# DEPARTMENT OF THE ARMY

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

CIMPR-FR

2 Aug 04

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION -FINAL - 0175-04-CID259-80269-/5C1/5Y2E

- 1. DATES/TIMES/LOCATIONS OF OCCURRENCES:
  - 1. UNKNOWN DATE/UNKNOWN TIME/UNKNOWN LOCATION
- 2. DATE/TIME REPORTED: 23 Jul 2004, 0900
- 1674-1,66-1,62 4. SUBJECT: 1. (UNKNOWN); (NFI); [AGGRAVATED ASSAULT (INSUFFICIENT
- 5. VICTIM: 1. (UNKNOWN); (NFI); [AGGRAVATED ASSAULT (INSUFFICIENT EVIDENCE)] [CRUELTY AND MALTREATMENT (INSUFFICIENT EVIDENCE)]

EVIDENCE)] [CRUELTY AND MALTREATMENT (INSUFFICIENT EVIDENCE)]

## **INVESTIGATIVE SUMMARY:**

3. INVESTIGATED BY: SA

This investigation was initiated subsequent to receiving request for investigation (RFI) 0288-04-CID001 from the United States Army Criminal Investigation Command, 6010 6th Street, Fort Belvoir, VA 22060-5506 (USACIDC), which requested this office investigate allegations documented in an excerpt from the International Committee of the Red Cross (ICRC) on the treatment by the coalition forces of prisoners of war and other protected persons by the Geneva conventions in Iraq during arrest, internment and interrogation, dated Feb 04.

The conduct of this investigation could not determine if the offenses of Aggravated Assault and Cruelty and Maltreatment were committed, due to the victim could not be identified.

All investigative leads were exhausted, by this office.

STATUTES:

Article 128, UCMJ: Aggravated Assault (Insufficient Evidence) Article 93, UCMJ: Cruelty and Maltreatment (Insufficient Evidence)

> FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE

# **EXHIBITS/SUBSTANTIATION:**

Attached:

676-1166-1

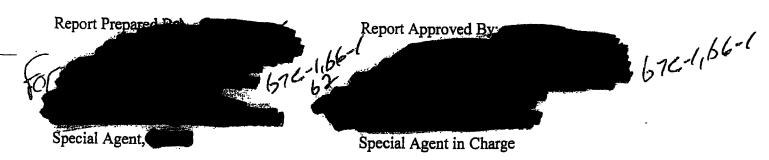
- 1. Agent's Investigation Report (AIR) of SA RFI; coordination with SJA, MNF-I, Camp Victory, Iraq and 22<sup>nd</sup> Military Police Battalion 29 Jul 04, detailing the receipt of (CID), Camp Victory, Iraq. 672-1,66-1
- AIR of SA this office, 23 Jul 04, coordination with 22<sup>nd</sup> MP BN (CID), Camp Victory, Iraq.
- 3. (3-1 through 3-26) International Committee of the Red Cross Report, 10 Feb 04.

Not Attached

None.

The originals of Exhibits 1 and 2 are attached to the USACRC copy of this report. The location of the originals of Exhibit 3 is unknown.

STATUS: This is a Final Report. Commanders Report of Disciplinary Action Taken (DA Form 4833) is not required.



#### Distribution:

1- DIR, USACRC, 6010, 6<sup>th</sup> Street, Fort Belvoir, VA 22060-5506 (original) 676-3,66-3
1- USACIDC (ATTN: Ms.

1- THRU:

CDR, 22<sup>nd</sup> MP BN (CID), APO AE 09342

CDR, 3<sup>rd</sup> 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- Detainee Ops (ATTN: COL 1- SJA, III Corps (ATTN: CPT

(e-mail only)

(e-mail only) 676-3, 66-3 (e-mail only) 1976-3,66-3

1- File

AGENT'S INVESTIGATION		ROI NUMBER	<del></del>		
CID Regulation 195-1	ON REPORT	0175-04-CID259- 80269			
-		PAGE 1 OF 1P	AGE		
BASIS FOR INVESTIGATION: About 1000, 21 Jun 04, SA Investigation Command, Fort Belvoir, VA Committee of the Red Cross, wherein an unit to surface, which caused severe burns to be a surface, which c	sthat an allegation of de unknown 61 year old perhis buttocks.  SJA, MNF- rtaining to this investigate possible repercussions of the corresponding to detained treatments of the stated he described by the ICRC respects the case fear of possible repercusions of the fear of possible repercusions.  Coordinated with 22 <sup>nd</sup>	and SA  In Baghdad, Iraq, who reviewed ation. CPT stated ICRedirected towards the detainee. Cont. A review of the report did not know the location of MA  In the ICRC due to the sensitive on fidentiality of the detainees at the detainees at the sensitive on fidentiality of the detainees at the sensitive on fidentiality of the detainees at the sensitive of the sensitive of the detainees at the sensitive of the se	this officed his files, 577. Chas never Product disclose but but stainee.		
	1				
	ORGANIZATII 78 <sup>TH</sup> MP		**************************************		
TYPED AGENT'S NAME AND SEQUENCE NUMBER	78 <sup>TH</sup> MP	DET (CID)(FWD) .D, IRAQ			
	ORGANIZATION TO THE MENT OF TH	DET (CID)(FWD)			

