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HEADQUARTERS
MULTI-NATIONAL FORCE - IRAQ
BAGHDAD, IRAQ
APO AE 09342-1400

REPLY TO
ATTENTION OF

MNFI-CG

15 May 2004

MEMORANDUM FOR BG Richard P. Formica, Commanding General, III Corps
Artillery

SUBJECT: Appointment of AR 15-6 Investigating Officer

1. You are appointed as an investigating officer to conduct an informal investigation IAW AR 15-6 into all the facts and circumstances surrounding allegations of detainee abuse occurring while detainees were under the control of [REDACTED]

[REDACTED] and were detained at [REDACTED], near Baghdad, Iraq. Specific incidents are detailed in the attached materials (an interim report of an investigating officer and two attached sworn statements). However, if you discover any other allegations of detainee abuse, you will notify me immediately, and then proceed to investigate the additional allegations.

2. In addition to investigating the issue of whether detainee abuse occurred, you will specifically examine the procedures and facilities used for detainee operations within [REDACTED] in order to determine whether there has been compliance with regulatory and policy guidance established for detainee operations in Iraq. As part of your investigation, you will establish who has command and control over detainee operations within [REDACTED]. Should you have any questions as to the scope of your investigation, you may contact COL [REDACTED] Staff Judge Advocate, III Corps and MNC-1, for clarification.

3. Your investigation will run concurrently with an investigation being conducted by the [REDACTED]. To insure your efforts do not hinder or interfere with the [REDACTED] investigation, you will, in accordance with AR 15-6, paragraph 1-4d, coordinate with LTC [REDACTED] Commander, 22d Military Police Battalion (CID), prior to initiation of your investigation. Such coordination will focus on deconfliction of investigative efforts. Your legal advisor can provide you with additional guidance on the interplay between your investigation and the [REDACTED] investigation.

4. You will use the informal investigation procedures detailed in AR 15-6, paragraph 4-7 et seq. You will make specific findings of facts that are supported directly by the documented evidence or reasonably based upon circumstantial evidence. Based upon all factual findings and conclusions, you will make recommendations on all relevant issues you identify in the course of your investigation.

5. If, during your investigation, you suspect that persons you intend to interview may have violated any provision of the Uniform Code of Military Justice (UCMJ) or any other

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Formica Report - Annex 1

HEADQUARTERS
MULTI-NATIONAL FORCE - IRAQ
BAGHDAD, IRAQ
APO AE 09342-1400

criminal law, you must advise them of their rights under Article 31, UCMJ. Rights warnings and waivers will be documented on DA Form 3881. If during an interview you begin to suspect criminal conduct on the part of the witness, you must stop the interview and advise the individual of his rights under Article 31, UCMJ.

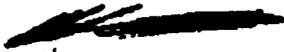
6. If during the course of your investigation, it becomes necessary to interview any person who is not a member of the U.S. Armed Services, or a U.S. government civil servant, you will contact COL [REDACTED] for further guidance. You should contact of COL [REDACTED] prior to interviewing U.S. citizens serving as contractors, citizens of countries other than the U.S. serving as contractors, citizens of Iraq (to include detainees) or third countries, and members of foreign militaries. b6

7. Whenever possible, witness statements will be sworn and recorded on DA Form 2823. If you conduct any witness interviews telephonically, you will prepare a memorandum for record memorializing the interview. You will use DA Form 1574 to prepare your report. Include with your report all documentary evidence, sworn statements, and other information or evidence you considered as a basis for your findings and recommendations. Submit the original report to me no later than 15 days after your receipt of this memorandum. Any requests for extension must be in writing.

8. [REDACTED] on this date, I have coordinated your appointment to conduct this investigation with GEN John Abizaid, Commanding General, USCENTCOM, and secured his approval for this action. b2

9. Before proceeding with the investigation, you will coordinate with LTC [REDACTED] OSJA, III Corps, who will serve as your legal advisor. - 36

End
as


RICARDO S. SANCHEZ
Lieutenant General, USA
Commanding

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- 30 May 04 Interview of LT [redacted] Interview of COL [redacted], Tour of [redacted] [redacted] B2
- 01 June 04 Tour [redacted] Interview of LCDR [redacted] Interview of LT [redacted] Interview of Gunnery SGT [redacted] Interview of [redacted] Tour of [redacted] B2
- 01 June 04 Proceed to [redacted] 2-3 FA, 1AD; Interview of LTC [redacted] Interview of CPT [redacted]; Interview of SFC [redacted], Interview of 1LT [redacted] Received list of CJSOTF-AP detainees from [redacted] JAG [redacted] B3
- 02 June 04 Meeting with [redacted] to coordinate and deconflict B3
- 03 June 04 Interview with CPT [redacted] BC C Battery, [redacted]
- 04 June 04 Request extension to 30 June 04, approved; Coordinated with Abu Ghraib personnel to get medical exam of [redacted] and [redacted] Received additional allegations of detainee abuse from CO [redacted] Coordinated with CPT [redacted] IID detention operations, for additional information B6
- 05 June 04 Met with BDE Commander and Staff, 1st BDE 1AD; Interview of MAJ [redacted]; Interview of CW2 [redacted] Interview of SGT [redacted] Interview of COL [redacted] Meeting at [redacted] with COL Repass and CDR [redacted] B3
- 06 June 04 Proceed to Abu Ghraib; Interview of Dr. [redacted], Abu Ghraib, re: Detainee abuse of [redacted] Interview of [redacted]; Interview of [redacted] Sworn statements obtained from [redacted]
- 07 June 04 Meeting with CO [redacted] to discuss interview of [redacted] personnel; Request to MAJ [redacted] for 2nd medical exam of [redacted] B6
- 10 June 04 Tour of IID DCCF, 1LT [redacted] with CPT [redacted] Interview of [redacted] by MAJ [redacted] Interview of 1LT [redacted] and CPT [redacted] by MAJ [redacted] Interview of CW2 [redacted] Tour of [redacted] safehouse (formerly the [redacted]) Interview of MAJ [redacted] CW3 [redacted] B3
- 12 June 04 Interview of COL [redacted] Interview of MA [redacted] Interview of LTC [redacted] Interview of CDR [redacted] B6
- 13 June 04 Meeting with BG Formica to discuss structure of report; Delay until 07 July 04 granted by LTG [redacted] B6
- 14 June 04 CPT [redacted] interviews SGT [redacted]
- 23 June 04 BG Formica meets with [redacted] personnel at Fort Sill, OK; Interview of [redacted] B3

LTC [redacted]; Interview of CPT [redacted] Interview of MSG [redacted]
[redacted] Interview of MAJ [redacted]; Interview of CW2 [redacted]
[redacted], Re-interview of CPT [redacted]

b6

26 June 04

BG Formica met w/members of [redacted] at Fort Campbell, KY;
Interview of CW2 [redacted] Interview of SFC [redacted]
Re-interview of CW2 [redacted] Interview of SSG [redacted]

b3

b6

03 July 04

Interview of [redacted]

b6

16 July 04

Report submitted to COL [redacted] MNF-I SJA, for legal review

b6

21 July 04

Meeting with LTC [redacted] Chief of Administrative Law for MNF-I

28 July 04

Follow-on meeting with LTC [redacted] re: legal review of report

4 August 04

Follow-on meeting with LTC [redacted] re: legal review of report

6 September 04

Investigation brief to MG Miller; GEN Casey pre-brief

7 September 04

Investigation brief to GEN Casey; received guidance

21 September 04

Guidance meeting w/ LTG Metz

22 September 04

Phone interview w/members of [redacted]
[redacted]

b3 b6

24 September 04

Phone interview w/ SGT [redacted] phone interview w/IL [redacted]

b6

28 September 04

Phone interview w/ CPT [redacted]

29 September 04

Phone interview w/2-3 FA medics and guards (SPC [redacted]; SPC [redacted];
PFC [redacted]; SPC [redacted]; SPC [redacted]; Phone interview
w/members of [redacted]

b6

b2

30 September 04

Phone interview w/ Mr [redacted] Phone conversation w/ SGT [redacted]

1 October 04

Phone interview w/ SGT [redacted]

b6

6 October 04

Phone interview w/SSG [redacted]

7 October 04

Phone interview w/SSC [redacted]

TO: Commander, CJTF-7
From: MG Fey

6/4/04

Subject: Report of Possible Detainee Abuse

1. While conducting interviews over the last three days on the Procedure 15 investigation I am conducting for you on Abu Ghraib five individuals have reported possible abuses they believe occurred at other locations.
2. Attached are sworn statements from two of those witnesses. Mr. [REDACTED] stated that he currently works at 1st Cav Division Interrogation Facility and that they get detainees from [REDACTED]. Those detainees frequently appear abused upon arrival and say they were at [REDACTED] where the abuse occurred. Mr. [REDACTED] who also now works at 1st Cav states that they receive detainees who complain that [REDACTED] would torture them.
3. I have also interviewed three witnesses at [REDACTED] who stated that detainees received there have claimed extensive torture at Azimiyah Palace by [REDACTED] is also accused by the detainees of extortion, sexual abuse, and the death of at least one person. The three witnesses are [REDACTED] both Tiran Linguists, and [REDACTED] a CACI screener. As soon as these individuals sign sworn statements I shall forward them to your Staff.
4. The information provided by the above witnesses is credible. Recommend you order an investigation into these allegations to determine if there were abuses and the extent of Coalition involvement.

b(6)

B2

b(6)

B2

b(6)

George R. Fey
George R. Fey
MG, USA

CF: CJTF-7, IG
CJTF-7, SJA
CJTF-7, J2

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Formosa Report - Annex 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; E.O. 9397 dated November 22, 1943 (SSM).
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 Abu Ghraib Detention Facility	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS CIV	
8. ORGANIZATION OR ADDRESS CACI [REDACTED] Abu Ghraib			
9. [REDACTED]			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

B2 I arrived at Abu Ghraib in mid December. [REDACTED] When I first arrived, we were given the briefed on the Interrogation Rules of Engagement (IROE). I did have a general understanding of the Geneva Convention, Military Policy and the CACI policy. I never witnessed or was aware of any detainee abuse at Abu Ghraib. I did see a lot of the detainees come to Abu Ghraib abused. There was a family who was brought in because they were supposedly Fedeyeen. I would always ask about their health problems. If they told us they were beaten, we would take them to the medical facility to get checked. There was one incident of rape with a bottle and a death of a brother. I wrote the report and sent it up higher. This occurred in January at [REDACTED] Iraqi Police, was causing this. I heard that the Iraqis recently killed him and hung him. I heard this through interpreters but not official channels yet. I do not know who [REDACTED] worked for. One of the individuals who had been abused said he remembers one of the Americans had a flag on his arm. I worked for [REDACTED] for operations, military side, and [REDACTED] during screenings.

Q. Do you have anything else to add to this statement?
A. No

End of Statement

*This statement is true to the best of knowledge
when given around the beginning of May 2004
to Mr. Frye.*

[REDACTED]
25 May 04

Witnessed by Mrs [REDACTED] SA, U.S. Army

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF	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.

DA FORM 2823, DEC 1998

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IMP 117

SECRET//NOFORN

Formosa Report - Annex 4

[REDACTED]

Abu Ghraib

b(6)

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 (SSNI).

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: Abu Ghraib, Detention Facility Baghdad Iraq

2. DATE (YYYYMMDD): [REDACTED]

3. TIME: [REDACTED]

4. FILE NUMBER: [REDACTED]

5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]

6. SSN: [REDACTED]

7. GRADE/STATUS: CIV

8. ORGANIZATION OR ADDRESS: CACI, [REDACTED] Baghdad Iraq

9. [REDACTED]

b(6)

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

b(6)

I arrived to Abu Ghraib on 5 December 2003. I have never witnessed and physical abuse in Abu Ghraib. I have seen and heard a lot of yelling and screaming during in-processing. The detainees are yelled at to move faster. These were the MPs not the interrogators. I have never observed dogs being used to threaten a detainee. I never heard any [REDACTED] tell any MP to "soften-up" a detainee. I never witness or heard of any detainee being humiliated or made to wear any women underwear. What I know is [REDACTED] told me. There were two sisters [REDACTED] and I do not remember the sister. One of the ladies told me that they had been taken to [REDACTED]. She said that [REDACTED] an Iraqi Police captured her. He would beat them up and threaten them with their children. [REDACTED] sexually abused the other younger brother who is handicap. He could not sit and was bleeding from the rectum. The boy was crying because he was sexually abuse with a stick up his rectum. [REDACTED] took her older brother outside and beat him until he passed out. They brought him naked and threw him at me. They said he was dead. [REDACTED] and a message with those captured that he was going to clean up Iraq. [REDACTED] was an Iraqi officer who was promoted for doing a good job. There was one detainee who said [REDACTED] got him and told him that if he wanted to see his wife and children, he had to pay some money to him. His wife delivered the money but he never saw her. One interpreter [REDACTED] was present when he was naked and given a cold shower. He was placed on sleep patterns and was forced to be naked. He did not remember receiving any training. The training we received was nothing in the classrooms environment. I felt confident on information we received on dealing with detainees. We didn't get any information on what was acceptable and not acceptable until later on when I was there for a while. In January we finally got a policy. I basically gave two individuals I report to. On the administrative, [REDACTED] is my immediate supervisor and in the military side it is [REDACTED]

b2

b(6)

b(6)

b(6)

Q. Is there anything else you would like to add to this statement?
 A. No.

////////////////////////////////////End of Statement////////////////////////////////////

This is the statement that Jeneard Fay had interview me about 2 weeks ago. The statement above not what I heard from [REDACTED] I did hear from sister herself. [REDACTED] and her sister" during screening with CACI screening. [REDACTED]

b(6)

b(6)

[REDACTED] 5/25/04.

b(6)

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

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

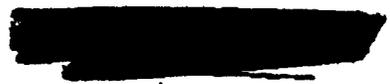
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

DA FORM 2823, DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE

SECRET//NOFORN

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b6)

SWORN STATEMENT

For use of this form, see AR 190-25; the preparing agency is DDCSCPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 2201; Title 5 USC Section 2281; E.O. 3357 dated November 22, 1943 (SSM).

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 VICTORY

2. DATE (YYYYMMDD) | 3. TIME
2004-05-06 | 1834

4. FILE NUMBER

5. LAST NAME, FIRST NAME, MIDDLE NAME

6. SSN

7. GRADE/STATUS
C1

b6)

8. ORGANIZATION OR ADDRESS
CAV, 1st CAV Division Interrogation Facility, CAMP VICTORY, BAGHDAD, IRAQ

9. I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

b6)

I arrived at Abu Ghraib in Mid November and was assigned as a screener. I performed these duties for about two months and then I was moved to the Interrogation Control Element (ICE) as an analyst. [redacted] was in charge of the ICE. When I first arrived, I did not get much training. I do not remember receiving the Interrogation Rules of Engagement (IROE) or any information on the procedures on how to treat detainees by the military personnel. [redacted] gave me a hand out to sign and I believe they were the IROEs. I got the impression from the military personnel that they believed CACI employees to have experience and knew what they were doing. The NCOIC had come from Afghanistan and appeared to have been burned out. When I first started screening, we were receiving 300 plus detainees at a time. We had to review all the files and I wasn't quite sure what we were supposed to do. I would ask if the only thing we had to do was fill out the screening sheet or continue with a short interview to determine if detainee was an [redacted] security hold. I chose to sit next to the most intelligent screener for two weeks until I understood the process. I did work with a [redacted] Team and the interrogator was SFC [redacted] and another SPC who was a Puerto Rican. Their supervisor was SGT [redacted] would spend a lot of time in the back doing research and/or conducting my interrogations. I never witnessed any physical abuse of detainees. I did feel it was inappropriate for [redacted] search male detainees.

b6)

The MPs gave him a shower while a female MP was guarding. The detainee told us that he had a problem with that because his wife had not even seen him naked. We kept telling the MPs to treat him well. But again, when we went to see him the following day, [redacted] The source stated that the MPs were [redacted] of Abu Ghraib and walked him to the end of the hall. They would [redacted] toward them and ask him his detainee #. The source did not know it and he was sent back. This incident went on for about an hour and a half. We finally moved him out because the MPs would not follow our instructions. I heard rumors about things going on but I didn't personally see them. I never saw or was aware of any photos or videos with detainees. I never heard of MI [redacted] MP's to "soften up" or give "the treatment" to detainees. The person in charge of Abu Ghraib was an MP. Later I heard that COL [redacted] was going to be in charge. COL [redacted] was never around. I never really knew what [redacted] did. When I first arrived, it was assumed that LTC [redacted] was in charge when COL [redacted] was not around. He would address the troop when something happened. He lived with the troops in the USA. I never had knowledge of anyone using guard dogs during interrogations. I knew that dogs had to be trained and therefore no one would use them. The SFC in charge of the ICE put out a statement to everyone, including OGA, that no interrogator would close the blinds over the windows. If they did, they would be reprimanded. In reference to clothing of detainees, when a detainee was taken to Camp or Victim, they would wear their civilian clothes, if they were taken to the Field Site, they would have to wear a jumpsuit. [redacted] was working with an Al-Qaida detainee. He told me he had shaved his head off. I got the impression from [redacted] that he was the leader. His analyst was a [redacted] from a unit in Germany. Her supervisor was [redacted] (Do not recall the analyst's name) in reference to gross cellmates. I knew of one who stayed. But the word "gross cellmates" didn't really exist. We had intelligence reports from one particular detainee and the report showed we did not have him at our facility, but he was there. When I asked [redacted] analyst, she said the detainee was providing information to OGA and we couldn't touch him. I am not sure how long these gross detainees stayed in our facility. I want to report something else. I am now working in the 1st CAV Division Interrogation facility. We often get detainees from 3rd Group. The detainees say they were at the [redacted]. The detainees state that [redacted] working their rear bare physically. One individual needed a patch eval and there is no way this individual was faking his stance. Another prisoner stated he was transferred in the trunk of a vehicle. Some of the incidents reported to have occurred at [redacted] are bleeding from the ears and electrocutions. The reason I am reporting this is because several detainees have reported the same thing. [redacted] might be able to provide some information because he has worked at Abu Ghraib the longest. There was a huge argument between the MP and MP command and it made it difficult to work with one another. I overheard an interrogator [redacted] (Call) describe an interrogation [redacted] black, 260lbs male. Currently working in the [redacted] (Call) describe an interrogation [redacted] a signature and circling it without touching, the detainees ripples.) The conversation occurred in the USA.

b2
b3

10. SIGNATURE OF PERSON MAKING STATEMENT
[redacted]

11. TITLE OF PERSON MAKING STATEMENT
[redacted]

12. DATE
[redacted]

13. TIME
[redacted]

14. LOCATION
[redacted]

15. ORGANIZATION OR ADDRESS
[redacted]

16. GRADE/STATUS
[redacted]

17. SOCIAL SECURITY NUMBER
[redacted]

18. OTHER INFORMATION
[redacted]

19. INITIALS OF PERSON MAKING STATEMENT
[redacted]

20. DATE
[redacted]

21. TIME
[redacted]

22. LOCATION
[redacted]

23. ORGANIZATION OR ADDRESS
[redacted]

24. GRADE/STATUS
[redacted]

25. SOCIAL SECURITY NUMBER
[redacted]

26. OTHER INFORMATION
[redacted]

27. INITIALS OF PERSON MAKING STATEMENT
[redacted]

28. DATE
[redacted]

29. TIME
[redacted]

30. LOCATION
[redacted]

31. ORGANIZATION OR ADDRESS
[redacted]

32. GRADE/STATUS
[redacted]

33. SOCIAL SECURITY NUMBER
[redacted]

34. OTHER INFORMATION
[redacted]

35. INITIALS OF PERSON MAKING STATEMENT
[redacted]

36. DATE
[redacted]

37. TIME
[redacted]

38. LOCATION
[redacted]

39. ORGANIZATION OR ADDRESS
[redacted]

40. GRADE/STATUS
[redacted]

41. SOCIAL SECURITY NUMBER
[redacted]

42. OTHER INFORMATION
[redacted]

43. INITIALS OF PERSON MAKING STATEMENT
[redacted]

44. DATE
[redacted]

45. TIME
[redacted]

46. LOCATION
[redacted]

47. ORGANIZATION OR ADDRESS
[redacted]

48. GRADE/STATUS
[redacted]

49. SOCIAL SECURITY NUMBER
[redacted]

50. OTHER INFORMATION
[redacted]

51. INITIALS OF PERSON MAKING STATEMENT
[redacted]

52. DATE
[redacted]

53. TIME
[redacted]

54. LOCATION
[redacted]

55. ORGANIZATION OR ADDRESS
[redacted]

56. GRADE/STATUS
[redacted]

57. SOCIAL SECURITY NUMBER
[redacted]

58. OTHER INFORMATION
[redacted]

59. INITIALS OF PERSON MAKING STATEMENT
[redacted]

60. DATE
[redacted]

61. TIME
[redacted]

62. LOCATION
[redacted]

63. ORGANIZATION OR ADDRESS
[redacted]

64. GRADE/STATUS
[redacted]

65. SOCIAL SECURITY NUMBER
[redacted]

66. OTHER INFORMATION
[redacted]

67. INITIALS OF PERSON MAKING STATEMENT
[redacted]

68. DATE
[redacted]

69. TIME
[redacted]

70. LOCATION
[redacted]

71. ORGANIZATION OR ADDRESS
[redacted]

72. GRADE/STATUS
[redacted]

73. SOCIAL SECURITY NUMBER
[redacted]

74. OTHER INFORMATION
[redacted]

75. INITIALS OF PERSON MAKING STATEMENT
[redacted]

76. DATE
[redacted]

77. TIME
[redacted]

78. LOCATION
[redacted]

79. ORGANIZATION OR ADDRESS
[redacted]

80. GRADE/STATUS
[redacted]

81. SOCIAL SECURITY NUMBER
[redacted]

82. OTHER INFORMATION
[redacted]

83. INITIALS OF PERSON MAKING STATEMENT
[redacted]

84. DATE
[redacted]

85. TIME
[redacted]

86. LOCATION
[redacted]

87. ORGANIZATION OR ADDRESS
[redacted]

88. GRADE/STATUS
[redacted]

89. SOCIAL SECURITY NUMBER
[redacted]

90. OTHER INFORMATION
[redacted]

b2
b(1), (4)(C)

b2

b3

SECRET//NOFORN

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STATEMENT OF [REDACTED]

TAKEN AT CAMP VICTORY DATED 2004-05-06

b(4)

1. STATEMENT (Continued)

[REDACTED] speaking area. I overheard it while I was having a cup of coffee. I do not know who he was talking to. This was around the time the ICE NCOIC spoke to everyone and stated no closed blinds in the interrogation booths.

Q. Do you have anything else to add to this statement?

A. No

End of Statement [REDACTED]

Nothing

follows
no

2. 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 FEAR, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR [REDACTED]

B(6)

B(6)

WITNESSES

Subscribed and sworn to before me, a person authorized to administer oaths, this 5TH day of MAY 2004 at CAMP VICTORY, BAGHDAD, IRAQ

B(6)

ORGANIZATION OR ADDRESS

[REDACTED]
Signature of Person Administering Oath

ORGANIZATION OR ADDRESS

[REDACTED]
Typed Name of Person Administering Oath

b(4)

UCMJ, ARTICLE 136

(Authority To Administer Oaths)

1. STATEMENT OF [REDACTED]

PAGE 2 OF 2 PAGES

PAGE 3 OF FORM 3023, DEC 1998

SECRET//NOFORN

Formosa Report - Annex 4

SWORN STATEMENT

For use of this form, see AR 190-16; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 391; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSNI).
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 VICTORY
2. DATE (YYYYMMDD): 300403-07
3. TIME: 1005
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME:
6. SSN:
7. GRADE/STATUS: CIV

8. ORGANIZATION OR ADDRESS: CACI, I CAV Division Interrogation Facility, Baghdad, Iraq

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

I was assigned to Abu Ghraib on 20 September 2003 as a screener. We were met by MAJ [redacted] and we were made aware of COL [redacted] the next way. [redacted] and I received training from [redacted] on the Interrogation Rules of Engagement (IROE). She gave us a hand out on the IROEs and we signed them. There were no doubts on the boundaries when dealing with a detainee. We knew that we needed approval from the CG to use interrogation techniques which went beyond the IROEs. We were placed with seasoned military interrogators for about two days. We learned how to use an interpreter. We listened, watched and learned the procedures of picking up and dropping up a detainee. Four to five days after our arrival we began interrogating. I was on a [redacted] with SG [redacted] and SG [redacted] (detainee) being made to kneel and that didn't seem right to me. There was also an individual taken to the seat near by. I heard a shot and found out later the detainee was hit on the side of his head with a rubber bullet. The bullet also hit another detainee on the nose. The incident was dealt with by the MPs. I have never witnessed or heard about any detainee abuse. Heard there were some photos and videos, but this was in January after the investigation had begun. I never saw them myself. Dogs were in the area from time to time, but I never witnessed or knew of any dogs being used during interrogations. They were used [redacted] during a riot. I remember once when [redacted] was talking to a bunch of people. It was around 2000hrs. He was telling them he had shaved the hair of a detainee and put on women's red underwear. He was bragging about it and I just walked away. I told [redacted] that what [redacted] was saying could come back and hurt him. [redacted] had to wear the traditional headress and I told him that him wearing it was humiliating them. I worked in screening for three weeks and then moved to the ICE for one month. I was then moved to the Detainee Assessment Board until January when I left to work with I CAV in their Division Interrogation Facility. I asked [redacted] why he was moving me and that this was not a good time because people were going to start thinking that I was involved in the abuse. He said I just had to be moved. (I believe I was moved because I questioned [redacted] why we were holding so many detainees and not assessing them and making recommendations to be sent out. I do not recall any detainees in women's underwear. I began going into the isolation area after the Iraqi Police incident (Handgun). I have never heard of ghost detainees [redacted] and others (they were all dressed the same and you couldn't tell the difference between one another.) would drop off detainees but I never saw them bring one in. I overheard some in passing that they would tell the MP's to soften up the detainees. I don't recall who. There was a bad rift between the MPs and MI. You could feel it in the air. We had to escort detainees and that would waste time. LTC [redacted] yelled at me one time for escorting a detainee. It was intended to put pressure on the MPs. There were always problems between MI and MP. There are a couple of individual who took copious notes and probably have a lot of information. [redacted] they are still at Abu Ghraib. [redacted] working in the I CAV DIF. He has information in relation to a detainee who was made to roll on the sand and skip like a chicken until he almost passed out. We received detainees who complain that [redacted] with the coalition, would torture. [redacted] has the information on these detainees.

B2
B2
B2

b(6)
b(6)
b(6)
b(7)
1.4a

Q. Do you have anything else to add to this statement?
A. No.

End of Statement

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT
PAGE 1 OF 1 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.

DA FORM 2823, DEC 1998 DA FORM 2923, JUL 72, IS OBSOLETE

SECRET//NOFORN Formica Report - Annex 4

STATEMENT OF [REDACTED]

TAKEN AT CAMP VICTORY DATED 2004/05/07

b(4)

9. STATEMENT (Continued)

Nothing

follows:

[REDACTED]

AFFIDAVIT

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE [REDACTED] AND ENDS ON PAGE 24. 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 AND VOLUNTARILY, WITHOUT REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

b(4)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7th day of MAY 2004 at CAMP VICTORY, BAGHDAD, IRAQ

BC

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

BC

ORGANIZATION OR ADDRESS

(Type Name of Person Administering Oath)

b(4)

UCMJ, ARTICLE 136

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3, DA FORM 3823, DEC 1998

PAGE 20 OF 37 PAGES

~~SECRET~~

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LEGAL ANNEX

References:

- (a) Geneva Convention. (III) Relative to the Treatment of Prisoners of War (GPW) (1949)
- (b) Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of War (GC) (1949)
- (c) DoDD 5100.77, DoD Law of War Program (9 Dec 1998)
- (d) AR 190-8, Enemy Prisoners of War, Retained Personnel, Civilian Detainees, and Other Detainees (1 Oct 1997)
- (e) FM 34-52, Intelligence Interrogation (28 Sep 1992)
- (f) FM 3-19.40, Internment/Resettlement Operations (1 Aug 2001)
- (g) [REDACTED] 24 2320D AUG 03
- (h) [REDACTED] 20 0415D JUL 03
- (i) [REDACTED] (TBP) (17 2205D MAY 04)
- (j) Memorandum, *CJTF-7 Interrogation and Counter-Resistance Policy* (14 SEP 03)
- (k) Memorandum, *CJTF-7 Interrogation and Counter-Resistance Policy* (12 OCT 03)

b(2)
1.4a

[REDACTED]

b(2)
1.4a

[REDACTED]

b(2)
1.4a

[REDACTED]

b(2)
1.4a

LEGAL ANNEX

III. Interrogation. (See FM 34-52, paragraph 1-8)

- US policy expressly prohibits as a means of or aid to interrogation:
 - Acts of violence or intimidation, including physical or mental torture;
 - Threats or insults; and
 - Exposure to inhumane treatment⁴

[REDACTED]

b(2)
1.4c

[REDACTED]

b(2)
1.4c

[REDACTED]

b(2)
1.4c

⁴ Examples of physical torture include, *inter alia*, forcing an individual to stand, sit or kneel in abnormal positions for prolonged periods of time, food deprivation, or any form of beating. Examples of mental torture include abnormal sleep deprivation. Coercion is defined as "... actions designed to unlawfully induce another to compel an act against one's will, to include: threatening or implying physical or mental torture to subject, family, or others; intentionally denying medical assistance or care; threatening or implying that rights guaranteed by the Geneva Conventions will not be provided. Such acts are punishable under the Uniform Code of Military Justice.

SWORN STATEMENT

For use of this form, see AR 190-46; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

THORITY: 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 ABU GHRAIB DETENTION FACILITY
2. DATE (YYYYMMDD)
3. TIME
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS Detainee
8. ORGANIZATION OR ADDRESS Baghdad Correction Facility, Abu Ghraib, Iraq APO 09335
9.

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was transferred to the Abu Ghraib facility on or around 17 December 2003. When I arrived, I was handcuffed and had a sandbag over my head. I was interrogated three days after I arrived. I was questioned on how I had arrived at Abu Ghraib. I answered how I arrived by telling them my story. My story was not that complicated. I was accused of working with [redacted] I told them I wasn't working with [redacted] but they kept insisting I was. The interrogators told me I had to talk. I told them I was a General and it was a shame if one had to lie. My military honor does not allow me to lie. I don't recall how many times I was interrogated. I was interrogated by an individual with a beard. I do not know his name. He is white, long and tall about 45-50 years old. Another guy was Arabic who told me he was from Texas. The treatment at Abu Ghraib was not bad and I was never hit in Abu Ghraib. The bad treatment began from the time I was captured until I arrived at Abu Ghraib. The group that captured me did not want to know the truth. [redacted] and tell us they are from the American Coalition Forces to scare us. They were wearing civilian clothes but no flod vest or helmets. They came in their cars (BMW, NISSAN Truck, and other cars) and with guns. They pulled all the women out and they entered the house. They looted the house. They steal gold, money, and cars. My son and I were taken away quickly. My son was sitting in the garden and was not at fault. When I was captured, I was interrogated by an American and an Iraqi. I do not know what they looked like because I had a bag over my head. The American hit me but the Iraqi hit me more. Most of the time they took me at night. One time at Abu Ghraib, I was made to walk without shoes over rocks from my cell to another place and I had my hands tied behind me. Another time I had my hands tied behind my back and the person would run with me and hit my head against the wall. He did this three times. Another time in the bathroom, he hit me on my head and while another guy (I do not know who) held my hands. My head was dizzy from the hits for three days. I thought I was going to die. (I was seeing things moving. I thought I saw my family and I was talking to them. I saw my wife she was bleeding. The trash bag appeared to be moving like they were people. This went on for three days.) I was made to take a cold shower with my suit while my hands were tied. I was tied to a window. This lasted for around fifteen days. It wasn't until Mr. [redacted] came. Mr. [redacted] was an interrogator with green eyes and a goatee. He did not hit me. He saw my bump on the head and asked me what had happened. I did not want to tell him. I thought this is America a great city, and I said I have to tell my interrogator. He was hurt when I told him. After I told him, no one touched me. [redacted] was very kind and gave me cigarettes. I asked why they hit me. The first 15 days I arrived were very difficult. I was punched and hit. The person who hit me was the one who spoke Iraqi. He put me down in the mud and walked on me and hit me. Mr. [redacted] had a doctor check me out. I do not recall being humiliated in any other way. The American treated me very well. [redacted] The first group at the beginning were the ones who would not accept what I was telling them.

