



DEPARTMENT OF THE ARMY
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
78TH MILITARY POLICE DETACHMENT (CID) (FWD) (-)
CAMP ARIFJAN, KUWAIT
APO AE 09366

CIRC-ABE

22 Sep 04

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION – FINAL SUPPLEMENTAL 0278-03-
CID519-62225-5R3

DATES/TIMES/LOCATIONS OF OCCURRENCES: 22 SEP 2003/1200 – 22 SEP 2003/1245;
COMPOUND #2, CAMP BUCCA, IRAQ, APO, AE 09375

DATE/TIME REPORTED: 22 SEP 2003, 1300

INVESTIGATED BY: SA [REDACTED] b(2) b(6)-1 b(7)(c)-1
SA [REDACTED], SA [REDACTED], SA [REDACTED]
[REDACTED]

SUBJECT: 1. (UNKNOWN); [NFI]; 822ND MILITARY POLICE COMPANY, CAMP
BUCCA, APO AE 09375; [JUSTIFIABLE SHOOTING]

VICTIM: 1. [REDACTED] b(6)-4 b(7)(c)-4 CIV; [REDACTED]
[REDACTED] MALE; OTHER; CAMP BUCCA INTERNMENT FACILITY, BUCCA, IRAQ, APO,
AE 09375; [REDACTED] [JUSTIFIABLE SHOOTING]

THIS IS AN "OPERATION IRAQI FREEDOM" INVESTIGATION.

INVESTIGATIVE SUMMARY: This investigation was initiated based on information received
by 1LT [REDACTED] b(6)-6 b(7)(c)-6, Commander of the Relief (COR), [REDACTED], 822ND
Military Police Company (MP CO), Camp Bucca, APO AE 09375 of a shooting inside the Camp
Bucca Internment Facility (CBIZ).

Investigation determined Mr [REDACTED] b(6)-4 b(7)(c)-4 was the victim of Justifiable Shooting when he
participated in concert with several other prisoners in a riot inside his assigned compound. Mr
[REDACTED] and other prisoners obscured their faces with towels and rags then began throwing
rocks, wooden tent stakes, tin cans and water bottles filled with sand at the Compound guards
while sporadically charging the fence in various locations. The Compound guards correctly
utilized the Rules of Engagement to no avail. Compound guards fired numerous shotgun and 40
millimeter non-lethal rounds into the groups to disperse them with no effect. Compound guards
fearing for their lives and the lives of their fellow guards and only after receiving authorization
from the COR, utilized deadly force to control the rioting prisoners and prevent the imminent
breach of the compound wire. SPC [REDACTED] 822ND MP CO,

b(6)-6 b(7)(c)-6

b(6)-4
b(7)(c)-6
b(6)-4
b(7)(c)-4

CBIZ, fired one nine millimeter round from her M9 pistol, SPC [REDACTED]
[REDACTED] 822ND MP CO, CBIZ, fired two rounds from his M-16A2 and SGT [REDACTED]
[REDACTED] 822ND MP CO fired one round from his M-16A2 at the rioting prisoners. Mr [REDACTED]
[REDACTED] was the only prisoner struck by a bullet; however, it was not know who's round struck
Mr [REDACTED]. Mr [REDACTED] was struck by one bullet in the upper portion of the left side of
his chest. The bullet exited his body on the left side of his back. Mr [REDACTED] was medically
evacuated to the British Army Hospital in Basra, IZ where he is being treated for minor injuries
and expected to make a full recovery.

Further investigation consisted of receipt of ROE, Use of Force documents, interviews of
Company and Battalion Commanders, which did not change the out come of the investigation.

STATUES:

NONE

EXHIBITS/SUBSTANTIATION:

ADDED ATTACHED:

b(6)-1 b(7)(c)-1
9. Agent's Investigative Report (AIR) of SA [REDACTED], 2 Sep 04, detailing receipt of
USACIDC Command guidance to reopen the investigation.

b(6)-1 b(7)(c)-1
10. AIR of SA [REDACTED], 19 Jul 04, detailing receipt of RFA, coordination with CPT
[REDACTED] and CPT [REDACTED] collection of evidence, interview of CPT [REDACTED] and
the forwarding of evidence collected. b(6)-4
b(7)(c)-4

11. Sworn Statement of CPT [REDACTED], 16 Jul 04, detailing his actions once notified
of the riot and his meeting with 1LT [REDACTED] b(6)-6 b(7)(c)-6

b(6)-1 b(7)(c)-1
12. AIR of SA [REDACTED], 16 Aug 04, detailing receipt of RFA, interviews of LTC
[REDACTED] and LTC [REDACTED] and coordination with SA [REDACTED] b(6)-1 b(7)(c)-1
b(6)-4 b(7)(c)-4 b(6)-4 b(7)(c)-4

13. Sworn Statement of LTC [REDACTED], 10 Aug 04, detailing his knowledge concerning
the riot and the actions of his soldiers.

b(6)-1 b(7)(c)-4
14. Sworn Statement of LTC [REDACTED], 10 Aug 04, detailing her knowledge of the
policy for Rules of Engagement.

15. DA Form 4137, Evidence/Property Custody Document, Document Number (DN)
0140-04, 16 Jul 04.

ADDED NOT ATTACHED:

Retained in the evidence depository, 22D MP BN, Baghdad, Iraq APO AE 09342:

16. Documents pertaining to Rules of Engagement (Item 1, DN 689-04)

17. Documents pertaining to CFLCC Force Protection Plan (Item 2, DN 689-04)

18. Card pertaining to Rules of Engagement (Item 3, DN 689-04)


The originals of Exhibits 9 through 14 are forwarded with the USACRC copy of this report. The original of Exhibit 15 is maintained in the evidence depository, 22ND MP BN, Baghdad, IZ.

STATUS: This is a Final Supplemental Report.

Report Prepared By:

Report Approved By:



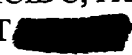
Special Agent,  b(2)

b(6)-1
b(7)(c)-1



Special Agent in Charge

DISTRIBUTION:

- 1 - DIR, USACRC (original)
- 1 - CDR, 733RD MP BN (CID), 8700 Hickory Hill Lane, Huntsville, AL 35802
- 1 - THRU: CDR, 22ND MP BN, Baghdad, Iraq (E-mail only)
CDR, 3RD MP GROUP, USACIDC (E-mail only)
TO: CDR, USACIDC, ATTN: CIOP-ZA, Fort Belvoir, VA 22060
- 1 - SJA, CFLCC, ATTN: CPT  b(6)-6
- 1 - PMO, MNC-I (E-mail) b(7)(c)-6
- 1 - LNO, CID MNC-I (FOR FURTHER DISTRIBUTION)
- 1 - File

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DEPARTMENT OF THE ARMY
78TH MILITARY POLICE DETACHMENT (CID) (FWD) (-)
6TH MILITARY POLICE GROUP (CID), USACIDC
CAMP ARIFJAN
APO, AE 09366

CIMP-FL (FWD)

15 Jun 2004

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION – CORRECTED - FINAL 0278-03-CID519-62225-5R3

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 22 Sep 2003/1200 – 22 Sep 2003/1245; Compound #2, Camp Bucca, Iraq, APO, AE 09375

DATE/TIME REPORTED: 22 Sep 2003, 1300

INVESTIGATED BY: SA [REDACTED] b2 b(6)F1 b(7)(c)-1, SA [REDACTED], SA [REDACTED]

SUBJECT: [CORRECTED] 1. (UNKNOWN); [NFI]; 822D MILITARY POLICE COMPANY, CAMP BUCCA, APO AE 09375; [JUSTIFIABLE SHOOTING].

VICTIM: [CORRECTED] 1. [REDACTED] b(6)-4 b(7)(c)-4 CIV; [REDACTED], MALE; OTHER; CAMP BUCCA INTERNMENT FACILITY, BUCCA, IRAQ, APO, AE 09375; other [REDACTED]; [JUSTIFIABLE SHOOTING].

INVESTIGATIVE SUMMARY:

This is an "Operation Iraqi Freedom" investigation.

This investigation was initiated based on information received by 1LT [REDACTED] b(6)-6 b(7)(c)-6 Commander of the Relief (COR), [REDACTED] 822nd Military Police Company (MP CO), Camp Bucca, APO, AE 09375 of a shooting inside the Camp Bucca Internment Facility.

Investigation determined Mr. [REDACTED] b(6)-4 b(7)(c)-4 DOB: [REDACTED] POB: [REDACTED] Internment Serial Number [REDACTED] Camp Bucca, Iraq was the victim of a Justifiable Shooting when he participated in concert with several other prisoners in a riot inside his assigned compound. Mr. [REDACTED] and other prisoners obscured their faces with towels and rags then began throwing rocks, wooden tent stakes, tin cans and water bottles filled with sand at the Compound guards while sporadically charging the fence in various locations. The Compound guards correctly utilized the Rules of Engagement to no avail. Compound guards fired numerous shotgun and 40 millimeter non-lethal rounds into the groups to disperse them with no effect. Compound guards fearing for their lives and the lives of their fellow guards and only after receiving authorization from the COR, utilized deadly force to control the rioting prisoners and prevent the imminent breach of the compound wire. SPC [REDACTED] 822nd MP CO, CBIZ, fired one nine millimeter round from her

b(6)-6 b(7)(c)-6

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b(6)-6
b(7)(C)-6
b(6)-4
b(7)(C)-4

M9 pistol, SPC [REDACTED], 822nd MP CO, CBIZ fired two rounds from his M-16A2 and SGT [REDACTED], 822nd MP CO fired one round from his M-16A2 at the rioting prisoners. Mr. [REDACTED] was the only prisoner struck by a bullet; however, it was not known who's round struck Mr. [REDACTED]. Mr. [REDACTED] was struck by one bullet in the upper portion of the left side of his chest. The bullet exited his body on the left side of his back. Mr. [REDACTED] was medically evacuated to the British Army Hospital in Basra, IZ where he is being treated for minor injuries and expected to make a full recovery.

b(6)-4 b(7)(C)-4

Further investigation revealed during an administrative review of this investigation, Mr. [REDACTED] should have been listed as a victim in this investigation. Mr. [REDACTED] was the victim of a Justifiable Shooting when a Military Police Compound Guard shot him during a riot inside the compound. The shooting was subsequently determined to be justified and in compliance with the Rules of Engagement.

STATUSES:

NONE

EXHIBITS/SUBSTANTIATION:

ADDED ATTACHED:

None

ADDED NOT ATTACHED:

None.

STATUS: This is a Corrected Final Report.

Report Prepared By:

Report Approved By:

[REDACTED]
Special Agent, [REDACTED] b(2)

b(6)-1
b(7)(C)-1

[REDACTED]
Special Agent in Charge

DISTRIBUTION:

1 - (original) Director, U.S. Army Crime Records Center, ATTN: CICR-CR, 6010 6th St, Fort Belvoir, VA 22060

1 - CDR, 733D MP BN (CID), Camp Airfjan, Kuwait, APO AE 09366

1 - CDR, 3D MP Group (CID), Camp Arifjan, Kuwait, APO AE 09366

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~~DEPARTMENT OF THE ARMY~~
78TH MILITARY POLICE DETACHMENT (CID) (FWD) (-)
6TH MILITARY POLICE GROUP (CID), USACIDC
CAMP ARIFJAN
APO, AE 09366

CIMP-FL (FWD)

2 Jun 2004

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION – FINAL SUPPLEMENTAL 0278-03-CID519-62225-5R3

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 22 Sep 2003/1200 – 22 Sep 2003/1245; Compound #2, Camp Bucca, Iraq, APO, AE 09375

DATE/TIME REPORTED: 22 Sep 2003, 1300

INVESTIGATED BY: SA [REDACTED] b2 b(6)-1 b(7)(c)-1, SA [REDACTED], SA [REDACTED]

SUBJECT: 1. (UNKNOWN); [NFI]; 822D MILITARY POLICE COMPANY, CAMP BUCCA, APO AE 09375; [JUSTIFIABLE HOMICIDE].

VICTIM: 1. [REDACTED] b(6)-4 b(7)(c)-4; CIV; [REDACTED]; [REDACTED] MALE; OTHER; CAMP BUCCA INTERNMENT FACILITY, BUCCA, IRAQ, APO, AE 09375; other [REDACTED], [JUSTIFIABLE HOMICIDE].

INVESTIGATIVE SUMMARY:

This is an "Operation Iraqi Freedom" investigation.

This investigation was initiated based on information received by 1LT [REDACTED] b(6)-4 b(7)(c)-4, Commander of the Relief (COR), [REDACTED] 822nd Military Police Company (MP CO), Camp Bucca, APO, AE 09375 of a shooting inside the Camp Bucca Internment Facility.

Investigation determined Mr. [REDACTED] b(6)-4 b(7)(c)-4, DOB: [REDACTED] POB: [REDACTED] Internment Serial Number [REDACTED] Camp Bucca, Iraq was the victim of a Justifiable Shooting when he participated in concert with several other prisoners in a riot inside his assigned compound. Mr. [REDACTED] and other prisoners obscured their faces with towels and rags then began throwing rocks, wooden tent stakes, tin cans and water bottles filled with sand at the Compound guards while sporadically charging the fence in various locations. The Compound guards correctly utilized the Rules of Engagement to no avail. Compound guards fired numerous shotgun and 40 millimeter non-lethal rounds into the groups to disperse them with no effect. Compound guards fearing for their lives and the lives of their fellow guards and only after receiving authorization from the COR, utilized deadly force to control the rioting prisoners and prevent the imminent breach of the compound wire. SPC [REDACTED] 822nd MP CO, CBIZ, fired one nine millimeter round from her

b(6)-6 b(7)(c)-6

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(b)(6)-6
(7)(c)-6
(b)(6)-4
(7)(c)-4

M9 pistol, SPC [REDACTED] 822nd MP CO, CBIZ fired two rounds from his M-16A2 and SGT [REDACTED] 822nd MP CO fired one round from his M-16A2 at the rioting prisoners. Mr. [REDACTED] was the only prisoner struck by a bullet; however, it was not known who's round struck Mr. [REDACTED]. Mr. [REDACTED] was struck by one bullet in the upper portion of the left side of his chest. The bullet exited his body on the left side of his back. Mr. [REDACTED] was medically evacuated to the British Army Hospital in Basra, IZ where he is being treated for minor injuries and expected to make a full recovery.

Further investigation revealed during an administrative review of this investigation, Mr. [REDACTED] b(6)-4 should have been listed as a victim in this investigation. Mr. [REDACTED] was the victim of a Justifiable Shooting when a Military Police Compound Guard shot him during a riot inside the compound. The b(7)(c)-4 shooting was subsequently determined to be justified and in compliance with the Rules of Engagement.

STATUTES:

Article 134, UCMJ: Justifiable Homicide

EXHIBITS/SUBSTANTIATION:

ADDED ATTACHED:

None

ADDED NOT ATTACHED:

None.

STATUS: This is a Final Supplemental Report.

Report Prepared By:

Report Approved By:

[REDACTED]

Special Agent, [REDACTED] b2

b(6)-1
b(7)(c)-1

[REDACTED]

Special Agent in Charge

DISTRIBUTION:

1 - (original) Director, U.S. Army Crime Records Center, ATTN: CICR-CR, 6010 6th St, Fort Belvoir, VA 22060

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DEPARTMENT OF THE ARMY
44th MILITARY POLICE DETACHMENT (CID) (FWD)
THIRD MILITARY POLICE GROUP (CID), USACIDC
CAMP BUCCA
APO, AE 09375

CIMP-FL (FWD)

9 Oct 2003

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION – FINAL SUPPLEMENTAL 0278-03-CID519-62225-5R3

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 22 Sep 2003/1200 – 22 Sep 2003/1245; Compound #2, Camp Bucca, Iraq, APO, AE 09375

DATE/TIME REPORTED: 22 Sep 2003, 1300

INVESTIGATED BY: SA [REDACTED] b(2) b(6)-1 b(7)(c)-1, SA [REDACTED]

SUBJECT: 1. NONE. (JUSTIFIABLE SHOOTING)

VICTIM: 1. [REDACTED] b(6)-4 b(7)(c)-4 CIV; [REDACTED] MALE; OTHER; CAMP BUCCA INTERNMENT FACILITY, BUCCA, IRAQ, APO, AE 09375; other [REDACTED]; (JUSTIFIABLE SHOOTING)

INVESTIGATIVE SUMMARY:

This is an "Operation Iraqi Freedom" investigation.

This investigation was initiated based on information received by 1LT [REDACTED] b(6)-6 b(7)(c)-6 Commander of the Relief (COR), [REDACTED] 822nd Military Police Company (MP CO), Camp Bucca, APO, AE 09375 of a shooting inside the Camp Bucca Internment Facility.

Investigation determined Mr. [REDACTED] b(6)-4 b(7)(c)-4, DOB: [REDACTED] POB: [REDACTED], Internment Serial Number [REDACTED], Camp Bucca, Iraq was the victim of a Justifiable Shooting when he participated in concert with several other prisoners in a riot inside his assigned compound. Mr. [REDACTED] and other prisoners obscured their faces with towels and rags then began throwing rocks, wooden tent stakes, tin cans and water bottles filled with sand at the Compound guards while sporadically charging the fence in various locations. The Compound guards correctly utilized the Rules of Engagement to no avail. Compound guards fired numerous shotgun and 40 millimeter non-lethal rounds into the groups to disperse them with no effect. Compound guards fearing for their lives and the lives of their fellow guards and only after receiving authorization from the COR, utilized deadly force to control the rioting prisoners and prevent the imminent breach of the compound wire. SPC [REDACTED] 822nd MP CO, CBIZ, fired one nine millimeter round from her M9 pistol, SPC [REDACTED] 822nd MP CO, CBIZ fired two rounds from his M-

b(6)-6 b(7)(c)-6

b(6)-6 - b(7)(c)-6

16A2 and SGT [REDACTED] 822nd MP CO fired one round from his M-16A2 at the rioting prisoners. Mr. [REDACTED] was the only prisoner struck by a bullet; however, it was not know who's round struck Mr. [REDACTED]. Mr. [REDACTED] was struck by one bullet in the upper portion of the left side of his chest. The bullet exited his body on the left side of his back. Mr. [REDACTED] was medically evacuated to the British Army Hospital in Basra, IZ where he is being treated for minor injuries and expected to make a full recovery.

Further investigation revealed during an administrative review of this investigation, Mr. [REDACTED] should have been listed as a victim in this investigation. Mr. [REDACTED] was the victim of a Justifiable Shooting when a Military Police Compound Guard shot him during a riot inside the compound. The shooting was subsequently determined to be justified and in compliance with the Rules of Engagement.

STATUTES:

None: Justifiable Shooting

EXHIBITS/SUBSTANTIATION:

ADDED ATTACHED:

None

ADDED NOT ATTACHED:

None.

STATUS: This is a Final Supplemental Report.

Report Prepared By:

Report Approved By:

[REDACTED]

Special Agent, [REDACTED] b2

b(6)-1
b(7)(c)-1

[REDACTED]

Operations Officer

DISTRIBUTION:

1 - (original) Director, U.S. Army Crime Records Center, ATTN: CICR-CR, 6010 6th St, Fort Belvoir, VA 22060

1 - CDR, 733d MP BN (CID), Camp Airfjan, Kuwait, APO AE 09366

1 - CDR, 3rd MP Group (CID), Camp Arifjan, Kuwait, APO AE 09366

1 - File

DATE: 6 OCT 03 1700

FROM: CDR 44TH MP DET (CID) //OPS//

TO: DIR USACRC USACIDC FORT BELVOIR VA//CICR-ZA//
CDR, 733RD MP BN (CID) //OPS//
CDR, 3RD MP GROUP CID //OPS//
CDR, 44TH MP DET (CID) //OPS//

SUBJECT: CID REPORT OF INVESTIGATION - 1ST SUPPLEMENTAL 0278-03-CID519-62225-5R3

DRAFTER: [REDACTED] b(6)-1

RELEASER: [REDACTED] b(7)(c)-1

UNCLASSIFIED - FOR OFFICIAL USE ONLY

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 22 Sep 2003/1200 - 22 Sep 2003/1245; Compound #2, Camp Bucca, Iraq, APO, AE 09375

2. DATE/TIME REPORTED: 22 Sep 2003, 1300

3. INVESTIGATED BY: SA [REDACTED] b(2) b(6)-1 b(7)(c)-1 SA [REDACTED] SA [REDACTED]

4. SUBJECT: 1. NONE. (JUSTIFIABLE SHOOTING)

5. [ADD] VICTIM: 1. [REDACTED] b(6)-4 b(7)(c)-4 CIV; [REDACTED]
[REDACTED]; MALE; OTHER; CAMP BUCCA INTERNMENT FACILITY, BUCCA, IRAQ,
APO, AE 09375; other [REDACTED] (JUSTIFIABLE SHOOTING)

6. INVESTIGATIVE SUMMARY:

THIS IS AN "OPERATION IRAQI FREEDOM" INVESTIGATION.

1ST SUPPLEMENTAL:

THIS SUPPLEMENTAL REPORT WAS PREPARED TO RE-OPEN THIS INVESTIGATION IN ORDER TO ADD MR. [REDACTED] AS THE VICTIM OF JUSTIFIABLE SHOOTING.

[REDACTED] b(6)-4 b(7)(c)-4 b(6)-4 b(7)(c)-4
DURING AN ADMINISTRATIVE REVIEW IT WAS NOTED THAT MR. [REDACTED] WAS NOT LISTED IN THE VICTIM BLOCK OF THE REPORT. AS A RESULT, THIS INVESTIGATION

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b(6)-4 b(7)(c)-4

WAS RE-OPENED IN ORDER TO ADD MR. [REDACTED] AS A VICTIM IN THIS INVESTIGATION. THIS INFORMATION WAS NECESSARY FOR REPORT RETRIEVAL.

