



DEPARTMENT OF THE ARMY

REPLY TO
ATTENTION OF:

Task Force *b1* -CID

4 August 2004

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: (U) CID REPORT - FINAL - 0016-04-CID343-69355
5C2A/5C2B/5T1

DATES/TIMES LOCATION OF OCCURRENCES:

19 April 2004 / 1500 2130 -
Task Force Camp NAMA, Baghdad International Airport
(BIAP), Baghdad, Iraq APO AE 09342.

(U) DATE/TIME REPORTED: 22 May 2004 / 1300.

() INVESTIGATED BY: SA *b7c-1, b6-1, b1*

(*b7c-1, b6-1 b-1*) SUBJECT: 1. [REDACTED] PV2; *b(6)5*
b7c-1, b6-1, b-1 ; Male; Asian; Headquarters
and Headquarters Company (HHC), 1/21 Field Artillery, 1st
Calvary Division (*b-1*), Task Force *b-1* Camp NAMA, BIAP, Baghdad,
Iraq, APO AE 09342; Cruelty and Maltreatment (Unfounded);
Threatening Communications (Unfounded).

(*b-1*) VICTIM: 1. [REDACTED] *b(6)4*
Civilian; Iraqi National; ID # [REDACTED] Baghdad, Iraq; Male; *b(7)(c)4*
b-1
Task Force Camp NAMA); Cruelty and Maltreatment
(Unfounded); Threatening Communications (Unfounded).

(U) INVESTIGATIVE SUMMARY:

(*b-1*) This investigation was initiated upon
a complaint filed by *b-1*
Debriefing/Interrogator, Joint Interrogation Debriefing
Interrogation Center (JDIC), *b-1*
Iraq Survey Group (ISG), Baghdad, Iraq, APO AE 09342 that a
guard (PV2 [REDACTED] gave a bottle of urine to a detainee (Mr.
[REDACTED]) to drink.

b(6)4, 5
b(7)(c)4, 5

REGRADED UNCLASSIFIED
5 NOV 2004, [REDACTED] SEC MGR, OCA

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

DECLASSIFIED

000001

Task Force b-1 -CID

SUBJECT: SUBJECT: (U) CID REPORT - FINAL - 0016-04-CID343-69355-5C2A/5C2B/5T1

(b-1) Investigation established that the offenses of Cruelty and Maltreatment; and Threatening Communications did not occur as alleged by b-1 b7c4 b6-4 reportedly heard about the incident through rumor. He declined to provide a sworn statement to support his allegations. b-1 b7c-4 b6 claimed that the guard urinated in a bottle then gave it to the detainee to drink. This information could not be corroborated by testimony.

() Investigation disclosed that PV2 [REDACTED] did act unprofessionally in the performance of his guard duties by yelling at Mr. [REDACTED] unnecessarily; however, his actions were viewed not to be criminal in nature. Consequently, PV2 [REDACTED] did not commit any criminal offense and the offenses of Cruelty and Maltreatment; and Threatening Communications are unfounded.

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

b(6)5
b(7)(c)5

(U) PV2 [REDACTED] received written counseling and corrective training from his chain of command. Subsequent investigation, disclosed no systemic incidents of detainee abuse concerning the guard force.

b(6)5 b(7)(c)5

() Prior to being interviewed by the Prisoner Interrogation Team, Mr. [REDACTED] was released on 6 June 2004, by officials at the b-1 [REDACTED]

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

(U) This investigation was held in abeyance pending the interview of Mr. [REDACTED]

(U) STATUTES:

(U) Article 93, UCMJ: Cruelty and Maltreatment (Unfounded)

(U) Article 134, UCMJ: Threat, Communicating (Unfounded)

Task Force b-1 -CID

SUBJECT: SUBJECT: (U) CID REPORT - FINAL - 0016-04-CID343-69355-5C2A/5C2B/5T1

(U) EXHIBITS:

Attached:

1. () Agent's Investigative Report (AIR) of SA b-1 b7c-1 b6-1 dated 4 August 2004.
2. (U) Statement of b-1 b7c-4 b6-4 dated 8 May 2004.
3. (U) AIR of SA [REDACTED] dated 21 May 2004, detailing the interview
4. (U) Waiver Certificate of PV2 [REDACTED] dated 29 May 2004.
5. (U) Statement of PV2 [REDACTED] dated 21 April 2004.
6. (U) AIR of SA [REDACTED] dated 9 June 2004.
7. (b-1) Dossier of Mr. [REDACTED]
8. (U) Statement of SPC [REDACTED] dated 19 April 2004.
9. (U) Statement of SPC [REDACTED] dated 21 April 2004.
10. (U) Statement of SGT [REDACTED] dated 21 April 2004.
11. (U) b-1 Guard Force SOP.
12. (U) b-1 Guard Force Training Program.
13. () Statement of b-1, b7c-4 b6-4, dated 30 May 2004.
14. () Statement of b-1 b7c-4 b6-4 dated 30 May 2004.
15. (U) Three General/Developmental Counseling Forms of PV2 [REDACTED]

Task Force *b-1* -CID

SUBJECT: SUBJECT: (U) CID REPORT - FINAL - 0016-04-CID343-
69355-5C2A/5C2B/5T1

The originals of exhibits 1, 4, 6 and 12-14 are forwarded with the USACRC copy of this report. The originals of exhibits 5, 8-10 and 15 are retained in the personnel files of HHS/1-21 FA, 1st CAV, Baghdad, Iraq APO AE 09342. The originals of exhibits 2 and 3 are retained in the files of 78th MP Det (CID) Baghdad, Iraq APO AE 09342. The original of exhibit 7 is retained in the files of the BCCF, Baghdad, Iraq.

(U) STATUS: This is a Final Report.

DISTRIBUTION:

1 - () CDR, TF
1 - (U) SJA, CTF-7
1 - () SJA, TF
1 - (U) DIR, USACRC
1 - (U) File

b-1 b7c-1 b6-1

CW4, MP
Special Agent-In-Charge

AGENT'S INVESTIGATIVE REPORT

CID Regulation 195-1

ROI NUMBER
0016-04-CID343-69355

Page 1 of 6 Pages

DETAILS

() BASIS FOR INVESTIGATION: On 22 May 2004, the 78th Military Police Detachment (CID) (FWD), Baghdad, IRAQ APO AE 09342, notified this office of an allegation of detainee abuse occurring at the ^{b-1} Camp NAMA, Baghdad International Airport (BIAP), Baghdad, Iraq APO AE 09342.

