

DEPARTMENT OF THE ARMY
U.S. ARMY CRIMINAL INVESTIGATION COMMAND
Afghanistan MP Det (CID)
Building 591, Bagram Airfield, APO, Armed Forces Africa, Canada, Europe &
Middle East 09354-935

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02 Jul 2004

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL (C)/SSI - 0061-2004-CID369-69277 -
5C1J

~~---~~ DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 26 DEC 2001, 0001 - 06 JUL 2002, 0000; KANDAHAR DETAINEE FACILITY,
AFGHANISTAN

2. 26 DEC 2001, 0001 - 06 JUL 2002, 0000; PESHAWAR DETAINEE FACILITY,
PAKISTAN

DATE/TIME REPORTED: 24 MAY 2004, 0900

INVESTIGATED BY: b7c-1, b6-1, b2

SA [REDACTED]

SUBJECT:

1. UNKNOWN, ; AGGRAVATED ASSAULT, MALTREATMENT OF A PERSON
IN CUSTODY (INSUFFICIENT EVIDENCE) (NFI)

VICTIM:

1. b7c-4, b6-4 [REDACTED], AFGHANISTAN; XZ ; AGGRAVATED
ASSAULT, MALTREATMENT OF A PERSON IN CUSTODY (INSUFFICIENT
EVIDENCE) (NFI)

INVESTIGATIVE SUMMARY:

"THIS IS A DETAINEE ABUSE INVESTIGATION"

This office was notified by HQ, USACIDC, that Mr. b7c-4, b6-4 [REDACTED] reported he was abused by US
Forces, by being beaten on the hands, feet and chest, while being detained in the Peshawar,
Pakistan and Kandahar, Afghanistan detainee facilities.

Investigation failed to prove or disprove Mr. b7c-4, b6-4 [REDACTED] was abused by U.S. Forces as he was not
able to be located for a victim interview at his hometown of Gardez, Afghanistan.

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Numerous attempts by the Gardez HUMIT team, the Gardez Directorate of Security and the Gardez Police Chief failed to locate Mr. [REDACTED] for a victim interview.

STATUTES:

Article 128, UCMJ: Aggravated Assault

Article 93, UCMJ: Maltreatment

EXHIBITS/SUBSTANTIATION:

Attached:

1. Agents Investigative Report of SA [REDACTED], 23 Jun 04, documenting the initial complaint and coordinations to locate Mr. [REDACTED].

Not Attached:

None.

The original of Exhibit 1 is forwarded to USACRC with the original of this report.

STATUS: This is a Final (C) report. This investigation is being terminated in accordance with CID-R 195-1, chapter 4-17(6) in that Operations Officer, 3d MP Grp (CID) and the Special Agent-in-Charge (SAC) of this USACIDC unit, determined that furtherance of the investigation would be of little or no value.

Summary of Remaining Leads: Interview of Mr. [REDACTED], Identification and interview of subject(s). This investigation will be re-opened, if and when Mr. [REDACTED] is located and makes a formal complaint to USACIDC.

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REPORT PREPARED BY

SA [REDACTED]
Special Agent, [REDACTED]

REPORT APPROVED BY

[REDACTED]
Special Agent-in-Charge

DISTRIBUTION:

- 1 - Dir, USACRC, Ft Belvoir, VA (original)
- 1 - THRU: Commander, 3rd MP Group, USACIDC (Operations), Fort Gillem, GA
- TO: CDR, USACIDC, ATTN: CIOP-ZA, 6010 6th Street, Ft Belvoir, VA 22060
- 1 - CHIEF OF STAFF, CJTF-180, BAGRAM AIR FIELD (email only w/o exhibits)
- 1 - COMMANDER, TF DRAGON, BAGRAM AIR FIELD (COL [REDACTED]) (email only w/o exhibits) *b7c, b6, b2*
- 1 - PROVOST MARSHAL OFFICE, CJTF 76 (LTC [REDACTED]) (email only w/o exhibits) *b7c, b6, b3*
- 1 - SJA, CFC (COL [REDACTED]) (email only w/o exhibits) *b7c, b6, b3*
- 1 - STAFF JUDGE ADVOCATE, CJTF 76 (MAJ [REDACTED]) (email only w/o exhibits) *b7c, b6, b3*
- 1 - FILE

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About 0900, 24 May 04, This office received a Request for Investigation (RFI) 0204-04-CID001, from HQ, USACIDC, requesting this office look into allegations of the abuse of Mr. [REDACTED] NFI, who resides in Gardez, Afghanistan, was suspected to be abuse by U.S. Forces while in Peshawar, Pakistan and Kandahar, Afghanistan.

