

FOGLE, TONI M. (INSD) (FBI)ALL INFORMATION CONTAINED
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DATE 03-12-2009 BY 65179 DMH/lsc

From: FOGLE, TONI M. (INSD) (FBI)
Sent: Tuesday, October 05, 2004 3:15 PM
To: MERSHON, MARK J. (SF)(FBI); THORNTON, CHARLENE B. (PX) (FBI); GRANT, ROBERT D. (INSD) (FBI)
Subject: FW: Prisoner Abuse

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NON-RECORD

Not the email that I was looking for, but this and ones to follow will provide further insight.

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

From: THOMPSON, DONALD W. JR (RH) (FBI)
Sent: Friday, September 17, 2004 1:02 PM
To: FOGLE, TONI M. (INSD) (FBI); GRANT, ROBERT D. (INSD) (FBI); [REDACTED] (INSD) (FBI); [REDACTED] (INSD) (FBI)
Subject: RE: Prisoner Abuse

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NON-RECORD

Toni, obviously, the issue as to who has proprietary ownership on this issue is fuzzy and I was not aware that these interviews were expanding beyond GITMO. CTD and OGC have important equities here and it seems that we need to get Pistole involved and clarify with him who has the lead on this so that someone has the responsibility to get some coherent guidance out to those affected in the field and as well, go back to the Army or DTFC and work out protocols. Among other things, the Army should not be going directly to the field without prior coordination with HQ. I wonder if there is any parallel process ongoing or contemplated by the Navy as the Marines were involved with detainees also? Lastly, how about detainees who were in the control of CIA/Special Ops types? Does the DTFC have overarching control of this issue regardless of which entity controlled any given detainees? If so, seems that we should be talking to these people and clarify what they want/need re interviewing agents and to coordinate any actions related to same.

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

From: FOGLE, TONI M. (INSD) (FBI)
Sent: Friday, September 17, 2004 12:34 PM
To: THOMPSON, DONALD W. JR (RH) (FBI); GRANT, ROBERT D. (INSD) (FBI); [REDACTED] (INSD) (FBI); [REDACTED] (INSD) (FBI)
Subject: FW: Prisoner Abuse

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This is becoming very problematic -- I'm going to forward some past communications I had with ELU and what I asked [REDACTED] to do in a very limited sense. I'm not sure how this is expanding -- but I'd like to relevant units meet to strategize.

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

From: [REDACTED] (INSD) (FBI)
Sent: Friday, September 17, 2004 11:18 AM
To: FOGLE, TONI M. (INSD) (FBI)
Subject: Prisoner Abuse

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11/9/2004

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T - The agents in the NYO are receiving telcalls directly from Army CID and the Detainee Task Force Committee (DTFC) requesting interviews pertaining to Iraq and Afghanistan. NY mgmt wants to know what is the protocol for dealing w/these entities. According to NY, the agents are considered witnesses and Army CID and the DTFC want to question them concerning investigations against military personnel and/or contractors. This sounds like a broken record. I directed NY to OGC and [redacted] NY contacted OGC for guidance. OGC (ELU) had no clue that Valerie and [redacted] were going down this path. ELU contacted me and wanted to know what was going on. I relayed Val's and [redacted] position and recommended course of action. ELU contacted [redacted] to find out what was going on w/this project. [redacted] told ELU that his project only covered (GITMO) and not Iraq and Afghanistan. (This is news to me) To make a long story short and a short story long, no one wants to claim ownership of this issue and the people that will suffer the consequences will be our agents.

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Until this is sorted out, it is my recommendation that ARMY CID and/or DTFC should be told to put their request in writing and send it to us and we can sort it out on a case by case basis. What a mess. Let me know how you want to handle.

UC
ext [redacted]

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11/9/2004