Q. Is there anything else you would like to add to this statement?
A. No.

End of Statement

10. EXHIBIT 11. INITIALS OF PERSON MAKING STATEMENT PAGE 1 OF 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.

DA FORM 2823, DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE

5494-101-01

SECRET

Formion Report - Annex 6

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
ABU GHRAIB DETENTION FACILITY

2. DATE (YYYYMMDD)

3. TIME

4. FILE NUMBER

5. LAST NAME, FIRST NAME, MIDDLE NAME

6. SSN

7. GRADE/STATUS
Detainee - [REDACTED]

8. ORGANIZATION OR ADDRESS
Baghdad Correction Facility, Abu Ghraib, Iraq APO 09335

b(6)

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was transferred to the Abu Ghraib facility on 27 December 2003. I was processed through the camp and was interrogated 18 days after my arrival. When I was first interrogated, I was asked questions and the interrogator got mad. His face looked philippine. He then started cussing and told me that he was going to make sure I stayed here my whole life. He put me in the hard site and for 55 days no one came to see me. Fifty-five days later, a female came in. She spoke very sweet. She came back two months later and spoke to me. I was then transferred to the CAMP. I have been there for over two months. No one touched me or physically hit me. There was an Egyptian female who was translating and cussing and saying that the interrogator was going to strip me and make me wear female clothes. The interrogator would say something and she would translate. I felt that she was embarrassed to tell me. I was never threaten. That was the only bad thing. Others were very good. The bad treatment occurred before I arrived at Abu Ghraib. When I was captured, I was taken to [REDACTED] where I was mistreated for 4four days. My hands were handcuffed to my back. For four days, I was not allowed to sleep. I was forced to kneel down on gravel and I had a bag over my head so I couldn't tell who was doing this. My three brothers and father were with me. My father had a heart problem and for two days he did not have his medication. He was taken released and taken to the hospital.

B2

Q. Is there anything else you would like to add to this statement?
A. No.

////////////////////////////////////End of Statement////////////////////////////////////

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF _____ 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.

DA FORM 2823, DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE

FORM 2823

SECRET

Formica Report - Annex 6

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: ABU GHRAIB DETENTION FACILITY
2. DATE (YYYYMMDD)
3. TIME
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS: Detainee
8. ORGANIZATION OR ADDRESS: Baghdad Correction Facility, Abu Ghraib, Iraq APO 09335

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was treated very well at Abu Ghraib. I have never been physically abused or humiliated at Abu Ghraib. I have been
interrogated about ten times. I do not know the name of the interrogators.
The second interrogator was a female named ... My bad treatment occurred before I arrived at Abu
Ghraib. It happened at ... At about 0200 in the morning, U.S. forces came into my house. They used
explosives to open my door. They broke everything in the house. They went to the cars and broke the windows. They handcuffed
everyone to include women and children. They placed a hood over our heads and made us lay on the ground. They stepped on our
backs. I could not tell if they stepped on the women's and children's back. We were placed in vehicles and taken to
... For four days, we were not allowed to sleep. We were handcuffed and on our knees, on gravel for
four days. This was the 23rd of December. We would get kicked all over on the floor. They were not asking any questions. My
dad was also with us. I told them that my dad was sick and a diabetic with high blood pressure and had had a heart attack. He was
without medication for two days. I thought he was going to die. He was finally taken to the hospital. We were
from the 23-27. All five days were like hell. I had three brothers, my father, three uncles, and my son with me. I cannot describe
the abusers because I had a hood over my head until I arrived at Abu Ghraib.

Q. Do you have anything else to add to this statement?
No.

//////////////////////////////////////End of Statement//////////////////////////////////////

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT
PAGE 1 OF 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.

DA FORM 2823, DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE

SECRET

Formion Report - Annex 6



HEADQUARTERS
MULTI-NATIONAL CORPS - IRAQ
BAGHDAD, IRAQ
APO AE 09342

REPLY TO
ATTENTION OF

MNCI-CACG

4 June 04

MEMORANDUM FOR Commander, Multi National Force-Iraq, Camp Victory, Iraq, APO
AE 09342-1400

SUBJECT: Informal Investigation under AR 15-6

1. On 18 May 2004, you appointed me to conduct an informal investigation into
specific allegations of detainee abuse occurring while detainees were under the control
of [REDACTED] Special Forces Group. -B3

b(2)
1.4a

2. Request for Extension: The due date for submission of this investigation report
was 15 days from my receipt of your appointment memorandum. That would be 2 June.
I respectfully request an extension of time until 30 June 2004 to submit my report to
you. This extension is necessary to enable me to:

- Complete appropriate interviews
- Visit additional detention facilities
- Review and assess a large amount of records and documents

I am scheduled to be TDY to CONUS 15-24 June. Should it be necessary to personally
interview members of [REDACTED], this would be an ideal opportunity.

103

[REDACTED]

b(2)
1.4a



~~SECRET//NOFORN~~

Formosa Report - Annex 7

MNCI-CACG
SUBJECT: Informal Investigation under AR 15-6

4. I anticipate that we will complete this investigation NLT the end of June.



RICHARD P. FORMICA
Brigadier General, US Army
FFA HQ, Commander & MNC-I Effects Coordinator

CF: LTG Thomas Metz, CG, NMC-I

~~SECRET//NOFORN~~

Formica Report - Annex 7

MULTI-NATIONAL FORCE - IRAQ
CAMP VICTORY, BAGHDAD
APO AE 09342-1400

**REPLY TO
ATTENTION:**

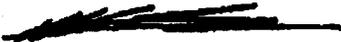
MNFI-CG

10 June 2004

MEMORANDUM FOR Brigadier General Richard P. Formica

SUBJECT: Informal Investigation under AR 15-6

1. Your request of 4 June 2004 for an extension for completion of the subject investigation is approved.
2. Your investigation must be completed by 30 June 2004.


RICARDO S. SANCHEZ
Lieutenant General, U.S. Army
Commanding

UNCLASSIFIED

Formica Report - Annex 7



REPLY TO
ATTENTION OF

HEADQUARTERS
MULTI-NATIONAL CORPS - IRAQ
BAGHDAD, IRAQ
APO AE 09342

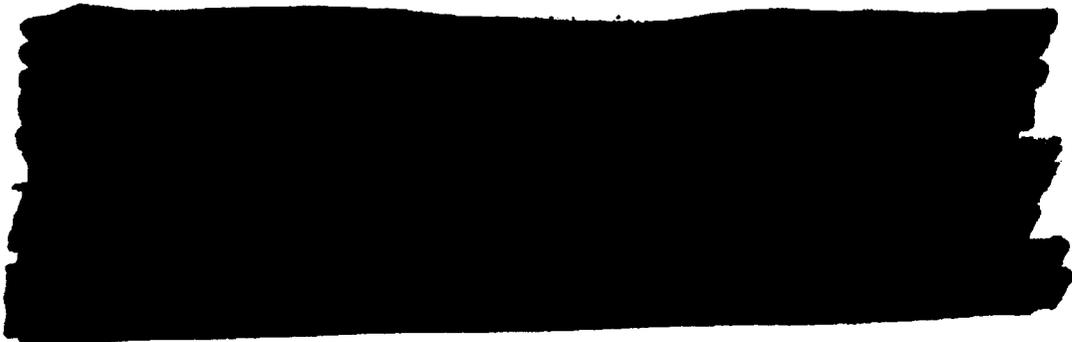
11 June 04

MNCI-CACG

MEMORANDUM FOR Commander, Multi National Force-Iraq, Camp Victory, Iraq, APO
AE 09342-1400

SUBJECT: Informal Investigation under AR 15-6

Sir, I received your approval of my request to extend my AR 15-6 investigation until the
end of June. I am making great progress. But after I wrote that request three things
changed which will further delay the investigation.



b(2)
1.4a
b(6)
b(2)
1.4a

Request a further extension through the month of July.

RICHARD P. FORMICA
Brigadier General, US Army
FFA HQ, Commander & MNC-I Effects Coordinator

CF: LTG Thomas Metz, CG, MNC-I

~~SECRET//NOFORN~~ Formica Report - Annex 7

MEMO FOR RECORD

MNFI-SJA

15 Jun 04

FOR: RECORD

FROM: COL [REDACTED]

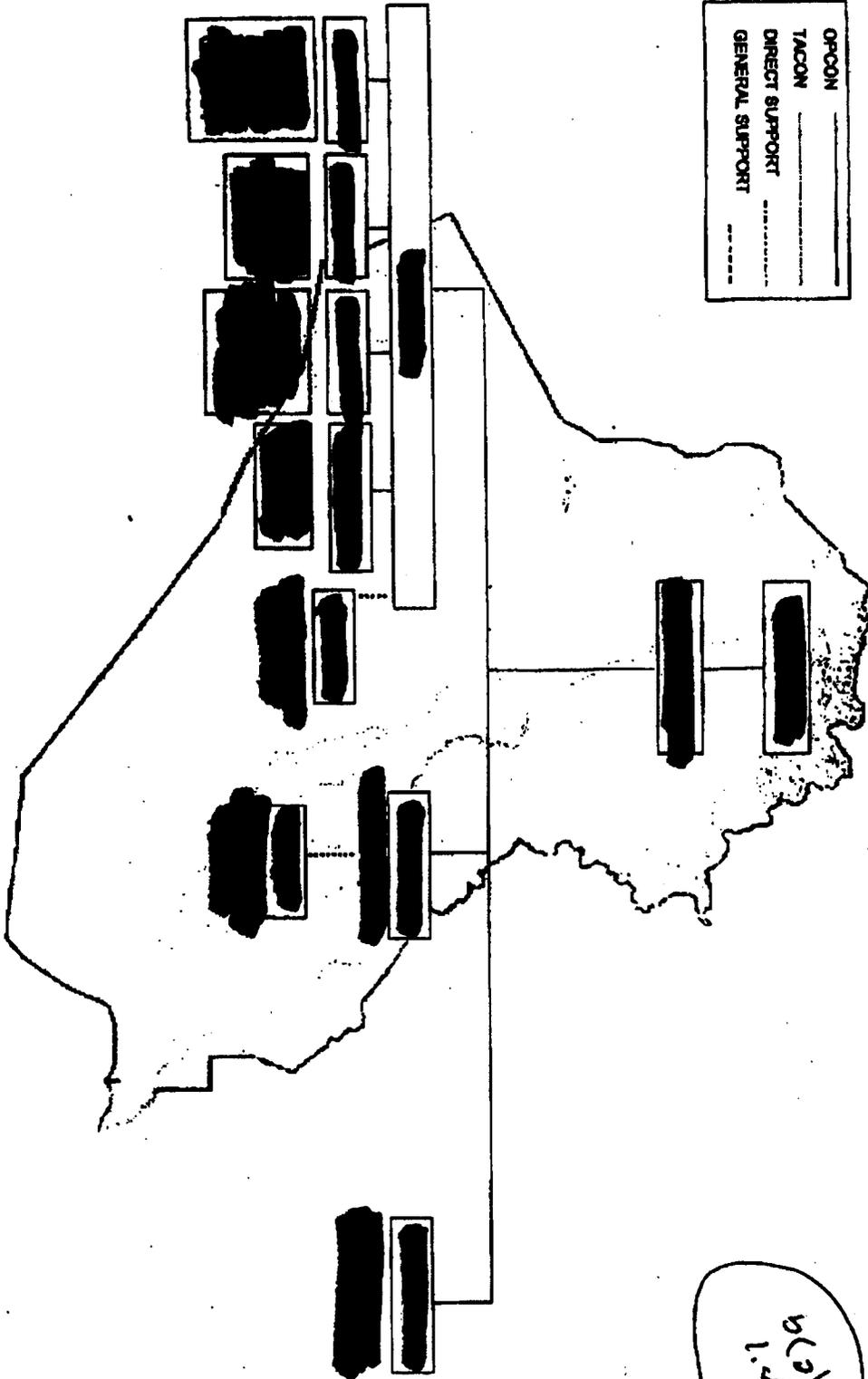
SUBJECT: BG Formica's Second Request for Extension of Time to Complete his Investigation

- On 10 Jun 04, LTG Sanchez approved BG Formica's 4 Jun 04 request for an extension of time until 30 Jun 04 to complete his report.
- On 13 Jun04, LTG Sanchez orally approved BG Formica's request for an additional extension, but only until 7 Jul 04.
- He indicated that BG Formica should interview both of the appropriate [REDACTED] ^{DS} during his TDY trip to CONUS and not wait for one of them to return to Iraq.
- LTG Sanchez also indicated that BG Formica should include a visit to the [REDACTED] ⁰² site as within the scope of his investigation.

~~SECRET//NOFORN~~

Formica Report - Annex 7

~~SECRET//NOFORN//X1~~



OPCON
TACON
DIRECT SUPPORT
GENERAL SUPPORT



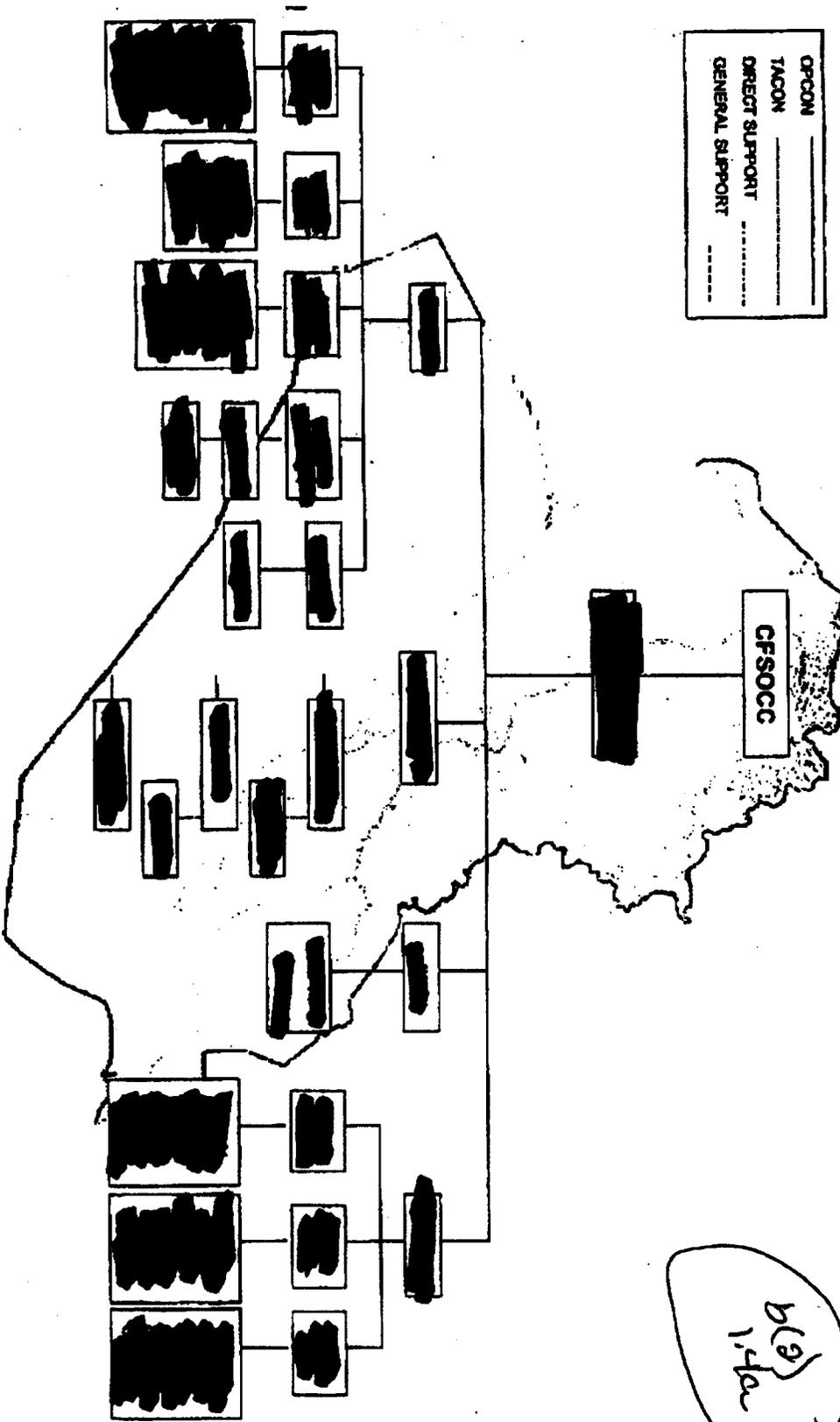
[REDACTED]

~~SECRET//NOFORN//X1~~
re-Jan 04)

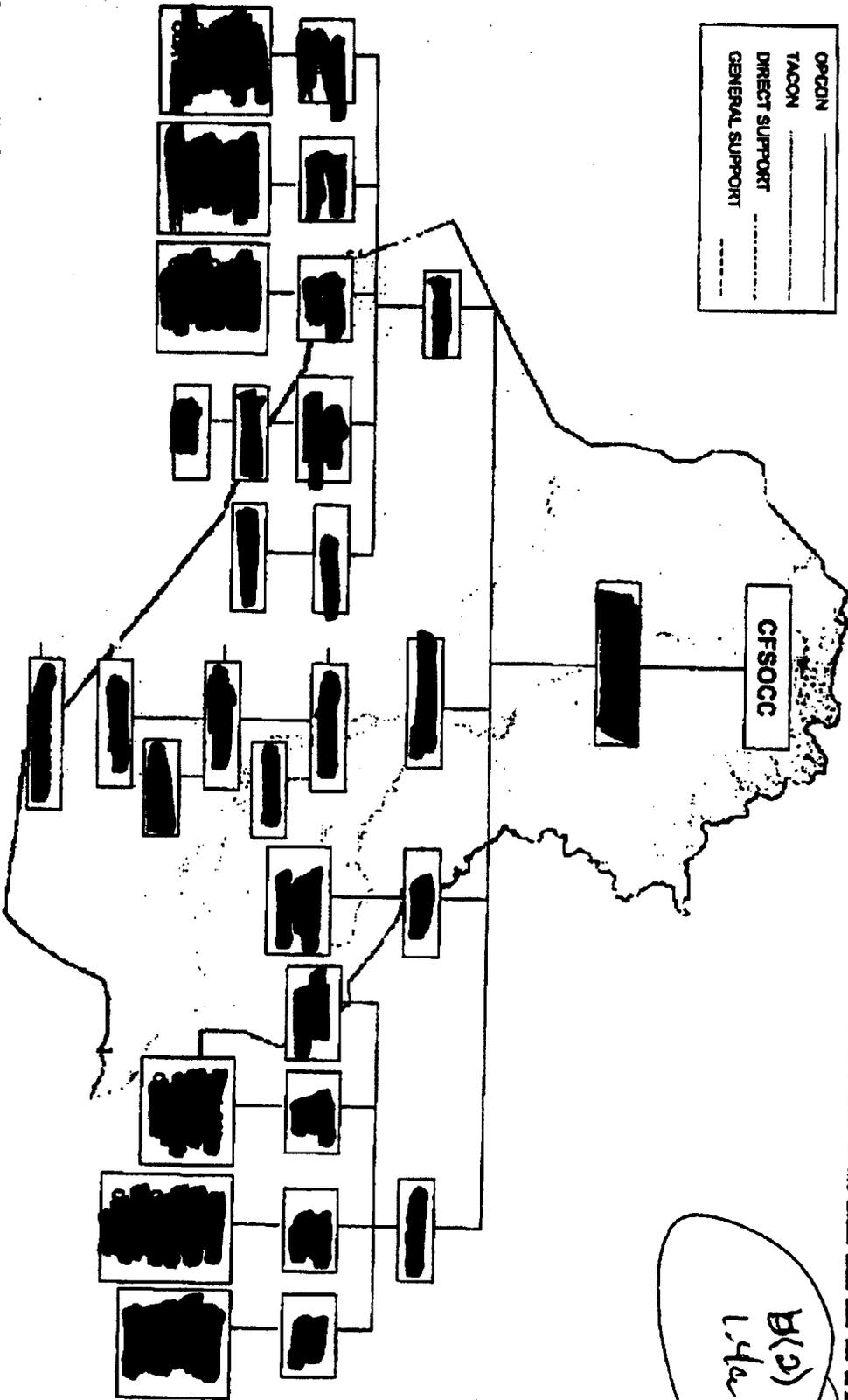
b(3)
1.4a

~~SECRET//NOFORN~~

Formica Report - Annex 8



~~SECRET//NOFORN//X1~~



3

~~SECRET//NOFORN//X1~~

~~SECRET//NOFORN~~

Formica Report - Annex 8

Annex 9

Withheld / EXEMPT

b(1) 1.4a

and

b(2) high

(8 PAGES)

301201Z JUN 04

FM: [REDACTED] JOC//

TO: [REDACTED] CMDR/DEPUTY CHIEF OF STAFF/STAFF//

[REDACTED] SUPCEN DIR//

[REDACTED] /CMDR/S3/ [REDACTED]

[REDACTED] CMDR/N3/STAFF DIR//

INFO: [REDACTED] /CMDR/S3/ [REDACTED]

BT

SECRET

SUBJECT: [REDACTED]

ASSUMPTION OF [REDACTED] COMMAND

This FRAGO has been reviewed and approved for release by [REDACTED]

(S) REFERENCE. [REDACTED]

(S) MAPS: [NO CHANGE]

(U) TIME ZONE USED THROUGHOUT THIS ORDER: ZULU

(S) TASK ORGANIZATION: [NO CHANGE]

1. (S) Situation. [CHANGE]

1.A. (S) General. [REDACTED]

2. (S) Mission. [NO CHANGE]

3. (S) Execution. [CHANGE]

3.A. (S) Commander's Intent. [NO CHANGE]

3.B. (S) Concept of the operation. [NO CHANGE]

3.C. (S) Task to subordinate units. [NO CHANGE]

4. (S) Coordinating Instructions. [CHANGE]

4.1. (S) [REDACTED]

5. (S) Service Support. [NO CHANGE]

b(2)
1.4c



SECRET

Formica Report - Annex 10

[REDACTED]

6. (S) Command and Signal. [CHANGE]

6.A. Command. [REDACTED]

b(7)
2
1.4/s
2
E

ACKNOWLEDGE:

[REDACTED]
COL

b(6)

OFFICIAL:
[REDACTED]
J3

b(6)

MAJ MNC-1 IICA JUDGE ADVOCATE

From: [REDACTED]
Sent: Friday, June 11, 2004 10:19 AM
To: MAJ CJTF7-C3Effects JA
Cc: [REDACTED] PT CJTF7-3 CORP SJA
Subject: CJSOTF-AP MSU Detainee Facilities Report (SECRET)

b(4)

Classification: ~~SECRET~~
Caveats: NONE

b(2)/
b1 1.4a

Pete,
CDP [REDACTED] asked me to send the attached spreadsheet to you.

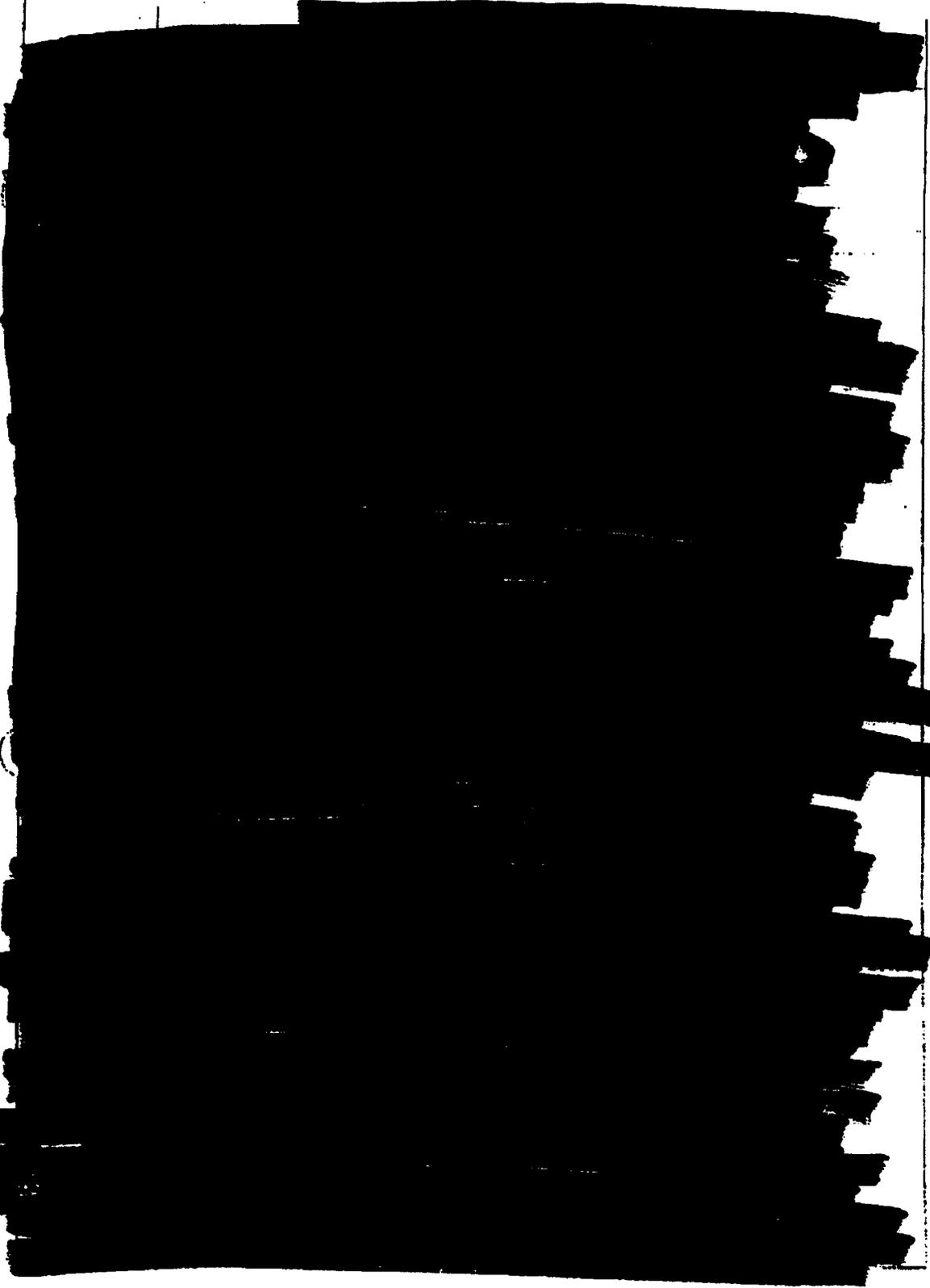
It reflects the information we gathered from all subordinate elements on whether or not they maintained a temporary detention facility or an interrogation facility based on the definitions you gave [REDACTED]. As far as I know this is the only due out we owe. Let me know if there's something else. Also, I heard you guys are coming down tomorrow at noon. The boss isn't here, and I suspect I'm likely to be pulled in. Any idea what it's about?

b(6)

[REDACTED] msu detainee facilities report.xls>>

b(2)
1.4a
b(6)

Classification: SECRET
Caveats: NONE



b(2)
1.4a
Entire
Sheet

~~SECRET~~

Formosa Report - Annex 11

ANNEX
12 – 16
PUBLISHED
REGULATIONS

~~SECRET//REL TO USA and MCFW/X~~

COPY OF COPIES
HQ, CJTF-7
CAMP VICTORY, IRAQ
242320DAUG03
ROUTINE [REDACTED]

~~(S//REL TO USA and MCFI)~~ FRAGO 749 [INTELLIGENCE AND EVIDENCE-LED DETENTION OPERATIONS RELATING TO DETAINEES] TO CJTF-7 OPORD 03-036

~~(US//REL TO USA and MCFI)~~ THIS FRAGO HAS BEEN REVIEWED AND APPROVED FOR RELEASE BY COL RADCLIFFE, CJTF-7 CHOPS.

~~(S//REL TO USA and MCFI)~~ [REDACTED] 1.4.c

(U) REFERENCES:

- A. (U) V CORPS (US) FRAGO 006N TO V CORPS OPORD 0303-342 (190200ZMAR03) DIRECTING V CORPS PROCEDURES [REDACTED] 1.4.c
- B. (U) V CORPS (US) FRAGO 312N TO V CORPS (US) OPORD FINAL VICTORY (252146DMAY03) GUIDANCE ON TACTICS, TECHNIQUES AND PROCEDURES DESIGNED TO IMPROVE THE PRESERVATION OF EVIDENCE OF CRIMES COMMITTED BY CIVILIANS DETAINED AND TRANSPORTED TO DETENTION FACILITIES.
- C. (U) CJTF-7 FRAGO 368 (141028ZJUN03) GUIDANCE FOR THE DETENTION, HANDLING AND RELEASE OF INDIVIDUALS WHO ARE POTENTIALLY SUBJECT TO PROSECUTION FOR WAR CRIMES.
- D. ~~(S//REL TO USA and MCFI)~~ CJTF-7 FRAGO 209 (282021DJUN03) CRIMINAL INVESTIGATIONS ISO FINAL VICTORY, DETENTION FACILITY OPERATIONS, EPW, CRIMINAL DETAINEES AND SECURITY INTERNEE STATUS DETERMINATIONS, AND HANDLING OF SUSPECTED WAR CRIMINALS.
- E. ~~(S//REL TO USA and MCFI)~~ CJTF-7 FRAGO 415 (151950DJUL03) PRESERVATION AND COLLECTION OF EVIDENCE, DETENTION OPERATIONS, AND RELEASE PROCEDURES FOR DETAINEES.
- F. ~~(S//REL TO USA and MCFI)~~ CJTF-7 FRAGO 519 (272249DJUL03) CHANGE 1 TO FRAGO 415 PRESERVATION AND COLLECTION OF EVIDENCE, DETENTION OPERATIONS AND RELEASE PROCEDURES FOR DETAINEES.
- G. ~~(S//REL TO USA and MCFI)~~ CJTF-7 FRAGO 103 (211100DJUN03) IAD CONVOY AND BAGHDAD CRIMINAL COURT SECURITY SUPPORT.
- H. (U) CFLCC FRAGO 501 TO COMFLCC OPORD 03-032 (241500ZAPR03), GUIDANCE FOR THE RELEASE AND REPATRIATION OF EPW.
- I. (U) US ARMY REGULATION 190-8, ENEMY PRISONERS OF WAR, RETAINED PERSONNEL, CIVILIAN INTERNEES AND OTHER DETAINEES, 1 OCT 97.
- J. (U) US ARMY REGULATION 195-2, CRIMINAL INVESTIGATION ACTIVITIES, 30 OCT 85.

~~SECRET//REL TO USA and MCFW/X~~ u

Formica Report - Annex 17

- K. (U) DIRECTIVE FROM U.S. SECARMY, 15 APR 03, AUTHORIZING THE U.S. ARMY CRIMINAL INVESTIGATION COMMAND TO EXERCISE ALL INVESTIGATIVE RESPONSIBILITIES RELATING TO WAR CRIMES AND OTHER RELATED OFFENSES.
- L. (U) U.S. DEPARTMENT OF ARMY SIGNAL 030053ZMAY03 CSA EXORD FOR WAR CRIMES AND RELATED INVESTIGATIONS.
- M. (U) CJTF-7 FRAGO 455 (200415DJUL03) CLASSIFYING AND PROCESSING ENEMY PRISONERS OF WAR/DETAINED PERSONS/CIVILIAN INTERNEES]

(U) MAPS: [NO CHANGE]

(U) TIME ZONE USED THROUGHOUT THIS ORDER: DELTA

(U) TASK ORGANIZATION: [NO CHANGE]

1. (U) SITUATION. [CHANGE] REFERENCES A THROUGH F ARE RESCINDED. THIS ORDER CONSOLIDATES PRIOR DETAINEE ORDERS AND GUIDANCE AND CONTROLS DETENTION AND PROCESSING OF ALL CIVILIAN INTERNEES (SECURITY INTERNEES AND CRIMINAL DETAINEES) AND ENEMY PRISONERS OF WAR (EPWS). A FLOWCHART DESCRIBING DETENTION PROCEDURES IS ENCLOSED AT ATTACHMENT A.