CLOSURE OF THIS INVESTIGATION IS PENDING ADMINISTRATIVE PROCESSING OF THE FINAL/SUPPLEMENTAL REPORT.

INITIAL/FINAL:

(b)(6)-6
(7)(c)-6
THIS INVESTIGATION WAS INITIATED BASED ON INFORMATION RECEIVED BY 1LT [REDACTED] COMMANDER OF THE RELIEF (COR), [REDACTED] 822ND MILITARY POLICE COMPANY (MP CO), CAMP BUCCA, APO, AE 09375 OF A SHOOTING INSIDE THE CAMP BUCCA INTERNMENT FACILITY.

b(6)-4 b(7)(c)-4

INVESTIGATION DETERMINED MR. [REDACTED] DOB: [REDACTED], POB: [REDACTED], INTERNMENT SERIAL NUMBER [REDACTED], CAMP BUCCA, IRAQ WAS THE VICTIM OF A JUSTIFIABLE SHOOTING WHEN HE PARTICIPATED IN CONCERT WITH SEVERAL OTHER PRISONERS IN A RIOT INSIDE HIS ASSIGNED COMPOUND. MR. [REDACTED] AND OTHER PRISONERS OBSCURED THEIR FACES WITH TOWELS AND RAGS THEN BEGAN THROWING ROCKS, WOODEN TENT STAKES, TIN CANS AND WATER BOTTLES FILLED WITH SAND AT THE COMPOUND GUARDS WHILE SPORADICALLY CHARGING THE FENCE IN VARIOUS LOCATIONS. THE COMPOUND GUARDS CORRECTLY UTILIZED THE RULES OF ENGAGEMENT TO NO AVAIL. COMPOUND GUARDS FIRED NUMEROUS SHOTGUN AND 40 MILLIMETER NON-LETHAL ROUNDS INTO THE GROUPS TO DISPERSE THEM WITH NO EFFECT. COMPOUND GUARDS FEARING FOR THEIR LIVES AND THE LIVES OF THEIR FELLOW GUARDS AND ONLY AFTER RECEIVING AUTHORIZATION FROM THE COR, UTILIZED DEADLY FORCE TO CONTROL THE RIOTING PRISONERS AND PREVENT THE IMMINENT BREACH OF THE COMPOUND WIRE. SPC [REDACTED] 822ND MP CO, CBIZ, FIRED ONE NINE MILLIMETER ROUND FROM HER M9 PISTOL, SPC [REDACTED] 822ND MP CO, CBIZ FIRED TWO ROUNDS FROM HIS M-16A2 AND SGT [REDACTED] 822ND MP CO FIRED ONE ROUND FROM HIS M-16A2 AT THE RIOTING PRISONERS. MR. [REDACTED] WAS THE ONLY PRISONER STRUCK BY A BULLET; HOWEVER, IT WAS NOT KNOWN ROUND STRUCK MR. [REDACTED]. MR. [REDACTED] WAS STRUCK BY ONE BULLET IN THE UPPER PORTION OF THE LEFT SIDE OF HIS CHEST. THE BULLET EXITED HIS BODY ON THE LEFT SIDE OF HIS BACK. MR. [REDACTED] WAS MEDICALLY EVACUATED TO THE BRITISH ARMY HOSPITAL IN BASRA, IZ WHERE HE IS BEING TREATED FOR MINOR INJURIES AND EXPECTED TO MAKE A FULL RECOVERY. b(6)-4 b(7)(c)-4

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 MARKINGS IN ACCORDANCE WITH CHAPTER 3, AR 25-55.

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DEPARTMENT OF THE ARMY
44th MILITARY POLICE DETACHMENT (CID) (FWD)
THIRD MILITARY POLICE GROUP (CID), USACIDC
CAMP BUCCA
APO, AE 09375

CIMP-FL (FWD)

26 Sep 2003

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION, - INITIAL/FINAL(C) 0278-03-CID519-62225-5R3

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 22 Sep 2003/1200 – 22 Sep 2003/1245; Compound #2, Camp Bucca, Iraq, APO, AE 09375

DATE/TIME REPORTED: 22 Sep 2003, 1300

INVESTIGATED BY: SA [REDACTED] b(2) b(4)-1 b(7)(c)-1 SA [REDACTED], SA [REDACTED]

SUBJECT: 1. NONE.

VICTIM: 1. NONE.

INVESTIGATIVE SUMMARY:

This is an "Operation Iraqi Freedom" investigation.

This investigation was initiated based on information received by 1LT [REDACTED] b(6)-6 b(7)(c)-6
Commander of the Relief (COR), [REDACTED] 822nd Military Police Company (MP CO), Camp Bucca,
APO, AE 09375 of a shooting inside the Camp Bucca Internment Facility.

Investigation determined Mr. [REDACTED] b(6)-4 b(7)(c)-4 DOB: [REDACTED] POB:
[REDACTED] Internment Serial Number [REDACTED] Camp Bucca, Iraq was the victim of a Justifiable
Shooting when he participated in concert with several other prisoners in a riot inside his assigned
compound. Mr. [REDACTED] and other prisoners obscured their faces with towels and rags then began
throwing rocks, wooden tent stakes, tin cans and water bottles filled with sand at the Compound guards
while sporadically charging the fence in various locations. The Compound guards correctly utilized the
Rules of Engagement to no avail. Compound guards fired numerous shotgun and 40 millimeter non-
lethal rounds into the groups to disperse them with no effect. Compound guards fearing for their lives
and the lives of their fellow guards and only after receiving authorization from the COR, utilized deadly
force to control the rioting prisoners and prevent the imminent breach of the compound wire. SPC
[REDACTED] 822nd MP CO, CBIZ, fired one nine millimeter round from her
M9 pistol, SPC [REDACTED] 822nd MP CO, CBIZ fired two rounds from his M-
16A2 and SGT [REDACTED] 822nd MP CO fired one round from his M-16A2 at
the rioting prisoners. Mr. [REDACTED] was the only prisoner struck by a bullet; however, it was not
known round struck Mr. [REDACTED]. Mr. [REDACTED] was struck by one bullet in the upper portion of

b(6)-4 b(7)(c)-4
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the left side of his chest. The bullet exited his body on the left side of his back. Mr. [REDACTED] ^{b(6)4 b(7)(c)-4} was medically evacuated to the British Army Hospital in Basra, IZ where he is being treated for minor injuries and expected to make a full recovery.

STATUTES:

None.

EXHIBITS/SUBSTANTIATION:

Attached:

1. Agent's Investigative Report (AIR) of SA [REDACTED] ^{b(6)-1 b(7)(c)-1} 24 Sep 03, detailing initial notification, interview of SPC [REDACTED] crime scene examination, interviews of SGT [REDACTED] SPC [REDACTED] SPC [REDACTED] SGT [REDACTED] 1LT [REDACTED] SGT [REDACTED] SPC [REDACTED] SGT [REDACTED] coordination with SJA and command. ^{b(6)4 b(7)(c)-4}
2. Crime scene sketch, 22 Sep 03, prepared by SA [REDACTED] ^{b(6)-1 b(7)(c)-1}
3. Compact disc #027803CID519, containing 48 digital photographs (crime scene).
4. Sworn Statement of SGT [REDACTED] ^{b(6)-4 b(7)(c)-4} 22 Sep 03, in which he detailed his actions during the riot.
5. Sworn Statement of SPC [REDACTED] 22 Sep 03, in which she detailed the events that led to her using deadly force during the riot.
6. Sworn Statement of SPC [REDACTED] 22 Sep 03, in which he detailed the events that led to his using deadly force during the riot. ^{b(6)-4 b(7)(c)-4}
7. Sworn Statement of SGT [REDACTED] 22 Sep 03, in which he detailed the events that led to his using deadly force during the riot. ^{b(6)-4 b(7)(c)-4}
8. Sworn Statement of 1LT [REDACTED] 22 Sep 03, in which he detailed the events that led to the authorization for the use of deadly force.

Not Attached:

None.

The original of Exhibits 1 through 8 are forwarded with the USACRC copy of this report.

STATUS: This is an Initial/Final (C) Report. This investigation was terminated in accordance with CID Regulation 195-1, paragraph 4-17a(6), in that the Special Agent in Charge has determined that furtherance of the investigation would be of little or no value or leads remaining to be developed are not significant.


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LEADS REMAINING: Obtain medical report from British Hospital.

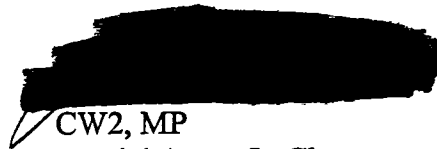
Report Prepared By:

Report Approved By:



Special Agent,  b(2)

b(6)-1
b(7)(c)-1



CW2, MP
Special Agent-In-Charge

DISTRIBUTION:

1 - (original) Director, U.S. Army Crime Records Center, ATTN: CICR-CR, 6010 6th St, Fort Belvoir, VA 22060

1 - CDR, 733d MP BN (CID), Camp Airfjan, Kuwait, APO AE 09366

1 - CDR, 3rd MP Group (CID), Camp Arifjan, Kuwait, APO AE 09366

1 - CDR (Camp Commandant), 530th Military Police Battalion, Camp Bucca, APO, AE 09375

1 - THRU: CDR, 800th Military Police Brigade, Camp Bucca, APO, AE 09375
TO: CDR, 724th Military Police Battalion, Camp Bucca, APO, AE 09375

1 - File

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AGENT'S INVESTIGATION REPORT

ROI NUMBER 0278-03-CID519-62225

CID Regulation 195-1

PAGE 1 OF 1 PAGES

DETAILS

BASIS FOR INVESTIGATION: About 1300, this office was notified by 1LT [REDACTED] Commander of the Relief (COR), [REDACTED], 822nd Military Police Company (MP CO), Camp Bucca, APO, AE 09375 (CBIZ), of a shooting of an Enemy Prisoner of War by a United States Soldier. 1LT [REDACTED] related SPC [REDACTED] 822nd MP CO, CBIZ, had been in a guard tower when she had rocks, bottles, and tent stakes thrown at her. 1LT [REDACTED] stated the situation had deteriorated and he had authorized the use of deadly force in the event the guards had feared for their lives. 1LT [REDACTED] stated SPC [REDACTED] had fired her weapon at the prisoners.

About 1330, 22 Sep 03, SA [REDACTED] interviewed SPC [REDACTED] 822nd MP CO, CBIZ, who related she observed the prisoners packing bottles and cans with sand about 1200, 22 Sep 03. SPC [REDACTED] related she observed the prisoners uncovering buried items in Compound 2 and dressing in more clothing than what she had observed them dressing in while on her shift the prior day. SPC [REDACTED] stated she told SFC [REDACTED], 822nd MP CO, CBIZ, about her observations. SPC [REDACTED] related about 1220, 22 Sep 03, the prisoners had covered their faces with tent fabric, towels or cardboard and began to throw bottles, rocks, and tent stakes at her guard tower 2-2, and guard tower 2-4 which was on the other side of Compound 2. SPC [REDACTED] related SPC [REDACTED] was in the guard tower at the time and had received a barrage of items being thrown at her. SPC [REDACTED] stated an unknown about of prisoners were hiding behind tents and throwing things at her position. SPC [REDACTED] explained the prisoners were rotating people in and out of the tents to throw items and that the items thrown at her guard tower were landing inside Compound 2. SPC [REDACTED] stated about twenty prisoners were close to the fence line and throwing items inside SPC [REDACTED] guard tower. SPC [REDACTED] related SPC [REDACTED] guard tower had items thrown at it from Compound 3 as well. SPC [REDACTED] explained the prisoners were fighting in the front of Compound 2 while others were throwing items at the guard towers. SPC [REDACTED] related the prisoners had policed up the debris that landed inside the compound, and did not know what happened to the items.

Agent's Note: SPC [REDACTED] stated she felt helpless to render assistance to SPC [REDACTED].

About 1430, 22 Sep 03, SA [REDACTED] interviewed SFC [REDACTED] who related he was the Sergeant of the Guard (SOG) who related about 1210, he had left SPC [REDACTED] guard tower and was returning to the front of Compound 2 to relay what SPC [REDACTED] had told him about the prisoners filling cans with sand and the possible riot. SFC [REDACTED] stated he observed a prisoner named [REDACTED] (NFI) be approached and physically assaulted by three to five other prisoners with fists. SFC [REDACTED] related SGT [REDACTED] 822nd MP CO, CBIZ, had fired non-lethal rounds that the prisoners assaulting [REDACTED] SFC [REDACTED] explained he then directed SGT [REDACTED] to go near SPC [REDACTED] tower and render assistance. SFC [REDACTED] related he had SPC [REDACTED] inside the tower to help SPC [REDACTED] SFC [REDACTED] stated he observed the same man (NFI) that had assaulted [REDACTED] near SPC [REDACTED] tower. SFC [REDACTED] stated he heard one shot and then two more. SFC [REDACTED] related he thought the first shot was from a pistol and the second shots were from an M-16. SFC [REDACTED] stated he then observed two prisoners dragging the prisoner

TYPED AGENT'S NAME AND SEQUENCE NUMBER

b2 SA [REDACTED] b(6)-1 b(7)(c)-1

ORGANIZATION

44th Military Police Det (CID), Camp Bucca, Um Qasr, IZ, APO, AE 09375

SIGNATURE

DATE

24 Sep 03

EXHIBIT

1

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AGENT'S INVESTIGATION REPORT

ROI NUMBER 0278-03-CID519-62225

CID Regulation 195-1

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DETAILS

who had been involved in assaulting [REDACTED] to the front of Compound 2. SFC [REDACTED] related this man was the one that was shot in the upper right shoulder.

About 1500 hours, 22 Sep 03, SA [REDACTED] interviewed SPC [REDACTED], 822nd MP CO, CBIZ, regarding a shooting, which occurred at Compound 2 (CN2). SPC [REDACTED] stated at 1200 hours he reported to guard duty at Compound 11 (CN11). A short time later SGT [REDACTED] who was on guard duty at CN2, which is located parallel and directly south of CN11, contacted him. SPC [REDACTED] stated SGT [REDACTED] advised him that several prisoners in CN2 were observed to be filling tin cans with sand and it was believed they were going to begin throwing the cans at the guards. SPC [REDACTED] stated he was asked to stay alert in case trouble started. SPC [REDACTED] stated he remained in his tent at CN11 and a few minutes after SGT [REDACTED] returned to CN2 he heard what he believed to be a shotgun discharging from the area of CN2. SPC [REDACTED] stated he secured his shotgun and ran to CN2 to investigate the trouble. SPC [REDACTED] stated he observed SGT [REDACTED] standing near the front entrance on the south side of the compound armed with a shotgun. SPC [REDACTED] stated he observed several prisoners near the tents throwing rocks and other objects at the guards stationed around the perimeter of the compound to include throwing objects at the guards positioned in the sentry towers located to the east and west of the perimeter. SPC [REDACTED] stated he ran to the main gate of the compound where he linked up with SGT [REDACTED]. SPC [REDACTED] stated he and SGT [REDACTED] moved to the east side of the perimeter to provide additional security. SPC [REDACTED] stated he then moved to the southeast corner of the perimeter and maintained his position. SPC [REDACTED] stated the prisoners were rounded up and ordered into a holding pen located inside the compound. SPC [REDACTED] went on to state a team of guards went into the compound to ensure all the tents were cleared and all prisoners were in the holding pen. SPC [REDACTED] stated he did not see any shots fired from any of the soldiers and he was unsure who fired the shotgun while he was at CN11. SPC [REDACTED] stated he did not see any of the tower guards fire a weapon.

About 1530, 22 Sep 03, SA [REDACTED] conducted an interview of SGT [REDACTED], 724th MP Battalion, CBIZ, wherein he provided details as to the activities surrounding the riot in Compound 2, this facility. SGT [REDACTED] claimed he did not see the initial shots fired, but arrived at Compound 2 and saw about 20 prisoners throwing bottles and rocks at the guards in the guard towers. He saw SGT [REDACTED] firing non-lethal rounds from his shotgun at the front of the compound, and saw SPC [REDACTED] in the eastern tower being assaulted with the rocks and bottles. He also saw SPC [REDACTED] in the west tower also being assaulted in the same manner. He heard someone come on the radio advised if the prisoners were throwing projectiles, lethal force was authorized. He also heard SPC [REDACTED] come on the radio and advise rocks were being thrown from both Compound 2 and 3. He then heard shots from SPC [REDACTED] position. SGT [REDACTED] related the compound mayer was instructed to have all prisoners to come out to the front and lay on the ground. Some of those prisoners did not come out and were forced out by the installation Quick Reaction Force.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

b2 b(6)-1 b(7)(c)-1
SA [REDACTED]

ORGANIZATION

44th Military Police Det (CID), Camp Bucca, Um Qasr, IZ, APO, AE 09375

SIGNATURE

DATE

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CRIME SCENE EXAMINATION: About 1530, 22 Sep 03, SA ^{b(6)-1 b(7)(c)-1} [REDACTED] conducted a crime scene examination Compound 2, Camp Bucca, Um Qasr, IZ.

Characteristics of Scene: Compound 2 is rectangular, 500 meters by 500 meters internment facility compound. Compound 2 is a fenced in compound with two rolls of concertina wire that form the base of the fence line with one roll of concertina wire resting on top of the two rolls. The wire is held by pickets that are unevenly spread around the compound. Compound 2 has about 20 Medium General Purpose tents which are spread throughout the center of the compound which are used as housing facilities for the prisoners. There were shower and latrine facilities in the southwest corner of Compound 2. There were two wooden guard towers about 10 meters from the fence line on the outside of the Compound. The towers were of wooden construction and about 30 meters in height. The towers permitted observation of the compound. There were two guard points about 10 meters from the fence. The guard points were three walled, wooden structures which permitted unobstructed viewing of Compound 2. The guard points were ground based and had three walls with the openings on the south side facing Compound 2. There was a gate in the center of the south fence that was the only Entry/Exit (E/E) for Compound 2. There was a single strand of concertina wire that was extended east to west about 20 meters from the north fence. In the front of the inside of Compound 2, there was a 100 meter square area of with a single strand concertina wire fence that was used for feeding and gathering area for the prisoners with an E/E on the north side of the wire and a E/E on the west side of the area.

AGENT'S NOTE: Due to the prisoners continued disorder after the incident, SA ^{b(6)-1 b(7)(c)-1} [REDACTED] was not permitted to enter the compound for reasons of officer safety.

Condition of Scene: There were bits of trash, rocks, and bottles near the fence line of Compound 2. There were no unusual stains in the sand near the alleged location of the incident.

Agent's Note: There were empty non-lethal shotgun shells on the ground on the outside of Compound 2.

Environmental Conditions: The skies were clear and the ground was dry. It was approximately 110 degrees Fahrenheit outside.

Factors Pertinent to Entry/Exit (E/E): All of the E/E for the tents were on the North and South sides. E/E for the towers were on the west sides, by a ladder. E/E for Compound 2 as through a gate in the center of the south fence.

Scene Documentation: SA ^{b(6)-1 b(7)(c)-1} [REDACTED] exposed photographs utilizing a Kodak, Easyshare DX 4330 digital camera with automatic flash. SA ^{b(6)-1 b(7)(c)-1} [REDACTED] prepared a crime scene sketch (See photographs and crime scene sketch for details)

TYPED AGENT'S NAME AND SEQUENCE NUMBER

^{b(6)-1 b(7)(c)-1}
h 2
SA [REDACTED]

ORGANIZATION

44th Military Police Det (CID), Camp Bucca, Um Qasr, IZ, APO, AE 09375

SIGNATURE

DATE

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DETAILS

Collection of Crime Scene Evidence: Nothing of evidentiary value was collected.

Search for Latent Impressions: A search for latent impressions was not conducted due to the location of the incident.

Search Beyond the Scene: SA [REDACTED] b(6)-1 b(7)(c)-1 conducted a search around Compound 2. The search did not reveal anything of evidentiary value.

About 1600, 22 Sep 03, SA [REDACTED] b(6)-1 b(7)(c)-1 conducted an interview of SSG [REDACTED] b(6)-6 b(7)(c)-6 724th MP Battalion, CBIZ, who provided details as to the activities surrounding the riot in Compound 2, this facility. SSG [REDACTED] stated a prisoner came to the fence at about 1215 and asked what he should do if there was a riot. SSG [REDACTED] instructed him on what to do, the prisoner thanked him and walked off. SSG [REDACTED] then went across the street to coordinate help for a possible riot. When he returned, Red Cross employees were coming out of the compound where they had been talking with the prisoners. SSG [REDACTED] specifically requested any information they may have obtained about a possible riot in the compound. The Red Cross employees stated there was nothing to tell them at this time. About 3 minutes after they left the compound, four prisoners began to assault one of the other prisoners. SGT [REDACTED] began shooting the assailants with non-lethal shotgun pellets, at which time they ran away to the back of the compound. Almost immediately prisoners at the back of the compound began to throw rocks and bottles filled with rocks, at SPC [REDACTED] in the guard tower. He could not recall how many shots were fired from his vantage point.

About 1630, 22 Sep 03, SA [REDACTED] b(6)-1 b(7)(c)-1 conducted an interview of Mr [REDACTED] b(6)-4 b(7)(c)-4 ISN [REDACTED], mayor of Compound 3, this facility. Mr [REDACTED] indicated the four individuals that attacked the other prisoner had been planning the attack the night before. He also stated the Red Cross was told by the prisoners, if they did not bring someone within 15 minutes to address their issues, there would be a big problem. They did not articulate this information to the guards even after being specifically questioned about it. All further accounts of the events of that day correspond to the accounts provided by the guards.

