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DEPARTMENT OF THE ARMY
HEADQUARTERS, THIRD UNITED STATES ARMY
UNITED STATES ARMY FORCES CENTRAL COMMAND
COALITION FORCES LAND COMPONENT COMMAND
1881 HARDEE AVE SW
FORT McPHERSON GEORGIA 30330-1064

REPLY TO
ATTENTION OF
AFRD-JA

4 June 2004

MEMORANDUM FOR RECORD

SUBJECT Certification (AR 15-6 Investigation of the 800th Military Police Brigade)

1 I hereby certify that the printed copy of the AR 15-6 Investigation of the 800th MP Brigade provided to the Office of Legal Counsel to the Chairman of the Joint Chiefs of Staff is a true and accurate copy of the Report as certified by the custodian of records and provided to this office in an electronic format described as the Master Disk (See enclosed certification by the custodian of records)

2 As annotated in paragraph 3 of the Certification by the Custodian of Records, the allied documents are not, and were not, included in the actual report as forwarded to the Approving Authority, thus were not included in the printed copy

3 Among the 106 annexes, there are statements and or other documents that reference enclosures or attachments that were not made part of the actual report as presented to the appointing authority (i.e. Sworn Statement of COL Pappas) The actual annexes included in the report provided to the Office of Legal Counsel to the Chairman of the Joint Chiefs of Staff were limited to those items that were specifically referenced in the 53 pages of the findings and recommendations submitted by MG Taguba

4 The report contains numerous documents and statements that were provided to the investigating team throughout the course of the investigation In some cases, the documents that were provided to the Investigating team may have contained typographical/administrative oversights Some of these have been identified and are annotated as follows

- a In Annex 9 The IO never received the second page of the "Davis Statement"
- b In Annex 19, The table of contents of the Ryder Report indicates it has 67 enumerated pages However, the report as provided to the IO only contained 64 pages It appears that the table of contents had a typographical error and the report actual does end at page 64
- c In Annex 23, Annexes A-G of the regulation do not appear in the Original Report
- d In Annex 33, Page 163 mistakenly reads 143
- e In Annex 87, there is an error in the Summarized Testimony It appears that in the preparation of the Statement a portion of Annex 88 was cut into Annex 87 It is unclear if any testimony was lost, but the error existed in the Original Report and is on the Master Disk

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SUBJECT Certification of the AR 15-6 Investigation of the 800th Military Police Brigade

- f In Annex 92, the Original Report contained a Hyperlinked version of the Table of Contents not reproduced onto the Master Disk, thus not in the printed copy of the report

5 The original of the Report is maintained in the Office of the Staff Judge Advocate, CFLCC Camp Arifjan, Kuwait, APO AE 09306

6 The Point of Contact is the Special Assistant to the Staff Judge Advocate, CFLCC, LTC [REDACTED] at DSN 18-430-6303

[REDACTED]
CPT, JA
Chief of Military Justice

JUN 4 2004 3 52PM

CFLCC SJA

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REPLY TO
ATTENTION OF
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DEPARTMENT OF THE ARMY
HEADQUARTERS, THIRD UNITED STATES ARMY
UNITED STATES ARMY FORCES CENTRAL COMMAND
COALITION FORCES LAND COMPONENT COMMAND
1881 HARDER AVE SW
FORT MCPHERSON, GEORGIA 30330-1064

4 June 2004

MEMORANDUM FOR RECORD

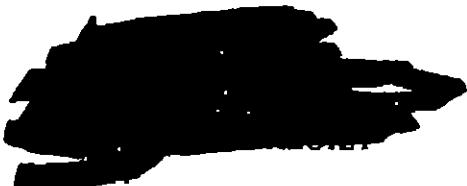
SUBJECT Certification of the AR 15-6 Investigation of the 800th Military Police Brigade

1. As the custodian of the original report, I hereby certify that the Master Disk, which was forwarded by this Headquarters on 13 May 2004 to Headquarters, US Central Command in Doha, Qatar is a true and accurate copy of the AR 15-6 Investigation and contains all of the material that was forwarded to the appointing authority, LTG [REDACTED] for review and approval.
2. Among the 106 annexes, there are statements and or other documents that reference enclosures or attachments that were not made part of the actual report as presented to the appointing authority. The actual annexes were limited to those items that were specifically referenced in the 53 pages of the findings and recommendations.
3. The following allied documents have been stored, and are now maintained, on the electronic copy of the report (referred to as the Master Disk). These were materials gathered by the Investigating Officer but not included as part of the original report as they were not specifically identified in the findings and recommendations
 - a. In Annex 24, The 530th MP Company's Geneva Convention Brief, undated, was added to the Master Disk
 - b. In Annex 45; The Original Report contains only BG Karpinski's Deposition, two additional Memorandums from BG Karpinski, which are also found in Annex 62, were added to the Master Disk
 - c. In Annex 62; the following documents were added to the Master Disk.
 1. 670th MP Company's Command Philosophy,
 2. 670th MP Company's AAR,
 3. FRAGO 70, Redistribution of HUMVEES,
 4. FRAGO 70A, Redistribution of HUMVEES,
 5. MFR, Lateral Transfer of M-114 Up Armored Vehicles,
 6. Memorandum to All 800th MP Soldiers, from BG Karpinski, Subject: Proper Treatment of Iraqi People, dated 19 Jan 04,
 7. Memorandum to All 800th MP Soldiers, from BG Karpinski, Subject: Brigade Policy Regarding Fraternization with Detainees, dated 17 Jan 04,

AFRD-PA

SUBJECT: Certification of the AR 15-6 Investigation of the 800th Military Police Brigade

- 8 Memorandum to All Soldiers, From CPT [REDACTED], Subject Contacts for Physical Abuse of Any Detainee in Theater, dated 18 Jan 04, and
 - 9 A sign posted by the local command's IG, CPT [REDACTED], titled (Contacts for Physical Abuse of Any Detainee in Theater), undated
- d In Annex 95, only 6-pages Mobilization Order were in the Original Report, however, the full 18 pages is now on the Master Disk
- e. In Annex 101, The Original Report does not contain 2LT Osterhout's Sworn Statement, however, it has been added to the Master Disk
- 4 Further review of the Original Report did identify certain typographical and administrative errors that, for clarification purposes, are annotated as follows:
- a. In Annex 23, Annexes A-G of the regulation do not appear in the Original Report
 - b. In Annex 44, The separate annexes found on the Original Disk were combined, with the exception of Annex G.
 - c. In Annex 87, there is an error in the Summarized Testimony. It appears that in the preparation of the Statement, a portion of Annex 88 was cut into Annex 87. It is unclear if any testimony was lost, but the error existed in the Original Report and is on the Master Disk
 - d. In Annex 92; the Original Report contained a Hyperlinked Table of Contents not found on the Master Disk
 - e. In Annex 103, only the Original Disk contains all of the SIRs that produced, but contains all of the SIRs that were considered by the Appointing Authority
5. The original of this document is kept in the Office of the Staff Judge Advocate, CFLCC, Camp Arifjan, Kuwait, APO AE 09306.
6. The Point of Contact is the undersigned at DSN 318-430-6303



Special Assistant to the Staff Judge Advocate

AR 15-6

INVESTIGATION

OF THE

800TH MILITARY POLICE

BRIGADE

Investigating Officer
MG ANTONIO M. TAGUBA
Deputy Commanding General Support
Coalition Forces Land Component Command

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**AR 15-6 Investigation of the 800th MP BDE
Executive Summary**

1. This inquiry into all facts and circumstances surrounding recent allegations of detainee abuse at Abu Ghraib Prison (Baghdad Central Confinement Facility) has produced incontrovertible evidence that such abuse did occur. While those who perpetrated the criminal acts are individually responsible, the command climate, unclear command structure, and insufficient training created an environment conducive to the commission of these offenses.

a Two prior external assessments, the Report on Detention and Corrections in Iraq (MG Ryder) and the Assessment of DoD Counter-Terrorism Interrogation and Detention Operations in Iraq (MG Miller), both agreed that there was a lack of command guidance and structure regarding detainee internment operations. Based on my investigation, I find that these were contributing factors leading to the criminal actions of Soldiers at Abu Ghraib Prison. In an effort to provide structure, the CJTF-7 Commander attempted to create a single chain of command under FRAGO #1108 to OPORD 03-036. The FRAGO stated "Effective Immediately, Commander 205th MI BDE assumes responsibility for the Baghdad Central Confinement Facility (BCCF) and is appointed the FOB Commander and units currently at Abu Ghraib (BCCF) are TACON to 205th MI BDE for security of detainees and FOB protection." However, the Commanders of these respective units failed to adhere to the FRAGO and continued to operate independently.

b. Lack of clear understanding of the command structure led to insufficient control and oversight of detainee operations at Abu Ghraib (BCCF). The command and supervisory presence within the facility was non-existent due to the weak and ineffective leadership at the 800th MP BDE and 320th MP BN. These leadership failures resulted in an environment that allowed those criminally culpable of the abuse to feel they had free rein in their treatment of detainees.

c. The lack of Internment/Resettlement (I/R) training of 800th MP BDE units at home and mobilization stations, and also in theater, was a factor leading to the criminal actions by Soldiers and US contract civilians assigned to the 205th MI BDE at Abu Ghraib Prison.

2. This inquiry into detainee escapes and accountability lapses did not indicate a complete loss of control over the detainee population. However, confusing and non-standard reporting, inadequate and non-doctrinal accounting, and flawed management practices contributed to a loss of accountability.

3. This inquiry found that a perverse command climate in the 800th MP Brigade created conditions that allowed for the loss of accountability and abuse of the detainees.

a. Commanders and staff officers failed to prioritize their missions or take responsibility for their actions and those of their subordinates. Commanders failed to ensure that Soldiers within the command were properly trained for their mission.

b. Basic Soldier standards were infrequently met and not enforced. Lack of enforcement of Army standards by leaders with regard to uniforms and basic military customs and courtesies, as well as unclear command policies, contributed to a lack of military discipline.

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**BY U.S. Central Command
DATE 15 OCT 2004**

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5/27/2004

- c. Units were not properly task organized, which created unclear command relationships. Furthermore, lack of effective leaders in key positions resulted in ambiguous chains of command. Leaders were unable or unwilling to confront situations of misbehavior and misconduct. Addressing these situations may have obviated some of the underlying problems.
4. My investigation is based on numerous oral interviews; reviews of written statements, AR 190-8, FM 3-19.40, FM 34-52, the Geneva Convention, and The Law of Land Warfare (AR 27-10); facility visits of Abu Ghraib Prison (BCCF) and three other detention facilities; and review of Command Standing Operating Procedures, the written Assessment of DoD Counter-Terrorism Interrogation and Detention Operations in Iraq, and the written Assessment of Detention and Corrections Operations in Iraq. Based on my investigation, I recommend the following.
- a. Establish a single command structure in CJTF-7 and/or Iraq Joint Operations Area (JOA) with responsibility for detainee and interrogation operations.
 - b. Reorganize the Abu Ghraib / BCCF under a single command and control element to ensure Army and higher authority standards are met. The BCCF is currently under control of the Commander, 504th MI BDE. Resource the BCCF with sufficient personnel, Information Technology, and other resources to ensure the success of the mission.
 - c. Immediately train all coalition forces conducting detainee operations in a comprehensive and multi-functional training program. All units must be resourced and trained properly to use Biometric Automated Toolset System (BATS) technology to facilitate detainee accounting and management in order to enable mission accomplishment. The use of this technology will enhance accountability procedures but not replace doctrinally proven techniques that must be reinforced.
 - d. Expedite release process for detainees who offer little or no intelligence value and pose minimal or no security risk.
 - e. Establish distinctly separate facilities for detainees under US control and Iraqi criminals under Iraqi control.
 - f. Develop a deliberate plan to address detainee program shortfalls, considering recommendations from this investigation and previous AR 15-6 investigations related to detainee abuse.
5. I recommend the following disciplinary and administrative actions against
- BG Janis L. Karpinski – Commander, 800th Military Police Brigade.
Relief from Command. General Officer Memorandum of Reprimand for:
 - Misrepresentations to investigation team
 - Failure to obey a lawful order
 - Dereliction of duty
 - Ineffective leadership
 - COL Thomas M. Pappas – Commander, 205th Military Intelligence Brigade.
General Officer Memorandum of Reprimand for
 - Dereliction of duty

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- LTC(P) [REDACTED] – Commander, 320th Military Police Battalion.
Relief from Command; General Officer Memorandum of Reprimand; and removal from the COL/O-6 promotion list for
 - Dereliction of duty
 - Failure to obey a lawful order
 - Grossly ineffective leadership
- LTC [REDACTED] – Director, Joint Interrogation and Debriefing Center and Liaison Officer to 205th Military Intelligence Brigade.
Relief from duty; General Officer Memorandum of Reprimand for:
 - Making a false official statement
 - Dereliction of duty
 - Exceeding his authority
 - Willful endangerment of the lives of Military Police Soldiers
- MAJ [REDACTED] Sr – S-3, 320th Military Police Battalion.
Relief from duty; General Officer Memorandum of Reprimand for:
 - Misrepresentations to investigation team
 - Dereliction of duty
- CPT [REDACTED] Commander, 372nd Military Police Company.
Relief from Command; General Officer Memorandum of Reprimand for:
 - Dereliction of duty
 - Ineffective leadership
- 1LT [REDACTED] – Platoon Leader, 372nd Military Police Company.
Relief from duty. General Officer Memorandum of Reprimand for
 - Dereliction of duty
 - Ineffective leadership
- SGM [REDACTED] – Operations SGM, 320th Military Police Battalion.
Relief from duty; General Officer Memorandum of Reprimand for:
 - False official statement
 - Dereliction of duty
 - Ineffective leadership
- 1SG [REDACTED] – First Sergeant, 372nd Military Police Company
Relief from duty; General Officer Memorandum of Reprimand for
 - Dereliction of duty
 - Ineffective leadership
- SFC [REDACTED] – Platoon Sergeant, 372nd Military Police Company.
Relief from duty, General Officer Memorandum of Reprimand; and action under the UCMJ for.
 - False official statement
 - Ineffective leadership
 - Dereliction of duty

~~Secret~~

- SGT ██████████ - Military Working Dog Handler, 42nd Military Police Detachment/16th Military Police Brigade
General Officer Memorandum of Reprimand, and removal from the Military Working Dog Program for:
 - Dereliction of duty
 - Failure to obey AR 190-12 (Military Working Dogs)
 - Incompetent duty performance
- SGT ██████████ - Military Working Dog Handler, 523rd Military Police Detachment/937th Engineer Group.
General Officer Memorandum of Reprimand; and removal from the Military Working Dog Program for:
 - Dereliction of duty
 - Failure to obey AR 190-12 (Military Working Dogs)
- Mr. ██████████ - Contract US civilian Interrogator, CACI, 205th Military Intelligence Brigade.
Placement of Official Reprimand in employment file, termination of employment, generation of derogatory report to revoke security clearance for:
 - Misrepresentations to investigation team
 - Violation of command policies, i.e., abusive behavior and failure to report abuses
- Mr. ██████████ Contract US civilian Interpreter, Titan Corporation, 205th Military Intelligence Brigade
Placement of Official Reprimand in employment file and addressing status of his security clearance for.
 - Misrepresentations to investigation team
 - No current security clearance

6. I find that there is sufficient credible information to warrant an Inquiry UP Procedure 15, AR 381-10, US Army Intelligence Activities, be conducted to determine the extent of culpability of MI personnel, assigned to the 205th MI Brigade and the Joint Interrogation and Debriefing Center (JDIC) at Abu Ghraib (BCCF)

7. Throughout the investigation, I observed many individual Soldiers and units subordinate to the 800th MP Brigade overcome significant obstacles, persevere in extremely poor conditions, and uphold the Army Values. We discovered numerous examples of Soldiers and Sailors taking the initiative in the absence of leadership and accomplishing their assigned tasks.

- a. The 744th MP Battalion, commanded by LTC ██████████, efficiently operated the HVD Detention Facility at Camp Cropper and met mission requirements with little to no guidance from the 800th MP Brigade. Leaders were disciplined and understood their basic tasks
- b. The 530th MP Battalion, commanded by LTC ██████████, effectively maintained the MEK Detention Facility at Camp Ashraf. Their Soldiers were proficient in their individual tasks and adapted well to this highly unique and non-doctrinal operation.

~~Secret~~

- c. The 165th MI Battalion excelled in providing perimeter security and force protection at Abu Ghraib. LTC [REDACTED], demanded standards be enforced and worked endlessly to improve discipline throughout the FOB.
 - d. Master-at-Arms First Class [REDACTED] US Navy Dog Handler, knew his duties and refused to participate in improper interrogations despite significant pressure from the MI personnel at Abu Ghraib; SPC [REDACTED], 372nd MP Company discovered evidence of abuse and turned it over to military law enforcement; 1LT [REDACTED] 229th MP Company, took immediate action and stopped an abuse and then reported the incident to his chain of command.
8. In conclusion, I have determined that as Operation Iraqi Freedom continues, internment and resettlement operations will become a significant and resource intensive endeavor that will potentially be scrutinized by international organizations.
- a. Immediate and comprehensive actions must be taken to meet the minimum standards required by Army Regulations and the Law of Land Warfare, in order to accomplish the mission and intent of detention and interrogation operations in the Iraq Joint Operations Area (JOA).
 - b. US Soldiers have committed egregious acts of abuse to detainees in violation of the UCMJ and international law at Abu Ghraib (BCCF) Key senior leaders in both the 800th MP Brigade and the 205th MI Brigade have failed to comply with established Army standards, DoD policies, and command guidance.
 - c. Approval and implementation of the recommendations of this AR 15-6 Investigation and those highlighted in previous assessments are essential to establish the conditions with the resources and personnel required to prevent future recurrence of detainee abuse.

~~Secret~~

5/27/2004

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-6; the proposing agency is OTJAG.

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

SECTION I - APPOINTMENT

Appointed by LTG [REDACTED], Commander, Coalition Land Force Component Command
 (Appointing authority)

on 31 January 2004 (Attach inclosure 1 Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6)
 (Date)

SECTION II - SESSIONS

The (investigation) (board) commenced at Camp Doha, Kuwait at 1800 Hours
 (Place) (Time)

on 1 February 2004 (If a formal board met for more than one session, check here Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.) The following persons (members, respondents, counsel) were present (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor)

The following persons (members, respondents, counsel) were absent (Include brief explanation of each absence) (See paras 5-2 and 5-8a, AR 15-6)

The (investigating officer) (board) finished gathering/hearing evidence at 2300 Hours on 19 February 2004
 (Time) (Date)
 and completed findings and recommendations at 2300 Hours on 26 February 2004
 (Time) (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES		YES	NO ¹	N/A ²
1	Inclosures (para 3-15, AR 15-6) Are the following inclosed and numbered consecutively with Roman numerals (Attached in order listed)			
a	The letter of appointment or a summary of oral appointment data?	X		
b	Copy of notice to respondent, if any? (See item 9, below)		X	
c	Other correspondence with respondent or counsel, if any?		X	
d	All other written communications to or from the appointing authority?		X	
e	Privacy Act Statements (Certificate, if statement provided orally)?		X	
f	Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?		X	
g	Information as to sessions of a formal board not included on page 1 of this report?		X	
h	Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?	X		

NOTES 1) Explain all negative answers on an attached sheet

2) Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board

2	Exhibits (para 3-16, AR 15-6)	YES	NO	NA ²
	a Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?	X		
	b Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	X		
	c Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	X		
	d Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?	X		
	e Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?	X		
	f Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?			X
	g If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?			X
3	Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?			X
B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)				
4	At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-3b, AR 15-6)?			
5	Was a quorum present at every session of the board (para 5-2b, AR 15-6)?			
6	Was each absence of any member properly excused (para 5-2a, AR 15-6)?			
7	Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?			
8	If any members who voted on findings or recommendations were not present when the board received some evidence, does the inclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?			
C COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)				
9	Noice to respondents (para 5-5, AR 15-6)			
	a Is the method and date of delivery to the respondent indicated on each letter of notification?			
	b Was the date of delivery at least five working days prior to the first session of the board?			
	c Does each letter of notification indicate—			
	(1) the date hour, and place of the first session of the board concerning that respondent?			
	(2) the matter to be investigated, including specific allegations against the respondent, if any?			
	(3) the respondent's rights with regard to counsel?			
	(4) the name and address of each witness expected to be called by the recorder?			
	(5) the respondent's rights to be present, present evidence and call witnesses?			
	d Was the respondent provided a copy of all unclassified documents in the case file?			
	e If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?			
10	If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings)			
	a Was he properly notified (para 5-5, AR 15-6)?			
	b Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-4c, AR 15-6)?			
11	Counsel (para 5-6, AR 15-6)			
	a Was each respondent represented by counsel?			
	Name and business address of counsel			
	(If counsel is a lawyer, check here <input style="width: 10px; height: 10px;" type="checkbox"/>			
	b Was respondent's counsel present at all open sessions of the board relating to that respondent?			
	c If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the action taken on it included in the report (para 5-6b, AR 15-6)?			
12	If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6)			
	a Was the challenge properly denied and by the appropriate officer?			
	b Did each member successfully challenged cease to participate in the proceedings?			
13	Was the respondent given an opportunity to (para 5-8a, AR 15-6)			
	a Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?			
	b Examine and object to the introduction of real and documentary evidence, including written statements?			
	c Object to the testimony of witnesses and cross-examine witnesses other than his own?			
	d Call witnesses and otherwise introduce evidence?			
	e Testify as a witness?			
	f Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?			
14	If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (para 5-8b, AR 15-6)?			
15	Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (para 5-11, AR 15-6)?			
NOTES 1) Explain all negative answers on an attached sheet 2) Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board				

SECTION IV - FINDINGS (para 3-10, AR 15-6)

The *(investigating officer) (board)*, having carefully considered the evidence, finds

SEE ATTACHED REPORT

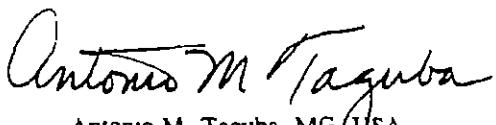
SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

In view of the above findings, the *(investigating officer) (board)* recommends

SEE ATTACHED REPORT

SECTION VI - AUTHENTICATION (para 3-17, AR 15-6)

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE (If any voting member or the recorder fails to sign here or in Section VII below indicate the reason in the space where his signature should appear)



Antonio M. Taguba, MG, USA

(Recorder)

(Investigating Officer) (President)

(Member)

(Member)

(Member)

(Member)

SECTION VII - MINORITY REPORT (para 3-13 AR 15-6)

To the extent indicated in Inclosure _____, the undersigned do(es) not concur in the findings and recommendations of the board
(In the inclosure identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur State the
reasons for disagreement Additional/substitute findings and/or recommendations may be included in the inclosure)

(Member)

(Member)

SECTION VIII - ACTION BY APPOINTING AUTHORITY (para 2-3, AR 15-6)

The findings and recommendations of the ~~(Investigating officer)~~ (board) are ~~(approved) (disapproved)~~ ~~(approved with following exceptions/ substitutions)~~ ~~(If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action attach that correspondence (or a summary, if oral) as a numbered inclosure ;~~

Any findings and Recommendations in this investigation regarding proposed or suggested adverse administrative or punitive action against specific individuals should be decided on a case-by-case basis Individual commanders responsible for enforcing the Uniform Code of Military Justice and good order and discipline within their commands should independently review the facts and circumstances of each case mentioned in this investigation before deciding on appropriate disciplinary or administrative action against individual Soldiers



LTG, USA
Commanding



DEPARTMENT OF THE ARMY
COALITION FORCES LAND COMPONENT COMMAND
UNITED STATES ARMY FORCES CENTRAL COMMAND
THIRD UNITED STATES ARMY
APO AE 09304

AFRD-JA

14 March 2004

MEMORANDUM THRU Staff Judge Advocate, Coalition Forces Land Component Command, Camp Doha, Kuwait APO AE 09304

FOR Commanding General, Coalition Forces Land Component Command, Camp Doha, Kuwait APO AE 09304

SUBJECT: Legal Review of AR 15-6 Investigation of the 800th Military Police Brigade

1. I have reviewed the AR 15-6 investigation into the 800th Military Police Brigade's detention and internment operations from 1 November 2003 to the present
2. I find that the investigation is legally sufficient IAW AR 15-6 and conforms with the appointment memorandum. Specifically, I find the following.
 - (a) The enclosed proceedings comply with legal requirements;
 - (b) Sufficient evidence supports the findings of the investigating officer,
 - (c) The recommendations are consistent with the findings.
- 3 POC for this action is the undersigned at 438-8006/8044

A large rectangular area of the document has been completely blacked out with redaction tape, obscuring a signature.

LTC, JA
Deputy Staff Judge Advocate

ARTICLE 15-6 INVESTIGATION OF THE 800th MILITARY POLICE BRIGADE

~~SECRET//NOFORN//DISSEMINATION~~

DECLASSIFIED
BY U.S. Central Command
DATE 15 OCT 2004

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References

1. Geneva Convention Relative to the Treatment of Prisoners of War, 12 August 1949
2. Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in the Armed Forces in the Field, 12 August 1949
3. Geneva Convention for the Amelioration of the Condition of the Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, 12 August 1949
4. Geneva Convention Protocol Relative to the Status of Refugees, 1967
5. Geneva Convention Relative to the Status of Refugees, 1951
6. Geneva Convention for the Protection of War Victims, 12 August 1949
7. Geneva Convention Relative to the Protection of Civilian Persons in Time of War, 12 August 1949
8. DOD Directive 5100.69, "DOD Program for Prisoners of War and other Detainees," 27 December 1972
9. DOD Directive 5100.77 "DOD Law of War Program," 10 July 1979
10. STANAG No 2044, Procedures for Dealing with Prisoners of War (PW) (Edition 5), 28 June 1994
11. STANAG No. 2033, Interrogation of Prisoners of War (PW) (Edition 6), 6 December 1994
12. AR 190-8, Enemy Prisoners of War, Retained Personnel, Civilian Internees, and Other Detainees, 1 October 1997
13. AR 190-47, The Army Corrections System, 15 August 1996
14. AR 190-14, Carrying of Firearms and Use of Force for Law Enforcement and Security Duties, 12 March 1993
15. AR 195-5, Evidence Procedures, 28 August 1992
16. AR 190-11, Physical Security of Arms, Ammunition and Explosives, 12 February 1998
17. AR 190-12, Military Police Working Dogs, 30 September 1993
18. AR 190-13, The Army Physical Security Program, 30 September 1993
19. AR 380-67, Personnel Security Program, 9 September 1988
20. AR 380-5, Department of the Army Information Security, 31 September 2000

21. AR 670-1, Wear and Appearance of Army Uniforms and Insignia, 5 September 2003
22. AR 190-40, Serious Incident Report, 30 November 1993
23. AR 15-6, Procedures for Investigating Officers and Boards of Officers, 11 May 1988
24. AR 27-10, Military Justice, 6 September 2002
25. AR 635-200, Enlisted Personnel, 1 November 2000
26. AR 600-8-24, Officer Transfers and Discharges, 29 June 2002
27. AR 500-5, Army Mobilization, 6 July 1996
28. AR 600-20, Army Command Policy, 13 May 2002
29. AR 623-105, Officer Evaluation Reports, 1 April 1998
30. AR 175-9, Contractors Accompanying the Force, 29 October 1999
31. FM 3-19 40, Military Police Internment/Resettlement Operations, 1 August 2001
32. FM 3-19 1, Military Police Operations, 22 March 2001
33. FM 3-19 4, Military Police Leaders' Handbook, 4 March 2002
34. FM 3-05.30, Psychological Operations, 19 June 2000
35. FM 33-1-1, Psychological Operations Techniques and Procedures, 5 May 1994
36. FM 34-52, Intelligence Interrogation, 28 September 1992
37. FM 19-15, Civil Disturbances, 25 November 1985
38. FM 3-0, Operations, 14 June 2001
39. FM 101-5, Staff Organizations and Functions, 23 May 1984
40. FM 3-19.30, Physical Security, 8 January 2001
41. FM 3-21.5, Drill and Ceremonies, 7 July 2003
42. ARTEP 19-546-30 MTP, Mission Training Plan for Military Police Battalion (IR)
43. ARTEP 19-667-30 MTP, Mission Training Plan for Military Police Guard Company
44. ARTEP 19-647-30 MTP, Mission Training Plan for Military Police Escort Guard Company
45. STP 19-95B1-SM, Soldier's Manual, MOS 95B, Military Police, Skill Level 1, 6 August 2002

- 46 STP 19-95C14-SM-TG, Soldier's Manual and Trainer's Guide for MOS 95C Internment/Resettlement Specialist, Skill Levels 1/2/3/4, 26 March 1999
- 47 STP 19-95C1-SM MOS 95C, Corrections Specialist, Skill Level 1, Soldier's Manual, 30 September 2003
48. STP 19-95C24-SM-TG MOS 95C, Corrections Specialist, Skill Levels 2/3/4, Soldier's Manual and Trainer's Guide, 30 September 2003
49. Assessment of DOD Counter-Terrorism Interrogation and Detention Operations in Iraq, (MG Geoffrey D. Miller, Commander JTF-GTMO, Guantanamo Bay, Cuba), 9 September 2003
50. Assessment of Detention and Corrections Operations in Iraq, (MG Donald J Ryder, Provost Marshal General), 6 November 2003
- 51 CJTF-7 FRAGO #1108, Subject *includes-* para 3.C.8 & 3.C 8.A.1, Assignment of 205 MI BDE CDR Responsibilities for the Baghdad Central Confinement Facility (BCCF), 19 November 2003
- 52 CJTF-7 FRAGO #749, Subject Intelligence and Evidence-Led Detention Operations Relating to Detainees, 24 August 2003
- 53 800th MP BDE FRAGO # 89, Subject Rules of Engagement, 26 December 2003
- 54 CG CJTF-7 Memo CJTF-7 Interrogation and Counter-Resistance Policy, 12 October 2003
55. CG CJTF-7 Memo Dignity and Respect While Conducting Operations, 13 December 2003
56. Uniform Code of Military Justice and Manual for Courts Martial, 2002 Edition

ARTICLE 15-6 INVESTIGATION OF THE 800th MILITARY POLICE BRIGADE

BACKGROUND

1. (U) On 19 January 2004, Lieutenant General (LTG) Ricardo S Sanchez, Commander, Combined Joint Task Force Seven (CJTF-7) requested that the Commander, US Central Command, appoint an Investigating Officer (IO) in the grade of Major General (MG) or above to investigate the conduct of operations within the 800th Military Police (MP) Brigade. LTG Sanchez requested an investigation of detention and internment operations by the Brigade from 1 November 2003 to present. LTG Sanchez cited recent reports of detainee abuse, escapes from confinement facilities, and accountability lapses, which indicated systemic problems within the brigade and suggested a lack of clear standards, proficiency, and leadership. LTG Sanchez requested a comprehensive and all-encompassing inquiry to make findings and recommendations concerning the fitness and performance of the 800th MP Brigade. (ANNEX 2)
- 2 (U) On 24 January 2003, the Chief of Staff of US Central Command (CENTCOM), MG R Steven Whitcomb, on behalf of the CENTCOM Commander, directed that the Commander, Coalition Forces Land Component Command (CFLCC), LTG David D. McKiernan, conduct an investigation into the 800th MP Brigade's detention and internment operations from 1 November 2003 to present. CENTCOM directed that the investigation should inquire into all facts and circumstances surrounding recent reports of suspected detainee abuse in Iraq. It also directed that the investigation inquire into detainee escapes and accountability lapses as reported by CJTF-7, and to gain a more comprehensive and all-encompassing inquiry into the fitness and performance of the 800th MP Brigade. (ANNEX 3)
- 3 (U) On 31 January 2004, the Commander, CFLCC, appointed MG Antonio M Taguba, Deputy Commanding General Support, CFLCC, to conduct this investigation. MG Taguba was directed to conduct an informal investigation under AR 15-6 into the 800th MP Brigade's detention and internment operations. Specifically, MG Taguba was tasked to.
 - a (U) Inquire into all the facts and circumstances surrounding recent allegations of detainee abuse, specifically allegations of maltreatment at the Abu Ghraib Prison (Baghdad Central Confinement Facility (BCCF)),
 - b (U) Inquire into detainee escapes and accountability lapses as reported by CJTF-7, specifically allegations concerning these events at the Abu Ghraib Prison,

- c (U) Investigate the training, standards, employment, command policies, internal procedures, and command climate in the 800th MP Brigade, as appropriate,
 - d. (U) Make specific findings of fact concerning all aspects of the investigation, and make any recommendations for corrective action, as appropriate (ANNEX 4)
- 4 (U) LTG Sanchez's request to investigate the 800th MP Brigade followed the initiation of a criminal investigation by the US Army Criminal Investigation Command (USACIDC) into specific allegations of detainee abuse committed by members of the 372nd MP Company, 320th MP Battalion in Iraq. These units are part of the 800th MP Brigade. The Brigade is an Iraq Theater asset, TACON to CJTF-7, but OPCON to CFLCC at the time this investigation was initiated. In addition, CJTF-7 had several reports of detainee escapes from US/Coalition Confinement Facilities in Iraq over the past several months. These include Camp Bucca, Camp Ashraf, Abu Ghraib, and the High Value Detainee (HVD) Complex/Camp Cropper. The 800th MP Brigade operated these facilities. In addition, four Soldiers from the 320th MP Battalion had been formally charged under the Uniform Code of Military Justice (UCMJ) with detainee abuse in May 2003 at the Theater Internment Facility (TIF) at Camp Bucca, Iraq (ANNEXES 5-18, 34 and 35)
- 5 (U) I began assembling my investigation team prior to the actual appointment by the CFLCC Commander. I assembled subject matter experts from the CFLCC Provost Marshal (PM) and the CFLCC Staff Judge Advocate (SJA). I selected COL Kinard J. La Fate, CFLCC Provost Marshal to be my Deputy for this investigation. I also contacted the Provost Marshal General of the Army, MG [REDACTED], to enlist the support of MP subject matter experts in the areas of detention and internment operations. (ANNEXES 4 and 19)
- 6 (U) The Investigating Team also reviewed the Assessment of DoD Counter-Terrorism Interrogation and Detention Operations in Iraq conducted by MG Geoffrey D. Miller, Commander, Joint Task Force Guantanamo (JTF-GTMO). From 31 August to 9 September 2003, MG [REDACTED] led a team of personnel experienced in strategic interrogation to HQ, CJTF-7 and the Iraqi Survey Group (ISG) to review current Iraqi Theater ability to rapidly exploit internees for actionable intelligence. MG Miller's team focused on three areas - intelligence integration, synchronization, and fusion, interrogation operations, and detention operations. MG Miller's team used JTF-GTMO procedures and interrogation authorities as baselines (ANNEX 20)
7. (U) The Investigating Team began its inquiry with an in-depth analysis of the Report on Detention and Corrections in Iraq, dated 5 November 2003, conducted by MG [REDACTED] and a team of military police, legal, medical, and automation experts. The CJTF-7 Commander, LTG Sanchez, had previously requested a team of subject matter experts to assess, and make specific recommendations concerning detention and corrections operations. From 13 October to 6 November 2003, MG Ryder personally led this assessment/assistance team in Iraq. (ANNEX 19)

ASSESSMENT OF DoD COUNTER-TERRORISM INTERROGATION AND DETENTION OPERATIONS IN IRAQ (MG MILLER'S ASSESSMENT)

1. (S/NE) The principal focus of MG [REDACTED] team was on the strategic interrogation of detainees/internees in Iraq. Among its conclusions in its Executive Summary were that CJTF-7 did not have authorities and procedures in place to affect a unified strategy to detain, interrogate, and report information from detainees/internees in Iraq. The Executive Summary also stated that detention operations must act as an enabler for interrogation. (ANNEX 20)
2. (S/NE) With respect to interrogation, MG [REDACTED] Team recommended that CJTF-7 dedicate and train a detention guard force subordinate to the Joint Interrogation Debriefing Center (JIDC) Commander that "sets the conditions for the successful interrogation and exploitation of internees/detainees." Regarding Detention Operations, MG Miller's team stated that the function of Detention Operations is to provide a safe, secure, and humane environment that supports the expeditious collection of intelligence. However, it also stated "it is essential that the guard force be actively engaged in setting the conditions for successful exploitation of the internees" (ANNEX 20)
3. (S/NE) MG [REDACTED] team also concluded that Joint Strategic Interrogation Operations (within CJTF-7) are hampered by lack of active control of the internees within the detention environment. The Miller Team also stated that establishment of the Theater Joint Interrogation and Detention Center (JIDC) at Abu Ghraib (BCCF) will consolidate both detention and strategic interrogation operations and result in synergy between MP and MI resources and an integrated, synchronized, and focused strategic interrogation effort (ANNEX 20)
4. (S/NE) MG [REDACTED] team also observed that the application of emerging strategic interrogation strategies and techniques contain new approaches and operational art. The Miller Team also concluded that a legal review and recommendations on internee interrogation operations by a dedicated Command Judge Advocate is required to maximize interrogation effectiveness (ANNEX 20)

IO COMMENTS ON MG MILLER'S ASSESSMENT

1. (S/NE) MG Miller's team recognized that they were using JTF-GTMO operational procedures and interrogation authorities as baselines for its observations and recommendations. There is a strong argument that the intelligence value of detainees held at JTF-Guantanamo (GTMO) is different than that of the detainees/internees held at Abu Ghraib (BCCF) and other detention facilities in Iraq. Currently, there are a large number of Iraqi criminals held at Abu Ghraib (BCCF). These are not believed to be international terrorists or members of Al Qaida, Ansar Al Islam, Taliban, and other international terrorist organizations (ANNEX 20)

- 2 (S/NF) The recommendations of MG Miller's team that the "guard force" be actively engaged in setting the conditions for successful exploitation of the internees would appear to be in conflict with the recommendations of MG Ryder's Team and AR 190-8 that military police "do not participate in military intelligence supervised interrogation sessions." The Ryder Report concluded that the OEF template whereby military police actively set the favorable conditions for subsequent interviews runs counter to the smooth operation of a detention facility (ANNEX 20)

REPORT ON DETENTION AND CORRECTIONS IN IRAQ (MG █████'S REPORT)

- 1 (U) MG Ryder and his assessment team conducted a comprehensive review of the entire detainee and corrections system in Iraq and provided recommendations addressing each of the following areas as requested by the Commander CJTF-7
- a (U) Detainee and corrections system management
 - b (U) Detainee management, including detainee movement, segregation, and accountability
 - c (U) Means of command and control of the detention and corrections system
 - d (U) Integration of military detention and corrections with the Coalition Provisional Authority (CPA) and adequacy of plans for transition to an Iraqi-run corrections system
 - e (U) Detainee medical care and health management
 - f (U) Detention facilities that meet required health, hygiene, and sanitation standards
 - g (U) Court integration and docket management for criminal detainees
 - h (U) Detainee legal processing
 - i (U) Detainee databases and records, including integration with law enforcement and court databases (ANNEX 19)
- 2 (U) Many of the findings and recommendations of MG Ryder's team are beyond the scope of this investigation. However, several important findings are clearly relevant to this inquiry and are summarized below (emphasis is added in certain areas)
- A (U) Detainee Management (including movement, segregation, and accountability)
- 1 (U) There is a wide variance in standards and approaches at the various detention facilities. Several Division/Brigade collection points and US monitored Iraqi prisons had flawed or insufficiently detailed use of force and other standing operating procedures or policies (e.g. weapons in the facility, improper restraint techniques, detainee management, etc.) Though, there were no military police units purposely applying inappropriate confinement practices. (ANNEX 19)

2. (U) Currently, due to lack of adequate Iraqi facilities, Iraqi criminals (generally Iraqi-on-Iraqi crimes) are detained with security internees (generally Iraqi-on-Coalition offenses) and EPWs in the same facilities, though segregated in different cells/compounds (ANNEX 19)
3. (U) The management of multiple disparate groups of detained people in a single location by members of the same unit invites confusion about handling, processing, and treatment, and typically facilitates the transfer of information between different categories of detainees (ANNEX 19)
4. (U) The 800th MP (I/R) units did not receive Internment/Resettlement (I/R) and corrections specific training during their mobilization period. Corrections training is only on the METL of two MP (I/R) Confinement Battalions throughout the Army, one currently serving in Afghanistan, and elements of the other are at Camp Arifjan, Kuwait. MP units supporting JTF-GTMO received ten days of training in detention facility operations, to include two days of unarmed self-defense, training in interpersonal communication skills, forced cell moves, and correctional officer safety (ANNEX 19)

B (U) Means of Command and Control of the Detention and Corrections System

- 1 (U) The 800th MP Brigade was originally task organized with eight MP(I/R) Battalions consisting of both MP Guard and Combat Support companies. Due to force rotation plans, the 800th redeployed two Battalion HHCs in December 2003, the 115th MP Battalion and the 324th MP Battalion. In December 2003, the 400th MP Battalion was relieved of its mission and redeployed in January 2004. The 724th MP Battalion redeployed on 11 February 2004 and the remainder is scheduled to redeploy in March and April 2004. They are the 310th MP Battalion, 320th MP Battalion, 530th MP Battalion, and 744th MP Battalion. The units that remain are generally understrength, as Reserve Component units do not have an individual personnel replacement system to mitigate medical losses or the departure of individual Soldiers that have reached 24 months of Federal active duty in a five-year period (ANNEX 19)
- 2 (U) The 800th MP Brigade (I/R) is currently a CFLCC asset, TACON to CJTF-7 to conduct Internment/Resettlement (I/R) operations in Iraq. All detention operations are conducted in the CJTF-7 AO, Camps Ganci, Vigilant, Bucca, TSP Whitford, and a separate High Value Detention (HVD) site (ANNEX 19)
- 3 (U) The 800th MP Brigade has experienced challenges adapting its task organizational structure, training, and equipment resources from a unit designed to conduct standard EPW operations in the COMMZ (Kuwait). Further, the doctrinally trained MP Soldier-to-detainee population ratio and facility layout templates are predicated on a compliant, self-disciplining EPW population, and not criminals or high-risk security internees. (ANNEX 19)

4. (U) EPWs and Civilian Internees should receive the full protections of the Geneva Conventions, unless the denial of these protections is due to specifically articulated military necessity (e.g., no visitation to preclude the direction of insurgency operations) (ANNEXES 19 and 24)
- 5 (U) AR 190-8, *Enemy Prisoners of War, Retained Personnel, Civilian Internees, and other Detainees*, FM 3-19.40, *Military Police Internment and Resettlement Operations*, and FM 34-52, *Intelligence Interrogations*, require military police to provide an area for intelligence collection efforts within EPW facilities. Military Police, though adept at passive collection of intelligence within a facility, do not participate in Military Intelligence supervised interrogation sessions. Recent intelligence collection in support of Operation Enduring Freedom posited a template whereby military police actively set favorable conditions for subsequent interviews. Such actions generally run counter to the smooth operation of a detention facility, attempting to maintain its population in a compliant and docile state. **The 800th MP Brigade has not been directed to change its facility procedures to set the conditions for MI interrogations, nor participate in those interrogations.** (ANNEXES 19 and 21-23)
- 6 MG Ryder's Report also made the following, *inter alia*, near-term and mid-term recommendations regarding the command and control of detainees
 - a (U) Align the release process for security internees with DoD Policy. The process of screening security internees should include intelligence findings, interrogation results, and current threat assessment
 - b (U) Determine the scope of intelligence collection that will occur at Camp Vigilant. Refurbish the Northeast Compound to separate the screening operation from the Iraqi run Baghdad Central Correctional Facility.
Establish procedures that define the role of military police Soldiers securing the compound, clearly separating the actions of the guards
 - c. (U) Consolidate all Security Internee Operations, except the MEK security mission, under a single Military Police Brigade Headquarters for OIF 2.
 - d (U) **Insist that all units identified to rotate into the Iraqi Theater of Operations (ITO) to conduct internment and confinement operations in support of OIF 2 be organic to CJTF-7.** (ANNEX 19)

IO COMMENTS REGARDING MG RYDER'S REPORT

- 1 (U) The objective of MG [REDACTED] Team was to observe detention and prison operations, identify potential systemic and human rights issues, and provide near-term, mid-term, and long-term recommendations to improve CJTF-7 operations and transition of the Iraqi prison system from US military control/oversight to the Coalition Provisional Authority and eventually to the Iraqi Government. The Findings and Recommendations of MG Ryder's Team are thorough and precise and should be implemented immediately (ANNEX 19)
2. (U) Unfortunately, many of the systemic problems that surfaced during MG Ryder's Team's assessment are the very same issues that are the subject of this investigation. In fact, many of the abuses suffered by detainees occurred during, or near to, the time of that assessment. As will be pointed out in detail in subsequent portions of this report, I disagree with the conclusion of MG Ryder's Team in one critical aspect, that being its conclusion that the 800th MP Brigade had not been asked to change its facility procedures to set the conditions for MI interviews. While clearly the 800th MP Brigade and its commanders were not tasked to set conditions for detainees for subsequent MI interrogations, it is obvious from a review of comprehensive CID interviews of suspects and witnesses that this was done at lower levels. (ANNEX 19)
- 3 (U) I concur fully with MG [REDACTED] conclusion regarding the effect of AR 190-8 Military Police, though adept at passive collection of intelligence within a facility, should not participate in Military Intelligence supervised interrogation sessions. Moreover, Military Police should not be involved with setting "favorable conditions" for subsequent interviews. These actions, as will be outlined in this investigation, clearly run counter to the smooth operation of a detention facility. (ANNEX 19)

PRELIMINARY INVESTIGATIVE ACTIONS

- 1 (U) Following our review of MG [REDACTED] s Report and MG [REDACTED] Report, my investigation team immediately began an in-depth review of all available documents regarding the 800th MP Brigade. We reviewed in detail the voluminous CID investigation regarding alleged detainee abuses at detention facilities in Iraq, particularly the Abu Ghraib (BCCF) Detention Facility. We analyzed approximately fifty witness statements from military police and military intelligence personnel, potential suspects, and detainees. We reviewed numerous photos and videos of actual detainee abuse taken by detention facility personnel, which are now in the custody and control of the US Army Criminal Investigation Command and the CJTF-7 prosecution team. The photos and videos are not contained in this investigation. We obtained copies of the 800th MP Brigade roster, rating chain, and assorted internal

investigations and disciplinary actions involving that command for the past several months. (All ANNEXES Reviewed by Investigation Team)

2. (U) In addition to military police and legal officers from the CFLCC PMO and SJA Offices we also obtained the services of two individuals who are experts in military police detention practices and training. These were LTC [REDACTED], Commander, 705th MP Battalion, United States Disciplinary Barracks, Fort Leavenworth, and SFC [REDACTED] Senior Corrections Advisor, US Army Military Police School, Fort Leonard Wood. I also requested and received the services of Col [REDACTED] a trained US Air Force psychiatrist assigned to assist my investigation team. (ANNEX 4)
- 3 (U) In addition to MG Ryder's and MG Miller's Reports, the team reviewed numerous reference materials including the 12 October 2003 CJTF-7 Interrogation and Counter-Resistance Policy, the AR 15-6 Investigation on Riot and Shootings at Abu Ghraib on 24 November 2003, the 205th MI Brigade's Interrogation Rules of Engagement (IROE), facility staff logs/journals and numerous records of AR 15-6 investigations and Serious Incident Reports (SIRs) on detainee escapes/shootings and disciplinary matters from the 800th MP Brigade (ANNEXES 5-20, 37, 93, and 94)
4. (U) On 2 February 2004, I took my team to Baghdad for a one-day inspection of the Abu Ghraib Prison (BCCF) and the High Value Detainee (HVD) Complex in order to become familiar with those facilities. We also met with COL [REDACTED], Commander, 3rd MP Criminal Investigation Group (CID), COL [REDACTED], Commander, 16th MP Brigade, COL [REDACTED] Commander, 89th MP Brigade, and COL [REDACTED], CJTF-7 Provost Marshal. On 7 February 2004, the team visited the Camp Bucca Detention Facility to familiarize itself with the facility and operating structure. In addition, on 6 and 7 February 2004, at Camp Doha, Kuwait, we conducted extensive training sessions on approved detention practices. We continued our preparation by reviewing the ongoing CID investigation and were briefed by the Special Agent in Charge, CW2 [REDACTED]. We refreshed ourselves on the applicable reference materials within each team member's area of expertise, and practiced investigative techniques. I met with the team on numerous occasions to finalize appropriate witness lists, review existing witness statements, arrange logistics, and collect potential evidence. We also coordinated with CJTF-7 to arrange witness attendance, force protection measures, and general logistics for the team's move to Baghdad on 8 February 2004 (ANNEXES 4 and 25) ?
- 5 (U) At the same time, due to the Transfer of Authority on 1 February 2004 between III Corps and V Corps, and the upcoming demobilization of the 800th MP Brigade Command, I directed that several critical witnesses who were preparing to leave the theater remain at Camp Arifjan, Kuwait until they could be interviewed (ANNEX 29). My team deployed to Baghdad on 8 February 2004 and conducted a series of interviews with a variety of witnesses (ANNEX 30). We returned to Camp Doha, Kuwait on 13 February 2004. On 14 and 15 February we interviewed a number of witnesses from the 800th MP Brigade. On 17 February we returned to Camp Bucca,

Iraq to complete interviews of witnesses at that location. From 18 February thru 28 February we collected documents, compiled references, did follow-up interviews, and completed a detailed analysis of the volumes of materials accumulated throughout our investigation. On 29 February we finalized our executive summary and out-briefing slides. On 9 March we submitted the AR 15-6 written report with findings and recommendations to the CFLCC Deputy SJA, LTC [REDACTED] for a legal sufficiency review. The out-brief to the appointing authority, LTG [REDACTED] took place on 3 March 2004 (ANNEXES 26 and 45-91)

FINDINGS AND RECOMMENDATIONS

(PART ONE)

(U) The investigation should inquire into all of the facts and circumstances surrounding recent allegations of detainee abuse, specifically, allegations of maltreatment at the Abu Ghraib Prison (Baghdad Central Confinement Facility).

- 1 (U) The US Army Criminal Investigation Command (CID), led by COL [REDACTED] [REDACTED] and a team of highly trained professional agents have done a superb job of investigating several complex and extremely disturbing incidents of detainee abuse at the Abu Ghraib Prison. They conducted over 50 interviews of witnesses, potential criminal suspects, and detainees. They also uncovered numerous photos and videos portraying in graphic detail detainee abuse by Military Police personnel on numerous occasions from October to December 2003. Several potential suspects rendered full and complete confessions regarding their personal involvement and the involvement of fellow Soldiers in this abuse. Several potential suspects invoked their rights under Article 31 of the Uniform Code of Military Justice (UCMJ) and the 5th Amendment of the U.S. Constitution (ANNEX 25)
2. (U) In addition to a comprehensive and exhaustive review of all of these statements and documentary evidence, we also interviewed numerous officers, NCOs, and junior enlisted Soldiers in the 800th MP Brigade, as well as members of the 205th Military Intelligence Brigade working at the prison. We did not believe it was necessary to re-interview all the numerous witnesses who had previously provided comprehensive statements to CID, and I have adopted those statements for the purposes of this investigation (ANNEXES 26, 34, 35, and 45-91)

REGARDING PART ONE OF THE INVESTIGATION, I MAKE THE FOLLOWING SPECIFIC FINDINGS OF FACT:

- 1 (U) That Forward Operating Base (FOB) Abu Ghraib (BCCF) provides security of both criminal and security detainees at the Baghdad Central Correctional Facility, facilitates the conducting of interrogations for CJTF-7, supports other CPA operations at the prison, and enhances the force protection/quality of life of Soldiers assigned in order to ensure the success of ongoing operations to secure a free Iraq (ANNEX 31)
- 2 (U) That the Commander, 205th Military Intelligence Brigade, was designated by CJTF-7 as the Commander of FOB Abu Ghraib (BCCF) effective 19 November 2003. That the 205th MI Brigade conducts operational and strategic interrogations for CJTF-7. That from 19 November 2003 until Transfer of Authority (TOA) on 6

February 2004, COL Thomas M. Pappas was the Commander of the 205th MI Brigade and the Commander of FOB Abu Ghraib (BCCF). (ANNEX 31)

- 3 (U) That the 320th Military Police Battalion of the 800th MP Brigade is responsible for the Guard Force at Camp Ganci, Camp Vigilant, & Cellblock 1 of FOB Abu Ghraib (BCCF) That from February 2003 to until he was suspended from his duties on 17 January 2004, LTC [REDACTED] served as the Battalion Commander of the 320th MP Battalion. That from December 2002 until he was suspended from his duties, on 17 January 2004, CPT [REDACTED] served as the Company Commander of the 372nd MP Company, which was in charge of guarding detainees at FOB Abu Ghraib. I further find that both the 320th MP Battalion and the 372nd MP Company were located within the confines of FOB Abu Ghraib (ANNEXES 32 and 45)
4. (U) That from July of 2003 to the present, BG Janus L. Karpinski was the Commander of the 800th MP Brigade (ANNEX 45)
5. (S) That between October and December 2003, at the Abu Ghraib Confinement Facility (BCCF), numerous incidents of sadistic, blatant, and wanton criminal abuses were inflicted on several detainees. This systemic and illegal abuse of detainees was intentionally perpetrated by several members of the military police guard force (372nd Military Police Company, 320th Military Police Battalion, 800th MP Brigade), in Tier (section) 1-A of the Abu Ghraib Prison (BCCF). The allegations of abuse were substantiated by detailed witness statements (ANNEX 26) and the discovery of extremely graphic photographic evidence. Due to the extremely sensitive nature of these photographs and videos, the ongoing CID investigation, and the potential for the criminal prosecution of several suspects, the photographic evidence is not included in the body of my investigation. The pictures and videos are available from the Criminal Investigative Command and the CTJF-7 prosecution team. In addition to the aforementioned crimes, there were also abuses committed by members of the 325th MI Battalion, 205th MI Brigade, and Joint Interrogation and Debriefing Center (JIDC). Specifically, on 24 November 2003, SPC [REDACTED], 205th MI Brigade, sought to degrade a detainee by having him strip and returned to cell naked (ANNEXES 26 and 53)
6. (S) I find that the intentional abuse of detainees by military police personnel included the following acts
 - a. (S) Punching, slapping, and kicking detainees, jumping on their naked feet;
 - b. (S) Videotaping and photographing naked male and female detainees;
 - c. (S) Forcibly arranging detainees in various sexually explicit positions for photographing,
 - d. (S) Forcing detainees to remove their clothing and keeping them naked for several days at a time;
 - e. (S) Forcing naked male detainees to wear women's underwear,
 - f. (S) Forcing groups of male detainees to masturbate themselves while being photographed and videotaped;

- g. (S) Arranging naked male detainees in a pile and then jumping on them,
- h. (S) Positioning a naked detainee on a MRE Box, with a sandbag on his head, and attaching wires to his fingers, toes, and penis to simulate electric torture;
- i. (S) Writing "I am a Rapest" (sic) on the leg of a detainee alleged to have forcibly raped a 15-year old fellow detainee, and then photographing him naked;
- j. (S) Placing a dog chain or strap around a naked detainee's neck and having a female Soldier pose for a picture;
- k. (S) A male MP guard having sex with a female detainee,
- l. (S) Using military working dogs (without muzzles) to intimidate and frighten detainees, and in at least one case biting and severely injuring a detainee;
- m. (S) Taking photographs of dead Iraqi detainees.

(ANNEXES 25 and 26)

- 7. (U) These findings are amply supported by written confessions provided by several of the suspects, written statements provided by detainees, and witness statements. In reaching my findings, I have carefully considered the pre-existing statements of the following witnesses and suspects (ANNEX 26)

- a. (U) SPC [REDACTED] and MP Company - Suspect
- b. (U) SPC [REDACTED], 372nd MP Company – Suspect
- c. (U) SGT [REDACTED], 372nd MP Company - Suspect
- c. (U) PFC [REDACTED], 372nd MP Company - Suspect
- d. (U) [REDACTED], Civilian Translator, Titan Corp., Assigned to the 205th MI Brigade- Suspect
- e. (U) SPC [REDACTED], 372nd MP Company
- f. (U) SGT [REDACTED], 109th Area Support Medical Battalion
- g. (U) SGT [REDACTED], 302nd MI Battalion
- h. (U) [REDACTED] Contractor, Titan Corp., Assigned to the 205th MI Brigade
- j. (U) [REDACTED], 372nd MP Company
- k. (U) SPC [REDACTED], 372nd MP Company
- l. (U) SSG [REDACTED] Medic, 109th Medical Detachment
- m. (U) SPC [REDACTED], 229th MP Company

- 8. (U) In addition, several detainees also described the following acts of abuse, which under the circumstances, I find credible based on the clarity of their statements and supporting evidence provided by other witnesses (ANNEX 26).

- a. (U) Breaking chemical lights and pouring the phosphoric liquid on detainees,
- b. (U) Threatening detainees with a charged 9mm pistol,
- c. (U) Pouring cold water on naked detainees,
- d. (U) Beating detainees with a broom handle and a chair,
- e. (U) Threatening male detainees with rape,
- f. (U) Allowing a military police guard to stitch the wound of a detainee who was injured after being slammed against the wall in his cell,
- g. (U) Sodomizing a detainee with a chemical light and perhaps a broom stick.

- h. (U) Using military working dogs to frighten and intimidate detainees with threats of attack, and in one instance actually biting a detainee
- 9 (U) I have carefully considered the statements provided by the following detainees, which under the circumstances I find credible based on the clarity of their statements and supporting evidence provided by other witnesses
- a. (U) [REDACTED] Detainee # 151365
 - b. (U) [REDACTED], Detainee # 13077
 - c. (U) [REDACTED] Detainee # 19446
 - d. (U) [REDACTED] # 151108
 - e. (U) [REDACTED] (sic), Detainee # 152307
 - f. (U) [REDACTED] Detainee # 150542
 - g. (U) [REDACTED] Detainee, # 150422
 - h. (U) [REDACTED] Detainee # 150425
 - i. (U) [REDACTED] Detainee # 152529
 - j. (U) [REDACTED] Detainee # 7787
 - k. (U) [REDACTED] Detainee # 150427
 - l. (U) [REDACTED] Detainee # 151362
 - m. (U) [REDACTED] Detainee # 18470 (ANNEX 26)
- 10 (U) I find that contrary to the provision of AR 190-8, and the findings found in MG Ryder's Report, Military Intelligence (MI) interrogators and Other US Government Agency's (OGA) interrogators actively requested that MP guards set physical and mental conditions for favorable interrogation of witnesses. Contrary to the findings of MG Ryder's Report, I find that personnel assigned to the 372nd MP Company, 800th MP Brigade were directed to change facility procedures to "set the conditions" for MI interrogations. I find no direct evidence that MP personnel actually participated in those MI interrogations (ANNEXES 19, 21, 25, and 26).
- 11 (U) I reach this finding based on the actual proven abuse that I find was inflicted on detainees and by the following witness statements (ANNEXES 25 and 26)
- a. (U) **SPC [REDACTED]**, 372nd MP Company, stated in her sworn statement regarding the incident where a detainee was placed on a box with wires attached to his fingers, toes, and penis, "that her job was to keep detainees awake." She stated that MI was talking to CPL [REDACTED]. She stated "MI wanted to get them to talk. It is [REDACTED] job to do things for MI and OGA to get these people to talk."
 - b. (U) **SGT [REDACTED]**, 372nd MP Company, stated in his sworn statement as follows. "I witnessed prisoners in the MI hold section, wing 1A being made to do various things that I would question morally. In Wing 1A we were told that they had different rules and different SOP for treatment. I never saw a set of rules or SOP for that section just word of mouth. The Soldier in charge of 1A was Corporal [REDACTED]. He stated that the Agents and MI Soldiers would ask

him to do things, but nothing was ever in writing he would complain (sic)." When asked why the rules in 1A/1B were different than the rest of the wings, SGT [REDACTED] stated: "The rest of the wings are regular prisoners and 1A/B are Military Intelligence (MI) holds." When asked why he did not inform his chain of command about this abuse, SGT [REDACTED] stated: "Because I assumed that if they were doing things out of the ordinary or outside the guidelines, someone would have said something. Also the wing belongs to MI and it appeared MI personnel approved of the abuse." SGT [REDACTED] also stated that he had heard MI insinuate to the guards to abuse the inmates. When asked what MI said he stated: "Loosen this guy up for us." Make sure he has a bad night." "Make sure he gets the treatment." He claimed these comments were made to CPL [REDACTED] and SSG [REDACTED]. Finally, SGT [REDACTED] stated that (sic) "the MI staffs to my understanding have been giving [REDACTED] compliments on the way he has been handling the MI holds. Example being statements like, "Good job, they're breaking down real fast. They answer every question. They're giving out good information, Finally, and Keep up the good work . Stuff like that."

- c (U) SPC [REDACTED] 372nd MP Company, was asked if he were present when any detainees were abused. He stated "I saw them nude, but MI would tell us to take away their mattresses, sheets, and clothes." He could not recall who in MI had instructed him to do this, but commented that, "if they wanted me to do that they needed to give me paperwork." He was later informed that "we could not do anything to embarrass the prisoners "
 - d (U) Mr. [REDACTED], a US civilian contract translator was questioned about several detainees accused of rape. He observed (sic). "They (detainees) were all naked, a bunch of people from MI, the MP were there that night and the inmates were ordered by SGT [REDACTED]. [REDACTED] ordered the guys while questioning them to admit what they did. They made them do strange exercises by sliding on their stomach, jump up and down, throw water on them and made them some wet, called them all kinds of names such as "gays" do they like to make love to guys, then they handcuffed their hands together and their legs with shackles and started to stack them on top of each other by insuring that the bottom guys penis will touch the guy on tops butt."
 - e (U) SPC [REDACTED] 109th Area Support Medical Battalion, a medic testified that "Cell 1A was used to house high priority detainees and cell 1B was used to house the high risk or trouble making detainees. During my tour at the prison I observed that when the male detainees were first brought to the facility, some of them were made to wear female underwear, which I think was to somehow break them down."
12. (U) I find that prior to its deployment to Iraq for Operation Iraqi Freedom, the 320th MP Battalion and the 372nd MP Company had received no training in detention/internee operations. I also find that very little instruction or training was provided to MP personnel on the applicable rules of the Geneva Convention Relative

to the Treatment of Prisoners of War, FM 27-10, AR 190-8, or FM 3-19.40
Moreover, I find that few, if any, copies of the Geneva Conventions were ever made available to MP personnel or detainees. (ANNEXES 21-24, 33, and multiple witness statements)

13. (U) Another obvious example of the Brigade Leadership not communicating with its Soldiers or ensuring their tactical proficiency concerns the incident of detainee abuse that occurred at Camp Bucca, Iraq, on May 12, 2003. Soldiers from the 223rd MP Company reported to the 800th MP Brigade Command at Camp Bucca, that four Military Police Soldiers from the 320th MP Battalion had abused a number of detainees during inprocessing at Camp Bucca. An extensive CID investigation determined that four soldiers from the 320th MP Battalion had kicked and beaten these detainees following a transport mission from Taji Air Base. (ANNEXES 34 and 35)
14. (U) Formal charges under the UCMJ were preferred against these Soldiers and an Article-32 Investigation conducted by LTC [REDACTED]. He recommended a general court martial for the four accused, which BG Karpinski supported. Despite this documented abuse, there is no evidence that BG Karpinski ever attempted to remind 800th MP Soldiers of the requirements of the Geneva Conventions regarding detainee treatment or took any steps to ensure that such abuse was not repeated. Nor is there any evidence that LTC(P) [REDACTED], the commander of the Soldiers involved in the Camp Bucca abuse incident, took any initiative to ensure his Soldiers were properly trained regarding detainee treatment. (ANNEXES 35 and 62)

RECOMMENDATIONS AS TO PART ONE OF THE INVESTIGATION:

1. (U) Immediately deploy to the Iraq Theater an integrated multi-discipline Mobile Training Team (MTT) comprised of subject matter experts in internment/resettlement operations, international and operational law, information technology, facility management, interrogation and intelligence gathering techniques, chaplains, Arab cultural awareness, and medical practices as it pertains to I/R activities. This team needs to oversee and conduct comprehensive training in all aspects of detainee and confinement operations
2. (U) That all military police and military intelligence personnel involved in any aspect of detainee operations or interrogation operations in CJTF-7, and subordinate units, be immediately provided with training by an international/operational law attorney on the specific provisions of The Law of Land Warfare FM 27-10, specifically the Geneva Convention Relative to the Treatment of Prisoners of War, Enemy Prisoners of War, Retained Personnel, Civilian Internees, and Other Detainees, and AR 190-8

3. (U) That a single commander in CJTF-7 be responsible for overall detainee operations throughout the Iraq Theater of Operations. I also recommend that the Provost Marshal General of the Army assign a minimum of two (2) subject matter experts, one officer and one NCO, to assist CJTF-7 in coordinating detainee operations.
4. (U) That detention facility commanders and interrogation facility commanders ensure that appropriate copies of the Geneva Convention Relative to the Treatment of Prisoners of War and notice of protections be made available in both English and the detainees' language and be prominently displayed in all detention facilities. Detainees with questions regarding their treatment should be given the full opportunity to read the Convention
- 5 (U) That each detention facility commander and interrogation facility commander publish a complete and comprehensive set of Standing Operating Procedures (SOPs) regarding treatment of detainees, and that all personnel be required to read the SOPs and sign a document indicating that they have read and understand the SOPs
6. (U) That in accordance with the recommendations of MG Ryder's Assessment Report, and my findings and recommendations in this investigation, all units in the Iraq Theater of Operations conducting internment/confinement/detainment operations in support of Operation Iraqi Freedom be OPCON for all purposes, to include action under the UCMJ, to CJTF-7
- 7 (U) Appoint the C3, CJTF as the staff proponent for detainee operations in the Iraq Joint Operations Area (JOA) (MG Tom Miller, C3, CJTF-7, has been appointed by COMCJTF-7)
8. (U) That an inquiry UP AR 381-10, Procedure 15 be conducted to determine the extent of culpability of Military Intelligence personnel, assigned to the 205th MI Brigade and the Joint Interrogation and Debriefing Center (JIDC) regarding abuse of detainees at Abu Ghraib (BCCF)
- 9 (U) That it is critical that the proponent for detainee operations is assigned a dedicated Senior Judge Advocate, with specialized training and knowledge of international and operational law, to assist and advise on matters of detainee operations.

