



b(6), b(3)

DEPARTMENT OF THE ARMY
HEADQUARTERS, DIVISION ARTILLERY
101ST AIRBORNE DIVISION (AIR ASSAULT)
CAMP GLORY, MOSUL, IRAQ

REPLY TO
ATTENTION OF

AFZB-KB-MED

28 December 2003

MEMORANDUM FOR RECORD

SUBJECT: AR 15-6 Investigation Into the Death of Abu Malik Kenami

1. On 21 Dec 03, at 1300 hours I was notified that I was appointed as the investigating officer in a AR 15-6 into the death of Abu Malik Kenami, detainee # 0672583 to determine the cause of his death in 2nd BCT's holding area. My mandate was to determine the cause and all the factors that contributed to his death.

2. What caused Abu Malik Kenami's death is undetermined at the present time because an autopsy was never performed. His death was probably due to natural causes with an acute myocardial infarction as the most probable of these; see Appendix C, page 1-4 for a full explanation.

3. What factors contributed to his death?

A. Only once was Abu Malik Kenami questioned about his medical history, which occurred on 5 Dec 03 at 2nd BCT's hold area by two military intelligence interrogators from the 311th MI.

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3.2.1.6 1) The interrogators, [REDACTED] and [REDACTED] were more focused on intelligence gathering during this interrogation session.

2) When the interrogators asked several questions pertaining to Kenami's medical condition, Kenami stated that he wasn't taking medications and had no medical problems at that time.

B. There was never a physical examination conducted on Kenami during his detainment from 5-9 Dec 03.

C. If Kenami had requested medical assistance on the morning of 9 Dec 03, his American guards were not fluent or knowledgeable in Arabic and never requested a translator for assistance.

4. During several investigations, the CIDs on 9 Dec 03 and my investigation into Kenami's death, we both found that there was never any criminal intent or intent by any person or persons

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to harm Kenami. What is at fault is the lack of a medical provider fluent in Arabic to talk with the detainees during their in processing into 2nd BCT's holding area, see recommendations.

5. A chronological history of Kenami's detainment from 5 Dec 03 through 14 Dec 03 when his body was turned over to a local mortician can be found at Appendix A, pages 1-3.

6. Appendix D, pages 1-3 has a complete listing of witnesses and persons involved from Kenami's detainment on 5 Dec 03 to when his body was turned over to a local mortician on 14 Dec 03.

7. Recommendations:

A. That all detainees have some type of a physical exam, either abbreviated or long if there questions about their current health:

1) That all attempts are made to complete a physical within twenty-four hours of being detained.

2) That all attempts should be made to have a Iraq physician do the physicals on the detainees.

a) By having a Iraq physician contracted to do the physicals it would give the detainees the same continuity of care as the rest of their community.

b) It would decrease on the language problems between the detainee and the medical care system.

c) The Iraq physician can be the gate keeper into more definitive care if needed for the detainee (s).

d) It would decrease on the perception of our involvement or cover-up in events similar to this.

3) That U.S. military providers are used only as backed up to the contracted Iraq physician in order to decrease our involvement in their health care.

B. That a camcorder is placed into the general populations holding area and is monitored by an Iraqi speaker.

C. That there is a need to have a location within Mosul to perform autopsy on Iraqi citizens with suspicious or questionable deaths similar to Kenami's.

8. The POC for this memorandum is the undersigned at DNV 581-5507 or *EX 6*

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Ex 6
03.2.1.4 [REDACTED] Ex 6

[REDACTED]

ATTACHMENTS:

- Appendix A, pages 1-3 Chronological History of Abu Malik Kenami
- Appendix B, slides 1-9 Slides of the BHA, sandbag hood, flex cuffs and blanket placed over Kenami's body
- Appendix C, pages 1-4 Possible Causes for the Death of Abu Malik Kenami
- Appendix D, pages 1-3 Witnesses and People Involved With Kenami's Death
- Appendix E, pages 1-2 Chronological History in the Investigation into the Death of Abu Malik Kenami
- Appendix F, page 1 POCs During the Investigation into the Death of Abu Malik Kenami
- Memorandum for an Extension on the Investigation
- Packet from CID on their investigation on 9 Dec 03
- Packet with witnesses statements on 23 Dec 03 and other documents:

Ex 6
03.2.1.4

- [REDACTED], 2 pages
- [REDACTED], 2 pages
- [REDACTED], 2 pages
- [REDACTED], 3 pages
- [REDACTED], 3 pages
- [REDACTED], 3 pages
- [REDACTED], 3 pages
- A Memorandum for Record, 1 page
- A Memorandum of Instruction (SOP) for the guard force, 3 pages
- A sign in sheet for the guards having read the SOP, 1 page
- [REDACTED], 2 pages
- [REDACTED], 2 pages
- [REDACTED], 4 pages
- Summary Interrogation Report 051045LDEC03
- Death Certificate for Abu Malik Kenami, dated 9 Dec 03

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Chronological History of Abu Malik Kenami

1. Abdul Kareem Abdul Rutha, his tribal name is Abu Malik Kenami is detained by 2nd BCT on 5 December 2003, see 2 BCT's Summary Interrogation Report 051045LDEC03.

2. Abu Malik Kenami is then brought to 2nd BCT's holding area (BHA) at AO Glory on 5 Dec 03.

Ex 6
3.2.1.4 A. [REDACTED] and [REDACTED] interrogate Abu Malik Kenami on 5 Dec 03 within the BHA, outside of the general population holding area.

B. The interrogation is about twenty minutes:

1) During this time, Abu Malik Kenami gives no pertinent medical history or a history of taking medications.

2) This is the only time that Abu Malik Kenami is asked about his medical history or if he is taking medications.

C. Abu Malik Kenami is then photographed and given detainee # 0672583, see 2 BCT's Summary Interrogation Report 051045LDEC03.

D. He is also given the detainee # 58 for the BHA. Detainee # 58 is what Abu Malik Kenami is called by the American guards at the BHA.

E. The interrogation on 5 Dec 03 is the only time that Kenami is interrogated.

F. Kenami is then placed into the general population's holding area.

3. At this time, all detainees had a sandbag placed over their heads, but not tied, along with plastic flex cuffs placed on their wrists in front of their bodies, see Appendix B picture 7 and 8.

* 4. From the 5th through the early morning of 9th of December there is a history with Kenami of not obeying the BHA rules for detainees; his punishment is ups and downs.

A. Ups and downs is a correctional technique of having a detainee standup and then sit-down rapidly, always keeping them in constant motion.

B. The timeframe for ups and downs is usually between ten to twenty minutes depending on the violation and the punisher.

Ex 6
3.2.1.4 5. A shift change occurs with the holding cell guards at 2300 hours on 8 Dec 03, the new shift is composed of [REDACTED] and [REDACTED]

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Chronological History of Abu Malik Kenami

Ex 6
3.2.1.6 A. During this shift, Kenami is seen violating the rules and is punished with ups and downs several times by [REDACTED] and has his hands flex cuff behind his back around 0100 hours on 9 Dec 03.

Ex 6
3.2.1.6 B. The last time that ups and downs occurs with Kenami is around 0100 hours on 9 Dec 03. He is seen sweating by [REDACTED] and [REDACTED]

C. Kenami beds down sometime between 0100-0200 hours on 9 Dec 03. He seems restless and talkative for a while longer.

D. A mink blanket is placed over detainee Kenami between 0100-0200 hours. Other detainees are lying closely with Kenami, one on each side in order to keep warm and because of the limited space within the holding cell.

E. Maximum capacity of the detainee holding area is thirty detainees, the evening of 8 December 2003, there are 66 detainees lying with their heads towards the walls and feet towards the center.

F. No movement is noticed from detainee Kenami after 0400 hours on 9 Dec 03.

* G. At no time during the night was there less than two night guards watching the detainees and no history of abuse with this or any other guard shift at the BHA.

Ex 6
3.2.1.6 6. [REDACTED] enters the holding area from the Operations room around 0730 hours on 9 Dec 03 in order to wake-up the detainees.

A. He then proceeds to wake-up the detainees, but notices that Kenami doesn't respond.

B. He feels no pulse with Kenami.

Ex 6
3.2.1.6 C. [REDACTED] then proceeds from the holding area to the Operations room and notifies [REDACTED] and [REDACTED]

D. [REDACTED] and [REDACTED] return to the holding area to examine detainee #58.

7. [REDACTED] attempts to call C-526th three times, after the third times he walks over to the hold area to notify [REDACTED]

8. [REDACTED] then leaves the holding area and proceeds to C-526th to retrieve medical care for Kenami.

Ex 6
3.2.1.6 A. [REDACTED] meets [REDACTED] (Physician Assistant from C-526th) between the BHA and the 526th aid station.

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Chronological History of Abu Malik Kenami

Ex 6
B. [REDACTED] returns to the holding cell with [REDACTED] and examines Kenami around 0815 hours and determines that he is dead. Physician assistants cannot declare anyone dead.

13.2.1.4 C. [REDACTED] and [REDACTED] move Kenami's body from the general population holding area to an empty room within the BHA.

D. [REDACTED] (PROFIS Physician from 526th) follows [REDACTED] shortly later and examines Kenami then pronounces him dead around 0830 hours [REDACTED] and [REDACTED] then place Kenami's body into a body bag.

9. Kenami's body is then removed from the BHA around 1500 hours on 9 Dec 03.

Ex 6
3.2.1.4 A. [REDACTED] (driver) and [REDACTED] (TC) take Kenami's body to 21st CSH, they both don't know where mortuary affairs is located at D-REAR.

B. Kenami's body is left in their vehicle at the 21st CSH.

C. [REDACTED] examines the body, while the body is still inside the vehicle and writes out his death certificate at 1552 hours on 9 Dec 03.

* 1) He examines the body and finds that Kenami's eyes are fixed and dilated, and finds no heartbeat with his stethoscope.

2) He finds nothing out of the ordinary during his examination.

10. 21st CSH then notifies the 54th Q.M. (Mortuary Affairs) to pick-up Kenami's body.

Ex 6
3.2.1.6 A. [REDACTED] and [REDACTED] from Mortuary Affairs pickups Kenami's body around 1630 hours and return to their location on 9 Dec 03.