About 1650, 22 Sep 03, SA [REDACTED] b(6)-1 b(7)(c)-1 coordinated with SSG [REDACTED] b(6)-6 b(7)(c)-6 who provided SA [REDACTED] b(6)-1 b(7)(c)-1 with a list of Internment Serial Numbers (ISN) for the prisoners identified as being involved in the rock throwing attack. He stated there were only nine prisoners that could be positively identified by the guards as having been involved in the attacks. ISN [REDACTED] b(6)-4 b(7)(c)-4 and [REDACTED] b(6)-6 b(7)(c)-6

About 1700, 22 Sep 03, SA [REDACTED] b(6)-1 b(7)(c)-1 conducted an interview of SGT [REDACTED] b(6)-4 b(7)(c)-4 822nd MP Company, CBIZ, who provided a sworn statement detailing the activities surrounding the riot in Compound 2, this facility. (See Sworn Statement of SGT [REDACTED] b(6)-6 b(7)(c)-6 for details)

TYPED AGENT'S NAME AND SEQUENCE NUMBER

b2 b(6)-1 b(7)(c)-1

SA [REDACTED]

ORGANIZATION

44th Military Police Det (CID), Camp Bucca, Um Qasr, IZ, APO, AE 09375

SIGNATURE

DATE

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DETAILS

6-2
10-2
About 1735, 22 Sep 03, SA ^{b(6)-1 b(7)(c)-1} interviewed SPC ^{b(6)-6 b(7)(c)-6} who rendered a sworn statement in which she detailed the actions of prisoners that led to her firing a single round from her M9 pistol. (See Sworn Statement of SPC ^{b(6)-1 b(7)(c)-1} for details.)

About 1800, 22 Sep 03, SA ^{b(6)-1 b(7)(c)-1} interviewed CPT ^{b(6)-2 b(7)(c)-2} Medical Doctor, ^{b(6)-4 b(7)(c)-4} 530th Military Police Company, CBQIZ. CPT ^{b(6)-4 b(7)(c)-4} stated at about 1250 hours he was on duty at the Camp Bucca aid station when he treated a detainee who was the victim of a gunshot wound to the shoulder. CPT ^{b(6)-4 b(7)(c)-4} identified the victim as ^{b(6)-4 b(7)(c)-4}, ISN# ^{b(6)-4 b(7)(c)-4}. CPT ^{b(6)-4 b(7)(c)-4} stated the victim was in serious, but stable condition and was expected to fully recover. CPT ^{b(6)-4 b(7)(c)-4} stated the victim was airlifted to the British Hospital in Basra, IZ for further medical treatment. CPT ^{b(6)-4 b(7)(c)-4} stated the victim was shot from medium to long distance with an undetermined caliber round from an unknown weapon. CPT ^{b(6)-4 b(7)(c)-4} observed the victim to have an entry wound located to the left front shoulder area. According to CPT ^{b(6)-4 b(7)(c)-4} the entry wound was observed to measure about three to four centimeters in diameter. The exit wound was observed to be located to the victim's left rear shoulder area. The diameter of the exit wound was observed to be about twice as large as the entry wound. CPT ^{b(6)-4 b(7)(c)-4} stated no bullet fragments were recovered from the victim.

About 1900, 22 Sep 03, SA ^{b(6)-1 b(7)(c)-1} conducted an interview of SPC ^{b(6)-6 b(7)(c)-6} ^{b(6)-1 b(7)(c)-1}, 822nd MP Company, CBIZ, who provided a sworn statement detailing the activities surrounding the riot in Compound 2, this facility. (See Sworn Statement of SPC ^{b(6)-1 b(7)(c)-1} for details)

About 1952, 22 Sep 03, SA ^{b(6)-1 b(7)(c)-1} interviewed SGT ^{b(6)-6 b(7)(c)-6} ^{b(6)-1 b(7)(c)-1}, who rendered a sworn statement in which he detailed the actions of the prisoners that led to him firing a single round from his M16A2 rifle. (See Sworn Statement of SGT ^{b(6)-1 b(7)(c)-1} for details.)

About 2051, 22 Sep 03, SA ^{b(6)-1 b(7)(c)-1} interviewed 1LT ^{b(6)-6 b(7)(c)-6} ^{b(6)-1 b(7)(c)-1}, who rendered a sworn statement in which he detailed the actions of the prisoners that led to his authorization for the use of deadly force in Compound 2. (See Sworn Statement of 1LT ^{b(6)-1 b(7)(c)-1} for details.)

About 2130, 22 Sep 03, SA ^{b(6)-1 b(7)(c)-1} briefed 1LT ^{b(6)-6 b(7)(c)-6} ^{b(6)-1 b(7)(c)-1} Company Commander, ^{b(6)-1 b(7)(c)-1} 822nd MP CO, CBIZ, and the aspects of this investigation.

About 1400, 23 Sep 03, SA ^{b(6)-1 b(7)(c)-1} interviewed SSG ^{b(6)-6 b(7)(c)-6} ^{b(6)-1 b(7)(c)-1}, 822nd MP CO, CBIZ, who related about 1300, 22 Sep 03, he went to Compound 2 and observed the prisoners throwing rocks and bottles at the guards. SSG ^{b(6)-1 b(7)(c)-1} stated the prisoners were throwing a large volume of items at SPC ^{b(6)-1 b(7)(c)-1} guard tower. SSG ^{b(6)-1 b(7)(c)-1} related he fired two non-lethal rounds from his M203 grenade launcher. SSG ^{b(6)-1 b(7)(c)-1} explained he observed a large number of prisoners moving

TYPED AGENT'S NAME AND SEQUENCE NUMBER

^{b(6)-1 b(7)(c)-1}
SA ^{b(6)-1 b(7)(c)-1}

ORGANIZATION

44th Military Police Det (CID), Camp Bucca, Um Qasr, IZ, APO, AE 09375

SIGNATURE

DATE

24 Sep 03

EXHIBIT

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DETAILS

(b)(6)-6 (b)(7)(c)-6
toward SPC [REDACTED] position during the riot and observed a large number of prisoners approaching the front of Compound 2 as well. SSG [REDACTED] related he heard three live bullets fired during the riot.

(b)(6)-1 (b)(7)(c)-1 (b)(6)-6 (b)(7)(c)-6
About 1430, 23 Sep 03, SA [REDACTED] interviewed SPC [REDACTED], 822nd MP CO, CBIZ, who related went to his guard position about 1200, 22 Sep 03. SPC [REDACTED] stated it was about thirty minutes into his shift when he was at his position behind Compound 3 and noticed a large volume of prisoners from Compounds 2 and 3 at the fences around SPC [REDACTED] guard tower. SPC [REDACTED] related the prisoners were throwing rocks, bottles, and cans at the tower. SPC [REDACTED] stated he did not leave his position, but noticed the prisoners from Compound 3 dispersed after the live rounds were fired. SPC [REDACTED] explained the prisoners in Compound 2 kept throwing items at the tower after the live rounds were fired and only dispersed after the Quick Reaction Force was sent in to move the prisoners to the front of Compound 2.

(b)(6)-1 (b)(7)(c)-1 (b)(6)-6 (b)(7)(c)-6
About 1500, 23 Sep 03, SA [REDACTED] interviewed SGT [REDACTED], 822nd MP CO, CBIZ, who related he was sent from Compound 10 to Compound 2 as a show of force and to assist the Compound 2 guards. SGT [REDACTED] stated he observed the prisoners throwing items at the guard towers and at the guard in front of Compound 2. SGT [REDACTED] explained he never fired any non-lethals at the prisoners, but heard 4 to 5 lethal rounds fired. SGT [REDACTED] stated he did enter Compound 2 and assist in removing four prisoners that were part of inciting the riot.

(b)(6)-1 (b)(7)(c)-1 (b)(6)-6 (b)(7)(c)-6
About 1600, 23 Sep 03, SA [REDACTED] briefed 1LT [REDACTED] Staff Judge Advocate, 800th Military Police Brigade, Camp Bucca, Um Qasr, IZ, APO, AE 09375 on the aspects of this investigation. 1LT [REDACTED] opined there was probable cause to believe there was a justifiable shooting in Compound 2.

(b)(6)-1 (b)(7)(c)-1 (b)(6)-6 (b)(7)(c)-6
About 1613, 24 Sep 03, SA [REDACTED] briefed First Sergeant [REDACTED], 822nd MP CO, CBIZ, on the investigation. ///Last Entry///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

b2 (b)(6)-1 (b)(7)(c)-1
SA [REDACTED]

ORGANIZATION

44th Military Police Det (CID), Camp Bucca, Um Qasr, IZ, APO, AE 09375

SIGNATURE

[REDACTED SIGNATURE]

DATE

24 Sep 03

EXHIBIT

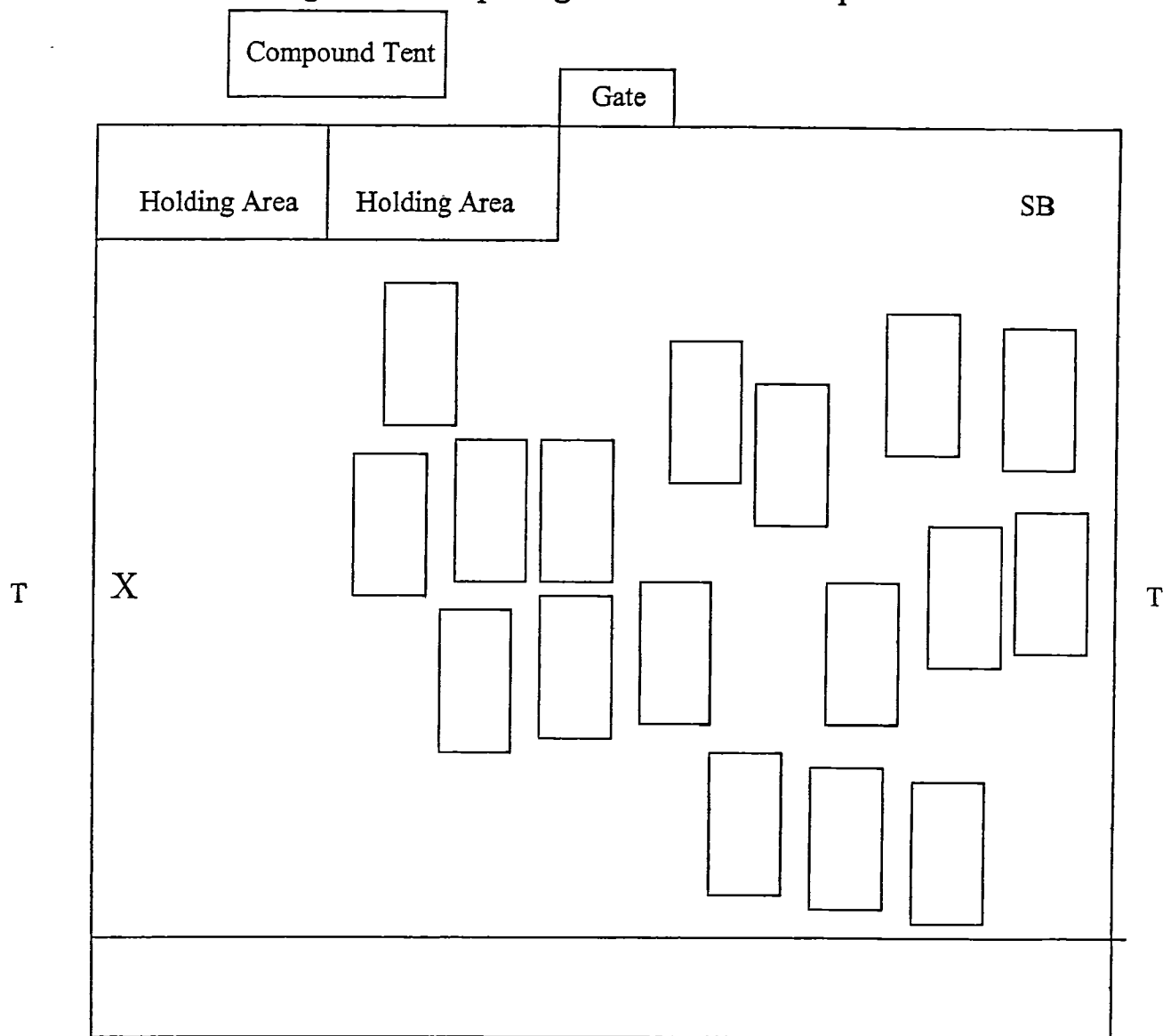
1

CID FORM 94

1 FEB 77

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Rough Sketch depicting Prison Riot in Compound 2



GP

GP

LEGEND

X: Location of Mr. [REDACTED]
 T: Guard Tower
 GP: Guard Position

b(6)-4
 b(7)(c)-4

N



Not to Scale

Title Block

Case# 0278-03-CID519-62225

Offense: Justified Shooting

Scene Portrayed: Compound 2,

Location: Camp Bucca Um Qasr, IZ

Victim: Mr. [REDACTED] b(6)-4 b(7)(c)-4

Time/Date Began: 1500, 22 Sep 03

Sketched By: SA [REDACTED] b(6)-1

Verified By: SA [REDACTED] b(7)(c)-1

EXHIBIT 2

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0278-03-CID519-62225

Photographic Disc
027803CID519

48 Photographic images of Compound 2



EXHIBIT 3 FOR OFFICIAL USE ONLY

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 44 MP Det (CID) Camp Bucca, Iraq	2. DATE (YYYYMMDD) 2003/09/20	3. TIME 1703	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-5/SGT.	
8. ORGANIZATION OR ADDRESS 822 MP CO			

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

I arrived at position 2-1 (in front of compound 2) at 1145-1150 this morning. At which time The Red Cross was in the compound. Around 1205 SGT. [REDACTED] and SSG [REDACTED] conducted shift change. About 10-15 minutes afterwards an elderly gentleman (wearing glasses and is known by the compound sergeants) came to the front of the compound and asked what he should when if there is a riot. About 10 maybe 5 minutes after the Red cross left the compound. SSG [REDACTED] asked them how everything [REDACTED] in the compound was and if there was anything he should know. The Red cross told him everything was ok. Right afterwards my Platoon Sergeant came by my position. SFC. [REDACTED] called on the radio and said that the detainees were pottng sand in metal cans and were collecting Rocks. At which time we started to assume that the earlier riot report might actually be true. With my Platoon Sergeant (SFC. [REDACTED]) watching my position I walked over to Compound 11 and told Sergeant [REDACTED] to be

10. EXHIBIT 4	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 4 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.

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

STATEMENT OF SGT. [REDACTED] TAKEN AT 1705 DATED 22 Sept 03

9. STATEMENT (Continued)

ready in case of a riot. As I came back 3-5 individuals walked over in the front holding area. A detainee [REDACTED] was sitting in that area was Attacked by these guys and I grabbed my shot gun and fired on them as they ran from [REDACTED]. As this happened Rocks, cans, & tent stacks ~~was~~ were thrown at our position. And then other prisoners appeared to be targeting tower 2-4/3-2. Other compound soldiers (822 mp co) came to help at my position. With permission from SFC [REDACTED] I went to aid the targeted tower. On my way over I was hit with a can but was not hurt. While firing at detainees whom didn't seem to get up no matter how much I fired. After QRF came showed up they took over and I followed their instructions to just provide security for them while they searched tents. Shortly after the incident was ended.

Q. SA [REDACTED] b(6)-1 b(7)(C)-1

A: SGT [REDACTED] b(6)-6 b(7)(C)-6

Q: 2-4 tower would be on which cardinal side of Compound 2 and who was in the tower.

A: West tower of Compound 2 was Spec [REDACTED]; and East tower would be Spec [REDACTED]

Q: what type of ammunition was in your weapon?

A: Point and crowd non-lethal ammunition.

Q: what are your rules of engagement for use of non-lethal force and lethal force?

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 4 PAGES

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

STATEMENT OF SGT. [REDACTED] TAKEN AT 1705 DATED 22 Sept. 03

9. STATEMENT (Continued)

A: the rules of escalation are used for nonlethal. Meaning you shout and tell the prisoner to stop the action that is either hurting A soldier or another detainee. ^{or is a violation of compound rules.} If they don't stop then you would shove them or make a move to show that they are to stop. After that you are to show that you intend to use your weapon. And finally you would fire. These rules are also used for lethal except you would only use lethal if a soldier's life is in danger or the prisoners are escaping ^{from} the compound.

Q: Do you know if a request to use lethal ammunition was made?

A: I don't know who made the request but my Lt, Cilt [REDACTED] granted the use of lethal Ammo.

Q: Do you know [REDACTED] who used lethal Ammo?

A: Spc. [REDACTED] told me that she used lethal Ammo. And I was also told that SGT. [REDACTED] & Spc. [REDACTED] may have used lethal ammo too.

Q: Do you have anything else to add to this statement?

A: Nothing that I can think of at this time, //

End of Statement //

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 4 PAGES

STATEMENT OF SGT. [REDACTED] TAKEN AT 1705 DATED 22 Sept. 03

9 STATEMENT (Continued)

Not used [REDACTED]

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 4. 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 22 day of Sept. 03 at 1705

ORGANIZATION OR ADDRESS

[REDACTED]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

S.A. [REDACTED]
(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 4 OF 4 PAGES

SWORN STATEMENT

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

LOCATION Camp Bucca, On Qasr IZ	DATE 22 Sep 03	Time 1735	FILE NUMBER 0278-03-G/DSI-62225
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS SPC/RC

ORGANIZATION OR ADDRESS

822nd Military Police Company, Camp Bucca, APO, AE 09375

[REDACTED] want to make the following Statement under oath:
 About 1200, 22 Sep 03, I came on shift and went to my post in Tower 241 at the Internment Facility in Camp Bucca, Iraq. About 15 to 20 minutes after I started my shift, I saw the Red Cross leaving compound 2. About 5 minutes after the Red Cross left, I heard Tower 242 call the Sergeant of the Guard on 1Lt [REDACTED] over the radio and told them that the prisoners in Compound 2 were filling bottles and cans with sand, wearing more clothes and picking up sticks. About a couple of minutes later, I saw a fight in the front of Compound 2 with 4 or 5 prisoner and, at the same time, there were 15 to 20 prisoners coming toward the fence in front of Tower 241, and throw bottles filled with sand, rocks, and cans filled with sand at me. I dodged what was being thrown by the prisoners in Compound 2 when suddenly I was getting rocks, bottles filled with sand, and cans filled with sand thrown at me from Compound 3 which is across from Compound 2. I went to the floor of the tower, put on my helmet, and called Compound 3 to tell them to get the prisoners away from the wire and my post Tower. I then grabbed the radio and put out over the net that I was having bottles, rocks, and cans thrown at me from both compounds. I could feel rocks bouncing off my Kevlar and was hit in the side with a rock. I felt threatened and thought the tower was going to be over-run by prisoners because there were 30 prisoners or so on the fence in compound 3 and 15-20 prisoners on the fence in compound 2, and all were throwing things at me. I heard over the radio that if I felt threatened I could use deadly force. I crawled to the opening of the tower which faced compound 2 and peered out to see what the lane of fire looked like from where I was. I saw a man with a big can getting ready to throw it at me. I yelled at him and showed him the M-16. Right as I was releasing the bolt, the weapon jammed. I dropped the M-16 and grabbed my M-9 pistol and fired one shot. After the shot, all the prisoners ran from the fences. About 5 seconds later I heard another shot fired from the area where position 23 was.

EXHIBIT 5	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF PAGES 3
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ___ TAKEN AT ___ DATED ___ CONTINUED."
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE ___ OF ___ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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STATEMENT OF [REDACTED] TAKEN AT Camp Bucca, IZ DATED 22 Sep 03 CONTINUED

After the second shot, SPC [REDACTED] came from Position Z B to assist me. As he was climbing the ladder, he had been hit on his rifle by a can. SGT [REDACTED] and other MPS were along the outside of the wire of Compound 2 with SPC [REDACTED] watching from the tower. I was watching compound 3 from the tower. Compound 2 still had people throwing rocks at the tower, and Compound 3 was quiet. I heard rocks being thrown at the Tower, shotgun blasts with non-lethal rounds, and SPC [REDACTED] firing two shots from his M16 all in a togetherness while I was watching compound 3. I didn't hear any more gun shots after that. About 10 minutes later, all of the prisoners were being called to the front of the Compound 2.

Q: SA [REDACTED] b(6)-1 b(7)(c)-1

A: SPC [REDACTED]

Q: Do you have any non-lethal rounds in the tower?

A: Non-lethal rounds are for the shotguns which are in front of the compounds. And roving guard also [REDACTED]

Q: Where is Tower 24 located?

A: Between compounds 2 and 3.

Q: What are the procedures for using deadly force in the Internment Facility?

A: Shout, Shove, Show, and Shoot, but you can't shove from the tower so you call over the net for help.

Q: Did you recognize the voice that authorized the use of deadly force?

A: Yes, my Lieutenant, 1LT [REDACTED] I am unsure of his first name.

Q: Were you aiming when you fired the shot?

A: Yes, I was firing at the prisoner with the can in his hand.

Q: Do you know if the bullet struck the prisoner?

A: No, I do not know

Q: Describe the prisoner you shot at?

A: I just remember he had a can in his hand and a towel wrapped around his face. I could see his eyes.

Q: Do you remember any other clothes he wore?

A: No.

Q: SA [REDACTED] has written the Narrative and the Questions and

INITIALS OF PERSON MAKING STATEMENT: [REDACTED]

PAGE 2 OF 3 PAGES

Answers. Does the written statement reflect your words?

A: YES

Q: How do you feel you have been treated by CID?

