISN: 115314
- iv. Iraqi
- v. Male
- vi. Age: 25
- vii. Position: EPW
- viii. Security:
- ix. 724 MP BN

b. Subject 2.

- i. Name: [REDACTED]
- ii. Rank: CIV
- iii. ISN: 109950
- iv. Iraqi
- v. Male
- vi. Age: 21
- vii. Position: EPW
- viii. Security:
- ix. 724 MP BN

7. 6 detainees escaped from Compound 10 under heavy fog conditions. A seventh made an attempt but was deterred. The escape was noted at 0330 and 4 detainees were recaptured in subsequent search. They were placed in Compound 12. 2 detainees, above, are still missing and the search continues.
8. Remarks: The fog had a tremendous impact on the operations to secure the facility. The detainees in Compound 10 attempted to conduct an escape north and south of the compound. The MPs captured 5 escapees; unfortunately 2 were able to get over the wire and beyond the perimeter.

MPs fired upon them but the detainees were lost in the fog and the chase.
Corrective action is being implemented to avoid it ever happening again.

9. Publicity: None
10. Command Reporting: 724 MP BN
11. POC: CPT [REDACTED]
12. Downgrading Instructions: None

US9IZ-115314CI



Last Name [REDACTED]
First Name [REDACTED]
Middle [REDACTED]
Category CI-CIVILIAN INTERNEE
Power IZ-Iraq

Arm of Service
MOS
COS 99-SEE REMARKS
Service No B380265
Grade
Geneva Cat.
ICRC
Camp Name BUCCA
Enclosure 86-SAN JUAN 10
Holding/Cell DNR 10

Height
Weight 130
Hair Color
Eye Color
Nationality IZ-Iraq
Religion
Race
Marks

Sex M
Blood Type
DOB [REDACTED]
Complexion [REDACTED]

US9IZ-115314CI		CI-CIVILIAN INTERNEE		Issuing Facility BUCCA	Date issued 2004/01/12	ID Person	
	General Info					380265	
	Height	Weight	Sex			M	
Date of Birth	Place of Birth	ICRC		Remarks			
1978 01 01							
[REDACTED]				Issuing UIC BUCCA			

	US9IZ-115314CI		Person 380265	
	[REDACTED]		DOB 1978/01/01	
M		Blood Type		
BUCCA		BUCCA		Date 2004/01/12

US9IZ-109950CI





Last Name [REDACTED]
First Name [REDACTED]
Middle [REDACTED] BUCCA
Category [REDACTED] E
Power IZ-Iraq

Arm of Service ZZ-UNKNOWN

MOS
COS 99-SEE REMARKS
Service No B10934
Grade
Geneva Cat.
ICRC
Camp Name BUCCA
Enclosure 86-SAN JUAN 10
Holding/Cell DNR 4.8

Height
Weight
Hair Color
Eye Color
Nationality IZ-Iraq
Religion 33-SUNNI-ISLAM
Race X OTHER
Marks
Sex M
Blood Type
DOB [REDACTED]
Complexion [REDACTED]

US9IZ-109950CI	CIVILIAN INTERNEE				Issuing Facility BUCCA	Date issued 2004/01/12	0701007
	Issue Date	Expiration Date	Category	Power			
	1982/08/05						

	US9IZ-109950CI	0701007
	DOB 1982/08/05	
M	BUCCA	BUCCA 2004/01/12



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
724th and 310th MILITARY POLICE BATTALION
CAMP BUCCA, IRAQ

AFRC-CNY

08 January 2004

MEMORANDUM FOR: Record

SUBJECT: Escaped Detainees on 12 January 2004 at Camp Bucca.

SUMMARY OF EVENTS: On the morning of 11 January 2004, the Sergeant of the Guard (SOG) of the IF operations at Camp Bucca, made the decision to implement the FOG Plan. The damp weather created such a FOG around the our of 0030 that it was near impossible to see 20 to 30 feet in front of them. Concerned about the visibility of the tower guards, the SOG ordered the compound to apply the FOG plan and inform the chain of command. Additional Patrols and MPs were sent out to the exterior perimeter to form a more complete 360 degree around the compound.

The FOG plan results in moving all the detainees into the front holding cell of compounds. As a result, all detainees are in a tighter enclosure and easy to watch and maintain 360 degree security. Once the detainees are secured and in the holding area, the tower guards move in to form a perimeter. The compound control NCOs count each detainee going into the holding area to ensure full accountability. Once the fog lifts and the visibility is in such a manner that the MPs can see all points of the perimeter of each compound, the tower guards return to the towers.

SGT [REDACTED] (NCOIC) and SPC [REDACTED] who are the compound control NCOs of 10, began to apply the FOG plan. SPC [REDACTED] posted himself at the entrance of the holding area of compound 10. SGT [REDACTED] began to call and order the detainees to move to the front of the compound and into the holding area. The detainees start to move to the holding area at a very slow and resistance pace. SGT [REDACTED] had a difficult time getting the 651 detainees to cooperate in an orderly manner. SPC [REDACTED] began to count the detainees into the holding cell. Soon after, an additional MP showed up in front of the compound to provide over-watch protection to the compound NCOs because they are in the compound without weapons. There were close to 450 to 500 detainees in the holding area when SGT [REDACTED] claimed to not be able to see the other end of the holding area because the fog was too thick. Close to 0200, SPC [REDACTED] was completing his count and getting close to the 625 on his count when he heard Non-Lethal rounds going off near the other end of the holding area. The two compounds NCO quickly finished their count and moving the detainees into the holding area to get control of the situation.

At approximately 0200, a roving MP guard from the far end of compound 11 spotted a detainee jumping over the wire at the front of compound 10's holding area. The roving MP shot the detainee as he cleared the wire. The detainee quickly got up and jumped



DEPARTMENT OF THE ARMY
724th and 310th MILITARY POLICE BATTALION
CAMP BUCCA, IRAQ

REPLY TO:
ATTENTION OF

back over the wire into the holding area. Moments later, the QRF team (977th and 267th MP Co) spotted 4 detainees running from the north side of compound 10. The QRF yelled halt then opened fire. The detainees split in two directions and the QRF gave chase. All four were captured as the 977th and 267th MP Co divided their forces and tracked down the detainees. All detainees were placed in the isolation cells in compound 12.