FINDINGS AND RECOMMENDATIONS

(PART TWO)

(U) The Investigation inquire into detainee escapes and accountability lapses as reported by CJTF-7, specifically allegations concerning these events at the Abu Ghraib Prison:

**REGARDING PART TWO OF THE INVESTIGATION,
I MAKE THE FOLLOWING SPECIFIC FINDINGS OF FACT:**

1. The 800th MP Brigade was responsible for theater-wide Internment and Resettlement (I/R) operations. (ANNEXES 45 and 95)
2. (U) The 320th MP Battalion, 800th MP Brigade was tasked with detainee operations at the Abu Ghraib Prison Complex during the time period covered in this investigation. (ANNEXES 41, 45, and 59)
3. (U) The 310th MP Battalion, 800th MP Brigade was tasked with detainee operations and Forward Operating Base (FOB) Operations at the Camp Bucca Detention Facility until TOA on 26 February 2004 (ANNEXES 41 and 52)
4. (U) The 744th MP Battalion, 800th MP Brigade was tasked with detainee operations and FOB Operations at the HVD Detention Facility until TOA on 4 March 2004 (ANNEXES 41 and 55)
5. (U) The 530th MP Battalion, 800th MP Brigade was tasked with detainee operations and FOB Operations at the MEK holding facility until TOA on 15 March 2004 (ANNEXES 41 and 97)
6. (U) Detainee operations include accountability, care, and well being of Enemy Prisoners of War, Retained Person, Civilian Detainees, and Other Detainees, as well as Iraqi criminal prisoners (ANNEX 22)
7. (U) The accountability for detainees is doctrinally an MP task IAW FM 3-19 40 (ANNEX 22)
8. (U) There is a general lack of knowledge, implementation, and emphasis of basic legal, regulatory, doctrinal, and command requirements within the 800th MP Brigade and its subordinate units (Multiple witness statements in ANNEXES 45-91)

9. (U) The handling of detainees and criminal prisoners after in-processing was inconsistent from detention facility to detention facility, compound to compound, encampment to encampment, and even shift to shift throughout the 800th MP Brigade AOR. (ANNEX 37)
- 10 (U) Camp Bucca, operated by the 310th MP Battalion, had a "Criminal Detainee In-Processing SOP" and a "Training Outline" for transferring and releasing detainees, which appears to have been followed (ANNEXES 38 and 52)
11. (U) Incoming and outgoing detainees are being documented in the National Detainee Reporting System (NDRS) and Biometric Automated Toolset System (BATS) as required by regulation at all detention facilities. However, it is underutilized and often does not give a "real time" accurate picture of the detainee population due to untimely updating. (ANNEX 56)
- 12 (U) There was a severe lapse in the accountability of detainees at the Abu Ghraib Prison Complex. The 320th MP Battalion used a self-created "change sheet" to document the transfer of a detainee from one location to another. For proper accountability, it is imperative that these change sheets be processed and the detainee manifest be updated within 24 hours of movement. At Abu Ghraib, this process would often take as long as 4 days to complete. This lag-time resulted in inaccurate detainee Internment Serial Number (ISN) counts, gross differences in the detainee manifest and the actual occupants of an individual compound, and significant confusion of the MP Soldiers. The 320th MP Battalion S-1, CPT [REDACTED] and the S-3, MAJ [REDACTED], explained that this breakdown was due to the lack of manpower to process change sheets in a timely manner. (ANNEXES 39 and 98)
- 13 (U) The 320th Battalion TACSOP requires detainee accountability at least 4 times daily at Abu Ghraib. However, a detailed review of their operational journals revealed that these accounts were often not done or not documented by the unit. Additionally, there is no indication that accounting errors or the loss of a detainee in the accounting process triggered any immediate corrective action by the Battalion TOC. (ANNEX 44)
- 14 (U) There is a lack of standardization in the way the 320th MP Battalion conducted physical counts of their detainees. Each compound within a given encampment did their headcounts differently. Some compounds had detainees line up in lines of 10, some had them sit in rows, and some moved all the detainees to one end of the compound and counted them as they passed to the other end of the compound (ANNEX 98)
- 15 (U) FM 3-19 40 outlines the need for 2 roll calls (100% ISN band checks) per day. The 320th MP Battalion did this check only 2 times per week. Due to the lack of real-time updates to the system, these checks were regularly inaccurate (ANNEXES 22 and 98)

16. (U) The 800th MP Brigade and subordinate units adopted non-doctrinal terms such as "band checks," "roll-ups," and "call-ups," which contributed to the lapses in accountability and confusion at the soldier level. (ANNEXES 63, 88, and 98)
- 17 (U) Operational journals at the various compounds and the 320th Battalion TOC contained numerous unprofessional entries and flippant comments, which highlighted the lack of discipline within the unit. There was no indication that the journals were ever reviewed by anyone in their chain of command. (ANNEX 37)
18. (U) Accountability SOPs were not fully developed and standing TACSOPs were widely ignored. Any SOPs that did exist were not trained on, and were never distributed to the lowest level. Most procedures were shelved at the unit TOC, rather than at the subordinate units and guards mount sites. (ANNEXES 44, 67, 71, and 85)
19. (U) Accountability and facility operations SOPs lacked specificity, implementation measures, and a system of checks and balances to ensure compliance (ANNEXES 76 and 82)
- 20 (U) Basic Army Doctrine was not widely referenced or utilized to develop the accountability practices throughout the 800th MP Brigade's subordinate units. Daily processing, accountability, and detainee care appears to have been made up as the operations developed with reliance on, and guidance from, junior members of the unit who had civilian corrections experience (ANNEX 21)
- 21 (U) Soldiers were poorly prepared and untrained to conduct I/R operations prior to deployment, at the mobilization site, upon arrival in theater, and throughout their mission (ANNEXES 62, 63, and 69)
- 22 (U) The documentation provided to this investigation identified 27 escapes or attempted escapes from the detention facilities throughout the 800th MP Brigade's AOR. Based on my assessment and detailed analysis of the substandard accountability process maintained by the 800th MP Brigade, it is highly likely that there were several more unreported cases of escape that were probably "written off" as administrative errors or otherwise undocumented. 1LT ██████████, Platoon Leader, 372nd MP Company, reported knowing about at least two additional escapes (one from a work detail and one from a window) from Abu Ghraib (BCCF) that were not documented. LTC ██████████ Commander, 744th MP Battalion, detailed the escape of one detainee at the High Value Detainee Facility who went to the latrine and then outran the guards and escaped. Lastly, BG Janis Karpinski, Commander, 800th MP Brigade, stated that there were more than 32 escapes from her holding facilities, which does not match the number derived from the investigation materials. (ANNEXES 5-10, 45, 55, and 71)

23. (U) The Abu Ghraib and Camp Bucca detention facilities are significantly over their intended maximum capacity while the guard force is undermanned and under resourced. This imbalance has contributed to the poor living conditions, escapes, and accountability lapses at the various facilities. The overcrowding of the facilities also limits the ability to identify and segregate leaders in the detainee population who may be organizing escapes and riots within the facility. (ANNEXES 6, 22, and 92)
- 24 (U) The screening, processing, and release of detainees who should not be in custody takes too long and contributes to the overcrowding and unrest in the detention facilities. There are currently three separate release mechanisms in the theater-wide interment operations. First, the apprehending unit can release a detainee if there is a determination that their continued detention is not warranted. Secondly, a criminal detainee can be released after it has been determined that the detainee has no intelligence value, and that their release would not be detrimental to society. BG Karpinski had signature authority to release detainees in this second category. Lastly, detainees accused of committing "Crimes Against the Coalition," who are held throughout the separate facilities in the CJTF-7 AOR, can be released upon a determination that they are of no intelligence value and no longer pose a significant threat to Coalition Forces. The release process for this category of detainee is a screening by the local US Forces Magistrate Cell and a review by a Detainee Release Board consisting of BG Karpinski, COD [REDACTED], SJA, CJTF-7, and MG Barbara Fast, C-2, CJTF-7. MG Fast is the "Detainee Release Authority" for detainees being held for committing crimes against the coalition. According to BG Karpinski, this category of detainee makes up more than 60% of the total detainee population, and is the fastest growing category. However, MG Fast, according to BG Karpinski, routinely denied the board's recommendations to release detainees in this category who were no longer deemed a threat and clearly met the requirements for release. According to BG Karpinski, the extremely slow and ineffective release process has significantly contributed to the overcrowding of the facilities. (ANNEXES 40, 45, and 46)
25. (U) After Action Reviews (AARs) are not routinely being conducted after an escape or other serious incident. No lessons learned seem to have been disseminated to subordinate units to enable corrective action at the lowest level. The Investigation Team requested copies of AARs, and none were provided. (Multiple Witness Statements)
- 26 (U) Lessons learned (i.e. Findings and Recommendations from various 15-6 Investigations concerning escapes and accountability lapses) were rubber stamped as approved and ordered implemented by BG Karpinski. There is no evidence that the majority of her orders directing the implementation of substantive changes were ever acted upon. Additionally, there was no follow-up by the command to verify the corrective actions were taken. Had the findings and recommendations contained within their own investigations been analyzed and actually implemented by BG

Karpinski, many of the subsequent escapes, accountability lapses, and cases of abuse may have been prevented. (ANNEXES 5-10)

27. (U) The perimeter lighting around Abu Ghraib and the detention facility at Camp Bucca is inadequate and needs to be improved to illuminate dark areas that have routinely become avenues of escape (ANNEX 6)
28. (U) Neither the camp rules nor the provisions of the Geneva Conventions are posted in English or in the language of the detainees at any of the detention facilities in the 800th MP Brigade's AOR, even after several investigations had annotated the lack of this critical requirement (Multiple Witness Statements and the Personal Observations of the Investigation Team)
- 29 (U) The Iraqi guards at Abu Ghraib BCCF demonstrate questionable work ethics and loyalties, and are a potentially dangerous contingent within the Hard-Site. These guards have furnished the Iraqi criminal inmates with contraband, weapons, and information. Additionally, they have facilitated the escape of at least one detainee (ANNEX 8 and 26-SPC █████ Statement)
- 30 (U) In general, US civilian contract personnel (Titan Corporation, CACI, etc..), third country nationals, and local contractors do not appear to be properly supervised within the detention facility at Abu Ghraib. During our on-site inspection, they wandered about with too much unsupervised free access in the detainee area. Having civilians in various outfits (civilian and DCUs) in and about the detainee area causes confusion and may have contributed to the difficulties in the accountability process and with detecting escapes (ANNEX 51, Multiple Witness Statements, and the Personal Observations of the Investigation Team)
- 31 (U) SGM █████ Operations SGM, 320th MP Battalion, contended that the Detainee Rules of Engagement (DROE) and the general principles of the Geneva Convention were briefed at every guard mount and shift change on Abu Ghraib. However, none of our witnesses, nor our personal observations, support his contention. I find that SGM █████ was not a credible witness (ANNEXES 45, 80, and the Personal Observations of the Investigation Team)
- 32 (U) Several interviewees insisted that the MP and MI Soldiers at Abu Ghraib (BCCF) received regular training on the basics of detainee operations; however, they have been unable to produce any verifying documentation, sign-in rosters, or soldiers who can recall the content of this training. (ANNEXES 59, 80, and the Absence of any Training Records)
33. (S/NF) The various detention facilities operated by the 800th MP Brigade have routinely held persons brought to them by Other Government Agencies (OGAs) without accounting for them, knowing their identities, or even the reason for their detention. The Joint Interrogation and Debriefing Center (JIDC) at Abu Ghraib called these detainees "ghost detainees." On at least one occasion, the 320th MP

Battalion at Abu Ghraib held a handful of "ghost detainees" (6-8) for OGAs that they moved around within the facility to hide them from a visiting International Committee of the Red Cross (ICRC) survey team. This maneuver was deceptive, contrary to Army Doctrine, and in violation of international law (ANNEX 53)

34. (U) The following riots, escapes, and shootings have been documented and reported to this Investigation Team. Although there is no data from other missions of similar size and duration to compare the number of escapes with, the most significant factors derived from these reports are twofold. First, investigations and SIRs lacked critical data needed to evaluate the details of each incident. Second, each investigation seems to have pointed to the same types of deficiencies; however, little to nothing was done to correct the problems and to implement the recommendations as was ordered by BG Karpinski, nor was there any command emphasis to ensure these deficiencies were corrected:

- a. (U) 4 June 03- This escape was mentioned in the 15-6 Investigation covering the 13 June 03 escape, recapture, and shootings of detainees at Camp Vigilant (320th MP Battalion). However, no investigation or additional information was provided as requested by this investigation team. (ANNEX 7)
- b. (U) 9 June 03- Riot and shootings of five detainees at Camp Cropper. (115th MP Battalion) Several detainees allegedly rioted after a detainee was subdued by MPs of the 115th MP Battalion after striking a guard in compound B of Camp Cropper. A 15-6 investigation by ██████████ (115th MP Battalion, Platoon Leader) concluded that a detainee had acted up and hit an MP. After being subdued, one of the MPs took off his DCU top and flexed his muscles to the detainees, which further escalated the riot. The MPs were overwhelmed and the guards fired lethal rounds to protect the life of the compound MPs, whereby 5 detainees were wounded. Contributing factors were poor communications, no clear chain of command, facility-obstructed views of posted guards, the QRF did not have non-lethal equipment, and the SOP was inadequate and outdated (ANNEX 5)
- c. (U) 12 June 03- Escape and recapture of detainee #8399, escape and shooting of detainee # 7166, and attempted escape of an unidentified detainee from Camp Cropper Holding Area (115th MP Battalion). Several detainees allegedly made their escape in the nighttime hours prior to 0300. A 15-6 investigation by CPT ██████████ (115th MP Battalion, S-2) concluded that the detainees allegedly escaped by crawling under the wire at a location with inadequate lighting. One detainee was stopped prior to escape. An MP of the 115th MP Battalion search team recaptured detainee # 8399, and detainee # 7166 was shot and killed by a Soldier during the recapture process. Contributing factors were overcrowding, poor lighting, and the nature of the hardened criminal detainees at that location. It is of particular note that the command was informed at least 24 hours in advance of the

upcoming escape attempt and started doing amplified announcements in Arabic stating the camp rules. The investigation pointed out that rules and guidelines were not posted in the camps in the detainees' native languages (ANNEX 6)

- d. (U) 13 June 03- Escape and recapture of detainee # 8968 and the shooting of eight detainees at Abu Ghraib (BCCF) (320th MP Battalion). Several detainees allegedly attempted to escape at about 1400 hours from the Camp Vigilant Compound, Abu Ghraib (BCCF). A 15-6 investigation by CPT [REDACTED] (400th MP Battalion, S-1) concluded that the detainee allegedly escaped by sliding under the wire while the tower guard was turned in the other direction. This detainee was subsequently apprehended by the QRF. At about 1600 the same day, 30-40 detainees rioted and pelted three interior MP guards with rocks. One guard was injured and the tower guards fired lethal rounds at the rioters injuring 7 and killing 1 detainee. (ANNEX 7)
- e. (U) 05 November 03- Escape of detainees # 9877 and # 10739 from Abu Ghraib (320th MP Battalion). Several detainees allegedly escaped at 0345 from the Hard-Site, Abu Ghraib (BCCF). An SIR was initiated by SPC Warner (320th MP Battalion, S-3 RTO). The SIR indicated that 2 criminal prisoners escaped through their cell window in tier 3A of the Hard-Site. No information on findings, contributing factors, or corrective action has been provided to this investigation team. (ANNEX 11)
- f. (U) 07 November 03- Escape of detainee # 14239 from Abu Ghraib (320th MP Battalion). A detainee allegedly escaped at 1330 from Compound 2 of the Ganci Encampment, Abu Ghraib (BCCF). An SIR was initiated by SSG Hydro (320th MP Battalion, S-3 Asst NCOIC). The SIR indicated that a detainee escaped from the North end of the compound and was discovered missing during distribution of the noon meal, but there is no method of escape listed in the SIR. No information on findings, contributing factors, or corrective action has been provided to this investigation team. (ANNEX 12)
- g. (U) 08 November 03- Escape of detainees # 115089, # 151623, # 151624, # 116734, # 116735, and # 116738 from Abu Ghraib (320th MP Battalion). Several detainees allegedly escaped at 2022 from Compound 8 of the Ganci encampment, Abu Ghraib. An SIR was initiated by MAJ [REDACTED] (320th MP Battalion, S-3). The SIR indicated that 5-6 prisoners escaped from the North end of the compound, but there is no method of escape listed in the SIR. No information on findings, contributing factors, or corrective action has been provided to this investigation team. (ANNEX 13)
- h. (U) 24 November 03- Riot and shooting of 12 detainees # 150216, #150894, #153096, 153165, #153169, #116361, #153399, #20257, #150348, #152616, #116146, and #152156 at Abu Ghraib (320th MP Battalion). Several detainees allegedly began to riot at about 1300 in all of the compounds at the

Ganci encampment. This resulted in the shooting deaths of 3 detainees, 9 wounded detainees, and 9 injured US Soldiers A 15-6 investigation by COL [REDACTED] (220th MP Brigade, Deputy Commander) concluded that the detainees rioted in protest of their living conditions, that the riot turned violent, the use of non-lethal force was ineffective, and, after the 320th MP Battalion CDR executed "Golden Spike," the emergency containment plan, the use of deadly force was authorized. Contributing factors were lack of comprehensive training of guards, poor or non-existent SOPs, no formal guard-mount conducted prior to shift, no rehearsals or ongoing training, the mix of less than lethal rounds with lethal rounds in weapons, no AARs being conducted after incidents, ROE not posted and not understood, overcrowding, uniforms not standardized, and poor communication between the command and Soldiers. (ANNEX 8)

- i. (U) 24 November 03- Shooting of detainee at Abu Ghraib (320th MP Battalion). A detainee allegedly had a pistol in his cell and around 1830 an extraction team shot him with less than lethal and lethal rounds in the process of recovering the weapon. A 15-6 investigation by COL [REDACTED] (220th Brigade, Deputy Commander) concluded that one of the detainees in tier 1A of the Hard Site had gotten a pistol and a couple of knives from an Iraqi Guard working in the encampment. Immediately upon receipt of this information, an ad-hoc extraction team consisting of MP and MI personnel conducted what they called a routine cell search, which resulted in the shooting of an MP and the detainee. Contributing factors were a corrupt Iraqi Guard, inadequate SOPs, the Detention ROE in place at the time was ineffective due to the numerous levels of authorization needed for use of lethal force, poorly trained MPs, unclear lanes of responsibility, and ambiguous relationship between the MI and MP assets (ANNEX 8)
- j. (U) 13 December 03- Shooting by non-lethal means into crowd at Abu Ghraib (320th MP Battalion). Several detainees allegedly got into a detainee-on-detainee fight around 1030 in Compound 8 of the Ganci encampment, Abu Ghraib. An SIR was initiated by SSG Matash (320th MP Battalion, S-3 Section). The SIR indicated that there was a fight in the compound and the MPs used a non-lethal crowd-dispersing round to break up the fight, which was successful. No information on findings, contributing factors, or corrective action has been provided to this investigation team (ANNEX 14)
- k. (U) 13 December 03- Shooting by non-lethal means into crowd at Abu Ghraib (320th MP Battalion). Several detainees allegedly got into a detainee-on-detainee fight around 1120 in Compound 2 of the Ganci encampment, Abu Ghraib. An SIR was initiated by SSG Matash (320th MP Battalion, S-3 Section). The SIR indicated that there was a fight in the compound and the MPs used two non-lethal shots to disperse the crowd,

which was successful. No information on findings, contributing factors, or corrective action has been provided to this investigation team. (ANNEX 15)

- l. (U) 13 December 03- Shooting by non-lethal means into crowd at Abu Ghraib (320th MP Battalion). Approximately 30-40 detainees allegedly got into a detainee-on-detainee fight around 1642 in Compound 3 of the Ganci encampment, Abu Ghraib (BCCF). An SIR was initiated by SSG Matash (320th MP Battalion, S-3 Section). The SIR indicates that there was a fight in the compound and the MPs used a non-lethal crowd-dispersing round to break up the fight, which was successful. No information on findings, contributing factors, or corrective action has been provided to this investigation team (ANNEX 16)
- m. (U) 17 December 03- Shooting by non-lethal means of detainee from Abu Ghraib (320th MP Battalion). Several detainees allegedly assaulted an MP at 1459 inside the Ganci Encampment, Abu Ghraib (BCCF). An SIR was initiated by SSG Matash (320th MP BRIGADE, S-3 Section). The SIR indicated that three detainees assaulted an MP, which resulted in the use of a non-lethal shot that calmed the situation. No information on findings, contributing factors, or corrective action has been provided to this investigation team (ANNEX 17)
- n. (U) 07 January 04- Escape of detainee #115032 from Camp Bucca (310th MP Battalion). A detainee allegedly escaped between the hours of 0445 and 0640 from Compound 12, of Camp Bucca. Investigation by CPT [REDACTED] (310th MP Battalion S-3) and CPT [REDACTED] (724th MP Battalion S-3) concluded that the detainee escaped through an undetected weakness in the wire. Contributing factors were inexperienced guards, lapses in accountability, complacency, lack of leadership presence, poor visibility, and lack of clear and concise communication between the guards and the leadership. (ANNEX 9)
- o. (U) 12 January 04- Escape of Detainees #115314 and #109950 as well as the escape and recapture of 5 unknown detainees at the Camp Bucca Detention Facility (310th MP Battalion). Several detainees allegedly escaped around 0300 from Compound 12, of Camp Bucca. An AR 15-6 Investigation by LTC [REDACTED] (800th MP Brigade, OIC Camp Arifjan Detachment) concluded that three of the detainees escaped through the front holding cell during conditions of limited visibility due to fog. One of the detainees was noticed, shot with a non-lethal round, and returned to his holding compound. That same night, 4 detainees exited through the wire on the South side of the camp and were seen and apprehended by the QRF. Contributing factors were the lack of a coordinated effort for emplacement of MPs during implementation of the fog plan, overcrowding, and poor communications. (ANNEX 10)

- p. (U) 14 January 04- Escape of detainee #12436 and missing Iraqi guard from Hard-Site, Abu Ghraib (320th MP Battalion). A detainee allegedly escaped at 1335 from the Hard Site at Abu Ghraib (BCCF). An SIR was initiated by SSG Hydro (320th MP Battalion, S-3 Asst. NCOIC). The SIR indicates that an Iraqi guard assisted a detainee to escape by signing him out on a work detail and disappearing with him. At the time of the second SIR, neither missing person had been located. No information on findings, contributing factors, or corrective action has been provided to this investigation team (ANNEX 99)
- q. (U) 26 January 04- Escape of detainees #s 115236, 116272, and 151933 from Camp Bucca (310th MP Battalion). Several Detainees allegedly escaped between the hours of 0440 and 0700 during a period of intense fog. Investigation by CPT [REDACTED] (310th MP Battalion S-3) concluded that the detainees crawled under a fence when visibility was only 10-15 meters due to fog. Contributing factors were the limited visibility (darkness under foggy conditions), lack of proper accountability reporting, inadequate number of guards, commencement of detainee feeding during low visibility operations, and poorly rested MPs (ANNEX 18)
- 36 (U) As I have previously indicated, this investigation determined that there was virtually a complete lack of detailed SOPs at any of the detention facilities. Moreover, despite the fact that there were numerous reported escapes at detention facilities throughout Iraq (in excess of 35), AR 15-6 Investigations following these escapes were simply forgotten or ignored by the Brigade Commander with no dissemination to other facilities. After-Action Reports and Lessons Learned, if done at all, remained at individual facilities and were not shared among other commanders or soldiers throughout the Brigade. The Command never issued standard TTPs for handling escape incidents (ANNEXES 5-10, Multiple Witness Statements, and the Personal Observations of the Investigation Team)

RECOMMENDATIONS REGARDING PART TWO OF THE INVESTIGATION:

1. (U) ANNEX 100 of this investigation contains a detailed and referenced series of recommendations for improving the detainee accountability practices throughout the OIF area of operations
2. (U) Accountability practices throughout any particular detention facility must be standardized and in accordance with applicable regulations and international law
3. (U) The NDRS and BATS accounting systems must be expanded and used to their fullest extent to facilitate real time updating when detainees are moved and or transferred from one location to another

- 4 (U) "Change sheets," or their doctrinal equivalent must be immediately processed and updated into the system to ensure accurate accountability. The detainee roll call or ISN counts must match the manifest provided to the compound guards to ensure proper accountability of detainees
- 5 (U) Develop, staff, and implement comprehensive and detailed SOPs utilizing the lessons learned from this investigation as well as any previous findings, recommendations, and reports.
- 6 (U) SOPs must be written, disseminated, trained on, and understood at the lowest level
- 7 (U) Iraqi criminal prisoners must be held in separate facilities from any other category of detainee
- 8 (U) All of the compounds should be wired into the master manifest whereby MP Soldiers can account for their detainees in real time and without waiting for their change sheets to be processed. This would also have the change sheet serve as a way to check up on the accuracy of the manifest as updated by each compound. The BATS and NDRS system can be utilized for this function
- 9 (U) Accountability lapses, escapes, and disturbances within the detainment facilities must be immediately reported through both the operational and administrative Chain of Command via a Serious Incident Report (SIR). The SIRs must then be tracked and followed by daily SITREPs until the situation is resolved
- 10 (U) Detention Rules of Engagement (DROE), Interrogation Rules of Engagement (IROE), and the principles of the Geneva Conventions need to be briefed at every shift change and guard mount
- 11 (U) AARs must be conducted after serious incidents at any given facility. The observations and corrective actions that develop from the AARs must be analyzed by the respective MP Battalion S-3 section, developed into a plan of action, shared with the other facilities, and implemented as a matter of policy
- 12 (U) There must be significant structural improvements at each of the detention facilities. The needed changes include significant enhancement of perimeter lighting, additional chain link fencing, staking down of all concertina wire, hard site development, and expansion of Abu Ghraib (BCCF)
- 13 (U) The Geneva Conventions and the facility rules must be prominently displayed in English and the language of the detainees at each compound and encampment at every detention facility LAW AR 190-8.

14. (U) Further restrict US civilians and other contractors' access throughout the facility. Contractors and civilians must be in an authorized and easily identifiable uniform to be more easily distinguished from the masses of detainees in civilian clothes.
15. (U) Facilities must have a stop movement/transfer period of at least 1 hour prior to every 100% detainee roll call and ISN counts to ensure accurate accountability.
16. (U) The method for doing head counts of detainees within a given compound must be standardized
- 17 (U) Those military units conducting I/R operations must know of, train on, and constantly reference the applicable Army Doctrine and CJTF command policies. The references provided in this report cover nearly every deficiency I have enumerated. Although they do not, and cannot, make up for leadership shortfalls, all soldiers, at all levels, can use them to maintain standardized operating procedures and efficient accountability practices.

FINDINGS AND RECOMMENDATIONS (PART THREE)

(U) Investigate the training, standards, employment, command policies, internal procedures, and command climate in the 800th MP Brigade, as appropriate:

Pursuant to Part Three of the Investigation, select members of the Investigation team (Primarily COL [REDACTED] and I) personally interviewed the following witnesses:

- 1 (U) BG Janis Karpinski, Commander, 800th MP Brigade
- 2 (U) COL [REDACTED], Commander, 205th MI Brigade
- 3 (U) COL [REDACTED] CFLCC Judge Advocate, CPA Ministry of Justice
(Interviewed by COL Richard Gordon, CFLCC SJA)
4. (U) LTC [REDACTED] S-5 and Executive Officer, 800th MP Brigade
- 5 (U) LTC [REDACTED] Command Judge Advocate, 800th MP Brigade
- 6 (U) LTC [REDACTED] Commander, 165th MI Battalion (Tactical Exploitation)
- 7 (U) LTC [REDACTED] Commander, 202nd MI Battalion
8. (U) LTC [REDACTED] Commander, 310th MP Battalion
9. (U) LTC [REDACTED] former Director, Joint Interrogation and Debriefing Center/LNO to the 205th MI Brigade
- 10 (U) LTC [REDACTED] Commander, 724th MP Battalion and OIC Arifjan Detachment, 800th MP Brigade
11. (U) LTC [REDACTED] Commander, 744th MP Battalion
- 12 (U) MAJ [REDACTED] S-1, 800th MP Brigade
13. (U) MAJ [REDACTED] Deputy CJA, 800th MP Brigade
14. (U) MAJ [REDACTED] S-1 (FWD), 800th MP Brigade
15. (U) MAJ [REDACTED] S-3, 320th MP Battalion

16. (U) MAJ [REDACTED] XO, 320th MP Battalion
17. (U) MAJ [REDACTED]-3, 800th MP Brigade
- 18 (U) CPT [REDACTED] Commander, 670th MP Company
- 19 (U) CPT [REDACTED], Commander, 372nd MP Company
20. (U) CPT [REDACTED] Assistant S-3, 320th MP Battalion
- 21 (U) CPT [REDACTED] S-3, 310th MP Battalion
22. (U) CPT [REDACTED] S-2, 800th MP Brigade
- 23 (U) CPT [REDACTED] Commander, 670th MP Company
- 24 (U) CPT [REDACTED] Commander, 372nd MP Company
- 25 (U) CPT [REDACTED] Commander, 229th MP Company
- 26 (U) CPT [REDACTED] Commander, 310th MP Company
- 27 (U) CPT [REDACTED] 800th MP Brigade
- 28 (U) 1LT [REDACTED] Platoon Leader, 372nd MP Company
- 29 (U) 1LT [REDACTED] Aide-de-camp to Brigade Commander, 800th MP Brigade
30. (U) 1LT [REDACTED] I, Commander, HHC 320th MP Battalion
31. (U) 2LT [REDACTED], Platoon Leader, 229th MP Company
- 32 (U) CW2 [REDACTED] 205th MI Brigade
- 33 (U) CSM [REDACTED], Command Sergeant Major, 320th MP Battalion
- 34 (U) SGM [REDACTED], Acting Command Sergeant Major, 800th MP Brigade
- 35 (U) CSM [REDACTED] Command Sergeant Major, 310th MP Battalion
- 36 (U) 1SG [REDACTED], First Sergeant, 977th MP Company
- 37 (U) SGM [REDACTED] Operations SGM, 320th MP Battalion
- 38 (U) MSG [REDACTED], First Sergeant, 372nd MP Company

39. (U) MSG [REDACTED], Operations Sergeant, 310th MP Battalion
40. (U) SFC [REDACTED] Platoon Sergeant, 229th MP Company
41. (U) SFC [REDACTED] Platoon SGT, 372nd MP Company
42. (U) SFC [REDACTED] 372nd MP Company
43. (U) SSG [REDACTED] Squad Leader, 372nd MP Company
44. (U) SSG [REDACTED] Army Dog Handler, 42nd MP Detachment, 16th MP Brigade
45. (U) SGT [REDACTED] Army Dog Handler, 523rd MP Detachment, 937th Engineer Group
46. (U) MA1 [REDACTED] USN Dog Handler, NAS Signal and Canine Unit
47. (U) Mr [REDACTED] US civilian Contract Interrogator, CACI, 205th MI Brigade
48. (U) Mr [REDACTED], US civilian Contract Interpreter, Titan Corporation, 205th MI Brigade
(ANNEXES 45-91)

REGARDING PART THREE OF THE INVESTIGATION, I MAKE THE FOLLOWING SPECIFIC FINDINGS OF FACT:

1. (U) I find that BG Janis Karpinski took command of the 800th MP Brigade on 30 June 2003 from BG Paul Hill. BG Karpinski has remained in command since that date. The 800th MP Brigade is comprised of eight MP battalions in the Iraqi TOR: 115th MP Battalion, 310th MP Battalion, 320th MP Battalion, 324th MP Battalion, 400th MP Battalion, 530th MP Battalion, 724th MP Battalion, and 744th MP Battalion. (ANNEXES 41 and 45)
2. (U) Prior to BG Karpinski taking command, members of the 800th MP Brigade believed they would be allowed to go home when all the detainees were released from the Camp Bucca Theater Internment Facility following the cessation of major ground combat on 1 May 2003. At one point, approximately 7,000 to 8,000 detainees were held at Camp Bucca. Through Article-5 Tribunals and a screening process, several thousand detainees were released. Many in the command believed they would go home when the detainees were released. In late May-early June 2003 the 800th MP Brigade was given a new mission to manage the Iraqi penal system and several detention centers. This new mission meant Soldiers would not redeploy to CONUS.

when anticipated. Morale suffered, and over the next few months there did not appear to have been any attempt by the Command to mitigate this morale problem. (ANNEXES 45 and 96)

- 3 (U) There is abundant evidence in the statements of numerous witnesses that soldiers throughout the 800th MP Brigade were not proficient in their basic MOS skills, particularly regarding internment/resettlement operations. Moreover, there is no evidence that the command, although aware of these deficiencies, attempted to correct them in any systemic manner other than ad hoc training by individuals with civilian corrections experience. (Multiple Witness Statements and the Personal Observations of the Investigation Team)
4. (U) I find that the 800th MP Brigade was not adequately trained for a mission that included operating a prison or penal institution at Abu Ghraib Prison Complex. As the Ryder Assessment found, I also concur that units of the 800th MP Brigade did not receive corrections-specific training during their mobilization period. MP units did not receive pinpoint assignments prior to mobilization and during the post mobilization training, and thus could not train for specific missions. The training that was accomplished at the mobilization sites were developed and implemented at the company level with little or no direction or supervision at the Battalion and Brigade levels, and consisted primarily of common tasks and law enforcement training. However, I found no evidence that the Command, although aware of this deficiency, ever requested specific corrections training from the Commandant of the Military Police School, the US Army Confinement Facility at Mannheim, Germany, the Provost Marshal General of the Army, or the US Army Disciplinary Barracks at Fort Leavenworth, Kansas. (ANNEXES 19 and 76)
- 5 (U) I find that without adequate training for a civilian internee detention mission, Brigade personnel relied heavily on individuals within the Brigade who had civilian corrections experience, including many who worked as prison guards or corrections officials in their civilian jobs. Almost every witness we interviewed had no familiarity with the provisions of AR 190-8 or FM 3-19 40. It does not appear that a Mission Essential Task List (METL) based on in-theater missions was ever developed nor was a training plan implemented throughout the Brigade. (ANNEXES 21, 22, 67, and 81)
- 6 (U) I also find, as did MG Ryder's Team, that the 800th MP Brigade as a whole, was understrength for the mission for which it was tasked. Army Doctrine dictates that an I/R Brigade can be organized with between 7 and 21 battalions, and that the average battalion size element should be able to handle approximately 4000 detainees at a time. This investigation indicates that BG Karpinski and her staff did a poor job allocating resources throughout the Iraq JOA Abu Ghraib (BCCF) normally housed between 6000 and 7000 detainees, yet it was operated by only one battalion. In contrast, the HVD Facility maintains only about 100 detainees, and is also run by an entire battalion. (ANNEXES 19, 22, and 96)

7. (U) Reserve Component units do not have an individual replacement system to mitigate medical or other losses. Over time, the 800th MP Brigade clearly suffered from personnel shortages through release from active duty (REFRAD) actions, medical evacuation, and demobilization. In addition to being severely undermanned, the quality of life for Soldiers assigned to Abu Ghraib (BCCF) was extremely poor. There was no DFAC, PX, barbershop, or MWR facilities. There were numerous mortar attacks, random rifle and RPG attacks, and a serious threat to Soldiers and detainees in the facility. The prison complex was also severely overcrowded and the Brigade lacked adequate resources and personnel to resolve serious logistical problems. Finally, because of past associations and familiarity of Soldiers within the Brigade, it appears that friendship often took precedence over appropriate leader and subordinate relationships. (ANNEX 101, Multiple Witness Statements, and the Personal Observations of the Investigation Team)
8. (U) With respect to the 800th MP Brigade mission at Abu Ghraib (BCCF), I find that there was clear friction and lack of effective communication between the Commander, 205th MI Brigade, who controlled FOB Abu Ghraib (BCCF) after 19 November 2003, and the Commander, 800th MP Brigade, who controlled detainee operations inside the FOB. There was no clear delineation of responsibility between commands, little coordination at the command level, and no integration of the two functions. Coordination occurred at the lowest possible levels with little oversight by commanders. (ANNEXES 31, 45, and 46)
9. (U) I find that this ambiguous command relationship was exacerbated by a CJTF-7 Fragmentary Order (FRAGO) 1108 issued on 19 November 2003. Paragraph 3.C.8, Assignment of 205th MI Brigade Commander's Responsibilities for the Baghdad Central Confinement Facility, states as follows

3.C.8. A. (U) 205 MI BRIGADE.

3.C.8. A. 1. (U) EFFECTIVE IMMEDIATELY COMMANDER 205 MI BRIGADE ASSUMES RESPONSIBILITY FOR THE BAGHDAD CONFINEMENT FACILITY (BCCF) AND IS APPOINTED THE FOB COMMANDER. UNITS CURRENTLY AT ABU GHRAIB (BCCF) ARE TACON TO 205 MI BRIGADE FOR "SECURITY OF DETAINEES AND FOB PROTECTION."

Although not supported by BG Karpinski, FRAGO 1108 made all of the MP units at Abu Ghraib TACON to the Commander, 205th MI Brigade. This effectively made an MI Officer, rather than an MP Officer, responsible for the MP units conducting detainee operations at that facility. This is not doctrinally sound due to the different missions and agendas assigned to each of these respective specialties. (ANNEX 31)

- 10 (U) Joint Publication 0-2, Unified Action Armed Forces (UNAAF), 10 July 2001 defines Tactical Control (TACON) as the detailed direction and control of movements or maneuvers within the operational area necessary to accomplish assigned missions or tasks. (ANNEX 42)
- "TACON is the command authority over assigned or attached forces or commands or military capability made available for tasking that is limited to the detailed direction and control of movements or maneuvers within the operational-area necessary to accomplish assigned missions or tasks.**
- TACON is inherent in OPCON and may be delegated to and exercised by commanders at any echelon at or below the level of combatant commander."**
- 11 (U) Based on all the facts and circumstances in this investigation, I find that there was little, if any, recognition of this TACON Order by the 800th MP Brigade or the 205th MI Brigade. Further, there was no evidence if the Commander, 205th MI Brigade clearly informed the Commander, 800th MP Brigade, and specifically the Commander, 320th MP Battalion assigned at Abu Ghraib (BCCF), on the specific requirements of this TACON relationship (ANNEXES 45 and 46)
- 12 (U) It is clear from a comprehensive review of witness statements and personal interviews that the 320th MP Battalion and 800th MP Brigade continued to function as if they were responsible for the security, health and welfare, and overall security of detainees within Abu Ghraib (BCCF) prison. Both BG Karpinski and COL Pappas clearly behaved as if this were still the case (ANNEXES 45 and 46)
- 13 (U) With respect to the 320th MP Battalion, I find that the Battalion Commander, LTC (P) [REDACTED], was an extremely ineffective commander and leader. Numerous witnesses confirm that the Battalion S-3, MAJ [REDACTED] basically ran the Battalion on a day-to-day basis. At one point, BG Karpinski sent LTC (P) [REDACTED] Camp Arifjan, Kuwait for approximately two weeks, apparently to give him some relief from the pressure he was experiencing as the 320th Battalion Commander. This movement to Camp Arifjan immediately followed a briefing provided by LTC (P) [REDACTED] to the CJTF-7 Commander, LTG Sanchez, near the end of October 2003. BG Karpinski placed LTC [REDACTED] v. Commander of the 115th MP Battalion, in charge of the 320th MP Battalion for a period of approximately two weeks. LTC [REDACTED] was also in command of the 115th MP Battalion assigned to [REDACTED] BIAP, Iraq. I could find no orders, either suspending or relieving LTC (P) [REDACTED] from command, nor any orders placing LTC [REDACTED] in command of the 320th. In addition, there was no indication this removal and search for a replacement was communicated to the Commander CJTF-7, the Commander 377th TSC, or to Soldiers in the 320th MP Battalion. Temporarily removing one commander and replacing him with another serving Battalion Commander without an order and without notifying superior or subordinate commands is without precedent in my military career. LTC (P) [REDACTED] was also reprimanded for lapses in accountability that resulted in several escapes. The 320th MP Battalion was stigmatized as a unit due to previous detainee abuse which

occurred in May 2003 at the Bucca Theater Internment Facility (TIF), while under the command of LTC (P) [REDACTED]. Despite his proven deficiencies as both a commander and leader, BG Karpinski allowed LTC (P) [REDACTED] remain in command of her most troubled battalion guarding, by far, the largest number of detainees in the 800th MP Brigade. LTC (P) [REDACTED] was suspended from his duties by LTG Sanchez, CJTF-7 Commander on 17 January 2004 (ANNEXES 43, 45, and 61)

14. (U) During the course of this investigation I conducted a lengthy interview with BG Karpinski that lasted over four hours, and is included verbatim in the investigation Annexes. BG Karpinski was extremely emotional during much of her testimony. What I found particularly disturbing in her testimony was her complete unwillingness to either understand or accept that many of the problems inherent in the 800th MP Brigade were caused or exacerbated by poor leadership and the refusal of her command to both establish and enforce basic standards and principles among its soldiers (ANNEX 45 and the Personal Observations of the Interview Team)
15. (U) BG Karpinski alleged that she received no help from the Civil Affairs Command, specifically, no assistance from either BG John Kern or COL [REDACTED]. She blames much of the abuse that occurred in Abu Ghraib (BCCF) on MI personnel and stated that MI personnel had given the MPs "ideas" that led to detainee abuse. In addition, she blamed the 372nd Company Platoon Sergeant, SFC [REDACTED], the Company Commander, CPT [REDACTED], and the First Sergeant, MSG [REDACTED] for the abuse. She argued that problems in Abu Ghraib were the fault of COL Pappas and LTC [REDACTED] because COL Pappas was in charge of FOB Abu Ghraib (ANNEX 45)
16. (U) BG Karpinski also implied during her testimony that the criminal abuses that occurred at Abu Ghraib (BCCF) might have been caused by the ultimate disposition of the detainee abuse cases that originally occurred at Camp Bucca in May 2003. She stated that "about the same time those incidents were taking place out of Baghdad Central, the decisions were made to give the guilty people at Bucca plea bargains. So, the system communicated to the soldiers, the worst that's gonna happen is, you're gonna go home." I think it important to point out that almost every witness testified that the serious criminal abuse of detainees at Abu Ghraib (BCCF) occurred in late October and early November 2003. The photographs and statements clearly support that the abuses occurred during this time period. The Bucca cases were set for trial in January 2004 and were not finally disposed of until 29 December 2003. There is entirely no evidence that the decision of numerous MP personnel to intentionally abuse detainees at Abu Ghraib (BCCF) was influenced in any respect by the Camp Bucca cases. (ANNEXES 25, 26, and 45)
17. (U) Numerous witnesses stated that the 800th MP Brigade S-1, MAJ [REDACTED] and S-4, MAJ [REDACTED] were essentially dysfunctional, but that despite numerous complaints, these officers were not replaced. This had a detrimental effect on the Brigade Staff's effectiveness and morale. Moreover, the Brigade Command Judge Advocate, LTC [REDACTED] appears to lack initiative and was unwilling to accept responsibility

for any of his actions. LTC [REDACTED], the Brigade XO did not properly supervise the Brigade staff by failing to lay out staff priorities, take overt corrective action when needed, and supervise their daily functions (ANNEXES 45, 47, 48, 62, and 67)

18 (U) In addition to poor morale and staff inefficiencies, I find that the 800th MP Brigade did not articulate or enforce clear and basic Soldier and Army standards I specifically found these examples of unenforced standards:

- a There was no clear uniform standard for any MP Soldiers assigned detention duties. Despite the fact that hundreds of former Iraqi soldiers and officers were detainees, MP personnel were allowed to wear civilian clothes in the FOB after duty hours while carrying weapons (ANNEXES 51 and 74)
- b Some Soldiers wrote poems and other sayings on their helmets and soft caps. (ANNEXES 51 and 74)
- c In addition, numerous officers and senior NCOs have been reprimanded/disciplined for misconduct during this period Those disciplined include, (ANNEXES 43 and 102)
 - 1) (U) BG Janis Karpinski, Commander, 800th MP Brigade
 - Memorandum of Admonishment by LTG Sanchez, Commander, CJTF-7, on 17 January 2004
 - 2) (U) LTC (P) [REDACTED], Commander, 320th MP Battalion
 - GOMOR from BG Karpinski, Commander 800th MP Brigade, on 10 November 2003, for lack of leadership and for failing to take corrective security measures as ordered by the Brigade Commander, filed locally
 - Suspended by BG Karpinski, Commander 800th MP Brigade, 17 January 2004, Pending Relief for Cause, for dereliction of duty
 - 3) (U) LTC [REDACTED], Commander, 400th MP Battalion
 - GOMOR from BG Karpinski, Commander 800th MP Brigade, on 20 August 2003, for failure to properly train his Soldiers (Soldier had negligent discharge of M-16 while exiting his vehicle, round went into fuel tank), filed locally
 - 4) (U) MAJ [REDACTED] S-3, 320th MP Battalion
 - GOMOR from LTG McKiernan, Commander CFLCC, on 25 May 2003, for dereliction of duty for failing to report a violation of CENTCOM General Order #1 by a subordinate Field Grade Officer and Senior Noncommissioned Officer, which he personally observed; returned to soldier unfiled

- GOMOR from BG Karpinski, Commander 800th MP Brigade, on 10 November 03, for failing to take corrective security measures as ordered by the Brigade Commander, filed locally
- 5) (U) MAJ ██████████, Finance Officer, 800th MP Brigade
- GOMOR from LTG McKiernan, Commander CFLCC, on 25 May 2003, for violation of CENTCOM General Order #1, consuming alcohol with an NCO; filed locally.
- 6) (U) CPT ██████████, Commander, 870th MP Company
- Court-Martial Charges Preferred, for Conduct Unbecoming an Officer and Unauthorized Use of Government Computer in that he was alleged to have taken nude pictures of his female Soldiers without their knowledge, Trial date to be announced
- 7) (U) CPT ██████████, Commander, 770th MP Company
- GOMOR from BG Karpinski, Commander 800th MP Brigade, on 20 August 2003, for failing to properly train his Soldiers (Soldier had negligent discharge of M-16 while exiting his vehicle, round went into fuel tank), filed locally
- 8) (U) CSM ██████████, Command Sergeant Major, 800th MP Brigade
- GOMOR and Relief for Cause from BG Janis Karpinski, Commander 800th MP Brigade, for fraternization and dereliction of duty for fraternizing with junior enlisted soldiers within his unit, GOMOR officially filed and he was removed from the CSM list
- 9) (U) CSM ██████████, Command Sergeant Major, 400th MP Battalion
- GOMOR from BG Karpinski, Commander 800th MP Brigade, on 20 August 2003, for failing to properly train his Soldiers (Soldier had negligent discharge of M-16 while exiting his vehicle, round went into fuel tank), filed locally
- 10) (U) 1SG ██████████, First Sergeant, 770th MP Company
- GOMOR from BG Karpinski, Commander 800th MP Brigade, on 20 August 2003, for failing to properly train his Soldiers (Soldier had negligent discharge of M-16 while exiting his vehicle, round went into fuel tank), filed locally
- 11) (U) MSG ██████████, NBC NCO, 800th MP Brigade,
- GOMOR from LTG McKiernan, Commander CFLCC, on 25 May 2003, for violation of CENTCOM General Order #1, consuming alcohol, filed locally.

- 12) (U) SGM [REDACTED] Operations SGM, 320th MP Battalion,
- Two GO Letters of Concern and a verbal reprimand from BG Karpinski, Commander 800th MP Brigade, for failing to adhere to the guidance/directives given to him by BG Karpinski, filed locally
- d. (U) Saluting of officers was sporadic and not enforced LTC Robert P Walters, Jr., Commander of the 165th Military Intelligence Battalion (Tactical Exploitation), testified that the saluting policy was enforced by COL Pappas for all MI personnel, and that BG Karpinski approached COL Pappas to reverse the saluting policy back to a no-saluting policy as previously existed (ANNEX 53)
19. (U) I find that individual Soldiers within the 800th MP Brigade and the 320th Battalion stationed throughout Iraq had very little contact during their tour of duty with either LTC (P) [REDACTED] or BG Karpinski BG Karpinski claimed, during her testimony, that she paid regular visits to the various detention facilities where her Soldiers were stationed However, the detailed calendar provided by her Aide-de-Camp, 1LT [REDACTED] does not support her contention. Moreover, numerous witnesses stated that they rarely saw BG Karpinski or LTC (P) [REDACTED] (Multiple Witness Statements)
- 20 (U) In addition I find that psychological factors, such as the difference in culture, the Soldiers' quality of life, the real presence of mortal danger over an extended time period, and the failure of commanders to recognize these pressures contributed to the pervasive atmosphere that existed at Abu Ghraib (BCCF) Detention Facility and throughout the 800th MP Brigade (ANNEX 1)
- 21 As I have documented in other parts of this investigation, I find that there was no clear emphasis by BG Karpinski to ensure that the 800th MP Brigade Staff, Commanders, and Soldiers were trained to standard in detainee operations and proficiency or that serious accountability lapses that occurred over a significant period of time, particularly at Abu Ghraib (BCCF), were corrected. AR 15-6 Investigations regarding detainee escapes were not acted upon, followed up with corrective action, or disseminated to subordinate commanders or Soldiers. Brigade and unit SOPs for dealing with detainees if they existed at all, were not read or understood by MP Soldiers assigned the difficult mission of detainee operations Following the abuse of several detainees at Camp Bucca in May 2003, I could find no evidence that BG Karpinski ever directed corrective training for her soldiers or ensured that MP Soldiers throughout Iraq clearly understood the requirements of the Geneva Conventions relating to the treatment of detainees (Multiple Witness Statements and the Personal Observations of the Investigation Team)

- 22 On 17 January 2004 BG Karpinski was formally admonished in writing by LTG Sanchez regarding the serious deficiencies in her Brigade. LTG Sanchez found that the performance of the 800th MP Brigade had not met the standards set by the Army or by CJTF-7. He found that incidents in the preceding six months had occurred that reflected a lack of clear standards, proficiency and leadership within the Brigade. LTG Sanchez also cited the recent detainee abuse at Abu Ghraib (BCCF) as the most recent example of a poor leadership climate that "permeates the Brigade." I totally concur with LTG Sanchez' opinion regarding the performance of BG Karpinski and the 800th MP Brigade. (ANNEX 102 and the Personal Observations of the Investigating Officer)

RECOMMENDATIONS AS TO PART THREE OF THE INVESTIGATION:

- 1 (U) That **BG Janis L. Karpinski, Commander, 800th MP Brigade** be Relieved from Command and given a General Officer Memorandum of Reprimand for the following acts which have been previously referred to in the aforementioned findings
 - Failing to ensure that MP Soldiers at theater-level detention facilities throughout Iraq had appropriate SOPs for dealing with detainees and that Commanders and Soldiers had read, understood, and would adhere to these SOPs
 - Failing to ensure that MP Soldiers in the 800th MP Brigade knew, understood, and adhered to the protections afforded to detainees in the Geneva Convention Relative to the Treatment of Prisoners of War.
 - Making material misrepresentations to the Investigation Team as to the frequency of her visits to her subordinate commands
 - Failing to obey an order from the CFLCC Commander, LTG McKiernan, regarding the withholding of disciplinary authority for Officer and Senior Noncommissioned Officer misconduct
 - Failing to take appropriate action regarding the ineffectiveness of a subordinate Commander, LTC [REDACTED]
 - Failing to take appropriate action regarding the ineffectiveness of numerous members of her Brigade Staff including her XO, S-1, S-3, and S-4
 - Failing to properly ensure the results and recommendations of the AARs and numerous 15-6 Investigation reports on escapes and shootings (over a period of several months) were properly disseminated to, and understood by, subordinate commanders.
 - Failing to ensure and enforce basic Soldier standards throughout her command
 - Failing to establish a Brigade METL
 - Failing to establish basic proficiency in assigned tasks for Soldiers throughout the 800th MP Brigade.

- Failing to ensure that numerous and reported accountability lapses at detention facilities throughout Iraq were corrected.
2. (U) That **COL Thomas M. Pappas, Commander, 205th MI Brigade**, be given a General Officer Memorandum of Reprimand and Investigated UP Procedure 15, AR 381-10, US Army Intelligence Activities for the following acts which have been previously referred to in the aforementioned findings.
- Failing to ensure that Soldiers under his direct command were properly trained in and followed the IROE
 - Failing to ensure that Soldiers under his direct command knew, understood, and followed the protections afforded to detainees in the Geneva Convention Relative to the Treatment of Prisoners of War
 - Failing to properly supervise his soldiers working and “visiting” Tier 1 of the Hard-Site at Abu Ghraib (BCCF)
- 3 (U) That **LTC (P) ██████████ Commander, 320th MP Battalion**, be Relieved from Command, be given a General Officer Memorandum of Reprimand, and be removed from the Colonel/O-6 Promotion List for the following acts which have been previously referred to in the aforementioned findings:
- Failing to properly ensure the results, recommendations, and AARs from numerous reports on escapes and shootings over a period of several months were properly disseminated to, and understood by, subordinates
 - Failing to implement the appropriate recommendations from various 15-6 Investigations as specifically directed by BG Karpinski
 - Failing to ensure that Soldiers under his direct command were properly trained in Internment and Resettlement Operations.
 - Failing to ensure that Soldiers under his direct command knew and understood the protections afforded to detainees in the Geneva Convention Relative to the Treatment of Prisoners of War
 - Failing to properly supervise his soldiers working and “visiting” Tier 1 of the Hard-Site at Abu Ghraib (BCCF)
 - Failing to properly establish and enforce basic soldier standards, proficiency, and accountability
 - Failure to conduct an appropriate Mission Analysis and to task organize to accomplish his mission
- 4 (U) That **LTC ██████████ Former Director, Joint Interrogation and Debriefing Center and Liaison Officer to 205th Military Intelligence Brigade**, be relieved from duty and be given a General Officer Memorandum of Reprimand for the following acts which have been previously referred to in the aforementioned findings.
- Making material misrepresentations to the Investigating Team, including his leadership roll at Abu Ghraib (BCCF)
 - Failing to ensure that Soldiers under his direct control were properly trained in and followed the IROE

- Failing to ensure that Soldiers under his direct control knew, understood, and followed the protections afforded to detainees in the Geneva Convention Relative to the Treatment of Prisoners of War
 - Failing to properly supervise soldiers under his direct authority working and “visiting” Tier 1 of the Hard-Site at Abu Ghraib (BCCF).
- 5 (U) That MAJ [REDACTED] Sr., S-3, 320th MP Battalion, be Relieved from his position as the Battalion S-3 and be given a General Officer Memorandum of Reprimand for the following acts which have been previously referred to in the aforementioned findings:
- Received a GOMOR from LTG McKiernan, Commander CFLCC, on 25 May 2003, for dereliction of duty for failing to report a violation of CENTCOM General Order #1 by a subordinate Field Grade Officer and Senior Noncommissioned Officer, which he personally observed; GOMOR was returned to Soldier and not filed.
 - Failing to take corrective action and implement recommendations from various 15-6 investigations even after receiving a GOMOR from BG Karpinski, Commander 800th MP Brigade, on 10 November 03, for failing to take corrective security measures as ordered; GOMOR was filed locally
 - Failing to take appropriate action and report an incident of detainee abuse, whereby he personally witnessed a Soldier throw a detainee from the back of a truck.
- 6 (U) That CPT [REDACTED] Commander, 372nd MP Company, be Relieved from Command and be given a General Officer Memorandum of Reprimand for the following acts which have been previously referred to in the aforementioned findings
- Failing to ensure that Soldiers under his direct command knew and understood the protections afforded to detainees in the Geneva Convention Relative to the Treatment of Prisoners of War
 - Failing to properly supervise his Soldiers working and “visiting” Tier 1 of the Hard-Site at Abu Ghraib (BCCF)
 - Failing to properly establish and enforce basic soldier standards, proficiency, and accountability
 - Failing to ensure that Soldiers under his direct command were properly trained in Internment and Resettlement Operations
- 7 (U) That 1LT [REDACTED], Platoon Leader, 372nd MP Company, be Relieved from his duties as Platoon Leader and be given a General Officer Memorandum of Reprimand for the following acts which have been previously referred to in the aforementioned findings
- Failing to ensure that Soldiers under his direct command knew and understood the protections afforded to detainees in the Geneva Convention Relative to the Treatment of Prisoners of War
 - Failing to properly supervise his soldiers working and “visiting” Tier 1 of the Hard-Site at Abu Ghraib (BCCF)

- Failing to properly establish and enforce basic Soldier standards, proficiency, and accountability.
 - Failing to ensure that Soldiers under his direct command were properly trained in Internment and Resettlement Operations.
8. (U) That SGM ██████████ Operations SGM, 320th MP Battalion, be Relieved from his duties and given a General Officer Memorandum of Reprimand for the following acts which have been previously referred to in the aforementioned findings
- Making a material misrepresentation to the Investigation Team stating that he had "never" been admonished or reprimanded by BG Karpinski, when in fact he had been admonished for failing to obey an order from BG Karpinski to "stay out of the towers" at the holding facility
 - Making a material misrepresentation to the Investigation Team stating that he had attended every shift change/guard-mount conducted at the 320th MP Battalion, and that he personally briefed his Soldiers on the proper treatment of detainees, when in fact numerous statements contradict this assertion.
 - Failing to ensure that Soldiers in the 320th MP Battalion knew and understood the protections afforded to detainees in the Geneva Convention Relative to the Treatment of Prisoners of War
 - Failing to properly supervise his soldiers working and "visiting" Tier 1 of the Hard-Site at Abu Ghraib (BCCF)
 - Failing to properly establish and enforce basic soldier standards, proficiency, and accountability
 - Failing to ensure that his Soldiers were properly trained in Internment and Resettlement Operations
- 9 (U) That 1SG ██████████ First Sergeant, 372nd MP Company, be Relieved from his duties as First Sergeant of the 372nd MP Company and given a General Officer Memorandum of Reprimand for the following acts which have been previously referred to in the aforementioned findings
- Failing to ensure that Soldiers in the 372nd MP Company knew and understood the protections afforded to detainees in the Geneva Convention Relative to the Treatment of Prisoners of War
 - Failing to properly supervise his soldiers working and "visiting" Tier 1 of the Hard-Site at Abu Ghraib (BCCF)
 - Failing to properly establish and enforce basic soldier standards, proficiency, and accountability
 - Failing to ensure that his Soldiers were properly trained in Internment and Resettlement Operations
- 10 (U) That SFC ██████████ Platoon Sergeant, 372nd MP Company, be Relieved from his duties, receive a General Officer Memorandum of Reprimand, and receive action under the Uniform Code of Military Justice for the following acts which have been previously referred to in the aforementioned findings:

- Failing to ensure that Soldiers in his platoon knew and understood the protections afforded to detainees in the Geneva Convention Relative to the Treatment of Prisoners of War.
- Failing to properly supervise his soldiers working and “visiting” Tier 1 of the Hard-Site at Abu Ghraib (BCCF)
- Failing to properly establish and enforce basic soldier standards, proficiency, and accountability
- Failing to ensure that his Soldiers were properly trained in Internment and Resettlement Operations
- Failing to report a Soldier, who under his direct control, abused detainees by stomping on their bare hands and feet in his presence

11. (U) That Mr. ██████████ Contract US Civilian Interrogator, CACI, 205th Military Intelligence Brigade, be given an Official Reprimand to be placed in his employment file, termination of employment, and generation of a derogatory report to revoke his security clearance for the following acts which have been previously referred to in the aforementioned findings:

- Made a false statement to the investigation team regarding the locations of his interrogations, the activities during his interrogations, and his knowledge of abuses
- Allowed and/or instructed MPs, who were not trained in interrogation techniques, to facilitate interrogations by “setting conditions” which were neither authorized and in accordance with applicable regulations/policy He clearly knew his instructions equated to physical abuse

12. (U) That Mr. ██████████, Contract US Civilian Interpreter, CACI, 205th Military Intelligence Brigade, be given an Official Reprimand to be placed in his employment file and have his security clearance reviewed by competent authority for the following acts or concerns which have been previously referred to in the aforementioned findings:

- Denied ever having seen interrogation processes in violation of the IROE, which is contrary to several witness statements
- Did not have a security clearance

13. (U) I find that there is sufficient credible information to warrant an Inquiry UP Procedure 15, AR 381-10, US Army Intelligence Activities, be conducted to determine the extent of culpability of MI personnel, assigned to the 205th MI Brigade and the Joint Interrogation and Debriefing Center (JIDC) at Abu Ghraib (BCCF) Specifically, I suspect that COL Thomas M. Pappas, LTC ██████████ Mr. ██████████ and Mr. ██████████ were either directly or indirectly responsible for the abuses at Abu Ghraib (BCCF) and strongly recommend immediate disciplinary action as described in the preceding paragraphs as well as the initiation of a Procedure 15 Inquiry to determine the full extent of their culpability (ANNEX 36)

OTHER FINDINGS/OBSERVATIONS

- 1 (U) Due to the nature and scope of this investigation, I acquired the assistance of Col (Dr.) [REDACTED] a USAF Psychiatrist, to analyze the investigation materials from a psychological perspective. He determined that there was evidence that the horrific abuses suffered by the detainees at Abu Ghraib (BCCF) were wanton acts of select soldiers in an unsupervised and dangerous setting. There was a complex interplay of many psychological factors and command insufficiencies. A more detailed analysis is contained in ANNEX 1 of this investigation
2. (U) During the course of this investigation I conducted a lengthy interview with BG Karpinski that lasted over four hours, and is included verbatim in the investigation Annexes. BG Karpinski was extremely emotional during much of her testimony. What I found particularly disturbing in her testimony was her complete unwillingness to either understand or accept that many of the problems inherent in the 800th MP Brigade were caused or exacerbated by poor leadership and the refusal of her command to both establish and enforce basic standards and principles among its Soldiers (ANNEX 45)
- 3 (U) Throughout the investigation, we observed many individual Soldiers and some subordinate units under the 800th MP Brigade that overcame significant obstacles, persevered in extremely poor conditions, and upheld the Army Values. We discovered numerous examples of Soldiers and Sailors taking the initiative in the absence of leadership and accomplishing their assigned tasks
 - a (U) The 744th MP Battalion, commanded by LTC [REDACTED] efficiently operated the HVD Detention Facility at Camp Cropper and met mission requirements with little to no guidance from the 800th MP Brigade. The unit was disciplined, proficient, and appeared to understand their basic tasks
 - b. (U) The 530th MP Battalion, commanded by LTC [REDACTED] effectively maintained the MEK Detention Facility at Camp Ashraf. His Soldiers were proficient in their individual tasks and adapted well to this highly unique and non-doctrinal operation
 - c (U) The 165th MI Battalion excelled in providing perimeter security and force protection at Abu Ghraib (BCCF). LTC [REDACTED], demanded standards be enforced and worked endlessly to improve discipline throughout the FOB

4. (U) The individual Soldiers and Sailors that we observed and believe should be favorably noted include:
 - a. (U) Master-at-Arms First Class ██████████ US Navy Dog Handler, knew his duties and refused to participate in improper interrogations despite significant pressure from the MI personnel at Abu Ghraib
 - b. (U) SPC ██████████, 372nd MP Company discovered evidence of abuse and turned it over to military law enforcement.
 - c. (U) 1LT ██████████, 229th MP Company, took immediate action and stopped an abuse, then reported the incident to the chain of command

CONCLUSION

1. (U) Several US Army Soldiers have committed egregious acts and grave breaches of international law at Abu Ghraib/BCCF and Camp Bucca, Iraq. Furthermore, key senior leaders in both the 800th MP Brigade and the 205th MI Brigade failed to comply with established regulations, policies, and command directives in preventing detainee abuses at Abu Ghraib (BCCF) and at Camp Bucca during the period August 2003 to February 2004.
2. (U) Approval and implementation of the recommendations of this AR 15-6 Investigation and those highlighted in previous assessments are essential to establish the conditions with the resources and personnel required to prevent future occurrences of detainee abuse

Annexes

1. Psychological Assessment
2. Request for investigation from CJTF-7 to CENTCOM
3. Directive to CFLCC from CENTCOM directing investigation
4. Appointment Memo from CFLCC CDR to MG Taguba
5. 15-6 Investigation 9 June 2003
6. 15-6 Investigation 12 June 2003
7. 15-6 Investigation 13 June 2003
8. 15-6 Investigation 24 November 2003
9. 15-6 Investigation 7 January 2004
10. 15-6 Investigation 12 January 2004
11. SIR 5 November 2003
12. SIR 7 November 2003
13. SIR 8 November 2003
14. SIR 13 December 2003
15. SIR 13 December 2003
16. SIR 13 December 2003
17. SIR 17 December 2003
18. Commander's Inquiry 26 January 2004
19. MG ██████ Report, 6 November 2003
20. MG ██████ Report, 9 September 2003
21. AR 190-8, Enemy Prisoners of War, Retained Personnel, Civilian Internees, and Other Detainees, 1 October 1997
22. FM 3-19.40, Military Police Internment/Resettlement Operations, 1 August 2001
23. FM 34-52, Intelligence Interrogation, 28 September 1992
24. Fourth Geneva Convention, 12 August 1949
25. CID Report on criminal abuses at Abu Ghraib, 28 January 2004
26. CID Interviews, 10-25 January 2004
27. 800th MP Brigade Roster, 29 January 2004
28. 205th MI Brigade's IROE, Undated
29. TOA Order (800th MP Brigade) and letter holding witnesses
30. Investigation Team's witness list
31. FRAGO #1108
32. Letters suspending several key leaders in the 800th MP Brigade and Rating Chain with suspensions annotated
33. FM 27-10, Military Justice, 6 September 2002
34. CID Report on abuse of detainees at Camp Bucca, 8 June 2003
35. Article 32 Findings on abuse of detainees at Camp Bucca, 26 August 2003
36. AR 381-10, 1 July 1984
37. Excerpts from log books, 320th MP Battalion
38. 310th MP Battalion's Inprocessing SOP
39. 320th MP Battalion's "Change Sheet"
40. Joint Interrogation and Debriefing Center's (JIDC) Slides, Undated
41. Order of Battle Slides, 12 January 2004
42. Joint Publication 0-2, Unified Actions Armed Forces, 10 July 2001

43. General Officer Memorandums of Reprimand
44. 800th MP Battalion's TACSOP
45. BG Janis Karpinski, Commander, 800th MP Brigade
46. COL Thomas Pappas, Commander, 205th MI Brigade
47. COL [REDACTED], CFLCC Judge Advocate, CPA Ministry of Justice
48. LTC [REDACTED], S-5 and Executive Officer, 800th MP Brigade
49. LTC [REDACTED], Command Judge Advocate, 800th MP Brigade
50. LTC [REDACTED], Commander, 165th MI Battalion (Tactical exploitation)
51. LTC [REDACTED], Commander, 202nd MI Battalion
52. LTC [REDACTED], Commander 310th MP Battalion
53. LTC [REDACTED], former Director, Joint Interrogation and Debriefing Center/LNO to the 205th MI Brigade
54. LTC [REDACTED], Commander 724th MP Battalion and OIC Arifjan Detachment, 800th MP Brigade
55. LTC [REDACTED] M. Clone, Commander, 744th MP Battalion
56. MAJ [REDACTED], S-1, 800th MP Brigade
57. MAJ [REDACTED], Deputy CJA, 800th MP Brigade
58. MAJ [REDACTED], S-1 (FWD), 800th MP Brigade
59. MAJ [REDACTED], S-3, 320th MP Battalion
60. MAJ [REDACTED], XO, 320th MP Battalion
61. MAJ [REDACTED], S-3, 800th MP Brigade
62. CPT [REDACTED], Commander, 670th MP Company
63. CPT [REDACTED], Commander, 372nd MP Company
64. CPT [REDACTED], Assistant S-3, 320th MP Battalion
65. CPT [REDACTED], S-3, 310th MP Battalion
66. CPT [REDACTED], S-2, 800th MP Brigade
67. LTC [REDACTED], Commander, 320th MP Battalion
68. CPT [REDACTED], Commander, 229th MP Company
69. CPT [REDACTED], Commander, 310th MP Company
70. CPT [REDACTED], IG, 800th MP Brigade
71. 1LT [REDACTED], Platoon Leader, 372nd MP Company
72. 1LT [REDACTED], Aide-de-Camp to Brigade Commander, 800th MP Brigade
73. 1LT [REDACTED] II, Commander, HHC 320th MP Battalion
74. 2LT [REDACTED], Platoon Leader, 229th MP Company
75. CW2 [REDACTED], 205th MI Brigade
76. CSM [REDACTED], Command Sergeant Major, 320th MP Battalion
77. SGM [REDACTED], Command Sergeant Major, 800th MP Brigade
78. CSM [REDACTED], Command Sergeant Major, 310th MP Battalion
79. 1SG [REDACTED], First Sergeant, 977th MP Company
80. SGM [REDACTED], Operations SGM, 320th MP Battalion
81. MSG [REDACTED], First Sergeant, 372nd MP Company
82. MSG [REDACTED], Operations Sergeant, 310th MP Battalion
83. SFC [REDACTED], Platoon Sergeant, 229th MP Company
84. SFC [REDACTED], Platoon SGT, 372nd MP Company
85. SFC [REDACTED], 372nd MP Company

86. SSG [REDACTED], Squad Leader, 372nd MP Company
87. SSG [REDACTED], Army Dog Handler
88. SGT [REDACTED], Army Dog Handler
89. MA1 [REDACTED], USN Dog Handler
90. Mr. [REDACTED] US civilian contract Interrogator, CACI, 205th MI Brigade
91. Mr. [REDACTED] US civilian contract Interpreter, Titan Corporation, 205th MI Brigade
92. FM 3-19.1, Military Police Operations, 22 March 2001
93. CJTF-7 IROE and DROE, Undated
94. CJTF-7 Interrogation and Counter Resistance Policy, 12 October 2003
95. 800th MP Brigade Mobilization Orders
96. Sample Detainee Status Report, 13 March 2004
97. 530th MP Battalion Mission Brief, 11 February 2004
98. Memorandum for Record, CPT Ed Ray, Chief of Military Justice, CFLCC, 9 March 2004
99. SIR 14 January 2004
100. Accountability Plan Recommendations, 9 March 2004
101. 2LT [REDACTED] S-2, 320th MP Battalion
102. Memorandum of Admonishment from LTG [REDACTED] to BG Karpinski, 17 January 2004
103. Various SIRs from the 800th MP Brigade/320th MP Battalion
104. 205th MI Brigade SITREP to MC [REDACTED] 12 December 2003
105. SGT [REDACTED], 372nd MP Company
106. 1LT [REDACTED] n, Commander, 870th MP Company

AR 15-6 Investigation-- Allegations of Detainee Abuse at Abu Ghraib Psychological Assessment

Certain factors can interact and contribute to horrific outcomes, such as the Iraqi detainee abuse at the end of 2003 at Abu Ghraib (also known as the Baghdad Central Conventional Facility [BCCF]). This is clearly an example of aberrant behavior

First: Soldiers were immersed in the Islamic culture, a culture that many were encountering for a first time. Clearly there are major differences in worship and beliefs, and there is the association of Muslims with terrorism. All these causes exaggerate differences and create misperceptions that can lead to fear or devaluation of a people.

Second: quality of life at Abu Ghraib was poor, and lacking most amenities present in other camps in Iraq. The population at BCCF was disparate, consisting of hardened Iraqi criminals watched by corrupt Iraqi prison guards, as well as the varying types of detainees (males, females, juveniles, criminals, terrorists, and mentally ill). BCCF is a closed environment, an environment that would wear on its occupants (MPs, MI personnel, and detainees) over a prolonged period of time.

Third, all present at Abu Ghraib were truly in personal danger. Daily mortar attacks from without and sporadic prisoner riots from within led to several deaths and numerous injuries of both Soldiers and detainees alike.

Fourth: command factors were a key player at the BCCF. There was not only a lack of interaction but also friction between the MP and MI command elements. A lack of proper training and supervision was present. There was a failure to respond to recommendations of corrective actions contained in several AARs, 15-6s, and even the recommendations highlighted in MGs Miller and Ryder assessment reports. Leaders

were unwilling to accept responsibility. Discipline, when taken, was lenient, leading to the realization that the BDE or BN chains of command would essentially do nothing, thus contributing to a mentality that "I can get away with this"

Specifically, there were several commanders and NCOs who were ineffective leaders. Take, for instance, BG Karpinski, Cdr 800th MP BDE. On the bases of her four-hour interview and our examination of the interviews and sworn statements of others we concluded that she was unable to delegate taskings and did many taskings on her own. Though with good intentions, she lessened or dismissed punishments recommended by her staff. She was painfully aware of several problems in the 800th MP BDE including personnel, logistics, administration, and supplies, but she was not capable of demanding solutions from her chain of command. She felt herself a victim, and she propagated a negativity that permeated throughout the BDE.

Given this atmosphere of danger, promiscuity, and negativity, the worst human qualities and behaviors came to the fore and a pervasive dominance came to prevail, especially at Abu Ghraib. Inadequate and immoral men and women desiring dominance may be drawn to fields such as corrections and interrogation, where they can be in absolute control over others. CPL [REDACTED] had a civilian prison job. SSG [REDACTED] was also in corrections. Through our investigation, we identified them as ringleaders of the abuse, but note carefully that they collaborated with other MP Soldiers and several unknown MI personnel, to include Soldiers as well as their U.S. civilian contract interrogators and interpreters. Witnesses report pairs of civilian interrogators and interpreters carrying out detainee abuse, as well as an interpreter raping a male juvenile detainee. In fact the MI unit seemed to be operating in a conspiracy of silence. Still, it is

important to remember that dominance in and of itself is not improper. In fact, interrogators knowingly dominate their subjects, and sometimes even intimidate, in order to obtain intelligence. But clearly the behavior at BCCF crossed the line. The sadistic and psychopathic behavior was appalling and shocking.

In CPL [REDACTED] and SSG [REDACTED] area of responsibility at tier 1A/1B of the Hard-Site, it was commonplace for detainees to be abused. MP dog handlers cooperated with MI interrogators under the MPs' watch to use dogs to frighten, intimidate, and even bite detainees. 1LT [REDACTED], platoon leader and acting company commander of 372nd MP Company, was openly hostile and allowed his guards to carry illegal weapons. MP dog handler SG [REDACTED] was disrespectful and racist (he said, "After working at the prison for so long, the dogs came not to like Iraqi detainees. They didn't like the Iraqi culture, since it's sound, skin tone, hair color, or anything about them"). Detainee abuse was common knowledge among the enlisted Soldiers at Abu Ghraib. Abuse with sexual themes (see below) occurred and was witnessed, condoned, and photographed, but never reported. Even officers witnessed abuse on several occasions or had knowledge of abuse at the BCCF.

As mentioned earlier, everyday life was extremely stressful. And several MP and MI Soldiers were especially indifferent and vindictive against detainees involved in any violence toward Coalition Forces or who exhibited deviant behavior. On 23 August 03, an MI Soldier kicked and beat a passive, cuffed detainee who was suspected of mortaring BCCF; this incident was witnessed by officers and NCOs alike. On 28-29 October 03, CPL [REDACTED] and SSG [REDACTED] received three detainees involved in rape of a male juvenile. MI Soldiers instructed them to "rough them up." CPL [REDACTED] and SSG

[REDACTED] tackled the three together, lying on the floor, simulating gay sex. On 8 November 03, MP guards brought seven hooded detainees to the Hard-Site who had rioted in Camp Gancı earlier that day. They were stripped, told to get on their hands and knees, and placed face forward in a pyramid. Other Soldiers stopped by to view. PFC England said, "We would joke around, everyone would laugh at the things we had them do." On 24 November 03, a detainee shot a MP guard (who was unhurt) with a pistol smuggled in to him by the Iraqi prison guards. He sustained lethal shotgun rounds to his legs. Then later, after returning from the hospital, CPT [REDACTED] hit him severely, including direct blows to his leg wounds.

Clearly some detainees at Abu Ghraib were totally humiliated and degraded. This is a classic example of the legal formula that "predisposition + opportunity = criminal behavior." Predisposition included the psychological factors of negativity, anger, hatred, and desire to dominate and humiliate. And, with an unsupervised workplace in which no threat of appropriate punishment would be forthcoming, there was opportunity. Moreover, competent authority needs to expedite the detainee release process so that detainees without intelligence value will be rapidly released. And we can learn from the program in place at Dover Air Force Base, where the remains of servicemen are received. Psychiatrists or psychologists are always present, and General Officers have the opportunity to observe the entire process of personnel conducting mortuary affairs operations and how they cope with conditions of their workplace.

Finally, we must be ever ready to prevent the recurrence of such inhumane behavior to the best of our ability. But when such behavior occurs, the guilty must face swift, decisive, and appropriate justice. While justice is being served, an investigation

team needs to analyze the organization and needs to deal with it accordingly. It seems incomprehensible that such misdeeds could happen in a facility, even in a prison complex as notorious as Abu Ghraib. But they did.

But BCCF would be a troublesome arena today even for a well trained MP or MI unit conducting detainee and interrogation operations. Compare and contrast the differences between the detention missions of the Soldiers of Desert Storm and Operation Iraqi Freedom. The Desert Storm Soldiers dealt with male enemy prisoners in a war that lasted a matter of hours. At war's end, they released and repatriated the prisoners. In OIF-2, the war is ongoing with no end in sight, and the detainees are in fixed and exposed camp facilities. These detainees are male and female, young and old; they may be innocent, may have high intelligence value, or may be terrorists or criminals. No matter who they are, if they are at Abu Ghraib, they are remanded in deplorable, dangerous living conditions as are the Soldiers. Every day, the Soldiers must deal with extremely frustrated and hostile detainees who are in total limbo concerning their fate and release. The Soldiers must always be on their guard. And, depending if they are MP or MI Soldiers, they are pressured to either prevent escape or obtain intelligence rapidly. Thus, BCCF has both depressive and anxiety-laden elements that would grind down even the most motivated Soldier and lead to anger and possibly loss of control.

This new "psychological battlefield" requires a new support system for today's MP guard and MI specialist. Of course they must receive all prerequisite training and be knowledgeable on international law and information technology. But they should receive respite away from these detention camps periodically. Physicians and chaplains are needed for the body and spirit, but mental health providers are needed for the mind. A

psychiatrist or psychologist should be on the lookout for significant anger/depressive/anxiety symptoms, and he/she would also provide education and support to prevent Soldiers from any negative conditioning that could impair job performance. Our Soldiers deserve no less.

Assessment by:

COL [REDACTED]

USAF Psychiatrist

Member AR 15-6 Investigation Team—800th MP Brigade



**HEADQUARTERS
COMBINED JOINT TASK FORCE SEVEN
BAGHDAD, IRAQ
APO AE 08093**

HIP¹
ATTNOR J

CJTF7-CG

19 January 2004

MEMORANDUM FOR Commander, United States Central Command

SUBJECT Request for Investigating Officer

1 I request that you appoint an investigating officer, in the grade of Major General or above, to investigate the conduct of operations within the 800th Military Police Brigade. The Brigade is a theater asset, assigned to CFLCC, but TACON to CJTF-7

2 Specifically, I request an investigation of the detention and internment operations conducted by the brigade from 1 November 2003 to the present. Recent reports of detainee abuse, escapes, and accountability lapses indicate systemic problems within the brigade and suggest a lack of clear standards, proficiency, and leadership. Several investigations, including a USACIDC investigation, into various aspects of the Brigade's operations are on-going. The purpose of this request is to gain a more comprehensive and all-encompassing inquiry, conducted by a senior leader from outside of CJTF-7, to make findings and recommendations concerning the fitness and performance of the 800th MP Brigade

* The CJTF-7 point of contact for this request is COL Marc Warren, DSN 318-836-1122

[REDACTED]
Lieutenant General, USA
Commanding

C.F.
LTC McKiernan



UNITED STATES CENTRAL COMMAND
OFFICE OF THE CHIEF OF STAFF
711 SOUTH BOUNDARY BOULVARD
MACDILL AIR FORCE BASE FLORIDA 33621 USA

JAN 24 2004

MEMORANDUM FOR COMMANDER COALITION FORCES LAND COMPONENT
COMMAND/U S ARMY FORCES CENTRAL COMMAND APG
AE 09304

SUBJECT Investigation of the 800th Military Police (MP) Brigade
Detainee Operations

You are hereby directed to conduct an investigation into the 800th MP Brigade's detention and internment operations from 1 November 2003 to the present. Because your investigation will inquire into the conduct of Brigade leaders at all levels of command appoint an investigating officer who is senior to the current 800th MP Brigade Commander. Your investigating officer may use Army regulations and processes as guidelines.

