Law Enforcement Sensitive

#### **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 09354-9354

27 Aug 2004

MEMORANDUM FOR: SEE DISTRIBUTION
SUBJECT: CID REPORT OF INVESTIGATION - FINAL SUPPLEMENTAL/SSI - 0059-2004-CID369-69279 - 5C1L / 5Y2E
DATES/TIMES/LOCATIONS OF OCCURRENCES: 1. 02 JAN 2002, 0001 - 02 OCT 2002, 0000; BAGRAM AIRFIELD DETAINEE FACILITY, BAGRAM AIRFIELD, AFGHANISTAN
DATE/TIME REPORTED: 20 MAY 2004, 0900
INVESTIGATED BY: SA
SUBJECT:  1. UNKNOWN, ; AGGRAVATED ASSAULT, MALTREATMENT OF A PERSON IN US CUSTODY (NFI)
VICTIM: 67C-4, 66-4
1.  , MALE; WHITE; XZ; AKA: ISN: AGGRAVATED ASSAULT, MALTREATMENT OF A PERSON IN US CUSTODY (NFI)
INVESTIGATIVE SUMMARY:
This office was notified by HQ, USACIDC via Request for Investigation (RFI) 0220-04-CID001, that Mr. was abused by U.S. Forces by being beaten while in the Bagram Collection Point, Bagram Airfield, APO AE 09354.
Investigation failed to prove or disprove that Mr. was beaten an initially reported, as $672-4,66-4$ he was not able to be interviewed due to charges being preferred against him by the U.S.
1
FOR OFFICIAL USE ONLY

Law Enforcement Sensitive

JU. 1

Law Enforcement Sensitive

Government

STATUTES:

Article 93, UCMJ: Maltreatment Article 128, UCMJ: Assault

**EXHIBITS/SUBSTANTIATION:** 

Added Attached:

2. Naval Criminal Investigative Services (NCIS) Report of Investigation (ROI), control number 07JUL04-MPGT-0066-7GNA/C, detailing their attempts to interview Mr.

670-4,66-4

Added Not Attached:

None.

The original of Exhibit 2 is forwarded to USACRC with the original of this report.

STATUS: This is a Final Supplemental Report. This investigation will be reopened once Mr.

becomes available for interview. 676-4,66-4

REPORT PREPARED BY

676-1162

REPORT APPROVED BY



,672-1,66-1

Special Agent-in-Charge

DISTRIBUTION:

Special Agent,

1-Dir, USACRC, Ft Belvoir, VA

1-THRU: CDR, 3D MP GRP

TO: CG, USACIDC, FT BELVOIR VA//CIOP-ZA//

1-Chief of Staff, CJTF-76 (email only less exhibits)

1-CDR, Task Force Dragon (email only less exhibits)

1-PM, CJTF-76 (LTC (email only less exhibits)

1-SJA, CJTF-76 (MAJ

67C-3,66-3

(email only less exhibits) 67c-3, 66-3

1-FILE

2

FOR OFFICIAL USE ONLY

Law Enforcement Sensitive

Law Enforcement Sensitive

DATE 26 AUG 2004

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

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

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

CDR, 3D MP GRP

CHIEF OF STAFF, CJTF-76

CDR, TASK FORCE DRAGON (COL

676-3,66-3 576-3, 66-3 PM, CJTF-76 (LTC

SJA, CJTF-76 (MAJ

676-3,66-3

SUBJECT:

CID REPORT OF INVESTIGATION - 1ST SUPPLEMENTAL /SSI -

0059-2004-CID369-69279 - 5C1L / 5Y2E

DRAFTER: 6...

676-1,66-1

RELEASER:

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 02 JAN 2002, 0001 - 02 OCT 2002, 0000; BAGRAM AIRFIELD DETAINEE FACILITY, BAGRAM AIRFIELD, AFGHANISTAN

2. DATE/TIME REPORTED: 20 MAY 2004, 0900

3. INVESTIGATED BY:

SA .