Once it was discovered that 4 detainees were captured at the north side of compound 10, the SOG and SGM ordered a complete count of all detainees by ISN. The count was complete around 0500 when it was discovered that two (2) detainees were unaccounted for. The BN CDR (now on site) ordered a complete search of the perimeter with all MP assets on camp. The exterior force (977th and 267th MP Co) began to patrol and search the surrounding area of Camp Bucca. The fog was extremely heavy and thick throughout the entire morning. The SOG and interior QRF conducted an inspection of the interior wire. It was discovered that the detainees escaped over the wire moments before the roving MP (from compound 11) shot the detainee jumping over the wire in the holding area of compound 10. The 267th MP Co tracked the escaped detainees to the exterior limits of the general area. The British troops and chain of command were informed as photos of the detainees passed along.

Critical improvements and rehearsals are being conducted on the fog plan as a preventable measure. This includes rehearsals, additional MPs for security, and accountability. One of the identifiable problems at the IF operations was the need for better fortification of wire. The S-4 ordered and is overseeing the installation of a chain-link fence that is leaps and bounds more secure than the current triple-strand wire. The fortification has been placed on top priority for KBR to complete.

-----End of Summary-----

QUESTION OF PARTIES INVOLVED:

NAME: SGT [REDACTED]
UNIT: 310th MP BN
AREA OF RESPONSIBILITY: Compound NCO

Q: In your statement, you stated your vision of your assigned area was obstructed with fog? Can you observe the other end of the holding area?

A: No

Q: Did you consider placing yourself in such a location to observe the entire holding area?

A: We were concerned with the proper count. In addition, the detainees were fighting and being very uncooperative. Prior that day I observed detainees practicing jumping over wire/



REPLY TO
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DEPARTMENT OF THE ARMY
724th and 310th MILITARY POLICE BATTALION
CAMP BUCCA, IRAQ

Q: Did you report this to the SOG?

A: This is a common practice of detainees that the SOG is aware of. The current wire is not high or fortified enough to prevent detainees doing this in a split second. They can get through the triple-stran wire in a matter of seconds.