B. Kenami's body is then placed inside a reefer van for storage.

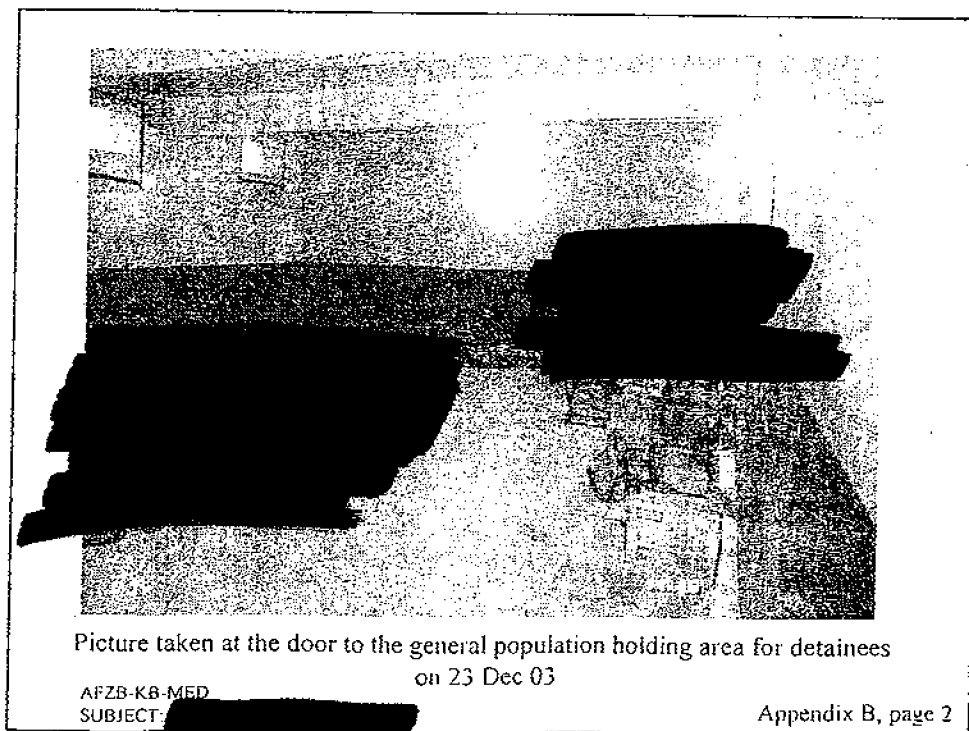
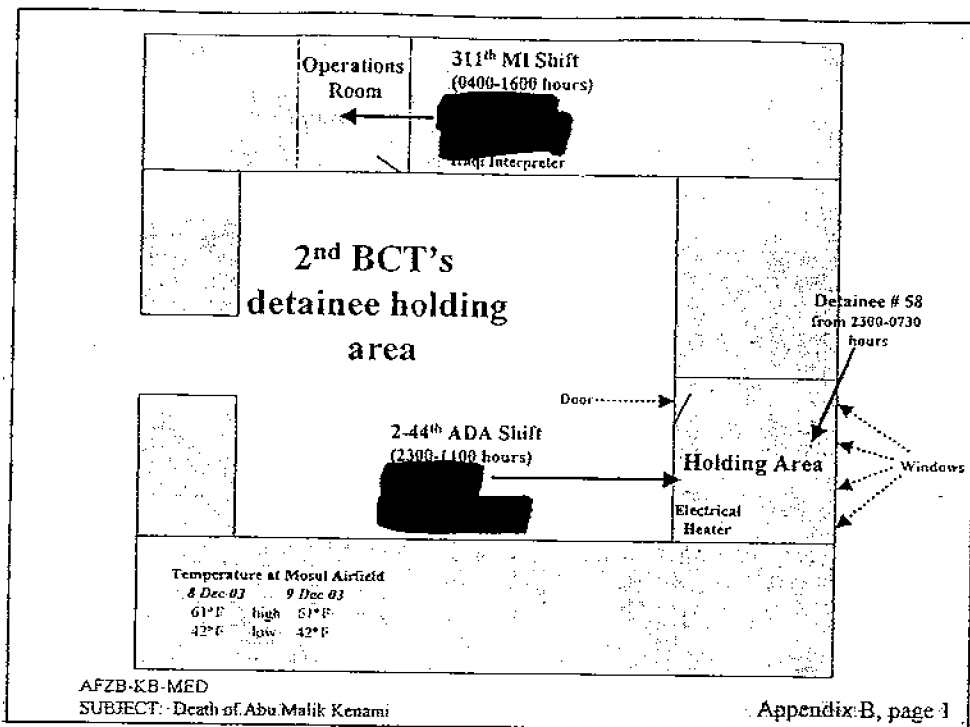
Ex 6
3.2.1.6 C. [REDACTED] the CID examines Kenami's body on 9 Dec 03. [REDACTED] takes multiple pictures of Kenami's body, see the CID packet.

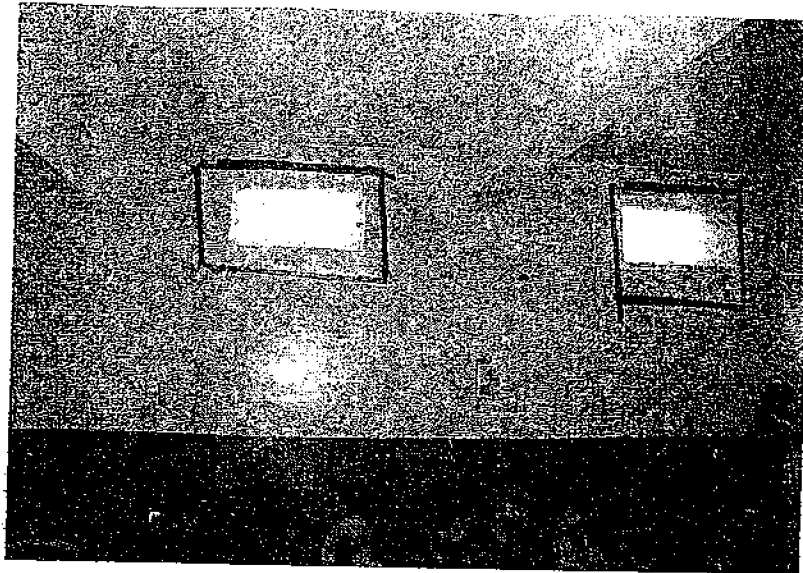
x 7
3.2.1.4 * D. [REDACTED] inquires about the ability to perform an autopsy and is told that there is no capability within this theater to do it.

E. Kenami's body is kept at the 54th Q.M., inside their reefer van for the next six days. No family members come to claim his body.

Ex 6
3.2.1.4 F. The SPO [REDACTED] for 801st MSB arranges for a local mortician to pick-up the Kenami's body at the front gate of D-REAR (Mosul Airfield) on or around 14 Dec 03.

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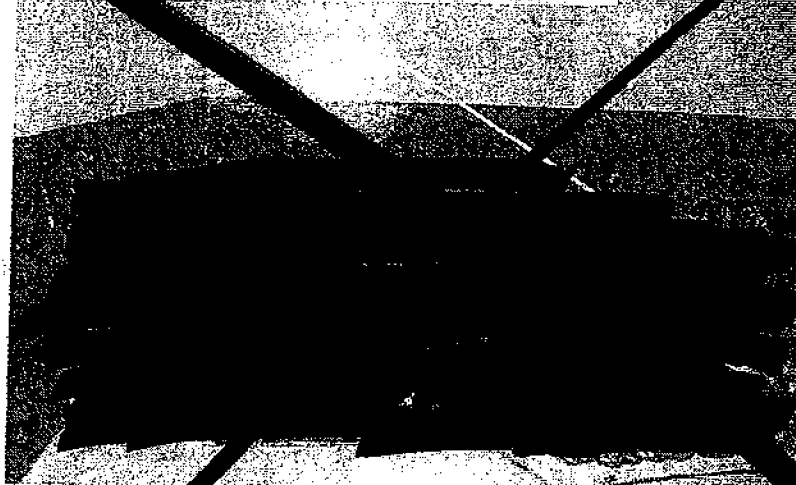


Picture taken at the door of the windows in the general population holding area
on 23 Dec 03

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Appendix B, page 3

Detainee location at 0730 hours on 9 Dec 03



Picture taken at the door on 23 Dec 03, of where [redacted] was located at his death

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Appendix B, page 4

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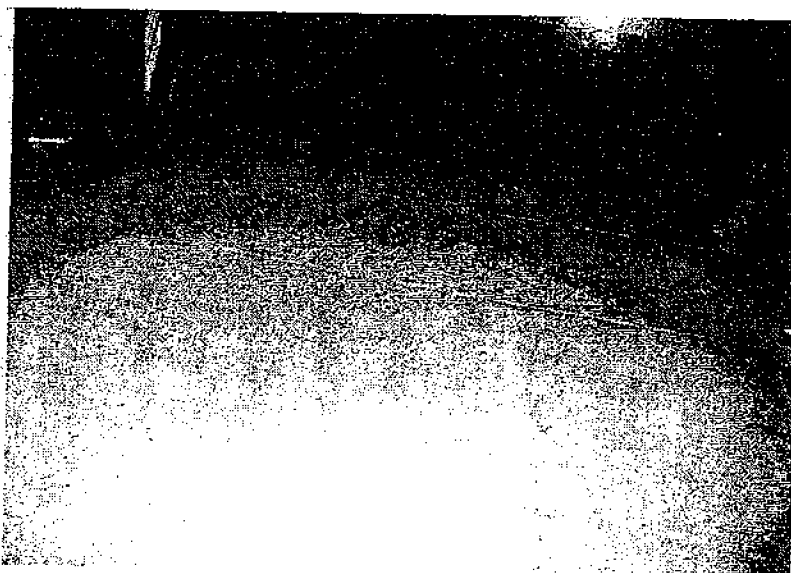


Picture taken of the only heater in the general population holding area on 23 Dec 03

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Appendix B, page 5

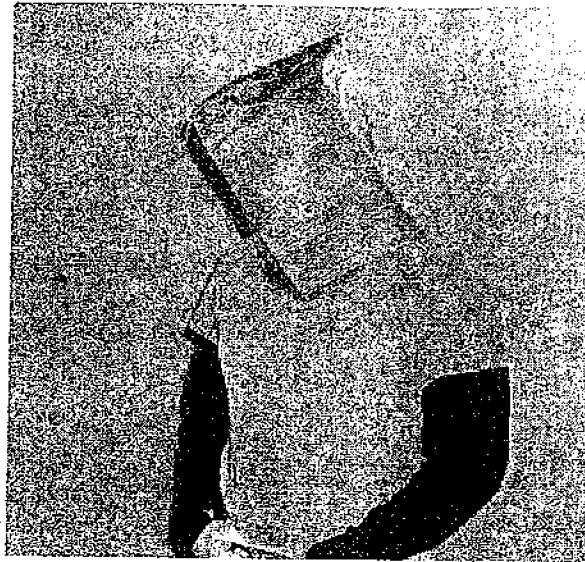


Picture taken of the cement floor in the general population holding area on 23 Dec 03

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Appendix B, page 6



Picture taken of how the sandbag was placed on Kenami's head

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Appendix B, page 7



Picture taken of how Kenami's hands were flex cuff to his back

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Appendix B, page 8



Head

Picture taken of how Kenami's blanket was placed on him and his
his position on the floor with other detainees

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Appendix B, page 9

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Possible Causes for the Death of Abu Malik Kenami

1. The cause of Abu Malik Kenami's death will never be known because an autopsy was never performed on him.

A. CENTCOM is not capable of conducting any type of autopsy within its theater; all US military are currently flown back to Dover AFB for a pathologist to perform an autopsy.

