

ROUTING SLIP

TO: Valerie Caproni

[Redacted]

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FROM:

[Redacted]

DATE: November 17, 2004

SUBJECT: GUIDANCE ON EXTRATERRITORIAL MIRANDA WARNINGS

Attached please find the guidance which I have found:

1. The latest guidance I have found is a document prepared by the Counterterrorism Section of the Criminal Division entitled Fundamental Principles Governing Extraterritorial Prosecutions--Jurisdiction, Venue and Procedural Rights (March 2004)(See pages 15-17).

2. An undated Advice of Rights Form, which was in my files and which I may have sent to agents abroad in the past in stressed environments with the blessing of the General Counsel and DOJ. It is my recollection that the issue of extraterritorial Miranda warnings only arose in stressed environments, in particular after the bombings of the American Embassies in Kenya and Tanzania.

3. A signed Miranda warning which we used in Kenya after the bombing of the American Embassy in Nairobi. This warning was approved and used by the Criminal Division and the FBI General Counsel [Redacted]

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4. A January 27, 2004 E.C. from OGC to CTD.

5. A Memorandum dated January 27, 2004 from [Redacted] to Valerie Caproni regarding Attorney Client Privileged Material

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I have also checked with ILU, but they have informed me that they don't have anything in their files.

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APPENDIX A

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APPENDIX B

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ALL INFORMATION CONTAINED
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DATE 12-03-2009 BY 65179 DMH/mjs

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APPENDIX C

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APPENDIX D

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APPENDIX E

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DRAFT APPENDIX F

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