(U) Mr. ^{b-1} ^{b7c-4} ^{b6-4} Debriefing/Interrogator, Joint Interrogation Debriefing Interrogation Center (JDIC), ^{b-1} Iraq Survey Group (ISG), Baghdad, Iraq, APO AE 09342., reported that while he was assigned to the ^{b-1}, a guard was reprimanded and assigned to desk duty because he (the guard) urinated in a water bottle and gave it to the detainee to drink.

(U) Agent's Comments: It should be noted that ^{b-1} ^{b7c-4} ^{b6-4} was assigned to the ^{b-1} between 6 April 2004 and 23 April 2004. The ^{b-1} leadership suspended ^{b-1} ^{b7c-4} ^{b6-4} for poor performance, explaining that he was ineffective as an interrogator. There were indicators that may have had an ulterior motive for making the complaint.

(U) Narrative:

1. (U) INTERVIEW OF COMPLAINANT:

1.1 Mr. ^{b(6)4} ^{b(7)(c)4} : On 21 May 2004, SA ^{b(6)1} ^{b(7)(c)1} and SA ^{b(6)1} ^{b(7)(c)1} interviewed Mr. ^{b(6)1} ^{b(7)(c)1} and obtained a prepared statement (Exhibit 2), dated 8 May 2004. Agents ^{b(6)1} ^{b(7)(c)1} and ^{b(6)1} ^{b(7)(c)1} documented their contact with Mr. ^{b(6)1} ^{b(7)(c)1} in an Agent's Investigation Report (Exhibit 3). Mr. ^{b(6)1} ^{b(7)(c)1} related that he was reporting the conduct because he felt the actions were inhumane even though the J2-^{b(6)1} and the medical personnel approved the interrogation prior to execution. Mr. ^{b(6)1} ^{b(7)(c)1} reported he did not witness the "urine drinking" incident but heard about it from the ^{b(6)1} NCOIC, identified as ^{b(6)1} ^{b(7)(c)1} in his prepared statement. ^{b64}

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

YPED AGENT'S NAME AND SEQUENCE NUMBER

^{b-1} ^{b7c-1} ^{b6-1} (Protect)

ORGANIZATION

TF ^{b-1} CID
Camp Nama, Baghdad, Iraq
APO AE 09342

SIGNATURE

DATE

4 August 2004

EXHIBIT 1

CID FORM 94-E

DECLASSIFIED

000005

DODDOACID 009139

AGENT'S INVESTIGATIVE REPORT
CID Regulation 195-1

ROI NUMBER
0016-04-CID343-69355

Page 2 of 6 Pages

DETAILS

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

(U) Agent's Comments: According to agents [redacted] and [redacted], Mr. b-1 refused to be sworn to his prepared statement.

b-1 b7c-4 b6-4) The name b-1 b7c-4 b6-4 as mentioned during the interview of Mr. b-1 was further identified as b-1 b7c-4 b6-4 TF b-1 Camp NAMA, Baghdad, Iraq APO AE 09342.

2. (U) INTERVIEW OF SUBJECT:

b(6) 5 b(7)(C) 5

2.1 () PV2 [redacted] HHS/1-21FA, 1st Calvary Division, (TF b-1 Camp NAMA), Baghdad, Iraq APO AE 09342: SA

b-1 b7c-1 b6-1 identified PV2 [redacted] as the guard mentioned in Mr. b-1 px-4 b6-4 statement. On 29 May 2004, SA b-1 b7c-1 b6-1 advised PV2 [redacted] of his legal rights for aggravated assault, which he waived and provided a prepared statement, dated 21 April 2004 (Exhibits 4 and 5). PV2 [redacted] said he became agitated at detainee Mr. [redacted] when he discovered that Mr. [redacted] urinated in a water bottle within in the confines of the holding cell which violated facility rules. PV2 [redacted] denied that he forced Mr. [redacted] to drink the urine, however, he did hold the bottle near Mr. [redacted] nose. PV2 [redacted] related he put the bottle near Mr. [redacted] nose in an effort to insure Mr. [redacted] knew this was unacceptable behavior.

3. (U) INTERVIEW OF VICTIM:

3.1 () b-1 b7c-4 b6-4 Mr. [redacted], National Identification [redacted] Bahqdad Correctional Confinement Facility (BCCF), Baghdad, Iraq: On 9 June 2004, SA [redacted], Prisoner Interrogation Team (PIT) (CID), BCCF, Abu Ghruyeb 09342, responded to a request for assistance, dated 30 May 2004, from TF b-1 CID to locate and interview Mr. [redacted]. SA [redacted] discovered that Mr. [redacted] had been released from the BCCF on 6 June 2004, therefore, was unable to obtain corroborative information to substantiate the abuse allegations made by Mr. b-1 b7c-4 SA [redacted] provided an Agent's Investigative Report (Exhibit 6) and Mr. [redacted] dossier (Exhibit 7).

YPED AGENT'S NAME AND SEQUENCE NUMBER

ORGANIZATION

b-1 b7c-1 b6-1 (Protect)

TF b-1 -CID
Camp Nama, Baghdad, Iraq
APO AE 09342

SIGNATURE

DATE

EXHIBIT 1

4 August 2004

AGENT'S INVESTIGATIVE REPORT
CID Regulation 195-1

ROI NUMBER
0016-04-CID343-69355

Page 3 of 6 Pages

DETAILS

4. (U) INTERVIEW OF WITNESSES: b(6)4
b(7)(c)4

4.1 (b-1) SPC [REDACTED]
HHS/1-21FA, 1st Calvary Division, (TF [REDACTED] Camp NAMA), Baghdad, Iraq
APO AE 09342: At 1700, 19 April 2004, SPC [REDACTED] provided a sworn
statement (Exhibit 8) detailing his knowledge of the matter under
investigation. SPC [REDACTED] said while conducting security checks
with PV2 [REDACTED] they discovered a bottle of urine in cell #4, which
housed Mr. [REDACTED]. According to SPC [REDACTED] he observed PV2 [REDACTED]
question Mr. [REDACTED] about the presence of urine inside the water
bottle. SPC [REDACTED] did not observed PV2 [REDACTED] mistreat or force Mr.
[REDACTED] to drink the discovered urine from the bottle.