B. Mosul, Iraq currently has no capability of conducting any type of autopsy.

2. Because Kenami's body was turned over to a local mortician around 14 December 2003 without an autopsy being performed all that I can do is speculate on the probable causes for his death.

3. Two physicians and the CID agreed that it appeared that Kenami died from natural causes.

Ex 6
3.2.1.6 A. [REDACTED] a physician for 526th examined Kenami's body at the BHA around 0830 hours on 9 Dec 03 and saw no suspicious bruises or perforations.

Ex 6
3.2.1.6 B. [REDACTED] physician for the 21st CSH examined Kenami's body around 1552 hours and found no suspicious bruises or perforations on the his body and that it appeared that Kenami had died of natural causes.

Ex 6
3.2.1.6
3.2.1.7 C. [REDACTED] looked at Kenami's body at the mortuary affairs at 54th Q.M. on 9 Dec 03 and that he had no visible injuries that would have caused his death and that foul play was not suspected.

3.2.1.7.3.4
4. What is known about Kenami's health:

A. That he was questioned on 5 Dec 03 and that he didn't indicate at that time any acute or chronic medical history or that he was currently taking any medication.

B. There is no documentation of:

- 1) Smoking history.
- 2) Alcohol history.
- 3) Past surgeries.
- 4) Family history.
- 5) Blood pressure.

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Possible Causes for the Death of Abu Malik Kenami

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3.2.1.6

5. On 26 Dec 03, I had a discussion with [REDACTED] for the 21st CSH located on Mosul Airfield about probable causes for his death. The following are the probable causes of his death based on what we know of Kenami 51 in order of precedence:

A. Acute myocardial infarction. A heart attack (also called a acute myocardial infarction) is the death of part of the heart muscle due to its sudden loss of blood supply. Typically, the loss of blood supply is caused by a complete blockage of a coronary artery by a blood clot. A coronary artery is an artery that supplies blood to the heart muscle. Death of the heart muscle often causes chest pain and electrical instability of the heart muscle tissue. Electrical instability of the heart causes ventricular fibrillation. A heart undergoing ventricular fibrillation simply quivers, and cannot pump or deliver oxygenated blood to the brain. Permanent brain damage and death can occur unless oxygenated blood flow is restored within five minutes.

1) Approximately one million Americans suffer a heart attack annually. Four hundred thousand of these victims die as a result. Many of the heart attack deaths are due to ventricular fibrillation of the heart that occurs before the victim can reach any medical assistance or the emergency room.

2) A heart attack is caused by the formation of a blood clot on a cholesterol plaque located on the inner wall of an artery to the heart (coronary artery). Cholesterol is a fatty chemical which is part of the outer lining of cells in the body. Cholesterol plaque is the formation of a hard, thick substance within the artery walls which is caused by deposits of cholesterol in the artery walls; a process that begins in the late teens. Over time, the accumulation of cholesterol plaque causes thickening of the artery walls and narrowing of the arteries; a process called atherosclerosis. Plaque accumulation can be accelerated by smoking, high blood pressure, elevated cholesterol, and diabetes. Ultimately, atherosclerosis causes significant narrowing of the coronary arteries. During exercise or excitement, the narrowed coronary arteries cannot increase the blood supply to meet the increased oxygen demand of the heart muscle. When the heart muscle is thus deprived of blood oxygen, a condition called ischemia results; ischemia may be associated with chest pain (angina pectoris). Typically, angina occurs with exertion, and subsides with rest.

3) Occasionally the surface of the cholesterol plaque in the artery may rupture, which leads to the formation of blood clot on the surface of the plaque, which then completely occludes blood flow in the vessel and results in a heart attack (see diagram). The cause of this "plaque rupture" is largely unknown, but contributing factors may include cigarette smoking, elevated LDL cholesterol, elevated levels of blood catecholamines (adrenaline), high blood pressure, and other mechanical and biochemical forces.

4) Chest pain or pressure is a common symptom of heart attack. Cardiac chest pain is often vague, or dull, and may be described as a pressure or band-like sensation, squeezing, heaviness, or other discomfort. Heart attacks frequently occur from 4:00 A.M. to 10:00 A.M. due to higher adrenaline amounts released from the adrenal glands during the morning hours. Increased adrenaline in the bloodstream can contribute to the above mentioned plaque rupture.

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Possible Causes for the Death of Abu Malik Kenami

Interestingly, heart attacks do not usually happen during exercise, although exercise is commonly associated with exertional angina. Approximately one quarter of all heart attacks are silent, without chest pain. In diabetics, the incidence of "silent" heart attacks may be much higher. The pain or discomfort of a heart attack may be very mild despite its ominous implications. For this reason, patients may attribute the symptoms to "indigestion," "fatigue," "stress," or other common maladies. Denial is also a common element which can dangerously delay the seeking of medical attention. One cannot overemphasize the importance of seeking prompt medical attention. Heart attack victims may complain of:

- chest pressure
- sweating
- jaw pain
- heartburn and/or indigestion
- arm pain (more commonly the left arm, but may be either)
- upper back pain
- general malaise (vague feeling of illness)
- nausea
- shortness of breath

B. Asymmetric septal hypertrophy (Idiopathic hypertrophy subaortic stenosis) consists of genetically abnormal, usually hypercontractile and asymmetric myocardium that may obstruct output and cause sudden death if the hypertrophy is localized in the upper septum. The disease includes asymmetric septal hypertrophy, and idiopathic subaortic stenosis (IHSS), but the term HCM is preferred because the majority (75%) of patients do not present with outflow obstruction (Braunwald, 1997), and 30% do not exhibit asymmetric hypertrophy.

C. Cerebral hemorrhage (stroke). While ischemic strokes happen when the blood flow to a part of the brain is interrupted, a hemorrhagic stroke is caused when there is bleeding into brain tissue that kills blood cells.

1) There are several causes of bleeding inside the skull, including:

a. Head injuries. For people under the age of 50, this is the most common cause of

hemorrhage inside the skull. In the elderly, subdural hematoma after relatively minor head injury is not uncommon.

b. Arteriovenous malformation (AVM). This is an anatomical abnormality in the arteries or veins in or around the brain. Such an abnormality may be present from birth, but it is only detected if symptoms develop. Symptoms resulting from bleeding of an AVM vary, depending on size and location.

c. Aneurysm. This is a weakening in a blood vessel wall that swells. The thin wall of

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Possible Causes for the Death of Abu Malik Kenami

an aneurysm can burst and cause bleeding into the subarachnoid space and the brain, leading to hemorrhagic stroke.

d. Hypertension. Poorly controlled hypertension over a long period of time can weaken symptomatic one.

2) The symptoms of bleeding inside the skull tend to come on rapidly and include the following:

- A sudden headache
- Steadily increasing neurologic losses, such as weakness, inability to move (paralysis), numbness, loss of speech or vision and confusion
- Nausea and vomiting
- Seizures
- Loss of consciousness

6. I believe that Kenami probable had a acute myocardial infarction on 9 Dec 03 for the following reasons:

- A. That he was a male.
- B. His medical and family history is unknown, e.g. his cholesterol level or if he smoked.
- C. At the time of his death, he was 65 inches tall and weighed 175 pounds.
- D. That he was performing ups and downs for ten to twenty minutes several times over a two to three hour period.
- E. That he had diaphoreses (sweating) during and after performing ups and downs, and that the room temperature was probably in the 40-50s degree Fahrenheit range when this occurred.
- F. That he seemed to be agitated and continued to talk after doing his ups and downs.

7. I don't believe that Kenami asphyxiated or strangulated from his sandbag hood for the following reasons:

- A. There was no visible bruising on his neck.
- B. The sandbag was never tied or tightens, see picture 8 in Appendix B.
- C. The plastic sandbag that was used as a hood is too permeable to cause either asphyxiation or hypoxia.

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Witnesses and People Involved With Kenami's Death**Guards (from B Battery 2-44th ADA)**

[REDACTED] a shift leader for guarding the detainees, from B Battery 2-44th ADA, was inside the general population holding area from 2300 hours on 8 Dec 03 to 1100 hours on 9 Dec 03, he was the NCO in charge of guarding the detainees. During this shift, [REDACTED] notices that Kenami is violating the BHA rules by lifting up his sandbag; he makes Kenami do ups and downs for twenty minutes. When Kenami lifts his hood (sandbag) up once again, [REDACTED] flex cuff his hands behind his back and has him do ups and downs for ten minutes. [REDACTED] notices that Kenami is sweating during the ups and downs, ensures that Kenami gets water along with the rest of the detainees around 0100 hours. After giving the detainees water, [REDACTED] beds the detainees down by placing blankets over the detainees, but Kenami continues talking and [REDACTED] places a blanket over Kenami, but not over his head. Around 0300 hours, [REDACTED] notices that Kenami is talking again, walks over and tells him to go back to sleep in Arabic. [REDACTED] notices nothing from Kenami for the rest of the morning until [REDACTED] comes in to wakeup the detainees. [REDACTED] informs [REDACTED] that he thinks that a detainee was dead. [REDACTED] sends [REDACTED] to get [REDACTED] and [REDACTED] from the Operations room. [REDACTED] had had several previous episodes from 5-9 Dec 03 with Kenami violating the BHA rules, either by lifting his sandbag hood or talking and had punished Kenami with ups and downs for violating the rules. Ex 6
C3.2.1.6

[REDACTED] a detainee guard from B Battery 2-44th ADA, was inside the general population holding area from 2300 hours on 8 Dec 03 to 1100 hours on 9 Dec 03 guarding the detainees. [REDACTED] places a blanket over Kenami after 0100 hours on 9 Dec 03 and watched as [REDACTED] tried to wakeup Kenami at 0730 hours on 9 Dec 03. When the detainees are separated, he is sent to another room to watch them. Ex 6
C3.2.1.6

[REDACTED], a detainee guard from B Battery 2-44th ADA was inside the general population holding area from 2300 hours on 8 Dec 03 to 1100 hours on 9 Dec 03 guarding the detainees. [REDACTED] watched [REDACTED] make Kenami do ups and downs for talking during this shift and witnessed Kenami "constantly moving around and mumbling" when the rest of the detainees were sleeping. Ex 6
C3.2.1.6