The investigator should inquire into all of the facts and circumstances surrounding recent reports of suspected detainee abuse. I have forwarded relevant material under separate cover. The investigation should further inquire into detainee escapes and accountability lapses as reported by CJTF-7. These incidents reflect poorly upon the Brigade and suggest possible systemic problems to include a lack of proficiency in detention operations, the absence of clear standards, and supervisory omissions. Several related investigations are currently ongoing including a USACIDC investigation into specific incidents concerning the Brigade's operations. The purpose of this investigation should be to gain a more comprehensive and encompassing inquiry into the fitness and performance of the 800th MP Brigade.

The report of investigation must include findings of fact and indicate whether any misconduct or negligence occurred. Further, the report must make recommendations concerning corrective measures and disciplinary actions as appropriate. Finally, the 800th MP Brigade is a reserve unit and is scheduled for demobilization. Accordingly, ensure that jurisdiction is maintained over any members of the Brigade that are suspected of misconduct.

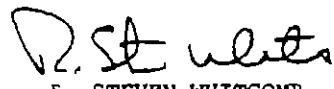
This investigation must become the primary duty of the investigating officer. The final report of investigation should

CCSA

SUBJECT Investigation of the 800th Military Police (MP) Brigade
Detainee Operations

be completed and returned to me by 1 March 2004. Submit any
requests for an extension in a timely manner and outline the
reason for the requested delay. The seriousness of these
allegations warrants a thorough and prompt investigation.

FCC THE COMMANDER


R STEVEN WHITCOMB
Major General USA



DEPARTMENT OF THE ARMY
COALITION FORCES LAND COMPONENT COMMAND
UNITED STATES ARMY FORCES CENTRAL COMMAND
THIRD UNITED STATES ARMY
APO AE 09304

AFRD-CG

3 1 JUN 2004

MEMORANDUM FOR MG Antonio M Taguba, Deputy Commanding General Support,
Coalition Forces Land Component Command, Camp Doha, Kuwait, APO AE 09304

SUBJECT Investigating Officer Appointment

1 Pursuant to CENTCOM directive dated 24 January 2004, you are hereby appointed an investigating officer pursuant to Army Regulation 15-6, Procedures for Investigating Officers and Boards of Officers, to conduct an informal investigation into the 800th MP Brigade's detention and internment operations from 1 November 2003 to the present

a The investigation should inquire into all of the facts and circumstances surrounding recent allegations of detainee abuse, specifically, allegations of maltreatment at the Abu Ghraib Prison (Baghdad Central Confinement Facility)

b The investigation should further inquire into detainee escapes and accountability lapses as reported by CJTF-7, specifically, allegations concerning these events at the Abu Ghraib Prison (Baghdad Central Confinement Facility)

c You should also investigate the training, standards, employment, command policies, internal procedures, and command climate in the 800th MP Brigade as appropriate

d You should make specific findings of fact concerning all aspects of this investigation, and make any recommendations for corrective action as appropriate

2 Before you begin your investigation, you should contact LTC [REDACTED] or LTC [REDACTED], Office of the Staff Judge Advocate, Coalition Forces Land Component Command, DSN 438-8044/8006, who will serve as your legal advisors. You will consult with your legal advisor or his designee regarding all aspects of this investigation, including developing an investigation plan and determining whether witnesses need to be advised of their rights under Article 31, UCMJ. You will be assisted by an investigative team, coordinated by COL [REDACTED] CFLCC Provost Marshal

3 You are to conduct this investigation using the informal procedures outlined in Chapter 4, AR 15-6. No individual has been named as a respondent at this time. All witnesses will be sworn prior to their interview. You are to thoroughly document all witness interviews in writing, preferably on a DA Form 2823 (Sworn Statement). You will interview all key witnesses in person, if practical. Due to the scope of this investigation, you may employ an investigative team to assist in the interview and analysis process. If in the course of your investigation you come to suspect that certain people may have committed criminal conduct, you must advise them of their rights under Article 31, UCMJ, or the Fifth Amendment, U.S. Constitution, as

AFRD-JA

SUBJECT Investigating Officer Appointment

appropriate Witness waivers of their Article 31 or Fifth Amendment rights will be documented on a DA Form 3881 (Rights Warning Procedure/Waiver Certificate). In addition, you may need to provide a witness with a Privacy Act statement before you solicit any information.

- 4 You are to maintain a written chronology of your actions on this investigation and report your findings and recommendations on DA Form 1574, specifically citing the statements that support your findings. If there is conflicting evidence on a specific issue, evaluate the credibility of the witnesses and indicate whom you believe in your explanation.
- 5 You should complete your investigation and submit your final report to me by 1 March 2004. I must personally approve any request for an extension of time to complete the investigation.



DAVID D. McKIERNAN
Lieutenant General, USA
Commanding



REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-6, the proponent agency is OTJAG

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

SECTION I - APPOINTMENT

Appointed by COL [REDACTED] Commander, 18th MP BDE, Baghdad, Iraq, APO AE 09302
 (Appointing authority)

on 12 June 2003 (Attach inclosure 1 Letter of appointment or summary of oral appointment data) (See para 3-15, AR 15-6)
 (Date)

SECTION II - SESSIONS

The (investigation) (board) commenced at Camp Cropper, Baghdad, Iraq at 1500
 (Place) (Time)
 on 9 June 2003 (If a formal board met for more than one session, check here Indicate in an inclosure the time each session began and ended, the place persons present and absent and explanation of absences, if any) The following persons (members, respondents, counsel) were present (After each name indicate capacity, e.g., President, Recorder, Member, Legal Advisor)

The following persons (members, respondents, counsel) were absent (Include brief explanation of each absence) (See paras 5-2 and 5-8a, AR 15-6)

The (investigating officer) (board) finished gathering/hearing evidence at 1800 on 20 June 03
 (Time) (Date)
 and completed findings and recommendations at 1240 on 21 June 03
 (Time) (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A COMPLETE IN ALL CASES

YES NO¹ N/A²

1	Inclosures (para 3-15, AR 15-6)			
	Are the following inclosed and numbered consecutively with Roman numerals (Attached in order listed)			
a	The letter of appointment or a summary of oral appointment data?	X		
b	Copy of notice to respondent, if any? (See item 9, below)		X	
c	Other correspondence with respondent or counsel, if any?			X
d	All other written communications to or from the appointing authority?	X		
e	Privacy Act Statements (Certificate, if statement provided orally)?	X		
f	Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?			X
g	Information as to sessions of a formal board not included on page 1 of this report?			X
h	Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?	X		

FOOTNOTES 1 Explain all negative answers on an attached sheet
 2 Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board

		YES	NO ¹	N/A ²
2	Exhibits (para 3-16, AR 15-6)			
	a Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?	X		
	b Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	X		
c	Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	X		
d	Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?	X		
e	Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?	X		
f	Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?			X
g	If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?			X
3	Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?			
B	COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)			
4	At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-3b, AR 15-6)?			
5	Was a quorum present at every session of the board (para 5-2b, AR 15-6)?			
6	Was each absence of any member properly excused (para 5-2a, AR 15-6)?			
7	Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?			
8	If any members who voted on findings or recommendations were not present when the board received some evidence, does the inclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?			
C	COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)			
9	Notice to respondent (para 5-5, AR 15-6)			
	a Is the method and date of delivery to the respondent indicated on each letter of notification?			
	b Was the date of delivery at least five working days prior to the first session of the board?			
	c Does each letter of notification indicate –			
	(1) the date, hour, and place of the first session of the board concerning that respondent?			
	(2) the matter to be investigated, including specific allegations against the respondent, if any?			
	(3) the respondent's rights with regard to counsel?			
	(4) the name and address of each witness expected to be called by the recorder?			
	(5) the respondent's rights to be present, present evidence, and call witnesses?			
	d Was the respondent provided a copy of all unclassified documents in the case file?			
	e If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?			
10	If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings)			
	a Was he properly notified (para 5-5, AR 15-6)?			
	b Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-4c, AR 15-6)?			
11	Counsel (para 5-6, AR 15-6)			
	a Was each respondent represented by counsel?			
	Name and business address of counsel			
	(If counsel is a lawyer, check here <input type="checkbox"/>)			
	b Was respondent's counsel present at all open sessions of the board relating to that respondent?			
	c If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the action taken on it included in the report (para 5-6b, AR 15-6)?			
12	If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6)			
	a Was the challenge properly denied and by the appropriate officer?			
	b Did each member successfully challenged cease to participate in the proceedings?			
13	Was the respondent given an opportunity to (para 5-8a, AR 15-6)			
	a Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?			
	b Examine and object to the introduction of real and documentary evidence, including written statements?			
	c Object to the testimony of witnesses and cross-examine witnesses other than his own?			
	d Call witnesses and otherwise introduce evidence?			
	e Testify as a witness?			
	f Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?			
14	If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (para 5-8b, AR 15-6)?			
	Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (para 5-11, AR 15-6)?			

FOOTNOTES ¹ Explain all negative answers on an attached sheet.

² Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

SECTION IV - FINDINGS (para 3-10, AR 15-6)

The *(investigating officer) (board)*, having carefully considered the evidence, finds

See attached Memorandum

SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

In view of the above findings, the *(investigating officer) (board)* recommends

See attached Memorandum

SECTION VI - AUTHENTICATION (para 3-17, AR 15-6)

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE (If any voting member or the recorder fails to sign here or in Section VII indicate the reason in the space where his signature should appear)

(Recorder)

 LT/NP
(Investigating Officer) (President)

(Member)

(Member)

(Member)

(Member)

SECTION VII - MINORITY REPORT (para 3-13, AR 15-6)

To the extent indicated in Inclosure _____, the undersigned do(es) not concur in the findings and recommendations of the board
(In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur State the reasons for disagreement Additional/substitute findings and/or recommendations may be included in the inclosure)

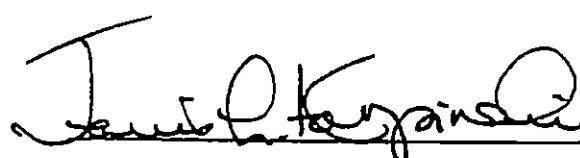
(Member)

(Member)

SECTION VIII - ACTION BY APPOINTING AUTHORITY (para 2-3, AR 15-6)

Findings and recommendations of the Investigating Officer (board) are (approved) (disapproved) Approved with following exceptions substitutions) (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence (or a summary, if oral) as a numbered inclosure)

Implement corrective actions as delineated in the Report of Investigation, para. 6 a-e.



AFZP-HCM -JA

27 June 2003

MEMORANDUM THRU Staff Judge Advocate, 800th Military Police Brigade, ATTN
LTC [REDACTED]

MEMORANDUM FOR Commander, 800th Military Police Brigade, BG Paul Hill.

SUBJECT Legal Review of AR 15-6 Investigation – Riot and Subsequent Shootings of
9 June 2003

1 On 12 June 2003, COL [REDACTED] Commander, 18th Military Police Brigade, appointed 1LT [REDACTED] to conduct an informal investigation into the riot and subsequent shootings of five civilian internees at Camp Cropper Corps Holding Area on 9 June 2003

2 On June 20, 2003, the 115th Military Police Battalion was returned to the 800th Military Police Brigade LTC [REDACTED] 800th Military Police Brigade Staff Judge Advocate advises that BG Paul Hill, Commander 800th Military Police Brigade, is the appropriate appointing authority A courtesy copy of the DA 1574 and attachments was furnished to COL [REDACTED], but the original was directed to be turned over to BG Hill and the undersigned was directed by LTC [REDACTED] to complete the legal review of the AR 15-6 investigation The DA 1574 and supporting documentation was timely submitted on 23 JUNE 03 by the IO

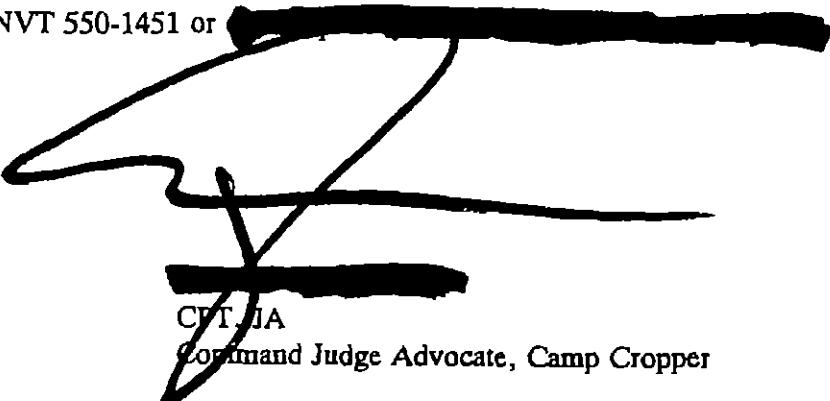
3 Under AR 15-6, paragraph 2-3b, I reviewed the investigation and make the following determinations

- a. The investigation complies with legal requirements for an AR 15-6 investigation
- b. There are no procedural errors or irregularities that invalidate the investigation
- c. Sufficient evidence supports the investigating officer's findings
- d. The investigating officer's recommendations are consistent with his findings The original scope of work did not specifically ask whether or not the ROE was followed, but it is the advice of the undersigned that ROE was followed Lethal force was used in response to a credible threat of death or serious bodily injury against U.S. soldiers by detainees who had removed tent poles from their compound and were attacking military police officers at the main compound. There are a number of specific recommendations that 1LT [REDACTED] has made. Many of these have been put into practice. Counsel recommends that BG Hill request a written review from LTC

AETV-MP-JA

SUBJECT: Legal Review of AR 15-6 Investigation – Riot and Subsequent Shootings of
9 June 2003.

4. I am the POC at DNVT 550-1451 or [REDACTED]



A large, handwritten signature in black ink, appearing to read "CPT. JA". The signature is written over several horizontal lines of text that have been redacted with black ink. Below the signature, the text "Command Judge Advocate, Camp Cropper" is printed in a standard font.

CPT. JA
Command Judge Advocate, Camp Cropper



**DEPARTMENT OF THE ARMY
115TH MILITARY POLICE BATTALION
APO AE 09335**

REPLY TO
ATTENTION OF

AETV-MPB

21 June 2003

MEMORANDUM FOR COL ██████████ CDR, 18th Military Police, Baghdad, Iraq, APO AE 09302

SUBJECT AR 15-6 Investigation into the riot and subsequent shooting at Camp Cropper Corps Holding Area on 9 June 03

- 1 On 9 June 2003, a riot occurred at the Camp Cropper Corps Holding Area on the BIAP. During the disturbance, detainees threw objects at camp MP's including rocks, bottles, shoes and attacked guards with tent poles. In response, MP's fired seven shots, and five detainees injured
 - 2 The undersigned was appointed by COL [REDACTED] Commander of the 18th MP BDE to conduct a 15-6 investigation into these events and to answer specific questions regarding the riot and subsequent shootings. Prior to that, the Camp Commander, LTC [REDACTED] had ordered a Commander's Inquiry and evidence had been gathered in support of that inquiry, some of which is incorporated into this final memorandum. An investigation was conducted and all relevant persons known to the undersigned were interviewed
 - 3 Attached to this memorandum are the following
 - a DA 2823, sworn statement of SPC [REDACTED]
 - b DA 2823, sworn statement of SGT [REDACTED]
 - c DA 2823, sworn statement of SGM [REDACTED]
 - d DA 2823, sworn statement of SSG [REDACTED]
 - e DA 2823, sworn statement of SPC [REDACTED]
 - f DA 2823, sworn statement of SPC [REDACTED]
 - g DA 2823, sworn statement of SFC [REDACTED]
 - h. DA 2823, sworn statement of SGT [REDACTED]
 - i DA 2823, sworn statement of SGT [REDACTED]
 - j DA 2823, sworn statement of SGT [REDACTED]

4 Conclusion

AETV-MPB

SUBJECT Corps Holding Area Disturbance and Subsequent Shooting of Detainees

b The focus of the CHA MPs was to control the individuals in the compounds that first started throwing rocks, bottles and various items at the MPs. Before the QRF was deployed, the detainees in several compounds overwhelmed CHA MPs and began to breach the individual compounds. The MPs pulled back to the sally port area to reorganize their forces. Before the withdrawal was complete shots were fired from atop a water truck to protect an MP's life.

c. [REDACTED]

5 Summary of Incident

a The Camp Cropper CHA is a rectangular fenced area measuring roughly the size of a football field. At the time of the incident, it is divided up into approximately 14 occupied compounds, arranged alphabetically. The fourteen occupied compounds ranged in size of between eight and two hundred detainees and varied in size. The smaller compounds were segregated areas for juveniles or EPW's or other individuals who needed special segregation. The larger compounds held detainees accused of common crimes.

b On the morning of 9 June 2003, the CHA was manned inside the wire by MP's from the 115th HHC and the 443rd MP CO. Soldiers from the 186th MP CO had the perimeter and were stationed outside the wire at points around the compound.

c Eight personnel from the 443rd made up the QRF for the day shift. The QRF was located in the warehouse adjacent to the CHA. The person who is responsible for calling the QRF out is the OIC or the NCOIC in the compound. Even though the QRF is stationed outside the compound, they are not "perimeter" security, but "internal" security.

d All soldiers inside and outside the wire had come on duty at approximately 0400 and were scheduled to work until 1600, that day.

e SFC [REDACTED] was the NCOIC inside the perimeter. There is no OIC or NCOIC outside the perimeter. Any outside NCOIC did not regularly interface with the NCOIC inside the compound.

f. Shortly after 1000 on 09 June 03 SPC [REDACTED] entered B compound to recover a water jug.

g As he was exiting B compound, SPC [REDACTED] was confronted by a number of detainees. SGT [REDACTED] stepped into B compound to assist SPC [REDACTED] when a punch was thrown in his direction by one of the detainees. Several MPs entered B compound to subdue and remove the detainee.

AETV-MPB

SUBJECT Corps Holding Area Disturbance and Subsequent Shooting of Detainees

h. After removing the instigator from B compound, several detainees from C compound began throwing rocks and bottles, and began chanting

i. SFC [REDACTED] NCOIC for the HVD compound, left his area of operation when he heard loud chanting coming from the CHA. After he reached the CHA, SFC [REDACTED] secured his M16A2 rifle and took a position on a water truck overlooking J compound

j. SGT [REDACTED], SPC [REDACTED] and SPC [REDACTED] entered C compound to subdue and remove several detainees

k. After removing several detainees from B and C compound SFC [REDACTED] instructed SGT [REDACTED], SPC [REDACTED] and SPC [REDACTED] to leave the CHA because SFC [REDACTED] thought they were the focus of detainee anger. SFC [REDACTED] believed this would help to restore order

l. Upon departing from the CHA SPC [REDACTED] was seen removing his DCU top and flexing in front of B compound in a taunting manner [REDACTED]

m. B, C, and D compound continued to throw rocks and bottles and several MP were struck. SGM [REDACTED] responded to the CHA at 1030. He spoke with several detainees to determine the reason for the disturbance

n. The detainees in B compound began to charge the gate shortly after SGM [REDACTED] arrived. SFC [REDACTED] motioned to SPC [REDACTED] (186th MP) to leave his post to obtain a better vantage point to provide cover for the MPs in the CHA. The MPs near B compound tried to hold the line but the detainees pulled tent poles and breached the gate. At this point, detainees from almost all of the compounds in the CHA were throwing rocks and bottles and detainees from B, C & D compounds had come outside of their compounds into the main compound.

o. SFC [REDACTED] instructed all MPs to pull back to the sally port area. During the pull back some of the MPs were cut off near D compound because SGM [REDACTED] instructed them to hold their ground. SFC [REDACTED] witnessed several detainees with tent poles leaving B, C, and D compound. SFC [REDACTED] witnessed a detainee about to strike an MP in the head with a tent pole. Fearing for the MP's life, SFC [REDACTED] fired one shot. SPC [REDACTED] fired a 2-3 round burst from his M249 to protect the MPs departing the B, C, and D compound area. Before a cease-fire command could be called SPC [REDACTED] fired a second 2-3 round burst. Seven rounds were fired and 5 detainees were wounded.

6 Questions presented by the appointing authority

a. How did the prisoners escape? There was no escape involved in this incident. If the prisoners were attempting to escape by storming the compound, the escape had just begun.

AETV-MPB

SUBJECT Corps Holding Area Disturbance and Subsequent Shooting of Detainees

b. What steps could have been taken to prevent these escapes? There were no escapes, but see paragraph 6, below, as to what could have happened to prevent the situation from escalating

c. What was the response of the Military Police on duty? The summary of facts stated above shows the following response to the riot

1.) The detainee who first attacked the soldier was identified and extracted from B compound

2.) The detainees in C compound that were throwing rocks were also identified and extracted

3.) SFC [REDACTED] asked several MP's to leave the area in an effort to quiet the detainees

4.) The QRF was not called out because the commotion happened in a split second. SGM [REDACTED] (BN S-3 shop) had just arrived and conferred with SFC [REDACTED] and they were trying to speak to the detainees when the tent polls were grabbed

5.) MP's were instructed to pull back to the sally port area. During the pull back, some of the MP's were cut off near D compound because they were instructed to hold their ground

6.) An MP witnessed several detainees with tent polls leaving B, C & D compounds. That MP witnessed a detainee about to strike an MP in the head with a tent poll. Fearing for the MP's life, the MP fired one shot. The second MP fired two 2-3 round bursts to protect the MP's departing the B, C & D compound area. These bursts were also aimed at one or more detainees attempting to injure the withdrawing MP's

d. Was the response of the Military Police on duty reasonable, or was excessive force used?

[REDACTED]

e. Is there an SOP in place to deal with this situation, and if so, was it followed? Yes, there is an SOP in place. [REDACTED] The overall SOP identified core operational tasks, but not specific sub-tasks for each MP function, either internal or external MP's.

[REDACTED]

f. Is there additional training that needs to be implemented to cover these situations?

[REDACTED]

AETV-MPB

SUBJECT Corps Holding Area Disturbance and Subsequent Shooting of Detainees

[REDACTED]

g What actions, if any, were taken by the QRF? None

6 Recommendation

a [REDACTED]

b A clear chain of command should be developed with defined responsibilities for CHA operation. There was no reason for SGM [REDACTED] to come down to the CHA. If SFC [REDACTED] was in charge of CHA operations, then he should have been able to function as NCOIC of the CHA.

c External security post should be built for better line of sight and a clear presence of force. Right now, the outer perimeter guards are positioned on Humvees at various locations outside the CHA. Because of the tents and position of the Humvees, outer perimeter guards cannot really see into the compound. Line of sight is lost. The CHA needs guard towers that are 12' to 18' high that the detainees can see.

d The non-lethal equipment was not distributed to the current MP Company tasked with the QRF mission. The non-lethal equipment is now distributed, but more could be made available for training purposes. The MP's in the compound should be provided with non-lethal means such as OC pepper spray.

e [REDACTED]

7 Point of contact is the undersigned 1st Platoon Leader, 443D Military Police Company.

[REDACTED] 1LT / MP

1LT, MP
Platoon Leader

Attachments



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
18TH MILITARY POLICE BRIGADE
Baghdad Iraq APD AE 09302

AETV-MP-JA

12 June 2003

MEMORANDUM FOR 1LT ██████████, Platoon Leader, 1st
Platoon, 443rd MP CO, 115th MP BN

SUBJECT Appointment as an AR 15-6 Investigating Officer

- 1 Reference AR 15-6, Procedure for Investigating Officers and Boards of Officers, 11 May 88, with Change 1, 30 Oct 96
- 2 You are hereby appointed to conduct an investigation concerning the escape attempts and shootings at Camp Cropper on 9 Jun 03. You may incorporate the results of any Commanders Inquiry that has been begun on these escapes
- 3 You are to investigate all details concerning these escapes, attempted escapes, and the responses by the Military Police that were on duty at those times. You are directed to specifically address the following questions
 - a How did the prisoners escape?
 - b What steps could have been taken to prevent these escapes?
 - c What was the response of the Military Police on duty?
 - d Was the response of the Military Police on duty reasonable, or was excessive force used?
 - e Is there an SOP in place to deal with this situation, and if so, was it followed?
 - f Is there additional training that needs to be implemented to cover these situations?
 - g What actions, if any, were taken by the QRF?
- 4 During the course of your investigation, you will record all interviews on DA Form 2823 (Sworn Statement). If, during any interview, you suspect a violation of the UCMJ by the person you are interviewing, you are required to stop the interview, and advise the interviewee of their Article 31(b) rights, using a DA Form 3881 (Right Warning Waiver Certificate). You may continue to interview that person if they agree to make further statements. If they do not, terminate the interview and contact your legal advisor. If you have any questions about whether or not the person made a knowing and valid waiver, terminate the interview and contact your legal

AETV-MP-JA

SUBJECT Appointment as an AR 15-6 Investigating Officer

advisor You will advise all persons being interviewed that their statements can be discovered under the Freedom of Information Act, and you will further advise them that any actions taken in reprisal against them for making a statement should be reported immediately to their Commander, the Office of the Inspector General, or to the Office of the Staff Judge Advocate Per Article 136.b (4) and 136.b.(6) of the UCMJ, you are authorized, as an Investigating Officer, to swear people in

5 You are authorized to investigate any issue(s) that arise during your investigation that are related to the primary purpose of your investigation CPT [REDACTED] HVD/CHA Judge Advocate, will serve as your legal advisor for this investigation The completed investigation will be turned in to CPT [REDACTED] for legal review.

6 This is your primary duty until you complete it, and you will submit a chronology of your actions along with your completed report The report of investigation will be submitted to the appointing authority NLT 23 Jun 03 Requests for extension must be made in writing to the undersigned

7 The POC for this memorandum is CPT [REDACTED] 18th MP BDE Judge Advocate, [REDACTED]
[REDACTED]

[REDACTED]
COL, MP
Commanding

INDEX OF EXHIBITS

EXHIBIT A	DA 2823, sworn statement of SPC [REDACTED]
EXHIBIT B	DA 2823, sworn statement of SGT [REDACTED]
EXHIBIT C	DA 2823, sworn statement of SGM [REDACTED]
EXHIBIT D	DA 2823, sworn statement of SSG [REDACTED]
EXHIBIT E	DA 2823, sworn statement of SPC [REDACTED]
EXHIBIT F	DA 2823, sworn statement of SPC [REDACTED]
EXHIBIT G	DA 2823, sworn statement of SFC [REDACTED]
EXHIBIT H	DA 2823, sworn statement of SGT [REDACTED]
EXHIBIT I	DA 2823, sworn statement of SGT [REDACTED]
EXHIBIT J	DA 2823 sworn statement of SGT [REDACTED]

A

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301, Title 5 USC Section 2851, E.O. 9397 dated November 22, 1943 (SSN)
PRINCIPAL PURPOSE To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
DISCLOSURE Disclosure of your social security number is voluntary

1 LOCATION	2 DATE (YYYYMMDD) 2003 06 04	3 TIME	4 FILE NUMBER
5 LAST NAME, FIRST NAME, MIDDLE NAME	6 SSN	7 GRADE/STATUS E-4 /SPC	
8 ORGANIZATION OR ADDRESS HHC 115 TH MP BN			

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

On June 9, 2003 we (HHC 115th MP's on shift at the Chg) were involved in a riot situation. The way that I saw it is as follows. I was filling water bottles for my OP's at Compound J when I heard an uproar coming from Compound B. When I turned and looked I saw an unknown OP taking swings at MP SGT [REDACTED]. I immediately secured my OP's filling water and ran to Compound B. Upon entering Compound B I saw OP's fighting MP's and running around the compound. I assisted with detaining the OP's that were fighting. As we began to exit the compound an unknown # of OP's began to throw objects, (meals, rocks, and tent poles). This created a chain reaction. OP's in Compounds C, K, D, and Juliet began to throw objects as well. While being assaulted with rocks, water bottles and fist, I continued to assist with the restraint of violent OP's at Compounds K, C, D. When I came out of Compound D, SFC [REDACTED] escorted myself and SPC [REDACTED] out of the entire compound.

10 EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" ____ TAKEN AT ____ DATED ____

* BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED

STATEMENT OF _____ TAKEN AT _____ DATED _____

B STATEMENT *(Continued)*

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.

[Signature of Person Making Statement]

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9th day of JUNE, 2023
at CAMP CROSSL, IRAQ

[Signature]

[Signature of Person Administering Oath]

ORGANIZATION OR ADDRESS

[Signature]

(Typed Name of Person Administering Oath)

ART 136 (b)(4) UCMT

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 2 PAGES

B

SWORN STATEMENT

For use of this form, see AR 180-45; the proponent agency is ODCSOPS

LOCATION	Core Holding Area Camp Cropper	DATE	9 June 03	TIME	1325	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME					SOCIAL SECURITY NUMBER	
						GRADE/STATUS
ORGANIZATION OR ADDRESS			115th MP BN Camp Cropper Iraq			

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

I, Sgt [REDACTED], was working at the core Holding area in Camp Cropper on 09 June 03. At approximately 1000 hrs, civilian detainees from within B Compound began throwing water bottles and rocks at the MP's working interior security. Myself, Sgt [REDACTED], Sgt [REDACTED], Spc [REDACTED], and a number of others unmentioned then went into the compound in force to remove those throwing projectiles and try to calm the situation when we subdued one individual in Compound B, another compound began to rise, throwing projectiles and chanting. Upon our entering that compound to try to de-escalate the situation, another compound began to carry on. This continued on for at least an hour with our jumping from one compound to another. At this point, several MP's had been struck with rocks and CI's were now breaching the gates of the individual compounds, cutting off a number of MP's in the back of the camp from the main gate. Several CI's came at the MP's with tent poles. In reaction to this new threat, SFC [REDACTED] of the 115th MP BN, located on the perimeter of the camp and armed with an M16, fired one round at one of the armed CI's threatening the MP's. Because I was closer to the supply port, I didn't see where the CI was hit. Shortly after, rounds were fired by another individual on the perimeter. All of the MP's were now falling back toward the supply port. SGM [REDACTED], who was inside the camp, instructed the 5-10 remaining MP's to hold their ground against the masses of detainees breaching the gates of the rear compounds. Gradually, the masses were calmed down, and the wounded were evacuated to medical. This basically concluded the incident I have described // END OF STATEMENT //

Not USFD

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	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. 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				

STATEMENT of sgt. [REDACTED]

taken at 1325 dated 9 June 03 continue

STATEMENT (Continued)

Not
USED

AFFIDAVIT

I [REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. 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.

[Signature of Person Making Statement]

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9 day of JUNE 2003
at CAMP COOPER, IRAQ

[Signature of Person Administering Oath]

ORGANIZATION OR ADDRESS

[Typed Name of Person Administering Oath]

ART 154(6)(4) UCMJ

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

LOCATION CAMP CROPPER	DATE 9June 2003	TIME 1030Hours	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS E-9 OP SGM
ORGANIZATION OR ADDRESS			

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

On 9 June 03 at App 1030 hours, I SGM [REDACTED] responded to a verbal disturbance that took place inside the CHA at Camp Cropper. When I approached the CHA the CI's were chanting very loudly (we want free), the MP's assigned were standing in the middle of the CHA observing the actions of the CI's. I spoke with SFC [REDACTED] about the situation, I was informed that a few CI's were extracted from the blocks for throwing rocks. Also SFC [REDACTED] informed me that he relieved some MP's out of the CHA for being unprofessional. The MP's pulled off post have been identified and are writing statements about their actions. I spoke with some of the English speaking CI's about what is causing the disturbance, mainly their complaint was the length of stay at the CHA, and not knowing their fate. During the communications with the CI's in D Block, the CI's started throwing rocks, boots, and water bottle filled with water and sand. At this time, by radio I informed the TOC (CPT [REDACTED]) of the situation. The CI's in B Block then charged the gate and attempted to exit the Block, MP'S were trying to keep the gate secure, then D and C Block started trying to exit their block as did. It was APP 20 to 40 CI's out of their blocks, some had tent poles rushing towards the MP's. I informed the MP's to stay on line and pull back then I heard weapons fire. The MP's and I walked backwards to A Block, out of the range of the objects being thrown. The firing of the weapons caused some of the CI's to return back to the blocks, it also gave the MP's the advantage needed to regain order inside of the CHA. All of the CI's were returned to their blocks, the ones with injuries were taken to medical. All United States soldiers involved were checked and asked for injuries. It is my belief that the firing of the weapons is supported by our ROE, there was a chance of great harm or loss of life for United States Soldiers. END OF STATEMENT

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>2</u> 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		

STATEMENT (Continued)

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE A. 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 9 day of JUNE, 2020
at [REDACTED]

ORGANIZATION OR ADDRESS

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED]
(Typed Name of Person Administering Oath)

ADM 134(1)(4) JCM-T

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

D

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301, Title 5 USC Section 2951, EO 13397 dated November 22, 1943 (SSN)
PRINCIPAL PURPOSE To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
DISCLOSURE Disclosure of your social security number is voluntary

1 LOCATION Camp Cropper, Iraq	2 DATE (MMYYMMDD) 20030409	3 TIME	4 FILE NUMBER
5 LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6 SSN [REDACTED]	7 GRADE/STATUS E-6	
8 ORGANIZATION OR ADDRESS HHC 115 th MP BN			

9 [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

On today's date at approximately 1030 hours a ruckus developed in Compound B requiring guards to go in. I was working at the far end of the Camp by Compound E and didn't see what the noise was about. As guards entered B, several rocks were thrown at the guards from C. C was entered and rocks were thrown from D. B & C were entered 2 or 3 times back & forth. All MP's eventually removed themselves. The detainees continued to chant, yell, and throw things. I had by this time ventured to the other end of the Camp due to the continued hostilities as directed by SFC [REDACTED]. I eventually ended up by the Sally Port. A few MP's had exited but there were at least 8 more still in the Camp when shots rang out. I remained at the sally port until the guards reentered at which time I was actually placed there because I was apparently, because I'm female, inciting the prisoners simply by walking by. During the initial scuffle a prisoner said that everyone was upset because they didn't understand why they were being held, why for so long, and why they are put in cells with so many others. EBP

[REDACTED]
End of statement

10 EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>3</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" — TAKEN AT — DATED —

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED

USE THIS PAGE IF NEEDED IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM

STATEMENT OF [REDACTED]

TAKEN AT [REDACTED] DATED 2005/06/27

9 STATEMENT (Continued)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 2 PAGES

STATEMENT OF [REDACTED] TAKEN AT Camp (Supply) DATED 10/12/01

I STATEMENT (Continued)

AFFIDAVIT

[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 or Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7 day of June 2001
at Camp (Supply), Iraq

[REDACTED] (Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED] (Typed Name of Person Administering Oath)

ART 136(4)(7)(b) (Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

PAGE 3 OF 4 PAGES

INITIALS OF PERSON MAKING STATEMENT

E

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301, Title 5 USC Section 2951, E.O. 9397 dated November 22, 1943 (SSN)
PRINCIPAL PURPOSE To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
DISCLOSURE Disclosure of your social security number is voluntary

1 LOCATION	2 DATE (YYYYMMDD)	3 TIME	4 FILE NUMBER
	3 03 06 09	1417	
5 LAST NAME, FIRST NAME, MIDDLE NAME	6 SSN	7 GRADE/STATUS	
[REDACTED]	[REDACTED]	F-4	
8 ORGANIZATION OR ADDRESS HHC 115th MP BN			

9 I, SPC [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH
 That around 1030hrs I had entered my Bravo Compound to remove a Water Jug that was empty at which time an unknown male ran up to me and started yelling at which time Sgt. [REDACTED] stated to unknown male to get back and unknown male shouting at Sgt. [REDACTED]. At which time the unknown male was extricated & additional MP's entered the Compound for assistance at which time unknown males from Charlie Compound and unknown compound began throwing rocks and other objects at the MP's at which time myself and the additional MP's exited Bravo Compound and entered Charlie Compound to [REDACTED] remove a unknown males that threw rocks at the MP's at this time the [REDACTED] entire Compound began to throw unknown items at the MP's and chanting certain unknown things, and we all exited Charlie Compound and the camp started to uproar even more. At which time SFC [REDACTED] stated to myself and SPC [REDACTED] to grab our gear and go wait in the warehouse in which I did this action and witnessed no more until about an hour more, when I heard gunfire. This is the information that I recall to the best of my knowledge.

~~END OF STATEMENT~~

10 EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED

STATEMENT OF _____ TAKEN AT _____ DATED _____

STATEMENT (Continued)

Not

USEP

AFFIDAVIT

I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. 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 UNFAIR INITILEMENT.

(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7 day of JULY, 2003
at CAMP CROPPER, IRAQ

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

ART 136(6)(4) UCMJ
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

F

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301, Title 5 USC Section 2951, E.O. 9397 dated November 22, 1943 (SSN)
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ROUTINE USES Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
DISCLOSURE Disclosure of your social security number is voluntary

1 LOCATION CHA	2 DATE <i>MMYYMMDD</i> 20030609	3 TIME 1457	4 FILE NUMBER
5 LAST NAME, FIRST NAME, MIDDLE NAME ███████████	6 SSN ███████████	7 GRADE/STATUS E-4 / SPC	
8 ORGANIZATION OR ADDRESS HHC 115 th MP BN			

9 I, ██████████, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

On 030609 at approx 1000 compound B, C, D started chanting and protesting it continued on and SFC ██████████ told me to take my belongings and to withdraw from the camp because he believed things may get out of control. I took my items to the gate and walked into the medical warehouse. At that time I ran back to the gate and seen the detainees coming out of their compounds I was told by SSG ██████████ to go get my weapons and gear. When I had returned the rioting had already stopped.

End of Statement
███████████

10 EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT ███████████	PAGE 1 OF <u>3</u> PAGES
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USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM

STATEMENT OF _____ TAKEN AT _____ DATED _____

9 STATEMENT *(Continued)*

Not used



INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

STATEMENT (Continued)

Not used

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 5. 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 9 day of JUNE 2003
at OAN, Camp Taji, Iraq

[REDACTED]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

USAPPC V2.00

G

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301, Title 5 USC Section 2951, E.O. 9387 dated November 22, 1943 (SSN)
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 ROUTINE USES Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
 DISCLOSURE Disclosure of your social security number is voluntary

1 LOCATION Camp Cropper, Iraq	2 DATE (YYYYMMDD) 20030609	3. TIME 1345	4 FILE NUMBER
5 LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6 SSN [REDACTED]	7 GRADE/STATUS E-7/SFC	

8 ORGANIZATION OR ADDRESS
HHC 115th MP BN

9 1. SFC [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

On 29 Jun 03 while performing Day shift Plt Sargent Duties, I left the HHD compound because I heard the CLA yelling. I went and drew my M16A2 Ser # 6189555 and 60-ads of 556mm Lot # LC 94. I saw SGM [REDACTED] speaking to compound B. Being armed I climbed the white water truck behind compound J, to see all the CLA. I was there 30+ min. watching different compounds acting up, charge the wire, drop their tents and charge the wire with the polls. SGM [REDACTED] spoke to someone in the different compounds and made them put the tents back up. Compound J was acting up, I ordered them back in their tents and off the wire.

I chambered a round in full view of J compound. I settled down for the most part (90%). Things started to calm down. So I sat on the white water truck. Ten min. later things started getting bad again. SGM [REDACTED] radioed for the QRF to get ready. One of the 186th MP's Lt was walking by me, I asked him to tell the QRF to get ready. The QRF had no commo with us. I then motioned for SPC. [REDACTED], 186th MP CO, to leave his humvee and get on the brown water truck to my left, about ten feet away from me. He couldn't see anything from the Humvee, so he

10 EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 4 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" — TAKEN AT — DATED —

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STATEMENT OF [REDACTED] TAKEN AT Camp Copper, Iraq DATED 2003 06 09

9 STATEMENT (Continued)

came up with his M249. Five min after that the compounds, (CHA) with over 900+ CI's rioted. B and C dropped their tents again. Armed themselves with tent poles, water bottles filled with sand, rocks and the like. B opened their Sallyport and came out, C then opened their sally port and came out. The MP's were being attacked, hit with rocks and tent poles, by the CI's. D, C, B fully were attacking the MP's, the other compound did through rocks, and some poles. Some MP's were cut off near D. I saw six CI's with tent poles from B, attacking MP's. I and SPC [REDACTED] had our weapons shoulderered. We were ordering, yelling as loud as possible at the CI's to get back, get down, halt, halt, halt. I didn't have a clear shot to stop the attacking CI's, until 13 MP's cleared me. I saw a CI try to spear a black MP in the head with the tent pole. Fearing for that MP's life and having a clear shot I fired one round. The CI that MP's life and having a clear shot I fired one round. The CI dropped, the tent pole missed the MP's head by inches. SPC [REDACTED] then fired one burst from his M249 to protect the MP's attempting to exit the (CHA) compound. I ordered SPC [REDACTED] to cease fire as one MP from the 186th had moved to cover the retreating MP's with his weapon. He moved into our line of fire. My cease fire came as the second burst was fired from the M249. I would have shot the CI's, SPC [REDACTED] shot, they were attacking unarmed MP's with tent poles trying to kill them. The only reason I didn't shoot them is because he shot them first, and I was yelling cease fire because of the MP's on the outside of the CHA in line with

INITIALS OF PERSON MAKING STATEMENT

mcc

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM

STATEMENT OF [REDACTED] TAKEN AT Camp Cropper, Iraq DATED _____

9 STATEMENT (Continued)

US. SPC [REDACTED] fired seven rounds, I fired one. To the best ~~knowledge~~ of my knowledge
I saw five CI's get hit by gunfire. We ordered the CI's back into the
compounds. Most of the CI's returned to the compounds, but still threw
rocks at myself and SPC [REDACTED] and the other MP's. After five min.
the CI's closed their own gates, compound B and C. Delta was
closed by an MP. The MP's in the CHA and SPC [REDACTED] regained
control of the compounds. //—End of Statement _____ //

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 4 PAGES

STATEMENT OF [REDACTED]

TAKEN AT Camp Copper, Iraq DATED 2003 06 09

STATEMENT (Continued)

not signed
not signed

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 4. 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 9 day of JUNE, 2003
at Camp CUPPER, Iraq

[REDACTED] (Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED] (Typed Name of Person Administering Oath)

ART 136 (6) (4) UCMJ
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 4 OF 4 PAGES

H
SWORN STATEMENT

For use of this form, see AR 180-46; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301, Title 5 USC Section 2951, E.O. 9397 dated November 22, 1943 (SSN)
 PRINCIPAL PURPOSE To provide commanders and law enforcement officials with means by which information may be accurately
 ROUTINE USES Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
 DISCLOSURE Disclosure of your social security number is voluntary

1 LOCATION CHA BIAP	2 DATE 20030609	3 TIME 0022	4 FILE NUMBER
5 LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6 SSN [REDACTED]	7 GRADE/STATUS E5	
8 ORGANIZATION OR ADDRESS HHC 115th MP Bn			

9 I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH
 on 030609 at Appx: 1000hrs while working B compound of the CHA with
 SPC [REDACTED] the start of an uprising occurred. SPC [REDACTED] entered the Compound
 to recover a water jug. On his exit a detainee of unknown number
 ran up behind him. I then grabbed that detainee who then pulled away
 to the right and swung at me with his left hand. After avoiding the
 punch I then pursued the detainee into the tent. As I entered
 the tent I knocked several detainees down that were grabbing
 at me. At this point several other MPs entered the tent and we
 located the Instigator. After subduing and removing him from B
 Compound some detainees in C compound threw several rocks. Several
 MPs then entered C compound to remove the rock throwers. At that
 time we got everyone to stop throwing rocks. SPC [REDACTED], SPC [REDACTED]
 and myself then left the cha under SFC [REDACTED] order hoping that would
 calm down the detainees. This seemed to please them. I then worked
 the main gate to the cha. At about 1100-1130 hrs the entire cha of
 detainees [REDACTED] began throwing rocks and tent poles still in the cha.
 As the MPs with drew the detainees exited their compounds and
 continued throwing items at the MPs. I then heard rifle fire and the
 riot stopped. [REDACTED] **End of Statement** [REDACTED]

10 EXHIBIT

11 INITIALS OF PERSON MAKING STATEMENT
[REDACTED]PAGE 1 OF **3** PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING 'STATEMENT' TAKEN AT DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER
MUST BE INDICATED

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM

STATEMENT OF _____ TAKEN AT _____ DATED _____

9 STATEMENT (Continued)

Not used
[Redacted]

ITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

STATEMENT OF _____ TAKEN AT _____ DATED _____

STATEMENT *(Continued)*

Not used.

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 of Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9 day of May 1998
at [REDACTED]

ORGANIZATION OR ADDRESS

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED]
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 [REDACTED]

I

SWORN STATEMENT

For use of this form, see AR 180-45, the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301, Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN)
PRINCIPAL PURPOSE To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
DISCLOSURE. Disclosure of your social security number is voluntary

1 LOCATION Baghdad Int'l. Airport	2 DATE YYYYMMDD 2003 06 09	3 TIME 240 1230	4 FILE NUMBER
5 LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6 SSN [REDACTED]	7 GRADE/STATUS SGT/E-5	

8. ORGANIZATION OR ADDRESS

443rd MP Co.

9

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

I was working QRF on June 9, 2003 at approximately 1030 hrs, when I noticed a disturbance in the compound. I climbed the yellow ladder in the building to see a light skinned, black male, with the name of [REDACTED] as a name tag on his DCU pants, threw his DCU top on the ground, while inside the compound, and taunt the prisoners by flexing and shouting at them. Right after this, a caucasian soldier, with what appeared to be a tribal tattoo on one arm, and another tattoo on his other arm, threw his DCU top on the ground and taunted the prisoners of compound "B" and "C" by similar means of flexing and shouting at them. This caused the prisoners to become extremely irate, and a short riot ensued that resulted in gunfire. III-End of statement III

[REDACTED]

10 EXHIBIT

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF _____ TAKEN AT _____ DATED _____

9 STATEMENT *(Continued)*

Not used

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

STATEMENT OF _____ TAKEN AT _____ DATED _____

9 STATEMENT *(Continued)*

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.

[Signature of Person Making Statement]

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9 day of JUNE, 2003
at CAMP CHOPPER, IRAQ

[Signature of Person Administering Oath]

ORGANIZATION OR ADDRESS

[Typed Name of Person Administering Oath]

M1 Platoon Leader

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

SWORN STATEMENT

For use of this form, see AR 180-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301, Title 6 USC Section 2951; E.O. 9387 dated November 22, 1943 (SSN)
PRINCIPAL PURPOSE To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
DISCLOSURE Disclosure of your social security number is voluntary

1 LOCATION	2 DATE (YYYYMMDD)	3 TIME	4 FILE NUMBER
Baghdad Airport Confinement Facility	20030609	Approx 1000	
5 LAST NAME, FIRST NAME, MIDDLE NAME	6 SSN	7 GRADE/STATUS	
[REDACTED]	[REDACTED]	E-5/AD	
8 ORGANIZATION OR ADDRESS 443 rd MP Co			
9 [REDACTED]			

1. [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH
 On the above date and appx. time I saw an American soldier inside the confinement facility walking around and waving his hands towards the inmates. Soon after that, the African-American, later identified as SPC [REDACTED] took his BDU top off and threw it on the ground. Then he began flexing his arms towards the inmates taunting them. This went on for Approx 1-2 minutes and he then grabbed his top and chair and exited the compound. While SPC [REDACTED] was flexing, this was causing the inmates to get loud and started chanting. EOR

10 EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>13</u> PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" ____ TAKEN AT ____ DATED ____		
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE INDICATED		

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM

STATEMENT OF _____ TAKEN AT _____ DATED _____

8 STATEMENT *(Continued)*

Not used

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

STATEMENT OF _____ TAKEN AT _____ DATED _____

9 STATEMENT *(Continued)*

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 9 day of JUNE 2003
at Camp Cropper

ORGANIZATION OR ADDRESS

[REDACTED]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Typed Name of Person Administering Oath)

M.P. Platina Leveles

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-6, the proponent agency is OTJAG

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

SECTION I - APPOINTMENTAppointed by COL [REDACTED] CDR 18th Military Police Brigade, Baghdad, Iraq APO AE 09302
(Appointing authority)on 20030612 (Attach inclosure 1 Letter of appointment or summary of oral appointment data) (See para 3-15, AR 15-6)
(Date)**SECTION II - SESSIONS**The (investigation) (board) commenced at Camp Cropper, Baghdad, Iraq at 0930
(Place) (Time)on 20030612 (If a formal board met for more than one session, check here Indicate in an inclosure the time each session began and ended, the place ^(Date) persons present and absent, and explanation of absences, if any.) The following persons (members, respondents, counsel) were present (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)

The following persons (members, respondents, counsel) were absent (Include brief explanation of each absence) (See paras 5-2 and 5-8a, AR 15-6)

The (investigating officer) (board) finished gathering/hearing evidence at 2005 on 20030621
(Time) (Date)and completed findings and recommendations at 1000 on 20030622
(Time) (Date)**SECTION III - CHECKLIST FOR PROCEEDINGS**

A COMPLETE IN ALL CASES	YES	NO	NA
1 Inclosures (para 3-15 AR 15-6)			
Are the following inclosed and numbered consecutively with Roman numerals (Attached in order listed)			
a The letter of appointment or a summary of oral appointment data?	X		
b Copy of notice to respondent, if any? (See item 9, below)			X
c Other correspondence with respondent or counsel, if any?	X		
d All other written communications to or from the appointing authority?			X
e Privacy Act Statements (Certificate, if statement provided orally)?	X		
f Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?			X
g Information as to sessions of a formal board not included on page 1 of this report?			X
h Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?			X

FOOTNOTES
 1 Explain all negative answers on an attached sheet
 2 Use of the NA column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board

		YES	NO ¹	NA ²
2	Exhibits (para 3-16, AR 15-6)			
a	Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?		X	
b	Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?		X	
c	Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?		X	
d	Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?		X	
e	Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?		X	
f	Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?		X	
g	If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?			X
3	Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?			X
B COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)				
4	At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-3b, AR 15-6)?			
5	Was a quorum present at every session of the board (para 5-2b, AR 15-6)?			
6	Was each absence of any member properly excused (para 5-2a, AR 15-6)?			
7	Were members witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?			
8	If any members who voted on findings or recommendations were not present when the board received some evidence, does the inclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?			
C COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)				
9	Notice to respondents (para 5-5, AR 15-6)			
a	Is the method and date of delivery to the respondent indicated on each letter of notification?			
b	Was the date of delivery at least five working days prior to the first session of the board?			
c	Does each letter of notification indicate—			
(1)	the date, hour, and place of the first session of the board concerning that respondent?			
(2)	the matter to be investigated, including specific allegations against the respondent, if any?			
(3)	the respondent's rights with regard to counsel?			
(4)	the name and address of each witness expected to be called by the recorder?			
(5)	the respondent's rights to be present, present evidence, and call witnesses?			
d	Was the respondent provided a copy of all unclassified documents in the case file?			
e	If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?			
10	If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings)			
a	Was he properly notified (para 5-5, AR 15-6)?			
b	Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-4c, AR 15-6)?			
11	Counsel (para 5-6, AR 15-6)			
a	Was each respondent represented by counsel?			
Name and business address of counsel				
(If counsel is a lawyer check here <input type="checkbox"/>)				
b	Was respondent's counsel present at all open sessions of the board relating to that respondent?			
c	If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the action taken on it included in the report (para 5-6b, AR 15-6)?			
12	If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6)			
a	Was the challenge properly denied and by the appropriate officer?			
b	Did each member successfully challenged cease to participate in the proceedings?			
13	Was the respondent given an opportunity to (para 5-8a, AR 15-6)			
a	Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?			
b	Examine and object to the introduction of real and documentary evidence, including written statements?			
c	Object to the testimony of witnesses and cross-examine witnesses other than his own?			
d	Call witnesses and otherwise introduce evidence?			
e	Testify as a witness?			
f	Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?			
14	If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (para 5-8b, AR 15-6)?			
15	Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (para 5-11, AR 15-6)?			
FOOTNOTES 1) Explain all negative answers on an attached sheet 2) Use of the NA column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board				

SECTION IV - FINDINGS (para 3-10, AR 15-6)

The *(investigating officer) (board)*, having carefully considered the evidence, finds

See attached Memorandum

----- Nothing else follows -----

SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

In view of the above findings, the *(investigating officer) (board)* recommends

See attached memorandum

-----Nothing else follows-----

SECTION VI - AUTHENTICATION (para 3-17, AR 15-6)

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE (If any voting member or the recorder fails to sign here or in Section VII below, indicate the reason in the space where his signature should appear.)

(Recorder)

(Investigating Officer) (President)

(Member)

(Member)

(Member)

(Member)

SECTION VII - MINORITY REPORT (para 3-13, AR 15-6)

To the extent indicated in Inclosure _____, the undersigned do(es) not concur in the findings and recommendations of the board
(In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)

(Member)

(Member)

SECTION VIII - ACTION BY APPOINTING AUTHORITY (para 2-3, AR 15-6)

The findings and recommendations of the (investigating officer) (board) are (approved) (disapproved) (approved with following exceptions/ substitutions) (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action attach that correspondence (or a summary, if oral) as a numbered inclosure.)

B. Under General, USA
Commanding
SDC TR MP BDF



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
115th MILITARY POLICE BATTALION
BAGHDAD INTERNATIONAL AIRPORT
BAGHDAD, IRAQ

23 June 2003

MEMORANDUM FOR COMMANDER, 18TH MILITARY POLICE BRIGADE

SUBJECT Army Regulation 15-6 Investigation

- 1 The undersigned was appointed as an AR 15-6 Investigating Officer by you on 12 June 2003 to look in to the circumstances involving the escape of two Civilian Internees (CI) from the Camp Cropper Corps Holding Area (CHA) and subsequent shooting and death of one of those CI on 12 June 2003 at approximately 0300 hours
- 2 Background. Two CI's successfully exited the CHA and made it outside the berm SPC [REDACTED] 186th Military Police Company, who was on exterior guard duty, observed the escape and fired his weapon at the two CI's, striking one, who died shortly thereafter of his wounds. This detainee, registered under the name [REDACTED], Sequence #7166, was transported to the 581st ASMC for initial treatment. [REDACTED] was then air medevaced to the 28th CSH, where he was pronounced dead on arrival. The other detainee, [REDACTED], Sequence #8399, was recaptured within several hours and was returned to the CHA.
- 3 Scope. The scope of this investigation was twofold. First, to investigate the circumstances surrounding the escape and second, to investigate the circumstances surrounding the shooting and subsequent death of the CI.
- 4 Conduct of the Investigation. The undersigned spoke with medical personnel involved in treating the deceased CI first; to ensure any perishable physical evidence was collected. The undersigned then spoke to security personnel and other witnesses and obtained statements (most of which had already been taken in the form of sworn statements by 186th MP CO staff prior to my assignment as a AR 15-6 Investigating Officer)
- 5 Summary of Interviews
 - a) CPT [REDACTED] (MD), 581st Area Medical Support Company, BIAP, Baghdad, Iraq. On 12 Jun 03 at approximately 1149 hours, the undersigned spoke to [REDACTED] who was the doctor who treated [REDACTED] on 12 June 03 at approximately 0320 hours. [REDACTED] stated that [REDACTED] was bleeding profusely from wounds in his chest, back and both legs when he arrived. [REDACTED] stated that the wound in the back was consistent with an entrance wound from a 5.56 mm projectile, the wound in the chest was consistent with an exit wound from the same type of projectile, and the leg wounds were consistent with one 5.56 mm projectile passing completely thru one leg and entering the other leg. [REDACTED] opined that [REDACTED] had lost at least one half of his vital fluids by the time [REDACTED] saw him. [REDACTED] stated [REDACTED] was given two liters of saline

and one liter of hespan volume expander. [REDACTED] also stated that he noticed that while giving [REDACTED] an IV, [REDACTED] blood was extremely watery, indicating that very little blood was present, relative to the amount of intravenous fluids. [REDACTED] felt, however, that [REDACTED] was stable when [REDACTED] was placed on the helicopter for transport to the 28th Combat Support Hospital (CSH). Based on his observations [REDACTED] felt that the cause of death was hypovolemic shock, or bleeding out. [REDACTED] also felt that everything medically possible was done in an attempt to save [REDACTED]

b) MAJ B [REDACTED] (MD) 28th CSH, LSA Dogwood, Iraq On 12 Jun 03 at approximately 1545 hours, the undersigned spoke with [REDACTED] a doctor with the 28th CSH. [REDACTED] was not the doctor who pronounced [REDACTED] dead, but was present when another doctor, MAJ [REDACTED] (MD), pronounced [REDACTED] dead. [REDACTED] stated that he was very confident in determining cause of death to be hypovolemic shock from one or both of the gunshot wounds. [REDACTED] stated [REDACTED] had an entrance wound in the back consistent with a 5.56 mm projectile, an exit wound in the chest, consistent with that same projectile and wounds in both legs consistent with a 5.56 mm projectile. [REDACTED] completed a DA Form 2669-R (Certificate of Death) and made sure the undersigned received a copy of the Hospital Report of Death signed by [REDACTED]

c) SFC [REDACTED] 186th Military Police Company, BIAP, Baghdad, Iraq On 12 Jun 03 at approximately 2000 hours, the undersigned spoke to [REDACTED], who is [REDACTED] Platoon Sergeant [REDACTED] had no direct knowledge of the incident, but had spoken to [REDACTED] and other soldiers with direct knowledge. [REDACTED] did provide the undersigned with an overview of what occurred. [REDACTED] advised the undersigned that he personally briefed [REDACTED] and the rest of his platoon on the Rules Of Engagement (ROE) at least twice since assignment to Camp Cropper, BIAP. [REDACTED] checked [REDACTED] magazine and discovered [REDACTED] had 24 of 28 issued rounds in the magazine [REDACTED] also had the remainder of his issued basic load [REDACTED] also provided the undersigned with four M-16A2 shell casings on 14 Jun 2003 at approximately 1710 hours [REDACTED] stated that he obtained the casings from SSG [REDACTED] 186th Military Police Company, on 12 Jun 03 in the afternoon. [REDACTED] told [REDACTED] that the casings were recovered from the berm, near where [REDACTED] was standing when he fired [REDACTED] also showed the undersigned where an additional point and light set had been added to eliminate the shadow behind the latrines

d) SPC [REDACTED] 186th Military Police Company, BIAP, Baghdad, Iraq.

(1) On 14 Jun 03 at approximately 1629 hours, the undersigned spoke to [REDACTED], who has been assigned as a Military Police soldier since October 2000 On 12 Jun 03 at approximately 0259 hours (just prior to the 0300 hour radio check), [REDACTED] was manning guard point #4 at the CHA. Guard point #4 is located at the Northeast corner of the CHA [REDACTED] noticed movement out of the corner of his eye [REDACTED] looked towards the latrine area, which is located near the center of the east side of the CHA, and noticed a detainee manipulating the wire on the outer perimeter of the camp [REDACTED] stated that the portable chemical style

latrines created two large shadows across the east wire and onto the berm and this is where the detainees were manipulating the wire.

2) [REDACTED] called for a spotlight to illuminate the latrine area

[REDACTED] then attempted to send a radio message stating there was an escape in progress [REDACTED] also stated he yelled that there was an escape in progress and yelled for the detainee to stop. [REDACTED] also noticed that a second detainee had exited the outer wire perimeter and was also running up the berm and a third detainee was at the wire. The third detainee saw [REDACTED] jump down from his static HMWV guard point, and turned around and went back into the main compound

(3) [REDACTED] ran towards the latrine point and ran up the berm, following in the same basic track as the two detainees who had escaped. When [REDACTED] reached the top of the berm, he stated he yelled "stop" again [REDACTED] saw the detainee who was the first one out of the wire from the top of the berm.

[REDACTED] fired one shot from his assigned weapon (M16A2) and noticed that the detainee was still running [REDACTED] fired a second round and saw the detainee drop. The detainee was approximately 150' to 200' from the berm when [REDACTED] fired at him [REDACTED] then saw the second detainee running in the same general area as the first detainee, which was east of the camp, towards the main road [REDACTED] fired two rounds at the second detainee, but stated the detainee was still running when [REDACTED] lost sight of him. [REDACTED] believed he had fired four rounds total [REDACTED] denied hearing anyone else fire any rounds

(4) After firing at the second detainee, [REDACTED] went back to the bottom of the berm, made contact with another guard to get a flashlight [REDACTED] then proceeded to the injured detainee, who was laying in the roadway, and called for a medic [REDACTED] stated that medics from Task Force 20 arrived before CHA medics. The detainee was treated by medics then transferred to the 581st ASMC.

[REDACTED] attempted to locate the other detainee and told other soldiers what had transpired [REDACTED] was told by a supervisor to return to his post

(5) [REDACTED] stated that he knew the ROE, acted within the ROE and accomplished his mission of preventing escape. [REDACTED] reviewed the written sworn statement he had completed on 12 Jun 03 for [REDACTED] 186th Military Police Company, and stated the sworn statement was accurate with no additions, deletions or corrections needed. [REDACTED] drew a map for the undersigned, showing pertinent information relative to the incident

6 Additional Interviews The undersigned spoke with the following individuals and had them review their sworn statements that they prepared on 12 June 2003 for the 186th Military Police Company. A summary of the pertinent parts of the sworn statement and subsequent statement to the undersigned is included.

a) [REDACTED] 186th Military Police Company On 21 Jun 03 at approximately 1900 hours, the undersigned spoke to [REDACTED] who was on guard point #6 (South side of CHA, behind warehouse) during the time in question. [REDACTED] stated

that on 12 Jun 03 at approximately 0300 hours, she noticed [REDACTED] scaling the berm, near the middle of the east side of the CHA. [REDACTED] noticed [REDACTED] stop at the top of the berm and fire at least 5 shots from his rifle. [REDACTED] then heard someone yell for a medic. [REDACTED] was unsure as to whether she would have heard [REDACTED] yell "halt" or anything similar, sighting distance as a factor preventing her from hearing [REDACTED]. [REDACTED] stated that the Quick Reaction Force (QRF) went inside the camp to assist with the headcount. [REDACTED] read and confirmed that her sworn statement dated 12 June 2003 was accurate with no additions, deletions or corrections needed.

b) SGT [REDACTED] 186th Military Police Company. On 21 Jun 03 at approximately 1905 hours, the undersigned spoke to [REDACTED] who was on guard point #5 (Southeast corner of CHA) at the time of the incident. [REDACTED] stated that he heard [REDACTED] yell that there was a detainee outside the wire [REDACTED] read and confirmed that his sworn statement dated 12 June 2003 was accurate with no additions, deletions or corrections needed.

c) SPC [REDACTED] 186th Military Police Company. On 21 Jun 03 at approximately 1910 hours, the undersigned spoke to [REDACTED] who was on guard point #2 (Northwest corner of CHA) at the time of the incident. [REDACTED] stated that he heard [REDACTED] say over the radio that "They're going over the berm" [REDACTED] read and confirmed that his sworn statement dated 12 June 2003 was accurate with no additions, deletions or corrections needed.

d) SGT [REDACTED] 186th Military Police Company. On 21 Jun 03 at approximately 1920 hours, the undersigned spoke to [REDACTED] who was on guard point #3 (middle of North side of CHA) at the time of the incident. [REDACTED] stated that he heard [REDACTED] say over the radio that he needed a spotlight to shine on the wire between points #4 and #5. [REDACTED] then reported a prisoner going over the berm. [REDACTED] observed [REDACTED] going up the berm, heard [REDACTED] yell from the top of the berm towards the other side, then heard [REDACTED] fire twice, pause and fire twice again. [REDACTED] stated that he could not hear specifically what [REDACTED] yelled from the berm because of distance and ambient noise from the generators. [REDACTED] also stated that he briefed the SRT/QRF on the events that transpired and the direction of travel. [REDACTED] read and confirmed that his sworn statement dated 12 June 2003 was accurate with no additions, deletions or corrections needed.

e) [REDACTED] 186th Military Police Company. On 21 Jun 03 at approximately 2005 hours, the undersigned spoke to [REDACTED], who was the guard shift NCOIC/Rover, at the time of the incident. He was co-located with [REDACTED] at guard point #6. [REDACTED] stated that he heard a radio message that he couldn't make out, but immediately assumed it was [REDACTED] reporting a prisoner escaping. [REDACTED] observed [REDACTED] going up the berm and heard [REDACTED] yell "Halt" numerous times. [REDACTED] heard [REDACTED] fire two to three rounds, pause and fire two or three more rounds. [REDACTED] account of the actions after the shots being fired is consistent with [REDACTED] account. [REDACTED] stated that responding soldiers were directed to begin an organized search. [REDACTED] also said

that a piece of cloth had been used to tie the wire apart to permit a person to squeeze through the wire. [REDACTED] read and confirmed that his sworn statement dated 12 June 2003 was accurate with no additions or deletions needed. [REDACTED] did state that near the end of his sworn statement, he referred to a subject as [REDACTED]. [REDACTED] is not sure now whether the individual was in fact [REDACTED] or if it was SFC [REDACTED]. This change would not materially affect the statement. [REDACTED] stated that lack of adequate lighting contributed to the escape. [REDACTED] did not believe any other factors contributed to the escape.

7. Camp Rule Considerations: 13th PSYOPS Detachment has been playing camp rules in Arabic several times a day since early May 2003. Included in the camp rules is the statement that "If you climb over the barbwire, and attempt to escape, you will be shot." Also played is an announcement that states "Any attempt to escape or uprising will result in the use of deadly force by the coalition soldiers." PSYOPS also plays a message that states that detainees must stay one meter from the fence line and not to touch or place any objects on the barbwire fence. One last message of significance states that "The English words 'Stop' and 'Halt' mean 'Kiff' in Arabic. You must immediately halt when a coalition soldier uses the English or Arabic command. Failure to do so may result in disciplinary action up to and including the use of force 'Stop' and 'Halt' mean 'Kiff'." These messages are also played for new detainees upon in processing. [REDACTED] had been in the CHA since on or about 14 May 2003. [REDACTED] had been in the CHA since 28 May 2003. Both detainees had ample opportunity to hear the PSYOPS messages.

8. Rules of Engagement: [REDACTED] legal advisor to Camp Cropper, provided the undersigned with written and verbal guidance from Annex D, 115th Military Police Battalion Tactical Standard Operating Procedure (TACSOP) concerning ROE that has been given to soldiers. Included in this guidance is rule #1 - "Necessary Force, including deadly force, is authorized to prevent escapes." Sub-paragraph (a) states "If a detainee attempts to escape, guards must use graduated force, first, if possible (b) Guards should shout 'halt' in Arabic three times ('kiff', pronounce 'cough') before using deadly force. (c) Deadly force is authorized to prevent escape only where the detainee is crossing the last wire and there is no other lesser means to prevent escape. (e) Do not continue firing, once the subject has stopped. The purpose of shooting a detainee is to stop him or her from escaping." Also pertinent to this investigation is rule #5 - "Prevent all escapes by all detainees, by order of the Brigade Commander."

9. Discussion

a) The purpose of this investigation is to answer two main questions, how did the escapes occur and did the Military Police respond appropriately. These two questions are closely intertwined because the personnel with the most knowledge on how these escapes occurred are also the same personnel who had to make the decision on how to respond. Additionally, several specific questions were addressed to the undersigned. These are answered in the narrative.

b) The lack of adequate lighting at the CHA was a major factor that permitted the escapes. In any detention facility, perimeter lighting must be designed to reduce shadows as

much as possible. The worst-case scenario is what occurred at CHA Cropper, which is that a shadow went from inside the wire, across the wire and onto the ground outside the wire. This made it relatively easy for detainees to begin escape operations from inside the compound and operate relatively concealed until they were outside the wire.

c) The undersigned, as the battalion S2, received indications from inside the wire in the days leading up to 12 Jun 03 that due to the presence of hardened criminals, relative overcrowding in the facility, frustration over lack of resolution of the detainees cases and primitive conditions inside the camp, some detainees were planning to escape, no matter what the consequences were. These indications were passed to appropriate staff sections, commanders and guard force personnel. Additionally, some detainees, despite our PSYOPS messages and the shootings that occurred on 9 Jun 03, believed that the Coalition Forces would not use deadly force to prevent escapes. Some of these detainees actively tried to convince other detainees of this

d) These factors contributed to three detainees attempting escape by proceeding to the latrine area, stripping off their shirts to prevent snagging on concertina wire, tying cloth to the wire to give additional room and crawling under and through the wire.

e) The undersigned also learned that the second detainee, ██████████ Sequence #8399, was recaptured at approximately 0545 hours, near where ██████████ had last seen him running by an Military Police search team

f) The second question is, "Did the Military Police act appropriately, once the detainees were outside the wire?" They did ██████████ fulfilled, almost to the letter, the requirements to use deadly force according to the ROE spelled out in the 115th Military Police Battalion TACSOP. The only possible technical exception is that he yelled, "halt" or "stop" in English, not Arabic, at least twice ██████████ stated ██████████ yelled "halt" "numerous times." PSYOPS messages make it clear to the detainees that they must know what the English words "halt" or "stop" mean. In the heat of the moment, KLOSTERMAN fulfilled the spirit of the ROE. The detainees knew what they were doing when they went to the latrine area, stripped off their shirts, tied the wire apart, crawled under the wire and ran up the berm. They were committed to escaping and were not going to stop unless they were physically stopped

f) ██████████ observation and quick reaction prevented one detainee from even getting through the wire, stopped another one, ██████████ using appropriate deadly force and probably assisted in the recapture of the third detainee ██████████ who was so scared he hid and passed out near where ██████████ had last seen him rather then continue to run away. The actions of the other soldiers of the 115th Military Police Battalion were also appropriate. They ensured medical aid was rendered, searched for and found the second detainee, completed a headcount and took corrective action

- 6 Recommendations No disciplinary action should be taken against any soldiers of the 115th Military Police Battalion. There is no evidence that they acted inappropriately. To the contrary, SPC ██████████ should be commended for taking appropriate action during

difficult circumstances. Additionally, the other soldiers present also took appropriate actions, given the circumstances Areas that should be addressed, however, include

[REDACTED]

The 115th Military Police Battalion, except for providing handheld spotlights and posting a hard copy of the camp rules in Arabic, has addressed these areas satisfactorily. Additionally, a guard post has been added directly behind the latrines, giving security and visibility to this vulnerable area

S2

Timeline for AR 15-6 Investigation, dated 12 June 2003

Appointing Officer: COL [REDACTED]

Investigating Officer: CPT [REDACTED]

Approx DTG	Who	What
120930JUN03	LTC [REDACTED]	Informally assigned Cmdr's Inquiry
120935JUN03	CPT [REDACTED]	Informal interview on medical circumstances
120945JUN03	CPT [REDACTED]	Discussed Scope
121000JUN03	MAJ [REDACTED]	Discussed Time Frame
121015JUN03	1LT [REDACTED]	Arranged to interview witnesses
121030JUN03	581 st ASMC [REDACTED]	Attempted Contact with CPT (DR) [REDACTED]
121050JUN03	CPT [REDACTED]	Was informed that it was a AR 15-6
121100JUN03	CPT [REDACTED]	Learned of two sworn statements
121149JUN03	CPT [REDACTED]	Discussed medical treatment
121606JUN03	MAJ [REDACTED]	Discussed medical treatment
122000JUN03	SFC [REDACTED]	Background information
141629JUN03	SPC [REDACTED]	Witness Statement
211900JUN03	SGT [REDACTED]	Witness Statement
211905JUN03	SGT [REDACTED]	Witness Statement
211910JUN03	SPC [REDACTED]	Witness Statement
211920JUN03	SGT [REDACTED]	Witness Statement
212005JUN03	SSG [REDACTED]	Witness Statement
221645JUN03	CPT [REDACTED]	Draft review
231230JUN03	CPT [REDACTED]	Final Submission

Index of Exhibits for AR 15-6 Investigation, dated 12 June 2003

Appointing Officer: COL [REDACTED]
Investigating Officer: CPT [REDACTED]

1. Original appointment memorandum signed by COL [REDACTED] dated 12 June 03
2. Copy of DA Form 2669-R (Certificate of Death) for Detainee #7166, Akel Abebal Hussein Jabar, dated 12 Jun 03.
3. Copy of Hospital Report of Death for Jabar, dated 12 Jun 03.
4. Copy of Standard Form 600 (Chronological Record of Medical Care) for Jabar, signed by CPT (DR) Leifeste, dated 12 Jun 03.
5. Original DA Form 2823 (Sworn Statement) of SPC [REDACTED] dated 12 Jun 03.
6. Hand drawn map of CHA by SPC [REDACTED]
7. Original DA Form 2823 (Sworn Statement) of SGT [REDACTED] dated 12 Jun 03
8. Original DA Form 2823 (Sworn Statement) of SPC [REDACTED] dated 12 Jun 03
9. Original DA Form 2823 (Sworn Statement) of SPC [REDACTED] dated 12 Jun 03.
10. Original DA Form 2823 (Sworn Statement) of SGT [REDACTED] dated 12 Jun 03.
11. Original DA Form 2823 (Sworn Statement) of SSG [REDACTED] dated 12 Jun 03
12. Copy of PSYOPS message scripts

26m



DEPARTMENT OF THE ARMY
18TH MILITARY POLICE BRIGADE
Baghdad, Iraq APO AE 08302

AETV-MP-JA

|
12 June 2003

MEMORANDUM FOR CPT [REDACTED], S-2, 115th MP BN

SUBJECT Appointment as an AR 15-6 Investigating Officer

1 Reference AR 15-6, Procedure for Investigating Officers and Boards of Officers, 11 May 88, with Change 1, 30 Oct 96

2 You are hereby appointed to conduct an investigation concerning the escapes and shootings at Camp Cropper on 12 Jun 03. You may incorporate the results of any Commanders Inquiry that has been begun on these escapes.