*b(6)4,5
b(7)(c)4,5*
Agent's Comments: In the statement of SPC [REDACTED] he refers to PV2
[REDACTED] as [REDACTED].

4.2 (b-1) SPC [REDACTED]
HHS/1-21FA, 1st Calvary Division, (TF [REDACTED] Camp NAMA), Baghdad, Iraq
APO AE 09342: At 1250, 21 April 2004, SPC [REDACTED] provided a sworn
statement (Exhibit 9) concerning the matter under investigation.
According to SPC [REDACTED], PV2 [REDACTED] told him that he "made the detainee
(Mr. [REDACTED]) smell the urine" but Mr. [REDACTED] was not forced to drink
the urine. SPC [REDACTED] was alarmed when he heard this information from
PV2 [REDACTED] and instructed PV2 [REDACTED] never to do anything "crazy" like
that again.

*b(6)4,5
b(7)(c)4,5*
4.3 (b-1) SGT [REDACTED]
HHS/1-21FA, 1st Calvary Division, (TF [REDACTED] Camp NAMA), Baghdad, Iraq
APO AE 09342: At 1531, 21 April 2004, SGT [REDACTED] guard shift
leader, provided a statement (Exhibit 10), however, he could not
provide any information that would add to the furtherance of this
investigation.

YPED AGENT'S NAME AND SEQUENCE NUMBER

b-1 b7C-1 b6-1 (Protect)

ORGANIZATION

TF b-1 CID
Camp Nama, Baghdad, Iraq
APO AE 09342

SIGNATURE

DATE

4 August 2004

EXHIBIT 1

AGENT'S INVESTIGATIVE REPORT

CID Regulation 195-1

ROINUMBER
0016-04-CID343-69355

Page 4 of 6 Pages

DETAILS

4.4 (b-1) b-1 TF b-1, Camp NAMA, Baghdad, Iraq, APO AE 09342: At 1800, 27 May 2004, SA b-1 b7c-1 b6-1 interviewed b-1 b7c-4 b6-4 concerning his knowledge of the matter under investigation. According to b-1, b7c-4 b6-4 during January 2004, the TF b-1 Commander directed him to formulate Standard Operating Procedures (SOP) and to provide leadership at the b-1. b-1 b7c-4 b6-4 reported that he was the b-1, between 20 Jan 04 and 15 April. 04. He believed the allegations outlined by Mr. b-1 were false. b-1 b7c-4 b6-4 opined that Mr. b-1 b7c-4 b6-4 was ineffective as an interrogator because his (Mr. b-1 b7c-4 b6-4) training was in Strategic Debriefing, which is a different skill set from that of an interrogator. Secondly, Mr. b-1 was not working at the b-1 long enough to shape a credible assessment of the inner workings of the facility. b-1 b7c-4 b6-4 returned to the United States prior to Mr. b-1 b7c-4 suspension.

() Regarding incidents of detainee abuse, b-1 b7c-4 b6-4 stated there were no reported incidents of detainee abuse during the time he had oversight of a guard force comprised of soldiers from HHS /1-21 FA, 1st Calvary Division b-1 b7c-4 b6-4 provided copies of the b-1 Guard Force Standard Operating Procedures and training program (Exhibits 11 and 12).

(U) During March 2004, the Department of the Army Inspector General (IG) Facility Inspection Team inspected the b-1. They opined that the b-1 had the appropriate oversight in place and thorough standard operating procedures. The b-1 was considered as a model facility. b(6)4 b(7)(c)4 related he received an IG coin of excellence on behalf of the facility from The Inspector General (TIG) of the Army.

4.5 (b-1) b-1, OIC, b-1, Task Force b-1 Camp NAMA, Baghdad, Iraq, APO AE 09342: At 2233, 30 May 2004, SA b-1 b7c-4 b6-4 interviewed b-1 b(6)4 b(7)(c)4 regarding the matter under investigation. He provided a sworn statement (Exhibit 13) concerning his knowledge of the incident and the corrective action taken by the PV2 [redacted] chain of command. b-1 maintained there was no indication that PV2 [redacted] abused or humiliated the

2(6)5
1(7)(2)5

YPED AGENT'S NAME AND SEQUENCE NUMBER

b-1 b7c-1 b6-1 (Protect)

ORGANIZATION

TF b-1 -CID
Camp Nama, Baghdad, Iraq
APO AE 09342

SIGNATURE

DATE

4 August 2004

EXHIBIT 1

AGENT'S INVESTIGATIVE REPORT
CID Regulation 195-1

ROINUMBER
0016-04-CID343-69355

Page 5 of 6 Pages

DETAILS

(b)(7)(C) 4, 5
detainee, Mr. [REDACTED]. PV2 [REDACTED] received written counseling from his chain of command for being unprofessional.

(b)(7)(C) 4, 5
Additionally, b1 b7c4 b64 said PV2 [REDACTED] received remedial guard training; was placed on front desk duty away from prisoners for two weeks; and was evaluated by the facility psychologists before returning to normal duty.

(b)(7)(C) 5
4.6 (b1 b7c4 b64) b1 b7c4 b64 NCOIC, b1, Task Force b1 Camp NAMA, Baghdad, Iraq, APO AE 09342: At 2241, 30 May 2004, SA b1 b7c1 b61 interviewed b1 b7c4 b64 regarding the matter under investigation. He provided a sworn statement (Exhibit 14) concerning his knowledge of the incident. b1 outlined the incident and the corrective action prescribed by PV2 [REDACTED] chain of command. b1 stated the matter was an isolated incident and he did not believe there were any systemic problems concerning the guard force.

5. (U) OTHER INVESTIGATIVE ASPECTS:

(b)(7)(C) 5
5.1 () On 30 May 2004, SA b1 b7c1 b61 reviewed the b1 guard log and verified PV2 [REDACTED] performed guard duty between 1500 and 2130 on 19 April 2004.

5.2 () On 30 May 2004, SA b1 b7c1 b61 obtained copies of three separate of DA FM 4856, General/Developmental Counseling Forms (Exhibit 15) pertaining to the alleged incident. The counseling forms reflected the corrective action taken by PV2 [REDACTED] chain of command.