AGENT'S INVESTIGATION REPORT	0175-04-CID259 80 269
CID Regulation 195-1	PAGE 1 OF 1 PAGES
DETAILS Puring administrative review by 22 <sup>nd</sup> Military Police (MP) Battalion (BN), (Clais office needed to re-open this investigation as a Report of Investigation octivity. This office needs to locate, fully identify, and interview MAJ (CJA (NFI) to obtain additional information to assist this investigation.///LAS	(ROI) to complete additional investigative
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676-1,66-	GL-1 DODDOACID-005
th MP Det (CID) (FWD), 09342	DATE  23 Jul 04
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# 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

# UNCLASSIFIED - FOR OFFICIAL USE ONLY

DATE: 27 JULY 2004

FROM: SAC, 78TH MILITARY POLICE DET (CID) (FWD)

TO: DIRECTOR, USACRC, USACIDC, FORT BELVOIR, VA

CDR, HQUSACIDC ATTN: CIOP-ZA, FORT BELVOIR, VA CDR, 22<sup>ND</sup> MILITARY POLICE BATTALION (CID) (FWD)

CDR, 3D MILITARY POLICE GROUP (CID)

CDR, 78<sup>TH</sup> MILITARY POLICE DET (CID) (FWD)

MNF-I, CHIEF OF STAFF, DETAINEE OPS

PROVOST MARSHAL, MNF-I

LNO CID, MNF-I (FOR FURTHER DISTRIBUTION)

SUBJECT: CID REPORT OF INVESTIGATION -INITIAL/SSI - 0175-04-CID259-80269-/5C1/5Y2E

DRAFTER: SA
RELEASER: SA

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. UNKNOWN DATE/UNKNOWN TIME/UNKNOWN LOCATION

2. DATE/TIME REPORTED: 23 JUL 2004, 0900 HRS

674-1,66-1,62

3. INVESTIGATED BY: SA

[CRUELTY AND MALTREATMENT]

SA

4. SUBJECT: 1. (UNKNOWN); (NFI); [AGGRAVATED ASSAULT]

5. VICTIM: 1. (UNKNOWN); (NFI); [AGGRAVATED ASSAULT] [CRUELTY AND MALTREATMENT]

6. INVESTIGATIVE SUMMARY: THE INFORMATION IN THIS REPORT IS BASED UPON AN ALLEGATION OR PRELIMINARY INVESTIGATION AND MAY CHANGE PRIOR TO THE COMPLETION OF THE INVESTIGATION.

THIS IS AN "OPERATION IRAQI FREEDOM" INVESTIGATION.

ON 21 JUN 04, THIS OFFICE RECEIVED REQUEST FOR INVESTIGATION (RFI) 0288-04-CID001 FROM THE UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND, 6010 6<sup>TH</sup> STREET, FORT BELVOIR, VA 22060-5506 (USACIDC), WHICH REQUESTED THIS OFFICE INVESTIGATE ALLEGATIONS DOCUMENTED IN AN EXCERPT FROM THE INTERNATIONAL COMMITTEE OF THE RED CROSS (ICRC) ON THE TREATMENT BY THE COALITION FORCES OF PRISONERS OF WAR AND OTHER PROTECTED PERSONS BY THE GENEVEA CONVENTIONS IN

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IRAQ DURING ARREST, INTERNMENT AND INTERROGATION, DATED FEB 04.

PRELIMINARY INVESTIGATION REVEALED THE ICRC REPORT RELATED A 61-YEAR OLD PERSON ALLEGED HE WAS TIED, HOODED AND FORCED TO SIT ON A HOT SURFACE OF WHAT HE SURMISED TO BE THE ENGINE OF A VEHICLE, WHICH CAUSED SEVERE BURNS TO HIS BUTTOCKS.

ON 23 JUN 04, COORDINATION WITH THE OFFICE OF THE STAFF JUDGE ADVOCATE, MULTINATIONAL FORCE - IRAQ, BAGHDAD, IZ, DISCLOSED THE ICRC HAS NOT RELEASED THE VICTIM'S NAME DUE TO POSSIBLE REPURCUSSIONS DIRECTED TOWARD THE DETAINEE.