A: In a military manner

Q: Do you have anything to add to your statement? Did you think the prisoners were going to kill you if they over-ran your position?

A: Yes.

Q: Do you have anything to add to your statement?

A: No. /// END OF STATEMENT ///

AFFIDAVIT

I, [REDACTED], HAVE READ OR 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 OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

b(6)-6
b(7)(C)-6

[REDACTED]
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 22 day of Sept, 2003 at Camp Bucca, UMBASR, IZ

ORGANIZATION OR ADDRESS

b(6)+1
b(7)(C)-1

[REDACTED]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [REDACTED]
(Typed Name of Person Administering Oath)
Article 136, UCMJ or 5 USC 303
(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE OF 3 PAGES 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
 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 448 MP DET (CID) Camp Bucca IB 2. DATE (YYYYMMDD) 2003 09 22 3. TIME 1900HRS 4. FILE NUMBER
 5. LAST NAME, FIRST NAME, MIDDLE NAME 6. SSN 7. GRADE/STATUS E-4

8. ORGANIZATION OR ADDRESS

822nd MPB Co.

9.

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

ON 22 SEP 03 AT ABOUT 1430. I NOTICED SPC. [REDACTED] WAS BEING ATTACKED BY PRISONERS FROM COMPOUNDS #2 AND #3. I IMMEDIATELY GRABBED MY M-16 AND RAN TO HER TOWER. AT THE SAME TIME SPC. [REDACTED] WAS CALLING FOR ROVERS TO SPC. [REDACTED] TOWER. WHEN I ARRIVED AT THE TOWER SGT [REDACTED] TOLD ME TO GET UP THERE AND SEE IF SHE WAS OK. AS I WAS CLIMBING THE LADDER I FELT AND HEARD AN OBJECT HIT MY RIFLE. WHEN I FINALLY GOT INSIDE THE TOWER I ASKED SPC. [REDACTED] IF SHE WAS OK. SHE SAID SHE WAS, BUT SHE DID GET HIT. SGT [REDACTED] TOLD US THAT IF WE WERE IN ANY DANGER TO SHOOT. I FELT WE WERE IN DANGER, BECAUSE WE WERE GETTING SAND FILLED BOTTLES, METAL CANS, AND LARGE ROCKS THROWN AT US. AT ONE POINT THERE WAS A GROUP OF ABOUT FIVE PRISONERS DASHING TOWARDS THE WIRE THROWING OBJECTS AT US. THE OBJECTS WERE COMING STRAIGHT TO THE TOWER, AND THAT'S WHEN I SPOT THE TWO ROUNDS AND QUICKLY DUCKED. AFTER THAT THE PRISONERS FLED FROM THE WIRE TO THEIR TENTS. AT THIS TIME ALL THE

10. EXHIBIT

b

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 3 PAGES

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

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

STATEMENT OF [REDACTED] TAKEN AT 1900 hrs DATED 2003 09 29

9. STATEMENT (Continued)

PRISONERS WERE TOLD TO MOVE TO THE FRONT OF THE COMPOUND. THE MAJORITY OF THEM DID, BUT THERE WERE STILL A FEW IN THE MIDDLE OF THE COMPOUND THROWING METAL CANS. FINALLY THEY WENT TO THE FRONT ALSO. Q.R.F. CAME IN AFTER THAT TO CLEAR ALL THE TENTS. AT THIS TIME SER. [REDACTED] CAME TO GET SPC. [REDACTED] AND MYSELF, AND TOOK US TO THE FRONT OF COMPOUND #2 TO SEE IF WE COULD IDENTIFY ANY OF THEM, BUT THEY WERE ALL WEARING BLUE JUMPSUITS AND BROWN TOWELS AROUND THEIR FACES, SO WE DIDN'T IDENTIFY ANYONE. AFTER THAT WE WERE TOLD TO GO BACK TO OUR TOWERS. /// ——— END STATEMENT ———

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 2 ³ ₂ PAGES

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STATEMENT OF [REDACTED] TAKEN AT 1735 Ave DATED 22 SEP 03

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 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.

b(6)-6
b(7)(C)-6

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22 day of SEP, 2003 at 1740

[REDACTED]
ORGANIZATION OR ADDRESS[REDACTED]
(Signature of Person Administering Oath)[REDACTED]
ORGANIZATION OR ADDRESSb(6)-1
b(7)(C)-1 SA [REDACTED]
(Typed Name of Person Administering Oath)[REDACTED]
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 3 OF 3 PAGES

USAPA V1 00

SWORN STATEMENT

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

LOCATION Camp Bucca, Um Qasr, IZ	DATE 22 Sep 03	Time 1952HRS	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS E-5 IKC	
ORGANIZATION OR ADDRESS 822 ND Military Police Company, Camp Bucca, Um Qasr, IZ, APD, AE 09325			

I [REDACTED] want to make the following Statement under oath:

AT APPROXIMATELY 12:00 HOURS MP [REDACTED] RECEIVED THE 4 TO 12 SHIFT MP AT TOWER 2-3. APPROXIMATELY 35 TO 40 MINUTES LATER MP [REDACTED] HEARD OVER RADIO FROM TOWER 2-2 THE PRISONERS WERE BATHERING UP ROCKS AND BOTTLES FULL OF SAND. MP [REDACTED] PUT ON HELMET AND REQUEST ABOUT 10 TO 15 MINUTES LATER MP [REDACTED] HEARD FIRING FROM THE FRONT OF COMPOUND. IMMEDIATELY AFTER THAT PRISONERS STARTED TO RUN UP TO TOWER 2-4 AND THROW OBJECTS AT MP [REDACTED]. MP [REDACTED] CALLED ON RADIO TO GET PERMISSION TO FIRE LETHAL ROUNDS. MP [REDACTED] CALLED FOR SAME RIGHT AFTER. LT. [REDACTED] ON RADIO AND AUTHORIZED LETHAL ROUNDS. MP [REDACTED] HEARD 1 ROUND CAME FROM TOWER 2-4. MP [REDACTED] THEN DROPPED TO A KNEE AND BROUGHT RIFLE UP TO AIM. I THEN WAITED FOR ANY PRISONER THROWING OBJECTS AT TOWER 2-4 TO COME INTO A SMALL CLEAR FIRING LANE. ONE PRISONER CAME INTO MY LANE AND I AIMED CENTER MASS AS HE THREW THE OBJECT & FIRED 1 ROUND. IMMEDIATELY AFTER THAT MP [REDACTED] FROM FRONT OF COMPOUND AND 1 FROM TOWER IN BACK HIDE RAN TO TOWER 2-4. I STARTED TO

EXHIBIT 7	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ___ TAKEN AT ___ DATED ___ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE ___ OF ___ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.		

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STATEMENT OF SGT [REDACTED] TAKEN AT CAMP BUCKLEY DATED 22 SEP 03 CONTINUED

GO UP TOWER LADDER AND OTHERS STARTED FIRING NON-LETHAL ROUNDS. MP [REDACTED] THEN SAW 2 PRISONERS HELP 1 PRISONER TOWARDS THE FRONT OF COMPOUND. MP [REDACTED] THEN HEARD 2 MORE LETHAL ROUNDS CAME FROM TOWER 2-4. AT THAT TIME ALL PRISONERS STARTED TO MAKE THEIR WAY TOWARDS THE FRONT OF THE COMPOUND. ABOUT 10 MINUTES LATER 267 QRF ARRIVED AND MADE A SWEEP OF COMPOUND 2.

Q: SA [REDACTED] b(6)-1 b(7)(C)-1

A: MP [REDACTED] b(6)-6 b(7)(C)-6

Q: What were the prisoners throwing at tower 2-4?

A: Everything they could get their hands on.

Q: How close to the fence were the prisoners running?

A: About 10 to 15 feet from the fence

Q: Did you think the prisoners were going to rush the fence?

A: Yes. It was plainly obvious they were trying to burst SFC [REDACTED]

Q: What would the prisoners do had they breached the fence?

A: I think they would have gotten into the tower, taken the weapons, killed SFC [REDACTED] and escaped.

Q: Did your platoon leader, 2LT [REDACTED] give the compound permission to use deadly force?

A: Yes

Q: Did you hit the prisoner you were shooting at?

A: He didn't go down.

Q: Can you describe the prisoner you shot at?

A: I know he threw a metal object.

Q: Did you feel SFC [REDACTED]'s life was in danger?

A: Yes

Q: How many shots did you hear fired during the incident?

A: I heard 4 lethal rounds fired. I don't know how many non-lethal rounds.

Q: Who has non-lethal rounds?

A: Shotguns, usually located on the front of the compounds

and the routing patrols.
Q: How far away were you from the prisoners throwing the items at SPC [REDACTED]?
A: About 30 meters.
Q: How do you feel you have been treated by CID?
A: Professionally
Q: Do you have anything to add to your statement?
A: NO !!! END OF STATEMENT !!! [REDACTED]

AFFIDAVIT

I, [REDACTED], HAVE READ OR 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 OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

b(7)-6
b(7)(C)-6

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 22 day of Sep, 2003 at Camp Bucca On Qast, I2

ORGANIZATION OR ADDRESS

b(7)-1
b(7)(C)-1

[REDACTED]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA [REDACTED]
(Typed Name of Person Administering Oath)
Article 136, UCMJ or 5 USC 303
(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE OF 3 PAGES 3

SWORN STATEMENT

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

LOCATION Camp Bucca, Um Qasr, IZ	DATE 22 Sep 03	Time 2051	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY NUMBER		GRADE/STATUS 1LT/RC
ORGANIZATION OR ADDRESS 822nd Military Police Company, Camp Bucca, IZ, APO AE 09375			
I, 1LT, want to make the following Statement under oath:			

ON 22SEP03, at approximately 1255 hrs, I was informed by SPC [REDACTED] that unknown detainees from Compound 2 were filling bottles with sand and putting multiple layers of clothing. I recall that Compound 2 NCOIC (SSG [REDACTED]) informed me at the beginning of shift that a detainee approached him reference the possibility of a riot. I attempted to contact 724th MP BN and an unknown person answered the radio. This unknown person could not copy my traffic. I was attempting to notify battalion reference SPC [REDACTED] observations. I asked one of the squad leaders (SSG [REDACTED]) to relay my message from Compound 12 processing tent since that tent has a land line. I barely sent my traffic to SSG [REDACTED] when I heard on the radio that Compound 2 detainees were beginning to throw rocks, bottles full of sand, and cans at guards manning toward. Then, I heard, "shots fired." I do not know who made this statement. I rushed to Compound 2 from the West Gate area, and I parked my vehicle by the water tank. I proceeded to the front area and I observed items being thrown to the sides and front of this compound. I heard both east and west towards calling for assistance, and I ^{used the} radio to call battalion to request help.

EXHIBIT 8	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ___ TAKEN AT ___ DATED ___ CONTINUED."
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE ___ OF ___ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

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STATEMENT OF 1LT [REDACTED] TAKEN AT CAMP BUCCA DATED 22 SEP 03 CONTINUED

(b)(6)
(b)(7)(C)-6

I informed battalion personnel that Compound 2 detainees had begun to riot. I advised my tower guards to use lethal force if they felt threatened or thought they were in danger. The Rules of Engagement dated 24 JUN 03 authorizes use of force to stop serious bodily injury and my east tower was being bombarded with flying object. I stayed at the front of Compound 2 and I monitored communications from my guards of Compound 2. There were detainees continuing to throw objects behind tent number 3 and 4, and I asked SSG [REDACTED] to fire a non-lethal M203 to disperse this crowd. They were throwing bottles and objects toward the front of this compound.

Q: SA [REDACTED] b(6)-1 b(7)(C)-1

A: 1LT [REDACTED] b(6)-6 b(7)(C)-6

Q: Did you feel that if the prisoner breached the fence, the lives of the guards were in jeopardy?

A: Yes.

Q: Did you authorize SPC [REDACTED], SGT [REDACTED], SPC [REDACTED] and SPC [REDACTED] to use deadly force?

A: Yes. It was a general authorization. Every guard mount the Rules of Engagement are covered.

Q: Who has the non-lethal rounds at the rounds?

A: The guards up front of the compounds and the rovers have non-lethals. There are only non-lethal rounds for shotguns and M203s.

Q: Did you hear the live rounds fired.

A: No. A lot of rounds were fired and I was trying to get help and control of the situation.

Q: How do you feel you have been treated by CID today?

A: My first experience. Very professional and friendly.

Q: Do you have anything to add to your statement?

INITIALS OF PERSON MAKING STATEMENT: [REDACTED]

PAGE 2 OF 3 PAGES

A NO /// End of statement /// [REDACTED]

AFFIDAVIT

I, [REDACTED], HAVE READ OR 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 OR BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFULENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

167 [REDACTED]
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 22 day of Sep, 2003 at Camp Bucca, 12,

[REDACTED]
(Signature of Person Administering Oath)

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

Article 136, UCMJ or 5 USC 303

(Authority to Administer Oaths)

PAGE OF 3 PAGES 3

AGENT'S INVESTIGATIVE REPORT

CID Regulation 195-1

ROI NUMBER

0278-04-CID519

PAGE 1 OF 1 PAGES

DETAILS

b(6)-1 b(7)(c)-1

BASIS FOR INVESTIGATION: About 1000, 1 Jul 04, this office received a Request For Investigation from USCIC, CW5 [REDACTED] Chief, Investigative Operations Division to obtain a copy of the Rules of Engagement and attach as exhibit to the final report and conduct interview of the battalion and company commander to determine their guidance regarding use of deadly force./// Last Entry ///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

b(2) b(6)-1 b(7)(c)-1

SA [REDACTED]

ORGANIZATION

78TH MP DET (CID) (FWD)

Camp Arifjan, Kuwait, APO, AE 09366

SIGNATURE

DATE

2 Sep 04

EXHIBIT

9

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41

ACLU-RDI 150 p.63

DODDOACID 009049

AGENT'S INVESTIGATION REPORT

0076-04-CID065

0278-04-CID519-62225

CID Regulation 195-1

Page 1 of 2 Pages

On 7 Jul 04, this office received a Category 1, Request For Assistance (RFA) from the 78th Military Police Detachment Camp Arifjan, Kuwait APO AE 09366 requesting this office interview the Company Commander and Battalion Commander of the 822D Military Police Company, Arlington Heights, IL.

About 1030, 09 Jul 04, SA [REDACTED] ^{b(6)-1 b(7)(c)-1} coordinated with CPT [REDACTED] ^{b(6)-6 b(7)(c)-6}, S-3, 327th Military Police Battalion, Arlington Heights, IL, who related he would coordinate with the Company Commander of the 822D Military Police Company; CPT [REDACTED] Commander [REDACTED] and have him contact this agent.

About 1430, 12 Jul 04, SA [REDACTED] ^{b(6)-6 b(7)(c)-6} coordinated with CPT [REDACTED] who related he could be available for an interview about 1000, 16 Jul 04, at the US Army Reserve Center.

Between 1155 and 1207, 16 Jul 04, SA [REDACTED] ^{b(6)-1 b(7)(c)-1} collected as evidence numerous documents pertaining to the Rules of Engagements, Force Protection Plans and a Personal "CFLCCC ROE Card" from CPT [REDACTED] (See Collected Documents for details).

About 1256, 16 Jul 04, SA [REDACTED] ^{b(6)-1 b(7)(c)-1} interviewed CPT [REDACTED] ^{b(6)-6 b(7)(c)-6} who provided a sworn statement, detailed his actions and observations pertaining to a detainee riot which occurred at Camp Bucca's Theater Internment Facility in Sep 03. CPT [REDACTED] also stated the Battalion was not organic to the 822D Military Police Company, and provided ^{b(6)-6} the names of the two 724th Military Police Battalion Commanders (BC) (which were his next higher headquarters in theater): LTC [REDACTED] ^{b(7)(c)-6} (NFI), who was the Battalion Commander during the incident, and the other BC was LTC [REDACTED] (NFI), who was the BC from Dec 02 till Aug 03 (See Sworn Statement for details).

AGENT'S COMMENT: CPT [REDACTED] ^{b(6)-6 b(7)(c)-6} provided the following respective e-mails addresses for the commanders: [REDACTED]@us.army.mil and [REDACTED]@us.army.mil. Further, it was determined that neither of the Battalion Commanders were in the local area.

On 19 Jul 04, the collected Evidence was forwarded to this office Evidence Depository, 280th Military Police Detachment (CID), Fort Knox, KY for forwarding to the requesting office (See Evidence/ Property Custody Document)..

SA [REDACTED]
^{b(2) b(6)-1 b(7)(c)-1}

Fort McCoy CID Office
3rd Military Police Group (CID),
Fort McCoy, WI 54656

Signature: [REDACTED]

Date:

19 Jul 04

CID Form 94

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EXHIBIT:

10

AGENT'S INVESTIGATION REPORT

0076-04-CID065

0278-04-CID519-62225

CID Regulation 195-1

Page 2 of 2 Pages

STATUS: The request for assistance has been completed. All evidence collected will be dispatched by separate cover. No further investigative activity is anticipated by this office.

SA [REDACTED]

b(2) b(6)-1
b(7)(c)-1

Fort McCoy CID Office
3rd Military Police Group (CID),
Fort McCoy, WI 54656

Signature: [REDACTED]

Date:

19 Jul 04

CID Form 54

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EXHIBIT: 10

SWORN STATEMENT 0278-02-CID 519-62225

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

1676
02/02

LOCATION <u>Arlington Heights, IL 60005</u>	DATE <u>16 Jul 09</u>	TIME <u>1256</u>	FILE NUMBER <u>0076-04 CID0065</u>
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS <u>CPT/USAR</u>

ORGANIZATION OR ADDRESS
822D Military Police Company, Arlington Heights, IL 60005

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH.

TO THE BEST OF MY RECALLATION APPROX. SEPTEMBER 2003 AT CAMP BULLA'S THEATER INTERMENT FACILITY WAS A RIOT WHERE LETHAL AMMUNITION WAS USED, RESULTING IN ONE CRIMINAL DETAINEE BEING WOUND IN THE SHOULDER.

THIS INCIDENT OCCURRED DURING THE AFTERNOON AND INVOLVED AT LEAST TWO DETAINEE COMPOUNDS. AS THE COMPANY COMMANDER OF THE 822 MP, OUR MISSION WAS TO PROVIDE SECURITY OF THE COMPOUNDS WIRE AND THE FACILITY'S EXTERIOR GATES. SECURITY INCLUDED MOUNTED PATROLS, TOWER GUARDS, QRF. THE COMPANY WAS ISSUED THE CURRENT R.O.E. FROM 724TH MP BN. I MADE COPIES AND ISSUED THE HARD COPY OF THE R.O.E TO THE PLATOON LEADERS AND PLATOON SERGEANTS. THEY WERE INSTRUCTED TO REVIEW THE R.O.E WITH THEIR SUBORDINATES AND SIGN A SHEET INDICATING THEY WERE BRIEFED AND ACKNOWLEDGED THE NEW R.O.E. AT ROLL CALL FOR SHIFT WORK THE O.I.C OR THE NCOIC BRIEFLY GOES OVER THE R.O.E. AND OTHER CHANGES TO POLICY OR SHIFTED RELATED WORK.

I WAS IN THE 822 MP CO COMMAND TENT WHEN A RUNNER INFORMED ME THAT A RIOT HAD STARTED IN THE (T.I.F) THEATER INTERMENT FACILITY. I QUICKLY GRABBED MY GEAR AND DROVE TO THE T.I.F. BY THE TIME I ARRIVED THE

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>6</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ___ TAKEN AT ___ DATED ___ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE ___ OF ___ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

FILE NUMBER: 0076-04-CID065

STATEMENT OF

TAKEN AT

DATED

CONTINUED

[REDACTED]

Arlington Heights, IL

16 Jul 84

(b)-6
(7)(C)-6
- RIOT HAD BEEN QUELLED AND THE INSURED HAD BEEN TAKEN TO THE PROPER MEDICAL AREAS AT THE CAMP.