Interrogators (from B Company 311th MI)

[REDACTED] a interrogator for B Company 311th MI had just came on shift at the Operations room at the BHA at 0400 hours on 9 Dec 03. At 0730 hours, he went from the Operations room to the general population holding area to wakeup the detainees, when he tried to wakeup Kenami, he noticed no response either verbally or by touching him. He checks for a pulse, which he doesn't find then goes to the Operations room to notify [REDACTED]. Later [REDACTED] and him move Kenami's body from the general population holding area to an empty room within the BHA, after Kenami is pronounced dead they place the body into a body bag. Ex 6
C3.2.1.6

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Witnesses and People Involved With Kenami's Death

██████████ shift leader for 311th, from B Company 311th MI had just came on shift at the Operations room at the BHA at 0400 hours on 9 Dec 03. When ██████████ returns to the Operations room and notifies ██████████ that a detainee is dead, he attempts to C Company three times on the DNVF then walks over to the general population holding area to inform ██████████ that he didn't get through. He goes back to the Operations room and notifies his chain-of-command of the events, then he returns to the hold area to remove the zip cuffs from Kenami's wrist, Kenami's wrist were located behind his back. Ex 6 C3.2.1.6

██████████ B Company 311th MI, first meet Abu Malik Kenami during his inprocessing into 2nd BCT's BHA on 5 Dec 03; during this twenty minute interrogation by ██████████ he asked Kenami if he had any medical conditions or was currently taking any medication. ██████████ had just come on shift at 0400 hours on the morning of 9 Dec 03 and was in the Operations room in the BHA when ██████████ entered the Operations room to inform him that a detainee was died. He then proceeded to the general population holding area to look at Kenami, after determining that Kenami wasn't responding and finding out that the DNVF system wasn't working from ██████████, he then proceeded to 526th to get medical assistance. He meets ██████████ during his walk and brings her back to the general population holding area. He then uses the DNVF to inform ██████████ that detainee had died. Ex 6 C3.2.1.6

██████████ Detention Facility OIC from B Company 311th MI was present on 5 Dec 03 with Kenami's interrogation with ██████████. Kenami's initial integration lasted about twenty minutes, in which Kenami was asked if he had been taking medications or has any medical ailments, which he denies. ██████████ was notified of Kenami's death on 9 Dec 03 and arrives at the same time as ██████████ arrives to the BHA. ██████████ is responsible for writing the BHA SOP for the guards on 14 November 2003, see attachments for a copy of the SOP. Ex 6 C3.2.1.6

Medical Responders/Providers

██████████ a physician assistant at 526th, is the first medical personnel to respond to ██████████ request for medical assistance for Abu Malik Kenami. She looks at Kenami in the general population holding area at 0815 hours on 9 Dec 03. She determines that Kenami is dead and has him moved to an empty room within the BHA. Ex 6 C3.2.1.6

██████████ a physician at 526th, is the first physician to look at Kenami after ██████████. After performing a post-mortem exam, he pronounces Kenami dead at 0830 hours on 9 Dec 03. Ex 6 C3.2.1.6

██████████ 21st CSH, is the physician that sign Kenami's death certificate at 1552 hours in the parking lot of the 21st CSH. Ex 6 E3.2.1.6

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Witnesses and People Involved With Kenami's Death

Commander of the BHA

[REDACTED] of the 2nd BHA, from B Company 311th MI was informed by phone of the death of Kenami from [REDACTED]. He later informed the 2nd BCT [REDACTED] of Kenami's death. [REDACTED] directs [REDACTED] to get sworn statements from everyone involved. [REDACTED] then calls CID to initiate an investigation. He later has [REDACTED] and [REDACTED] take Kenami's body to mortuary affairs at Mosul Airfield (D-REAR). Ex 6 C3.2.1.6

Transported Kenami's body from the BHA to 21st CSH

[REDACTED] from B Company 311th MI transport Kenami's body from the BHA to 21st CSH around 1500 hours on 9 Dec 03. They all stayed with the body until [REDACTED] and [REDACTED] pickups up the body at the 21st CSH around 1600 hours on 9 Dec 03. Ex 6 C3.2.1.6

54th Q.M. (Mortuary Affairs) Ex 6 C3.2.1.6

[REDACTED] picks Kenami's body at the 21st CSH around 1600 hours on 9 Dec 03 and then return to their shop. Kenami is placed into their reefer van after the special agents from CID look at and take photo of Kenami. Kenami's corpse stays in the reefer van until they are told by [REDACTED] (801st MSB [REDACTED]) to transport his body to the north gate and turnover to a local mortician on 14 Dec 03. Ex 6 C3.2.1.6

b(6), b(3)

Chronological History in the Investigation into the Death of Abu Malik Kenami

21 December 2003

1. 1300 hours notified by phone of my appointment as the investigation officer (IO) from SJA.

2. 1600 hours, [REDACTED] (SJA) has my appointment orders scanned and e-mailed to [REDACTED]

[REDACTED] at DIVARTY.

3. Called and tried to talk with either [REDACTED] (S3 for 2nd BCT) or [REDACTED] (XO for 2nd BCT) at:

Ex 6
C3.2.1.6

A. 1630 hours

B. 1800 hours

C. 1930 hours

D. Both are in meetings, the person that takes my phone calls each time has promised to give my messages to either [REDACTED] or [REDACTED]

22 December 2003

1. Called and talked with [REDACTED] at 0830 hours, he then gives me [REDACTED] as the POC for my investigation.

Ex 6
C3.2.1.6

2. Called [REDACTED] office at 0900 hours, he is not in, left my message with his staff.

3. 1100 hours, [REDACTED] returns my phone call, I'm able to arrange through him:

A. For the individuals in the BHA during the death of detainee # 0672583 to be at the BHA tomorrow at 1000 hours.

B. [REDACTED] agrees to have all the witnesses there and to arrange for a room for me.

C. Called [REDACTED] at 2030 hours to confirm our meeting and to find out how many witnesses will be present tomorrow, six witnesses.

23 December 2003

1. At BHA at 0915 hours, [REDACTED] allows me to take pictures of the general population holding area and the location that detainee # 0672583 is interrogated on 5 December 2003.

C3.2.1.6

2. Moved to 311th MI at 0950 hours to take the statements and talk with the witnesses, [REDACTED] and [REDACTED] (the DIVARTY legal team) are present throughout the entire process.

Ex 6

3. Witnesses are read:

A. The narrative of why the AR 15-6 is being conducted, read their rights and have their oaths sworn prior to writing their statements.

B. From 1015-1340 hours I went over their statements while [REDACTED] was present.

Ex 6

4. 1430 hours went to the 54th Q.M. (Mortuary Affairs) at D-REAR. Talked with [REDACTED] and [REDACTED] about detainee # 0672583. They were able to furnish the death certificate on detainee # 0672583.

C3.2.1.6

5. 1600 hours went to the 21st CSH and talked with [REDACTED], Patients Admissions and Dispositions NCOIC.

6. Filtered through the witness's statements and information gathered from 2000-2300 hours.

24 December 2003

1. 0800-1200 hours started the initial draft of my investigation.

2. 1430 hours, called [REDACTED] at SJA to asked him about my extension for the AR 15-6, was

Ex 6
C3.2.1.6

b(6), b(3)

Chronological History in the Investigation into the Death of Abu Malik Kenami

told to do a memorandum requesting a seven day extension. Also inquired about the statements and photographs that were taken by CID on 9 Dec 03, told that I can request and receive them if the case is closed by CID.

3. 1500 hours called W01 Coppedge to request:

A. That the three 2-44th ADA guards [REDACTED] and [REDACTED] are at the BHA at 0900 hours on 26 Dec 03 for follow-up questions.

Ex 6
C3.2.1.6

1) To have a sandbag present, similar to the one used on detainee # 58 on 8 Dec 03.

2) To have a blanket present, similar to the one used on detainee # 58 on 8 Dec 03.

B. Asked him to have [REDACTED] call me back, she was the vehicle commander that drove detainee # 58 body to D-REAR.

4. 1600-1830 hours, continued working on the first draft of the investigation.

25 December 2003

Took the day off

26 December 2003

1. 0845 hours went to 526th FSB, to receive a additional statement from [REDACTED]

Ex 6
C3.2.1.6

2. 0905 hours, went to the BHA:

A. Meet with the three ADA guards and went over follow-up questions. Had the guards show me the type of sandbag, flex cuffs and blanket was used on detainee # 58 on 9 Dec 03.

B. Talked with [REDACTED], who was in charge of taking the body down to D-REAR. He and [REDACTED] tell me the events and timeframe for moving the body.

3. 1040 hours, went to 21st CSH:

A. Talked with [REDACTED], who signed detainee # 58's death certificate.

Ex 6
C3.2.1.6

B. Talked with [REDACTED], an anesthesiologist about probably causes of death with detainee # 58.

4. 1120 hours went to pick-up copies of the witness statements and photo from the CID.

5. 1330-1800 hours read the new information and started to revise the original draft.

27 December 2003

0700-1130 and 1700-2100 hours, worked on the final draft of my investigation.

28 December 2003

Worked on final draft from 0900-2000 hours.

b(6), b(3), b(7)(c)

POCs During the Investigation into the Death of Abu Malik Kenami

[REDACTED] at SJA
(Advisor)

[REDACTED] Ex 6 C3.2.1.6

[REDACTED]
[REDACTED] at the BHA)

[REDACTED] Ex 6 C3.2.1.6

[REDACTED]
(Detention Facility)

[REDACTED] Ex 6 C3.2.1.6

[REDACTED]
(CID)

[REDACTED] Ex 6 & Ex 7
C3.2.1.6 & C3.2.1.7.3.4

21st CSH A&D
[REDACTED]

[REDACTED] Ex 6 C3.2.1.6



b(6), b(3),

DEPARTMENT OF THE ARMY
HEADQUARTERS, DIVISION ARTILLERY
101ST AIRBORNE DIVISION (AIR ASSAULT)
CAMP GLORY, MOSUL, IRAQ

REPLY TO
ATTENTION OF

AFZB-KB-MED

29 December 2003

Ex 6
3.2.1.6 MEMORANDUM FOR [REDACTED], 101st Airborne
Division (Air Assault)

SUBJECT: Request for an Extension into the AR 15-6 Investigation Into the Death of Abu
Malik Kenani, detainee # 0672583.

1. I'm asking for an extension into the AR 15-6 investigation into the death of Detainee #
0672583.
2. I'm requesting an extension of seven days to the no later date of 23 December 2003 for the
following reasons:

A. That my notification of being the investigation officer into the death of detainee #
0672583 first occurred at 1300 hours on 21 December 2003.