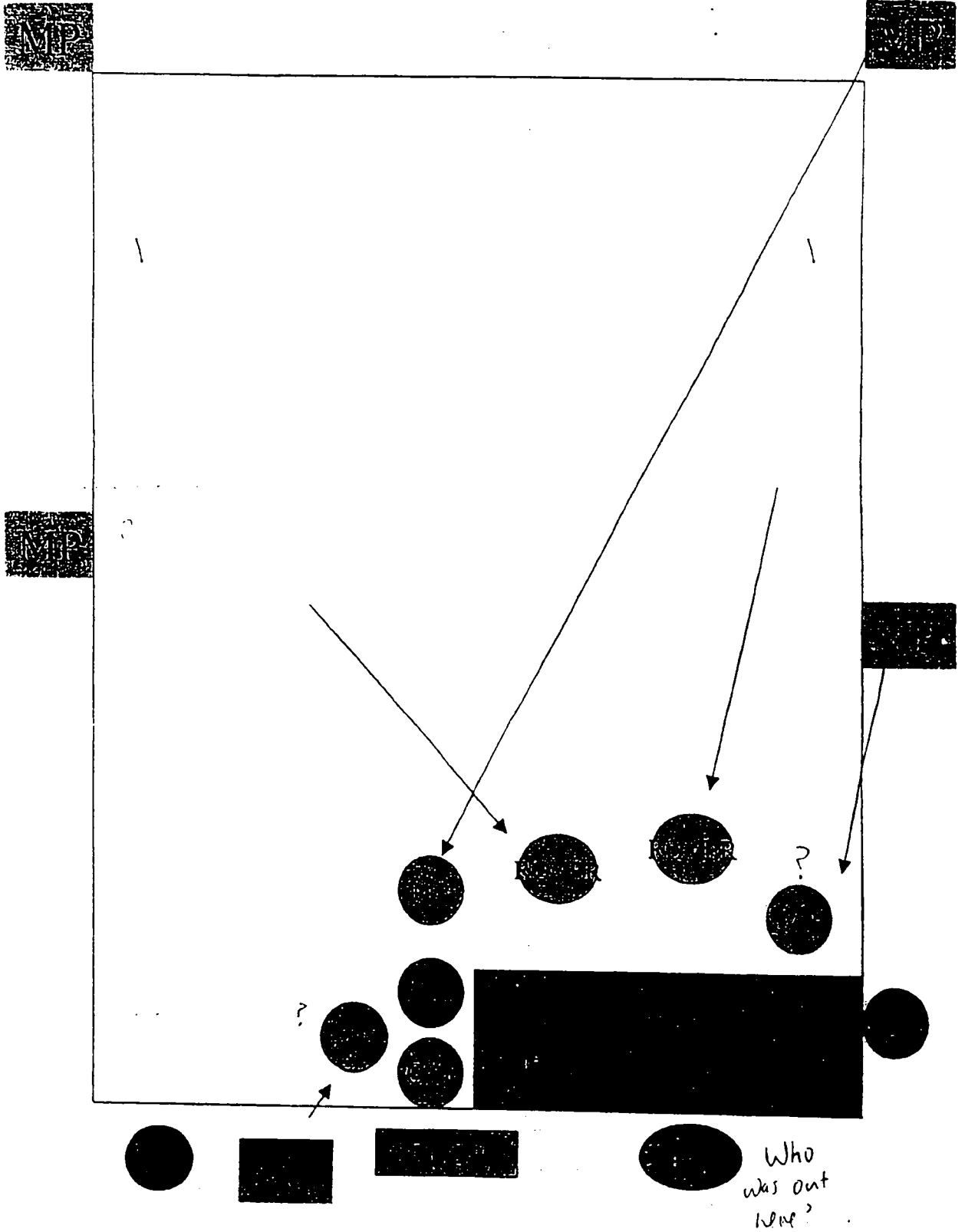


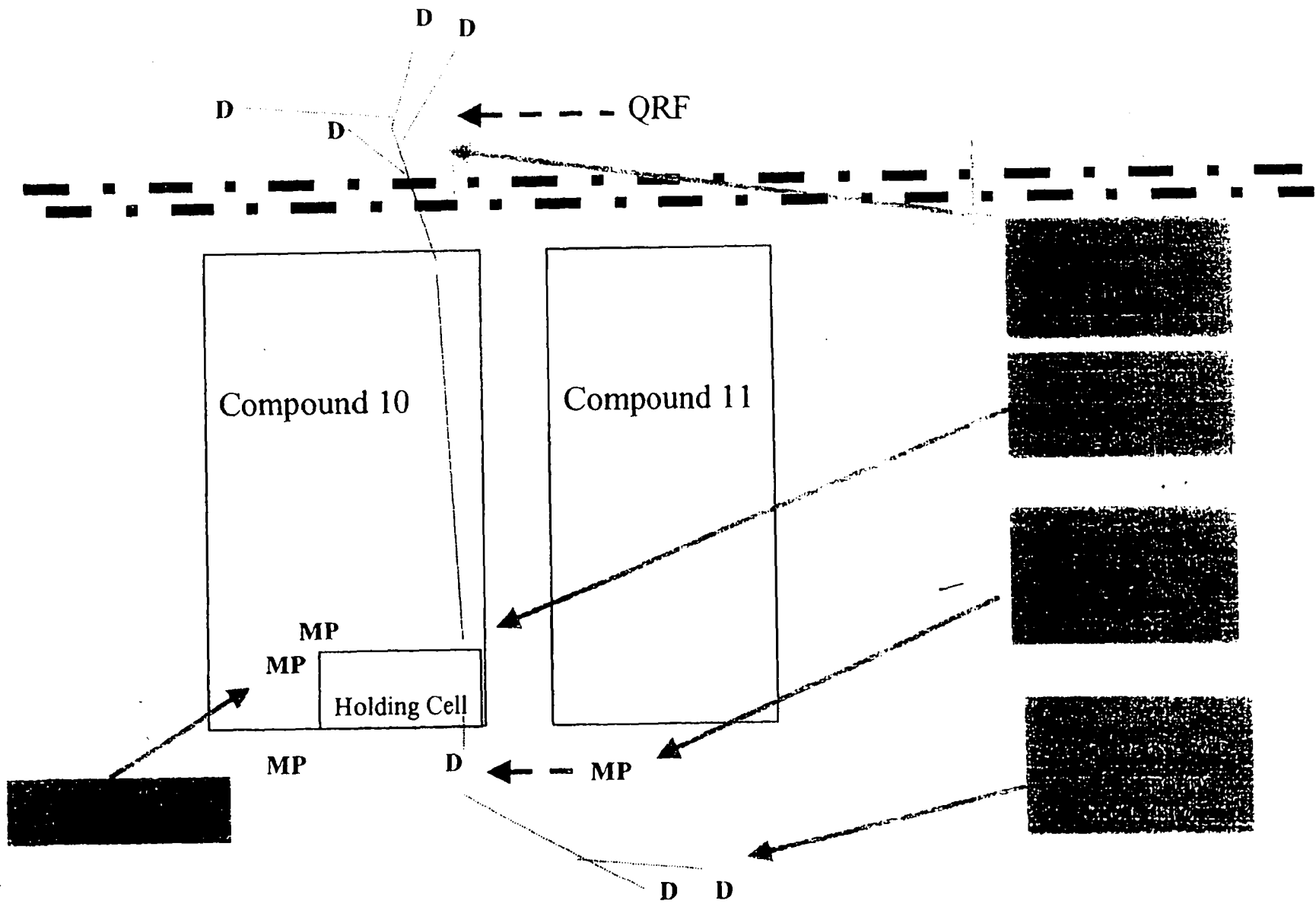
FOG Plan

1. SOG Makes decision based on visibility to implement Fog Plan (QRF- Notified)(LP/OP-Notified)
2. QRF move into Position.
3. Rovers enter Compound and move detainees into feeding pen. (CCT Get Headcount)
4. SOG is notified by CCT that move is complete.
5. SOG Re-position MP's static post and rovers around feeding pen (Hold until visibility is clear) .
6. Feeding pen becomes new compound wire" (ROE)
7. All rovers & QRF continue to screen North, South, East, West perimeter boxing compounds
8. QRF can be relieved based on SOG decision for manpower. SOG may call off Fog Plan based on visibility assessment

What is the assessment of the fog plan plan?

FOG Plan





SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: Camp Bucca, Iraq
2. DATE (YYYYMMDD): 20040113
3. TIME: 1300
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
6. SSN: [REDACTED]
7. GRADE/STATUS: E-4
8. ORGANIZATION OR ADDRESS: 310th MP BN

9. [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

During the night of 12 Jan 04 SGT [REDACTED] and I were the compound control team at compound 10 between the hours of 0001 and 12:00. At 0001 we relieved SSG [REDACTED] and SPC [REDACTED] and were briefed of an inmate wine count of 65. At approximately 0010 hrs SSG [REDACTED] and SPC [REDACTED] left the compound.

At approximately 0037 we were told to set the fog plan into action. We got our gear on and went into the compound. I stayed at the entrance of holding pen to get a count and SGT [REDACTED] continued to wake tents up. After the detainees started slowing down going into the pen Sargeant [REDACTED] started clearing tents, while SGT [REDACTED] cleared I continued to count. As I was counting an E-7 from the guard company went in to the tent area to help clear tents. They reappeared at approximately 0125. At this time is when I completed my count which was (65). A QRF was responding was on their way while this was going on. Also as I was finishing my count a detainee tried to escape but was shot with non lethal.

When the QRF arrived SGT [REDACTED] and I were at the front of the holding pen. Approximately 0100 SOG notified us 2 detainees were seen outside the wire. At this time we were ordered to take a new count. When trying to organize the count the prisoners were non-compliant. After speaking to the SOG, he made the decision to bring in an additional QRF. At approximately 0133, the QRF arrived and we were told to move prisoners out of pen and count each body they came out.

10. EXHIBIT:
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED]
PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT SPL DDS TAKEN AT 1300 DATED 13 Jan 04"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF [REDACTED] TAKEN AT Buchrs DATED 13 Jan 04

9 STATEMENT (Continued)

At Approximately 0315 we commenced the count. SGT [REDACTED] and SPC [REDACTED] from 724 counted. During this time I was cleaning the pen. Approximately 0400 the count was complete with 643 ITW. Then we continued with an ISN count back in to the pen. This was completed by 0500 results were 643 ITW, six detainees missing.

From approximately 0500 we held the prisoners in the holding area. At 0750 we released the prisoners from holding pen. Fog Plan was called at this time. We resumed normal day activities. I was informed later on prisoners were recovered and at the place where the prisoners escaped the tripflare did not ignite. Also was informed and also had seen on earlier dates prisoners slip out of the holding through the side.

I also feel the same as SGT [REDACTED] that there are flaws in the fog plan.