1.A. ~~US//REL TO USA AND MCF/XX~~ UNDER THE GENEVA CONVENTIONS 1949, THE HAGUE REGULATIONS 1907 AND UN SECURITY COUNCIL REGULATION 1483, COALITION FORCES ARE AUTHORIZED TO DETAIN CIVILIANS IN ORDER TO ASSIST IN THE RESTORATION OF SECURITY AND STABILITY IN IRAQ.

1.B. ~~US//REL TO USA AND MCF/XX~~ CAPTURING UNITS WILL NOT DETAIN PERSONS UNLESS THERE IS A REASONABLE BELIEF THAT THE PERSON IS OR WAS ENGAGED IN CRIMINAL ACTIVITY; POSSESSES INFORMATION IMPORTANT TO, OR INTERFERES WITH, COALITION MISSION ACCOMPLISHMENT; IS ON A LIST OF PERSONS WANTED FOR QUESTIONING, ARREST OR DETENTION BY COALITION FORCES; OR IS AN ENEMY COMBATANT.

1.C. ~~US//REL TO USA AND MCF/XX~~ DEFINITIONS.

1.C.1. (U) CIVILIAN INTERNEE (CI): A PERSON WHO IS INTERNED DURING ARMED CONFLICT OR OCCUPATION IF HE/SHE IS CONSIDERED A SECURITY RISK, NEEDS PROTECTION OR HAS COMMITTED AN OFFENSE (INSURGENT OR CRIMINAL) AGAINST THE DETAINING POWER. A CIVILIAN INTERNEE IS PROTECTED ACCORDING TO GENEVA CONVENTION IV (PROTECTION OF CIVILIAN PERSONS IN TIME OF WAR).

1.C.2. (U) CRIMINAL DETAINEE (CD): A PERSON DETAINED BECAUSE HE/SHE IS REASONABLY SUSPECTED OF HAVING COMMITTED A CRIME AGAINST IRAQI NATIONALS OR IRAQI PROPERTY OR A CRIME NOT RELATED TO THE COALITION FORCE MISSION.

1.C.3. (U) SECURITY INTERNEE (SI): A CIVILIAN INTERNED DURING CONFLICT OR OCCUPATION FOR THEIR OWN PROTECTION OR BECAUSE THEY POSE A THREAT TO THE SECURITY OF COALITION FORCES, ITS MISSION, OR ARE OF INTELLIGENCE VALUE. THIS INCLUDES PERSONS DETAINED FOR COMMITTING OFFENSES (INCLUDING ATTEMPTS) AGAINST COALITION FORCES (OR PREVIOUS COALITION FORCES) MEMBERS OF THE PROVISIONAL GOVERNMENT, MOQS, STATE INFRASTRUCTURE OR ANY PERSON ACCUSED OF COMMITTING WAR CRIMES OR CRIMES AGAINST HUMANITY. CERTAIN SECURITY INTERNEES MAY ALSO BE

CLASSIFIED AS A HIGH VALUE DETAINEE (HVD). SECURITY INTERNEES ARE A SUBSET OF CIVILIAN INTERNEES.

1.C.4. (U) HVDS: HVDS ARE SECURITY INTERNEES OF SIGNIFICANT INTELLIGENCE OR POLITICAL VALUE. UNITS WILL BE INFORMED BY C2 CJTF-7 OF THE IDENTITY OF SUCH INDIVIDUALS.

1.C.5. (U) ENEMY PRISONER OF WAR (EPW): A MEMBER OF ARMED OR UNIFORMED SECURITY FORCES THAT CONFORM TO THE REQUIREMENTS OF ARTICLE 4, GENEVA CONVENTION RELATING TO TREATMENT OF PRISONERS OF WAR.

1.C.6. (U) CRIMINAL INVESTIGATION DIVISION (CID) HOLD: A DIRECTIVE TO HOLD AND NOT RELEASE A DETAINEE/INTERNEE IN THE CUSTODY OF COALITION FORCES, ISSUED BY A MEMBER OR AGENT OF THE U.S. ARMY CRIMINAL INVESTIGATION DIVISION.

1.C.7. (U) MILITARY INTELLIGENCE (MI) HOLD: A DIRECTIVE TO HOLD AND NOT RELEASE A DETAINEE/INTERNEE IN THE CUSTODY OF COALITION FORCES, ISSUED BY A MEMBER OR AGENT OF A U.S. MILITARY INTELLIGENCE ORGANIZATION.

1.C.8. (U) CAPTURING UNIT: THE CAPTURING UNIT IS THE COALITION UNIT THAT CAPTURES CIVILIANS OR EPWS.

1.C.8.A. (U) DETAINING UNIT: THE DETAINING UNIT IS THE COALITION UNIT THAT DETAINS CIVILIANS OR EPWS.

1.C.9. (U) DETENTION REVIEW AUTHORITY: THE JAG OR LEGAL OFFICER HOLDING THE AUTHORITY TO REVIEW DETENTION CASES AND WHO, IN DEFINED CIRCUMSTANCES, MAY RELEASE OR AUTHENTICATE AND ORDER FURTHER DETENTION. DETENTION REVIEW AUTHORITIES ARE IDENTIFIED AT ATTACHMENT B.

1.C.10 (U) REVIEW AND APPEAL BOARD: A BOARD APPOINTED BY THIS ORDER, COMPRISED OF THE CJTF-7 C2, COMMANDER 800TH MP BRIGADE, AND CJTF-7 STAFF JUDGE ADVOCATE. THE REVIEW AND APPEAL BOARD ACTS ON RECOMMENDATIONS FOR RELEASE OF SECURITY INTERNEES, ARTICLE 78 APPEALS, AND PERIODIC 6-MONTH DETENTION REVIEWS.

1.C.11 (U) CRIMINAL DETAINEE REVIEW BOARD: A BOARD APPOINTED BY THIS ORDER, COMPRISED OF THE COMMANDER 800TH MP BRIGADE AND SJA 800TH MP BRIGADE AUTHORIZED TO RELEASE FROM DETENTION OR REFER CRIMINAL DETAINEES TO IRAQI COURTS.

1.C.12. (U) REASONABLE BELIEF: UNDER THE CIRCUMSTANCES THAT EXIST AT THE TIME, THERE ARE SUFFICIENT FACTS UPON WHICH A REASONABLE PERSON WOULD RELY TO CONCLUDE THAT A CRIME HAS BEEN COMMITTED OR IS BEING COMMITTED AND THAT THE PERSON TO BE DETAINED HAS COMMITTED, IS COMMITTING, OR IS AIDING ANOTHER TO COMMIT AN OFFENSE.

1.C.13. (U) SERIOUS CRIME: FOR THE PURPOSE OF DETENTION, IS ANY CRIME CONSIDERED TO BE PUNISHABLE BY MORE THAN FIVE YEARS IMPRISONMENT UNDER THE IRAQI CRIMINAL CODE 1969. THE DEFINITION INCLUDES, BUT IS NOT LIMITED TO MURDER, RAPE, ARMED ROBBERY, KIDNAPPING, ABDUCTION, STATE INFRASTRUCTURE SABOTAGE, CAR-JACKING, ASSAULT CAUSING BODILY HARM, ARSON, DESTRUCTION OF PROPERTY OR THEFT WITH A VALUE IN EXCESS OF FIVE HUNDRED U.S. DOLLARS, OR CONSPIRACY, SOLICITATION, ACTING AS AN ACCOMPLICE OR ATTEMPTING TO COMMIT ONE OF THESE OFFENCES.

1.C.14. (U) MINOR CRIME: A CRIMINAL OFFENSE THAT IS NOT A SERIOUS CRIME.

1.C.15. (U) INTERNMENT FACILITY (IF): FACILITY DESIGNATED BY COALITION FOR LONG TERM DETENTION, INCLUDING EPW OPERATIONS, INDUCTION, CIVILIAN INTERNEES AND POST TRIAL INTERNMENT DESIGNATED BY COMMANDER 800TH MILITARY POLICE BRIGADE (U.S.).

1.C.16. (U) COALITION HOLDING FACILITY (CHF): FACILITY DESIGNATED AS THE CENTRAL COLLECTION FACILITY THROUGH WHICH ALL DETAINEES/INTERNEES SHOULD BE INDOCTED BEFORE TRANSFER TO ANOTHER INTERNMENT FACILITY OR RELEASE.

1.C.17. (U) SPECIAL CONFINEMENT FACILITY: FACILITY DESIGNATED BY THE COALITION FOR THE DETENTION OF HVDS.

1.C.18. (U) HOLDING AREAS AND TEMPORARY DETENTION FACILITIES: ALL OTHER DETENTION AREAS NOT DESIGNATED AS AN INTERNMENT FACILITY, SPECIAL CONFINEMENT FACILITY OR COALITION HOLDING FACILITY.

1.C.19. (U) INDUCTION: THE PROCESS BY WHICH A DETAINEE OR INTERNEE IS RECEIVED INTO THE COALITION HOLDING FACILITY OR INTERNMENT INTO AN INTERNMENT FACILITY.

1.C.20. (U) CONDITIONAL RELEASE: RELEASE OF A CIVILIAN INTERNEE SUBJECT TO CONDITIONS INTENDED TO SECURE THE PRESENCE OF THE PERSON FOR COALITION FORCE PURPOSES, OR TRIAL.

1.C.21 (U) PAROLE: RELEASE OF AN EPW DURING ARMED CONFLICT UNDER CONDITIONS ESTABLISHED IN A PAROLE AGREEMENT.

1.C.22. (U) WAR CRIME: ANY VIOLATION OF THE LAW OF WAR IS A WAR CRIME AS DEFINED UNDER INTERNATIONAL LAW.

1.C.23. (U) CRIME AGAINST HUMANITY/ATROCITY: A BREACH OF HUMANITARIAN LAW THAT IS AN INHUMANE ACT COMMITTED AGAINST ANY PERSON.

2. (U) MISSION. [CHANGE]

2.A. (U) IT IS THE RESPONSIBILITY OF COALITION FORCES TO ENSURE INVESTIGATION OF ALL CRIMES, AND PRESERVE EVIDENCE TO SUPPORT CRIMINAL OR OTHER PROSECUTION. THIS MEANS THAT IN ORDER TO ASSIST THE FUNCTIONING OF THE CRIMINAL JUDICIAL SYSTEM, AND ESTABLISH THE RULE OF LAW IN IRAQ, COALITION UNITS ARE REQUIRED TO IDENTIFY AND RECORD THE NAMES AND ADDRESSES OF WITNESSES, PRESERVE EVIDENCE AND ENSURE THAT TIMELY AND ACCURATE INFORMATION CONCERNING CRIMINAL DETAINEES AND SECURITY INTERNEES IS REPORTED TO DETENTION FACILITIES IN ACCORDANCE WITH THIS ORDER. ONCE DETAINED OR INTERNED BY COALITION FORCES, PERSONS SHALL BE TREATED IN ACCORDANCE WITH INTERNATIONAL AND HUMANITARIAN LAW.

3. (U) EXECUTION. [CHANGE]

3.A. (U) COMMANDER'S INTENT [NO CHANGE]

3.B. (U) CONCEPT OF THE OPERATION. [NO CHANGE]

3.C. (U) TASKS TO SUBORDINATE UNITS. [CHANGE]

[REDACTED]

b2
1.4a

3.C.1.A. ~~(S//REL TO USA and MCFW)~~ REPORT TO 800TH MILITARY POLICE BRIGADE (US) THROUGH OPERATIONAL CHANNELS WITHIN 48 HOURS OF CAPTURE THAT A PERSON HAS BEEN DETAINED. THE REPORT SHALL INCLUDE THE PERSON'S NAME, ADDRESS, AND AGE; DATE, TIME, LOCATION, CIRCUMSTANCES OF CAPTURE AND IF APPLICABLE, CAPTURE TAG NUMBER.

[REDACTED]

b1 1.4c
b2

3.C.1.C. (U) ALL CIVILIAN DETAINEES/INTERNEES SHALL HAVE A REVIEW OF THEIR CASE BY A DETENTION REVIEW AUTHORITY NOT LATER THAN 72 HOURS FROM THE TIME OF INDUCTION. IF THE DETENTION REVIEW AUTHORITY DETERMINES THAT FURTHER DETENTION IS NOT WARRANTED FOR MINOR CRIMES, THEN THE DETAINEE MAY BE RELEASED. FOR THOSE CRIMINAL DETAINEES THAT HAVE APPEARED BEFORE AN IRAQI INVESTIGATIVE JUDGE, NO ADDITIONAL COALITION REVIEW IS NECESSARY.

3.C.1.D (U) THE DETENTION REVIEW AUTHORITY (DRA) SHALL DETERMINE STATUS (I.E. EPW, SECURITY INTERNEE OR CRIMINAL DETAINEE). IF EPW STATUS IS IN DOUBT, THE DRA WILL REFER THE DETAINEE TO AN ARTICLE 5 TRIBUNAL. DETENTION REVIEW AUTHORITIES ARE STAFF JUDGE ADVOCATE/LEGAL OFFICERS LISTED AT ATTACHMENT B. CJTF-7 C2 WILL CLASSIFY WHICH SECURITY INTERNEES ARE HVD.

3.C.1.E (U) THE DRA STANDARD OF REVIEW FOR CRIMINAL DETAINEES IS PROBABLE CAUSE THAT THE DETAINEE COMMITTED A CRIME. THE DRA IS THE RELEASE AUTHORITY FOR MINOR CRIMES. FOR SERIOUS CRIMES, RECOMMENDATIONS FOR RELEASE SHALL BE FORWARDED TO COMMANDER, 800TH MP BRIGADE (US) WHO WILL LIAISE WITH COMMANDER 3RD MP GROUP (CID) (US) AND CONVENE A CRIMINAL DETAINEE RELEASE BOARD WITH CJTF-7 STAFF JUDGE ADVOCATE (SJA).

3.C.1.F. (U) IN THE CASE OF SECURITY INTERNEES, THE DRA SHALL PREPARE AN AUTHENTICATED ORDER OF INTERNMENT IN ALL CASES WHERE THE REVIEWING AUTHORITY ORDERS CONTINUED DETENTION. THE INTERNMENT ORDER WILL STATE THE REASONS FOR CONTINUED DETENTION AND ANY APPELLATE RIGHTS. THESE ORDERS SHALL BE MAINTAINED IN THE DETAINEE'S DETENTION FILE. THE DETENTION REVIEW AUTHORITY MAY MAKE RECOMMENDATIONS TO THE REVIEW AND APPEAL BOARD REGARDING THE RELEASE OF A SECURITY DETAINEE.

3.C.1.G. (U) COALITION UNITS BE PREPARED TO (BPT) PROVIDE TRANSPORTATION AND SECURITY NECESSARY TO ENSURE THAT COALITION-HELD CRIMINAL DETAINEES APPEAR BEFORE IRAQI COURTS. COALITION UNITS CONTINUE TO MAINTAIN LIAISON WITH IRAQI CRIMINAL COURTS, AND IN CONJUNCTION WITH SERVICING STAFF JUDGE ADVOCATES/LEGAL OFFICERS, IRAQI COURT INVESTIGATORS, AND POLICE, DEVELOP CASE FILES AND APPROPRIATE DATA SHEETS ON EACH DETAINEE FACING IRAQI COURT PROSECUTIONS.

3.C.1.H. (U) COALITION UNITS: ESTABLISH COLLECTION POINTS FOR SECURITY INTERNEES, CRIMINAL DETAINEES AND EPWS.

3.C.1.I. (U) ALL COALITION UNITS ARE TO IMMEDIATELY NOTIFY SUPPORTING MILITARY POLICE UNITS AND U.S. ARMY CRIMINAL INVESTIGATION DIVISION COMMAND OF ANY INCIDENTS RESULTING IN THE DEATH OR SERIOUS INJURY TO COALITION MEMBERS.

3.C.1.J (U) ALL COALITION UNITS WILL DIRECT FAMILY MEMBERS SEEKING INFORMATION ON DETAINEES TO THE NEAREST CIVIL AFFAIRS OPERATIONS CENTER (CMOC) OR EQUIVALENT UNIT.

3.C.1.K. (U) IMMEDIATELY REPORT TO CJTF-7 C3 AND CJTF-7 PROVOST MARSHAL THROUGH THE CHAIN OF COMMAND, ALL HVDS AND NON-IRAQIS (THIRD COUNTRY NATIONALS) THAT ARE DETAINED. NOTIFICATION TO THE COALITION PROVISIONAL AUTHORITY (CPA) MINISTRY OF FOREIGN AFFAIRS WILL BE MADE BY CJTF-7. REQUESTS FOR RELEASE OF THIRD COUNTRY NATIONALS SHALL BE FORWARDED TO THE CJTF-7 REVIEW AND APPEALS BOARD.

3.C.2. ~~(S//REL TO USA and MCF/UK)~~ 800TH MP BDE (US).

3.C.2.A. ~~(S//REL TO USA and MCF/UK)~~ CONTINUE TO OPERATE INTERNMENT FACILITIES AND DETENTION CENTERS FOR SECURITY INTERNEES, CRIMINAL DETAINEES AND EPWS. CONTINUE TO REFINE PROCEDURES FOR RECEPTION, PROCESSING, INTERNMENT, SECURITY, AND ONWARD MOVEMENT, AS APPROPRIATE, OF CIVILIAN DETAINEES/INTERNEES AND EPWS. COORDINATE WITH ALL COALITION DIVISIONS AND BRIGADES TO ENSURE SECURITY DETAINEES, CRIMINAL INTERNEES AND EPW DETENTION PROCEDURES ARE CONSISTENT THROUGHOUT THE COALITION AREA OF RESPONSIBILITY (AOR).

3.C.2.B. ~~(S//REL TO USA and MCF/UK)~~ ESTABLISH RULES AND PROCEDURES NECESSARY FOR THE SAFE AND EFFICIENT OPERATION OF COALITION HOLDING AREAS, COLLECTION POINTS, INTERNMENT FACILITIES AND DETENTION CENTERS.

[REDACTED]

b-2
1.4c

3.C.2.C. (U) INFORM WITHIN 72 HOURS OF INDUCTION, PERSONS DETAINED ONLY AS CRIMINAL DETAINEES OF THE BASIS OF THE DETENTION AND THE RIGHT TO REMAIN SILENT. CRIMINAL DETAINEES SHOULD BE AFFORDED REASONABLE ACCESS TO COUNSEL PRIOR TO TRIAL. CRIMINAL DETAINEES SHOULD BE SEPARATED WHEN FEASIBLE BASED UPON THE FOLLOWING CATEGORIES: MINOR CRIMES, SERIOUS CRIMES, GENDER, JUVENILES, AND POST-CONVICTION CONFINEMENT. AS SOON AS FEASIBLE, WOMEN AND JUVENILES WILL BE TRANSFERRED TO SEPARATE LOCAL DETENTION FACILITIES TO AWAIT COURT PROCEEDINGS.

[REDACTED]

b-2
1.4c

3.C.2.E. ~~(S//REL TO USA and MCF/UK)~~ [REDACTED]

1.4c

3.C.2.F. (U) PROVIDE SECURITY INTERNEES WITH A WRITTEN COPY OF THE AUTHENTICATED INTERNMENT ORDER AND A WRITTEN NOTICE OF RIGHT TO APPEAL IN A LANGUAGE THE INTERNEE UNDERSTANDS, ADVISING OF THE RIGHT TO APPEAL THE INTERNMENT ORDER, AND THAT THE ORDER WILL BE REVIEWED IN 6 MONTHS. IN THE CASE OF FURTHER INTERNMENT ORDERS, INTERNMENT SHALL BE REVIEWED EVERY 6 MONTHS THEREAFTER. PROCEDURES FOR APPEALS AND PERIODIC REVIEWS (6 MONTH) SHALL BE ESTABLISHED BY COMMANDER 800TH BDE (US) IN CONFORMANCE WITH PARA 5-1G OF U.S. ARMY REGULATION 190-8.

[REDACTED]

b-2
1.4a+c

3.C.2.H. (U) IF NOT PREVIOUSLY ESTABLISHED, CREATE FIELDS IN CRIMINAL DATABASE THAT SHOWS OTHER HOLDS ON DETAINEE/INTERNEE.

3.C.2.I. (U) ENSURE DETAINEE/INTERNEE DATABASE CONTAINS COALITION DETAINEE IDENTIFICATION NUMBERS THAT CAN BE CROSS-REFERENCED TO U.S. DETAINEE ID NUMBERS IN COALITION APPREHENSION AND TRANSFER SITUATIONS.

[REDACTED]

b-2
1.4c

3.C.2.K. ~~(S//REL TO USA and MCF)~~ CJTF-7 PROVOST MARSHAL OFFICER MAINTAINS SYSTEMS AND FORMS TO ENSURE EVIDENCE AND DETAINEE PROPERTY ACCOUNTABILITY IN ACCORDANCE WITH REFERENCE J.

3.C.2.L. ~~(S//REL TO USA and MCF)~~ COALITION MILITARY POLICE WILL OBTAIN AND PRESERVE ALL CPA FORCES APPREHENSION FORM INFORMATION, STATEMENTS, INFORMATION REPORTS (OR EQUIVALENT) AND EVIDENCE DOCUMENTS AND DELIVER THE EVIDENCE TO DETENTION FACILITIES WITH THE DETAINEE/INTERNEE. THE MILITARY POLICE WILL TRANSFER ALL RELEVANT INFORMATION, INCLUDING THE DETAINEE'S FILE, WITH THE DETAINEE/INTERNEE IF THE DETAINEE/INTERNEE IS TRANSFERRED TO ANOTHER DETENTION/INTERNMENT FACILITY.

3.C.2.M. ~~(S//REL TO USA and MCF)~~ REVIEW DETAINEE/INTERNEE FILES AND EVIDENCE AND TRACK COMPLIANCE WITH THIS FRAGO. NON-COMPLIANCE WITH THE PROCEDURES IN THIS FRAGO ARE TO BE REPORTED TO THE CJTF-7 PROVOST MARSHAL OFFICER THROUGH THE CHAIN OF COMMAND.

3.C.2.N. ~~(S//REL TO)~~ [REDACTED]

1.4.c

[REDACTED]

1.4.c

[REDACTED]

1.4.c

[REDACTED]

1.4.c

3.C.2.O. ~~(S//REL TO USA and MCFI)~~ PROVIDE GUARDS FOR ANY DETAINEES/INTERNEES RECEIVING TREATMENT IN A MEDICAL UNIT/HOSPITAL AND FOR TRANSPORTING THEM TO THE APPROPRIATE DETENTION/INTERMENT FACILITY AFTER MEDICAL DISCHARGE.

3.C.2.P. (U) FORWARD REQUIREMENTS OF THIS FRAGO TO ALL DETENTION/INTERMENT FACILITIES UNDER ITS COMMAND AND CONTROL.

3.C.2.Q. (U) CONDUCT UNIT TRAINING ON GRADUATED FORCE AND STANDARDS OF CONDUCT OF MILITARY POLICE AND COORDINATE TRAINING WITH COALITION MILITARY POLICE UNITS TO ENSURE THAT TRAINING IS CONSISTENT THROUGH THE CJTF-7 AOR.

3.C.2.R. (U) ENSURE EVIDENCE/PROPERTY ROOMS ARE SET UP AND ORGANIZED AT EACH DETENTION FACILITY AND THAT ADDITIONAL ROOMS ARE PROVIDED FOR IRAQI JUDGES AND INVESTIGATORS WHEN WORKING AT THE DETENTION FACILITY.

3.C.2.S. (U) PROVIDE FAMILY AND ATTORNEY VISITATION FACILITIES FOR CRIMINAL DETAINEES AND AFFORD REASONABLE VISITATION OPPORTUNITIES.

3.D. (U) COORDINATING INSTRUCTIONS. [CHANGE]

3.D.1. ~~(S//REL TO USA and MCFI)~~ THE POLICY SET FORTH IN THIS FRAGO APPLIES TO ALL COALITION FORMATIONS, UNITS AND PERSONNEL OPERATING WITHIN THE COALITION AOR AND SUCCESSOR APPOINTMENTS AND COMMANDS. IT IS RECOGNISED THAT COALITION FORCES WILL ACT IN ACCORDANCE WITH THEIR OWN INTERNATIONAL AND DOMESTIC LEGAL OBLIGATIONS IN RELATION TO DETAINEES/INTERNEES AND EPWS. THIS FRAGO DOES NOT AFFECT EXISTING ARRANGEMENTS BETWEEN CERTAIN COALITION PARTNERS REGARDING THE TRANSFER OF DETAINEES/INTERNEES AND EPWS.

[REDACTED]

b-2
1.4c

[REDACTED]

b-2
1.4c

3.D.2.A. ~~(S//REL TO USA and MCFU)~~ COALITION UNITS DETAINING PERSONS IDENTIFIED AS A SUSPECTED WAR CRIMINAL, OR A PERSON INVOLVED IN THE COMMISSION OF A CRIME AGAINST HUMANITY OR ATROCITY WITHOUT A CID HOLD ALREADY IN PLACE ARE TO NOTIFY THE 3RD MILITARY POLICE GROUP CRIMINAL INVESTIGATION DIVISION (CID) (US).

[REDACTED]

1.4c

[REDACTED]

1.4c

3.D.2.D. ~~(S//REL TO USA and MCFU)~~ UNLESS DIRECTED OTHERWISE BY A MORE SENIOR COMMANDER, THE DECISION TO DETAIN CIVILIANS IS THE RESPONSIBILITY OF THE SENIOR COALITION SOLDIER OR OFFICER ON THE SCENE.

3.D.3. ~~(S//REL TO USA and MCFU)~~ STATUS IN DOUBT: IF AFTER THE INITIAL 72 HOUR REVIEW, THE STATUS OF THE DETAINEE AS TO EPW STATUS REMAINS IN DOUBT, AN ARTICLE 5 TRIBUNAL TO DETERMINE STATUS WILL BE CONVENED WITHIN 21 DAYS OF APPREHENSION. DURING THE INTERVENING PERIOD, THE DETAINEE WILL BE SEGREGATED AND TREATED AS AN EPW.

[REDACTED]

1.4c

3.D.5. ~~(S//REL TO USA and MCFU)~~ EPWS WILL REMAIN IN DETENTION UNTIL RELEASED ON CONDITION/PAROLE, OR AT THE END OF HOSTILITIES IN ACCORDANCE WITH REF I, SUMMARIZED AS ATTACHMENT C.

[REDACTED]

1.4c

3.D.7. ~~(S//REL TO USA and MCFU)~~ COALITION FORCES WILL TREAT ALL DETAINEES/INTERNEES WITH DIGNITY AND RESPECT AND WILL PROVIDE AT LEAST THE STANDARD OF HUMANE TREATMENT REQUIRED UNDER INTERNATIONAL LAW. THIS MEANS THAT DETAINEES/INTERNEES WILL BE TREATED IN A MANNER ACCORDED TO EPWS PURSUANT TO THE PRINCIPLES OUTLINED IN GENEVA CONVENTION III. COALITION FORCES WILL PROTECT DETAINEES FROM PHYSICAL HARM AND AGAINST INSULTS AND PUBLIC CURIOSITY AND WILL TREAT DETAINEES/INTERNEES WITHOUT DISTINCTION BASED UPON GENDER, RACE, NATIONALITY, RELIGION OR POLITICAL OPINION.

3.D.8. ~~(S//REL TO USA and MCFU)~~ COMMANDERS AT ALL LEVELS ARE RESPONSIBLE TO ENSURE PROPER HANDLING AND TREATMENT OF DETAINEES/INTERNEES. COMMANDERS MUST

ENSURE THAT ALL PERSONNEL UNDER THEIR COMMANDS UNDERSTAND THAT DETAINEES/INTERNEES ARE NOT EPWS AND THAT THEY WILL BE PROCESSED AND ACCOMMODATED SEPARATELY AND NOT BE CO-MINGLED.

3.D.9. ~~(S//REL TO USA and MCFU)~~ DETAINEE PROCESSING: COALITION UNITS ARE TO CONDUCT TRAINING FOR ALL LEADERS DOWN TO AND INCLUDING PLATOON LEADER/SENIOR NON-COMMISSIONED OFFICER (NCO) ON EVIDENCE PRESERVATION AND THE PROPER COMPLETION OF THE COALITION PROVISIONAL AUTHORITY (CPA) FORCES APPREHENSION FORM AT ATTACHMENT E AND COMPLETION OF THE SWORN STATEMENT FORM (DA 2823) AT ATTACHMENT F.

3.D.10. ~~(S//REL TO USA and MCFU)~~ CAPTURING UNITS ARE TO BE PREPARED TO PROVIDE ADDITIONAL INFORMATION CONCERNING THE CIRCUMSTANCES UNDER WHICH A DETAINEE MAY HAVE BEEN DETAINED, WHICH MAY INCLUDE IDENTIFYING WITNESSES TO THE ALLEGED MISCONDUCT. FAILURE TO IDENTIFY WITNESSES MAY RESULT IN THE RELEASE OF THE DETAINEE.

3.D.11. ~~(S//REL TO USA and MCFU)~~ SERVICING JUDGE ADVOCATES OR SUPPORTING LEGAL OFFICERS OF COALITION UNITS ARE DIRECTED TO ASSIST COALITION MILITARY POLICE IN PROVIDING TRAINING, IF REQUIRED, TO CAPTURING UNITS ON DETENTION CRITERIA, PRESERVATION OF EVIDENCE AND BASIC REPORTING IN ACCORDANCE WITH THIS FRAGO.

3.D.12. ~~(S//REL TO USA and MCFU)~~ COALITION CAPTURING UNITS MUST COMPLETE AS FULLY AS POSSIBLE, COALITION PROVISIONAL AUTHORITY (CPA) FORCES APPREHENSION FORMS (ATTACHMENT E) AND TWO SWORN STATEMENTS USING DA FORM 2823 (ATTACHMENT F) OR THE COALITION EQUIVALENT, FROM COALITION SOLDIERS/OFFICERS OR IRAQI NATIONALS THAT WITNESSED THE CRIME/INCIDENT AND APPREHENSION. THIS SHOULD BE COMPLETED BEFORE TRANSFERRING CUSTODY OF A DETAINEE/INTERNEE TO ANY OTHER UNIT OR A DETENTION OR INTERNMENT FACILITY. ALL PHYSICAL EVIDENCE (INCLUDING WEAPONS) IS ALSO TO BE TAGGED AND TRANSFERRED WITH THE DETAINEE TO THE DETENTION FACILITY.

 1.4.c
3.D.12.A. ~~(S//REL TO USA and MCFU)~~ PERSONS  1.4.c
 WITHOUT A COMPLETED CPA FORCES APPREHENSION FORM AND SWORN STATEMENTS WILL NOT BE PROCESSED INTO THE DETENTION OR INTERNMENT FACILITY WITHOUT THE PERMISSION OF THE FACILITY COMMANDER. IN THOSE CASES IN WHICH THE DETENTION OR INTERNMENT FACILITY ACCEPTS A DETAINEE/INTERNEE WITHOUT A COMPLETED CPA FORCES APPREHENSION FORM/STATEMENT(S), THE CAPTURING UNIT MUST SUBMIT A COMPLETED CPA FORCES APPREHENSION FORM AND STATEMENT(S) ON THE DETAINEE/INTERNEE TO THE FACILITY WITHIN 24 HOURS AFTER ACCEPTANCE. FAILURE TO SUPPLY THE APPREHENSION FORM/STATEMENT(S) IS LIKELY TO RESULT IN THE RELEASE OF THE DETAINED INDIVIDUAL. UNITS ARE TO DISTRIBUTE BLANK CPA FORCES APPREHENSION FORMS TO ALL PATROLLING SUB-UNITS.