B. If I was notified properly by SJA, I would have had fifteen days to do the investigation
instead of two to three days that I presently have.

C. That it is physically impossible to conduct a proper investigation into the death of
detainee # 0672583 in two days because of the coordination process and the current hostile
conditions of our environment.

3. The POC for this memorandum is the undersigned at DNVT [REDACTED] or Ex 6 C3.2.1.4
[REDACTED]@us.army.mil. Ex 6 C3.2.1.4

[REDACTED]
[REDACTED]
[REDACTED]

b(6), b(3)



DEPARTMENT OF THE ARMY
HEADQUARTERS, COALITION FORCES NORTHERN IRAQ
MOSUL, IRAQ APO AE 09325

REPLY TO
ATTENTION OF

AFZB-CG

9 December 2003

Ex 6
C3.2.1.6

MEMORANDUM FOR [REDACTED] HIB. DIVARTY, 101st Airborne Division (Air Assault), Mosul, Iraq 09325

SUBJECT: Appointment as Investigating Officer to conduct an investigation UP AR 15-6

1. You are appointed to conduct an investigation under the provisions of AR 15-6 into the death of Abu Mafik Kenami, DOB 25 October 1959, detainee tag # 0672583. The place of death was the 2BCT holding area. You will make specific findings of fact concerning:

- a. The cause of Abu Kenami's death;
- b. All factors that contributed to Abu Kenami's death;
- c. Persons, if any, whose actions or failures to act led directly or indirectly to Abu Kenami's death;
- d. All other matters you deem relevant.

2. You will provide a detailed chronology of events, which clearly explains all facts and circumstances concerning, leading up to, and following the death of Abu Kenami to include the discovery of his body. You will also provide, as a separate exhibit, a list of all parties to this event and a brief explanation of the role they played.

3. You will make recommendations, based on your findings, for what action, if any, should be taken with respect to any responsible persons, ways such fatalities can be avoided in the future, and any other matter you deem appropriate.

4. You will conduct your investigation using the informal procedures of Chapter 4, AR 15-6. All witness statements will be sworn.

5. If, in the course of your investigation, you suspect an individual of a criminal offense under the UCMJ, you will advise that person of his or her rights under Article 31, UCMJ, using a DA Form 3881 and proceed with questioning only if the individual waives their rights.

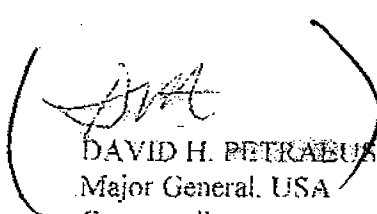
6. You will consult [REDACTED] at the DREAR SJA section (581-0975) for legal advice on the conduct of this investigation.

Ex 6
C3.2.1.6

AFZB-CG

SUBJECT: Appointment as Investigating Officer to conduct an investigation UP AR 15-6

7. You will submit your report in the form of a Memorandum For Record (MFR) attachment to the Report of Proceedings UP AR 15-6 to the DREAR SJA for legal review NLT 23 December 2003. Requests for extension of this suspense will be submitted to me through the Staff Judge Advocate.


DAVID H. PETREUS
Major General, USA
Commanding

800
03 214

SWORN STATEMENT

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

b(6), b(3)

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 AO Glory in Mosul Iraq	2. DATE (YYYYMMDD) 2003 12 23	3. TIME 1207	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS Ex 6	
8. ORGANIZATION OR ADDRESS [REDACTED]	C3.2.1.6		

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

On 9 Dec, I was called to the Brigade Holding area to see a patient/detainee. Upon arrival to the BHA, I went into the room where all the detainees were kept and asked to see the detainee. The guards pointed to the detainee laying on the floor and said that's the patient. I asked what was his issue. Reply "I think he's dead." Then I approached the detainee, checked for rise fall of chest, carotid pulse, pupillary reaction without any signs of life. Skin was beginning to react a little. I then closed his eyes and told the guards and staff that he had expired. I informed my PRO FIS doc, who did the postmortem exam.

The time I arrived to the BHA was about 0815.

There was no obvious deformities to the detainee nor did I see evidence of blood.

Nothing follows

Upon notification, it took me approximately 5-10 minutes to get to the BHA. I carried medical equipment with me. [REDACTED] Ex 6

C3.2.1.6

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 32 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 INDICATED.

001305

STATEMENT OF

TAKEN AT

AO Glory

DATED

2003/12/23

9. STATEMENT (Continued)

Ex 6 C3.2.1.6

Ex 6 C3.2.1.6

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.

Ex 6 C3.2.1.6

(Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23 day of December 2003 at AO Glory

ORGANIZATION OR ADDRESS

(Signature of Person)

(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

b(6), b(3)

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
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 DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION 2 BCT Holding Area	2. DATE (YYYYMMDD) 20031223	3. TIME 1011	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	
8. ORGANIZATION OR ADDRESS [REDACTED] Ex 6 C3.2.1.6			

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

On 09 0500L DEC 03, I, [REDACTED], and our interpreter were in the Operations office of the BHA. [REDACTED] went to the main holding cell to wake up the detainees along with the guards. We returned to the office to tell me he thought a detainee was dead. I went to the holding area to see for myself. After seeing the detainee was in fact dead, I went to the ^{surv C Hall} Performance TOC to notify a medic. After having a medic sent to the facility, I called [REDACTED] at 2 BCT TOC to inform him of the incident. Afterwards, I returned to the BHA. On the way, I met with the medic, who told me to have the guards move the body into the interrogation room next to the holding cell.

On 04 DEC 03, [REDACTED], the interpreter, and I questioned the detainee in the courtyard. At this time, we had no knowledge of any medical problems the detainee may have had. The questioning lasted approximately 20 minutes. Afterwards, he was returned to general population. The detainee was questioned once, that I know of.

I contacted the sergeant of the medical facility, who in turn, contacted [REDACTED]. It took approximately twenty minutes from the time I notified the medical sergeant, to the time I met [REDACTED] at the intersection, on the way back to the BHA.

Nothing follows

[REDACTED]

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

EX 6 C3.2.1.6

b(6), b(3)

STATEMENT OF

TAKEN AT

Pitt / BSA

DATED

2003 / 11 / 23

9. STATEMENT (Continued)

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] EX 6
C3.2.1.6
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23 day of December, 2003 at Do Clary & Moral, Inc.

ORGANIZATION OR ADDRESS
[REDACTED] EX 6
[REDACTED] EX 6
[REDACTED] EX 6

[REDACTED] EX 6
C3.2.1.6
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Typed Name of Person Administering Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

b(6), b(3)

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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46
3.2.1.4
EX 6
3.2.1.4

1. LOCATION B HA	2. DATE (YYYYMMDD) 2003 Dec 23	3. TIME 10:12	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS EX 6	
8. ORGANIZATION OR ADDRESS [REDACTED] EX 6 C3.2.1.4			

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
It was me, [REDACTED]. During the night of Dec 9 03 [REDACTED] was making #58 do up downs for talking. I do not know how long he made #58 do up downs. After #58 was finished [REDACTED] gave him water as the rest of inmates. At 1200pm we put all of the inmates to sleep, but for some reason #58 refused to sleep. He was constantly moving around and mumbling. I would say about an hour after #58 went to sleep. Around about 0800 we woke up all the inmates that's when found #58 dead. As soon as we found him we notified the M.I. and the M.I. notified the medics. This all took place at the BHA. It occurred at night in his sleep.

The inmates went to bed at 2400 hrs and was not checked on until 0800 hrs. There is always two people in the room at all times.

nothing follows
[REDACTED]

46
3.2.1.4

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 _____"
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

AO Gharj Iraq

DATED

2003 12/23

9. STATEMENT (Continued)

EX 6 C3.2.1.6

AFFIDAVIT

X 6
2.1.6 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] EX 6 C3.2.1.6
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23 day of December, 2003 at AO Gharj @ Mosul Iraq

[REDACTED] EX 6 C3.2.1.6
(Signature of Person Administering Oath)

[REDACTED] SPAPA
(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

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

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DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION B H A	2. DATE (YYYYMMDD) 03 Dec 23	3. TIME 10:13	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS Ex 6 [REDACTED]	
8. ORGANIZATION OR ADDRESS [REDACTED] ADA Ex 6 C3.2.1.6			

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

On the morning of Dec 9, 03 we discovered the body of a detainee was deceased. The things that happened the night prior are as followed. We put the detainee's to bed at 1:00 Am and once during the course of the night the detainee that past away was speaking Arabic aloud and when we noticed this we figured that he was cold because his blanket wasn't on him so we placed his blanket on him and then he was quit so that was about all we heard out of him until the next morning.

The next morning when we where waking them up [REDACTED] discovered that his body was very stiff and called for one of use to come and check the body out with him. After finding no Pulse

10. EXHIBIT Ex 6 C3.2.1.6	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"

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b(6), b(3)

STATEMENT OF

[REDACTED]

TAKEN AT

Ao Glory, Iraq

DATED

2003/12/23

Ex 6 C3.2.1.4

9. STATEMENT (Continued)

Someone was sent to get a medic from the ops room and to have a medic called. After that the detainees were separated and placed in different rooms. When they were placed in separate rooms I was sent to the other room to watch the detainees, and that's all I observed to that point.

[REDACTED], [REDACTED] and myself were there during the course of the night and [REDACTED] came in the morning.

