

DEPARTMENT OF THE ARMY
78th MILITARY POLICE DETACHMENT (CID) (FWD)
3rd MILITARY POLICE GROUP (CID)
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
BAGHDAD, IZ
APO AE 09342

CIMPR-FR

2 Aug 04

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - INITIAL/ FINAL/ SSI - 0234-04-CID259-80271-1/5C2/5Y2E/5X1

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 13 JUL 2004/0001 HRS - 13 JUL 2004/2400 HRS; UNKNOWN DETENTION FACILITY, IZ

DATE/TIME REPORTED: 27 JUN 2004, 0900 HRS

INVESTIGATED BY: SA [REDACTED] SA [REDACTED] SA [REDACTED]

SUBJECT: 1. (NONE); [ASSAULT (UNFOUNDED)] [CRUELTY AND MALTREATMENT (UNFOUNDED)] [CONSPIRACY (UNFOUNDED)]

VICTIM: 1. [REDACTED] NDRS# [REDACTED] CIV; ISN UNKNOWN; [REDACTED]
DATE OF CAPTURE: 4 JUL 04; M; WHITE; (NFI) [ASSAULT (UNFOUNDED)] [CRUELTY AND MALTREATMENT (UNFOUNDED)] [CONSPIRACY (UNFOUNDED)]

INVESTIGATIVE SUMMARY:

On 27 Jul 04, this office received a Memorandum of Transmittal (MOT) 0114-04-CID789, from the Prisoner Interview/Interrogation Team (PIT), 75th Military Police Detachment, Baghdad Central Confinement Facility (BCCF), Abu Ghraib, Iraq APO AE 09342, that the Military Police reported Mr. [REDACTED] was possibly abused while detained at an unknown facility in IZ before arrival to BCCF.

On 28 Jul 04, this office coordinated with CPT [REDACTED], Staff Judge Advocate, who opined there was probable cause to believe Mr. [REDACTED] was not abused while detained by U.S. Forces.

Investigation established probable cause to believe Mr. [REDACTED] was not abused during his detention and personnel used justifiable means to control Mr. [REDACTED] during his seizures by placing him between two stretchers.

STATUTES:

Article 128, UCMJ: Assault (UNFOUNDED)

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Article 93, UCM.: Cruelty and Maltreatment (UNFOUNDED)
 Article 81, UCMJ: Conspiracy (UNFOUNDED)

EXHIBITS/SUBS"ANTIATION:

Attached:

1. Agent's Investigation Report (AIR) of SA [REDACTED] 19 Jul 04, detailing the receipt of the initial complaint; coordination with SGT [REDACTED] Detainee In-processing, and CPT (Dr [REDACTED]) interviews of Mr [REDACTED] and CPT (Dr [REDACTED]) *b7c-1,66-1* *b7c-3,66-3* *b7c-4,66-4*
2. History and physical exam form, 19 Jul 04, pertaining to Mr [REDACTED] *b7c-4,66-4*
3. Detainee file of Mr [REDACTED] *b7c-4,66-4*
4. Compact disc containing photographs of Mr [REDACTED] (USACRC and file copy only). *b7c-4,66-4*
5. AIR of SA [REDACTED] 28 Jul 04, detailing the receipt of the Memorandum of Transmittal and coordination with SJA. *b7c-1,66-1*

Not Attached:

None.

The original of Exhibits 1 and 5 are forwarded with USACRC copy of this report. The original of Exhibits 2, 3 and 4 are maintained in the files of BCCF, Baghdad, IZ.

STATUS: This is an Initial/ Final Report.