3.D.12.B. ~~(S//REL TO USA and MCFU)~~ THE WRITTEN STATEMENTS ARE TO DETAIL ALL RELEVANT FACTS THAT SUPPORT THE CAPTURING UNITS' BELIEF THAT THE PERSON ARRESTED WAS ENGAGED IN CRIMINAL ACTIVITY, OR OTHER FACTS SUPPORTING SECURITY INTERNEE STATUS. THE STATEMENTS SHOULD BE UNBIASED, LEGIBLE, LOGICAL, COMPLETE AND TIMELY AND SHOULD ADDRESS: WHO, WHAT, WHERE, WHEN, HOW, WHY AND NAMES/CONTACT INFORMATION FOR ALL WITNESSES. THE UNIT OIC SHOULD ENSURE THAT EACH SOLDIER HAS SUFFICIENT TIME TO COMPLETE THE STATEMENT AND THAT SWORN STATEMENTS AND

APPREHENSION FORMS ARE COMPLETED WITHIN 24 HOURS OF APPREHENSION, UNLESS SECURITY CONCERNS DICTATE OTHERWISE.

3.D.12.C. ~~(S//REL TO USA and MCF/UA)~~ THE OFFICER IN CHARGE (OIC) OR THE NON COMMISSIONED OFFICER IN CHARGE (NCOIC) OF THE CAPTURING UNIT SHOULD, AS SECURITY PERMITS, COLLECT AS MUCH INFORMATION AS POSSIBLE WHILE AT THE SCENE OF THE CRIME OR APPREHENSION. VITAL INFORMATION INCLUDES COMPLETE NAMES AND ADDRESSES OF ALL WITNESSES AND VICTIMS. IN THE CASE OF CRIMINAL DETAINEES, COOPERATIVE WITNESSES AND VICTIMS SHOULD BE ESCORTED TO THE NEAREST IRAQI POLICE STATION TO PROVIDE STATEMENTS TO IRAQI INVESTIGATORS. IF TRANSPORT IS NOT SAFE OR FEASIBLE, WITNESSES FOR BOTH CRIMINAL DETAINEES AND SECURITY INTERNEES SHOULD BE INTERVIEWED AT THE SCENE BY THE OIC OR NCOIC TO ANSWER: WHO, WHAT, WHERE, WHEN, WHY AND HOW. A SEPARATE REPORT THAT SUMMARIZES THE WITNESS INTERVIEW FOR EACH WITNESS SHOULD BE COMPLETED BY THE OIC OR NCOIC.

3.D.12.D. (U) ALL COALITION OFFICERS ARE HEREBY AUTHORIZED TO TAKE SWORN STATEMENTS UNDER THE UNIFORM CODE OF MILITARY JUSTICE ART. 136 FOR THESE PURPOSES. PRIOR TO CONDUCTING THE OATH TO THE WITNESS, THE OIC SHOULD CLOSELY REVIEW THE WRITTEN STATEMENT. THE OIC SHOULD ASK APPROPRIATE FOLLOW UP QUESTIONS IN WRITING ON THE FORM IF THE INFORMATION PROVIDED BY THE WITNESS IS INCOMPLETE, CONFUSING, OR CONTRADICTIONARY. COMMISSIONED OFFICERS WHO ARE IN THE CHAIN OF COMMAND OF THE CAPTURING UNIT MAY ADMINISTER OATHS FOR WITNESS STATEMENTS (DA FORM 2823).

3.D.12.E. (U) THE OIC OF THE CAPTURING UNIT MAY ALSO PROVIDE A WRITTEN, SWORN STATEMENT IF THE OIC IS A WITNESS TO THE EVENTS. THE OIC CAN HAVE ANY OTHER OFFICER ADMINISTER THE OATH ON DA FORM 2823 (ATTACHMENT F).

3.D.12.F. ~~(S//REL TO USA and MCF/UA)~~ [REDACTED] 1.4.c

[REDACTED] CAPTURING UNITS MUST TAG THE EVIDENCE WITH A COMPLETED EVIDENCE/PROPERTY CUSTODY DOCUMENT (DA FORM 4137) ATTACHED AS ATTACHMENT G. THE EVIDENCE/PROPERTY CUSTODY DOCUMENT MUST RECORD THE INDIVIDUAL DETAINEE SERIAL NUMBER (ISN) ON THE CORRESPONDING CPA FORCES APPREHENSION FORM. EVIDENCE, ESPECIALLY WEAPONS MUST NOT BE LEFT AT THE SCENE OF THE CRIME. PROPERTY THAT IS TOO LARGE TO MOVE, SUCH AS AN INOPERABLE VEHICLE, OR EVIDENCE THAT CANNOT BE MOVED, SUCH AS EXPLOSIVES OR IEDS SHOULD BE PHOTOGRAPHED WITH THE PHOTOGRAPH FIXED TO A COMPLETED EVIDENCE/PROPERTY CUSTODY DOCUMENT (OR IN THE CASE OF EXPLOSIVES/IEDS, AN EXPLOSIVES ORDNANCE (EOD) CERTIFICATE). A SWORN STATEMENT AS TO THE IDENTIFICATION AND CIRCUMSTANCES OF THE RELEVANCE TO THE PROPERTY MUST ALSO ACCOMPANY THE EVIDENCE/PROPERTY DOCUMENT.

3.D.12.G. ~~(S//REL TO USA and MCF/UA)~~ GUIDELINES ON THE SEIZURE OF PROPERTY IS AT ATTACHMENT H.

3.D.12.H. (U) IF POSSIBLE, THE DETAINEE/INTERNEE SHOULD REVIEW THE EVIDENCE/PROPERTY DOCUMENT (DA FORM 4137) AT ATTACHMENT G WITH THE HELP OF A TRANSLATOR, IF REQUIRED AND REASONABLY AVAILABLE.

3.D.12.I. (U) CRIMINAL DETAINEES HAVE THE RIGHT TO REMAIN SILENT. CRIMINAL DETAINEES WILL BE INITIALLY INFORMED OF THEIR RIGHT ONCE THE DETAINEE IS INDUCTED INTO A DETENTION FACILITY. THIS RIGHT DOES NOT ATTACH TO [REDACTED] EPWS WHO SHOULD BE TACTICALLY INTERROGATED WHEN APPREHENDED 1.4.c

1.4.c

[REDACTED]

WHERE PRACTICABLE, RIGHTS WILL BE READ IN THE DETAINEE'S NATIVE LANGUAGE. ANY WRITTEN STATEMENT THAT REFERS TO OR DETAILS A DETAINEE'S TESTIMONY SHOULD EXPLICITLY STATE THAT THE DETAINEE WAS INFORMED OF THE RIGHT TO AGAINST SELF-INCRIMINATION AND THE RIGHT WAS SPECIFICALLY WAIVED, OR THAT THE STATEMENT WAS VOLUNTARILY MADE AND NOT IN RESPONSE TO ANY DIRECT QUESTIONS. IF THE STATEMENT IS MADE TO A TRANSLATOR THE TRANSLATOR SHOULD PROVIDE THE WRITTEN STATEMENT.

3.D.13. (~~S//REL TO USA AND MCF/~~) SAFETY OF COALITION FORCES AND WITNESSES SHOULD NOT BE COMPROMISED IN ORDER TO OBTAIN STATEMENTS (DA FORM 2823) AND CREATE INFORMATION REPORTS. IF THE TACTICAL CIRCUMSTANCES DO NOT PERMIT THE CAPTURING UNIT TO COMPLETE STATEMENTS AND CREATE INFORMATION REPORTS AT THE SCENE, THEN THIS INFORMATION SHOULD BE COMPLETED AT THE FIRST AVAILABLE TIME BEFORE TURNING THE DETAINEE OVER TO THE DELIVERING UNIT.

3.D.14. (~~S//REL TO USA AND MCF/~~) TRACKING NUMBERS. THE UNIT TRANSPORTING THE DETAINEE/INTERNEE TO THE COALITION HOLDING FACILITY SHALL OBTAIN THE INDIVIDUAL SERIAL NUMBER (ISN) FROM THE CHF AND REPORT THE ISN TO THE CAPTURING UNIT FOR THEIR RECORDS AND TRACKING PURPOSES. EACH COMPLETED STATEMENT (DA FORM 2823) AT ATTACHMENT F SHOULD RECORD THE DETAINEE ISN NUMBER FROM THE CORRESPONDING CPA FORCES APPREHENSION FORM.

3.D.15. (~~S//REL TO USA AND MCF/~~) MEDICAL SUPPORT: DETAINEES REQUIRING MEDICAL ATTENTION ARE TO BE DELIVERED TO THE NEAREST MEDICAL UNIT FOR ASSISTANCE.

3.D.16. (~~S//REL TO USA AND MCF/~~) MEDICAL PERSONNEL ARE NOT TO REMOVE CPA FORCES APPREHENSION FORMS OR WRIST BANDS UNLESS REQUIRED TO DO SO BY MEDICAL NECESSITY. IF IT BECOMES NECESSARY TO REMOVE CPA FORMS AND/OR WRIST BANDS, THESE MUST BE PRESERVED IN THE PATIENT'S FILE. THE CPA FORMS AND WRIST BANDS MUST BE RETURNED TO THE DETENTION FACILITY WITH THE PATIENT. ALL ADDITIONAL NON-MEDICAL DOCUMENTATION AND POSSESSIONS OF THE PATIENT MUST BE PRESERVED, AND TURNED OVER TO DETENTION PERSONNEL.

1.4.b

[REDACTED]

3.D.17.A. (~~S//REL TO USA AND MCF/~~) PRIOR TO TRANSFERRING ANY INDIVIDUAL WITH A CID HOLD, SUSPECTED AS A WAR CRIMINAL, OR PERSON WHO IS SUSPECTED TO BE INVOLVED IN THE COMMISSION OF A CRIME AGAINST HUMANITY OR ATROCITY, TO ANOTHER INTERNMENT OR DETENTION FACILITY, ALL U.S. AND COALITION FORCES ARE TO CLEARLY AND PROMINENTLY DENOTE ON ALL MANIFESTS AND TRANSFER PAPERWORK THAT A CID HOLD IS IN PLACE AND THE STATUS OF THE INDIVIDUAL. THE INDIVIDUAL COORDINATING THE RELEASE ON BEHALF OF THE LOSING FACILITY MUST PERSONALLY BRIEF THE PERSON COORDINATING THE ACCEPTANCE OF THE GAINING OR RECEIVING FACILITY.

3.D.18. (~~S//REL TO USA AND MCF/~~) PRISON TRANSFERS: IN THE CASE OF A DETAINEE/INTERNEE BEING TRANSFERRED FROM AN IRAQI JAIL/PRISON TO A COALITION DETENTION FACILITY, THE TRANSFER SHOULD INCLUDE THE DETAINEE/INTERNEE'S FILE. THE NAME AND LOCATION (GRID) OF THE ORIGINAL JAIL/PRISON AND THE IDENTITY OF THE ORIGINAL JAILORS IS TO BE INCLUDED IN THE DETAINEE/INTERNEE FILE.

1A



1.41.c

3.D.18.B. (~~S//REL TO USA and MCF~~) REPORT LOCATION OF COLLECTION POINTS TO 18TH MP BDE (US) (POC BELOW), THE 800TH MP BDE (US) (POC BELOW) AND TO THE CJTF-7 PROVOST MARSHAL OFFICER (POC BELOW). CONDUCT DIRECT COORDINATION WITH 800TH MP BDE (US), OTHER COALITION FORMATIONS AND MP UNITS TO ENSURE SECURITY DETAINEES, CRIMINAL INTERNEES AND EPW DETENTION PROCEDURES ARE CONSISTENT THROUGHOUT THE COALITION AOR.

3.D.19. (U) COALITION HOLDING FACILITY (CHF) OPERATIONS

3.D.19.A. (U) ALL DETAINEES AND INTERNEES WILL BE TREATED WITH DIGNITY AND RESPECT FOR THEIR PERSONS AND PROPERTY. UNITS RESPONSIBLE FOR DETENTION/INTERMENT OPERATIONS WILL FOLLOW APPLICABLE INTERNATIONAL LAW CONCERNING HUMANITARIAN TREATMENT OF PRISONERS AND BE RESPONSIBLE FOR TRAINING THEIR UNITS IN THE SOLDIER'S CODE OF CONDUCT AND ITS STRICT ENFORCEMENT. CRIMINAL DETAINEES WILL BE INFORMED OF THEIR RIGHT AGAINST SELF-INCRIMINATION UPON BEING IN PROCESSED IN THE CHF.

3.D.19.B. (~~S//REL TO USA and MCF~~) UPON RECEIPT OF A SECURITY INTERNEE OR CRIMINAL DETAINEE FROM THE CAPTURING UNIT, THE NCOIC OF THE IN-PROCESSING SECTION OF THE CHF WILL REVIEW THE CPA APPREHENSION FORM AND SWORN STATEMENTS FOR COMPLETE AND DETAILED INFORMATION. THE NCOIC WILL CREATE A FILE WITH THESE DOCUMENTS, AS WELL AS ANY OTHER RECORDS, SUCH AS THE EVIDENCE/PROPERTY CUSTODY DOCUMENT (DA FORM 4137), AND ASSIGN THE DETAINEE/INTERNEE A SEQUENCE NUMBER. THE NCOIC WILL ALSO ACCEPT, PROPERLY LABEL BY INDIVIDUAL SERIAL NUMBER (ISN), AND PROCESS ALL PHYSICAL EVIDENCE, FOR USE LATER IN COURT OR TRIBUNAL. IF THE PHYSICAL EVIDENCE IS TOO LARGE TO PROCESS, THE NCOIC IS INSTRUCTED TO PHOTOGRAPH THE EVIDENCE, AND PLACE IT WITH THE DETAINEE/INTERNEE'S OTHER EVIDENCE.

3.D.19.C. (~~S//REL TO USA and MCF~~) THE NCOIC WILL ALSO REVIEW THE PROPERTY INVENTORY OF ALL PERSONAL PROPERTY OF DETAINEES/INTERNEES AND ACCEPT CHAIN OF CUSTODY OF THE PROPERTY BY SIGNING THE DA FORM 4137 (ATTACHMENT G) COMPLETED BY THE CAPTURING UNIT.

3.D.19.D. (U) DETENTION OFFICIALS WILL HANDLE ALL PRISONERS WITH THE MINIMUM FORCE NECESSARY AS REQUIRED BY THE SITUATION.

3.D.19.E. (~~S//REL TO USA and MCF~~) IF A CRIMINAL DETAINEE IS TRANSFERRED FROM THE CHF OR INTERMENT FACILITY TO A LOCAL DETENTION FACILITY TO AWAIT CRIMINAL OR OTHER PROCEEDINGS, ALL PROPERTY AND PHYSICAL EVIDENCE WILL BE TRANSFERRED WITH THE DETAINEE/INTERNEE. THE DETENTION FILE WILL REMAIN AT THE CHF. THE RECEIVING DETENTION FACILITY WILL SIGN A COPY OF DA FORM 4137 (ATTACHMENT G) ACCEPTING CHAIN OF CUSTODY OF THE PROPERTY AND EVIDENCE.

3.D.19.F. (U) IF A DETAINEE/INTERNEE IS TRANSFERRED OUT OF THE CHF TO ANOTHER REGIONAL INTERMENT FACILITY DUE TO OVERCROWDING, ALL PROPERTY AND EVIDENCE IF POSSIBLE, WILL BE TRANSFERRED WITH THE DETAINEE/INTERNEE EXCEPT THE FILE WILL BE HELD AT THE CHF.

3.D.20. (U) RELEASE OF CRIMINAL DETAINEES.

u

3.D.20.A. (U) DETENTION OFFICIALS WILL GIVE FULL FAITH AND CREDIT TO ORDERS FOR RELEASE OF CRIMINAL DETAINEES BY IRAQI JUDGES SUBJECT TO THE FOLLOWING RULES AND GUIDANCE.

3.D.20.B. (U) RELEASE ORDERS FROM AN IRAQI COURT WILL BE EXECUTED BY COALITION FORCES, PROVIDED THAT THE DETAINEE IS BEING HELD SOLELY FOR ALLEGED CRIMINAL MISCONDUCT AND THE VICTIM IS IRAQI. DETAINEES WILL CONTINUE TO BE HELD IF THE DETENTION FILE REFLECTS THE DETAINEE COMMITTED OTHER OFFENSES AGAINST COALITION PERSONNEL OR PROPERTY; THE INDIVIDUAL IS BEING HELD FOR INTELLIGENCE EXPLOITATION; OR, IF THE INDIVIDUAL OTHERWISE IS A THREAT TO THE SECURITY OF COALITION FORCES, PROPERTY, OR ACCOMPLISHMENT OF THE CJTF-7 MISSION.

3.D.20.C. (U) RELEASE ORDERS WILL BE RECOGNIZED IF THE RELEASE FORM IS IN BOTH ENGLISH AND ARABIC, SIGNED BY AN IRAQI JUDGE, STAMPED BY AN IRAQI OFFICIAL, AND PRESENTED AFTER THE ALLEGED OFFENSE WAS INVESTIGATED BY A CRIMINAL INVESTIGATION JUDGE OR COURT INVESTIGATOR. AN OFFENSE HAS BEEN INVESTIGATED IF THE DETAINEE APPEARED IN PERSON IN AN IRAQI COURT IN FRONT OF AN INVESTIGATING JUDGE OR, IF INVESTIGATING OFFICIALS HAVE VIEWED THE EVIDENCE AND RECORDS AT THE DETENTION FACILITY RESPONSIBLE FOR HOLDING THE DETAINEE.

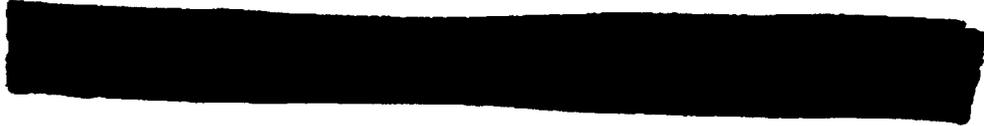
3.D.20.D. (U) RELEASE ORDERS RECEIVED BY DETENTION OFFICIALS SHOULD BE FORWARDED TO THE DETENTION REVIEW AUTHORITY. THE DRA WILL INITIATE A RELEASE BOARD PROCESSING WORKSHEET (ATTACHMENT I) AND INDICATE ON THE WORKSHEET WHETHER THE DETAINEE IS SUSPECTED OF OTHER OFFENSES OR CRIMES AGAINST COALITION FORCES. THE REVIEW WORKSHEET WILL BE CIRCULATED TO THE ANNOTATED STAFF SECTIONS TO ENSURE THAT THE DETAINEE IS NOT BEING HELD FOR SECURITY OR INTELLIGENCE REASONS NOT RELATED TO THE OFFENSE.

3.D.20.E. (U) NO UNIT IS AUTHORIZED TO RELEASE ANY DETAINEE HELD IN IRAQI POLICE DETENTION CELLS WITHOUT A DRA REVIEW AND PRIOR COORDINATION WITH THE OFFICE OF STAFF JUDGE ADVOCATE, 800TH MP BDE (US). IRAQI POLICE ARE AUTHORIZED TO RELEASE DETAINEES IN THEIR EXCLUSIVE CONTROL. UNITS MAY ACCEPT CONTROL OF CRIMINAL DETAINEES FROM IRAQI POLICE FOR TRANSFER TO THE CHF PROVIDED THE UNIT FIRST RECEIVES THE IRAQI INVESTIGATION CASE NUMBER. IF NO INVESTIGATION HAS BEEN INITIATED, THE RECEIVING UNIT WILL COMPLETE A CPA APPREHENSION FORM WITH THE ASSISTANCE OF THE IRAQI POLICE RESPONSIBLE FOR THE DETAINEE.

3.D.20.F. (U) A DRA MAY ORDER THE RELEASE OF A CRIMINAL DETAINEE NOT ALLEGED TO HAVE COMMITTED A SERIOUS CRIME UPON 72 HOUR REVIEW. GUIDELINES FOR APPROPRIATE PUNISHMENTS FOR MINOR OFFENCES IS AT ATTACHMENT J.

3.D.20.G. (U) CRIMINAL DETAINEE RELEASE BOARD: A DRA MAY RECOMMEND RELEASE OF A CRIMINAL DETAINEE ALLEGED TO HAVE COMMITTED A SERIOUS CRIME TO THE CRIMINAL DETAINEE RELEASE BOARD. IF IT IS NOT APPROPRIATE IN THE CIRCUMSTANCES OF THE CASE TO REFER THE ALLEGATION TO AN IRAQI COURT, AND IF THE RELEASE BOARD DETERMINES THERE IS NO REASONABLE CASE AGAINST THE DETAINEE, IT MAY ORDER THE RELEASE OF THE DETAINEE.

3.D.21. (U) RELEASE OF SECURITY INTERNEES.



1.4.c
b-2

[REDACTED]

1.4.c

[REDACTED]

b-2

[REDACTED]

1.4.c
b-2

3.D.22. (U) RELEASE OF PERSONS SUSPECTED OF CRIMES AGAINST COALITION FORCES OR WAR CRIMES.

3.D.22.A. (U) PERSONS SUSPECTED OF CRIMES AGAINST COALITION FORCES OR WAR CRIMES MAY ONLY BE RELEASED WITH THE APPROVAL OF THE REVIEW AND APPEALS BOARD WITH APPROPRIATE COORDINATION WITH COMMANDER 800TH MP BRIGADE (US) AND COMMANDER 3RD MP GROUP (CID) (US).

3.D.23. (U) INVESTIGATION AND DEVELOPMENT OF CRIMINAL CASES.

3.D.23.A. (U) AS A RESULT OF INCOMPLETE CASE FILES TO DATE, IRAQI CRIMINAL INVESTIGATORS, PROSECUTORS, AND INVESTIGATING JUDGES WILL BE ALLOWED TO TRAVEL TO LOCAL COALITION DETENTION FACILITIES TO VIEW PHYSICAL EVIDENCE, APPREHENSION FORMS, SWORN STATEMENTS, AND OTHER RECORDS, IF ANY, RELATED TO THE OFFENSE. MILITARY MAGISTRATES SHALL ENSURE DETAINEE RECORDS PROVIDED TO IRAQI OFFICIALS DO NOT CONTAIN CLASSIFIED DOCUMENTS, EXHIBITS, EVIDENCE, OR OTHER SENSITIVE INFORMATION IRRELEVANT TO THE CASE.

3.D.23.B. (U) TO THE EXTENT POSSIBLE, THE MILITARY POLICE UNIT RESPONSIBLE FOR A LOCAL DETENTION FACILITY'S OPERATIONS SHOULD MAKE AN MP LIAISON OFFICER AVAILABLE TO ASSIST THE IRAQI COURT PERSONNEL AND INVESTIGATORS WITH THEIR INVESTIGATION AT THE DETENTION FACILITY. THE LIAISON IDEALLY SHOULD BE AN NCO AND HAVE PRIOR EXPERIENCE IN MP INVESTIGATIONS OR SIMILAR CIVILIAN EXPERIENCE. THE LIAISON SHOULD MAKE PHYSICAL EVIDENCE AVAILABLE FOR VIEWING, RECEIVE REQUESTS FOR SWORN, WRITTEN STATEMENTS (IF NONE PREVIOUSLY MADE AVAILABLE) FROM SOLDIERS IDENTIFIED IN THE APPREHENSION FORM, AND ACCEPT OTHER REASONABLE REQUESTS. IT IS NOT THE LIAISON'S JOB TO CONDUCT THE INVESTIGATION, BUT MERELY TO ASSIST THE IRAQI COURT PERSONNEL AND INVESTIGATORS IN OBTAINING INFORMATION THAT THEY ARE UNABLE TO OBTAIN THROUGH THEIR OWN EFFORTS.

3.D.23.C. (U) UNITS PREVIOUSLY INVOLVED IN THE CAPTURE AND TRANSPORT OF CRIMINAL DETAINEES SUSPECTED OF CRIMINAL ACTIVITY OR SECURITY INTERNEES, WILL COOPERATE WITH REQUESTS TO HAVE SOLDIERS PROVIDE FOLLOW-UP WITH WRITTEN, SWORN STATEMENTS.

3.D.23.D. (U) THE STANDARDS IN THIS FRAGO ARE MINIMUM STANDARDS. EACH CJTF-7 COALITION UNIT SHOULD IMPLEMENT THIS FRAGO AS NECESSARY BASED UPON THE SITUATION IN EACH AO. ANY ORDER DRAFTED TO IMPLEMENT THIS FRAGO SHOULD BE FORWARDED TO CJTF-7 SJA FOR REVIEW.

- 3.D.23.B (U) IN ADDITION, EACH CJTF-7 COALITION DIVISION SHALL BPT STAND UP AND DEPLOY A RAPID RESPONSE TEAM (RRT) IN ORDER TO (IOT) GATHER EVIDENCE REGARDING CRIMES COMMITTED AGAINST COALITION FORCES THAT RESULT IN DEATH OR GRIEVOUS BODILY INJURY TO COALITION FORCES.
- 3.D.23.F. (U) THE CJTF-7 DIVISION RRT SHALL RESPOND TO ACTUAL OR SUSPECTED INCIDENTS OF CRIMES COMMITTED AGAINST COALITION FORCES THAT RESULT IN DEATH OR GRIEVOUS BODILY INJURY TO COALITION FORCES. THE RRT WILL PRESERVE EVIDENCE, TAKE STATEMENTS FROM WITNESSES AND DETAINEES IN ACCORDANCE WITH GUIDANCE IN THIS AND PREVIOUS FRAGOS, AND ENSURE EVIDENCE IS PRESERVED FOR LATER ADJUDICATION OF THESE CASES. COMPOSITION OF THE RRT WILL NORMALLY INCLUDE THE FOLLOWING DISCIPLINES: STAFF JUDGE ADVOCATE/LEGAL, PUBLIC AFFAIRS OFFICER/MEDIA, PROVOST MARSHALL OFFICER, AND MILITARY CRIMINAL INVESTIGATOR/CID. EACH DIVISION SHALL:
- 3.D.23.G. (U) BPT SUPPORT THE DIVISION RRT TEAM DURING DIRECTED RESPONSE TO INCIDENT.
- 3.D.23.H. (U) BPT PROVIDE SECURITY TO BOTH THE INCIDENT LOCATION AND THE RRT ELEMENT FOR DURATION OF ASSESSMENT.
- 3.D.23.I. (U) BPT TO PROVIDE INTERPRETER.
- 3.D.23.J. (U) BPT PROVIDE GROUND TRANSPORTATION TO INCIDENT LOCATION.
- 3.D.23.K. (U) BPT TO TAKE ALL REASONABLE ACTION TO PROTECT/PRESERVE THE SCENE OF THE INCIDENT AND GATHERED EVIDENCE.
- 3.D.23.L. (U) EACH RRT SHALL BPT TO DEPLOY ISO DIVISION TASKING ON A ONE-HOUR NOTICE AND BPT SUSTAIN OPERATIONS FOR A MINIMUM 48 HOURS.
- 3.D.23.M. (U) EACH DIVISION SHALL ENSURE PROPER COORDINATION WITH U.S. CRIMINAL INVESTIGATION DIVISION (CID). CID IS THE PRIMARY AGENCY RESPONSIBLE FOR INVESTIGATION OF WAR CRIMES, AND CRIMES AGAINST COALITION FORCES, AND OTHER MATTERS. EVIDENCE COLLECTION, INTERVIEWS, AND SITE INSPECTIONS WILL BE CONDUCTED IN CONSULTATION WITH COMMANDER, 3D MP GROUP (CID).
- 3.D.23.N. (U) DIVISIONS ARE TO ENSURE ALL UNITS ARE MADE AWARE OF THE REQUIREMENTS IN THIS FRAGO CONCERNING THE APPREHENSION AND TRANSPORT OF CRIMINAL DETAINEES AND SECURITY INTERNEES.
- 3.D.23.O. (U) DIVISIONS ARE TO CONDUCT UNIT LEVEL TRAINING ON DA FORM 4137 AND DA FORM 2823. TRAINING SHOULD INCLUDE VIGNETTES AND A PRACTICAL EXERCISE ON PREPARING A DETAILED STATEMENT. A SOLDIER'S GUIDANCE CARD ON APPREHENSION AND DETENTION IS AT ATTACHMENT K.
- 3.D.23.P. (U) DIVISIONS ARE TO ENSURE UNIT LEVEL TRAINING IS CONDUCTED ON THE SOLDIER'S CODE OF CONDUCT AND ITS STRICT ENFORCEMENT. TRAINING SHOULD INCLUDE: PROPER TREATMENT OF THOSE APPREHENDED FOR SUSPECTED CRIMINAL ACTIVITY IN ACCORDANCE WITH INTERNATIONAL HUMANITARIAN LAW; PROPER PROCEDURE FOR SEIZING, INVENTORYING AND SAFEGUARDING THE PERSONAL PROPERTY OF A DETAINEE/INTERNEE.
- 3.D.23.Q. (U) DIVISIONS ARE TO FORWARD REQUIRED FORMS TO UNITS THAT DO NOT HAVE EASY ACCESS TO AUTOMATION.