670-1,66-1,62

4. SUBJECT:

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

5. VICTIM:

; MALE; WHITE; XZ ; AKA: ISN:

676-4, 66-4 676-4, 66-4 (NFI)

AGGRAVATED ASSAULT, MALTREATMENT OF A PERSON IN US 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.

"THIS IS A DETAINEE ABUSE INVESTIGATION"

FOR OFFICIAL USE ONLY

Law Enforcement Sensitive

Law Enforcement Sensitive

#### **1ST SUPPLEMENTAL:**

THIS SUPPLEMENTAL REPORT IS BEING GENERATED TO REOPEN THIS INVESTIGATION TO FURTHER IDENTIFY MR AND TO DOCUMENT RECEIPT OF THE NAVAL CRIMINAL INVESTIGATIVE SERVICES (NCIS) REPORT OF INVESTIGATION.

THIS OFFICE RECEIVED A FINAL REPORT OF INVESTIGATION FROM NCIS, WHICH DISCLOSED THAT THEY COULD NOT INTERVIEW MR DUE TO CHARGES 672 466 BEING BROUGHT AGAINST HIM BY THE UNITED STATES.

#### FINAL REPORT:

THIS OFFICE WAS NOTIFIED BY HQ, USACIDC VIA REQUEST FOR INVESTIGATION (RFI) 0220-04-CID001, THAT MR WAS ABUSED BY U.S. FORCES BY BEING 67C-44, 66-BEATEN WHILE IN BAGRAM COLLECTION POINT, BAGRAM AIRFIELD, APO AE 09354.

INVESTIGATION FAILED TO PROVE OR DISPROVE THAT MR WAS 572-4, 66-4 BEATEN AS INITIALLY REPORTED, AS HE WAS NOT ABLE TO BE INTERVIEWED DUE TO CHARGES BEING PREFERRED AGAINST HIM BY THE U.S. GOVERNMENT.

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.

FOR OFFICIAL USE ONLY
Law Enforcement Sensitive

-----

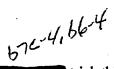
Law Enforcement Sensitive

#### 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

	25 Jul 2004
MEMORANDUM FOR: SEE DISTRIBUTION	
SUBJECT: CID REPORT OF INVESTIGATION - FINAL 5C1L / 5Y2E	(C)/SSI - 0059-2004-CID369-69279 -
DATES/TIMES/LOCATIONS OF OCCURRENCES: 1. 02 JAN 2002, 0001 - 02 OCT 2002, 0000; BAGRAM FACILITY, BAGRAM AIRFIELD, AFGHANISTAN	I AIRFIELD DETAINEE
DATE/TIME REPORTED: 20 MAY 2004, 0900	12
INVESTIGATED BY: SA GOVERNMENT OF THE PROPERTY	5-1,62
5A 676-11	
SA SA	
SUBJECT:	
1. UNKNOWN, ; AGGRAVATED ASSAULT, MALT	REATMENT OF A PERSON
IN US CUSTODY (NFI)	
VICTIM: 576-4	
VICTAVI.	MALE; WHITE; XZ ;
AGGRAVATED ASSAULT, MALTREATMENT OF A PI	
INVESTIGATIVE SUMMARY:	
This office was notified by HQ, USACIDC via Request for 0220-04-CID001, that Mr was abused by U.S. F Bagram Airfield detainee facility, Bagram Airfield, APO Al	Investigation (RFI) orces, by being beaten while in 1576-4, 66-4 E 09354. 676-4, 66-4
Investigation failed to prove or disprove that Mr he was not able to be interviewed due to charges being preferencement.	was beaten as initially reported, as
. 1	
FOR OFFICIAL US	E ONLY

Law Enforcement Sensitive



Law Enforcement Sensitive

After Mr. trial, this investigation will be re-opened for further investigation, and he will be interviewed.