3 You are to investigate all details concerning these escapes, attempted escapes, and the responses by the Military Police that were on duty at those times. You are directed to specifically address the following questions

- a How did the prisoners escape?
- b What steps could have been taken to prevent these escapes?
- c What was the response of the Military Police on duty?
- d Was the response of the Military Police on duty reasonable, or was excessive force used?
- e Is there an SOP in place to deal with this situation, and if so, was it followed?
- f Is there additional training that needs to be implemented to cover these situations?
- g What actions, if any, were taken by the QRF?

4 During the course of your investigation, you will record all interviews on DA Form 2823 (Sworn Statement). If, during any interview, you suspect a violation of the UCMJ by the person you are interviewing, you are required to stop the interview, and advise the interviewee of their Article 31(b) rights, using a DA Form 3881 (Right Warning Waiver Certificate). You may continue to interview that person if they agree to make further statements. If they do not, terminate the interview and contact your legal advisor. If you have any questions about whether or not the person made a knowing and valid waiver, terminate the interview and contact your legal advisor. You will advise all persons being interviewed that their statements can be discovered.

AETV-MP-JA

SUBJECT Appointment as an AR 15-6 Investigating Officer

under the Freedom of Information Act, and you will further advise them that any actions taken in reprisal against them for making a statement should be reported immediately to their Commander, the Office of the Inspector General, or to the Office of the Staff Judge Advocate Per Article 136.b (4) and 136.b.(6) of the UCMJ, you are authorized, as an Investigating Officer, to swear people in

5 You are authorized to investigate any issue(s) that arise during your investigation that are related to the primary purpose of your investigation CPT [REDACTED] HVD/CHA Judge Advocate, will serve as your legal advisor for this investigation The completed investigation will be turned in to CPT [REDACTED] for legal review

6 This is your primary duty until you complete it, and you will submit a chronology of your actions along with your completed report The report of investigation will be submitted to the appointing authority NLT 23 Jun 03 Requests for extension must be made in writing to the undersigned

7 The POC for this memorandum is CPT [REDACTED] 18th MP BDE Judge Advocate, DNVT
559-5110, SIPR [REDACTED] NIPR [REDACTED]



COL, MP
Commanding

CERTIFICATE OF DEATH		INTERMENT SERIAL NUMBER 115 MP BN + 7166	
FOR USE OF THIS FORM, SEE AR 100-8 THE PROFESSIONAL APPLICABILITY IS PREFERRED			
FROM		TAB	
TO			
NAME <u>John Doe Jr.</u> GRADE <u>N/A</u> SERVICE NUMBER <u>N/A</u>			
NATIONALITY <u>IE/NY</u>	POWER SERVED <u>N/A</u>	PLACE OF CAPTURE/INTERMENT AND DATE <u>MAY 1945</u>	<u>13 JUN 03</u>
PLACE OF BIRTH <u>U.S.A.</u>		DATE OF BIRTH <u>1 JAN</u>	
NAME, ADDRESS AND RELATIONSHIP OF NEXT OF KIN		FIRST NAME OF FATHER <u>John</u>	
PLACE OF DEATH <u>TIRAU</u> DATE OF DEATH <u>15 Jul 44</u>		CAUSE OF DEATH <u>Multiple Wounds, S.H.</u>	
PLACE OF BURIAL <u>MB 1153857262</u>		SPACE # <u>4</u>	DATE OF BURIAL <u>12 JUL 03</u>
IDENTIFICATION OF GRAVE			
PERSONAL EFFECTS (To be filled in by Office of Chaplain (and of Chaplain for Personnel))			
RETAINED BY DETAINING POWER	FORWARDED WITH DEATH CERTIFICATE TO (Name)	FORWARDED SEPARATELY TO (Name)	
BRIEF DETAILS OF DEATH/BURIAL BY PERSON WHO CARED FOR THE DECEASED DURING ILLNESS OR DURING LAST MOMENTS (Leave blank unless of Detainee Fellow Detainee) IF CREMATED, GIVE REASON. (If more space is required, continue on reverse side)			
<p>He arrived by aircraft ambulance GSW to chest/back and both femurs/thighs. Pt had signs/pulse/blood pressure on arrival to hospital. CPR was initiated, no spontaneous breathing or movement. Pt's pupils were fixed, dilated, no Salvageable signs of life. Resuscitative efforts were ceased. Pt died of hypovolemic shock as a result of gunshot wounds in chest and thighs. Gunshot wounds were clearly the cause of death.</p>			
DO NOT WRITE IN THIS SPACE		SIGNATURE OF MEDICAL OFFICER	
CERTIFIED A TRUE COPY		<u>John Doe Jr., M.D.</u>	
SIGNATURE OF COMMANDING OFFICER			
WITNESSES			
SIGNATURE	ADDRESS		
SIGNATURE	ADDRESS		
<u>CPT, USA, M.I.</u>		115TH MP BN, BIA	

共3

CERTIFICATE OF DEATH (OVERSEAS)

DISCHARGED FROM U.S. MILITARY NAME OR STRIKED DOWN OR PRISONER		GRADE	OPEN	BRANCH OF SERVICE	SOCIAL SECURITY NUMBER NUMBER ON I-Card
<i>11 2691</i>		<i>N/A</i>	<i>CIV</i>	<i>N/A</i>	<i>000 00 000</i>
		RELATIONSHIP	DATE OF BIRTH DATE OF DEATH		SEX <input checked="" type="checkbox"/> MALE <input type="checkbox"/> FEMALE
		<i>FRAG</i>	<i>N/A</i>	<i>N/A</i>	<input type="checkbox"/> ADULT <input checked="" type="checkbox"/> MINOR
					<input type="checkbox"/> FEMALE <input checked="" type="checkbox"/> MALE
NAME & DOB		MARITAL STATUS	BIRTH CHG	RELATIONSHIP	CLASS
A. Single		SINGLE	DIVORCED	PROTESTANT	UNARMED HAND
B. Married		WIDOWED	WIDOWER	CATHOLIC	ARMED HAND
C. Separated		SEPARATED	SEPARATED	JEWISH	
D. Widowed		WIDOWED	WIDOWER		
RELATIONSHIP TO DECLARANT		RELATIONSHIP TO DECLARANT			
CITY OF TOWN AND STATE WHERE LIVING		CITY OF TOWN AND STATE WHERE LIVING			
COPIES		COPIES			

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CAUSES OF DEATH (Leave blank unless you answer from last)

1654-1655
1655-1656
1656-1657

I HEREBY CERTIFY THE REMAINS OF THE DECEASED AND DEATH OCCURRED AT THE PLACE INDICATED AND FROM THE CAUSES AS STATED ABOVE
IN PARAGRAPH ONE THEREFORE BE BURIED IN A CEMETERY SITE IN SECTION NO. 10, TOWNSHIP 11, R. 10, ALSO KNOWN AS SECTION NO. 10, TOWNSHIP

NAME OF APPLICANT	TYPE OF APPLICANT	TITLE OR DEGREE	TIME AND EXPENSES
DR. J. S. COOPER	INDIVIDUAL	M.D.	\$ 4.00
INSTALLATION OR ADVICE		REASON FOR EXPENSE	
		28-1	

HEALTH RECORD		CHRONOLOGICAL RECORD OF MEDICAL CARE		
DATE		SYMPTOMS, DIAGNOSIS, TREATMENT TREATING ORGANIZATION (Sign each entry)		
12 June 83 0515	E PW SHOT	<p>Arrived at 581st ASMC ~ 0320, when patient arrived he was in shock - / HR ~ 160. BP 85/40's patient was dyspneic and we were unable to obtain pulse or 2nd to resuscitation. Patient was bleeding heavily from 2 GSW. Chest wound w/ entrance in anterior left of back w/ exit wound in left upper anterior chest with about a 2.5 inch incision entrance. The other GSW was through (B) Thighs both about 2.5 inches. ABC's were performed, no access was very difficult 3 milles were flighted. In place an IV, I saw I was placed in (1) arm. Patient was combative & yelling "I did not want to die" per translator. A chest tube was placed by myself after 2 Aschermanns were placed over the chest wounds. Initial CT did not return much blood. Patient continued to deteriorate and no access was possible so I placed a (2) Femoral 14g Anterior catheter so fluid could be administered. Patient respirations ↓ & combativeness ↓ significantly. ↑ Blood loss & ↑ shortness of breath. The patient was intubated, initial attempt was unsuccessful due to large amount of blood & secretion anyway. This was removed and an 8.5 CTT was successfully placed & continue by (1) BS. There was a bronchial tear leak as the Aschermann would flake - / easily given breath prior to intubation a penile cath was shot. This revealed that the chest tube was kinked. Thus it was replaced after intubation. Upon replacement the CT (32F) a large amount of blood was returned ~ 1300cc +/- 5 minutes. This patient had long hemorrhage. Patient began to revive after GTT & CT and became more combative. His BP improved to 107/60's - / HR ~ low 100's. At this point he had 3 active IV's all under pressure infusion. His fluids consisted of OUGH. </p>		
PATIENT'S IDENTIFICATION (Use this space for Mechanical Imprint)		RECORDS MAINTAINED AT:		
O E PW SHOT 12 June 83		PATIENT'S NAME (Last, First, Middle Initial)	SEX	
		RELATIONSHIP TO SPONSOR	STATUS	RANK/GRADE
		SPONSOR'S NAME	ORGANIZATION	
		DEPART./SERVICE	SSN/IDENTIFICATION NO	DATE OF BIRTH

#5

SWORN STATEMENT

For use of this form, see AR 190-4S; the proponent agency is ODCSOPS

LOCATION Cp Woppev, BIAF, Iraq	DATE 6/12/03	TIME 0453	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS E4 / SPC
ORGANIZATION OR ADDRESS 1st MP ID			

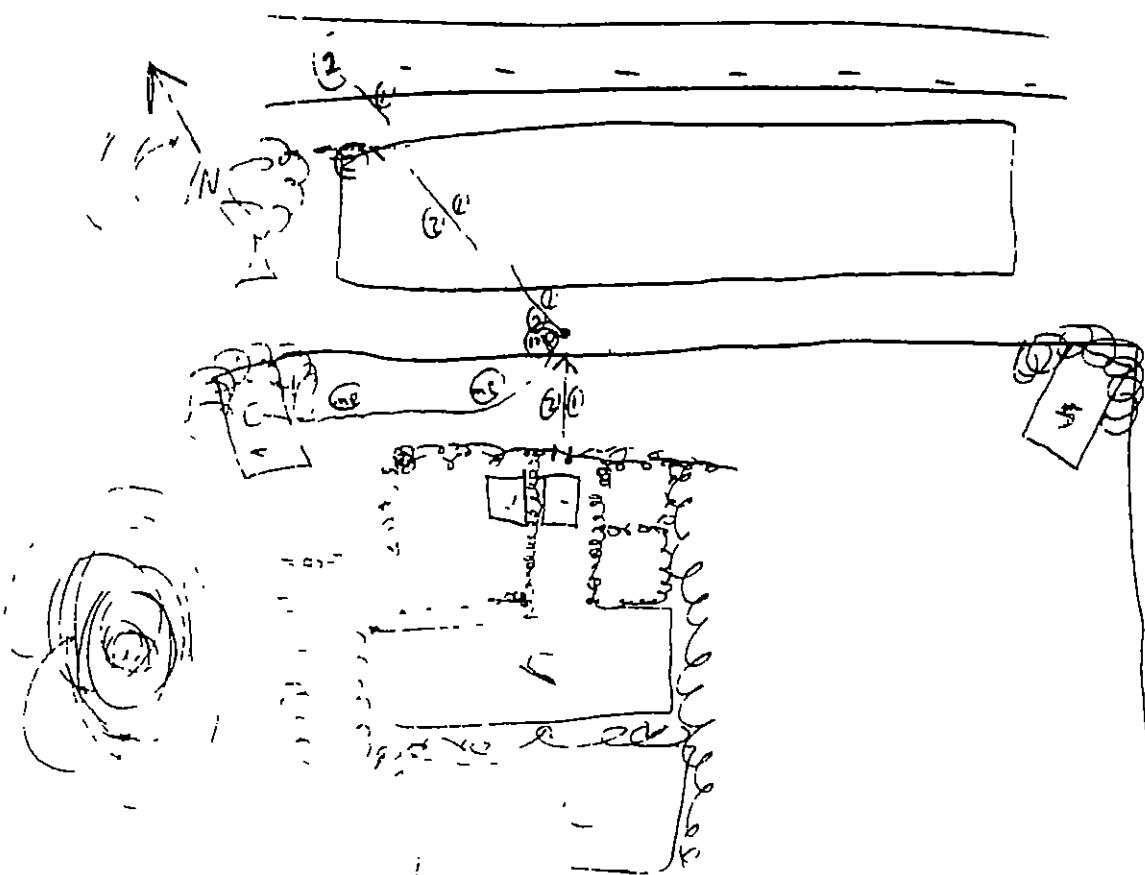
1. [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

AT APPROX. 0259 ON 12 JUNE 03, I was observing my compound, Compound Delta. I noticed something moving out of the corner of my left eye. I looked and noticed an EPLW messing with the fence. I noticed CHA Point 5 that I needed a flashlight on the fence at the portapotties at Charlie and Delta compounds. I looked again at the fence and noticed an EPLW running up the berm. It reached Liberty Base of an escape. And made my way out of the vehicle. As I got out I noticed a second EPLW running up the berm. I looked back toward the fence and noticed the berm. I ran toward the top of the berm, yelling escape, escape. I got to the top of the berm and yelled stop. I noticed a shadow and then saw an EPLW crawling up the other side of the berm toward the road. I fired one and he kept running. I fired again and the gun dropped in the road. As the first EPLW dropped, I noticed the second EPLW running toward the road. I fired two rounds, but then I lost sight of him. I yelled the berm and ran to the Cha and got a flashlight from an Internal guard. I ran back up the road where a vehicle was waiting. One EPLW was shot in the leg and in the chest, he fell to a medic. I asked if he saw the other EPLW, but he didn't. Other soldiers mark their way starting walking down the other side of the road. One soldier said he saw an EPLW running down the road, I ran. The other side of [REDACTED] and another soldier with [REDACTED] and another soldier with [REDACTED] and another soldier with [REDACTED] got on a vehicle and made his way down the road. The two soldiers told me to go back over roads for more down patrols from the 4. I returned into liberty base and was relieved of my position.

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

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] 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.



并6

MAP PREPARED
ON 14 JUN 03 BY

SWORN STATEMENT

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

LOCATION Bagram International Airport, Iraq	DATE 12 June 2003	TIME 0541	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS Fr5.
ORGANIZATION OR ADDRESS 186 th MP Co.			

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

At approximately 0300 on 12 Jun 03 I was on shift and noticed a disturbance. I was at point 6 of the CTH located to the south of the compounds. Sitting atop a water truck I had a good view of almost the entire perimeter. While speaking briefly with the Rover I noticed a movement out of the corner of my right eye I turned my head to the East berm as the guard from position 4 went scaling up the middle of it. He stopped at the top and fired off at least 5 shots from his rifle. I then noticed the interior guards, who most of them had been sitting in a group in front of my position talking, jump up and run in the direction of the shots fired.

The position 4 guard yelled for a medic while still atop the berm. More interior guards were running around, many donning vests and Kevlar. After a short period of time many 186th soldiers came out to supplement the search of the lost prisoners. QRF went into the CTH and they helped with headcount.

Q. Are you positive you heard five shots?

A. NO, it is possible that I heard an echo.

Q. Do you have anything else you wish to add?

A. NO

→//END OF STATEMENT//

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 7 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] 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.

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301; Title 5 USC Section 2951, E.O. 9397 dated November 22, 1943 (SSN)
 PRINCIPAL PURPOSE To provide commanders and law enforcement officials with means by which information may be accurately
 ROUTINE USES Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
 DISCLOSURE Disclosure of your social security number is voluntary

1 LOCATION	2 DATE (YYYYMMDD)	3 TIME	4 FILE NUMBER
Baghdad International Airport	20030611	0435	
5 LAST NAME, FIRST NAME, MIDDLE NAME	6 SSN	7 GRADE/STATUS	
		E-5	

8 ORGANIZATION OR ADDRESS
 115 BN MP / 186th MP Co

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

I [REDACTED] was working the night of the eleventh at the chaw when the escape happen. I was on point five, at the very back of the chaw. At around two in the moring [REDACTED] took over for me so I could go to the bath room and grab a sark I returned around two-thirty in the moring. I had been at my point for about forty-five mintues to an hour. When I saw [REDACTED] running towards my point a yelling "There's one out" I then ran up the burn, but did not see any one. [REDACTED] at that time fired rounds, I could not see where he was firing I didn't see where the escape was made from. I also could not here the call over the radio for firing was done I went back to my point. About five mintues later the exterior of the chaw was being maned by more of our Company We stayed [REDACTED] out at the chaw until four in the moring

10 EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF <u>2</u> PAGES
------------	--	--------------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED

STATEMENT OF [REDACTED] TAKEN AT 0435 DATED 2003 06 11

STATEMENT (Continued) Went my shift was up The exterior stayed out and was still out [REDACTED] When I came back in.
Q. what time did the shots occur?
A. 0300 or a little after.

/// END OF STATEMENT ///

AFFIDAVIT

[REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. 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.

(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12 day of June, 2003
at Camp Caesar, Bagram, Baghdad, Iraq

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)
ART 186 (b)(4) USMFT
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301, Title 5 USC Section 2851, E.O. 9397 dated November 22, 1943 (SSN)
 PRINCIPAL PURPOSE To provide commanders and law enforcement officials with means by which information may be accurately
 ROUTINE USES Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
 DISCLOSURE Disclosure of your social security number is voluntary

1 LOCATION	2 DATE (YYYYMMDD)	3 TIME	4 FILE NUMBER
	20030611	0830	
5 LAST NAME, FIRST NAME, MIDDLE NAME	6 SSN	7 GRADE/STATUS	
[REDACTED]	[REDACTED]	E-4	

8 ORGANIZATION OR ADDRESS

1st Mo Co

9

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH ~~that~~
 On June 11, 2004 at approx. 0810 0250 I heard point 4 attempt to contact point 5 and
 direct point 5 attention towards the breakout point. Then approximately 10 seconds later I
 heard point 4 call out "there going over the boom" Then approximately 10 seconds later I
 heard between 5 and 6 shots fired! At that ~~time~~ I then saw between 6 and 7 people in
 the internal part of compound go running towards the processing tent. The 186th
 SRT team responded around 0830 to those points at which time several mounted
 patrols and several MPs on foot proceeded to search to the north of the chow. I
 proceeded to monitor radio traffic at that point. till I was relieved on shift. At
 which point I reported to company command center. / / /

End of Statement

10 EXHIBIT 11 INITIALS OF PERSON MAKING STATEMENT [REDACTED] PAGE 1 OF P PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER
MUST BE INDICATED

STATEMENT OF [REDACTED]

TAKEN AT 0430

DATED 20030611

STATEMENT (Continued)

end of statement

[REDACTED] X

AFFIDAVIT

I [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. 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 12 day of June, 2003
at Camp Cooper, Long

ORGANIZATION OR ADDRESS

[REDACTED] (Signature of Person Administering Oath)

SFC

(Typed Name of Person Administering Oath)

Art 186 (b) (4) wewr

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301, Title 5 USC Section 2851; E.O. 9397 dated November 22, 1943 (SSN)
PRINCIPAL PURPOSE To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
DISCLOSURE Disclosure of your social security number is voluntary

1 LOCATION	2 DATE (YYYYMMDD)	3 TIME ^{hrs}	4 FILE NUMBER
Camp Cropper C/H A Pt #3 Baghdad	2003 06 12	0455	
5 LAST NAME, FIRST NAME, MIDDLE NAME	6 SSN	7 GRADE/STATUS	
		E-5	

8 ORGANIZATION OR ADDRESS
186 MCP Co Camp Cropper Iraq

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

At approximately 0300 12 Jun 03 while on external security duty on point 3 I ^{was}/listened to [REDACTED] request point 4 ^{was} to shine the spotlight on the wire between points 4 and 5. Immediately after the request SPC [REDACTED] reported a prisoner going over the berme on the East side. SPC [REDACTED] pursued the prisoner to the top of the berme. He yelled several times and fired his weapon approximately 4 times. SSG [REDACTED] the raving patrol joined SPC [REDACTED] on the berme with a spotlight. I relayed all information to the TOC. SPC [REDACTED] proceeded over the berme while the raver shined the light for him. SAT team arrived and I briefed them on events and direction taken by prisoners. I continued observing my sector and relaying information until relieved by SPC [REDACTED]

/// END OF STATEMENT ///

10 EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" ____ TAKEN AT ____ DATED ____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED

STATEMENT OF [REDACTED]

TAKEN AT Camp Cooper DATED 12 Jun 03

STATEMENT (Continued)

NOT

USED

NOT

USED

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. 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 12 day of June, 2003
at Camp Cooper, Camp, Randolph, Texas

[REDACTED] *(Signature of Person Administering Oath)*

[REDACTED] *(Typed Name of Person Administering Oath)*

Article 136.(d)(4), UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

USAPA V1 00

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301, Title 5 USC Section 2851, E.O. 9397 dated November 22, 1943 (SSN)

PRINCIPAL PURPOSE To provide commanders and law enforcement officials with means by which information may be accurately

ROUTINE USES Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval

DISCLOSURE Disclosure of your social security number is voluntary

1 LOCATION Camp CROPPER, TRIG	2 DATE (MMYYMMDD) SAK 20030612	3 TIME SAK 0614	4 FILE NUMBER
5 LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6 SSN [REDACTED]	7 GRADE/STATUS E-6/MP	
8 ORGANIZATION OR ADDRESS 186th MPU			

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

ON 12 JUNE 02 at approximately 0200hrs while performing the duties as HOLEK for the CMA, P+S REQUESTED RELIEF. I PROCEEDED TO PT 5 FROM PT 1 thru 5 inspecting the PERIMETER AS I WENT. I SAW NO ACTIVITY AT THAT TIME I THREWLED P+S [REDACTED] FOR A LATRINE BREAK. I CONTINUALLY SCANNED THE PERIMETER WIRE, I SAW ONLY A FEW DETAINEES MOVING IN AND OUT OF THE LATRINE THROUGHOUT THE COMPOUND AT APPROXIMATELY 0030HRS [REDACTED] RETURNED FROM THE LATRINE, I THEN PROCEEDED TO POINT 6 TO RELIEF [REDACTED] ON THE WHITE WATER TRUCK. WHILE AT POINT 6 I SCANNED THE ENTIRE CAMP AND SAW NOTHING OUT OF THE ORDINARY. [REDACTED] RETURNED SHORTLY BEFORE 0300. SHORTLY AFTER THE COMMING CHECK AT 0300. [REDACTED] INFORMED ME OF A BRIEF MESSAGE THAT SHE COULD NOT MAKE OUT. I ASSUMED THAT IT WAS PT 3 [REDACTED] CALLING IN THAT HE WAS WITNESSING AN ESCAPE. BECAUSE WITHIN SECONDS I LOOKED TO MY RIGHT AND SAW [REDACTED] [REDACTED] HURTING UP THE SIDE OF THE BURN LOCATED BETWEEN PT 4 AND PT 5 YELLING HALT NUMEROUS TIMES. I THEN GRABBED MY WEAPON AND STARTED RUSH TO GET OFF THE WATER TRUCK. I HEARD APPROXIMATELY 3 SHOTS BEING FIRED TOWARD ME JUMPING OFF THE LADDER [REDACTED] OF THE TRUCK. I STARTED TO RUN + CAME TO PT 5 AND HEARD 2-3 MORE SHOTS. AS I PASSED PT 5 I TURNED THE SPOTLIGHT AND PROCEEDED TO [REDACTED] LOCATION ON THE BURN. I HEARD YELLING QUESTIONS OF "HOW MANY" AND "WHERE THEY WERE". [REDACTED] REPLIED OUT OF BREATH THAT 2 DETAINEES HAD GONE OVER THE BURN. I THEN PROCEEDED UP THE BURN WITH THE SPOTLIGHT AS [REDACTED] WENT DOWN THE OTHER SIDE TO PURSUE I PROVIDED SECURITY AND LIGHT FOR HIM. I HEARD SOMEONE YELL FOR THE MEDICS, SO I MOVED DOWN THE BURN HANDING THE LIGHT TO SSG [REDACTED] WHO HAD RESPONDED TO THE SHOTS, AND MOVED TO THE ROAD

10 EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>23</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

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STATEMENT OF [REDACTED]

TAKEN AT [REDACTED]

DATED 20030612

9 STATEMENT (Continued)

located first at the CHA. I again made contact with [REDACTED] at this scene where the detainee that had been shot was laying in the street. He stated that the other had taken off running north on the pavement. By this time, numerous other individuals had also responded to the incident, and aided in first aid and pursuit of the fleeing detainee. [REDACTED] had arrived behind me so I sent him and [REDACTED] ahead to [REDACTED] search for the detainee. I told him that I would take ~~pt 4~~^{SAR} care of pt 4. I looked back across the street towards the CHA and saw that our soldiers were in place on the EXTERIOR PERIMETER, so I stayed on the scene. [REDACTED] arrived at my location and I started to brief him on the chain of events. [REDACTED] returned to the scene, I then sent him back to pt 4. During this I did look at the detainee in the street and noticed a chest wound and leg wound. [REDACTED] had made it to the scene and had the wrist-band number cut us A-7911 (I believe). I then left the scene and proceeded back to the CHA, and made contact with [REDACTED]. [REDACTED] began to search the wire for the route of escape. In the shadow between the porticos between pt 4 and pt 5 we found a section of wire that had been tied apart with blue cloth as to permit enough room for someone to squeeze through. We reported the findings to [REDACTED] who also looked at the wire.

Q Do you have anything to add to this statement? *see*
 A. NO [REDACTED]

/// End of Statement ///

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF ~~5~~⁵ PAGES

STATEMENT OF _____ TAKEN AT _____ DATED _____

B STATEMENT *(Continued)*

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 of Person Making Statement)*

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12 day of JUNE 2003
at [REDACTED]

[REDACTED] *(Signature of Person Administering Oath)*

ORGANIZATION OR ADDRESS

[REDACTED] *(Typed Name of Person Administering Oath)*
FAW ART 136(b)(4) UCMJ
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

UNCLASSIFIED

For new detainees

1. INTRO

You are now entering a United States enemy prisoner of war/ civilian internec camp. No harm will come to you as long as you follow instructions and obey the camp rules. You are about to be searched. You will receive further instructions after you are searched.

2. WAITING AREA

Attention detainees To ensure your safe and timely in processing it is essential for you to follow all instructions

- Remain seated with your feet crossed, head lowered, and your hands on your head
- Remain calm
- Be patient
- You are going to be searched, some personal information will be collected, and your personal property will be inventoried and secured.
- You will be issued an identification bracelet
- You must not remove or alter it in any manner.
- This is a temporary holding area.
- You stay will be brief
- You will be moved to a more established facility soon for further review and possible/ eventual release

3 CAMP RULES

- All orders from the guards must be followed immediately
- Do not touch any of the guards at any time
- Do not touch the barbwire
- If you climb over the varbwire, and attempt to escape, you will be shot
- No yelling
- No fighting
- No hand signals or other non-verbal communication allowed
- Nothing may be passed between cages.
- Save your empty water bottles so you can exchange them for more water
- All trash will be placed in the bag provided with the meal
- You must only use the trench as a latrine

4. ALERT/ ALARM INSTRUCTIONS

Attention detainees

When you hear the following alarm . (Whistle) you must immediately lie down on your stomach and remain still Any one who fails to follow these instructions will be considered a threat towards the safety of others and will be dealt with accordingly. You must remain on your stomach and still, until a soldier gives you permission to rise

UNCLASSIFIED

✓5. FAILURE TO COMPLY

Attention detainees: Failure to follow all holding area rules or disobeying orders from coalition forces may result in the following.

- Your placement in an isolation holding area.
- A notation in your records of non-compliance and an upgrading of your risk status, which may result in a longer period of detention
- The use of the amount of force and the application of restraints is deemed necessary by coalition forces to maintain the security, safety and the good order of this holding area.
- Any attempt to escape or uprising will result in the use of deadly force by coalition soldiers
- Physical contact with any coalition soldier is prohibited at all times
- Follow all holding area rules and obey all orders from coalition forces and you will not be harmed.

6 PROTECTIVE CUSTODY

Attention detainees

Anyone who fears that their life is in danger or that they might be harmed by other detainees will report that fact to any of the U S Army personnel. From that time on, the camp command will take measures to insure the detainee's safety by segregation, transfer, or other means. Detainees who harm or attempt to harm other detainees will be punished

7. HYDRATION

Attention Detainees: For your continued good health, it is important for you to drink lots of water. High temperatures make you susceptible to dehydration and heat related injuries

8. MEALS (q. 9)

Attention Detainees: Meals are served at 9:00 am every day. To receive your meal, all trash from the previous meal must be collected for disposal. At 9:00 am after all trash has been disposed of, you will be given your meal

9. NO HAND SIGNALS

Attention detainees: Hand signals and other non-verbal communications are prohibited

10. ESCORT

Attention detainees

When being escorted within the holding area, it is essential that you follow all instructions given to you by the coalition soldiers. Coalition forces will not hesitate to defend themselves and each other. For your own safety, follow all instructions and directions given by the coalition soldiers in the holding area

UNCLASSIFIED

Modified June 17, 2003

UNCLASSIFIED

Original As received

11. NO FIRES

Attention detainees:

Fires within the holding area are prohibited. Failure to follow this guideline will result in being restrained by coalition forces.

12. FENCE LINE

Attention detainees You must stay at least one meter away from the fence line at all times. Do not touch or place anything on the barbwire fence. Failure to follow these instructions will result in disciplinary action.

13. HALT

Attention detainees:

The English words "Stop" and "Halt" mean "Kif" in Arabic. You must immediately halt when a coalition soldier uses the English or Arabic command. Failure to do so may result in disciplinary action up to and including the use of force. "Stop" and "Halt" mean "Kif".

14. TWO METERS

Attention detainees Only one person at a time may approach the gate. All others must stay at least two meters away.

15. LATRINE USE

Attention detainees: In order to maintain sanitary conditions within the holding area you must use the trenches in each containment area as a latrine site. After use, cover your waste material with a small amount of lime. Then put a layer of dirt over the lime to help minimize odor and the presence of insects.

16. PREPERATION FOR TRANSPORT

Attention detainees You are being moved from this holding area to a more established facility. The facility you are being moved to should be better prepared to deal with your individual needs. It is important for you to follow all instructions to ensure that your transport proceeds quickly and safely.

- Be patient
- Be calm
- Follow all instructions

17. RELEASE

Attention detainees You are being released. Thank you for your patience and cooperation. Please follow all instructions given by Coalition Forces.

18 * LATRINE

Attention Detainees Please do not use the old latrines in your enclosures. You will go to new latrines in groups of ten people. Notify your guard when you need to use the latrine.

UNCLASSIFIED

✓ 19. WRISTBANDS

All detainees must keep tags and wristband on. The guards can't identify who you are without these items and it will be harder to release you

20. SPOON MESSAGE

You will be issued a spoon with your meal. Your spoon will be accounted for so please turn in your spoon with your trash when asked by the guard

*INITIALED
TYPED* **21. * FOUR BOTTLES**

You are required to drink 4 - 1.5 liters of water and eat one humanitarian meal each day to avoid becoming a heat casualty. You will be here a short time relative to your life, you must stay strong to help rebuild Iraq. Do not endanger your life by not eating properly

22. HEAD COUNT

Attention The Guards are going to conduct a count of all prisoners. Move to your tents and sit in rows until told to move. No water or trash runs will be done until count is completed. DO not disobey this order or force will be used against you. Thank you for your cooperation

AETV-MP-JA

24 June 2003

MEMORANDUM THRU Staff Judge Advocate, 800th Military Police Brigade

MEMORANDUM FOR Commander, 800th Military Police Brigade, BG Paul Hill

SUBJECT: Legal Review of AR 15-6 Investigation – Escape and Shooting 12 June 2003

1 On 12 June 2003, COL [REDACTED] Commander, 18th Military Police Brigade, appointed CPT [REDACTED] to conduct an informal investigation into the escape and subsequent shooting and death of a civilian internee held at the Camp Cropper Corps Holding Area

2 On June 20, 2003, the 115th Military Police Battalion was OPCONed to the 800th Military Police Brigade. LTC [REDACTED] 800th Military Police Brigade Staff Judge Advocate advises that BG Paul Hill, Commander 800th Military Police Brigade, is the appropriate appointing authority. A courtesy copy of the DA 1574 and attachments was furnished to COL [REDACTED] but the original was directed to be turned over to BG Hill and the undersigned was directed by LTC [REDACTED] to complete the legal review of the AR 15-6 investigation. The DA 1574 and supporting documentation was timely submitted on 23 JUNE 03 by the IO

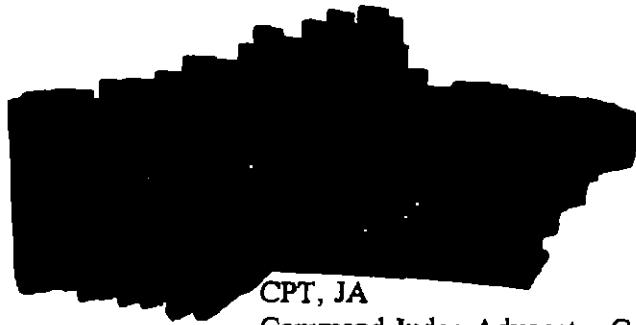
3 Under AR 15-6, paragraph 2-3b, I reviewed the investigation and make the following determinations

- a The investigation complies with legal requirements for an AR 15-6 investigation
- b There are no procedural errors or irregularities that invalidate the investigation
- c Sufficient evidence supports the investigating officer's findings
- d The investigating officer's recommendations are consistent with her findings. The original scope of work did not specifically ask whether or not the ROE was followed, but it is the advice of the undersigned that ROE was followed. Lethal force was not used until the escapee(s) had crossed the last wire. The shot used was a "well-aimed shot to center of mass" that did not endanger innocent bystanders. The guard shouted "halt" or "stop" numerous times prior to the shooting. The Camp Commander, Ronald G Chew, had fulfilled his legal obligation under AR 190-8, par. 3-6.f(2) to ensure that the detainees understood what the words "halt" and "stop" meant.

4 I am the POC at DNVT 550-1451 or [REDACTED]

AETV-MP-JA

SUBJECT. Legal Review of AR 15-6 Investigation – Escape and Shooting 12 June
2003



CPT, JA
Command Judge Advocate, Camp Cropper

5 FEB 2004

CASE NOTE:

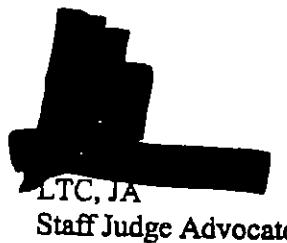
ixth MP BDE

Escape, Shootings

Camp Cropper

12 June ~~19~~

115th



LTC, JA
Staff Judge Advocate



DEPARTMENT OF THE ARMY
400th MILITARY POLICE BATTALION
BIAP, IRAQ, APO AE 09302-1322

AFRC-CPA-AO-D-PR

21 June 2003

MEMORANDUM FOR Commander, 400th Military Police Battalion

SUBJECT Escape and shooting at Abu Gharaib

- 1 This 15-6 investigation includes two parts An escape that took place around 1400 and a riot that resulted in a shooting and death of one detainee and injuries to seven other detainees around 1600
- 2 The Escape The detainee, #8968, used a piece of cardboard from a water bottle box to push the triple strain concertina wire up and slide under. The detainee did this while the tower guard was turned the other way. The QRF was activated and quickly apprehended the detainee while other guards pursued Reference enclosure 21
 - a This location was previously used by detainees to escape seven days earlier. This is an ideal spot to use because of the concealment along the wall. This spot was reinforced after the first escape attempt. A step to prevent an attempted escape attempt like this would be a cellblock enclosure. The cellblock is currently being renovated. Prisoners use cardboard boxes to sleep on. This is good for preventive medicine
 - b The SOP does not specifically cover an escape attempt. This is a general guard order to prevent detainees from escaping
- The Riot Around 1600, 30-40 detainees started to throw rocks from their compounds at the three interior guards. The interior guards tried to get behind a generator to avoid the rock throws. They then proceeded to the exit. Enroute to the exit the interior guards were hit with baseball size rocks. A prisoner was about to throw a tent pole like a javelin at the interior guards only 10-15 feet away, when all three guard towers fired at the main threat 8 times and one tower shot 3 times into the crowd. This effectively dispersed the crowd and eliminated the threat. Reference enclosure 20 and 22 for the prison overlay and tower shooting layout
 - a Upon reading the sworn statements (enclosure 7-19), I determined that the shooting was justified. All three towers determined that the lives of the interior guards were threatened. This fact under the current rules of engagement gives authorization for the soldier to respond with a lethal force. Prior to lethal response the towers even tried to verbally control the crowd ineffectively. The rules of engagement are reinforced in the company SOP and stationed at the guard towers. They were followed
 - b The company having placed a variety of weapons (M16 or shotgun) gives the guards the choice to avoid unnecessary ricochet or firepower thru a target. This choice let the guard in tower #6 control the crowd effectively with fewer deaths but more injuries
 - c The QRF responded immediately after the shots. They helped secure the injured detainees for treatment and secure the compounds

AFRC-CPA-AO-D-PR
SUBJECT Escape and shooting at Abu Gharaib, Cont

21 June 2003

4 Recommendations

- a Extra concertina wire passed the far tower
- b Post a daytime roving patrol
- c Less lethal weapon capability with proper training
- d Proper life support for prisoners (hygiene support and supplies, variety of food, linguist support, MI support)
- e Slug shotgun rounds
- f Remove all rocks in compound areas
- g Refresh on rules of engagement
- h Post compound rules in Arabic and English
- i Contracted translators

5 The POC is the undersigned at robert.wyks@us.army.mil



ENCL

- 1 - Appointment orders
- 2 - Camp Vigilant SOP
- 3 - #8667 Custody Document
- 4 - 72nd Commander SITREP
- 5 - Prison Count 141045DJUN2003
- 6 - Prison Count 142115DJUN2003
- 7 - DA 2823, SPC [REDACTED] - tower shooter
- 8 - DA 2823, CPT [REDACTED] - Commander
- 9 - DA 2823, SGT [REDACTED] - tower shooter
- 10 - DA 2823, SPC [REDACTED] - tower shooter
- 11 - DA 2823, 1SG [REDACTED] - First SGT
- 12 - DA 2823, SSG [REDACTED] - RTO
- 13 - DA 2823, SGT [REDACTED] - Interior Guard
- 14 - DA 2823, SGT [REDACTED] - Interior Guard
- 15 - DA 2823, SPC [REDACTED] - Interior Guard
- 16 - DA 2823, SGT [REDACTED] - external tower guard
- 17 - DA 2823, SGT [REDACTED] - prison transport escort
- 18 - DA 2823, SSG [REDACTED] - Yard tower guard
- 19 - DA 2823, SFC [REDACTED] - Yard tower guard

CPT, MP
Adjutant

AFRC-CPA-AO-D-PR

SUBJECT Escape and shooting at Abu Gharaib, Cont

21 June 2003

- 20 – Yard Overlay map**
- 21 – Escape Overlay map**
- 22 – Shooting Overlay map**
- 23 – Battalion Serious Incident Report**
- 24 – Investigation Log**
- 25 – Evidence photo CD**
- 26 – Shotgun shells tower #6**
- 27 – Shotgun shells tower #5**
- 28 – M-16 shells Yard tower**

INDEX OF EXHIBITS

- EXHIBIT 1 Memorandum of Appointment, 15-6 IO
EXHIBIT 2 SOP, Camp Vigilant Detention Center
EXHIBIT 3 Evidence/Property Custody Document
EXHIBIT 4 Memorandum for CDR, 400th MP BN, Use of Deadly Force
EXHIBIT 5 Prisoner Count on 131045(D) June 2003
EXHIBIT 6 Prisoner Count on 132115(D) June 2003
EXHIBIT 7 DA 2823, sworn statement of SPC [REDACTED]
EXHIBIT 8 DA 2823, sworn statement of CPT [REDACTED] and
Memo to CDR, 400th MP BN by CPT [REDACTED]
EXHIBIT 9 DA 2823, sworn statement of SGT [REDACTED]
EXHIBIT 10 DA 2823, sworn statement of SPC [REDACTED]
EXHIBIT 11 DA 2823, sworn statement of 1SGT [REDACTED]
EXHIBIT 12 DA 2823, sworn statement of SSG [REDACTED]
EXHIBIT 13 DA 2823, sworn statement of SGT [REDACTED]
EXHIBIT 14 DA 2823, sworn statement of SGT [REDACTED]
EXHIBIT 15 DA 2823, sworn statement of SPC [REDACTED]
EXHIBIT 16 DA 2823, sworn statement of SGT [REDACTED]
EXHIBIT 17 DA 2823, sworn statement of SGT [REDACTED]
EXHIBIT 18 DA 2823, sworn statement of SSG [REDACTED]
EXHIBIT 19 DA 2823, sworn statement of SFC [REDACTED]
EXHIBIT 20 Camp Vigilant Map as of 14 June 03
EXHIBIT 21 Escape Route of Escapees Caught by QRF
EXHIBIT 22 Line of fire from tower guards
EXHIBIT 23 Serious Incident Report
EXHIBIT 24 Investigation Action Log

13 June 2003

MEMORANDUM FOR COMMANDER, 400th Military Police Battalion

SUBJECT Use of Deadly Force, Abu Ghraib Detainment Facility

- 1 On 12 June 2004, at approximately 1800 hours the detainees became agitated and began demanding answers regarding their capture and the amount of time they would be held in custody. They were upset and declared that they were being housed improperly and lacked basic needs such as showers, shampoo, blankets and toilets. Several of the detainees threw rocks and tent poles out of the enclosure at the guards and one guard was struck on the hand. At that time, the Company First Sergeant, [REDACTED] and myself responded to the yard and addressed the detainees through one of the prisoner interpreters. They were advised that many of the new detainees had release dates and that the Camp Commander would review other cases and provide us information when it was available. The detainees were all advised that throwing rocks and tent poles at the guards would constitute deadly force and that they could and would be shot if that behavior occurred again. The situation was deescalated however, due to a lack of additional compounds the individuals suspected of throwing rocks and tent pools were not pulled out and segregated. A sitrep was sent to battalion with a request to charge the individuals and have them sent to Camp Cropper.
- 2 On 13 June 2003, at approximately 1400 hours a disturbance was again reported in the yard and involved an attempted escape by detainee #8968. The detainee attempted to go through the wire utilizing a cardboard box, however was immediately apprehended as he exited the wire. At this time a count was initiated, however, detainees in both compounds refused to stand to be counted. The QRF was dispatched, and ultimately the count proceeded without incident. Shortly after the count the QRF was being called again and as they responded multiple gunshots were heard in the yard.
- 3 Upon responding into the yard it was discovered that multiple detainees with multiple rocks and tent poles had targeted the military police working the enclosure compounds and were throwing the rocks and tent poles at them. As they attempted to flee military police in the tower feared for the lives of the enclosure guards. Simultaneously three military police from three different guard towers followed the rules of engagement and fired upon identified detainees who were engaging in the use of deadly force against U.S. personnel. Two military police shot with 12 gauge shotguns and one fired approximately 4 - 5 56mm rounds from his M-16. At the end of the engagement 7 Iraqi detainees were wounded, one was killed and one U.S. soldier from the 400th Military Police Battalion was injured from being hit by a rock.
- 4 All wounded were taken from the enclosure area and provided first aid by medics from the 400th MP Battalion as well as combat lifesavers from the 72nd Military Police Company. Medivac was requested and the 7 wounded detainees were evacuated. The body and personnel effects of the KIA were released to Iraqi authorities.

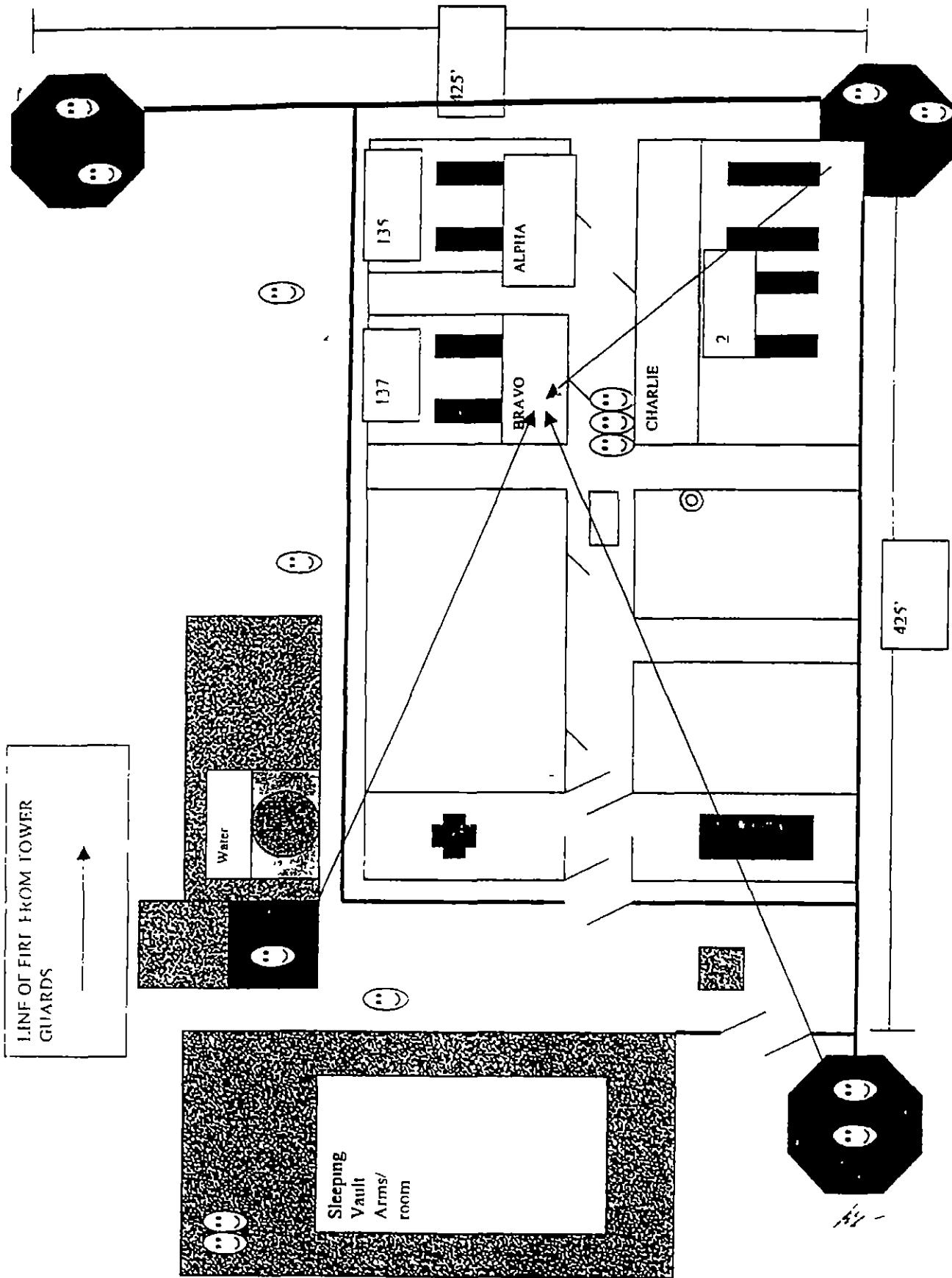
The following is the list of wounded and KIA

SEC #	NAME	INJURY	OFFENSE	RELEASE DATE
8667	Alla Jasin Hassan	KIA	Gunshots lower abb and back	Theft and Curfew
8883	[REDACTED]	Gunshot left arm	Black Market	20030615
8956	[REDACTED]	Gunshot right Abdomen	Weapons	20030616
9052	[REDACTED]	Gunshot left arm	Looting	20030622
5749	[REDACTED]	Gunshot left shoulder	Raid	unk
7610	[REDACTED]	Gunshot lower back and butt	Gang	unk
8576	[REDACTED]	Gunshot left abdomen	Curfew	unk
9158	[REDACTED]	Gunshot left arm	Unk	unk

3 POC for this action is the undersigned



[REDACTED]
CPT, MP, USA
Commanding



**DEPARTMENT OF THE ARMY
HEADQUARTERS, 800TH MILITARY POLICE BRIGADE (I/R)
CAMP VICTORY, IRAQ APO AE 09302**

AFRC-CNY-AI-CG

14 July 2003

MEMORANDUM FOR RECORD

SUBJECT AR 15-6 Investigation – Riot and Subsequent Shootings of 13 June 2003

The findings and recommendations in the enclosed DA 1574, report of investigation pursuant to AR 15-6 are hereby approved. Lethal force was used in response to a credible threat of serious bodily injury or death against United States soldiers, by a detainee. The soldier involved acted in accordance with the Rules of Engagement and did not use excessive force.

/S/

JANIS L. KARPINSKI
Brigadier General, USA
Commanding

Encl
as

28 Jun 03

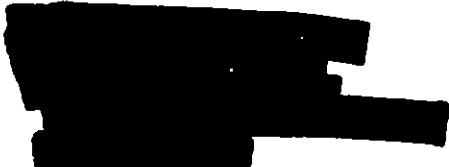
MEMORANDUM THRU Staff Judge Advocate, 800th Military Police Brigade, ATTN
LTC [REDACTED]

MEMORANDUM FOR Commander, 400th Military Police Battalion, LTC [REDACTED]

Subject Legal Review of AR 15-6 Investigation- Riot and Subsequent Shootings of 13
June 2003

- 1 On June 13th, 2003, LTC [REDACTED] Commander, 400th Military Police Battalion, appointed CPT [REDACTED] to conduct an informal investigation into the attempted escape, the riot and subsequent shootings of eight (8) civilian internees (including one lethally) at Camp Vigilant on 13 June 2003
2. The DA 1574 and supporting documentation including evidence gathered was timely submitted on 21 June, 2003 by the IO
- 3 Under AR 15-6, paragraph 2-3b, I reviewed the investigation and make the following determinations
 - a The investigation complies with legal requirements for an AR 15-6 investigation.
 - b There are no procedural errors or irregularities that invalidate the investigation
 - c Sufficient evidence supports the investigating officer's findings
 - d The investigating officer's recommendations are consistent with his findings Lethal force was used in response to a credible threat of death or serious bodily injury against U.S. soldiers by detainees who had removed tent poles from their compound and were attacking military police officers at the compound. There are a number of specific recommendations that CPT [REDACTED] made Counsel recommends that LTC [REDACTED] review the recommendations made and incorporate any of the provisions that are feasible to address these concerns
 - e. The investigating officer's recommendation to "post compound rules in Arabic and English" is a requirement which must be addressed immediately if not already remedied

4 The POC for this memorandum is the undersigned at 550-1450.



CPT, JA, USA
800th MP Bde SJA Section

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-6, the proponent agency is OTJAG

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS**SECTION I - APPOINTMENT**

inted by **LTC [REDACTED]** CDR, 400th Military Police Battalion, Baghdad, Iraq APO AE 09335
 (Appointing authority)

on **20030613** (Attach inclosure 1 Letter of appointment or summary of oral appointment data) (See para 3 15 AR 15-6)
 (Date)

SECTION II - SESSIONS

The (investigation) (board) commenced at **Camp Vigilant, Baghdad, Iraq** on **20030613** at **1915**
 (Place) (Time)

on **20030613** (If a formal board met for more than one session, check here Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any) The following persons (members, respondents, counsel) were present (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor)

The following persons (members, respondents, counsel) were absent (Include brief explanation of each absence) (See paras 5-2 and 5-8a AR 15-6)

The (investigating officer) (board) finished gathering/hearing evidence at **1800** on **20030617**
 (Time) (Date)
 and completed findings and recommendations at **1800** on **20030621**
 (Time) (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A COMPLETE IN ALL CASES	YES	NO	N/A
1 Inclosures (para 3 15, AR 15-6)			
Are the following inclosed and numbered consecutively with Roman numerals (Attached in order listed)			
a The letter of appointment or a summary of oral appointment data?	X		
b Copy of notice to respondent, if any? (See item 9, below)	X		
c Other correspondence with respondent or counsel, if any?	X		
d All other written communications to or from the appointing authority?	X		
e Privacy Act Statements (Certificate, if statement provided orally)?	X		
f Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?	X		
g Information as to sessions of a formal board not included on page 1 of this report?	X		
h Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?	X		

NOTES 1 Explain all negative answers on an attached sheet.
 2 Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

a Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?	X
b Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	X
c Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	X
d Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?	X
e Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?	X
f Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?	X
g If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?	X
3 Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?	X
B COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)	
4 At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-3b, AR 15-6)?	[REDACTED]
5 Was a quorum present at every session of the board (para 5-2b, AR 15-6)?	[REDACTED]
6 Was each absence of any member properly excused (para 5-2a, AR 15-6)?	[REDACTED]
7 Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?	[REDACTED]
8 If any members who voted on findings or recommendations were not present when the board received some evidence does the enclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?	[REDACTED]
C COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)	
9 Notice to respondents (para 5-5, AR 15-6)	[REDACTED]
a Is the method and date of delivery to the respondent indicated on each letter of notification?	[REDACTED]
b Was the date of delivery at least five working days prior to the first session of the board?	[REDACTED]
c Does each letter of notification indicate—	[REDACTED]
(1) the date, hour, and place of the first session of the board concerning that respondent?	[REDACTED]
(2) the matter to be investigated, including specific allegations against the respondent, if any?	[REDACTED]
(3) the respondent's rights with regard to counsel?	[REDACTED]
(4) the name and address of each witness expected to be called by the recorder?	[REDACTED]
(5) the respondent's rights to be present, present evidence, and call witnesses?	[REDACTED]
d Was the respondent provided a copy of all unclassified documents in the case file?	[REDACTED]
e If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?	[REDACTED]
10 If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings)	[REDACTED]
a Was he properly notified (para 5-5 AR 15-6)?	[REDACTED]
b Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-6c AR 15-6)?	[REDACTED]
1 Counsel (para 5-6 AR 15-6)	[REDACTED]
c Was each respondent represented by counsel?	[REDACTED]
Name and business address of counsel	[REDACTED]
<i>(If counsel is a lawyer check here <input type="checkbox"/>)</i>	[REDACTED]
b Was respondent's counsel present at all open sessions of the board relating to that respondent?	[REDACTED]
c If military counsel was requested but not made available is a copy (or if oral a summary) of the request and the action taken on it included in the report (para 5-6b AR 15-6)?	[REDACTED]
12 If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7 AR 15-6)	[REDACTED]
a Was the challenge properly denied and by the appropriate officer?	[REDACTED]
b Did each member successfully challenged cease to participate in the proceedings?	[REDACTED]
13 Was the respondent given an opportunity to (para 5-8a, AR 15-6)	[REDACTED]
a Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?	[REDACTED]
b Examine and object to the introduction of real and documentary evidence, including written statements?	[REDACTED]
c Object to the testimony of witnesses and cross-examine witnesses other than his own?	[REDACTED]
d Call witnesses and otherwise introduce evidence?	[REDACTED]
e Testify as a witness?	[REDACTED]
f Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?	[REDACTED]
14 If requested did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (para 5-8b AR 15-6)?	[REDACTED]
15 Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an enclosure or exhibit to it (para 5-11 AR 15-6)?	[REDACTED]

FOOTNOTES 1 Explain all negative answers on an attached sheet
 2 Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board

'The (investigating officer) (board), having carefully considered the evidence, finds

See attached Memorandum

-----Nothing else follows-----

SECTION V - RECOMMENDATIONS (para 3.11, AR 15-6)

In view of the above findings, the (investigating officer) (board) recommends

See attached Memorandum

----- Nothing else follows-----

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE (If any voting member or the recorder fails to sign here or in Section VII below, indicate the reason in the space where his signature should appear)

(Recorder)

CPT

(Investigating Officer) (President)

(Member)

(Member)

(Member)

(Member)

SECTION VII - MINORITY REPORT (para 3-13, AR 15-6)

To the extent indicated in Inclosure _____, the undersigned do(es) not concur in the findings and recommendations of the board
(In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the
reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)

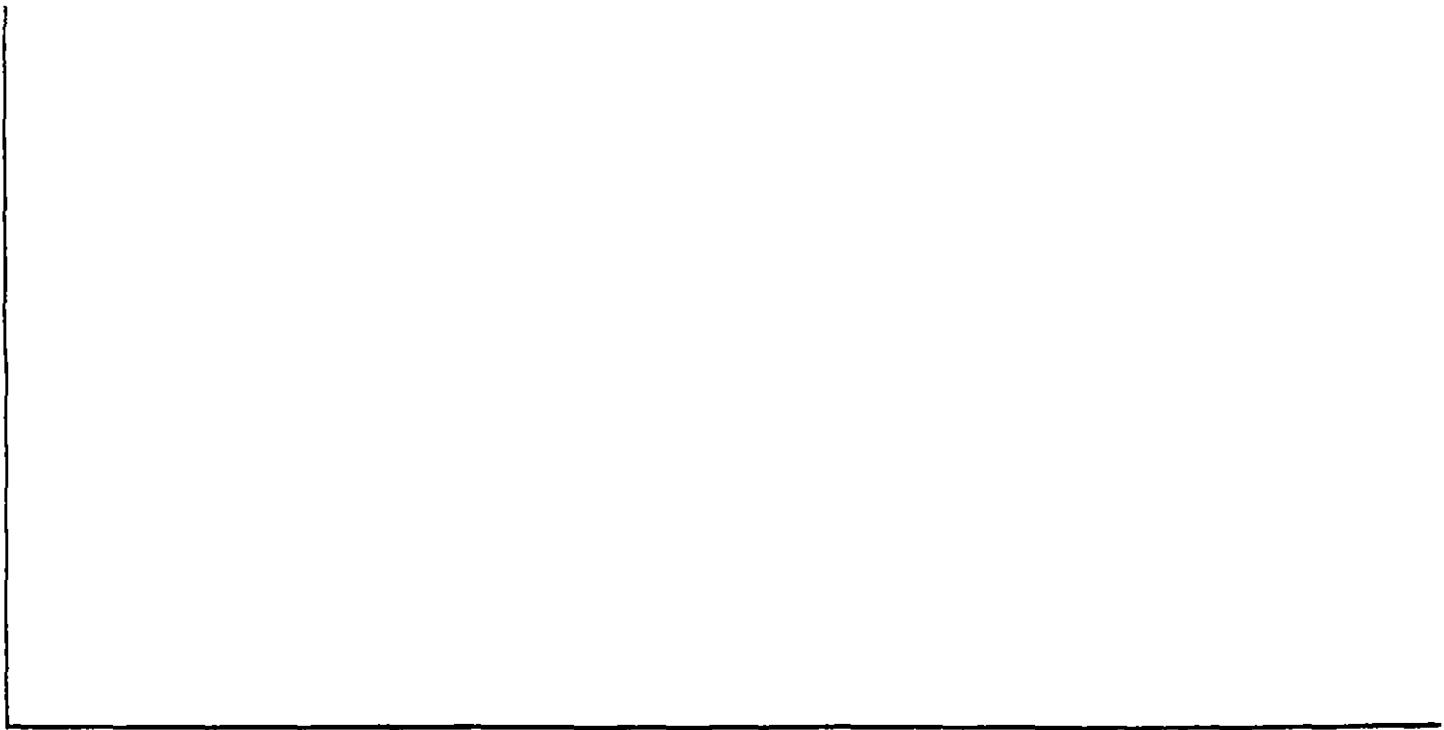
(Member)

(Member)

SECTION VIII - ACTION BY APPOINTING AUTHORITY (para 2-3 AR 15-6)

The findings and recommendations of the (investigating officer) (board) are (approved) (disapproved) (approved with following exceptions:
substitutions; (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or
corrective action, attach that correspondence (or a summary, if oral) as a numbered inclosure.)

SEC ATTACHED MEMO AND DRAFT



Shift Time Table

8 hour shifts

1st DAY SHIFT SCHEDULE

<u>Time</u>	<u>Event</u>	<u>Place</u>	<u>Remarks</u>
0330-0400	Guard Mount	Prison Facility	Conducted By NCOIC/OIC
0400-1200	Guard Duty	Prison Facility	NCOIC/OIC
0500-0600	Working Lunch	Prison Facility	NCOIC/OIC
0600-0700	Prisoner Count	Prison Facility	NCOIC/OIC

2nd DAY SHIFT SCHEDUAL

<u>Time</u>	<u>Event</u>	<u>Place</u>	<u>Remarks</u>
1130-1200	Guard Mount	Prison Facility	Conducted By NCOIC/OIC
1200-2000	Guard Duty	Prison Facility	NCOIC/OIC
1745-1800	Prep Tower Meals	Prison Facility	NCOIC/OIC
1800-1900	Lunch Tower Meal Run	Prison Facility Prison Facility	NCOIC/OIC NCOIC/OIC
1700-1800	Prisoner Count	Prison Facility	NCOIC/OIC

NIGHT SHIFT SCHEDULE

<u>Time</u>	<u>Event</u>	<u>Place</u>	<u>Remarks</u>
1930-2000	Guard Mount	Prison Facility	Conducted by NCOIC/OIC
0000-0100	Working Lunch	Prison Facility	NCOIC/OIC
2000-0400	Guard Duty	Prison Facility	NCOIC/OIC

*ENCL #2
PLT 0 03-900 r.*

**STANDARD
OPERATING
PROCEDURE
(SOP)**

**CAMP VIGILANT
DETENTION
CENTER**

(ABU GHURAYB)

TABLE OF CONTENT

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Chapter 4 Prisoner Compound (Yard) Operations

Chapter 5 Special Work Details

Chapter 6 Prisoner Sick Call Procedures

Chapter 7 Rules for Prisoners
 Rule Violation

Chapter 8 Annexes A – Compound Shift Schedule
 Annexes B – Shift Time Table
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Mission Statement

TASK. The 72nd Military Police Company and 400th Military Police Battalion conducts Civilian Detainment Operations VIC GRID 38S MB12948405 NLT 26May 2003

PURPOSE: To assist in the stabilization process of the new Iraqi government by providing a temporary, but secure holding area for Iraqi civilians accused of committing crimes. Furthermore, to assist in the transition of civilian detainment operations from U.S to Iraqi forces

END STATE A secure, stable, and civilized environment for pre and post trial detainment of Iraqi citizens, operated by trained Iraqi detention personnel

Chapter 1

Note This SOP is your SOP It is a minimum! It is up to you as leaders to go above and beyond this SOP if it involves the protection of your soldiers or the accomplishment of the mission The Bottom Line "it's not my/our job" doesn't get things done

Military Police/Corrections Officer Operations

Military Police (95B series) and/or Corrections Officer (95C) are the primary soldiers used in the daily prison operations In this SOP Military Police and Corrections Officer may be used interchangeably in missions conducted inside the compound MPs will use primary and cover officer techniques (2 man technique) at all times when in the compound

There are three primary areas of responsibility for MPs Yard operations, Tower operations and Special Details It should be noted that even though three job areas have been identified they should not be the MP's only areas of operations Secondary areas include escort operations of prisoners to and from other military/civilian holding areas and escorting local civilian contractors contracted with repairing and/or up-keeping duties in the prison

Shifts will be run in twelve (12 and / or 8) hour rotations MP manning of positions will follow Annex A outline (Compound Shift Schedule) Current number of MPs on duty will be determined by the total number of prisoners in the compound and directed by Company Commander and/or First Sergeant MPs will not leave their post (i.e. designated working area) unless authorized to do so by NCOIC/OIC

MPs on duty will follow uniform standards as stated in AR 670-1 or Company Commander (CO) /First Sergeant (1SG) directed Recommendations made by area/local medical and preventive medicine personnel should be implemented as appropriate (i.e. wet bulb temperature) MPs or soldiers involved in daily prison operations will wear full Desert Camouflage (DCU) or Battle Dress Uniform (BDU) at all times around prisoners Further instructions can be found below under "Uniform for Military Police"

No weapons (shotgun, rifle or pistol) will be allowed within the compound Weapons will be used on the outside perimeter of the main compound (i.e. outside five-strand concertina wire) Weapons carried by soldiers will be handed over to the company arms room prior to entry into the main compound

Prisoners will be treated with dignity and respect at all times while housed in the prison facility Mistreatment of a prisoner will be dealt with UCMJ action if misconduct was committed by military personnel, and Geneva Convention Statutes pertaining to treatment of Civilian Internees (CI) Violation of rules and regulations stated to prisoners can be found in Chapter 7 (Rules for Prisoners) of SOP

Rules of Engagement (ROE)

MPs working with prisoners must always maintain a heightened state of readiness at all times If an MP believes that his/her life is in danger or another human being's life is in danger it is the responsibility of the MP to do all means possible to save lives MPs are reminded to use the following four words in thinking through courses of actions **Shout, Show, Shove, Shoot.**

Shout: In prisoner's native language three shouts of "Halt" will be directed to the prisoner. If no response to verbal commands then.

Show: a show of weapon (MP Baton, Riot Baton, Pepper Spray, Shotgun, Rifle or Pistol) will be displayed to the prisoner. If no response to show then

Shove: a shove at the prisoner is authorized. However if an MP feels that contact with the prisoner may result in bodily harm then,

Shoot: a shot will be fired. This is the last step/course of action and constitutes deadly force. All means to stop the prisoner must be initiated before deadly force is used (i.e shout, show, shove) on him/her. A prisoner always initiates the course of action needed, not the MP. Warning shots will not be used to stop a prisoner from escaping. Only if a belief that bodily harm or death will result if the prisoner escapes (i.e. prisoner grabs an MP's weapon, takes a hostage or is incarcerated due to a violent crime- for example murder)

Interactions with Prisoners

As stated above, all prisoners will be treated with dignity and respect while housed in the prison facility. As human beings are social in nature interaction between military police officers and inmates will occur. Interactions with prisoners will occur when assigned to special duties and due to cultural/language differences between military police and prisoners. It is understood that MPs cannot be 100 percent unsociable and small talk will happen, yet remain professional at all times. All prisoners will be treated Firm, Concise, and Fair in ALL DEALINGS.

However promises of early release, special treatment for favors or unauthorized release of confidential information to prisoners is unauthorized. Talking to prisoners about other soldiers in any manner is unauthorized. Passing along or promising contraband in any capacity (i.e cigarettes, money or extra food rations) is unauthorized. MP's will not compromise their integrity.

Uniform For Military Police

1. MPs Working In Towers- Kevlar Helmet, Flak Vest, Primary and Alternate Weapon Basic Combat Load (Ammunition) Uniform will be worn at all times
2. MPs Working The Yard- Pistol Belt with MP Baton and Holder Handcuff Case, Flashlight, Whistle and Arabic Translation Card (Cargo Pocket) Uniform will be worn at all times
3. MPs Conducting Escort Outside Prison- Primary and Alternate Weapon LBV/LCE Protective Mask Basic Combat Load (Ammunition) Kevlar Helmet, Flak Vest
4. MPs Working Special Details- To Be Determined by NCOIC of the detail

Chapter 2

In-processing Prisoners

Prisoners will be dropped off at the entry point (Sally point) prior to entry into the main compound. During in-processing no more than five prisoners will be processed at a time. QRF will respond to the yard to provide security, searching and escorting prisoners into the holding compound. Representatives for the company S-1 (Administrative) and S-4 (Supply) section will be located at the in-processing station to collect and sign for prisoners and their respective property. It will be the unit's responsibility to handle and store prisoner's property while housed in at the prison.

Representatives from the company's attached medical section will also be located at the entry point. Medical personnel will examine each prisoner and ensure that they are in fair health and have no major medical conditions prior to entering the compound. Prisoners with serious medical conditions identified by medical personal will be transported to the nearest medical facility for further evaluation.

Prisoners will be issued a bottle of water and will remain in their custody for the duration of their stay. Prisoners will also be issued blankets. Prisoners will be explained the rules of the compound and what will happen if these rules are violated.

Steps for in-processing are as follows:

- 1 Receive prisoners from transport vehicle
- 2 Escort prisoners, five individuals at one time, into the in-processing tent
- 3 In-processing tent
 - A Prisoners searched
 - B Serial number and wrist id number will be checked with master roster
 - C Property will be signed for by supply/administrative personnel and secured
 - D Prisoners will be escorted to medical tent for examination
- 4 Medical tent
 - A Qualified medical personnel will examine the prisoners as stated above
 - B Water and blankets will be issued

Out-processing Prisoners

MPs will verify prisoners to be released by checking wrist id number and serial number with master release roster. Outgoing prisoners will then be separated from the remaining population. Prisoners will be escorted, no more than five at a time, to the out-processing tent. Prisoners will verify and sign for their property. Prisoners will be provided a humanitarian meal and escorted to the departure vehicle.

Steps for out-processing are as follows:

- 1 Verify prisoners wrist id number, serial number and name (Also a photo if movement cards are incorporated at a later date)
- 2 Separate outgoing prisoners from those remaining
- 3 Escort five prisoners to the out-processing tent at one time
- 4 Confirm wrist id, serial number, and roster number match prior to release
- 5 Issue a humanitarian meal
- 6 Place in transport vehicle for release
- 7 Explain in Arabic rules for safe transportation ie No Jumping Out of Vehicle

8 In Arabic express/wish them a better life to include Law and Order when departing

Prisoner's Property/Money

During in-processing supply and administration personnel will inventory prisoner property item by item (Chain of Custody Form) Prisoners will sign DD Form 2745 to record inventory of their property All property will be locked/stored in the arms room/storage room until prisoner's release Upon release all items will be handed back to prisoner and verified, at which point he/she will sign for receipt of said property. All forms will be kept by administrative personnel for a period of 1 year

Chapter 3

Tower Operations

MPs will man the towers 24 hours a day / 7 days a week. The purpose of the tower guards are for a show of force, provide early warning, protection of interior compound MPs, and to deter escape.

ROE for external contact outside the Prison compound will follow V Core guidance and include the following:

You are AUTHORIZED to take appropriate action up to and including DEADLY FORCE to

- 1) Defend yourself and others including detainees from death or serious harm
- 2) To stop serious crimes including murder, armed robbery, rape and aggravated assault
- 3) To protect designated Iraqi property including:
 - a) Financial Institutions
 - b) Institutions containing vital government records
 - c) WMD or suspected WMD sites
 - d) Oil Fields
 - e) Public Utilities
 - f) Commercial fuel service
 - g) Hospitals and public health facilities
 - h) Water supplies

Assess What You See! If you suspect that contact against the facility or towers has occurred report your suspicions immediately. If it's significant or impacts our mission a SALUTE/SITREP will be given after the initial Contact report. You do not need permission to defend yourselves or others against death or serious bodily harm; however, the use of deadly force will be utilized only when necessary, in accordance with V core guidance and upon positive identification of a legitimate threat, legitimate target and no risk to friendly or innocent personnel!

A detailed SITREP will follow any type of firing incident

The Bottom Line Protect yourself, protect your fellow soldiers, and protect innocent civilians Assess, Assess, Assess think before you shoot!

Uniform Tower Specific- Enforced at all times!

