

[Redacted]

From: [Redacted]  
Sent: Tuesday, May 25, 2004 3:16 PM  
To: [Redacted]  
Subject: EPW



EPW Case  
Summaries.doc

1  
ble

[Redacted]

Division Chief, Personal Crimes Dept.  
NCISHQ (Code 0023B)  
Office: (202) 433-9254  
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Summaries of NCIS Investigations Regarding the Deaths or Mistreatment of  
Enemy Prisoners of War – May 13, 2004

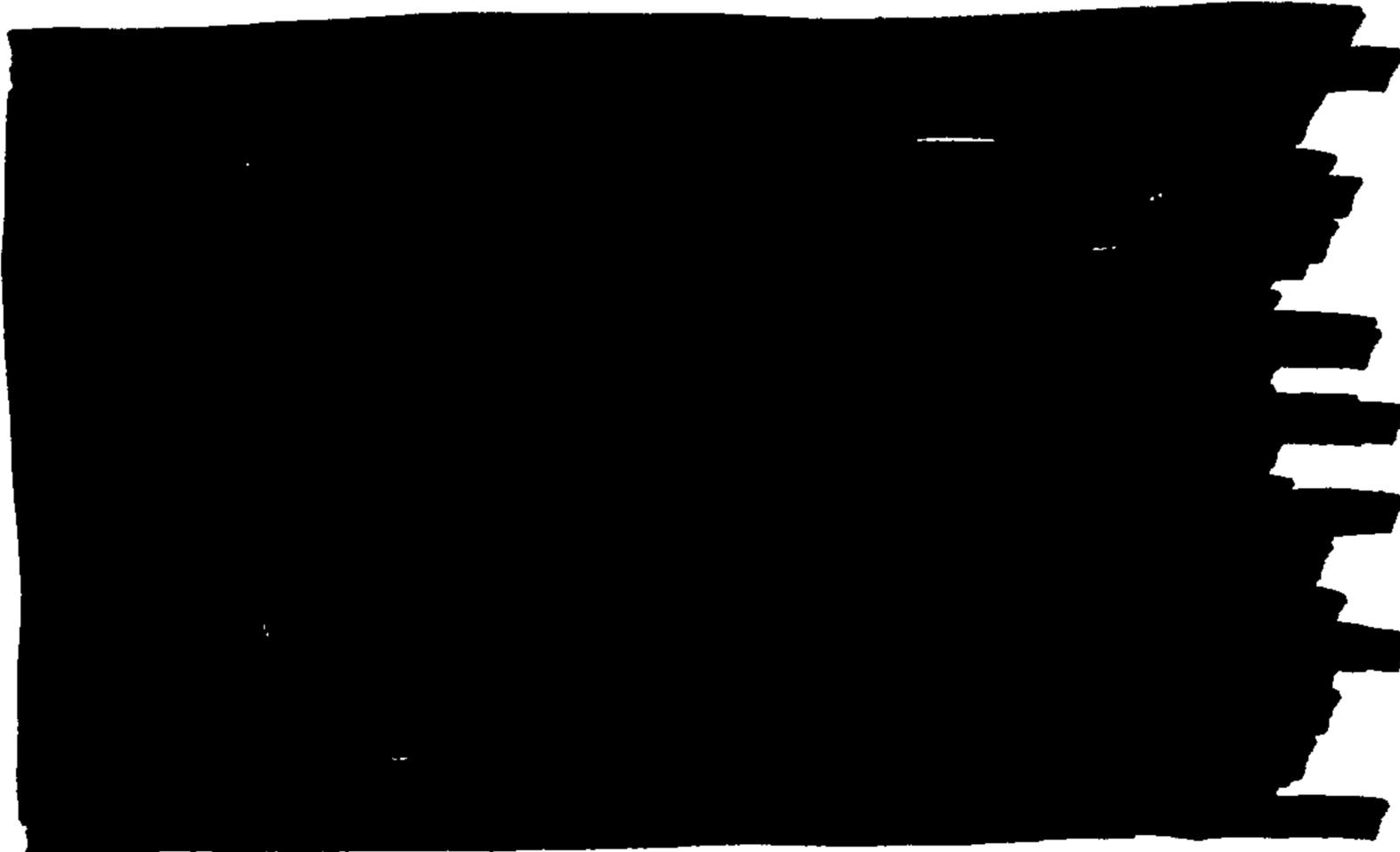
To date, the Naval Criminal Investigative Service has initiated six separate investigations and one preliminary inquiry regarding the death or alleged mistreatment of enemy prisoners of war (EPWs). The case titles and control numbers are as follows:

1. 

**Victim: Hatab, Naeem Sadum/CIV**  
**CCN: 06JUN03-MEBJ-0233-7HMA/T**



b7A



Summaries of NCIS Investigations Regarding the Deaths or Mistreatment of  
Enemy Prisoners of War – May 13, 2004

[REDACTED]

2. **Victim: Mohamed, Farhad/CIV (DECEASED)**  
CCN: 10APR04-MEBJ-0129-7HNA

[REDACTED]

[REDACTED]

b7A

3. **Victim: Jamadi, Manadel/CIV (DECEASED)**  
CCN: 30NOV03-MEBJ-0529-7HNA/C

[REDACTED]

[REDACTED]

[REDACTED]

Summaries of NCIS Investigations Regarding the Deaths or Mistreatment of  
Enemy Prisoners of War – May 13, 2004

[REDACTED] b7A

4. Title: I/NAS Whidbey Island WA/ Alleged Assault of Iraqi Prisoners of War  
CCN: 06OCT03-NWWH-0193-7GNA/C

Status: Closed.

Background: In October, 2003, Naval Hospital Oak Harbor, Washington, received information concerning the possible abuse of one or more EPWs by a Corpsman while he was deployed in support of Marine Corps units in Iraq during Operation Iraqi Freedom. NCIS interviewed all nine Corpsmen who deployed from the hospital to Iraq, including the one against whom the allegations were made. One Corpsman said that [REDACTED] claimed to have "roughed up some EPWs while in Iraq". NCIS interviewed [REDACTED] however, [REDACTED] said he never abused or assaulted any EPWs. [REDACTED] did admit pushing one EPW's face in the dirt and tripping other difficult EPWs to put them on the ground while assisting USMC members conducting "pat down" searches of Iraqis taken into custody. NCIS confirmed that [REDACTED] is not linked to other investigations into the abuse of Iraqi EPWs. A prosecutive review of the investigation was conducted and it was found to have no prosecutive/disciplinary merit.

5. Title: I/First FSSG, Camp Pendleton, Ca/Alleged Execution Of Iraqi Prisoners  
Of War  
CCN: 13JUN03-SDPE-0125-7XMA/C b7C

Status: Closed.

Background: On June 13, 2003 the NCIS Field Office at Camp Pendleton received a report from a member of Combat Services Support Company, 1<sup>st</sup> FSSG, that while attending a party the previous night, a member of his unit, [REDACTED] USMC, told several other unit members that he had been ordered by his former [REDACTED] to execute three Iraqi EPWs during April 2003. According to [REDACTED] while his unit was conducting combat operations near an abandoned Iraqi pharmaceutical factory south of Baghdad, his [REDACTED] gave him the order and threatened to kill him if he didn't carry out the executions. [REDACTED] claims he killed the three Iraqi EPWs and disposed of the bodies in an eight-foot deep hole. Upon receipt of this report NCIS interviewed those Marines present at the party and confirmed that [REDACTED] had indeed provided this same of account of events. [REDACTED] was interviewed and provided an explanation concerning his previous claim that he executed three Iraqi EPWs. [REDACTED] claimed that he was intoxicated and fabricated the entire story. [REDACTED] was provided a polygraph examination and was determined to be truthful.

6. Title: I/2<sup>nd</sup> BN 5th MARREG 1st MARDIV/Alleged Execution Of Iraqi  
Prisoners Of War  
CCN: 09JUL03-MWPE-0149-7XMA/C

Summaries of NCIS Investigations Regarding the Deaths or Mistreatment of  
Enemy Prisoners of War – May 13, 2004

Status: Closed.

Background: On July 09, 2003 the NCIS Field Office at Camp Pendleton, California, was notified that [REDACTED] USMC, 2<sup>nd</sup> BN 5<sup>th</sup> MARREG, 1<sup>st</sup> MARDIV, was being treated at the Naval Medical Center San Diego, when he was overheard bragging about stabbing dead and wounded Iraqi EPWs. NCIS interviewed Naval Medical Center personnel who reported that [REDACTED] had told several member of the staff that he was meritoriously promoted to Sgt, wounded in Iraq, awarded a Purple Heart, honored by his hometown with a ceremony and parade, and treated to dinner by his Congressman. After reporting late for a medial appointment [REDACTED] claimed he was delayed because he assaulted the previous night while he was assisting the San Diego Police Department. [REDACTED] command indicated he was not awarded a Purple Heart medal, that his wound was self-inflicted, and that command had no record of his being assaulted or assisting the local police. Additional inquires surfaced no record of a hometown ceremony parade or meritorious promotion to Sgt.

To date, the Naval Criminal Investigative Service has initiated six separate investigations and one preliminary inquiry regarding the death or alleged mistreatment of enemy prisoners of war (EPWs). The case titles and control numbers are as follows:

7. **TITLE: V/EL GASHAME, HEMDAN HABY HESHFAN/CIV (DESEASED)**  
**CCN: 31MAR03-MEBJ-0087-7XMA/C**

Status: Closed

Background: On March 31, 2003, NCIS Special Agents supporting USMC units in Iraq were notified that a member of the 2<sup>nd</sup> Regiment Combat Team (2ndRCT) 2ndMEB, shot and killed El Gashame who was being detained within the 2ndRCT EPW Collection Point near Nasiriyah, Iraq. Command members were interviewed and reported that El Gashame, a suspected Fedayeen member, was captured on March 28, 2003, and detained in the EPW Collection Point for interrogation. On March 29, 2003, El Gashame was interrogated and following this session he was placed back into his assigned detention room. [REDACTED] USMC, was tasked to guard two adjoining detention rooms, one being the room that housed El Gashame. According to command members El Gashame reportedly attacked [REDACTED] and during the struggle for [REDACTED] weapon, El Gashame was shot and killed. NCIS processed the death scene and photographed the area to include El Gashame's body. Unit personnel reported an earlier unsuccessful attempt to take [REDACTED] weapon was made by a separate EPW and El Gashame observed this episode. [REDACTED] was interviewed and confirmed that El Gashame unexpectedly came toward him, hands extended in a manner to grab his rifle and after a verbal warning [REDACTED] shot El Gashame. The Commanding Officer determined [REDACTED] acted in self-defense therefore no disciplinary action was pursued.

[REDACTED]

**From:** [REDACTED]@hqmc.usmc.mil]  
**Sent:** Wednesday, June 16, 2004 2:30 PM  
**To:** [REDACTED]  
**Subject:** FW: Updated Detainee Case Spreadsheet 16Jun04



16Jun04 JAD  
preadsheet USMC A.

Pls review and make sure these jive with our numbers. Note the one case Command is investigating under the category "other". Not sure if we were ever notified on that one. [REDACTED]

b7C

>  
> Subject: Updated Detainee Case Spreadsheet 16Jun04  
>  
> Gentlemen & Maam,  
>  
> Attached is updated USMC Alleged Detainee Abuse Case Spreadsheet as of 16  
> Jun 04.  
>  
> Substantive change - 2 new cases are in preliminary stages of  
> investigation. They are neither substantiated nor unsubstantiated yet and  
> under "Other" on page 8, cases 1 & 2 (blue font).  
>  
> We will share this report outside USMC (including DODIG & Navy IG) NLT  
> noon tomorrow, adding any new developments from the new cases.  
>  
> V/R, [REDACTED] USMC  
> <<16Jun04 JAD Spreadsheet USMC Alleged Detainee Abuse Cases.doc>>  
>  
>

**UNCLASSIFIED FOR OFFICIAL USE ONLY  
USMC ALLEGED DETAINEE ABUSE CASES SINCE 11 SEP 01**

**Total as of 16 Jun 04: 10 Substantiated incidents; 10 Unsubstantiated incidents**

- 1. Substantiated:** 10 incidents - All 1stMARDIV - 8 OIF I, 2 OIF II.  
 24 suspects: 9 Court-martial convictions - 1 General Court-martial, 5 Special Courts-martial; 3 Summary Courts-martial  
 2 Non-judicial Punishments (1 followed by Board of Inquiry & pending discharge)  
 6 - charges withdrawn or dismissed  
 7 cases pending:  
     3 pending General Courts-martial  
     2 pending Special Court-martial (1 of these may be GCM - TBD).  
     1 pending p.11  
     1 investigation ongoing
- 2. Unsubstantiated:** 10 incidents; 7 known suspects & unknown number of other suspects (2 NJPs for false official statements alleging abuse).  
 One detainee death investigated with no allegation of abuse.
- 3. Other:**  
 Three investigations pending.

Unit	Date of Incident	Date Reported	Suspect, Location & Allegation	Type of Investigation	Disposition & Date	Current Status
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**SUBSTANTIATED**

[1] 1 <sup>st</sup> BN, 4 <sup>th</sup> MAR, 1stMARDIV, 1 MEF	2 Jun 03	3 Jun 03	SUSPECT: [REDACTED] LOCATION: TBD ALLEGATION: Beat detainees w/fists on various parts of their body	Command (JAGMAN)	SPCM: 2 Jun 03 Guilty of Art 92, violation of lawful order; Art 93, maltreatment; & Art 128, assault. SENTENCE: 120 days conf; red E-1; BCD	Closed
---	----------	----------	---	---------------------	--	--------

[2] 3 <sup>rd</sup> BN, 7 <sup>th</sup> MAR, 1 <sup>st</sup> MARDIV, 1 MEF	15 May 03	Original ly reported 20 May 03. [REDACTED] also reported it to CNN 11 May 04, & to WCQS reporter	SUSPECTS: (1) [REDACTED] (2) [REDACTED] (3) [REDACTED] LOCATION: Karbala, Iraq (Logistics Base West of Karbala) ALLEGATION: [REDACTED] mistreated a bound detainee ([REDACTED]) by holding a 9mm pistol to the back of the detainee's head while another Marine took a picture. [REDACTED] also admitted to pouring a glass of water on the detainee's head. [REDACTED] took a photograph of the detainee while an American Flag was draped over	Command (JAGMAN)	(1) SPCM 7 Jan 04 Guilty of dereliction, maltreatment, assault SENTENCE Conf 90 days, forf \$500 x 3 mos, red E-1  (2) SCM 2 Jan 04 Guilty of Art 92	Closed
--	-----------	--	--	---------------------	---	--------

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the detainee's body. [REDACTED] failed to properly guard the detainee in the execution of his duties during these occurrences of maltreatment.

SENTENCE Conf 30 days, forf 2/3 pay x 1 mo, red E-1

[REDACTED] Ashville NC  
23 Mar 04.  
[REDACTED] is former 3/7 SSgt separated 31 Dec 03 on combat related physical disability)

(3) SCM 15 Jan 04 FINDINGS Guilty of dereliction, maltreatment SENTENCE Conf 20 days, forf 2/3 pay x 1 mo, red E-1

[3] 3<sup>rd</sup> BN, 5<sup>th</sup> MAR, 1<sup>st</sup> MARDIV, 1 MEF  
3  
SUBSTANTIATED INCIDENTS;  
4 ORIGINAL SUSPECTS;  
CHARGES WITHDRAWN AGAINST 1 SUSPECT

1 Jun -  
6 Jul 03

TBD

SUSPECTS: (1) [REDACTED]  
(2) [REDACTED]  
(3) [REDACTED]  
(4) [REDACTED]

LOCATION: Adwaniyan, Iraq

ALLEGATIONS:

- (1) Locked two Iraqi male looters in an abandoned tank with a water bottle & hatch open.
- (2) Sprayed Iraqi looters w/fire extinguisher;
- (3) Ordered 4 juvenile Iraqi looters to kneel beside 2 shallow fighting holes & a pistol was discharged to conduct a mock execution.

NCIS

(1) Pending SPCM

- (1) Pending SPCM- continue to 14Jun
- (2) SPCM 29Mar04 Guilty of dereliction SENTENCE: Red E-3; 30 days hard labor w/o conf
- (3) SCM 26 Jan 04 Guilty of detainee abuse (spraying detainee w/ fire extinguisher) SENTENCE: Red E-3; forf 2/3 pay x 1 mo; 14 days restr
- (2) & (3) disciplin y action complet
- (4) Clos

[4] [REDACTED]

6 Jun 03

SUSPECTS: (1) [REDACTED]  
(2) [REDACTED]  
(3) [REDACTED]  
(4) [REDACTED]  
(5) [REDACTED]

LOCATION: [REDACTED]

NCIS

(4) Chrgs withdrawn

[REDACTED]

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**ALLEGATION:**

[REDACTED]

*b-1A*

Case No.	Date	Location	Allegation	Command	Disposition
[5]	(1) 23 Jun 03 (2) 29 Jun 03	Al Kut, Iraq	(1) 23 Jun 03 - SNO, as Combined Anti-Armor (CAAT) Platoon Commander, detained 4 Iraqi males for looting brass from the Ammunition Supply Point. After the 4 <sup>th</sup> time of detaining them the same day, SNO had them searched, stripped of clothing except shoes & underwear, & released. SNO failed to account for their personal property & currency. (2) 29 Jun 03 - SNO's Platoon fired in self-defense at a semi-truck attempting to run a checkpoint on 28 Jun 03. The two occupants were injured & transported to the hospital for treatment of minor injuries. On 29 Jun 03, the Iraqis returned to recover their personal effects, but SNO denied them access & ordered his Marines to burn their property.	Command (JAGMAN)	Closed a disciplinary action Separately pending MARFC RES Report c Board of Inquiry; Dep CM Manpow & Reser Affairs Reconm -dation SECNA Final Action.
				CG's NJP 1 Aug 03	Guilty of Conduct Unbecoming an Officer, & Failing to Report & Turn Over Captured Property SENTENCE: Forf \$2,034 for 1 mo & Letter of Censure. MARFORRES Board of Inquiry on 040406 substantiated misconduct & recommended separation w/ Hon discharge.

[6]	3 Aug 03	Al Mumudiyah, Iraq (LSA Dogwood)	Mistreated detainee by causing 2 <sup>nd</sup> degree burns (blisters) to the back of the detainee's hands. Detainee requested to use hand sanitizer following a head call. As the detainee squatted down, resting his thighs on his heels, a Marine guard squirted some of the alcohol-based hand sanitizer into the detainee's hands; some of the excess hand cleaner formed a puddle on the floor. As the Marine guard turned to dispose of the empty bottle, lit a match & threw it onto the puddle of hand sanitizer. The liquid ignited, & flames burned the detainee's	Command (JAGMAN)	SPCM 5 Apr 04 Guilty of Art 128, assault with means likely to produce death or grievous bodily harm. SENTENCE: Confinement 90 days, Red to E-2
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hands, causing large blisters.

[7]

2<sup>nd</sup> Bn, 2d MAR, 1<sup>st</sup>  
MARDIV, I MEF

13 Apr 04 - 15 Apr 04

**1  
SUBSTANTIATED  
INCIDENT;  
5 SUSPECTS**

NCIS

**SUSPECTS:** (1) [redacted] shocked victim.  
(2) [redacted] helped [redacted] operate transformer.  
(3) [redacted] escort for victim while he was shocked.  
(4) [redacted] MET NCO, present during incident  
(5) [redacted] discussed shocking detainees before  
**LOCATION:** Al Mahmudiya, Iraq (2/2 holding area)  
**ALLEGATION:** [redacted] reported he witnessed [redacted] & [redacted] shock an Iraqi detainee with an electric transformer; that [redacted] held the wires against the shoulder area of the detainee & that the detainee "danced" as he was shocked. The detainee-victim was released on 14 April & cannot be located.

(1) GCM 14 May 04  
Camp Fallujah, Iraq  
Guilty of assault, cruelty & maltreatment, dereliction of duty, & conspiracy to assault an Iraqi detainee.  
SENTENCE: 1 yr conf; red to E-1; total forf; BCD

(1) & (2)  
disciplin  
ry actor  
completi

(3)  
Pending  
SPCM (32  
completi

(2) SPCM 14 May 04  
Camp Fallujah, Iraq  
Guilty of cruelty & maltreatment, dereliction, false official stnt, orders violation, & conspiracy to commit assault.  
SENTENCE: 8 months conf (PTA cap at 6 months), red to E-1, total forf, BCD

(4)  
Pending  
p11 (Art 32  
completi

(5)  
Pending  
GCM  
(Arraign  
ment 8 J  
04, Cam  
Fallujah;

(3) Pending.

(4) Pending p11 (Art 32 complete). Evidence that SNM was not in room during incident, ordered Marines to stop when he heard the commotion, & reported it to others.

(5) Pending.

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**UNSUBSTANTIATED**

[1]	No dates were provided	4 Jan 02	<p>(1) Excessive force by guards when moved from transport aircraft to TF-58 Short Term Holding Facility (STHF) at Kandahar International Airport</p> <p>(2) Harsh physical treatment during interrogations – including interrogators hitting the head of a detainee on a table and squeezing testicles. Allegation made in Afghanistan to CTF-58, though unclear where interrogations occurred.</p>	Preliminary Inquiry (Oral), which requested names of detainees/ suspects & dates but did not receive further information from complainant	Unsubstantiated Feb 02 -Guards use only that force necessary to control the detainee and provide adequate safety and security for the detainee and the guard force. No medical treatment was required or requested as a result of rough physical treatment from guards. -Physical abuse during any detainee's interrogation did not occur at TF 58 STHF.	Close
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2 UNSUBSTANTIATED INCIDENTS; UNKNOWN # SUSPECTS

[2]	Task Force Tarawa, I MEF	29 Mar 03	<p>SUSPECT: Marine Guard</p> <p>LOCATION: Detainee Collection Point An Nasiriyah, Iraq</p> <p>ALLEGATION: Detainee (Hamdan Shibey ISN 0408400C) was shot &amp; killed by a Marine guard. Investigation determined that the detainee attacked the Marine guard and the guard acted in self-defense when he shot the detainee that was lunging for the guard's service rifle.</p>	Preliminary Inquiry	Unsubstantiated 31 Mar 03	Close
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1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT

[3]	2 <sup>nd</sup> BN, 23 <sup>rd</sup> MAR, 1 <sup>st</sup> MARDIV, 1 MEF	8 Apr 03	<p>SUSPECT: [REDACTED] USMCR</p> <p>LOCATION: Baghdad, Iraq</p> <p>ALLEGATION: [REDACTED] told Las Vegas Newspaper that he personally executed 2 Iraqis that were out of combat.</p>	NCIS	Unsubstantiated for abuse/homicide Substantiated for False Official Statement, NJP 28 Apr 04 Guilty of False Official Statement – false allegation SENTENCE Forf I mo pay. SNM to retire.	Close
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1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT; NJP FOR FALSE OFFICIAL STATEMENT

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[4]	"U.S. Marines" 3/4, 1stMARDIV, 1 MEF	9-12 Apr 03	2 Dec 03 CONGRINT	SUSPECT: "U.S. Marines" LOCATION: Baghdad/Umm Qasar, Iraq ALLEGATION: [redacted] alleged U.S. Marines "stole my belongings... and started torturing me" in Baghdad, Iraq. On 30 Apr 04, [redacted] filed a claim against the U.S. Army claiming abuse while at Camp Bucca, Umm Qasar, Iraq, an Army detention facility where he was transferred after being under Marine control for 3-4 days in Baghdad.	Command	Unsubstantiated Apr 03	Close
1 UNSUBSTANTIATED INCIDENT; UNKNOWN # SUSPECTS							
[5] Combat Services Support Co 1" FSSG, 1 MEF 1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT		Apr 03	13 Jun 03	SUSPECT: Cpl USMC. LOCATION: Iraq. ALLEGATION: Suspect told several other unit members that he had been ordered by his former [redacted] to execute 3 Iraqi EPWs while his unit was conducting combat ops near an abandoned Iraqi pharmaceutical factory south of Baghdad, & that his [redacted] threatened to kill him if he did not carry out the executions. Suspect claimed he killed 3 Iraqi EPWs & disposed of the bodies in an 8-ft deep hole.	NCIS	Unsubstantiated. Suspect claimed he was intoxicated, that he fabricated the entire story, & he then passed polygraph.	Close <i>blu</i>
[6] 2/5, 1stMARDIV 1 MEF 1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT		N/A False allegation	9 Jul 03	SUSPECT: LCpl USMC LOCATION: Iraq. ALLEGATION: Suspect was being treated at the Naval Medical Center San Diego, when he was overheard bragging about stabbing dead & wounded Iraqi EPWs.	NCIS Preliminary Inquiry & Command Preliminary Inquiry	Unsubstantiated. Suspect also told medical staff he was meritoriously promoted to Sgt, wounded in Iraq, awarded Purple Heart, honored by hometown ceremony, treated to dinner by Congressman, & assaulted 1 night in San Diego. In fact, suspect was assigned to chaplain's vehicle in Iraq, & there is no record of hometown ceremony or promotion.	Closed. Due to totality of fictitious stories by suspect, full file investigated deemed unwarranted.

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<p>[7] 1<sup>st</sup> BN, 4<sup>th</sup> MAR 1stMARDIV, 1 MEF  1 <b>UNSUBSTANTIATED INCIDENT; 1 SUSPECT; NJP FOR FALSE OFFICIAL STATEMENT</b></p>	<p>TBD</p>	<p>TBD</p>	<p>SUSPECT: ██████████ LOCATION: Iraq ALLEGATION: SNM was medevaced with a broken hand. He told the BN surgeon that he broke it "punching an EPW in the face" &amp; told another officer he broke it punching an EPW "in the back of the head." In CONUS, he recanted, stating he punched the ground.</p>	<p>Preliminary Inquiry (JAGMAN)</p>	<p>Unsubstantiated for detainee abuse.  Substantiated for False Official Statement (false allegation) &amp; infliction of self-injury.  NJP Date TBD.</p>	<p>Close</p>
<p>[8] Combined Anti-Armor Tm (CAAT), Wpns Co, 1<sup>st</sup> BN 1stMARDIV  1 <b>UNSUBSTANTIATED INCIDENT; 1 SUSPECT</b></p>	<p>N/A - False Allegation</p>	<p>Oct 03</p>	<p>SUSPECT: HM3 Navy Corpsman detailed from Naval Hospital Oak Harbor, Washington, in support of 1stMARDIV in OIF from 21 Feb 03 to 13 Sep 03. LOCATION: Iraq. ALLEGATION: That suspect claimed to have "roughed up some EPWs while in Iraq."</p>	<p>NCIS NAS Whidbey Island WA</p>	<p>Unsubstantiated. Suspect said he never abused or assaulted any EPWs, though admitted pushing one EPW's face in the dirt &amp; tripping other difficult EPWs to put them on the ground while assisting USMC members conducting "pat-down" searches.</p>	<p>Close Case for to have prosecutive or disciplinary merit Trial Sv Office-West N/Whidbey Island.</p>
<p>[9] 1<sup>st</sup> Intel BN, 1<sup>st</sup> MARDIV, 1 MEF  1 <b>UNSUBSTANTIATED INCIDENT; 1 SUSPECT</b></p>	<p>12 Apr 04</p>	<p>15 Apr 04  Serious Incident Report, 1 MEF FWD 15 Apr 04</p>	<p>SUSPECT: SSgt, Counterintelligence Specialist LOCATION: Division Interrogation Facility, Camp Fallujah, Iraq ALLEGATION: That detainee was kicked &amp; struck during screening.</p>	<p>Preliminary Inquiry</p>	<p>Unsubstantiated. Inquiry found evidence limited &amp; conflicting. SIR indicated immediate medical exam of detainee found no associated injury.</p>	<p>Close</p>

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**OTHER**

				NCIS	Investigation pending	Investigation pending
[1]	[REDACTED]	14 Jun 04	SUSPECT: [REDACTED] LOCATION: [REDACTED] ALLEGATION: [REDACTED]			Investigation pending
[2]	2d Bn, 2d MAR 1st MARDIV, 1 MEF	Apr 04	SUSPECT: [REDACTED] LOCATION: Iraq ALLEGATION: Death of 2 detainees who tried to attack the [REDACTED]	Command	Investigation pending	Investigation pending
[3]	3rd Bn, 7th MAR 1st MARDIV, 1 MEF <b>NON-INCIDENT</b>	19 Apr 04	SUSPECT: N/A LOCATION: Husaybah, Iraq (3/7 holding area) ALLEGATION: On 19 Apr 04, a detainee (suspected Muj martyr) captured during heavy combat operations died of unknown causes 36 hours after he was apprehended. The detainee is suspected to have died from head injuries suffered during one of over 20 escape attempts, including one in which he escaped from his restraints and threw himself through a window, landing on his head. Subsequent examination by a medical officer (MO) had him conscious, with good pupils, and responsive. However, a few hours later he took a turn for the worse and died with a Corpsman present. The examining MO surmised that the detainee died from internal cranial bleeding from the fall that was slow to kill him. The entire period of the detainee's captivity occurred during an intense combat engagement. Since the fall out the window did not appear to have caused any injury, the detainee was not evacuated due to military necessity.	Command/Reportable Incident Assessment Team (RIAT)	N/A - No allegation of abuse	Close
[4]	2nd Bn, 2d MAR 1st MARDIV, 1 MEF <b>INVESTIGATION PENDING</b>	Apr 04 2 & 6 May 04	SUSPECT(S): Unknown LOCATION: Iraq ALLEGATIONS: 2 detainees reported they were beaten & abused by U.S. military members.	Command	Investigation pending	Investigation pending

[REDACTED]

---

From: [REDACTED]@hqmc.usmc.mil]  
Sent: Friday, July 09, 2004 8:36 AM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: FW: USMC Detainee Case Rpt 8Jul04



8Jul04 JAD  
spreadsheet USMC AI

All,  
FYI-Attached is the latest update of detainee abuse cases involving Marines in the ITO. This info was compiled by HQMC SJA office. NCISHQ, pls review to make sure it is accurate with what we have. Tks, [REDACTED]

> -----Original Message-----

> From: [REDACTED]  
> Sent: Thursday, July 08, 2004 6:35 PM  
> To: [REDACTED]

> [REDACTED]

> Cc: [REDACTED]

b6

> Attached is USMC Alleged Detainee Abuse Case Spreadsheet as of 8 Jul 04.