About 1000, 2 Jun 04, SA [REDACTED] coordinated with INV, [REDACTED], Tactical Humint Team (THT), Gardez Firebase, who obtained the information of the Mr. [REDACTED] and stated he would try and locate him.

About 1330, 2 Jun 04, SA [REDACTED] coordinated with Gen [REDACTED], Police Commander, Paktia Province, who related he would try and locate Mr. [REDACTED] if he was in Gardez.

About 1120, 7 Jun 04, SA [REDACTED] met with [REDACTED] Chief, Directorate of Security, Paktia Province, who stated he would track down Mr. [REDACTED] if he was in Gardez.

About 1300, 10 Jun 04, SA [REDACTED] coordinated with Chief [REDACTED] who stated he was not able to locate Mr. [REDACTED].

About 1430, 10 Jun 04, SA [REDACTED] coordinated with Mr. [REDACTED] who stated he was not able to locate Mr. [REDACTED].

About 1215, 17 Jun 04, SA [REDACTED] coordinated with INV [REDACTED], THT, who stated Mr. [REDACTED] was not able to be located in Gardez as of yet, but he would contact this office when he was available for an interview.

About 1000, 23 Jun 04, SA [REDACTED] coordinated with INV [REDACTED], who stated he could not locate Mr. [REDACTED].

////////////////////////////////////LAST ENTRY////////////////////////////////////

Special Agent, [REDACTED]

Afghanistan MP Detachment (CID)
Bagram APO AE 09354

Signature: [REDACTED]

Date: 23 Jun 04

Exhibit: /

CID Form 94

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SENSITIVE

DATE 27 MAY 2004

FROM AFGHANISTAN CID OFFICE, BAGRAM AIRFIELD //CICR-BGR//

TO: DIR USACRC FT BELVOIR VA //CICR-ZA//

CG USACIDC FT BELVOIR VA //CIOP-ZA//

AFGHANISTAN CID OFFICE, BAGRAM AIRFIELD //CICR-BGR//

COMMANDER, TF DRAGON, BAGRAM AIR FIELD (COL [REDACTED])

CHIEF OF STAFF, CJTF-180, BAGRAM AIR FIELD

PROVOST MARSHAL OFFICE, BAGRAM AIRFIELD (1LT [REDACTED])

STAFF JUDGE ADVOCATE, CJTF 76 (MAJ [REDACTED])

CDR USACIDC 3D MP GRP FT GILLEM GA

PROVOST MARSHAL OFFICE, CJTF 76 (LTC [REDACTED])

CG USACIDC FT BELVOIR VA //CIOP-ZA//

SUBJECT: CID REPORT OF INVESTIGATION - INITIAL/SSI - 0061-2004-CID369-69277
- 5C1J b7c-1, b6-1

DRAFTER: [REDACTED] b7c-1, b6-1

RELEASER: [REDACTED] b7c-1, b6-1

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 26 DEC 2001, 0001 - 06 JUL 2002, 0000; KANDAHAR DETAINEE FACILITY,
AFGHANISTAN

2. 26 DEC 2001, 0001 - 06 JUL 2002, 0000; PESHAWAR DETAINEE FACILITY,
PAKISTAN

2. DATE/TIME REPORTED: 24 MAY 2004, 0900

3. INVESTIGATED BY: b7c-1, b6-1, b2
SA [REDACTED]

4. SUBJECT:

1. UNKNOWN, ; AGGRAVATED ASSAULT, MALTREATMENT OF A PERSON
IN CUSTODY (NFI)

5. VICTIM:

1. [REDACTED] b7c-4, b6-4; AFGHANISTAN; XZ ; AGGRAVATED
ASSAULT, MALTREATMENT OF A PERSON IN CUSTODY (NFI)

6. INVESTIGATIVE SUMMARY:

THE INFORMATION IN THIS REPORT IS BASED UPON AN ALLEGATION OR
PRELIMINARY INVESTIGATION AND MAY BE CHANGED PRIOR TO THE
COMPLETION OF THE INVESTIGATION.

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"THIS IS A DETAINEE ABUSE INVESTIGATION"

THIS OFFICE WAS NOTIFIED BY HQ, USACIDC, THAT MR [REDACTED] WAS ABUSED BY US FORCES, BY BEING BEATEN ON THE HANDS, FEET AND CHEST, WHILE BEING DETAINED IN PESHAWAR, PAKISTAN AND KANDAHAR, AFGHANISTAN DETAINEE FACILITIES.

PRELIMINARY INVESTIGATION REVEALED BETWEEN 26 DEC 01 AND 7 JUL 02. WHILE BEING DETAINED IN PESHAWAR AND KANDAHAR DETAINEE FACILITIES MR [REDACTED] REPORTED HE WAS BEATEN AND TREATED INHUMANLY.