Nothing follows

JL

AFFIDAVIT

I, _____, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

[REDACTED]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45. The proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301, Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN)
PRINCIPAL PURPOSE To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES Your social security number is used as an additional alternate means of identification to facilitate filing and retrieval
DISCLOSURE Disclosure of your social security number is voluntary

1 LOCATION CAMP Bucca Iraq	2 DATE (YYYYMMDD) 20040113	3. TIME 1300	4 FILE NUMBER
5 LAST NAME FIRST NAME, MIDDLE NAME [REDACTED]	6 SSN [REDACTED]	7 GRADE/STATUS E-5	
8 ORGANIZATION OR NUMBER 510TH MP BN			

[REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 12 JANUARY BETWEEN THE HOURS OF 0800 AND 1200
 SPC [REDACTED] AND I WERE ON DUTY AS THE COMPOUND OFFICERS
 FOR COMPOUND 18. WE HAD RECEIVED SSC. [REDACTED] AND SPC [REDACTED]
 AND WERE VERBALLY BRIEFED ON THE COMPOUND'S STATUS. THE
 LAST ISON COUNT PERFORMED ON THE DAY SHIFT WAS
 651 DETAINEES IN THE WER. THIS WAS TURNED OVER TO US AS OUR
 STANDING COUNT

AT 2437 HOURS THE S.O.G. OF THE GUARD COMPANY PUT
 THE 'HOT PLAN' INTO EFFECT. SPC [REDACTED] STAYED AT THE
 ENTRANCE TO THE HOLDING PEN WHILE I ATTEMPTED TO WAKE AND
 GATHER DETAINEES FROM THE COMPOUND TENT AREA AND MOVE THEM TO
 THE HOLDING PEN. I DID THIS USING VERBAL DIRECTION AND BLOWING A
 WHISTLE. WHEN PRISONER/DETAINEE MOVEMENT STARTED TO SLOW DOWN IT
 BECAME NECESSARY TO BEGIN CLEARING THE DETAINMENT TENTS. I CLEARED
 7 TENTS ON MY OWN. I WAS ASSISTED BY A SOLDIER FROM THE GUARD
 COMPANY WITHIN CLEARING THE REST OF THE TENTS. WHEN IT APPEARED THAT
 ALL OF THE DETAINEES HAD BEEN AWAKENED AND CLEARED FROM THE TENTS I
 RETURNED TO THE HOLDING PEN. THAT SPC [REDACTED] WAS SECURE AND HE WAS
 PERFORMING A HEAD COUNT. THE HEAD COUNT WAS TAKEN AS 651 DETAINEES

10 (XII)B11 11 INITIALS OF PERSON MAKING STATEMENT PAGE 1 OF 5 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER
 MUST BE INDICATED

STATEMENT OF

[REDACTED]

GIVEN AT 1300 hrs

DATED 13 JAN 64

9. STATEMENT (Continued)

IN THE WIRE. A QRF WAS RESPONDING WHICH THIS WAS IN PROGRESS DUE TO THE EXTREMELY LOW VISIBILITY AND HIGH NUMBER OF DETAINEES. TWO SOLDIERS FROM THE GUARD COMPANY WERE MOVED INSIDE THE COMPOUND AS PART OF THE "FO: PLAN" TO HELP SECURE THE DETAINEES IN THE HOLDING PEN. I POSITED THE TWO SOLDIERS AT OPPOSITE ENDS OF THE HOLDING PEN BECAUSE DETAINEES FREQUENTLY COMPROMISE THE WIRE OF THE HOLDING PEN WITH EASE AND RETURN TO THEIR TENTS, THEN SLIP BACK THROUGH THE WIRE INTO THE HOLDING PEN, QUICKLY BLENDING IN TO THE LARGE NUMBER OF DETAINEES. THE HEAD COUNT WAS COMPLETED AT APPROX. 0125. THE GUARD COMPANY SOLDIERS ENDED THE COMPOUND BETWEEN 0125 AND 0140 HRS.

AT APPROXIMATELY 0200 THE S.O.C. AND THE COMPOUND SGM. NOTIFIED ME THAT 2 DETAINEES HAD BEEN RECOVERED WHILE TRYING TO ESCAPE. A NEW HEAD COUNT WAS ORDERED. THE DETAINEES REFUSED TO COMPLY WITH ORDERS TO ORGANIZE INTO ROWS AND DUE TO THE HIGH NUMBER OF PRISONERS, LOW NUMBER OF PERSONNEL, AND EXTREMELY LOW VISIBILITY CONDUCTING A HEADCOUNT INSIDE OF THE HOLDING PEN WOULD NOT WORK. IT WOULD NOT OCCUR IN A TIMELY MANNER AND WOULD LIKELY NOT YIELD ACCURATE COUNTS, BECOMING YET ANOTHER DELAY. A DECISION WAS MADE TO HAVIL ANOTHER QRF. REMAIN TO SECURE AN AREA NINE THE HOLDING PEN, MOVE THE DETAINEES FROM THE HOLDING PEN TO THE SECURED AREA AND TAKE ANOTHER HEAD COUNT. THIS OCCURRED AT APPROX. 0233 HRS. THE ADDITIONAL QRF. RESPONDED AT APPROX. 0300. JUST PRIOR TO THE QRF. RESPONSE A FIGHT HAD BROKEN OUT AND AN ESCAPE ATTEMPT HAD BEEN STOPPED USING LESS THAN LETHAL FORCE. DETAINEE # 115497 RECEIVED A HEAD INJURY AND WAS REMOVED FROM THE COMPOUND. HE WAS SENT TO MEDICAL FOR TREATMENT ALONG WITH DETAINEE # 116733 AS A TRANSLATOR. THE ATTEMPTED ESCAPE HAD COMPROMISED THE WIRE HEADING BACK INTO THE HOLDING PEN AND BLENDING IN TO THE OTHER DETAINEES. I DID NOT WITNESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 5 PAGES

STATEMENT OF [REDACTED] TAKEN AT 1300 hrs. DATED 13 JANUARY

9 STATEMENT (Continued)

THE FIGHT OR ESCAPE ATTEMPT. I ONLY HEARD LESS THAN LITERAL ROUNDS BEING DISCHARGED AND RECEIVED NOTIFICATION FROM SOLDIERS OF THE GUARD COMPANY.