> Substantive changes:  
> 1 new case pending command investigation, p 10, #6.  
> 1 case that was in "Other" category pending NCIS investigation is now unsubstantiated, p 7, #10.

> Updates in blue font.

> For DODIG Overview of Detainee Investigations/Evaluations - Marines (Ongoing/Closed) current statistics are:

> Preliminary Inquiries 0/3  
> Criminal Investigations 3/8 (10 are NCIS - DODIG counts under Navy;  
> 1 open is joint Army CID & NCIS)  
> Non-criminal Investigations 2/7  
> Inspections/Reviews 0/0  
> Total 23 Investigations 5/18 (2/10 without NCIS/Army CID)

> V/R, [REDACTED] USMC  
> Head, Intl & Operational Law, HQMC, Pentagon 5C760  
> DSN 224-2793/6799; (703) 614-2793/6799  
> FAX: DSN 225-0325, (703) 695-0325  
> unclas: [REDACTED]@hqmc.usmc.mil  
> SIPR: [REDACTED]@hqmc.usmc.smil.mil

> <<8Jul04 JAD Spreadsheet USMC Alleged Detainee Abuse Cases.doc>>  
>

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USMC ALLEGED DETAINEE ABUSE CASES SINCE 11 SEP 01**

**Total as of 8 Jul 04: 10 Substantiated incidents; 11 Unsubstantiated incidents**

1. **Substantiated:** 10 incidents - All 1stMARDIV - 8 OIF I, 2 OIF II.  
24 suspects: 10 Court-martial convictions - 1 General Court-martial, 6 Special Courts-martial; 3 Summary Courts-martial  
2 Non-judicial Punishments (1 followed by Board of Inquiry & pending discharge)  
6 - charges withdrawn or dismissed  
6 cases pending:  
3 pending General Courts-martial  
1 pending Special Court-martial  
1 pending p.11  
1 pending Art 32 investigation

2. **Unsubstantiated:** 11 incidents; 25 known suspects & unknown number of other suspects (2 NJPs for false official statements alleging abuse).
3. **Other:** One detainee death investigated with no allegation of abuse.  
Five investigations pending.

For DODIG Report (Ongoing/Closed): Preliminary Inquiries 0/3, Criminal Investigations 3/8 (10 are NCIS-DODIG counts under Navy; 1 open is joint Army CID & NCIS), Non-criminal Investigations 2/7, Inspections/Reviews 0/0, Total 23 Investigations 5/18 (2/10 without NCIS/Army CID)

Unit	Date of Incident	Date Reported	Suspect, Location & Allegation	Type of Investigation	Disposition & Date	Current Status
[1] 1 <sup>st</sup> BN, 4 <sup>th</sup> MAR, 1stMARDIV, 1 MEF	2 Jun 03	3 Jun 03	SUSPECT: [REDACTED] LOCATION: TBD ALLEGATION: Beat detainees w/fists on various parts of their body	Command (JAGMAN)	SPCM: 2 Jun 03 Guilty of Art 92, violation of lawful order; Art 93, maltreatment; & Art 128, assault. SENTENCE: 120 days conf; red E-1; BCD	Closed
<b>SUBSTANTIATED</b>						
[2] 3 <sup>rd</sup> BN, 7 <sup>th</sup> MAR, 1 <sup>st</sup> MARDIV, 1 MEF	15 May 03	Original ly reported 20 May 03. [REDACTED] also reported it to CNN 11	SUSPECTS: (1) [REDACTED] (2) [REDACTED] (3) [REDACTED] LOCATION: Karbala, Iraq (Logistics Base West of Karbala) ALLEGATION: [REDACTED] mistreated a bound detainee [REDACTED] by holding a 9mm pistol to the back of the detainee's head	Command (JAGMAN)	(1) SPCM 7 Jan 04 Guilty of dereliction, maltreatment, assault SENTENCE Conf 90 days, forf \$500 x 3 mos, red E-1	Closed
[1] <b>SUBSTANTIATED INCIDENT; 1 SUSPECT</b>						
[2] <b>SUBSTANTIATED INCIDENT; 1 SUSPECT</b>						

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**INCIDENT;  
3 SUSPECTS**

May 04, & while another Marine took a picture. [redacted] also admitted to pouring a glass of water on the detainee's head. [redacted] took a photograph of the detainee while an American Flag was draped over the detainee's body. [redacted] failed to properly guard the detainee in the execution of his duties during these occurrences of maltreatment.

Ashville NC  
23 Mar 04.  
[redacted] is former 3/7 SSgt separated 31 Dec 03 on combat related physical disability)

(2) **SCM 2 Jan 04**  
Guilty of Art 92  
SENTENCE Conf 30 days, forf 2/3 pay x 1 mo, red E-1

(3) **SCM 15 Jan 04**  
FINDINGS Guilty of dereliction, maltreatment  
SENTENCE Conf 20 days, forf 2/3 pay x 1 mo, red E-1

[3]

3<sup>rd</sup> BN, 5<sup>th</sup> MAR,  
1<sup>st</sup> MARDIV, I MEF

3  
SUBSTANTIATED  
INCIDENTS;  
4 ORIGINAL  
SUSPECTS;  
CHARGES  
WITHDRAWN  
AGAINST 1  
SUSPECT

1 Jun -  
6 Jul 03

TBD

SUSPECTS: (1) [redacted]  
(2) [redacted]  
(3) [redacted]  
(4) [redacted]

LOCATION: Adiwanyah, Iraq

ALLEGATIONS:

- (1) Locked two Iraqi male looters in an abandoned tank with a water bottle & hatch open.
- (2) Sprayed Iraqi looters w/fire extinguisher;
- (3) Ordered 4 juvenile Iraqi looters to kneel beside 2 shallow fighting holes & a pistol was discharged to conduct a mock execution.

NCIS (vice  
Command)

(1) **SPCM 17 Jun 04**

Close:

Guilty of Art 93  
maltreatment related to allegation (3)  
SENTENCE: Red E-3,  
30 days hard labor w/o conf; Forf \$1056/mo x 6 mos

(2) **SPCM 29 Mar 04**

Guilty of dereliction  
SENTENCE: Red E-3;  
30 days hard labor w/o conf

(3) **SCM 26 Jan 04**

Guilty of detainee abuse (spraying detainee w/ fire extinguisher)  
SENTENCE: Red E-3;  
forf 2/3 pay x 1 mo; 14 days restr

(4) Chrgs withdrawn

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[4]

6 Jun 03

SUSPECTS:

[REDACTED]

LOCATION:

[REDACTED]

NCIS

[REDACTED]

[5]

Jun/Jul 03

(1) 23 Jun 03

3<sup>rd</sup> BN, 23<sup>rd</sup> MAR, 1<sup>st</sup> MARDIV, 1 MEF (SNO is Reservist, Parent command is 4th MARDIV, MARFORRES)

SUSPECT:

[REDACTED]

LOCATION: Al Kut, Iraq  
ALLEGATIONS:

- (1) 23 Jun 03 - SNO, as Combined Anti-Armor (CAAT) Platoon Commander, detained 4 Iraqi males for looting brass from the Ammunition Supply Point. After the 4<sup>th</sup> time of detaining them the same day, SNO had them searched, stripped of clothing except shoes & underwear, & released. SNO failed to account for their personal property & currency.
- (2) 29 Jun 03 - SNO's Platoon fired in self-defense at a semi-truck attempting to run a checkpoint on 28 Jun 03. The two occupants were injured & transported to the hospital for treatment of minor injuries. On 29 Jun 03, the Iraqis returned to recover their personal effects, but SNO denied them access & ordered his Marines to burn their property.

2 **SUBSTANTIATED INCIDENTS;**  
1 **SUSPECT**

Command (JAGMAN)

CG's NJP 1 Aug 03

Guilty of Conduct  
Unbecoming an Officer, & Failing to Report & Turn Over Captured Property  
SENTENCE: Forf \$2,034 for 1 mo & Letter of Censure.  
MARFORRES Board of Inquiry on 040406 substantiated misconduct & recommended separation w/ Hon discharge.

Closed a

to disciplin  
ry action  
Separati  
pending  
MARFORRES  
RES  
Report c  
Board of  
Inquiry; -  
Dep CM  
Manpow  
& Reser  
Affairs  
Recomit  
-dation;  
SECNA  
Final  
Action.

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	3 Aug 03	3 Aug 03	SUSPECT: LOCATION: Al Mumudiyah, Iraq (LSA Dogwood) ALLEGATION: Mistreated detainee ( ) by causing 2 <sup>nd</sup> degree burns/blisters to back of detainee's hands. Detainee requested to use hand sanitizer following a head call. As the detainee squatted down, a Marine guard squirted alcohol-based sanitizer into detainee's hands; excess cleaner formed puddle on floor. As the Marine guard turned to dispose of the empty bottle, lit a match & threw it onto the puddle of hand sanitizer. The liquid ignited, & flames burned the detainee's hands, causing large blisters.	Command (JAGMAN)	SPCM 5 Apr 04 Guilty of Art 128, assault with means likely to produce death or grievous bodily harm. SENTENCE: Confinement 90 days, Red to E-2	Closer
[6] 4thLARBN, 1 <sup>st</sup> MARDIV, 1 MEF  1 SUBSTANTIA- TED INCIDENT; 1 SUSPECT	3 Aug 03	3 Aug 03	SUSPECTS: (1) shocked victim. (2) helped PFC Sting operate transformer. (3) -escort for victim while he was shocked. (4) HET NCO, present during incident (5) discussed shocking detainees before	Command (vice NCIS)	(1) GCM 14 May 04 Camp Fallujah, Iraq Guilty of assault, cruelty & maltreatment, dereliction, & conspiracy to assault Iraqi detainee. SENTENCE: 1 yr conf; red E-1; total forf; BCD	(1) & (2) disciplin ry actor completi
[7] 2 <sup>nd</sup> Bn, 2d MAR 1 <sup>st</sup> MARDIV, 1 MEF (2/2 is based at Camp Lejeune NC with 2d MARDIV)  1 SUBSTANTIA- TED INCIDENT; 5 SUSPECTS	13 Apr 04	15 Apr 04	LOCATION: Al Mahmudiya, Iraq (2/2 holding area) ALLEGATION: reported he witnessed & shock an Iraqi detainee with an electric transformer; that held the wires against the shoulder area of the detainee & that the detainee "danced" as he was shocked. The detainee-victim was released on 14 April & cannot be located.	Command (vice NCIS)	(2) SPCM 14 May 04 Camp Fallujah, Iraq Guilty of cruelty & maltreatment, dereliction, false official stmt, orders violation, & conspiracy to commit assault. SENTENCE: 8 mos conf, red E-1, total forf, BCD	(3) Pending SPCM 8 Jul 04  (4) Pending p11  (5) Pen GC 24-28 Ju 04

(3) Pending SPCM  
  
(4) Pending p11. SNM not in room, ordered Marines to stop when heard commotion, & reported it to others.  
  
(5) Pending GCM.

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**UNSUBSTANTIATED**

[1]	CTF-58 Suspects' ranks/units/service/ names were not provided by complainant	No dates were provided	4 Jan 02	(1) Excessive force by guards when detainees moved from transport aircraft to TF-58 Short Term Holding Facility (STHF) at Kandahar International Airport  (2) Harsh physical treatment during interrogations - including interrogators hitting the head of a detainee on a table and squeezing testicles. Allegation made in Afghanistan to CTF-58, though unclear where interrogations occurred.	Preliminary Inquiry (Oral), which requested names of detainees/ suspects & dates but did not receive further information from complainant	Unsubstantiated Feb 02	-Guards use only that force necessary to control the detainee and provide adequate safety and security for the detainee and the guard force. No medical treatment was required or requested as a result of rough physical treatment from guards. -Physical abuse during any detainee's interrogation did not occur at TF 58 STHF.	Close	
2	<b>UNSUBSTANTIATED INCIDENTS; UNKNOWN # SUSPECTS</b>								
[2]	Task Force Tarawa, I MEF  1 <b>UNSUBSTANTIATED INCIDENT; 1 SUSPECT</b>	29 Mar 03	30 Mar 03	SUSPECT: Marine Guard LOCATION: Detainee Collection Point An Nasiriyah, Iraq ALLEGATION: Detainee (Hamdan Shibey ISN 0408400C) was shot & killed by a Marine guard. Investigation determined that the detainee attacked the Marine guard and the guard acted in self-defense when he shot the detainee that was lunging for the guard's service rifle.	NCIS (initially Preliminary Inquiry by Command per TF Tarawa SJA) (Counting as NCIS for DODIG Report)	Unsubstantiated 31 Mar 03		Close	
[3]	2 <sup>nd</sup> BN, 23 <sup>rd</sup> MAR, 1 <sup>st</sup> MARDIV, I MEF  1 <b>UNSUBSTANTIATED INCIDENT; 1 SUSPECT; NJP FOR FALSE OFFICIAL STMT</b>	8 Apr 03	Jan 04 (open source - news article)	SUSPECT: ██████████ SMCR LOCATION: Baghdad, Iraq ALLEGATION: ██████████ old Las Vegas Newspaper that he personally executed 2 Iraqis that were out of combat.	NCIS	Unsubstantiated for abuse/homicide Substantiated for False Official Stmt, NJP 28 Apr 04 Guilty of False Official Statement - false allegation SENTENCE Forf 1 mo pay. SNM to retire.	Close		

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	Command	Unsubstantiated	Closer
[4] "U.S. Marines" 3/4, 1stMARDIV, 1 MEF  1 UNSUBSTANTIATED INCIDENT; UNKNOWN # SUSPECTS	9-12 Apr 03 2 Dec 03 CONGRINT	Apr 04	
<p>SUSPECT: "U.S. Marines" LOCATION: Baghdad/Umm Qasar, Iraq ALLEGATION: [redacted] alleged U.S. Marines "stole my belongings... and started torturing me" in Baghdad, Iraq. On 30 Apr 04, [redacted] filed a claim against the U.S. Army claiming abuse while at Camp Bucca, Umm Qasar, Iraq, an Army detention facility where he was transferred after being under Marine control for 3-4 days in Baghdad.</p>			
[5] Combat Services Support Co 1 <sup>st</sup> FSSG, 1 MEF  1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT	Apr 03 13 Jun 03	NCIS Unsubstantiated. Suspect claimed he was intoxicated, that he fabricated the entire story, & he then passed polygraph.	Closed
<p>SUSPECT: Cpl USMC. LOCATION: Iraq. ALLEGATION: Suspect told several other unit members that he had been ordered by his former [redacted] to execute 3 Iraqi EPWs while his unit was conducting combat ops near an abandoned Iraqi pharmaceutical factory south of Baghdad, &amp; that his [redacted] threatened to kill him if he did not carry out the executions. Suspect claimed he killed 3 Iraqi EPWs &amp; disposed of the bodies in an 8-ft deep hole.</p>			
[6] 2/5, 1stMARDIV 1 MEF  1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT	N/A 9 Jul 03 False allegation	NCIS Preliminary Inquiry & Command Preliminary Inquiry (Counting as NCIS for DODIG Report) Unsubstantiated. Suspect also told medical staff he was meritoriously promoted to Sgt, wounded in Iraq, awarded Purple Heart, honored by hometown ceremony, treated to dinner by Congressman, & assaulted 1 night in San Diego. In fact, suspect was assigned to chaplain's vehicle in Iraq, & there is no record of hometown ceremony or promotion.	Closed. Due to totality of fictitious stories by suspect, full field investigation decided unwarrented.

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	TBD	TBD	SUSPECT: [REDACTED] LOCATION: Iraq	Preliminary Inquiry (JAGMAN)	Unsubstantiated for detainee abuse.	Close
[7] 1 <sup>st</sup> BN, 4 <sup>th</sup> MAR 1stMARDIV, 1 MEF  1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT; NJP FOR FALSE OFFICIAL STATEMENT			ALLEGATION: SNM was medevaced with a broken hand. He told the BN surgeon that he broke it "punching an EPW in the face" & told another officer he broke it punching an EPW "in the back of the head." In CONUS, he recanted, stating he punched the ground.		Substantiated for False Official Statement (false allegation) & infliction of self-injury. NJP Date TBD.	
[8] Combined Anti-Armor Tm (CAAT), Wpns Co, 1 <sup>st</sup> BN 1stMARDIV  1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT	N/A False Allegation	Oct 03	SUSPECT: HM3 Navy Corpsman detailed from Naval Hospital Oak Harbor, Washington, in support of 1stMARDIV in OIF from 21 Feb 03 to 13 Sep 03. LOCATION: Iraq. ALLEGATION: That suspect claimed to have "roughed up some EPWs while in Iraq."	NCIS NAS Whidbey Island WA	Unsubstantiated. Suspect said he never abused or assaulted any EPWs, though admitted pushing one EPW's face in the dirt & tripping other difficult EPWs to put them on the ground while assisting USMC members conducting "pat down" searches.	Close Case for to have 1 prosecutive or disciplinary merit Trial Sv Office-West N/Whidbey Island.
[9] 1 <sup>st</sup> Intel BN, 1 <sup>st</sup> MARDIV, 1 MEF  1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT	12 Apr 04	15 Apr 04 Serious Incident Report, 1 MEF FWD 15 Apr 04	SUSPECT: SSGT, Counterintelligence Specialist LOCATION: Division Interrogation Facility, Camp Fallujah, Iraq ALLEGATION: That detainee was kicked & struck during screening.	Preliminary Inquiry	Unsubstantiated. Inquiry found evidence limited & conflicting. SIR indicated immediate medical exam of detainee found no associated injury.	Close
[10] (Moved from "Other" category) 22 <sup>nd</sup> MEU  1 UNSUBSTANTIATED INCIDENT; 18	25 Jun 04	26 Jun 04	SUSPECT(S): 8 Marines from MEU Service Support Group & 10 Marines from C Co, 1/6. LOCATION: Forward Operating Base (FOB) Ripley, Afghanistan ALLEGATION: Mistreatment of 6 Afghani nationals while being held at the temporary detention facility at FOB Ripley by: a. Forced to repeat stand up & sit down.	NCIS (initially command investigation; counting as NCIS for DODIG Rpt)	Unsubstantiated (6 Jul 04). Investigators found no information to substantiate abuse; no medical evidence of injuries. (a)-(d) take place as control	Close

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**SUSPECTS**

- b. Move small rocks from 1 pile to another.
- c. Stand with extended arms for long periods.
- d. Kneel in place for long periods.
- e. Kneel with feet propped up on 2x4.
- f. Kneel while holding large rock overhead.
- g. Kneel on small pebble.
- h. Lay with chest across wooden board.

measures for sleep deprivation & as punishment for breaking camp rules, lasting 2 to 20 minutes only (e.g. 1 detainee had tried to grab guard's pistol. Little to no evidence of (e)-(h). Investigative efforts supported Marines' actions as appropriate & within SOP, guidance & training.

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**OTHER**

			NCIS	Investigation pending	Investigation pending	Investigation pending
[1]	[REDACTED]	13 Jun 04	[REDACTED]	[REDACTED]	[REDACTED]	Investigation pending
	SUSPECT: LOCATION: ALLEGATION:		[REDACTED]	[REDACTED]	[REDACTED]	Investigation pending
	<b>INVESTIGATION PENDING</b>					
[2]	[REDACTED]	10 Jun 04	[REDACTED]	[REDACTED]	[REDACTED]	Investigation pending
	SUSPECT: LOCATION: ALLEGATION:		[REDACTED]	[REDACTED]	[REDACTED]	Investigation pending
	<b>INVESTIGATION PENDING</b>					
[3]	19 Apr 04	19 Apr 04	NCIS as of 17 Jun 04 (initially a command preliminary inquiry; counting as NCIS for DODIG Rpt)	N/A - No allegation of abuse	Command/ Reportable Incident Assessment Team (RIAT)	Investigation pending
	3 <sup>rd</sup> Bn, 7th MAR 1 <sup>st</sup> MARDIV, I MEF <b>NON-INCIDENT</b>					
	SUSPECT: N/A LOCATION: Husaybah, Iraq (3/7 holding area) ALLEGATION: On 19 Apr 04, a detainee (suspected Muj martyr) captured during heavy combat operations died of unknown causes 36 hours after he was apprehended. The detainee is suspected to have died from head injuries suffered during one of over 20 escape attempts, including one in which he escaped from his restraints and threw himself through a window, landing on his head. Subsequent examination by a medical officer (MO) had him conscious, with good pupils, and responsive. However, a few hours later he took a turn for the worse and died with a Corpsman present. The examining MO surmised that the detainee died from internal cranial bleeding from the fall that was slow to kill him. The entire period of the detainee's captivity occurred during an intense combat engagement. Since the fall out the window did not appear to have caused any injury, the detainee was not evacuated due to military necessity.					

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[Case ID]	Date	Command	Investigation pending	Investigation pending	Investigation pending
[4] 2 <sup>nd</sup> Bn, 2d MAR 1stMARDIV, I MEF (2/2 based at Camp Lejeune NC with 2d MARDIV)	Apr 04 2 & 6 May 04	SUSPECT(S): Unknown LOCATION: Iraq ALLEGATIONS: 2 detainees reported they were beaten & abused by U.S. military members.			
<b>INVESTIGATION PENDING</b>					
[5] [REDACTED]	[REDACTED] 21 Jun 04	SUSPECT(S): [REDACTED] LOCATION: [REDACTED] ALLEGATION: [REDACTED]	Joint Army CID & NCIS (Army CID initiated)	Investigation pending	Investigation pending
<b>INVESTIGATION PENDING</b>					
[6] RCT 1, 1stMARDIV I MEF	Jul 04 7 Jul 04	SUSPECT(S): Unknown. LOCATION: Fallujah, Iraq ALLEGATION: Detainee states he was forced to lie face down in the dirt, kneel next to a mud pile, and was pushed into the mud pile.	Command	Investigation pending	Investigation pending
<b>INVESTIGATION PENDING</b>					

[REDACTED]  
From: [REDACTED]@hqmc.usmc.mil  
Sent: Thursday, July 29, 2004 2:05 PM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: FW: USMC Alleged Detainee Abuse Cases



29Jul04 JAD  
 spreadsheet USMC A.

Pls review the attached for accuracy. The attached is the HQMC version of current and closed Detainee investigations involving Marines.

> -----Original Message-----  
> From: [REDACTED]  
> Sent: Thursday, July 29, 2004 1:29 PM  
> To: DODIG Team; [REDACTED] JCS SJS; [REDACTED] OSD-CIO;  
> JCS SJS; [REDACTED] JCS SJS; [REDACTED] JCS SJS;  
> [REDACTED] JCS SJS; [REDACTED] DoD OGC; [REDACTED] DoD OGC;  
> [REDACTED] SIES4 [REDACTED]  
> [REDACTED] ES06 [REDACTED]  
> Cc: [REDACTED]  
> Subject: USMC Alleged Detainee Abuse Cases  
> Attached is USMC Alleged Detainee Abuse Case Spreadsheet as of 29 Jul 04.  
> No substantive changes-minor details updated in blue font.  
> For DODIG Overview of Detainee Investigations/Evaluations - Marines  
> (Ongoing/Closed) current statistics remain:  
> Preliminary Inquiries 0/3  
> Criminal Investigations 3/8 (10 are NCIS - DODIG counts under Navy;  
> 1 open is joint Army CID & NCIS)  
> Non-criminal Investigations 2/7  
> Inspections/Reviews 0/0  
> Total 23 Investigations 5/18 (2/10 without NCIS/Army CID)  
> V/R, [REDACTED] USMC  
> Head, Intl & Operational Law, HQMC, Pentagon 5C760  
> DSN 224-2793/6799; (703) 614-2793/6799  
> FAX: DSN 225-0325, (703) 695-0325  
> unclas: [REDACTED]hqmc.usmc.mil  
> SIPR: [REDACTED]hqmc.usmc.smil.mil  
> <<29Jul04 JAD Spreadsheet USMC Alleged Detainee Abuse Cases.doc>>  
>

b6

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**Total as of 29 Jul 04: 10 Substantiated incidents; 11 Unsubstantiated incidents**

1. **Substantiated:** 10 incidents - All 1stMARDIV - 8 OIF I, 2 OIF II.  
24 suspects: 11 Court-martial convictions - 1 General Court-martial, 7 Special Courts-martial; 3 Summary Courts-martial  
2 Non-judicial Punishments (1 followed by Board of Inquiry & pending discharge)  
1 page 11 (official counseling)  
6 - charges withdrawn or dismissed  
4 cases pending:  
3 pending General Courts-martial  
1 pending Art 32 investigation
2. **Unsubstantiated:** 11 incidents; 25 known suspects & unknown number of other suspects (2 NJPs for false official statements alleging abuse).
3. **Other:** 1 detainee death investigated with no allegation of abuse.  
5 investigations pending.

For DODIG Report (Ongoing/Closed): Preliminary Inquiries 0/3, Criminal Investigations 3/8 (10 are NCIS-DODIG counts under Navy; 1 open is joint Army CID & NCIS), Non-criminal Investigations 2/7, Inspections/Reviews 0/0, Total 23 Investigations 5/18 (2/10 without NCIS/Army CID)

Unit	Date of Incident	Date Reported	Suspect, Location & Allegation	Type of Investigation	Disposition & Date	Current Status
[1] 1 <sup>st</sup> BN, 4 <sup>th</sup> MAR, 1stMARDIV, 1 MEF	2 Jun 03	3 Jun 03	SUSPECT: [REDACTED] LOCATION: TBD ALLEGATION: Beat detainees w/fists on various parts of their body	Command (JAGMAN)	SPCM: 2 Jun 03 Guilty of Art 92, violation of lawful order; Art 93, maltreatment; & Art 128, assault. SENTENCE: 120 days conf, red E-1; BCD	Closed
<b>SUBSTANTIATED</b>						
[2] 3 <sup>rd</sup> BN, 7 <sup>th</sup> MAR, 1 <sup>st</sup> MARDIV, 1 MEF	15 May 03	Originally reported 20 May 03. [REDACTED] also reported it to CNN 11 May 04, &	SUSPECTS: (1) [REDACTED] (2) [REDACTED] (3) [REDACTED] LOCATION: Karbala, Iraq (Logistics Base West of Karbala) ALLEGATION: [REDACTED] mistreated a bound detainee [REDACTED] by holding a 9mm pistol to the back of the detainee's head while another Marine took a picture. [REDACTED] also admitted to	Command (JAGMAN)	(1) SPCM 7 Jan 04 Guilty of dereliction, maltreatment, assault SENTENCE Conf 90 days, forf \$500 x 3 mos, red E-1	Closer
1 <b>SUBSTANTIATED INCIDENT;</b> <b>1 SUSPECT</b>						

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(2) **SCM 2 Jan 04**  
Guilty of Art 92  
SENTENCE Conf 30  
days, forf 2/3 pay x 1  
mo, red E-1

(3) **SCM 15 Jan 04**  
**FINDINGS** Guilty of  
dereliction,  
maltreatment  
**SENTENCE** Conf 20  
days, forf 2/3 pay x 1  
mo, red E-1

(1) **SPCM 17 Jun 04**

Guilty of Art 93  
maltreatment related to  
allegation (3)  
**SENTENCE:** Red E-3,  
30 days hard labor w/o  
conf; Forf \$1056/mo x  
6 mos

(2) **SPCM 29Mar04**  
Guilty of dereliction  
**SENTENCE:** Red E-3;  
30 days hard labor w/o  
conf

(3) **SCM 26 Jan 04**  
Guilty of detainee  
abuse (spraying  
detainee w/ fire  
extinguisher)  
**SENTENCE:** Red E-3;  
forf 2/3 pay x 1 mo; 14  
days restr

(4) Chrgs withdrawn

pouring a glass of water on the detainee's head. [redacted] took a  
photograph of the detainee while an American Flag was draped over  
the detainee's body. [redacted] failed to properly guard the detainee in  
the execution of his duties during these occurrences of maltreatment.

to WCQS  
reporter  
Adam  
McMullin,  
Ashville NC  
23 Mar 04.  
(Massey is  
former 3/7  
SSgt  
separated 31  
Dec 03 on  
combat  
related  
physical  
disability)

1 Jun -  
6 Jul 03

TBD

**SUSPECTS:** (1) [redacted]  
(2) [redacted]  
(3) [redacted]  
(4) [redacted]

**LOCATION:** Al Qawmariyah, Iraq

**ALLEGATIONS:**

- (1) Locked two Iraqi male looters in an abandoned tank with a water  
bottle & hatch open.
- (2) Sprayed Iraqi looters w/fire extinguisher;
- (3) Ordered 4 juvenile Iraqi looters to kneel beside 2 shallow fighting  
holes & a pistol was discharged to conduct a mock execution.