6. (U) STAFF JUDGE ADVOCATE (SJA) COORDINATION:

(b)(7)(C) 3
6.1 (U) On 31 May 2004, SA b1 b7c1 b61 briefed COL [REDACTED], b(7)(C) 3 Coalition Task Force-7, Camp Victory, Baghdad International Airport, Baghdad, Iraq APO AE 09342, on findings of the investigation to date.

YPED AGENT'S NAME AND SEQUENCE NUMBER

ORGANIZATION

b-1 b7c-1
b6-1

(Protect)

TF b1 -CID
Camp Nama, Baghdad, Iraq
APO AE 09342

SIGNATURE

DATE

EXHIBIT 1

4 August 2004

CID FORM 94-E

REGISTRATION

000-03

AGENT'S INVESTIGATIVE REPORT
CID Regulation 195-1

ROI NUMBER
0016-04-CID343-69355

Page 6 of 6 Pages

DETAILS

6.2 (b1 b7c4 b61) On 1 June 2004, SA b7c1 b61 briefed CPT b1 b7c4 b61, Staff Judge Advocate, Task Force b1 Camp NAMA, Baghdad, Iraq APO AE 09342, on all aspects of this investigation to date. CPT b1 b7c4 b61 opined that the other "inhumane treatment" allegations listed in Mr. b1 b7c4 b61 statement, were unsubstantiated in that they fell within the Coalition Task Force-7 interrogation guidelines for the period in question.

6.3 (U) On 26 July 04, MAJ b1 b7c4 b64, b1 b7c4 b64 b1 b7c4 b64 USASOC, Fort Bragg, NC 28310, the supporting Staff Judge Advocate was briefed on the circumstances surrounding the incident. MAJ b1 b7c4 b64 opined there was not sufficient probable cause to believe that PV2 [REDACTED] committed the listed offenses of Cruelty and Maltreatment; and Threatening Communications. The provided testimonial evidence coupled with the circumstances surrounding the event did not indicate PV2 [REDACTED] committed a criminal offense.

b1 b7c4 b64
b1 b7c4 b64

//////////////////////////////////LAST ITEM//////////////////////////////////

YPED AGENT'S NAME AND SEQUENCE NUMBER
b1 b7c1
b61 (Protect)

ORGANIZATION
TF b1 CID
Camp Nama, Baghdad, Iraq
APO AE 09342

SIGNATURE

DATE

4 August 2004

EXHIBIT 1

From: b1 b7c4 b7d-4 Debriefing/Interrogator, Civilian

To: Chief, b1 b7c3 b63

Via: Ops Officer, b1 b7c3 b63

Date: May 8, 2004

Encl: Description of the b1 at TF b1

Subj: Witnessing of harsh treatment to Iraqi Detainees held in the TF- (b) , Camp Nama, BIAP, IZ

This is to report that I have witnessed a few instances of harsh interrogations and inhumane conducts by some interrogators and guards at the b1 of TF b1 while I was assigned there as a Humint Augmentation Team debriefer from April 6, 2004 to May 1, 2004.

I am reporting these conducts because I feel that these actions were inhumane even though every harsh interrogation were approved by the J2 of the TF and the Medical prior to its execution.

I have witnessed these harsh interrogations thru the monitor in the video room.

Descriptions of inhumane treatments that I observed.

a. A b1 detainee b1 b7c4 b64, going through cycle of harsh interrogations. b1

b1 The detainee was in the middle of interrogation b1

b. A detainee, b1 b7c4 b64, going through the b1 interrogation b1

c. b1

d. A guard being reprimanded and assigned to a desk duty because he pissed in a water bottle and gave it to a detainee to drink, b1

e. Many detainees' wrist were bruised and swollen. b1 . Many occasions, I had to instruct the guards

DECLASSIFIED

EXHIBIT

vol. 12

2

DODDOACID 009145

f. One medic handling new arrivals over aggressively. The bolded medic aggressively ran to the detainee and ripped up the detainee's pants with a surgical scissors when the detainee was a little bit slow at responding to his command of "take off your pants."

Truly,

b1 b7c4 b64

2007 06 12 14:58:11

0000. 12

EXHIBIT

2

DODDOACID 009146

From: 'b1 b7c4 b64
To whom it may concern, b1

Subj: Description of the b1

at TF b1 Camp Nama. BIAP, IZ

Remark: I arrived at TF b1 Camp Nama, BIAP IZ. on April 6, 2004 and was transferred out on May 1, 2004. I was assigned there as a Humint Augmentation Team Debriefing/Interrogator. After 3 weeks, they transferred me out because I think they thought that I was not an effective interrogator. I did not feel comfortable watching some of those interrogations. It's not that I couldn't, I refused to conduct my interrogations inhumanely, I tried to conduct my interrogations as professionally as I can to respect their rights because they were in custody not in the front line holding guns against me. One time, I walked out to the bunk to locate one interrogator. They were in the middle of breaking a detainee b1 b7c4 b64. It was so dark I almost tripped over and fell down at the entrance of the room. I could only hear groaning loud human noises and shouting by many people. (I think they were beating the shit out of the detainee.) I could not make out who is who in the room so I left.

Location: Location of b1 of TF b1 in Camp Nama BIAP IZ

Interrogation Facilities: Inside the Detention Center,

- b1
- b1
- b1
- b1

- b1
- b1
- b1

EXHIBIT

EXHIBIT

000000 23

2

Guards: b1 b7C-4, 4
b64, 6

Interrogators: b1 b7C 4, 4
b64, 6

Holding Cells: b1

Detainee Handling: Detainees were brought in b1 from their
missions.

Deciding the fate of the detainee: b1

CONFIDENTIAL

EXHIBIT

0000 24
2

Basis for Investigation: This investigation was initiated based on notification from the 22nd MP BN, Mr. ^{b1 b7c6 b66} Interrogator, Joint Interrogation Debriefing Center (JIDC), Camp Slayer, may have witnessed detainee abuse.