- 4. (U) SERVICE SUPPORT. [NO CHANGE]
- 5. (C) COMMAND AND SIGNAL. [CHANGE]
- 5.A. (U) COMMAND [NO CHANGE]
- 5.B. (U) SIGNAL [CHANGE]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1,4,10

ACKNOWLEDGE

[REDACTED] B6

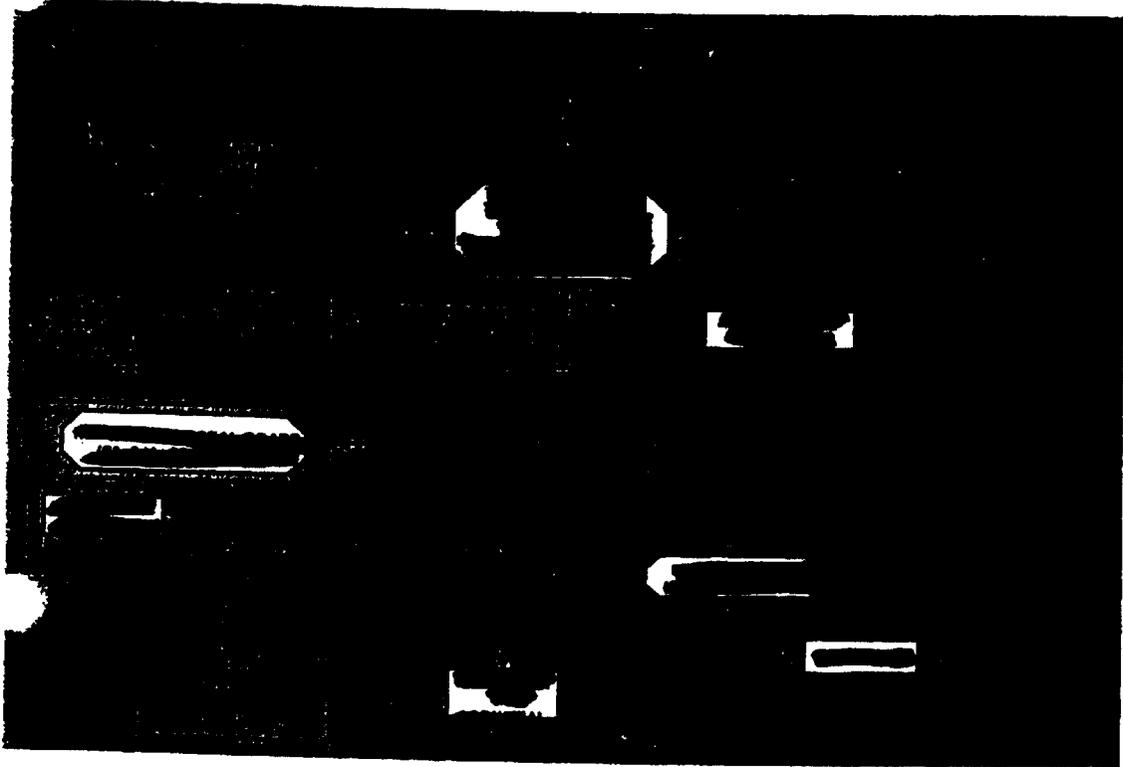
OFFICIAL:

[REDACTED] B6

ATTACHMENTS:

- A. DETENTION FLOWCHART
- B. DETENTION REVIEWING AUTHORITIES
- C. FBI FINGERPRINT CARD (FD FORM 249)
- D. EPW HANDLING AND DETENTION
- E. CPA APPREHENSION FORM
- F. WITNESS STATEMENT FORM (DA FORM 2823 (US))
- G. EVIDENCE/PROPERTY CUSTODY DOCUMENT (DA FORM 4137 (US))
- H. SEIZURE OF PROPERTY GUIDELINES
- I. RELEASE BOARD PROCESSING WORKSHEET
- J. MAXIMUM PERIODS OF PRE-TRIAL DETENTION FOR CRIMINAL DETAINEES
- K. APPREHENSION AND DETENTION SOLDIER'S CARD

~~SECRET//REL TO USA and MCFI//X-u~~



1.4.2

~~SECRET//REL TO USA and MCFI//X-u~~

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ATTACHMENT B

DETENTION REVIEW AUTHORITIES

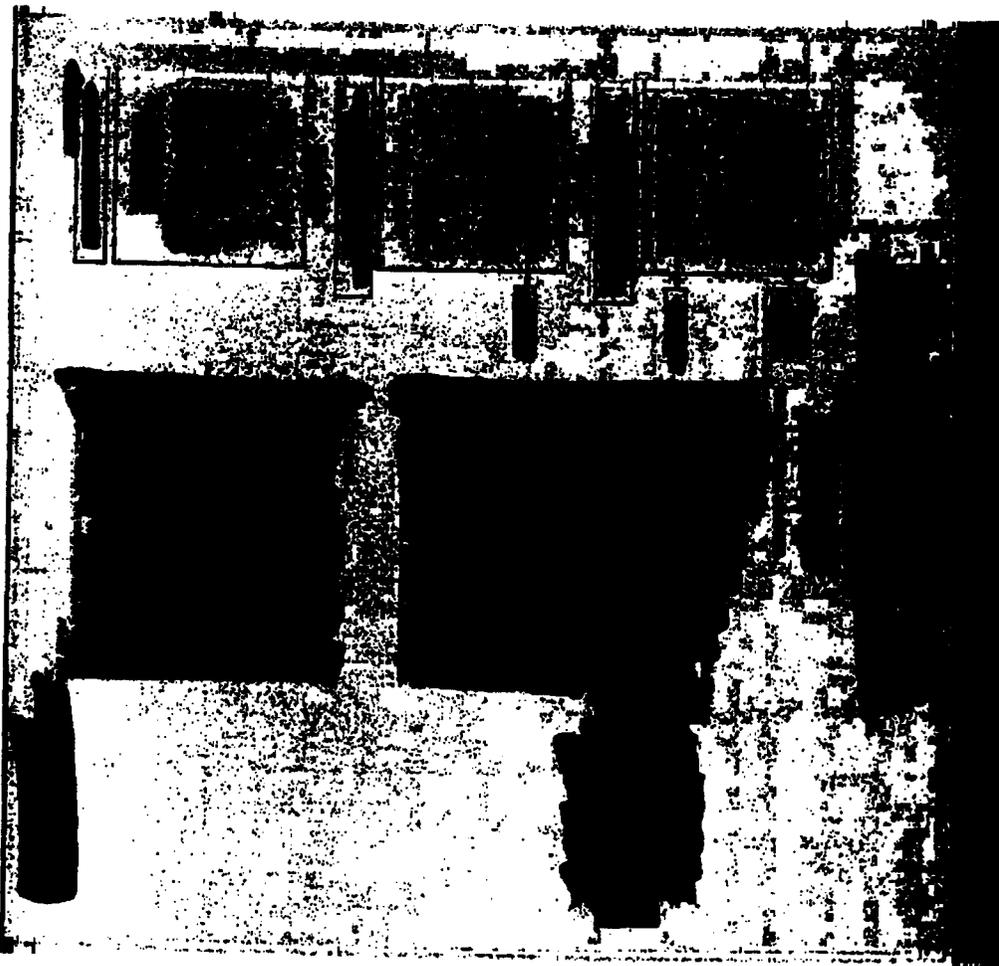
1. DETENTION REVIEW AUTHORITIES ARE AUTHORISED TO RELEASE IN CERTAIN CIRCUMSTANCE, OR EXTEND THE DETENTION OR INTERNMENT OF INDIVIDUALS IN THE CUSTODY OF CJTF-7.
2. DETENTION REVIEW AUTHORITIES ARE REQUIRED TO COMPLETE THE 72 HOUR REVIEW OF DETENTION OF ALL CIVILIAN INTERNEES.
3. DETENTION REVIEW AUTHORITIES AND PROCEDURES:
 - a. FOR CRIMINAL DETAINEES ACCUSED OF NON-SERIOUS OFFENCES THE 72 HOUR REVIEW AUTHORITY MAY ORDER RELEASE OF PERSONS DETAINED FOR MINOR CRIMINAL OFFENCES ONLY AND MAY ORDER CONTINUED DETENTION IN ACCORDANCE WITH ATTACHMENT G. IN ALL OTHER CASES, THE 72 HOUR REVIEW AUTHORITY MAKES RECOMMENDATION FOR RELEASE WHERE THERE IS A FINDING THAT THERE IS NO PROBABLE CAUSE (CRIMINAL DETAINEE) [REDACTED] 1, 4.c
 - [REDACTED] RECOMMENDATION WILL BE FORWARDED TO THE REVIEW AND APPEALS BOARD (SECURITY INTERNEES) OR TO THE COMMANDER 800TH MP BRIGADE (CRIMINAL DETAINEES).
 - b. FOR CRIMINAL DETAINEES ACCUSED OF SERIOUS CRIMINAL OFFENCES, THE REVIEW AUTHORITY IS A BOARD COMPRISED OF COMMANDER 800TH MP BRIGADE (US) - STAFF JUDGE ADVOCATE 800TH MP BRIGADE (US) & COMANDER 3RD MILITARY POLICE GROUP (CID) (US) FOLLOWING THE COMPLETION OF THE RELEASE BOARD PROCESSING WORKSHEET AT ANNEX J.
 - c. [REDACTED] s- 1, 4.c

~~SECRET//REL TO USA and MCF//IX~~^u

36 1.4.c

ATTACHMENT C

FBI FINGERPRINT CARD, Side 2 (See FD FORM 249)



~~SECRET//REL TO USA and MCF//IX~~^u

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ATTACHMENT D

EPW HANDLING AND DETENTION SUMMARY, page 1

REFERENCES:

- A. GENEVA CONVENTION PROTOCOL III
- B. U.S. ARMY REGULATION 190-8, ENEMY PRISONERS OF WAR, RETAINED PERSONNEL, CIVILIAN INTERNEES AND OTHER DETAINEES, 1 OCT 97
- C. U.S. FRAGMENTARY ORDER 501 TO COMFLCC OPORD 03-032 GUIDANCE FOR THE RELEASE AND REPATRIATION OF EPW.

INTRODUCTION

- 1. THIS IS A SUMMARY OF THE ABOVE REFERENCES TO ASSIST CJTF-7 UNITS IN THE HANDLING AND DETENTION OF IRAQI ENEMY PRISONERS OF WAR (EPW).

- 2. [REDACTED]

1.4.b

EPW PROCEDURE

- 3. ALL EPW NOT UNLAWFUL COMBATANTS OR SUBJECT TO INVESTIGATION FOR POTENTIAL PROSECUTION FOR WAR CRIMES OR OTHER ATROCITIES CAPTURED OR DETAINED IN IRAQ BY CJTF-7 FORCES MAY BE RELEASED SUBJECT TO:

a. THE EPW MUST AGREE TO ACCEPT PAROLE.

- b. [REDACTED]
- c. [REDACTED]

1.4.c

- 4. THE RELEASED EPW IS TO BE GIVEN THE CHOICE OF BEING RELEASED AT THE FRONT GATE OF THE INTERNMENT FACILITY OR TRANSPORT TO VARIOUS LOCATIONS AS THE SITUATION AND MILITARY RESOURCES PERMIT. [REDACTED]

1.4.d

- 5. THE RELEASING UNIT IS TO NOTIFY THE INTERNATIONAL COMMITTEE OF THE RED CROSS OR RED CRESCENT SOCIETY OF ALL RELEASES, PAROLES AND REPATRIATIONS.

- 6. [REDACTED]
- a. [REDACTED]
- b. [REDACTED]
- c. [REDACTED]
- d. [REDACTED]
- e. [REDACTED]

1.4.e

ATTACHMENT D

EPW HANDLING AND DETENTION SUMMARY, page 2

1. [REDACTED] 1, 4, C
7. CJTF-7 UNITS ARE ALSO TO COORDINATE AND PROVIDE AN AREA FOR THE ICRC/CRC TO CONDUCT INTERVIEWS OF EPW TO BE RELEASED.
8. ENSURE THAT EPW ARE AT ALL TIMES TREATED IN ACCORDANCE WITH THE GENEVA CONVENTION III AND INTERNATIONAL LAW RELATING TO EPW.

PERSONS SUSPECTED OF WAR CRIMES

1. 3RD MILITARY POLICE GROUP (CRIMINAL INVESTIGATION DIVISION) (U.S.) IS THE LEAD CJTF-7 AGENCY FOR THE INVESTIGATION OF ALL IRAQI WAR CRIMES AND ATROCITIES IN THE IRAQI THEATER OF OPERATIONS.
2. ALL PERSONS CAPTURED OR DETAINED BY CJTF-7 FORCES WHO ARE SUSPECTED OF COMMITTING OR BEING INVOLVED IN THE COMMISSION OF WAR CRIMES, CRIMES AGAINST HUMANITY OR OTHER ATROCITIES WILL BE TRANSFERRED TO 3RD MP GROUP (CID) (U.S.) UNTIL RELEASE IS EXPRESSLY AUTHORIZED BY 3RD MP GROUP (CID) (U.S.).
3. ALL DETAINING AUTHORITIES ARE TO IMMEDIATELY NOTIFY THE 3RD MP GROUP (CID) (U.S.) OF ANY DETAINEE IDENTIFIED AS A POSSIBLE WAR CRIMINAL OR PERSON INVOLVED IN THE COMMISSION OF A CRIME AGAINST HUMANITY OR ATROCITY, WHO DOES NOT HAVE A CID HOLD IN PLACE.
4. ALL PAPERWORK AND FILES IN RELATION TO SUCH DETAINEES IS TO CLEARLY AND PROMINENTLY MARKED THAT THE DETAINEE IS A SUSPECTED WAR CRIMINAL OR IS INVOLVED IN THE COMMISSION OF A CRIME AGAINST HUMANITY OR ATROCITY.
5. UPON TRANSFER TO ANOTHER FACILITY, THE LOSING FACILITY MUST BRIEF THE PERSON COORDINATING THE ACCEPTANCE OF THE DETAINEE AT THE GAINING FACILITY OF THE INDIVIDUAL'S STATUS.

6. [REDACTED] 1, 4, C
7. [REDACTED]

~~SECRET//REL TO USA and MCFU/X4~~

~~SECRET//REL TO USA and MCFU/X4~~

[REDACTED]

1.4.6

~~SECRET//REL TO USA and MCFU/X4~~

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ATTACHMENT F

WITNESS STATEMENT FORM, Side 1 (See DA FORM 2823)

SWORN STATEMENT
For use of this form, see DA FORM 2823, the predecessor agency is DD FORM 1

PRIVATE ARMY STATEMENT
Title 10 USC Section 2611; Title 8 USC Section 2881; U.S. Code dated November 22, 1943 (22 USC)

PRINCIPAL PURPOSE: To provide transportation and other entertainment officials with means by which information may be accurately identified.
HOW THE USE: Your social security number is used as an additional means of identification to facilitate filing and control.
DISCLOSURE: Contents of your social security number is restricted.

1. LOCATION

2. DATE (YYYYMMDD)

3. TIME

4. FILE NUMBER

5. LAST NAME, FIRST NAME, MIDDLE NAME

6. GRADE/STATUS

7. ORGANIZATION OR ADDRESS

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

10. SIGNATURE

11. INITIALS OF PERSON MAKING STATEMENT

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT BY"

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

DA FORM 2823, DEC 1966

DA FORM 2823, JUL 72, IS OBSOLETE

PAGE 1 OF _____ PAGES

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ATTACHMENT F

WITNESS STATEMENT FORM, Side 2 (See DA FORM 2823)

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

STATEMENT OF _____ TAKEN AT _____ DATED _____

3 STATEMENT (Continued)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF DA FORM 2823, DEC 1987

PAGE OF PAGE

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ATTACHMENT F

WITNESS STATEMENT FORM, Page 2 (See DA FORM 2823)

STATEMENT OF	TITLE	DATE
<p>AFFIDAVIT</p> <p>I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____, I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT AND THAT 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 REWARD OR PUNISHMENT, WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL CONDUCT.</p>		
<p><i>(Signature of Person Making Statement)</i></p> <p>Subscribed and sworn to before me, a person authorized to administer oaths, this _____ day of _____, 19____.</p>		
<p><i>(Signature of Person Administering Oath)</i></p> <p><i>(Typed Name of Person Administering Oath)</i></p> <p><i>(Military or Civilian Title)</i></p>		
<p>DATE: _____</p> <p>IN WITNESS WHEREOF, I HAVE HEREON SIGNED THIS STATEMENT.</p>		

ATTACHMENT G

EVIDENCE VOUCHER, Side 1 (See DA FORM 4137)

EVIDENCE PROPERTY CUSTODY DOCUMENT
 For use of DA Form 4137 and AF 100-45 and AF 100-6; the appropriate Agency is US Army
 Criminal Investigation Command

RECEIVING ACTIVITY
 NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED
 SWAMP
 ST-144

LOCATION
 ADDRESS (Include Zip Code)

REASON FOR ISSUE
 NAME, GRADE AND TITLE OF PERSON TO WHOM ISSUED

DATE **QUANTITY** **DESCRIPTION OF ARTICLE**
(Include make, serial number, quantity and control marks of articles)

ITEM NO.	DATE	NAME OF CUSTODY		PURPOSE OF CHANGE OF CUSTODY
		ISSUED BY	RECEIVED BY	
		NAME, GRADE OR TITLE	SIGNATURE	
		NAME, GRADE OR TITLE	SIGNATURE	
		NAME, GRADE OR TITLE	SIGNATURE	
		NAME, GRADE OR TITLE	SIGNATURE	
		NAME, GRADE OR TITLE	SIGNATURE	
		NAME, GRADE OR TITLE	SIGNATURE	
		NAME, GRADE OR TITLE	SIGNATURE	
		NAME, GRADE OR TITLE	SIGNATURE	

DA FORM 4137, 1 JUL 78 Approved DA FORM 4137, 1 Aug 74 and DA FORM 4137-2, 10 May 68 and 20 Sep 74 when no change **LOCATION** **ISSUED BY** **RECEIVED BY**

ATTACHMENT G

EVIDENCE VOUCHER, Side 2 (See DA FORM 4137)

EVIDENCE/PROPERTY CUSTODY DOCUMENT
For use of this form see AR 120-16 and AR 190-1. No shipment agrees to US Army
 Change Instructions Required

OFFICE SYMBOL NUMBER
 DTD REPORTING PER NUMBER

RECEIVING ACTIVITY

NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED
 OWNER
 OTHER

LOCATION

ADDRESS (Include Zip Code)

REASON OBTAINED

TRANSFER DATE

DATE IN FIELD UNDER CONTROL

QUANTITY

DESCRIPTION OF PROPERTY
Provide model, serial number, number and classification identification

ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PLACES OF CHANGE OF CUSTODY
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

DA FORM 4137, JUL 76

Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137, 15 Aug 74. Printed on Standard 8 1/2 x 11 inch size paper.

LOCATION

DOCUMENT NUMBER

ISSUE DATE

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ATTACHMENT H

PROCEDURE FOR DEALING WITH SEIZED PRIVATE PROPERTY

INTRODUCTION

1. IN CASES WHERE SUCH PROPERTY IS SUSPECTED TO BE EITHER ENEMY, SECURITY DETAINEE OR CRIMINAL INTERNEE PROPERTY OR PROCEEDS OF CRIMINAL ACTIVITY, CJTF-7 FORCES ARE AUTHORIZED TO SEIZE PRIVATE PROPERTY, INCLUDING CASH, AS A NECESSARY MEASURE TO PROVIDE A STABLE AND SECURE ENVIRONMENT IN IRAQ. THIS ATTACHMENT SPECIFIES GUIDANCE FOR PRIVATE PROPERTY SEIZURE.

2. DEFINITIONS:

PRIVATELY OWNED PROPERTY. MOVEABLE PROPERTY NOT OWNED BY CPA, COALITION FORCES, OR THE IRAQI GOVERNMENT AS RECOGNIZED BY CPA. PRIVATE PROPERTY FOR THE PURPOSES OF THIS ORDER DOES NOT INCLUDE CONTRABAND.

SEIZURE OF PRIVATELY OWNED PROPERTY: THE TEMPORARY OR PERMANENT TAKING OF PERSONAL PROPERTY PURSUANT TO MILITARY NECESSITY OR CRIMINAL INVESTIGATION.

RULES GOVERNING SEIZURE OF PRIVATELY OWNED PROPERTY

3. PRIVATELY OWNED PROPERTY MAY BE SEIZED IN ONE OF TWO SITUATIONS, AND ONLY WHEN JUSTIFIED AS IMPERATIVE NECESSITY FOR THE CJTF-7 MISSION.

3.A. PRIVATELY OWNED PROPERTY MAY BE SEIZED WHEN REQUIRED BY MILITARY NECESSITY. SUCH SEIZURES REQUIRE A RECEIPT TO BE ISSUED. RECEIPTS ARE TO BE SUBMITTED PRIOR TO SEIZURE UNLESS EXTRAORDINARY CIRCUMSTANCES REQUIRE OTHERWISE. IN SUCH CIRCUMSTANCES, SUBMIT EXPLANATION OF DEVIATION FROM THE REQUIREMENT TO ISSUE THE RECEIPT AND REQUEST TO MAINTAIN DEVIATION THROUGH STAFF JUDGE ADVOCATE CELL, CJTF-7 MLT 72 HOURS AFTER SEIZURE. AS A GENERAL RULE, MILITARY NECESSITY DOES NOT JUSTIFY SEIZURE OF PRIVATELY OWNED FUNDS SUCH AS CASH AND NEGOTIABLE INSTRUMENTS.

3.B. PRIVATELY OWNED PROPERTY MAY BE SEIZED FOR INVESTIGATIVE OR EVIDENTIARY PURPOSES PURSUANT TO A CRIMINAL INVESTIGATION. IN CRIMINAL CASES, UNITS WILL TURN OVER SEIZED PRIVATELY OWNED PROPERTY TO MILITARY POLICE CRIMINAL INVESTIGATORS DIVISION (OR EQUIVALENT) AS SOON AS IS PRACTICABLE. SEIZED PROPERTY WILL BE TREATED UNDER APPLICABLE EVIDENCE PROCESSING REQUIREMENTS OF MILITARY POLICE AND CRIMINAL INVESTIGATIONS REGULATIONS (OR EQUIVALENT).

4. CJTF-7 UNITS, EXERCISING THIS AUTHORITY ARE REQUIRED TO DISTRIBUTE RECEIPTS FOR ALL SITUATIONS WHERE PRIVATELY OWNED PROPERTY IS SEIZED, ACQUIRED, OR REQUISITIONED, WHETHER UNDER MILITARY NECESSITY OR PURSUANT TO CRIMINAL INVESTIGATION. RECEIPTS WILL INCLUDE THE FOLLOWING:

4.A. DETAILED DESCRIPTION OF THE PROPERTY.

~~SECRET//REL TO USA and MCF//X4~~ U

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CJTF 7 DETENTION GUIDANCE CARD

This applies to all Coalition soldiers dealing with civilians in Iraq. The Report requirements must be achieved if a civilian is detained.

Authority to Detain*

You may detain any civilian who:

- you believe poses a threat to the security of Coalition forces; or
- you reasonably suspect has committed a serious crime.

Serious crimes include: murder, rape, kidnapping, armed robbery and serious assault.

*Subject to national rules of engagement

Types of Detainees

Criminal Detainees: a person you reasonably suspect to have committed a serious crime.

Actions Upon Detaining a Person

Disarm

- Search
- in a lawful manner
 - by same gender if possible

Confiscate - any weapons [redacted]

Question - to ascertain identity, address and what happened

Tag - all detainees, their possessions and any physical evidence taken must be tagged

Inform - inform the detainee of the reason for his or her detention where possible

Report

- a CPA Apprehension Form must be completed in a detailed and legible manner for all detainees.
- two sworn statements must be obtained from witnesses for criminal detainees.

Transfer - all detainees, their possessions, confiscated items and any physical evidence must be transferred to the nearest holding facility as soon as possible.

Use of Force

You must use only the minimum force necessary to detain a person.

[REDACTED]

b(1)
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SECRET//REL TO USA and MCP//X4 U

3.C.8. (S//REL TO MCP// DETENTION FACILITY REPORTS.

3.C.8.A. (U) ALL MSC'S.

3.C.8.A.1. (U) CJTF-7 PMO DETAINEE OPERATIONS TRACKS ALL DETAINEES THROUGHOUT IRAQ UNDER COALITION CUSTODY. TRACKING IS A RESULT OF ALL MSC'S, AND EACH OF THE CORPS HOLDING AREAS (RVD, BCCF, AND BUCCA) SUBMITTING ACCURATE ROSTERS IN DAILY TO THE CJTF-7 PMO. RAPID AND ACCURATE REPORTING BY ALL MSC'S AND CORPS HOLDING AREAS IS IMPERATIVE TO MAINTAIN CONSTANT ACCOUNTABILITY OF DETAINEES IN THE CJTF-7 PMO DATABASE.

3.C.8.A.2. (U) ALL MSC'S AND CORPS HOLDING AREAS WILL PROVIDE THE FOLLOWING INFORMATION NLT 2000 HRS EVERYDAY: TOTAL NUMBER OF DETAINEES IN EACH MSC AOR TO INCLUDE NEW CAPTURES, TRANSFERS, AND LOSSES. EACH CORPS HOLDING AREA'S REPORTING WILL INCLUDE: THE TOTAL NUMBER OF DETAINEES IN FACILITY TO INCLUDE NEW CAPTURES, TRANSFERS, AND LOSSES. BOTH THE MSC'S AND THE CORPS HOLDING AREAS WILL ENCLOSE NOTES ON THE CAPTURES, TRANSFERS, AND LOSSES TO EXPLAIN THE DETAINEE MOVEMENT. THIS DETAINEE INFORMATION WILL BE RECORDED ON A MSC FEEDER REPORT (ATTACHED).

3.C.8.A.3. (U) EACH MSC REPORTING WILL INCLUDE AN IN-CAMP AND NOT-IN-CAMP ROSTER LISTING CAPTURE TAG/ISN, NAME, DATE PROCESSED, AND ACTION TAKEN. REFER TO THE ATTACHMENT FOR THE STANDARDIZED FORMAT FOR THESE ROSTERS (ATTACHED).

3.C.8.A.4. (U) EACH CORPS HOLDING AREA WILL SUBMIT A DAILY DETAINEE REPORTING SYSTEM (DRS) UPLOAD, F6 UPLOAD SHOT, AND A DA FORM 2674 TO PMO NLT 2000 HRS EVERYDAY.

3.C.8.B. (U) IF YOU FORSEE A PROBLEM WITH SUBMITTING THE REPORTS BY 2000 HRS. CONTACT THE CJTF-7 PMO DETAINEE OPERATIONS PRIOR TO 2000 HRS.

3.C.8.C. (U) CJTF-7 PMO POINT OF CONTACT IS CPT [REDACTED] AT DSN: 922-2085 AND [REDACTED]

b(6)

3.C.9. (S//REL TO MCP// 4100-304 DISSEMINATION OF INFORMATION AND SA OF THREAT TO THE CENTRAL BANK OF IRAQ.

[REDACTED]

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[REDACTED]

1.4a

SECRET//REL TO USA and MCP//X4 U

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COPY OF COPIES
NO. NSC-I
CAMP VICTORY, IRAQ
17220HNGY84
ROUTINE

(U) [REDACTED] DETENTION OPERATIONS TO NSC-I OPOED 8401 (TSP).

(U) THIS FRAGO HAS BEEN REVIEWED AND APPROVED FOR RELEASE BY COL PRICOME, NSC-I CHOPS.

b(2)
c. la

(S//REL-TO-USA AND-UK) SUBJECT: DETENTION OPERATIONS

(U) REFERENCES:

A. (U) US ARMY REGULATION 190-8, ENEMY PRISONERS OF WAR, RETAINED PERSONNEL, CIVILIAN INTERNEES AND OTHER DETAINEES, 1 OCT 97.

B. (U) [REDACTED] INTELLIGENCE AND EVIDENCE-LED DETENTION OPERATIONS RELATING TO DETAINEES TO CJTF-7 [REDACTED]

C. (U) CJTF-7 [REDACTED] (200415DJUL02) CLASSIFYING AND PROCESSING ENEMY PRISONERS OF WAR/DETAINED PERSONS/CIVILIAN INTERNEES

D. (U) CFLCC [REDACTED] TO COMFLCC [REDACTED] (241500ZAPR03), GUIDANCE FOR THE RELEASE AND REPATRIATION OF EPW.

E. (U) CJTF-7 [REDACTED] (012130CFEB03) (MILITARY POLICE TASK ORD CHANGE AND OIF 1 TO OIF 2)

(U) MAPS: [NO CHANGE]

(U) TIME ZONE USED THROUGHOUT THIS ORDER: DELTA

(U) TASK ORGANIZATION: [NO CHANGE]

1. (U) SITUATION. [REDACTED] UNDER THE GENEVA CONVENTIONS 1949, THE HAGUE REGULATIONS 1907 AND UN SECURITY COUNCIL RESOLUTION 1483 AND 1511, COALITION FORCES ARE AUTHORIZED TO DETAIN CIVILIANS IN ORDER TO ASSIST IN THE RESTORATION OF SECURITY AND STABILITY IN IRAQ.

1.A. (U) CAPTURING UNITS WILL NOT DETAIN PERSONS FOR GREATER THAN 72 HOURS UNLESS THERE IS PROBABLE CAUSE TO BELIEVE THAT THE PERSON IS OR WAS ENGAGED IN ACTIVITY AGAINST THE COALITION; POSSESSES INFORMATION IMPORTANT TO, OR INTERFERES WITH, COALITION MISSION ACCOMPLISHMENT; IS ON A LIST OF PERSONS WANTED FOR QUESTIONING, ARREST OR DETENTION BY COALITION FORCES; OR IS AN ENEMY COMBATANT.

1.B. (U) AUTHORITY TO DETAIN CIVILIANS: COALITION UNITS MAY DETAIN CIVILIANS FOR 72 HOURS WHEN THE DRA FINDS THAT THERE IS PROBABLE CAUSE TO BELIEVE THE CIVILIAN: (1) COMMITTED OR ATTEMPTED TO COMMIT A CRIME AGAINST COALITION FORCES; (2) POSES AN IMPERATIVE THREAT TO THE SECURITY OF COALITION FORCES; (3) IS INTERFERING WITH MISSION ACCOMPLISHMENT OF COALITION FORCES WHETHER BY DEMONSTRATION, RIOT OR OTHER MEANS; (4) IS ATTEMPTING TO ENTER, WITHOUT AUTHORITY, ANY AREA CONTROLLED BY COALITION FORCES; (5) COMBATS, ATTEMPTS, CONSPIRES, THREATENS OR SOLICITS ANOTHER TO COMBAT OR AID OR ABET IN THE COMMISSION OF A SERIOUS CRIME. [REDACTED]

Comment: Add On DRA

82 1.41.2

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32.1.4.c

REASONABLE BASIS TO BELIEVE THAT THE INDIVIDUAL IS AN ENEMY COMBATANT WHO SURRENDERED OR WAS CAPTURED MAY BE DETAINED.

2. (U) MISSION. (CHANGE) IT IS THE RESPONSIBILITY OF COALITION FORCES TO ENSURE INVESTIGATION OF ALL SERIOUS CRIMES, AND PRESERVE EVIDENCE TO SUPPORT CRIMINAL OR OTHER PROSECUTION. THIS MEANS THAT IN ORDER TO ASSIST THE FUNCTIONING OF THE CRIMINAL JUDICIAL SYSTEM, AND ESTABLISH THE RULE OF LAW IN IRAQ, COALITION UNITS ARE REQUIRED TO IDENTIFY AND RECORD THE NAMES AND ADDRESSES OF WITNESSES, PRESERVE EVIDENCE AND ENSURE THAT TIMELY AND ACCURATE INFORMATION CONCERNING CRIMINAL DETAINERS AND SECURITY INTERNEES IS REPORTED TO DETENTION FACILITIES IN ACCORDANCE WITH THIS ORDER. ONCE DETAINED OR INTERVIEWED BY COALITION FORCES, PERSONS SHALL BE TREATED WITH HUMANITY, DIGNITY AND RESPECT IN ACCORDANCE WITH INTERNATIONAL LAW AND THE LAW OF WAR.

3. (U) EXECUTION. (CHANGE)

3.A. (U) COMMANDER'S INTENT. COALITION FORCES MUST EXERCISE DISCRETION AND DISCIPLINE WHEN CONDUCTING DETENTION OPERATIONS. COALITION FORCES PERSONNEL WILL NOT HOLD A DETAINEE FOR LONGER THAN 72 HOURS WITHOUT EITHER THE WRITTEN APPROVAL OF A DRA APPOINTED BY THE MNC STAFF JUDGE ADVOCATE, OR THE WRITTEN APPROVAL OF A BRIGADE LEVEL COMMANDER IN THE GRADE OF O-6 OR ABOVE (WHEN THE DRA FINDS INSUFFICIENT BASIS FOR CONTINUED DETENTION).

3.A.2. (U) AUTHORITY TO ORDER CONTINUED DETENTION. MNC-I PERSONNEL MAY DETAIN INDIVIDUALS FOR UP TO 72 HOURS FOR THE REASONS DESCRIBED ABOVE. THE DECISION TO DETAIN A CIVILIAN DURING THIS TIME PERIOD (0-72 HOURS) BELONGS TO THE SENIOR OFFICER OR NCO PRESENT AT THE TIME OF DETENTION. LAW UNIT SOPs, MNC-I PERSONNEL WILL TRANSPORT DETAINEES TO UNIT CENTRAL COLLECTION POINTS AS SOON AS PRACTICABLE. DURING THIS TIME PERIOD (0-72 HOURS) MNC-I PERSONNEL MAY RELEASE A DETAINEE AT ANY TIME, AND MUST RELEASE A DETAINEE WHENEVER THEY CONCLUDE THAT THERE IS NO PROBABLE CAUSE BASIS FOR CONTINUED DETENTION.

3.A.3. (U) MNC-I, DEPUTY COMMANDING GENERAL, DETENTION OPERATIONS (DCO-D) IS THE STAFF OFFICER AND THE POINT OF CONTACT FOR ALL ISSUES RELATING TO DETENTION OPERATIONS.

3.B. (U) CONCEPT OF THE OPERATION. (NO CHANGE)

3.C. (U) TASKS TO SUBORDINATE UNITS. (CHANGE)

3.C.1. (U) DEPUTY COMMANDING GENERAL, DETENTION OPERATIONS (DCO-D), MULTINATIONAL FORCES IRAQ (MNF1).

3.C.1.A. (U) DCO-D IS THE FOB AND OHAIS COMMANDER.

3.C.1.A. (U) CONTINUE TO OPERATE INTERNMENT FACILITIES AND DETENTION CENTERS FOR SECURITY INTERNEES, CRIMINAL DETAINEES AND EPWs. CONTINUE TO REFINER PROCEDURES FOR RECEPTION, PROCESSING, INTERNMENT, SECURITY, AND ONWARD MOVEMENT, AS APPROPRIATE, OF CIVILIAN DETAINEES/INTERNEES AND EPWs. COORDINATE WITH ALL COALITION DIVISIONS AND BRIGADES TO ENSURE SECURITY INTERNEES, CRIMINAL DETAINEES AND EPW DETENTION PROCEDURES ARE CONSISTENT THROUGHOUT THE COALITION.