[3]

3<sup>rd</sup> BN, 5<sup>th</sup> MAR,  
1<sup>st</sup> MARDIV, I MEF

**3 SUBSTANTIATED  
INCIDENTS;  
4 ORIGINAL  
SUSPECTS;  
CHARGES  
WITHDRAWN  
AGAINST 1  
SUSPECT**

Closer

*[Handwritten initials]*

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USMC ALLEGED DETAINEE ABUSE CASES SINCE 11 SEP 01**

<p>[4] 2<sup>nd</sup> BN, 25<sup>th</sup> MAR, 1<sup>st</sup> MARDIV, I MEF (NY Reserve BN)</p> <p>[REDACTED]</p>	<p>6 Jun 03</p>	<p>6 Jun 03</p>	<p>SUSPECTS: (1) [REDACTED] (2) [REDACTED] (3) [REDACTED] (4) [REDACTED] (5) [REDACTED] (8) [REDACTED] (9) [REDACTED] (7) [REDACTED]</p> <p>LOCATION: [REDACTED]</p>	<p>NCIS</p>	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>	<p>CG's NJP 1 Aug 03</p> <p>Guilty of Conduct unbecoming, Failing to rpt &amp; turn over captured property</p> <p>SENTENCE: Forf \$2,034 x 1 mo, ltr of censure. MFR BOI 6Apr04 substantiated misconduct &amp; recommended separation w/ Hon discharge.</p>	<p>Closec Separati pending DC M&amp;RA &amp; SECNA final action.</p>
<p>[5] 3<sup>rd</sup> BN, 23<sup>rd</sup> MAR, 1<sup>st</sup> MARDIV, I MEF (SNO is Reservist, Parent command is 4thMARDIV, MARFORRES)</p> <p>2 SUBSTANTIATED INCIDENTS; 1 SUSPECT</p>	<p>(1) 23 Jun 03 (2) 29 Jun 03</p>	<p>Jun/Jul 03</p>	<p>SUSPECT: [REDACTED] LOCATION: Al Kut, Iraq ALLEGATIONS: (1) 23Jun03- SNO, as Combined Anti-Armor (CAAT) Plt Cdr, detained 4 Iraqi males for looting brass from the Ammunition Supply Pt. After the 4<sup>th</sup> time of detaining them the same day, SNO had them searched, stripped of clothing except shoes &amp; underwear, &amp; released. SNO failed to account for their personal property &amp; currency. (2) 29Jun03-SNO's Plt fired in self-defense at a semi-truck attempting to run a checkpoint 28Jun03. The 2 occupants were injured &amp; transported to the hospital for treatment of minor injuries. 29Jun03, the Iraqis returned to recover their personal effects, but SNO denied them access &amp; ordered his Marines to burn their property.</p>	<p>Command (JAGMAN)</p>	<p>[REDACTED]</p>	<p>Command (JAGMAN)</p>	<p>[REDACTED]</p>

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[6]	3 Aug 03	3 Aug 03	SUSPECT: [REDACTED] LOCATION: Al Mumudiyah, Iraq (LSA Dogwood) ALLEGATION: Mistreated detainee ( [REDACTED] ) by causing 2 <sup>nd</sup> degree burns/blisters to back of detainee's hands. Detainee requested to use hand sanitizer following a head call. As the detainee squatted down, a Marine guard squirted alcohol-based sanitizer into detainee's hands; excess cleaner formed puddle on floor. As the Marine guard turned to dispose of the empty bottle, [REDACTED] lit a match & threw it onto the puddle of hand sanitizer. The liquid ignited, & flames burned the detainee's hands, causing large blisters.	Command (JAGMAN)	Close
4thLARBN, 1 <sup>st</sup> MARDIV, 1 MEF					
1 SUBSTANTIA- TED INCIDENT; 1 SUSPECT					
[7]	13 Apr 04	15 Apr 04	SUSPECTS: (1) [REDACTED] shocked victim. (2) [REDACTED] helped [REDACTED] operate transformer. (3) [REDACTED] escort for victim while he was shocked. (4) [REDACTED] HIET NCO, present during incident (5) [REDACTED] discussed shocking detainees before	Command (vice NCIS)	(1)-(4) Closed
2 <sup>nd</sup> Bn, 2d MAR 1 <sup>st</sup> MARDIV, 1 MEF (2/2 is based at Camp Lejeune NC with 2d MARDIV)					(5) Pending GCM. A 39(a) on 23 Aug 04 Request for Indiv dual Military Counsel from CON approval
1 SUBSTANTIA- TED INCIDENT; 5 SUSPECTS			LOCATION: Al Mahmudiya, Iraq (2/2 holding area) ALLEGATION: [REDACTED] reported he witnessed [REDACTED] & [REDACTED] shock an Iraqi detainee with an electric transformer; that [REDACTED] held the wires against the shoulder area of the detainee & that the detainee "danced" as he was shocked. The detainee-victim was released on 14 April & cannot be located.		(2) SPCM 14 May 04 Fallujah, Iraq. Guilty of cruelty & maltreatment, dereliction, false official stmt, orders violation, & conspiracy to commit assault. SENTENCE: 8 mos conf, red E-1, total forf, BCD.
					(3) SPCM 15 Jul 04 Fallujah, Iraq. Guilty of dereliction. SENTENCE: 60 das conf, red E-1, 30 das hard labor w/o conf, forf \$100 x 4 mos.
					(4) P.11 - official counseling entry (date TBD). SNM not in

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				room., ordered Marines to stop when heard commotion, & reported it to others.
				(5) Pending GCM.

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**UNSUBSTANTIATED**

[1]	CTF-58 Suspects' ranks/units/service/ names were not provided by complainant	No dates were provided	4 Jan 02	SUSPECTS: Unknown LOCATION: Kandahar, Afghanistan ALLEGATIONS:  (1) Excessive force by guards when detainees moved from transport aircraft to TF-58 Short Term Holding Facility (STHF) at Kandahar International Airport  (2) Harsh physical treatment during interrogations - including interrogators hitting the head of a detainee on a table and squeezing testicles. Allegation made in Afghanistan to CTF-58, though unclear where interrogations occurred.	Preliminary Inquiry (Oral), which requested names of detainees/ suspects & dates but did not receive further information from complainant	Unsubstantiated Feb 02  -Guards use only that force necessary to control the detainee and provide adequate safety and security for the detainee and the guard force. No medical treatment was required or requested as a result of rough physical treatment from guards. -Physical abuse during any detainee's interrogation did not occur at TF 58 STHF.	Close		
2	<b>UNSUBSTANTIATED INCIDENTS; UNKNOWN # SUSPECTS</b>								
[2]	Task Force Tarawa, I MEF  1 <b>UNSUBSTANTIATED INCIDENT; 1 SUSPECT</b>		29 Mar 03	SUSPECT: Marine Guard LOCATION: Detainee Collection Point An Nasiriyah, Iraq ALLEGATION: Detainee (Hamdan Shibey ISN 0408400C) was shot & killed by a Marine guard. Investigation determined that the detainee attacked the Marine guard and the guard acted in self-defense when he shot the detainee that was lunging for the guard's service rifle.	NCIS (initially Preliminary Inquiry by Command per TF Tarawa SJA) (Counting as NCIS for DODIG Report)	Unsubstantiated 31 Mar 03	Close		
[3]	2 <sup>nd</sup> BN, 23 <sup>rd</sup> MAR, 1 <sup>st</sup> MARDIV, 1 MEF  1 <b>UNSUBSTANTIATED INCIDENT; 1 SUSPECT; NJP FOR FALSE OFFICIAL STMT</b>		8 Apr 03	SUSPECT: [REDACTED] USMCR LOCATION: Baghdad, Iraq ALLEGATION: [REDACTED] Old Las Vegas Newspaper that he personally executed 2 Iraqis that were out of combat.	NCIS	Unsubstantiated for abuse/homicide Substantiated for False Official Stmt, NJP 28 Apr 04 Guilty of False Official Statement - false allegation SENTENCE Forf I mo pay. SNM to retire.	Close		

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	9-12 Apr 03	2 Dec 03	13 Jun 03	Apr 03	9 Jul 03	Apr 04	Command	Unsubstantiated	Closed	
[4] "U.S. Marines" 3/4, 1stMARDIV, 1 MEF  1 UNSUBSTANTIATED INCIDENT; UNKNOWN # SUSPECTS							SUSPECT: "U.S. Marines" LOCATION: Baghdad/Umm Qasar, Iraq ALLEGATION: [redacted] alleged U.S. Marines "stole my belongings... and started torturing me" in Baghdad, Iraq. On 30 Apr 04, [redacted] filed a claim against the U.S. Army claiming abuse while at Camp Bucca, Umm Qasar, Iraq, an Army detention facility where he was transferred after being under Marine control for 3-4 days in Baghdad.			
[5] Combat Services Support Co 1st FSSG, 1 MEF  1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT							SUSPECT: Cpl USMC. LOCATION: Iraq. ALLEGATION: Suspect told several other unit members that he had been ordered by his former [redacted] to execute 3 Iraqi EPWs while his unit was conducting combat ops near an abandoned Iraqi pharmaceutical factory south of Baghdad, & that his [redacted] threatened to kill him if he did not carry out the executions. Suspect claimed he killed 3 Iraqi EPWs & disposed of the bodies in an 8-ft deep hole.	NCIS	Unsubstantiated. Suspect claimed he was intoxicated, that he fabricated the entire story, & he then passed polygraph.	Close
[6] 2/5, 1stMARDIV 1 MEF  1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT							SUSPECT: LCpl USMC LOCATION: Iraq. ALLEGATION: Suspect was being treated at the Naval Medical Center San Diego, when he was overheard bragging about stabbing dead & wounded Iraqi EPWs.	NCIS Preliminary Inquiry & Command Preliminary Inquiry (Counting as NCIS for DODIG Report)	Unsubstantiated. Suspect also told medical staff he was meritoriously promoted to Sgt, wounded in Iraq, awarded Purple Heart, honored by hometown ceremony, treated to dinner by Congressman, & assaulted 1 night in San Diego. In fact, suspect was assigned to chaplain's vehicle in Iraq, & there is no record of hometown ceremony or promotion.	Closed. Due to totality of fictitious stories b suspect, full field invest tion deemed unwarra ted.

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*66*

Case No.	Date	Location	Suspect	Allegation	Investigation	Findings	Disposition
[7] 1 <sup>st</sup> BN, 4 <sup>th</sup> MAR 1 <sup>st</sup> MARDIV, 1 MEF	15 Apr 03	15 Apr 03	SUSPECT: ██████████ LOCATION: Iraq ALLEGATION: SNM was medevaced with a broken hand. He told the BN surgeon that he broke it "punching an EPW in the face" & told another officer he broke it punching an EPW "in the back of the head." In CONUS, he recanted, stating he punched the ground.	NCIS NAS Whidbey Island WA	Preliminary Inquiry (JAGMAN)	Unsubstantiated for detainee abuse.  Substantiated for False Official Statement (false allegation) & infliction of self-injury.  NJP 11 Aug 03. Forf \$692 x 2 mos, Red E-3 (susp).	Close
1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT; NJP FOR FALSE OFFICIAL STATEMENT							
[8] Combined Anti-Armor Tm (CAAT), Wpns Co, 1 <sup>st</sup> BN 1 <sup>st</sup> MARDIV	N/A	Oct 03	SUSPECT: HM3 Navy Corpsman detailed from Naval Hospital Oak Harbor, Washington, in support of 1 <sup>st</sup> MARDIV in OIF from 21 Feb 03 to 13 Sep 03. LOCATION: Iraq. ALLEGATION: That suspect claimed to have "roughed up some EPWs while in Iraq."	NCIS NAS Whidbey Island WA		Unsubstantiated. Suspect said he never abused or assaulted any EPWs, though admitted pushing one EPW's face in the dirt & tripping other difficult EPWs to put them on the ground while assisting USMC members conducting "pat down" searches.	Close Case for to have prosecutive or disciplinary merit Trial Sv Office-West N/Whidbey Island.
1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT							
[9] 1 <sup>st</sup> Intel BN, 1 <sup>st</sup> MARDIV, 1 MEF	12 Apr 04	15 Apr 04	SUSPECT: SSgt, Counterintelligence Specialist LOCATION: Division Interrogation Facility, Camp Fallujah, Iraq ALLEGATION: That detainee was kicked & struck during screening.	Preliminary Inquiry	Unsubstantiated. Inquiry found evidence limited & conflicting. SIR indicated immediate medical exam of detainee found no associated injury.	Close	
1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT							
[10] 22 <sup>nd</sup> MEU	25 Jun 04	26 Jun 04	SUSPECT(S): 8 Marines from MEU Service Support Group & 10 Marines from C Co, 1/6. LOCATION: Forward Operating Base (FOB) Ripley, Afghanistan ALLEGATION: Mistreatment of 6 Afghani nationals while being held at the temporary detention facility at FOB Ripley by:	NCIS (initially command investigation; counting as NCIS for DODIG Rpt)	Unsubstantiated (6 Jul 04). Investigators found no information to substantiate abuse; no medical evidence of injuries. (a)-(d) take place as control	Close	
1 UNSUBSTANTIATED INCIDENT; 18 SUSPECTS							

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- a. Forced to repeat stand up & sit down.
- b. Move small rocks from 1 pile to another.
- c. Stand with extended arms for long periods.
- d. Kneel in place for long periods.
- e. Kneel with feet propped up on 2x4.
- f. Kneel while holding large rock overhead.
- g. Kneel on small pebble.
- h. Lay with chest across wooden board.

measures for sleep deprivation & as punishment for breaking camp rules, lasting 2 to 20 minutes only (e.g. 1 detainee had tried to grab guard's pistol). Little to no evidence of (e)-(h). Investigative efforts supported Marines' actions as appropriate & within SOP, guidance & training.

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**OTHER**

<p>[1] [REDACTED]</p>	<p>13 Jun 04</p>	<p>SUSPECT: [REDACTED] LOCATION: [REDACTED] ALLEGATION: [REDACTED]</p>	<p>NCIS</p>	<p>[REDACTED]</p>	<p>Investigation pendin.</p>
<p><b>INVESTIGATION PENDING</b></p>					
<p>[2] [REDACTED]</p>	<p>10 Jun 04</p>	<p>SUSPECT: [REDACTED] LOCATION: [REDACTED] ALLEGATION: [REDACTED]</p>	<p>NCIS as of 17 Jun 04 (initially a command preliminary inquiry; counting as NCIS for DODIG Rpt)</p>	<p>[REDACTED]</p>	<p>Investigation pendin</p>
<p><b>INVESTIGATION PENDING</b></p>					
<p>[3] 3<sup>rd</sup> Bn, 7th MAR 1<sup>st</sup> MARDIV, I MEF  <b>NON-INCIDENT</b></p>	<p>19 Apr 04</p>	<p>SUSPECT: N/A LOCATION: Husaybah, Iraq (3/7 holding area) On 19 Apr 04, a detainee (suspected Muj martyr) captured during heavy combat operations died of unknown causes 36 hours after he was apprehended. The detainee is suspected to have died from head injuries suffered during one of over 20 escape attempts, including one in which he escaped from his restraints and threw himself through a window, landing on his head. Subsequent examination by a medical officer (MO) had him conscious, with good pupils, and responsive. However, a few hours later he took a turn for the worse and died with a Corpsman present. The examining MO surmised that the detainee died from internal cranial bleeding from the fall that was slow to kill him. The entire period of the detainee's captivity occurred during an intense combat engagement. Since the fall out the window did not appear to have caused any injury, the detainee was not evacuated due to military necessity.</p>	<p>Command/ Reportable Incident Assessment Team (RIAT)</p>	<p>N/A - No allegation of abuse</p>	<p>Closer</p>

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[4]	Apr 04	2 & 6 May 04	SUSPECT(S): Unknown LOCATION: Iraq ALLEGATIONS: 2 detainees reported they were beaten & abused by U.S. military members.	Command	Investigation pending	Investigation pending
2 <sup>nd</sup> Bn, 2d MAR 1stMARDIV, I MEF (2/2 based at Camp Lejeune NC with 2d MARDIV)						

**INVESTIGATION PENDING**

[5]	[REDACTED]	21 Jun 04	SUSPECT(S): [REDACTED] LOCATION: [REDACTED] ALLEGATION: [REDACTED]	Joint Army CID & NCIS (Army CID initiated)	Investigation pending	Investigation pending
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**INVESTIGATION PENDING**

[6]	Jul 04	7 Jul 04	SUSPECT(S): Unknown. LOCATION: Fallujah, Iraq ALLEGATION: Detainee states he was forced to lie face down in the dirt, kneel next to a mud pile, and was pushed into the mud pile.	Command	Investigation pending	Investigation pending
RCT 1, 1stMARDIV I MEF						

**INVESTIGATION PENDING**

[REDACTED]  
From: [REDACTED]@hqmc.usmc.mil  
Sent: Thursday, August 05, 2004 3:30 PM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: FW: USMC Alleged Detainee Abuse Cases



5Aug04 JAD  
spreadsheet USMC Al.

All,  
This is the latest update by HQMC on the detainee cases involving Marines.  
Pls review for accuracy by NCIS. Tks, [REDACTED]

> -----Original Message-----

> From: [REDACTED]  
> Sent: Thursday, August 05, 2004 3:11 PM

> To: [REDACTED]  
> [REDACTED]  
> [REDACTED]  
> [REDACTED] DODIG Team; [REDACTED] JCS  
> SJS; [REDACTED] JCS SJS; [REDACTED]  
> [REDACTED] OSD-CIO; [REDACTED] JCS SJS;  
> JCS SJS; [REDACTED] OSD-USDI; [REDACTED] DoD OGC;  
> [REDACTED] DoD OGC;

> Cc: [REDACTED]

> Subject: USMC Alleged Detainee Abuse Cases

> Attached is USMC Alleged Detainee Abuse Case Spreadsheet as of 5 Aug 04.

> Substantive changes in blue: 1 new Unsubstantiated case, and 1 case moved  
> from Other to Unsubstantiated category.

> For DODIG Overview of Detainee Investigations/Evaluations - Marines  
> (Ongoing/Closed) current statistics:

> Preliminary Inquiries 0/5  
> Criminal Investigations 3/8 (10 are NCIS - DODIG counts under Navy;  
> 1 open is joint Army CID & NCIS)  
> Non-criminal Investigations 2/7  
> Inspections/Reviews 0/0  
> Total 25 Investigations 5/20 (2/12 without NCIS/Army CID)

> V/R, [REDACTED] USMC  
> Head, Intl & Operational Law, HQMC, Pentagon 5C760  
> DSN 224-2793/6799; (703) 614-2793/6799  
> FAX: DSN 225-0325, (703) 695-0325  
> unclas: [REDACTED]@hqmc.usmc.mil  
> SIPR: [REDACTED]@hqmc.usmc.smil.mil  
> <<5Aug04 JAD Spreadsheet USMC Alleged Detainee Abuse Cases.doc>>

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**Total as of 5 Aug 04: 10 Substantiated incidents; 13 (plus unknown #) Unsubstantiated incidents**

**1. Substantiated:** 10 incidents - All 1stMARDIV - 8 OIF I, 2 OIF II.

24 suspects: 11 Court-martial convictions - 1 General Court-martial, 7 Special Courts-martial; 3 Summary Courts-martial  
2 Non-judicial Punishments (1 followed by Board of Inquiry & pending discharge)  
1 page 11 (official counseling)  
6 - charges withdrawn or dismissed  
4 cases pending:

3 pending General Courts-martial  
1 pending Art 32 investigation

**2. Unsubstantiated:** 13 incidents (plus unknown #); 25 known suspects & unknown # other suspects (2 NJPs for false official stmts alleging abuse).

**3. Other:** 1 detainee death investigated with no allegation of abuse.  
4 investigations pending.

For DODIG Report (Ongoing/Closed): Preliminary Inquiries 0/5, Criminal Investigations 3/8 (10 are NCIS-DODIG counts under Navy; 1 open is joint Army CID & NCIS), Non-criminal Investigations 2/7, Inspections/Reviews 0/0, Total 25 Investigations 5/20 (2/12 without NCIS/Army CID)

Unit	Date of Incident	Date Reported	Suspect, Location & Allegation	Type of Investigation	Disposition & Date	Status
[1] 3 <sup>rd</sup> BN, 7 <sup>th</sup> MAR, 1st MarDiv, I MEF	15 May 03	Original rpt 20 May 03. [redacted] also rptd it to CNN 11 May 04 & to WCQS rptr 23 Mar 04. [redacted] was 3/7 SSgt separated 31 Dec 03 on combat related physical disability)	<b>SUSPECTS:</b> (1) [redacted] (2) [redacted] (3) [redacted] <b>LOCATION:</b> Karbala, Iraq (Logistics Base West of Karbala) <b>ALLEGATION:</b> [redacted] mistreated a bound detainee ( [redacted] by holding a 9mm pistol to the back of the detainee's head while another Marine took a picture. [redacted] also admitted to pouring a glass of water on the detainee's head. [redacted] took a photograph of the detainee while an American Flag was draped over the detainee's body. [redacted] failed to properly guard the detainee in the execution of his duties during these occurrences of maltreatment.	Command (JAGMAN)	(1) SPCM 7 Jan 04 Guilty of dereliction, maltreatment, assault SENTENCE Conf 90 days, forf \$500 x 3 mos, red E-1  (2) SCM 2 Jan 04 Guilty of Art 92 SENTENCE Conf 30 days, forf 2/3 pay x 1 mo, red E-1  (3) SCM 15 Jan 04 FINDINGS Guilty of dereliction, maltreatment SENTENCE Conf 20 days, forf 2/3 pay x 1 mo, red E-1	Closed

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[2]	2 Jun 03	3 Jun 03	<p>SUSPECT: [REDACTED] LOCATION: TBD ALLEGATION: Beat detainees w/fists on various parts of their body</p>	<p><b>SPCM: 2 Jun 03</b> Guilty of Art 92 viol of lawful order; Art 93 maltreatment; Art 128 assault. <b>SENTENCE:</b> 120 days conf; red E-1; BCD</p>	Close
[3]	1 Jun - 6 Jul 03	TBD	<p>SUSPECTS: (1) [REDACTED] (2) [REDACTED] (3) [REDACTED] (4) [REDACTED]</p> <p>LOCATION: Adwaniyah, Iraq ALLEGATIONS: (1) Locked two Iraqi male looters in an abandoned tank with a water bottle &amp; hatch open. (2) Sprayed Iraqi looters w/fire extinguisher; (3) Ordered 4 juvenile Iraqi looters to kneel beside 2 shallow fighting holes &amp; a pistol was discharged to conduct a mock execution.</p>	<p>NCIS (vice Command)</p> <p>(1) <b>SPCM 17 Jun 04</b> Guilty of Art 93 maltreatment related to allegation (3) <b>SENTENCE:</b> Red E-3, 30 days hard labor w/o conf; Forf \$1056/mo x 6 mos (2) <b>SPCM 29 Mar 04</b> Guilty of dereliction <b>SENTENCE:</b> Red E-3; 30 das hrd lab w/o conf (3) <b>SCIM 26 Jan 04</b> Guilty of detainee abuse (spraying detainee w/ fire extinguisher) <b>SENTENCE:</b> Red E-3; forf 2/3 pay x 1 mo; 14 das restr</p>	<p>1 <b>SUBSTANTIATED INCIDENT;</b> 1 <b>SUSPECT</b></p> <p>3 <b>SUBSTANTIATED INCIDENTS;</b> 4 <b>ORIGINAL SUSPECTS;</b> <b>CHGS WITHDRAWN AGAINST 1</b></p>
[4]	6 Jun 03	6 Jun 03	<p>SUSPECTS: (1) [REDACTED] (2) [REDACTED] (3) [REDACTED] (4) [REDACTED] (5) [REDACTED]</p> <p>LOCATION: [REDACTED]</p>	<p>(4) Chrgs withdrawn</p>	<p>2<sup>nd</sup> BN, 25<sup>th</sup> MAR, 1st MarDiv, I MEF (NY Reserve BN)</p>

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*WPA*

[REDACTED]

[5]	3 <sup>rd</sup> BN, 23 <sup>rd</sup> MAR, 1st MarDiv, 1 MEF (SNO is Reservist, Parent command is 4thMARDIV, MARFORRES)	(1) 23 Jun 03 (2) 29 Jun 03	Jun/Jul 03	SUSPECT: LOCATION: Al Kut, Iraq ALLEGATIONS: (1) 23Jun03- SNO, as Combined Anti-Armor (CAAT) Plt Cdr, detained 4 Iraqi males for looting brass from the Ammunition Supply Pt. After the 4 <sup>th</sup> time of detaining them the same day, SNO had them searched, stripped of clothing except shoes & underwear, & released. SNO failed to account for their personal property & currency. (2) 29Jun03-SNO's Plt fired in self-defense at a semi-truck attempting to run a checkpoint 28Jun03. The 2 occupants were injured & transported to the hospital for treatment of minor injuries. 29Jun03, the Iraqis returned to recover their personal effects, but SNO denied them access & ordered his Marines to burn their property.	Command (JAGMAN)	CG's NJP 1 Aug 03 Guilty of Conduct unbecoming, Failing to rpt & turn over captured property SENTENCE: Forf \$2,034 x 1 mo, ltr of censure. MFR BOI 6Apr04 substantiated misconduct & recommended separation w/ Hon discharge.	Close Separation DC M&R rec & SECN V fina action
[6]	4thLARBN, 1st MarDiv, 1 MEF  1 SUBSTANTIATED INCIDENT; 1 SUSPECT	3 Aug 03	3 Aug 03	SUSPECT: LOCATION: Al Mumudiyah, Iraq (LSA Dogwood) ALLEGATION: Mistreated detainee ( ) causing 2 <sup>nd</sup> degree burns/blisters to back of detainee's hands. Detainee requested to use hand sanitizer following a head call. As the detainee squatted down, a Marine guard squirted alcohol-based sanitizer into detainee's hands; excess cleaner formed puddle on floor. As the Marine guard turned to dispose of the empty bottle, ( ) lit a match & threw it onto the puddle of hand sanitizer. The liquid ignited, & flames burned the detainee's hands, causing large blisters.	Command (JAGMAN)	SPCM 5 Apr 04 Guilty of Art 128, assault with means likely to produce death or grievous bodily harm. SENTENCE: Confinement 90 days, Red to E-2	Close
[7]	2 <sup>nd</sup> Bn, 2d MAR 1st MarDiv, 1 MEF (2/2 is based at Camp Lejeune NC with 2d MARDIV)  1 SUBSTANTIATED INCIDENT; 5 SUSPECTS	13 Apr 04	15 Apr 04	SUSPECTS: (1) ( ) shocked victim. (2) ( ) helped ( ) operate transformer. (3) ( ) escort for victim while he was shocked. (4) ( ) HET NCO, present during incident (5) ( ) discussed shocking detainees before LOCATION: Al Mahmudiya, Iraq (2/2 holding area) ALLEGATION: ( ) reported he witnessed ( ) & ( ) shock an Iraqi detainee with an electric transformer; that ( ) held the wires against the shoulder area of the detainee & that the detainee "danced" as he was shocked. The detainee-victim was released on 14 April & cannot be located.	Command (vice NCIS)	(1) GCM 14 May 04 Fallujah, Iraq. Guilty of assault, cruelty & maltreatment, dereliction, & conspiracy to assault detainee. SENTENCE: 1 yr conf; red E-1; total forf; BCD  (2) SPCM 14 May 04 Fallujah, Iraq. Guilty of cruelty & maltreatment, dereliction, false official stmt, orders violation, &	(1)-(4) Close  (5) Pending GCM. Art 39 23Aug 04. Request Individual dual Militia

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conspiracy to commit assault.  
SENTENCE: 8 mos conf, red E-1, total forf, BCD.

Couns fm CONT grante

(3) SPCM 15 Jul 04

Fallujah, Iraq. Guilty of dereliction.  
SENTENCE: 60 das conf, red E-1, 30 das hard labor w/o conf, forf \$100 x 4 mos.

(4) P.11 - official

counseling entry (date TBD). SNM not in room, ordered Marines to stop when heard commotion, & reported it to others.

(5) Pending GCM.

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USMC ALLEGED DETAINEE ABUSE CASES SINCE 11 SEP 01**

**UNSUBSTANTIATED**

<p>[1] CTF-58 Suspects' ranks/units/svc/ names not provided by complainant  2 UNSUBSTANTIATED INCIDENTS; UNKNOWN # SUSPECTS</p>	<p>No dates were provided</p>	<p>4 Jan 02</p>	<p>SUSPECTS: Unknown LOCATION: Kandahar, Afghanistan ALLEGATIONS:  (1) Excessive force by guards when detainees moved from transport aircraft to TF-58 Short Term Holding Facility (STHF) at Kandahar International Airport  (2) Harsh physical treatment during interrogations - including interrogators hitting the head of a detainee on a table and squeezing testicles. Allegation made in Afghanistan to CTF-58, though unclear where interrogations occurred.</p>	<p>Preliminary Inquiry (Oral), which requested names of detainees/ suspects &amp; dates but did not receive further information from complainant</p>	<p>Unsubstantiated Feb02 -Guards use only force necessary to control detainee &amp; provide safety &amp; security for detainee &amp; guard force. No medical treatment required/requested. -Physical abuse during any detainee's interrogation did not occur at TF 58 STHF.</p>	<p>Closer</p>
<p>[2] Task Force Tarawa, I MEF  1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT</p>	<p>29 Mar 03</p>	<p>30 Mar 03</p>	<p>SUSPECT: Marine Guard LOCATION: Detainee Collection Point An Nasiriyah, Iraq ALLEGATION: Detainee (Hamdan Shibey ISN 0408400C) was shot &amp; killed by a Marine guard. Investigation determined that the detainee attacked the Marine guard and the guard acted in self-defense when he shot the detainee that was lunging for the guard's service rifle.</p>	<p>NCIS (initially Preliminary Inquiry by Command per TF Tarawa SJA) (Counting as NCIS for DODIG Report)</p>	<p>Unsubstantiated 31 Mar 03</p>	<p>Closer</p>
<p>[3] 2<sup>nd</sup> BN, 23<sup>rd</sup> MAR, 1st MarDiv I MEF  1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT; NJP FOR FALSE OFFICIAL STMT</p>	<p>8 Apr 03</p>	<p>Jan 04 (open source - news article)</p>	<p>SUSPECT: [REDACTED] USMCR LOCATION: Baghdad, Iraq ALLEGATION: [REDACTED] told Las Vegas Newspaper that he personally executed 2 Iraqis that were out of combat.</p>	<p>NCIS</p>	<p>Unsubstantiated for abuse/homicide Substantiated for False Official Stmt, NJP 28 Apr 04 Guilty of False Official Statement - false allegation SENTENCE Forf I mo pay. SNM to retire.</p>	<p>Closer</p>

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	9-12-Apr 03	2 Dec 03 CONGRINT	SUSPECT: "U.S. Marines" LOCATION: Baghdad/Umm Qasar, Iraq ALLEGATION: [redacted] alleged U.S. Marines "stole my belongings... and started torturing me" in Baghdad, Iraq. On 30 Apr 04, [redacted] filed a claim against the U.S. Army claiming abuse while at Camp Bucca, Umm Qasar, Iraq, an Army detention facility where he was transferred after being under Marine control for 3-4 days in Baghdad.	Command	Unsubstantiated Apr 04	Closed /
[4] 3dBN 4 <sup>th</sup> MAR 1stMarDiv I MEF  1 UNSUBSTANTIATED INCIDENT; UNKNOWN # SUSPECTS						
[5] Combat Services Support Co 1 <sup>st</sup> FSSG I MEF  1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT	Apr 03	13 Jun 03	SUSPECT: Cpl USMC. LOCATION: Iraq. ALLEGATION: Suspect told several unit mbrs that he was ordered by his former [redacted] to execute 3 Iraqi EPWs during combat ops near abandoned Iraqi pharmaceutical factory south of Baghdad; that [redacted] threatened to kill him if he did not carry out the executions; & that he killed 3 Iraqi EPWs & disposed of bodies in 8-ft deep hole.	NCIS	Unsubstantiated. Suspect said he was intoxicated & fabricated entire story. He passed polygraph.	Closed
[6] 2dBN 5 <sup>th</sup> MAR 1stMarDiv I MEF  1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT	N/A False allegation	9 Jul 03	SUSPECT: LCpl USMC LOCATION: Iraq. ALLEGATION: Suspect was being treated at the Naval Medical Center San Diego, when he was overheard bragging about stabbing dead & wounded Iraqi EPWs.	NCIS Preliminary Inquiry & Command Preliminary Inquiry (Counting as NCIS for DODIG Report)	Unsubstantiated. Suspect also told medical staff he was meritoriously promoted to Sgt, wounded in Iraq, awarded Purple Heart, honored by hometown ceremony, treated to dinner by Congressman, & assaulted 1 night in San Diego. In fact, suspect was assigned to chaplain's vehicle in Iraq, & there is no record of hometown ceremony or promotion.	Closed. Due to totality of fictitious stories b suspect, full field investigation deemed unwarranted.