Report Prepared By:

Report Approved By:

Special Agent [REDACTED] *b7c-1,66-1* *b2*Special Agent in Charge [REDACTED] *b7c-1,66-1*

Distribution:

- 1-DIR, USACRC, 6010, 6th Street, Fort Belvoir, VA 22060-5506 (original)
 - 1-Thru: CDR, 22nd MP BN (CID), APO AE 09342
 - Thru: CDR, 3rd MP Group (CID)
 - To: CDR, USACIDC, ATTN: CIOP-ZA, Fort Belvoir, VA 22060
 - 1-PMO, MNF-I (e-mail only)
 - 1-CID LNO, MNF-I, APO AE 09335 (e-mail only)
 - 1-Office of the Staff Judge Advocate, III Corps, ATTN: CPT [REDACTED] (email only)
 - 1-File
- b7c-3,66-3*

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER 0234-04-CID259-80271
0114-04-CID789

PAGE 1 OF 3 PAGES

DETAILS

Basis of Investigation: On 19 Jul 04, this office was notified by the 391st Military Police (MP) Battalion (BN), Baghdad Central Confinement Facility (BCCF), Abu Ghraib, Iraq (AGI), that Detainee [REDACTED] National Detainee Reporting System (NDRS) [REDACTED] Baghdad, Iraq; Baghdad, Iraq, was possibly abused prior to arriving at BCCF. b7c-4,66-4

About 1115, 19 Jul 04, SA [REDACTED] and SA [REDACTED] this office, coordinated with SGT [REDACTED] 428th MP Company, In Processing NCOIC, BCCF, AGI, who stated that he noticed Detainee [REDACTED] had abrasions on both wrists and an apparent injured right wrist. He stated the detainee made no allegations of being abused. He further stated the transporting unit from 1st Cavalry Division stated there were statements in the detainee file explaining the injuries. b7c-2, 66-4

AGENT'S COMMENT: The transporting unit departed the area prior to this agent arriving at Detainee In Processing.

About 1130, 19 Jul 04, SA [REDACTED] and SA [REDACTED] with the assistance of Linguist [REDACTED] this office, interviewed Detainee [REDACTED] who stated he was captured on 3 Jul 04 in Baghdad, Iraq. He was transported to a detention facility near Al Satar City, on Rashad Base. [REDACTED] stayed for one night and was then transported to an unknown facility about 45 minutes travel time from his previous location. He stated he was blind folded with a cloth tied around his eyes, but it was removed when he arrived at the facility. He was taken into a cell that had two beds. Detainee [REDACTED] stated he was put in the cell by himself, which he related he did not like. He was in the cell for 16 days. On the ninth day he stated he was screaming in his cell, because he did not like being by himself. He stated that three US Soldiers entered his cell and pushed him to the floor. The soldiers then cuffed his hands behind his back with metal cuffs and tied his feet with plastic cuffs. Detainee [REDACTED] stated that he began to thrash because he was scared and one of the soldier put his knee in his back. He said the soldiers then placed him on a stretcher face down and placed another stretcher on his back. They then tied ropes around the stretcher, which pinned Detainee [REDACTED] between the stretchers. He said he still continued to twist his shoulders and arms. He said the soldiers then turned the stretchers over, which left him facing upwards. He stated he was there for about 3 hours. He stated he was screaming for help and his right wrist was going numb and felt like it was cut off. He stated that after three hours, a doctor came in the room and pushed the soldiers aside. The doctor cut the ropes and removed the handcuffs. Detainee [REDACTED] was left to sleep on the floor until the next morning. A doctor saw him several times before and after the incident. Detainee [REDACTED] stated he was not punched, kicked, beat, or slapped in anyway after this incident. b7c-3,66-3

Detainee [REDACTED] described the three soldiers as the following: b7c-4,66-4
Soldier one was described as a dark skinned (not black), muscular, male with a black short beard.
Soldier two was described as a white male, average size, with blond hair and no facial hair.
Soldier three was described as a tall white male, average size, with blue eyes.

DODDOACID-005247

TYPE AGENT'S NAME AND SEQUENCE NUMBER
SA [REDACTED] b7c-1,66-1

ORGANIZATION
PRISONER INTERROGATION TEAM (PIT)(CID)
Baghdad Central Confinement Facility, Abu Ghraib 09342

SIGNATURE [REDACTED]

DATE
19 Jul 04

EXHIBIT
1

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER 0234-04-CID259-80271
0114-04-CID789

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DETAILS

All three soldiers were in DCU's.

AGENT'S COMMENT: During the interview, the detainee expressed he did not like being left alone in rooms. He stated he would become agitated and upset when this happened. When this agent was escorting him into the interview room, the detainee became visibly upset, with tears in his eyes. Once the interview was complete, the detainee was placed in a holding room with no other detainees. He once again became visibly upset and asked to be placed in a cell with other detainees.