ON 23 JUN 04, A REVIEW OF THE COMPLETE REPORT GENERATED BY THE ICRC DISCLOSED NO FURTHER INFORMATION PERTAINING TO THIS INVESTIGATION.

ON 24 JUN 04, THIS INVESTIGATION WAS CLOSED IN THE FILES OF THIS OFFICE.

ON 23 JUL 04, DURING AN ADMINISTRATIVE REVIEW OF THIS CASE FILE, IT WAS DETERMINED A REPORT OF INVESTIGATION SHOULD BE INITIATED AND FURTHER INVESTIGATIVE ACTIVITY CONDUCTED.

EFFORTS ARE ON GOING TO LOCATE, FULLY IDENTIFY, AND INTERVIEW THE UNKNOWN SUBJECT(S) AND UNKNOWN VICTIM.

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. CID REPORTS ARE EXEMPT FROM AUTOMATIC TERMINATION OF PROTECTIVE MARKING IN ACCORDANCE WITH CHAPTER 3, AR 25-55.

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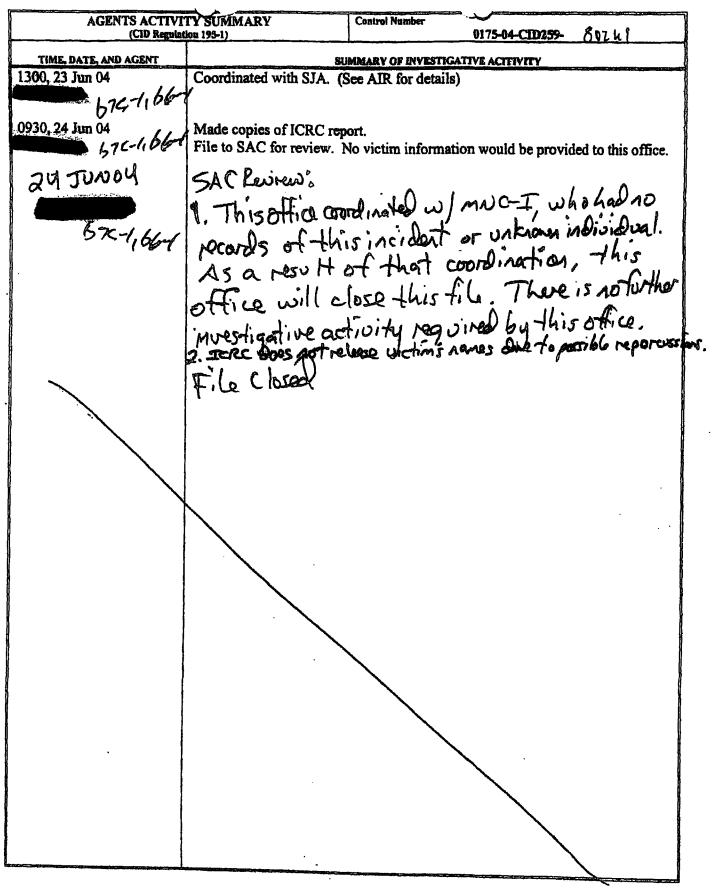
		AND E NU		SEQUENCE NUMBER 0175-04-CID259-	80269
DATE 21 JUN 04	OFFEN	11-20-11-11-11-11-11-11-11-11-11-11-11-11-11	SUBJECT/ UNK VICTIM Unknow	NOWN ASSIGN	80269 EDTO: 612-(16
DATE BUTES		C-24/4			
21 JUN 04	Coordinate with I	en	676-3,66-	3	
21 Jun 04	Locate, Identify a unknown person	nd interview person	ns involved in the cap	oture and detention of the	
21 Jun 04	Obtain medical re	cords pertaining to	the unknown person		
21 Jun 04	Locate, Fully ide	ntify and interview	unknown victim		
21 Jun 04	Locate, Fully ID	and interview atten	ding physician		
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CID FORM 28