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[7]	15 Apr 03	15 Apr 03	<p>1<sup>st</sup> BN 4<sup>th</sup> MAR 1stMarDiv I MEF</p> <p><b>1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT; NJP FOR FALSE OFFICIAL STATEMENT</b></p>	<p>SUSPECT: ██████████ LOCATION: Iraq ALLEGATION: SNM was medevaced with a broken hand. He told the BN surgeon that he broke it "punching an EPW in the face" &amp; told another officer he broke it punching an EPW "in the back of the head." In CONUS, he recanted, stating he punched the ground.</p>	<p>Preliminary Inquiry (JAGMAN)</p>	<p>Unsubstantiated for detainee abuse.</p> <p>Substantiated for False Official Statement (false allegation) &amp; infliction of self-injury. NJP 11 Aug 03. Forf \$692 x 2 mos, Red E-3 (susp).</p>	Closest
[8]	N/A	Oct 03	<p>Combined Anti-Armor Tm (CAAT), Wpns Co, 1<sup>st</sup> BN 1stMARDIV</p> <p><b>1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT</b></p>	<p>SUSPECT: ██████████ Navy Corpsman detailed from Naval Hospital Oak Harbor, Washington, in support of 1stMARDIV in OIF from 21 Feb 03 to 13 Sep 03. LOCATION: Iraq. ALLEGATION: That suspect claimed to have "roughed up some EPWs while in Iraq."</p>	<p>NCIS NAS Whidbey Island WA</p>	<p>Unsubstantiated.</p> <p>Suspect said he never abused or assaulted EPWs, though admitted pushing one EPW's face in the dirt &amp; tripping other difficult EPWs to put them on the ground while assisting USMC members conducting "pat down" searches.</p>	Closed. Case has no prosecutive or disciplinary merit per Trial Svcs Office-West N/Whidbey Island.
[9]	12 Apr 04	15 Apr 04	<p>1<sup>st</sup> Intel BN, 1st MarDiv, I MEF</p> <p><b>1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT</b></p>	<p>SUSPECT: ██████████ Counterintelligence Specialist LOCATION: Division Interrogation Facility, Camp Fallujah, Iraq ALLEGATION: That detainee was kicked &amp; struck during screening.</p>	<p>Preliminary Inquiry</p>	<p>Unsubstantiated.</p> <p>Inquiry found evidence limited &amp; conflicting. SIR indicated immediate medical exam of detainee found no associated injury.</p>	Closest
[10]	Moved from "Other" category	15-26 Apr 04	<p>2<sup>nd</sup> Bn, 2d MAR 1stMarDiv I MEF (2/2 based at Camp Lejeune NC with 2d MarDiv)</p> <p><b>UNKNOWN #</b></p>	<p>SUSPECT(S): Unknown LOCATION: IVO Al Mahmudiyah, Iraq ALLEGATIONS: 2 detainees, Sermed ██████████ &amp; ██████████, alleged that while in custody of Marines or Task Force 626 they were struck w/a rifle on the hands, wrists &amp; backs of legs &amp; that ██████████ was sodomized w/a rifle muzzle. FACTS: On 15 Apr 04, G Co 2/2 detained them &amp; a 3<sup>rd</sup> man, ██████████ at a vehicle ckpt w/ wpns, comm equipment &amp; \$500K in vehicle. They identified themselves as mbrs of Supreme Council for Islamic Revolution in Iraq (SCIRI). On 16</p>	<p>Command Preliminary Inquiry Approved by CG 1stMarDiv 3 Jun 04</p>	<p>Unsubstantiated. No evidence that abuse occurred in Marine custody. No signs of abuse during inprocessing at DIF which included medical assessment, nor when Dr. examined detainees prior to transfer to TF</p>	Closest

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**UNSUBSTANTIATED INCIDENTS, UNKNOWN # SUSPECTS**

Apr 04 they were transferred by convoy to 2/2's FOB & holding facility. On 18 Apr 04 they were transferred to the Division Interrogation Facility (DIF). On 26 Apr 04 they were transferred to TF 626, thus terminating Marine custody. TF 626 is a SpecOps theatre level asset. TF 626 transferred them at some point to an unknown US govt agency, where allegations were made.

626. Inquiry included interview of personnel who had contact with detainees, & review of wpns handling & custody SOP.

[11]

22<sup>nd</sup> MEU

**1 UNSUBSTANTIATED INCIDENT; 18 SUSPECTS**

25 Jun 04      26 Jun 04

SUSPECT(S): 8 Marines from MEU Service Support Group & 10 Marines from C Co, 1/6.

LOCATION: Forward Operating Base (FOB) Ripley, Afghanistan  
ALLEGATION: Mistreatment of 6 Afghani nationals while being held at the temporary detention facility at FOB Ripley by:

- Forced to repeat stand up & sit down.
- Move small rocks from 1 pile to another.
- Stand with extended arms for long periods.
- Kneel in place for long periods.
- Kneel with feet propped up on 2x4.
- Kneel while holding large rock overhead.
- Kneel on small pebble.
- Lay with chest across wooden board.

Unsubstantiated 6 Jul 04.  
No evidence or injury to substantiate abuse.

NCIS (initially command investigation; counting as NCIS for DODIG Rpt)

Close

[12]

2d BN 2d MAR  
1stMarDiv 1 MEF  
(2/2 based Camp Lejeune NC w/ 2dMarDiv)

**1 UNSUBSTANTIATED INCIDENT; UNKNOWN # SUSPECTS**

18 Jul 04      1 Aug 04

SUSPECTS: Raiding Team, 2/2

LOCATION: Mahmudiyah, Iraq

ALLEGATION: Team searched home of Iraqi Police Force [redacted] suspected as an AIF sympathizer who possessed a weapon to be used against Iraqi & MNF units. Weapon was found, & [redacted] was detained in accordance with SOP with flex cuffs, afforded due deference to rank, taken to Camp Mahmudiyah for questioning, & released 5 hours later. [redacted] later alleged he was kicked while enroute to 2/2's FOB, & verbally abused by disparaging remarks about himself & the Iraqi Police Force during his detention.

Close

Unsubstantiated. No evidence or injury to substantiate allegation.

Command Preliminary Inquiry  
1 Aug 04  
Approved by CG 1stMarDiv

Close

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**OTHER**

<p>[1]</p> <p>[REDACTED]</p> <p><b>INVESTIGATION PENDING</b></p>	<p>13 Jun 04</p> <p>[REDACTED]</p> <p>SUSPECT: LOCATION: ALLEGATION:</p> <p>[REDACTED]</p>	<p>NCIS</p>	<p>[REDACTED]</p> <p>Investigation pending.</p>
<p>[2]</p> <p>[REDACTED]</p> <p><b>INVESTIGATION PENDING</b></p>	<p>10 Jun 04</p> <p>[REDACTED]</p> <p>SUSPECT: LOCATION: ALLEGATION:</p> <p>[REDACTED]</p>	<p>NCIS as of 17 Jun 04 (initially a Command Preliminary Inquiry; counting as NCIS for DODIG Rpt)</p>	<p>[REDACTED]</p> <p>Investigation pending</p>
<p>[3]</p> <p>3<sup>rd</sup> Bn, 7th MAR 1st MarDiv, I MEF</p> <p><b>NON-INCIDENT</b></p>	<p>19 Apr 04</p> <p>SUSPECT: N/A</p> <p>LOCATION: Husaybah, Iraq (3/7 holding area)</p> <p>On 19 Apr 04, a detainee (suspected Muj martyr) captured during heavy combat operations died of unknown causes 36 hours after he was apprehended. The detainee is suspected to have died from head injuries suffered during one of over 20 escape attempts, including one in which he escaped from his restraints and threw himself through a window, landing on his head. Subsequent examination by a medical officer (MO) had him conscious, with good pupils, and responsive. However, a few hours later he took a turn for the worse and died with a Corpsman present. The examining MO surmised that the detainee died from internal cranial bleeding from the fall that was slow to kill him. The entire period of the detainee's captivity occurred during an intense combat engagement. Since the fall out the window did not appear to have caused any injury, the detainee was not evacuated due to military necessity.</p>	<p>Command/Reportable Incident Assessment Team (RIAT)</p>	<p>N/A - No allegation of abuse</p> <p>Close</p>

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<p>[4] [REDACTED]</p> <p><b>INVESTIGATION PENDING</b></p>	<p>21 Jun 04</p>	<p>SUSPECT(S): [REDACTED]          LOCATION: [REDACTED]          ALLEGATION: [REDACTED]</p>	<p>Joint Army CID &amp; NCIS (Army CID initiated)</p>	<p>Investigation pending</p> <p>Investigation pending</p>
<p>[5] RCT 1, 1stMARDIV I MEF</p> <p><b>INVESTIGATION PENDING</b></p>	<p>Jul 04      7 Jul 04</p>	<p>SUSPECT(S): Unknown.          LOCATION: Fallujah, Iraq          ALLEGATION: Detainee states he was forced to lie face down in the dirt, kneel next to a mud pile, and was pushed into the mud pile.</p>	<p>Command</p>	<p>Investigation pending</p> <p>Investigation pending</p>

[REDACTED]

From: [REDACTED]@hqmc.usmc.mil  
Sent: Thursday, July 22, 2004 2:09 PM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: FW: USMC Alleged Detainee Abuse Cases



22Jul04 JAD  
preadsheet USMC A

Guys,

Pls review for accuracy with those we have on our list. Let me know if any discrepancies. Tks, [REDACTED]

>  
> Subject: USMC Alleged Detainee Abuse Cases  
>  
> Attached is USMC Alleged Detainee Abuse Case Spreadsheet as of 22 Jul 04.  
>  
> No substantive changes.  
>  
> For DODIG Overview of Detainee Investigations/Evaluations - Marines  
> (Ongoing/Closed) current statistics remain:  
>  
> Preliminary Inquiries 0/3  
> Criminal Investigations 3/8 (10 are NCIS - DODIG counts under Navy;  
> 1 open is joint Army CID & NCIS)  
> Non-criminal Investigations 2/7  
> Inspections/Reviews 0/0  
> Total 23 Investigations 5/18 (2/10 without NCIS/Army CID)  
>  
> V/R, [REDACTED] USMC  
> Head, Intl & Operational Law, HQMC, Pentagon 5C760  
> DSN 224-2793/6799; (703) 614-2793/6799  
> FAX: DSN 225-0325, (703) 695-0325  
> unclas: [REDACTED]@hqmc.usmc.mil  
> SIPR: [REDACTED]@hqmc.usmc.smil.mil  
>  
> <<22Jul04 JAD Spreadsheet USMC Alleged Detainee Abuse Cases.doc>>

b6

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**Total as of 22 Jul 04: 10 Substantiated incidents; 11 Unsubstantiated incidents**

1. **Substantiated:** 10 incidents - All 1stMARDIV - 8 OIF I, 2 OIF II.  
24 suspects: 11 Court-martial convictions - 1 General Court-martial, 7 Special Courts-martial; 3 Summary Courts-martial  
2 Non-judicial Punishments (1 followed by Board of Inquiry & pending discharge)  
1 page 11 (official counseling)  
6 - charges withdrawn or dismissed  
4 cases pending:  
3 pending General Courts-martial  
1 pending Art 32 investigation
2. **Unsubstantiated:** 11 incidents; 25 known suspects & unknown number of other suspects (2 NJPs for false official statements alleging abuse).
3. **Other:** 1 detainee death investigated with no allegation of abuse.  
5 investigations pending.

For DODIG Report (Ongoing/Closed): Preliminary Inquiries 0/3, Criminal Investigations 3/8 (10 are NCIS-DODIG counts under Navy; 1 open is joint Army CID & NCIS), Non-criminal Investigations 2/7, Inspections/Reviews 0/0, Total 23 Investigations 5/18 (2/10 without NCIS/Army CID)

Unit	Date of Incident	Date Reported	Suspect, Location & Allegation	Type of Investigation	Disposition & Date	Current Status
<b>SUBSTANTIATED</b>						
[1] 1 <sup>st</sup> BN, 4 <sup>th</sup> MAR, 1stMARDIV, 1 MEF	2 Jun 03	3 Jun 03	SUSPECT: [REDACTED] LOCATION: TBD ALLEGATION: Beat detainees w/fists on various parts of their body	Command (JAGMAN)	SPCM: 2 Jun 03 Guilty of Art 92, violation of lawful order; Art 93, maltreatment; & Art 128, assault. SENTENCE: 120 days conf; red E-1; BCD	Closed
1 <b>SUBSTANTIATED INCIDENT; 1 SUSPECT</b>						
[2] 3 <sup>rd</sup> BN, 7 <sup>th</sup> MAR, 1 <sup>st</sup> MARDIV, 1 MEF	15 May 03	Originally reported 20 May 03, [REDACTED] also reported it to CNN 11 May 04, &	SUSPECTS: (1) [REDACTED] (2) [REDACTED] (3) [REDACTED] LOCATION: Karbala, Iraq (Logistics Base West of Karbala) ALLEGATION: [REDACTED] mistreated a bound detainee [REDACTED] by holding a 9mm pistol to the back of the detainee's head while another Marine took a picture. [REDACTED] also admitted to	Command (JAGMAN)	(1) SPCM 7 Jan 04 Guilty of dereliction, maltreatment, assault SENTENCE Conf 90 days, forf \$500 x 3 mos, red E-1	Closed
1 <b>SUBSTANTIATED INCIDENT;</b>						

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**3 SUSPECTS**

to WCQS reporter [redacted] took a photograph of the detainee while an American Flag was draped over the detainee's body. [redacted] failed to properly guard the detainee in the execution of his duties during these occurrences of maltreatment.

[redacted] Ashville NC  
23 Mar 04.  
[redacted] is former 3/7 SSgt separated 31 Dec 03 on combat related physical disability)

(2) **SCM 2 Jan 04**  
Guilty of Art 92  
SENTENCE Conf 30 days, forf 2/3 pay x 1 mo, red E-1

(3) **SCM 15 Jan 04**  
FINDINGS Guilty of dereliction, maltreatment  
SENTENCE Conf 20 days, forf 2/3 pay x 1 mo, red E-1

*ble*

**[3]** 1 Jun - 6 Jul 03\*  
3<sup>rd</sup> BN, 5<sup>th</sup> MAR, 1<sup>st</sup> MARDIV, 1 MEF

**3 SUBSTANTIATED INCIDENTS;  
4 ORIGINAL SUSPECTS;  
CHARGES WITHDRAWN AGAINST 1 SUSPECT**

**SUSPECTS: (1) [redacted]  
(2) [redacted]  
(3) [redacted]  
(4) [redacted]**

**LOCATION: Adiwaniyah, Iraq**

**ALLEGATIONS:**  
(1) Locked two Iraqi male looters in an abandoned tank with a water bottle & hatch open.  
(2) Sprayed Iraqi looters w/fire extinguisher;  
(3) Ordered 4 juvenile Iraqi looters to kneel beside 2 shallow fighting holes & a pistol was discharged to conduct a mock execution.

**NCIS (vice Command)**

**(1) SPCM 17 Jun 04**  
Guilty of Art 93 maltreatment related to allegation (3)  
SENTENCE: Red E-3, 30 days hard labor w/o conf; Forf \$1056/mo x 6 mos

**(2) SPCM 29Mar04**  
Guilty of dereliction  
SENTENCE: Red E-3; 30 days hard labor w/o conf.

**(3) SCM 26 Jan 04**  
Guilty of detainee abuse (spraying detainee w/ fire extinguisher)  
SENTENCE: Red E-3; forf 2/3 pay x 1 mo; 14 days restr

**(4) Chrgs withdrawn**

Close:

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[4]	6 Jun 03	6 Jun 03	SUSPECTS: (1) [REDACTED] (2) [REDACTED] (3) [REDACTED] (4) [REDACTED] (5) [REDACTED] (6) [REDACTED] (7) [REDACTED] (8) [REDACTED] (9) [REDACTED]	NCIS	[REDACTED]
1	[REDACTED]	[REDACTED]	LOCATION: [REDACTED] ALLEGATION: [REDACTED]	[REDACTED]	[REDACTED]

[5]	(1) 23 Jun 03	Jun/Jul 03	SUSPECT: [REDACTED] LOCATION: Al Kut, Iraq ALLEGATIONS: (1) 23Jun03- SNO, as Combined Anti-Armor (CAAT) Plt Cdr, detained 4 Iraqi males for looting brass from the Ammunition Supply Pt. After the 4 <sup>th</sup> time of detaining them the same day, SNO had them searched, stripped of clothing except shoes & underwear, & released. SNO failed to account for their personal property & currency. (2) 29Jun03-SNO's Plt fired in self-defense at a semi-truck attempting to run a checkpoint 28Jun03. The 2 occupants were injured & transported to the hospital for treatment of minor injuries. 29Jun03, the Iraqis returned to recover their personal effects, but SNO denied them access & ordered his Marines to burn their property.	Command (JAGMAN)	Closec
2	3 <sup>rd</sup> BN, 23 <sup>rd</sup> MAR, 1 <sup>st</sup> MARDIV, 1 MEF (SNO is Reservist, Parent command is 4thMARDIV, MARFORRES)	(2) 29 Jun 03	[REDACTED]	CG's NJP 1 Aug 03 Guilty of Conduct unbecoming, Failing to rpt & turn over captured property SENTENCE: Forf \$2,034 x 1 mo, ltr of censure. MFR BOI 6Apr04 substantiated misconduct & recommended separation w/ Hon discharge.	Separati pending DC M&RA & SECNA final action.
2	SUBSTANTIATED INCIDENTS; 1 SUSPECT	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

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[6]	3 Aug 03	3 Aug 03	SUSPECT: [REDACTED] LOCATION: Al Mumudiyah, Iraq (LSA Dogwood) ALLEGATION: Mistreated detainee [REDACTED] causing 2 <sup>nd</sup> degree burns/blisters to back of detainee's hands. Detainee requested to use hand sanitizer following a head call. As the detainee squatted down, a Marine guard squirted alcohol-based sanitizer into detainee's hands; excess cleaner formed puddle on floor. As the Marine guard turned to dispose of the empty bottle, [REDACTED] lit a match & threw it onto the puddle of hand sanitizer. The liquid ignited, & flames burned the detainee's hands, causing large blisters.	Command (JAGMAN)	SPCM 5 Apr 04 Guilty of Art 128, assault with means likely to produce death or grievous bodily harm. SENTENCE: Confinement 90 days, Red to E-2	Closer
[7]	2 <sup>nd</sup> Bn, 2d MAR 1 <sup>st</sup> MARDIV, 1 MEF (2/2 is based at Camp Lejeune NC with 2d MARDIV)	13 Apr 04	15 Apr 04 SUSPECTS: (1) [REDACTED] - shocked victim. (2) [REDACTED] helped PFC Sting operate transformer. (3) [REDACTED] escort for victim while he was shocked. (4) [REDACTED] SGT NCO, present during incident (5) [REDACTED] discussed shocking detainees before LOCATION: Al Mahmudiya, Iraq (2/2 holding area) ALLEGATION: [REDACTED] reported he witnessed [REDACTED] & [REDACTED] shock an Iraqi detainee with an electric transformer; that [REDACTED] held the wires against the shoulder area of the detainee & that the detainee "danced" as he was shocked. The detainee-victim was released on 14 April & cannot be located.	Command (vice NCIS)	(1) GCM 14 May 04 Fallujah, Iraq. Guilty of assault, cruelty & maltreatment, dereliction, & conspiracy to assault detainee. SENTENCE: 1 yr conf; red E-1; total forf; BCD (2) SPCM 14 May 04 Fallujah, Iraq. Guilty of cruelty & maltreatment, dereliction, false official stmt, orders violation, & conspiracy to commit assault. SENTENCE: 8 mos conf, red E-1, total forf, BCD. (3) SPCM 15 Jul 04 Fallujah, Iraq. Guilty of dereliction. SENTENCE: 60 das conf, red E-1, 30 das hard labor w/o conf, forf \$100 x 4 mos. (4) P.11 - official counseling entry (date TBD). SNM not in	(1)-(4) Closed (5) Pending GCM mid-Aug 04 (delayed from Jul due to Individual Military Counsel report)

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					room, ordered Marines to stop when heard commotion, & reported it to others.
					(S) Pending GCM.

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**UNSUBSTANTIATED**

<p>[1] CTF-58 Suspects' ranks/units/service/ names were not provided by complainant</p>	<p>No dates were provided</p>	<p>4 Jan 02</p>	<p>SUSPECTS: Unknown LOCATION: Kandahar, Afghanistan ALLEGATIONS:  (1) Excessive force by guards when detainees moved from transport aircraft to TF-58 Short Term Holding Facility (STHF) at Kandahar International Airport  (2) Harsh physical treatment during interrogations – including interrogators hitting the head of a detainee on a table and squeezing testicles. Allegation made in Afghanistan to CTF-58, though unclear where interrogations occurred.</p>	<p>Preliminary Inquiry (Oral), which requested names of detainees/ suspects &amp; dates but did not receive further information from complainant</p>	<p>Unsubstantiated Feb 02 -Guards use only that force necessary to control the detainee and provide adequate safety and security for the detainee and the guard force. No medical treatment was required or requested as a result of rough physical treatment from guards. -Physical abuse during any detainee's interrogation did not occur at TF 58 STHF.</p>	<p>Closer</p>
<p>[2] Task Force Tarawa, 1 MEF  1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT</p>	<p>29 Mar 03</p>	<p>30 Mar 03</p>	<p>SUSPECT: Marine Guard LOCATION: Detainee Collection Point An Nasiriyah, Iraq ALLEGATION: Detainee (Hamdan Shibey ISN 0408400C) was shot &amp; killed by a Marine guard. Investigation determined that the detainee attacked the Marine guard and the guard acted in self-defense when he shot the detainee that was lunging for the guard's service rifle.</p>	<p>NCIS (initially Preliminary Inquiry by Command per TF Tarawa SJA) (Counting as NCIS for DODIG Report)</p>	<p>Unsubstantiated 31 Mar 03</p>	<p>Closer</p>
<p>[3] 2<sup>nd</sup> BN, 23<sup>rd</sup> MAR, 1<sup>st</sup> MARDIV, 1 MEF  1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT; NJP FOR FALSE OFFICIAL STMT</p>	<p>8 Apr 03</p>	<p>Jan 04 (open source - news article)</p>	<p>SUSPECT: [REDACTED] USMCR LOCATION: Baghdad, Iraq ALLEGATION: [REDACTED] old Las Vegas Newspaper that he personally executed 2 Iraqis that were out of combat.</p>	<p>NCIS</p>	<p>Unsubstantiated for abuse/homicide Substantiated for False Official Stmt, NJP 28 Apr 04 Guilty of False Official Statement – false allegation SENTENCE Forf 1 mo pay. SNM to retire.</p>	<p>Closer</p>

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USMC ALLEGED DETAINEE ABUSE CASES SINCE 11 SEP 01**

[4]	"U.S. Marines" 3/4, 1stMARDIV, 1 MEF	9-12 Apr 03	2 Dec 03 CONGRINT	SUSPECT: "U.S. Marines" LOCATION: Baghdad/Umm Qasar, Iraq ALLEGATION: [redacted] alleged U.S. Marines "stole my belongings... and started torturing me" in Baghdad, Iraq. On 30 Apr 04, [redacted] filed a claim against the U.S. Army claiming abuse while at Camp Bucca, Umm Qasar, Iraq, an Army detention facility where he was transferred after being under Marine control for 3-4 days in Baghdad.	Command	Unsubstantiated Apr 04	Closer
[5]	1 UNSUBSTANTIATED INCIDENT; UNKNOWN # SUSPECTS	Apr 03	13 Jun 03	SUSPECT: Cpl USMC. LOCATION: Iraq. ALLEGATION: Suspect told several other unit members that he had been ordered by his former [redacted] to execute 3 Iraqi EPWs while his unit was conducting combat ops near an abandoned Iraqi pharmaceutical factory south of Baghdad, & that his [redacted] threatened to kill him if he did not carry out the executions. Suspect claimed he killed 3 Iraqi EPWs & disposed of the bodies in an 8-ft deep hole.	NCIS	Unsubstantiated. Suspect claimed he was intoxicated, that he fabricated the entire story, & he then passed polygraph.	Closer
[6]	2/5, 1stMARDIV 1 MEF 1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT	N/A False allegation	9 Jul 03	SUSPECT: LCpl USMC LOCATION: Iraq. ALLEGATION: Suspect was being treated at the Naval Medical Center San Diego, when he was overheard bragging about stabbing dead & wounded Iraqi EPWs.	NCIS Preliminary Inquiry & Command Preliminary Inquiry (Counting as NCIS for DODIG Report)	Unsubstantiated. Suspect also told medical staff he was meritoriously promoted to Sgt, wounded in Iraq, awarded Purple Heart, honored by hometown ceremony, treated to dinner by Congressman, & assaulted 1 night in San Diego. In fact, suspect was assigned to chaplain's vehicle in Iraq, & there is no record of hometown ceremony or promotion.	Closed. Due to totality of fictitious stories b suspect, full [redacted] investigation deemed unwarranted.

*bd*

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USMC ALLEGED DETAINEE ABUSE CASES SINCE 11 SEP 01**

[7] 1 <sup>st</sup> BN, 4 <sup>th</sup> MAR 1stMARDIV, 1 MEF	15 Apr 03	15 Apr 03	SUSPECT: [REDACTED] <i>vbe</i> LOCATION: Iraq ALLEGATION: SNM was medevaced with a broken hand. He told the BN surgeon that he broke it "punching an EPW in the face" & told another officer he broke it punching an EPW "in the back of the head." In CONUS, he recanted, stating he punched the ground.	Preliminary Inquiry (JAGMAN)	Unsubstantiated for detainee abuse.  Substantiated for False Official Statement (false allegation) & infliction of self-injury. NJP 11 Aug 03. Forf \$692 x 2 mos, Red E-3 (susp).	Closer
1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT; NJP FOR FALSE OFFICAL STATEMENT						
[8] Combined Anti-Armor Tm (CAAT), Wpns Co, 1 <sup>st</sup> BN 1stMARDIV  1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT	N/A False Allegation	Oct 03	SUSPECT: HM3 Navy Corpsman detailed from Naval Hospital Oak Harbor, Washington, in support of 1stMARDIV in OIF from 21 Feb 03 to 13 Sep 03. LOCATION: Iraq. ALLEGATION: That suspect claimed to have "roughed up some EPWs while in Iraq."	NCIS NAS Whidbey Island WA	Unsubstantiated. Suspect said he never abused or assaulted any EPWs, though admitted pushing one EPW's face in the dirt & tripping other difficult EPWs to put them on the ground while assisting USMC members conducting "pat down" searches.	Closer Case for to have 1 prosecutive or disciplinry merit Trial Sv Office-West N/Whidbey Isl
[9] 1 <sup>st</sup> Intel BN, 1 <sup>st</sup> MARDIV, 1 MEF  1 UNSUBSTANTIATED INCIDENT; 1 SUSPECT	12 Apr 04	15 Apr 04 Serious Incident Report, 1 MEF FWD 15 Apr 04	SUSPECT: SSgt, Counterintelligence Specialist LOCATION: Division Interrogation Facility, Camp Fallujah, Iraq ALLEGATION: That detainee was kicked & struck during screening.	Preliminary Inquiry	Unsubstantiated. Inquiry found evidence limited & conflicting. SIR indicated immediate medical exam of detainee found no associated injury.	Closer
[10] 22 <sup>nd</sup> MEU  1 UNSUBSTANTIATED INCIDENT; 18 SUSPECTS	25 Jun 04	26 Jun 04	SUSPECT(S): 8 Marines from MEU Service Support Group & 10 Marines from C Co, 1/6. LOCATION: Forward Operating Base (FOB) Ripley, Afghanistan ALLEGATION: Mistreatment of 6 Afghani nationals while being held at the temporary detention facility at FOB Ripley by:	NCIS (initially command investigation; counting as NCIS for DODIG Rpt)	Unsubstantiated (6 Jul 04). Investigators found no information to substantiate abuse; no medical evidence of injuries. (a)-(d) take place as control	Closer

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**USMC ALLEGED DETAINEE ABUSE CASES SINCE 11 SEP 01**

- a. Forced to repeat stand up & sit down.
- b. Move small rocks from 1 pile to another.
- c. Stand with extended arms for long periods.
- d. Kneel in place for long periods.
- e. Kneel with feet propped up on 2x4.
- f. Kneel while holding large rock overhead.
- g. Kneel on small pebble.
- h. Lay with chest across wooden board.

measures for sleep deprivation & as punishment for breaking camp rules, lasting 2 to 20 minutes only (e.g. 1 detainee had tried to grab guard's pistol). Little to no evidence of (e)-(h). Investigative efforts supported Marines' actions as appropriate & within SOP, guidance & training.