I MET WITH 1LT [REDACTED] WHO WAS THE SHIFT OFFICER IN CHARGE AT THE T.I.F. HE INFORMED ME THAT THE RED CROSS WAS IN THE COMPOUND INTERVIEWING DETAINEES. WITHIN A COUPLE MINUTES OF HIM LEAVING THE GUARDS WERE INFORMED THAT A RIOT WAS ABOUT TO HAPPEN. 1LT [REDACTED] NOTIFIED THE BN T.O.C. OF THE POSSIBLE SITUATION AND CITED A COUPLE ACTIONS TAKING PLACE BY THE DETAINEES THAT INDICATED A RIOT MAY TAKE PLACE. WITHIN 1 TO 2 MINS OF THAT COMMUN-

(b)-6
(7)(C)-6
-ICATION DETAINEES DRESSED IN MANY LAYER CLOTHING AND WEARING CARD BOARD MASKS BEGAN TO THROW ROCKS, WATER BOTTLES AND CANS FILLED WITH SAND AT A FEMALE TOWER GUARD. (SPC [REDACTED] [REDACTED]). SPC [REDACTED] WAS STRUCK ON HER SIDE BY A LARGE ROCK. AT LEAST GUARD WITH LESS THAN LETHAL SHOTGUN AMMO RAN TO HER TOWER SHOOTING THE NON LETHAL AMMO AT THE DETAINEES. SOON DETAINEES IN AN ADJACENT COMPOUND DRESSED THE SAME BEGAN THROWING ITEMS AT THE SAME TOWER. THE LESS THAN LETHAL AMMO WAS INEFFECTIVE BECAUSE IT DID NOT PENETRATE THE DETAINEES' MULTI-LAYERED CLOTHING. ACCORDING TO 1LT [REDACTED] SOLDIERS INQUIRED VIA RADIO OF THEIR SITUATION IN REGARDS TO LETHAL AMMUNITION. 1LT [REDACTED] INFORMED EVERYONE VIA RADIO IF THEY FELT THEIR LIFE WAS IN DANGER OR IN FEAR OF GREAT BODILY HARM IAW THE R.O.E THEY COULD USE LETHAL AMMO

INITIALS OF PERSON MAKING STATEMENT: [REDACTED]

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PAGE 2 OF 5 PAGES

ACLU-RDI 150 p.89

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EXHIBIT 11

DODDOACID 009053

FILE NUMBER: 0076-04-CID0065

STATEMENT OF

TAKEN AT

DATED

CONTINUED

[REDACTED] Arlington Heights, IL 16 Jul 04

AT WHICH TIME SPC [REDACTED] FIRED HER 9mm HAND GUN AT A DETAINEE THROW LARGE OBJECTS AT HER. ALSO, SGT [REDACTED] IN A NEARBY TOWER FIRED HIS M-16 AT A DETAINEE TRYING TO THROW A LARGE ROCK AT [REDACTED] HEAD. I BELIEVE ANOTHER SOLDIER FIRED HIS M-16 AS WELL BUT I DO NOT RECALL WHO. AT THIS TIME A DETAINEE WAS STRUCK IN HIS BACK BY HIS SHOULDER AND FELL TO THE GROUND. THE RIOT IMMEDIATELY STOPPED AND AND THEY RAN INTO THEIR TENTS. SOME TELLERD THAT WE CHEATED BECAUSE LETHAL AMMO WAS USED ON THEM. THE WOUNDED DETAINEE WAS EXTRACTED AND FIRST AID WAS ADMINISTER. HE WAS EVAC OUT TO CBH. DETAINEE WERE GIVEN AN OPPORTUNITY TO RECIEVE MEDICAL ATTENTION. I DO NOT THINK ANY ONE USED IT. SPC. [REDACTED] WAS ALSO GIVEN MEDICAL ATTENTION AT CAMP BUCCA'S MEDICAL FACILITY, FOR BRUISING IN HER RIB AREA.

Q. Did you provide LT [REDACTED] with any guidance during the riot?

A. NO. HE FOLLOWED THE R.O.E AS DIRECTED BY THE BN T.O.C. I HAVE PROVIDED COPIES OF THE CAMP'S R.O.E. AND SIGN IN ROSTERS, AND FORCE PROTECTION PLANS.

Q. Who was the Battalion Cdr at the time of the incident?

A. [REDACTED] 724TH MP BN. FT. LAUDERDALE, FL.

Q. When could Lethal vs Non-Lethal Ammunition be used?

A. AT THAT TIME SOLDIERS HAD LESS THAN LETHAL M203 AND 12 gauge SHOT GUN ROUNDS. TWO TYPES OF ROUNDS

INITIALS OF PERSON MAKING STATEMENT

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PAGE 3

OF 5

PAGES

WERE AVAILABLE. A POINT ROUND "SPONGE BALL LIKE" AND CROWD DISPERSER "MULTI RUBBER BALLS". SOO LEADERS AND MOUNTED VEHICLES HAD M203 AND AMMO WITH THEM. THERE WERE APPROX 8-10 SHOTGUNS ON PER SHIFT. THE AMMOUNT OF SOLDIERS PER SHIFT FLUXUATED FROM 26-36 SOLDIERS. SOLDIERS COULD UTILIZE LESS THAN ~~FEW~~ LETHAL ^{AMMO} WHEN ENFORCING CAMP RULES AFTER THEY HAVE EXHAUSTED VERBAL COMMANDS AND SHOW OF FORCE. IN THE EVENT A SITUATION ARISES WHERE DEATH OF A DETAINEE AT THE HANDS OF ANOTHER DETAINEE OCCURS AFTER A COUPLE VERBAL COMMANDS THE SOLDIER MAY USE LESS THAN LETHAL OR LETHAL AMMO DEPENDING ON THE IMMINENT DEATH OR GREAT BODILY HARM. IN THE EVENT A U.S. SOLDIER WAS IN THREAT OF GREAT BODILY HARM OR DEATH LESS THAN LETHAL AMMO WAS NOT TO BE TAKEN INTO CONSIDERATION AND SOLDIERS SHOULD FOLLOW THE R.O.E. SHOUT, SHOW, SHOW, SHOOT.

Q. ARE YOU AWARE IF CID INVESTIGATED THIS INCIDENT, AND WHO THAT AGENT WAS?

A: YES C.I.D DID CONDUCT AN INVESTIGATION OF THIS INCIDENT. I DO NOT RECALL THE WARRANT OFFICER'S NAME. SWORN STATEMENTS AND INTERVIEWS WERE TAKEN BY CID.

Q. WAS A AR 15-6 INVESTIGATION CONDUCTED PERTAINING TO THIS INCIDENT, AND IF SO WHAT WAS THE CONCLUSIONS?

A: YES A BN LEVEL/BDE LEVEL 15-6 INVESTIGATION WAS CONDUCTED. AS A RESULT OF THIS ALL SOLDIERS INVOLVED WERE JUSTIFIED IN THEIR ACTIONS.

Q. DID YOU GIVE ANY GUIDANCE OR ORDERS TO INDIVIDUALS INVOLVED IN THE INCIDENT?

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Initials [REDACTED] 47

EXHIBIT 11

0076-04-CIDD65

STATEMENT OF [REDACTED]
STATEMENT (Continued)

TAKEN AT

Arlington Heights, IL

FILE NUMBER:

DATED

16 Jul 04

CONTINUED:

A. NO.

Q. Do you have anything further to add to this Statement?

A. NO. NOT AT THIS TIME. //END OF STATEMENT//

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 5. 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:

b(6)-6
b(7)(c)-6

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16 day of July, 2004 at

Arlington Heights, IL 60005

ORGANIZATION OR ADDRESS

b(6)-1
b(7)(c)-1

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

ART 136 UCMJ/ 5 USC, SECTION 303
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 5 OF 5 PAGES

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EXHIBIT 11

AGENTS INVESTIGATION REPORT
CID REGULATION 195-1

0278-03-CID 519-62225
0278-04-CID519-62225
(0061-04-CID193)

(b)(6)-6
(b)(7)(c)-6
BASIS FOR INVESTIGATION: On 9 Aug 04, this office received a Request For Assistance (RFA) (0278-04-CID519-62225) from 78th Military Police (MP) Detachment (Det) (CID) (FWD) Camp Arifjan, Kuwait APO AE 09366, to locate, fully identify, and conduct interviews of LTC [REDACTED], 724th MP Battalion, Fort Lauderdale, FL, NFI, and LTC [REDACTED], 320th United States Army Garrison (USAG), 3181 Gun Club Road, West Palm Beach, FL, NFI, both of whom was the Battalion Commander of the 822d Military Police Company, Arlington Heights, IL, NFI, at the time of the incident. Request your office interview each person, in your Area of Responsibility (AOR), regarding their guidance passed on to 1LT [REDACTED] Commander of Relief (COR), [REDACTED] 822d MP CO, Camp Bucca, APO AE 09375, on the Rules Of Engagement (ROE). Specifically: The policy and when could lethal vs. non-lethal ammunition be used?

(b)(6)-6
(b)(7)(c)-6
About 0940, 10 Aug 04, SA [REDACTED] *b(6)-1 b(7)(c)-1* interviewed LTC [REDACTED] *b(6)-6 b(7)(c)-1*, who provided a sworn statement wherein he related he was the Battalion Commander of the 724th Military Police Battalion, Fort Lauderdale, FL, during the time of the incident that occurred in Iraq, on 22 Sep 03. LTC [REDACTED] related when he heard of the shooting incident, he immediately notified USACIDC Agents that was located in Camp Bucca, Iraq, to conduct a full investigation. LTC [REDACTED] related he received a written Report of Investigation (ROI), detailing that the incident was justifiable, due to all non-lethal ammunition was expended before firing lethal ammunition. LTC [REDACTED] related the lethal ammunition was fired after the riot became intense and the soldiers feared for their life and safety. LTC [REDACTED] further related his soldiers acted in accordance to the Rules of Engagement (ROE) policy that was provided by the 800th MP Brigade, Long Island, NY. (See Sworn Statement for details)

(b)(6)-1 b(7)(c)-1
About 1815, 11 Aug 04, SA [REDACTED] *b(6)-6 b(7)(c)-6* interviewed LTC [REDACTED], who provided a sworn statement wherein she related on 22 Sep 03, she was not the Battalion Commander of the 724th MP Battalion, Fort Lauderdale, FL, and could not provide any details surrounding the incident. LTC [REDACTED] further related extensive training was conducted in theater regarding ROE and a copy of the ROE could be found within the 800th MP BDE, Long Island, NY. (See Sworn Statement for details)

b(6)-1 b(7)(c)-1
On 16 Aug 04, SA [REDACTED] coordinated with SA [REDACTED] 78th MP Detachment, (CID) (FWD) (-), 6th MP Group (CID), Camp Arifjan, APO AE 09366, NFI, who related there was no additional investigative activity was required from the Tampa BO, FL, at this time.///LAST ENTRY///

b(6)-1 b(7)(c)-1
SA [REDACTED]
TAMPA BRANCH OFFICE (CID)
7707 HILLSBOROUGH LP DR
MACDILL AFB, FL 33621

SIGNATURE
[REDACTED]
0

DATE
16 Aug 04

PAGE 1 OF 1 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 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
Tampa, FL

2. DATE (YYYYMMDD)
200408/10

3. TIME
0940

4. FILE NUMBER

5. LAST NAME FIRST NAME MIDDLE NAME
[REDACTED]

6. SSN
[REDACTED]

7. GRADE/STATUS
OS/LTC

8. ORGANIZATION OR ADDRESS
724th MP BN, Ft Lauderdale, FL 33309

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

I assumed command of the 724th MP BN on 15 Aug 2003 at Camp Bucca, Iraq. At that time the 724th MP BN's mission was to operate and maintain the IF located within CP Bucca.

Regarding the Justifiable Shooting incident that occurred on 22 Sep 2003, my recollection of the events are as follows:

The ICRC (Red Cross) was in the process of conducting a routine visit to CP Bucca and were meeting with groups of detainees within the IF. At the conclusion of one of these meetings with the ICRC representative, a riot broke out within a detainee compound. Although I was not present to personally witness the event, the CID investigation revealed that my soldiers had expended numerous Non-Lethal ammunition to disperse the riot, but these attempts were ineffective. The riot intensified to the point where my guards had feared for their

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT
[REDACTED]

PAGE 1 OF 4 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ 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.

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

STATEMENT OF LTC [REDACTED] TAKEN AT Tampa, FL DATED 2004/05/10

9. STATEMENT (Continued)

lives and safety. Upon getting authorization from their OIC, lethal rounds were expended. I recall the OIC to be LT [REDACTED] from the 822 th. MP Company.

Q: SA [REDACTED] b(6)-1 b(7)(C)-1

A: LTC [REDACTED] b(6)-6 b(7)(C)-6

Q: Who is LT [REDACTED]?

A: He was a Platoon Leader assigned to the 822 MP Co.

Q: What was his DUTIES AS the platoon leader?

A: Primary duty was to act as OIC for his shift when his platoon performed security duties within the IF facility.

Q: Do you Recall A Policy for Rules of Engagement (ROE)?

A: Yes, it was a written policy provided to us by our higher HQs, 800th MP BDE (Long Island, NY).

Q: Do you Recall what the policy STATED for ROE?

A: Although I can no longer quote the ROE policy verbatim, I do recall that we would use only the necessary force needed to deal with the matter at hand.

Q: The personnel responsible for writing the policy regarding the ROE is located in what STATE?

A: I recall that the policy was a Theater-wide policy created by CJTF-7 and disseminated to all units operating within the CJTF-7 theater of operations. The normal flow of info would have been sent to us by the 800th MP Bde (based in Long Island, NY).

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 4 PAGES

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

STATEMENT OF LTC [REDACTED] TAKEN AT Tampa, FL DATED 2004 08/10

9. STATEMENT (Continued)

Q: What was the guidance to personnel on scene, pertaining to the use of force?

A: The guidance, as I recall, was the same for any unit operating in the CJTF-7 theater of operations. We were to use only the amount of force necessary to deal with the situation. Without my notes available as to the specifics of the ROE guidelines, I recall the lethal rounds were authorized if a soldier feared for his life/safety.

Q: When could lethal vs. non-lethal ammunition be used?

A: The guidelines that I recall for situations that occurred within the detainee compounds were to use Non-Lethal ammo first, to control the disturbance. If during this course of events, a soldier feared ^{personnel} a life-threatening situation, then lethal force was authorized.

Q: Did you recall AR 15-6 being initiated?

A: I do not recall a AR 15-6 investigation being initiated because the CID unit (located @ Cp Bucca) immediately initiated an investigation. This event was immediately reported in a SIR to the 800th MP Bde as well as the ongoing CID investigation.

Q: What type of training was in place for ROE?

A: I recall providing extensive training to the soldiers performing security duties at the IF which included Role plays to better understand ROE as well as hands-on training with actual Non-Lethal ammunition.

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 4 PAGES

STATEMENT OF LTC [REDACTED] TAKEN AT Tampa, FL DATED 2004 08/10

9. STATEMENT (Continued)

Q: DO you have A copy of the ROE?

A: I do not have a copy of the ROE with me in Tampa and I am uncertain if I maintained a copy in my personal files located in Ft Lauderdale, FL.

Q: Do you Recall each SOLDIER having a copy of the ROE?

A: I don't recall the specifics of how we disseminated written ROE copies to each soldier. I believe that my S-3 OFFICER, CPT [REDACTED], would be better able to answer this. (First name, [REDACTED] located in Birmingham, AL)

Q: Do you Recall each SOLDIER understanding the ROE?

A: I recall that the Chain-of-Command clearly understood the ROE and ensured dissemination down to soldier-level.

Q: Do you wish to ADD Anything else to your STATEMENT?

A: Because this Justifiable Shooting incident occurred nearly 12 months ago, my recall of the specifics relating to this event may not be 100% accurate. //END OF STATEMENT//

AFFIDAVIT

I, LTC [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 4. 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 10 day of August, 2004 at Tampa, FL

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

ARTICLE 136 UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]PAGE 4 OF 4 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 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 **Ft. Lauderdale, FL** 2. DATE (YYYYMMDD) **2004 08 10** 3. TIME **1915** 4. FILE NUMBER
 5. LAST NAME, FIRST NAME, MIDDLE NAME **[REDACTED]** 6. SSN **[REDACTED]** 7. GRADE/STATUS **05/USAR**
 8. ORGANIZATION OR ADDRESS **3220th USAGS (Ft. Stewart) West Palm Beach, FL**
 9. **[REDACTED]** 33406, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH.

I assumed command of the 724th MP Bn in Dec. 2000. On 27 Dec 2002 we were mobilized for OIF/OEF. We deployed to Kuwait on 7 Feb 03. COs attached to me were the 822nd MP Co, 223rd MP Co and the 267th MP Co. The Bn crossed in IZ on 25 Mar 03. We arrived at Camp Freddy, on 30 Mar 03 and soon thereafter began constructing the Camp Bucca Internment Facility. I was asked by BG **[REDACTED]**, Cdr 800th MP Bde to consider changing cmd in theatre with LTC **[REDACTED]** (my board selected successor) as commander, which I agreed. We had a formal COC at Camp Bucca Umm Qusar, IRAQ on 15 Aug 03. I then was assigned as the Executive Officer

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF **5** PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ 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.

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

STATEMENT OF LTC [REDACTED] TAKEN AT Ft. Lauderdale, FL. DATED 8 10 2004

9. STATEMENT (Continued)

Of the 800th MP Bde with the principal responsibility as the OIC of Bde personnel stationed at Camp Arifjan, Kuwait. I was the Bde's liaison to the Cdr, 377th TSC and was instrumental in the redeployment planning and execution of all 800th MP Bde units.

Q: SA [REDACTED] b(6)-1 b(7)(c)-1

A: LTC [REDACTED] b(6)-4 b(7)(c)-4 b(6)-6 b(7)(c)-6

Q: What is 1LT [REDACTED]

A: 1LT [REDACTED] was a Platoon Ldr with the 822nd MP Co (Guard).

Q: What were his DUTIES AS A Platoon leader?

A: He was the Officer in Charge of all 822nd MP Guards stationed in the towers, moving patrol within the internment facility.

Q: Were you the Battalion Commander of the 724TH MP BDE, during September 2003?

A: No, I was not.

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

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

LTC [REDACTED]
STATEMENT OF

TAKEN AT

Ft. Lauderdale, FL

DATED

8/10/2004

9. STATEMENT (Continued)

Q: Do you recall A Policy For Rules of Engagement (ROE)?

A: Yes. There was a CFCCC ROE Card that was distributed which dealt with Theatre policy. There was also an ROE published by 800th MP Bde TAG dealing with Conduct within the internment facility.

Q: Do you recall what the Policy STATED FOR ROE?

A: I recall in general terms what they stated.

Q: WHAT TYPE OF TRAINING was in place for ROE?

A: Training was conducted with all units at Camp Bucca that dealt with different "Scenarios" and the proper use of force. All MP's trained as well on the use and application of non lethal ammo/wpn's. In addition, After action reviews (AARs) were consistently conducted with Bde and staff whenever lethal or non lethal rounds were expended.

Q: Do you have a copy of the ROE?

A: No, I do not.

INITIALS OF PERSON MAKING STATEMENT

b(6)-4
b(7)(c)-4

STATEMENT OF [REDACTED] TAKEN AT Ft. Cavendish, FV DATED 8 10 2004

9. STATEMENT (Continued)

Q: Do you recall if each soldier understood the ROE?

A: The ROE was received from higher and disseminated / communicated down the chain of command. Leadership made "spot checks" with soldiers to get an understanding of their comprehension. The ROE was also as best possible (under the conditions) posted in the guard towers and guard mount document.

Q: Do you recall when lethal US munitions were used?

A: Lethal ammunition could be used when a detainee breached the outer perimeter while attempting to escape after a verbal warning of halt (3 times) was given. It could also be used if a US soldier or detainee was in

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 4. 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:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10 day of August at [REDACTED]

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

LTC [REDACTED] STATEMENT OF [REDACTED] TAKEN AT Ft. Lauderdale, DATED 8 10, 2004

9. STATEMENT (Continued)

b(6)-4
d(7)(c)-4

mortal danger for his life by another detainee. For all other instances, the escalating use of force from verbal, non lethal to lethal was the rule.

Q: Do you wish to add anything else to your statement?
A: No. I do not. /// END OF STATEMENT ///

Nothing Follows

I, LTC [REDACTED], AFFIDAVIT HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 5. 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.

b(6)-4
b(7)(c)-4

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

b(6)-1
b(7)(c)-1

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 11 day of August, 2004 at Ft. Lauderdale, FL

(Signature of Person Making Statement)

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)
Article 136, UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 5 OF 5 PAGES

EVIDENCE/PROPERTY CUSTODY DOCUMENT

For use of this form see Ar 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command

02

0076-04-CID065

CID REPORT/CID FORM NUMBER

0278-03-CID 519-62225

RECEIVING ACTIVITY <i>Ft. McCoy CID OFFICE</i>		LOCATION <i>FT. McCoy, WI 54656</i>	
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input type="checkbox"/> OWNER <input checked="" type="checkbox"/> OTHER <i>NPT</i>		ADDRESS (Include Zip Code) <i>8220 MP Co, 1515 W Central Rd Arlington Heights, IL 60005</i>	
LOCATION FROM WHERE OBTAINED <i>From CPT [redacted] to SA [redacted] Unit in bldg 144, 822d MP Co, Arlington Heights, IL</i>		REASON OBTAINED <i>EVIDENCE</i>	TIME/DATE OBTAINED <i>1155-1207 16 Jul 04</i>
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES (Include model, serial number, condition and unusual marks or scratches)	
1	13	Documents, Bearing numerous dates. The Documents are of pertaining to the "Rules of Engagement." There are 3 Documents used as "Signature Sheets, dated 24 Jun 03, 2 Jul 03 (07/02/03), and 2 Jul 03. Each Page was marked for ID [redacted], 1155, 16 Jul 04.	
2	23	Documents, pertaining to "Force Protection Plan's for Camp Bucca. There is one "Force Protection Review Sheet dated 16 May 03" bearing numerous names, last full SSN and signatures. Each Document was marked for ID [redacted], 1208, 16 Jul 04.	
3	1	Card, "CFCC RDE CARD" paper construction used condition card is [redacted] dated 311330Z Jan 03. marked for ID [redacted], 1207, 16 Jul 04	
LAST ITEM			

CHAIN OF CUSTODY

ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1 thru 3	16 Jul 04	SIGNATURE [redacted] NAME, GRADE OR TITLE [redacted]	SIGNATURE [redacted] NAME, GRADE OR TITLE [redacted]	EVALUATION AS EVIDENCE
1 thru 3	18 Jul 04	SIGNATURE [redacted] NAME, GRADE OR TITLE [redacted] SA	SIGNATURE [redacted] NAME, GRADE OR TITLE [redacted]	Released to Evidence Custodian
1 thru 3	19 Jul 04	SIGNATURE [redacted] NAME, GRADE OR TITLE [redacted] SA	SIGNATURE [redacted] NAME, GRADE OR TITLE [redacted] SA	Forwarded to servicing Evidence Custodian (FR known)
1/3	26 Jul 04	SIGNATURE [redacted] RR 835-579-281-US NAME, GRADE OR TITLE [redacted] REG MAIL	SIGNATURE [redacted] NAME, GRADE OR TITLE [redacted]	Received By EVIDENCE CUSTODIAN
1/3	26 Jul 04	SIGNATURE [redacted] NAME, GRADE OR TITLE [redacted]	SIGNATURE [redacted] RR 065-539-704 US NAME, GRADE OR TITLE [redacted] Registered mail	FORWARDED TO CONTROLLING OFFICE

DA FORM 4137
1 JUL 76

Replaces DA FORM 4137, 1 Aug 74 and
DA FORM 4137-R Privacy Act Statement
26 Sep 75 Which are Obsolete.