A VICTIM INTERVIEW OF MR [REDACTED] IS PENDING AT HIS HOMETOWN OF GARDEZ, AFGHANISTAN.

IDENTIFICATION OF SUBJECTS IS PENDING.

INVESTIGATION CONTINUES BY USACIDC.

7. COMMANDERS ARE REMINDED OF THE PROVISIONS OF AR 600-8-2 PERTAINING TO SUSPENSION OF FAVORABLE PERSONNEL ACTIONS AND AR 380-67 FOR THE SUSPENSION OF SECURITY CLEARANCES OF PERSONS UNDER INVESTIGATION.

8. USACIDC REPORTS ARE EXEMPT FROM AUTOMATIC TERMINATION OF PROTECTIVE MARKINGS IN ACCORDANCE WITH CHAPTER 3, AR 25-55.

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TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATION	ACTIVITY
1000, 23 Jun 04 [REDACTED] b7C-1,66-1 20	About 1000, 23 Jun 04, SA [REDACTED] coordinated with INV [REDACTED] who stated he could not locate Mr [REDACTED]. b7C-6,66-6	b7C-4,66-4
2 Jul 04 [REDACTED] b7C-1,66-1	File To SAC for Closure.	
2 Jul 04 SA [REDACTED] b7C-1,66-1	<p>SAC Review:</p> <ol style="list-style-type: none"> ① Reviewed and minor corrections to Final CC Report. ② Approved and transmitted Final CC. ③ Distr, closed, and filed. 	

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

0930, 22 Jun 04

██████████ b7c-1,66-1
30

File to SAC for review. THT is still trying to locate
Mr ██████████ b7c-4,66-4

23 Jun 04

SA ██████████

b7c-1,66-1

SAC Review:

- ① I know we are waiting on other people to provide us with information, but they have to understand this is a priority in DoD. We can't do much for finding the victim but maybe the PUC packet will provide us with more information on his whereabouts.
- ② Remember this is a Cat I!

AGENTS ACTIVITY SUMMARY
(CID Regulation 195-1)

Control Number

061-04-CID369

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

0935, 15 Jun 04,
Inv. [REDACTED]
I: 10

b7c-1,66-

Emailed CPT [REDACTED] by SIPERNET to provide detainee packet for Victim. CPT [REDACTED] states he will locate packet and inform results at a later date.

b7c-3,66-3

17 Jun 04
[REDACTED]

b7c-1,66-

Coordinated with S&T [REDACTED] For Pac Packet.
No packet was available for ML [REDACTED]

b7c-3,66-3

AGENTS ACTIVITY SUMMARY
(CID Regulation 195-1)

Control Number

0061-04-COD369-69277

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

1300, 10 Jun 04

30 b7c-1, b6-1

About 1300, 10 Jun 04, SA [REDACTED] coordinated with Chief [REDACTED], who stated he was not able to locate Mr [REDACTED] b7c-3, b6-3 b7c-4, b6-4 b7c-1, b6-1

1430, 10 Jun 04

20 b7c-1, b6-1

About 1430, 10 Jun 04, SA [REDACTED] coordinated with Mr [REDACTED], who stated he was not able to locate Mr [REDACTED] b7c-4, b6-4

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

0930, 2 Jun 04

30 b7c-1, b6-1

About 0930, 2 Jun 04, SA [REDACTED] obtained videotaping of the Gardez Detainee Facility. It was noted the facility had been altered. The back was of the facility had been removed making it about 100 feet longer to house more individuals.

1000, 2 Jun 04

20 b7c-1, b6-1

About 1000, 2 Jun 04, SA [REDACTED] coordinated with INV, [REDACTED], Tactical Hemet Team, Gardez Firebase, who obtained the information of the victims and stated he would look for them.

1330, 2 Jun 04

20 b7c-1, b6-1

About 1330, 2 Jun 04, SA [REDACTED] coordinated with Gen [REDACTED] Police Commander, Paktia Province, who related he would try and locate the victims.

1430, 5 Jun 04

20 b7c-1, b6-1

About 1430, 5 Jun 04, SA [REDACTED] coordinated with INV [REDACTED] THT, who stated his interpreter was coming in today to relate if he had located any of the victims.

0945, 7 Jun 04

20 b7c-1, b6-1

About 0945, 7 Jun 04, SA [REDACTED] coordinated with INV [REDACTED] THT, Gardez Firebase, who stated they had found one of the victims and are coordinating for an interview.

1120, 7 Jun 04

1:45 b7c-1, b6-1

About 1120, 7 Jun 04, SA [REDACTED] met with [REDACTED] Chief, Directorate of Security, Paktia Province, who stated he would track down the victims if they were in Gardez.