**UNCLASSIFIED FOR OFFICIAL USE ONLY  
USMC ALLEGED DETAINEE ABUSE CASES SINCE 11 SEP 01**

**OTHER**

			NCIS	Investigation pending	Investigation pending
[1]	[REDACTED]	13 Jun 04	[REDACTED]	[REDACTED]	Investigation pending
	SUSPECT: [REDACTED] LOCATION: [REDACTED] ALLEGATION: [REDACTED]				Investigation pending
	<b>INVESTIGATION PENDING</b>				
[2]	[REDACTED]	10 Jun 04	[REDACTED]	[REDACTED]	Investigation pending
	SUSPECT: [REDACTED] LOCATION: [REDACTED] ALLEGATION: [REDACTED]		NCIS as of 17 Jun 04 (initially a command preliminary inquiry; counting as NCIS for DODIG Rpt)		Investigation pending
	<b>INVESTIGATION PENDING</b>				
[3]	19 Apr 04 3 <sup>rd</sup> Bn, 7th MAR 1 <sup>st</sup> MARDIV, I MEF	19 Apr 04	[REDACTED]	[REDACTED]	Investigation pending
	SUSPECT: N/A LOCATION: Husaybah, Iraq (3/7 holding area) On 19 Apr 04, a detainee (suspected Muj martyr) captured during heavy combat operations died of unknown causes 36 hours after he was apprehended. The detainee is suspected to have died from head injuries suffered during one of over 20 escape attempts, including one in which he escaped from his restraints and threw himself through a window, landing on his head. Subsequent examination by a medical officer (MO) had him conscious, with good pupils, and responsive. However, a few hours later he took a turn for the worse and died with a Corpsman present. The examining MO surmised that the detainee died from internal cranial bleeding from the fall that was slow to kill him. The entire period of the detainee's captivity occurred during an intense combat engagement. Since the fall out the window did not appear to have caused any injury, the detainee was not evacuated due to military necessity.		Command/Reportable Incident Assessment Team (RIAT)	N/A - No allegation of abuse	Close
	<b>NON-INCIDENT</b>				

**UNCLASSIFIED FOR OFFICIAL USE ONLY**  
**USMC ALLEGED DETAINEE ABUSE CASES SINCE 11 SEP 01**

	Apr 04	2 & 6 May 04	SUSPECT(S): Unknown LOCATION: Iraq ALLEGATIONS: 2 detainees reported they were beaten & abused by U.S. military members.	Command	Investigation pending	Investigation pending
[4] 2 <sup>nd</sup> Bn, 2d MAR 1stMARDIV, I MEF (2/2 based at Camp Lejeune NC with 2d MARDIV)						
<b>INVESTIGATION PENDING</b>						
[5] [REDACTED]	[REDACTED]	21 Jun 04	SUSPECT(S): [REDACTED] LOCATION: [REDACTED] ALLEGATION: [REDACTED]	Joint Army CID & NCIS (Army CID initiated)	Investigation pending	Investigation pending
<b>INVESTIGATION PENDING</b>						
[6] RCT 1, 1stMARDIV I MEF	Jul 04	7 Jul 04	SUSPECT(S): Unknown. LOCATION: Fallujah, Iraq ALLEGATION: Detainee states he was forced to lie face down in the dirt, kneel next to a mud pile, and was pushed into the mud pile.	Command	Investigation pending	Investigation pending
<b>INVESTIGATION PENDING</b>						

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Wednesday, May 26, 2004 7:32 PM  
**To:** [REDACTED]  
**Subject:** RE: EPW issues

[REDACTED]

My most excellent investigator [REDACTED] looked into this issue. The Command stated that HQMC was already onto this issue, but the internal preliminary inquiry determined that all the people in the photograph are Iraqi interpreters, employed by 1/7. By the way, the guy under the hood is one of the interpreters and they all did the photo shoot voluntarily.

Hope this answers the call.  
 [REDACTED]

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

**From:** [REDACTED]  
**Sent:** Wednesday, May 26, 2004 11:19 AM  
**To:** [REDACTED]  
**Subject:** FW: EPW issues

[REDACTED] from our MTAC provided the below info on the possible [REDACTED]. Let me know if you can confirm and I'll ROI (INFO) this stuff to you guys for "addition investigative action as deemed appropriate"

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

**From:** [REDACTED]  
**Sent:** Wednesday, May 26, 2004 1:42 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: EPW issues

[REDACTED]

I found two Marines named [REDACTED]. I think the one you're looking for is [REDACTED] 1st Bn 7th Marine Regiment out of 29 Palms. His unit has been participating in deployments in Iraq. Here's a number at the unit, (760) 830-1538, in case your agent wants to call and find out if/when the LCpl was deployed. I didn't want to call and mess up anything you might have going. The other [REDACTED] was with 3rd fsg and his name was [REDACTED]. The Marine Locator system was down so I couldn't get much more on him. He's in Oki and likely not uor guy. Let me know if you need me to follow-up on any part of this. The system should be up again after 1600 today.

S/F  
 [REDACTED]

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

**From:** [REDACTED]  
**Sent:** Wednesday, May 26, 2004 12:12 PM  
**To:** [REDACTED]  
**Subject:** EPW issues

9/30/2004

(12)

[REDACTED] we need some help trying to track down a young Marine. Tentatively we were provided the name [REDACTED] USMC, and we need to confirm if there is a Marine by this name, and if so where he is located. A Marine by that name was interviewed in an Army article, "Marines Hand Over Reins to Spanish, AN NAJAF, Iraq 24Sep03. In that article the marine was stated to be with 1stBn 7thMARREG. We don't have an open case on this yet since this was referred to us by AFOSI on an information basis. This deals with this Marine [REDACTED] being in a picture with an EPW that was put out on the internet. If you can come up with anything at all, thanks in advance.

[REDACTED] *Supervisory Special Agent*

Head, Violent Crimes Division,

NCISHQ Code 0023B1

716 Sicard Street S.E. Suite 2000

Washington Navy Yard, Washington DC 20388

Phone: (202) 433-9225 Fax: (202) 433-4922 DSN: 288

e-mail: [REDACTED]@NCIS.NAVY.MIL

b6

9/30/2004

(1.3)

[REDACTED]

**From:** [REDACTED]@belvoir.army.mil]  
**Sent:** Thursday, May 13, 2004 12:08 PM  
**To:** [REDACTED] (E-mail)  
**Cc:** [REDACTED] CID' (E-mail)  
**Subject:** FW: Request by [REDACTED] COMNAVEUR, USN MA's Dog Handlers, Abu Gha rib abuse investigation  
**Importance:** High

Gentlemen,

This morning NCIS contacted the HQ and asked that they be permitted access to information on interviews of USN personnel who may have been part of the Abu G Prison Investigation. They have a list (see below) of some sailors they know were interviewed, what is not clear is who interviewed these folks (might have been us, might have been MG TAGUBA's team or others). Request your office review the ROI for indications CID interviewed any USN personnel, but with specific regard to the names listed below and provide copies of either their statements or narrative summaries of their interviews to this HQ, for distribution to NCIS.

USN interest is in ensuring their folks are working inbounds and there are no potential misconduct issues Sec Nav should be aware of.

I know there is plenty on your plate, but a quick turn around would be appreciated. A copy of the NCIS request is attached below.

[REDACTED]  
 [REDACTED]  
 [REDACTED] MP  
 HQ, USACIDC

*ble*

703.806.0299 Wk  
 703.806.0307 Fax  
 DSN Prefix: 656  
 571.221.2300 Cell (as of 1 Apr 04)  
 [REDACTED]@belvoir.army.mil

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

**From:** [REDACTED] [mailto:[REDACTED]@NCIS.NAVY.MIL]  
**Sent:** Thursday, May 13, 2004 10:04 AM  
**To:** [REDACTED]  
**Subject:** Request by [REDACTED] COMNAVEUR, USN MA's Dog Handlers, Abu Gha rib abuse investigation  
**Importance:** High

Agent [REDACTED] per our phone conversation, these are the names that have been provided to me:

1. [REDACTED]

9/30/2004

(64)

- 2.
- 3.
- 4.
- 5.
- 6.



ble

If any other Navy members have been identified or interviewed it would be a good idea for me to get copies of their results of interviews or statements also. But the above have been specifically mentioned.

*Supervisory Special Agent*  
Head, Violent Crimes Division,  
NCISHQ Code 0023B1  
716 Sicard Street S.E. Suite 2000  
Washington Navy Yard, Washington DC 20388  
Phone: (202) 433-9225 Fax: (202) 433-4922 DSN: 288  
e-mail [redacted]@NCIS.NAVY.MIL

[REDACTED]  
From: [REDACTED]  
Sent: Friday, May 14, 2004 7:47 AM  
To: [REDACTED]  
Subject: FW: USN MWD Handler at Abu Ghraib prison

[REDACTED]  
SSA [REDACTED] has calls into CIDHQ to obtain these statements. [REDACTED] please include [REDACTED] on your distro.

Thanks  
[REDACTED]

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

From: [REDACTED]  
Sent: Friday, May 14, 2004 7:13 AM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: USN MWD Handler at Abu Ghraib prison

b6

[REDACTED]  
NAVSTA Rota Commanding Officer reported a military working dog handler from his Security Department is TDY to Iraq. Apparently, the handler works at Abu Ghraib prison and although he was not implicated in the abuses which apparently took place there, provided a statement to Army CID. If you possess a copy of the statement, can you forward it to us for Command appraisal? MWD handler is:

[REDACTED] b7c

V/r,

[REDACTED]  
Supervisory Special Agent  
Naval Criminal Investigative Service  
Rota, Spain  
DSN: 727-2902/3  
TEL: 34-95-682-2902/3  
CEL: 34-646-95-9835  
FAX: 727-2276

(ldo)

[REDACTED]  
From: [REDACTED]@belvoir.army.mil  
Sent: Friday, May 14, 2004 2:08 PM  
To: [REDACTED] (E-mail)  
Subject: FW: Request by [REDACTED] COMNAVEUR, USN MA's Dog Handlers, Abu Gha rib abuse investigation

Just faxed you six pages.... my folks tell me that is all we have.

[REDACTED]  
[REDACTED]  
[REDACTED] MP  
HQ, USACIDC

703.806.0299 Wk  
703.806.0307 Fax  
DSN Prefix: 656  
571.221.2300 Cell (as of 1 Apr 04)  
[REDACTED]@belvoir.army.mil

ble

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

From: [REDACTED] ID [mailto:[REDACTED]@us.army.mil]  
Sent: Friday, May 14, 2004 10:33 AM  
To: [REDACTED]  
Subject: RE: Request by [REDACTED] COMNAVEUR, USN MA's Dog Handlers, Abu Gha rib abuse investigation

[REDACTED]  
Only [REDACTED] was interviewed. I will send his statement SIPR and 1 other reference to him.

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

From: [REDACTED]  
To: [REDACTED]  
Cc: [REDACTED]@us.army.mil  
Sent: 5/14/04 3:53 AM  
Subject: RE: Request by [REDACTED] COMNAVEUR, USN MA's Dog Handlers, Abu Gha rib abuse investigation

[REDACTED]  
I do not have a complete copy of 15-6, but [REDACTED] does. Pls, go direct with [REDACTED] for assistance. [REDACTED]

9/30/2004

(67)

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

From: [REDACTED] [mailto:[REDACTED]@belvoir.army.mil]  
Sent: Thursday, May 13, 2004 6:06 PM  
To: [REDACTED] (E-mail)  
Subject: FW: Request by [REDACTED] COMNAVEUR, USN MA's Dog Handlers,  
Abu Gha rib abuse investigation  
Importance: High

Chief,

The below USN personnel were interviewed (not by CID) but as a part of  
MG TAGUBA's inquiry.

I am told you have that and are reviewing it. Can you assist NCIS in  
getting copies of USN personnel  
statements or summaries of their interviews?

[REDACTED]

[REDACTED]

[REDACTED] MP

HQ, USACIDC

703.806.0299 Wk

703.806.0307 Fax

DSN Prefix: 656

571.221.2300 Cell (as of 1 Apr 04)

<mailto:[REDACTED]@belvoir.army.mil> [REDACTED]@belvoir.army.mil

b6

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immediately delete this message and all its attachments.

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From: [REDACTED] [mailto:[REDACTED]@NCIS.NAVY.MIL]  
Sent: Thursday, May 13, 2004 10:04 AM  
To: [REDACTED]  
Subject: Request by [REDACTED] COMNAVEUR, USN MA's Dog Handlers, Abu  
Gha rib abuse investigation  
Importance: High

9/30/2004

(68)

de

Agent [REDACTED] per our phone conversation, these are the names that have been provided to me:

- 1. [REDACTED]
- 2. [REDACTED]
- 3. [REDACTED]
- 4. [REDACTED]
- 5. [REDACTED]
- 6. [REDACTED]

b6

If any other Navy members have been identified or interviewed it would be a good idea for me to get copies of their results of interviews or statements also. But the above have been specifically mentioned.

[REDACTED] Supervisory Special Agent  
 Head, Violent Crimes Division,  
 NCISHQ Code 0023B1  
 716 Sicard Street S.E. Suite 2000  
 Washington Navy Yard, Washington DC 20388  
 Phone: (202) 433-9225 Fax: (202) 433-4922 DSN: 288  
 e-mail [REDACTED]@NCIS.NAVY.MIL

b6

[REDACTED]

**From:** [REDACTED]@belvoir.army.mil]  
**Sent:** Thursday, May 13, 2004 12:08 PM  
**To:** [REDACTED] (E-mail)  
**Cc:** [REDACTED] CID' (E-mail)  
**Subject:** FW: Request by [REDACTED] COMNAVEUR, USN MA's Dog Handlers, Abu Gha rib abuse investigation

**Importance:** High

Gentlemen,

This morning NCIS contacted the HQ and asked that they be permitted access to information on interviews of USN personnel who may have been part of the Abu G Prison Investigation. They have a list (see below) of some sailors they know were interviewed, what is not clear is who interviewed these folks (might have been us, might have been MG TAGUBA's team or others). Request your office review the ROI for indications CID interviewed any USN personnel, but with specific regard to the names listed below and provide copies of either their statements or narrative summaries of their interviews to this HQ, for distribution to NCIS.

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[REDACTED]  
 [REDACTED] MP  
 HQ, USACIDC

703.806.0299 Wk  
 703.806.0307 Fax  
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 571.221.2300 Cell (as of 1 Apr 04)  
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-----Original Message-----

**From:** [REDACTED] [mailto:[REDACTED]@NCIS.NAVY.MIL]  
**Sent:** Thursday, May 13, 2004 10:04 AM  
**To:** [REDACTED]  
**Subject:** Request by [REDACTED] COMNAVEUR, USN MA's Dog Handlers, Abu Gha rib abuse investigation  
**Importance:** High

Agent [REDACTED] per our phone conversation, these are the names that have been provided to me:

1. [REDACTED]

9/30/2004

(10)

- 2. [REDACTED]
- 3. [REDACTED]
- 4. [REDACTED]
- 5. [REDACTED]
- 6. [REDACTED]

b6

If any other Navy members have been identified or interviewed it would be a good idea for me to get copies of their results of interviews or statements also. But the above have been specifically mentioned.

[REDACTED] *Supervisory Special Agent*  
Head, Violent Crimes Division,  
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Washington Navy Yard, Washington DC 20388  
Phone: (202) 433-9225 Fax: (202) 433-4922 DSN: 288  
e-mail [REDACTED]@NCIS.NAVY.MIL

b6

[REDACTED]

From: [REDACTED]@belvoir.army.mil]  
Sent: Friday, May 14, 2004 2:08 PM  
To: [REDACTED] (E-mail)  
Subject: FW: Request by [REDACTED] COMNAVEUR, USN MA's Dog Handlers, Abu Gha rib abuse investigation

Just faxed you six pages.... my folks tell me that is all we have.

[REDACTED]

[REDACTED]  
MP  
HQ, USACIDC

703.806.0299 Wk  
703.806.0307 Fax  
DSN Prefix: 656  
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From: [REDACTED] CID [mailto:[REDACTED]@us.army.mil]  
Sent: Friday, May 14, 2004 10:33 AM  
To: [REDACTED]  
Subject: RE: Request by [REDACTED] COMNAVEUR, USN MA's Dog Handlers, Abu Gha rib abuse investigation

[REDACTED]

Only KIMBRO was interviewed. I will send his statement SIPR and 1 other reference to him.

[REDACTED]

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

From: [REDACTED]  
To: [REDACTED]  
Cc: [REDACTED]@us.army.mil  
Sent: 5/14/04 3:53 AM  
Subject: RE: Request by [REDACTED] COMNAVEUR, USN MA's Dog Handlers, Abu Gha rib abuse investigation

[REDACTED]

I do not have a complete copy of 15-6, but Brian does. Pls, go direct with [REDACTED] for assistance. [REDACTED]

9/30/2004

(72)

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

From: [REDACTED] [mailto:[REDACTED]@belvoir.army.mil]  
Sent: Thursday, May 13, 2004 6:06 PM  
To: [REDACTED] (E-mail)  
Subject: FW: Request by [REDACTED] COMNAVEUR, USN MA's Dog Handlers,  
Abu Gha rib abuse investigation  
Importance: High

Chief,

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I am told you have that and are reviewing it. Can you assist NCIS in  
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[REDACTED]

[REDACTED]  
[REDACTED] MP  
HQ, USACIDC

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<mailto:[REDACTED]@belvoir.army.mil> angela.birt@belvoir.army.mil

b6

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From: [REDACTED] [mailto:[REDACTED]@NCIS.NAVY.MIL]  
Sent: Thursday, May 13, 2004 10:04 AM  
To: [REDACTED]  
Subject: Request by [REDACTED] COMNAVEUR, USN MA's Dog Handlers, Abu  
Gha rib abuse investigation  
Importance: High

9/30/2004

(73)

*bl*

Agent [REDACTED] per our phone conversation, these are the names that have been provided to me:

- 1. [REDACTED]
- 2. [REDACTED]
- 3. [REDACTED]
- 4. [REDACTED]
- 5. [REDACTED]
- 6. [REDACTED]

*bl*

If any other Navy members have been identified or interviewed it would be a good idea for me to get copies of their results of interviews or statements also. But the above have been specifically mentioned.

[REDACTED], Supervisory Special Agent  
 Head, Violent Crimes Division, *bl*  
 NCISHQ Code 0023B1  
 716 Sicard Street S.E. Suite 2000  
 Washington Navy Yard, Washington DC 20388  
 Phone: (202) 433-9225 Fax: (202) 433-4922 DSN: 288  
 e-mail: [REDACTED]@NCIS.NAVY.MIL

[REDACTED]  
From: [REDACTED]  
Sent: Friday, May 14, 2004 7:47 AM  
To: [REDACTED]  
Subject: FW: USN MWD Handler at Abu Ghraib prison

[REDACTED]  
[REDACTED] has calls into CIDHQ to obtain these statements. [REDACTED] please include [REDACTED] on your distro.

Thanks  
[REDACTED]

b6

-----Original Message-----  
From: [REDACTED]  
Sent: Friday, May 14, 2004 7:13 AM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: USN MWD Handler at Abu Ghraib prison

[REDACTED]  
NAVSTA Rota Commanding Officer reported a military working dog handler from his Security Department is TDY to Iraq. Apparently, the handler works at Abu Ghraib prison and although he was not implicated in the abuses which apparently took place there, provided a statement to Army CID. If you possess a copy of the statement, can you forward it to us for Command appraisal? MWD handler is:

[REDACTED]  
V/r,

[REDACTED]  
Supervisory Special Agent  
Naval Criminal Investigative Service  
Rota, Spain  
DSN: 727-2902/3  
TEL: 34-95-682-2902/3  
CEL: 34-646-95-9835  
FAX: 727-2276

[REDACTED]

From: [REDACTED]  
Sent: Wednesday, May 26, 2004 9:10 AM  
To: [REDACTED] (E-mail); [REDACTED]  
Cc: [REDACTED]  
Subject: EPW issues

[REDACTED]

We're in the process of finalizing some EPW issues for the Pentagon. Last night a report went to the White House via SecDef of all the Iraqi detainee issues (abuse & death cases) and one incident that the USMC reported that I had not seen involved the following:

Unit - 3rd Bn, 7th Mar, 1st MARDIV, I MEF  
Date: 19Apr04  
Location: Husaybah, Iraq (3/7 Holding area)  
Victim: Unidentified

b6

Summary: "On 19 Apr04, a detainee (suspected Muj martyr) captured during heavy combat operations died of unknown causes 36 hours after he was apprehended. The detainee is suspected to have died from head injuries suffered during one of over 20 escape attempts, including one in which he escaped from his restraints and threw himself through a 1/2 story window, landing on his head. Subsequent examination by a medical officer (MO) had him conscious, with good pupils, and responsive. However, a few hours later he took a turn for the worse and died with a Corpsman present. The examining MO surmised that the detainee died from internal cranial bleeding from the fall that was slow to kill him. The entire period of the detainee's captivity occurred during an intense combat engagement. Since the fall out the window did not appear to have caused any injury, the detainee was not evacuated due to military necessity."

Disposition: No allegations of abuse  
Status: Closed

We need to determine what (if any) type of Command report was initiated to document this incident.

[REDACTED] can you please make inquiries at the I MEF there in Iraq.

[REDACTED] anything that you have at HQUSMC would help.

Thanks,  
[REDACTED]

[REDACTED]

Division Chief, Personal Crimes Dept.  
NCISHQ (Code 0023B)  
Office: (202) 433-9254  
Fax: (202) 433-4922

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Thursday, May 27, 2004 5:29 AM  
**To:** [REDACTED] (E-mail); [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: EPW issues

Team Iraq,  
Any news on this?

VR,  
Special Agent [REDACTED]  
Assistant Special Agent in Charge  
NCIS Middle East Field Office  
DSN: 318 439-3960  
Coml: 011 973 1785-3960  
Cell: 011 973 941-5838  
E-mail: [REDACTED]@ncis.navy.mil

ble

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

**From:** [REDACTED]  
**Sent:** Wednesday, May 26, 2004 4:10 PM  
**To:** [REDACTED] (E-mail); [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** EPW issues

[REDACTED]

We're in the process of finalizing some EPW issues for the Pentagon. Last night a report went to the White House via SecDef of all the Iraqi detainee issues (abuse & death cases) and one incident that the USMC reported that I had not seen involved the following:

Unit - 3rd Bn, 7th Mar, 1st MARDIV, I MEF  
Date: 19Apr04  
Location: Husaybah, Iraq (3/7 Holding area)  
Victim: Unidentified

Summary: "On 19 Apr04, a detainee (suspected Muj martyr) captured during heavy combat operations died of unknown causes 36 hours after he was apprehended. The detainee is suspected to have died from head injuries suffered during one of over 20 escape attempts, including one in which he escaped from his restraints and threw himself through a 1/2 story window, landing on his head. Subsequent examination by a medical officer (MO) had him conscious, with good pupils, and responsive. However, a few hours later he took a turn for the worse and died with a Corpsman present. The examining MO surmised that the detainee died from internal cranial bleeding from the fall that was slow to kill him. The entire period of the detainee's captivity occurred during an intense combat engagement. Since the fall out the window did not appear to have caused any injury, the detainee was not evacuated due to military necessity."

Disposition: No allegations of abuse  
Status: Closed

We need to determine what (if any) type of Command report was initiated to document this incident.

[REDACTED] can you please make inquiries at the IMEF there in Iraq.

[REDACTED] anything that you have at HQUSMC would help.

Thanks,  
[REDACTED]

 ble  
Division Chief, Personal Crimes Dept.

NCISHQ (Code 0023B)

Office: (202) 433-9254

Fax: (202) 433-4922

[REDACTED]

From: [REDACTED]  
Sent: Friday, May 28, 2004 6:13 AM  
To: [REDACTED]@IMEFDM.USMC.MIL'; [REDACTED]  
(E-mail)'; [REDACTED]  
Cc: [REDACTED]  
Subject: RE: EPW issues

[REDACTED]

Please conducted inquires within I MEF and provide me background concening the death of the detainees listed Supra. Out telephone is currently down as well as NIPR and SIPR. We will be in your office late this afternoon.

Thanks,

[REDACTED]

-----Original Message-----  
From: [REDACTED]  
To: [REDACTED] (E-mail)'; [REDACTED]  
Cc: [REDACTED]  
Sent: 5/27/2004 5:29 AM  
Subject: RE: EPW issues

Team Iraq,  
Any news on this?

VR,  
Special Agent [REDACTED]  
Assistant Special Agent in Charge  
NCIS Middle East Field Office  
DSN: 318 439-3960  
Coml: 011 973 1785-3960  
Cell: 011 973 941-5838  
E-mail: [REDACTED]@ncis.navy.mil

> -----Original Message-----  
> From: [REDACTED]  
> Sent: Wednesday, May 26, 2004 4:10 PM  
> To: [REDACTED] (E-mail);  
> [REDACTED]  
> Cc: [REDACTED]  
> Subject: EPW issues

> We're in the process of finalizing some EPW issues for the Pentagon.  
> Last night a report went to the White House via SecDef of all the Iraqi  
> detainee issues (abuse & death cases) and one incident that the USMC  
> reported that I had not seen involved the following:

> Unit - 3rd Bn, 7th Mar, 1st MARDIV, I MEF  
> Date: 19Apr04  
> Location: Husaybah, Iraq (3/7 Holding area)  
> Victim: Unidentified

> Summary: "On 19 Apr04, a detainee (suspected Muj martyr) captured  
> during heavy combat operations died of unknown causes 36 hours after he

bl

(79)

>was apprehended. The detainee is suspected to have died from head  
>injuries suffered during one of over 20 escape attempts, including one  
>in which he escaped from his restraints and threw himself through a 1/2  
>story window, landing on his head. Subsequent examination by a medical  
>officer (MO) had him conscious, with good pupils, and responsive.  
>However, a few hours later he took a turn for the worse and died with a  
>Corpsman present. The examining MO surmised that the detainee died from  
>internal cranial bleeding from the fall that was slow to kill him. The  
>entire period of the detainee's captivity occurred during an intense  
>combat engagement. Since the fall out the window did not appear to have  
>caused any injury, the detainee was not evacuated due to military  
>necessity."

>  
>Disposition: No allegations of abuse  
>Status: Closed

>  
>  
>We need to determine what (if any) type of Command report was initiated  
>to document this incident.

>  
> [REDACTED] can you please make inquiries at the IMEF there in Iraq.

>  
> [REDACTED] anything that you have at HQUSMC would help.

>  
>Thanks,

> [REDACTED]

>

>

>

>

>

> [REDACTED]  
>Division Chief, Personal Crimes Dept.

>NCISHQ (Code 0023B)

>Office: (202) 433-9254

>Fax: (202) 433-4922

>

bl

[Redacted]

From: [Redacted]  
Sent: Friday, May 28, 2004 6:53 AM  
To: [Redacted]  
Cc: [Redacted]  
Subject: FW: EPW Issues  
Signed By: [Redacted]@ncis.navy.mil  
Security Label: Signed

[Redacted]

This came in last night from Pendleton. [Redacted] and [Redacted] are still looking for the commands prelim report.

[Redacted]

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

From: [Redacted]  
Sent: Thursday, May 27, 2004 7:12 PM  
To: [Redacted]  
Cc: [Redacted]  
Subject: EPW Issues

bb

[Redacted]

[Redacted] wanted me to check on the 19Apr04 3BN, 7MARREGT EPW Death issue you emailed her about this morning.

According to [Redacted] (rear), the Command is aware of the issue. He forwarded a CG letter, which is appended.

Additionally, he stated [Redacted] of the Operations Branch of the SJA, has cognizance of all EPW death issues.

Let me know if you require further information on this issue.

[Redacted]

UP TO  
End of 05/04

EPWs

*RW*

From: [REDACTED]  
Sent: Friday, May 28, 2004 6:13 AM  
To: [REDACTED]@IMEFDM.USMC.MIL'; [REDACTED]  
(E-mail)'; [REDACTED]  
Cc: [REDACTED]  
Subject: RE: EPW issues

Please conducted inquires within I MEF and provide me background concening the death of the detainees listed Supra. Out telephone is currently down as well as NIPR and SIPR. We will be in your office late this afternoon.

Thanks,

*bl*

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

From: [REDACTED]  
To: [REDACTED] (E-mail); [REDACTED]  
Cc: [REDACTED]  
Sent: 5/27/2004 5:29 AM  
Subject: RE: EPW issues

Team Iraq,  
Any news on this?

VR,  
Special Agent [REDACTED]  
Assistant Special Agent in Charge  
NCIS Middle East Field Office  
DSN: 318 439-3960  
Com1: 011 973 1785-3960  
Cell: 011 973 941-5838  
E-mail: [REDACTED]@ncis.navy.mil

> -----Original Message-----

> From: [REDACTED]  
> Sent: Wednesday, May 26, 2004 4:10 PM  
> To: [REDACTED] (E-mail);  
> [REDACTED]  
> Cc: [REDACTED]  
> Subject: EPW issues

> We're in the process of finalizing some EPW issues for the Pentagon.  
> Last night a report went to the White House via SecDef of all the Iraqi  
> detainee issues (abuse & death cases) and one incident that the USMC  
> reported that I had not seen involved the following:

> Unit - 3rd Bn, 7th Mar, 1st MARDIV, I MEF  
> Date: 19Apr04  
> Location: Husaybah, Iraq (3/7 Holding area)  
> Victim: Unidentified

> Summary: "On 19 Apr04, a detainee (suspected Muj martyr) captured  
> during heavy combat operations died of unknown causes 36 hours after he

(82)

>was apprehended. The detainee is suspected to have died from head  
>injuries suffered during one of over 20 escape attempts, including one  
>in which he escaped from his restraints and threw himself through a 1/2  
>story window, landing on his head. Subsequent examination by a medical  
>officer (MO) had him conscious, with good pupils, and responsive.  
>However, a few hours later he took a turn for the worse and died with a  
>Corpsman present. The examining MO surmised that the detainee died from  
>internal cranial bleeding from the fall that was slow to kill him. The  
>entire period of the detainee's captivity occurred during an intense  
>combat engagement. Since the fall out the window did not appear to have  
>caused any injury, the detainee was not evacuated due to military  
>necessity."