STATUTES:

Article 93, UCMJ: Maltreatment

Article 128, UCMJ: Assault

EXHIBITS/SUBSTANTIATION:

**EXHIBITS:** 

Attached:

672-1,66-1

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 was terminated in accordance with CID-R 195-1, Paragraph 4-17(6) in that the Special Agent-in-Charge (SAC) of this USACIDC unit has determined that furtherance of this investigation would be of little or no value. This investigation will be re-opened after completion of the victim's judicial proceedings.

SUMMARY OF REMAINING LEADS: Interview of the victim.

2

FOR OFFICIAL USE ONLY
Law Enforcement Sensitive

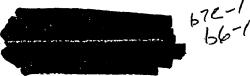
. - . - 6

Law Enforcement Sensitive

REPORT PREPARED BY

76-1,56-1

REPORT APPROVED BY



Special Agent-in-Charge

DISTRIBUTION:

Special Agent,

1-Dir, USACRC, Ft Belvoir, VA

1-THRU: CDR, 3D MP GRP

TO: CG, USACIDC, FT BELVOIR VA //CIOP-ZA//

1-CDR, Task Force Dragon (COL (College)) (email only less exhibits) 1-72-3, 66-3

1576-3,66-3 1-PM, CJTF 76 (LTC (email only less exhibits)

1-SJA, CJTF 76 (MAJ (email only less exhibits)

1-FILE

67c-3, 66-3

3

#### FOR OFFICIAL USE ONLY

Law Enforcement Sensitive

#### AGENT'S INVESTIGATION REPORT

0059-04-CID369-69279

CID Regulation 195-1

PAGE 1 OF 1 PAGE

About 0730, 18 May 04, this office received a Request for Invest from Headquarters, U.S. Army Criminal Investigation Command	(UOLIS A CIDC) requesting this
office initiate an investigation into the allegations that Mr	(NFI), former detainee at $b^{1/2}$
Bagram Airfield, Afghanistan, was abused by U.S. Forces.	670-1,66-1
On 18 May 04, a Request for Assistance (RFA) was sent to the S	A Naval
Criminal Investigation Services (NCIS), Guantanamo Bay, Cuba	, to conduct a victim interview
of Mr at Guantanamo Bay, Cuba. 1576-466-	

7e-1

Between 18 May 04 and 7 Jul 04, numerous attempts were made to coordinate with SA for a status of this RFA; however negative contact was made.

About 1000, 22 Jun 04, SA coordinated with SSG coor

On 7 Jul 04, this office was contacted by SA Cuba, who stated his office had received this office's RFA.

About 0758, 12 Jul 04, this office received notification from the NCIS, Guantanamo Bay, Cuba, that the prosecuting attorney, COL USMC, Deputy Chief Prosecutor, Office of 67c-3, 66-3 Military Commissions (OMC), Guantanamo Bay, Cuba, had preferred charges against Mr and would not let him be interviewed until after his trial was complete. 67c-4, 66-4

676-1,66-1,62

Signature:

Afghanistan MP Detachment (CID)
Bagram APO AE 09354

Signature:

Date: 12 Jul 04 Exhibit:

FOR OFFICIAL USE ONLY

e R

# Page(s)

9

# Referred to:

DEPARMENT OF THE NAVY CHIEF OF NAVAL OPERATIONS ROOM DN536 2000 NAVY PENTAGON WASHINGTON, DC 20350-2000

MS. DORIS LAMA navyfoia@hq.navy.mil (202) 685-6544/5/6

**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//

CDR USACIDC 3D MP GRP FT GILLEM GA

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

**BAGRAM BLOTTER CLERK** 

CHIEF OF STAFF, CJTF-180, BAGRAM AIR FIELD

COMMANDER, TF DRAGON, BAGRAM AIR FIELD (COL

PROVOST MARSHAL OFFICE, BAGRAM AIRFIELD (1LT

PROVOST MARSHAL OFFICE, CJTF 76 (LTC

STAFF JUDGE ADVOCATE, CJTF 76 (MAJ

SUBJECT:

CID REPORT OF INVESTIGATION - INITIAL/SSI - 0059-2004-CID369-69279

- 5C1L / 5Y2E

DRAFTER:

672-1,66-1

RELEASER:

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 02 JAN 2002, 0001 - 02 OCT 2002, 0000; BAGRAM AIRFIELD DETAINEE FACILITY, BAGRAM AIRFIELD, AFGHANISTAN

2. DATE/TIME REPORTED: 20 MAY 2004, 0900

3. INVESTIGATED BY:

670-1,66-1,62

SA

4. SUBJECT:

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

5. VICTIM:

676-4,66-4

; MALE; WHITE; XZ :

AGGRAVATED ASSAULT, MALTREATMENT OF A PERSON IN US 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.

"THIS IS A DETAINEE ABUSE INVESTIGATION"

UNCLASSIFIED - FOR OFFICIAL USE ONLY

19

672-3,66-3

THIS OFFICE WAS NOTIFED BY HQ, USACIDC, REQUEST FOR INVESTIGATION 0220-04-CID001, THAT MR WAS ABUSED BY US FORCES, BY BEING 672-4, 66-4 BEATEN, WHILE IN BAGRAM AIRFIELD DETAINEE FACILITY.

PRELIMINARY INVESTIGATION REVEALED BETWEEN 2 JAN 02 AND 2 OCT 02, WHILE BEING DETAINED IN THE BAGRAM AIRFIELD DETAINEE FACILITY, MR WAS SEEN BLEEDING FROM HIS NOSE, AFTER BEING INTERVIEWED, 676-4, 66-46 HAT WAS CONSISTANT WITH ABUSE. MR FURTHER STATED HE HAD 676-46 bloom BEEN BEATEN AND TREATED INHUMANLY BY US FORCES.

MR GRAND IS CURRENTLY IN US CUSTODY IN GUANTANAMO BAY, CUBA, 1376-4, 66-4 HOLDING FACILITY.

A VICTIM INTERVIEW OF MR IS PENDING. 676-4

IDENTIFICATION OF SUBJECT(S) 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.