Worn or on you

Kevlar
Flak Vest
M9
M16/SAW/M203
Whistle and Arabic book

Carried or grounded with you

LBE/LCE
Full Battle Load Ammo
Mask
DCU top

MPs at the guard towers will

- 1 Arrive at their respected tower 10 minutes before the start of shift (day or night)
- 2 Conduct challenge and password to the oncoming and off going shift
- 3 Brief oncoming shift of events that occurred during previous shift
- 4 Oncoming shift will conduct a quick inventory of equipment (Night Vision Goggles, Batteries Red Star Cluster, Green Star Cluster, White Star Cluster, Basic Load Binoculars)
- 5 Always maintain one MP with full attention inside the compound and another MP with full attention outside the jail wall Note MPs in towers not directly over-watching the Detainee yard or ECP 2, will both face outward with full attention outside the compound wall at all times
- 6 Both MPs will have weapons at the ready when in the tower Towers 5 and 6 will always have shotguns at the ready as a show of force
- 6 SAWs will always be located at the following

ECP
TOWERS 1,2,& 3

- 7 Communications check with TOC will be conducted every hour on the hour Radio communications will be made via Motorola Hand Held Radio, TA-312 or SINGARS (If available)
- 8 MPs will not leave their post until properly relieved
- 9 Tower MPs must be vigilant on the duress sign from inside the yard (removing head gear inside the yard)
- 10 Towers should report all vehicle(s) or civilian(s) outside the compound to TOC Military vehicles approaching the compound and identified by a tower must be reported to TOC
- 11 Passes will be issued under Tower 2 to all contracted personnel who arrive for work detail in the prison
- 12 Local population will be kept at a minimum of 75ft from the Prison compound wall at All Times Only exceptions will be POCs who are conducting business with MPs These will be limited to (2) two locals at a time This rule will be enforced even if it requires repeated warnings from tower and ECP personnel

Note 2 whistle blows = EMERGENCY ie Being fired upon, prisoner escaping life in danger danger to compound personnel etc

Chapter 4

Prisoner Compound (Yard) Operations

MP personnel will be assigned their perspective duty position by the NCOIC of the yard at guard mount MP personnel working the yard can be rotated every 2-4 hours as time and weather permit

Those assigned to guard the ECP compound gate will determine who enters and leaves the compound to include MP personnel and prisoners The compound gate is to remain closed at all times except when entering or exiting the compound

MPs escorting prisoners in work detail will have a visual of the detainee/s at all times

When issuing out food, blankets ect , detainees will line up single file on one half of the compound After food/blankets, ect. have been issued detainees will gather on the opposite side of the compound until all detainees have received issued items This avoids a detainee from getting more than one item

A head count will be conducted a minimum of two times a day (0600 and 1700 hours) However shift NCOIC/ OIC may initiate a head count at any time

When an MP feels that a possible confrontation or incident is about to occur and the MP is with prisoners the MP will remove his/her cap as a sign of duress and initiate steps provided in the ROE

Incident reports/daily staff log (DA Form 1594) will be completed daily and turned in at the end of each 12 hour shift Yard NCOIC will log work details, in-processed and out-processed prisoners and visitors to compound

All questions on yard operations will be directed at the NCOIC/OIC

Note NO Prisoners are allowed to remain standing at any enclosure door at any time unless being addressed by an MP

Chapter 5

Special Work Details

Special work is defined as details that can be done by prisoners for the prison compound or for prisoners. Details cannot be dangerous to the prisoner. For example, removal of unexploded ordinance or using prisoners as human shields during riot or outside attack on compound.

Special work details that can be done by prisoners are

- 1 Filling of water jugs/bottles for prisoners
- 2 Construction of more prison compounds using manual labor
- 3 Placing and building of tents on the compound
- 4 Area beautification of the compound. For example, painting, trash detail or removal of weeds
- 5 Interpreter duties for native speakers that can also speak English

Chapter 6

Prisoner Sick Call Procedures

Sick call will be done by medical personnel attached to the company. Sick call hours will be from 0800 hours until completion. Emergency sick call will be handled 24 hours a day/ 7 days a week.

Prisoners identified as having a medical condition during in-processing will be seen by medical personnel during sick call. Examples of medical conditions identified at in-processing may be asthma, high blood pressure, heart conditions, etc.

Prisoners that have a recent medical condition will be seen by medical personnel during sick call. Examples of recent medical issues that arise may be bug bites, cuts, colds, etc. Medical personnel on duty will treat prisoners as medically appropriate.

Medical evacuations will be handled by medical personnel on duty. All medical evacuations will be communicated to Headquarters TOC and then to Battalion Headquarters for further coordination.

Chapter 7

Rules For Prisoners:

- 1 All prisoners will be present during headcount No one is allowed to stay in the tents during headcount
- 2 Prisoner vs Prisoner fighting is unauthorized
- 3 No prisoner will have a weapon, in any capacity, in their possession
- 4 Verbal abuse towards the guard force will not be tolerated
- 5 Throwing of any items (rocks, tent stakes, spitting, etc) is not authorized
- 6 Leaning up on the concertina wire is not authorized
- 7 Prisoners will not be allowed to receive items without approval from OIC/NCOIC Items include food, clothing, shoes, etc from outside the gate
- 8 Smoking/Smokeless Tobacco/Matches are not allowed in the compound
- 9 Talking to family members through the wall or wire is not authorized

Rule Violation

Violation of the above rules will be dealt with by OIC/NCOIC and may result in referral of additional criminal charges to the Company Commander Assaults on prisoner by another prisoner will result in an extension to the prisoners stay per Judge Adjutant Generals (JAG) office guidance Assault on guard force by prisoner will result in immediate removal from compound and placed into a separation cell The JAG office will be contacted immediately

All incidents will be reported and written up as an incident report per OIC/NCOIC guidance

Annex A

Compound Shift Schedule

Date
OIC.
NCOIC

External			
Tower 1	1	2	
Tower 2	1	2	
Tower 3	1	2.	
Tower 4	1.	2	
Tower 5	1	2	
Tower 6	1	2	
Yard Tower 1			
ECP	1	2	
QRF	1	2	3
	5	6	7
RTO	1		8

Internal Compound

NCOIC (E-6)

SGT of the Guard 1

Rover/Shotgun 1

ECP Compound (Bellagio) 4

Main EPW/CI ECP 1

EVIDENCE/PROPERTY CUSTODY DOCUMENT				MPW/CID SEQUENCE NUMBER
For use of this form, see AR 190-45 and AR 195-5. The presenting agency is US Army Criminal Investigation Command				CAD REPORT/CID RDI NUMBER 03-400-01
RECEIVING ACTIVITY 72ND MP CO/ 400TH MP BN		LOCATION CAMP VIGILANT, BAGHDAD IRAQ		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input type="checkbox"/> OWNER HASSAN, ALAA JASIN ISBN#8667 <input checked="" type="checkbox"/> OTHER		ADDRESS <i>(unclear text)</i> UNKNOWN		
LOCATION FROM WHERE OBTAINED FROM PROPERTY ROOM & BODY OF ABOVE INMATE		REASON OBTAINED DEATH	TIME/DATE OBTAINED 1720/13 JUNE 2003	
ITEM NO	QUANTITY	DESCRIPTION OF ARTICLES <small>(Include article serial number, condition and whether marks or scratches)</small>		
1	1	BODY OF INMATE TENETIVELY ID' AS HASSAN, ALAA JASIN APPROXIMATELY 68" IN LENGTH, APPROXIMATELY 140 LBS IN WEIGHT, MEDIUM COMPLEXION, MEDIUM LENGTH BLACK HAIR, FULL BLACK BEARD, WITH ONE 3/4" X 1" WOUND TO THE RIGHT UPPER BACK, ONE 1 1/2" DIAMETER WOUND TO THE LEFT UPPER BACK, TWO SMALL 1/8" WOUNDS LEFT AND RIGHT OF THE UPPER CENTER BACK, ONE 1/2" IN DIAMETER WOUND TO THE MIDDLE STOMACH, AND ONE 1/2" IN DIAMETER WOUND TO THE UPPER LT PELVIS		
2	1	CLOTHING ON BODY CONSISTING OF TORN WHT TANK TOP, TORN BLUE DENIM PANTS, YELLOW SHORTS		
3	1	CLEAR PLASTIC BAG CONTAINING MISC PILLS MARKED ERYTHROMYCIN 250 MG		
4	1	PROPERTY BAG CONTAINING 1 BRN LEATHER TYPE BELT W/WHT METAL BUCKLE, 1 WHT SHOE STRING, 1 PIECE OF PAPER MARKED 8667		
CHAIN OF CUSTODY				
ITEM NO	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1-4	13JUN03	SIGNATURE <i>[Signature]</i> NAME, GRADE OR TITLE [REDACTED] E-6, MP	SIGNATURE <i>[Signature]</i> NAME, GRADE OR TITLE [REDACTED]	RELEASE TO IRAQ POLICE FORCE <i>2010 hrs</i>
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	<i>Airport APB Hospital</i>
		SIGNATURE	SIGNATURE	<i>Dr. Muhammad Khalil</i>
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	<i>APN</i>
		SIGNATURE	SIGNATURE	<i>13-6</i>
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
18TH MILITARY POLICE BRIGADE
Baghdad, Iraq APO AE 09302

ENCL #1
FILE# 03-400-01

AETV-MP-400

13 June 2003

MEMORANDUM FOR CPT [REDACTED] S-1, 400th MP BN

SUBJECT Appointment as an AR 15-6 Investigating Officer

- 1 Reference AR 15-6, Procedure for Investigating Officers and Boards of Officers 11 May 88, with Change 1, 30 Oct 96
- 2 You are hereby appointed to conduct an investigation concerning the escape attempts and shootings at Abu Ghurayb on 13 Jun 03. You may incorporate the results of any Commanders Inquiry that has been begun on these escapes
- 3 You are to investigate all details concerning these escapes, attempted escapes, and the responses by the Military Police that were on duty at those times. You are directed to specifically address the following questions
 - a How did the prisoners escape?
 - b What steps could have been taken to prevent these escapes?
 - c What was the response of the Military Police on duty?
 - d Was the response of the Military Police on duty reasonable, or was excessive force used?
 - e Is there an SOP in place to deal with this situation, and if so, was it followed?
 - f Is there additional training that needs to be implemented to cover these situations?
 - g What actions, if any, were taken by the QRF?"
- 4 During the course of your investigation, you will record all interviews on DA Form 2823 (Sworn Statement). If, during any interview, you suspect a violation of the UCMJ by the person you are interviewing, you are required to stop the interview, and advise the interviewee of their Article 31(b) rights, using a DA Form 3881 (Right Warning Waiver Certificate). You may continue to interview that person if they agree to make further statements. If they do not, terminate the interview and contact your legal advisor. If you have any questions about whether or not the person made a knowing and valid waiver, terminate the interview and contact your legal advisor. You will advise all persons being interviewed that their statements can be discovered

AETV-MP-400

SUBJECT Appointment as an AR 15-6 Investigating Officer

under the Freedom of Information Act, and you will further advise them that any actions taken in reprisal against them for making a statement should be reported immediately to their Commander, the Office of the Inspector General, or to the Office of the Staff Judge Advocate. Per Article 136.b.(4) and 136.b.(6) of the UCMJ, you are authorized, as an Investigating Officer, to swear people in

5 You are authorized to investigate any issue(s) that arise during your investigation that are related to the primary purpose of your investigation [REDACTED] 18th MP BDE Judge Advocate, will serve as your initial legal advisor. Should your investigation extend past the change in task organization that will have the 400th MP BN falling under the 800th MP BDE, then the 800th MP BDE will provide you with a legal advisor

6 This is your primary duty until you complete it, and you will submit a chronology of your actions along with your completed report. The report of investigation will be submitted to the appointing authority NLT 23 Jun 03. Requests for extension must be made in writing to the undersigned

7 The POC for this memorandum is the undersigned

[REDACTED]
LTC, MP
Commanding

13 June 2003
FILE # 03-400-01

13 June 2003

MEMORANDUM FOR COMMANDER, 400th Military Police Battalion

SUBJECT Use of Deadly Force, Abu Ghraib Detainment Facility

- 1 On, 12 June 2004, at approximately 1800 hours the detainees became agitated and began demanding answers regarding their capture and the amount of time they would be held in custody. They were upset and declared that they were being housed improperly and lacked basic needs such as showers, shampoo, blankets and toilets. Several of the detainees threw rocks and tent poles out of the enclosure at the guards and one guard was struck on the hand. At that time, the Company First Sergeant Daryl Keithley, and myself responded to the yard and addressed the detainees through one of the prisoner interpreters. They were advised that many of the new detainees had release dates and that the Camp Commander would review other cases and provide us information when it was available. The detainees were all advised that throwing rocks and tent poles at the guards would constitute deadly force and that they could and would be shot if that behavior occurred again. The situation was deescalated, however, due to a lack of additional compounds the individuals suspected of throwing rocks and tent pools were not pulled out and segregated. A sitrep was sent to battalion with a request to charge the individuals and have them sent to Camp Cropper.
- 2 On 13 June 2003, at approximately 1400 hours a disturbance was again reported in the yard and involved an attempted escape by detainee #8968. The detainee attempted to go through the wire utilizing a cardboard box, however, was immediately apprehended as he exited the wire. At this time a count was initiated, however, detainees in both compounds refused to stand to be counted. The QRF was dispatched, and ultimately the count proceeded without incident. Shortly after the count the QRF was being called again and as they were responded multiple gunshots were heard in the yard.
- 3 Upon responding into the yard it was discovered that multiple detainees with multiple rocks and tent poles had targeted the military police working the enclosure compounds and were throwing the rocks and tent poles at them. As they attempted to flee military police in the tower feared for the lives of the enclosure guards. Simultaneously three military police from three different guard towers, followed the rules of engagement and fired upon identified detainees who were engaging in the use of deadly force against U.S. personnel. Two military police shot with 12 gauge shotguns and one fired approximately 4 - 5 56mm rounds from his M-16. At the end of the engagement 7 Iraqi detainees were wounded, one was killed and one U.S. soldier from the 400th Military Police Battalion was injured from being hit by a rock.
- 4 All wounded were taken from the enclosure area and provided first aid by medics from the 400th MP Battalion as well as combat lifesavers from the 72nd Military Police Company. Medivac was requested and the 7 wounded detainees were evacuated. The body and personnel effects of the KIA were released to Iraqi authorities.

The following is the list of wounded and KIA

SEC #	NAME	INJURY	OFFENSE	RELEASE DATE
8667	Alla Jasin Hassan	KIA	Gunshots lower abb and back	Theft and Curfew 20030616
8883		Gunshot left arm	Black Market	20030615
8956		Gunshot right Abdomen	Weapons	20030616
9052		Gunshot left arm	Looting	20030622
88749		Gunshot left shoulder	Raid	unk
7610		Gunshot lower back and butt	Gang	unk
8376		Gunshot left abdomen	Curfew	unk
9158		Gunshot left arm	Unk	unk

3 POC for this action is the undersigned

[REDACTED]
CPT, MP USA
Commanding

Prisoner Count on 13 June 2003 as of 1045hrs

ENCL # 5
FILE# 03-700-0

Tower

Compound "A"

149

Compound "C"

4

Compound "B"

137

0

0

Tower

Total Count of Prisoners = 290

Tower

Tower

Prisoner Count on 13 June 2003 as of 2115hrs

Exhibit G
FILED 07-4-03 10:01 AM
CLERK OF THE CIRCUIT COURT

Tower

135

Compound A

Compound "B"

2

Compound C

0

0

Tower

Total Count of Prisoners = 267

Tower

SWORN STATEMENT			
For use of this form, see AR 190-45; the proposing agency is DDCSOPS			
LOCATION	DATE	TIME	FILE NUMBER
CAMP VIGILANT CI CAMP LAST NAME FIRST NAME, MIDDLE NAME	13 JUNE 03	1820	05-400-1
	SOCIAL SECURITY NUMBER		GRADE/STATUS
			SPC/E4
ORGANIZATION OR ADDRESS 72nd Military Police Company			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

At approximately 1610 to 1615 hours on 13 June 03 the detainees at Vigilant, Cage #2, began to riot. The detainees began to destroy their tents and hurl rocks ~~at~~ at the yard N.P.s. I estimate over three fourths of the camp population was involved in the riot. I witnessed approximately thirty to forty arabs male throwing stones. I immediately attempted to contact the T.O.C. T.O.C. After the fifth time in my attempts to contact the T.O.C., I sat my rifle down and picked up my shot gun. By this time several men had now pulled tent poles from the tents and were moving towards the gate. I saw one MP attempting to calm the detainees by the main gate. A male arab wearing all yellow, charged the MP at the gate in an attempt to throw a metal tipped tent pole at him. I called over the radio to clear the yard and fired at the oral in yellow. This shot deterred only about 10 detainees from the yard area. I fired a second shot at a group of three arabs who where coming up on the MP who was trying to calm the detainees down. Two of the arabs were throwing stones one threw a tent pole at the MP. The yard N.P.s attempted to take cover behind the generator but did not make it when on their first attempt. At this time detainees from cage #1 began throwing stones. I left the yard. N.P.s were in a seriously dangerous position. I witnessed one of the yard MP get hit by a rock on a second attempt to take cover behind the generator. As he ran for cover a group of 5 arabs pursued him along the fence line. I fired at the group taking aim at two arabs with tent poles. One

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

1 PAGE 1 OF

1

PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____"
 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

STATEMENT (Continued)
of the men dropped his pole and fled. The second continued
his pursuit with the other men who were throwing
rocks. I fired one more time at the man, and he went
down. All of the yard M.P.s had now taken cover behind
the generator. They were in my line of fire. Since the
iron to clear the yard an crab male charged the
were in an attempt to throw off a tent pole at the
fleeing M.P.s. I fired at him and I saw him go
down. I formerly believe if I had not discharged my
weapon that one or more of the yard M.P.s would have
lost their lives or suffered severe injury. 111

28A

21

PT

cont

Q Why did you use your shotgun instead of the M16?

A. Because I knew we had 2 other patrols, and three yard personnel. I could
only see two of the yard personnel. The last place I saw everyone else was

Q. WHAT ARE YOUR RULES OF ENGAGEMENT?

A To protect ourselves, others and property from the threat of great bodily harm
and death

Q. DO YOU FEEL YOU FOLLOWED THE ROE?

A. Yes

Q. WHAT IS THE COMPANY SOP IN REGARD TO A THREAT TO INTERNAL GUARDS?

A. We were informed if we felt a persons life was in grave danger to shoot.
I felt the yard personnel were in a very bad situation so I shot.

69

AFFIDAVIT

WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT

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

CST

(Signature of Person Making Statement)

Subscribed and sworn to before me a person authorized by law to

administer oaths this 13 day of June 2003

at Camp Vigilant Iraq

D. A. K. [Signature]

(Signature of Person Administering Oath)

A (SC)

(Typed Name of Person Administering Oath)

ART 136 (b) (4) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[Signature]

PAGE 2 OF 2 PAGES

SWORN STATEMENT			
For use of this form, see AR 190-45, the proponent agency is ODCSOPS			
LOCATION	DATE	TIME	FILE NUMBER
Abu Ghurayb Prison, Iraq	13 June 2003	1615	63-4cc-02
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY NUMBER		GRADE/STATUS
[REDACTED]	[REDACTED]		O-3
ORGANIZATION OR ADDRESS			
72nd Military Police Company	[REDACTED]		

[REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH
 On 13 June 2003, while performing duties as the Company Commander of the 72nd Military Police Company, I was alerted to gunshots in the yard area where the company maintains civilian detainees. The attached memo entitled "Use of Deadly Force Abu Guhrayb Detainee Facility", is my official statement. In addition the following information regarding the circumstances surrounding an attempted escape earlier that day are provided

- a) The detainee identified escaped by placing a card board box onto the concertina wire and then crawled through it as the tower guard in tower 4 had turned away briefly. When the tower guard turned back in the direction of the wire he observed the detainee going through the wire, but was unable to get immediate assistance as his radio batteries had died out. After yelling he was able to get elements on the ground to respond and apprehend the detainee.
- b) While we instituted a static position at this location in the evening during limited visibility it was not posted during daylight hours. As a result, we are now posting the static post during evening and daytime hours.
- c) Additional training regarding detainee behavior and rules of engagement would be welcome and beneficial. More important would be to be given adequate resources to provide a secure environment that met the standards of care and humanity outlined in AR 190-8. This would alleviate some of the discomfort and frustration of the detainees providing less cause for them to riot and attempt to escape.
- f) The QRF had been alerted and was preparing to go into the detainee yard as shots were heard. Upon entering the yard the shots had been fired. The QRF then responded to the enclosure area where it evacuated wounded detainees, provided First Aid and then assisted in their transport to the medivac pad.

111 - END OF STATEMENT - 111

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF <u>2</u> PAGES
<small>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</small>		

STATEMENT (Continued)

not used

AFFIDAVIT

[REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. 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.

[Signature of Person Making Statement]

Subscribed and sworn to before me, a person authorized by law to administer oaths this _____ day of _____, _____
at _____

[Signature of Person Administering Oath]

CPT [REDACTED]
(Typed Name of Person Administering Oath)

ART 136 (b) (4) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

SWORN STATEMENT			
For use of this form, see AR 190-45, the proponent agency is ODCSOPS			
LOCATION <i>Champ Villageant</i>	DATE <i>13 Jun 03</i>	TIME <i>18013</i>	FILE NUMBER <i>03-900 61</i>
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS <i>Sgt E5 -</i>	
ORGANIZATION OR ADDRESS <i>72nd MP Co.</i>			
I, [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH			
<p>ON FRIDAY 13 JUNE 2003 while working my post at approx. merely 1615 I observed a disturbance in the main inmate compound Rocks were being thrown forward by the inmates at soldiers. <i>SECRET</i> [REDACTED] SSG [REDACTED] were with me in the yard tower observing the incident [REDACTED] and I both stared on an inmate wearing a yellow shirt with headband holding a long wooden pole with a metal spear point on the end [REDACTED] warned me to watch the weapon while I concentrated on him on the west side of the yard I heard what I believe to be 2 SHOTS FROM A 12 gauge shotgun on the east side of the compound Two soldiers were attempting to flee down the western corridor of the compound having taken cover behind a generator A female soldier went down from a rock and a male soldier was being stoned trying to help the female soldier up so they could proceed to safety approximately 1630 the inmate in the yellow shirt charged from the tent area towards those soldiers who were injured with the pole spear tip forward in hand as a spear, right hand As he attempted to throw the spear I fired a tracer which went over his left shoulder</p>			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <i>MJS</i>		
	1 PAGE 1 OF <u>1</u> 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			

STATEMENT (Continued)

and adjusted aim and continued to fire until the subject was down.
 Two other inmates who were throwing rocks picked up the subject
 and dragged him to the tents. As they were not an immediate threat
 I withheld fire. The two soldiers who were injured were able
 to proceed to safety. I then safed my M-16 and put it down and requested
 SSG. [REDACTED] to release me. M/S

END STATEMENT

(Continuing To Follow)

Q. WHAT ARE YOUR RULES OF ENGAGEMENT?

A. TO PROTECT THE LIFE OF MYSELF OR OTHERS.

Q. DO YOU FEEL THE OTHER PRISONERS WERE POSTING ANY THREAT TO THE INTERNAL GUARDS?

A. YES, perh

Q. DO YOU FEEL YOU FOLLOWED THE ROE?

A. Yes

Q. WHAT IS THE SJP FOR THIS SITUATION?

TO QUELL PEACEFULLY AS POSSIBLE B- FORCE IF NECESSARY, USING MINIMUM FORCE

TO ACHIEVE OBJECTIVE. M/S

AFFIDAVIT

I, SGT [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE [REDACTED]. 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.

(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me a person authorized by law to administer oaths this

13 day of JUNE 19 2003
at CAMP TIGRANT, IRAQ

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

ANT 136 (b)(4) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE

OF

PAGES

STATEMENT (Continued)

Not
Used.

AFFIDAVIT

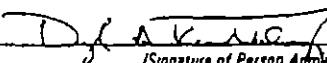
I, SPC [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT.


(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me a person authorized by law to administer oaths this 13 day of June 2003

at CAMP VIZELANT, Iraq


(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED] (Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Art 131(h)(4) UCMT

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

C.J.

PAGE 2 OF 2 PAGES

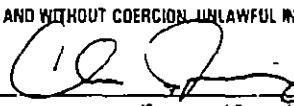
SWORN STATEMENT			
For use of this form, see AF 190-45; the proponent agency is DOCSOPS			
LOCATION	DATE	TIME	FILE NUMBER
Camp Vizcaya	13 JUN 03	1000 hrs	C3-400-c1
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY NUMBER		GRADE/STATUS
			E4
ORGANIZATION OR ADDRESS			
Bond MP Co.			
I, SPC [REDACTED]	WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH		
<p>On June 13, 2003 while working at my assigned position of "Yard Tower 5", I [REDACTED] did observe the following incident. At approximately 1000 hours I heard a loud commotion on the yard below my tower. I then heard two shotgun rounds fired. As I looked down I observed several M.P.s backing away from the yard due to multiple detainees in holding pen #2 throwing rocks at them. I then observed a detainee in a yellow shirt pick up a tent pole and run towards the altercation of 15-20 other hostile inmates throwing more rocks. I yelled out to the inmate with the yellow shirt several verbal commands to put down the pole, all of which he failed to comply with. The inmate continued to proceed in an attempt to throw the tent pole at the retreating N.P.'s, while others in the vicinity continued to throw rocks. I then chambered and fired two shotgun rounds in the direction of this detainee's lower extremities as he threw the pole, in an attempt to cause great bodily harm towards fellow N.P.'s. This detainee then fell to the ground on my second shot and laid still until Q.P.F responded and extracted the injured detainee without further incident.</p> <p style="text-align: right;">nothing to follow</p>			
<p>A BY PT WYS</p> <p>End of Statement</p> <p>Q. WHAT ARE YOUR RULES OF ENGAGEMENT? - To my understanding no warning shots were authorized - Do not fire but those who pose no harm or imminent danger - Report every shot , Authorization to fire at those who pose deadly intent</p> <p>Q. DO YOU FOLLOW THE R.E.? Yes</p> <p>Q. DID YOU HAVE AN AIC IN THE TOWER? No</p>			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT		PAGE 1 OF 8 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			

STATEMENT (Continued)

Not
Used.

AFFIDAVIT

I SPC [REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. 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.


(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me a person authorized by law to administer oaths this 13 day of June 03.

CAMP VIBRANT, IRAQ


(Signature of Person Administering Oath)

[REDACTED] (SG)
(Typed Name of Person Administering Oath)

Ar-1 136(b)(4) UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 2 PAGES

SWORN STATEMENT

For use of this form, see AR 180-45; the proponent agency is DDCSOPS

PRIVACY ACT STATEMENT

AUTHORITY	Title 10 USC Section 301 Title 5 USC Section 2951, EO 9397 dated November 22, 1943 /SSM/		
PRINCIPAL PURPOSE	To provide commanders and law enforcement officials with means by which information may be accurately identified		
ROUTINE USES	Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.		
DISCLOSURE	Disclosure of your social security number is voluntary		
1 LOCATION CAMP VIGILANT, IRAQ	2 DATE (YYYYMMDD) 2003/06/17	3 TIME 1315 HRS	4 FILE NUMBER 03-400-01
5. LAST NAME, FIRST NAME, MIDDLE NAME	6 SSN	7 GRADE/STATUS E-8/1SG	

8 ORGANIZATION OR ADDRESS
72ND MILITARY POLICE COMPANY

9

I, 1SG [REDACTED]

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

On 13 Jun 2003, at approx 1400 hrs I received information that QRF had been activated for a attempted prison escape in the yard. Upon my arrival at the scene, I made contact with SGT [REDACTED] and SPC [REDACTED] who was escorting detainee #8968 to the inprocessing tent. I was advised that the detainee had laid down a piece of cardboard at the bottom of the concertina wire and crawled through the wire at which time QRF was notified and made the apprehension. Detainee #8968 verbally related that he was the only one that attempted to escape. We had been advised by other prisoners that three (3) detainees had escaped. At that time we attempted or conduct a head count of the two compounds, however, both compounds refused to be counted. QRF was despatched out to the compound and the prisoners were advised no releases would occur today unless they stood in a straight line and got counted. At that time both compounds stood up to be counted with the QRF present. It was very evident that the prisoners were very agitated and not very cooperative. I felt that there would definuiely be some type of a incident from those that would not get released on this date.

On 13 Jun 2003, at approx 1557 hrs we initiated the release of 15 prisoners. After the release had been completed you could again tell that the remaining detainees were very agitated and were just waiting for a excuse. I stayed in the yard for a few minutes, then returned back into the building.

On 13 Jun 2003 at approx 1615 hrs I heard the QRF radio go off requesting that they respond to the yard. Less than a minute later I could hear what sounded like gun shots going off in the compound. At that time CPT [REDACTED] and myself took off running towards the yard. As I got in vision of the yard, I could see three (3) of the 400th personnel hunkered down behind the generator in the yard. I yelled at them to go ahead and exit the yard. CPT [REDACTED] and myself along with some members of the QRF continued into the yard. There were still numerous detainees standing in front of the tents in both compounds yelling and screaming at us. I verbally advised and with hand motions advised the subjects to get down on the ground. Most of the detainees still refused to get down but a few complied. After yelling and screaming at the detainees to get down and obtaining a shotgun and more QRF personnel arrived we entered Compound Alpha. We observed that one (1) detainee had been shot in the arm. At that time QRF extracted that detainee out. While this was being conducted one (1) detainee refused to get down and continued to yell and scream at us provoking the other detainees. At that time I advised the QRF to go ahead and place that subject in custody. Subject resisted, but was removed from the compound and moved to Compound C without further incident. After that the QRF and myself entered Compound B where most of the injuries were. It should be noted that all of the injured detainees had been drug from the yard to under the tentage for cover. The QRF team removed 7 injured detainees out of the tentage area into the center ill-way. At that time MP personnel began to administer immediate first-aid and transport the prisoners to the first aid station. It should be noted that personnel that entered into the cages entered into a extremely volatile situation, putting there lives in danger in a attempt to extract the wounded prisoners out of the compounds as absolutely as fast as possible in a attempt to save there lives and get them the proper medical attention. All of the detainees were kept inside the tents until all of the prisoners that had been shot were removed out to the Medivac site where seven out of the eight prisoners were medivaced from the flight line. Alla Jasin Hassan. Prisoner ID #8667 had gunshots to his lower abdomen and back died while waiting for the medivac to arrive.

Once the medivac exited the area, I initiated the investigation of the incident. Investigation revealed that SGT [REDACTED] fired four (4) 5 56 rounds from the yard tower into the compounds. SGT [REDACTED] utilized a M16A2 Rifle, SN# 7000087. Two (2) of the rounds recovered were at the very base of the yard tower and two more 5 56 rounds were recovered by myself at the top of the tower as evidence. The recover occurred at approx 1833 hrs 13 Jun 03. Lt [REDACTED] photographed where the expended rounds located in the tower and photographed where SGT [REDACTED] would be looking from the tower into the yard.

At approx 1900 hrs I took into custody five (5) 12 gauge Winchester shotgun rounds located outside the tower wall of Tower No #6 located on the NE side of the compound. These rounds were shot off by SPC [REDACTED] who was caring a Mossberg 12 gauge

10 EXHIBIT

11 INITIALS OF PERSON MAKING STATEMENT

[REDACTED] PAGE 1 OF

2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF"

TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND PAGE NUMBER MUST BE INDICATED

SWORN STATEMENT			
For use of this form, see AR 190-45. The preparer's agency is DDCSOPS			
LOCATION Camp Vigilant, Iraq	DATE 13 June 2003	TIME 1821	FILE NUMBER CB-400-4
LAST NAME, FIRST NAME MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS E-6/Active
ORGANIZATION OR ADDRESS 72nd Military Police Company			
<p style="text-align: center;">[REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH</p> <p>Below I've listed in chronological order the radio transmissions occurring between 1600-1900 13 June 2003</p> <p>1615 - reports from the yard of a riot, and shots fired, Sentinel Base notified</p> <p>1620 - NCOIC reported compound secure</p> <p>1622 - Numerous transmissions with 1SG and QRF squads, in organizing, and retrieving injured personnel/detainees</p> <p>1630 - RTO notified of needed medivac - possible 6 litters</p> <p>1630 - RTO readily tried to reach Medivac on their frequency single channel 33550, with negative results Centinal Base was notified and 9 line medivac was relayed</p> <p>1632 - Centinal Base received a situation report from RTO on the current status</p> <p>1640 - RTO notified of 7 confirmed injured</p> <p>1645 - Centinal Base requests situation status update</p> <p>1648 - Centinal Base notified Star Gold Base - medivac enroute</p> <p>1648 - Landing Zone notified Star Gold Base of needed urgency with medivac, Detainee's possible short time left living</p> <p>1648 - RTO notified Centinal Base of much needed medivac ASAP</p> <p>1700 - Centinal Base confirmed medicvac enroute 7 minutes away</p> <p>1703 - Landing Zone notified Star Gold Base of possible DOA of Detainee</p> <p>1704 - Centinal Base notifies Star Gold Base of inbound chopper trying to reach Star Gold Base</p> <p>1704 - Centinal Base switch Frequency to single channel 33550 and went direct with Chopper 46</p> <p>1705 - Chopper 46 notified Star Gold Base 2 minutes out</p> <p>1715 - Notified by Landing Zone of chopper's land</p> <p>1720 - Chopper outbound - gave updated situation report to centinal base, and requested Chaplain at our location</p> <p>1720 - RTO notified by landing zone personnel that dust off medical personnel determined detainee had passed away</p> <p>1720 - notified Centinal Base the 7 injured detainees and 1 US soldier [REDACTED] are enroute to LSA Dogwood</p> <p>1750 - Asked Centinal Base for guidance on what to do with the DOA Detainee</p> <p>1820 - Notified by Centinal Base of grid coordinate and special instructions with escorting the ambulance and transporting the DOA Detainee</p> <p>1830 - Escort element SP from Camp Vigilant to grid MB 2345085210 to pick up ambulance</p> <p>1900 - notified by Escort patrol of being 2 minutes out from Camp Vigilant</p> <p style="text-align: center;">-----END OF STATEMENT-----</p> <p style="text-align: center;">[Signature]</p>			
EXHIBIT		INITIALS OF PERSON MAKING STATEMENT [Signature]	
		PAGE 1 OF <u>2</u> PAGES	
<p>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.</p>			

STATEMENT (Continued)

-----NOT USED-----

AFFIDAVIT

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

(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me a person authorized by law to
administer oaths this 13 day of JUNE 19 03
at CAMP VIGILANT IRAQ

72ND MILITARY POLICE COMPANY
APO AE 09302

ORGANIZATION OR ADDRESS

MILITARY POLICE

(Signature of Person Administering Oath)

72ND MILITARY POLICE COMPANY
APO AE 09302

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

ART 126 (b) (4) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

SWORN STATEMENT			
For use of this form, see AR 190-45, the proponent agency is OOC/SOPS			
LOCATION CAMP VIGILANT PRISON YARD	DATE 030613	TIME 1800	FILE NUMBER 03-YOC-C,
LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS ES / MP GUARD	
ORGANIZATION OR ADDRESS			
<p>I [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH</p> <p>WHILE PERFORMING GUARD DUTIES IN THE PRISON YARD, AT APPROXIMATELY 1615 HOURS, PRISONERS IN THE BRAVO COMPOUND BECAME UPSET BECAUSE IT HAD BEEN OVER AN HOUR SINCE THEIR LAST WATER RUN. THE SAME WAS TRUE FOR ALPHA COMPOUND, AND BOTH GROUPS OF PEOPLE WERE CALLING OUT, AND BANGING ON THEIR WATER JUGS. I TOLD THEM THAT THEY WOULD GET WATER AS SOON AS OUR THIRD PERSON [REDACTED] RECEIVED FROM THE ROVING SHOTGUN POSITION, AND WE HAD THREE PEOPLE HERE. THE PRISONERS IN BRAVO COMPOUND BECAME UPSET AT HAVING TO WAIT AND BEGAN TAKING HOLD OF TENT POLES. TEN OR MORE PEOPLE HAD TENT POLES IN HAND AND SOME BEGAN PICKING UP ROCKS. I HAD A RADIO IN MY HAND, AND I TOLD THEM AND GESTURED FOR THEM TO PUT DOWN THEIR WEAPONS (POLES AND ROCKS). THE PRISONERS DID NOT LISTEN, AND AGAIN, I WARNED THEM THAT I WOULD CALL FOR QRF. SGT [REDACTED] CAME TO MY POSITION FROM THE ECP (ENTRY CONTROL POINT), HE THEN TOOK MY RADIO AND CALLED FOR QRF. AT THAT SAME TIME, PRISONERS IN BRAVO COMPOUND BEGAN THROWING ROCKS, STRIKING MYSELF IN THE BACK, SGT [REDACTED] IN THE ANKLE AND LEG, IN THE SHOULDER, AND SPC [REDACTED] IN THE ARM. HE THREE OF US THEN RAN TO TAKE COVER BEHIND THE GENERATOR. THE PRISONERS THEN BEGAN THROWN TENT POLES AT US AND THEN SHOTS WERE FIRED FROM THE TOWER INTO THE YARD, THEN THAT HAPPENED SPC [REDACTED] TOWER, AND MYSELF RAN TOWARD THE ECP, SGT [REDACTED], AND MYSELF RAN TOWARD THE ECP. MORE SHOTS WERE FIRED, THEN QRF RESPONDED TO THE YARD. PRISONER CASUALTIES WERE THEN REMOVED. // END OF STATEMENT //</p>			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT m.m.		PAGE 1 OF _____ 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"			

STATEMENT (CONTINUED)

NOT USED

mm

AFFIDAVIT

[REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT
WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE [REDACTED]. 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)

Subscribed and sworn to before me, a person authorized by law to

administer oaths this 13 day of JUNE 2003

at SAMP VILLAGE, IRAQ

D. A. Kinney

(Signature of Person Administering Oath)

[REDACTED] 156

(Typed Name of Person Administering Oath)

ART 136 (a) (4) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

MJM

PAGE 2 OF 2 PAGES

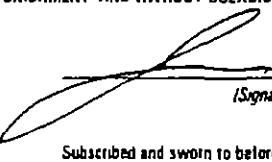
SWORN STATEMENT			
For use of DA Form 1, 15 May 1968 AF 180-45, the proponent agency is DODCSOPS			
LOCATION	DATE	TIME	FILE NUMBER
CAMP VICTORIAN, IRAQ LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	030614	1308	OS-YOC-C GRADE/STATUS SFC / E-5 / 43AR
ORGANIZATION OR ADDRESS 400th MP BN	[REDACTED]		
<p>WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH</p> <p>At approximately 1600 hrs, 13 June 2003, the prisoners in the compound started pulling tent poles from the tents and started to threaten us with them, they also started throwing rocks I was struck in the shoulder with a baseball sized rock that was coming towards my head, before I moved. I called for QRF, what we (myself, [REDACTED] ran to the generator trailer, where we tried to take cover as rocks started pattering the trailer like a hail storm. I asked if anyone else had been hit, and SFC [REDACTED] said that she had been hit in the back. A few minutes later I looked towards the Sallyport, and saw that the soldiers at that point were opening the wire, and waving for us to come to them, so I took a quick look at the rioting compounds, and then told SPC [REDACTED] to run which he did, then I looked at the towers, and saw that their muzzles were coming down into the yard, and realized that we were in their line of fire with the shotgun. I told SFC [REDACTED] to run, and tried to shield her with my body, because I didn't know how bad her back was hurt. I believe [REDACTED] and I were about 10 - 15 feet from the generator trailer when I started hearing gun shots going off. We were sure that we were all ok, and I told my people to let gotten hit in the back with a rock. I was the only one that took any real damage from the rocks, but was advised by MES [REDACTED] (the on-site surgeon) that it did not appear that anything had been broken. During the initial moments of the disturbance I saw approximately 6-8 prisoners pulling tent poles and at least 8-15 prisoners</p>			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]		
		TAKEN AT _____ DATED _____ CONTINUED _____	
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____" 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			

STATEMENT (Continued)

at a time, coming out of their tents, throwing rocks, and going back inside. The generator trailer is located at the aisle at the very end of X B and C compounds, with B compound (The rioting compound) on the opposite side of the trailer from us, and C compound behind us. //END OF STATEMENT//

AFFIDAVIT

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. 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.

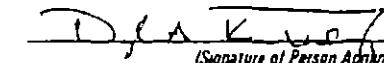


(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me a person authorized by law to administer oaths this 14 day of JUNE 19 2003
at CAMP VICTORY, IRAQ

ORGANIZATION OR ADDRESS



(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

156
(Typed Name of Person Administering Oath)

ART 136 (b)(4) uc m J

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

SWORN STATEMENT			
For use of this form, see AR 100-45, the proponent agency is DDCSOPS			
LOCATION CAMP VIRTUANT, IRAQ LAST NAME, FIRST NAME, MIDDLE NAME	DATE 13 JUN 03	TIME 1800	FILE NUMBER O3-400-001
	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS SPC	
ORGANIZATION OR ADDRESS 400th MP Bn			
<p style="margin: 0;">SPC [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH</p> <p>On 13 June 2003 at approximately 1615 hrs Prisoners in the compound started asking for water SGT [REDACTED] and I explained to them that as soon as one more guard arrived we would take them to get water. In response to our explanation they sat at the Salty Port and started to beat on their water jugs and yelling for water. Again we told them as soon as one more guard arrives we will take them for water then I heard a commotion from B compound when I looked over I noticed several prisoners grabbing tent poles and rocks I pointed this out to SGT [REDACTED] and we started to tell them to drop their weapons at this time SGT [REDACTED] arrived and started telling them to drop their weapons we refused ourselves and that is when the first rock was thrown and struck me in my ankle. At this point we started to run for the cover of the generator and that is when the first shot was fired. While we were behind the generator I noticed guards at the entry control point waving us to come to them I pointed that out to SGT [REDACTED] and he said to run to them. As we were running to the entry control point more shots were fired as rocks were being thrown at us about one minute after our arrival QRF arrived and entered the yard they started to bring up the injured prisoners to the medical tent.</p>			
EXHIBIT		INITIALS OF PERSON MAKING STATEMENT	
SPC		PAGE 1 OF <u>2</u> 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			

STATEMENT (Continued)

NOT USED

AFFIDAVIT

[REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT
WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE [REDACTED] 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 13 day of JUNE 40 2003
by CAMP VOLANT, TRAP
[REDACTED]

[REDACTED]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

ART 136 (6) (4) UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

dpc

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

LOCATION LAND VIGILANT, IRAQ	DATE 17 JUN 03	TIME 1300 hrs	FILE NUMBER 03-400-CJ
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS SGT C.S.	
ORGANIZATION OR ADDRESS 72ND MILITARY POLICE COMPANY			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

On June 13, 2003 I was assigned to tower 5 as external security watch at approximately 3:30 PM I glanced toward the nearest compound from tower five and observed prisoners taking tent poles from one tent. Approximately 120 prisoners were gathered in between the tents and the outer perimeter point I observed prisoners throwing rocks at the soldiers just outside the compound. I saw a prisoner in a yellow shirt with a tent pole in hand began to throw it. Two shots were fired from SPC [REDACTED] toward the compound at this point. This disbursed approximately 250 of the prisoners to the tents. I then observed the compound soldiers retreating from the area. They were still getting rocks thrown at them and I observed one tent pole hit about three feet from them. About the same time I heard seven rounds of shotgun fire and machine gun go off when I observed the compound all the prisoners were disbursed back to the tents. When the situation started SPC [REDACTED] tried to contact MP base with negative results. After the first shots were fired I was able to contact MP base and inform them of the situation including that shots had been fired / / / / /
 / / / END OF STATEMENT / / / / /

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT MOT	PAGE 1 OF 2 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____" 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		

STATEMENT (Continued)

NOT
USED

AFFIDAVIT

[REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE [REDACTED] AND ENDS ON PAGE [REDACTED]. 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 17 day of JUNE 2003
at CAMP VICTORIAN, IRAQ

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED] 1SG
(Typed Name of Person Administering Oath)

Act 131 (b) (4) UCMT

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

moy

PAGE 2 OF 2 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45. The proponent agency is ODCSOPS

LOCATION CAMP VIGILANT, IRAQ	DATE 13 JUNE 03	TIME 1400 MD	FILE NUMBER C3-46-C-1
LAST NAME FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS ES/NR	
ORGANIZATION OR ADDRESS 72ND MP CO			

TRD 1

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

AT APPROXIMATELY 1630 HOURS ON 13 JUNE 03 I WAS ENTERING THE ENTRY CONTROL POINT FROM OUTSIDE OF THE PERIMETER. I WAS RETURNING FROM A PRISONER TRANSPORT WHEN I HEARD, VIA HANDHELD RADIO, THAT THERE WAS A POSSIBLE PRISONER ESCAPE OVER THE WALL NEAR TOWER FIVE. I MARCHED FOR THE OTHER HUMVEE DRIVEN BY SPC [REDACTED] TO FOLLOW ME TO TOWER FIVE IN ATTEMPT TO RE-CAPTURE THE INMATE. MYSELF AND SPC [REDACTED] THEN Drove AROUND TOWER FIVE AND PARKED UNDER TOWER FOUR. I ASKED SPC [REDACTED] WHAT HAD HAPPENED AND HE STATED THAT THERE WERE SHOTS FIRED INSIDE OF THE COMPOUND. MEANWHILE AND I WENT UP TO TOWER FOUR TO RE-ENFORCE THE GUARDS. SPC [REDACTED] STATED THAT THE INMATES WERE THROWING ROCKS AND IRON POLES AT ONE ANOTHER. SPC PARKINSON STATED THAT HE OBSERVED ROCKS AND POLES BEING THROWN AT EACH OTHER AND THE YARD MPS SPC [REDACTED] THEN DEPARTED AREA TO DELIVER GREEN SMOKE TO THE MEDICAL LANDING ZONE. PARKINSON & BURG STATED THAT ABOUT FOUR OR FIVE SHOTS WERE FIRED AND IT SOUNDED LIKE SHOTGUNS. IT WAS THEN ASKED OVER THE RADIO WHAT TOWERS HAD FIRED AND WITH WHAT WEAPONS. TOWERS FIVE AND SIX STATED THEY FIRED WITH SHOTGUNS. IT WAS ASKED AGAIN IF ANY GUNNAM WAS FIRED. FIVE AND SIX DID NOT RESPOND. I THEN OBSERVED SEVERAL URT (UNK RCT) PERSONNEL ENTER THE TWO COMPONUNDS AND EXTRACT THE WOUNDED AND THE VIOLATORS. MEANWHILE, THEM BLEME VISIBLY UPSET WHEN IT WAS BROADCAST THAT AN IRANI INMATE HAD DIED FROM HIS WOUNDS. MEANWHILE, THEN EXITED THE TOWER AND BEGAN TO WALK TOWARD TOWER THREE. APPROXIMATELY TEN MINUTES LATER I OBSERVED MEDICAL HELOS APPROACHING AND ADVISED LZ PERSONNEL TO POP SMOKE. APPROXIMATELY TEN MINUTES LATER I DEPARTED THE TOWER AND RETURNED TO THE MOCH POOL AREA.

- / / END OF STATEMENT / /

TAS

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT TAS	1 PAGE 1 OF	0 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____" 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			

STATEMENT (Continued)

1st used

AFFIDAVIT

[REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT
WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE [REDACTED] I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE
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[REDACTED]
(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me a person authorized by law to
administer oaths this 14 day of JUNE, 192013
At Camp VIGILANT, TRAD

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED]
(Typed Name of Person Administering Oath)

Art 136 (a)(4) UCMJ

Authority To Administer Oaths

INITIALS OF PERSON MAKING STATEMENT

TAS

PAGE 2 OF 2 PAGES

SWORN STATEMENT			
For use of this form, see AR 190-45 the proponent agency is ODCSOPS			
LOCATION	DATE	TIME	FILE NUMBER
Camp Vigilant, Iraq LAST NAME, FIRST NAME, MIDDLE NAME	03-06-13	2013	C3-400-01
	SOCIAL SECURITY NUMBER		GRADE/STATUS
			15-6/556
ORGANIZATION OR ADDRESS			
72nd Military Police Company			
<p>WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH On 13 June, 2002, at approx or around 1605 hrs at Camp Vigilant I was in the Yard Tower w th SFC [REDACTED] was the assigned guard to the tower, while I were geared up a Flack Jacket and Keeler from a previous incident w th in-mates w thin the compound. For reasons unknown I observed inmates come out of the tents I then observed the three Military Policemen with in the Compound over at the gates to the inmates compounds Some inmates started grabbing the tent poles that held up the sides of a GP Medium tent The three Military Policemen started running down the corridor towards the ECP stopping behind the generator before I noticed they were throwing rocks at the MP's At sometime during the incident I heard a shotgun go off twice I believe the shots came from Tower 6 but I am not sure & I was The generator that the three Military Policemen were behind was being hit by rocks SGT [REDACTED] had his weapon pointed no de the compound observing and calling potential threats w thin the compound to [REDACTED] myself I, myself, observed an inmate w th a bright yellow shirt, tent pole in hand, at the corner of the tent, our side, closes to the rear door The three Military Policeman left the cover of the generator making a break for the ECP At that time I observed the inmate w th the yellow shirt, now holding the tent pole as a spear start running to the corner of the compound closing the distance to the MP's running w th the pole, steel point first ready to throw SGT [REDACTED] observed and called out the threat, then stated he was taking the shot In the sequence of the inmate throwing the tent pole SGT [REDACTED] shot three times. The inmate was able to throw the tent pole at the MP's who were running then dove into the tent, SFC [REDACTED] I then descended the tower and then dove into the tent, SFC [REDACTED] I then descended the tower and then dove into the tent, SFC [REDACTED] It was not till we secured the area other MP's to secure the compound It was not till we secured the area if the inmate w th the yellow shirt was hit The weapon SGT [REDACTED] used was an M16A2 Rife</p>			
End of Statement			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF	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			

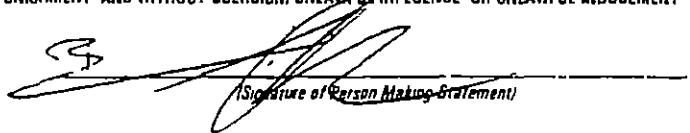
**ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE
_____ OF _____ PAGES" WHEN ADDITIONAL PAGES ARE UTILIZED THE BACK OF PAGE 1 WILL BE LINED OUT AND THE
STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM**

STATEMENT (Continued)

Not used

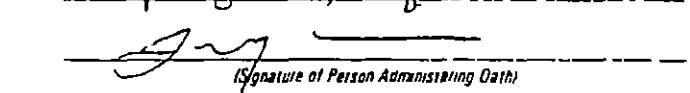
AFFIDAVIT

[REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT
WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2 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


(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me a person authorized by law to
administer oaths this 13th day of June 2003
Camp Vigilant, Iraq


(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

 SSG MP
(Typed Name of Person Administering Oath)
ART 136 (b)(4) USC MTS
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT



PAGE 2 OF 2 PAGES

SWORN STATEMENT					
For use of this form, see AR 190-45 the proponent agency is ODCSOPS					
LOCATION Camp VIGILANT, IRAQ	DATE 13 JUNE 03	TIME 2112 hrs	FILE NUMBER 03-40041		
LAST NAME, FIRST NAME MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS F-7 SFC			
ORGANIZATION OR ADDRESS 72nd MILITARY POLICE COMPANY					
GAL 1 [REDACTED]	WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH				
<p>ON 13 JUNE 2003, AT APPROXIMATELY 2115 hrs I WAS IN THE YARD TOWER SPEAKING WITH SPC SGT [REDACTED] ABOUT THE LACK OF ROUTES ON THE OUTSIDE OF THE WIRE I SAW THAT A GROUP OF INDIVIDUALS, PRISONERS IN THE YARD, CAME OUT OF THE TENT. APPROXIMATELY 5 TO 10 INDIVIDUALS CAME OUT OF THE BACK OF THE TENT AND APPROXIMATELY 15 TO 20 PRISONERS WENT TO THE FRONT OF THE TENT AT THAT EXACT TIME ALL THE PRISONERS STARTED THROWING UP THEIR HANDS AND YELLING AT EACH OTHER AFTER APPROXIMATELY 1 MINUTE THEY TURNED THEIR ATTENTION TO THE THREE MPs STANDING OUTSIDE THE WIRE AND THE GATE IN THE WALKWAY I SAW ONE MP TRYING TO LEAN INTO THE WIRE IN WHAT APPEARED TO BE HIM OR HER TRYING TO CALM DOWN THE PRISONERS APPROXIMATELY 2 MINUTES AFTER THE CONTACT WITH THE MP I SAW MORE PRISONERS COMING OUT OF THE TENT. ONE OF THE PRISONERS HAD TENT POLES IN THEIR HANDS AND WAVING THE STICKS IN THE AIR. I THEN SAW THESE MP'S RUNNING FOR THE GENERATOR TRAILER WHILE ROCKS WERE BEING THROWN AT THEM IT APPEARED THAT TWO OF THE MP'S WERE STUCK BY THE FLYING ROCKS. I THEN HEARD A POSSIBLE BLAST FROM ANOTHER TOWER. I SAW A PRISONER WITH A YELLOW SHIRT GETTING READY TO THROW THE TENT POLE AT A SP4 SGT [REDACTED] STATED THAT HE SAW THE INDIVIDUAL WITH THE SP4 IN AT THIS TIME THE 3 MP'S IN THE YARD WERE ON THE OUTSIDE SIDE OF THE TRAILER TRYING TO AVOID THE THROWING ROCKS. SGT [REDACTED] FIRED A SHOT FROM HIS MP IN ORDER TO STOP A PRISONER FROM THROWING THE SP4 AS THE MP WOULD RUN FOR COVER. THE PRISONER THREW THE</p>					
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]		PAGE 1 OF 2 PAGES		
<small>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</small>					

STATEMENT (Continued)

THEIR POOL AT THE MOPS IS THEY RAIN. THE INDIVIDUAL PRISONERS RAN BACK IN TO THE TENT. ALL THE PRISONERS IN THE TENTS LAY ON THE FLOOR AFTER THE ROUNDS WHERE FIRED SGT █████ FIRED WHAT I BELIEVE TO BE THREE TO FOUR SHOTS HE THEN STATED THAT HE WAS PUTTING HIS WEAPONS OUT SAFE I THEN YELLED TO LT █████ TO ACTIVATE OUR QRF (QUICK REACTION FORCE) ON STAND BY I THEN RUSHED TO THE GROUND FLOOR AND BEGAN RUNNING TO THE COMPOUND GATE AND ARRIVED AT THE AREA WHERE SHOTS WHERE FIRED AND BEGAN TAKING THE WOUNDS OUT FROM THE TENTS. QRF WAS ALSO TRYING TO REMOVE AN INDIVIDUAL FROM THE TENT. I ASSISTED IN REMOVING HIM AND PLACING HIM IN A SEPARATE COMPOUND. I THEN RAN TO THE TOWER WHERE SGT █████ WAS AND NOW WITH SPC █████ AND AN UNFAMILIAR 400TH MO AN SOLDIER IN CIVILIAN CLOTHES AS I CLIMBED THE STAIRS SGT █████ BEGAN YELLING AT ME FOR HELP IN TREATING THE WOUNDS IN THE MEDICAL TENT I WENT TO THE MEDICAL TENT AND BEGAN TREATING THE WOUNDS I ALSO ASSISTED IN TRANSPORTING THE WOUNDS TO THE DESIGNATED LANDING ZONE UNTIL MEDICAL ARRIVED AND TOOK THE WOUNDS PRISONERS. GAL █████

AFFIDAVIT

GAL █████ HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. 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 EXERCISING UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT.

(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me a person authorized by law to administer oaths this 13th day of June 1983

Camp Violant, Iraq

(Signature of Person Administering Oath)

Military Police
 (Typed Name of Person Administering Oath)
 ART 136 (b)(4) ucmj
 (Authority To Administer Oaths)

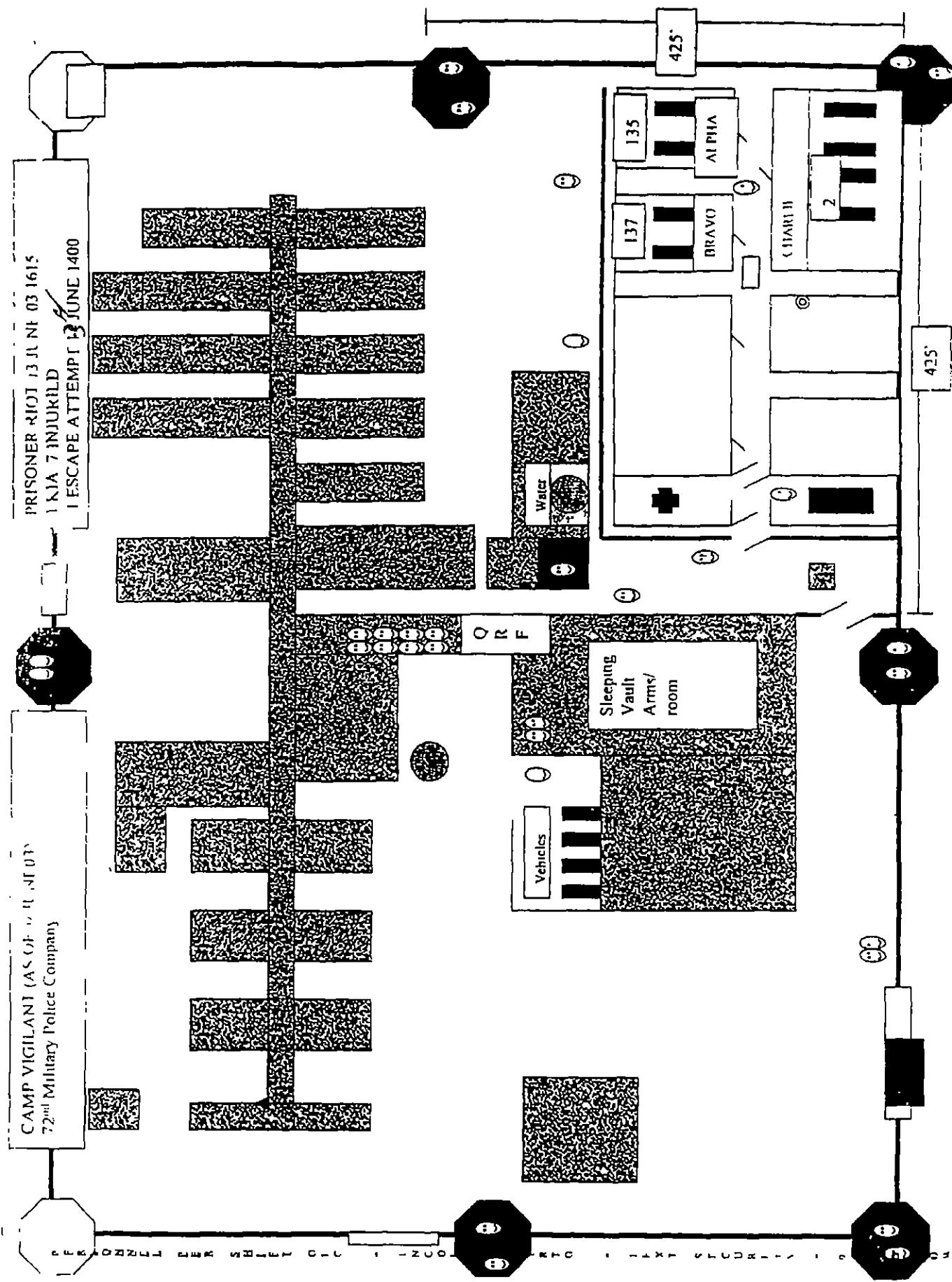
ORGANIZATION OR ADDRESS

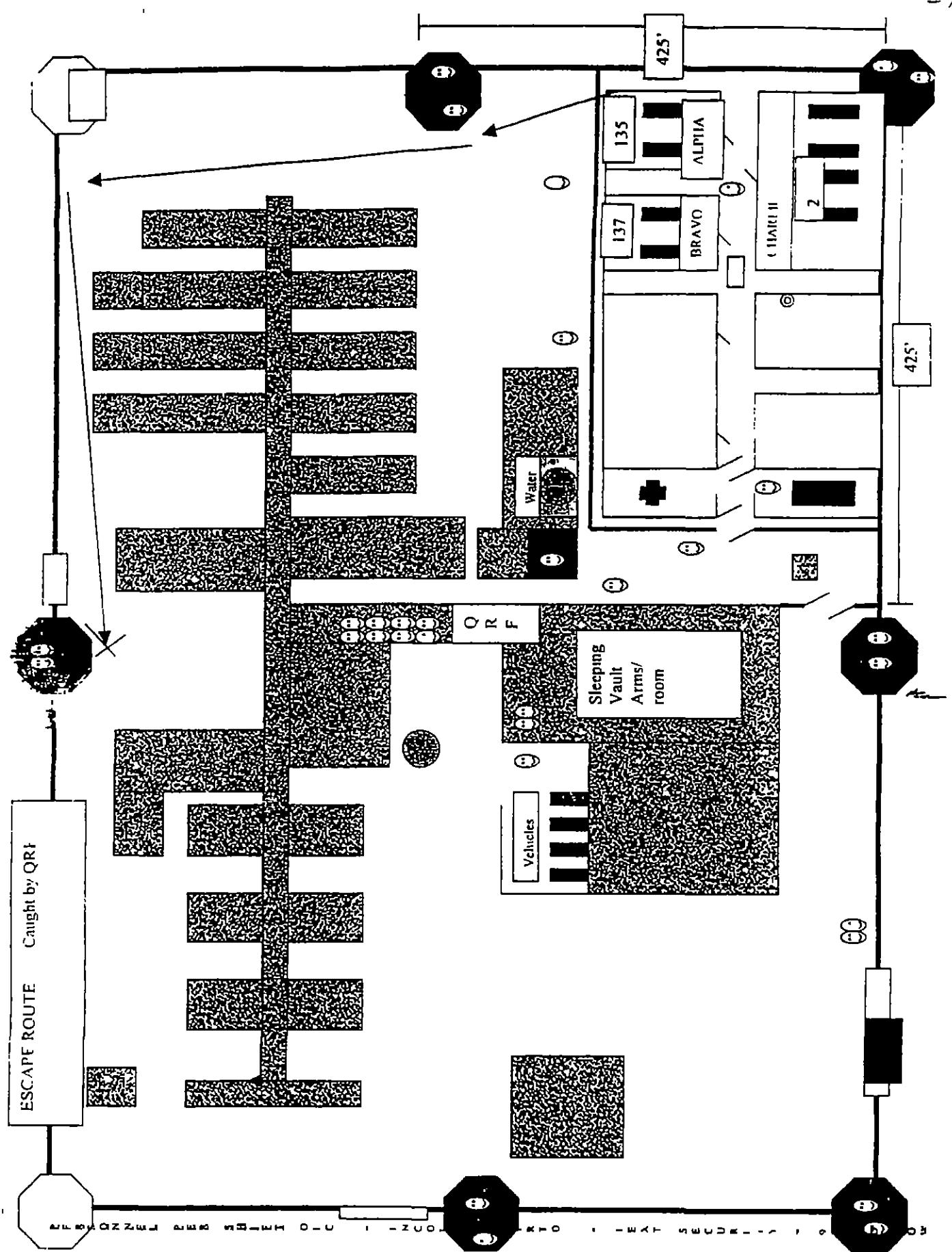
ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT GAL PAGE 2 OF 2 PAGES

CAMP VIGILANT (AS OF 11 JUN 01)
72nd Military Police Company

PRISONER KIOT 13 JU N0 03 1615
1 KIA 7 INJURED
1 ESCAPE ATTEMPT 13 JUNE 1400





~~FOUO~~

Serious Incident Report

To Commander, 18th MP BDE
From Commander, 400th MP BN

Subject SIR Number 030001

Paragraph

Category, Category 2 (AR 190-40, Appendix C-1.g)

2 Type of incident

- a 1 US Soldier Injured
- b Prisoner Death
- c Seven Prisoners Injured

3 Date and Time 131615(L) JUN 03

Location ABU GUHRAYB (Vic MB 23579 85233)

4 Other Information

- a Racial No
- b Trainee Involvement No

5 Personnel Involved

- a Subject 1
- a Name [REDACTED]
 - b Rank or grade SGT
 - c Social Security Number [REDACTED]
 - d Race Caucasian
 - e Sex M
 - f Age Unknown
 - g Position Yard Tower
 - h Security Clearance Secret
 - i Unit 72d MP CO
 - j Duty Status On duty

b Subject 2

- a Name [REDACTED]
- b Rank or grade SPC
- c Social Security Number [REDACTED]

~~FOUO~~

~~FOUO~~

- d. Race: Caucasian
- e. Sex M
- f. Age. Unknown
- g. Position Tower 6
- h. Security Clearance N/A
- i. Unit 72d MP CO
- j. Duty Status On Duty

c. Subject 3

- a. Name [REDACTED]
- b. Rank or grade SPC
- c. Social Security Number [REDACTED]
- d. Race: Caucasian
- e. Sex M
- f. Age. Unknown
- g. Position Tower 5
- h. Security Clearance Secret
- i. Unit 72d MP CO
- j. Duty Status On Duty

d. Victim 1 US Soldier

- a. Name [REDACTED]
- b. Rank or grade SGT
- c. Social Security Number [REDACTED]
- d. Race Caucasian
- e. Sex M
- f. Age 29
- g. Position Enclosure Guard
- h. Security Clearance Secret
- i. Unit 400th MP Bn
- j. Duty Status N/A

e. Victim 2 Death (Gunshot to lower abdomen and back)

- a. Name Alla Jasin Hassan
- b. Rank or grade Iraqi Civilian
- c. Social Security Number 8667
- d. Race Arab
- e. Sex M
- f. Age Unknown
- g. Position Prisoner
- h. Security Clearance N/A
- i. Unit N/A
- j. Duty Status N/A

f. Victim 3 Injury (Gunshot to left arm)

- a. Name [REDACTED]

~~FOUO~~

FOUO

- b Rank or grade Iraqi Civilian
 - c Social Security Number 8883
 - d Race Arab
 - e Sex M
 - f Age Unknown
 - g Position Prisoner
 - h Security Clearance N/A
 - i Unit N/A
 - j Duty Status N/A
- g Victim 4 Injury (Gunshot to right abdomen)
- a Name [REDACTED]
 - b Rank or grade Iraqi Civilian
 - c Social Security Number 8956
 - d Race Arab
 - e Sex M
 - f Age Unknown
 - g Position Prisoner
 - h Security Clearance N/A
 - i Unit N/A
 - j Duty Status N/A
- h Victim 5 Injury (Gunshot to left arm)
- a Name [REDACTED]
 - b Rank or grade Iraqi Civilian
 - c Social Security Number 9052
 - d Race Arab
 - e Sex M
 - f Age Unknown
 - g Position Prisoner
 - h Security Clearance N/A
 - i Unit N/A
 - j Duty Status N/A
- i Victim 6 Injury (Gunshot to left shoulder)
- a Name [REDACTED]
 - b Rank or grade Iraqi Civilian
 - c Social Security Number 0749
 - d Race Arab
 - e Sex M
 - f Age Unknown
 - g Position Prisoner
 - h Security Clearance N/A
 - i Unit N/A
 - j Duty Status N/A
- j Victim 7 Injury (Gunshot to lower back and buttocks)
- a Name [REDACTED]

FOUO

- b Rank or grade Iraqi Civilian
 - c Social Security Number 7610
 - d Race Arab
 - e Sex M
 - f Age Unknown
 - g Position Prisoner
 - h Security Clearance N/A
 - i Unit N/A
 - j Duty Status N/A
- k Victim 8 Injury (Gunshot to left abdomen)
- a Name [REDACTED]
 - b Rank or grade Iraqi Civilian
 - c Social Security Number 8576
 - d Race Arab
 - e Sex M
 - f Age Unknown
 - g Position Prisoner
 - h Security Clearance N/A
 - i Unit N/A
 - j Duty Status N/A
- l Victim 9 Injury (Gunshot to left arm)
- a Name [REDACTED]
 - b Rank or grade Iraqi Civilian
 - c Social Security Number 9158
 - d Race Arab
 - e Sex M
 - f Age Unknown
 - g Position Prisoner
 - h Security Clearance N/A
 - i Unit N/A
 - j Duty Status N/A

7 Summary of Incident

a Synopsis Eight prisoners began to riot after witnessing 14 inmates being released They attempted to overtake the guards utilizing rocks and tent poles One MP received minor injuries from a rock Guards opened fire killing one and wounding seven prisoners The seven were provided Air MEDEVAC to LSA DOGWOOD, along with an MP providing security on the prisoners IPF forces were notified and a civilian ambulance was escorted back to the prison to retrieve the body of the KIA

b Events Preceding the Incident On 12 Jun 03, at 1800 hours, the detainees became agitated and began demanding answers regarding their capture and the amount of time they would be held in custody They were upset and declared that they were being

FOUO

housed improperly and lacked basic needs such as showers, shampoo, blankets, and toilets. Several of the detainees threw rocks and tent poles out of the enclosure at the guards and one guard was struck in the hand. At that time, the Company First Sergeant [REDACTED] and the Commander, [REDACTED] responded to the yard and addressed the detainees through one of the prisoner interpreters. They were advised that many of the new detainees had release dates and that the Camp Commander would review other cases and provide information when available. The detainees were all advised that throwing rocks and tent poles at the guards would constitute deadly force and that they could and would be shot if that behavior occurred again. A SITREP was sent to battalion with a request to charge the individuals and have them sent to Camp Cropper.

c On 13 Jun 2003, at approximately 1400 hours, a disturbance was again reported in the yard and involved an attempted escape by detainee #8968. The detainee attempted to go through the wire utilizing a cardboard box, however, was immediately apprehended as he exited the wire. At this time a count was initiated, however detainees in both compounds refused to stand to be counted. The QRF was dispatched and the count proceeded without incident. Shortly after the count the QRF was called again to respond to multiple gunshots occurring in the yard. Multiple detainees with rocks and tent poles had targeted the MPs working the enclosure compounds. As the enclosure guards attempted to flee the objects the tower guards feared that the enclosure guards were in danger. Three Tower Guards simultaneously followed the ROE, and fired upon the detainees who were engaging in the use of deadly force against U.S. personnel. Two of the towers fired 12-gauge shotguns expending eight rounds. The third guard fired four M-16 rounds. Seven detainees were wounded and one killed as a result of the incident. One U.S. soldier was injured by a rock. All wounded were taken from the enclosure area and provided first aid by medics from the 400th MP Bn and combat lifesavers from the 72d MP Co. MEDEVAC was requested and the seven wounded were evacuated under one MP guard. The body and personal belongings of the deceased prisoner were released to Iraqi authorities.

8 Remarks All rounds were confiscated, the crime scene was photographed, and tower views were photographed. Personal property of the KIA was provided to Iraqi authorities who retrieved the body at 1930. The riot was believed to have been caused by a lack of information about their dispositions, dates of release, and lack of basic living necessities.

9 Publicity Unknown

10 Commander Reporting [REDACTED] LTC (P) 400th MP Battalion

11 Point of Contact

a Prison Company Commander, CPT [REDACTED] 72d MP CO

b Reporting Officer, CPT [REDACTED] Battalion Assistant S3

FOUO

~~FOUO~~

12 Downgrading Instruction: FOUO markings may be removed after 13 July 2003

13 Other Requested Information

- a What gate or guards were rushed? Three Enclosure Guards
- b Describe the location between the enclosure guard and the tower guards. The tower guards formed a triangular position around the enclosure guard and prisoners. The guards fired their weapons from the towers
- c How many guards used their weapons? Three guards, Total rounds expended four M-16 rounds from the Yard Tower, five 12-gauge shotgun rounds from Tower 6, and three shotgun rounds from Tower 5

~~FOUO~~

Ex-20

Investigation Action Log

13 June 2003

- 1915 Assigned as investigating officer
- 1945 Moved out to prison for pictures, Dark upon arrival, company stated they took pictures, walked over scene, checked status of unit soldiers for well being, advised command of appointment order, advised command of return in near future for interviews, gathered Co Commander's Initial report
- 2045 Left prison

14 June 2003

- Spend day researching and planning investigation strategy, gathered BN SIR

15 June 2003

- Spend day at Camp Vigilant gather sops, sworn statements, map site

16 June 2003

- Mission support requirements

17 June 2003

- Spend day at Camp Vigilant, gather evidence, sworn statements

18 June 2003

- Mission support requirements

19 June 2003

- Spend day typing up report

20 June 2003

- Mission support requirements

21 June 2003

- Print report and turn in

**15-6 Investigation on
Riot and Shootings at
Abu Ghurayb on
(24 November 2003)**

Enclosed:

**15-6 Narrative (Findings)
Memo from MG Wojdakowski
16th MP Brigade Corrective Actions Plan**

FINDINGS (cont. from DA form 1574)

This AR 15-6 investigation covers two incidents that are independent but very closely related in time and location. They also share numerous root causes. For purposes of understanding the evolution of these two events, and for clarity, independent narrative summaries are provided, each dealing with one incident.

1. Narrative Summary of Riot at Abu Ghurayb Prison (Baghdad Correctional Facility)

On 24 NOV 2003, the U.S. Military Police Guard Force at Abu Ghurayb Prison/Baghdad Correctional Facility, (BCF), shot and killed 4 (four) detainees that were aggressively contributing to a prison riot. The prisoners failed to comply with commands from guards to stop and disburse, and appeared to be preparing to affect a breach of the containment perimeter.

Prior to the incident, several intelligence reports had been distributed to the facility. BCF personnel were aware that a distracting disturbance might take place several days prior to or several days after the Ramadan holiday. The disturbance was allegedly to have been started by a signal from an outside force to create a distracting action so the outside forces could break in and free High Value Detainees (HVD). The signal was to have been the sounding of vehicle horns or a non-standard call to prayer. It should be noted that HVDs are not being detained at the BCF.

At approximately 1300, 24 NOV 2003, detainees in Compound 4 at Camp Ganci initiated a demonstration, protesting circumstances of their capture, judicial procedures, and prisoner release conditions. The detainees rallied by yelling, chanting and inciting other compounds to become non-compliant with institutional standards. The prisoners were marching and yelling "Down with Bush," and "Bush is Bad" and other slogans to that effect. After several minutes, the detainees became violent and started throwing rocks at the guards, both in the towers and at the rovers along the wire. This instigated the adjacent detainee compounds to begin rioting, also. Many of the guards in the tower stated that "the sky was black with rocks" and "I feared for my life and was afraid of a mass breakout." Several of the guards were injured by thrown objects.