>  
>Disposition: No allegations of abuse

>Status: Closed

>

>

>We need to determine what (if any) type of Command report was initiated  
>to document this incident.

>

>██████████ can you please make inquiries at the IMEF there in Iraq.

>

>██████████ anything that you have at HQUSMC would help.

>

>Thanks,

██████████

>

>

>

>

██████████

>Division Chief, Personal Crimes Dept.

>NCISHQ (Code 0023B)

>Office: (202) 433-9254

>Fax: (202) 433-4922

>

ble

[REDACTED]

---

From: [REDACTED]  
Sent: Thursday, May 27, 2004 5:29 AM  
To: [REDACTED] (E-mail); [REDACTED]  
Cc: [REDACTED]  
Subject: RE: EPW issues

Team Iraq,  
Any news on this?

VR,  
Special Agent [REDACTED]  
Assistant Special Agent in Charge  
NCIS Middle East Field Office  
DSN: 318 439-3960  
Com: 011 973 1785-3960  
Cell: 011 973 941-5838  
E-mail: [REDACTED]@ncis.navy.mil

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

From: [REDACTED]  
Sent: Wednesday, May 26, 2004 4:10 PM  
To: [REDACTED] (E-mail); [REDACTED]  
Cc: [REDACTED]  
Subject: EPW issues

ble

[REDACTED]

We're in the process of finalizing some EPW issues for the Pentagon. Last night a report went to the White House via SecDef of all the Iraqi detainee issues (abuse & death cases) and one incident that the USMC reported that I had not seen involved the following:

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Date: 19Apr04  
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Status: Closed

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[REDACTED] can you please make inquiries at the IMEF there in Iraq.

[REDACTED], anything that you have at HQUSMC would help.

Thanks,  
[REDACTED]

be



Division Chief, Personal Crimes Dept.  
NCISHQ (Code 0023B)  
Office: (202) 433-9254  
Fax: (202) 433-4922

[REDACTED]

---

From: [REDACTED]  
Sent: Wednesday, May 26, 2004 9:10 AM  
To: [REDACTED] (E-mail); [REDACTED]  
Cc: [REDACTED]  
Subject: EPW issues

[REDACTED]

We're in the process of finalizing some EPW issues for the Pentagon. Last night a report went to the White House via SecDef of all the Iraqi detainee issues (abuse & death cases) and one incident that the USMC reported that I had not seen involved the following:

Unit - 3rd Bn, 7th Mar, 1st MARDIV, I MEF  
Date: 19Apr04  
Location: Husaybah, Iraq (3/7 Holding area)  
Victim: Unidentified

be

Summary: "On 19 Apr04, a detainee (suspected Muj martyr) captured during heavy combat operations died of unknown causes 36 hours after he was apprehended. The detainee is suspected to have died from head injuries suffered during one of over 20 escape attempts, including one in which he escaped from his restraints and threw himself through a 1/2 story window, landing on his head. Subsequent examination by a medical officer (MO) had him conscious, with good pupils, and responsive. However, a few hours later he took a turn for the worse and died with a Corpsman present. The examining MO surmised that the detainee died from internal cranial bleeding from the fall that was slow to kill him. The entire period of the detainee's captivity occurred during an intense combat engagement. Since the fall out the window did not appear to have caused any injury, the detainee was not evacuated due to military necessity."

Disposition: No allegations of abuse  
Status: Closed

We need to determine what (if any) type of Command report was initiated to document this incident.

[REDACTED] can you please make inquiries at the I MEF there in Iraq.

[REDACTED] anything that you have at HQUSMC would help.

Thanks,  
[REDACTED]

[REDACTED]

Division Chief, Personal Crimes Dept.  
NCISHQ (Code 0023B)  
Office: (202) 433-9254  
Fax: (202) 433-4922

[REDACTED]

---

From: [REDACTED]  
Sent: Monday, June 07, 2004 3:30 PM  
To: [REDACTED]  
Subject: RE: DETAINEE QUESTIONS  
Signed By: [REDACTED]@ncis.navy.mil  
Security Label: Signed

Only because IMEF erroneously listed NCIS on two cases that we were never notified on or conducted an investigation. Once they make the correction the numbers will match. OSD is aware of the discrepancy and awaiting HQMC's corrected copy.

[REDACTED]

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

From: [REDACTED]  
Sent: Monday, June 07, 2004 3:23 PM  
To: [REDACTED]  
Subject: RE: DETAINEE QUESTIONS

Does this increase our numbers?

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

From: [REDACTED]  
Sent: Friday, June 04, 2004 1:50 PM  
To: [REDACTED]  
Subject: FW: DETAINEE QUESTIONS

b6

[REDACTED]

I spoke to [REDACTED] this AM and tasked him to have the IMEF SJA correct their report for SECDEF.

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

From: [REDACTED]  
Sent: Friday, June 04, 2004 1:48 PM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: FW: DETAINEE QUESTIONS

[REDACTED]

IMEF SJA is on the hook to correct their report.

[REDACTED]

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

From: [REDACTED] [mailto:[REDACTED]@IMEFDM.usmc.mil]  
Sent: Friday, June 04, 2004 12:29 PM  
To: [REDACTED]  
Subject: RE: DETAINEE QUESTIONS

[REDACTED]

I spoke with [REDACTED] IMEF Falljuah, IZ concerning the

alleged detainee abuse cases cited below. [redacted] stated he did not notify NCIS of the 19Apr death of a detainee captured by the 3rd Bn, 7th

Mar, 1st Marine Division at Husaybah, Iraq. He additionally advised NCIS

was not notified concerning the 01Jun03, suspected abuse by [redacted]

[redacted] and [redacted] of 3rd Bn 5th Mar, 1st Marine Division of having four Iraqi juveniles kneel beside two shallow fighting holes while a pistol was discharged to create a mock execution. I have asked [redacted]

to amend the IMEF reporting format concerning detainee abuse matter to accurately reflect those abuse allegations where NCIS was notified. [redacted] has agreed to notify SSA Fuentes of all reported detainee abuse complaints.

R/S [redacted]

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

From: [redacted] [mailto:[redacted]@NCIS.NAVY.MIL]  
Sent: Thursday, June 03, 2004 5:47 PM  
To: [redacted]@IMEFDM.usmc.mil  
Subject: FW: DETAINEE QUESTIONS

[redacted]

This is the document I tried to forward the other day, but you actually sent it to me. Look at #'3 and 7, NCIS is listed as having an investigation and we don't. Inquire with I MEF SJA and determine why they have a NCIS investigation noted ??

Thanks  
[redacted]

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

From: [redacted] [mailto:[redacted]@IMEFDM.usmc.mil]  
Sent: Friday, May 28, 2004 12:03 PM  
To: [redacted]@ncis.navy.mil  
Subject: FW: DETAINEE QUESTIONS

[redacted]

The report is attached below. HQMC has all details regarding detainee deaths and JAG investigations. Unless requested, I would op to have investigation initiated at your end with leads if needed. Various investigations are listed below with dispositions.

R/S

> -----Original Message-----

> From: [redacted]  
> Sent: Friday, May 28, 2004 7:25 PM  
> To: [redacted]  
> Subject: FW: DETAINEE QUESTIONS

>  
> FYI  
>  
> -----Original Message-----  
> From: [REDACTED]  
> Sent: Friday, May 28, 2004 4:00 PM  
> To: [REDACTED]  
> Subject: RE: DETAINEE QUESTIONS  
>  
> [REDACTED]  
>  
> I've already responded to the below inquiry.  
>  
> 1stMarDiv did an investigation on the incident and CG, 1stMarDiv  
> signed off on his endorsement on 14 May. I have the full report if  
> you  
> want it. CoS and CG have been fully briefed on this case. The report  
> referred to below is attached and is generated by HQ USMC, Judge  
> Advocate  
> Division. I input information, through MarCent and MNF-I, on all  
> detainee  
> abuse cases in weekly reports. S/F SJA  
>  
>  
> <<25May04 JAD Spreadsheet USMC Alleged Detainee Abuse Cases.doc>>  
>  
> -----Original Message-----  
> From: [REDACTED]  
> Sent: Friday, May 28, 2004 2:41 PM  
> To: [REDACTED]  
> Subject: FW: DETAINEE QUESTIONS  
>  
> Sir,  
>  
> Do you have anything on this its the first we have heard of it.  
> Though a  
> report obviously went up to Secdef level. Obviously there was a  
> report  
> done it even states so, thats how they found out about it. No red  
> flags  
> here.  
>  
> -----Original Message-----  
> From  
> > -----Original Message-----  
> > From: [REDACTED]  
> > Sent: Wednesday, May 26, 2004 4:10 PM  
> > To: [REDACTED] (E-mail);  
> > [REDACTED]  
> > Cc: [REDACTED]  
> > Subject: EPW issues  
> >  
> > [REDACTED]  
> >  
> > We're in the process of finalizing some EPW issues for the Pentagon.  
> > Last night a report went to the White House via SecDef of all the  
> Iraqi  
> > detainee issues (abuse & death cases) and one incident that the USMC  
> > reported that I had not seen involved the following:  
> >  
> > Unit - 3rd Bn, 7th Mar, 1st MARDIV, I MEF  
> > Date: 19Apr04  
> > Location: Husaybah, Iraq (3/7 Holding area)  
> > Victim: Unidentified  
> >

b6

> >Summary: "On 19 Apr [redacted] a detainee (suspected Muj mart [redacted]) captured  
> >during heavy combat operations died of unknown causes [redacted] hours after  
he  
> >was apprehended. The detainee is suspected to have died from head  
> >injuries suffered during one of over 20 escape attempts, including  
one  
> >in which he escaped from his restraints and threw himself through a  
1/2  
> >story window, landing on his head. Subsequent examination by a  
medical  
> >officer (MO) had him conscious, with good pupils, and responsive.  
> >However, a few hours later he took a turn for the worse and died with  
a  
> >Corpsman present. The examining MO surmised that the detainee died  
from  
> >internal cranial bleeding from the fall that was slow to kill him.  
The  
> >entire period of the detainee's captivity occurred during an intense  
> >combat engagement. Since the fall out the window did not appear to  
have  
> >caused any injury, the detainee was not evacuated due to military  
> >necessity."  
> >  
> >Disposition: No allegations of abuse  
> >Status: Closed  
> >  
> >  
> >We need to determine what (if any) type of Command report was  
initiated  
> >to document this incident.  
> >  
> > [redacted] can you please make inquiries at the IMEF there in Iraq.  
> >  
> > [redacted] anything that you have at HQUSMC would help.  
> >  
> >Thanks,  
> > [redacted]  
> >  
> >  
> >  
> > [redacted]  
> >Division Chief, Personal Crimes Dept.  
> >NCISHQ (Code 0023B)  
> >Office: (202) 433-9254  
> >Fax: (202) 433-4922  
> >

ble

[REDACTED]  
From: [REDACTED]  
Sent: Monday, June 07, 2004 3:23 PM  
To: [REDACTED]  
Subject: RE: DETAINEE QUESTIONS

Does this increase our numbers?

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

From: [REDACTED]  
Sent: Friday, June 04, 2004 1:50 PM  
To: [REDACTED]  
Subject: FW: DETAINEE QUESTIONS

[REDACTED]  
I spoke to [REDACTED] this AM and tasked him to have the IMEF SJA correct their report for SECDEF.

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

From: [REDACTED]  
Sent: Friday, June 04, 2004 1:48 PM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: FW: DETAINEE QUESTIONS

[REDACTED]  
IMEF SJA is on the hook to correct their report.

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

From: [REDACTED]mailto:[REDACTED]@IMEFDM.usmc.mil  
Sent: Friday, June 04, 2004 12:29 PM  
To: [REDACTED]  
Subject: RE: DETAINEE QUESTIONS

[REDACTED] I spoke with [REDACTED] IMEF Falljua, IZ concerning the alleged detainee abuse cases cited below. [REDACTED] stated he did not notify NCIS of the 19Apr04 death of a detainee captured by the 3rd Bn, 7th Mar, 1st Marine Division at Husaybah, Iraq. He additionally advised NCIS was not notified concerning the 01Jun03, suspected abuse by [REDACTED] [REDACTED] and [REDACTED] of 3rd Bn 5th Mar, 1st Marine Division of having four Iraqi juveniles kneel beside two shallow fighting holes while a pistol was discharged to create a mock execution. I have asked [REDACTED] to amend the IMEF reporting format concerning detainee abuse matter to accurately reflect those abuse allegations where NCIS was notified. [REDACTED] has agreed to notify [REDACTED] of all reported detainee abuse complaints.

R/S [REDACTED]

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

From: [REDACTED] [mailto:[REDACTED]@NCIS.NAVY.MIL]  
Sent: Thursday, June 03, 2004 5:47 PM  
To: ' [REDACTED]@IMEFDM.usmc.mil'  
Subject: FW: DETAINEE QUESTIONS

[REDACTED]

This is the document I tried to forward the other day, but you actually sent it to me. Look at #'3 and 7, NCIS is listed as having an investigation and we don't. Inquire with I MEF SJA and determine why they have a NCIS investigation noted ??

Thanks  
[REDACTED]

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

From: [REDACTED] [mailto:[REDACTED]@IMEFDM.usmc.mil]  
Sent: Friday, May 28, 2004 12:03 PM  
To: ' [REDACTED]@ncis.navy.mil'  
Subject: FW: DETAINEE QUESTIONS

[REDACTED]

The report is attached below. HQMC has all details regarding detainee deaths and JAG investigations. Unless requested, I would op to have investigation initiated at your end with leads if needed. Various investigations are listed below with dispositions.

R/S

> -----Original Message-----

> From: [REDACTED]  
> Sent: Friday, May 28, 2004 7:25 PM  
> To: [REDACTED]  
> Subject: FW: DETAINEE QUESTIONS

> FYI

> -----Original Message-----

> From: [REDACTED]  
> Sent: Friday, May 28, 2004 4:00 PM  
> To: [REDACTED]  
> Subject: RE: DETAINEE QUESTIONS

> [REDACTED]

> I've already responded to the below inquiry.

> 1stMarDiv did an investigation on the incident and CG, 1stMarDiv signed off on his endorsement on 14 May. I have the full report if you want it. CoS and CG have been fully briefed on this case. The report

> referred to below is [redacted] and is generated by HQ U [redacted], Judge Advocate  
> Division. I input information, through MarCent and MNF-I, on all detainee  
> abuse cases in weekly reports. S/F SJA

> <<25May04 JAD Spreadsheet USMC Alleged Detainee Abuse Cases.doc>>

> -----Original Message-----

> From: [redacted]  
> Sent: Friday, May 28, 2004 2:41 PM  
> To: [redacted]  
> Subject: FW: DETAINEE QUESTIONS

> Sir,

> Do you have anything on this its the first we have heard of it. Though a  
> report obviously went up to Secdef level. Obviously there was a report  
> done it even states so, thats how they found out about it. No red flags  
> here.

> -----Original Message-----

> From

> > -----Original Message-----

> > From: [redacted]  
> > Sent: Wednesday, May 26, 2004 4:10 PM  
> > To: [redacted] (E-mail);  
> > [redacted]  
> > Cc: [redacted]  
> > Subject: EPW issues

> > We're in the process of finalizing some EPW issues for the Pentagon.  
> > Last night a report went to the White House via SecDef of all the Iraqi  
> > detainee issues (abuse & death cases) and one incident that the USMC  
> > reported that I had not seen involved the following:  
> > > Unit - 3rd Bn, 7th Mar, 1st MARDIV, I MEF  
> > > Date: 19Apr04  
> > > Location: Husaybah, Iraq (3/7 Holding area)  
> > > Victim: Unidentified  
> > > Summary: "On 19 Apr04, a detainee (suspected Muj martyr) captured  
> > > during heavy combat operations died of unknown causes 36 hours after  
> > > he  
> > > was apprehended. The detainee is suspected to have died from head  
> > > injuries suffered during one of over 20 escape attempts, including  
> > > one  
> > > in which he escaped from his restraints and threw himself through a  
> > > 1/2  
> > > story window, landing on his head. Subsequent examination by a  
> > > medical  
> > > officer (MO) had him conscious, with good pupils, and responsive.  
> > > However, a few hours later he took a turn for the worse and died with  
> > > a  
> > > Corpsman present. The examining MO surmised that the detainee died  
> > > from  
> > > internal cranial bleeding from the fall that was slow to kill him.  
> The

> >entire period of the detainee's captivity occurred during an intense  
> >combat engagement. Since the fall out the window did not appear to  
have  
> >caused any injury, the detainee was not evacuated due to military  
> >necessity."  
> >  
> >Disposition: No allegations of abuse  
> >Status: Closed  
> >  
> >  
> >We need to determine what (if any) type of Command report was  
initiated  
> >to document this incident.  
> >  
> > [REDACTED] can you please make inquiries at the IMEF there in Iraq.  
> >  
> > [REDACTED] anything that you have at HQUSMC would help.  
> >  
> >Thanks,  
> > [REDACTED]  
> >  
> >  
> >  
> > [REDACTED]  
> >Division Chief, Personal Crimes Dept.  
> >NCISHQ (Code 0023B)  
> >Office: (202) 433-9254  
> >Fax: (202) 433-4922  
> >

b6

(art)

[REDACTED]

---

From: [REDACTED]  
Sent: Friday, June 04, 2004 1:50 PM  
To: [REDACTED]  
Subject: FW: DETAINEE QUESTIONS  
Signed By: [REDACTED]@ncis.navy.mil  
Security Label: Signed

[REDACTED]

I spoke to [REDACTED] this AM and tasked him to have the IMEF SJA correct their report for SECDEF.

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

From: [REDACTED]  
Sent: Friday, June 04, 2004 1:48 PM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: FW: DETAINEE QUESTIONS

ble

[REDACTED]

IMEF SJA is on the hook to correct their report.

Tim

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

From: [REDACTED] [mailto:[REDACTED]@IMEFDM.usmc.mil]  
Sent: Friday, June 04, 2004 12:29 PM  
To: [REDACTED]  
Subject: RE: DETAINEE QUESTIONS

[REDACTED] I spoke with [REDACTED] IMEF Falljuah, IZ concerning the alleged detainee abuse cases cited below. [REDACTED] stated he did not notify NCIS of the 19Apr04 death of a detainee captured by the 3rd Bn, 7th Mar, 1st Marine Division at Husaybah, Iraq. He additionally advised NCIS was not notified concerning the 01Jun03, suspected abuse by [REDACTED] [REDACTED] and [REDACTED] of 3rd Bn 5th Mar, 1st Marine Division of having four Iraqi juveniles kneel beside two shallow fighting holes while a pistol was discharged to create a mock execution. I have asked [REDACTED] to amend the IMEF reporting format concerning detainee abuse matter to accurately reflect those abuse allegations where NCIS was notified. [REDACTED] has agreed to notify [REDACTED] of all reported detainee abuse complaints.

b7c

ble

R/S [REDACTED]

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

From: [REDACTED] [mailto:[REDACTED]@NCIS.NAVY.MIL]  
Sent: Thursday, June 03, 2004 5:47 PM  
To: [REDACTED]@IMEFDM.usmc.mil'

Subject: FW: DETAINEE QUESTIONS

[REDACTED]  
This is the document I tried to forward the other day, but you actually sent it to me. Look at #'3 and 7, NCIS is listed as having an investigation and we don't. Inquire with I MEF SJA and determine why they have a NCIS investigation noted ??

Thanks  
[REDACTED]

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

From: [REDACTED] [mailto:[REDACTED]@IMEFDM.usmc.mil]  
Sent: Friday, May 28, 2004 12:03 PM  
To: '[REDACTED]@s.navy.mil'  
Subject: FW: DETAINEE QUESTIONS

[REDACTED]  
The report is attached below. HQMC has all details regarding detainee deaths and JAG investigations. Unless requested, I would op to have investigation initiated at your end with leads if needed. Various investigations are listed below with dispositions.

R/S

[REDACTED]  
> -----Original Message-----

> From: [REDACTED]  
> Sent: Friday, May 28, 2004 7:25 PM  
> To: [REDACTED]  
> Subject: FW: DETAINEE QUESTIONS

> FYI

> -----Original Message-----

> From: [REDACTED]  
> Sent: Friday, May 28, 2004 4:00 PM  
> To: [REDACTED]  
> Subject: RE: DETAINEE QUESTIONS

> [REDACTED]  
> I've already responded to the below inquiry.  
> ' 1stMarDiv did an investigation on the incident and CG, 1stMarDiv signed off on his endorsement on 14 May. I have the full report if you want it. CoS and CG have been fully briefed on this case. The report referred to below is attached and is generated by HQ USMC, Judge Advocate Division. I input information, through MarCent and MNF-I, on all detainee abuse cases in weekly reports. S/F SJA

> <<25May04 JAD Spreadsheet USMC Alleged Detainee Abuse Cases.doc>>

> -----Original Message-----

> From: [REDACTED]  
> Sent: Friday, May 28, 2004 2:41 PM  
> To: [REDACTED]  
> Subject: FW: DETAINEE QUESTIONS

> Sir,

> Do you have anything on this its the first we have heard of it. Though a report obviously went up to Secdef level. Obviously there was a report done it even states so, thats how they found out about it. No red flags here.

> -----Original Message-----

> From [REDACTED]  
> > -----Original Message-----  
> > From: [REDACTED]  
> > Sent: Wednesday, May 26, 2004 4:10 PM  
> > To: [REDACTED] (E-mail);  
> > Cc: [REDACTED]  
> > Subject: EPW issues

> > We're in the process of finalizing some EPW issues for the Pentagon.  
> > Last night a report went to the White House via SecDef of all the Iraqi detainee issues (abuse & death cases) and one incident that the USMC reported that I had not seen involved the following:  
> > Unit - 3rd Bn, 7th Mar, 1st MARDIV, I MEF  
> > Date: 19Apr04  
> > Location: Husaybah, Iraq (3/7 Holding area)  
> > Victim: Unidentified  
> > Summary: "On 19 Apr04, a detainee (suspected Muj martyr) captured during heavy combat operations died of unknown causes 36 hours after he was apprehended. The detainee is suspected to have died from head injuries suffered during one of over 20 escape attempts, including one in which he escaped from his restraints and threw himself through a 1/2 story window, landing on his head. Subsequent examination by a medical officer (MO) had him conscious, with good pupils, and responsive. However, a few hours later he took a turn for the worse and died with a Corpsman present. The examining MO surmised that the detainee died from internal cranial bleeding from the fall that was slow to kill him. The entire period of the detainee's captivity occurred during an intense combat engagement. Since the fall out the window did not appear to have caused any injury, the detainee was not evacuated due to military necessity."  
> > Disposition: No allegations of abuse

ble

> >Status: Closed  
> >  
> >  
> >We need to determine what (if any) type of Command report was  
initiated  
> >to document this incident.  
> >  
> > [REDACTED], can you please make inquiries at the IMEF there in Iraq.  
> >  
> > [REDACTED] anything that you have at HQUSMC would help.  
> >  
> >Thanks,  
> > [REDACTED]  
> >  
> >  
> >  
> > [REDACTED]  
> >Division Chief, Personal Crimes Dept.  
> >NCISHQ (Code 0023B)  
> >Office: (202) 433-9254  
> >Fax: (202) 433-4922  
> >

b6

[REDACTED]

**From:** [REDACTED]  
**Sent:** Friday, August 27, 2004 4:21 PM  
**To:** [REDACTED]  
**Subject:** FW: Summaries up dated 27Aug04  
**Importance:** High

*ble*

Detainee updates as of today.

Note: NCISRU Iraq opened # 14.

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

**From:** [REDACTED]  
**Sent:** Friday, August 27, 2004 3:10 PM  
**To:** [REDACTED]  
**Subject:** Summaries up dtaed 27Aug04  
**Importance:** High

[REDACTED]  
From: [REDACTED]  
Sent: Monday, August 02, 2004 8:17 AM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: RE: Allegations of detainee abuse

Thanks [REDACTED] we'll be looking for a referral.

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

From: [REDACTED]  
Sent: Friday, July 30, 2004 11:54 AM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: Allegations of detainee abuse

[REDACTED]  
Received a call from [REDACTED] (CITF) today regarding a letter ACID received from FBIHQ (DAD [REDACTED] detailing three incidents where FBI agents have reported they observed detainees being abused at GTMO. Two of the incidents appear to have been witnessed from observation rooms and it was unclear how the other incident was witnessed. No known DON involvement and no indications that any CITF or NCIS personnel witnessed this activity. One incident involves an enlisted member (probably Army), another a DIA employee named [REDACTED] and the third, a dog and a detainee #63.

ACID intends to refer the matter to SOUTHCOM, but it may be one that is directed to NCIS, so I wanted to give everyone a heads up.

FYI...

R [REDACTED]  
Deputy Assistant Director  
Counterterrorism Department  
NCISHQ (Code 21C)

b6

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Friday, July 30, 2004 11:54 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Allegations of detainee abuse

[REDACTED]

Received a call from [REDACTED] (CITF) today regarding a letter ACID received from FBIHQ ([REDACTED]) detailing three incidents where FBI agents have reported they observed detainees being abused at GTMO. Two of the incidents appear to have been witnessed from observation rooms and it was unclear how the other incident was witnessed. No known DON involvement and no indications that any CITF or NCIS personnel witnessed this activity. One incident involves an enlisted member (probably Army), another a DIA employee named [REDACTED] and the third, a dog and a detainee #63.

ACID intends to refer the matter to SOUTHCOM, but it may be one that is directed to NCIS, so I wanted to give everyone a heads up.

FYI...

R. [REDACTED]  
Deputy Assistant Director  
Counterterrorism Department  
NCISHQ (Code 21C)

ble

(101)

[REDACTED]  
**From:** [REDACTED]  
**Sent:** Monday, June 28, 2004 3:39 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Detainee abuse investigations

Thanks [REDACTED]

To date we only have the 3 referrals mentioned below but I'm not sure how many more could come over from CITF or other entities. Do you have your SIPR account set-up? I'll forward these packages down so you & your ASACs can review and then we'll discuss further coa.

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

**From:** [REDACTED]  
**Sent:** Thursday, June 24, 2004 8:09 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Detainee abuse investigations

*ble*

Better late than never. Sorry, I am just now getting through my emails.

The SSA at GITMO will be PCSing out shortly. He has also volunteered for the first wave for Iraq. I don't know where that stands so it could be that he is out of there in the next week. He will definitely be out by AUG. Because HQ is having difficulties finding an SSA, our SSA's here will be rotating through down there.

Why am I telling you this? That means we will only have three SA's there. We can manage to take some more out of the FO and send them TDY. But my question is, how are you looking at working these cases. Are they FO case investigations or are they HQ directed/run? The manpower in GITMO is already critical and they are swamped. But that doesn't mean the FO can not send in reinforcements. What is the theory and strategy behind the investigations. I see the case category, but I am not sure of how many cases there will be or how involved or even what the allegations might be.

Any info would help. When do you think the investigations will be initiated and by whom, you or the FO.

Thanks [REDACTED] and again sorry for the late response.

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

**From:** [REDACTED]  
**Sent:** Thursday, June 17, 2004 4:59 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Detainee abuse investigations

10/6/2004

*1102)*

[REDACTED]

Just a quick update on some recent developments ref NCIS investigations involving detainees. To date we've received 3 referrals from CITF regarding alleged detainee abuses at Gitmo. We've held off initiating any action pending the DoD/Navy IG's input on "abuse criteria" and the individual MCIO's AOR. Well it's come down to Gitmo and IMEF in Iraq belonging to NCIS and everything else to Army CID. After lengthy discussions here in the building it's been determined we plan on using our 7G and 7H agency criteria for accepting cases. Of course there will be some flexibility at the field level to consider the totality of the alleged abuse as it relates to the specific environment. The key will be to determine the "aggravated" factor vs. simple assault. The Navy IG team will begin a 10 day TDY detainee review next week to include visiting Gitmo. Blaine advised that one of the team members will review these 3 specific abuse incidents then make an IG determination to further a referral to NCIS.

[REDACTED] we can anticipate working these cases so I'm providing this as a heads up to prompt discussions ref manpower needs at Gitmo.

R/  
[REDACTED]

[REDACTED]

Division Chief, Personal Crimes Dept.  
NCISHQ (Code 0023B)  
Office: (202) 433-9254  
Fax: (202) 433-4922

10/6/2004

(103)

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Monday, June 21, 2004 10:45 AM  
**To:** [REDACTED]  
**Subject:** FW: DOD Directive RE: Detainee Death Investigations  
**Signed By:** [REDACTED]@ncis.navy.mil  
**Security Label:** Signed

[REDACTED]

I feel we need to engage HQMC to press down on the IMEF/DIV to cease this interference, our folks over there are under enough pressure without fighting these internal USMC battles just to do what we're requiring them to do.

Tim

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

**From:** [REDACTED] [mailto:[REDACTED]@IMEFDM.usmc.mil]  
**Sent:** Monday, June 21, 2004 10:29 AM  
**To:** [REDACTED]  
**Subject:** RE: DOD Directive RE: Detainee Death Investigations

[REDACTED] I have spoke with the Warrant Officer At Graves in T.Q. He has agreed to assist in exhuming the body for examination. I am just being told by the Marine SJA at 1stMarDiv that its not are case. Isn't this fun. [REDACTED]

b6

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

**From:** [REDACTED] [mailto:[REDACTED]@NCIS.NAVY.MIL]  
**Sent:** Monday, June 21, 2004 6:13 PM  
**To:** [REDACTED]  
**Subject:** RE: DOD Directive RE: Detainee Death Investigations

Thanks [REDACTED]

As it states in the directive, the body will be maintained in a clean body bag, not buried. Try to find that body, we'll exhume if possible, safety is of course paramount.

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

**From:** [REDACTED] [mailto:[REDACTED]@IMEFDM.usmc.mil]  
**Sent:** Monday, June 21, 2004 10:02 AM  
**To:** [REDACTED]@ncis.navy.mil'; [REDACTED]@ncis.navy.mil'  
**Subject:** FW: DOD Directive RE: Detainee Death Investigations

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

**From:** [REDACTED] [mailto:[REDACTED]@us.army.mil]  
**Sent:** Monday, June 21, 2004 5:25 PM  
**To:** [REDACTED]@imefdm.usmc.mil  
**Subject:** DOD Directive RE: Detainee Death Investigations

[REDACTED]  
As requested.