LOCATION

DOCUMENT
NUMBER

0140-04



DEPARTMENT OF THE ARMY
78th MILITARY POLICE DETACHMENT (CID) (FWD) (-)
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
CAMP ARIFJAN, KUWAIT
APO AE 09366

CIRB-BAD

26 May 2004

MEMORANDUM FOR Commander, 22nd Military Police Battalion, BIAP, APO AE 09335

SUBJECT: Review of Report of Investigation 0278-03-CID519-62225

1. A review of the above-cited ROI revealed the following operational and administrative deficiencies.

2. This ROI was listed as an Initial/Final C Report with no subjects or victims listed. Before the interviews were conducted concerning the shooting in compound 2, Camp Bucca Prison, none of the soldiers were advised of their legal rights. SPC [REDACTED] SPC [REDACTED] and SGT [REDACTED] admitted firing lethal ammunition at the prisoner during the riot and no one was listed as a subject. If it was unclear as to who shot Mr. [REDACTED] Civilian, [REDACTED] then we should at a minimum listed the unit with name unknown in the subject block. Mr. [REDACTED] should have been listed as a victim since a soldier shot him. There were no statues listed in final report. The offense in this case should have been Justifiable Homicide. During the crime scene examination evidence was noted at the scene, however no evidence was collected per order of OPS due to compound 2 was unsafe to re-enter. The Agents Investigation Report (AIR) revealed the Staff Judge Advocate (SJA) opined Justifiable Shooting, however there's no mention of SJA in final report or offense(s) in statue. There is no record that the commander was coordinated with at the end of the investigation only 1SG. SPC [REDACTED] stated she aimed at a prisoner and fired at him, however she was uncertain as to whether or not she hit the prisoner. SPC [REDACTED] further stated the prisoner had his face wrapped with a towel and a can in his hand, which she could see his eyes. SPC [REDACTED] interview was unclear why she thought her life was in danger as none of the prisoners ever broke through the wire. After the first shot she stated the prisoners moved away from the fence. More time and effort should have been placed on the interviews to determine who shot Mr. [REDACTED]. The Red Cross personnel who were in the compound prior to the riot knew the prisoners had demands and stated if there needs were not met there was going to be trouble. This is a critical issue and could have given the MP's an opportunity to be better prepared. SPC [REDACTED] stated he fired two rounds and there's no mention of where he was aiming because he quickly ducked. SPC [REDACTED] was not asked any questions in his statement. SGT [REDACTED] stated he aimed center mass at a prisoner when he fired his weapon, however the prisoner did not go down. SGT [REDACTED] stated the prisoner was about to throw something metal at SPC [REDACTED] and he felt her life was in danger and fired a shot center mass at this prisoner. There's only one person listed as being shot after four lethal

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CIRB-BAD

SUBJECT: Review of Report of Investigation 0278-03-CID519-62225

rounds were fired and no shooter can verify if they actually hit a prisoner. There were no interviews conducted of prisoners. There was no documentation concerning the examination of other prisoners to determine if there were any other victims. The Red Cross personnel were not interviewed. 1st Supplemental was generated to re-open case adding Mr. [REDACTED] as a victim. The offense of Justifiable Shooting is listed in report, however no mention of who stated shooting was justified in supplemental report. A Final Supplemental Report was generated to close this investigation. This report failed to establish who justifiably shot Mr. [REDACTED]

3. POC this memorandum is the undersigned at DNVT [REDACTED]

[REDACTED]
WO1, MP
Special Agent in Charge

b(6)-1
b(7)(c)-1

Thanks, that's what I figured. I'll have both of mine to you in the morning.

SA [REDACTED]
Special Agent in Charge
78TH MP DET (CID)(-),
Camp Arifjan, Kuwait
APO AE 09366
DSN: [REDACTED]
CELL: [REDACTED]

b(6)-1
b(7)(c)-1

-----Original Message-----

From: [REDACTED] [mailto:[REDACTED]@us.army.mil]
Sent: Saturday, September 11, 2004 3:32 PM
To: [REDACTED] SA ARCENT KU'
Subject: RE: Bucca Confinment Facility Contact Phone numbers.

b(6)-1

b(7)(c)-1

Yep, afraid so. But you can put just indicate in the update that the case is merely pending final administrative processing of the final report.

-----Original Message-----

From: [REDACTED] SA ARCENT KU [mailto:[REDACTED]@arifjan.arcent.army.mil]
Sent: Saturday, September 11, 2004 4:24 PM
To: [REDACTED]@us.army.mil
Subject: RE: Bucca Confinment Facility Contact Phone numbers.

b(6)-1
b(7)(c)-1

Chief,

I found the Final Supplemental doesn't have the Document Number for the Not Attached Exhibits. I called [REDACTED] and they haven't received the evidence yet. Is there a way I can go ahead and close this, or do I have to leave this open and wait for them to get the evidence so can I get an evidence document number?

b(6)-3
b(7)(c)-3

V/R

SA [REDACTED]
Special Agent in Charge
78TH MP DET (CID)(-),
Camp Arifjan, Kuwait
APO AE 09366
DSN: [REDACTED]
CELL: [REDACTED]

b(6)-1
b(7)(c)-1

-----Original Message-----

From: [REDACTED] [mailto:[REDACTED]@us.army.mil]
Sent: Saturday, September 11, 2004 2:08 PM
To: [REDACTED] SA ARCENT KU'
Subject: RE: Bucca Confinment Facility Contact Phone numbers.

You'll need to do a close out update saying you published the final on whatever date. That closes out the updates.

[REDACTED] WO1 78 MP DET

From: [REDACTED] CID [REDACTED]@us.army.mil]

Sent: Wednesday, May 26, 2004 11:23 AM

To: [REDACTED] WO1 78 MP DET'

Subject: RE: 0278-03-519

b(6)-1
b(7)(C)-1

Good job on the review.

1. Yes a person should be in the subject block as the shooter. We have doon some as putting the unit as the subject to keep the MP out of the subject block if it was in deed a good shoot. We have only done prison cases and the prison OPS, MAJ or other officer in charge explained rules of engagement before shooting incident. So if you got no such information as to whether a person advised the shooter of his rules of engagement before shoot, they should have had the shooter in the subject block.
2. Yes all personnel should have been advised on 3881 before interview since we had a death, Justifiable Homicide, as it shoot be called.
3. Yes, subject and justifiable homicide.
4. You should if you think proper, dispatch another supplemental report, just an FSU to fix the case if you think it is the right thing to do.

[REDACTED]

-----Original Message-----

From: [REDACTED] WO1 78 MP DET

To: [REDACTED]@us.army.mil'

Cc: [REDACTED] CID

Sent: 5/25/04 12:53 PM

Subject: RE: 0278-03-519

b(6)-1
b(7)(C)-1
b(6)-3
b(7)(C)-3

Here is the review I conducted for file 0278-03-CID519-62225. I was uncertain as to which letterhead you wanted so I sent them both.

Mr. [REDACTED]

I have some questions concerning this case for my professional development:

1. This case was listed as a justifiable shooting, shouldn't we have identified a subject (shooter) in this investigation since we had a victim, which we know was shot by a soldier and leave the offense as justifiable shooting?
2. Shouldn't we have advise all personnel who fired there weapons at the prisoners, since it was uncertain at the beginning of the investigation as to whether or not the shooting was justifiable? Or

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since they believed the shooting was justifiable due to the circumstance of rioting, they didn't advise anyone? (There's no 3881 in case file and no coordination were made with SJA until the next day after all interviews had been completed)

3. Since there's a victim in this investigation shouldn't the subject be something other than NONE. (JUSTIFIABLE SHOOTING) as it is listed in final supplemental report?

I'm uncertain of the answers to these questions as I have researched 195-I and have a different opinion of how this report should have been closed. I'm not trying to generate more work, I'm just searching for a clear understanding.

Thank You for your assistance in this matter Sir!

[REDACTED]

b(6)-1
b(7)(C)-1

-----Original Message-----

From: [REDACTED]@us.army.mil [mailto:[REDACTED]@us.army.mil]
<mailto:[REDACTED]@us.army.mil>]
Sent: Wednesday, May 26, 2004 2:54 AM
To: [REDACTED]
Subject: ref. 0278-03-519

b(6)-3
b(7)(C)-3

Sir,

Here is the example I promised. Please let me know if you have trouble opening it.

Thanks,
[REDACTED]

<<Case 0278-03-CID519-62225 Case Review (ARIFJAN).doc>> <<Case
0278-03-CID519-62225 Case Review (BN) doc>> <<Final Supplemental Report
0278-03-CID519-62225 pdf>>

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[REDACTED] CW-3 733d MP BN (CID)

b(6)-6
b(7)(C)-6

From: [REDACTED] CW4 3 MP GRP CID S3 OPS

Sent: Friday, October 03, 2003 9:54 AM

To: [REDACTED]

Subject: FW: Initial and Stat

b(6)-1
b(7)(C)-1

CW4, USA

Group Operations Officer

3D MP Group (CID)(FWD)

"Common Sense Will Prevail"

-----Original Message-----

From: [REDACTED] CW5 [mailto:[REDACTED]@belvoir.army.mil]

Sent: Thursday, October 02, 2003 11:43 AM

To: [REDACTED] CW4 3 MP GRP CID S3 OPS; 3CIDEOC; [REDACTED] CPT - USAG-JA;
[REDACTED] CW3; [REDACTED] CW3; [REDACTED] CW4;
[REDACTED]@us.army.mil; [REDACTED]; [REDACTED] - CW4;
[REDACTED] CPT, 3rd MP GP (CID); [REDACTED] CPT CFLCC-C3; [REDACTED]; [REDACTED];

Subject: RE: Initial and Stat

Reference 2d status report 0086-03-CID939-64012. Your attention directed to CIDR 195-1, paragraphs 5-21j and 7-7a and DODI 5505 7, section E1.1 6 (attached).

Request 3d status report be prepared deleting [REDACTED] as a subject of justifiable homicide Subject is "None"

Also, reference initial/final(c) 0278-03-CID519-62225. Request supplemental ROI be prepared listing [REDACTED] as an entity of the ROI. If [REDACTED] is not the subject for any infraction of confinement rules/regulations, then list him as a victim of justifiable shooting and modify the language in the victim block. An entity is needed for ROI retrieval purposes.

Thanks,

[REDACTED]
[REDACTED]
CW5, MP
Chief, Investigative Operations Division

b(6)-1
b(7)(C)-1

-----Original Message-----

From: [REDACTED] [mailto:[REDACTED]@us.army.mil]

Sent: Thursday, October 02, 2003 6:43 AM

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To: [REDACTED] (E-mail); Mailcicr (E-mail); [REDACTED] (E-mail)
Subject: FW: Initial and Stat

b(6)-1
b(7)(C)-1

-----Original Message-----

From: [REDACTED]@us.army.mil [mailto:[REDACTED]@us.army.mil]
Sent: Thursday, October 02, 2003 2:53 PM
To: [REDACTED]@us.army.mil
Subject: Initial and Stat

b(6)-1
b(7)(C)-1

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b(6)-4
b(7)(C)-4

CONTACT INFORMATION

SEQUENCE NUMBER

2278-03 610519-62225

DATE

2 Jul 04

OFFENSE

Justifiable Shooting

SUBJECT/VICTIM

Unknown / MI

ASSIGNED TO:

SA

CONTACT

UNIT / ORGANIZATION

Phone Number

SA

CID, Fort McCoy, WI

US Army mil

b(6)-1
b(7)(C)-1

b(6)-3
b(7)(C)-3

1300, 22 Sep 03 [REDACTED]	Initial notification of shooting inside Compound 2 by 1LT [REDACTED] (See AIR) b(6)-1 b(7)(c)-1
1320, 22 Sep 03 [REDACTED]	SA [REDACTED] briefed CW3 [REDACTED] on notification.
1330, 22 Sep 03 [REDACTED]	Interview of SPC [REDACTED] (See AIR)
1400, 22 Sep 03 [REDACTED]	Briefed ASAC [REDACTED]
1430, 22 Sep 03 [REDACTED]	Interview of SFC [REDACTED] (See AIR)
1500, 22 Sep 03 [REDACTED]	Interview of SGT [REDACTED] (See AIR)
1500, 22 Sep 03 [REDACTED]	Interview of SGT [REDACTED] (See AIR)
1530, 22 Sep 03 [REDACTED]	Crime scene examination of Compound 2 (See AIR)
1640, 22 Sep 03 [REDACTED]	Coordination with SSG [REDACTED] and Interview of SGT [REDACTED] (See AIR)
1700, 22 Sep 03 [REDACTED]	Briefed LTC [REDACTED] on investigation
1735, 22 Sep 03 [REDACTED]	Interview of SPC [REDACTED] (See AIR)
1800, 22 Sep 03 [REDACTED]	Interview of CPT [REDACTED] (See AIR)
1900, 22 Sep 03 [REDACTED]	Interview of SPC [REDACTED] (See AIR)
1952, 22 Sep 03 [REDACTED]	Interview of SGT [REDACTED] (See AIR)
2010, 22 Sep 03 [REDACTED]	Interview of 1LT [REDACTED] (See AIR)
2130, 22 Sep 03 [REDACTED]	briefed 1LT [REDACTED] on investigation (See AIR)
1120, 22 Sep 03 [REDACTED]	briefed LTC [REDACTED] on this investigation.
1400, 22 Sep 03 [REDACTED]	Interview of SGT [REDACTED] (See AIR)
1430, 22 Sep 03 [REDACTED]	Interview of SPC [REDACTED] (See AIR)

b(6)-6
b(7)(c)-6

b(6)-6
b(7)(c)-6

1500, 23 Sep 03
[REDACTED]

Interview of SGT [REDACTED] (See AIR)

b(6)-6
b(7)(C)-61600, 23 Sep 03
[REDACTED]

Briefed 1LT [REDACTED] SJA (See AIR)

1830, 23 Sep 03
[REDACTED]

Briefed CW3 [REDACTED] on investigation and collection of brass casings was unnecessary due to the lack of recovering of the projectile and the shooting was justified. CW3 [REDACTED] related supporting evidence existed in form of statement to relate what was thrown at them. CW3 [REDACTED] related collection of rocks, cans and bottles thrown at soldiers unnecessary.

b(6)-6
b(7)(C)-60830, 24 Sep 03
[REDACTED]

Briefed CW3 [REDACTED] who related photographs of injuries to SPO [REDACTED] unnecessary.

1500, 24 Sep 03
[REDACTED]

SA [REDACTED] coordinated with 223 MP CO and attempted to obtain medical report from British Army Hospital with negative results.

1513, 24 Sep 03
[REDACTED]

Briefed 1SG [REDACTED]

b(6)-3
b(7)(C)-31900, 24 Sep 03
[REDACTED]

Made corrections to Initial/Final to SAC for Review

26 Sep 03
[REDACTED]

Reviewed initial/final & case file. Minor correction ...
Forward e-copy to SA for distro. Back to O/A to
complete case and P/OSF

26 Sep 03
[REDACTED]

Reviewed & transmittal FFI.
To add on for distro.

Closed!

b(6)-1
b(7)(C)-1

NOTE SA [REDACTED] completed distro to
unit.

30 SEP 03
[REDACTED]

DISTRO: ORIGINAL TO CRC [REDACTED] FILE COPY
ONLY.

AGENT'S ACTIVITY SUMMARY (CID Regulation 195-1)		Control Number	278-03-CID519-62225
TIME, DATE, AND AGENT		SUMMARY OF INVESTIGATIVE ACTIVITY	

1615, 06 Oct 03
SA [REDACTED]
I: 15 T: 0

7 OCT 03
[REDACTED]

7 OCT 03
[REDACTED]

10 OCT 03
[REDACTED]

~~11 SEP~~ [REDACTED]

11 OCT 03
[REDACTED]

Drafted 1st Supplemental Report to add Mr. [REDACTED] information into the victim block of report. To SAC for review. b(6)-4
b(7)(C) 4

Dispatched 1st message Sep. Place
get FSV done by 13 OCT.
Thanks!

Drafted FSV, To DPB for review.

Reviewed, corrected + signed
FSV. Ch for distro. To
admin.

Closed!

FINAL SUPPLEMENTAL

DISTRO: ORIGINAL TO CRE [REDACTED]

COPY.

b(6)-3

b(7)(C) 3

FILE

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

25 MAY 04
[REDACTED]

OPS contacted this office and advised to conduct a SAV review of this file.

26 MAY 04
[REDACTED]

SAC conducted SAV on this file and noted the short coming in a memorandum posted to this file. Posted e-mail from OPS in case file.

2 Jun 04
[REDACTED]

Drafted And Sent 2D Final Supplemental Report as a result of the SAV Review of this file.

2 Jun 04
[REDACTED]

Drafted and Sent Final Supplemental Report.

15 Jun 04
[REDACTED]

SAC Received e-mail concerning FSU requesting to change offense to Justifiable Shooting as it was originally reported and place none in the Statutes block as it is N/A.

15 Jun 04
[REDACTED]

SAC Drafted Corrected Final Report and sent report with the necessary corrections completed. Case is closed.

1 Jul 04
[REDACTED]

SAC Re-opened case to follow-up on leads noticed during an Administrative Review of file from Command. Case assigned to SA Snyder for completion. Follow IP which has already been updated. This is one of the CAT 1 cases and will need your attention daily until completed.

AGENTS ACTIVITY SUMMARY
(CID Regulation 195-1)

Control Number

0278-03-CID519-62225

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACITIVITY

1000, 2 Jul 04
SA [REDACTED]

Received case file from SAC and received briefing on case status.

1035, 2 Jul 04
SA [REDACTED]

Researched location of 822 MP CO via internet and found unit's location listed as Arlington Heights, IL.

1050, 2 Jul 04
SA [REDACTED]

Drafted RFA to be sent to Rock Island Arsenal RA, to interview Company Commander, Battalion Commander and obtain Rules of Engagement (ROE).

1600, 2 Jul 04
SA [REDACTED]

To SAC for review.

1830, 2 Jul 04
SA [REDACTED]

Corrected RFA. SAC signed original.

2005, 2 Jul 04
SA [REDACTED]

Attempted to contact Rock Island RA, received recording that phone number had been changed.

2015, 2 Jul 04
SA [REDACTED]

Contacted Rock Island Police Department who related Rock Island RA moved to Fort McCoy, WI, but had no contact information for new office.

2210, 2 Jul 04
SA [REDACTED]

Researched CID web-site phone directory, no new phone listing posted.

2225, 2 Jul 04
SA [REDACTED]

Called Fort McCoy operator, received numbers for CID office.

2320, 2 Jul 04
SA [REDACTED]

Made numerous phone calls attempting to contact CID office, all numbers were answered by recording. Left message with CA's contact information requesting office contact CA asap in reference to Cat 1 RFA.

2335, 2 Jul 04
SA [REDACTED]

Briefed SAC on status of RFA, who directed to make continue to try and make telephonic contact with CID office. But not to send RFA until correct office information has been verified.

1805, 6 Jul 04
SA [REDACTED]

3-6 Jul 04, numerous attempts to contact Rock Island CID met with negative contact.

2245, 6 Jul 04
SA [REDACTED]

b(4)-1 b(7)(c)-1
 Contacted SA [REDACTED] Fort McCoy RA, CID (Formerly Rock Island RA, CID) who related the Rock Island CID office moved to Fort McCoy in May 04. Briefed SA [REDACTED] on Cat 1 RFA, who related his office was over-budget on TDY funds and had to receive approval for any TDY from their BN OPS. SA [REDACTED] related once he received answer from BN OPS he would notify CA of RFA status.

2300, 6 Jul 04
SA [REDACTED]

E-mailed RFA to SA [REDACTED]

AGENTS ACTIVITY SUMMARY
(CID Regulation 195-1)

CONTROL NUMBER

0275-03 - CID 519- 62225

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACITIVITY

0900, 7 Jul 04
SA [REDACTED]

Received message from e-mail system administrator, stating e-mail to SA [REDACTED] did not go through.

0905, 7 Jul 04
SA [REDACTED]

Re-sent RFA to SA [REDACTED]

1830, 7 Jul 04
SA [REDACTED]

Received e-mail from SA [REDACTED] verifying receipt of RFA.

b(6) 1
b(7)(c) 1

1930, 7 Jul 04
SA [REDACTED]

Received e-mail from SA [REDACTED] stating case number was 0076-04-CID065.

1855, 13 Jul 04
SA [REDACTED]

A review of e-mail account showed no response from SA [REDACTED] in ref to RFA status.

1820, 18 Jul 04
SA [REDACTED]

A review of e-mail account showed no response from SA [REDACTED] in ref to RFA status.

1335, 19 Jul 04
SA [REDACTED]

E-mailed SA [REDACTED] to attain the status of the RFA.

0900, 20 Jul 04
SA [REDACTED]

Received e-mail from SA [REDACTED], SAC, Fort McCoy CID, who related the RFA had been completed and documents had been collected as evidence, which would be sent to Fort Knox RA CID, to be mailed to this office.

1120, 21 Jul 04
SA [REDACTED]

E-mailed SA [REDACTED] explaining that this office did not have an evidence room and to send the evidence directly to the Theater Evidence Room in BIAP. SA [REDACTED] included the address for the theater evidence room and requested electronic copies.

b(6) 1
b(7)(c) 1

0850, 22 Jul 04
SA [REDACTED]

Received e-mail from SA [REDACTED] relating his office did not have the capability to scan and send electronic copies of the paperwork, but that he was able to send the address to the Theater Evidence Custodian to the Fort Knox RA, CID, so that the evidence could be sent direct.