UPON THE Q.R.F. ARRIVAL AT 2300 AN AREA WAS SECURED AND THE PRISONERS WERE MOVED FROM THE HOLDING PEN TO THE SECURED AREA. A SPC. FROM THE 724 MP BN WAS ASSIGNED TO ONE COMPOUND TEAM (SPC [REDACTED]). HE ALSO ASSISTED IN A HEAD COUNT WHILE MOVING THE DETAINEES. I PHYSICALLY TOUCHED EACH DETAINEE ON THE SHOULDER AS I COUNTED THEM AND UPON COUNTING EACH 20 DETAINEES, STOPPED THE LINE, ADDING A HASH MARK TO A PAD. EACH FIVE WOULD EQUAL 100 DETAINEES COUNTS (I.E. 444 = 100). THE HEAD COUNT WAS COMPLETED AT APPROX 0330 HRS. AND WAS FOUND TO BE SHORT. WE COUNTED 645 DETAINEES IN THE WIRE. IT BECAME EVIDENT THAT A TOTAL OF SIX DETAINEES HAD ESCAPED. I ORDERED THE PRISONERS SENT BACK INTO THE HOLDING PEN, PREPARING AN I.S.N. COUNT AT THIS TIME IN ORDER TO IDENTIFY THE ESCAPED DETAINEES. THE FOLLOWING SIX PRISONERS WERE MISSING AND REPORTED ESCAPED UPON COMPLETION OF THE COUNT AT 0500 HRS # 116692, # 109940, # 116652, # 115695, # 109950, AND # 115314. THE COMPOUND SGM. AND NCO.I.C WERE NOTIFIED. THE Q.R.F. REPORTED CLOTHING AND FOOTPRINTS PASSING THE WIRE AND ONTO THE BURN ON THE EXTERIOR/REAR OF THE COMPOUND. THE FENCES AT THIS AREA WERE TRIPPED BUT DID NOT FIRE. IT WAS APPARENT THAT THE DETAINEES WENT THROUGH THE PERIMETER AT AN AREA WHERE THERE IS NO RAZOR WIRE. THREE OF THE ESCAPED DETAINEES HAD BEEN RECOVERED AND IDENTIFIED AS # 116652, # 109940, AND # 116652. ANOTHER DETAINEE HAD ALSO BEEN RECOVERED BUT WAS NOT YET IDENTIFIED. THE ESCAPED DETAINEES WERE REMOVED FROM MY COMPOUND COUNT AND TRANSFERRED TO IRAG A. TRAZ. IT SHOULD ALSO BE NOTED THAT BOTH PRISONERS THAT HAD BEEN SENT TO MEDICAL HAD RETURNED.

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

STATEMENT OF [REDACTED] TAKEN AT 1300 hrs. DATED 13 JAN 64

9. STATEMENT (Continued)

PRIOR TO THE COMPLETION OF THE I S N. COUNT AND WIRE INCLUDED IN OUR NUMBERS, STILL LEAVING 3 DETAINEES NOT ACCOUNTED FOR. AT 0500 HRS THE "FOG PLAN" WAS STILL IN EFFECT AND THE DETAINEES WERE SECURED IN THE HOLDING PEN AREA UNTIL FURTHER NOTICE.

AT APPROX. 0750 HRS. THE "FOG PLAN" IS CALLED OFF. ALL OF THE QRT LEAVES THE COMPOUND AND THE DETAINEES ARE RELEASED FROM THE HOLDING PEN. THE DETAINEES CHOW ARRIVES AND IS SECURED SFC. [REDACTED] ARRIVES AT THE COMPOUND AND BRIEFES REGARDING ALL SIGNIFICANT ACTIVITIES.

AT APPROX. 0910 HRS. I WAS NOTIFIED BY COMPOUND 12 PERSONNEL THAT DETAINEE # 115095 HAD ALSO BEEN RECOVERED AND IDENTIFIED, LEAVING 2 ESCAPED DETAINEES UNACCOUNTED FOR (# 104950 AND # 115314).

AT APPROX 115. SGT STEVEN MISC. [REDACTED] / SFC. [REDACTED] ARRIVES AT COMPOUND 18 AND ORDERS A MANIFEST COUNT BY I.S.N. A FULL SWEEP OF THE CAMP WAS CONDUCTED WITH ADDITIONAL PERSONNEL, AND THE DETAINEES WERE ORDERED BACK INTO THE HOLDING PEN WHERE SOLDIERS ORDERED THEM INTO LINES OF 20 IN ORDER TO PERFORM AN ORGANIZED HEAD COUNT UPON COMPLETION OF THE MANIFEST COUNT. BOTH COUNTS / BOTH ACTIONS YIELDED A COUNT OF 645 DETAINEES IN THE WIRE AND VERIFIED THE ESCAPED DETAINEES AGAIN. THIS COUNT WAS COMPLETED AT APPROX. 1200 HRS. OUR RELIEF WAS ON SITE AT 1200 HRS. SFC [REDACTED] AND I DID NOT LEAVE THE CAMP UNTIL APPROX 1330 HRS AFTER COMPLETING ALL NECESSARY PAPERWORK (IS44 AND SGT ACT REPORTS) AND PROPERLY BRIEFING OUR RELIEF.

IN CLOSING AT APPROX 1420 HRS A DE BRIEFING OCCURRED WITH OUR S3 OIC CAPT. [REDACTED] KAIRIS AND THE COMMANDERS OF THE GUARD [REDACTED]. ALL OF THE INFORMATION IN THIS STATEMENT WAS DISCUSSED ALONG WITH WHAT I BELIEVE ARE FLAWS IN "THE FOG PLAN" AND OTHER SECURITY ISSUES.

--- III END OF STATEMENT III ---

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 4 OF 5 PAGES

STATEMENT OF [REDACTED] TAKEN AT 1300 hrs. DATED 13 JAN 64

9 STATEMENT: (Continued)

[REDACTED]

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE [REDACTED]. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]
(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

ORGANIZATION OR ADDRESS

[REDACTED]
(Signature of Person Administering Oath)

31214 MP B

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 5 OF 5 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN)
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION CAMP BUCCA, RIAQ	2. DATE (YYYYMMDD) 2004/01/19	3. TIME 2300	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME	6. SSN	7. GRADE/STATUS E-7/ First Sergeant	
8. ORGANIZATION OR ADDRESS 822nd Military Police Company, Camp Bucca, Iraq APO AE 09375			