3.C.1.B. (U) ESTABLISH RULES AND PROCEDURES NECESSARY FOR THE SAFE AND EFFICIENT OPERATION OF COALITION HOLDING AREAS, COLLECTION POINTS, INTERNMENT

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FACILITIES AND DETENTION CENTERS. THIS INCLUDES PROCEDURES AND RULES FOR THE PROPER ADMINISTRATION AND DISCIPLINE OF THE FACILITIES BASED ON U.S. ARMY REGULATION 190-8. SHOULD OTHER COALITION FORMATIONS OR UNITS ESTABLISH INTERIM FACILITIES OR DETENTION CENTERS, THEY ARE TO ENSURE THAT RULES AND PROCEDURES FOR THESE FACILITIES OR CENTERS ARE CONSISTENT WITH THE LANGUAGE, SPIRIT AND INTENT OF INTERNATIONAL LAW AND THE GENEVA CONVENTIONS.

3.C.3. (U) ALL DETAINEES AND INTERNEES WILL BE TREATED WITH DIGNITY AND RESPECT FOR THEIR PERSONS AND PROPERTY. UNITS RESPONSIBLE FOR DETENTION/INTERMENT OPERATIONS WILL FOLLOW APPLICABLE INTERNATIONAL LAW CONCERNING HUMANITARIAN TREATMENT OF PRISONERS AND BE RESPONSIBLE FOR TRAINING THEIR UNITS IN THE PROPER TREATMENT OF PRISONERS.

3.C.3. (U) DETENTION OPERATIONS SUBORDINATE UNITS.

3.C.3.A. (U) 16 AND 89th BDE (AND SUCCESSOR ORGANIZATIONS).

3.C.3.A.1. (U) COMMANDER 16th MP BDE (US) AND COMMANDER 89th MP BDE WILL MAINTAIN COMPREHENSIVE ACCOUNTABILITY OF ALL DETAINEES/INTERNEES WITHIN THEIR AREAS OF RESPONSIBILITY.

3.C.3.A.2. (U) 16th MP BDE (US) HAS RESPONSIBILITY FOR DETENTION OPERATIONS AT BCCF/ABU GHRAIB AND THE CAMP BUCCA DETENTION FACILITY. THE COMMANDER 16th MP BDE IS RESPONSIBLE FOR CUSTODY AND CONTROL OF DETAINEES AT THESE COALITION HOLDING FACILITIES (CHF). DCG-D HAS TACTICAL CONTROL OF THE 16th MP BDE.

3.C.3.A.3. (U) THE 16th MP BDE OPERATES THE INPROCESSING CENTER AT BCCF. NEW SECURITY DETAINEES WILL ONLY BE IN PROCESSED AT BCCF. THE IN PROCESSING CENTER WILL NOT ACCEPT ANY DETAINEE FROM THE CAPTURING UNIT WHO DOES NOT HAVE A COMPLETE PACKET.

3.C.3.A.4. (U) UPON RECEIPT OF A SECURITY INTERVIEW FROM THE CAPTURING UNIT, THE OIC/SCDC OF THE IN-PROCESSING SECTION OF THE BCCF WILL REVIEW THE CPA APPREHENSION FORM AND SWORN STATEMENTS FOR COMPLETE AND DETAILED INFORMATION. DETAINEES THAT HAVE INCOMPLETE PAPERWORK OR HAVE NO DOCUMENTATION TO SUPPORT CONTINUED INTERVIEW WILL NOT BE IN PROCESSED AT BCCF.

[REDACTED]

1.4.c

3.C.3.A.5. (U) COMMANDER 16 AND 89 MP BDES MUST REVIEW DETAINEE/INTERVIEW FILES AND EVIDENCE AND TRACK COMPLIANCE WITH THIS. NON-COMPLIANCE WITH THE PROCEDURES IN THIS FRAGO ARE TO BE REPORTED TO THE DCG-D THROUGH THE CHAIN OF COMMAND.

1.4.c

3.C.3.B. (U) GARRISON COMMANDER, BCCF, IS RESPONSIBLE FOR SECURITY AND SUSTAINMENT OF DETAINEES AT BCCF. DCG-D HAS OPERATIONAL CONTROL OF THE 114th ARMY LIAISON TEAM. ADD: 114th ARMY LIAISON TEAM REPORTS TO CJTF 7 ON ALL ACTIVITIES AT ABU GHRAIB PRISON, INCLUDING THOSE ACTIVITIES THAT OCCUR IN THE CPA/NOI PORTION OF THE PRISON.

1.4.c

[REDACTED]

1.4.c

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[REDACTED]

(Comments added for needs)

3.C.3.E. (U) DETENTION OFFICIALS WILL HANDLE ALL PRISONERS WITH THE MINIMUM FORCE NECESSARY AS REQUIRED BY THE SITUATION.

3.C.3.F. (U) DCD-D IS THE RELEASE AUTHORITY FOR DETAINEES RECOMMENDED FOR RELEASE BY THE MHP-I REVIEW AND APPEAL BOARD.

3.C.3.G. (U) MHP-I, REVIEW AND APPEAL BOARD.

3.C.3.G.1. (U) COMPOSED OF THREE (3) FIELD GRADE OFFICERS FROM THE MHC-I C3, MHC-I P40 (UN) AND MHC-I STAFF JUDGE ADVOCATE AND APPOINTED BY THE COMMANDER, MHC-I.

3.C.3.G.2. (U) BOARD ACTION. THE BOARD WILL CONSIDER EACH CASE FILE AND MAKE A RECOMMENDATION AS TO DISPOSITION OF THE INTERVIEW FOR RELEASE OR CONTINUED INTERVIEW.

3.C.3.H. (U) DCD-D SHALL NOT TAKE ACTION UPON BOARD RELEASE RECOMMENDATIONS UNTIL THE MAJOR SUBORDINATE COMMAND (MSC), [REDACTED] COALITIONAL PROVISIONAL AUTHORITY (CPA), AND CERTAIN HAVE BEEN PROVIDED SEVEN DAYS TO STATE AN OBJECTION OR CONCURRENCE WITH THE RELEASE OF A DETAINEE RECOMMENDED FOR RELEASE BY THE BOARD. 1.4.c

3.D. (U) COORDINATING INSTRUCTIONS. [CHANGE]

3.D.1. (U) THE POLICY SET FORTH IN THIS FRAGO APPLIES TO ALL COALITION FORMATIONS, UNITS AND PERSONNEL OPERATING WITHIN THE COALITION AOR AND SUCCESSOR ASSIGNMENTS AND COMMANDS. IT IS RECOGNIZED THAT COALITION FORCES WILL ACT IN ACCORDANCE WITH THEIR OWN INTERNATIONAL AND DOMESTIC LEGAL OBLIGATIONS IN RELATION TO DETAINEES/INTERVIEWEES AND EPWS. THIS FRAGO DOES NOT AFFECT EXISTING ARRANGEMENTS BETWEEN CERTAIN COALITION PARTNERS REGARDING THE TRANSFER OF DETAINEES/INTERVIEWEES AND EPWS.

4. (U) SERVICE SUPPORT. [NO CHANGE]

5. (U) COMMAND AND SIGNAL. [CHANGE]

5.A. (U) COMMAND [NO CHANGE]

5.B. (U) SIGNAL [CHANGE] MHC-I POC IS MAJ [REDACTED] (MHC-I OSJA, CHIEF, DETENTION OPERATIONS) AT DSN: 822-3098. b(6)

5.B.1. [REDACTED] b. 6

5.B.2. [REDACTED] b. 6

5.B.3. [REDACTED] b. 6

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S. 2. 4. [REDACTED]

- b. 6

ACKNOWLEDGE

[REDACTED]
LTC

b. 6

OFFICIAL:

[REDACTED]

b. 6

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~~SECRET//REL TO USA, AUS, GBR AND POL//X1~~ (U)
RR 27 0900Z FEB04
FROM [REDACTED] JOC
TO [REDACTED] CMD /STF DIR/
FOB CENTRAL/BATTLE CAPTAIN/S3/CMD
FOB NORTH/BATTLE CAPTAIN/S3/CMD
[REDACTED] N3/CMD

all
b(2)
b(3)
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BT

SUBJECT: [REDACTED] Facility (THF), 24
1200CFEB04 (~~S//REL USA, AUS, GBR, and POL//X1~~)

The [REDACTED] Chief of Staff has reviewed and approved this FRAGO for release.

(S) REFERENCES:

[REDACTED] 1.4.c

~~(S//REL USA, AUS, GBR, and POL//X1)~~ Maps: [NO CHANGE]

~~(S//REL USA, AUS, GBR, and POL//X1)~~ Task Organization: [NO CHANGE]

(U) Time zone used throughout this order. CHARLIE (LOCAL)

1. ~~(S//REL USA, AUS, GBR, and POL//X1)~~ Situation. [REDACTED] establishes the Temporary Holding Facility (THF) at the RPC, capable of short-term detention of up to 15 apprehended or detained persons, in order to facilitate rapid exploitation of intelligence information. The [REDACTED] Temporary Holding Facility (THF) will expedite detainees' onward movement to the Corps Holding Facility at Abu Ghuryab Prison, Camp Gandi a [REDACTED]. This policy refers to the procedures for all detainees (includes all Enemy Prisoners of War, Criminal Detainees, Civilian Interees, Security Interees, and High-Value Detainees) at the [REDACTED] Temporary Holding Facility at the Radwaniya Palace Complex (RPC), Iraq. These procedures supplement and clarify the procedures found in CJTF-7 [REDACTED] and Multi-Service Regulation / AR 190-8.

2. ~~(S//REL USA, AUS, GBR, and POL//X1)~~ Mission. [NO CHANGE]

3. ~~(S//REL USA, AUS, GBR, and POL//X1)~~ Execution. [NO CHANGE]

3.A. ~~(S//REL USA, AUS, GBR, and POL//X1)~~ Commander's Intent. [NO CHANGE]

3.B. (U) Tasks to subordinate units.

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b2
b3
1,4e

3.B.1. (~~S//REL USA, AUS, GBR, and POL//X1~~) [REDACTED]

- BPT provide 2 guards + 1 guard per 5 detainees when [REDACTED] apprehended or detained personnel are in the THF.
- BPT to escort FOB 52's detainees from THF to the Corps Holding Facility at Abu Ghuryab Prison, Camp Ganci, at MB 1285 8376.

3.B.2. (~~S//REL USA, AUS, GBR, and POL//X1~~) [REDACTED] (NO CHANGE)

3.B.3. (~~S//REL USA, AUS, GBR, and POL//X1~~) [REDACTED]

- Supervise construction of the THF.
- BPT provide 2 guards + 1 guard per 5 detainees when [REDACTED] apprehended or detained personnel are in the THF.
- BPT to escort [REDACTED] detainees from THF to the Corps Holding Facility, [REDACTED]

1.4.c

3.C. (U) Tasks to Staff Sections.

3.C.1. (~~S//REL USA, AUS, GBR, and POL//X1~~) Director, [REDACTED]

- Provide [REDACTED] to be permanent OIC for THF.
- Establish and operate the [REDACTED] Temporary Holding Facility (THF).
- Coordinate [REDACTED] support as required.
- Consolidate and forward all support requirements, including guard, medical, SJA, logistics, and transportation, to J3 for tasking.

1.4.c

3.C.2. (~~S//REL USA, AUS, GBR, and POL//X1~~) Director, [REDACTED]

- Provide all classes of supply for the THF.
- SUPCEN BPT provide 2 guards + 1 guard per 5 detainees to secure [REDACTED] OCE detainees.

3.C.3. (~~S//REL USA, AUS, GBR, and POL//X1~~) Director, [REDACTED]

- Provide STU / STE connectivity and phone at THF. DIRLAUTH with [REDACTED] J2 (CW3 [REDACTED]) and [REDACTED] or emplacement.

b(4)

3.C.4. (~~S//REL USA, AUS, GBR, and POL//X1~~) [REDACTED] Engineer.

- Construct the THF.
- Coordinate for / Contract purchase and delivery of required building materials.
- Coordinate for / contract provision of power and water to the THF.
- Coordinate for / contract for portable toilets and sanitation services at the THF.
- (S) Provide milestones and timeline to have THF operational to [REDACTED] NLT 05 MAR 1700C FEB 04.

3.C.5. (~~S//REL USA, AUS, GBR, and POL//X1~~) [REDACTED] Surgeon.

- Provide medical personnel to conduct initial medical screening of all apprehended or detained personnel during in processing at the THF.

all
b2
b3
1.4c

3.C.6. ~~(S//REL USA, AUS, GBR, and POL//X1)~~ [REDACTED]

- Provide an SJA representative (Officer or NCO) to: assist with in processing and detention documents, provide legal guidance as necessary, serve as a liaison to the Red Cross/Red Crescent, and monitor [REDACTED] compliance with all appropriate laws, regulations and other guidance.

3.C.6. [REDACTED]

- [REDACTED]
- [REDACTED]

1.4c

3.D. ~~(S//REL USA, AUS, GBR, and POL//X1)~~ Coordinating Instructions.

- DIRLAUTH for coordination between all user units and supporting staff sections encouraged. Keep CJSOTF-AP J2 informed.
- THF OIC (CW3 Panchella) will consolidate and forward all support requirements, including guard, medical, SJA, logistics, and transportation, to J3 for tasking.
- BPT to escort detainees from THF to Camp Gancl, Abu Ghuryab Prison MB 1285 8376. J3 will coordinate onward movement to Abu Ghuryab with 320th MP Bn at [REDACTED]
- Ensure SJA representation at all detainee in processing.
- Ensure medical personnel conduct initial medical screening of all apprehended or detained personnel during in processing at the THF.
- [REDACTED] available to provide legal guidance at all times for both detention and interrogation issues. Refer all Red Cross, Red Crescent or other inquiries about detention operations to the SJA. The SJA shall conduct regular checks to ensure proper detainee treatment, and must have unimpeded access to the THF.

b(4)

3.E. ~~(S//REL USA, AUS, GBR, and POL//X1)~~ TIMELINE: The following are critical events. All times begin at the time of CAPTURE (NOT ARRIVAL AT THE THF)

- Capture Documents. Capturing Unit OIC provides the following documentation to the THF OIC:
Coalition Provisional Authority Forces Apprehension Form,
Two Sworn Statements (DA Forms 2823),
Seized Property and Voucher (DA Form 4137).
- Responsibility. This is the responsibility of the Capturing Unit Commander/OIC, and should be done when the detainee arrives at the THF (must be completed NLT 24 hours after capture).
- 48-Hour Report. THF OIC reports the following information to the [REDACTED] JOC Director:
Detainee's name, address, age.
Date, time, location & general circumstances of capture.
Capturing Unit.
Capture Tag Number (if available).

~~SECRET//NO FORN~~

- Responsibility. The initial report is the responsibility of the THF OIC. The JOC Director must forward this report through command channels to the Commander of 16th MP Brigade NLT 48 hours after capture so that the information can be input into the Coalition Detainee Database ([REDACTED])
- 72-Hour Handover. The THF OIC coordinates with J3 to deliver the detainee and all capture documents to a Coalition Holding Facility (Normally the Abu Gharib CHF) within 72 hours of capture.
- Responsibility. This is the responsibility of the THF OIC. This should be coordinated far enough in advance with the [REDACTED] to ensure transfer NLT 72 hours after capture. (Note: The [REDACTED] Commander may approve that Security Detainees be kept at the [REDACTED] THF beyond the 72 hour mark when required for interrogation).

1. C1. c1

b2
b3
1. d2

- 4. (U) Service Support. No Change.
- 5. (U) Command and Signal. No Change.

Acknowledge:

[REDACTED]
COL

b(4)
b(6)

OFFICIAL: [REDACTED]
ANNEXES:

- A. [REDACTED] (INTELLIGENCE AND EVIDENCE-LED DETENTION OPERATIONS RELATING TO DETAINEES) TO CJTF-7 ([REDACTED] dated 242320DAUG03)
- B. Memorandum, Command Emphasis of Proper Detainee Treatment
- C. [REDACTED] Approved Interrogation Techniques
- D. [REDACTED] Temporary Holding Facility (THF) Procedures Policy

b2
b3
1.4

DISTRIBUTION:
BT

~~SECRET//NO FORN~~

Formica Report - Annex 20

ANNEX A

[REDACTED] dated [REDACTED]

1. UIC
b-2

COPY OF COPIES
HQ, CJTF-7
CAMP VICTORY, IRAQ
242320DAUG03
ROUTINE (GREEN)

~~(S//REL TO USA and MCFI)~~ [REDACTED] AND [REDACTED] DETENTION
[REDACTED] TO CJTF-7 OPORD 03-016

b-2

~~(S//REL TO USA and MCFI)~~ THIS FRAGO HAS BEEN REVIEWED AND APPROVED FOR
RELEASE BY [REDACTED] E, CJTF-7 CHOPS.

b-6

~~(S//REL TO USA and MCFI)~~ SUBJECT: INTELLIGENCE AND EVIDENCE-LED DETENTION
OPERATIONS RELATING TO DETAINEES.

(U) REFERENCES:

A. (U) V CORPS (US) [REDACTED] V CORPS OPORD 0303-142 (180200EMAR03)

b-2

B. (U) V CORPS (USA) [REDACTED] (US) [REDACTED]
(252146DMAY03)

b-2

C. (U) [REDACTED]

b-2

D. ~~(S//REL TO USA and MCFI)~~ [REDACTED] (282021DJUN03) [REDACTED]
INVESTIGATIONS ISO FINAL VICTORY, DETENTION FACILITY OPERATIONS, ET.

b-2

E. ~~(S//REL TO USA and MCFI)~~ [REDACTED] (151000DJUL03) [REDACTED]

b-2

F. ~~(S//REL TO USA and MCFI)~~ [REDACTED] (272249DJUN03) [REDACTED]

b-2

G. ~~(S//REL TO USA and MCFI)~~ [REDACTED] (211100DJUN03) [REDACTED]

b-2

H. (U) [REDACTED] (241500ZAPR03) [REDACTED]

b-2

Original Document included.
Full Text of Frago 749.
See Annex 17 for Text.

b-2

Annex 20

8 pages withheld / EXEMPT

b(1) 1.4a & 1.4c

& b(2) High

1.4.c



[REDACTED]

Comments:

[REDACTED] signature:



[REDACTED]

Comments:

1.4.c

Approval Authority Signature:
(The Approval Authority is the CJSOTF-AP Commander)

Date: _____



~~SECRET//NOFORN~~ ^h
Formosa Report - Annex 21

Annex 22

2 pages withheld

b(1) 1.4a

b(2) high

CJTF-7 Interrogation Techniques Timeline
as of 30 May 04

Bottom Line: [REDACTED]

b(5)(a)

(1) **14 Sep 03:** [REDACTED] signs CJTF-7 Interrogation Policy:

- Policy contains 29 Interrogation Techniques for all Security Internees
- Policy is not on the distribution line
- This Policy does not appear to be posted on any CJTF-7 SIPR sites

b(2)

1.4a

(2) **12 Oct 03:** [REDACTED] signs CJTF-7 Interrogation Policy:

- This policy supercedes the 14 Sep 03 Policy
- Policy contains 16 Interrogation Techniques for all Security Internees
- Policy is not on the distribution line
- This Policy does not appear to be posted on any [REDACTED] sites

(3) **28 Jan 04:** COL [REDACTED] assumes command of [REDACTED] and identifies a need for [REDACTED] Temporary Holding Facility (due to accountability/access problems with detainees turned over to Abu-Ghant).

b(6)

b(2)

1.4a

(4) **10 Feb 04:** [REDACTED] receives a copy of a CJTF-7 Interrogation Policy:

- The copy is dated 10 Sep 03
- The copy contains LTG Sanchez' signature block, but is unsigned.
- The listed POC for the Policy is MAJ [REDACTED] (CJTF-7 Chief of Operational Law)

(5) **13 Feb 04:** MAJ [REDACTED] tries to verify that the 10 Sep 03 copy is current by sending an e-mail to MAJ [REDACTED] & MAJ (now-LTC) [REDACTED] the outbound & inbound CJTF-7 Chiefs of Operational Law) requesting a signed copy of the current CJTF-7 Interrogation Policy.

b(6)

(6) **17 Feb 04:** MAJ [REDACTED] responds by e-mailing MAJ [REDACTED] scanned copy of the 14 Sep 03 CJTF-7 Interrogation Policy signed by LTG [REDACTED] with 29 Interrogation Techniques).

b(6)

(7) **27 Feb 04:** [REDACTED] publishes [REDACTED] which implements the 14 Sep 03 CJTF-7 Interrogation Policy. The FRAGO includes several safeguards beyond that required by the 14 Sep 03 CJTF-7 Policy:

b(2)

1.4a

- Requires a written request from an interrogator to justify interrogation techniques
- Requires a written legal review by a judge advocate to verify the detainee's status
- Requires elevated (O-5) approval for 8 of the 29 interrogation techniques
- Requires elevated (O-6) approval to hold any detainee beyond 72 hours
- [REDACTED] also drafted & published standard forms to process these requirements

(8) **27 Feb 04:** MAJ [REDACTED] forwards the following to the CJTF-7 SJA Chief of Detention Operation (MAJ [REDACTED]): "Attached is the new [REDACTED] Detention FRAGO. It provides critical information regarding detainee treatment (including the long-awaited guidance on permitted and prohibited interrogation techniques)."

b(6)

- The FRAGO cites the 14 Sep 03 CJTF-7 Interrogation Policy signed by [REDACTED]

(9) **15 May 04:** Due to multiple media reports about recent changes to CJTF-7 Interrogation Policies, the CJSOTF-AP SJA requests that the CJTF-7 SJA provide an update regarding current interrogation policies. The CJTF-7 Chief of Operational Law (LTC [REDACTED]) & CJTF-7 Chief of Detention Operations (MAJ [REDACTED]) refer the question to the CJTF-7 CZX (MAJ [REDACTED]).

b(6)

(10) **21 May 04:** MAJ [REDACTED] mails that there have been no changes yet, but that there are changes being reviewed at CENTCOM. However, MAJ [REDACTED] also attached the CJTF-7 Interrogation Policy dated 12 Oct 03. MAJ [REDACTED] receives this policy on 29 May 04 (upon return from TDY), and notices the discrepancy. This is the first time that anyone in [REDACTED] became aware that the 14 Sep 03 policy had been superceded

b(6)

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SECRET//NOFORN

u Rec'd via Email
From Col. [REDACTED]

SWORN STATEMENT

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

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 Victory, Iraq (Baghdad)	2. DATE (YYYYMMDD) 2004/11/03	3. TIME 1100	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS LTC/05	
8. ORGANIZATION OR ADDRESS [REDACTED]			

b(6)

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

This statement is intended to address how [REDACTED] received the 14 September 2003 Interrogation Policy from CJTF-7, OSJA.

b(6)
b(7)

At the outset, I want to make clear that I accept full responsibility for providing the CJTF-7, 14 September 2003, Interrogation Policy to [REDACTED].

On or about 13 February 2004, I was cc'ed on an email sent to Maj [REDACTED] (SMC) by MAJ [REDACTED] Judge Advocate for [REDACTED] requesting a signed copy of the 10 September 2003, CJTF-7 interrogation policy or a copy of the policy that was in effect (MAJ [REDACTED] apparently had an unsigned copy of the September interrogation policy (dated 10 September 2003) and was unsure whether that copy had subsequently been signed (email attached). The signed September interrogation policy was actually dated 14 September 2003). Maj [REDACTED] is the Chief of Operational Law for V Corps and was still in theater at the time MAJ [REDACTED] sent him the email request. Several days before receiving the email from MAJ [REDACTED] I was asked by the CJTF-7 Staff Judge Advocate (SJA), COL [REDACTED] locate a copy of the September interrogation policy. I provided an unsigned copy of the September 2003 interrogation policy to the SJA. The following day, the SJA indicated that there was a signed copy of the September 2003 interrogation policy (the SJA indicated he thought the policy was dated 14 September 2003) and that he needed the signed copy of the policy. I spoke with Maj [REDACTED] about the policy at that time and where I could find it. Upon receiving the email from MAJ [REDACTED], I rechecked the issue again with Maj [REDACTED] and asked if 14 September 2003 was the right policy. Maj [REDACTED] informed me the signed 14 September 2003 interrogation policy was the right policy.

b(6)

I am unsure, however, whether my communication with MAJ [REDACTED] was clear. In retrospect, I now believe that he did not understand my question nor did I appreciate his response. My intent in asking the question was to ensure I was providing MAJ [REDACTED] the most current policy (believing, as I did that the 14 September 2003 policy was the most current policy) and making sure our office was providing MAJ [REDACTED] what he requested. I believe MAJ [REDACTED] thought that when I asked "is this the right policy," he thought I was asking whether it was the 14 September 2003 policy that the SJA asked me to locate.

b(6)

I was unaware at the time that MAJ [REDACTED] sent his email to me and MAJ [REDACTED] that the October 2003 Interrogation Policy was the most current policy. As a result, I provided MAJ [REDACTED] with an outdated policy. Had I known of the existence of the October 2003 interrogation policy, I would have provided that policy to MAJ [REDACTED] instead of the 14 September 2003 interrogation policy. I believe the mistake occurred in part because of the reference to the September policy in MAJ [REDACTED] email to me and MAJ [REDACTED]. Although MAJ [REDACTED] was aware that the October 2003 interrogation policy existed, I believe that if he had understood my request for the current interrogation policy so that I could provide that policy to MAJ [REDACTED] he would have retrieved the October 2003 policy and provided that interrogation policy to MAJ [REDACTED] instead.

b(6)

The mistake in providing the 14 September 2003 interrogation policy to MAJ [REDACTED] a result of miscommunication within CJTF-7, OSJA rather than with CJTF-AP. Nothing follows.

b(6)

10. EXHIBIT _____

11. INITIALS OF PERSON MAKING STATEMENT **b(6)** 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.

SECRET//NOFORN Formica Report - Annex 23A

STATEMENT OF [REDACTED]

TAKEN AT Camp Victory, Iraq DATED

3 Nov 2004

b(6)

9. 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 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 INFLUENCE.

[REDACTED]

b(6)

WITNESSE:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 3rd day of November, 2004

ORGANIZATION OR ADDRESS

[REDACTED]
Signature of Person Administering Oath
[REDACTED]
[REDACTED]
Authority To Administer Oaths

b(6)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 3 OF 3 PAGES

PAGE 3, DA FORM 2823, DEC 1996

USAPA 01.00

SECRET//NOFORN

Fornica Report - Annex 23A

[REDACTED] LTC MNC-I OSJA

From: [REDACTED] MAJ CJTF7-OSJA
Sent: Friday, February 13, 2004 08:03
To: [REDACTED] MAJ CJTF7-CHIEF LAW OPERATION OFF
Subject: RE: Interrogation Policies (SECRET)

b(6)

[REDACTED]

There is a signed copy. It's dated 13 Sep 03 and I provided a copy to [REDACTED] two days ago. I can get you a copy if necessary.
w/r
[REDACTED]

b(6)

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

From: [REDACTED]mailto:[REDACTED]
Sent: Friday, February 13, 2004 04:50
To: [REDACTED] MAJ CJTF7-CHIEF LAW OPERATION OFF
Cc: [REDACTED] MAJ CJTF7-OSJA
Subject: Interrogation Policies (SECRET)

b(6)

Classification: SECRET
Caveats: NONE

[REDACTED]

You're listed as the POC on LTG [REDACTED] CJTF-7 Interrogation and Counter-Resistance Policy" memo dated 10 Sep 03. I have an unsigned copy. Can you verify that this is a valid, signed policy? If not, can you send me (or steer me toward) the current policy? Thanks!

b(6)

v/r,
[REDACTED]

MAJ [REDACTED]
Staff Judge Advocate
[REDACTED]
[REDACTED]

b(6)

Classification: SECRET
Caveats: NONE

~~SECRET//NOFORN~~ *h*

Formica Report - Annex 228

EFFORTS TO ENSURE PROPER DETAINEE TREATMENT

b(2)
int.

Detainee Treatment

In general, pre-deployment ROE Briefs included training on Detainee Treatment and the Geneva Convention. Upon arrival in Iraq, the [redacted] Commander's first policy letter was "Command Emphasis on Proper Detainee Treatment."

b(2)
1.4a

72-hour limit

CJTF-7 Policy: Permits security internees to be held beyond 72 hours (up to 14 days) for continued interrogation. No approval required.

b(2)
1.4a

AP Policy: Requires personal approval by the CJSOTF-AP Commander to hold any detainee beyond 72 hours.

Basic Interrogation Techniques

CJTF-7 Policy: Approves the use of 21 interrogation techniques on all detainees.

b(2)
1.4a

Approves the use of 20 interrogation techniques on all detainees. The "Fear-Up (Harsi)" technique was not approved due to concerns that this could be coercive and would therefore violate the Geneva Convention for EPWs.

Advanced Interrogation Techniques

CJTF-7 Policy: Approved additional interrogation techniques for non-EPWs. Does not establish procedures for verifying EPW status or tracking approval.

b(2)
1.4a

Approved additional interrogation techniques for non-EPWs, subject to the following: Requires (1) a written request from interrogators to justify the techniques, (2) a written legal review verifying that the detainee is not an EPW, and (3) a written approval by a Battalion Commander or equivalent.

b(2)
1.4a

Inspections of Detention Facilities

CJTF-7 Policy: No inspections required.

b(2)
1.4a

Requires SJA to conduct frequent walk-through inspections.

Inspections of Detention Facilities

CJTF-7 Policy: According to media reports, there was a murky command relationship between the Commander of the Abu-G Detention Facility and the Military Intelligence, which contributed to abuses.

The CJSOTF-AP THF has an OIC & NCOIC who are clearly responsible for both the detention and exploitation function.

b(2)
1.4a

SECRET//NOFORN

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[REDACTED] Interrogation and Counter-Resistance Policy
Dated 23MAR04

a. References: [REDACTED]
[REDACTED]
[REDACTED] J.S. Army Field Manual 34-52.

b(2)
1.4a

1. (U) **PURPOSE.** This establishes [REDACTED] interrogation and counter-resistance policy during the interrogation of all detainees and enemy prisoners of war.

b(2)
1.4a

2. ^u(S) **INTERROGATION PROCESSING PROCEDURES.** The [REDACTED] Commander has approved the following screening process for initiating detainees and enemy prisoners of war into [REDACTED] interrogations:

[REDACTED]

1.4a

- a. Proper clothing and any relevant medication will taken off target with the detainees.
- B. Interrogations performed at [REDACTED] Tactical Interrogation Center (TIC) require immediate segregation and examination of the detainees. Examinations will include the following:
 - a. Initial assessment of any bruises, wounds, sores, or rashes. All injuries will be immediately documented and treated if necessary.
 - b. Questioning about their medical history and if there are any current conditions that need to be addressed. (i.e. heart condition).
 - c. Record of initial vital signs (pulse rate, temperature, and respiratory rate. After the initial test, vital signs will be monitored and recorded at a minimum every three hours along with water intake and output.
 - a. The duty corpsman will continue this process for the duration of the detainee's stay.
 - b. Upon the determination of the duty corpsman more frequent medical checks can be conducted if necessary.
 - c. A duty corpsman will accompany all detainees to the Enemy Detention Facility (EDF) for a documented medical turnover inspection with the MP company on duty.

b(2)
1.4a

SECRET/NOFORN

Fornica Report - Annex 26

u

1.4.c

[REDACTED]

~~SECRET/NOFORN~~

u

Formosa Report - Annex 28

[REDACTED]

[REDACTED]

[REDACTED]

1.4.c

e. (S/NF) All interrogations must follow the following general safeguards:

- (1) limited to use by interrogation facilities only;
- (2) there must be a reasonable belief that the detainee possess critical intelligence;
- (3) the detainee is medically and operationally evaluated as suitable (considering all techniques to be used in combination);
- (4) interrogators must be specifically trained for the technique(s) employed;
- (5) there must be a specific interrogation plan (including reasonable safeguards; limits of duration, intervals between applications, termination criteria and the presence or availability of qualified medical personnel);
- (6) there is appropriate supervision; and
- (7) there is appropriate specified senior approval as required below.

f. (S/NF) Humane treatment is required during all interrogations:

- (1) (S/NF) Department of Defense Directive 5100.77 states that U.S. Armed Forces "must comply with the law of war during all armed conflicts, however such conflicts are characterized, and with the principles and spirits of the law of war during all other operations." The CJTF-7 Commander confirmed that we are "operating in a theater of war in which the Geneva Conventions are applicable."
- (2) (S/NF) The Geneva Convention states that: EPWs "who refuse to answer may not be threatened, insulted, or exposed to any unpleasant or disadvantageous treatment of any kind" (Article 17); EPWs must be protected against acts of intimidation (Article 13); EPWs are entitled to respect for their persons (Article 14); coercion of EPWs is prohibited (Article 34); and EPWs are entitled to basic standards of treatment (Article 126). The exact meanings of these clauses, and their applicability to detainees, are the subjects of intense debate. You should consider the fact that some interrogation techniques are

~~SECRET//NOFORN~~

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viewed as inhumane or otherwise inconsistent with international law before applying each technique. These techniques are labeled with a [CAUTION].