About 0940, 21 May 04, SA ^{b(2) b(6)1 b(7)(c)1} and SA ^{b1} this office, interviewed Mr. ^{b1} who stated he typed up everything he knew about and witnessed while working in the ^{b7c4 b64} at TF ^{b1} Camp Nama, BIAP, IZ. Mr. ^{b(6)4 b(7)(c)4} related he was reporting this conduct because he felt the actions were inhumane even though every harsh interrogation was approved by the J2 of the TF and the medical personnel prior to its execution. He said a guard was reprimanded for giving a hooded detainee a water bottle with urine to drink. Mr. ^{b1 b7c4 b64} stated he did not witness the interview but heard about it from the NCOIC he could only identify as ^{b1 b7c4 b64} Mr. ^{b1 b7c4 b64} related other harsh techniques, which were used were ^{b1} interrogation sessions, mopping floors, and also believed the handcuffs, were to tight and caused bruising. Mr. ^{b1 b7c4 b64} provided a written location of the facility and also a written description of the layout of the facility. (See statement)
///LAST ENTRY///

^{b(2) b(6)1 b(7)(c)1}
SA ^{b1}
Special Agent,
Signature: ^{b1}

78th MP DET Forward (CID)
Baghdad, Iraq APO AE 09342
Date: 21 May 04 Exhibit: 3

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30 the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: identified.
DISCLOSURE: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and

1. LOCATION TF, Camp Nama, Baghdad, IZ	2. DATE 29 May 04	3. TIME 1414	4. FILE NO. 2016-04-00343
5. NAME (Last, First, MI) [REDACTED]	8. ORGANIZATION OR ADDRESS Task Force, Camp Nama BIAP Baghdad, IZ		
6. SSN [REDACTED]	7. GRADE/STATUS E-2/AD		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Division as a Special Agent and wanted to question me about the following offense(s) of which I am suspected/accused: Aggravated Assault//

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

- I do not have to answer any question or say anything.
- Anything I say or do can be used as evidence against me in a criminal trial.
- (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

- or -

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

- If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (if available)		3. SIGNATURE OF INTERVIEWEE [REDACTED] b(6)5 b(7)(C)5
1a. NAME (Type or Print) b1. b7c4 b64	b. ORGANIZATION OR ADDRESS AND PHONE TF b1 Camp Nama, Baghdad, IZ	4. SIGNATURE OF INVESTIGATOR [REDACTED] b1 b7c1 b61
2a. NAME (Type or Print)	b. ORGANIZATION OR ADDRESS AND PHONE	5. TYPED NAME OF INVESTIGATOR SA b1 b7c1 b61
		6. ORGANIZATION OF INVESTIGATOR TASK FORCE b1 CAMP NAMA

Section C. Non-waiver

- I do not want to give up my rights
 I want a lawyer
 I do not want to be questioned or say anything
- SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

DA FORM 3881, NOV 89

EDITION OF NOV 84 IS OBSOLETE

DECLASSIFIED

EXHIBIT

USAPPC 16
4

SWORN STATEMENT

For use of this form, see AR 190-45; the pro agency is ODCS

LOCATION b1 (BIAP)	DATE 21 Apr 04	TIME 1405	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER b1 b7c 5 b6 5		GRADE/STATUS E2 Pv2 (RA)
ORGANIZATION OR ADDRESS			

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

That on the 19th Apr 04 while my escort /overwatch spec. [REDACTED] went to cell #4 to check on 2 detainees when I encountered a bottle of urine with the 2 detainees, while my overwatch spec. [REDACTED]

[REDACTED] was outside the door, I asked one of the detainees who was on the left side of the wall facing door, and I opened his hood, and said "did you do this", pointing towards the bottle, he said la, la (no no) and pointed at the cell mate facing the right corner of wall away from door, I then pulled his hood and said "why did you do this" he said "ah nam, [REDACTED] nam", "ah yes yes"

EXHIBIT	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.

EXHIBIT

0000017

5

STATEMENT (Continued)

and said "lets" "latrine" So I opened the bottle and put it near his nose and wanted to teach him a lesson by saying "la la no no" and I kept pointing at the bottle. I told him don't do this shit again and ~~put~~ made him ~~look~~ look at the bottle near his ~~eye~~ eye then I put his hood back on, left the cell, and told [redacted] who was in the Motel what happened, "I told him I almost made him drink it, but didn't", and he informed me about the punishment if I did it. I in ~~no~~ way intent to cause harm to my staff or detainees. I ~~test~~ test

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

AFFIDAVIT

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

b(6)5
b(7)(C)5

[redacted]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29th day of May, 2004 at Tule Lake, BIAP, IZ

b1 b7C1 b61

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA: b1 b7C1 b61

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Att. 136 (b) 4, UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

DEPT. OF CORRECTIONS
TULE LAKE

EXHIBIT

3 0000018
PAGES

USAPPC V1 10

SWORN STATEMENT

For use of this form, see AR 190-45; the parent agency is ODCS

LOCATION b1 (BIAP)	DATE 21 Apr 04	TIME 1405	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER b1, b7c 5 b6 5		GRADE/STATUS E2, PV2 RA
ORGANIZATION OR ADDRESS			

b(6)5
a(7)(c)5

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

(ent.) I was doing a good deed by trying to discipline them. I know it seemed ~~was~~ wrong, but ^{id} of the interrogators, I had told me we were being soft to them (detainees). There are some detainees here who been to here a long time and won't say nothing, while soldiers are getting killed. I looked upon that and because of it, I'm in this situation. I appologize for it and this is my sworn statement and I intend to defend myself.

Thank You,

b(6)5
b(7)(c)5

[REDACTED]

[REDACTED]

Nothing follows

[REDACTED]

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 3 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.

000013

EXHIBIT 5

STATEMENT (Continued)

[Redacted statement content with large X and blacked-out areas]

b(6)5
b(7)(C)5

AFFIDAVIT

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

[Redacted Signature] (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29th day of May, 2004 at Task Force, BIAF, IZ

b1 b7c1 b61

(Signature of Person Administering Oath)

Sgt b1 b7c1 b61

(Typed Name of Person Administering Oath)

Air. 136 (b) 4, UCMJ.

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

[Redacted initials]

PAGE 3 OF 34 PAGES

0000020

USAPPC V1.10

EXHIBIT 5

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0055-04-CID789

PAGE 1 OF 1 PAGES

DETAILS

BASIS FOR INVESTIGATION: On 09 Jun 04, this office received a Request For Assistance (RFA)(0016-04-CID343) from the Headquarters, Joint Task Force *b 1* Baghdad, Iraq APO AE 09342, to interview Detainee [REDACTED], National Detainee Reporting System (NDRS) #160124, pertaining to allegations of detainee abuse.