Yours,

*b6*

[REDACTED] MP  
AOPS/FSO  
22nd MP Battalion (CID)  
APO AE 09342  
DNVT 550-4350

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Monday, June 21, 2004 10:13 AM  
**To:** [REDACTED]  
**Subject:** FW: DOD Directive RE: Detainee Death Investigations  
**Signed By:** [REDACTED]@ncis.navy.mil  
**Security Label:** Signed



HA Interim  
Policy.pdf

FYI

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

**From:** [REDACTED] [mailto:[REDACTED]@IMEFDM.usmc.mil]  
**Sent:** Monday, June 21, 2004 10:02 AM  
**To:** '[REDACTED]@ncis.navy.mil'; [REDACTED]@ncis.navy.mil'  
**Subject:** FW: DOD Directive RE: Detainee Death Investigations

ble

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

**From:** [REDACTED] [mailto:[REDACTED]@us.army.mil]  
**Sent:** Monday, June 21, 2004 5:25 PM  
**To:** [REDACTED]@imefdm.usmc.mil  
**Subject:** DOD Directive RE: Detainee Death Investigations

[REDACTED]

As requested.

Yours,

[REDACTED]

[REDACTED] MP  
AOPS/FSO  
22nd MP Battalion (CID)  
APO AE 09342  
DNVT 550-4350



**SECRETARY OF DEFENSE**  
1000 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1000

JUN 9 2004

**MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS  
UNDER SECRETARIES OF DEFENSE  
COMMANDERS OF THE COMBATANT COMMANDS  
ASSISTANT SECRETARIES OF DEFENSE  
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE  
DIRECTOR, OPERATIONAL TEST AND EVALUATION  
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE  
ASSISTANTS TO THE SECRETARY OF DEFENSE  
DIRECTOR, ADMINISTRATION AND MANAGEMENT  
DIRECTOR, PROGRAM ANALYSIS AND EVALUATION  
DIRECTOR, NET ASSESSMENT  
DIRECTOR, FORCE TRANSFORMATION  
DIRECTORS OF THE DEFENSE AGENCIES  
DIRECTORS OF THE DOD FIELD ACTIVITIES**

**SUBJECT: Procedures for Investigation into Deaths of Detainees in the Custody of  
the Armed Forces of the United States**

- References:**
- (a) DoD Directive 2310.1, "DoD Program for Enemy Prisoners of War (EPOW) and other Detainees," August 18, 1994
  - (b) DoD Directive 5100.77, "DoD Law of War Program," December 9, 1998
  - (c) AR 190-8, OPNAVINST 3461.6, AFJI 31-304, MCO 3461.1, "Enemy Prisoners of War, Retained Personnel, Civilian Internees and Other Detainees," 1 October 1997
  - (d) 10 U.S.C. 1471, Forensic pathology investigations
  - (e) DoD Directive 5154.24, "Armed Forces Institute of Pathology," October 3, 2001
  - (f) DoD Instruction 5154.30, "Armed Forces Institute of Pathology Operations," March 18, 2003

This memorandum reiterates and clarifies procedures for investigating deaths of detainees in the custody of the Armed Forces, including the requirement for an autopsy.

References (a), (b) and (c) establish policy and procedure for investigations of possible violations of protections afforded enemy prisoners of war, retained personnel, civilian internees, and other detainees, including procedures in cases of deaths of such



persons. References (d), (e), and (f) provide that the Office of the Armed Forces Medical Examiner has primary jurisdiction and authority within DoD to determine the cause and manner of death in any DoD death investigation. This jurisdiction may be exercised as part of DoD death investigations of enemy prisoners of war, retained personnel, civilian internees, and other detainees in the custody of the Armed Forces of the United States.

In the case of a death of such an individual, the commander of the facility (or if the death did not occur in a facility, the commander of the unit that exercised custody over the individual) shall immediately report the death to the responsible investigative agency; Army Criminal Investigation Division, Navy Criminal Investigative Service, or Air Force Office of Special Investigations. This investigative agency shall contact the Office of the Armed Forces Medical Examiner (AFME). The AFME will determine whether an autopsy will be performed. The regional combatant commander shall notify the Secretary of Defense, through the Chairman, Joint Chiefs of Staff, of all deaths occurring in US armed forces custody.

Upon declaration of death, the remains will be placed in a clean body bag and secured awaiting instructions from the appropriate investigating agency. The remains will not be washed and all items on or in the body will be left undisturbed except for weapons, ammunition, and other items that pose a threat to the living. The body will not be released from United States custody without written authorization from the investigative agency concerned or the Armed Forces Medical Examiner.

In summary, in the case of death of any individual described above, while in custody of the Armed Forces of the United States, it is presumed that an autopsy shall be performed, unless an alternative determination is made by the Armed Forces Medical Examiner. Determination of the cause and manner of death in these cases will be the sole responsibility of the AFME or other physician designated by the AFME.

Points of contact for procedures under this memorandum are: AFME, CDR Mallak, (301) 319-0000, DSN 285-0000, Mallak@AFIP.OSD.Mil; ARMY CID, SA Birt, (703) 806-0299, DSN 656-0299, Angela.Birt@Belvoir.Army.Mil; NCIS, SA Carruth, (202) 433-9254, DSN 288-9254, TCCarruth@NCIS.Navy.Mil; OSI, SA Poorman (240) 875-1073, DSN 858-1073 James.Poorman@ogn.af.mil.

This memorandum is effective immediately.

A handwritten signature in black ink, appearing to be "James Poorman", written over a horizontal line.

[REDACTED]

**From:** [REDACTED]  
**Sent:** Thursday, June 24, 2004 8:09 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Detainee abuse investigations

[REDACTED]

Better late than never. Sorry, I am just now getting through my emails.

The SSA at GITMO will be PCSing out shortly. He has also volunteered for the first wave for Iraq. I don't know where that stands so it could be that he is out of there in the next week. He will definitely be out by AUG. Because HQ is having difficulties finding an SSA, our SSA's here will be rotating through down there.

Why am I telling you this? That means we will only have three SA's there. We can manage to take some more out of the FO and send them TDY. But my question is, how are you looking at working these cases. Are they FO case investigations or are they HQ directed/run? The manpower in GITMO is already critical and they are swamped. But that doesn't mean the FO can not send in reinforcements. What is the theory and strategy behind the investigations. I see the case category, but I am not sure of how many cases there will be or how involved or even what the allegations might be.

Any info would help. When do you think the investigations will be initiated and by whom, you or the FO.

Thanks [REDACTED] and again sorry for the late response.

*ble*

[REDACTED]

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

**From:** [REDACTED]  
**Sent:** Thursday, June 17, 2004 4:59 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Detainee abuse investigations

[REDACTED]

Just a quick update on some recent developments ref NCIS investigations involving detainees. To date we've received 3 referrals from CITF regarding alleged detainee abuses at Gitmo. We've held off initiating any action pending the DoD/Navy IG's input on "abuse criteria" and the individual MCIO's AOR. Well it's come down to Gitmo and IMEF in Iraq belonging to NCIS and everything else to Army CID. After lengthy discussions here in the building it's been determined we plan on using our 7G and 7H agency criteria for accepting cases. Of course there will be some flexibility at the field level to consider the totality of the alleged abuse as it relates to the specific environment. The key will be to determine the "aggravated" factor vs. simple assault. The Navy IG team will begin a 10 day TDY detainee review next week to include visiting Gitmo. [REDACTED] advised that one of the team members will review these 3 specific abuse incidents then make an IG determination to further a referral to NCIS.

[REDACTED] we can anticipate working these cases so I'm providing this as a heads up to prompt discussions ref manpower needs at Gitmo.

R/

10/6/2004

(109)

[REDACTED]

b6

[REDACTED]

Division Chief, Personal Crimes Dept.  
NCISHQ (Code 0023B)  
Office: (202) 433-9254  
Fax: (202) 433-4922

10/6/2004

(110)

[REDACTED]

**From:** [REDACTED]  
**Sent:** Thursday, June 17, 2004 4:59 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Detainee abuse investigations  
**Signed By:** [REDACTED]@ncis.navy.mil  
**Security Label:** Signed

[REDACTED]

Just a quick update on some recent developments ref NCIS investigations involving detainees. To date we've received 3 referrals from CTF regarding alleged detainee abuses at Gitmo. We've held off initiating any action pending the DoD/Navy IG's input on "abuse criteria" and the individual MCIO's AOR. Well it's come down to Gitmo and IMEF in Iraq belonging to NCIS and everything else to Army CID. After lengthy discussions here in the building it's been determined we plan on using our 7G and 7H agency criteria for accepting cases. Of course there will be some flexibility at the field level to consider the totality of the alleged abuse as it relates to the specific environment. The key will be to determine the "aggravated" factor vs. simple assault. The Navy IG team will begin a 10 day TDY detainee review next week to include visiting Gitmo. [REDACTED] advised that one of the team members will review these 3 specific abuse incidents then make an IG determination to further a referral to NCIS.

[REDACTED] we can anticipate working these cases so I'm providing this as a heads up to prompt discussions ref manpower needs at Gitmo.

R/  
[REDACTED]

[REDACTED]

Division Chief, Personal Crimes Dept.  
NCISHQ (Code 0023B)  
Office: (202) 433-9254  
Fax: (202) 433-4922

10/6/2004

(111)

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Monday, June 14, 2004 10:30 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: MEFO Personnel Movements in Iraq

Thanks all. FYI, here is the latest case control summary for OPEN Team Iraq cases. Not shown as of yet is 2 - 7H's (Detainee death & Abu Ghraib IED case (suspects caught, four USMC KIA). Also, six additional cases in Al Asad that are in the process of being entered/fleshed out [REDACTED] can provide additional detail). ROI (Info) reports are not depicted. [REDACTED]



RRS 14 Jun 04  
rpt.pdf

VR,  
Special Agent [REDACTED]  
Assistant Special Agent in Charge  
NCIS Middle East Field Office  
DSN: 318 439-3960  
Com1: 011 973 1785-3960  
Cell: 011 973 941-5838  
E-mail: [REDACTED]@ncis.navy.mil

ble

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

**From:** [REDACTED]  
**Sent:** Monday, June 14, 2004 4:15 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: MEFO Personnel Movements in Iraq  
**Importance:** High

[REDACTED]

We'll push the validation piece.

[REDACTED]

[REDACTED] given us approximately one-week to identify and deploy subsequent to validation.

[REDACTED]

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

**From:** [REDACTED]  
**Sent:** Monday, June 14, 2004 5:56 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** MEFO Personnel Movements in Iraq

[REDACTED] DSO,  
Heads-up. Due to emergency departures of two NCIS Team Iraq members and case load, MEFO intends to deploy (upon 0023/DSO concurrence) two SA's from Bahrain to Iraq to temporarily assist Team Iraq. One SA will deploy to Fallujah and one to Al Asad. Case load is exploding, high visibility cases are on the rise. We have had many volunteers. [REDACTED] has been selected for the Fallujah support, not to exceed two weeks. We will rotate then or terminate this support at that time, based on DSO identification of additional personnel, case load, etc). [REDACTED] has PSO Basra experience as well as a former Marine. [REDACTED] one

of our best investigators will be deploying to Al Asad. [REDACTED] does not have ITI training, nor is she former military. She does have two years in the theater. She will be fam fired on the M-4, she has current qualification with the Sig Sauer. Personnel will deploy on Wednesday (no flights to Kuwait on Tues) to Kuwait and will try to make their way to Al Asad. Both are in possession of level IV gear. Our folks will always be within the wire. We have scrubbed all of our personnel and have no other trained personnel (either ITI or fmr USMC) available to deploy. We seek HQ concurrence soonest, [REDACTED] indicates the support is needed asap. [REDACTED]

VR,

Special Agent [REDACTED]

Assistant Special Agent in Charge

NCIS Middle East Field Office

DSN: 318 439-3960

Coml: 011 973 1785-3960

Cell: 011 973 941-5838

E-mail: [REDACTED]ncis.navy.mil

b6

PRIMARY TITLE	CGN	CASE TYPE	PRI	CTRL OFFICE	LEAD OFFICE	ASSIGNED TO	SQUAD	DATE INITIATED	DATE OF LAST PAPER	LAST PAPER TYPE	DUE DATE	DATE CLOSED	DISP	EXT. RET DATE	S	G	F	E	O
ZBN, 1MAREG, 1MARDIV, INDIA CAMP, IRAQ/SUSPECTED THEFT OF 11.2 MILLION IRAQI DINAR	07JUN04-MEBJ-02146SMA	C	2	BU			RRS	06/01/2004	06/06/2004	ROI	06/06/2004				N	N	N	N	N
CUTTER, BRIAN KPFC USMC (DECEASED)	21MAY04-MEBJ-0191-7HMA	C	2	BU			RRS	05/21/2004	05/21/2004	ROI	06/21/2004				N	N	N	N	N
DESALES-MARIN, JUAN CARLOS/CPL USMC	25MAR04-MEBJ-0085-7HMA	C	2	BU			RRS	03/25/2004	03/28/2004	ROI	04/29/2004				N	N	N	N	N
GIBSON, CHRISTOPHER ACPL USMC	22APR04-DCAN-0025-7HMA	T	2	BU			RRS	04/28/2004	05/17/2004	ROI	06/06/2004				N	N	N	N	N
[REDACTED]	14APR04-MWPE-0092-8VMA	L	2	PE	BU		RRS	04/20/2004		ROI	05/05/2004				N	N	N	N	N
IMEF, CAMP FALLUJAH, IRAQ/POSS THEFT OF BATS	07APR04-MEBJ-0111-6SMA	C	2	BU			RRS	04/07/2004	04/25/2004	ROI	06/25/2004				N	N	N	N	N
IMEF/FP SPT TO THE DEPT OF THE NAVY IN SUPPORT OF OPERATION IRAQI FREEDOM II	11APR04-MEBJ-0138-8CFP	C	2	BU			RRS	04/11/2004	04/14/2004	ROI	06/14/2004				N	N	N	N	N
MACINTOSH, JOSHUA/HN USN	27JUN03-MEBJ-0250-7HMA	L	2	PE	BU		RRS	04/14/2004	04/25/2004	ROI	05/05/2004				N	N	N	N	N
MALS-11, MAG-11, 3RD MAW, MCAS MIRAMAR, BLDG 8641, POWER PLANTS/ATTEMPTED WRONGFUL DESTRUCTION OF F-18 ENGINE, SERIAL #360045	07JAN04-MWMM-0001-8UMA	L	2	MW	BU		RRS	05/08/2004		ROI	05/23/2004				N	N	N	N	N
[REDACTED]	09MAY04-MEBJ-0183-8FMA	C	2	BU			RRS	05/09/2004	05/20/2004	ROI	07/20/2004				N	N	N	N	N
[REDACTED]	23SEP03-FEOK-0292-8XMA	L	2	OK	BU		RRS	05/08/2004		ROI	05/23/2004				N	N	N	N	N
[REDACTED]	25MAR04-MPMC-0008-4BMA	L	2	MC	BU		RRS	05/27/2004		ROI	06/18/2004				N	N	N	N	N
[REDACTED]	13MAY04-MEBJ-0187-8FMA	C	2	BU			RRS	05/13/2004	05/17/2004	ROI	07/17/2004				N	N	N	N	N
SMITH JR, MICHAEL JAMES/LCPL USMC	22APR04-DCAN-0028-7HMA	T	2	BU			RRS	04/28/2004	05/17/2004	ROI	06/06/2004				N	N	N	N	N
[REDACTED]	27JAN04-MWTTN-0013-6SMA	L	2	TN	BU		RRS	06/04/2004		ROI	06/19/2004				N	N	N	N	N

TOTAL NUMBER OF CASES/OPERATIONS/SOURCES: 16  
TOTAL NUMBER OF CASES ONLY: 16

*Handwritten initials/signature*

*Handwritten number 114*

[REDACTED]

---

From: [REDACTED]  
Sent: Tuesday, December 23, 2003 1:48 PM  
To: [REDACTED]  
Subject: FW: CID Guidance

[REDACTED] Here is the information from USACIDC; [REDACTED] is on distro, so you probably already have this, but just in case.  
[REDACTED]

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

From: [REDACTED]  
To: [REDACTED]  
Cc: [REDACTED]  
Sent: 12/19/2003 3:06 PM  
Subject: RE: CID Guidance

[REDACTED]

The directive for investigation of hostile fire deaths is a FRAGO to a CJTF-7 OPOD. I can't go into detail concerning the language of the FRAGO due to the security classification. But to answer your question, 3d MP Group (CID) has the mandate and responsibility to conduct hostile fire deaths (i.e, murder) absent any AR 15-6 investigation. An AR 15-6 is not normally conducted by the chain of command. We have evidence depositories in Iraq and Kuwait. Evidence in such cases is handled as in any other case which may also include forwarding evidence to USACIL as deemed appropriate.

b6

If you would like to read FRAGO 209 let me know and provide a secure FAX number or SIPRNET address and we can forward a copy to you.

Also, if I do not see or talk with you before the holidays, have a merry and safe holiday season.

I am currently in the office and will be heading south next Wednesday.

[REDACTED]

[REDACTED]

[REDACTED] MP  
Chief, Investigative Operations Division

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

From: [REDACTED] [mailto:[REDACTED]@NCIS.NAVY.MIL]  
Sent: Friday, December 19, 2003 2:46 PM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: RE: CID Guidance

[REDACTED]

Tried calling you but I suspect you've pulled chocks for North Carolina by now. A quick question if I may -- the hostile death investigations conducted by USACIDC as requested/directed by CJTF-7, were they conducted in place of, or in support of a separate command investigation (AR-15)? What were the evidence storage considerations? I truly appreciate your help with these issues [REDACTED] I will be out until after the new year, but will be reviewing emails while on leave;

but if you would, please include [REDACTED] on your reply.

Best wishes to you during the holiday season. Please be careful on the roads!

Cheers,  
[REDACTED]

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

From: [REDACTED]mailto:[REDACTED]@belvoir.army.mil]

Sent: Tuesday, December 02, 2003 1:56 PM

To: [REDACTED] (E-mail)

Subject: CID Guidance

CIDR 195-1

#### 4-40 Initiation of ROIs in Deployment Situations

##### a. General.

This paragraph outlines a standardized policy for reporting criminal investigations during contingency operations.

b. Policy. It is a principle of this command that the reporting format for all investigations conducted by or for CID elements will be the Report of Investigation (ROI). Whenever an investigation of whatever scope (limited or full) is initiated, the results will be reported by the ROI format.

<[http://www.usapa.army.mil/pdf/files/r195\\_2.pdf](http://www.usapa.army.mil/pdf/files/r195_2.pdf)> AR 195-2 and this regulation identify four basic criteria that must exist to justify Army jurisdiction and responsibility to investigate crime:

(1) There must be some credible information that a crime has occurred. A preliminary inquiry may be conducted to reach the credible information standard, but once that standard is reached, an ROI would be initiated if the remaining criteria below have been met.

(2) The Army must have investigative authority to investigate. Investigative authority refers to matters in which the Army has the legal authority (jurisdiction) to conduct a criminal investigation. In a deployed environment, whether combat or peacekeeping mission, there is Army investigative authority when the supported commander requests the investigation to further the Army's mission in that area. If the Army is in support of an international entity (such as NATO or the UN), the use of investigative resources is an official act in furtherance of the Army's overall mission to support the approved objectives of the international entity. Unofficial investigations or investigations not in support of the Army mission are prohibited.

(3) There must be an Army interest in the case. In deployed situations, there is an Army interest in a criminal case when

the case impacts the accomplishment of the Army's mission or capabilities and/or when it is requested by the supported commander to further the Army's mission.

(4) CID must have the responsibility to investigate (that is, the alleged crime is within our investigative purview). CID usually investigates the felony crimes identified in AR 195-2. As noted in AR 195-2, however, CID's investigative purview can be adjusted to include lesser crimes if it would serve a better or overall law enforcement goal.

c. Deployment considerations

(1) When deployed, CID agents generally find themselves in one of two types of situations -- a functioning government exists or it does not exist. The following paragraphs describe ROI initiations in these situations:

(a) Functioning Government: When the Army is deployed to a foreign country that has an established and functioning government and law enforcement system (police, prosecutors and a judicial system), the following guidance applies.

1. Authority to investigate is usually determined by international treaty or agreement (such as a Status of Forces Agreement (SOFA)), by the policies of the host government, or the U.S. ambassador. When questions arise in this area as to investigative authority, coordination should be effected with the supporting SJA or Group judge advocate. CID will not conduct any investigations (however limited or preliminary in nature) in violation of such agreements or policies.

2. CID will not normally conduct investigations concerning non-Army affiliated civilians committing crimes on other non-Army affiliated civilians or involving non-Army equipment/supplies outside Army controlled property. If requested to conduct an investigation by a field grade officer or higher because some Army interest is involved, CID will conduct a collateral or joint ROI to the extent allowed by treaty or policy and local law enforcement authorities.

3. When criminal incidents involve Army affiliated personnel (military, family member, civilian or contractor) or Army property, the conduct of collateral or joint ROIs will be accomplished to the extent allowed by treaty or policy and local law enforcement authorities.

4. When criminal incidents within CID purview occur on Army controlled property (such as an installation, kaserne or camp), or involve Army personnel, assets and/or resources on or off Army

controlled property, ROIs will be conducted. The conduct of such ROIs will follow any guidelines, notifications or other limitations set forth by treaty or policy and local law enforcement authorities.

(b) Non-Functioning Government: When the Army is deployed to a foreign country that has no established (or a severely limited) functioning government and no law enforcement system (police, prosecutors and a judicial system), the following guidance applies.

1. Authority to investigate in this situation is usually determined by the Army's mission and the requests of the senior supported Army commander (or senior U.S. commander in joint operations). When questions arise as to investigative authority and the Army's mission, coordination should be effected with the supporting SJA or Group judge advocate. If the senior Army commander delegates his authority, CID will respect requests from the delegatee. If the senior Army commander sets threshold criteria for investigations, CID will respect those limitations. CID will not investigate outside the authority of the senior Army commander (or senior U.S. military commander in joint operations). CID will not conduct any investigations (however limited or preliminary in nature) that are not in furtherance of the Army mission.

2. CID may conduct investigations concerning non-Army affiliated civilians committing crimes on other non-Army affiliated civilians or involving equipment/supplies outside Army controlled property, if such investigations are requested by the senior supported commander or meet some predetermined threshold criteria. Any such investigations (no matter how limited) will be reported via the ROI format. Such investigations may be finalized early if the original intent of the commander's request has been met, or if the completion of other outstanding leads is precluded by hostile fire, hostile territory, or other local adverse conditions. It is anticipated that many of these ROIs will be completed using the procedures for a Final(C).

3. When criminal incidents involve Army affiliated personnel (military, civilian or contractor) or Army property, the conduct of ROIs will be accomplished to the extent allowed by local environment and threat conditions. Final (C) procedures may be used as appropriate for these investigations.

4. When criminal incidents involving anyone occur on actual Army controlled and occupied property (such as a base camp), ROIs will be conducted. Final(C) procedures may be used as appropriate for these investigations.

d. Investigations Involving, Enemy Prisoners of War (EPW), Retained Personnel (RP), Civilian Internees (CI) and other Detainees (OD).

(1) AR 190-8 is a multi-service regulation that applies to the Army, Navy, Air Force and Marine Corps (OPNAVINST 3461.6,

AFJI 31-304, and MCO 3461.1), and implements DoD Directive 2510.1 and DoD Directive 5100.7. AR 190-8 directs that all allegations of criminal acts or war crimes committed by or against EPW/RP/CI/OD be reported to CID.

(2) IAW 190-8, all persons captured, detained, interned or otherwise held in US Armed Forces custody will be given humanitarian care and treatment from the moment they fall into the hands of the U.S. forces until final release. It is DoD, Army and command policy that inhumane treatment of EPW, CI, RP, and OD is prohibited and cannot be justified by the stress of combat or by deep provocation. All prisoners, detainees, and internees will receive humane treatment without regard to race, nationality, religion, political opinion, sex or other criteria. IAW AR 901-8, they will be protected against all acts of violence to include rape, forced prostitution, assault, theft, bodily injury, reprisals of any kind, insults and public curiosity. AR 190-8 specifically prohibits murder, torture, corporal punishment, mutilation, collective punishments, execution without proper trial, and all cruel and degrading treatment.

(3) Inhumane treatment is a serious and punishable violation under international law and the UCMJ. IAW AR 190-8, AR 195-2 and CIDR 195-1 (especially paragraphs 4-40a-c above), CID elements receiving allegations of felony criminal acts or war crimes committed by or against EPW/RP/CI/OD will investigate such allegations as an ROI. IAW AR 195-2, CID may adjust its normal investigative purview to include lesser crimes or misdemeanors if it would better serve the supported commander or the overall law enforcement goal.

(4) If the U.S. Armed Forces element conducts a commander's inquiry (an AR 15-6 investigation or equivalent) prior to notifying CID of an allegation involving felony criminal acts or war crimes committed by or against an EPW/RP/CI/OD, the supporting CID element will obtain a copy of and review the inquiry to determine if it thoroughly and fairly investigated the incident(s). If the US Armed Forces element did not conduct a commander's inquiry or if further investigative efforts are deemed appropriate, the supporting CID element will initiate an ROI to continue the investigation.

  
MP

Chief, Investigative Operations Division

bl

[REDACTED]

**From:** [REDACTED]  
**Sent:** Wednesday, August 27, 2003 12:26 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** FW: COL Fortune (703) 697-3723

**Importance:** High

[REDACTED]

Yesterday, [REDACTED] ("our" Forensic Consultant) contacted AFIP who renewed their commitment to respond to GTMO (as will selected SEFO MCRT members) in the event of a detainee death, or as previously occurred, a incident where death was believed imminent.

[REDACTED]

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

**From:** [REDACTED]  
**Sent:** Monday, August 25, 2003 2:59 PM  
**To:** [REDACTED]  
**Subject:** RE: [REDACTED] (703) 697-3723

[REDACTED]

No. I haven't heard anything. When you have an opportunity, contact AFIP to determine whether they do or do not intend to respond to GTMO in the event of a detainee death. Thanks for the reminder.

[REDACTED]

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

**From:** [REDACTED]  
**Sent:** Monday, August 25, 2003 1:50 PM  
**To:** [REDACTED]  
**Subject:** RE: COL Fortune (703) 697-3723

[REDACTED] any other queries on this confusion?

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

**From:** [REDACTED]  
**Sent:** Tuesday, August 19, 2003 3:39 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: [REDACTED] (703) 697-3723  
**Importance:** High

[REDACTED]

This was discussed at length. The foundation supporting our response "to" GTMO in the event of a detainee death was the simultaneous response by AFIP, where the autopsy would be performed. This was discussed with the CG staff in GTMO as well. In fact, the Sep02 MOU between the JTF and AFIP (which specifically references our involvement) discusses the conduct of "mass casualty" autopsies on-location. [REDACTED] question now is puzzling, and leads me to believe his staff may now be overworked. I've 'cc' our Forensic Consultant for information. He was involved "on the ground" during these discussions.

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

From: [REDACTED] [mailto:[REDACTED]@belvoir.army.mil]  
Sent: Tuesday, August 19, 2003 3:14 PM  
To: '[REDACTED]@NCIS.NAVY.MIL'; '[REDACTED]@ncis.navy.mil'  
Cc: '[REDACTED]@ncis.navy.mil'; '[REDACTED]@NCIS.NAVY.MIL';  
[REDACTED]@NCIS.NAVY.MIL'  
Subject: Fw: [REDACTED] (703) 697-3723

Did you guys already have this worked out when they had the attempted suicide that MPGT responded to?

This is sent from my BlackBerry Wireless Handheld

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

From: [REDACTED] <[REDACTED]@belvoir.army.mil>  
To: [REDACTED]@NCIS.NAVY.MIL' <[REDACTED]@NCIS.NAVY.MIL>  
CC: '[REDACTED]@NCIS.NAVY.MIL' <[REDACTED]@NCIS.NAVY.MIL>  
Sent: Tue Aug 19 15:13:03 2003  
Subject: Fw: [REDACTED] (703) 697-3723

[REDACTED] - a heads up. FYI...MF

This is sent from my BlackBerry Wireless Handheld

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

From: [REDACTED] <[REDACTED]@belvoir.army.mil>  
To: '[REDACTED]@us.army.mil' <[REDACTED]@us.army.mil>;  
'[REDACTED]@belvoir.army.mil' <[REDACTED]@belvoir.army.mil>;  
'[REDACTED]@belvoir.army.mil' <[REDACTED]@belvoir.army.mil>;  
'[REDACTED]@bem102.belvoir.army.mil'  
<[REDACTED]@bem102.belvoir.army.mil>  
CC: [REDACTED]@belvoir.army.mil' [REDACTED]@belvoir.army.mil>  
Sent: Tue Aug 19 15:12:38 2003  
Subject: Re: [REDACTED] (703) 697-3723

You may want to consider getting NCISHQ in the loop with GTMO being a Navy base...they are who would respond and who JTF-GTMO would refer the matter to.

This is sent from my BlackBerry Wireless Handheld

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

From: [REDACTED] <[REDACTED]@us.army.mil>  
To: [REDACTED] <[REDACTED]@belvoir.army.mil>; [REDACTED]  
<[REDACTED]@belvoir.army.mil>; [REDACTED]  
<[REDACTED]@bem102.belvoir.army.mil>  
CC: [REDACTED] <[REDACTED]@belvoir.army.mil>  
Sent: Tue Aug 19 13:47:32 2003  
Subject: FW: [REDACTED] (703) 697-3723

Pls contact the CDR and get the definition of the issue. Think we need to talk to Army and DOD GC, as well as CID Command on this. Personally, I suspect that remains should probably NOT be brought to the U.S. for legal reasons. Let me know what you all come up with prior to reply. Also need to know if this is a general question or a specific issue with a body now??

b6

(121)

Commander,  
DoD Criminal Investigation Task Force

"Formidolosus Venators"

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

From: [REDACTED]  
Sent: Tuesday, August 19, 2003 1:35 PM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: [REDACTED] (703) 697-3723

ble

Sir,

[REDACTED] called to relay a message from [REDACTED], Air Force Medical Examiner (AFIP), (301) 319-0000. He want's to know if a Detainee dies in custody could the remains be brought back to Dover AFB to perform the Autopsy or does the remains have to be processed back in Germany? [REDACTED] thought that this would be better answered by someone in the CID chain of command.