1215, 7 Jun 04

10 b7c-1, b6-1

A. Coordinated with INV [REDACTED], THT, who stated Mr [REDACTED] was not able to be located in Gardez as of yet, but he would contact this office when he was available for an interview.

1223, 7 Jun 04

5 b7c-1, b6-1

Flew back to BAF.

9 Jun 04/ [REDACTED]

SAC Review:

- ① Noted still trying to locate victim. Will coord with higher by 18 Jun 04 if we still haven't located.
- ② Keep IP Update w/ specific items.
- ③ Sent 2d Cat I Update.

AGENTS ACTIVITY SUMMARY
(CID Regulation 195-)

Control Number

0051-04-CID369

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

0900, 15 May 04

0:20

b7c-1,66-1

About 0900, 15 May 04, this office was notified by HQ, USACIDC, that MR [REDACTED] was beaten on his hands, feet, and chest, while detained at Kandahar and Peshawar detainee facilities. b7c-3,66-3

1430, 16 May 04

0:30

b7c-1,66-1

Coordinated with CPT [REDACTED], MP, PUC records custodian, BAF, who provided this office with a sheet pertaining to Mr [REDACTED] detailing the aspects of his capture. b7c-4,66-4 b7c-3,66-3 b7c-3,66-3

20 May 04, 1000

0:30

b7c-1,66-1

Coordinated with LTC [REDACTED] (PM) and MAJ [REDACTED] (SJA) about PUC case. LTC [REDACTED] will be providing to MPI's to assist this office. b7c-3,66-3

0940, 27 May 04

0:55

b7c-1,66-1

Completed INI. Posted to file. To SAC for review. Flight scheduled for 31 May 04, to Gardez with 2 MPI.

27 May 04

b7c-1,66-1

SAC Review:

Per direction from HQUSACIDC all detainee abuse cases are now Category I monitoring cases; therefore, an Initial/SSI was drafted and transmitted.

PUC/Detainee Death and Abuse Investigations

As of 5/25/2004

Sequence #	Roll #	Date Opened	Date Closed	Subject(s)	Victim(s)	Allegation(s)	Incident Location	Remarks	8889 (Rev. 03/01)
0114-03-CID369	23525	26-Sep-02	23-Mar-04	[REDACTED]	b7c-4, b6-4	Murder, Conspiracy, Obstruction of Justice	b7c-4	CPT [REDACTED] SSG [REDACTED] AND SSG [REDACTED] MURDERED MR. [REDACTED] AFTER DETAINING HIM FOR FOLLOWING THEIR MOVEMENTS IN AFGHANISTAN. RE-OPENED: MR. [REDACTED] TURNED HIMSELF INTO THE CUSTODY OF THE US AND SUBSEQUENTLY DIED WHILE IN CUSTODY IN ASADABAD.	b7c-4, b6-4 Yes
0094-03-CID369	49180	25-May-04		[REDACTED]	b7c-4, b6-4	Assault, Undetermined Death	Asadabad	DEATH CASE OF AFGHANI NATIONAL UNDER AMF CONTROL AT AN SF OUTPOST, FORWARD OPERATING BASE GERESHK, AF.	
0174-03-CID369	49232	8-Nov-03		Unknown AMF	b7c-4, b6-4	Undetermined Death	FOB Gereshk	The PM, CJTF180 (LTC [REDACTED]) modified this office that a NY Times article reporting abuse at the PUC facilities was hitting the press 12 May 04. b7c-4, b6-4	
0050-04-CID369	69273	11-May-04		Unknown	(3) [REDACTED] (aka [REDACTED]) (4) [REDACTED] (5) [REDACTED] NI	Assault, Maltreatment	KAF, Gardez	Request for investigation that Mr. [REDACTED] was reported he was abused at the BAF Detainee facility in August 2003.	b7c-4, b6-4
0059-04-CID369		20-May-04		Unknown	b7c-4, b6-4	Maltreatment	BAF	Request for investigation that Mr. [REDACTED] reported he was beaten on his chest, back hands and feet at Peshwar and Kandahar Detainee Facilities.	
0061-04-CID369		24-May-04		Unknown	b7c-4, b6-4	Maltreatment	KAF, Peshwar	SJA request to interview (7) Afghani National held in Kabul Detainee facility that reported they were abused upon apprehension and that one of their brothers was killed while in US Custody from being beaten.	
0062-04-CID369		24-May-04		Unknown	Unknown *NI	Undetermined Death, Maltreatment	Gardez		

KAF = Kandahar Air Field
BAF = Bagram Air Field
*NI = Not interviewed and/or identified

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