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DATE 03-13-2009 BY 65179 DMH/lsc

FOGLE, TONI M. (INSD) (FBI)

From: FOGLE, TONI M. (INSD) (FBI)
Sent: Friday, August 06, 2004 8:19 AM
To: THOMPSON, DONALD W. JR (RH) (FBI)
Subject: FW: Army CID Request for Interview

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This is how I've asked my guys to handle this situation. It's the situation where [] was overseas and was present sometime during the day when a prisoner alleged abuse. I did this because I believe the Bureau needs insight and because OGC / DOJ Civil would not agree to provide legal representation. T>

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

From: [] (INSD) (FBI)
Sent: Friday, August 06, 2004 8:11 AM
To: [] (WF) (FBI)
Cc: [] (CTD) (FBI); FOGLE, TONI M. (INSD) (FBI)
Subject: Army CID Request for Interview

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Just wanted to follow-up and reiterate CID's request to interview you, hopefully early next week. I advised them I'd coordinate with you, if you're available, and we'd come to Ft. Belvoir. Let me know.

Also, I (meaning the Bureau) need to make sure everyone is aware the situation/relationships:

1) Just as when you deal with the CDC of your office, be advised that my presence at the interview is on behalf of the FBI. I won't be there to provide, nor can I offer any protections to you as the interviewee, in my position as an attorney or a member of INSD. My role will simply be to monitor the interview and report to the Bureau, if anything of consequence is said, of which the Director needs to be aware. I'm not sure if you're inclined or feel the need to have your own attorney present, but it is your prerogative.

2) Army has requested our FD-302s from the interview(s) with [] which I believe we have previously agreed to provide them as the Bureau's official recounting of our interaction with him. As far as your speaking with them, it is my understanding it is entirely up to you and that you have the same rights as any private citizen. That is, you may refuse to speak with them for whatever reason. Furthermore, the Bureau will not draw any adverse conclusions/inferences, should you in fact choose not to speak with the Army.

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I was asked to make sure you and CTD were aware of these issues, although it's not meant to make the process any more intimidating. Contact me at your convenience to schedule a time to meet with Agent [] CID, or if you have any questions. Also, bring whatever documentation to include the 302s with you to the interview.

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Thanks,

[]

SSA []
INSD/OPR/IIU-II - Room 11867

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11/9/2004

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