UNCLASSIFIED - FOR OFFICIAL USE ONLY

. 11

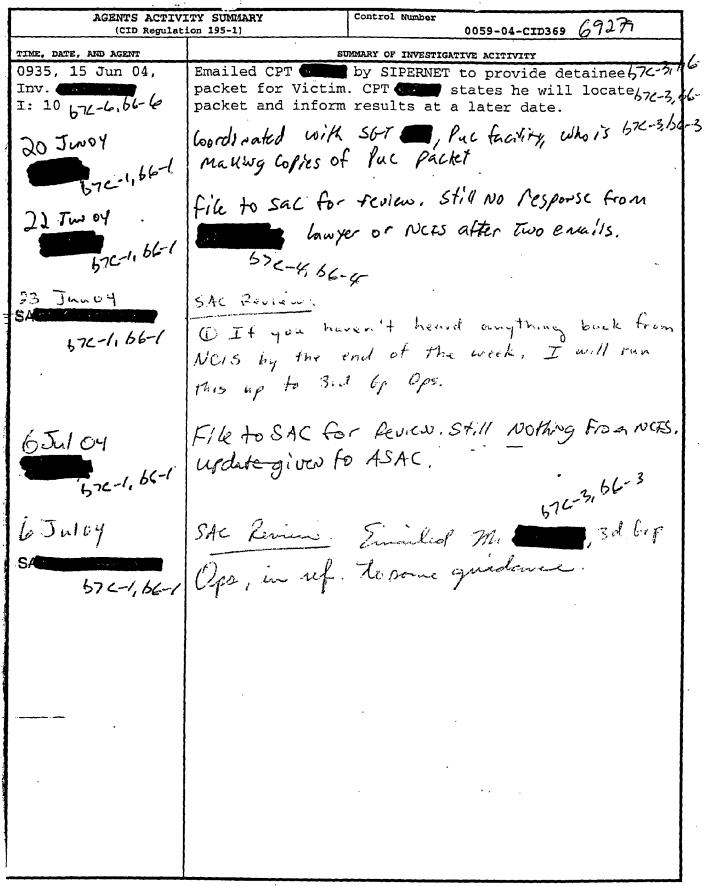
AGENT'S ACTIVITY SUMMARY Control Number 0059-2004-CID369 69271 SUMMARY OF INVESTIGATIVE ACTIVITY TIME, DATE, AND AGENT 05/18/2004 07:30 About 0730, 18 May 04, this office received a Request for Investigation (RFI), 0220-04-CID001, from Headquarters, U.S. Army Criminal 676-4, 66-4 Investigation Command (HQUSACIDC) requesting this office initiate an 0:10 INV investigation into the allegations that Mr. (NFI), former detainee at Bagram Airfield, Afghanistan, was abused by U.S. Forces. 05/18/2004 07:35 Reviewed information received from HQUSACIDC on the SIPRNET 676-1.66-1 email account for this office, and noted several documents marked with 0:05 INV classified markings. Emailed CW5 3d Mp Grp (CID) Operations Officer, to inquire about how to initiate the file based on the classified material. Received an email from Mr. 05/18/2004 07:50 relating that a LTCMDR would be interviewing the victim in regards to the allegations. Mr. Prequested this office to draft a list of questions for the victim. 676-3, 66-3 0:10 INV Questions were drafted then emailed to Mr. 676-3,66-3 to initiate a sequence number, 67€-3,66-3 05/19/2004 11:50 Received information from Mr. 67E-1.66-1 and keep the classified information as background information in a separate (secured) file. Since, LTCDR would be interviewing the 67c-3, 66-3 0:05 INV victim for this office, we don't have credible information at this point to initiate an ROI. Once this office receives the results of the interview and review the information, this office will initiate an ROI, if necessary. 05/20/2004 15:12 Case Initiation 670-1,66-1 0:01 INV

AGENTS ACTIV	TTY SUMMARY	Control Number 059	
(CID Regulat	7 9 7		
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACITIVITY		
1430, 16 May 04		CPT MP, PUC r	
D:30 67C-1,66-1	BAF, who provided to the Mr	this office with a 676-466-4	sheet pertaining
1000, 20 May 04	Coordinated with LTC (PM) and MAJ		
0:30 676-1166-1	providing to MPI'		
	An interview of Mr is scheduled to be completed		
0:55 676-1166-1	by NCIS and his defense counsel. An RFA was sent to NCIS and SJA.		
	J.	ort. File to SAC for	review.
10:45 bre-1,66-1			
37 May 04 /	This office recei	abuse cases were	Cakegory I
670-1,66-1	investigations. The allegation.	here fore, an initial	wis gent cocumenting
	·		
		The second secon	
·			
		_	
·		-	
			}.

 $\frac{2}{2}$  2

AGENTS ACTIVI (CID Regulati		Control Number   0059-04-610369-69779
TIME, DATE, AND AGENT	166-1	UMMARY OF INVESTIGATIVE ACITIVITY
9 Jun 04	5AC Review.  O What io  Should A	The status of the RFA? I know something by now! 2d Cat I update and lile.
	2) Drafted to 1	Id lat I update und lile.
· • - ·		
·		·
	·	
		· .