9. _____, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

At approximately 2355hrs on the 12 January 2004 I observed the fog coming in from the east. At that time SFC _____ and I decided to initiate the fog plan. The first step was to inform the battalion TOC of the plan and also requested QRF support. We then started with compound 09 then moved on to compounds 10,11,12 this was completed at 2400hrs. After we informed the compound control teams. We informed the rovers and the tower guards. SFC _____ and I positioned our self's at the corner of compound 09 by the holding area. At approximately 0005hrs the 267 QRF came by our location to inform us that were there and that they will cover the back road and the center road. A few minuets after that meeting SFC _____ walked to the compound 09 control tent to check on the progress of the detainees movement. Approximately 5 minuets later SFC _____ ran back to my location and stated that there was something going on at compound 10. When we arrived there we were informed by SPC _____ that a detainee attempted to escape and when SPC _____ shot at him he turned around and ran back to the wire and jumped over it back into compound 10. SPC _____ also stated that the detainee cut his arms when he jumped back in. The trip flare wire had been cut were the detainee came through the wire SFC _____ and stayed there to cover the hole. At approximately 0030hrs I went to the compound control personal and asked the whereabouts of the NCOIC he informed me that he was in the compound tents getting the detainees to come forward. I asked if the NCOIC had a radio or any type of commutation and he stated that he had none. I then asked for his head count he looked at his hand and stated that he was up to 640 detainees in the holding area. I then sent SFC _____ to go assist the NCOIC clear the tents and I went back to the vehicle. At that time I called for S3A (SGM _____) to come out to the internment facility to address this situation. By 0035 all the compounds had reported that were 100% in the holding areas. At that time I ordered the tower guards down and in to position around the holding areas except for compound 10. When SGM _____ arrived at my location we discussed the situation in compound SGM _____ stated that there needs to be a 724th compound control person there at 10. But there was not one there SGM _____ stated that he had in fact ordered one to be there with the 310th compound control team that night. Our conversation ended there and SGM _____ went to look into it. At approximately 0055hrs SFC _____ and the compound control NCOIC came to the front I asked the NCOIC what the count was he stated that he had a count of 651. I asked if that was the number he was to have he stated yes. I then ordered the rest of my tower guards down and take up position around the holding area and shortly after that additional 822 personal arrived at the IF. SFC _____ and I called for SSG _____ a rover to meet us in front of compound 10 upon his arrival SFC _____ confirmed counts with all compounds by FM. At that time SFC _____, SSG _____ and I went to compound 12 to drop SSG _____ vehicle for the guard behind the juveniles Sub compound and then we were the go to compound 09 and start our search of the tent area. On the way there we heard radio traffic stating that detainees were out side the IF. That time we were in the back of compound 09. I ordered SSG _____ to walk the wire and look for any signs of an escape SSG _____ a rover arrived and I ordered him to asset SSG _____. SFC _____ and I went to inform SGM _____ of the radio traffic when we connected up with SGM _____ SSG _____ radioed us stating they found signs of an escape. SFC _____, SGM _____ and I went to the back of compound 10 as we were getting the statement from SSG _____ we heard what sounded like a SAW firing. Then we heard that a detainee has been held at the bag farm, SGM _____ and I went to retrieve the detainee. He was the first of four that will be recovered. I went back to SFC _____ to follow up with the fog plan all compounds were completed and searched all but compound 10. Compound 10 was not able to get an accurate count until approximately 1100hrs and it was found that 6 detainees had escaped. At approximately 1200 on the 13 January 2004 the fog plan was call and the detainees were released back to their tents.

-----NOTHING FOLLOWS-----

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

STATEMENT OF [REDACTED] TAKEN AT CAMP BUCCA DATED 2004/01/19

9. STATEMENT (Continued)NOTHING FOLLOWS.....

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____, _____ at _____

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 2 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

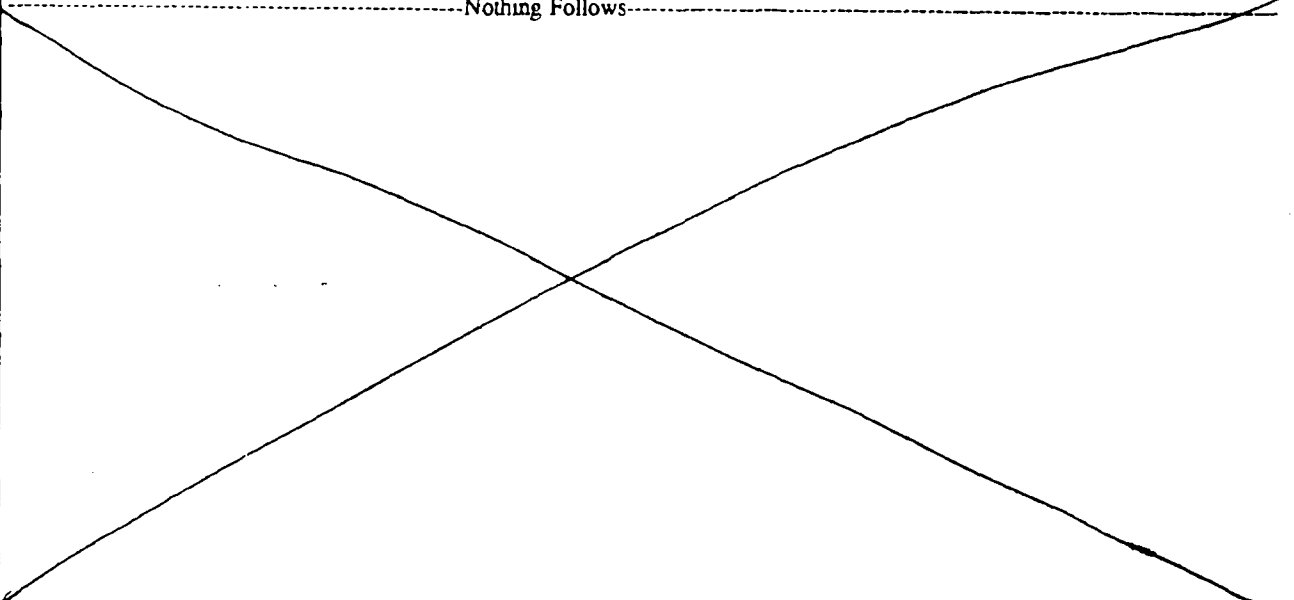
AUTHORITY: Title 10 USC Section 301, Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION Camp Bucca, Iraq / IF	2. DATE (YYYYMMDD) 2004/01/20	3. TIME 0900	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-6	
8. ORGANIZATION OR ADDRESS 822 MP Co Camp Bucca, Iraq			

9. [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On or about 12 Feb. 03 while patrolling the IF I met with SFC [REDACTED] and SFC [REDACTED] and discussed enacting the fog plan at about 0200 hrs. The fog plan was enacted and I continued to patrol the IF. A short time later I was approached by 267 MP Co patrol who stated that there were fresh marks in the sand behind compound 12. I went to investigate the marks and found that it was from the wire being moved from the guards earlier in the day. I then checked the wire behind all of the compounds, paying close attention to see that the sand had not been disturbed. At that time the rear of all occupied compounds was secure and undisturbed. I was then notified by the SOG that all compounds had a good head count and all prisoners were in the front holding areas. All soldiers were then pulled out of towers to take up their appropriate positions during the fog plan. I met with SFC [REDACTED] and SFC [REDACTED] on the back side of the IF and we were headed to compound 9 to begin clearing tents. As we came around the South East corner of compound 9 we heard on the radio that there were shots fired. We stopped the vehicle and got out to listen for any other shots. We then heard a short burst from a SAW and heard on the radio that there were prisoners outside the wire and were being engaged. I then started walking west down the rear of compound to inspect the wire again. As I came to the middle of compound 10 I found that the sand had been disturbed and there were articles of clothing stuck in the wire. I then called the SOG on the radio to inform him of the possible escape point. I followed the foot prints from the outside of the wire across the rear road to the outside wire. The foot prints headed across the road and went west for approx. 15 meters. I then saw where the footprints went under the second row of wire and then under the final row of wire. There were articles of clothing stuck in the final row of wire. The final row of wire where the prisoners escaped was right at the end of the tripple strand razor wire where it met the tripple strand consertina wire. When the SOG showed up I showed him where I had found the clothing in both sets of wire.