24 Jul 04
[REDACTED]

Reviewed:
Pending receipt from FT McCoy of completed RFA.
Get drafted FSU set up so we can send out one
we get originals and VO# from BIAP. Coordinate
with SA [REDACTED] once we get RFA, into report.

AGENTS ACTIVITY SUMMARY
(CID Regulation 195-1)

CONTROL NUMBER

0278-CJ-CID54-62225

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACITIVITY

1410, 3 Aug 04
SA [REDACTED]

Received Information Report from SA [REDACTED] which included AIR of SA [REDACTED] Sworn Statement of CPT [REDACTED] 16 Jul 04; Copies of the ROE; Copies of the Force Protection Plans for Camp Bucca; CFLCC ROE card; ECD, 16 Jul 04; and CID Form 44 for CPT [REDACTED] b(6) 1, 6

AGENT'S COMMENTS: AIR of SA [REDACTED] related 2 people were identified as being the BN CDR at the time of the incident, LTC [REDACTED] and LTC [REDACTED] Neither person was in the AOR of Fort McCoy. b(6) 6 b(7)(c) 6

1235, 6 Aug 04
SA [REDACTED]

Review of AKO white pages for LTC [REDACTED] showed him to be assigned to the 724 MP BN, Fort Lauderdale, FL. b(6) 6 b(7)(c) 6

1235, 6 Aug 04
SA [REDACTED]

Review of AKO white pages for LTC [REDACTED] showed him to be assigned to the 3220 USAG, 3181 Gun Club Rd., West Palm Beach, FL 33406.

1245, 6 Aug 04
SA [REDACTED]

Drafted RFA to Tamp Branch Office, CID to interview LTCs [REDACTED] and [REDACTED].

1445, 6 Aug 04
SA [REDACTED]

To SAC for review.

1410, 6 Aug 04
[REDACTED]

Reviewed: Give RFA to Admin for distro: attempt to send via email so we can get this printed out. Begin drafting FSU so we can close once RFA comes back.

1500, 6 Aug 04
SA [REDACTED]

E-mailed RFA to SA [REDACTED], Tampa Branch Office, MacDill AFB, FL. b(6) 1 b(7)(c) 1

1510, 6 Aug 04
SA [REDACTED]

To admin for distro.

AGENTS ACTIVITY SUMMARY
(CID Regulation 195-1)

CONTROL NUMBER

0278-03-612519-62225

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACITIVITY

0900, 11 Aug 04
SA [REDACTED]

From 9-11 Aug 04, SA [REDACTED] this office, made numerous coordinations with SA [REDACTED] Tampa BO CID, in reference to RFA.

0910, 11 Aug 04
SA [REDACTED]

Received evidence from Fort McCoy CID office. Evidence was re-sealed and sent via Registered mail #RA 075-584-230 US to the Theater Evidence Room.

1655, 16 Aug 04
SA [REDACTED]

Coordinated with SA [REDACTED] who related the interviews of LTC [REDACTED] and LTC [REDACTED] had been completed and the info report was being mailed to this office.

b(6) 1, 6
b(7)(C) 1, 6

25 Aug 04
[REDACTED]

- Document RFA's sent on 26
- ~~pass~~ No SAC Review on 26
- continuing coordinations pending Info Rpt.

27 Aug 04
[REDACTED]

Received RFA from TBO

28 Aug 04
[REDACTED]

Case file to SA [REDACTED] to Draft FS4

AGENTS ACTIVITY SUMMARY
(CID Regulation 195-1)

Control Number

0278-03-CID519-62225

TIME, DATE, AND AGENT

SUMMARY OF INVESTIGATIVE ACTIVITY

1000, 31 Aug 04
[REDACTED]

Received case from TC for FSU corrections.

1010, 31 Aug 04
[REDACTED]

Stamped all documents.

1030, 31 Aug 04
[REDACTED]

Made corrections to FSU.

1145, 31 Aug 04
[REDACTED]

File to TC for review.

1 SEP 04
[REDACTED]

Reviewed FSU. Made minor corrections
to SAC for Review

2 Sep 04
[REDACTED]

SAC Reviewed:
1. Need address of unit to send them a copy of the
FSU.
2. Close out your IP.
3. Minor corrections to FSU.
4. TO CA for completion.
5. Where is this office AIR.

3 Sep 04
[REDACTED]

Review:

1. Reviewed FSU. make corrections.

11 Sep 04

SA [REDACTED]

SAC Review.
- Returned for minor corrections to Final/Sys. b(6)1
- made corrections and return to close. b(7)(C)1
- contacted Evidence custodian for Document #, SA [REDACTED]
Who stated they have not received the evidence yet. So,
Final is pending those #'s.
- Completed 9th CAT 1 update. Posted to case File.
- File is being held, pending Document Numbers, per Asst. Ops.
- Returned to TC.



DEPARTMENT OF THE ARMY
78TH MILITARY POLICE DETACHMENT (CID)(-)
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
CAMP ARIFJAN, KUWAIT
APO AE 09366

REPLY TO
ATTENTION OF

CIRC-ABE

11 Sep 04

MEMORANDUM THRU:

Commander, 3RD Military Police Group (CID), ATTN: Operations, 4699 North 1st Street,
Forest Park, GA 30297-5119

FOR Headquarters, USACIDC, ATTN: CIOP-ZA, Fort Belvoir, VA 22060

SUBJECT: Ninth Update of Category I Monitorship ROI 0278-04-CID519-62225

1. References:

- a. CIDR 195-1, CID Operations, Paragraph 4-6
- b. CIDMAIL Message CIOP-CO, 25 May 04/1527, Subject: Commander's Update

2. In accordance with above cited references, the following update is provided:

- a. Subject identified to date: None
- b. Investigative activity conducted during the reporting period (5 Sep 04 – 11 Sep 04):
 - 1. Completed Final Supplemental Report, awaiting Document Number for submitted evidence.
- c. Investigative activities to be conducted and/or considered:
 - 1. Case is pending final administrative processing of the Final Supplemental Report.
- d. Problem Areas: None

CIRC-ABE

SUBJECT: Ninth Update of Category I Monitorship ROI 0278-04-CID519-62225

3. Point of contact is the undersigned at DSN [REDACTED] or email at [REDACTED]@arifjan.arcent.army.mil.

b(6)-1
b(7)(c)-1

[REDACTED]

CW2, MP
Special Agent in Charge

Page(s)

20-58

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

Page(s)

59-60

Referred to:

U.S. ARMY HUMAN
RESOURCES COMMAND
ATTENTION: AHRC-FOI, RM 7S65
200 STOVALL STREET
ALEXANDRIA, VIRGINIA 22332-0404

MR. THOM JONES
thom.jones@hoffman.army.mil
(703) 325-4053

Page(s)

61-66

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

DETAINEE ASSESSMENT TASK FORCE REVIEW OF ROI 0278-03-CID519-62225

b(6)-6
b(7)(C)-6

Background: The Commander of Relief authorized the use of deadly force to quell a riot during which detainees were throwing cans and water bottles filled with sand at the guards. In the interview of 1LT [REDACTED] he states he advised the battalion that the detainees had begun to riot and that he advised his tower guards to use lethal force if they felt threatened or thought they were in danger. 1LT [REDACTED] stated he complied with the "Rules of Engagement" (ROE), dated 24 Jun 03.

Finding: The investigating office did not obtain a copy of the ROE and append it as an attached exhibit to the final report.

Recommendation: Obtain the requested documents, if available, and attach as exhibits to the ROI, via a Supplemental report. If not available, provide supporting documentation to that effect.

Finding: Neither the Battalion nor company commander were interviewed to determine if either one authorized the use of deadly force. As documented in the final report, 1LT [REDACTED] may have been in violation of using deadly force without prior authorization and/or negligent in the resulting shootings.

Recommendation: Conduct interview of the battalion and company commander and determine what their guidance was regarding use of deadly force. Consider obtaining sworn statements and attaching those to the supplemental report.

INVESTIGATIVE WORKSHEET

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY. Title 10, Unites States Code, Section 3012(g).

ROUTINE USES: Your social security number and other personal information are used as an administrative/alternate means of identification to facilitate filing and retrieval

PRINCIPLE PURPOSE To provide commanders and law enforcement officials with means by which information may be accurately identified

DISCLOSURE. Disclosure of your social security number is voluntary

INDIVIDUAL DATA

LAST NAME				FIRST NAME				MIDDLE NAME		GRADE	
[REDACTED]				[REDACTED]				[REDACTED]		05/LTZ	
SOCIAL SECURITY NUMBER				OTHER ID #		DOB		POB-CITY		POB-ST	
[REDACTED]				[REDACTED]		[REDACTED]		[REDACTED]		USA	
SEX	RACE	ETHNIC	HEIGHT	WEIGHT	HAIR	EYE	CITIZEN	EDUC	PRIOR RECORD	MARITAL	
M	W		71"	210	BZ	GR	US	12		M	
MOS		SECURITY		PHYSICAL MARKS OR TATTOOS				ALIAS-NICKNAME(S)			
31A		SEC		N/A				[REDACTED]			
ORGANIZATION/UNIT ADDRESS									IF CONTRACTOR, CONTRACT #		
724th MP BN											
CITY				STATE		COUNTY/COUNTRY		ZIP CODE		TELEPHONE #	
Ft Lauderdale				FL		US		33309			
HOME ADDRESS									HOME TELEPHONE #		
[REDACTED]									[REDACTED]		
CITY				STATE		COUNTY/COUNTRY		ZIP CODE		CELL TELEPHONE #	
[REDACTED]				[REDACTED]		US		[REDACTED]			

SPONSOR DATA

JUVENILE	FAMILY REL	LAST NAME			FIRST NAME		MIDDLE NAME				
SOCIAL SECURITY NUMBER		GRADE		ORGANIZATION/UNIT							
CITY				STATE		COUNTY/COUNTRY		ZIP CODE		TELEPHONE #	

ADMINISTRATIVE DATA

ETS DATE		DEROS DATE		TIME INTV START		TIME INTV END		DATE OF INTV			
PLACE OF INTERVIEW								FINGERPRINT		PHOTO	
VEHICLE YEAR		VEHICLE MAKE		VEHICLE MODEL		STATE		TAG #		VEHICLE IDENTIFICATION NUMBER	

CORPORATION DATA

CONTRACTOR NUMBER				FED SERV/PROD #				CORPORATION NAME			
ADDRESS								TELEPHONE NUMBER			
CITY				STATE		COUNTRY		ZIP CODE		CONTRACT NUMBER	

CID FORM 44-R (Automated) 1 Dec 87

EDITION OF 1 AUG 87 WILL BE USED UNTIL EXHAUSTED

FOR OFFICIAL USE ONLY
Law Enforcement Sensitive

EXHIBIT _____

INVESTIGATIVE WORKSHEET

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INDIVIDUAL DATA

LAST NAME				FIRST NAME				MIDDLE NAME		GRADE	
[REDACTED]				[REDACTED]				[REDACTED]		05	
SOCIAL SECURITY NUMBER				OTHER ID #		DOB		POB-CITY		POB-ST	
[REDACTED]				[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]	
SEX	RACE	ETHNIC	HEIGHT	WEIGHT	HAIR	EYE	CITIZEN	EDUC	PRIOR RECORD	MARI	
F	W		5'4"	110	BR	BR	USA	BA	N/A	5	
MOS		SECURITY		PHYSICAL MARKS OR TATTOOS				ALIAS-NICKNAME(S)			
31A		Secret		None.							
ORGANIZATION/UNIT ADDRESS								IF CONTRACTOR, CONTRACT #			
3220th USAGS (Ft Stewart)											
CITY			STATE	COUNTY/COUNTRY		ZIP CODE		TELEPHONE #			
West Palm Bch			FL	PB		USA		33406		[REDACTED]	
HOME ADDRESS								HOME TELEPHONE #			
[REDACTED]								[REDACTED]			
CITY			STATE	COUNTY/COUNTRY		ZIP CODE		CELL TELEPHONE #			
[REDACTED]			[REDACTED]	[REDACTED]		[REDACTED]		[REDACTED]			

SPONSOR DATA

JUVENILE	FAMILY REL	LAST NAME		FIRST NAME		MIDDLE NAME	
SOCIAL SECURITY NUMBER			GRADE	ORGANIZATION/UNIT			
CITY		STATE	COUNTY/COUNTRY		ZIP CODE		TELEPHONE #

ADMINISTRATIVE DATA

ETS DATE		DEROS DATE		TIME INTV START		TIME INTV END		DATE OF INTV	
PLACE OF INTERVIEW								FINGERPRINT	PHOTO
VEHICLE YEAR		VEHICLE MAKE		VEHICLE MODEL		STATE	TAG #	VEHICLE IDENTIFICATION NUMBER	

CORPORATION DATA

CONTRACTOR NUMBER			FED SERV/PROD #		CORPORATION NAME		
ADDRESS						TELEPHONE NUMBER	
CITY		STATE	COUNTRY		ZIP CODE		CONTRACT NUMBER

CID FORM 44-R (Automated) 1 Dec 87

EDITION OF 1 AUG 87 WILL BE USED UNTIL EXHAUSTED

FOR OFFICIAL USE ONLY
Law Enforcement Sensitive

EXHIBIT _____

INVESTIGATIVE WORKSHEET

DATA REQUIRED BY PRIVACY ACT

AUTHORITY:

Title 10, United States Code Section 3012 (g)

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PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

DISCLOSURE: Disclosure of your social security # is voluntary

1. Rec Code:	2. Action Code:	3. Date:	4. Rel to Case:	5. Control:	6. Sequence #	7. Year:	8. Office	9. ROI #	Offense:
					0076	04	CID 065		

INDIVIDUAL DATA

10. Last Name:			11. First Name:			12. Middle Name:			13. Grade/Rank:		
									CPT		
14. Social Security Number:			15. Other ID Number:			16. Date of Birth:			17. POB City:		
20. Sex:	21. Race:	22. Ethnic:	23. Height:	24. Weight:	25. Hair:	26. Eye Color:	27. Citizen:	28. Educ:	29. Prior Record:	30. Marital:	
M	C	21	70"	190	BROWN	Hazel	US	16		M	
31. MOS:	32. Job Description/Location:		33. MC:	34. Security Clr:	35. Physical Marks/ Tattoos:				36. Spouse Military:		
31A	MP		FC	SEL					Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>		
37. Alias/Nicknames:				38. Alias/Nicknames:				39. Alias/Nicknames:			
40. Unit/ Organization:						41. Unit Phone Number:			Home: Cell/Pager:		
822 ND MP Co 1515 W Central Rd.											
42. Military Service:		43. Sub Unit:		44. Fort/City:		45. State:		46. Country:		47. Zip Code/APO:	
		USAR									
48. Home Address:			49. City:			50. State:		51. Country:		52. Zip Code/APO:	

FAMILY MEMBER DATA

53. JUV:		54. Family Rel:		55. Last Name:		56. First Name:		57. Middle Name:	
58. Social Security:				59. Grade/Rank:		60. MC:		61. Unit:	
62. City:			63. State:		64. ZIP/APO:			65. Phone: Wk: Hm:	

OFFENSE

66. Offense Code:		67. UFC:		68. Offense Code:		69. UFC:		70. Offense Code:		71. UFC:		72. Offense Code:		73. UFC:	

ADMINISTRATIVE DATA

Telephone:		ETS:		PCS/DEROS:		Date / Time Interview START:			
						Date: Time:			
Place of Interview:						Date / Time Interview END:			
						Date: Time:			
Disposition:									

PROPERTY/VEHICLE DATA

74. Category:		75. Type:		76. Recovered: Yes: <input type="checkbox"/> No: <input type="checkbox"/>		77. Value:		78. Insurer:		Policy:		Year/Date Exp:	
79. Year:		80. Make:		81. Model:		82. Vehicle Style:		83. # of Doors:		84. Color:		85. Size:	
						Sedan		2				Full size	
86. V.I.N:				87. License Plate:		88. State:		89. DOD Decal Number:					

NOTES: Dec Feb 03

Rm: Feb 04

Cell

LAST HIV TEST:

FOR OFFICIAL USE ONLY

CID FORM 44-R...Online version

FHTX, 1999

ONLY

LAW ENFORCEMENT

SEN: 170.E

b(6)1
b(7)(C)1

22 Sep 03
0278-03-CID519

Sgt [REDACTED]

724TH MPBN

- 22 Sep 1230-1245
- Heard shots fired
- picked up 8 or 9 there were about 20 rocks & bottles filled w/sand
- Sgt [REDACTED] fired non lethal (2#)
- Saw Spc [REDACTED] in East tower getting hit with rocks & bottles and JPK [REDACTED] in West Tower.
- Someone came on radio, said if using projectiles to use lethal rounds.
- heard ~~2~~ rounds going off from [REDACTED]
- heard [REDACTED] say rocks were coming from both sides.
- CPT [REDACTED] coordinated with [REDACTED]

b(6)1
b(7)(c)1

0278-03-CID569
22 Sep 03

12900, [REDACTED]
[REDACTED]

b(6)4
b(7)(c)4

Compound #3

- Had a plan on [REDACTED] b(6)4 b(7)(c)4
- Red cross was told to bring someone to talk to about their problems or there would be problems.
- Prisoners started telling "inquirers" not to come out of tents or they would get shot.
- Shot guys

b(6)6 b(7)(c)6
SSG [REDACTED]

724 MEBJ

Came on shift 1205

- guy came up front and asked "if there is a riot what should I do"

[REDACTED] says - come to this area up here and take instructions from us.

→ ICRC started coming out, 0835-1240
he asked if there was anything he should know they said no.

→ Went to get support for stake down
informed chain of poss riot.

→ guard in tower saw pns. filling up bottles with sand

→ 4 or 5 guys attack [REDACTED] b(6)4
[SGT [REDACTED]]. non lethal at attackers b(7)(c)4
they ran off, then bottles started throwing

→ Lots of shots

ICRC came back during riot, asked ~~guards~~ ICRC if they knew, they said they wanted to talk to the commander first about the problems. Did not confirm or deny.

[REDACTED]

b(6)3

b(7)(c)3

Glasses - Always

Older gentlemen came up early morning - 1145

(b)(6) later on PSG, I huddled in center filling up cans
(b)(7)(C) w/sand - [redacted] w/tail - 6'S - Hra

(b)(6) w/sand - [redacted] 8. Filled - Shot gun - 3-5 men. Beating

(b)(6) [redacted] - Orange pants. - Shot - 8 all group - retreated

(b)(6) more guys came - reloaded - 34 - more came through

(b)(6) stuff - fired off more non-lethals -

(b)(6) SPC [redacted] - 1st Plt hit in side - with can - called OIC

(b)(6) / CT [redacted] - called received permission to fire - M16

(b)(6) jammed - went to M-9 - came around side - fired

(b)(6) non-lethals - [redacted] - 1 to 2 rounds -

SC. [redacted] 822^{MP} CO - 724 MP BN - [redacted]

15 people - throwing things at prisoners going up to front

24 - [redacted] - Assaulted. Rocks/Cans. Observed prisoners

burying things - Masked - Various Items -

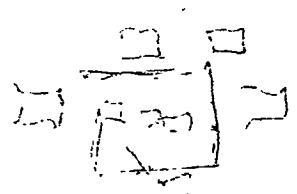
Faces covered/rotated people - usually inside

- Don't know what happened to stakes/Poles -

- Told Rover about situation - said preparing for MDT.

256PLT SPC [redacted] 822ND MP CO / 724th

(b)(6) (b)(7)(C)



1224 informed by SPC [redacted] about filling holding cans.
20 filling

Started
saw 4 guys approach [redacted] - [redacted] stopped started
punching him - (SGT [redacted] Directed SGT [redacted])

to go and. 24 - One shot - then 2 more -
Two drop 1 guy (Vic) up - [redacted] : went to
24 give aid (SPC [redacted]) brought them all up
After more shot than coming forward.

Guy shot (shoulder) - Punched [redacted] - Main guy
near back of compound - 9mm (possible) -
M.16 (possible)

IFC

SSG [redacted]

- 822ND MP CO -
BECCA

[redacted], SPC, [redacted] 14
[redacted], [redacted], 3, 130, BRN EYES,
BRN-HAIR

/Reserve / Secret / Single / FEMALE -

- 822ND MP CO - 724th MP BN -

1200 - 15 mins → 10 mins - over radio picking up sticks,
more clothes - Fight Front, Fight sub in front of tower
rocks, bottles (sand) anything they could find. Called for help
on radio/telephone. Thought they were going to rush tower.
my life threatened. Throwing things. Lt told me over
radio if you feel threatened use lethal force.