Nothing follows

Ex 6
C3.2.1.4

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

Ex 6 C3.2.1.6

b(6), b(3)

STATEMENT OF

TAKEN AT

Al Glory, Iraq

DATED

2005/12/23

9. STATEMENT (Continued)

Ex 6
C3.2.1.6

Ex 6 C3.2.1.6

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. 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] Ex 6
C3.2.1.6
(Signature of Person Making Statement)

WITNESSES:

C3.2.1.6

B- Btry

Ex 6
Ex 6

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23 day of December 2003 at Al Glory, Iraq

[REDACTED] Ex 6
(Signature of Person Administering Oath) C3.2.1.6

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

Ex 6 C3.2.1.6

PAGE 3 OF 3 PAGES

b(6), b(3)

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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1. LOCATION 3rd BCT Holding Area	2. DATE (YYYYMMDD) 2003 12 23	3. TIME 1015	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] EX 6	6. SSN [REDACTED] EX 6	7. GRADE/STATUS C3.2.1.6	
8. ORGANIZATION OR ADDRESS [REDACTED] C3.2.1.6			
9. [REDACTED] EX 6 [REDACTED] C3.2.1.6			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On Dec 8, 2003 [REDACTED] and myself assumed duty at the BHA at 2300 hrs I noticed that #58 kept pulling his sandbag up so he could look around. He had done this on my previous shift as well. The first time he did it, I had him do "up and downs" for 20 min. A little after that he looked again so I put his hands behind him and cuffed him. I made him do 10 more minutes of "up and downs" I then sat him down and gave him and the rest of the prisoners water. [REDACTED] and I gave them water at least twice before putting them to bed at 0100 on 9 Dec 03. After I sat him down he layed on his side and continued to try to pull his mask off to look around. I sat him back up 2 or 3 times until it was time to put them to sleep. At 0100 on 9 Dec 03 we started issuing out the blankets #58 continued to give me a hard time by talking. I put a blanket on top of him and he finally went to sleep. At or around 0300 on 9 Dec 03 he made a little more noise. I went to check him out and told him to go back to sleep in Arabic. After that we heard nothing. At or around 0830 [REDACTED] a soldier from 311th MI came to inform us it was time to wake the detainees up. We began waking them up when [REDACTED] informed me he thought a detainee was dead. I came over to assist. [REDACTED] checked his pulse and felt nothing. I then told him to go inform [REDACTED] and [REDACTED] of the matter.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 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 INDICATED.

b(6), b(3)

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [REDACTED] TAKEN AT BHA DATED 27 Dec 03
Ex 6 C3.2.1.6

9. STATEMENT (Continued)

On the nights prior to his death, #58 would give us problems with looking around pulling his sand bag up. He was briefed by the interpreter on the rules of the BHA and the consequences if any rules were broken. #58 had been there for at least 3 nights prior to his death. I do not know the last time he had eaten because the day shift gives them lunch and dinner meals. We read the SOP about how to treat and handle the detainees. We looked over ^(the sop) and gave over it with my soldiers about a week prior to #58's death.

Nothing Follows [REDACTED] Ex 6 C3.2.1.6

Ex 6 C3.2.1.6

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 3 PAGES

Ex 6 C3.2.1.4

b(6), b(3)

STATEMENT OF

TAKEN AT BHA

DATED 23 Dec 03

9. STATEMENT (Continued)

Ex 6
C3.2.1.4

Ex 6 C3.2.1.4

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] Ex 6
C3.2.1.4
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23 day of December, 2003 at Ao Ching in Mosul, Iraq

ORGANIZATION OR ADDRESS

[REDACTED] Ex 6
C3.2.1.4
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Typed Name of Person Administering Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGE 23 OF 23 PAGES

SWORN STATEMENT

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

b(6), b(3)

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 A/C 649 in Mosul, Iraq	2. DATE (YYYYMMDD) 2004/12/23	3. TIME 1000 hrs	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	
8. ORGANIZATION OR ADDRESS [REDACTED]			
9. [REDACTED]			

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

Who was involved and the extent of their involvement? It should have been 4x 2/44. AD4 soldiers who were tasked to provide the guards for the BHA. B/2-44 AD4 had 4x guards on shift 24 hrs a day, who specifically was on shift I do not know.

What happened? On the morning of the 9th of Dec 03 I received a phone call from [REDACTED] informing me that when the guards wake all the detainees [REDACTED] did not wake up. He told me they immediately called the medics and the medics later confirmed the detainee was dead. I then informed the [REDACTED] manager that one detainee died and he

told me to get sworn statements and call CID to have them come down to the BHA to conduct an investigation. I had [REDACTED], the SOE MR LVO, coordinate with CID to have them go down to the BHA. I later arrived at the BHA and had

[REDACTED] and [REDACTED], two B Co, 311th ME soldiers, move the body - which was already in a body bag - to the DEER to Mortuary affairs. These two soldiers and some soldiers from B, 2/44 then left to turn the body over to Mortuary Affairs.

Where did it occur? The detainee died while sleeping in the main holding room of the BHA.

How did it occur? I was told that this detainee would not go to sleep, he sat up and refused to lay down, for several hours. He eventually settled down and went to sleep. The next morning the guards tried to wake him and discovered he was dead.

The who, what, when, how, and why of the matter? This detainee was detained because he was a former body guard of [REDACTED] who is wanted for financing attacks on coalition forces. He had been at the BHA for, I think, 4x days. All detainees are processed into the BHA and asked if they have any medical conditions or take medicine.

10. EXHIBIT Only C3.2.1.4	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 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 INDICATED.

STATEMENT OF [REDACTED] TAKEN AT Ho Chi, Ind DATED 2003/12/23

9. STATEMENT (Continued)

This detainee, as far as I know, never mentioned that he took medicine. Everyday all detainees are given the opportunity to see a doctor if they please. This detainee never asked to see a doctor. The detainee did have a bag over his head the entire time he was at the BHA. He also was subjected to P.T. that is: standing up and sitting down rapidly for hours on end. He was fed rice 3x a day and had access to water at all times - All he had to do is ask for it. While sleeping each detainee had a Mink blanket and they would lay 2 to 3 together to keep them warmer. The room holding room had a small heater on to try to keep the room as warm as we could. If he had to go to the bathroom he just asked and a guard escorted him to the latrine. Again, the night the detainee died, I was told, he had time going to sleep and refused to lay down. But eventually he fell asleep. The next morning he was discovered dead. [REDACTED]

As far as I have been told, [REDACTED] and I have never seen any abuse by any of the host guards at the BHA. They have always been professional in dealing with the detainees. They do yell at the detainees to ensure they behave while in custody but do not abuse them. X X X X X X X X X X X X X X X X

Nothing follows

not

used

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

001318

b(6), b(3)

STATEMENT OF

TAKEN AT

DATED

28.3/12/23

9. STATEMENT (Continued)

NOT

USED

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. 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.

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23 day of December 2023 at Camp G. [REDACTED]

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 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 AD Glory in Mosul Iraq	2. DATE (YYYYMMDD) 20031223	3. TIME 1010	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED] EX 6	7. GRADE/STATUS [REDACTED]	
8. ORGANIZATION OR ADDRESS [REDACTED] EX 6 C3.2.1.4			

9. [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 Who was involved and what was the extent of their involvement? Two interrogators were on shift and four ADA guards were present.
 What happened? Detainee # 672583 died during his sleep.
 Where did it occur? The Brigade Holding Area (BHA).
 How did it occur? Guards went to wake detainees at approximately 0530L on 4 DEC 03 and he did not wake up.
 At 090845L, I returned to the BHA from an overnight meeting at Strike Main. Upon my return, [REDACTED] informed me that one of the detainees died. As the OIC, I immediately contacted my Company Commander, [REDACTED], a doctor from C-MEDD was already at the site. I contacted CID at DREAR to inform them of the incident. CID arrived at approximately 1000L and conducted their investigation. By the time they arrived, all soldiers involved had completed sworn statements about the incident. 672583 arrived at the BHA on 5 DEC 03. During his initial inprocessing, he claimed no medical problems. Subsequently, during sick call hours (1200) from 6-8 DEC 03, he did not say he was having any problems. As per SOP, detainees are fed three times a day and given water at regular intervals. Additionally, detainees are given extra water upon request.

10. EXHIBIT [REDACTED]	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 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 INDICATED.

STATEMENT OF

TAKEN AT

AD Glory, Iraq

DATED

2003/12/23

9. STATEMENT (Continued)

Guards read instructions about detainee treatment before assuming duties at the BHA. They are informed that detainees will not be mistreated or harmed in anyway. The guards sign these instructions and receive verbal reminders daily. The guards from 2-44 ADA were assigned to me as permanent guard force for the BHA on 13 DEC 03. During that time, the guards have always maintained their professionalism and I have had no issues with their conduct at any time. When detainees arrive, they are also given instructions. Detainees are forbidden from talking and must raise their hand to inform guards if they need to use the restroom or if they have medical problems. If they talk or violate other rules, they are subject to corrective training. Corrective training consists of mild calisthenics for 15-20 minutes. Examples of corrective training includes arm raises and "ups and downs", similar to a knee bender. Additionally, all detainees conduct a short PT session daily to keep them warm and to increase circulation and promote a healthy lifestyle. This is not done for harassment purposes. Detainees receive 4-6 hours of sleep per night. They also receive a blanket to sleep with. At the time of the incident, the BHA had over 60 people in the holding area. Due to over crowding, two detainees were placed side by side under the large mink blankets. This also provided additional body heat to keep them warm. 672583 had been at the site approximately 4 days at the time of his death. He did not display any unusual signs or symptoms.

INITIALS OF PERSON MAKING STATEMENT

PAGE

2 OF 3

PAGES

STATEMENT OF

TAKEN AT

Ab Ghay, Iraq

DATED

2003/12/23

9. STATEMENT (Continued)

Guard [REDACTED] during his stay. Of the 450 detainees that have cycled through the BHA since it became a permanent facility on 13 Nov 03, the average stay for detainees is 10-14 days. 672583 was only on-site four days prior to his death. At no time did he complain of medical problems. Additionally, he did not claim to have any medical problems during his initial inprocessing. ~~the~~ NOTHING FOLLOWS

Ex 6
C3.2.1.6

Ex 6 C3.2.1.6

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. 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.

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23 day of December, 2003 at Ab Ghay, Iraq

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

(Registering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

b(6), b(3)

SECRET REL MCFI

DEPARTMENT OF THE ARMY
BRAVO COMPANY, 311TH MI BN (2BCT)
MOSUL, IRAQ

AFZB-KL-B

9 December 2003

MEMORANDUM FOR RECORD

SUBJECT: Death of detainee

EW 6
3.2.1.4
1. On or about 090845LDEC03, I returned to the Brigade Holding Area (BHA) at Camp Performance, Iraq. My shift NCOIC, [REDACTED] and my senior interrogator, [REDACTED] informed me that detainee # 672583, Abdul Kareem Abdureda Lafta died in his sleep. The guards allowed everyone to go to sleep around 0430L. The detainee did not want to go to sleep, so the guards attempted to have the detainee conduct corrective training. Detainees have a set of rules read to them when they arrive. These instructions are very clear and they are asked if they understand the rules. 672583 was resistant during corrective training, which usually consists of mild calisthenics. He did not complain to guards or ask for any assistance. He went to sleep at approximately 0430. When the guards attempted to wake him up at 0730, he did not wake up. [REDACTED] checked his pulse and determined that he might not be alive. C-MED personnel were contacted. [REDACTED] and [REDACTED] conducted the initial examination and determined that 67283 was deceased.

EW 6
3.2.1.4
2. 672583 arrived on 5 December 2003. During initial inprocessing, he did not claim to be taking any medication nor did he claim to have any medical ailments. C-MED personnel arrive daily to conduct medical checks on detainees. 672583 did not claim to have any medical problems during C-MED visits from 6-8 December 2003. All detainees are fed three times a day and given water at regular intervals. They are also allowed to sleep a minimum of four consecutive hours each day. At no time was 672583 physically abused or put under any physical duress, other than regular exercise and corrective training. Corrective training lasts no more than 15-20 minutes at a time.