Nothing Follows



10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"
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STATEMENT OF [REDACTED] TAKEN AT Camp Bucca, Iraq DATED 2004/01/20

9 STATEMENT (Continued)

[REDACTED]

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20th day of Jan., 2004 at _____

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

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DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION Camp Bucca, Iraq	2. DATE (YYYYMMDD) 2004/01/19	3. TIME 2035hrs	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E5	

B. ORGANIZATION OR ADDRESS
822nd Military Police Company, Camp Bucca, Iraq APO AE 09375

9. [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the 12 of January, I was working as Compound 10 Tower Guard. At approximately 12midnight, the NCOIC of the compound announced they were intrating a headcount for the "Fog ALert Plan".

I then eracted myself in the tower to provide a better visual of the compound for the head count.

Aproxiamtely 00:00 I heard 1 to 2 shots fired coming from the westside of compound 10. I could not see who fired the shors nor understand why shots were fired, because of the density of the fog. And, also, my vision was obstructed by the position of the tower verses the position of the compound guard tent.

Then, aproximately, 01:00 I was ordered by SFC [REDACTED] to provide foot-patrol along the west-side corner of compound 10. This detail was conducted from 01:00 to 11:30.

-NOTHING FOLLOWS-

10. EXHIBIT

11. INITIALS OF PERSDN MAKING STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"

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STATEMENT OF [REDACTED]

TAKEN AT Camp Bucca, Iraq

DATED 2004/01/19

9. STATEMENT (Continued)

[Large area crossed out with a large X]

AFFIDAVIT

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[REDACTED Signature of Person Making Statement]

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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1. LOCATION Camp Bucca Iraq 2. DATE (YYYYMMDD) 2004 01 19 3. TIME 1958 (DB) 4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] 6. SSN [REDACTED] 7. GRADE/STATUS E-4 SR
8. ORGANIZATION OR ADDRESS 822 MP Co

(DB) [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 12 JAN 04 I, SFC [REDACTED] was in front of compound 11. At approximately 0120 hrs Operation Fog Plan came into effect. At approximately 0138 hrs I saw a detainee from compound 10 in the north west corner of the holding area crawl underneath the wire. The detainee started to run northbound. At this time I yelled "git" 3 times. The detainee stopped and went back towards the compound. I yelled "git" 3 more times, the detainee did not stop so I fired 2 non-lethal shotgun rounds at him. He then jumped over the consento wire and his right hand and foot got caught in the wire as he reentered the compound holding area. I told him to stop moving. He did not. He got himself untangled and started running within the compound holding area. I fired 2 more rounds of the shotgun. One round hit him but I was unaware of the location. At approximately 0145 SFC [REDACTED] (acting 1st Sgt) and SFC [REDACTED] (SOG) showed up. I informed them of the issue and they instructed me to return to my assigned compound. The detainee was injured and sent to the medical aid station where he was looked at and sent back to his compound with minor injuries.

End of statement

10. EXHIBIT 11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT DATED
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF



TAKEN AT Camp Bucca Iraq DATED 2004 01 19

9. STATEMENT (Continued)

End of Statement

AFFIDAVIT

I, [Redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE ____ . I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[Redacted Signature]
(Signature of Person Making Statement)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this ____ day of _____, _____ at _____

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN)
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION CAMP RUCCA, IRAQ	2. DATE (YYYYMMDD) 2004/01/21	3. TIME 1620 (MIA)	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-6 / USAR	
8. ORGANIZATION OR ADDRESS 22nd MP Camp Rucca, Iraq APO AF 09375			

9. [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

(MIA) On the morning of the 12th of January 2004 I was on Patrol at the I/F Upon finding out that there were prisoners outside the wire SSG Myers instructed me to search the back wire of compound ten. As we began our search in the back of compound ten SSG Rucca and I found a set of gloves and what looked to be a prisoner jump suit on the inside wire of the compound. We then followed tracks south-west to what appeared to be the location where the prisoners crawled through the perimeter wire where more articles of clothing were caught in the wire. SSG Rucca then reported to SSG Myers and SGM Seitzer and took them to the two separate locations to show both of them our findings. We then returned to our duties at the I/F. III END OF STATEMENT (MIA)

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF

[REDACTED]

TAKEN AT Camp Bucca, Iraq DATED 20 JAN 04

9. STATEMENT (Continued)

NOTHING follows (initials)

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 1. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 day of JANUARY, 2004 at CAMP BUCCA, IRAQ

ORGANIZATION OR ADDRESS

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED]
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] PAGE 2 OF 2 PAGES



DEPARTMENT OF THE ARMY
377TH THEATER SUPPORT COMMAND
HEADQUARTERS, 800TH MILITARY POLICE BRIGADE
CAMP VICTORY, IRAQ APO AE 09302

REPLY TO
ATTENTION OF

S: 19 January 2004
15 January 2004

AFRC-CNY-AI-CG

MEMORANDUM FOR LTC [REDACTED] 800th Military Police Brigade, Camp Arifjan,
Kuwait APO AE 09366

SUBJECT: Appointment as Investigating Officer

1. Effective 15 January 2004, LTC [REDACTED] 045-58-0233, 800th Military Police Brigade is appointed as Investigating Officer.
2. AUTHORITY: AR 15-6
3. PURPOSE: You are directed to conduct an investigation involving the reported escape of a six (6) detainees on 12 January 2004, from Compound 10, Camp Bucca, Umm Qasr, Iraq. The MPs recaptured four (4) detainees and two (2) remaining missing. Refer to Serious Incident Report (SIR) (attached) for additional details.
4. PERIOD: Until investigation is completed and no further investigation is required unless released or relieved sooner by the appointing authority.
5. SPECIAL INSTRUCTIONS: a) Conduct of investigation will be your primary duty until the completed investigation is submitted to the appointing authority. b) Findings will be supported by substantial evidence and by a greater weight of evidence that supports any different conclusion. c) Report of investigation will be prepared in compliance with the requirements of AR 15-6 (Procedure for Investigating Officers) as guidance for the conduct of the investigation. d) Report of investigation will be furnished to this Headquarters, not later than suspense date indicated above.