In compliance with standard operating procedures governing rules of engagement, less-than-lethal (LTL) force was initially employed against the rioters. Several LTL M203 crowd control and 12 GA shotgun rounds were fired. At this time, detainees in all 8 (eight) of the compounds at Camp Ganci were engaged in violent and aggressive behavior toward the guard force. The perception the situation indicated that a mass prison break was imminent and U.S. forces were in grave danger due to the ineffectiveness and depletion of LTL ammunition. After repeated attempts to bring the rioting under control, authorization was granted to fire lethal rounds into the compound. In accordance with SOP and ROE, permission had to be granted by the Command Post. LTC [REDACTED], 320th Battalion Commander authorized the use of deadly force to bring the situation under control and restore order and discipline within the compounds.

At approximately 1335, 24 NOV 2003, deadly force was applied at Compound 4 of Camp Ganci. The most immediate threats were identified and engaged with several aimed shots, which resulted in the death of one detainee and several others wounded. Guards at Compound 7 were the next to apply deadly force, which resulted in the death of one detainee. No other wounded were reported in this compound. Guards in Compound 1 and 3 also fired lethal rounds into the compounds resulting in the death of two more detainees.

The use of deadly force defused and quelled the rioting in all of the compounds and order was restored at approximately 1345, 24 NOV 2003. Medical personnel then reacted to the injured and ammunition re-supply was completed. All detainees were accounted for and contained in specific areas of the compounds while compounds were secured and searched.

All KIA detainees were evacuated to the 28th CSH in Baghdad. WIA detainees were treated by US medical personnel at the scene or evacuated to the 28th CSH Unit medical personnel treated all U S WIA at the scene

Follow-on interviews and general discussions with detainees indicated that the riot was not part of a larger "mass break" plan. The detainees were protesting the conditions in which they live, meals, conditions of capture and subsequent incarceration, judicial system, etc.

2. Narrative Summary of Cellblock Shooting at Abu Ghurayb Prison (Baghdad Correctional Facility)

On or about 1830, 24 NOV 2003, Military Police personnel received credible information of the possibility of a detainee being in possession of a gun and several knives in a cell. This information was obtained from another detainee. Military Intelligence personnel have identified this individual as an informant who has provided valuable information in the past. The informant stated that an IZ guard had smuggled the items into the prison complex. The unknown IZ Guard wrapped the gun and knives in a bed sheet and from outside threw them up to the window of cell #35 in tier 1A.

The informant was removed from his cell and transported to a shower room in the cellblock area to further question him. Military Police and Military Intelligence personnel assembled a search team consisting of LTC [REDACTED] SSG [REDACTED] SSG [REDACTED] and SGT [REDACTED]. Neither the Company Command Post nor the Battalion TOC was notified prior conducting this operation. There was no SOP that required the search team to do so. The search team viewed this as a routine cell search.

Several other individuals were in the area, including MI personnel, assisting with the lockdown of the remainder of the prisoners. Prisoners were requested to come to the door of their cell and slide their hands through the cell door to be handcuffed. This is

standard procedure when removing a detainee from the cell prior to movement or search. As the above listed personnel approached cell #35, the detainee in that cell was ordered to place his hands through the bars to be handcuffed. At this time the detainee stated he "had no gun." It should be noted that no mention of a gun was made within earshot of the detainee previously.

The detainee then made a sudden move toward the upper bunk in his cell and produced a pistol. He fired a round through the cell door, which impacted across the walkway on the south side of the tier. The search team then fired 2 rounds of less-than-lethal pellets from a 12 GA shotgun, which had no effect. The detainee responded by firing five to six additional rounds at the team. The search team then engaged the detainee with lethal rounds from the 12 GA shotgun. The detainee was struck several times in the legs with 00Buckshot. The detainee relinquished his weapon only after he expended all of his ammunition. He slid the pistol under the cell door and surrendered. The team entered the cell and subdued the detainee.

The cell was searched and 2 bayonet type knives were discovered in the same area where the pistol was, under the mattress of the upper bunk. Medical attention was administered to the detainee and he was then evacuated to the 28th CSH BIAP, Baghdad.

With in 24 hrs of the above incident, MI personnel detained and questioned 43 IZ guards. All but three were released following intense questioning. These three are being detained for further processing. A fourth did not report for work the next day and is still at large. MI personnel are making attempts to locate this individual. The IZ guard detainees admitted smuggling the weapons into the facility hiding them in an inner tube of a tire. Several of the IZ guards in question have been identified as Fedayeen trainers and members. It is not clear if this action was part of a larger plan to free High Value Detainees (HVD). In addition, this incident does not appear to be related to the prison riot earlier in the day.

It appears that this entire event was simply a plan to kill Americans and possibly escape. It should be noted that it is believed that the weapons had been in tier 1A for possibly 2 days and had been in more than one cell. The informant that originally passed the information had stated that he had possession of the weapons at one time but gave them back for fear of discovery. He is removed from his cell regularly for interrogation because he is considered a good source. He admitted passing the weapons back to the detainee in cell #35 while on cleaning detail.

Findings:

1. Standard Operating Procedures

-The Standard Operating Procedures in use by this unit are not adequate. This finding applies to both the riot incident as well the cellblock shooting. It lacks detail and there is no evidence of reviews or periodic retraining on the policies. These findings are supported by Exhibits 36, 39, 51-56)

2. Rules of Engagement/Rules on Use of Force

-The Rules of Engagement in place at the time of both incidents, were ineffective due to the need for repeated levels of authorization to use lethal force. Following these incidents but prior to the initiation of this AR 15-6 investigation, the ROE/RUF has been modified to allow more discretion at the guard post level in the proper use of force required. It is likely that this issue will be mitigated in the future by the implementation of these modifications. This finding is supported by exhibits (Exhibits 21-26, 50-56)

3. Training

-Overall, the training of MP's at this facility is barely adequate and not properly documented. There was no evidence that showed retraining occurred. Combat Support MPs were cross-leveled and were not sufficiently trained in detainee operations. This finding is supported by exhibits (Exhibits 51-56)

4. Impact of Rumors in Detainee Population

-There is no evidence substantiating the belief that rumors concerning early release for Ramadan, or any other external issue, was related to the riot at the prison. All evidence indicates that the detainees were simply protesting the deplorable food and living conditions. This finding is supported by exhibits (app D)

5. Civil Affairs Assets

-Civil Affairs assets are not adequate to support the requirements of such an expansive detainee population. In fact they have no dedicated assets to the facility due to their transfer out. The Civil affairs team assigned to that AO is not dedicated to the facility and they are currently tasked to the 82nd Airborne Division and dealing with other priority tactical issues. This is supported by exhibits (Exhibits 35, 36, 37, 39)

6. Adequacy of Non Lethal/less than Lethal Equipment

-All of the available less than lethal rounds were employed to no apparent effect on the detainees. Several factors including numerous layers of clothing, the distance from which they were fired, and the volume of LTL ammunition employed were all significant to this failure. It was also observed that they did not have a complete set of LTL and no have a plan for re-supply. This finding is supported by exhibits (Exhibits 1-7, 21-26, 36, 37, 39)

7. Weapon Smuggling Issue

-The weapons were smuggled in by an Iraqi prison guard, in a spare tire inner tube located in a civilian vehicle. The suspect was identified as (See CID

Investigation for Cellblock shooting) and the weapon was transferred to the prisoner in the cell by wrapping it in a bed sheet and tossing it in the cell window. This finding is supported by exhibits (See CID Investigation for Cellblock Shooting)

Executive Summary of Cellblock Shooting Incident

On 24 NOV 2003, while performing duties in the Hardstand section of Abu Ghurayb Prison, Baghdad Correctional Facility (BCF), US Military Police guard force shot and wounded a detainee in the isolation area

On or about 1830, 24 NOV 2003, Military Police personnel received information of the possibility of a detainee being in possession of a gun and several knives in a cell. This information was obtained from another detainee. Military Intelligence personnel have identified this individual as an informant who has provided valuable information in the past. The informant stated that an IZ guard had smuggled the items into the prison complex. The unknown IZ Guard wrapped the gun and knives in a bed sheet and threw them up to the window of cell #35 in tier 1A.

The informant was removed from his cell and transported to a shower room in the cellblock area to further question him. Military Police and Military Intelligence personnel assembled a search team consisting of LTC [REDACTED] SSG [REDACTED] SSG [REDACTED] and SGT [REDACTED]. Neither the Company Command Post nor the Battalion TOC was notified prior to the conduct of this operation. There was no SOP that required the search team to do so. The search team viewed this as a routine cell search.

Several other individuals were in the area, including MI personnel, assisting with the lockdown of the remainder of the prisoners. Prisoners were requested to come to the door of the cell and slide their hands through the cell door to be handcuffed. This is standard procedure when removing a detainee from the cell prior to movement or search. As the above listed personnel approached cell #35, the detainee in that cell was ordered to place his hands through the bars to be handcuffed. At this time the detainee stated he "had no gun." It should be noted that no mention of a gun was made within earshot of the detainee previously. The detainee then made a sudden move toward the upper bunk in his cell and produced a pistol. He then fired a round through the cell door, which impacted across the walkway on the south side of the tier. The search team then fired 2 rounds of less-than-lethal pellets from a 12 GA shotgun, which had no effect. The detainee then responded by firing five to six additional rounds at the team. The search team then engaged the detainee with lethal rounds from the 12 GA shotgun. The detainee was struck several times in the legs with 00Buckshot. The detainee relinquished his weapon only after he expended all of his ammunition. He slid the pistol under the cell door and surrendered. The team entered the cell and subdued the detainee.

The cell was searched and 2 bayonet type knives were discovered in the same area where the pistol was, under the mattress of the upper bunk. Medical attention was administered to the detainee and he was then evacuated to the 28th CSH, BIAP, Baghdad.

Following the above incident, MI personnel detained and questioned 43 IZ guards. All but three were released following intense questioning. These three are being detained for further processing. A fourth did not report for work the next day and is still at large. MI personnel are making attempts to locate this individual. The IZ guard detainees admitted smuggling the weapons into the facility hiding them in an inner tube of a tire. Several of the IZ guards in question have been identified as Fedayeen trainers and members. It is not

Executive Summary of Cell Block Shooting Incident

clear if this action was part of a larger plan to free High Value Detainees (HVD). In addition, this incident does not appear to be related to the prison riot earlier in the day. On the surface it appears that this was simply a plan to kill Americans and escape. It should be noted that it is believed that the weapons had been in tier 1A for possibly 2 days and had been in more than one cell. The informant that originally passed the information had stated that he had possession of the weapons at one time but gave them back for fear of discovery. He is removed from his cell regularly for interrogation because he is considered a good source. He admitted passing the weapons back to the detainee in cell #35 while on cleaning detail.

Executive Summary of Prison Riot incident

On 24 NOV 2003, the U.S. Military Police Guard Force at Abu Ghurayb Prison/Baghdad Correctional Facility, (BCF), shot and killed 4 (four) detainees that were aggressively contributing to a prison riot. The prisoners would not comply with ordered commands from guard force personnel to cease and desist, and were threatening to affect a breach of the containment perimeter.

Prior to the incident, several intelligence reports had been distributed to the facility BCF personnel were aware that a distracting disturbance might take place several days prior to or several days after the Ramadan holiday. The disturbance was allegedly to have been started by a signal from an outside force. The purpose was to create a distracting action so outside forces could break in and free High Value Detainees (HVD). The signal was to have been sounding of vehicle horns or a non-standard call to prayer. It should be noted that HVDs are not being detained at the BCF.

At approximately 1300, 24 NOV 2003, detainees in Compound 4 at Camp Ganci initiated a demonstration, protesting circumstances of their capture, judicial procedures, and prisoner release conditions. The detainees rallied by yelling, chanting and inciting other compounds to become non-compliant with institutional standards. The prisoners were marching and yelling "Down with Bush," and "Bush is Bad" and other slogans to that effect. After several minutes, the detainees became violent and started throwing rocks at the guards, both in the towers and at the rovers along the wire. This instigated the adjacent detainee compounds to begin rioting, also. Many of the guards in the towers had stated that "the sky was black with rocks" and "I feared for my life and was afraid of a mass breakout." Several of the guards were injured by thrown objects. In compliance with standard operating procedures governing rules of engagement, less-than-lethal (LTL) force was initially employed against the rioters. Several LTL M203 crowd control and 12 GA shotgun rounds were fired. At this time, detainees in all 8 (eight) of the compounds at Camp Ganci were engaged in violent and aggressive behavior toward the guard force. An assessment of the situation indicated that a mass prison break was imminent and U.S. forces were in grave danger due to the ineffectiveness and depletion of LTL ammunition. After repeated attempts to bring the rioting under control, authorization was granted to fire lethal rounds into the compound. In accordance with SOP and ROE, permission had to be granted by the Command Post LTC Gerry Phullabaum, 320th Battalion Commander authorized the use of deadly force to bring the situation under control and restore order and discipline within the compounds.

At approximately 1335, 24 NOV 2003, deadly force action was applied at Compound 4 of Camp Ganci. The most immediate threats were identified and engaged with several aimed shots, which resulted in the death of one detainee and several others wounded. Guards at Compound 7 were the next to apply deadly force, which resulted in the death of one detainee. No other wounded were reported in this compound. Guards in Compound 1 and 3 also fired lethal rounds into the compounds resulting in the death of two more detainees.

The use of deadly force defused and quelled the rioting in all of the compounds and order was restored at approximately 1345, 24 NOV 2003. Medical personnel then reacted to the

~~Executive Summary of Prison Riot Incident~~

Injured and ammunition re-supply was completed. All detainees were accounted for and contained in specific areas of the compounds while compounds were secured and searched.

All KIA detainees were evacuated to the 28th CSH in Baghdad. WIA detainees were treated by US medical personnel at the scene or evacuated to the 28th CSH. Unit medical personnel treated all U.S. WIA at the scene.

Follow-on interviews and general discussions with detainees indicated that the riot was not part of a larger "mass break" plan. The detainees were protesting the conditions in which they live, meals, conditions of capture and subsequent incarceration, judicial system, etc.



COMBINED JOINT TASK FORCE SEVEN
BAGHDAD, IRAQ

REPLY TO
ATTENTION OF

CJTF7-DCG

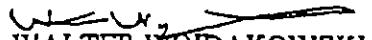
MEMORANDUM FOR :

Provost Marshal, CJTF-7, Victory Base Camp, Iraq
Commander, 16th Military Police Brigade, Victory Base Camp, Iraq
Commander, 504th Military Intelligence Brigade, Victory Base Camp, Iraq

SUBJECT Corrective Actions Required After Riots and Shootings at Abu Ghraib Prison on 24 November 2003

- 1 On 24 November there were two shooting incidents at the Abu Ghraib Prison. In an AR 15-6 investigation, the Investigating Officer identified numerous deficiencies that require improvement in the administration of the Prison. These deficiencies, including inadequate SOPs and an inadequate system of training were contributing factors in the two incidents.
- 2 Attached is a copy of the Report of Investigation with findings and recommendations. The Provost Marshal and Commander, 16th MP BDE, with the support of the Commander, 504th MI BDE, are directed to evaluate each of the eight recommendations made by the Investigating Officer, including those specific recommendations incorporated at Appendices A through D, and to develop a plan of action for each. To the extent that any specific corrective action has already been taken, you will reflect such action in your report.
- 3 You will submit to the Deputy Commanding General, CJTF-7, a copy of your plan of action NLT 15 February 2004.

Encl
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WALTER WOJDAKOWSKI
Major General, USA
Deputy Commanding General

CF
CJTF-7 SJA

Recommendations (cont from DA 1574)

Per the direction in the AR 15-6 appointment Memo, the following specific recommendations are provided

1 Standard Operating Procedures

- a Periodic review and modifications of operational SOP document
SOP must include sufficient detail to cover all common and complicated situations anticipated
- b Less than Lethal rounds must always be in a designated weapon, clearly marked as such, and separated from weapons loaded with lethal ammunition Colored barrels and stocks on LTL weapons are common methods of accomplishing this
- c The SOP must be reproduced and readily available, in numerous locations, to all soldiers on duty as a quick reference source
- d Other recommendations affecting multiple areas are included in appendix A

2 ROE/RUF

- a The soldier in the tower should be the decision-making authority on the necessary use of deadly force This has already been implemented following a review of the ROE/RUF
- b ROE/RUF review and training must be a continual process, reviewed at least once a month
- c ROE/RUF guidelines must be clearly posted at each guard post
- d Other recommendations affecting multiple areas are included in appendix A

3 Training

- a Concurrent training plan must be developed and implemented at Company level to ensure complete understanding of ROE/RUF, common tasks for the various positions and other perishable skills
- b Guard mounts must be conducted prior to every shift to enhance commonality of information flow, perform pre-combat checks of guard force personnel, and conduct hip pocket training
- c After Action Reviews (AAR's) must be conducted following all significant events This will ensure that procedures used are sufficient and appropriate and that any deficiencies in the SOPs and other procedures are identified and corrected
- d Other recommendations affecting multiple areas are included in appendix A

4 Impact of Rumors/Communications on the Behavior of the Detainees

- a Compound to compound communications must be restricted as much as possible Understanding that under operational conditions this is very difficult Additional monitoring of prisoners to ensure that verbal and visual signals are not exchanged between compounds can effect this
- b Mandate that accurate and timely information flow concerning subjects such as early prison release is maintained with compound leaders
- c Educate detainees on the proper and acceptable methods to air grievances
- d Other recommendations affecting multiple areas are included in appendix A

5 Civil Affairs Involvement at Abu Ghurayb

- a Task Civil affairs units directly to the facility
- b Civil Affairs assets should concentrate on improving prisoner communications with relatives and their respective communities
- c Civil affairs Assets should also be used as source of intelligence as a result of their relationships with local civilians

6 Improvement Of Less than Lethal Capabilities

- a Additional less than lethal weapons must be obtained This would enable segregation of the less than lethal from the lethal ammunition TASER guns should be obtained which would enhance the ability to subdue prisoners in a less than lethal manner
- b Sufficient stockpiles of less than lethal ammunition, to include rubber shot shells, bean bags, and stun grenades (flash-bangs) must be maintained at each guard post that has less than lethal capability
- c A detailed plan must be developed for the re-supply of both lethal and LTL ammunition in the event of an incident
- d At least one complete "Less than Lethal set" be obtained and placed at the facility for future use
- e Obtain permission to use chemical agents such as OC Pepper Spray to subdue unruly detainees.
- f Other recommendations affecting multiple areas are included in appendix A

7 Prevention of the Introduction of Illegal Weapons into the facility

- a ISP Guards must be better vetted prior to employment and complete searches of all guards prior to allowing them to enter the prison complex Currently there are known employees with connections to the Republican guard and Saddam Fedhaheen
- b Non-military vehicles should not be allowed inside the walls of the facility However, if non-military vehicles are allowed to continue to enter the facility parking area, a sterile area away from the building itself must be established Before a person can leave this sterile area and come into the building, they should be subjected to a complete search This system will apply to employees and contractors working at Abu Ghuryb
- c Additional supervision of IZ Guards must be provided to ensure that their work ethic is up to acceptable standards
- e Other recommendations affecting multiple areas are included in appendix A

8 Appendix A, of this document, includes significant recommendations impacting on multiple areas including but not limited to the above seven specific areas

SOP and Training Observations and Recommendations

- SOPs and Standing Orders are available and there is evidence that the soldiers are familiar with most of them
- There is evidence in the form of training records for MOST soldiers that SOP Rules of Engagement, and Less than Lethal (LTL) force training was conducted. Several of the soldiers involved with the cellblock shooting and the compound riot are not included on the training rosters made available to me. Constant and thorough reviews of training records must be conducted to ensure that all soldiers have been trained in the Rules of Engagement and conduct of SOPs. Follow-on training and familiarization must be accomplished so execution of them is second nature.
- Some SOPs are lacking the detail to ensure all potential situations are covered. The SOPs for cell searches and cell extractions are in place but some soldiers were not aware of their existence. SOPs should be briefed at every shift change as part of guard mount. At least one SOP per shift change should be briefed and discussed.
- There is no evidence of formal Guard Mounts being conducted prior to shift changes. Most interviewees stated that the NCOICs would have a meeting and then they would go to the posts and relay information. This is inefficient and can lead to confusion as all guards may not get the same information and may have questions that others may not have thought about. Guard Mounts should also be used for the conduct of Pre-Combat Checks where NCOICs perform inspections to ensure each soldier has the required equipment to perform the mission.
- There is no evidence of concurrent training being conducted during off shift periods. Although difficult to accomplish, concurrent training must be conducted to ensure understanding of SOPs and individual skills. Many military Police skills are perishable and refresher training is necessary for maintenance of these skills.
- There is no evidence of periodic review of SOPs and Standing Orders. SOPs are working documents and should be constantly reviewed for completeness and accuracy. As an example, there is no SOP that addresses the possibility of a weapon in a cell. This is Serious Incident Report (SIR) subject matter and should be very explicit. The SOP for cell searches could have been used for this incident but lacks the detail and communications aspect required to be complete. In the Cell #35 shooting incident, there was no communications with Company or Battalion level chains of command. This is a serious incident that I think would require additional guidance from the chain of command. If the TOC had been notified, the IRF would probably have been deployed. They have specialized equipment, such as flash-bang grenades and would have been helpful in this situation.
- Many SOPs are complicated in nature, such as cell extractions, and should be rehearsed periodically. There is no evidence that this has taken place.
- SOPs are in a binder maintained at the Battalion TOC. A duplicate binder should be at every NCOIC office in the facility. There are copies of some of the SOPs at various posts but only the SOPs that apply to that post. There could be instances that may require the examination of SOPs from other posts. In addition many copies of the SOPs are incomplete.

SOP and Training Observations and Recommendations

- Rules of Engagement are not posted in every guard tower, nor are standing orders for all posts. This is paramount to ensure that every soldier standing guard has a full understanding of duties and responsibilities pertaining to that post. One soldier had a copy of the ROE in his pocket and could recite the ROE word for word. All soldiers should be this familiar with the ROE.
- Current adaptation of rules dictates that less than lethal ammunition is mixed in the same weapon as lethal ammunition. Many soldiers could not identify what type of ammunition was currently loaded in some weapons. This is most predominantly the case with shotguns. In most cases, two LTL rounds are carried up front followed by five rounds of 00 buckshot. This is not a good practice as sometimes in the "heat of battle" a soldier may lose count and forget what the next round in the chamber is. This can be deadly for both the soldier and subject. The soldier may intend to fire a lethal round in an application of deadly force as he is being attacked and fire a LTL round that may allow the attacker to continue his actions. By the same token, a soldier may not have a deadly force situation, but fire a lethal round by mistake. LTL rounds must always be in a designated weapon clearly marked as such and separated from weapons loaded with lethal ammunition. I have seen markings such as barrels being painted a bright color, LTL marked on the stock, etc.
- After Action Reviews (AARs) are not being conducted consistently following incidents. These should be conducted as soon as practicable following an incident while information is still fresh in the minds of the participants. These also lead to enhanced SOPs.
- There is evidence of "Scenario" training. Vignettes have been reproduced and are available to the soldiers outlining real world possibilities. These are outstanding and full use should be made of them.
- There is much evidence of "hesitation to shoot" among the soldiers. Most feel that every time someone pulls a trigger or "sticks" a prisoner, someone will be made the fall guy. Some soldiers feel that their training level is high enough to enable them to do the right thing. This hesitation could have disastrous results in some situations.
- Post-mobilization training was inadequate for most deploying units to prepare them for the assigned mission. A thorough review of the commander's training priorities must be conducted prior to mobilization to ensure that concentration is applied to areas requiring additional training. It should be noted that several of the MP companies performing EPW/IR/Prison duties are Combat Support companies that were converted at the mobilization site. This is not desirable as a substantial amount of additional training is required. The complex training was not provided at the mobilization sites.

Hardstand Prison Observations and Recommendations

- ISP Guards have questionable work ethic and possess cultural differences on how things should be handled. They have a tendency to be very lax in performance of duties and do not pay close attention to task at hand, hence some prisoners are not properly supervised at all times. If possible, additional U.S. guards should be assigned to supervise the ISP guards. In one instance, prisoners were able to knock the concrete window grating from a window using the bunk bed in the cell. This act and the associated noise went unnoticed by Iraqi guards and 2 prisoners were allowed to escape.
- Many ISP Guards are very corrupt and are known former intelligence officers and Fedaaheen members. They are ripe for bribery as the pay is low and they supplement their incomes by extortion or favors.
- Contractor personnel are not properly supervised within the facility and have too much free reign in prisoner areas. This makes it easy to engage in contact with prisoners and perpetuates the possibility of the smuggling of contraband.
- ISP Guards do not have uniforms, which makes it difficult to distinguish them from prisoners. They must be clearly identified as guards so prisoners cannot mix in with them should a disturbance arise. They do have picture identification badges but are often covered by layers of clothing.
- Many of the prisoners do not have distinguishing bright colored jumpsuits to distinguish them as such. They could easily mix in with non-uniformed guards or contractor personnel.
- Corridor gates and doors are often left open and unattended by IZ guards while prisoners are in the general area. Additional training and supervision is required to ensure this is monitored.
- Additional ISP Guards will be required when construction is completed, to man the new wings when additional prisoners are placed there. There are currently several hundred Iraqi criminals being held at Camp Ganci waiting to be placed in the new facility. When they are moved to the new facility, the overcrowding issue at Camp Ganci may be resolved.
- The tier and wing areas are extremely dirty and very unsanitary. Prisoners are allowed to keep food in cell areas if they don't eat it at that particular meal. This breeds disease and complicates cleanliness issues. Stringent work details are not enforced. Prisoners should be organized into work parties and clean up the mess in the cellblock areas. This would also lead to occupying prisoners' time as opposed to and instill a work ethic.
- Full and complete searches of contractor personnel and ISP Guards are being conducted as they enter the facility. ISP Guards and some contractor POVs are being allowed onto the facility and parked too close to the hardstand prison area. All POVs should be parked outside the facility or, if allowed inside, parked a safer distance from the hardstand prison site. All POVs allowed inside the facility should be parked in a controlled area with restricted access to the vehicles.

Hardstand Prison Observations and Recommendations

- CPA must take complete ownership of facility They should have a full time representative present at the facility to supervise projects and assist with logistic issues In 9 days at the facility, I observed CPA representatives in the area only three times. It was related to me by MP personnel that this was more than they had been there in some time
- Clear-cut chain of command does not exist in the prison It is difficult to understand whom the Military Police work for, particularly in the MI hold area The MPs must work for and answer to their own chain of command and not answer to the MI community The MI contingent is not familiar with SOPs and Standing Orders concerning MP operations and may present conflicts
- Towers on the outer wall of the prison facility are not manned 100% All towers should be manned 24/7 Exterior towers being manned also play a role in the observation of the compound and hardstand areas

177-111 C

Camp Ganci Observations and Recommendations

- There are too many compounds in the facility. The space allotted should only contain 6 compounds, at most. The facility contains 8 compounds that are smaller than standard. The compounds are designed to hold 500 prisoners. The current capacity averages approximately 575 – 600 prisoners per compound. This is causing security and sanitation issues within each compound. The compounds should hold only 500 prisoners.
- Compounds are too close together. The distance between compounds averages 30 feet. This distance should be 150 feet or greater. This is a result of placing too many compounds in the facility. The closeness of the compounds facilitates communication between prisoners of different areas. Verbal, hand signal and actual notes are all methods of intra-compound communications that are currently being employed.
- Guard towers are not placed properly and are ineffective. They are too close to the wire of the compound and forces the tower guard to lean over the edge to see if any prisoners are directly below him. A half-moon wire exclusion area should be emplaced to keep prisoners back.
- Compound corners are squared off, which facilitates blind spots. Corners should be rounded to alleviate the blind spots.
- Engineer support is desperately required in order to complete projects in compound area. External secondary fences are not complete. The entire area requires grading to enhance proper drainage. Area is covered with mud and many prisoner tents are close to being under water.
- Cages of chain link fence material must be constructed around the upper part of guard towers to prevent thrown objects from hitting guards. This was a major problem during the riot of 24 NOV.
- Current lighting arrangement is not effective in the compounds. Many dead spots were observed during hours of darkness. Additional lighting is required, as rearrangement will not solve the issue. Hand held spotlights are also needed in the towers so guards have some form of point lighting to identify prisoners and specific areas of concern. These have been ordered and currently out for bid.
- Kevlar helmets and flak vests are not required until 1700 daily. Many of the rovers and NCOICs had grounded their equipment when reporting for duty and got caught elsewhere when riot started. They did not have the proper level of protection when trouble started. All the tower guards had the necessary protective equipment. Tower guards had their protective equipment in the towers and were able to "suit up" quickly.
- Prior to the riot, guards required permission to fire lethal rounds into compound. This permission took over 25 minutes to obtain as the BN Cdr had to arrive on the scene and observe situation prior to authorization. There were repeated requests for permission to engage targets with lethal ammunition as several of the guards clearly felt their life was in danger and were also in fear of the prisoners conducting a breakout and overrunning their positions. These were precious minutes that could have been lethal for soldiers on duty. Clear lines of communication must be part of

Camp Ganci Observations and Recommendations

the SOP so that OIC or BN Cdr can remotely authorize and save time. The ROE has changed since the riot to allow the guards more flexibility in the decision to engage targets with lethal ammunition. The new ROE seems to be effective.

- Operation "Golden Spike" is a plan to regain control of prison in the event of mass rioting and/or breakout. Very few soldiers have seen this plan and know their role in the operation. The plan has not been rehearsed. However it has been briefed to leadership and a rock drill was conducted. Soldiers cannot be expected to carry out a plan that they have never seen. This plan must be completely briefed and rehearsed by all soldiers to ensure complete understanding and identify shortfalls in the plan.
- Communications in towers is less than adequate. TA-312 telephones are the primary means of communications and are unreliable. The wired network requires constant maintenance and re-wiring as the wires are constantly cut and broken. Some towers and rovers have non-standard handheld radios. This has caused many soldiers to purchase their own handheld Motorola style radios to communicate with one another and the NCOIC. Additional standardized handheld radios and other communication devices have been ordered but contracts are slow to be issued and purchases made.
- Insufficient LTL ammunition is placed in towers. Some towers had only two LTL M203 rounds or two 12 GA shotgun rounds. Some towers have no LTL ammunition. In some shotguns, the magazine has only LTL rounds in it. On other posts, there is a mix. Plans for standard issue of lethal and LTL ammunition must be developed. There are no plans for re-supply of LTL ammunition during an incident and an SOP for this must also be developed.
- Contract meals at the facility are not served on time. I observed the 1100 meal not arrive until 1500 and then the 1600 meal not be delivered until 2030. This situation contributes to prisoner unrest. This is a systemic problem with contracting. A contract officer should be posted at the facility to deal with breach of contract issues and take necessary actions to prevent this from happening. At the very least, contracting officers should visit the facility several times a week to ensure the Government is not being mislead and defrauded by local contractors.
- Most detainees do not have prison jumpsuits to clearly identify them as such. This may cause a problem if a break were to occur. The civilian attire would create an identification issue, as the similarity in attire would allow the detainees to easily mix in with contractors in the area.
- Compounds are unsightly and strewn with litter and garbage. Detainees are also allowed to horde food. This breeds unsanitary conditions. Prisoners should be organized into work parties and clean up their areas. This would aid in controlling disease and enhance sanitation. It would also lead to keeping detainees occupied and controlled as opposed to wandering the compounds.
- The issue of compound overcrowding cannot be alleviated with additional tents in the compounds. The compounds themselves are overcrowded. The release and transfer of detainees must be affected to fix this problem. Additional magistrate personnel are required to initiate additional review boards. The circumstances of incarceration must also be reviewed. Oftentimes when raids are conducted, everyone in the building is

Camp Ganci Observations and Recommendations

taken into custody and sent to a facility and identified as a security detainee. In some cases, these people are completely innocent and it can take months to rectify. More accurate reports should be submitted by capturing units to identify the circumstances. This would make it easier to identify potential releases earlier.

Intelligence Observations and Recommendations

- There is evidence that all intelligence products sent to Abu Ghurayb were received
- Evidence exists that all info was acted upon by briefing interior and exterior guards COL Pappas and LTC Phillabaum ensured the information was passed during the daily force protection meetings
- Intel received was not of a "boiled down" nature and vague in some respects. Most intelligence is received that way, and this is not a new issue
- Information gained from interrogations conducted by MI
- Interviews and discussions with detainees in the compound areas following the riot of 24 DEC indicated that the actions had nothing to do with a coordinated plan to break out HVDs. The detainees were protesting the living conditions, judicial process, terms of capture and release, and food. There is no evidence of rumors being a contributing factor to the prison riot of 24 NOV



**DEPARTMENT OF THE ARMY
HEADQUARTERS, 16TH MILITARY POLICE BRIGADE (AIRBORNE)
Victory Base Camp, Iraq
APO AE 09342**

REPLY TO
ATTENTION OF

AFZA-AP

14 February 2004

MEMORANDUM FOR Deputy Commanding General, Combined Joint Task Force-Seven

SUBJECT: Corrective Actions Required After Riots and Shootings at Abu Ghraib Prison on 24 November 2003

1 Enclosed is the corrective action plan for Abu Ghraib Prison, including implemented actions as well as those under review. This plan was reviewed and approved by the CJTF-7 PM and the Commander, 504th MI Brigade

2 POC is LTC Lennie Upshaw at DNVT 559-1738

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[REDACTED]
COL, MP
Commanding

1 Standard Operating Procedures

- a All SOPs are currently under review by a team of senior NCOs at the brigade and battalion level. This will include changes and updates to include sufficient detail for procedures to be followed. Changes to SOPs are currently briefed during Guard Mounts and will be posted at each functional area. Additional SOPs are implemented as additional missions are added, such as escorts to the Central Criminal Court of Iraq (CCCI) and the Conditional Release Program
- b Current manning levels and weapons availability result in the inability to have 2 separate weapons with lethal and less than lethal ammunition at each post. However, each shotgun is loaded with less than lethal rounds and the bearer of that weapon carries lethal rounds on the left side of the IBA. The SOP is being refined to ensure that soldiers check, clear and re-load weapons as they are passed from one shift to the next
- c All SOPs will be published in sufficient quantities to ensure one is posted at each duty location

2 ROE/RUF

- a The recommendation for soldiers to be the decision-maker on the use of deadly force was implemented. Soldiers are briefed on their authority to use deadly force as part of the ROE brief
- b ROE is briefed daily at each Guard Mount and Shift Change
- c ROE is posted at each post and in the battalion TOC and will be checked periodically

3 Training

- a Training plans for ROE and additional MP tasks are being developed and will be distributed to all units. Units will incorporate performance-oriented training for each task
- b Formal in-ranks guard mounts have been initiated at each facility to complement the previous practice of shift change briefs to the NCOICs of each compound, who would then brief his/her shift personnel at their respective compounds. Formal guard mount training has been implemented, and is documented on the guard mount training plan
- c AARs are currently being conducted at the conclusion of each significant event as well as following all significant training activities

4 Impact of rumors/communications on the behavior of detainees

- a Communication between compounds is minimized as much as possible considering the close proximity of the compounds to each other as well as the current manning restraints. We are currently working additional projects for screening between the compounds to reduce communications between detainees. Frequent random searches of both detainees and their living

areas are also conducted to confiscate notes, messages and/or other contraband. Military working dogs support this effort.

- b. Each compound has a detainee representative who serves as the spokesperson. Compound representatives are used to provide information to the other detainees in their respective compounds.
- c. Compound NCOICs and the battalion S-3 meet regularly with the compound representatives to discuss issues, concerns, upcoming events and recent trends.

5 Civil Affairs Involvement at Abu Ghraib

- a. A current CA team (-) located at Abu Ghraib is scheduled to depart on or about 15 February 2004 with no scheduled replacement. We are submitting a request for dedicated CA assets through the CJTF-7 C9.
- b. The current CA assets concentrate on improving relations with the community. We recommend CA assets dedicated to Abu Ghraib be placed TACON to 16th MP Bde (Abn) to ensure their use as recommended in the AR 15-6 investigation findings.
- c. The current CA team provides intelligence recovered from local sources as well as that which is collected by Coalition Forces. We anticipate follow-on CA assets will operate similarly.

6 Less than Lethal (LTL) Capability Improvements

- a. The battalion commander appointed a senior NCO on the unit's QRF to identify the needs and procure additional LTL weapons of various types, including TASER guns and commercial weapons for point targets and crowd dispersal.
- b. The same NCO is tasked to obtain sufficient ammunition for the various weapons and ensure it is positioned at the required locations.
- c. Class V re-supply continues through submission of DA Forms 581 to the ASP. We are also considering the purchase of additional LTL ammunition through commercial sources.
- d. The 16th MP Bde (Abn) deployed with one complete Non-Lethal Capabilities Set (NLCS). This NLCS was delivered to Abu Ghraib on 3 February 2004.
- e. FRAGO 929 (ROE Clarification on the Use of Riot Control Means) to CJTF-7 OPORD 03-036 authorizes the use of OC pepper spray. Facility Commanders are designated release authorities for use in detention facilities. OC pepper spray will be obtained and soldiers will be trained on the proper use prior to employment.

7 Prevention of the Introduction of Illegal Weapons into the facility

- a The Coalition Provisional Authority (CPA) controls Iraqi Correctional Officer (ICO) hiring and training All Non-Coalition Forces personnel, to include ICOs and Iraqi Police (IP), are searched prior to entering the facility Additionally, the windows in Wings 1A and 1B of the prison complex are now sealed to prevent contraband introduction
- b All non-military vehicles are searched before entering Abu Ghraib Any non-military vehicle that enters the detention facilities is escorted
- c Currently, there are no additional MP assets available to assign to the prison complex for ICO supervision However, CPA has added 4 employees that are beginning to display a presence here The CPA has plans to put an additional 16 employees here. We are also working with CPA representatives on issues related to training and supervision of ICOs



**DEPARTMENT OF THE ARMY
HEADQUARTERS, 16TH MILITARY POLICE BRIGADE (AIRBORNE)
Victory Base Camp, Iraq
APO AE 09342**

REPLY TO
ATTENTION OF

AFZA-AP

14 February 2004

MEMORANDUM FOR Deputy Commanding General, Combined Joint Task Force-Seven

SUBJECT Corrective Actions Required After Riots and Shootings at Abu Ghraib Prison on 24 November 2003

1 Enclosed is the corrective action plan for Abu Ghraib Prison, including implemented actions as well as those under review. This plan was reviewed and approved by the CJTF-7 PM and the Commander, 504th MI Brigade.

2 POC is LTC [REDACTED] at DNVT 559-1738.

Encl
as

[REDACTED]
COL, MP
Commanding

1 Standard Operating Procedures

- a All SOPs are currently under review by a team of senior NCOs at the brigade and battalion level. This will include changes and updates to include sufficient detail for procedures to be followed. Changes to SOPs are currently briefed during Guard Mounts and will be posted at each functional area. Additional SOPs are implemented as additional missions are added, such as escorts to the Central Criminal Court of Iraq (CCCI) and the Conditional Release Program.
- b Current manning levels and weapons availability result in the inability to have 2 separate weapons with lethal and less than lethal ammunition at each post. However, each shotgun is loaded with less than lethal rounds and the bearer of that weapon carries lethal rounds on the left side of the IBA. The SOP is being refined to ensure that soldiers check, clear and re-load weapons as they are passed from one shift to the next.
- c All SOPs will be published in sufficient quantities to ensure one is posted at each duty location.

2 ROE/RUF

- a The recommendation for soldiers to be the decision-maker on the use of deadly force was implemented. Soldiers are briefed on their authority to use deadly force as part of the ROE brief.
- b ROE is briefed daily at each Guard Mount and Shift Change.
- c ROE is posted at each post and in the battalion TOC and will be checked periodically.

3 Training

- a Training plans for ROE and additional MP tasks are being developed and will be distributed to all units. Units will incorporate performance-oriented training for each task.
- b Formal in-ranks guard mounts have been initiated at each facility to complement the previous practice of shift change briefs to the NCOICs of each compound, who would then brief his/her shift personnel at their respective compounds. Formal guard mount training has been implemented, and is documented on the guard mount training plan.
- c AARs are currently being conducted at the conclusion of each significant event as well as following all significant training activities.

4 Impact of rumors/communications on the behavior of detainees

- a Communication between compounds is minimized as much as possible considering the close proximity of the compounds to each other as well as the current manning restraints. We are currently working additional projects for screening between the compounds to reduce communications between detainees. Frequent random searches of both detainees and their living

areas are also conducted to confiscate notes, messages and/or other contraband Military working dogs support this effort

- b Each compound has a detainee representative who serves as the spokesperson Compound representatives are used to provide information to the other detainees in their respective compounds
- c Compound NCOICs and the battalion S-3 meet regularly with the compound representatives to discuss issues, concerns, upcoming events and recent trends.

5 Civil Affairs Involvement at Abu Ghraib

- a A current CA team (-) located at Abu Ghraib is scheduled to depart on or about 15 February 2004 with no scheduled replacement We are submitting a request for dedicated CA assets through the CJTF-7 C9
- b The current CA assets concentrate on improving relations with the community We recommend CA assets dedicated to Abu Ghraib be placed TACON to 16th MP Bde (Abn) to ensure their use as recommended in the AR 15-6 investigation findings
- c The current CA team provides intelligence recovered from local sources as well as that which is collected by Coalition Forces We anticipate follow-on CA assets will operate similarly

6 Less than Lethal (LTL) Capability Improvements

- a The battalion commander appointed a senior NCO on the unit's QRF to identify the needs and procure additional LTL weapons of various types, including TASER guns and commercial weapons for point targets and crowd dispersal
- b The same NCO is tasked to obtain sufficient ammunition for the various weapons and ensure it is positioned at the required locations
- c Class V re-supply continues through submission of DA Forms 581 to the ASP We are also considering the purchase of additional LTL ammunition through commercial sources
- d The 16th MP Bde (Abn) deployed with one complete Non-Lethal Capabilities Set (NLCS) This NLCS was delivered to Abu Ghraib on 3 February 2004
- e FRAGO 929 (ROE Clarification on the Use of Riot Control Means) to CJTF-7 OPORD 03-036 authorizes the use of OC pepper spray Facility Commanders are designated release authorities for use in detention facilities OC pepper spray will be obtained and soldiers will be trained on the proper use prior to employment

7 Prevention of the Introduction of Illegal Weapons into the facility

:

- a The Coalition Provisional Authority (CPA) controls Iraqi Correctional Officer (ICO) hiring and training. All Non-Coalition Forces personnel, to include ICOs and Iraqi Police (JP), are searched prior to entering the facility. Additionally, the windows in Wings 1A and 1B of the prison complex are now sealed to prevent contraband introduction
- b All non-military vehicles are searched before entering Abu Ghraib. Any non-military vehicle that enters the detention facilities is escorted
- c Currently, there are no additional MP assets available to assign to the prison complex for ICO supervision. However, CPA has added 4 employees that are beginning to display a presence here. The CPA has plans to put an additional 16 employees here. We are also working with CPA representatives on issues related to training and supervision of ICOs

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-6, the proponent agency is OTJAG

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

SECTION I - APPOINTMENT

Appointed by BG JANIS L KARPINSKI
(Appointing authority)

on 10 JAN 04 (Attach inclosure 1 Letter of appointment or summary of oral appointment data) (See para 3-15 AR 15-6)
(Date)

SECTION II - SESSIONS

The (investigating) (board) commenced at Camp Arifjan, Kuwait at 1200
(Place) (Time)

on 10 Jan 04 (If a formal board met for more than one session, check here Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences if any) The following persons (members respondents, counsel) were present (After each name indicate capacity, e.g. President, Recorder Member Legal Advisor)

The following persons (members respondents counsel) were absent (Include brief explanation of each absence) (See paras 5-2 and 5-8n AR 15-6)

The (investigating officer) (board) finished gathering/hearing evidence at 1700 L on 13 JAN 04
(Time) (Date)
and completed findings and recommendations at 1700 on 14 JAN 04
(Time) (Date)

SECTION III CHECKLIST FOR PROCEEDINGS

A COMPLETE IN ALL CASES

YES NO N/A

1	Inclosures (para 3-15 AR 15-6) Are the following inclosed and numbered consecutively with Roman numerals (Attached in order listed)	
a	The letter of appointment or a summary of oral appointment data?	X
b	Copy of notice to respondent, if any? (See item 9, below)	X
c	Other correspondence with respondent or counsel, if any?	X
d	All other written communications to or from the appointing authority?	X
e	Privacy Act Statements (Certificate, if statement provided orally)?	
f	Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?	X
g	Information as to sessions of a formal board not included on page 1 of this report?	X
h	Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?	X

FOOTNOTES 1) Explain all negative answers on an attached sheet

2) Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board

ANNEX 9

Exhibits (para 3-16, AR 15-6)		YES	NO
a	Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?	X	
b	Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	X	
c	Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	X	
d	Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?	X	
e	Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?	X	
f	Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?	X	
g	If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?	X	
3	Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b AR 15-6)?	X	
B COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)			
4	At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-3b, AR 15-6)?		
5	Was a quorum present at every session of the board (para 5-2b, AR 15-6)?		
6	Was each absence of any member properly excused (para 5-2a, AR 15-6)?		
7	Were members, witness, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?		
8	If any members who voted on findings or recommendations were not present when the board received some evidence, does the disclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?		
C COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)			
9	Noice to respondents (para 5-5, AR 15-6)		
a	Is the method and date of delivery to the respondent indicated on each letter of notification?		
b	Was the date of delivery at least five working days prior to the first session of the board?		
c	Does each letter of notification indicate –		
(1)	the date, hour, and place of the first session of the board concerning that respondent?		
(2)	the matter to be investigated, including specific allegations against the respondent, if any?		
(3)	the respondent's rights with regard to counsel?		
(4)	the name and address of each witness expected to be called by the recorder?		
(5)	the respondent's rights to be present, present evidence, and call witnesses?		
d	Was the respondent provided a copy of all unclassified documents in the case file?		
e	If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?		
10	If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings)		
a	Was he properly notified (para 5-5, AR 15-6)?		
b	Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-4c AR 15-6)?		
11	Counsel (para 5-6 AR 15-6)		
a	Was each respondent represented by counsel?		
Name and business address of counsel			
(If counsel is a lawyer, check here <input style="width: 10px; height: 10px;" type="checkbox"/>			
b	Was respondent's counsel present at all open sessions of the board relating to that respondent?		
c	If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the action taken on it included in the report (para 5-6b AR 15-6)?		
12	If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7 AR 15-6)		
a	Was the challenge properly denied and by the appropriate officer?		
b	Did each member successfully challenged cease to participate in the proceedings?		
13	Was the respondent given an opportunity to (para 5-8a, AR 15-6)		
a	Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?		
b	Examine and object to the introduction of real and documentary evidence, including written statements?		
c	Object to the testimony of witnesses and cross-examine witnesses other than his own?		
d	Call witnesses and otherwise introduce evidence?		
e	Testify as a witness?		
f	Make or have his counsel make a final statement or argument (para 5-9 AR 15-6)?		
14	If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (para 5-8b, AR 15-6)?		
15	Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an enclosure or exhibit to it (para 5-11, AR 15-6)?		

FOOTNOTES

1) Explain all negative answers on an attached sheet

2) Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation

SECTION IV - FINDINGS (para 3-10, AR 15-6)

(investigating officer) (board), having carefully considered the evidence, finds THE ROOT CAUSE OF THE DETAINEE ESCAPE WAS DUE TO THE FAILURE OF MP GUARDS TO PROPERLY PHYSICALLY ACCOUNT FOR THE SIX DETAINEES IN COMPOUND 12 WHEN THEY TOOK CONTROL OFF THEIR SHIFT AND THROUGHOUT UNTIL THE END OF THEIR SHIFT. THEY WERE BRIEFED THEY HAD SIX DETAINEES AND THAT THE ONE IN QUESTION WAS PULLED TO APPEAR FOR A COURT DATE IN BAGHDAD THE FOLLOWING DAY (see SGT Leathers statement) AT SOME POINT DURING THEIR SHIFT IT BEGAN TO RAIN (per 1LT Milligan). THE TENT FLAPS WERE PUT DOWN SO THE DETAINEES WOULD NOT GET WET. THE GUARDS AT THAT POINT LOST VISUAL SITE OF THE DETAINEES IN THE THREE TENTS. THEY CLAIM THE ESCAPEE CAME OUT TO PRAY AT 0430 ON FIRST THE EAST SIDE AND THEN THE WEST SIDE OF THE TENT FOR 10 MIN EACH. THIS WAS LIKELY A RUSE IN ORDER TO CHECK OUT HIS ESCAPE ROUTE THROUGH THE WIRE. I BELIEVE THE ESCAPEE LEFT THE COMPOUND BETWEEN WHEN HE WAS LAST SEEN AT 0450 AND WHEN HIS CHOW WAS BROUGHT TO HIM BY HIS TENT MATE AT 0630. OPPORTUNITY FOR ESCAPE WAS FOR A COMBINATION OF REASONS

1. COMPOUND GUARDS DID NOT HAVE DIRECT VISUAL OF THE DETAINEES ONCE THE TENT FLAPS WERE DOWN
2. THERE WERE NO SAND BAGS AROUND THE REAR OF THE TENT (CLOSEST TO THE WIRE) TO KEEP THE FLAPS DOWN
3. THE GUARD TOWER HAD BEEN REMOVED FROM IN FRONT OF COMPOUND 12 AND SENT TO CAMP GANCI IF IT WAS STILL THERE, THERE WOULD HAVE BEEN A GUARD IN FRONT OF THE BREACHED AREA
4. TRIP WIRE ENDED WHERE THE DETAINEE BREACHED THE WIRE. HE MUST HAVE OBSERVED THIS WHILE PRAYING
5. ALL CONCERTINA WIRE WAS REMOVED FROM INSIDE COMPOUNDS ON OPPOSITE SIDE OF ROAD. ONCE THE WIRE WAS BREACHED HE HAD EASY ACCESS TO CONTINUE NORTH THROUGH COMPOUND 1 (WHERE THERE WERE NO GUARDS). NOTE DURING THE FIVE MONTHS I WAS THERE, THERE WAS NEVER AN ATTEMPT TO GO OUT THE FRONT OF THE COMPOUNDS WHEN ALL THE WIRE WAS UP
6. LACK OF USE OF SOP'S (DETAINEES SHOULD HAVE A DAILY SCHEDULE WHERE THEY ARE WOKEN UP FOR HEADCOUNT IN THE AM PRIOR TO CHOW BEING SERVED)

RECOMMENDATIONS:

1. ENSURE THAT STANDARD OPERATING PROCEDURES ARE IN PLACE AND BRIEFED. EVERY SHIFT SHOULD BE CONDUCTED THE SAME WAY.
2. IF MOVED TO COMPOUND 12, SEPARATE DETAINEES GETTING RELEASED VS TRANSFERRED VS ISOLATED FOR INISHMENT.
3. REPLACE AND MAN GUARD TOWER IN FRONT OF COMPOUND 12.
4. REPLACE WIRE ON NORTH SIDE OF MIDDLE ROAD TO PREVENT ACCESS OUT OF NORTH AREAS.
5. CONTINUE TO IMPROVE WIRE AROUND ALL OCCUPIED COMPOUNDS UNTIL CHAIN LINKING FENCING IS PUT UP.
6. INSIST ON PERIODIC RADIO CHECKS SO ALL POINTS IN THE RADIO NET ARE "UP" AT ALL TIMES.
7. BRING BACK MWD TEAM AND CONDUCT DEMONSTRATIONS IN FRONT OF THE DETAINEES. PATROL AT NIGHT.
8. IMPLEMENT UNIVERSAL MEANS OF COMMUNICATING AN ESCAPE SO LOCK DOWN CAN OCCUR OFF ALL COMPOUNDS.
9. LEADERSHIP SHOULD CONTINUE STRESS THE IMPORTANCE OF NOT BECOMING COMPLACENT OR "RELAXING" STANDARDS AS THEY GET CLOSER TO REDEPLOYMENT.

SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

In view of the above findings the (investigating officer) (board) recommends

THIS SERIOUS INCIDENT RESULTING IN THE LOSS OF A DETAINEE ACCUSED OF CRIMES AGAINST THE COALITION CAN NOT BE MITIGATED HOWEVER, THIS IS A FIRST OCCURENCE OF A PRISONER ESCAPE ATTRIBUTABLE TO SOLDIERS IN THE 822ND /190TH MP CO IN OVER EIGHT MONTHS OF GUARDING PRISONERS

RECOMMEND THAT BATTALLION COMMANDER LETTERS OF REPRIMAND BE ADMINISTERED TO THE FOLLOWING

SGT [REDACTED] (NCOIC COMPOUND 12)
SPC [REDACTED] (COMPOUND GUARD)
SFC [REDACTED] (SOG DURING ESCAPE)
SPC [REDACTED] (WEST GATE TOWER GUARD)
SPC [REDACTED] (OP 6/ TOWER GUARD)

WRITTEN COUNSELLING STATEMENTS TO THE COMPANY COMMANDERS
[REDACTED]

MARY OF THE INVESTIGATION AND THE EXHIBITS

ON 10 JANUARY 2004 I RECEIVED THE MEMORANDUM FROM MAJ [REDACTED] TASKING ME AS THE 15-6 INVESTIGATING OFFICER ON THE ESCAPE THAT OCCURED AT CAMP BUCCA ON 7 JAN 04 ATTACHED WITH THE APPOINTMENT MEMORANDUM WAS THE SIR THE UNIT HAD PREVIOUSLY FORWARDED TO THE BDE

I IMMEDIATELY CONTACTED THE UNIT VIA EMAIL TO ADVISE THEM OF MY APPOINTMENT AND THAT I WOULD VISIT CAMP BUCCA ON 13 JAN. I REQUESTED AND RECEIVED WHATEVER DOCUMENTATION OR EVIDENCE THEY HAD ACQUIRED AT THAT POINT. THEY SENT A SKETCH OF THE COMPOUND AND WHERE THE DETAINEE HAD ESCAPED AND A MEMORANDUM FOR RECORD BY THE BN S-3 ON A SUMMARY OF EVENTS LEADING UP TO AND DIRECTLY AFTER THE EVENT.

I WENT UP TO CAMP BUCCA ON 13 JAN WITH THE PRIOR NOTICE AND INTENT OF MEETING THE MP ESCORT AT CAMP NAVISTAR AT 1030 HRS THERE WAS A BREAKDOWN SOMEWHERE IN THE ESCORT MISSIONS AS WE HAD NOT BEEN PICKED UP BY 1230 HRS I THEN JOINED UP WITH ANOTHER VEHICLE GOING TO BUCCA THAT WAS AT NAVISTAR WE ARRIVED BUCCA AT 1330 HRS HAD A QUICK LUNCH

I THEN MET WITH LTC [REDACTED] AND CPT [REDACTED] (S-3) TO GET A SYNOPSIS OF THE ESCAPE. I THEN REQUESTED TO GO OUT TO THE IF TO TAKE A LOOK AT WHERE THE ESCAPE OCCURRED. LTC [REDACTED] CO CDR FOR THE 822ND MP CO ESCORTED ME OUT AND EXPLAINED THE EVENTS AS THEY OCCURED. I WALKED THE GROUND AT THE ESCAPE POINT AND LISTENED TO HIS EXPLANATION. WE THEN WENT DOWN TO COMPOUND 10 WHERE HE SHOWED ME THE CIRCUMSTANCES OF A SECOND ESCAPE ON 12 JAN. I HAD NOT BEEN PREVIOUSLY AWARE OF NOR BEEN ASKED TO INVESTIGATE.

AFTER OBTAINING THE FACTS AS THEY WERE, I RETURNED TO THE BN TOC AND AGAIN DISCUSSED THE INCIDENT WITH THE BC, CSM AND S-3. I COLLECTED SWORN STATEMENTS (PREVIOUSLY OBTAINED BY THE BN CMD INQUIRY) AND AFTER REVIEWING CHOSE NOT TO SPEAK WITH THE SOLDIERS AGAIN. I DIDN'T FEEL THERE WAS MUCH ELSE THEY COULD ADD TO THEIR STATEMENTS AS THEY WERE PRETTY "CUT AND DRIED".

THE FOLLOWING ARE ATTACHED AS EXHIBITS TO 15-6

APPOINTMENT MEMO

- SIR
3 MEMORANDUM FOR RECORD, ON OCCURANCE, BN S-3
4 7 SLIDE POWERPOINT PRESENTATION/AAR ON ESCAPE
5 NDRS PRINOUT OF DETAINEE AND MEMO THAT HE LIVES IN DORA HE HAD A VISITATION ON 3 JAN 04
6 SKETCH AND PHOTOS SHOWING WHERE DETAINEE ESCAPED
7 SWORN STATEMENTS FROM
SGT ██████████ (COMPOUND NCOIC)
SPC ██████████ (COMPOUND GUARD)
SFC ██████████ R (OUTGOING SOG)
SFC ██████████ MMING SOG)
SGT ██████████ OING CMPD 12 NCOIC)
SPC ██████████ Z (190TH MP CO)
SPC ██████████ TE TOWER GUARD)
SPC ██████████ RD OUTGOING)
SPC ██████████ D AT TIME OF ESCAPE)

10

SECTION VI - AUTHENTICATION (para 3-J7, AR 15-6)

AS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE (If any voting member or the recorder fails to sign here or in Section VII below, indicate the reason in the space where his signature should appear)

(Recorder)

 (Investigating Officer) (President)

(Member)

(Member)

(Member)

(Member)

SECTION VII - MINORITY REPORT (para 3-I3, AR 15-6)

To the extent indicated in Inclosure _____, the undersigned do(es) not concur in the findings and recommendations of the board
(in the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur State the
reasons for disagreement Additional/substitute findings and/or recommendations may be included in the inclosure)

(Member)

(Member)

SECTION VIII - ACTION BY APPOINTING AUTHORITY (para 2-3, AR 15-6)

The findings and recommendations of the (investigating officer) (board) are (approved) (disapproved) (approved with following exceptions/
substitutions) (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or
corrective action, attach that correspondence (or a summary, if oral) as a numbered inclosure)



DEPARTMENT OF THE ARMY
377TH THEATER SUPPORT COMMAND
HEADQUARTERS, 800TH MILITARY POLICE BRIGADE
CAMP VICTORY, IRAQ APO AE 09302

REPLY TO
ATTENTION OF

AFRC-CNY-AI-CG

S 14 January 2004
10 January 2004

MEMORANDUM FOR LTC [REDACTED] 800th Military Police Brigade, Camp Arifjan,
Kuwait APO AE 09366

SUBJECT Appointment as Investigating Officer

1 Effective 10 January 2004, LTC [REDACTED] 045-58-0233, 800th Military Police Brigade is appointed as Investigating Officer

2 AUTHORITY AR 15-6

3 PURPOSE You are directed to conduct an investigation involving the reported escape of a security internee on or about 07 January 2004, Camp Bucca, Umm Qasr, Iraq Refer to Serious Incident Report (SIR) (attached) for additional details

4 PERIOD Until investigation is completed and no further investigation is required unless released or relieved sooner by the appointing authority

5 SPECIAL INSTRUCTIONS a) Conduct of investigation will be your primary duty until the completed investigation is submitted to the appointing authority b) Findings will be supported by substantial evidence and by a greater weight of evidence that supports any different conclusion c) Report of investigation will be prepared in compliance with the requirements of AR 15-6 (Procedure for Investigating Officers) as guidance for the conduct of the investigation d) Report of investigation will be furnished to this Headquarters, not later than suspense date indicated above

//Original Signed//

JANIS L KARPINSKI
Brigadier General
Commanding

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Serious Incident Report

- 1 Category N/A
2 Type of Incident. Detainee Escaped
3 070630Z Jan 04
4 Camp Bucca, Compound 12
5 Other Information
6 Personnel Involved
a Subject 1
i Name [REDACTED]
ii Rank
iii ISN B9524
iv Iraqi
v Male
vi Age 35
vii Position Detainee
viii Security
ix 724 MP BN

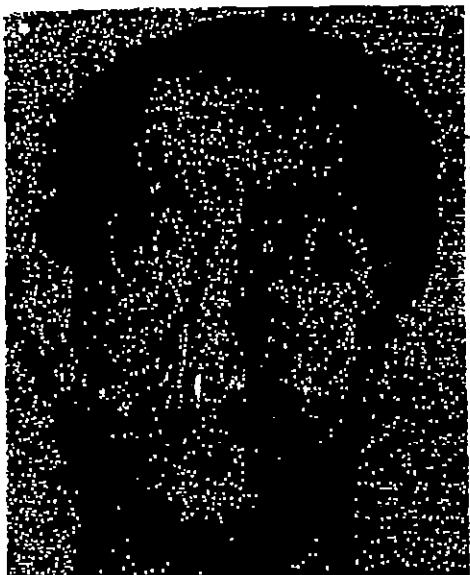
7 At 0630 on 07 January 04, it was discovered that [REDACTED] (ISN # 115032) was discovered missing from Compound #12 at Camp Bucca. They prisoner was last physically accounted for at 0001 during shift change MP Guards (822nd MP CO) guarding the detainee said they saw him praying on the side of his tent at 0430, however, they did not physically confirm it was him. There were only two (2) detainees in the tent. Because it was raining out, the detainees had closed the flaps on the tent. At 0600, one detainee was called outside to serve chow during the prisoner chow time. At 0630, the detainee serving chow brought food into the tent for the detainee #115032. He returned and informed the MP Guards that detainee #115032 was missing. The MP Guards informed the internal MPs of the possible missing detainee. From there, an investigation and pursuit was conducted. It was discovered that the detainee crawled out the back of compound #12 moved into compound #1 and moved through a section where there was no trip wire. His foot prints lead outside the compound and in between two guard towers (190th MP CO). He proceeded Northeast towards the city of Basra. The search for the escapee continues at this time and he is not returned at this time. Commander and Operation Officers are currently reviewing the incident to determine if UCMJ is warranted for the Enlisted and NCO's involved in the situation. In addition, the BN Commander is considering disciplinary action against

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the company commanders of the MP companies involved. Corrective steps are being taken to prevent this situation from happening again. Each NCO and Officer involved is required to submit improvements to fortification and SOPs. We have added additional trip flares to the perimeter, placed additional wire around the compound and moved the location of a guard tower for better visibility. Procedures have been reviewed with all MPs and NCOs to learn from this break down.

- 8 Publicity: None
- 9 Command Reporting 724 MP BN
- 10 POC [REDACTED]
- 11 Downgrading Instructions None

91Z-115032CI



Last Name **C**
First Name **C**
Middle **C**
Category CI CIVILIAN INTERNEE
Power IZ Iraq

Arm of Service

MOS
COS 25-UNKNOWN
Service No B9524
Grade
Geneva Cat.
ICRC
Camp Name BUCCA
Enclosure 86-SAN JUAN 10
Holding/Cell

Height		Nationality	I-Z-Iraq
Weight	146	Religion	99-UNKNOWN
Hair Color		Race	X-OTHER
Eye Color		Marks	

Sex M
Blood Type [REDACTED]
DOB [REDACTED]
Complexion [REDACTED]

US91Z-115032CI		CIVILIAN INTERNEE	
		Name: ALAZAURY THUMA ABOO KHALAF Date Of Birth: 1968/07/01 Sex: M Age: 30 Nationality: Iraqi Religion: Islam Marital Status: Married Education: Primary Profession: Unemployed Address: Al-Khalaf, Al-Zubair, Al-Basrah Governorate, Iraq Signature: 	
		UIC: 146 UIC Card No: 0160054 Date Issued: 2004/01/07 Issuing Facility: RUCCA Issuing UIC: RUCCA	

	US9IZ-115032CI	IP Number	0160054		
	ALAZAURY THUMA ABOD KHALAF	Gender	Male		
Given	Surname	Alazairy	Date of Birth	1968/07/01	
Family Name	Middle Name	Thuma	Sex	Male	
First Name	Initials	Abd	Other Names		
To	IC	ICR	Other Types		
Address	BUCCA	IC	BUCCA	Date	2004/01/07

Carry robe gold trim
Short white
Paints white

Escape From Compound 12 Holding Area Red + White Script

Scheduled For Court 7 Jan 04

lost Seen 0430 7 Jan 04

ISN # 115032 lives in Baghdad in a small town by the name of DORA. Dora is near the oil refinery. 115032 also is in charge of the mosque in Dora.

Visitation on 2 Jan 04
 3 Jan 04



DEPARTMENT OF THE ARMY
724th and 310th MILITARY POLICE BATTALION
CAMP BUCCA, IRAQ

REPLY TO
ATTENTION OF

AFRC-CNY

08 January 2004

MEMORANDUM FOR. Record

SUBJECT: Escaped Detainee (ISN #115032) [REDACTED]

SUMMARY OF EVENTS On the evening of 6 January 2004, the NDRS OIC (MAJ Garity) received a call from the 800th MP Brigade to prepare detainee ISN#115032 for movement to court in Baghdad. The detainee was to be transported to Basra Airport where he was to be flown via Blackhawk to face trial in Baghdad court. At approximately 2000 to 2030, detainee ISN#115032 was moved from compound 10 to compound #12 by the 822nd MP Company. Detainee 115032 was in compound 12 with 5 other detainees to include 3 Iranian (TCN) and one prisoner in isolation. The compound was being watched by SGT [REDACTED] and SPC [REDACTED] of the 822nd MP Company.

At 0001 on 07 January 2004, SPC [REDACTED] and SGT [REDACTED] were relieved by SPC [REDACTED] and SGT [REDACTED] (822nd MP CO) do to normal shift change. The NCOIC (SGT [REDACTED]) failed to conduct a physical count of all detainees in compound 12 during shift change. In addition, the MPs on duty failed to use a DA 1594 to log the events for the evening. From 0001 to 0430, SGT [REDACTED] and SPC [REDACTED] both assert that they accounted for all 6 detainees in compound 12 through various detainee activities as moving in the compound, praying, and utilizing the latrine in the compound.

At 0430 on 07 January 04, SGT [REDACTED] and SPC [REDACTED] both declared that they observed detainee 115032 praying for 10 minutes on the east side of the tent and then moving to the west side of the tent to pray for another 10 minutes. At approximately 0445 to 0450, both SGT [REDACTED] and SPC [REDACTED] affirm that detainee 115032 went back into the tent. In addition, the tent was at such an angle that they could not observe detainee 115032 inside the tent. From 0430 to 0630, SGT [REDACTED] and SPC [REDACTED] declare that they did not observe any of the two detainees exit the tent entrance during this time frame.

At 0630 on 07 January 04, the detainee meal truck arrive at the IF (Internment Facility). At approximately 0640, the detainee meal truck arrived in front of compound #12. During this time, SGT [REDACTED] and SPC [REDACTED] observed detainee 11422 (detainee staying the tent with 115032) standing in front of the tent smoking a cigarette. SGT [REDACTED] motioned detainee 11422 to exit the compound area and assist with the serving of the meals to other detainees. SGT [REDACTED] further states that detainee 11422 has assisted on this detail numerous times in the past. Detainee 11422 proceeded to help serve chow to other detainees in the compound. Once he was complete, SGT [REDACTED] instructed detainee 11422 to bring a plate of food to detainee 115032 who she assumed was still sleeping as she did not see him since 0445. SGT [REDACTED] instructed SPC [REDACTED] to get his meal and then she proceeded to pick up her meal as the meal truck for US soldiers arrived during this time frame. As SGT [REDACTED] walking to get her meal,



DEPARTMENT OF THE ARMY
724th and 310th MILITARY POLICE BATTALION
CAMP BUCCA, IRAQ

REPLY TO
ATTENTION OF

detainee 11422 came running out of the tent trying to get her attention SGT [REDACTED] told detainee 11422 to wait a minute She returned to the front of the compound entrance, placed her meal down and went to see what detainee 11422 wanted. Detainee 11422 was trying to explain that detainee 115032 was gone SGT [REDACTED] entered the compound area and proceeded inside the tent where she believed 115032 to be sleeping Upon entering the tent she observed that he was not in his sleeping bag and no where in the vicinity of the compound SGT [REDACTED] immediately informed the SOG (Sergeant of the Guard)

The 822nd MP Company and 267th MP Company (QRF) pick-up a foot print trail on the detainee and proceeded for 5 miles until they lost track do to the heavy rains The 267th MP CO continued to search houses and tents of the surrounding area The detainee was spotted heading north to Basra by a bystander about 0728 The MPs searched the general area to no avail The British Military and higher HQ were notified of the escape information

After investigating the situation, the detainee escaped in front of the sector of the west gate in which was being guarded by SPC [REDACTED] of the 822nd MP Co SPC [REDACTED] claims he did not see any movement or activity during his shift. SPC [REDACTED] also said it was foggy and raining, however he still had a clear view of the area where the detainee escaped

The tower guards in LP/OP 6 further claim to not have seen any activity in the general area of the route the detainee took

-----End of Summary-----

QUESTION OF PARTIES INVOLVED

NAME SPC [REDACTED]

UNIT. 822nd MP CO

AREA OF RESPONSIBILITY. WEST GATE

Q In your statement, you stated you vision of your assigned area was obstructed with fog and rain Did you inform the SOG of this problem?

A No

Q Can you see beyond the area of compound 12 and where the detainee escaped?

A Yes

Q At any time throughout your shift, did you take your eyes of the area where the detainee escaped?

A No



DEPARTMENT OF THE ARMY
724th and 310th MILITARY POLICE BATTALION
CAMP BUCCA, IRAQ

REPLY TO
ATTENTION OF

NAME SGT [REDACTED]
UNIT 822nd MP CO
AREA OF RESPONSIBILITY COMPOUND 12 NCOIC

Q In your statement, you claim you saw detainee # 115032 praying at 0430 on the morning of the 7th of January 2004 outside the tent. Are you sure it was him through positive visual identification?

A Yes,

Q Did you conduct a physical count of the 6 detainees in compound 12 during shift change at 0001 hours?

A No

Q When you were sitting in the MP Tent, can you see where detainee #115032 escaped through the wire?

A No, the tent flaps where closed and the tent is on an angle in which I could not visual see where he came out

Q Where was SPC [REDACTED] between the hours of 0430 and 0630?

A He was in the MP tent with me

NAME SPC [REDACTED]
UNIT 822nd MP CO
AREA OF RESPONSIBILITY COMPOUND 12 Guard

Q: Did you conduct visual checks of compound 12 for perimeter deficiencies?

A No I did not that evening

Q While sitting in the MP tent, where you able to see where the detainee escaped?

A No

NAME SFC [REDACTED]
UNIT 822nd MP CO
AREA OF RESPONSIBILITY Sergeant of the Guard (SOG)

Q: On the evening of 06 January and morning of 7th, SPC [REDACTED] of West-Gate claimed his vision was impaired. Did he indicate this to you any time throughout the night?

A No

Q You said that prior to the detainee's escape, can you see the West Gate tower and the MPs in it?

A Yes

POC for this report is S-3, CPT [REDACTED]



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
724th and 310th MILITARY POLICE BATTALION
CAMP BUCCA, IRAQ

S-3

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301, Title 5 USC Section 2951, EO 9397 dated November 22, 1943 (SSN)

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately

ROUTINE USES Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval

DISCLOSURE: Disclosure of your social security number is voluntary

1 LOCATION Camp Bucca, Iraq	2. DATE (YYYYMMDD) 2004/01/11	3 TIME	4 FILE NUMBER
5 LAST NAME, FIRST NAME, MIDDLE NAME ██████████	6 SSN ██████████	7 GRADE/STATUS E-7	

8 ORGANIZATION OR ADDRESS
822nd Military Police Company Camp Bucca, Iraq APO AE 09375

9

██████████ WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

This statement is regarding my actions during my tour of duty on 7 JAN 04

On 6 JAN at approximately 2335 hours I arrived at the Internment Facility (IF) to assume duty as Sergeant of the Guard (SOG). I met with SSG █████ the outgoing SOG who informed me it had been a relatively quiet shift with little activity to report. We then ensured that all ammunition and equipment was accounted for and turned to my shift personnel. Once SSG █████ had full accountability of all of his personnel his shift departed the IF.

After the outgoing shift had departed I conducted radio checks with my personnel on the handheld radios and SINCGARS. We loaded the vehicles with sandwiches and coffee to be dispensed throughout the night. I went into compound 12 to turn in dead radio batteries and spoke with SGT █████ who was working there. She had informed me that she had two detainees in the first tent. No mention was made of either of them being of any particular importance. It was thought that they were Iranians awaiting release. I then went about my duties as SOG.

After I left compound 12 I began to check flares inside the IF around the compound perimeters. Once that was complete, I met with SSG █████ and took him with me to check the flares on the exterior of the IF behind the south berm and in the northeast corner. Upon completion of checking the flares we returned to the IF and SSG █████ resumed his duties as roving patrol. I began to make visual checks of the soldiers in the towers. This continued until approximately 0400 hours.