EW 6
3.2.1.4
3. POC this memorandum is [REDACTED] DNV [REDACTED] or [REDACTED]

[REDACTED]

EW 6
3.2.1.4

b(6), b(3)

EX 6
3.2.1.6

[illegible]

ACLU-RDI 495 p.44

001324

DODDOA 026738

SWORN STATEMENT

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

b(6), b(7)

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 AO Glory in Mosul, Iraq	2. DATE (YYYYMMDD) 2004/12/23	3. TIME 10:30 hours	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	
8. ORGANIZATION OR ADDRESS [REDACTED] Ex 6 C3.2.1.4			
9. [REDACTED] Ex 6 C3.2.1.4			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On Dec 09 2003 I arrived at the BHA around 04:00. At about 07:30 we began to wake the detainees. I was yelling for the detainees to get up in both english and arabic. I then noticed one detainee that had not responded. I then shook his leg to wake him. Still there was no response so I removed the sandbag that was over his head. The detainee had bloodshot eyes and was not responding so I checked for a pulse. Upon identifying that the detainee had no pulse, I went to inform my NCOIC [REDACTED]. He then came with me to check on the detainee. He then proceeded to call a medic. As the medic arrived, she confirmed that the detainee was dead. Myself and [REDACTED] then moved the body into a separate room away from the other detainees.

In the holding area with me was [REDACTED] and [REDACTED]. We called the medics from the DNVF and it took them about five minutes to respond. When we originally saw the detainee he looked dead. I have been working at the BHA since early November when it opened permanently.

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

b(6), b(3)

STATEMENT OF [REDACTED] TAKEN AT AO Green, Iraq DATED 2003/12/23

9. STATEMENT (Continued)

Not

Used

AFFIDAVIT

[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 23 day of December, 2003 at AO Green, in Mosul, Iraq

ORGANIZATION OR ADDRESS

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED] Ex 6 C3.2.1.4
[REDACTED] Ex 6

[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 AO GLORY, MO344, IRAQ	2. DATE (YYYYMMDD) 2003 12 23	3. TIME 1130 HRS	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	
8. ORGANIZATION OR ADDRESS [REDACTED] Ex 6 C3.2.1.6			

9. [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 ON 09 DEC 03, I ARRIVED AT THE BREEDER HOLDING AREA AT 0400 HOURS TO START MY SHIFT. AT ABOUT 0600 [REDACTED] CAME TO THE OPERATIONS OFFICE AND SPOKE BRIEFLY WITH [REDACTED]. THEY BOTH APPEARED CONCERNED ABOUT SOMETHING AND LEFT THE OFFICE, AS THEY EXITED THE OFFICE, I ASKED WHAT WAS WRONG. [REDACTED] TOLD ME TO CALL THE MEDICS. I IMMEDIATELY CALLED BUT COULD NOT GET THROUGH. I ATTEMPTED TO CALL THREE MORE TIMES WITHOUT SUCCESS. I LEFT THE OFFICE AND WENT TO THE ROOM WHERE [REDACTED] AND [REDACTED] WERE. IN THE ROOM WAS THREE SOLDIERS FROM 2/44 ADB AND ABOUT 70 DETAINEES. THE SOLDIERS WERE [REDACTED] AND [REDACTED]. I TOLD [REDACTED] THAT I HAD BEEN UNABLE TO REACH THE MEDICS ON THE PHONE. AT THIS POINT, [REDACTED] TOLD ME THAT ONE OF THE DETAINEES HAD DIED. I ASKED WHAT HAD HAPPENED AND THE SOLDIERS TOLD ME THAT THE DETAINEE HAD NOT AWAKEN FROM HIS SLEEP. I ASKED FOR MORE DETAILS AND WAS TOLD THAT WHEN THE GUARDS HAD PUT ALL OF THE DETAINEES TO SLEEP THE NIGHT BEFORE, ONE HAD SET UP AND TALKED. THE GUARD HAD HIM LAY DOWN AGAIN. THE DETAINEE REFUSED TO LAY DOWN SO THE GUARDS HAD LET HIM SET UP AND LEAN AGAINST A WALL. ABOUT AN HOUR LATER, THE DETAINEE HAD FINALLY LAY DOWN, AND ONE OF THE GUARDS HAD COVERED HIM WITH A BLANKET. WHEN THE GUARDS HAD AWAKENED THE DETAINEES IN THE MORNING, HE HAD NOT MOVED. AFTER HEARING THE DETAILS [REDACTED] DECIDED TO WALK TO THE MEDIC STATION. I PROCEEDED TO THE OPS OFFICE AND CALLED MY CHAIN OF COMMAND TO NOTIFY THEM OF THE SITUATION. ONE OF THE GUARDS CAME AND ASKED ME FOR A KEY TO THE ZEP CUFFS. I TOOK A KEY TO THE ROOM AND REMOVED THE ZEP CUFFS FROM THE DETAINEE. SHORTLY AFTER, THE MEDIC ARRIVED AND WENT TO SEE THE DETAINEE. THE SOLDIERS FROM 2/44 ADB THAT WERE WORKING AT THE BIHA AS GUARDS WERE GOOD SOLDIERS AND I HAD NOT HAD ANY PROBLEMS WITH THEM SINCE THEY HAD STARTED WORKING THERE.

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

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 NO GLORY FRAG DATED 2003/12/23

9. STATEMENT (Continued)

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.

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23 day of December, 2003 at NO GLORY in Mosul, Iraq

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

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

b(6), b(3)

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
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 DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION AD Glary in Mosul, Iraq	2. DATE (YYYYMMDD) 2003/12/23	3. TIME 1230	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	
8. ORGANIZATION OR ADDRESS [REDACTED] Co. E A 6			

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

Question #1 Who was involved. I can comment specifically on the medical personnel only. The first provider notified was [REDACTED]. The medics present were [REDACTED] and I believe [REDACTED]. I myself was also notified and involved.

Question #2

I heard a radio call for [REDACTED] but did not hear a response. After a few minutes I radioed to find out what was needed but got no response. I went to our aid station I learned [REDACTED] had been advised of something needed at the BHA and had gone there. Then a person from the BHA came in saying that a detainee was dead. I then went to the BHA, met [REDACTED] ex rate who confirmed there was a dead detainee. I instructed our medics to get a body bag and go to the BHA. I then went to the BHA, did a post-mortem exam, and took some historical info (how the detainee had been behaving/participating/acting up until this time). I made a sworn statement at that time regarding my exam. I called ZICAT about the disposition of the body and sent the body to military officers.

Question #3

It occurred at the BHA (brigade holding area) in AD Glary.

Question #4

How did it occur. → I can only give an answer to this, based on information I obtained that morning and knowledge of how medical care is provided at the BHA. If indeed, the patient was at all with normal behavior/participation until 0400 on the day of his death, and an autopsy did not/does not show a clear cause of his death, I know no common explanation for this sudden change from well to dead. It is possible that his behavior was not normal prior to OAD, but because of the many detainees present his abnormal behavior was not noticed and whatever developing problem he had was not addressed. It is possible that he had a medical problem.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 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 INDICATED.

001329

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF

TAKEN AT

Of Gtway in Iraq

DATED 2003/12/21

9. STATEMENT (Continued)

Known to himself, but not known to our personnel/myself having refused to answer questions on his initial screening or having not given us his medical information. It is also possible that he told us of an existing medical condition when he was screened, but that we did not adequately address his medical problem because I had not developed a medical record system for the detainees. There are many possibilities to explain "how" it occurred - this is only a potential list, but I know of no common cause of sudden death with no pre-existing medical conditions, no previous symptoms and abrupt onset to explain his death at his age. It is certainly possible but extremely unlikely.

Question #5 -

etc.

It would be useful to explain how medical care was provided to this and all detainees.

All detainees arriving at the BHA in either one of two states. Either they ~~being~~ arrive in the same condition they were previously in - or their health had been altered by the way they were brought to the BHA/detained. If their health was altered, the issue is addressed as arrived to the BHA. Otherwise all detainees are interviewed about their health, medications. If a medical problem was identified, a provider was asked to come and address the problem/treat the condition. At that point the detainee is put with the other detainees. On a daily basis, a provider goes to the BHA to do sick call and address any new conditions that have arisen. Problems are identified by soldiers working in the BHA and by detainees making their needs known.

Additional information to question #4

Hypothermia is also a possibility, although his clothing was dry and historically he had not shown any unusual behavior prior to 0400. Also, no other detainees had previously become symptomatic from hypothermia - but it is possible he was hypothermic, symptoms were missed and personnel were unaware. It is possible he was affected by the cold and others were not. The overall condition of

INITIALS OF PERSON MAKING STATEMENT

Ex 6

PAGE 2 OF 3 PAGES

b(6), b(5)

STATEMENT OF [REDACTED] TAKEN AT AO Glory in Iraq DATED 2003-12-23

9. STATEMENT (Continued)

The BHA could have been cold enough to have caused hypothermia.
Weeks before, I cannot recall exactly when - but when the weather was turning colder, I requested of the BHA leadership to provide climate control. Specifically doors and windows and space heaters. While a door was placed in the main room - other measures were not taken. When I inquired about this, I was told that according to stake six the doors were all we were going to get. I then asked that all the detainees would have some kind of foot wear or sandals at least to keep their skin off the cold concrete. Since then, I believe they have not been bludgeoned. There have been space heaters in the room intermittently also.

As for the most likely cause of death (dys Including only medical, non-trauma causes) in a man this age and in these conditions I would have to say an infectious disease that would have been missed due to possibilities discussed earlier or from hypothermia - missed due to possibilities discussed earlier.

His exam also ~~has~~ demonstrated a small scalp laceration and hematoma which forces me to entertain trauma as a cause. However it is unlikely to be the cause as lesions as small as he had a exam would ~~be~~ ^{be} ~~to~~ ^{probably} not indicate intracranial bleeding.

Ex 4 C3.2.1.6

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. 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.