About 1400, 9 Jun 04, SA [REDACTED] coordinated with the 391st Military Police (MP) Battalion (BN) Operations, Baghdad Central Confinement Facility (BCCF), Abu Ghryeb, Iraq (AGI) and determined that Detainee [REDACTED] was released on 6 Jun 04. (See Release List)

AGENT'S COMMENT: This office obtained the detainee file and dossier. No point of contact information or home of record could be obtained for [REDACTED]

Status: Your RFA has been completed in the attached enclosures. No further investigative activity is anticipated by this office.

//////////////////////////////////////LAST ENTRY//////////////////////////////////////

*b(6) 4
(7)(c) 4
(6) 1, 4
(7)(c) 1, 4*

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

TYPE AGENT'S NAME AND SEQUENCE NUMBER
SA [REDACTED]

ORGANIZATION
PRISONER INTERROGATION TEAM (PIT)(CID)
Baghdad Central Confinement Facility, Abu Ghryeb 09342

SIGNATURE [REDACTED]

DATE
9 Jun 04

EXHIBIT
6 000002

CID FORM 94

RECEIVED

F. c 11

Page(s)

22-41

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

SWORN STATEMENT

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

LOCATION	DATE 19 APR 04	TIME approx 16-1700	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER b1 b7c4	GRADE/STATUS b64	GRADE/STATUS E-4/Active
ORGANIZATION OR ADDRESS			

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

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

My statement is pertaining to the incident with [REDACTED] (Pvt [REDACTED]) and one of the detainees from cell number 4. This statement is my observation as to what happened within the cell while [REDACTED] was in there. [REDACTED] and I were going through the cells taking people to WC. WC is what the detainees call the bathroom. Everything was going smoothly, then we got to cell #4 where we found a bottle of piss in the cell. [REDACTED] entered the cell and asked the first detainee was this your piss. He looked at the bottle said no and pointed to his cell mate whom was in the back corner. He then went over to the next detainee and asked him was it his he shook his head yes. Do [REDACTED] was like no no no pissing in my fucking cell. You go piss when you go WC. Then he was like I wish I could make you drink this shit. Then he was like fuck it no WC for you [REDACTED] since you already pissed in my fucking cell. So we proceeded on w/ our initial mission of taking the detainees to WC. Now whether or not he held the bottle to the detainees face to make him drink I don't know, because [REDACTED] (Sgt [REDACTED]) walked in about that time to ask us what we were doing. Do I let him know, and he was like continue on. From my point-of-view, and from what I have observed that is what happened. and that's my statement.

b(6)5
b(7)(C)5

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

Nothing follows

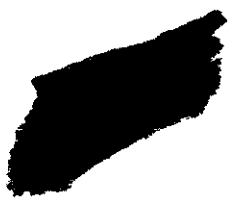
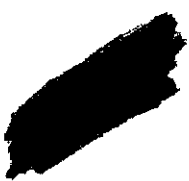
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
---------	---	-------------------

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 1 OF 2 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.

EXHIBIT

8 000042

Nothing follows



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

AFFIDAVIT

I, SPC [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 1. 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]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29th day of MAY, 2004 at Task Area BEAR, IA

[REDACTED]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

Art. 136(b) 4 U.S.M.J.
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT



PERSON ADMINISTERING OATH

PAGE 2 OF 2

PAGES 43

EXHIBIT 8

SWORN STATEMENT

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

LOCATION b1 (BIAP)	DATE 21 APR 04	TIME 1250	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER b1 b7c4 b64		GRADE/STATUS E4 / SPC
ORGANIZATION OR ADDRESS			

(G) 4,
(7)(c) 4

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 19 APR 04 AT 1450 DURING SHIFT CHANGE I WAS APPROACHED BY
 PVT [REDACTED] - HE ADVISED ME THAT, HE (PVT [REDACTED]) TRIED
 TO MAKE A DETAINEE DRINK HIS URINE - PVT [REDACTED]
 SAID " I MADE HIM DRINK HIS PISS" I SAID " WHAT!!
 ARE YOU STUPID?" HE SAID " WELL HE (THE DETAINEE) DIDNT
 DRINK IT BUT I KNOW HE SMELLED IT" MY REPLY
 WAS " ARE YOU F---ING CRAZY, YOU CANT DO THAT KIND
 OF STUFF - DO YOU REALIZE THE TROUBLE YOU CAN
 GET INTO FOR DOING THAT?" PVT [REDACTED] REPLIED
 " REALLY? WELL I DIDNT WANT TO MAKE HIM BRINK
 IT, I JUST WANT HIM TO STOP PISSING IN THE BOTTLE"
 I TOLD PVT [REDACTED] TO NEVER DO THAT AGAIN AND TO
 BE VERY CAREFULL AND IF HE WANTS THE DETAINEES TO
 STOP PISSING IN BOTTLES - TO SIMPLY TAKE THEM TO
 THE LATRINE 5 TO 15 MINUTES AFTER THE DETAINEE
 ASKS TO GO.

NOTHING FOLLOWS

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 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 1 OF 2 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.

EXHIBIT 9

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 1. 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 29th day of May, 2004, at Task Force, BEAR, IZ

b1 b7C1 b61

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA b1 b7C1 b61

(Typed Name of Person Administering Oath)

Act 136 (h) 4, VEMJ

(Authority to Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

EXHIBIT 9

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

SWORN STATEMENT			
For use of this form, see AR 190-45; the proponent agency is ODCSOPS			
LOCATION	DATE	TIME	FILE NUMBER
	21 APR 04	1531	
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY NUMBER		GRADE/STATUS
[REDACTED]	b1 b7c4		E-5
ORGANIZATION OR ADDRESS			
b64			

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

I have no recollection of any such instances, when detainees were made to smell urine while in my presence.

