

URGENT REPORT

Date: 02/17/2004  
TO: AD Chris Swecker  
CC: DAD James H. Burrus, Jr.  
SC WK Williams  
ASC [REDACTED]  
General Counsel Valerie Caproni  
FROM: Indian Country/Special Jurisdiction Unit (ICSJU)  
Unit Chief [REDACTED]

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PREPARER OF URGENT REPORT:

SSA [REDACTED]

SUBJECT: SPECIAL JURISDICTION MATTERS;  
GUANTANAMO BAY, CUBA

DESCRIPTION OF MATTER:

On February 2, 2005, the Criminal Investigative Division (CID) received from the Washington Field Office (WFO), via secure fax, a letter dated July 14, 2004, from Deputy Assistant Director (DAD) T. J. Harrington of the Counterterrorism Division (CTD) to Major General Donald J. Ryder, Department of the Army, Criminal Investigative Command.

The letter advised of three situations in which Federal Bureau of Investigation (FBI) Special Agents had observed highly aggressive interrogation techniques being used against detainees in Guantanamo (GITMO). One of the situations involved only U.S. military personnel in the treatment of a detainee. Another situation involved a canine being used in an aggressive manner to intimidate a detainee and that same detainee being subjected to isolation for over three months. A third situation involved a civilian contractor. This civilian contractor showed an FBI agent a detainee who had been gagged with duct tape that covered much of his head. The contractor indicated to the agent that the detainee had been chanting the Koran and would not stop. When the agent asked the civilian contractor how the duct tape would be removed, the contractor did not answer.

CID has reviewed the letter and is directing WFO to open an investigation into the actions of the civilian contractor. WFO will investigate the matter and present the facts gathered to the United States Attorney's Office, Eastern District of Virginia.

CID will coordinate with WFO to notify the Department of Defense (DOD) of the

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FBI's investigation in accordance with the, "Memorandum of Understanding between the Department of Justice and DOD Relating to the Investigation and Prosecution of Certain Crimes," as found in the Manual of Investigative Operations and Guidelines, Part 2, 18-2.