(3) ~~(S/NF)~~ Interrogation techniques are listed individually, but they are usually used in combination. The cumulative effect of all techniques used, and all surrounding circumstances, must be considered before making any decisions regarding approval.

g. (U) The title of each interrogation technique is not always fully descriptive of the technique. Explanations and specific implementation guidance are provided in Army Field Manual 34-52.

h. ~~(S/NF)~~ Nothing in this policy limits existing authority for maintenance of good order and discipline among detainees, or the use of force for self-defense.

~~SECRET/NOFORN~~ u

Formosa Report - Annex 26



b(2)
1.4a

PRISONER HANDLING PROCEDURES AND GUIDELINES

1. DETAINEE TAKEN OUTSIDE HOLDING CELL AND WASHED DOWN. MAKE SURE DETAINEE SCRUBS HANDS WELL FOR FINGERPRINT PURPOSES. GENERATORS ARE STARTED AND AC'S TURNED ON.
2. DETAINEE TAKEN INSIDE HOLDING CELL FOR MEDICAL ASSESSMENT.
3. PHOTOS TAKEN OF DETAINEE AT THIS TIME (FRONTAL, PROFILE, FULL BODY, TATTOOS, SCARS, IDENTIFYING MARKS AND ANY INJURIES SUSTAINED DURING CAPTURE).
4. FINGERPRINTS TAKEN OF DETAINEE AT THIS TIME. FINGERPRINTS DOWNLOADED AND KEPT UNDER DETAINEES FOLDER ON DESKTOP.
5. DETAINEE HANDCUFFED/REBLINDFOLDED AND TAKEN TO BOOTH AWAITING PRIMARY INTERROGATOR (AC ON/MUSIC ON).
6. GUARD FILLS OUT LOGBOOK ANNOTATING PROCEDURES TAKEN THUS FAR.
7. GUARD WILL BE CALLED UPON FOR ANY CIRCUMSTANCES (I.E. PISS-CALL, MEDICAL CHECK, UNRULY DETAINEE, INTERROGATOR LEAVING BOOTH, SPOT REPORTABLE INFORMATION PASSED TO TOC, ETC...)

KEY NOTES

- *DETAINEES PERSONALITY DICTATES IF HANDCUFFS ARE REQUIRED.
- *IT IS GUARDS RESPONSIBILITY TO KEEP TRACK OF HANDCUFF KEY.
- *GUARD WILL ALWAYS REMAIN WITHIN EARSHOT OF INTERROGATOR.
- *GUARD WILL INSURE WATER AND URINATION/DEFECATION DEVICES ARE PREPPED (DEVICE IS PLACED BEHIND DETENTION FACILITY).
- *GUARD IS RESPONSIBLE FOR KEEPING GENERATORS GASSED UP (WILL RUN 6 HOURS ON ONE TANK).
- *DETAINEE WILL URINATE AND DEFECATE IN BUCKETS BEHIND FACILITY (AS NECESSARY - UPON REQUEST).
- *WASH-DOWN WILL OCCUR AS DEEMED NECESSARY (MINIMUM OF ONCE EVERY 24 HOURS).
- *DETAINEE WILL EAT AS DIRECTED BY INTERROGATOR (MINIMUM OF ONCE EVERY 12 HOURS)
- *MEDICAL CHECKS WILL OCCUR AS REQUIRED (MINIMUM EVERY 6 HRS).
- *GUARD WILL FILL OUT LOGBOOK WHEN ANY PROCEDURES OCCUR (WATERED, PISS-CALL, MED-CHECK, ETC.....).

SECRET//NOFORN

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INTERROGATION PROCEDURES

- 1. INTERROGATOR WILL BE PRESENT FOR INTIAL PRISONER HANDLING PROCEDURES TO DETERMINE DETAINEES DISPOSITION.**
- 2. INTERROGATOR PREPS BOOTH. CAPTURING INFORMATION/SSE REVIEWED FOR USE IN INTERROGATION. APPROACH PLAN REVIEWED AT THIS TIME AND DISCUSSED WITH TERP.**
- 3. INTERROGATOR FILLS OUT LOGBOOK AND ENTERS BOOTH. GUARD WILL ALWAYS REMAIN WITHIN EARSHOT.**
- 4. INTERROGATOR WILL CALL UPON GUARD FOR ANY HANDS-ON REQUIRED. GUARD WILL BE CALLED IN ANYTIME INTERROGATOR LEAVES BOOTH.**
- 5. INTERROGATION CONDUCTED.**
- 6. OFF-GOING INTERROGATOR WILL FILL OUT LOGBOOK, ANNOTATE WHAT APPROACH WAS WORKING ON WHITEBOARD AND VERBALLY BRIEF THE ON-COMING INTERROGATOR.**
- 7. OFF-GOING INTERROGATOR WILL PROCEED TO TOC AND BEGIN TIR.**

KEY NOTES

***SPOT REPORTABLE INFORMATION WILL BE IMMEDIATELY ACTED UPON AND PASSED TO TOC.**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1.4.c

SECRET//NOFORN

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EMERGENCY CONTACT PROCEDURES:

- | Problem: | What to do: | |
|---|--|------|
| 1. Medical concerns (dehydrated, heart problems, asking for meds, any side pains, new injuries) | Contact HM1 [REDACTED] | b(6) |
| 2. Detainee passes out. | Get HM1 [REDACTED] then [REDACTED]
[REDACTED] We will contact OPS and XO. | b(6) |
| 3. Detainee gets a new injury (stumbles and injures himself or gets hurt resisting) | Get [REDACTED] - take a photo of injury and note in logbook. | b(6) |

[REDACTED] b(6)
[REDACTED] b(6)
[REDACTED] - 1.4.c

*** If there is something that you are unsure of just wake-up [REDACTED] b(6)
One of us will be at the camp 24/7 while we have a detainee. We will Contact Ops or the XO if necessary. You can always contact HM1 [REDACTED] if you have any medical concerns. ***

Locations of people:

- [REDACTED] - In the same tent, C plt tent with medical station inside of it (see diagram in TOC if necessary), also our names our next to our doorways. b(6)
- [REDACTED] - In ASO tent (name is on his door, see diagram in TOC if necessary). b(6)
- [REDACTED] - In the same tent as [REDACTED]
- [REDACTED] - In Tent adjacent to mission platoon mission planning space.

SECRET//NOFORN

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137 Detainees held
by [redacted] Units -
compiled from data
provided by NSC (CF)
Units operating detention
facilities and verified
with information from [redacted]

144 INVESTIGATION RESULTS
~~BF-B6~~

B6

B6

B6

[Large redacted area covering the majority of the page content]

(b)(1)(C)

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(b)(1) 1.4(c)

14-0 INVESTIGATION RESULTS

B0

B0

B0

B0

[REDACTED]

~~SECRET/NOFORN~~

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(B)(X)(1)(4)(c)

SECRET//NOFORN
[Redacted]

10th SFG (A)

6th SFG (A)

(Reverse chronological order)
As of 31 May 2004

Detainee Summary

Name	Date Captured:	Capturing Unit:	Where Detained:	Departure Date:	Remarks:
[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]

B6

B6

~~SECRET//NOFORN~~ Formica Report - Annex 20

(b)(1) 1.4(c)

Detainee Summary

Name

[REDACTED]

Date Captured:

Capturing Unit:

Where Detained:

Signature Date:

B6 (Reverse chronological order)
As of 31 May 2004

[REDACTED]

[REDACTED]

[REDACTED]

SECRET//NOFORN Formica Report - Annex 29

(b)(1)(4)(c)

Detainee Summary

(Reverse chronological order)
As of 31 May 2004

Name: **BL**
Date Captured: **[REDACTED]**
Capturing Unit: **[REDACTED]**
Where Detained: **BL**
Departure Date: Remarks: **BL**

[REDACTED]

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(b)(1)(4)(C)

Detainee Summary

B6

Name

[REDACTED]

Date Captured:

B6

Where Detained:

B6

Departure Date: Remarks:

(Reverse chronological order)
As of 31 May 2004

[REDACTED]

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(b)(1) 1.4(c)

Detainee Summary

Name: BU

BU

Date Captured: [REDACTED]

BU

Where Detained: [REDACTED]

BU

Reporting Date: [REDACTED]

BU (Reverse chronological order)
As of 31 May 2004

[REDACTED]

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(Reverse chronological order)
As of 31 May 2004

[REDACTED]

Where Detained: [REDACTED]
Departure Date: [REDACTED]
Remarks: [REDACTED]

B6

[REDACTED]

Capturing Unit: [REDACTED]

B6

[REDACTED]

(b)(1)(4)(c)

Detainee Summary

Name: [REDACTED]

B6

[REDACTED]

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(b)(1) 1.4(c)

Detainee Summary

Name	Date Captured:	Capturing Unit:	Where Detained:	Departure Date:	Remarks:
1 PERSON DETAINED	IND 142300Z FEB 04	[REDACTED]	[REDACTED]		OPSUM FOR TARGET B36-014
6 PERSONNEL DETAINED	GRP 140001Z FEB 04	[REDACTED]	[REDACTED]		MSN D36-001
6 PERSONNEL DETAINED	GRP 140315Z FEB 04	[REDACTED]	[REDACTED]		TARGET IR0006, 264 OPSUM
6 PERSONNEL DETAINED	GRP 140530Z FEB 04	[REDACTED]	[REDACTED]		TARGET IR0006, 264 OPSUM
[REDACTED]	IND 122200Z FEB 04	[REDACTED]	[REDACTED]		OPSUM HS0027
[REDACTED]	IND 122200Z FEB 04	[REDACTED]	[REDACTED]		(CLEAR 432) OPSUM
[REDACTED]	IND 122200Z FEB 04	[REDACTED]	[REDACTED]		CLEAR 077
[REDACTED]	GRP 112700Z FEB 04	[REDACTED]	[REDACTED]		BLACKSMITH 51 DE GARTH 50
[REDACTED]	GRP 110001Z FEB 04	[REDACTED]	[REDACTED]		CLEAR 045
[REDACTED]	GRP 102300Z FEB 04	[REDACTED]	[REDACTED]		CLEAR 045
[REDACTED]	GRP 100200Z FEB 04	[REDACTED]	[REDACTED]		CLEAR 045
[REDACTED]	IND 072215Z FEB 04	[REDACTED]	[REDACTED]		C36-004
[REDACTED]	IND 072215Z FEB 04	[REDACTED]	[REDACTED]		C36-004
[REDACTED]	IND 072215Z FEB 04	[REDACTED]	[REDACTED]		CLEAR 368 SIGACT
[REDACTED]	GRP 070400Z FEB 04	[REDACTED]	[REDACTED]		CLEAR 049 CONOP BEDAWI FOLLOW UP
[REDACTED]	IND 061900Z FEB 04	[REDACTED]	[REDACTED]		CLEAR 049 CONOP BEDAWI FOLLOW UP
[REDACTED]	IND 060001Z FEB 04	[REDACTED]	[REDACTED]		CLEAR 049 CONOP BEDAWI FOLLOW UP
[REDACTED]	IND 060001Z FEB 04	[REDACTED]	[REDACTED]		CLEAR 049 CONOP BEDAWI FOLLOW UP
[REDACTED]	IND 040344Z FEB 04	[REDACTED]	[REDACTED]		CLEAR 049 CONOP BEDAWI FOLLOW UP
[REDACTED]	IND 032300Z FEB 04	[REDACTED]	[REDACTED]		CLEAR 049 CONOP BEDAWI FOLLOW UP
[REDACTED]	IND 032300Z FEB 04	[REDACTED]	[REDACTED]		CLEAR 049 CONOP BEDAWI FOLLOW UP
[REDACTED]	IND 040600Z FEB 04	[REDACTED]	[REDACTED]		CLEAR 049 CONOP BEDAWI FOLLOW UP
[REDACTED]	IND 040600Z FEB 04	[REDACTED]	[REDACTED]		CLEAR 049 CONOP BEDAWI FOLLOW UP
[REDACTED]	IND 040600Z FEB 04	[REDACTED]	[REDACTED]		CLEAR 049 CONOP BEDAWI FOLLOW UP
[REDACTED]	IND 040600Z FEB 04	[REDACTED]	[REDACTED]		CLEAR 049 CONOP BEDAWI FOLLOW UP
[REDACTED]	GRP 021100Z FEB 04	[REDACTED]	[REDACTED]		CLEAR 049 CONOP BEDAWI FOLLOW UP

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(b)(1) (4(c))

Detainee Summary

- Name
- 2 x detainees/1 x ROA
- 4 x other detainees
- 1 x other detainee
- 6 x detainees

[Redacted] b6

(Reverse chronological order)
As of 31 May 2004

Date Captured:	Where Detained:	Capturing Unit:	Departure Date:	Remarks:
GRP 021600CAPR04	NSWTU-N TF	[Redacted]	[Redacted]	North-DA-022
IND 222000CHAF04	NSWTU-N TF	[Redacted]	[Redacted]	North-SSE-023
GRP 262000CHAF04	[Redacted]	[Redacted]	[Redacted]	North-DA-030
IND 262000CHAF04	[Redacted]	[Redacted]	[Redacted]	North-DA-030
IND 130600CHAF04	TF-131	[Redacted]	[Redacted]	North-DA-015
IND 061700CHAF04	EPW facility at D-Rear	[Redacted]	[Redacted]	North-DA-010
IND 061700CHAF04	EPW facility at D-Rear	[Redacted]	[Redacted]	North-DA-010
GRP 040500CHAF04	EPW facility at D-Rear	[Redacted]	[Redacted]	North-DA-008
IND 262100CFEB04	EPW facility at D-Rear	[Redacted]	[Redacted]	North-DA-005
IND 262100CFEB04	EPW facility at D-Rear	[Redacted]	[Redacted]	North-DA-005
IND 262100CFEB04	EPW facility at D-Rear	[Redacted]	[Redacted]	North-DA-005
IND 232000CFEB04	EPW facility at D-Rear	[Redacted]	[Redacted]	North-DA-004
IND 232000CFEB04	EPW facility at D-Rear	[Redacted]	[Redacted]	North-DA-004
IND 222000CFEB04	EPW facility at D-Rear	[Redacted]	[Redacted]	North-DA-003
IND 222000CFEB04	EPW facility at D-Rear	[Redacted]	[Redacted]	North-DA-003
IND 222000CFEB04	EPW facility at D-Rear	[Redacted]	[Redacted]	North-DA-003
IND 162000CFEB04	EPW facility at D-Rear	[Redacted]	[Redacted]	North-DA-003
IND 162000CFEB04	EPW facility at D-Rear	[Redacted]	[Redacted]	North-SSE-019
IND 262200DMAY04	[Redacted]	[Redacted]	[Redacted]	North-SSE-019
IND 141500DMAY04	[Redacted]	[Redacted]	[Redacted]	DA-C-220 OBJ CUT-THROAT III
IND 141500DMAY04	[Redacted]	[Redacted]	[Redacted]	DA-C-220 OBJ CUT-THROAT III
GRP 131500DMAY04	[Redacted]	[Redacted]	[Redacted]	DA-C-219 OBJ CUT-THROAT II
GRP 160700DMAY04	[Redacted]	[Redacted]	[Redacted]	DA-C-217
IND 160700DMAY04	[Redacted]	[Redacted]	[Redacted]	DA-C-217
IND 160700DMAY04	[Redacted]	[Redacted]	[Redacted]	DA-C-216
GRP 162300CAPR04	[Redacted]	[Redacted]	[Redacted]	DA-C-216
IND 162300CAPR04	[Redacted]	[Redacted]	[Redacted]	DA-C-216
IND 231000CHAF04	[Redacted]	[Redacted]	[Redacted]	DA-C-216
IND 230400CHAF04	[Redacted]	[Redacted]	[Redacted]	DA-C-216
IND 260500CHAF04	[Redacted]	[Redacted]	[Redacted]	DA-C-216
IND 100300CHAF04	[Redacted]	[Redacted]	[Redacted]	DA-C-216
IND 060500CHAF04	[Redacted]	[Redacted]	[Redacted]	DA-C-216

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(b)(1), (c)

Detainee Summary

Name
1 x other detainee
2 x other detainees

[REDACTED]

Date Captured:
IND 000500C/MAR04
IND 000500C/MAR04
GRP 020630C/MAR04
IND 231800C/FEB04
IND 231800C/FEB04
IND 050800C/FEB04
IND 050800C/FEB04
IND 050800C/FEB04
IND 200130D/MAY04
IND 200130D/MAY04
IND 200130D/MAY04
IND 200130D/MAY04
IND 081600C/MAY04
IND 081600C/MAY04
GRP 210421G/MAR04
IND 110721G/MAR04
IND 281030M/MAR04
IND 250800C/JUN04
IND 011000M/MAR04
IND 011000M/MAR04

Capturing Unit:

[REDACTED]

Where Detained:

[REDACTED]

Departure Date: Remarks:

[REDACTED]

BZ

(Reverse chronological order)
As of 31 May 2004

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(b)(1) 1.4(c)

Detainee Summary

Name	Date Captured:
21 x IRAQIS	GRP 202200ZMAY04
3 x IRAQIS	GRP 172100APR04
3 x IRAQIS	GRP 020250ZMAR04
11 x IRAQIS	IND 020250ZMAR04
2 x IRAQIS	GRP 200200APR04
7 x IRAQI MALES	GRP 272300ZMAR04
3 x IRAQIS	GRP 050200APR04
7 x IRAQI MALES	GRP 060448ZMAY04
1 x IRAQI	GRP 132350ZMAR04
8 x IRAQIS	IND 010200APR04
3 x IRAQIS	IND 010200APR04
2 x IRAQIS	GRP 062100ZAPR04
2 x IRAQIS	GRP 220200ZAPR04
2 x IRAQIS	GRP 272300ZMAR04
2 x IRAQIS	GRP 172100APR04
3 x IRAQIS	GRP 010200ZMAY04
7 x IRAQI UNIES	IND 300300ZMAR04
3 x IRAQIS	GRP 250245ZMAY04
3 x IRAQIS	IND 171816ZMAY04
3 x IRAQIS	IND 171816ZMAY04
3 x IRAQIS	IND 171816ZMAY04
3 x IRAQIS	GRP 200400ZAPR04
3 x IRAQIS	IND 221200ZAPR04
3 x IRAQIS	GRP 202150ZMAR04
3 x IRAQIS	IND 202350ZMAR04
3 x IRAQIS	IND 202350ZMAR04
3 x IRAQIS	IND 252350ZMAR04
3 x IRAQIS	IND 252350ZMAR04
3 x IRAQIS	IND 252350ZMAR04
3 x IRAQIS	IND 140800ZMAY04
3 x IRAQIS	IND 140800ZMAY04

b2
Departure Date: Remarks:

Where Detained: [REDACTED]

Capturing Unit: [REDACTED]

Date Captured: [REDACTED]

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(b)(1), (c)

Detainee Summary

Name	Date Captured	Capturing Unit	Where Dispatched	Departure Date: Remarks	(Reverse chronological order) As of 31 May 2004
[REDACTED]	IND 140500ZMAY04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	IND 140500ZMAY04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	IND 270500ZAPR04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	IND 270500ZAPR04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	IND 151800ZAPR04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	IND 151800ZAPR04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	IND 151800ZAPR04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	IND 151800ZAPR04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	IND 151800ZAPR04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	IND 151800ZAPR04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	IND 082100ZMAY04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	IND 082100ZMAY04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	IND 082100ZMAY04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	IND 082100ZMAY04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	IND 082100ZMAY04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	IND 042000MAY04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	IND 042000MAY04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	IND 042000MAY04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	IND 042000MAY04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	IND 042000MAY04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	IND 042000MAY04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

BZ

Departure Date: Remarks:

Where Dispatched:

Capturing Unit:

BZ

B6

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(b)(1) 1.4(c)

Detainee Summary

Name	Date Captured	Where Detained	Where Released	Departure Date, Remarks
[REDACTED]	IND 042000MAY04	[REDACTED]	CF THF	[REDACTED]
[REDACTED]	IND 042000MAY04	[REDACTED]	CF THF	[REDACTED]
[REDACTED]	IND 042000MAY04	[REDACTED]	CF THF	[REDACTED]
[REDACTED]	IND 042000MAY04	[REDACTED]	CF THF	[REDACTED]
[REDACTED]	IND 042000MAY04	[REDACTED]	CF THF	[REDACTED]
[REDACTED]	IND 042000MAY04	[REDACTED]	CF THF	[REDACTED]
[REDACTED]	IND 042000MAY04	[REDACTED]	CF THF	[REDACTED]
[REDACTED]	IND 042000MAY04	[REDACTED]	CF THF	[REDACTED]
[REDACTED]	IND 042000MAY04	[REDACTED]	CF THF	[REDACTED]
[REDACTED]	IND 282140ZAPR04	[REDACTED]	CF THF	[REDACTED]
[REDACTED]	IND 282140ZAPR04	[REDACTED]	CF THF	[REDACTED]
[REDACTED]	IND 282140ZAPR04	[REDACTED]	CF THF	[REDACTED]
[REDACTED]	IND 282140ZAPR04	[REDACTED]	CF THF	[REDACTED]
[REDACTED]	IND 282140ZAPR04	[REDACTED]	CF THF	[REDACTED]
[REDACTED]	IND 282140ZAPR04	[REDACTED]	CF THF	[REDACTED]
[REDACTED]	IND 282140ZAPR04	[REDACTED]	CF THF	[REDACTED]
[REDACTED]	IND 282140ZAPR04	[REDACTED]	CF THF	[REDACTED]
[REDACTED]	IND 170230DAPR04	[REDACTED]	CF THF	[REDACTED]
[REDACTED]	IND 170230DAPR04	[REDACTED]	CF THF	[REDACTED]
[REDACTED]	IND 170230DAPR04	[REDACTED]	CF THF	[REDACTED]

BZ (Reverse chronological order) As of 31 May 2004

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(b)(1) 1.4(c)

Detainee Summary

Name	Date Captured:	Where Detained:	Departure Date: Remarks:
[REDACTED]	IND 1702300DAPR04	[REDACTED]	[REDACTED]
[REDACTED]	IND 1702300DAPR04	[REDACTED]	[REDACTED]
[REDACTED]	IND 1702300DAPR04	[REDACTED]	[REDACTED]
[REDACTED]	IND 152000ZAAPR04	[REDACTED]	[REDACTED]
[REDACTED]	IND 152000ZAAPR04	[REDACTED]	[REDACTED]
[REDACTED]	IND 030300CMAR04	[REDACTED]	[REDACTED]
[REDACTED]	IND 030300CMAR04	[REDACTED]	[REDACTED]
[REDACTED]	IND 030300CMAR04	[REDACTED]	[REDACTED]
[REDACTED]	IND 030300CMAR04	[REDACTED]	[REDACTED]
[REDACTED]	IND 030300CMAR04	[REDACTED]	[REDACTED]
[REDACTED]	IND 030300CMAR04	[REDACTED]	[REDACTED]
[REDACTED]	IND 030300CMAR04	[REDACTED]	[REDACTED]
[REDACTED]	IND 030300CMAR04	[REDACTED]	[REDACTED]
[REDACTED]	IND 030300CMAR04	[REDACTED]	[REDACTED]
[REDACTED]	IND 120530MAR04	[REDACTED]	[REDACTED]
[REDACTED]	IND 120530MAR04	[REDACTED]	[REDACTED]
[REDACTED]	IND 111213DAPR04	[REDACTED]	[REDACTED]
[REDACTED]	IND 102330APR04	[REDACTED]	[REDACTED]
[REDACTED]	GRP 110230DAPR04	[REDACTED]	[REDACTED]
[REDACTED]	IND 110230DAPR04	[REDACTED]	[REDACTED]
[REDACTED]	IND 110230DAPR04	[REDACTED]	[REDACTED]
[REDACTED]	IND 230100DAPR04	[REDACTED]	[REDACTED]

B2

B3

B6

4 x IRACH

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(b)(1) 1.4(e)

Detainee Summary

Name
9 x IRACIs

[Redacted names and IRACIs]

2 x IRACIs

Date Captured:
GRP 210300CMAR04
IND 231200CMAR04
IND 231300CMAR04
GRP 260300CMAR04
IND 300400DAPR04
IND 230100DAPR04
IND 230100DAPR04
IND 230100DAPR04
IND 230100DAPR04
IND 160115DAPR04
IND 160115DAPR04
IND 160115DAPR04
IND 152200DAPR04
IND 152200DAPR04
IND 202343DAPR04
IND 202614DAPR04
IND 202614DAPR04

Capturing Unit:

[Redacted capturing unit information]

Where Detained:

[Redacted where detained information]

Departure Date: Remarks:

BZ

(Reverse chronological order)
As of 31 May 2004

B3

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(b)(1) 1.4(c)

Detainee Summary

Name [REDACTED] **B5**

2 x IRAQIs [REDACTED] **B5**

14 x IRAQIs [REDACTED] **B5**

10 x IRAQIs [REDACTED] **B5**

37 x IRAQIs [REDACTED] **B5**

3 x IRAQI MALES [REDACTED] **B5**

1 x IRAQI MALES [REDACTED] **B5**

7 x IRAQI MALES [REDACTED] **B5**

(Reverse chronological order)
As of 31 May 2004

B2

Date Captured:	Where Detained:	Capturing Unit:	Departure Date:	Remarks:
IND 280000APR04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
GRP 180400CMAR04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
IND 180400CMAR04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
IND 180400CMAR04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
IND 180400CMAR04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
IND 180400CMAR04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
IND 180400CMAR04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
GRP 142200Z JAN 04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
GRP 1-Mar-04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
GRP 25-Mar-04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
IND 280300CFEB04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
IND 280220CFEB04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
IND 221530CMAR04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
GRP 240400CMAR04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
IND 240400CMAR04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
IND 240400CMAR04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
GRP 241943ZAPR04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
IND 20216CMAY04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
IND 20216CMAY04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
GRP 242219CAPR04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
IND 180125ZMAY04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
IND 150125ZMAY04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
IND 150125ZMAY04	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

B3

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~~SECRET//NOFORN~~

B5/B6
B2

HEADQUARTERS
Combined / Joint Special Operations Task Force-Arabian Peninsula
Baghdad, Iraq

Office of the Commander

04 June 2004

MEMORANDUM FOR BC [REDACTED] B6

SUBJECT: Memorandum for Record

1. PURPOSE. [REDACTED] B7 B6

B3
1.4(c)

2. GENERAL. [REDACTED] commands and controls all SOF ground operations in Iraq.

3. CISOTF-AP OVERVIEW.

a. [REDACTED]

B2
1.4(a)

[REDACTED]

c. [REDACTED]

d. [REDACTED]

~~SECRET//NOFORN~~

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(1)

[REDACTED]

B5

(2)

[REDACTED]

B2

1.4(a)

(3)

[REDACTED]

4. DETENTION HISTORY.

a.

[REDACTED]

1.4(a)

b.

[REDACTED]

c.

[REDACTED]

d.

[REDACTED]

5. [REDACTED] DETENTION FACILITIES.

[REDACTED]

B5

a. [REDACTED]

B2
B3

b. [REDACTED]

1.4(a)

c. [REDACTED]

6. KNOWN HISTORY OF ABUSE CASES AND INVESTIGATIONS

a. [REDACTED]

B6

1.4(a)

[REDACTED]

B6

B3

b. [REDACTED]

B3

[REDACTED]

B6

[REDACTED]

MEMORANDUM FOR RECORD

SUBJECT: [REDACTED] Maintenance Processing Statistics

B3, B2
1.4a

1. [REDACTED]

2. [REDACTED]

B3 B2
1.4a

• [REDACTED]

• [REDACTED]

• [REDACTED]

[REDACTED] 0075.

B6

[REDACTED] B6

Encls
as

2LT, SC
MNC-1 FFA HQ

~~SECRET~~

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DEPARTMENT OF DEFENSE
 OFFICE OF THE DEPUTY COMMANDING GENERAL-DETAINEE OPERATIONS
 MULTI-NATIONAL FORCE-IRAQ, UNITED STATES CENTRAL COMMAND
 BAGHDAD, IRAQ
 APO, AE 09342

REPLY TO
 ATTENTION OF

MNFI-D

10 June 2003

MEMORANDUM FOR RECORD

SUBJECT: MNF-I Detainee Reporting Requirements

1. The following memorandum addresses the reporting requirements for detainee operations from 24 August 2003 to present.
2. [REDACTED] published 24 August 2003 directed all coalition brigades or equivalent to report all captures within 48 hours to the 800th MP BDE, who was overall responsible for detainee operations in CJTF-7 area of operations by providing the detainee's name, address, age, date, time, location, and circumstances of the capture. If applicable provide a capture tag number. B2
1.4(a)
3. As of 26 January 2004, I took over the reports from MAJ Garity of the 320th MP BN, which fell under the 800th MP BDE. During this time, the only MSCs reporting to CJTF-7 was 4th Infantry Division (4ID) and Multi-National Brigade North (MNB-N). The reasoning behind 82d Airborne Division (82 ABN) and 1st Armored Division (1AD) not sending reports was due to their close proximity to Baghdad Central Correctional Facility (BCCF) and that the majority of their detainees were transferred within 48 hours of capture. CJTF-7 Detainee Operations found this to be an untrue statement as operations continued, and found it necessary to draft a daily tactical update standardize the reporting requirements across the theater to include all MSCs. Prior to [REDACTED] the detainee reporting process was incomplete and lack visibility of the entire theater of operations. B6
1.4(a)
4. [REDACTED] published 12 April 2004 establishing a standard report format for all MSCs, in order to facilitate the collection of detainee data to CJTF-7 in a timely manner. [REDACTED] directed the MSCs to provide daily roll-ups, camp rosters, and not-in-camp rosters to CJTF-7 Detainee Operations. B2
1.4(a)
5. [REDACTED] published 26 April 2004 was a modification to FRAGO 616, only changing the reporting times.

Fornica Report - Annex 32

MNFI-D
SUBJECT: MNF-I Detainee Reporting Requirements

6. Outlined below is a chronological listing of when MSCs started reporting detainee stats: (approximate dates)

01 Feb 04 - 4ID & MNB-N
15 Mar 04 - 1ID & MNB-N
15 Apr 04 - 1ID, MNB-N, IMEF, & MND-CS
20 Apr 04 - 1ID, MNB-N, IMEF, MND-CS, & 1CAV
01 May 04 - 1ID, MNB-N, IMEF, MND-CS, 1CAV, & MND-SE
15 May 04 - 1ID, MNB-N, IMEF, MND-CS, 1CAV, MND-SE, 1AD, & CJSOTFAP

7. All the MSCs except MND-SE and CJSOTFAP report daily. MND-SE sends weekly reports to MNF-I Detainee Operations per agreement made between MNF-I Detainee Operations and MND-SE, because of national legislation that MND-SE is subject to. [REDACTED] report sporadically, the first report was received on 08 May 2004, and follow-on reports have come in with no predictability. There was not a big push to get [REDACTED] because it was assumed the detainees were being taken to MSC or MNF-I detention facilities within 48 hours.