Nothing follows

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

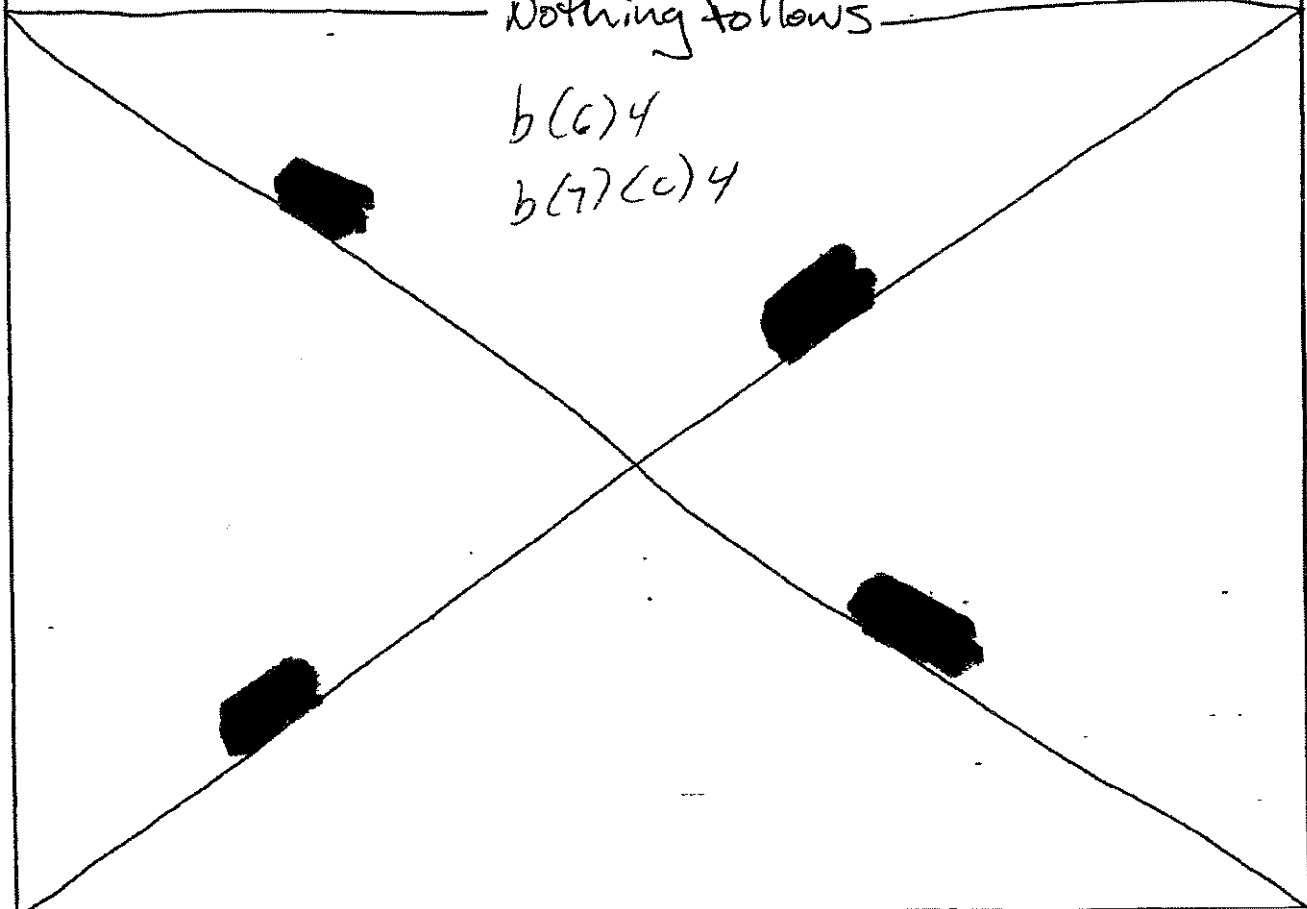
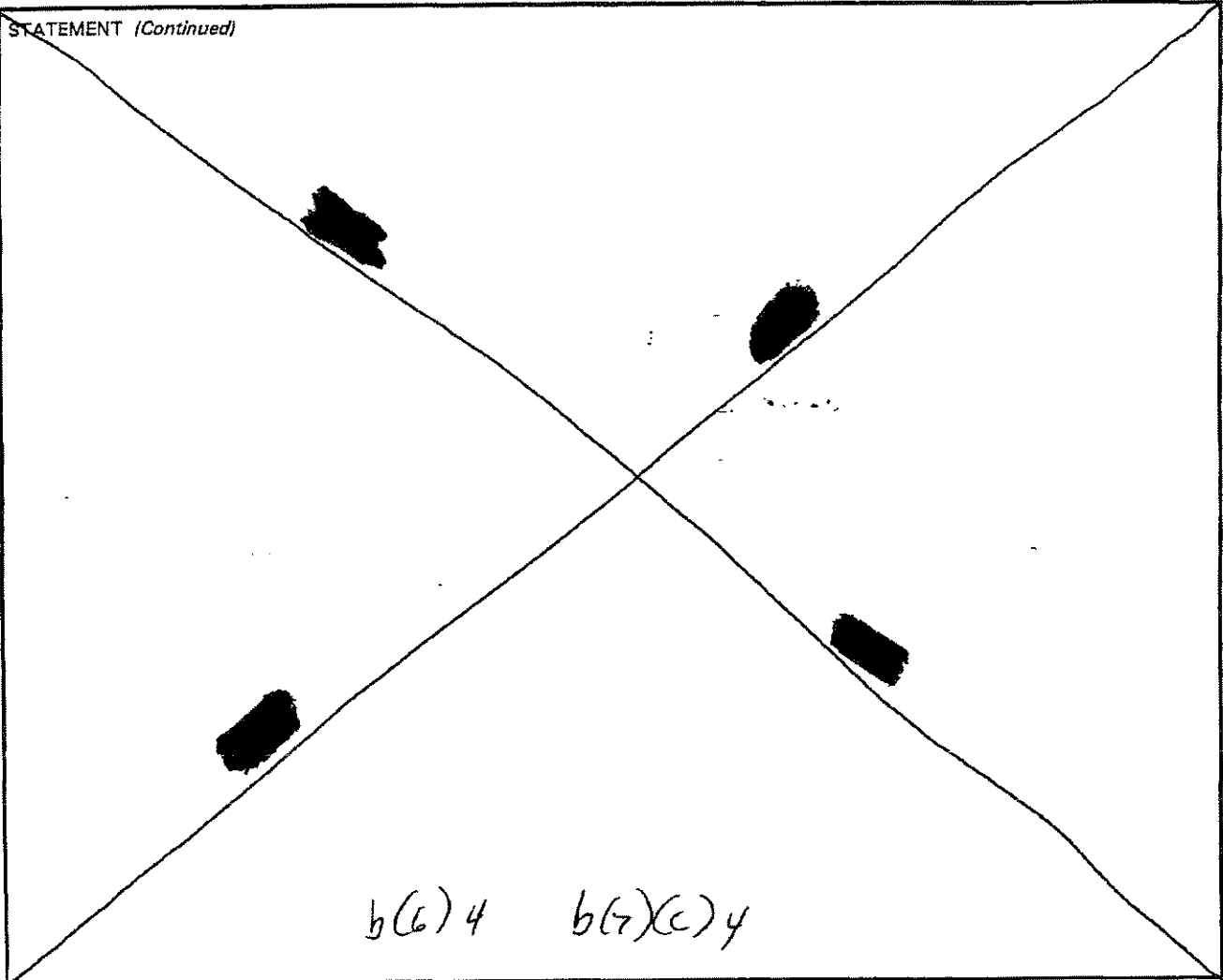


EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 02 PAGES
---------	-------------------------------------	--------------------

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 01 OF 02 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.

EXHIBIT

STATEMENT (Continued)



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

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 02. 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 29th day of May, 19 2004 at Task Force b1, BEAR, ES

b1 b7c1 b61

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

SA b1 b7c1 b61

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

AM. (b)4, UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 07 OF 02 PAGES

EXHIBIT 10

USAPPC V1 10

Page(s)

48-54

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

SWORN STATEMENT

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

LOCATION b1	DATE 30 MAY 04	TIME 2233L	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME b1	SOCIAL SECURITY NUMBER b1		GRADE/STATUS O-4 / MAJ
ORGANIZATION OR ADDRESS			

(b)(6) 45
(b)(7)(C) 45

I, b1 b7C4 b64, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I assumed duties as TF b1 OIC on 15 APR 04. On or about 21 APR 04, I was conducting PT when I was advised by the b1 SGM, b1 b7C4 b64, that there had been an incident in the cell block and it was alleged that a member of the Guard Force had forced a detainee to drink urine. The SGM advised me that the soldiers involved or who possibly witnessed the incident were preparing sworn statements regarding the incident and the guard in question. At that point, I went to the JOC and advised the TF b1 Commander of the allegations and informed him that an investigation was underway. I was told to come back to the Commander with a recommendation upon completion of the internal investigation. I then immediately returned to the

A review of the aforementioned sworn statements from PV2 [REDACTED] SPC [REDACTED] SPC [REDACTED] and SGT [REDACTED] indicated that the guard in question, PV2 [REDACTED] b1, had not forced a detainee to drink urine. He had instead scolded the detainee for urinating in a water bottle instead of asking a guard to escort him to the latrine. During the course of the scolding, [REDACTED] had stated that he "should" make the detainee drink the bottle of urine as punishment for not following proper procedures and using the latrine. There was no indication that [REDACTED] abused or humiliated the detainee. The detainee in question was determined to be b1 roster number [REDACTED] later assigned ISN [REDACTED]. I advised the Commander of the findings of the investigation and recommended that we, the b1 leadership handle any disciplinary action. The Commander agreed with this recommendation.

Since [REDACTED] had made the questionable statement regarding forcing a detainee to drink urine, he was counseled by his Team Leader, Platoon Leader and myself, given remedial training and placed on Front Desk duty for a two-week period. He was also directed to be evaluated by the TF Psychologist, which occurred. Upon completion of his remedial training, desk duty and evaluation by the Psychologist, PV2 [REDACTED] was returned to normal duty [REDACTED].

-----END OF STATEMENT-----

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 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.

DA FORM 2823, JUL 72

SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

EXHIBIT 1/3

SWORN STATEMENT

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

LOCATION	DATE 5/30/04	TIME 22:41	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME b1	SOCIAL SECURITY NUMBER b1		GRADE/STATUS E-8 / MSG
ORGANIZATION OR ADDRESS			

(6)4,5
(7)(c)4,5

I, b1 b7c4 b64, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 On or about 21 April I was approached by SFC (Guard NCOIC) about an incident involving PV2. I was told that there may or may not have been some kind of Detainee abuse. At his time SFC told me the story of PV2 and the Detainee (ISN in cell number 4. SFC informed me that PV2 was suspected of making Detainee drink urine from a bottle that was in the detainee's cell. After hearing the information from SFC I (b1 b7c4 b64 SGM) informed SFC that I needed every soldier involved in the incident to report to the day room. I then printed off some DA 2823 Sworn Statement forms. I then separated the soldiers and had SFC monitor the soldiers as they wrote their sworn statements. While this was going on I informed the b1 OIC b7c4 b64 b1 b7c4 b64 of the incident. MAJ b1 b7c4 went to the IOC and informed them of the Command element of the possible detainee abuse then returned to the b64. MAJ b1 b7c4 b64 and I then waited until all sworn statements were done and started to read them. After reading the statements, with all the soldiers still waiting in the day room, I informed SFC that he will take all ammunition from PV2 that PV2 is not allowed to handle the Detainee's until further notice. Also PV2 will be escorted around the camp until further notice. I also let SFC know that PV2 needs to be available to talk to psychologist as soon as the psychologist became available. I believe that while I was letting SFC know what PV2 limits were. MAJ b1 b7c4 b64 went over to the IOC and informed the Command of the findings from the sworn statements. MAJ b1 let the Command element know that from the preliminary findings there was no evidence of Detainee abuse. MAJ b1 b7c4 b64 also recommended that we handle it in house and the Command section concurred. After the Psychologist interviewed PV2 he came back with findings of a confused young soldier that took over heard comments out of context. MAJ b1 b7c4 b64 then counseled PV2 with his leadership present LT and SFC corrective training was imposed with supervision by PV2 leadership. At the next shift change, which was at 2400 hrs, I informed the personnel that an incident had happened and that corrective training was being enforced. I did not go into great details about the incident but I explained to the b1 what had happened due to the rumors that I was hearing around the work area.

-----END OF STATEMENT-----

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT b1	PAGE 1 OF 2 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.

Page(s)

47-62

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