About 1210, 19 Jul 04, SA [REDACTED] exposed photographs of Detainee [REDACTED] injuries using a Kodak Digital Camera. (See Photographs)

About 1330, 19 Jul 04, SA [REDACTED] interviewed CPT (DR) [REDACTED], 391st MP BN, Detainee Aid Station (DAS), BCCF, AGI, who provided a copy of the medical screening conducted at BCCF. He stated he conducted a medical screening on Detainee [REDACTED]. He stated the abrasions to the wrist were consistent with some type of wrist restraints and either being left on to long or the person struggling while restrained. He further stated the apparent swelling and possible broken bone was consistent with a fall. (See Medical Screening)

AGENT'S COMMENT: CPT [REDACTED] stated no X-ray could be conducted at this time due to the X-ray machine being broken.

AGENT'S COMMENT: The medical screening revealed that [REDACTED] stated a soldier had placed a knee on his wrist while they were restrained. Linguist [REDACTED] stated this discrepancy could be a result of translation.

About 1500, 19 Jul 04, SA [REDACTED] coordinated with Detainee In Processing and obtained a copy of Detainee [REDACTED] detainee file. A review of the file revealed extensive medical documentation of "Seizure like" episodes while detained from 5 Jul 04 until 18 Jul 04. The episodes were described as the detainee jumping up and down, falling to the ground and screaming. The detainee also attempted to hurt himself during these episodes. The medical records noted the injuries the detainee received as a result of the incidents. They also recorded an incident in which the detainee was restrained using stretchers, as described by [REDACTED]. (See Detainee File)

About 1600, 19 Jul 04, SA [REDACTED] coordinated with CPT [REDACTED], who reviewed the medical records contained in the detainee file of Detainee [REDACTED]. He stated the records reflect what he described more as possible panic attacks on several occasions during Detainee [REDACTED] detention. He also stated the injuries sustained by Detainee [REDACTED] were consistent with the documented incidents. He further stated that using stretchers, in the manor described by the

TYPE AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED]

ORGANIZATION
PRISONER INTERROGATION TEAM (PIT)(CID)
Baghdad Central Confinement Facility, Abu Ghraib 09342

SIGNATURE [REDACTED]

DATE

19 Jul 04

EXHIBIT

CID FORM 94

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER 0234-04 CID 259-80271
0114-04 CID 789

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DETAILS

detainee and records, to restrain individuals having similar incidents, is sometimes used in the United States.

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

TYPE AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED] b7c-1, b6-1 b2

ORGANIZATION

PRISONER INTERROGATION TEAM (PIT)(CID)

Baghdad Central Confinement Facility, Abu Ghraib 09342

SIGNATURE [REDACTED] b7c-1, b6-1

DATE

19 Jul 04

EXHIBIT

1

Page(s)

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Referred to:

U.S. ARMY MEDICAL COMMAND
FREEDOM OF INFORMATION/
PRIVACY ACT OFFICE
ATTENTION: MCFP
2050 WORTH ROAD, SUITE 13
FORT SAM HOUSTON, TEXAS
78234-6013

MR. JOHN PETERSON
John.Peterson1@cen.amedd.army.mil
(210) 221-7826

Page(s)

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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

CD

DODDOACID-005252

Basis for Investigation: On 27 Jul 04, this office received a Memorandum of Transmittal (0114-04-CID789) from the 75th Military Police Detachment, Baghdad Central Correctional Facility (BCCF), Abu Graib, IZ, that Mr. [REDACTED] reported he was abused while detained at an unknown detain ment facility, IZ. *b7c-4,66-1*

About 1630, 28 Jul 04, SA [REDACTED] *b7c-666-1* coordinated with CPT [REDACTED] *b7c-3,66-3* Staff Judge Advocate (SJA) who opined there was probable cause to believe Mr. [REDACTED] *b7c-4,66-1* was not abused while de.ained by U.S. Forces.///LAST ENTRY///