Ex 6
C3.2.1.6

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23 day of December, 2003, at AO Glory in Mosul Iraq

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

b(6), b(3)

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 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 AO Glory, Mosul Iraq	2. DATE (YYYYMMDD) 2003/12/23	3. TIME 1320	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] OK	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	
8. ORGANIZATION OR ADDRESS C 3.2.1.6			

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

This statement is to augment my sworn statement made this same day. It is an attempt to duplicate the sworn statement made previously to CID on the day the detainee in question died.
I was notified of a detainee death at the brigade holding area and went to the holding area as described in other statements. At this time I confirmed that the patient was indeed deceased and I did a post-mortem exam. My findings were as follows:
-- Ulceration on left wrist, radial side, grade II, somewhat circular and 3x3 cm. Impressions from flex cuffs, now removed, remained on the left wrist. These went around the ulcer and were elliptical, present only on the radial side of the wrist.
-- Ulceration on the right wrist, extensor side, somewhat circular and 2x2 cm. No impressions from flex cuffs. Grade II.
-- Ulcerations on bilateral ankles, over lateral malleoli, grade II, 1x1 cm.
-- Ulceration over right fifth metatarsal head dorsal side, grade I, 1x1 cm.
-- Somewhat linear bullae on medial side of right biceps. 2x0.5 cm, fluid filled.
-- Occipital laceration 1 cm in length with associated 3x3 cm hematoma.
-- Multiple faint and small ecchymoses over epigastrium. Total of 8-10 closely grouped together, barely discernable.
-- The limbs were easily flexible at the time of examination which was approximately 0830 on the day of death.
-- All measurements were estimated.

[REDACTED] 26 Dec 03

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF _____ PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

001332

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

ACLU-RDI 493 p.52

b(6), b(13)

#424

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CERTIFICATE OF DEATH (OVERSEAS) Acte de décès (D'Outre-Mer)					
NAME OF DECEASED (Last, First, Middle) Nom du décédé (Nom et prénom)		GRADE Grade	BRANCH OF SERVICE Armée	SOCIAL SECURITY NUMBER Numéro de l'Assurance Sociale	
Karim Abdul Ridha, Abdul AI					
ORGANIZATION Organisation		NATION (e.g., United States) Pays	DATE OF BIRTH Date de naissance	SEX Sexe <input checked="" type="checkbox"/> MALE Masculin <input type="checkbox"/> FEMALE Féminin	
		POTUS			
RACE Race		MARITAL STATUS Etat Civil		RELIGION Confession	
CAUCASOID Caucasoïde		SINGLE Célibataire		PROTESTANT Protestant	
NEGROID Négroïde		MARRIED Marié		CATHOLIC Catholique	
OTHER (Specify) Autre (Spécifier) Middle eastern		WIDOWED Veuf		JEWISH Juif	
NAME OF NEXT OF KIN Nom du plus proche parent		RELATIONSHIP TO DECEASED Parenté du décédé avec le tué			
STREET ADDRESS Domicile à l'Autel		CITY OR TOWN AND STATE (Include ZIP Code) Ville (Code postal compris)			
MEDICAL STATEMENT Déclaration médicale					
CAUSE OF DEATH (Enter only one cause per line) Cause du décès (N'indiquer qu'une cause par ligne)					INTERVAL BETWEEN ONSET AND DEATH Intervalle entre l'attaque et le décès
DISEASE OR CONDITION DIRECTLY LEADING TO DEATH Maladie ou condition directement responsable de la mort					Unknown
ANTECEDENT CAUSES Symptômes précurseurs de la mort					None known
UNDERLYING CAUSE, IF ANY, GIVING RISE TO PRIMARY CAUSE Raison fondamentale, s'il y a lieu, ayant suscité la cause primaire					None known
OTHER SIGNIFICANT CONDITIONS Autres conditions significatives					
MODE OF DEATH Condition de décès	AUTOPSY PERFORMED Autopsie effectuée <input type="checkbox"/> YES Oui <input checked="" type="checkbox"/> NO Non		CIRCUMSTANCES SURROUNDING DEATH DUE TO EXTERNAL CAUSES Circonstances de la mort survenues par des causes externes		
<input checked="" type="checkbox"/> NATURAL Mort naturelle	MAJOR FINDINGS OF AUTOPSY Conclusions principales de l'autopsie				
<input type="checkbox"/> ACCIDENT Mort accidentelle					
<input type="checkbox"/> SUICIDE Suicide	NAME OF PATHOLOGIST Nom du pathologiste				
<input type="checkbox"/> HOMICIDE Homicide	SIGNATURE Signature	DATE Date	AVIATION ACCIDENT Accident d'Avion <input type="checkbox"/> YES Oui <input type="checkbox"/> NO Non		
DATE OF DEATH (Hour, day, month, year) Date de décès (l'heure, le jour, le mois, l'année)		PLACE OF DEATH Lieu de décès			
9 Dec 2003, 1552		Mosul, Iraq			
I HAVE VIEWED THE REMAINS OF THE DECEASED AND DEATH OCCURRED AT THE TIME INDICATED AND FROM THE CAUSES AS STATED ABOVE. J'ai examiné les restes mortels du défunt et je concius que le décès est survenu à l'heure indiquée et 2. la suite des causes énumérées ci-dessus.					
NAME OF MEDICAL OFFICER Nom du médecin militaire ou du médecin sanitaire		TITLE OR DEGREE Titre ou grade			
[Redacted]		[Redacted]			
GRADE Grade	INSTALLATION OR ADDRESS Installation ou adresse				
[Redacted]	BEO, Mosul, Iraq Ex 6				
DATE Date	SIGNATURE Signature				
9 Dec 03	[Redacted] Ex 6				

001333

[REDACTED]

DEPARTMENT OF THE ARMY
BRAVO COMPANY, 311TH MI BN (2BCT)
MOSUL, IRAQ

AFZB-KL-B

14 November 2003

MEMORANDUM OF INSTRUCTION

SUBJECT: Instructions for guard force assigned to 2nd Brigade Holding Area

1. Purpose. To establish procedures and Rules of Engagement for the Sergeant of the Guard (SOG) and Guard Force assigned to the 2nd Brigade Holding Area (BHA).

2. Overview. The primary mission of the guard force is Force Protection of all workers at the BHA. The secondary mission is to establish and maintain control of the detainees. Firm control and strict regimen will greatly assist interrogators in accomplishing their mission. Firm control, coupled with mental stress, can greatly weaken a detainee's will. However, guards must be cognizant of all applicable laws and regulations. While control is a must, human rights will not be violated. Emotions can run high when people are face to face with the enemy. Self discipline and professionalism will be maintained at all times. **At no time will a member of the guard force inflict bodily harm to an individual unless it is in self defense or defense of other Coalition personnel. Physical contact will be limited to sufficient force to move individuals or regain control of a situation.** The following is a list of responsibilities for different elements operating out of the BHA:

3. BHA NCOIC Responsibilities.

- a. Maintain schedule for detainees.
- b. Provide guard force with office/storage space.
- c. Coordinate meals for guard force in absence of SOG.
- d. Coordinate with SOG for transport of detainees.
- e. Supervise roll call, physical training and all other mass movements.
- f. Pick up food and water for detainees on Mondays and Fridays.
- g. Maintain control of detainees.
- h. Ensure laws and regulations are strictly enforced.

3. SOG Responsibilities.

- a. Supervise guard force.
 - b. Provide logistical support to guards.
 - c. Coordinate for transportation of guards.
 - d. Supervise mass movements.
- [REDACTED]

- c. Maintain accountability of guard force.
- f. Ensure proper rest cycle is
- g. Assist in feeding detainees.
- h. Maintain control of detainees.
- i. Ensure laws and regulations are strictly enforced.
- j. Establish and maintain fields of fire and QRF procedures to ensure safety of Coalition personnel.

4. Guard force responsibilities. The guard force will take all instructions from the SOG, BHA NCOIC and interrogation team personnel (as applicable).

- a. Maintaining visual contact of entire room assigned.
- b. Maintaining good order and discipline in holding areas and interrogation rooms.
- c. Limiting access of unauthorized personnel.
- d. Supervising work details
- e. Providing appropriate mental stress on detainees.
- f. Escorting detainees to latrine and wash facilities.
- g. Ensure laws and regulations are strictly enforced.

5. Rules of Engagement (ROE): The ROE is designed to maintain the safety of both detainees and personnel working at the BHA. All detainees will be treated humanely and provided the basic human needs IAW the Geneva Convention, FM 27-10, FM 19-40 and other related publications. Corrective training may be assigned to a detainee in order to reestablish control over the detainee, in the interest of good order and discipline. Physical labor as corrective training must not exceed two consecutive hours and must be either related to the offense or improvement of living conditions for the detainee. Detainees will maintain living areas within the BHA. Guards working at the facility will use the ~~minimum amount of force necessary to eliminate the threat~~. **At no time will detainees be beaten or physically harmed in any way.** Weapons status for guards is amber at all time during their tour of duty at the BHA. The following risks are outlined below starting from the least dangerous and ending in the most dangerous:

- a. Disorderly Conduct: In the event an individual detainee becomes disorderly, the guards will immediately subdue the detainee, and contact an interrogator and interpreter working in the BHA. The detainee will be escorted to a separate room, where the interrogator will determine the nature of the problem. If the detainee is calmed down, he will be returned to the general population. If he remains defiant, he will be blindfolded, and sent to a separate room, where he will stay until he becomes calmer.
- b. Escape: If a detainee attempts to escape, the first person that observes the attempted escape will shout, "HALT" or use the appropriate code word of the day. If the detainee does not stop, the guards will shout, "HALT" again. Guards will attempt to stop the detainee using the

MINIMUM force necessary to regain control of the detainee. As a last resort, detainee may be engaged with small arms fire. This should be a well-aimed shot with the sole purpose of preventing escape. If a detainee is engaged, the NCOIC will contact Performance Main, the 2 BCT ACT, and the unit to which the guard belongs in order to begin appropriate administrative paperwork and medical treatment. All personnel who witnessed the incident, will prepare sworn statements.

- c. Riots: In the event more than two detainees attempt to escape from the compound, guards will use necessary force (lethal force if required) to regain control of the situation. After the riot ceases, and Coalition Forces regain control, all living detainees will be placed in the holding cells. The detainees will lie on their stomachs facing the wall and guards will be placed at the entrances of the holding cells. Anyone who attempts to get up from the lying position will be restrained, by tying the hands and feet to prevent further disturbance. One interpreter will be with the guards in order to translate instructions in order to avoid confusion. Once order is restored, the BHA NCOIC will then contact Performance Main, the 2 BCT ACT, and the 2 BCT Battle Captain in order to obtain medical support and provide a SITREP to pertinent commands.
- 6. Access: All Coalition personnel are authorized in the administrative (next to operations) room in the BHA. However, unescorted access to holding and interrogation rooms are subject to approval by the BHA OIC or NCOIC. Guards will not allow unauthorized personnel in to the holding areas.
- 6. Communications: All emergency communications at BHA will be FM voice utilizing vehicle mounted radios or DNVF @ [REDACTED] Ex 6 C3 2.1.6
- 7. POC this memorandum is [REDACTED] or [REDACTED] Ex 6 C3.2.1.6

[REDACTED] Ex 6
C3.2.1.6