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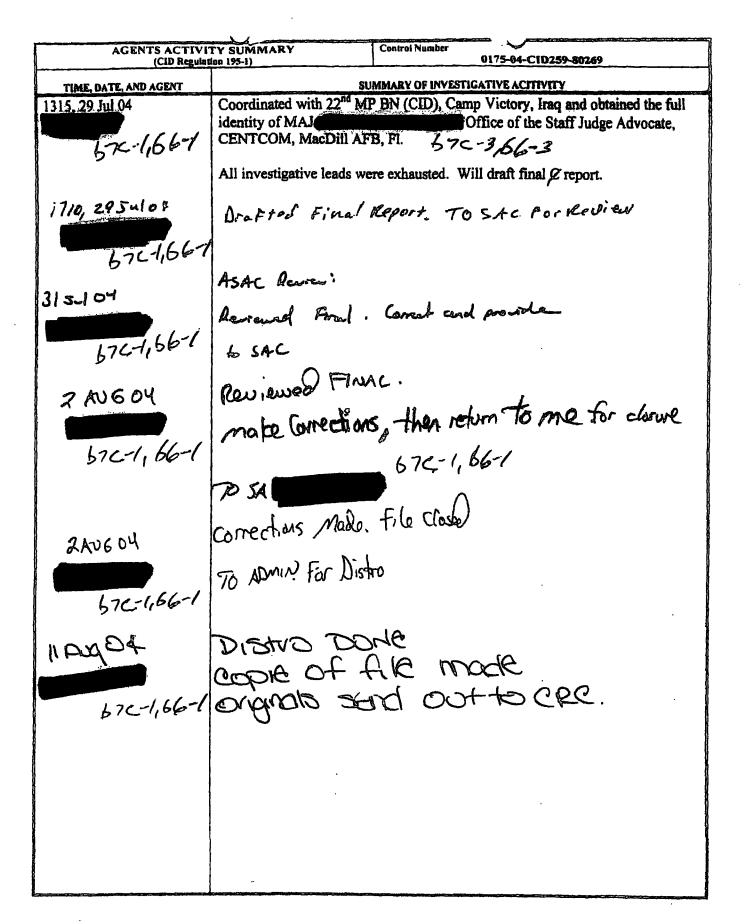
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CID FORM 28 1 Oct 80

PREVIOUS EDITIONS OF THIS FORM WILL BE USED UNTIL EXHAUSTED



CID FORM 28

PREVIOUS EDITIONS OF THIS FORM WILL BE USED UNTIL EXHAUSTED

Control Number AGENTS ACTIVITY SUMMARY (CID Regulation 195-1) 0175-04-CID259-80269 TIME, DATE, AND AGENT SUBMARY OF INVESTIGATIVE ACITIVITY 1000, 24 Sep 04 Rebuttal for Detainee Assessment Task Force: Request for Correction (0555-04-CID001) 670-1,66-1 Whether any medical treatment records existed at Camp Bucca that could have documented the incident or provide data for victim/suspect identification. SAC's Comments: During previous investigations involving detainees it was determined Camp Bucca requires a name, an ISM or NDRS to conduct any query. Without a detainee identification number, then medical can not query an medical treatment records. The medical personnel located at Camp Bucca do not have 2003 treatment records on hand. This office omitted the information in this case file. No interviews of Camp Bucca medical personnel or explanations. SAC's Comments: During previous investigations involving medical personnel located at Camp Bucca, it was determined the medical personnel at Camp Bucca during Sep 03 have redeployed before the incident was reported to this office. This office omitted the information in this case file. 1c. No indication that any type of record at Camp Bucca (e.g. capture, interrogation or ISN) was checked to identify anyone within the victim's age range (61) or any explanation provided. SAC's Comments: During previous investigations involving detainee personnel, it was determined Camp Bucca requires a

During previous investigations involving detainee personnel, it was determined Camp Bucca requires a name or an ISN/NDRS (identification number) to locate any detainee personnel. This office omitted this information in this case file.

ld. AIR of SA 23 Jul 04, list a lead that was not pursued or explained further.

SAC's Comments:

AAS entry, 1100, 27 Jun 04, which documents USACIDC obtained all information from MAJ at the onset of this investigation.

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

				CID FOI	RM 66			
I. DATE	2. TIME RECEIVED			7. CASE NUMBER				
21 Jun 04						0175-04-CID259- <b>Scale</b>		
3. OFFENSE Aggravated Assault /Cruelty and Maltreatment/Conspiracy/					0175-04-CID259- <b>SOCIA</b> 8. ASSIGNED TO  67C-1,66			
4. SUBJECT Unknown					9. TYPE OF ACTION SDF			
5. VICTIM Unknown					10. REPORTS			
						TYPE	SUSPENSE	COMP
6. CASE DESC	RIPTION Committee of the	n Dad Cr		enorted on uni	roum nercon	0160		3500
reported he/sl	committee of the ne received sever	e keu Ci e burns (	oss r on hi	s/her buttocks	when	SAC	6306	ZYJW
Coalition For	ces made him/he	r sit on s	ome	thing hot.		CLO.		240W
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11. OTHER		12		CID FUNDS		TUIST	27506	27706
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