SA [REDACTED] *b7c-1,66-1*
Special Agent, [REDACTED] *b2*

78th MP DET Forward (CID)
Baghdad, Iraq APO AE 09342

Sign: [REDACTED] *b7c-1,66-1*

Date: 28 Jul 04 Exhibit:


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5

CID Form 94

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SEQUENCE NUMBER
0234-04-CJD259-8626-4
b7c-1166-1
OWN. ASSIGNED TO:

AGENT'S ACTIVITY SUMMARY (CID Regulation 195-1)		Control Number 025-04-CID259-80271
TIME, DATE, AND AGENT		SUMMARY OF INVESTIGATIVE ACTIVITY
1020/24 Sep 04  <i>b7c-1,66-1</i>		DODIG Review Acknowledgement: RFC 0556-04-CID001: <ul style="list-style-type: none"> - # 1-4 Need to generate Corrected Final and make it an Intial/Final "C" with the administrative leads listed in the leads remaining. - #5 This was identified in AIR Agent's Comment 1330, 19 Jul 04, as a possible translation issue. - Need to have statement translated and added as an Exhibit for Corrected Final.

AGENTS ACTIVITY SUMMARY (CID Regulation 195-1)		Control Number 0234-04-CID259-80271
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY <i>67C-4,66-4</i>	
0900/27 Jul 04 [REDACTED] <i>67C-1,667</i>	BFI: Received MOT from BCCF that Mr. [REDACTED] was possibly abused while detained by U.S. Forces (see AIR).	
1000/27 Jul 04 [REDACTED] <i>67C-1,667</i>	Discussed with SAC, advised to coordinate with SJA then close case Initial/Final.	
1630/28 Jul 04 [REDACTED] <i>67C-1,667</i>	Coordinated with SJA who opined abuse did not occur (see AIR).	
1700/28 Jul 04 [REDACTED] <i>67C-1,667</i>	Built case file, drafted IFI, to SAC for review.	
31 Jul 04 [REDACTED] <i>67C-1,667</i>	ASAC Review: Reviewed and corrected rpt find and provide to SAE	
1 Aug 04 [REDACTED] <i>67C-1,667</i>	make corrections, to SAC	
2 AUG 04 [REDACTED] <i>67C-1,667</i>	SAC Review: 1. Reviewed INT/PIW. Good. 2. There is nothing further required by this office. File closed. To Admin for distro.	
2 AUG 04 [REDACTED] <i>67C-1,667</i>	DISTRIB DONE. COPY ON CD IN FILE.	

IASI/FINAL

CID FORM 66[illegible]

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0234-04-CID259-80271

DEPARTMENT OF THE ARMY
Prisoner Interview/Interrogation Team (PIT)(CID)(FWD)
75th Military Police Detachment (CID)(-)(FWD)
Baghdad Central Correctional Facility (BCCF)
Abu Ghraib, Iraq APO AE 09342

CIRFR-PIT

19 Jul 04

MEMORANDUM FOR Special Agent in Charge, 78th Military Police (MP) Detachment
(CID), Baghdad, Iraq, APO AE 09342

SUBJECT: Memorandum of Transmittal (0114-04-CID789)

1. On 19 Jul 04, this office was notified by the 391st Military Police (MP) Battalion (BN), Baghdad Central Confinement Facility (BCCF), Abu Ghraib, Iraq (AGI), that Detainee [REDACTED] National Detainee Reporting System (NDRS) # [REDACTED] Baghdad, Iraq; Baghdad, Iraq; was possibly abused prior to arriving at BCCF. *67C-1,66-4*

2. The results of our preliminary investigative actions are documented in the attached enclosures and are forwarded to your office for action deemed appropriate.

3. Point of contact for this report is SA [REDACTED] at DNV 550- [REDACTED] or e-mail: [REDACTED]@us.army.mil or [REDACTED]@us.army.smil.mil. *67C-1,66-1*

Encl(s)

- 1. AIR of SA [REDACTED] *67C-1,66-1*
- 2. Medical Screening
- 3. Detainee File
- 4. Dossier
- 5. CD Containing Photographs

[REDACTED] *67C-1,66-1*
CW2, MP
Special Agent in Charge

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