8. Point of contact for this memorandum is CPT [REDACTED] at DNV" 537-1514, SIPNET email: [REDACTED]

[REDACTED]
CPT, MP
MNF-I Detainee Operations

16A MP BDE

B3
B2
1.4a
B6

SECRET - Fomica Report - Annex 32



DEPARTMENT OF DEFENSE
 OFFICE OF THE DEPUTY COMMANDING GENERAL-DETAINEE OPERATIONS
 MULTI-NATIONAL FORCE-IRAQ, UNITED STATES CENTRAL COMMAND
 BAGHDAD, IRAQ
 APO, AE 09342

REPLY TO
 ATTENTION OF

MNFI-D

23 June 2004

MEMORANDUM FOR RECORD

SUBJECT: Term "Coalition Holding Facility"

1. The following memorandum addresses the time frames that detaining units are required to transfer detainees whether criminal, EPW or Security Internees to the Coalition Holding Area and the definition of a Coalition Holding Area.
2. Per paragraph 3.C.1., [redacted] published 24 August 2003 directed all brigades or equivalent to commence transferring criminal detainees and EPWs to the Coalition Holding Facility (or equivalent) for induction no later than 72 hours after apprehension by the detaining unit. Security Internees may be held longer than 72 hours for intelligence gathering purposes unless movement is sooner directed by CJTF-7, C2. However, the unit in no case shall delay induction of a security detainee more than 14 days from the date of apprehension/detention. In the last sentence, "the unit" refers to a collection point of either brigade or division level. This statement was not intended to authorize teams or company level commanders to hold detainees based on their assessment of potential intelligence value of detained persons under their control.
3. Per [redacted] Facility is defined as the central collection facility through which all detainees/internees should be inducted before transfer to another internment facility or release. This facility was otherwise known as the Baghdad Central Correctional Facility (BCCF) located at Abu Ghraib. In addition to BCCF, Camp Cropper and Camp Bucca are also Coalition Holding Facility. IAW FM 3-19.40, Internment/Resettlement Operations, Division level and below have collection points for detainees, Corps have holding areas, and Theater have holding areas/internment facilities, which are deemed for long term internment.
4. Initial in processing of detainees begins with the brigade collection points and ends at the Division Central Collection Point or commonly referred in this theater as the Division Internment Facility (DIF). Actual induction occurs at the Coalition Holding Facility, where the detainees are in processed into the Detainee Reporting System (DRS) and given an Internment Serial Number (ISN) that is reported to the National Detainee Reporting Center (NDRC) in Washington, D.C. The majority of the induction is done

B2
1.4a

B2
1.4a

~~SECRET~~

Foreign Report - Annex 83

MNFI-D

SUBJECT: Term "Coalition Holding Facility"

BCCF, however, high value detainees are taken to Camp Cropper, where they are inducted into DRS. Camp Cropper serves as a Coalition Holding Area for that special population. The only other facility that could be construed as a Coalition Holding Facility is Camp Bucca located in Umm Qasr, which can induct detainees, however it basically serves as a long term internment facility. Only BCCF, Camp Cropper, and Camp Bucca can induct detainees into DRS.

5. Point of contact for this memorandum is CPT [REDACTED] B6

///ORIGINAL SIGNED///

[REDACTED] B6
CPT, MP

MNF-I Detainee Operations

~~SECRET~~

Formica Report - Annex 33



HEADQUARTERS
Multi National Corps-Iraq
CAMP VICTORY, IRAQ
APO AE 09342-1400

REPLY TO
 ATTENTION OF:

MNCI-ECC-JA

28 May 2004

MEMORANDUM FOR RECORD

THRU COMMANDER, [REDACTED] III Corps Artillery/MNC-I Effects Chief, Camp
 Victory, Iraq, APO AE 09342-1400 **B6**

SUBJECT: [REDACTED] PALACE 15-6 INVESTIGATION: MTG with LT [REDACTED] and SFC [REDACTED]
 [REDACTED] OSJA Representatives, on 27 May 2004 **B6**

1. Purpose. The memorandum memorializes a meeting with LT [REDACTED] and SFC [REDACTED]
 [REDACTED] OSJA representatives from [REDACTED], in regards to a 15-6 investigation into detainee
 policies and procedures that took place at [REDACTED] in the Radwaniya Palace Complex
 (RPC) near Baghdad International Airport (BIAP) on 27 May 2004. **B6 B3 1.4(a)**

2. Discussion. O/a 1100hrs on 27 May 2004, the undersigned met with representatives of
 [REDACTED] OSJA. The following issues were discussed:

a. Four (4) Significant Incidents. I received four (4) investigation files into significant
 incidents occurring at [REDACTED] THFs. Two (2) involved the death of a detainee. The other
 two (2) involved allegations of abuse. LT [REDACTED] informed me that CID had undertaken an
 investigation into one of the deaths (the cardiac arrest) and that the unit's investigation was
 halted so as not to interfere with CID. No further investigation or disciplinary action has been
 taken at this time. However, LT [REDACTED] believes the coroner's autopsy report was inconclusive as
 to the cause of death. **B3 B6 1.4(a)**

b. Detention Beyond 72hrs. I received the [REDACTED] 48hr Detainee Worksheet
 (attached hereto). This worksheet is completed for each detainee at the 48hr mark IOT fulfill the
 48hr review and report requirement and to request detention beyond 72hrs if military intelligence
 (MI) personnel have determine an extended stay at the THF is necessary. I received a sample of
 forms—one blank and a number of completed forms. **B3 1.4(a)**

c. [REDACTED] Detainee Tracking. According to LT [REDACTED], SEAL Team Seven ran
 the RPC THF "informally" from January 2004 through late March 2004. During this period there
 were few detainees held at the RPC THF. It was not until April 2004 that [REDACTED] took over
 the THF operations and the number of detainees held at RPC THF increased. From 03 Apr
B6 1.4(a) B3

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~~SECRET//NOFORN~~

through 18 April, 48hr reports including the detainees currently held at the THF were sent to "the JOC" as handwritten notes and 72hr authorizations were communicated verbally to "the JOC and SJA." I received a Memorandum for Record, LOG, [REDACTED] THF at RPC, Baghdad, Iraq, dated 25 May 2004, listing the detainees held during this period. However, the date of release for many of the detainees listed is blank making it impossible to determine from this MFR how long detainees were typically held during this time. I also received the daily roll-up reports from about 23 April through 26 May. These reports list the detainee's name, date of capture, capturing unit, status pending release and location of capture.

B3
B2
1.4(a)

d. **Interrogation Techniques/Treatment of Detainees.** I received [REDACTED] that implements CJTF-7 (now MNF-I/MNC-I) detention policy and procedures for processing and handling detainees and for CJSOTF-AP temporary holding facilities (THFs). LT [REDACTED] informed me that he knew of no guidance from CJTF-7 (now MNF-I/MNC-I) on policies or procedures for handling detainees or restrictions on interrogation prior to the 48hr report requirement per [REDACTED]. I received the CJSOTF-AP Detainee Interrogation Worksheet (attached hereto). The worksheet is completed prior to interrogation. It is used to determine if there is doubt concerning the detainee's status. It is also used to determine authorized interrogation techniques IAW COMCJTF-7 Policy Letter, dated 14 SEP 2003. I also received sample of completed Interrogation Worksheets.

B2 wla
B3
B2 1.4a

e. **Training for Soldiers Guarding Detainees.** [REDACTED] implements no formal certification process for their soldiers who guard detainees. However, there is a Guard SOP that must be read by each soldier prior to the start of their guard shift and they must sign noting that they understand the rules and procedures and will follow them. I received copies of the guard's logs that they are required to keep during their shifts. I also received copies of the current detainees' logs that are posted on the cell door for each detainee and note significant actions such as when they detainee is given a bathroom break or fed.

B2
B3

3. POC for this memorandum is the undersigned.

[REDACTED] BL6

2 Encls
as

Captain, Judge Advocate
III Corps Artillery/MNC-I Effects

-2-

~~SECRET//NOFORN~~

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SECRET//NO FORN
HEADQUARTERS
MULTI-NATIONAL CORPS - IRAQ
BAGHDAD, IRAQ
APO AE 66342

REPLY TO
ATTENTION OF

PICI-ECC

20 JUN 2004

MEMORANDUM FOR RECORD

SUBJECT: AR 15-6 Investigation

1. Purpose. Review detainee files related to [REDACTED] and Special Forces Group and check for any indication of wrongdoing in the treatment of detainees. B2
2. Background. On or about 14 JUN 2004, PFC [REDACTED] and I reviewed approximately 35 detainee files related with CJSOTF-AP and 5th Special Forces Group. In each file we reviewed the detainee's medical screenings, CPA apprehension form, detainee tracking forms, and all other allied documents present. B6
3. Findings. Of the detainee files reviewed, only two cases raised any issues of concern:
 - a. [REDACTED], alleged to have been coerced into a confession through beatings by the FPS (Facilities Protection Service) before being handed over to Coalition Forces. B6
 - b. [REDACTED], alleged to have been beaten by his capturing unit [REDACTED] captured 01 MAY 04 prior to transfer to Camp Cooke (ICAV). CID has initiated an investigation into Mr. [REDACTED] allegations (see attached Initial Report). However, medical examinations on 11 MAY 04 and 16 MAY 04 revealed no physical signs of current or recent abuse. B6
5. POC for this memorandum is the undersigned at DSN: 821 2361.

Encl
as

[REDACTED]
CPT, JA
MNC-I Effects B6

~~SECRET//NO FORN~~

Formica Report - Annex 35

DATE: 20 MAY 2004

FROM: SAC, 38TH MILITARY POLICE DET (CID)
TO: DIRECTOR, USACRC, USACIDC, FORT BELVOIR, VA
CDR, USACIDC //CIOP-ZA//
CDR, 22ND MP BN (CID)//OPS//
CDR, 3D MP GROUP (CID)//OPS//
PM, 1CD //PM//
SJA, 1CD //SJA//

SUBJECT: CID REPORT OF INVESTIGATION- INITIAL/SSI - 0152-
04-CID899-81708-5C1L/5Y2P9

DRAFTER: SA [REDACTED]
RELEASER: SAC [REDACTED] B6

UNCLASSIFIED - FOR OFFICIAL USE ONLY

1. DATES/TIMES/LOCATIONS OF OCCURRENCES:
1. 23 APR 04/0100 - 8 MAY 04/1700; UNKNOWN LOCATION
IRAQ

2. DATE/TIME REPORTED: 14 MAY 2004; 1400

3. INVESTIGATED BY: SA [REDACTED] B6

4. SUBJECT: 1. UNKNOWN; (NFI) (AGGRAVATED ASSAULT)
[MALTREAT PRISONER]

5. VICTIM: 1. [REDACTED] CIV; [REDACTED]
[REDACTED]; M; OTHER; CAMP COOKE DETENTION
CENTER, TAJI, IRAQ; ZZ; (NFI) (AGGRAVATED ASSAULT) [MALTREAT
PRISONER]

2. [REDACTED] B6
[REDACTED] M; OTHER; CAMP
COOKE DETENTION CENTER, TAJI, IRAQ; ZZ; (NFI) (AGGRAVATED
ASSAULT) [MALTREAT PRISONER]

6. INVESTIGATIVE SUMMARY: THE INFORMATION IN THIS REPORT
IS BASED UPON AN ALLEGATION OR PRELIMINARY INVESTIGATION
AND MAY CHANGE PRIOR TO THE COMPLETION OF THE
INVESTIGATION.

THIS IS AN "OPERATION IRAQI FREEDOM 2" INVESTIGATION.

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THE DELAY IN REPORTING THIS INCIDENT WAS DUE TO LOGISTICAL REASON AND THIS OFFICE ATTEMPTING TO IDENTIFY THE ALLEGED VICTIMS OF THIS INVESTIGATION.

ABOUT 1400, 14 MAY 04, THIS OFFICE WAS NOTIFIED BY COL [REDACTED] (NFI) ICD, CHIEF OF STAFF (COS), CAMP COOKE, TAJI, IRAQ, OF ALLEGATIONS OF PRISONERS BEING ABUSED PRIOR TO BEING TURNED OVER TO THE CAMP COOKE DETENTION CENTER (CCDC), CAMP COOKE, TAJI, IRAQ. B6

PRELIMINARY INVESTIGATION REVEALED ON 8 MAY 04, MR [REDACTED] AND MR [REDACTED] WERE TRANSPORTED AND RELEASED TO THE CCDC BY THEIR DETAINING UNIT. ON 10 MAY 04, WHILE BEING INTERROGATED BY MILITARY INTELLIGENCE, MR [REDACTED] AND MR [REDACTED] REPORTED THEY WERE TORTURED PRIOR TO BEING TAKEN INTO THE CUSTODY BY THE CCDC. B6

ON 11 MAY 04, MR [REDACTED] WAS EXAMINED BY DR (CPT) [REDACTED] C CO (MED) 39TH SUPPORT BN, 39TH BCT, CAMP COOKE, TAJI, IRAQ. DR [REDACTED] CONDUCTED A COMPLETE PHYSICAL EXAMINATION OF MR [REDACTED] AND STATED THERE WERE NO PHYSICAL EVIDENCE OF CURRENT OR RECENT ABUSE. DR [REDACTED] STATED THERE WERE NO HEALING OR BRUISES OF THE FACE OR CHEST. THERE WERE NO LIGATURE MARKS OR BRUISES ON THE NECK. THERE WERE NO PETECHIA HEMMORAGES OF THE CONJUNCTIVA OR ORAL LESIONS. FURTHER, MR [REDACTED] TESTICLES AND PERINEUM REVEALED NO EVIDENCE OF BRUISING OR BURNS AS INITIALLY ALLEGED. DR HAYES CONCLUDED THAT HE FOUND NO PHYSICAL EVIDENCE OF TORTURE. B6

ON 16 MAY 04, MR [REDACTED] AND MR [REDACTED] WERE RE-EXAMINED BY DR (1LT) [REDACTED] C CO (MED) 39TH SUPPORT BN, 39TH BCT, CAMP COOKE, TAJI, IRAQ. THE EXAMINATION WAS CONDUCTED IN THE PRESENCE OF USACIDC. MR [REDACTED] AND MR [REDACTED] WERE ASKED WHAT TYPE OF TORTURE THEY HAD BEEN SUBJECTED TO, AND WHAT TYPE OF INJURIES THEY HAD SUSTAINED. DR [REDACTED] STATED THERE WERE NO PHYSICAL SIGNS OF TORTURE, AND NONE OF THE INJURIES WERE CONSISTENT WITH MR [REDACTED] AND MR [REDACTED]'S ALLEGATIONS. B6

EFFORTS ARE ONGOING TO LOCATE AND INTERVIEW THE SOLDIERS INVOLVED IN THIS INCIDENT.

INVESTIGATION CONTINUES BY USACIDC.

7. COMMANDERS ARE REMINDED OF THE PROVISIONS OF AR 600-8-1 PERTAINING TO SUSPENSION OF FAVORABLE PERSONNEL ACTIONS AND

Formica Report - Annex 35

AR 300-67 FOR THE SUSPENSION OF SECURITY CLEARANCES OF
PERSONS UNDER INVESTIGATION.

8. CID REPORTS ARE EXEMPT FROM AUTOMATIC TERMINATION OF
PROTECTIVE MARKING IN ACCORDANCE WITH CHAPTER 3, AR 25-55.

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Formion Report - Annex 38

4 June 2004

MEMORANDUM FOR RECORD

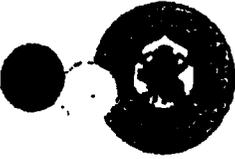
SUBJECT: Alleged Detainee Abuse as Reported by Detainee 7400

1. On 31 May 2004, I visited the DCCP to conduct interviews with random detainees. One of the detainees I spoke with was Detainee [REDACTED] ([REDACTED]). He was detained by [REDACTED] on 9 May 2004 along with detainees [REDACTED] and [REDACTED]. B6
2. [REDACTED] informed me that he spent a day at the jail on the north side of Tikrit. I am assuming this is the [REDACTED] collection point. Next, he was taken to an unknown location for two days before he was transferred to the DCCP. According to the PMO's records, he arrived at the DCCP on 11 May. He said that while he was at the north Tikrit jail and the DCCP he received decent treatment from the soldiers. He said he was abused, however, for the two days he was brought to the unknown location prior to his transfer to the DCCP. B6
3. After he was at the [REDACTED] collection point, he said his wrists were tied and he was blindfolded and taken to the new location inside a building. He does not know where he was taken. While at the unknown location he said he received no food or water and could not sleep due to very loud American music blaring the entire time. He said he was placed in a crate about four feet high that required him to sit on the floor of the box with his knees to his chest. He stated he was tied and blindfolded the entire time. He said when he was questioned by a man wearing DCU pants and a brown t-shirt he was slapped in the face by the interpreter. He believes the interpreter was Kurdish but he does not know if the interpreter was a soldier or a civilian.
4. I asked [REDACTED] if he knew of any other detainees being abused while in coalition forces custody. He stated two detainees that were recently transferred to Abu Ghraib (first names [REDACTED], last names unknown) showed him wounds at the DCCP they said were inflicted by translators. After speaking with SSG [REDACTED] from the PMO, we were able to identify these two detainees as [REDACTED] and [REDACTED]. They had been transferred to Abu Ghraib on 23 May 2004. Furthermore, both detainees were also detained by [REDACTED] reported he was abused while in 1 ID custody and his case currently is being investigated by CID. SSG [REDACTED] and I then looked at [REDACTED] photo that was taken when he processed the DCCP and it is obvious that he was beaten. B6
5. The POC for this action is the undersigned a [REDACTED]

[REDACTED] B6
 CPT, JA
 DCCP Legal Advisor

~~SECRET//NOFORN~~

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HEADQUARTERS
MULTI-NATIONAL FORCE - IRAQ
OFFICE OF THE DEPUTY COMMANDING GENERAL
DETAINEE OPERATIONS
BAGHDAD, IRAQ
APO AE 08943-1400

REPLY TO
ATTENTION OF

MNFI-D

15 June 2004

MEMORANDUM FOR RECORD

SUBJECT: Detainees Basic Tenant Rights LAW Geneva Convention and Army Regulations

1. AR 190-8, Enemy Prisoner of War, Retained Personnel, Civilian Internees, and Other Detainees, outline the minimum standard of living for detainees in permanent internment facilities, but does not address temporary holding facilities of a capturing unit.
2. FM 3-19.40, Internment/Resettlement Operations, identifies the basic safeguards that are mandated for all types of detainees.
 - a. Provide first aid and medical treatment for all detainees that are equal to the treatment that would be given to US casualties.
 - b. Provide food and water. These supplies must be commensurate to those for US and allied forces.
 - c. Provide firm, humane treatment.
 - d. Allow captives to use protective equipment in case of hostile fire or NBC threat.
 - e. Do not locate captives near obvious targets. (e.g. ammunition sites, fuel points, etc.)
3. The Geneva Convention Relative to the Protection of Civilian Persons in Time of War, 12 August 1949, deals with the status and treatment of civilian internees, in that it must be humane in nature. The capturing unit is responsible for proper and humane treatment of detainees from the moment of capture or other apprehension.
4. FM 3-19.40 does not articulate the minimum standard a capturing must provide in form of shelter or manner of detention, thus the standard must be relative to that of a forward collection point. A forward collection point as a minimum has a guard force based on METT-TC, food and water, latrine facility, trench or overhead cover, and concertina wire establishing a perimeter. It is understood that all these requirements are based on METT-TC and security for both the detainees and capturing unit must be a planning consideration. The guard force is necessary to monitor the detainees, especially in the event of a medical emergency (e.g. heart attack, seizure, or stroke) that could result in permanent injury or death if not treated immediately by medical personnel. These tenants fall under the preamble of humane treatment in the Geneva Convention.

~~SECRET//NOFORN~~

Formica Report - Annex 37

MNFI-D

SUBJECT: Detainees Basic Tenant Rights IAW Geneva Convention and Army Regulations

5. FM 3-19.40 provides suggestions of a detention facility but does not limit the ground commander on other types of detention methods or means to secure the detainees, as long as the method or means does not violate the Geneva Convention and meets the basic safeguards outlined in FM3-19.40. AR 190-8 specifically prohibits any measure of such character to cause physical suffering or extermination of the Civilian Internee.

a. Use of chains bolted to the floor as a means of securing detainees for a short period of time that allow the detainee the ability to stand, sit, or lay down is acceptable as long as the minimum requirements/safeguards listed in paragraphs two and four are adhered to. (A short period of time is defined as not to exceed 14 days, as outlined in [redacted] for the amount of time a detainee can be held prior to evacuation to a Coalition Holding Facility, Baghdad Central Collection Facility.)

b. Securing detainees in a cement cell with dimensions of 4 feet long, 3.10 feet high, and 1.5 feet wide secured by a sliding metal door is acceptable for a short duration not to exceed 24 hours. The cell does not provide for good ventilation, lighting, or observation by guard force. In addition, long periods of detention in this type of facility would cause physical suffering to the detainee violating AR 190-8 and the provisions of the Geneva Convention. In addition, the minimum requirements/safeguards listed in paragraphs two and four apply here also.

6. Point of contact for this memorandum is the undersigned [redacted]

[redacted]
CPT, MP
MNF-I Detainee Operations

~~SECRET//NOFORN~~

Formica Report - Annex 37



DEPARTMENT OF THE ARMY
25TH MILITARY POLICE BATTALION (CID)
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND
CAMP VICTORY, IRAQ, APO AE 09342

REPLY TO
ATTENTION ON:

CIRC-AB

19 May 2004

MEMORANDUM FOR Commander, Baghdad Correctional Confinement Facility, Abu
Ghryeb, Iraq, APO AE 09335

SUBJECT: CID Detainee Hold Approval (0281-03-CID259-61236)

1. My staff has reviewed the criminal investigation associated with [REDACTED] (AKA: [REDACTED]) and concluded credible information exists to believe he committed the crime of murder. Therefore, I direct he be placed on "CID Hold" until further notice. Efforts to dispose of the investigation through proper legal channels are ongoing. *B6*

2. POC is CW2 [REDACTED] per the undersigned, at DNYT 302-550-4350. *B6*

[REDACTED]

LDC, MP
Commanding

SECRET//NOFORN

Formosa Report - Annex 38

Annex 410-413

CID DOCUMENTS

<* SENT ON SIPR Side >

(+ Portions of Annex 120)

Refer to CID

(b1) B6
B3al

AGENT'S INVESTIGATION REPORT

CID Regulation 19S-1

ROI NUMBER

0233-03-CID259-61217

PAGE 1 OF 5 PAGES

DETAILS

BASIS FOR INVESTIGATION: About 1010, 2 Nov 03, this office was notified by the 10th Military Police Battalion (CID), Baghdad International Airport (BIAP), Baghdad, Iraq, who indicated a service member died after his Mobility Multi-purpose Wheeled Vehicle (HMMWV) ran over an unknown explosive device.

About 1100, 2 Nov 03, [redacted] coordinated with [redacted], Assistant S-3, Battle CPT, 2/3 Field Artillery (FA) Battalion (BN), (Baghdad, Iraq), Giessen, Germany, APO AE 09045, who related [redacted], [redacted], 2/3 FA BN, (Baghdad, Iraq), Giessen, Germany, APO AE 09045 (NFI), was killed when his HMMWV ran over an unknown explosive device believed to be either a improvised explosive device (IED) or a land mine. [redacted] related about 2327, 1 Nov 03, persons unknown were driving a black 4-door, hatchback "Passat", when persons unknown fired two rocket propelled grenades (RPG)'s at the 2/3 FA BN, Forward Operating Base (FOB), located at grid [redacted]. The vehicle then fled the area. A vehicle mounted Quick Reaction Force (QRF) exited the FOB and gave chase to the black "Passat". The QRF fired a squad automatic weapon (SAW) at the vehicle; however, it was unknown if the vehicle was struck. The QRF was unable to stop the vehicle, which subsequently escaped. The QRF was near the [redacted], Baghdad, Iraq, (grid [redacted] 40339284) when it prepared to return to the FOB. [redacted] HMMWV entered soft dirt on the side of the road and struck an unknown explosive device believed to be an IED or land mine. The HMMWV was able to return to the FOB. [redacted] sustained shrapnel wounds to his face, arm and torso, and was evacuated to the 2/3 FA BN Aid Station, where he received medical treatment by [redacted], Physician Assistant, 2/3 FA BN. [redacted] was further air-evacuated to the Combat Support Hospital (CSH), Baghdad, Iraq, where he was pronounced dead at 0325, 2 Nov 03.

AGENT'S COMMENT: [redacted] was unable to determine if the suspected IED and the vehicle borne RPG attack were related.

About 1115, 2 Nov 03, [redacted] interviewed [redacted] who stated [redacted] Physician Assistant for the 2/3 FA BN, and performed medical treatment upon [redacted] arrival at the Battalion Aid Station. [redacted] further stated he performed a surgical tracheotomy and subsequent [redacted]

TYPED AGENT'S NAME AND SEQUENCE NUMBER

[redacted]

ORGANIZATION

12th MP DET (CID), BAGHDAD IRAC

DATE

11 Dec 03

EXHIBIT

CID FORM 94
1 FEB 77

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B7 B6 B3

AGENT'S INVESTIGATION REPORT

ROI NUMBER

0233-03-CID259-61217

CID Regulation 195-1

PAGE 2 OF 5 PAGES

DETAILS

Intravenous fluid therapy prior to [REDACTED] being air-evacuated to the 28th CSH.

About 1330, 2 Nov 03, [REDACTED] coordinated with [REDACTED], 2/3 BN Executive Officer, (Baghdad, Iraq), Giessen, Germany, who related a 15-6 Investigation was going to be conducted regarding this incident. [REDACTED] further related he inspected the damaged HMMWV and stated there was shrapnel damage to the heater core, floorboards, exterior body, tires, and doors. [REDACTED] was going to expose photographs of the HMMWV and forward them to the appointed 15-6 Officer. [REDACTED] did not have a cost estimate regarding the physical damage to the HMMWV.

About 1500, 4 Nov 03, [REDACTED] coordinated with [REDACTED] Affairs, 54th Quartermaster Company, (Baghdad, Iraq), Ft Lee, VA 23801, who provided a copy of DA Form 3894, which indicated LTC [REDACTED] 28th CSH, Neurosurgery Attending, pronounced deceased at 0350, 2 Nov 03. The listed condition directly leading to death was attributed to "Penetrating Brain Injury). (See DA Form 3894)

About 1510, 17 Nov 03, [REDACTED] coordinated with [REDACTED] Chief, Administrative Law Division, BIAP, Baghdad, Iraq, who provided a copy of the completed Army Regulation (AR) 15-6 Investigation pertaining to the death of [REDACTED]. (See 15-6 Investigation for details)

About 1130, 4 Dec 03, [REDACTED], [REDACTED], 5684, and [REDACTED] 6094, this office, coordinated with [REDACTED] S-2, 2/3rd FA, who stated he previously interviewed [REDACTED], current bodyguard for the Ministry Interior, and who was a former Iraqi Police Detective. [REDACTED]

[REDACTED]. Both of the aforementioned individuals reside in Section #314, Baghdad, Iraq, and are in a cell in [REDACTED] responsible for attacking Coalition Forces.

AGENT'S COMMENT: [REDACTED]

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SIGNATURE [REDACTED]

CID FORM 94
1 FEB 77

ORGANIZATION
12TH MP DET (CID), BAGHDAD IRAQ

DATE
11 Dec 03

EXHIBIT

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AGENT'S INVESTIGATION REPORT

ROI NUMBER
0233-03-CID259-61217

CID Regulation 195-1

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DETAILS

responsible for the death of [REDACTED]. [REDACTED] stated [REDACTED] previous intelligence had appeared to be truthful; however not always able to be verified for accuracy.

AGENT'S COMMENT: Prior to leaving, [REDACTED] stated the estimated cost of damage to the HMMWV was \$2,000.

About 1030, 8 Dec 03, [REDACTED] interviewed [REDACTED] AKA: [REDACTED], currently residing at C Battery, 2/3rd Field Artillery, Baghdad, Iraq. [REDACTED] currently worked as a bodyguard for the Iraqi Ministry of Interior, which was based at C Battery, 2/3rd Field Artillery, and further provided intelligence to the C Battery regarding the death of coalition forces. [REDACTED] was previously a Detective for the Iraqi Police and when coalition forces occupied Iraq, he offered his services to the U.S. Army. [REDACTED] was residing with C Battery due to the numerous death threats against him and his family.

[REDACTED] Subsequently his house was destroyed by person(s) unknown. U.S. Forces have informed inquiring Iraqis that [REDACTED] was killed by person(s) unknown.

Through the use of an interpreter, [REDACTED] related in early Nov 03, he was [REDACTED]

[REDACTED] who was believed to be a member of the Fedaheen, located in the surrounding area, and was further believed to be responsible for the death of coalition forces in Iraq. The following day, [REDACTED] located [REDACTED], who was sitting in his white colored ambulance, next to a restaurant and a mosque. [REDACTED] approached [REDACTED] and introduced himself as "Mustafa" and told him that he currently worked for [REDACTED]. [REDACTED] requested [REDACTED] help in the fight against Americans. [REDACTED] stated if it involved hurting the Americans, he could help with weapons and show the locations that the Americans "come and go." Mr. [REDACTED] requested [REDACTED] get in [REDACTED] vehicle with him and his four friends, and leave the area. [REDACTED] agreed and entered Mr. [REDACTED] vehicle. While traveling within the Baghdad area, Mr. [REDACTED] stated he could provide Rocket Propelled Grenades (RPG) and Bazookas. Mr. [REDACTED] then asked why they wanted to use RPG's, and that they should use

(b)(1), (4)(c)
(b)(1), (4)(c)

TYPED AGENT'S NAME AND SEQUENCE NUMBER
[REDACTED], 5731

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Improvised Explosive Devices (IED). [redacted] stated he could take them to a man named [redacted], who would provide both the IED and the remote device. [redacted] was aware that [redacted] was currently detained at C Battery, 2/3rd Field Artillery. [redacted] drove through numerous back roads and alleys until he arrived at the front gate of C Battery, 2/3rd Field Artillery. [redacted] asked him what they were doing there. [redacted] then stated "Let me introduce myself, my name is Mohamad [redacted]" [redacted] knew of [redacted] by name and exclaimed "I got caught." [redacted] then stated he was recently engaged to an Iraqi woman and would do anything to not go to prison. Upon returning to C Battery, Mr. SADDAM was asked by [redacted] to find out if [redacted] knew anything regarding the death of an American Soldier within the last few days. [redacted] informed [redacted] that [redacted] provided an IED to [redacted] and [redacted] who subsequently placed the IED and detonated it as a High Mobility Multi Purpose Wheeled Vehicle (HMMWV) passed by. [redacted] described the incident as being consistent with the time and place of the death of [redacted].

r. [redacted] informed this office that [redacted] was further interviewed at an unknown location and believed [redacted] was released for unknown reasons.

AGENT'S COMMENT: [redacted] previously provided [redacted] and [redacted] information regarding the aforementioned information. (X)(1)(4)(6)

About 0930, 9 Dec 03, [redacted] briefed [redacted], Federal Bureau of Investigation, Baghdad, Iraq, on this investigation. [redacted] stated he would research the database of his agency and determine if the aforementioned names are currently/previously being investigated.

About 1230, 11 Dec 03, [redacted], 6094, interviewed CPT [redacted], who verified he was previously provided information by Mr. [redacted] regarding the death of [redacted] believed Mr. [redacted] was truthful regarding the [redacted]. [redacted] further stated he tested the validity of the information on numerous occasions and [redacted]'s information always proved truthful.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

[redacted]

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[redacted]

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DETAILS

AGENT'S COMMENT: [REDACTED] was aware of the current safety status of Mr. [REDACTED] and his family.////LAST ENTRY////

TYPED AGENT'S NAME AND SEQUENCE NUMBER

[REDACTED]

[REDACTED]

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[REDACTED]