SGT [redacted]

[redacted] - [redacted] 12 - (M) INK
70" 180" BRN / BRN / KC /

- / 822ND /

[redacted]

Deep Carceration under Statement
SPC [REDACTED] (SGT [REDACTED]) / (SSG [REDACTED]) / 2.1.
SPC [REDACTED] - 1300 side - 24 255

b(6)6
b(7)(C)6 1200 1230 - He Noticed CPD 2 / CPD 3 -
called for Rover, Non-lethals fired. Stayed at position.
2 Rovers assisted - Unarmed of A. Not many -
10-15 guys - ~~the~~ turned on to help out

- SPC [REDACTED]
- 822ND MPCO -

1506
SGT [REDACTED] came to assist - Threw wipers - No firing -
show of force - 4 5 shots -
Up front - Nice gathering around fence -
b(6)6
b(7)(C)6 Trying to id people - ID 3-4 possible -

SGT [REDACTED]
822ND

SSG [REDACTED] - 1305 - responded compound 2 - got them
Large number of detainees throwing rocks at me / Tower 24.
Instructed to fire non-lethals into crowd - Large volume
of people toward fence - 3 rounds - live fired.
Still throwing. SSG [REDACTED]

822ND MPCO -
Camp Bucca, IZ -
[REDACTED]

b(6)6
b(7)(C)6

- 1125--

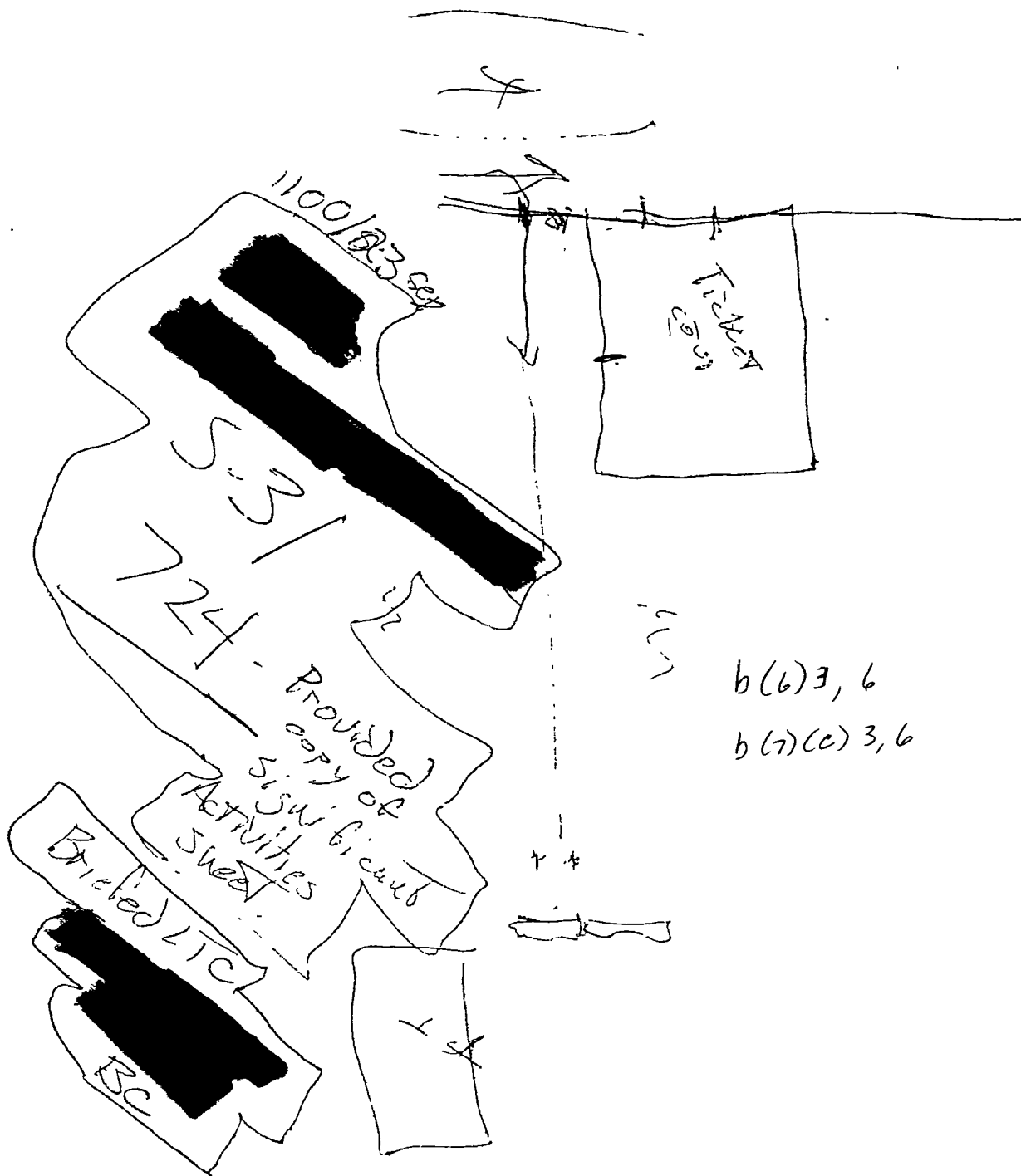
LTC

b(6) 1, 6
b(7)(C) 1, 6

225003

0278-03 SIG

Briefed



Sitting in Tower. observed a guy filling cans with sand-
away from Redcross tent. Put into bag - ran away - using
tent stakes-. Redcross walked out. Observed put on
extra clothes. Shorts - to jumpsuits. Throwing over tent
at her. ~~Red~~ 1 rock

b(6)
b(7)(C)

CPT [REDACTED] / SSG [REDACTED]

S 1LT [REDACTED]

(BS)

- Hispanic / 69 / 174 / Secret / BLK-Hair
- 522nd MP CO -
- [REDACTED]

pictures of wound

1620

b(6) 1

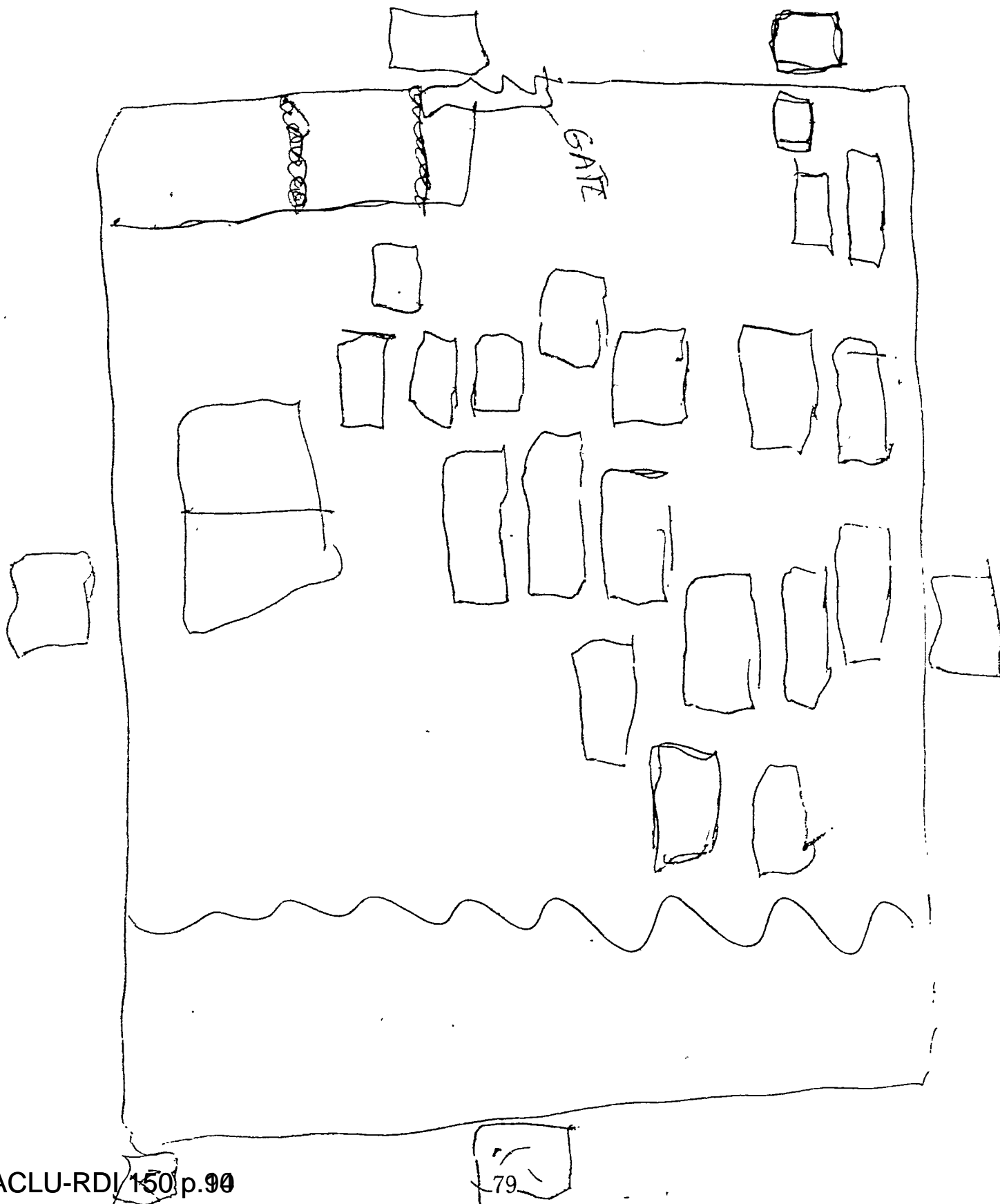
b(7)(c) 1

22 Sep 03

0228-03-579

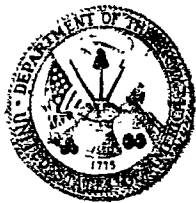
b(6) 6

b(7)(c) 6



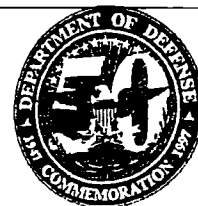
CID FORM 66

1. DATE 22 Sep 03		2. TIME RECEIVED 1300		7. CASE NUMBER 0278-03-CID519-62225	
3. OFFENSE Justifiable shooting				8. ASSIGNED TO <i>b(6)1</i> SA <i>[REDACTED]</i> <i>b(7)(c)1</i>	
4. SUBJECT None				9. TYPE OF ACTION ROI	
5. VICTIM <i>[REDACTED]</i> <i>b(6)4 b(7)(c)4</i>				10. REPORTS	
				TYPE	SUSPENSE
				<i>Open</i>	<i>27 Sep 03</i>
				<i>IFI</i>	<i>29 Sep 03</i>
				<i>C/cord</i>	<i>26 Sep 03</i>
				<i>1st rep</i>	<i>7 Oct 03</i>
				<i>FSU</i>	<i>13 Oct 03</i>
				<i>closed</i>	<i>10 Oct</i>
11. OTHER ACTION <i>b(6)1 b(7)(c)1</i>			12. CID FUNDS		
ACTION	RQRD	COMPL	DATE	AMOUNT	
CRIMINAL INFO	<i>[REDACTED]</i>	<i>30 SEP 03</i>		<i>2FSU</i>	<i>2 Jun 04</i>
EVIDENCE CUST				<i>FSU</i>	<i>2 Jun 04</i>
				<i>Corrected FSU</i>	<i>15 Jun 04</i>
				<i>closed</i>	<i>15 Jun 04</i>
				<i>30 FSU</i>	<i>1 Jul 04</i>
				<i>SAC</i>	<i>SAUGO4 6 Aug 04</i>
				<i>SAC</i>	<i>2 Sep 04</i>
				<i>TC</i>	<i>1 Sep 04</i>
				<i>SA</i>	<i>13 Sep 04</i>
			<i>Transfer RFI into Doc</i>		



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
TAMPA BRANCH OFFICE (CID)
BENNING CID BATTALION, 3RD MP GROUP (CID), USACIDC
7707 HILLSBOROUGH LOOP DRIVE, BUILDING 172
MACDILL AIR FORCE BASE, FLORIDA 33621-5413



CIRC-BAT

16 August 2004

MEMORANDUM FOR Special Agent in Charge, 78th Military Police (MP) Detachment
(CID) (FWD) (-), 6th MP Group (CID), USACIDC, Camp Arifjan, Kuwait APO AE 09366

SUBJECT: Second Information Report (0061-04-CID193)

1. Your Request for Assistance (0278-03-CID519-62225) (**CAT 1**) has been completed as documented in the attached enclosures. No further investigative activity is anticipated.

2. Manhours expended:

a. Administrative hours:	4
b. Investigative hours:	2
c. Travel hours:	11
d. Privacy Act Disclosures:	None
e. .0015 Fund Expenditures:	None
f. DD Form 2701:	None

3. The point of contact is the undersigned at DSN: [REDACTED] Commercial: [REDACTED]
[REDACTED] Cellular [REDACTED] or email: [REDACTED]@mail.navy.mil.

b(6) 1

b(7)(C) 1

5 Enclosures

1 - AIR of SA [REDACTED] Aug 04.

2 - Sworn Statement of LTC [REDACTED],
10 Aug 04.

3 - Sworn Statement of LTC [REDACTED],
11 Aug 04.

4 - CID Form 44 of LTC [REDACTED]

5 - CID Form 44 of LTC [REDACTED]

[REDACTED]
Special Agent in Charge

b(6) 4
b(7)(C) 6



DEPARTMENT OF THE ARMY
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
78TH MILITARY POLICE DETACHMENT (CID) (FWD) (-)
CAMP ARIFJAN, KUWAIT
APO AE 09366



CIRC-ABE

6 Aug 04

MEMORANDUM FOR Special Agent in Charge, Tamp Branch Office, 3D Military Police
Group CID USACIDC, 7803 Hillsborough Loop Drive, Macdill AFB, FL 33621-5315

SUBJECT: Request for Assistance (0278-03-CID519-62225) (CAT 1)

1. This office is currently conducting a Justifiable Shooting investigation concerning the shooting of Mr. [REDACTED] Internment Serial Number (ISN) [REDACTED] Camp Bucca (CB), Iraq (IZ). *b(6) 4*
b(7)(c) 4

2. On 22 Sep 03, MR [REDACTED] participated in a riot within the Internment Facility (IF), CBIZ, in which prisoners obscured their faces with cloth and began hurling rocks, tent stakes, tin cans and water bottles filled with sand, at the guards. IF guards feared for their life, received authorization from the Commander of the Relief (COR) and fired at the rioting prisoners. Four guards fired, MR [REDACTED] was wounded, but it is unknown which guard actually shot MR [REDACTED]

b(6) 6
b(7)(c) 6
3. Request your office locate, fully identify, interview and obtain Sworn Statements from LTC [REDACTED], 724 MP BN, Fort Lauderdale, FL and LTC [REDACTED], 3220TH USAG 3181 Gun Club Rd., West Palm Beach, FL, both of whom have been related to have been the Battalion Commanders of the 822D Military Police Company, Arlington Heights, IL (NFI) at the time of the incident. Request your office interview each person in reference to their guidance passed on to 1LT [REDACTED], on the Rules of Engagement (ROE). Specifically: What was the local policy for the ROE? What was the guidance to personnel on scene, pertaining to the use of force? When could lethal vs. non-lethal ammunition be used?

4. The point of contact for this office is SA [REDACTED], at DSN [REDACTED] or by e-mail at [REDACTED]@arifjan.arcent.army.mil. *b(6) 1*
b(7)(c) 1
b(6) 1
b(7)(c) 1

[REDACTED]
[REDACTED]
WO1, MP
Special Agent in Charge



DEPARTMENT OF THE ARMY
US ARMY CRIMINAL INVESTIGATION COMMAND
FORT MCCOY CID OFFICE
1753 SOUTH 11TH STREET
FORT MCCOY, WISCONSIN 54656

CIRC-CRI

19 Jul 04

MEMORANDUM FOR Special Agent in Charge, 78thth Military Police Detachment
(CID), Camp Arifjjan, Kuwait, APO AE 09366

SUBJECT: Third Information Report (0076-04-CID065)

1. Reference your Category 1, Request for Assistance (RFA) 0278-04-CID519-62225,
received by this office on 7 Jul 04.

2. All anticipated investigative activity has been completed by this office and is
annotated in the below listed attachments.

3. The following man-hours were expended:

- a. Administrative Hours: 2
- b. Investigative Hours: 3.5
- c. Travel Hours: 12

4. .0015 Contingency Funds expended: None.

5. Privacy Act disclosures: None.

6. POC this office is the undersigned, DSN: [REDACTED] COM: [REDACTED] or E-
MAIL: [REDACTED]@emh2.mccoy.army.mil.

b(6)1
b(7)(c)1

7 Encls

1 - AIR of SA [REDACTED] 19 Jul 04

2 - DA FM 2823 of CPT [REDACTED]
16 Jul 04

3 - Copies of the 800th MP BDE Rules
of Engagement Procedures

4 - Copies of the Force Protection Plans
For Camp Bucca, Umm Qsar, Iraq

[REDACTED]
CW2, MP
Special Agent in Charge

b(6)1
b(7)(c)1

SUBJECT: Third Information Report (0076-04-CID065) continued:

5. CFLCC ROE Card of CPT [REDACTED]

6. Evidence/Property Custody Document

Dated 16 Jul 04.

7. CID Form 44 pertaining to CPT [REDACTED]



DEPARTMENT OF THE ARMY
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
78TH MILITARY POLICE DETACHMENT (CID) (FWD) (-)
CAMP ARIFJAN, KUWAIT
APO AE 09366



CIRC-ABE

2 Jul 04

MEMORANDUM FOR Special Agent in Charge, Rock Island Resident Agency, 3D Military Police Group CID USACIDC, 110 Rodman Avenue, Rock Island Arsenal, Illinois 61299-7570

SUBJECT: Request for Assistance (0278-03-CID519-62225) (CAT 1)

- b(6)4
b(7)(c)4
1. This office is currently conducting a Justifiable Shooting investigation concerning the shooting of Mr. [REDACTED], Internment Serial Number (ISN) [REDACTED] Camp Bucca (CB), Iraq (IZ).
 2. On 22 Sep 03, MR [REDACTED] participated in a riot within the Internment Facility (IF), CBIZ, in which prisoners obscured their faces with cloth and began hurling rocks, tent stakes, tin cans and water bottles filled with sand, at the guards. IF guards feared for their life, received authorization from the Commander of the Relief (COR) and fired at the rioting prisoners. Four guards fired, MR [REDACTED] was wounded, but it is unknown which guard actually shot MR [REDACTED].
 3. Request your office locate, fully identify, interview and obtain Sworn Statements from the Company Commander and Battalion Commander of the 822D Military Police Company, Arlington Heights, IL (NFI) at the time of the incident, in reference to their guidance passed on to 1LT [REDACTED] on the Rules of Engagement (ROE). Specifically: What was the local policy for the ROE? What was the guidance to personnel on scene, pertaining to the use of force? When could lethal vs. non-lethal ammunition be used? Also, please obtain the ROE for this time period.
 4. The point of contact for this office is SA [REDACTED] at DSN [REDACTED] or by e-mail at [REDACTED]@arifjan.arcent.army.mil.

b(2)
b(6)1
b(7)(c)1

[REDACTED]

WO1, MP
Special Agent in Charge



DEPARTMENT OF THE ARMY
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
78TH MILITARY POLICE DETACHMENT (CID) (FWD) (-)
CAMP ARIFJAN, KUWAIT
APO AE 09366



CIRC-ABE

2 Jul 04

MEMORANDUM FOR Special Agent in Charge, Rock Island Resident Agency, 3D Military Police Group CID USACIDC, 110 Rodman Avenue, Rock Island Arsenal, Illinois 61299-7570

SUBJECT: Request for Assistance (0278-03-CID519-62225) (CAT 1)

1. This office is currently conducting a Justifiable Shooting investigation concerning the shooting of Mr. [REDACTED] Internment Serial Number (ISN) [REDACTED] Camp Bucca (CB), Iraq (IZ).

2. On 22 Sep 03, MR [REDACTED] participated in a riot within the Internment Facility (IF), CBIZ, in which prisoners obscured their faces with cloth and began hurling rocks, tent stakes, tin cans and water bottles filled with sand, at the guards. IF guards feared for their life, received authorization from the Commander of the Relief (COR) and fired at the rioting prisoners. Four guards fired, MR [REDACTED] was wounded, but it is unknown which guard actually shot MR [REDACTED]

3 Request your office locate, fully identify, interview and obtain Sworn Statements from the Company Commander and Battalion Commander of the 822D Military Police Company, Arlington Heights, IL (NFI) at the time of the incident, in reference to their guidance passed on to 1LT [REDACTED], on the Rules of Engagement (ROE). Specifically: What was the local policy for the ROE? What was the guidance to personnel on scene, pertaining to the use of force? When could lethal vs. non-lethal ammunition be used? Also, please obtain the ROE for this time period.

4. The point of contact for this office is SA [REDACTED], at DSN [REDACTED] or by e-mail at [REDACTED]@arifjan.arent.army.mil.

[REDACTED]
WO1, MP
Special Agent in Charge

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Law Enforcement Sensitive



DEPARTMENT OF THE ARMY
U. S. ARMY CRIMINAL INVESTIGATION COMMAND
 6010 6TH STREET
 FORT BELVOIR, VIRGINIA 22060-5506

REPLY TO
 ATTENT

S: 7 Jul 04
 23 Jun 04

CIOP-CO

MEMORANDUM FOR Commander, 3rd Military Police Group (CID), USACIDC, 4699 N 1ST St.,
 Forest Park, GA 30297-5119

SUBJECT: Re-Opening of ROI 0278-03-CID519-62225 – (0292-04-CID001)

1. Reference CID Regulation 195-1, CID Operations.
2. A review of the above-cited ROI was conducted by the Detainee Task Force, this headquarters, to ensure investigative and administrative requirements in referenced regulation were met.
3. Investigative deficiencies were identified and are documented in the attached sheet.
4. Request acknowledgment of this memorandum no later than 30 Jun 04. A response to this request, in the form of a supplemental report, will be forwarded to this headquarters, ATTN: CIOP-COP, no later than the above suspense date. All correspondence will clearly identify the HQUSACIDC control number.
5. Point of contact is the undersigned at DSN [REDACTED] or [REDACTED]@belvoir.army.mil.

FOR THE DEPUTY CHIEF OF STAFF, G3:

//orig signed//

CW5, MP

Chief, Investigative Operations Division