At approximately 0400 hours I met SFC █████ near the west gate so he could relieve me and assume duty as SOG. We transferred ammunition and equipment to his vehicle. I briefed him regarding the activity during my shift which was administrative in nature because there had been no prisoner activity. He then relieved me shortly thereafter, approximately 0410. I then left the IF and began to prepare to escort a soldier to Camp Doha that morning.

The weather conditions throughout my tour of duty were cold with a light breeze and intermittent light rain. Visibility remained satisfactory throughout the shift, you could see the towers across the IF. The tower guards were frequently checked by myself and/or one of the six roving patrols. The towers were checked approximately every 30 minutes.

/// End of Statement ///

10 EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 0 PAGES
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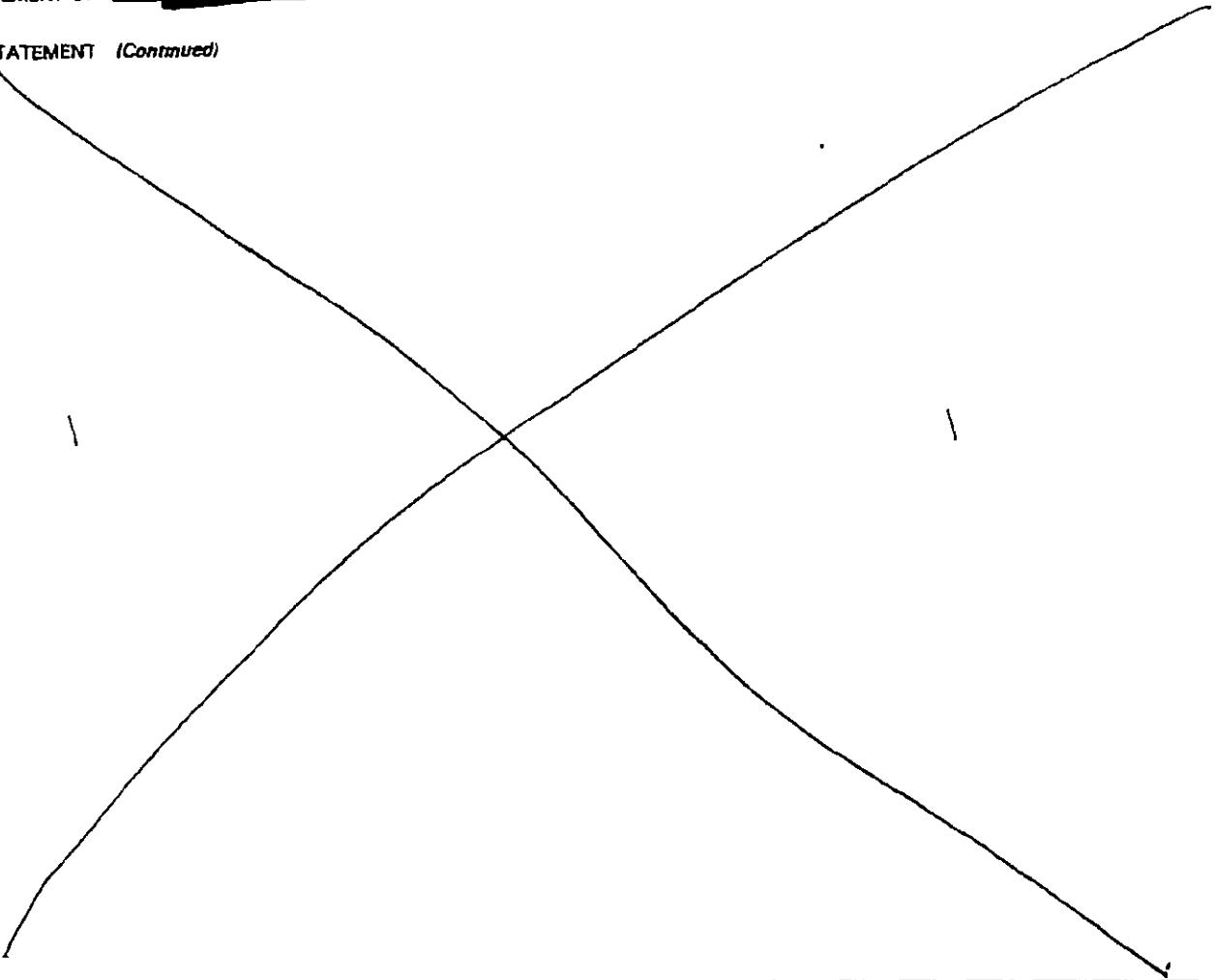
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" — TAKEN AT — DATED —

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED

STATEMENT OF [REDACTED]

TAKEN AT Camp Bucca, Iraq DATED 2004/01/10

9 STATEMENT (Continued)


I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. 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.

AFFIDAVIT

(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10th day of January, 2004 at Camp Bucca, Iraq

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval

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1 LOCATION <i>Camp Bucca, Iraq</i>	2 DATE (YYYYMMDD) <i>20010110</i>	3 TIME <i>0020</i>	4 FILE NUMBER
5 LAST NAME, FIRST NAME, MIDDLE NAME <i>[REDACTED] Allen</i>	6 SSN <i>[REDACTED]</i>	7 GRADE/STATUS <i>E5/F</i>	

8 ORGANIZATION OR ADDRESS
622nd MP Co.

9 *Maj SFC [REDACTED]* WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

1) I was working as the NCOIC of compound 12 on the 1200 to 2400 shift of Octanoy. My duties at this position are accountability of the detainees, security of the detainees as well as the welfare of the detainees.

2) Interactions with the 3 Iraqis as well as the Iraqi release were limited to feeding, lighting cigarettes and letting them use the latrine. Around 1700 hours a detainee was brought in for isolation. Many times myself and SPC [REDACTED] had to have interpreters tell him he is not to talk to other detainees. The detainee was leg shackled then handcuffed after myself and SPC [REDACTED] observed him throwing items. Around 1700 became hostile with [REDACTED]. I instructed an interpreter to inform the detainee to remain quiet and in his tent. The detainee was compliant the rest of the shift. Shortly after Maj [REDACTED] and SFC [REDACTED] brought the detainee who later escaped it was informed by SFC [REDACTED] that the detainee has a check from the Basra area and would be going to court the next day I was instructed by Maj [REDACTED] and SFC [REDACTED] to put this detainee in the first holding area with the Iraqi detainee who was to be released. Using an interpreter I informed the detainee that he was not to communicate with the detainee in isolation. I also informed him that if he needed to use the latrine or if he needed a cigarette let do ask a guard, and he was not to leave the holding area without permission of a guard. I also informed him that if he had any problems with the other detainee he was to inform a guard. He then smiled said "Shokran." I replied "Afwan" He returned to his tent were he remained, except for 1 trip to the latrine, for

10 EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT <i>[REDACTED]</i>	PAGE 1 OF <i>[REDACTED]</i> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" — TAKEN AT — DATED —

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM

STATEMENT OF [REDACTED]

TAKEN AT Camp Bucca DATED 2004 01 11

9 STATEMENT (Continued)

Upon receiving position I've always been given a count by the prior shift. I then do a visual count to ensure proper count throughout my shift. I performed visual checks every 1-2 hours. On the shift of 2004 01 06 my last visual check was approximately 2320. I checked all three tents and removed my handcuffs from the detainee isolation. When relieved by SGT [REDACTED] I provided the count then left with the idea she would do a count of her own.

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

STATEMENT OF [REDACTED]

TAKEN AT Camp Bucca DATED 2004/01/11

9 STATEMENT (Continued)

the rest of the shift.

3) At approximately 2340 myself and SPC [REDACTED] were relieved by SGT Martinez and SPC Moquinas. I checked [REDACTED] to see that the first tent had the "batt bandit" whom was being released and the Sheikh who was going to court tomorrow. The second tent had the 3 Iranians who were being released and were very quiet and well behaved. The third tent had one who is in isolation and was shackled at the ankle. He was disruptive earlier but is sleeping and quiet now. This occurred in compound 12 between the guard tent and the first holding area.

4) The weather was clear and visibility was good during my shift

/End of Statement

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE [REDACTED]. 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.

(Signature of Person Making Statement)

WITNESSES

LT Camp Bucca, Parfin
822 MP CO
CAMP BUCCA, IRAQ APO AE 09575

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 11TH day of JANUARY, 2004
at (APR) BUKHARA, URGench, AK 09365

(Signature of Person Administering Oath)

HAT 136 b(6)
(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301 Title 5 USC Section 2951, EO 9397 dated November 22 1943 /SSN
PRINCIPAL PURPOSE To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
DISCLOSURE Disclosure of your social security number is voluntary

1 LOCATION Camp Bucca, Iraq	2 DATE (YYYYMMDD) 2004/01/07	3 TIME 1530	4 FILE NUMBER
5 LAST NAME FIRST NAME MIDDLE NAME ██████████ iR	6 SSN ██████████	7 GRADE/STATUS SGT / E-5	

8 ORGANIZATION OR ADDRESS
822 MP CO

9

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

I (Sgt ██████████) and Spc ██████████ relieved Sgt ██████████ and Spc ██████████ at compound twelve on 7 Jan 2004 at 0000hrs I was briefed by Sgt ██████████ that compound 12 contained 2 prisoners in the east most holding cell that were waiting to be released. The holding cell to the right of those 2 prisoners contained 3 iraneans also waiting to be released. The holding cell to the right of the iraneans contained 1 prisoner on isolation who was in leg irons. At 0430hrs prisoner 115032 was observed by myself and Spc ██████████ praying on the east side of his tent for about 10min 115032 then moved to west side of his tent and began praying again for about another 10min 115032 then went inside his tent. At approximately 0640hrs the prisoners chow arrived at compound 12. Prisoner 11422 was standing outside the front of his tent when chow arrived I escorted 11422 to the front of compound 12 to retrieve the prisoners chow. Prisoner 11422 set the chow down in front of his holding area and began preparing to serve chow. I woke up the prisoner on isolation first and escorted him to receive his chow. I then woke up the 3 iranean prisoners and escorted them to serve chow. Spc ██████████ was overwatching the prisoners receive their chow with his shotgun. As the 3 iraneans received their chow Ssg ██████████ arrived in front of compound 12 delivering the soldiers chow. There was only 2 prisoners left to be served the prisoner serving the chow (11422) and prisoner 115032 who I still believed was in his tent I told Spc ██████████ to go front of compound 12 to get his chow I then told 11422 to bring in 2 plates to his tent 11422 made 2 plates and brought them to his tent. As Spc ██████████ was walking back into compound 12 11422 came out of his tent yelling in arabic I told him to wait a minute I then went in front of compound 12 to get my chow. As soon as I returned I place my plate inside the guard tent and went inside the holding area to get a visual on 115032 115032 was not in his tent 11422 keep pointing to the wire. There was tracks underneath the wire where it appeared 115032 crawled under and footprints heading away from the wire. I called the SOG and Rovers over the motorola

-----END OF STATEMENT NOTHING FOLLOWS-----

EXHIBIT

11 INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT"

TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED

ENT OF [REDACTED]

TAKEN AT Camp Bucca, Iraq DATED 2004/01/07

STATEMENT *(Continued)*

AFFIDAVIT

[REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE [REDACTED] AND ENDS ON PAGE [REDACTED]. 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 [REDACTED]

WITNESSES

Subscribed and sworn to before me a person authorized by law to administer oaths this _____ day of _____ at _____

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING [REDACTED]

PAGE 2 OF 2 PAGES

SIGNIFICANT ACTIVITIES SHEET

COMPOUND 12

SHIFT midnight - NMN

DATE 4 JAN 2004
UNIT 812 MP Co

TIME	ISN#	LOCATION	ACTIVITY OR ACTION
2400	—	Bucca IF	I [REDACTED] Relieved Sat [REDACTED] SPC MANSON at Compound 12. It was reported there was 2 prisoners in the farthest holding cell to my right waiting to be released. The holding cell to the left of them contained 3 Lebanese waiting to be released. The holding cell to the left of the Lebanons held 1 PRISONER in isolation who was in leg irons.
0430	115032	Bucca IF	Pri soner 115032 was observed praying on East side of tent praying for about 10min. Prisoner moved to West side of tent and prayed for about another 10 min, then entered his tent.
~0610Z	—	Bucca IF	Prisoner Chow arrived approximately around 0610. Prisoner 11422 was standing in front of his tent when Chow truck arrived. I escorted 11422 to retrieve chow. Prisoner 11422 prepared to serve chow. I woke up prisoner on isolation first and escorted him to receive his chow. I then woke up the 3 Lebanon prisoners and escorted them to receive chow. SPC [REDACTED] was overwatching with the shotgun. SPC [REDACTED] was carrying with soldier's chow as Lebanons were walking back to their holding area. I told SPC [REDACTED] to get his chow. Prisoner 11422 took 2 plates into his tent. Prisoner 11422 came out of his tent yelling in Arabic. At the same time SPC [REDACTED] was walking back with his chow. I told 11422 to wait one minute. I went to get my chow. As soon as I returned, I put my plate down and entered the holding area. Prisoner 115032 was missing. There was sand track under the wire, where it appeared 115032 crawled under and footprints heading away from wire. I called SOG and Rogers corp motorola.

IN THE BOTTOM SECTION LIST THE ISN OF DETAINEES THAT FIT THE DESCRIPTION. IN THE ABOVE SECTION, NOTE ANY ACTIONS OR REASONS THAT SUPPORT YOUR CONCLUSIONS. LIST ALL THAT APPLY.

COMPOUND LEADERS	[REDACTED]	[REDACTED]	[REDACTED]
COMPOUND REPRESENTATIVES	[REDACTED]	[REDACTED]	[REDACTED]
PRAYER LEADERS	[REDACTED]	[REDACTED]	[REDACTED]
LOOKOUTS	[REDACTED]	[REDACTED]	[REDACTED]
INSTIGATORS	[REDACTED]	[REDACTED]	[REDACTED]

COMPOUND G [REDACTED]

PRINTED [REDACTED]

CAMP NCOIC [REDACTED]

PRINTED [REDACTED]

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301, Title 6 USC Section 2951, EO 9397 dated November 22 1943 (SSN)
PRINCIPAL PURPOSE To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
DISCLOSURE Disclosure of your social security number is voluntary

1 LOCATION Camp Bucca, Iraq	2 DATE (YYYYMMDD) 2004/01/07	3 TIME 1540	4 FILE NUMBER
5 LAST NAME, FIRST NAME MIDDLE NAME ██████████	6 SSN ██████████	7 GRADE/STATUS E-7/SOG	

8 ORGANIZATION OR ADDRESS
822nd MP Company

9
██████████

, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

On today's date at approximately 0715, I was on duty as the Sergeant of the Guard at the Camp Bucca Internment Facility. I was advised by SSG ██████ that SSG ██████ was calling for me on the Motorola radio and that he needed me at compound 12. My Motorola radio battery was dead and I went to compound 12 to see what SSG ██████ needed. Upon arrival, I was advised by SGT ██████, the compound 12 NCOIC, that a prisoner had escaped from a holding cell #1 sometime prior to morning chow. I asked her where SSG ██████ was and if he was pursuing the escaped prisoner. SGT ██████ advised that SSG ██████ was checking outside the West gate to attempt to locate the prisoner. I grabbed a new Motorola radio and battery and went out to locate SSG ██████ to see if he had found the prisoner. I met up with SSG ██████ outside the IF at the berm that is just West of the West gate. SSG ██████ was also West of the West gate on foot with SGT ██████ checking the area for the prisoner. I was unable to contact SSG ██████ or SSG ██████ because my Motorola radio battery was not working properly. I was able to hear on my Motorola that the prisoner was not in sight. At approximately 0725 SSG ██████ arrived at my location and I used his radio to contact the 724 IF TOC. After several unanswered calls, I again called and relayed the message several times that a prisoner had escaped and was believed to have run West from the IF. I asked the 724 IF TOC to contact the 267th MP QRF for their assistance in searching for the prisoner. After relaying the message, I started to follow a set of footprints that were headed around the quarry just West of the IF. I radioed to my rovers that I was tracking the prisoner's footprints West from the IF and for them to relay the information to the 724 TOC. I followed the prisoner's tracks for several miles and passed by several 267th MP patrols that had formed a perimeter around the area. I continued in a generally North West direction following the tracks until I lost the tracks at Tombstone. After searching the area trying to find the tracks, I was met by CPT ██████ and 1LT ██████ who had driven up to my location to assist me in the search. We were able to locate the tracks again and followed them for some time before they crossed North over ASR Sioux Falls. We continued following the tracks in heavy rain. Again, we lost the tracks as they approached an Iraqi tent that was just East of the oil refinery. The rain was so heavy that the footprints were impossible to reacquire. We did talk with and search the tent with negative results. I circled around the tent and attempted to reacquire the footprints but was unable to. At around 1100 hrs CPT ██████ had his patrols check the oil refinery for the prisoner with negative results. At that time we went back to Camp Bucca. The weather at the facility was rainy, and very overcast. There was some light fog during the night. I observed that the prisoner had gone through the wire at a spot where there were no flares and where the fence was poorly constructed. I should have had that area covered with flares and should have put several more rows of concertina wire down along that area. I also did not check up on the West tower guards to ensure that they were paying attention to their areas of responsibility.

██████████
NOTHING FURTHER
██████████

10 EXHIBIT

11 INITIALS OF PERSON MAKING STATEMENT
██████████PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER
MUST BE INDICATED

STATEMENT OF _____ TAKEN AT _____ DATED _____

9 STATEMENT (Continued)

AFFIDAVIT

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[REDACTED] (Signature of Person Making Statement)

WITNESSES

[REDACTED] Subscribed and sworn to before me a person authorized by law to administer oaths, this _____ day of _____ at _____

ORGANIZATION OR ADDRESS

[REDACTED] (Signature of Person Administering Oath)

[REDACTED] (Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED] (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE _____ OF _____ PAGES

SIGNIFICANT ACTIVITIES SHEET

COMPOUND 12
SHIFT 0000-1200

DATE 7 JAN 04
UNIT B2D 11 MPC

TIME	ISN#	LOCATION	ACTIVITY OR ACTION
0745			<p>WHILE ON DUTY AS SSG AT THE IF I WAS CONTACTED BY SGT [REDACTED] WHO ADVISED THAT SSG [REDACTED] NEEDED ME AT COMPOUND 12 FOR AN UNKNOWN PROBLEM UPON ARRIVAL AT COMPOUND 12 I WAS ADVISED BY SGT [REDACTED] WHO RELATED THAT A PRISONER HAD ESCAPED SOME TIME PRIOR TO MORNING SHIFT I ATTEMPTED TO CONTACT 724TH TDC BY MOTOROLA RADIO AND THE RADIO BATTERY WENT DEAD I WENT TO THE WEST ENTRANCE ROAD OUTSIDE OF THE IF TO FIND SSG [REDACTED] WHO WAS SEARCHING FOR THE ESCAPED PRISONER. I MET UP WITH SSG [REDACTED] WHO HAD NOT BEEN ABLE TO LOCATE THE PRISONER I USED SSG [REDACTED] MOTOROLA RADIO TO ADVISE 724 TDC OF THE ESCAPE AND FOR 367TH MP ASSISTANCE. I WAS ABLE TO LOCATE THE PRISONER'S FOOTPRINTS IN THE SAND AND FOLLOWED THEM WEST FROM THE CAMP I CONTACTED ONE OF MY ROVER TRUCKS AND ADVISED THEM OF MY DIRECTION OF TRAVEL AND HAD THEM RELAY THAT INFORMATION TO 724 TDC I CONTINUED TO FOLLOW THE ESCAPED PRISONER'S TRACKS IN A NORTH WEST DIRECTION FOR SEVERAL MILES. AFTER LOSING THE TRACKS FOR A SHORT TIME, I WAS MEET BY 367TH MP CREW WHO ASSISTED WITH TRACKING. WE WERE ABLE TO REACQUIRE THE TRACKS AND FOLLOWED THEM ACROSS [REDACTED] STREAM FALLS TOWARD THE OIL REFINERY. WE LOST THE TRACKS AT [REDACTED] IRARI FAMILY TRAIL NEAR THE [REDACTED]</p>

II BOTTOM SECTION LIST THE ISN OF
REA 1A 1B 1C DESCRIPTION IN THE ABC SECTION NOTE
REAS 1A 1B 1C 1D 1E 1F 1G 1H 1I 1J 1K 1L 1M 1N 1O 1P 1Q 1R 1S 1T 1U 1V 1W 1X 1Y 1Z

COMPOUND LEADERS	<input type="checkbox"/>				
COMPOUND REPRESENTATIVES	<input type="checkbox"/>				
PRAYER LEADERS	<input type="checkbox"/>				
LOOKOUTS	<input type="checkbox"/>				
INSTIGATORS	<input type="checkbox"/>				

COMPOUND GUARD _____

PRINTED _____

CAMP NCOIC _____

PRINTED _____

SIGNIFICANT ACTIVITIES SHEET

COMPOUND 12

DATE 7 Jan 04
UNIT 8m2

TIME	ISN#	LOCATION	ACTIVITY OR ACTION
			<p>ON REFINERY. CPT [REDACTED] REQUESTED GUARDER FROM T24 BC AFTER SOME TIME WE APPROACHED THE TENT AND SPOKE WITH THE FRAGI FAMILY. THE FRAGI ALLOWED US TO SEARCH THE TENT AND TOLD US THAT THEY HAD NOT SEEN THE ESCAPED PRISONER. DUE TO THE HEAVY RAIN THAT HAD BEEN FALLING FOR OVER AN HOUR, WE WERE UNABLE TO LOCATE ANY MORE TRAILS SO UP PTO'S SEARCHED THE OIL REFINERY AND DID NOT LOCATE THE PRISONER. DUE TO THE LACK OF TRAILS TO FOLLOW, THE SEARCH WAS CANCELLED AND ACTUAL BACK AT THE JDC AT AROUND 1120 HR. CPT [REDACTED] ADVISED THE QRF TO CONTINUE IT'S SEARCH FOR THE PRISONER. AS THE SEE IT IS MY RESPONSIBILITY TO ENSURE THAT ALL COMPANIES ARE PROPERLY SECURED WITH FENCE & FLAKES. THE FRONT AREA OF COMPANY 12 WAS NOT COVERED WITH FLAKES AND ONLY 3 STRANDS OF CONCRETE WIRE COVER THE AREA WHERE THE PRISONER ESCAPED. I ALSO FORCED TO ENSURE THAT THE WEST TOWER GUARD WAS PAYING ATTENTION TO THE FRONT OF COMPANY 12 NOTHING FURTHER</p>

IN THE BOTTOM SECTION LIST THE ISN OF DETAINERS THAT SUPPORT THE REASONS THAT SUPPORT

DESCRIPTION IN THE ABOVE SECTION. NOTE ANY ACTIONS OR
SUSPENSIONS THAT APPLY.

COMPOUND LEADERS	1	2	3	4
COMPOUND REPRESENTATIVES	1	2	3	4
PRAAYER LEADERS	1	2	3	4
LOOKOUTS	1	2	3	4
INSTIGATORS	1	2	3	4

COMPOUND GUARD

PRINTED

CAMP NCOIC

PRINTED

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301, Title 5 USC Section 2951, E.O. 9397 dated November 22, 1943 /SSN/
PRINCIPAL PURPOSE To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
DISCLOSURE Disclosure of your social security number is voluntary

1 LOCATION Camp Bucca Iraq	2 DATE (YYYYMMDD) 2004/01/07	3 TIME 1440	4 FILE NUMBER
5 LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6 SSN [REDACTED]	7 GRADE/STATUS E-4/SPC	

8 ORGANIZATION OR ADDRESS
822 MP co

9 [REDACTED]

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

At approx 1140hrs I SPC [REDACTED] and SPC [REDACTED] relieved SPC [REDACTED] and SPC [REDACTED] from the west gate tower. They reported no activity the temp was approx 40 degrees it was extremely foggy, it was raining visibility was poor to extremely poor, wind was coming out of the east, which affected my vision and hindered my ability to see the compound. Through out the night our rovers blue 2, blue 3, and white 2 checked on us several times each. At approx 0545 our chow was served, at approx 0600 EPW chow had arrived. At approx 0620 SGT [REDACTED] had informed us that an EPW had escaped from compound 12, we [REDACTED] maintained watch and waited for further instructions.

Question

To the best of your knowledge what was the weather like between the hours of 0430-0700 hrs?

Answer

To the best of my knowledge the weather was poor, rainy, cold, foggy, high winds, and visibility was low to poor

Question

During that same time frame mentioned in the above question what is your guesstimate on the visibility of compound 12 north wire barrier?

Answer

Bad due to heavy rain and high speed wind and fog

[REDACTED] -----NOTHING FOLLOWS-----

10 EXHIBIT

11 INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" _____ TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND PAGE NUMBER MUST BE INDICATED

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301 Title 6 USC Section 2951, E.O. 9397 dated November 22 1943 (SSN:
PRINCIPAL PURPOSE To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
DISCLOSURE Disclosure of your social security number is voluntary

1 LOCATION Camp Bucca, Iraq	2 DATE (YYYYMMDD) 2004/01/07	3 TIME 1540	4 FILE NUMBER
5 LAST NAME FIRST NAME, MIDDLE NAME ██████████	6 SSN ██████████	7 GRADE/STATUS E-4	

8 ORGANIZATION OR ADDRESS
822 MP CO, Camp Bucca, Iraq APO AE 09375

9

██████████ WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

At approximately 2400 I, SPC █████ and SGT █████ relieved SGT █████ and SPC █████ at the front of compound 12. They briefed us that there were 6 prisoners in the wire, 2 in the first tent that were to be going on the happy bus, 3 in the second tent that were Iranians and were awaiting authorization to cross the border, and 1 in the third tent that was in isolation with leg irons on for physically resisting Spc █████. At approximately 0430 prisoner 115032 came out of the first tent and walked to the east side of the tent where he proceeded to pray for about 10 minutes. Then he stood up and moved to the west side of the tent where he prayed for an additional 10 minutes. After praying he went inside the tent. At approximately 0640 the prisoner's chow arrived. At this time myself and SGT █████ came out of the tent to serve the chow. At that time prisoner 11422 came out of the first tent and proceeded to help serve chow. I stayed in the compound holding the shotgun, while SGT █████ and the prisoner went to get the chow off of the chow truck. When they came back the prisoners, starting with the prisoner in the third tent came out to get their chow served to them. Prisoner 11422 brought two plates back into the first tent, one for himself and one for prisoner 115032, who did not come out of the tent for chow. Immediately after the prisoner's chow was served SSG █████ and SPC █████ came with our chow. I went to get my chow first while SGT █████ waited outside of the tent watching the prisoners. After I got my plate SGT █████ proceeded to get her plate and come back. While I was getting my plate and SGT █████ was getting hers prisoner 11422 was attempting to get our attention for some reason. After we had both brought our plates into the tent SGT █████ went into the first tent to see what the problem was, while I stood guard with the shotgun. After looking in the tent SGT █████ found out that prisoner 115032 was not in the tent. Upon finding this out she called the SOG on the motorola to notify them of the situation.

-----END OF STATEMENT NOTHING FOLLOWS-----

10 EXHIBIT

11 INITIALS OF PERSON MAKING STATEMENT
██████████

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE INDICATED

STATEMENT OF [REDACTED] TAKEN AT Camp Bucca, Iraq DATED 2004/01/07

9 STATEMENT *(Continued)*

AFFIDAVIT

[REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. 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 _____ day of _____
at _____

ORGANIZATION OR ADDRESS

[REDACTED]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Typed Name of Person Administering Oath)

[REDACTED]
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 0 PAGES

SIGNIFICANT ACTIVITIES SHEET

COMPOUND 12
SHIFT 12 AM - 12 PM

DATE 07 JAN 04
UNIT 822 MP Co

TIME	ISN#	LOCATION	ACTIVITY OR ACTION
2400		Bucca, IF	Received SGT [REDACTED] & Spc [REDACTED]. We were told there were 6 prisoners in the wire. There were 2 prisoners in the 1 st tent to be going on the Happy Bus. There were 3 Iranians in the 2 nd tent awaiting for authorization to cross the border. There was 1 prisoner in the 3 rd tent that was in isolation with leg restraints on for resisting (physically) against the guards.
0430	115032	Bucca, IF	Prisoner 11422 came out of the 1 st tent and walked to the east side of his tent where he proceeded to pray for approximately 10 minutes. Then he moved to the west side of his tent where he prayed for another 10 minutes. Then he went inside the tent.
0640		Bucca, IF	Prisoner Chow arrived. Prisoner 11422 came out of the 1 st tent to help serve chow. He brought two plates out of the 1 st tent, one for himself and one for 115032. Immediately after the Prisoner chow was served Spc [REDACTED] & Spc [REDACTED] came with over chow. I, Spc [REDACTED] went to get my chow first, then my NCOIC, Spc [REDACTED], went to get her chow. While Spc [REDACTED] was getting her food Prisoner 11422 was trying to get her attention. After we had both gotten our chow we went to check on the Prisoner. SGT [REDACTED] went into the tent and found another prisoner 115032 was missing. Then she proceeded to call the SOB and notify them.

NOTHING FOLLOWS ——————

IN THE BOTTOM SECTION LIST THE ISN OF DETAINEES THAT FIT THE DESCRIPTION. IN THE ABOVE SECTION. NOTE ANY ACTIONS OR REASONS THAT SUPPORT YOUR CONCLUSIONS. LIST ALL THAT APPLY.

COMPOUND LEADERS				
COMPOUND REPRESENTATIVES				
PRAYER LEADERS				
LOOKOUTS				
INSTIGATORS				

COMPOUND GUARD _____

PRINTED _____

CAMP NCOIC _____

PRINTED _____

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301 Title 5 USC Section 2951 E.O. 9397 dated November 22, 1943 (SSN)
PRINCIPAL PURPOSE To provide commanders and law enforcement officials with means by which information may be accurately identified
ROUTINE USES Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
DISCLOSURE Disclosure of your social security number is voluntary

1 LOCATION <i>Camp Buccat</i>	2 DATE (YYYYMMDD) <i>004/01/12</i>	3 TIME <i>0600</i>	4 FILE NUMBER
5 LAST NAME FIRST NAME MIDDLE NAME <i>[REDACTED]</i>	6 SSN <i>[REDACTED]</i>	7 GRADE/STATUS <i>E-4</i>	
8 ORGANIZATION OR ADDRESS <i>[REDACTED]</i>			

9 [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH on the day of JAN 17 / 2004 APPROXIMATE 0640. I was conducting equipment inspection, after ⁰⁶⁰⁰ when a soldier from other unit got my attention. The soldier was in the other side of the wire. He told me to call Bulldog #72 and to tell Bulldog #72 that a EPW escaped. I attempted to call Bulldog #72 but the battery of my radio was dead and I did not have another form of communication. I informed the soldier about my situation, that my communication was not working. My radio was not up until about 0720, when the SOG Sgt [REDACTED] replaced my dead battery with a fresh one. I continued monitoring the radio and observing my area of responsibility.

10 EXHIBIT

11 INITIALS OF PERSON MAKING STATEMENT

[REDACTED] PAGE 1 OF

2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF"

[REDACTED] TAKEN AT

DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND PAGE NUMBER MUST BE INDICATED

STATEMENT OF

TAKEN AT

DATED

STATEMENT (Continued)

Not Used

AFFIDAVIT

[REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT
WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE [REDACTED] 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)

WITNESSE:

Subscribed and sworn to before me, a person authorized by law to
administer oaths, this 7th day of Jan. 2004
at Camp Bucca, Iraq

[REDACTED] (Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED] (Typed Name of Person Administering Oath)
LCMJO 136 (b) (4)
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

SWORN STATEMENT

For use of this form see AR 180-45 the proponent agency is DDCSOPS

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301 Title 5 USC Section 7015 & 9397 100-10-000144 20 417 /SSP
PRINCIPAL PURPOSE To provide commanders and law enforcement officials with means by which information may be accurately identified
ROUTINE USES Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieving
DISCLOSURE Disclosure of your social security number is voluntary

1 LOCATION	DATE (YYYYMMDD) <i>0000</i>	3 TIME <i>0000</i>	4 FILE NUMBER
CAMP Bucca Iraq - OPL	2004/01/07	1830-0000	
5 LAST NAME FIRST NAME MIDDLE NAME	6 SSN	7 GRADE/STATUS	
[REDACTED]	[REDACTED]	E4	

8 ORGANIZATION OR ADDRESS

190 MP CO.

9 *spc*

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

AT APPROXIMATELY 1830PM ON TUESDAY, JANUARY 6TH, 2004
SPC (s) [REDACTED] AND [REDACTED] ASSUME DUTIES AS NORMAL
ROUTINE RELIEVING SPC [REDACTED]

ALL EQUIPMENT WAS PRESENT AND ACCOUNTED FOR.
ALL COMMUNICATION WAS WORKING AND INTACT
THE SOG [REDACTED] WAS ON DUTY AND STOPPED BY
AT THE OP-[REDACTED] SEVERAL TIMES, LAST TIME WAS
APPROXIMATELY 0400AM WHEN HE ARRIVED AND CHECKED
OUR POST

AT THIS TIME (0400AM) I DID NOT WITNESS
ANY UNUSUAL ACTIVITIES OR DISTURBANCES NOR
PHYSICAL OR BY COMMUNICATION (RADIO). REFER 1594
[REDACTED] WAS DOWN @ 042AM ACCORDING TO SPC [REDACTED]
END OF STATEMENT *(Signature)*

10 EXHIBIT

11 INITIATOR STATEMENT

PAGE 1 OF

1 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF"

DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND PAGE NUMBER MUST BE INDICATED

STATEMENT OF _____ TAKEN AT _____ DATED _____

STATEMENT (Continued)

NOT USED

AFFIDAVIT

[REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT
WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE [REDACTED]. 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 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 7th day of Jan 2004
at Camp Bucca, Iraq

[REDACTED]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

1 PAGE - 0 - 7

SWORN STATEMENT

For use of this form, see AR 190-45. The proposing agency is DDCSOPS.

PRIVACY ACT STATEMENT

AUTHORITY	Title 10 USC Section 301; Title 5 USC Section 2951 E.O. 13397 dated November 22, 1943 (SSN).		
PRINCIPAL PURPOSE	To provide commanders and law enforcement officials with means by which information may be accurately identified.		
ROUTINE USES	Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.		
DISCLOSURE	Disclosure of your social security number is voluntary.		
1 LOCATION	1 DATE (YYYYMMDD)	1 TIME (HHMMSS)	1 FILE NUMBER
Camp Bucci Iraq	20040102	18200	
5 LAST NAME FIRST NAME MIDDLE NAME	6 SSN		7 GRADE/STATUS
[REDACTED]	[REDACTED]		E4
E ORGANIZATION OR ADDRESS	190th MP Co		
I WANT TO MAKE THE FOLLOWING STATEMENT UNDEF DATA			

That at 0351 on Jan 7, 04 Ssg made his last check at op 6 before moving on to Op 7 which I then went down to use portable potty. I didn't see or hear anything. Once I finish I check generator then went back up. Then at 0442 I tried to make a radio check and the radio was down.

At the end of my shift the radio was still down

— End of Statement —

1C EXHIBIT

M INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF"

[REDACTED] TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND PAGE NUMBER MUST BE INDICATED

STATEMENT OF

TAKEN AT

DATED

9 STATEMENT (Continued)

[Redacted]
not used

AFFIDAVIT

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT
WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE [REDACTED] & 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.

[Signature of Person Making Statement]

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths this 7th day of Jan 2001

CAMP BULLIS TX
[Signature]

[Signature of Person Administering Oath]

ORGANIZATION OR ADDRESS

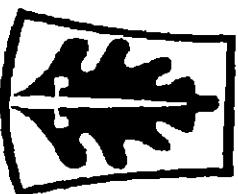
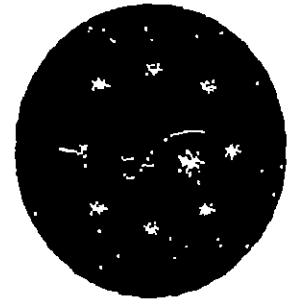
[Signature]

UCMJ Article 136 (b) (4)
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

Camp Bucca Detention Facility

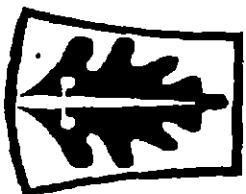
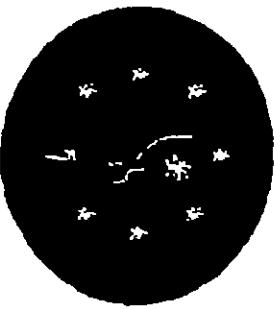


An Analysis Of The Escape of Detainee # 115032

Conducted by:

████████/ 310th MP BN S-3 and CPT ██████████/ 724th MP BN S-3

Timeline



- 6 JAN 04

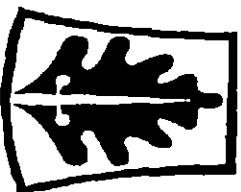
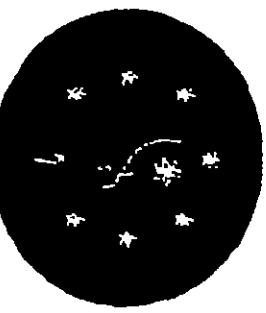
- 1945 HRS MAJ [REDACTED] RECEIVES CALL FROM MAJ [REDACTED] THAT DETAINEE WAS GOING TO BE P/U AND SENT TO COURT IN BAGHDAD

- 2020 HRS MAJ [REDACTED] ORDERS ESCAPEE MOVED TO COMPOUND 12 IN PREPARATION FOR TRANSFER

- 7 JAN 04

- 0000 SHIFT CHANGE BRIEF- ON COMING SHIFT BRIEFED DETAINEE STATUS
- 0430-0445 DETAINEE OBSERVED BY [REDACTED] AND [REDACTED] PRAYING OUTSIDE TENT
- 0630-0640 DETAINEE IN PEN W/ ESCAPEE COMES OUT TO SMOKE AND IS THEN PULLED TO SERVE MORNING CHOW TO OTHER DETAINEES

Timeline



• 7 JAN 04

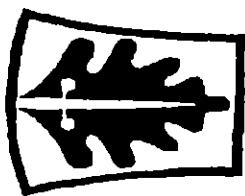
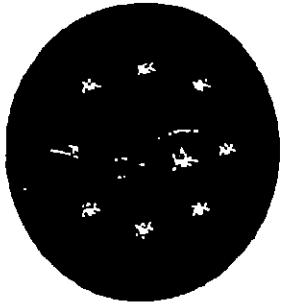
• 0640 DETAINEE RETURNS INSIDE PEN#1 AND FINDS DETAINEE MISSING:
DETAINEE NOTIFIES SGT [REDACTED]

• 0640 SGT [REDACTED] NOTIFIES ROVER WHO BEGINS TO SEARCH FOR
MISSING DETAINEE

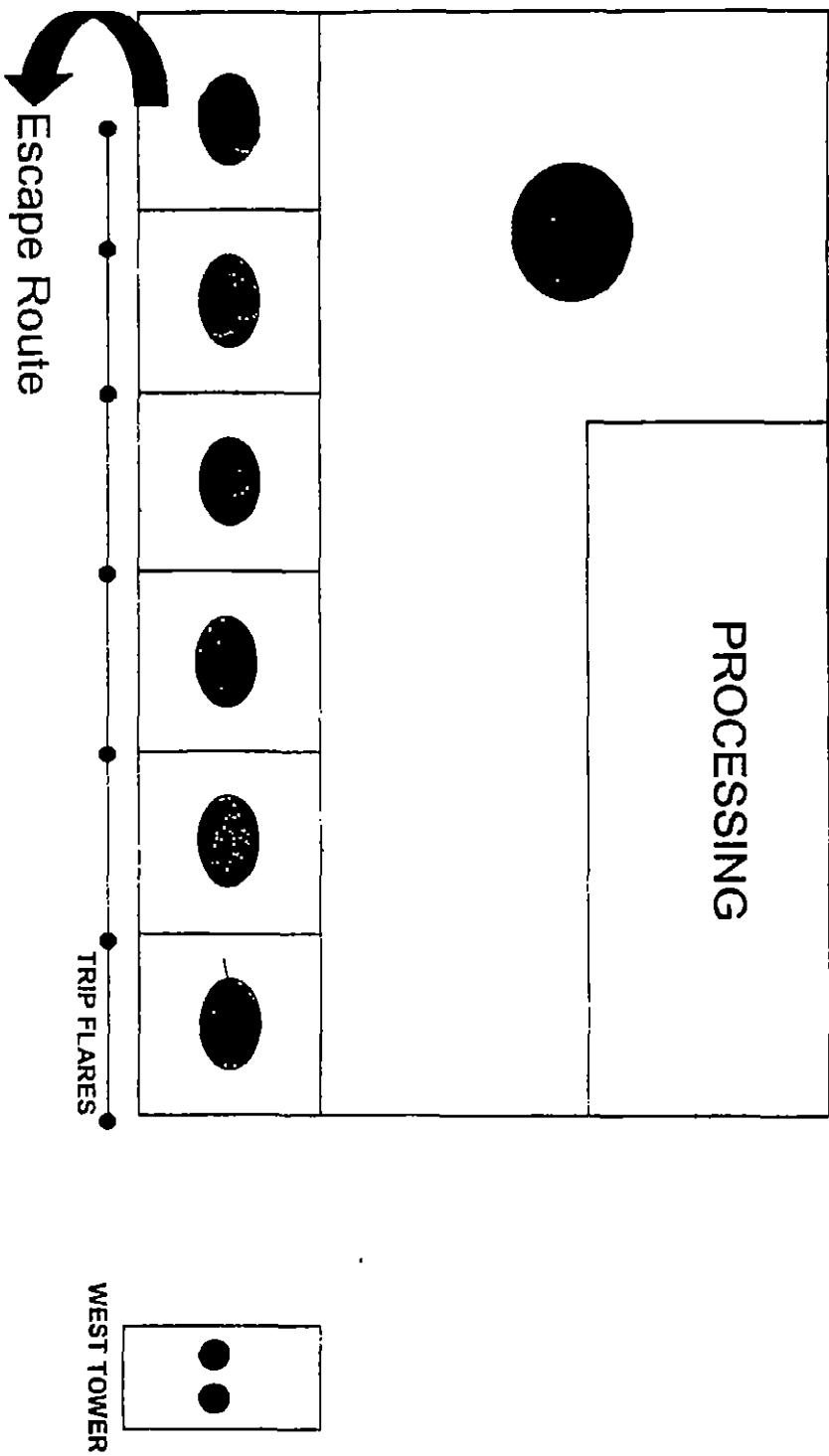
• 0720 OPERATION CELL NOTIFIED OF DETAINEE ESCAPE TO INCLUDE
FORCE PROTECTION

• 0730 – 1700 267 MP CO CONDUCTS CORDON AND SEARCH; BASRA AND
SAFWAN AREA

Compound 12

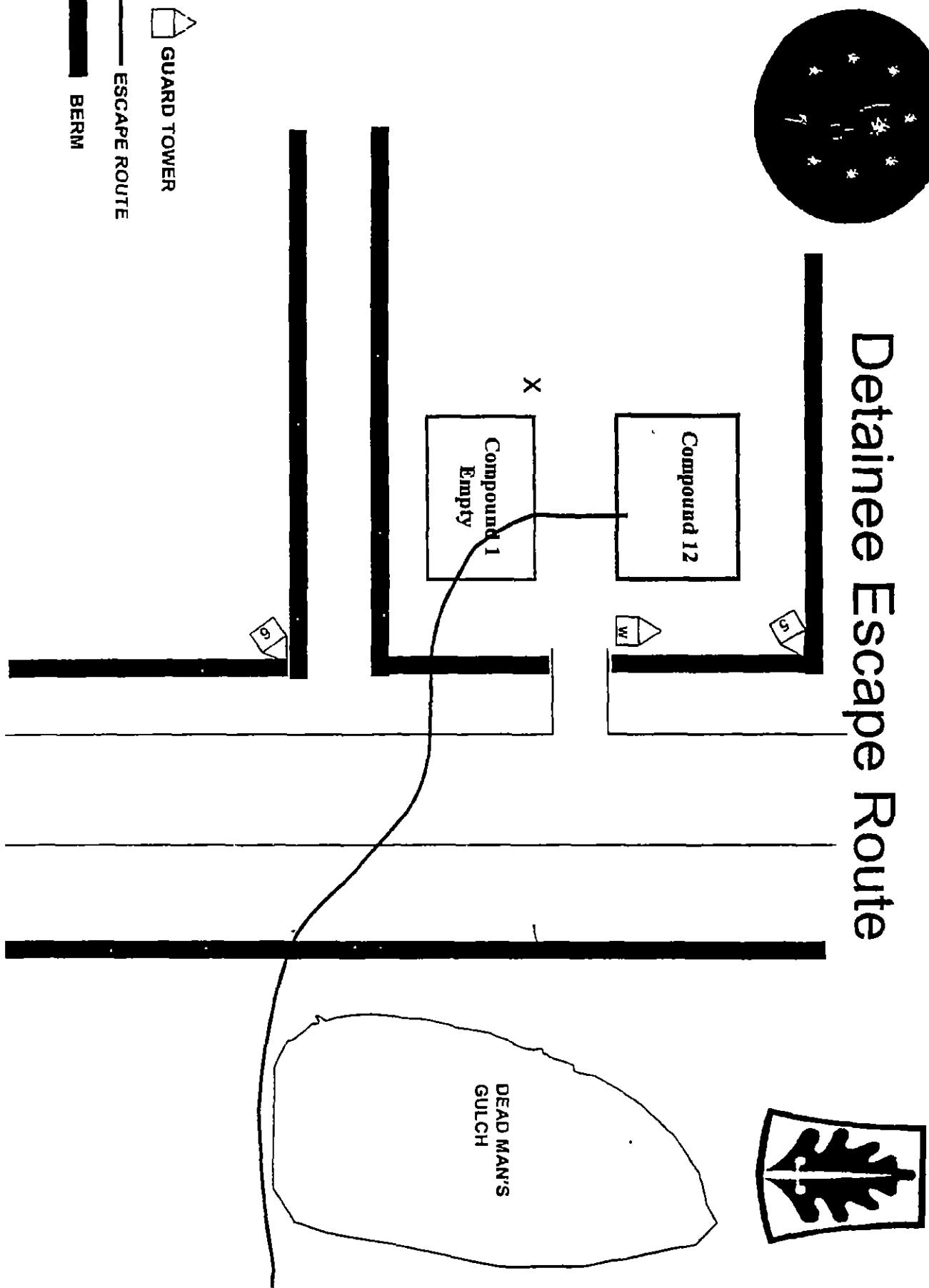


PROCESSING

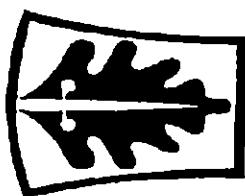
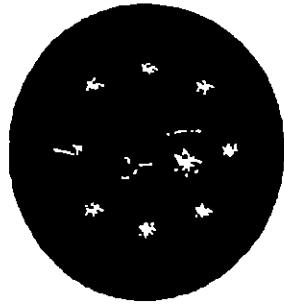


- MP GUARD
- DETAINEE
- ESCAPEE

Detainee Escape Route



Breaks in the Wire



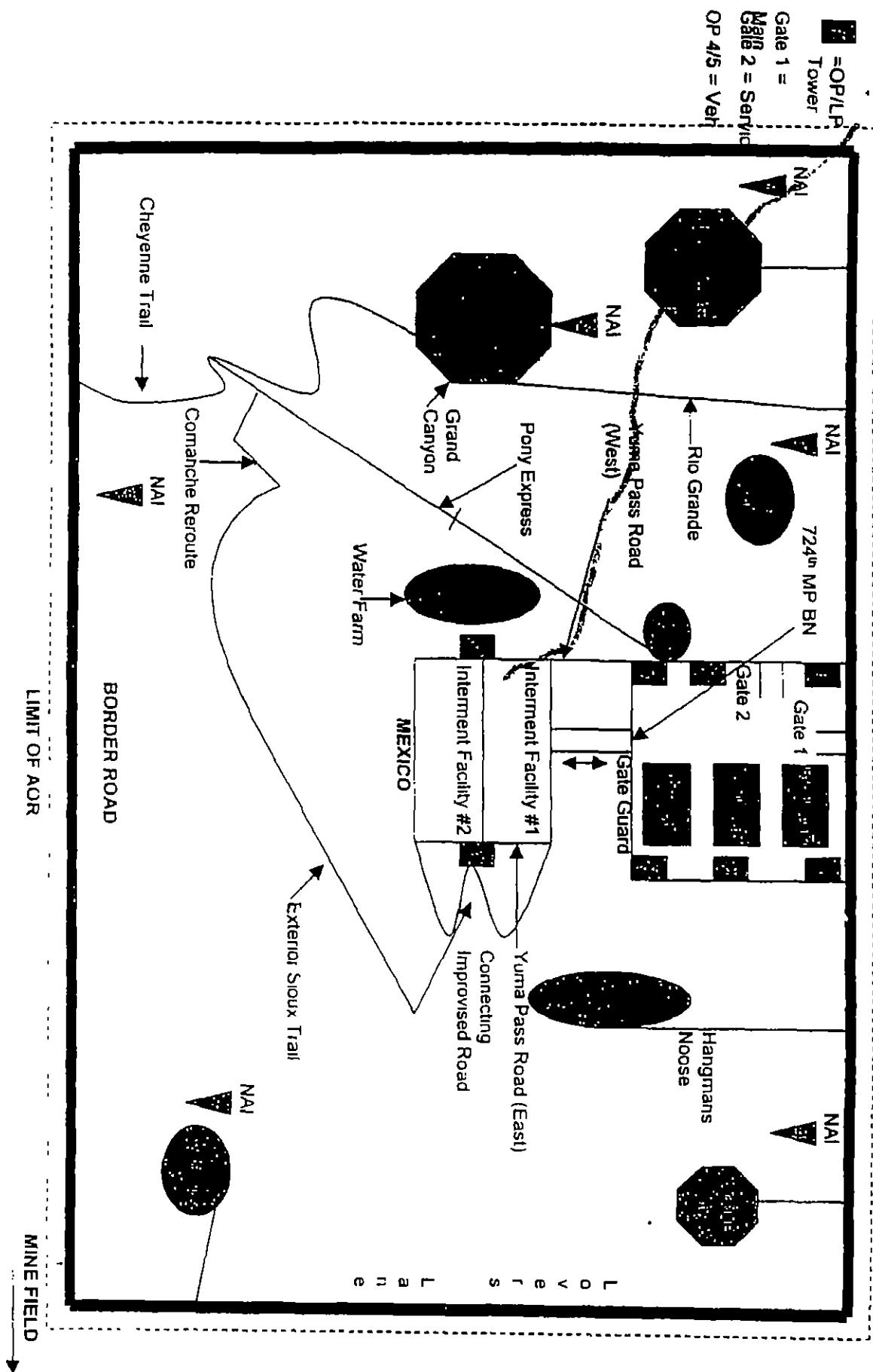
Listed are contributing factors which together lead to the escape:

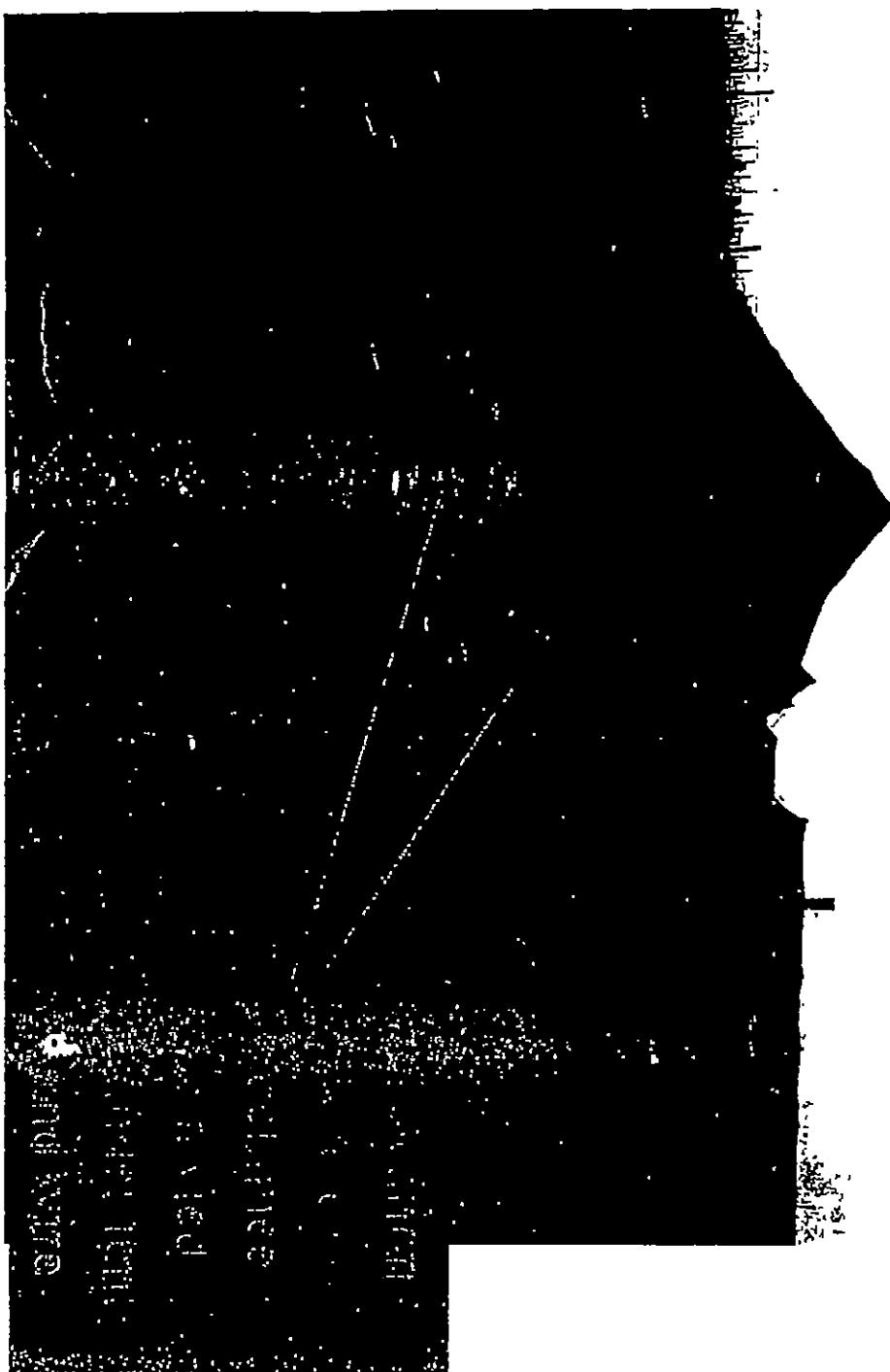
- Tower guard just came off 3 weeks of Escort Duty; losing situational awareness
- Tower guard stated visibility was poor but failed to notify SOG
- NCOIC of Compound 12 had two shifts of previous experience at Compound
- MP Guard had one shift of prior experience
- NCOIC failed to conduct proper battle handoff with off going shift
- NCOIC failed to inspect Compound 12 wire and conduct visual inspection of Detainees in 3 holding pens.
- NCOIC failed to maintain accountability and periodic checks of detainees
- NCOIC treated detainees with different security posture based on classification
- SOG failed to ensure that key experienced personnel were in key positions
- Company level Leadership failed to instill Battle Focus to subordinate soldiers

Recommendations

- Add additional wire to front of Compound 12
- Emplace additional trip flares in front of Compound
- "Treat All Detainees The Same"
- Conduct Visual Checks every $\frac{1}{2}$ hour of detainees
- Properly Log all Details of shift on DA 1594
- Ensure that 360 degree security is maintained on Compound at ALL times
(Add Tower to Front of Compound)
 - Do not move individual Detainees the night before to out-process
 - Use leg restraints on individual detainees in holding pen
 - Add Man Pack at Compound 12 as Secondary Commo
 - UCMJ Action on Leadership on down
 - Leadership must emphasize "TOP DOWN" approach the importance of maintaining Battle Focus!

MSR SIOUX FALLS VCP ECF







**Camp Bucca
Detention Facility**

An Analysis Of The Escape of
Detainee # 115032

Controlled by [REDACTED] TFM AP 04 1-1




Timeline

6 JAN 04

- 1945 HRS MA [REDACTED] RECEIVES CALL FROM MA [REDACTED] SO THAT DETAINEE WAS GOING TO BE PMU AND SENT TO COURT IN BAGHDAD
- 2020 HRS MA [REDACTED] ORDERS ESCAPEE MOVED TO COMPOUND 12 IN PREPARATION FOR TRANSFER

7 JAN 04

- 0000 SHIFT CHANGE BRIEF ON COMING SHIFT BRIEFED DETAINEE STATUS
- 0430-0445 DETAINEE OBSERVED BY [REDACTED] AND [REDACTED] PRAYING OUTSIDE TENT
- 0800-0845 DETAINEE IN PMU WHERE ESCAPEE COMES OUT TO SMOKE AND IS THEN PULLED TO SERVE MORNING CHOW TO OTHER DETAINees



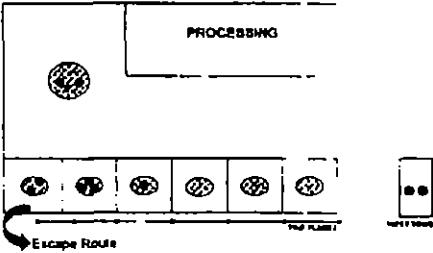
Timeline

7 JAN 04

- 0640 DETAINEE RETURNS INSIDE PMU1 AND FINDS DETAINEE MISSING
- DETAINEE NOTIFIES SGT [REDACTED]
- 0640 SGT [REDACTED] NOTIFIES ROVER WHO BEGINS TO SEARCH FOR MISSING DETAINEE
- 0720 OPERATION CELL, NOTIFIED OF DETAINEE ESCAPE TO INCLUDE FORCE PROTECTION
- 0730 - 1700 267 MP CO CONDUCTS CORDON AND SEARCH BASRA AND SAFWAH AREA




Compound 12



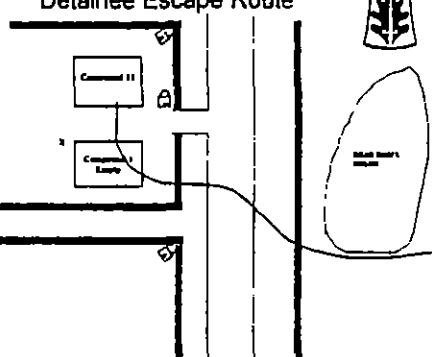
PROCESSING

Escape Route

Legend: ● MP GUARD ● DETAINEE ● ESCAPEE



Detainee Escape Route



Legend: □ BOUND TOWER ■ CAMPUS AREA ■ COMPOUND 12




Breaks in the Wire

Linked are contributing factors which together lead to the escape

Tower guard just came off 3 weeks of Escort Duty losing situational awareness

- Tower guard stated visibility was poor but failed to notify BOG
- NCOIC of Compound 12 had two shifts of previous experience at Camp Bucca MP Guard had one shift of prior experience
- NCOIC failed to conduct proper handoff with off going shift
- NCOIC failed to inspect Compound 12 wire and conduct visual inspection of detainees in 3 holding pens
- NCOIC failed to maintain accountability and periodic checks of detainees
- NCOIC treated detainees with different security posture based on classification
- BOG failed to ensure that key experienced personnel were in key positions Company level Leadership failed to instill basic focus to subordinate soldiers

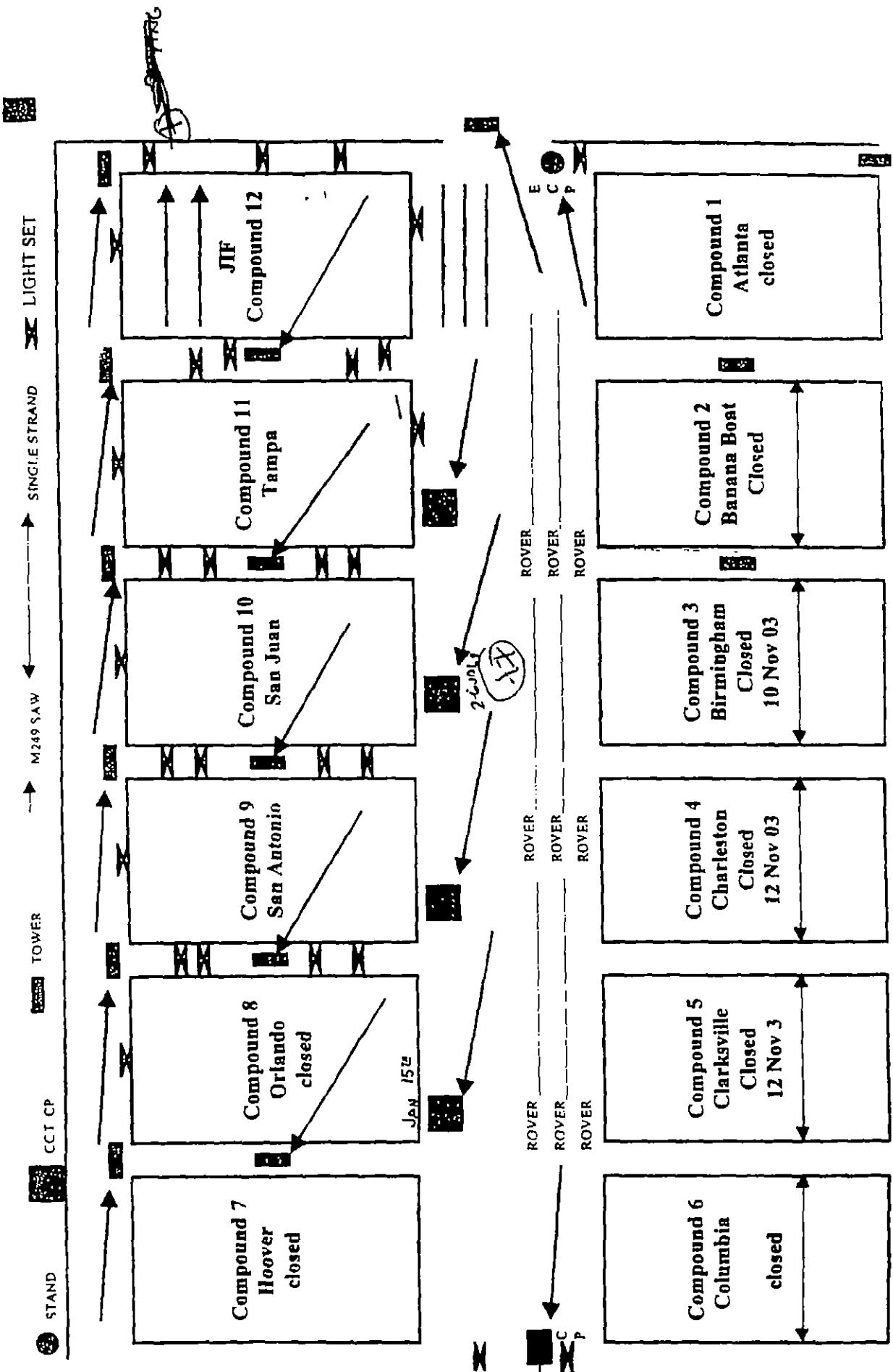


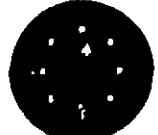


Recommendations



- Add additional wire to front of Compound 12
Emplace additional trip wires in front of Compound
Treat All Detainees The Same
Conduct Visual Checks every 1/2 hour at detainees
Properly Log all Details of abn on DA 1594
- Ensure that 360 degrees security is maintained on Compound at ALL times
(Add Tower to Front of Compound)
Do not move Individual Detainees the night before to out-process
- Use leg restraints on individual detainees in holding pen
- Add Man Pack at Compound 12 as Secondary Command
- UCMJ Action on Leadership on them
Leadership must emphasize "TOP DOWN" approach the Importance of maintaining Battle Focus!





Camp Bucca Detention Facility



An Analysis Of The Escape of Detainee # 115032

Conducted by

CPT ██████████ 310th MP BN S-3 and CPT ██████████ 24th MP BN S-3



Timeline

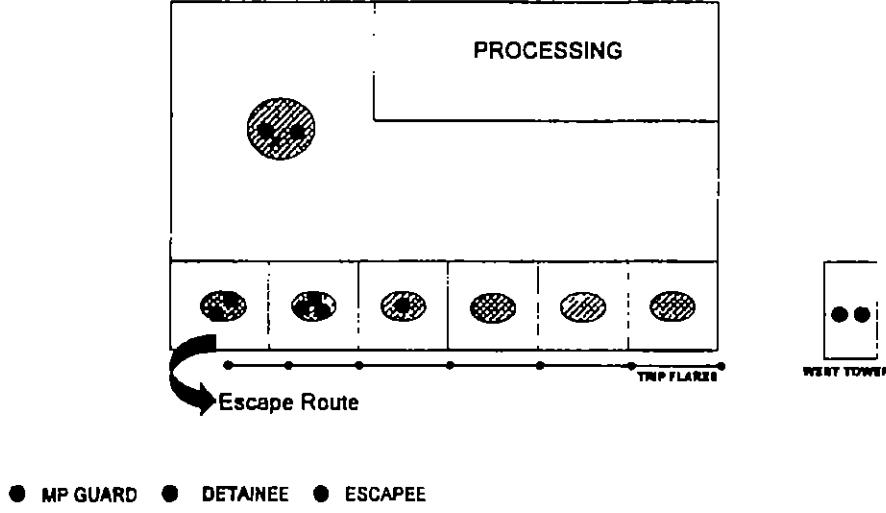


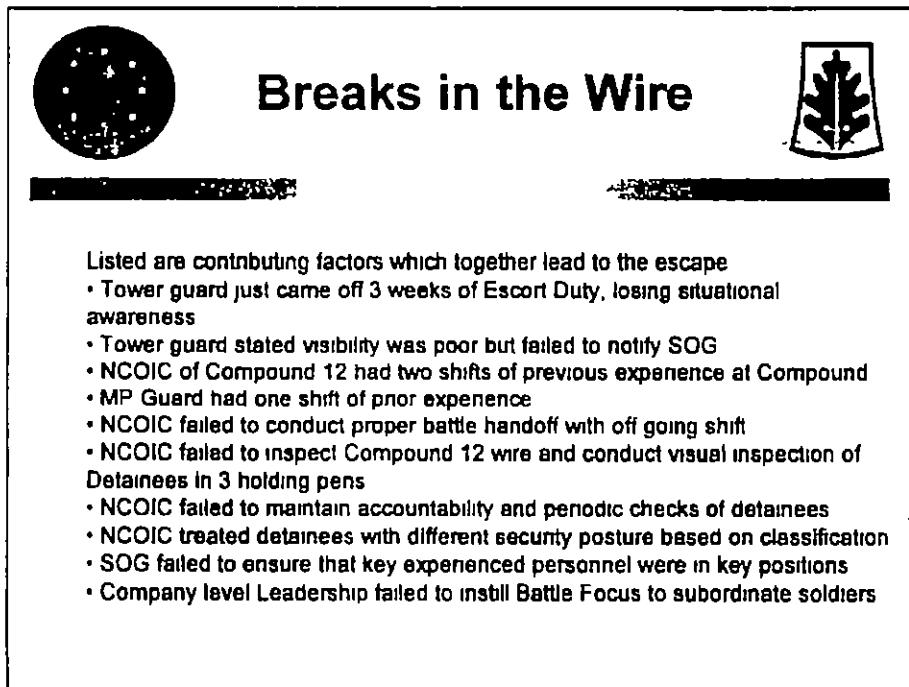
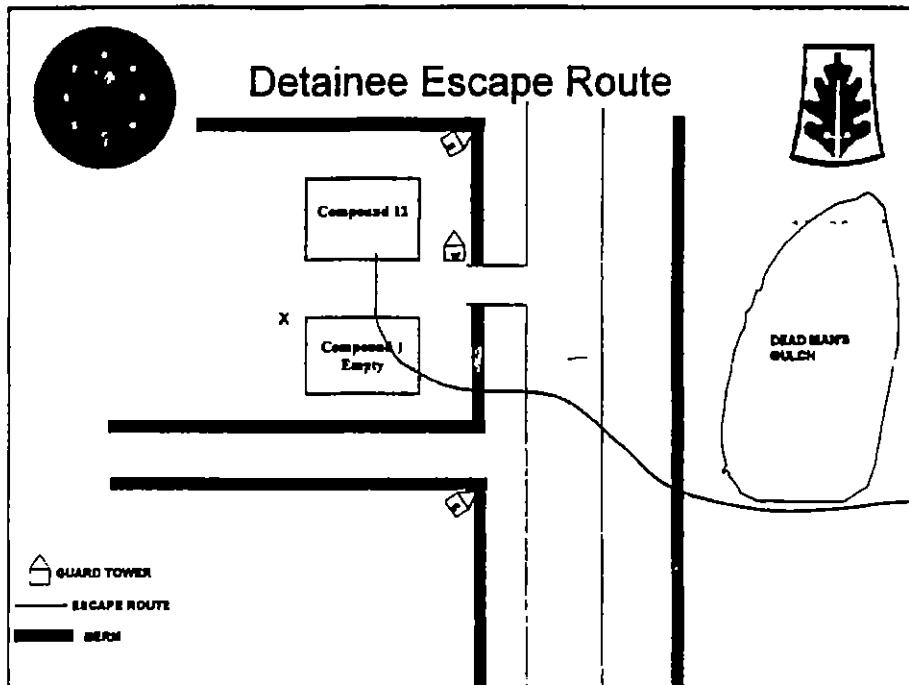
- 6 JAN 04
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 - 0430-0445 DETAINEE OBSERVED BY ██████████ AND ██████████ PRAYING OUTSIDE TENT
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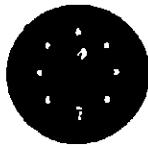
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- 7 JAN 04
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DETAINEE NOTIFIES SGT [REDACTED]
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FORCE PROTECTION
- 0730 – 1700 267 MP CO CONDUCTS CORDON AND SEARCH; BASRA AND
SAFWAN AREA

Compound 12







Recommendations



- Add additional wire to front of Compound 12
- Emplace additional trip flares in front of Compound
- "Treat All Detainees The Same"
- Conduct Visual Checks every ½ hour of detainees
- Properly Log all Details of shift on DA 15E 4
- Ensure that 360 degree security is maintained on Compound at ALL times
(Add Tower to Front of Compound)
- Do not move individual Detainees the night before to out-process
- Use leg restraints on individual detainees in holding pen
- Add Man Pack at Compound 12 as Secondary Commo
- UCMJ Action on Leadership on down
- Leadership must emphasize "TOP DOWN" approach the importance of maintaining Battle Focus!



DEPARTMENT OF THE ARMY
COALITION FORCES LAND COMPONENT COMMAND
UNITED STATES ARMY FORCES CENTRAL COMMAND
HEADQUARTERS, 800TH MILITARY POLICE BRIGADE (IR)
CAMP ARIFJAN, KUWAIT APO AE 09366

AFRC-CNY-AI-JA

23 January 2004

MEMORANDUM FOR COMMANDER, 800th MP BDE

Subject Legal Review, 15-6 investigation 7 January 2004 Escape, Camp Bucca

Upon review, the 15-6 investigation is legally sufficient. The investigating officer recommends disciplinary action to include letters of reprimand on 5 soldiers and counseling statements on 2. She also recommends changes in equipment and procedures. These recommendations are legally sufficient. Although, considering the circumstances of this escape and the importance of the detainee, more serious disciplinary action may be more appropriate.

// original signed //

MAJ, JA
Deputy Staff Judge Advocate

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form see AR 15-6 the proponent agency is OTJAG

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM ATTACH ADDITIONAL SHEETS

SECTION I - APPOINTMENT

Appointed by BG JANIS L KARPINSKI
(Appointing authority)

on 15 JAN 04 (Attach inclosure 1 Letter of appointment or summary of oral appointment data) (See para 3-15 AR 15-6)
(Date)

SECTION II - SESSIONS

The (investigation) (board) commenced at CAMP ARIFJAN, KUWAIT at 1200
(Place) (Time)

on 15 JAN 05 (If a formal board met for more than one session check here Indicate in an inclosure the time each session began and ended the place, persons present and absent and explanation of absences, if any) The following persons (members, respondents counsel) were present (After each name indicate capacity e.g President Recorder Member Legal Advisor)

The following persons (members respondents counsel) were absent (Include brief explanation of each absence) (See paras 5-2 and 5-8a AR 15-6)

The (investigating officer) (board) finished gathering/hearing evidence at 1430L on 18 JAN 04
(Time) (Date)
and completed findings and recommendations at 1700 on 19 JAN 04
(Time) (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A COMPLETE IN ALL CASES	YES	NO	N/A
i Inclosures (para 3-15 AR 15-6)			
Are the following enclosed and numbered consecutively with Roman numerals (Attached in order listed)			
a The letter of appointment or a summary of oral appointment data?	X		
b Copy of notice to respondent, if any? (See item 9 below)			X
c Other correspondence with respondent or counsel, if any?			X
d All other written communications to or from the appointing authority?			X
e Privacy Act Statements (Certificate, if statement provided orally)?			X
f Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g. absence of material witnesses)?			X
g Information as to sessions of a formal board not included on page 1 of this report?			
h Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?			X

FOOTNOTES
 1) Explain all negative answers on an attached sheet
 2) Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

Exhibits (para 3-16 AR 15-6)

YES (NO) (N/A)

- a Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?
- b Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?
- c Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?
- d Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?
- e Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?
- f Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?
- g If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?