//Original Signed//

JANIS L. KARPINSKI
Brigadier General
Commanding



DEPARTMENT OF THE ARMY
COALITION FORCES LAND COMPONENT COMMAND
UNITED STATES ARMY FORCES CENTRAL COMMAND
HEADQUARTERS, 800TH MILITARY POLICE BRIGADE (IR)
CAMP ARIFJAN, KUWAIT APO AE 09366

AFRC-CNY-AI-JA

23 January 2004

MEMORANDUM FOR COMMANDER, 800th MP BDE

Subject: Legal Review, 15-6 investigation 12 January 2004 Escape, Camp Bucca

Upon review, the 15-6 investigation is legally sufficient. The investigating officer recommends changes in procedures and equipment, but does not recommend any action against individual soldiers. These recommendations are legally sufficient and appropriate under the circumstances.

// original signed //

[REDACTED]

MAJ, JA

Deputy Staff Judge Advocate



DEPARTMENT OF THE ARMY
800th MILITARY POLICE BRIGADE (I/R)
CAMP VICTORY, IRAQ
APO AE 09342



REF ID:
ATTENTION OF

AERC-CNY-AI-CG

23 January 2004

MEMORANDUM FOR Commander 724th Military Police Battalion

SUBJECT: AR15-6 Investigation Regarding 12 JAN 2004 Escape at Camp Bucca

I have approved the enclosed findings and recommendations in the Report of Investigation summarized on DA Form 1574. You are instructed to immediately implement the recommendations outlined in Section V of the report.

JANIS L. KARPINSKI
BG, USA
Commanding

CF
Cmde, 310th MP BN



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
724th and 310th MILITARY POLICE BATTALION
CAMP BUCCA, IRAQ

AFRC-CNY

08 January 2004

MEMORANDUM FOR: Record

SUBJECT: Escaped Detainees on 12 January 2004 at Camp Bucca.

SUMMARY OF EVENTS: On the morning of 11 January 2004, the Sergeant of the Guard (SOG) of the IF operations at Camp Bucca, made the decision to implement the FOG Plan. The damp weather created such a FOG around the our of 0030 that it was near impossible to see 20 to 30 feet in front of them. Concerned about the visibility of the tower guards, the SOG ordered the compound to apply the FOG plan and inform the chain of command. Additional Patrols and MPs were sent out to the exterior perimeter to form a more complete 360 degree around the compound.

The FOG plan results in moving all the detainees into the front holding cell of compounds. As a result, all detainees are in a tighter enclosure and easy to watch and maintain 360 degree security. Once the detainees are secured and in the holding area, the tower guards move in to form a perimeter. The compound control NCOs count each detainee going into the holding area to ensure full accountability. Once the fog lifts and the visibility is in such a manner that the MPs can see all points of the perimeter of each compound, the tower guards return to the towers.

SGT [REDACTED] (NCOIC) and [REDACTED] who are the compound control NCOs of 10, began to apply the FOG plan. SPC [REDACTED] posted himself at the entrance of the holding area of compound 10. SGT [REDACTED] began to call and order the detainees to move to the front of the compound and into the holding area. The detainees start to move to the holding area at a very slow and resistance pace. SGT [REDACTED] had a difficult time getting the 651 detainees to cooperate in an orderly manner. SPC [REDACTED] began to count the detainees into the holding cell. Soon after, an additional MP showed up in front of the compound to provide over-watch protection to the compound NCOs because they are in the compound without weapons. There were close to 450 to 500 detainees in the holding area when SGT [REDACTED] claimed to not be able to see the other end of the holding area because the fog was too thick. Close to 0200, SPC [REDACTED] was completing his count and getting close to the 625 on his count when he heard Non-Lethal rounds going off near the other end of the holding area. The two compounds NCO quickly finished their count and moving the detainees into the holding area to get control of the situation.

At approximately 0200, a roving MP guard from the far end of compound 11 spotted a detainee jumping over the wire at the front of compound 10's holding area. The roving MP shot the detainee as he cleared the wire. The detainee quickly got up and jumped



DEPARTMENT OF THE ARMY
724th and 310th MILITARY POLICE BATTALION
CAMP BUCCA, IRAQ

REPLY TO
ATTENTION OF

back over the wire into the holding area. Moments later, the QRF team (977th and 267th MP Co) spotted 4 detainees running from the north side of compound 10. The QRF yelled halt then opened fire. The detainees split in tow direct and the QRF gave chase. All four were captured as the 977th and 267th MP Co divided there forces and tracked down the detainees. All detainees were placed in the isolation cells in compound 12.

Once it was discovered that 4 detainees were captured at the north side of compound 10, the SOG and SGM ordered a complete count of all detainees by ISN. The count was complete around 0500 when it was discovered that two (2) detainees were unaccounted for. The BN CDR (now on site) ordered a complete search of the perimeter with all MP assets on camp. The exterior force (977th and 267th MP Co) began to patrol and searches the surrounding area of Camp Bucca. The fog was extremely heavy and thick throughout the entire morning. The SOG and interior QRF conducted an inspection of the interior wire. It was discovered that the detainees escaped over the wire moments before the roving MP (from compound 11) shot the detainee jumping over the wire in the holding area of compound 10. The 267th MP Co tracked the escaped detainees to the exterior limits of the general area. The British troops and chain of command were informed as photos of the detainees passed along.

Critical improvements and rehearsals are being conducted on the fog plan as preventable measure. This includes rehearsals, additional MPs for security, and accountability. One of the identifiable problems at the IF operations were the need better fortification of wire. The S-4 ordered and is overlooking the installation of a chain-link fence that is leaps and bounds more secure then the current triple-stran wire. The fortification has been placed on top priority for KBR to complete.

-----End of Summary-----

QUESTION OF PARTIES INVOLVED:

NAME: SGT [REDACTED]
UNIT: 310th MP BN
AREA OF RESPONSIBILITY: Compound NCO

Q: In your statement, you stated you vision of your assigned area was obstructed with fog? Can you observe the other end of the holding area?

A: No

Q: Did you consider placing yourself in such a location to observe the entire holding area?

A: We were consumed with the proper count. In addition, the detainees were fighting and being very uncooperative. Prior that day I observed detainees practicing jumping over wire/



DEPARTMENT OF THE ARMY
724th and 310th MILITARY POLICE BATTALION
CAMP BUCCA, IRAQ

REPLY TO: [REDACTED]
ATTENTION OF: [REDACTED]

Q: Did you report this to the SOG?

A: This is a common practice of detainees that the SOG is aware of. The current wire is not high or fortified enough to prevent detainees doing this in a split second. They can get through the triple-stran wire in a matter of seconds.

[REDACTED]
CPT, MP
S-3