300 3



CID FORM 28

PREVIOUS EDITIONS OF THIS FORM WILL BE USED UNTIL EXHAUSTED

4. 4

AGENTS ACTIVITY SUMMARY (CID Regulation 195-1) 0059-04-CID369-69279 SUMMARY OF INVESTIGATIVE ACITIVITY TIME, DATE, AND AGENT 0900, 8 Jul 04 Received email from NCIS who stated they received the 676-1,66-1 RFA and would give a status of it weekly. Prepared and submitted 7th Cat report. 0900, 11 Jul 04 676-1166-1 0900, 13 Jul 04 File to TC for review. 1572-1,66-1 13 JUL OU TE REVIEW: RMAIL UPDATE ON RFA. DOWNERT AND POST TO FILE.

CID FORM 28

PREVIOUS EDITIONS OF THIS FORM WILL BE USED UNTIL EXHAUSTED

AGENTS ACTIVITY SUMMARY Control Number 0059-04-CID369- 69279 (CID Regulation 195-1) TIME, DATE, AND AGENT SUMMARY OF INVESTIGATIVE ACITIVITY 1020, 13 Jul 04 Received case file back noted TC comments. cannot interview Mr as the U.S. Government has 676-1, 16-1 0:10 preferred charges against him and the prosecuting attorney will not allow him to be interviewed. Prepared and sent 8th Cat update. Posted to file. 2010, 19 Jul 04 57c-1, b6-1 2100, 19 Jul 04 File to SAC for review. 676-1,86-1 Ops, who consumed is a self of the self of 20 Jul 04 by 16 SAR Review: Ops, who concurred with closing this investigation because of the length of time to want before the alleged "victim" can be interviewed. E) Close Final (1) case. 3) Need to make sure this is trocked and that we have good contact infor for the prosecuting attorney, so we can check on this in about 6 months

CID FORM 28

PREVIOUS EDITIONS OF THIS FORM WILL BE USED UNTIL EXHAUSTED

Control Number AGENTS ACTIVITY SUMMARY (CID Regulation 195-1) 0059-04-CID369-69279 SUMMARY OF INVESTIGATIVE ACITIVITY TIME, DATE, AND AGENT 1330, 20 July 04 Received case file back noted SAC comments. Will close file and track until trial is complete. 0:20 1630,22 Jun 04 · Completed IFI. Posted to file. To SAC for review. in 104 SAC!

Make corrections to

b7c-1,66-1

Final (1) and AIR.

To TC > C/A. 2:45

CID FORM 28 1 Oct 80 PREVIOUS EDITIONS OF THIS FORM WILL BE USED UNTIL EXHAUSTED

AGENTS ACTIVITY SUMMARY Control Number (CID Regulation 195-1) 0059-04-CID369-69279 SUMMARY OF INVESTIGATIVE ACITIVITY TIME, DATE, AND AGENT Received case file back will correct AIR and Final. 0900, 23 Jul 04 676-1,66-1 0:20 1100,24 Jul 04 Corrected AIR and Final. Posted to file. To SAC for b7c-1,66-1 review. Remind and transmitted Final(s)
Distro'd. Copy to file.
Closed and filed.

CID FORM 28 1 Oct 80

0059-04-CID369 6927

Where were you initially held before being transported to Bagram?

Were you abused before being taken to Bagram?

Who abused you? Americans? Afghan Nations?

Were you blind folder while being interviewed?

Were you sexually or verbally abused?

Were you abused any other times other than during interviews?

How many times were you struck?

Was it open handed or closed hand?

Describe the force on a 1 to 10 scale with 10 being the worst of the strikes that hit you?

Were you kicked?

Did you suffer any broke bones?

Did you bleed after any of the abuse?

Why did you have a medical mask on?

Did anyone witness the abuse?

Did you see any other detainee's abused?

# Page(s)

# Referred to:

U.S. CENTRAL COMMAND
7115 SOUTH BOUNDARY BLVD
ATTN: CCJ6-DM
MACDILL AIR FORCE BASE
FLORIDA 33621-5101

MS. JACQUELINE SCOTT scottj@centcom.smil.mil (813) 827-5341/2830