3 Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?

B COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)

4 At the initial session did the recorder read, or determine that all participants had read, the letter of appointment (para 5-3b, AR 15-6)? 5 Was a quorum present at every session of the board (para 5-2b AR 15-6)? 6 Was each absence of any member properly excused (para 5-2a AR 15-6)? 7 Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)? 8 If any members who voted on findings or recommendations were not present when the board received some evidence, does the enclosure describe how they familiarized themselves with that evidence (para 5-2d AR 15-6)?

C COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)

9 Notice to respondents (para 5-5 AR 15-6)

a Is the method and date of delivery to the respondent indicated on each letter of notification? b Was the date of delivery at least five working days prior to the first session of the board?

c Does each letter of notification indicate —

(1) the date, hour, and place of the first session of the board concerning that respondent? (2) the matter to be investigated, including specific allegations against the respondent, if any? (3) the respondent's rights with regard to counsel? (4) the name and address of each witness expected to be called by the recorder? (5) the respondent's rights to be present, present evidence, and call witnesses? d Was the respondent provided a copy of all unclassified documents in the case file? e If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?

10 If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings)

a Was he properly notified (para 5-5 AR 15-6)? b Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-4c AR 15-6)?

11 Counsel (para 5-6 AR 15-6)

a Was each respondent represented by counsel?

Name and business address of counsel

(If counsel is a lawyer check here)b Was respondent's counsel present at all open sessions of the board relating to that respondent? c If military counsel was requested but not made available, is a copy (or if oral a summary) of the request and the action taken on it included in the report (para 5-6b AR 15-6)?

12 If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6)

a Was the challenge properly denied and by the appropriate officer? b Did each member successfully challenge cause to participate in the proceedings?

13 Was the respondent given an opportunity to (para 5-8a, AR 15-6)

a Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent? b Examine and object to the introduction of real and documentary evidence, including written statements? c Object to the testimony of witnesses and cross-examine witnesses other than his own? d Call witnesses and otherwise introduce evidence? e Testify as a witness? f Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)? If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (para 5-8b, AR 15-6)? 15 Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an enclosure or exhibit to it (para 5-11, AR 15-6)?

FOOTNOTES

1) Explain all negative answers on an attached sheet

2) Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation

INVESTIGATION WAS CONDUCTED AS FOLLOWS

ON 13 JANUARY 2004 I WENT TO CAMP BUCCA TO INVESTIGATE THE 7 JANUARY ESCAPE. AT THAT TIME I WAS INFORMED BY LTC FARRELL THAT ANOTHER ESCAPE HAD OCCURRED THE PRIOR EVENING. WHEN I WENT OUT TO THE INTERNMENT FACILITY WITH 1LT MULLIGAN I HAD HIM SHOW ME WHERE THE ESCAPE HAD OCCURRED FOR BOTH EVENTS.

I WENT BACK TO CAMP BUCCA ON 18 JANUARY TO INTERVIEW THE FOLLOWING SOLDIERS AND COLLECT ADDITIONAL STATEMENTS,

MAJ [REDACTED] ACTING BN COMMANDER

CPT [REDACTED] 724TH MP BN S-3

SGM [REDACTED] 724TH MP BN OPEERATIONS SGM

SFC [REDACTED] 822ND MP CO, CO SOG (SFC SHAEFER IS IN GERMANY WITH A MEDICAL EVAC)

SPC [REDACTED] 822ND MP CO FRONT TOWER GUARD

SPC [REDACTED] TOWER GUARD, COMPOUND 11

SPC [REDACTED] COMPOUND CONTROL NCO

SGT [REDACTED] COMPOUND CONTROL NCO

CHAIN OF COMMAND THAT NIGHT

724TH MP BN - OVERALL COMMAND

ND MP GUARD CO COMPOUND GUARDS (TOWERS/ROVERS/SOG)

HHC, 310TH MP BN COMPOUND CONTROL GUARDS

267TH MP CO QRF

ATTACHMENTS

- 1 APPOINTMENT LETTER
- 2 SIR
- 3 NDRS PRINTOUT, ESCAPEES
- 4 COPY OF FOG PLAN
- 5 SKETCH OF COMPOUND AND ROUTE OF ESCAPE
- 6 MEMORANDUM FOR RECORD BY 310TH MO BN S-3
- 7 STATEMENTS

SECTION IV - FINDINGS (para 3-10 AR 15-6)

In view of the above findings the (investigating officer) (board), having carefully considered the evidence, finds THE INVESTIGATION FINDS THAT ROOT CAUSE OF THE ESCAPE WAS DUE TO EXTREMELY LOW VISIBILITY, INEXPERIENCED COMPOUND GUARDS, OVERCROWDING AND MOVEMENT OF GUARD ASSETS FROM TOWERS BEFORE A COMPLETE COUNT WAS MADE

DURING THE EVENING IN QUESTION, 12 JANUARY, THE SOG DECIDED TO PUT THE "FOG PLAN" INTO EFFECT. WHAT THIS ENTAILS IS CLEARING ALL DETAINEES FROM THEIR TENTS AND MOVING THEM TO THE INNER COMPOUND TO SHRINK THE PERIMETER. ALL DETAINEES ARE ACCOUNTED FOR AND THEN THE TOWER GUARDS MOVE IN TO FORM A PERIMETER AROUND THE INNER COMPOUND. THE TOWER GUARD IN FRONT OF COMPOUND 10, SPC MARSHALL WAS INSTRUCTED BY SFC [REDACTED] (SOG) TO KEEP EYES ON THE COMPOUND CONTROL MP THAT WENT TO WAKE DETAINEES FROM THEIR TENTS. FROM HIS TOWER LOOKING SOUTH, HE COULD NOT SEE CLEARLY THE FRONT HOLDING CELL DUE TO THE FOG AND A BLIND SPOT FROM THE CP TENT. IT IS BELIEVED THAT AT THIS TIME, 3 DETAINEES EXITED THE FRONT HOLDING CELL AND CROSSED CENTERLINE ROAD WHERE THERE IS NO WIRE AND VERY LITTLE LIGHTING. THE THIRD DETAINEE WAS SITED BY THE TOWER GUARD (DISMOUNTED FROM TOWER) IN COMPOUND 11. HE CHALLENGED HIM, SHOT HIM WITH NON LETHAL AND HE JUMPED BACK IN THE WIRE.

ONCE WHAT THEY THOUGHT A COMPLETE COUNT WAS OBTAINED, THE SOG INSTRUCTED THE TOWER GUARDS TO DISMOUNT FROM THE TOWERS AND MOVE IN CLOSER TO THE INNER COMPOUND. I BELIEVE THAT WHEN THIS OCCURRED, THE FOUR DETAINEES THAT GOT OUT THE SOUTH SIDE OF THE INNER COMPOUND HAD ALREADY EXITED THE COMPOUND WIRE AND HAD MOVED THROUGH THE TENTS TOWARD THE SOUTH SIDE OF THE OUTER COMPOUND. WHEN THE TOWER GUARDS MOVED UP TO THE NORTH SIDE, THE DETAINEES WENT OUT THE BACK AND WERE APPREHENDED BY THE QRF THAT WAS ROAMING THE SOUTH BERM AND SPOTTED THEM.

RECOMMENDATIONS,

1. THAT MP'S BE POSITIONED AROUND THE INNER COMPOUND BEFORE THE DETAINEES ARE BROUGHT FORWARD AND THAT THE TOWER GUARDS ARE NOT PULLED OUT BEFORE THIS OCCURS
2. MOVE CP TENTS SO THEY DO NOT OBSTRUCT TOWER GUARD SITE OF INNER COMPOUND
3. EMPLACE CHAIN LINK FENCING (AS PLANNED IN SOW 9 TO LOGCAP CONTRACT). THE CONCERTINA WIRE IN ACE IS NOT IN GOOD SHAPE AND EASILY PENETRATED AT THIS POINT
4. COMMUNICATIONS EQUIPMENT BE UPGRADED. BATTERIES ARE NOT HOLDING CHARGES AND THERE IS INADEQUATE COMMUNICATIONS AROUND THE COMPOUND. MP'S SHOULD NOT GO IN DETAINEE TENTS WITHOUT COMMUNICATION (SGT [REDACTED] SHOULD BE CANCELLED ON THIS)
5. REHEARSALS OF THE FOG PLAN SHOULD CONTINUE TO BE CONDUCTED
6. DO NOT EXCEED COMPOUND CAPACITY OF 500. THERE WERE 651 DETAINEES IN THE WIRE THAT NIGHT
7. PUT UP FENCING ON THE OTHER SIDE OF CENTERLINE ROAD AND IMPROVE LIGHTING. IMPROVE INNER COMPOUND WIRE SO THEY CAN'T EASILY GET OUT ONCE ACCOUNTED FOR THERE

SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

In view of the above findings the (investigating officer) (board) recommends

AFTER THOROUGHLY REVIEWING THE SITUATION, I CAN NOT FAULT ANY INDIVIDUAL SOLDIERS IN THE COMPOUND FOR BEING NEGLECTFUL OR DERELICT IN THEIR DUTIES RESULTING IN THE ESCAPE. THE FOG PLAN WORKED IN THE OTHER TWO COMPOUNDS WITHOUT INCIDENT THAT NIGHT. WITH ADDITIONAL REHEARSALS AS WELL AS IMPLEMENTATION OF THE OTHER RECOMMENDATIONS I DO NOT SEE THIS REOCCURRING.

ADDITIONAL RECOMMENDATIONS

8. EMERGENCY ACTION PLANS SHOULD BE WRITTEN UP AS SOP'S THAT CAN BE THOROUGHLY UNDERSTOOD
9. HIGHER HEADQUARTERS CONDUCT PERIODIC REVIEW OF SOP'S FOR EAP'S, PRISONER DAILY SCHEDULE, INFRACTIONS/PUNISHMENT ETC

SECTION VI - AUTHENTICATION (para 3-17, AR 15-6)

...IS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE (If any voting member or the recorder fails to sign here or in Section VII below indicate the reason in the space where his signature should appear)



(Recorder)

(Investigating Officer) (President)

(Member)

(Member)

(Member)

(Member)

SECTION VII - MINORITY REPORT (para 3-13 AR 15-6)

To the extent indicated in Inclosure _____, the undersigned do(es) not concur in the findings and recommendations of the board
(In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur State the reasons for disagreement Additional/substitute findings and/or recommendations may be included in the inclosure)

(Member)

(Member)

SECTION VIII - ACTION BY APPOINTING AUTHORITY (para 2-3, AR 15-6)

The findings and recommendations of the (investigating officer) (board) are (approved) (disapproved) (approved with following exceptions/ substitutions) (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence (or a summary, if oral) as a numbered inclosure)

Serious Incident Report (1-002)

- 1 Category N/A
2 Type of Incident EPW escape
3 20330Z Jan 04
4 Camp Bucca, Compound 10
5 Other Information None
6 Personnel Involved

a Subject 1

- i Name [REDACTED]
ii Rank CIV
iii ISN 115314
iv Iraqi
v Male
vi Age 25
vii Position EPW
viii Security
ix 724 MP BN

b Subject 2

- i Name [REDACTED]
ii Rank CIV
iii ISN 109950
iv Iraqi
v Male
vi Age 21
vii Position EPW
viii Security
ix 724 MP BN

- 7 6 detainees escaped from Compound 10 under heavy fog conditions A seventh made an attempt but was deterred The escape was noted at 0330 and 4 detainees were recaptured in subsequent search They were placed in Compound 12 2 detainees, above, are still missing and the search continues
8 Remarks The fog had a tremendous impact on the operations to secure the facility The detainees in Compound 10 attempted to conduct an escape north and south of the compound The MPs captured 5 escapees, unfortunately 2 were able to get over the wire and beyond the perimeter

MPs fired upon them but the detainees were lost in the fog and the chase
Corrective action is being implemented to avoid it ever happening again

- 9 Publicity. None
- 10 Command Reporting 724 MP BN
- 11 POC CPT [REDACTED]
- 12 Downgrading Instructions None

US9IZ-115314CI



Last Name [REDACTED]
First Name [REDACTED]
Middle [REDACTED]
Category CI-CIVILIAN INTERNEE
Power IZ Iraq

Arm of Service

MOS
COS 99 SEE REMARKS
Service No 8380265
Grade
Geneva Cat
ICRC
Camp Name BUCCA
Enclosure 86 SAN JUAN 10
Holding/Cell DNR 10

Height
Weight 135
Hair Color
Eye Color

Nationality IZ Iraq
Religion
Race
Marks

Sex M
Blood Type
DOB
Complexion [REDACTED]

US9IZ 115314CI		C CIVILIAN INTERNEE		
		Country: IZ		
135	130	42	42	
1978/01/01				
Issuing Party: BUCCA				
Issuing Office: ICRC				
Date Issued: 2004/01/17				
Expiry Date: 2005/01/01				
Remarks:				
[REDACTED]				

	US9IZ-115314CI	Power: 380265
	[REDACTED]	Date: 1978/01/01
	IZ	BUCCA
	IZ	BUCCA
	Date: 2004/01/12	

US9IZ-109950CI



Last Name [REDACTED]
First Name [REDACTED] ABBULLA
Middle [REDACTED]
Category [REDACTED]
Power IZ-Iraq

Arm of Service ZZ UNKNOWN

MOS
COS 99 SEE REMARKS
Service No B10934
Grade
Geneva Cat.
ICRC
Camp Name BUCCA
Enclosure 86 SAN JUAN 10
Holding/Cell DNR 4 6

Height	Nationality	IZ Iraq	Sex	M
Weight	Religion	33 SUNNI ISLAM	Blood Type	[REDACTED]
Hair Color	Race	X OTHER	DOB	[REDACTED]
Eye Color	Marks		Complexion	[REDACTED]

US9IZ 109950CI		CIVILIAN INTERNEE			0701007													
		<table border="1"><tr><td>NAME</td><td>ADDRESS</td><td>TELE</td><td>TELE</td></tr><tr><td>ABULLA</td><td>BUCCA</td><td></td><td></td></tr><tr><td>1982 08 05</td><td>BUCCA</td><td>CIV</td><td></td></tr></table>			NAME	ADDRESS	TELE	TELE	ABULLA	BUCCA			1982 08 05	BUCCA	CIV		ISSUED BY BUCCA Date ISSUED 2004/01/12	
NAME	ADDRESS	TELE	TELE															
ABULLA	BUCCA																	
1982 08 05	BUCCA	CIV																

US9IZ-109950CI		0701007
		000 1982/08/05
NAME	ADDRESS	TELE
ABULLA	BUCCA	2004/01/12
BUCCA	BUCCA	



DEPARTMENT OF THE ARMY
724th and 310th MILITARY POLICE BATTALION
CAMP BUCCA, IRAQ

REPLY TO
ATTENTION OF

AFRC-CNY

08 January 2004

MEMORANDUM FOR Record

SUBJECT Escaped Detainees on 12 January 2004 at Camp Bucca

SUMMARY OF EVENTS On the morning of 11 January 2004, the Sergeant of the Guard (SOG) of the IF operations at Camp Bucca, made the decision to implement the FOG Plan. The damp weather created such a FOG around the our of 0030 that it was near impossible to see 20 to 30 feet in front of them. Concerned about the visibility of the tower guards, the SOG ordered the compound to apply the FOG plan and inform the chain of command. Additional Patrols and MPs were sent out to the exterior perimeter to form a more complete 360 degree around the compound.

The FOG plan results in moving all the detainees into the front holding cell of compounds. As a result, all detainees are in a tighter enclosure and easy to watch and maintain 360 degree security. Once the detainees are secured and in the holding area, the tower guards move in to form a perimeter. The compound control NCOs count each detainee going into the holding area to ensure full accountability. Once the fog lifts and the visibility is in such a manner that the MPs can see all points of the perimeter of each compound, the tower guards return to the towers.

SGT [REDACTED] (NCOIC) and SPC [REDACTED] who are the compound control NCOs of 10, began to apply the FOG plan. SPC [REDACTED] posted himself at the entrance of the holding area of compound 10. SGT [REDACTED] began to call and order the detainees to move to the front of the compound and into the holding area. The detainees start to move to the holding area at a very slow and resistance pace. SGT [REDACTED] had a difficult time getting the 651 detainees to cooperate in an orderly manner. SPC [REDACTED] began to count the detainees into the holding cell. Soon after, an additional MP showed up in front of the compound to provide over-watch protection to the compound NCOs because they are in the compound without weapons. There were close to 450 to 500 detainees in the holding area when SGT [REDACTED] claimed to not be able to see the other end of the holding area because the fog was too thick. Close to 0200, SPC [REDACTED] was completing his count and getting close to the 625 on his count when he heard Non-Lethal rounds going off near the other end of the holding area. The two compounds NCO quickly finished their count and moving the detainees into the holding area to get control of the situation.

At approximately 0200, a roving MP guard from the far end of compound 11 spotted a detainee jumping over the wire at the front of compound 10's holding area. The roving MP shot the detainee as he cleared the wire. The detainee quickly got up and jumped



DEPARTMENT OF THE ARMY
724th and 310th MILITARY POLICE BATTALION
CAMP BUCCA, IRAQ

REPLY TO
ATTENTION OF

back over the wire into the holding area. Moments later, the QRF team (977th and 267th MP Co) spotted 4 detainees running from the north side of compound 10. The QRF yelled halt then opened fire. The detainees split in tow direct and the QRF gave chase. All four were captured as the 977th and 267th MP Co divided there forces and tracked down the detainees. All detainees were placed in the isolation cells in compound 12.

Once it was discovered that 4 detainees were captured at the north side of compound 10, the SOG and SGM ordered a complete count of all detainees by ISN. The count was complete around 0500 when it was discovered that two (2) detainees were unaccounted for. The BN CDR (now on site) ordered a complete search of the perimeter with all MP assets on camp. The exterior force (977th and 267th MP Co) began to patrol and searches the surrounding area of Camp Bucca. The fog was extremely heavy and thick throughout the entire morning. The SOG and interior QRF conducted an inspection of the interior wire. It was discovered that the detainees escaped over the wire moments before the roving MP (from compound 11) shot the detainee jumping over the wire in the holding area of compound 10. The 267th MP Co tracked the escaped detainees to the exterior limits of the general area. The British troops and chain of command were informed as photos of the detainees passed along.

Critical improvements and rehearsals are being conducted on the fog plan as preventable measure. This includes rehearsals, additional MPs for security, and accountability. One of the identifiable problems at the IF operations were the need better fortification of wire. The S-4 ordered and is overlooking the installation of a chain-link fence that is leaps and bounds more secure then the current triple-stran wire. The fortification has been placed on top priority for KBR to complete.

-----End of Summary-----

QUESTION OF PARTIES INVOLVED

NAME: SGT [REDACTED]
UNIT: 310th MP BN
AREA OF RESPONSIBILITY: Compound NCO

Q In your statement, you stated you vision of your assigned area was obstructed with fog? Can you observe the other end of the holding area?

A No

Q Did you consider placing yourself in such a location to observe the entire holding area?

A We were consumed with the proper count. In addition, the detainees were fighting and being very uncooperative. Prior that day I observed detainees practicing jumping over wire/



DEPARTMENT OF THE ARMY
724th and 310th MILITARY POLICE BATTALION
CAMP BUCCA, IRAQ

REPLY TO
ATTENTION OF

Q Did you report this to the SOG?

A This is a common practice of detainees that the SOG is aware of. The current wire is not high or fortified enough to prevent detainees doing this in a split second. They can get through the triple-stran wire in a matter of seconds.

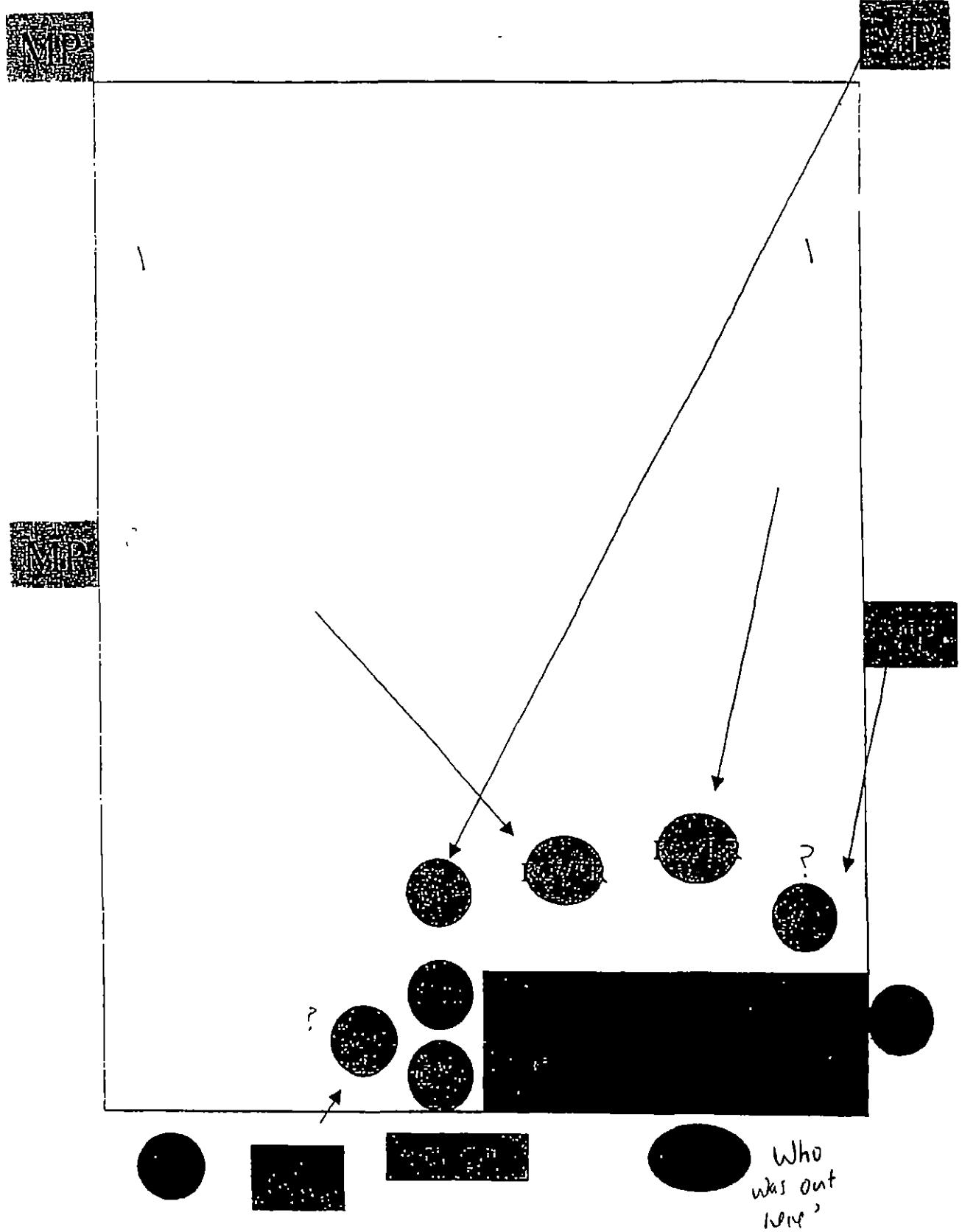
[REDACTED]

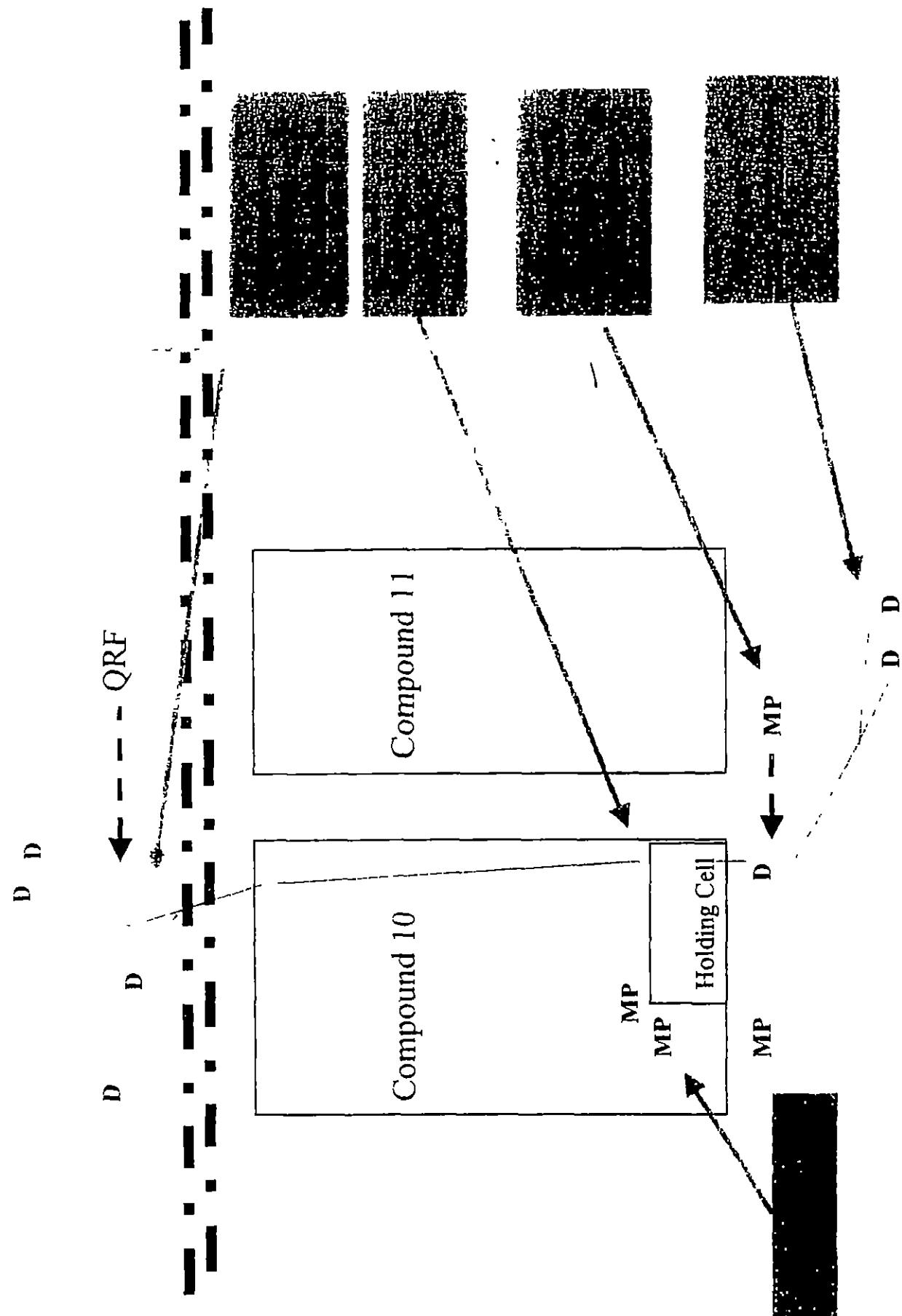
FOG Plan

1. SOG Makes decision based on visibility to implement Fog Plan (QRF- Notified)(LP/OP-Notified)
2. QRF move into Position.
3. Rovers enter Compound and move detainees into feeding pen. (CCT Get Headcount)
4. SOG is notified by CCT that move is complete.
5. SOG Re-position MP's static post and rovers around feeding pen (Hold until visibility is clear).
6. Feeding pen becomes new compound wire" (ROE)
7. All rovers & QRF continue to screen North, South, East, West perimeter boxing compounds
8. QRF can be relieved based on SOG decision for manpower. SOG may call off Fog Plan based on visibility assessment

What is the assessment of the Fog plan today?

FOG Plan





SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301 Title 5 USC Section 2951 E.O. 9397 dated November 22 1943 /SSN/
 PRINCIPAL PURPOSE To provide commanders and law enforcement officials with means by which information may be accurately
 ROUTINE USES Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
 DISCLOSURE Disclosure of your social security number is voluntary

1 LOCATION	2 DATE (YYYYMMDD)	3 TIME	4 FILE NUMBER
LampBulld, Iraq	20040113	1300	
5 LAST NAME FIRST NAME MIDDLE NAME	6 SSN	7 GRADE/STATUS	
[REDACTED]	[REDACTED]	E-4	
8 ORGANIZATION OR ADDRESS	[REDACTED]		
310th MP BN			
9	[REDACTED]		

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

During the night of 12 Jan 04 SGT [REDACTED] and I were the Compound Control Team at Camp Udair between the hours of 0001 and 1200 At 0001 we relieved SSG [REDACTED] and SPC [REDACTED] and were tasked of an inmate wine count of 651 At approximately 0010 hrs SSG [REDACTED] and SPC [REDACTED] left the compound.

At approximately 0037 we were told to set the fog plan into action We got our gear on and went into the Compound. I stayed at the entrance of holding pen to get account and SGT [REDACTED] continued to wake tents up. After the detainees started slowing down going into the pen Sergeant [REDACTED] started clearing tents while SGT [REDACTED] cleared I continued to count as I was counting an E-7 from the guard company went in to the tent area to help clear tents They reappeared at approximately 0125. At this time is when I completed my count which was 651 A QRF was responding was on their way while this was going on also as I was finishing my count a detainee tried to escape but was shot with non-lethal.

When the QRF Arrived SGT [REDACTED] and I were at the front of the holding pen Approximately 0140 SGT notified us all detainees were seen outside the wire At this time we were ordered to take a new count when trying to organize the count the prisoners were non-compliant After speaking to the SGT he made the decision to bring in an additional QRF. At approximately 0153 the QRF arrived and we were told to move prisoners out of pen and count each so they came out.

10 EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF _____ PAGES
[REDACTED]		
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT BY DD'S TAKEN AT 1300 DATED 17 JAN 04"		
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED		

STATEMENT OF [REDACTED]

MAKED AT 1300 hrs

DATED 13 JAN 04

9 STATEMENT (Continued)

At approximately 0315 we commenced the count. SGT [REDACTED] and SPC [REDACTED] from 724 counted. During this time I was cleaning the pen. Approximately 0400 the count was complete with 645 ITW. Then we continued with an ISN count back in to the pen. This was completed by 0500 results were 645 ITW, six detainees missing.

From approximately 0500 we held the prisoners in the holding area. At 0750 we released the prisoners from holding pen. This plan was called off at this time. We resumed normal day activities. I was informed later on 2 prisoners were recovered and at the place where the prisoners escaped the tripflame did not ignite. Also was informed and also had seen on earlier dates prisoners slip out of the holding through the side. I also feel the same as SGT [REDACTED] that there are flaws in the trip plan.

[REDACTED] Nothing follows

DL

AFFIDAVIT

I [REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE [REDACTED]. 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 _____ day of _____, _____
at _____

ORGANIZATION OR ADDRESS

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED]
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

SWORN STATEMENT

1. Use of this form - AFM AF 190-45 the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY 11. 10 USC Section 301 Title 5 USC Section 2951 FC 9397 dated November 22 1943 (SSN)

PRINCIPAL PURPOSE 1. To provide commanders and law enforcement officials with means by which information may be accurately

ROUTINE USES 2. Your social security number is used as an additional alternate means of identification to facilitate filing and retrieval.

DISCLOSURE 3. Disclosure of your social security number is voluntary

1 LOCATION	12 DATE (YYYYMMDD)	3 TIME	4 FILE NUMBER
CAMP BULLA IRAN	20040113	1300	
5 LAST NAME FIRST NAME MIDDLE NAME	6 SSN	7 GRADE/STATUS	
[REDACTED]	[REDACTED]	E-5	
8 ORGANIZATION/ACTIVITY	[REDACTED]		
S10TH MP BN			

9 [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

On 12 January Between The Hours Of 0800 AND 1200
 Spc [REDACTED] And I Were On Duty As The Compound Officers
 For Compound 18 We Has Received SSG [REDACTED] AND Spc [REDACTED]
 And WERE VARIOUS BRIGADES ON THE COMPOUNDS STAIRS. THE
 [REDACTED] I AM GUARD PRACTICED ON THE DAY SHIFT WAS
 [REDACTED] DUTIES IN THE WCH THIS WAS TURNED OVER TO US AS OUR
 STANDARD [REDACTED]

At 243, Thus The End Of The Guard Company Pmt
 1. In The Evening Spc [REDACTED] Stayed At The
 Entrance To The Housing Pt. While I Attempted To Wake And
 Get The Guards From The Compound Tent Area And Move Them To
 The Housing Pt. I Did This Using Verbal Direction And Blowing A
 WHISTLE in PRIMARILY Distant Moving Started To Slow Down It
 Became necessary To Be In Charge. The Drawing Tents I Cleared
 To This City By Own I WAS ASSISTED BY A SOLIDER FROM THE GUARD
 COMPANY WHOSE GENDER THE RUST OF THE TENTS WHEN IT APPROACHED THAT
 ALL OF THE GUARDS HAD BEEN AWAKENED AND CLEARED FROM THE TENTS I
 RETURNED TO THE HOUSING PT. THAT Spc [REDACTED] WAS SECURE AND HE HAS
 PAGE 2 OF 2 1/2 HOURS LATER THE HEAD COUNT WAS TAKEN AS 651 GUARDS
 10 EXHIBIT

11 INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 5 PAGES

ADDITIONAL PAGE IF IT CONTAIN THE HEADING STATEMENT --- TAKEN AT --- DATED ---

THE BOTTOM PAGE ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND PAGE NUMBER
 MUST BE REINITIALED

USE THIS PAGE IF NEEDED IF THIS PAGE IS NOT NEEDED PLEASE PROCEED TO FINAL PAGE OF THIS FORM

STATEMENT OF [REDACTED]

MKEN AT 1300 hrs

DATED 13 JANUARY

9 STATEMENT (Continued)

In The Wkng A QRF Was Responsng Whlce This Wks In Procss
Due To The Extrmly Low Visiblty And High Number Of Detainees
Two Soldiers From The Guard Company Were Moved Inside The Compound
A: Part (4-77) "Fo-Pow" To Help Secure The Detainees In The Holding
Pen I Posed The Two Soldiers At Separate Ends Of The Holding Pen
Because Detainees Frequently Compromis The Wck Of The Holding Pen
Wch Is Easyl And Relativ To Their Tents, Then Swap Back Through The Wkng
Inside The Holding Pen, Quickly Bewsding In To The Large Number Of Detainees
In His Com: Was Complete At Approx 0125, The Guard Company Soldiers
Entered The Compound Between 0125 And 0140 hrs

At Approximately 0140 The S.O.C And The Compound SGM Notfied
Me That 2 Detainees Had Been Recounted Whlce Tryng To Escape A New
Head Count Was Orders The Detainees Relativ To Comply With ORDERS
To Organiz In To Rows And Due To The High Number Of Prisoners, Low
Number Of Personnel, And Extrmly Low Visiblty Conducting A Headcount
Inside Of The Holding Pen Woule Not Work It Woud Not Occur In
A Timely Manner And Woud Likely Not Yield Accurate Counts, Becoming
Yer Another Delay A Decision Was Made To Have Another Q.R.F Responde
To Secure An Acc Num The Holding Pen, Move The Detainees From
The Holding Pen To The Secured Area And TAKE Another Head Count
This Occurred At APPROX. 0233 hrs THE Additional Q.R.F Responde At APPROX
0240 Just Prior To The Q.R.F Responde A Fight Had Broken Out And An Unsp
Attempt Had Been Stopped Using Less Lethal Force Detainee # 115497
Received A Head Injury And Was Removed From The Compound He Was Sent
To Medical For Treatment Along With Detainee # 116733 As A Translator
THE AIRLAPES Escaper Had Compromis The Wck Holding Back Into The
Holding Pen And Blend In To The Other Detainees I Did Not Witness

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 5 PAGES

STATEMENT OF [REDACTED]

TAKEN AT 1300 hrs

DATED 13 JAN 94

9 STATEMENT (Continued)

THE NIGHT OF ESCAPE ATTEMPT I ONLY HAD LESS THAN LITWEL COMMAND
BEING DISMISSED AND RECEIVED NOTIFICATION FROM SOURCES OF THE GUARD
COMPANY

Upon THE Q.R.F. ARRIVED AT 0300 AM-AERA WHICH SECURED FORT
THE PRISONERS WERE MOVED FROM THE HOLDING PEN TO THE SECURITY AREA
A SPC FROM THE 724 MP BN WAS ADDED TO ONE COMMAND TEAM (SPC
[REDACTED]). HE ALSO ASSISTED IN A HEAD COUNT WHILE MOVING THE DETAINEES
I PHYSICALLY TOUCHED EACH DETAINEE ON THE SHOULDER AS I COUNTED THEM AND
WAS COUNTING EACH 20 DETAINEES, STOPPED THE LINE, ASSIGNED A HASH MARK
TO A PAB EACH FIVE WOMEN EQUAL 100 DETAINEES COUNTED, (E.I. 44 = 100)
THE HEAD COUNT WAS COMPLETED AT APPROX 0330 hrs AND WAS FOUND TO BE
SIXTY TWO COUNTING 645 DETAINEES IN THE WIRE IT BECAME EVIDENT THAT A
TOTAL OF SIX DETAINEES HAD ESCAPED I ORDERED THE PRISONERS SENT BACK
INTO THE HOLDING PEN, PREPARING AN ISN COUNT AT THIS TIME IN ORDER
TO IDENTIFY THE ESCAPED DETAINEES THE FOLLOWING SIX PRISONERS WERE
MISSING AND REPORTED ESCAPED UPON COMPLETION OF THE COUNT AT
0330 hrs # 116692, 109940, # 116650, # 115695, # 109950, AND # 115314 THE
COMMAND SCM AND NC OIC WERE NOTIFIED THE Q.R.F. REPORTED
CUTTING AND FOOTPRINTS PASSING THE WIRE AND ONCE THE BUEN ON THE
EXTERIOR/RIDGE OF THE COMMAND THE FLASHES AT THIS AREA WHICH TRIPPED
BUT DID NOT FIRE IT WAS APPARENT THAT THE DETAINEES WENT THROUGH
THE FENCE AT AN AREA WHICH TURNED IS NO RAZOR WIRE TURN OF
THE ESCAPED DETAINEES HAD BEEN REMOVED AND IDENTIFIED AS # 116652,
109940, AND # 116650 ANOTHER DETAINEE HAS ALSO BEEN REMOVED BUT WAS
NOT YET IDENTIFIED THE ESCAPED DETAINEES WERE REMOVED FROM MY
COMMAND COUNT AND TRANSFERRED TO IRAG A FEW DAYS LATER AS SUBSEQUENTLY
THAT BOTH PRISONERS THAT HAD BEEN SHOT TO MEDICAL HAD RETURNED

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 3 OF 5 PAGES

USE THIS PAGE IF NEEDED IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM

STATEMENT OF [REDACTED]

TAKEN AT [REDACTED] 1300 hrs

DATED 13 JAN 94

9 STATEMENT (Continued)

Prior To The Completion Of The ISN Count And While Incarcerated On Numerous, Still Leaving 3 Detainees Not Accounted For At approx 1300 hrs The Fox Plan Was Still In Effect And The Detainees Were Secured In The Housing Pen Area Until Further Notice.

At Approx 0700 hrs The Fox Plan Is Canceled Off And The Unit Leaves The Compound And The Detainees Are Released From The Housing Pen. The Detainees Come Arrives And Is Secured SFC [REDACTED] Arriving At The Compound And Briefly Recounting All Significant Activities.

At Approx 0910 hrs I Was Notified By Compound 12 Personnel That Detainee #15095 H143 Also Been Recovered And Identified, Leaving 2 Detainees Unaccounted For (#104950 And #115314).

At approx 1700 hrs SFC [REDACTED] MSC [REDACTED] /SFC [REDACTED] Arriving At Compound 12 And Orders A Manifest Count By ISN. A Full Sweep Of The compound was conducted with additional personnel, and the detainees were ordered back into The Housing Pen where Searches Orderd them into Lines of 20 in Order to Prevent An Organized Hand Count Upon Completion Of The Manifest Count Both Counts/Both Actions yielded a count of 645 detainees in The Wire and verified the escaped detainees again. This count was completed at approx 1800 hrs. One RUM was on Site At 1200 hrs SFC [REDACTED] And I Did Not Listen The Call Until After 1330 hrs After Completing All Necessary Paperwork (Logs And SFC Reports) And Partaking Beleefing One RUM.

Inclusive At APPROX 1420 hrs A DR Beliefing Occurred With One SSOIC (Cpt. [REDACTED]) KARIES AND THE COMMANDERS OF THE GUARDS. All Of The Information In This Statement Was Discussed Along With What I Believe Are Errors In "The Fox Plan" And Other Security Issues.

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 4 OF 5 PAGES

STATEMENT OF [REDACTED]

TAKEN AT 1300 h's

DATED 13 JAN 94

S STATEMENT // continued//

[REDACTED] AFFIDAVIT

I [REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE [REDACTED] 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 _____ day of _____ at _____

ORGANIZATION OR ADDRESS

[REDACTED] (Signature of Person Administering Oath)

3101st MP BN

[REDACTED] (Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED] (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 5 OF 5 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301 Title 5 USC Section 2951 E C 9397 dated November 22, 1943 (SSN)
PRINCIPAL PURPOSE To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
DISCLOSURE Disclosure of your social security number is voluntary

1 LOCATION CAMP BUCCA, RIAQ	2 DATE (YYYYMMDD) 2004/01/19	3 TIME 2300	4 FILE NUMBER
5 LAST NAME FIRST NAME MIDDLE NAME	6 SSN	7 GRADE/STATUS E-7/ First Sergeant	

8 ORGANIZATION OR ADDRESS
822nd Military Police Company, Camp Bucca, Iraq APO AE 09375

9

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

At approximately 2355hrs on the 12 January 2004 I observed the fog coming in from the east. At that time SFC [REDACTED] and I decided to initiate the fog plan. The first step was to inform the battalion TOC of the plan and also requested QRF support. We then started with compound 09 then moved on to compounds 10,11,12 this was completed at 2400hrs. After we informed the compound control teams. We informed the rovers and the tower guards. SFC [REDACTED] and I positioned our self's at the corner of compound 09 by the holding area. At approximately 0005hrs the 267 QRF came by our location to inform us that were there and that they will cover the back road and the center road. A few minutes after that meeting SFC [REDACTED] walked to the compound 09 control tent to check on the progress of the detainees movement. Approximately 5 minutes later SPC [REDACTED] ran back to my location and stated that there was something going on at compound 10. When we arrived there we were informed by SPC [REDACTED] that a detainee attempted to escape and when SPC [REDACTED] shot at him he turned around and ran back to the wire and jumped over it back into compound 10. SPC [REDACTED] also stated that the detainee cut his arms when he jumped back in. The trip flare wire had been cut were the detainee came through the wire. SFC [REDACTED] and stayed there to cover the hole. At approximately 0030hrs I went to the compound control personal and asked the whereabouts of the NCOIC he informed me that he was in the compound tents getting the detainees to come forward. I asked if the NCOIC had a radio or any type of communication and he stated that he had none. I then asked for his head count he looked at his hand and stated that he was up to 640 detainees in the holding area. I then sent SFC [REDACTED] to go assist the NCOIC clear the tents and I went back to the vehicle. At that time I called for S3A (SGM [REDACTED]) to come out to the internment facility to address this situation. By 0035 all the compounds had reported that were 100% in the holding areas. At that time I ordered the tower guards down and in to position around the holding areas except for compound 10. When SGM [REDACTED] arrived at my location we discussed the situation in compound 10. SGM [REDACTED] stated that there needs to be a 724th compound control person there at 10. But there was not one there. SGM [REDACTED] stated that he had in fact ordered one to be there with the 310th compound control team that night. Our conversation ended there and SGM [REDACTED] went to look into it. At approximately 0055hrs SFC [REDACTED] and the compound control NCOIC came to the front I asked the NCOIC what the count was he stated that he had a count of 651. I asked if that was the number he was to have he stated yes. I then ordered the rest of my tower guards down and take up position around the holding area and shortly after that additional 822 personal arrived at the IF SFC [REDACTED] and I called for SSG [REDACTED] a rover to meet us in front of compound 10 upon his arrival SFC [REDACTED] confirmed counts with all compounds by FM. At that time SFC [REDACTED], SSG [REDACTED] and I went to compound 12 to drop SSG [REDACTED] vehicle for the guard behind the juveniles Sub compound and then we were to go to compound 09 and start our search of the tent area. On the way there we heard radio traffic stating that detainees were outside the IF. That time we were in the back of compound 09. I ordered SSG [REDACTED] to walk the wire and look for any signs of an escape. SSG [REDACTED] a rover arrived and I ordered him to assist SSG [REDACTED]. SFC [REDACTED] and I went to inform SGM [REDACTED] of the radio traffic when we connected up with SGM [REDACTED]. SSG [REDACTED] radioed us stating they found signs of an escape. SFC [REDACTED], SGM [REDACTED] and I went to the back of compound 10 as we were getting the statement from SSG [REDACTED] we heard what sounded like a SAW firing. Then we heard that a detainee has been held at the bag farm. SGM [REDACTED] and I went to retrieve the detainee. He was the first of four that will be recovered. I went back to SFC [REDACTED] to follow up with the fog plan all compounds were completed and searched all but compound 10. Compound 10 was not able to get an accurate count until approximately 1100hrs and it was found that 6 detainees had escaped. At approximately 1200 on the 13 January 2004 the fog plan was call and the detainees were released back to their tents.

NOTHING FOLLOWS

10 EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED

STATEMENT OF [REDACTED] TAKEN AT CAMP BUCCA DATED 2004/01/19

S STATEMENT (Continued) -----NOTHING FOLLOWS-----

AFFIDAVIT

[REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. 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.

(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____,
at _____

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301 Title 5 USC Section 2951, E C 9397 dated November 22 1943 /SSN/
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ROUTINE USES Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
DISCLOSURE Disclosure of your social security number is voluntary

1 LOCATION Camp Bucca, Iraq / IF	2 DATE (YYYYMMDD) 2004/01/20	3 TIME 0900	4 FILE NUMBER
5 LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	6 SSN [REDACTED]	7 GRADE/STATUS E-6	

8 ORGANIZATION OR ADDRESS
822 MP Co Camp Bucca, Iraq

9

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

On or about 12 Feb 03 while patrolling the IF I met with SFC [REDACTED] and SFC [REDACTED] and discussed enacting the fog plan at about 0200 hrs. The fog plan was enacted and I continued to patrol the IF. A short time later I was approached by 267 MP Co patrol who stated that there were fresh marks in the sand behind compound 12. I went to investigate the marks and found that it was from the wire being moved from the guards earlier in the day. I then checked the wire behind all of the compounds, paying close attention to see that the sand had not been disturbed. At that time the rear of all occupied compounds was secure and undisturbed. I was then notified by the SOG that all compounds had a good head count and all prisoners were in the front holding areas. All soldiers were then pulled out of towers to take up their appropriate positions during the fog plan. I met with SFC [REDACTED] and SFC [REDACTED] on the back side of the IF and we were headed to compound 9 to begin clearing tents. As we came around the South East corner of compound 9 we heard on the radio that there were shots fired. We stopped the vehicle and got out to listen for any other shots. We then heard a short burst from a SAW and heard on the radio that there were prisoners outside the wire and were being engaged. I then started walking west down the rear of compound to inspect the wire again. As I came to the middle of compound 10 I found that the sand had been disturbed and there were articles of clothing stuck in the wire. I then called the SOG on the radio to inform him of the possible escape point. I followed the foot prints from the outside of the wire across the rear road to the outside wire. The foot prints headed across the road and went west for approx 15 meters. I then saw where the footprints went under the second row of wire and then under the final row of wire. There were articles of clothing stuck in the final row of wire. The final row of wire where the prisoners escaped was right at the end of the triple strand razor wire where it met the triple strand concertina wire. When the SOG showed up I showed him where I had found the clothing in both sets of wire.

-----Nothing Follows-----

10 EXHIBIT

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" ____ TAKEN AT ____ DATED ____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED

STATEMENT OF

TAKEN AT Camp Bucca, Iraq DATED 2004/01/20

9 STATEMENT (*Continued*)

AFFIDAVIT
I [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. 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.

AFFIDAVIT

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20th day of Jan 2004

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATIONAL ISSUES

Authority To Administer Capital

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301, Title 5 USC Section 2951, E.O. 9397 dated November 22 1943 /SSN.
PRINCIPAL PURPOSE To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieving
DISCLOSURE Disclosure of your social security number is voluntary

1 LOCATION Camp Bucca, Iraq	2 DATE (YYYYMMDD) 2004/01/19	3 TIME 2035hrs	4 FILE NUMBER
5 LAST NAME FIRST NAME, MIDDLE NAME ███████████	6 SSN ███████████	7 GRADE/STATUS E5	

8 ORGANIZATION OR ADDRESS
822nd Military Police Company, Camp Bucca, Iraq APO AE 09375

9

███████████, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

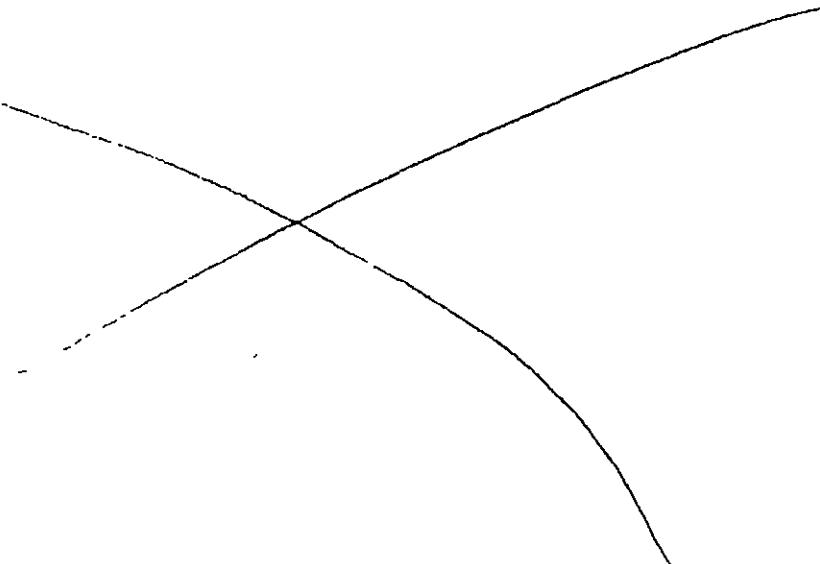
On the 12 of January, I was working as Compound 10 Tower Guard. At approximately 12midnight, the NCOIC of the compound announced they were initiating a headcount for the "Fog Alert Plan".

I then erected myself in the tower to provide a better visual of the compound for the head count.

Aproxiamtely 00 00 I heard 1 to 2 shots fired coming from the westside of compound 10. I could not see who fired the shors nor understand why shots were fired, because of the density of the fog. And, also, my vision was obstructed by the position of the tower versues the position of the compound guard tent.

Then, apropriately, 01 00 I was ordered by SFC █████ to provide foot-patrol along the west-side corner of compound 10. This detail was conducted from 01 00 to 11 30.

-NOTHING FOLLOWS-



10 EXHIBIT

11 INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" — TAKEN AT — DATED —

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED

STATEMENT OF [REDACTED] TAKEN AT Camp Bucca, Iraq DATED 2004/01/19

9 STATEMENT *(Continued)*

[REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. 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 PRESSURE.

[REDACTED]
Signature of Person Making Statement

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____
at _____

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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1 LOCATION <i>Camp Bucca Iraq</i>	2 DATE (YYYYMMDD) <i>2004 01 19</i>	3 TIME <i>1958 (DB)</i>	4 FILE NUMBER
5 LAST NAME FIRST NAME, MIDDLE NAME <i>[REDACTED]</i>	6 SSN <i>[REDACTED]</i>	7 GRADE/STATUS <i>E-4 SPC</i>	
8 ORGANIZATION OR ADDRESS <i>822 MP C</i>			

9 *(DB) [REDACTED] JJ* WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

On 12 JAN 04 I, SPC [REDACTED] was in front of compound 11 at approximately 0120 hrs Operation Fog Plan came into effect. At approximately 0138 hrs I saw a detainee from Compound 10 in the northwest corner of the holding area crawl underneath the wire. The detainee started to run northbound. At this time I yelled "git" 3 times. The detainee stopped and went back towards the compound. I yelled "git" 3 more times, the detainee over the consent wire and his right hand and foot got caught in the wire as he entered the compound holding area. I told him to stop moving. He did not. He got himself untangled and started running within the compound holding area. I fired 3 more rounds of the shotgun. One round hit him but I was unaware of the location. At approximately 0445 SFC [REDACTED] (acting 1st Sgt) and SFC [REDACTED] (SG) showed up. I informed them of the issue and they instructed me to return to my assigned compound. The detainee was injured and sent to the medical aid station where he was looked at and sent back to his compound with minor injuries. [REDACTED]

— End of Statement —

10 EXHIBIT

11 INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

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STATEMENT OF [REDACTED]

TAKEN AT Camp Bucca, Iraq DATED 2004-01-19

S STATEMENT (Continued)

End of Statement

AFFIDAVIT

I [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE [REDACTED] 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 INJUREMENT.

(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____, _____
at _____

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE _____ OF _____ PAGES

SWORN STATEMENT

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PRIVACY ACT STATEMENT

AUTHORITY	Title 10 USC Section 301, Title 5 USC Section 2951, E.O. 9397 dated November 22, 1943 (SSN)
PRINCIPAL PURPOSE	To provide commanders and law enforcement officials with means by which information may be accurately identified
ROUTINE USES	Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
DISCLOSURE	Disclosure of your social security number is voluntary

1 LOCATION CAMP DISSA, IRAQ	2 DATE (YYYYMMDD) 2003/01/21	3 TIME 1102 (min)	4 FILE NUMBER
5 LAST NAME FIRST NAME MIDDLE NAME ███████████	6 SSN ███████████	7 GRADE/STATUS E-6 / USMC	
8 ORGANIZATION OR ADDRESS 82nd MP Camp Dissia, Iraq AFN AF 09375			

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

(cont'd) On the morning of the 12th of January 2004 I was on Roving Patrol at the JT. Upon finding out that there were prisoners outside the wire FSG Myers instructed me to search the back area of compound ten. As we began our search in the back of compound ten SSG Reccce and I found a set of gloves and what looked to be a prisoner jump suit on the inside wire of the compound. We then followed tracks south-west to what appeared to be the location where the prisoners crawled through the perimeter wire where more articles of clothing were caught in the wire. SSG Reccce then reported to FSG Myers and SGM Seifner and took them to the two separate locations to show both of them our findings. We then returned to our duties at the log plan. III END OF STATEMENT (11/12)

10 EXHIBIT

11 INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED

**THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER
MUST BE INDICATED.**

STATEMENT OF [REDACTED]

TAKEN AT Camp Bucca, Iraq DATED 20 JAN 04

9 STATEMENT *(Continued)*

I MATHING
FULLERTS 11/04

AFFIDAVIT

I [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE [REDACTED]. 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 21st day of JANUARY, 2004 at CAMP BUCHA, IRAQ

ORGANIZATION OR ADDRESS

[REDACTED] (Signature of Person Administering Oath)

[REDACTED] (Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED] (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] PAGE 2 OF 2 PAGES



DEPARTMENT OF THE ARMY
377TH THEATER SUPPORT COMMAND
HEADQUARTERS, 800TH MILITARY POLICE BRIGADE
CAMP VICTORY, IRAQ APO AE 09302

REPLY TO
ATTENTION OF

AFRC-CNY-AI-CG

S. 19 January 2004
15 January 2004

MEMORANDUM FOR LTC ██████████ 800th Military Police Brigade, Camp Arifjan,
Kuwait APO AE 09366

SUBJECT Appointment as Investigating Officer

1 Effective 15 January 2004, LTC ██████████ 045-58-0233, 800th Military Police Brigade is appointed as Investigating Officer

2 AUTHORITY AR 15-6

3 PURPOSE You are directed to conduct an investigation involving the reported escape of a six (6) detainees on 12 January 2004, from Compound 10, Camp Bucca, Umm Qasr, Iraq. The MPs recaptured four (4) detainees and two (2) remaining missing. Refer to Serious Incident Report (SIR) (attached) for additional details

4 PERIOD Until investigation is completed and no further investigation is required unless released or relieved sooner by the appointing authority

5 SPECIAL INSTRUCTIONS a) Conduct of investigation will be your primary duty until the completed investigation is submitted to the appointing authority. b) Findings will be supported by substantial evidence and by a greater weight of evidence that supports any different conclusion. c) Report of investigation will be prepared in compliance with the requirements of AR 15-6 (Procedure for Investigating Officers) as guidance for the conduct of the investigation. d) Report of investigation will be furnished to this Headquarters, not later than suspense date indicated above

//Original Signed//

JANIS L KARPINSKI
Brigadier General
Commanding



DEPARTMENT OF THE ARMY
COALITION FORCES LAND COMPONENT COMMAND
UNITED STATES ARMY FORCES CENTRAL COMMAND
HEADQUARTERS, 800TH MILITARY POLICE BRIGADE (IR)
CAMP ARIFJAN, KUWAIT APO AE 09366

AFRC-CNY-AI-JA

23 January 2004

MEMORANDUM FOR COMMANDER, 800th MP BDE

Subject Legal Review, 15-6 investigation 12 January 2004 Escape, Camp Bucca

Upon review, the 15-6 investigation is legally sufficient. The investigating officer recommends changes in procedures and equipment, but does not recommend any action against individual soldiers. These recommendations are legally sufficient and appropriate under the circumstances.

// original signed //

[REDACTED]
MAJ, JA
Deputy Staff Judge Advocate



DEPARTMENT OF THE ARMY
800th MILITARY POLICE BRIGADE (I/R)
CAMP VICTORY, IRAQ
APO AF 09342



RECORDED
ATTENTION OF

AERG-CNY-AI-CG

23 January 2004

MEMORANDUM FOR Commander 724th Military Police Battalion

SUBJECT: AR15-6 Investigation Regarding 12 JAN 2004 Escape at Camp Bucca

I have approved the enclosed findings and recommendations in the Report of Investigation summarized on DA Form 1574. You are instructed to immediately implement the recommendations outlined in Section V of the report.


JANIS J. KARPINSKI
BG, USA
Commanding

C
Cmdr 310 MP BN



DEPARTMENT OF THE ARMY
724th and 310th MILITARY POLICE BATTALION
CAMP BUCCA, IRAQ

REPLY TO
ATTENTION OF

AFRC-CNY

08 January 2004

MEMORANDUM FOR Record

SUBJECT Escaped Detainees on 12 January 2004 at Camp Bucca

SUMMARY OF EVENTS On the morning of 11 January 2004, the Sergeant of the Guard (SOG) of the IF operations at Camp Bucca, made the decision to implement the FOG Plan. The damp weather created such a FOG around the our of 0030 that it was near impossible to see 20 to 30 feet in front of them. Concerned about the visibility of the tower guards, the SOG ordered the compound to apply the FOG plan and inform the chain of command. Additional Patrols and MPs were sent out to the exterior perimeter to form a more complete 360 degree around the compound.

The FOG plan results in moving all the detainees into the front holding cell of compounds. As a result, all detainees are in a tighter enclosure and easy to watch and maintain 360 degree security. Once the detainees are secured and in the holding area, the tower guards move in to form a perimeter. The compound control NCOs count each detainee going into the holding area to ensure full accountability. Once the fog lifts and the visibility is in such a manner that the MPs can see all points of the perimeter of each compound the tower guards return to the towers.

SGT [REDACTED] (NCOIC) and [REDACTED] who are the compound control NCOs of 10, began to apply the FOG plan. SPC [REDACTED] posted himself at the entrance of the holding area of compound 10. SGT [REDACTED] began to call and order the detainees to move to the front of the compound and into the holding area. The detainees start to move to the holding area at a very slow and resistance pace. SGT [REDACTED] had a difficult time getting the 651 detainees to cooperate in an orderly manner. SPC [REDACTED] began to count the detainees into the holding cell. Soon after, an additional MP showed up in front of the compound to provide over-watch protection to the compound NCOs because they are in the compound without weapons. There were close to 450 to 500 detainees in the holding area when SGT [REDACTED] claimed to not be able to see the other end of the holding area because the fog was too thick. Close to 0200, SPC [REDACTED] was completing his count and getting close to the 625 on his count when he heard Non-Lethal rounds going off near the other end of the holding area. The two compounds NCO quickly finished their count and moving the detainees into the holding area to get control of the situation.

At approximately 0200, a roving MP guard from the far end of compound 11 spotted a detainee jumping over the wire at the front of compound 10's holding area. The roving MP shot the detainee as he cleared the wire. The detainee quickly got up and jumped



**DEPARTMENT OF THE ARMY
724th and 310th MILITARY POLICE BATTALION
CAMP BUCCA, IRAQ**

REPLY TO
ATTENTION OF

back over the wire into the holding area. Moments later, the QRF team (977th and 267th MP Co) spotted 4 detainees running from the north side of compound 10. The QRF yelled halt then opened fire. The detainees split in tow direct and the QRF gave chase. All four were captured as the 977th and 267th MP Co divided there forces and tracked down the detainees. All detainees were placed in the isolation cells in compound 12.

Once it was discovered that 4 detainees were captured at the north side of compound 10, the SOG and SGM ordered a complete count of all detainees by ISN. The count was complete around 0500 when it was discovered that two (2) detainees were unaccounted for. The BN CDR (now on site) ordered a complete search of the perimeter with all MP assets on camp. The exterior force (977th and 267th MP Co) began to patrol and searches the surrounding area of Camp Bucca. The fog was extremely heavy and thick throughout the entire morning. The SOG and interior QRF conducted an inspection of the interior wire. It was discovered that the detainees escaped over the wire moments before the roving MP (from compound 11) shot the detainee jumping over the wire in the holding area of compound 10. The 267th MP Co tracked the escaped detainees to the exterior limits of the general area. The British troops and chain of command were informed as photos of the detainees passed along.

Critical improvements and rehearsals are being conducted on the fog plan as preventable measure. This includes rehearsals, additional MPs for security, and accountability. One of the identifiable problems at the IF operations were the need better fortification of wire. The S-4 ordered and is overlooking the installation of a chain-link fence that is leaps and bounds more secure then the current triple-stran wire. The fortification has been placed on top priority for KBR to complete.

-----End of Summary-----

QUESTION OF PARTIES INVOLVED

NAME: SGT [REDACTED]
UNIT: 310th MP BN
AREA OF RESPONSIBILITY: Compound NCO

Q In your statement, you stated you vision of your assigned area was obstructed with fog? Can you observe the other end of the holding area?

A No

Q Did you consider placing yourself in such a location to observe the entire holding area?

A We were consumed with the proper count. In addition, the detainees were fighting and being very uncooperative. Prior that day I observed detainees practicing jumping over wire/



DEPARTMENT OF THE ARMY
724th and 310th MILITARY POLICE BATTALION
CAMP BUCCA, IRAQ

REPLY TO
ATTENTION OF

Q Did you report this to the SOG?

A This is a common practice of detainees that the SOG is aware of. The current wire is not high or fortified enough to prevent detainees doing this in a split second. They can get through the triple-stran wire in a matter of seconds.

[REDACTED]
CPT, MP
S-3

SIR

1. N/A
2. Type of incident: (2)Prisoner(s) Escape
3. DTG: 050354LNOV03
4. Abu Ghraib Prison, Hard Site Prison Unit 3A, Cell #144
5. None
6. Personnel involved
 - a. Subjects
 - I.
 - II. N/A
 - III. ISN(s): (1)9877, (2)10739
 - IV. Iraqi
 - V. Male
 - VI. Age. Unk
 - VII. Position: Civilian Internee
 - VIII. Security: N/A
 - IX. 320th MP BN
7. Prisoners Escaped from Cell block 3A Cell 144. They escaped through the window of the cell at Approximately 0330-0345AM. TOC was notified at 0354AM.
ACTIONS TAKEN: Notified S-3 and BN CDR at 0400AM. Notified QRF, IRF, and all sub. units to stand up soldiers to do search of LSA's and the Camp's. Notified all base defense elements of the situation and locked down the facility
8. Publicity. none
9. Command Reporting 320th MP BN
10. POC: SPC [REDACTED]
11. Downgrading instructions. none

SPC [REDACTED]
320th MP BN
S3, RTO
DSN: 559-1763

DRV FM 123-2
Dated 24 Feb 98
DECL ON X1

Classification SECRET//X1

SIR

1. N/A
2. Type of incident: (2)Prisoner(s) Escape
3. DTG: 050354LNOV03
4. Abu Ghraib Prison, Hard Site Prison Unit 3A, Cell #144
5. None
6. Personnel involved
 - a. Subjects
 - I.
 - II. N/A
 - III. ISN(s): (1)9877, (2)10739
 - IV. Iraqi
 - V. Male
 - VI. Age: Unk
 - VII. Position. Civilian Internee
 - VIII. Security. N/A
 - IX. 320th MP BN
7. Follow up information:

Area east of canal was searched for missing inmates. Blood trail had been found and direction of travel was determined, but trail was eventually lost. All buildings in that vicinity were searched and cleared. No inmates were located to time of this follow-up SIR

Arrangements are being made through 18th MP BDE for Iraqi Police to check local hospitals for escapees.
8. Publicity: none
9. Command Reporting 320th MP BN
10. POC: SPC [REDACTED]
11. Downgrading instructions none

SPC [REDACTED]
320th MP BN
S3, RTO
DSN: 559-1763

DRV FM 123-2
Dated 24 Feb 98
DECL ON X1

Classification SECRET//X1

SIR

- 1 N/A
- 2 Type of incident. Prisoner Escape
- 3 DTG: 071330LNOV03
- 4 Abu Ghraib Prison, Northeast area of BCF
- 5 None
- 6 Personnel involved
 - a Subjects
 - I N/A
 - II. N/A
 - III ISN. 14239
 - IV. Iraqi
 - V Male
 - VI. Age: Unk
 - VII Position Civilian Internee, Ganci, Comp 2
 - VIII. Security N/A
 - IX. 320th MP BN
- 7 13 Prisoners were on a work detail guarded by 4 MP's from the 229th MP CO NCOIC left area for transportation leaving 3 MP's While handing out MRE's, MP's realized one prisoner was missing.
Latest information from MP's is prisoner left for latrine unnoticed
- Currently. Perimeter secured, no vehicles in/out of ECP's. Area where escape occurred swept by approximately 100 soldiers, all living areas secured and swept
- Possible I.D of escapee north of facility is currently being monitored 4 QRF teams are sweeping area identified
- 8 Publicity none
- 9 Command Reporting 320th MP BN
- 10 POC. SSG [REDACTED]
- 11 Downgrading instructions none

SSG [REDACTED]
320th MP BN
S3, ASST. NCOIC
DSN: 559-1738/69

DRV FM 123-2
Dated 24 Feb 98
DECL ON X1

Classification SECRET//X4

Baghdad Correctional Facility – SIR - ESCAPE OF PRISONERS

1 Category NA

2 Type of Incident ESCAPE OF PRISONERS

3 DTG:082022NOVEMBER2003

4 Location BAGHDAD CORRECTIONAL FACILITY

5 Weekend/Holiday RAMADAN

6 Personnel involved

a Subject 1

i Name [REDACTED]
ii Rank NA
iii ISN 115089
iv Nationality IRAQI
v Sex M
vi DOB [REDACTED]
vii Position NA
viii Security NA
iv Crime Accused WEAPONS VIOLATION/ SUSPECTED MURDER OF US SOLDIER

B Subject 2

i Name [REDACTED]
ii Rank NA
iii ISN 151623
iv Nationality IRAQI
v Sex M
vi DOB UNK
vii Position NA
viii Security NA
iv Crime Accused UNKNOWN

C Subject 3

i Name [REDACTED]
ii Rank NA
iii ISN 151624
iv Nationality IRAQI
v Sex M
vi DOB UNK
vii Position NA
viii Security NA
iv Crime Accused UNK

D Subject 4

i Name [REDACTED]
ii Rank NA
iii ISN 116734
iv Nationality IRAQI
v Sex: M
vi DOB UNK
vii Position NA

1. re. 3

viii Security: NA
iv Crime Accused UNK

E Subject 5

i Name [REDACTED]
ii Rank: NA
iii ISN: 116735
iv Nationality IRAQI
v Sex M
vi DOB: UNK
vii Position: NA
viii Security NA
iv Crime Accused UNK

F Subject 6

i Name [REDACTED]
ii Rank: NA
iii ISN 116738
iv Nationality IRAQI
v Sex: M
vi DOB: UNK
vii Position: NA
viii Security NA
iv Crime Accused UNK

7 Narrative of Incident At 2022(L) [REDACTED] reported as many as 5-6 prisoners escaped from the compound immediately after receiving the report, the following actions were taken: lock down ECPs, secure living areas, systematically sweep the facility; man unmanned towers, static patrol dispatched to CP A (low wall in northeast), ISN headcount in compounds, QRF dispatched to scour outside of perimeter 82nd mortar team fired illumination rounds as needed, 82nd coordinated for KW support, and contacted MI for detailed information on subjects to be forwarded to 18 MP BDE to assist in pursuit

It is suspected they escaped from the north end of the Ganci compound & From there their route of escape is unknown at this time

8 Remarks

9 Publicity

10 Command Reporting 320th MP BN

11 POC MAJ [REDACTED]

12 Downgrading Instructions

12-08-16



SPOT REPORT

SPOT REPORT (DTG) 131120(L)DEC03

MSG ID

Line 1 - SITUATION OR ACTIVITY OBSERVED

Protest - riot - Ganci Compound 2

Line 2 - ACTION

MP fired 02 gauge non-lethal crowd dispersal rounds and 1x40mm non-lethal rounds into the melee

Line 3 - RESULT

FIRE DIA - eased

Line 4 - DATE/TIME OBSERVED 131120(L)DEC03

Line 5 - LOCATION BCF, Camp Ganci, Compound 2

Line 6 - UNIT/GROUP ID UNK

Line 7 - EQUIPMENT/CLOTHING/VEHICLE None

Line 8 - SOURCE

Line 9 - REPORTING POC SSG [REDACTED]

Line 10 - REPORTING UNIT 320TH MP BN

Line 11 - TELEPHONE (DSN/COMM) 559-1738

Line 12 - EMAIL

RECEIVED BY

DTG

POSTED BY

DTG

FORWARDED BY

TO

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Baghdad Correctional Facility – SIR

- 1 Category NA
- 2 Type of Incident Negligent Discharge Resulting in MP Injury
- 3 DTG 131145(L)DECEMBER2003
- 4 Location BCF, Camp Ganci, Compound 2
- 5 Weekend/Holiday None
- 6 Personnel involved

a Subject 1

- i Name [REDACTED]
- ii Rank SSG
- iii SSN [REDACTED]
- iv Nationality US
- v Sex M
- vi DOB [REDACTED]
- vii Position MP
- viii Security Secret
- ix Unit 229th MP CO

7 Narrative of Incident

SSG [REDACTED] the compound tower NCOIC picked up a 12 gauge Winchester shotgun at tower 3 and put the shotgun on the passenger's side of his vehicle. SSG [REDACTED] then drove to tower 2 and while reaching over to secure the shotgun a round was discharged. He grabbed the shotgun on the top barrel and a crowd control round discharged in the palm of his right hand. The non-lethal round struck the webbing of his hand between his right pointer finger and right thumb.

A laceration occurred on the webbing of his right hand in between his pointer finger and thumb. SSG [REDACTED] was taken to the Camp Ganci TMC where he received first aid. Bandaging was wrapped on his right hand and a sling was placed on his right arm. He was then brought to the 320th MP BN ALOC for transportation to MEK for further treatment and sutures.

No other soldiers were in the vehicle when the round was fired. The crowd control casing was recovered and photos were taken of the interior of vehicle 21. The 12 gauge shotgun is being checked for malfunctions and is being held by the 229th MP Co.

8 Remarks

9 Publicity Unknown

10 Command Reporting 320th MP BN

11 POC SSG [REDACTED]

12 Downgrading Instructions None

13616



SPOT REPORT

SPOT REPORT (DTG) 131020(L)DEC03

MSG ID:

Line 1 - SITUATION OR ACTIVITY OBSERVED

Prisoner's at Camp Ganci Compound 8

Line 2 - ACTION

MF [REDACTED] fire non-lethal crowd dispersal rounds into the melee

Line 3 - RESULT

Disturbance ceased

Line 4 - DATE/TIME OBSERVED 131020(L)DEC03

Line 5 - LOCATION BCF, Camp Ganci, Compound 8

Line 6 - UNIT/GROUP ID UNK

Line 7 - EQUIPMENT/CLOTHING/VEHICLE None

Line 8 - SOURCE

Line 9 - REPORTING POC SSG [REDACTED]

Line 10 - REPORTING UNIT 320th MP BN

Line 11 - TELEPHONE (DSN/COMM) 559-1738

Line 12 - EMAIL

RECEIVED BY

DTG

POSTED BY

FORWARDED BY

DTG

TO

UNCLASSIFIED//FOR OFFICIAL USE ONLY