[REDACTED]  
USA  
Criminal Investigation Task Force  
Executive Administrative Assistant  
(703) 805-2947

[REDACTED]

From: [REDACTED]  
Sent: Tuesday, August 19, 2003 3:39 PM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: RE: [REDACTED] (703) 697-3723

Importance: High

[REDACTED]

This was discussed at length. The foundation supporting our response "to" GTMO in the event of a detainee death was the simultaneous response by AFIP, where the autopsy would be performed. This was discussed with the CG staff in GTMO as well. In fact, the Sep02 MOU between the JTF and AFIP (which specifically references our involvement) discusses the conduct of "mass casualty" autopsies on-location. [REDACTED] question now is puzzling, and leads me to believe his staff may now be overworked. I've 'cc' our Forensic Consultant for information. He was involved "on the ground" during these discussions.

[REDACTED]

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

From: [REDACTED] [mailto:[REDACTED]@belvoir.army.mil]  
Sent: Tuesday, August 19, 2003 3:14 PM  
To: '[REDACTED]@NCIS.NAVY.MIL'; '[REDACTED]@ncis.navy.mil'  
Cc: '[REDACTED]@ncis.navy.mil'; '[REDACTED]@NCIS.NAVY.MIL';  
[REDACTED]@NCIS.NAVY.MIL'  
Subject: Fw: [REDACTED] (703) 697-3723

b6

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This is sent from my BlackBerry Wireless Handheld

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From: [REDACTED] <[REDACTED]@belvoir.army.mil>  
To: '[REDACTED]@NCIS.NAVY.MIL' <[REDACTED]@NCIS.NAVY.MIL>  
CC: '[REDACTED]@NCIS.NAVY.MIL' <[REDACTED]@NCIS.NAVY.MIL>  
Sent: Tue Aug 19 15:13:03 2003  
Subject: Fw: [REDACTED] (703) 697-3723

[REDACTED] - a heads up. FYI...MF

This is sent from my BlackBerry Wireless Handheld

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

From: [REDACTED] <[REDACTED]@belvoir.army.mil>  
To: [REDACTED]@us.army.mil' <[REDACTED]@us.army.mil>;  
[REDACTED]@belvoir.army.mil' <[REDACTED]@belvoir.army.mil>;  
[REDACTED]@belvoir.army.mil' <[REDACTED]@belvoir.army.mil>;  
[REDACTED]@beml02.belvoir.army.mil'  
<[REDACTED]@beml02.belvoir.army.mil>  
CC: '[REDACTED]@belvoir.army.mil' <[REDACTED]@belvoir.army.mil>  
Sent: Tue Aug 19 15:12:38 2003  
Subject: Re: [REDACTED] (703) 697-3723

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This is sent from my BlackBerry Wireless Handheld

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

From: [REDACTED] <[REDACTED]@us.army.mil>

To: [REDACTED]@belvoir.army.mil>; [REDACTED]

<[REDACTED]@belvoir.army.mil>; [REDACTED]

<[REDACTED]@beml02.belvoir.army.mil>

CC: [REDACTED]@belvoir.army.mil>

Sent: Tue Aug 19 13:47:32 2003

Subject: FW: [REDACTED] (703) 697-3723

Pls contact the CDR and get the definition of the issue. Think we need to talk to Army and DOD GC, as well as CID Command on this. Personally, I suspect that remains should probably NOT be brought to the U.S. for legal reasons. Let me know what you all come up with prior to reply. Also need to know if this is a general question or a specific issue with a body now??

ble

[REDACTED]  
DoD Criminal Investigation Task Force

"Formidolosus Venators"

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

From: [REDACTED]

Sent: Tuesday, August 19, 2003 1:35 PM

To: [REDACTED]

Cc: [REDACTED]

Subject: [REDACTED] (703) 697-3723

Sir,

[REDACTED] called to relay a message from [REDACTED] Air Force Medical Examiner (AFIP), (301) 319-0000. He want's to know if a Detainee dies in custody could the remains be brought back to Dover AFB to perform the Autopsy or does the remains have to be processed back in Germany? [REDACTED]

[REDACTED] thought that this would be better answered by someone in the CID chain of command.

[REDACTED]  
USA

Criminal Investigation Task Force  
Executive Administrative Assistant  
(703) 805-2947

[REDACTED]

---

From: [REDACTED]@belvoir.army.mil]  
Sent: Tuesday, August 19, 2003 3:14 PM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: Fw: [REDACTED] (703) 697-3723

Did you guys already have this worked out when they had the attempted suicide that MPGT responded to?

This is sent from my BlackBerry Wireless Handheld

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

From: [REDACTED]@belvoir.army.mil>  
To: ' [REDACTED]@NCIS.NAVY.MIL' < [REDACTED]@NCIS.NAVY.MIL>  
CC: ' [REDACTED]@NCIS.NAVY.MIL' < [REDACTED]@NCIS.NAVY.MIL>  
Sent: Tue Aug 19 15:13:03 2003  
Subject: Fw: [REDACTED] (703) 697-3723

[REDACTED] - a heads up. FYI... [REDACTED]

b6

This is sent from my BlackBerry Wireless Handheld

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

From: [REDACTED]@belvoir.army.mil>  
To: [REDACTED]@us.army.mil' < [REDACTED]@us.army.mil>;  
[REDACTED]@belvoir.army.mil' < [REDACTED]@belvoir.army.mil>;  
[REDACTED]@belvoir.army.mil' < [REDACTED]@belvoir.army.mil>;  
[REDACTED]@beml02.belvoir.army.mil'  
< [REDACTED]@beml02.belvoir.army.mil>  
CC: [REDACTED]@belvoir.army.mil' < [REDACTED]@belvoir.army.mil>  
Sent: Tue Aug 19 15:12:38 2003  
Subject: Re: [REDACTED] (703) 697-3723

You may want to consider getting NCISHQ in the loop with GTMO being a Navy base...they are who would respond and who JTF-GTMO would refer the matter to.

This is sent from my BlackBerry Wireless Handheld

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

From: [REDACTED]@us.army.mil>  
To: [REDACTED]@belvoir.army.mil>; Schwarz, Shawn  
< [REDACTED]@belvoir.army.mil>; [REDACTED]  
< [REDACTED]@beml02.belvoir.army.mil>  
CC: [REDACTED]@belvoir.army.mil>  
Sent: Tue Aug 19 13:47:32 2003  
Subject: FW: [REDACTED] (703) 697-3723

Pls contact the CDR and get the definition of the issue. Think we need to talk to Army and DOD GC, as well as CID Command on this. Personally, I suspect that remains should probably NOT be brought to the U.S. for legal reasons. Let me know what you all come up with prior to reply. Also need to know if this is a general question or a specific issue with a body now??

[REDACTED]  
DoD Criminal Investigation Task Force

"Formidolosus Venators"

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

From: [REDACTED]  
Sent: Tuesday, August 19, 2003 1:35 PM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: [REDACTED] (703) 697-3723

b6

Sir,

[REDACTED] called to relay a message from [REDACTED], Air Force Medical Examiner (AFIP), (301) 319-0000. He want's to know if a Detainee dies in custody could the remains be brought back to Dover AFB to perform the Autopsy or does the remains have to be processed back in Germany? [REDACTED] thought that this would be better answered by someone in the CID chain of command.

[REDACTED] USA  
Criminal Investigation Task Force  
Executive Administrative Assistant  
(703) 805-2947

[REDACTED]

**From:** [REDACTED]  
**Sent:** Friday, December 19, 2003 2:46 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: CID Guidance

[REDACTED]

Tried calling you but I suspect you've pulled chocks for North Carolina by now. A quick question if I may – the hostile death investigations conducted by USACIDC as requested/directed by CJTF-7, were they conducted in place of, or in support of a separate command investigation (AR-15)? What were the evidence storage considerations? I truly appreciate your help with these issues [REDACTED] I will be out until after the new year, but will be reviewing emails while on leave; but if you would, please include [REDACTED] on your reply.

Best wishes to you during the holiday season. Please be careful on the roads!  
 Cheers,  
 [REDACTED]

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

**From:** [REDACTED] [mailto:[REDACTED]@belvoir.army.mil]  
**Sent:** Tuesday, December 02, 2003 1:56 PM  
**To:** [REDACTED] (E-mail)  
**Subject:** CID Guidance

CIDR 195-1

#### 4-40 Initiation of ROIs in Deployment Situations

##### a. General.

This paragraph outlines a standardized policy for reporting criminal investigations during contingency operations.

b. Policy. It is a principle of this command that the reporting format for all investigations conducted by or for CID elements will be the Report of Investigation (ROI). Whenever an investigation of whatever scope (limited or full) is initiated, the results will be reported by the ROI format. AR 195-2 and this regulation identify four basic criteria that must exist to justify Army jurisdiction and responsibility to investigate crime:

(1) There must be some credible information that a crime has occurred. A preliminary inquiry may be conducted to reach the credible information standard, but once that standard is reached, an ROI would be initiated if the remaining criteria below have been met.

(2) The Army must have investigative authority to investigate. Investigative authority refers to matters in which the Army has the legal authority (jurisdiction) to conduct a criminal investigation. In a deployed environment, whether combat or peacekeeping mission, there is Army investigative authority when the supported commander requests the investigation to further the Army's mission in that area. If the Army is in support of an international entity (such as NATO or the UN), the use of investigative resources is an official act in furtherance of the Army's overall mission to support the approved objectives of the international entity. Unofficial investigations or investigations not in support of the Army mission are prohibited.

(3) There must be an Army interest in the case. In deployed situations, there is an Army interest in a criminal case when the case impacts the accomplishment of the Army's mission or capabilities and/or when it is requested by the supported commander to further the Army's mission.

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(127)

(4) CID must have the responsibility to investigate (that is, the alleged crime is within our investigative purview). CID usually investigates the felony crimes identified in AR 195-2. As noted in AR 195-2, however, CID's investigative purview can be adjusted to include lesser crimes if it would serve a better or overall law enforcement goal.

c. Deployment considerations

(1) When deployed, CID agents generally find themselves in one of two types of situations – a functioning government exists or it does not exist. The following paragraphs describe ROI initiations in these situations:

(a) Functioning Government: When the Army is deployed to a foreign country that has an established and functioning government and law enforcement system (police, prosecutors and a judicial system), the following guidance applies.

1. Authority to investigate is usually determined by international treaty or agreement (such as a Status of Forces Agreement (SOFA)), by the policies of the host government, or the U.S. ambassador. When questions arise in this area as to investigative authority, coordination should be effected with the supporting SJA or Group judge advocate. CID will not conduct any investigations (however limited or preliminary in nature) in violation of such agreements or policies.

2. CID will not normally conduct investigations concerning non-Army affiliated civilians committing crimes on other non-Army affiliated civilians or involving non-Army equipment/supplies outside Army controlled property. If requested to conduct an investigation by a field grade officer or higher because some Army interest is involved, CID will conduct a collateral or joint ROI to the extent allowed by treaty or policy and local law enforcement authorities.

3. When criminal incidents involve Army affiliated personnel (military, family member, civilian or contractor) or Army property, the conduct of collateral or joint ROIs will be accomplished to the extent allowed by treaty or policy and local law enforcement authorities.

4. When criminal incidents within CID purview occur on Army controlled property (such as an installation, kaserne or camp), or involve Army personnel, assets and/or resources on or off Army controlled property, ROIs will be conducted. The conduct of such ROIs will follow any guidelines, notifications or other limitations set forth by treaty or policy and local law enforcement authorities.

(b) Non-Functioning Government: When the Army is deployed to a foreign country that has no established (or a severely limited) functioning government and no law enforcement system (police, prosecutors and a judicial system), the following guidance applies.

1. Authority to investigate in this situation is usually determined by the Army's mission and the requests of the senior supported Army commander (or senior U.S. commander in joint operations). When questions arise as to investigative authority and the Army's mission, coordination should be effected with the supporting SJA or Group judge advocate. If the senior Army commander delegates his authority, CID will respect requests from the delegatee. If the senior Army commander sets threshold criteria for investigations, CID will respect those limitations. CID will not investigate outside the authority of the senior Army commander (or senior U.S. military commander in joint operations). CID will not conduct any investigations (however limited or preliminary in nature) that are not in furtherance of the Army mission.

2. CID may conduct investigations concerning non-Army affiliated civilians committing crimes on other non-Army affiliated civilians or involving equipment/supplies outside Army controlled property, if such investigations are requested by the senior supported commander or meet some predetermined threshold criteria. Any such investigations (no matter how limited) will be reported via the ROI format. Such investigations may be finalized early if the original intent of the commander's request has been met, or if the completion of other outstanding leads is precluded by hostile fire, hostile territory, or other local adverse conditions. It is anticipated that many of these ROIs will be completed using the procedures for a Final(C).

3. When criminal incidents involve Army affiliated personnel (military, civilian or contractor) or Army property, the conduct of ROIs will be accomplished to the extent allowed by local environment and threat conditions. Final (C) procedures may be used as appropriate for these investigations.

4. When criminal incidents involving anyone occur on actual Army controlled and occupied property (such as a base camp), ROIs will be conducted. Final(C) procedures may be used as appropriate for these investigations.

d. Investigations Involving, Enemy Prisoners of War (EPW), Retained Personnel (RP), Civilian Internees (CI) and other Detainees (OD).

(1) AR 190-8 is a multi-service regulation that applies to the Army, Navy, Air Force and Marine Corps (OPNAVINST 3461.6, AFJI 31-304, and MCO 3461.1), and implements DoD Directive 2310.1 and DoD Directive 5100.7. AR 190-8 directs that all allegations of criminal acts or war crimes committed by or against EPW/RP/CI/OD be reported to CID.

(2) IAW 190-8, all persons captured, detained, interned or otherwise held in US Armed Forces custody will be given humanitarian care and treatment from the moment they fall into the hands of the U.S. forces until final release. It is DoD, Army and command policy that inhumane treatment of EPW, CI, RP, and OD is prohibited and cannot be justified by the stress of combat or by deep provocation. All prisoners, detainees, and internees will receive humane treatment without regard to race, nationality, religion, political opinion, sex or other criteria. IAW AR 901-8, they will be protected against all acts of violence to include rape, forced prostitution, assault, theft, bodily injury, reprisals of any kind, insults and public curiosity. AR 190-8 specifically prohibits murder, torture, corporal punishment, mutilation, collective punishments, execution without proper trial, and all cruel and degrading treatment.

(3) Inhumane treatment is a serious and punishable violation under international law and the UCMJ. IAW AR 190-8, AR 195-2 and CIDR 195-1 (especially paragraphs 4-40a-c above), CID elements receiving allegations of felony criminal acts or war crimes committed by or against EPW/RP/CI/OD will investigate such allegations as an ROI. IAW AR 195-2, CID may adjust its normal investigative purview to include lesser crimes or misdemeanors if it would better serve the supported commander or the overall law enforcement goal.

(4) If the U.S. Armed Forces element conducts a commander's inquiry (an AR 15-6 investigation or equivalent) prior to notifying CID of an allegation involving felony criminal acts or war crimes committed by or against an EPW/RP/CI/OD, the supporting CID element will obtain a copy of and review the inquiry to determine if it thoroughly and fairly investigated the incident(s). If the US Armed Forces element did not conduct a commander's inquiry or if further investigative efforts are deemed appropriate, the supporting CID element will initiate an ROI to continue the investigation.

  
MP  
Chief, Investigative Operations Division

ble

10/6/2004

(120)

[REDACTED]

---

**From:** [REDACTED]@belvoir.army.mil]  
**Sent:** Friday, December 19, 2003 3:06 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: CID Guidance

[REDACTED]

The directive for investigation of hostile fire deaths is a FRAGO to a CJTF-7 OPOD. I can't go into detail concerning the language of the FRAGO due to the security classification. But to answer your question, 3d MP Group (CID) has the mandate and responsibility to conduct hostile fire deaths (i.e, murder) absent any AR 15-6 investigation. An AR 15-6 is not normally conducted by the chain of command. We have evidence depositories in Iraq and Kuwait. Evidence in such cases is handled as in any other case which may also include forwarding evidence to USACIL as deemed appropriate.

If you would like to read FRAGO 209 let me know and provide a secure FAX number or SIPRNET address and we can forward a copy to you.

Also, if I do not see or talk with you before the holidays, have a merry and safe holiday season.

I am currently in the office and will be heading south next Wednesday.

[REDACTED]

[REDACTED]

MP  
 Chief, Investigative Operations Division

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

**From:** [REDACTED] [mailto:[REDACTED]@NCIS.NAVY.MIL]  
**Sent:** Friday, December 19, 2003 2:46 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: CID Guidance

[REDACTED]

I ned calling you but I suspect you've pulled chocks for North Carolina by now. A quick question if I may – the hostile death investigations conducted by USACIDC as requested/directed by CJTF-7, were they conducted in place of, or in support of a separate command investigation (AR-15)? What were the evidence storage considerations? I truly appreciate your help with these issues [REDACTED] I will be out until after the new year, but will be reviewing emails while on leave; but if you would, please include [REDACTED] on your reply.

Best wishes to you during the holiday season. Please be careful on the roads!

Cheers  
 [REDACTED]

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

**From:** [REDACTED] [mailto:[REDACTED]@belvoir.army.mil]  
**Sent:** Tuesday, December 02, 2003 1:56 PM  
**To:** [REDACTED] (E-mail)  
**Subject:** CID Guidance

10/6/2004

(130)

CIDR 195-1

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(131)

civilian or contractor) or Army property, the conduct of collateral or joint ROIs will be accomplished to the extent allowed by treaty or policy and local law enforcement authorities.

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[Redacted signature area]

*be*

[Redacted]  
MP  
Chief, Investigative Operations Division

[REDACTED]

**From:** [REDACTED]  
**Sent:** Thursday, December 04, 2003 9:46 AM  
**To:** [REDACTED]  
**Subject:** FW: CID Guidance

b6

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

**From:** [REDACTED] [mailto:[REDACTED]@belvoir.army.mil]  
**Sent:** Tuesday, December 02, 2003 1:56 PM  
**To:** [REDACTED] (E-mail)  
**Subject:** CID Guidance

CIDR 195-1

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10/6/2004

(134)

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MP  
Chief, Investigative Operations Division

bb

10/6/2004

(1.36)

From: [REDACTED] [REDACTED]@belvoir.army.mil]  
 Sent: Tuesday, December 02, 2003 1:56 PM  
 To: [REDACTED]  
 Subject: CID Guidance

ble

CIDR 195-1

#### 4-40 Initiation of ROIs in Deployment Situations

##### a. General.

This paragraph outlines a standardized policy for reporting criminal investigations during contingency operations.

b. Policy. It is a principle of this command that the reporting format for all investigations conducted by or for CID elements will be the Report of Investigation (ROI). Whenever an investigation of whatever scope (limited or full) is initiated, the results will be reported by the ROI format. AR 195-2 and this regulation identify four basic criteria that must exist to justify Army jurisdiction and responsibility to investigate crime:

(1) There must be some credible information that a crime has occurred. A preliminary inquiry may be conducted to reach the credible information standard, but once that standard is reached, an ROI would be initiated if the remaining criteria below have been met.

(2) The Army must have investigative authority to investigate. Investigative authority refers to matters in which the Army has the legal authority (jurisdiction) to conduct a criminal investigation. In a deployed environment, whether combat or peacekeeping mission, there is Army investigative authority when the supported commander requests the investigation to further the Army's mission in that area. If the Army is in support of an international entity (such as NATO or the UN), the use of investigative resources is an official act in furtherance of the Army's overall mission to support the approved objectives of the international entity. Unofficial investigations or investigations not in support of the Army mission are prohibited.

(3) There must be an Army interest in the case. In deployed situations, there is an Army interest in a criminal case when the case impacts the accomplishment of the Army's mission or capabilities and/or when it is requested by the supported commander to further the Army's mission.

(4) CID must have the responsibility to investigate (that is, the alleged crime is within our investigative purview). CID usually investigates the felony crimes identified in AR 195-2. As noted in AR 195-2, however, CID's investigative purview can be adjusted to include lesser crimes if it would serve a better or overall law enforcement goal.

##### c. Deployment considerations

(1) When deployed, CID agents generally find themselves in one of two types of situations – a functioning government exists or it does not exist. The following paragraphs describe ROI initiations in these situations:

(a) Functioning Government: When the Army is deployed to a foreign country that has an established and functioning government and law enforcement system (police, prosecutors and a judicial system), the following guidance applies.

1. Authority to investigate is usually determined by international treaty or agreement (such as a Status of Forces Agreement (SOFA)), by the policies of the host government, or the U.S. ambassador. When questions arise in this area as to investigative authority, coordination should be effected with the supporting SJA or Group judge advocate. CID will not conduct any investigations (however limited or preliminary in nature) in violation of such agreements or policies.

2. CID will not normally conduct investigations concerning non-Army affiliated civilians committing

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crimes on other non-Army affiliated civilians or involving non-Army equipment/supplies outside Army controlled property. If requested to conduct an investigation by a field grade officer or higher because some Army interest is involved, CID will conduct a collateral or joint ROI to the extent allowed by treaty or policy and local law enforcement authorities.

3. When criminal incidents involve Army affiliated personnel (military, family member, civilian or contractor) or Army property, the conduct of collateral or joint ROIs will be accomplished to the extent allowed by treaty or policy and local law enforcement authorities.

4. When criminal incidents within CID purview occur on Army controlled property (such as an installation, kaserne or camp), or involve Army personnel, assets and/or resources on or off Army controlled property, ROIs will be conducted. The conduct of such ROIs will follow any guidelines, notifications or other limitations set forth by treaty or policy and local law enforcement authorities.

(b) Non-Functioning Government: When the Army is deployed to a foreign country that has no established (or a severely limited) functioning government and no law enforcement system (police, prosecutors and a judicial system), the following guidance applies.

1. Authority to investigate in this situation is usually determined by the Army's mission and the requests of the senior supported Army commander (or senior U.S. commander in joint operations). When questions arise as to investigative authority and the Army's mission, coordination should be effected with the supporting SJA or Group judge advocate. If the senior Army commander delegates his authority, CID will respect requests from the delegatee. If the senior Army commander sets threshold criteria for investigations, CID will respect those limitations. CID will not investigate outside the authority of the senior Army commander (or senior U.S. military commander in joint operations). CID will not conduct any investigations (however limited or preliminary in nature) that are not in furtherance of the Army mission.

2. CID may conduct investigations concerning non-Army affiliated civilians committing crimes on other non-Army affiliated civilians or involving equipment/supplies outside Army controlled property, if such investigations are requested by the senior supported commander or meet some predetermined threshold criteria. Any such investigations (no matter how limited) will be reported via the ROI format. Such investigations may be finalized early if the original intent of the commander's request has been met, or if the completion of other outstanding leads is precluded by hostile fire, hostile territory, or other local adverse conditions. It is anticipated that many of these ROIs will be completed using the procedures for a Final(C).

3. When criminal incidents involve Army affiliated personnel (military, civilian or contractor) or Army property, the conduct of ROIs will be accomplished to the extent allowed by local environment and threat conditions. Final (C) procedures may be used as appropriate for these investigations.

4. When criminal incidents involving anyone occur on actual Army controlled and occupied property (such as a base camp), ROIs will be conducted. Final(C) procedures may be used as appropriate for these investigations.

d. Investigations Involving Enemy Prisoners of War (EPW), Retained Personnel (RP), Civilian Internees (CI) and other Detainees (OD).

(1) AR 190-8 is a multi-service regulation that applies to the Army, Navy, Air Force and Marine Corps (OPNAVINST 3461.6, AFJI 31-304, and MCO 3461.1), and implements DoD Directive 2310.1 and DoD Directive 5100.7. AR 190-8 directs that all allegations of criminal acts or war crimes committed by or against EPW/RP/CI/OD be reported to CID.

(2) IAW 190-8, all persons captured, detained, interned or otherwise held in US Armed Forces custody will be given humanitarian care and treatment from the moment they fall into the hands of the U.S. forces until final release. It is DoD, Army and command policy that inhumane treatment of EPW, CI, RP, and OD is prohibited and cannot be justified by the stress of combat or by deep provocation. All prisoners, detainees, and internees will receive humane treatment without regard to race, nationality, religion, political opinion, sex or other criteria. IAW AR 901-8, they will be protected against all acts of violence to include rape, forced prostitution, assault, theft, bodily injury, reprisals of any kind, insults and public curiosity. AR 190-8 specifically prohibits murder, torture, corporal punishment, mutilation, collective punishments, execution without proper trial, and all cruel and degrading treatment.

(3) Inhumane treatment is a serious and punishable violation under international

law and the UCMJ. IAW AR 190-8, AR 195-2 and CIDR 195-1 (especially paragraphs 4-40a-c above), CID elements receiving allegations of felony criminal acts or war crimes committed by or against EPW/RP/CI/OD will investigate such allegations as an ROI. IAW AR 195-2, CID may adjust its normal investigative purview to include lesser crimes or misdemeanors if it would better serve the supported commander or the overall law enforcement goal.

(4) If the U.S. Armed Forces element conducts a commander's inquiry (an AR 15-6 investigation or equivalent) prior to notifying CID of an allegation involving felony criminal acts or war crimes committed by or against an EPW/RP/CI/OD, the supporting CID element will obtain a copy of and review the inquiry to determine if it thoroughly and fairly investigated the incident(s). If the US Armed Forces element did not conduct a commander's inquiry or if further investigative efforts are deemed appropriate, the supporting CID element will initiate an ROI to continue the investigation.

[Redacted signature]

[Redacted signature]

[Redacted signature] MP

Chief, Investigative Operations Division

*ble*

[REDACTED]  
**From:** [REDACTED]  
**Sent:** Friday, June 25, 2004 9:22 AM  
**To:** [REDACTED]  
**Subject:** FW: Weekend Incidents in Iraq

b6

Updates?

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

**From:** [REDACTED]  
**Sent:** Monday, June 21, 2004 9:44 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Weekend Incidents in Iraq

NOT RESPONSIVE

[REDACTED]

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

**From:** [REDACTED]  
**Sent:** Monday, June 21, 2004 9:20 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Weekend Incidents in Iraq

b6

As discussed this AM:

[REDACTED]

NOT RESPONSIVE

Detainee Death during weekend combat. During a jointly conducted, Army led raid this past weekend of a house in Iraq (NFI) involving support by USMC Regimental Combat Team (RCT) 7, an Iraqi who was detained and "ziplocked" (flexicuffed) died while in custody. Preliminary information is that the detainee died from an apparent heart attack. Army CID has the lead on this investigation; NCIS assistance, if any, will be in support of CID effort. (SOI - Jun 21 Telcons with SA [REDACTED] I MEF)

b6

Cheers,  
[REDACTED]

[REDACTED]  
From: [REDACTED]  
Sent: Monday, June 21, 2004 9:44 AM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: RE: Weekend Incidents in Iraq

b6

b6  
[REDACTED]

NOT  
RESPONSIVE

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

From: [REDACTED]  
Sent: Monday, June 21, 2004 9:20 AM  
To: [REDACTED]  
Cc: [REDACTED] (E-mail)  
Subject: Weekend Incidents in Iraq

b6

As discussed this AM:

[REDACTED]

NOT  
RESPONSIVE

Detainee Death during weekend combat. During a jointly conducted, Army led raid this past weekend of a house in Iraq (NFI) involving support by USMC Regimental Combat Team (RCT) 7, an Iraqi who was detained and "ziplocked" (flexicuffed) died while in custody. Preliminary information is that the detainee died from an apparent heart attack. Army CID has the lead on this investigation; NCIS assistance, if any, will be in support of CID effort. (SOI - Jun 21 Telcons with SA [REDACTED] I MEF) b6

Cheers,  
[REDACTED] b6

[REDACTED]

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From: [REDACTED]  
Sent: Monday, June 21, 2004 9:20 AM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: Weekend Incidents in Iraq

b6

1

As discussed this AM:

[REDACTED]

NOT RESPONDING

Detainee Death during weekend combat. During a jointly conducted, Army led raid this past weekend of a house in Iraq (NFI) involving support by USMC Regimental Combat Team (RCT) 7, an Iraqi who was detained and "ziplocked" (flexicuffed) died while in custody. Preliminary information is that the detainee died from an apparent heart attack. Army CID has the lead on this investigation; NCIS assistance, if any, will be in support of CID effort. (SOI - Jun 21 Telcons with SA [REDACTED] I MEF)

Cheers,  
[REDACTED]

ble

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Wednesday, June 02, 2004 5:34 AM  
**To:** [REDACTED]  
**Subject:** RE: USN MWD Handler at Abu Ghraib prison

Gents,

Did CIDHQ ever come through with anything? A picture of Clark and his dog were on the front page of El Mundo (Andalucia edition) Sunday. A short caption accompanied the photo and referenced a lengthy, page 38 article (mostly fluff).

V/r,

[REDACTED]

*ble*

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

**From:** [REDACTED]  
**Sent:** Friday, May 14, 2004 1:47 PM  
**To:** [REDACTED]  
**Subject:** FW: USN MWD Handler at Abu Ghraib prison

[REDACTED]

SSA [REDACTED] has calls into CIDHQ to obtain these statements. [REDACTED] please include [REDACTED] on your distro.

Thanks

[REDACTED]

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

**From:** [REDACTED]  
**Sent:** Friday, May 14, 2004 7:13 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** USN MWD Handler at Abu Ghraib prison

[REDACTED]

NAVSTA Rota Commanding Officer reported a military working dog handler from his Security Department is TDY to Iraq. Apparently, the handler works at Abu Ghraib prison and although he was not implicated in the abuses which apparently took place there, provided a statement to Army CID. If you possess a copy of the statement, can you forward it to us for Command appraisal? MWD handler is:

[REDACTED]

V/r,

[REDACTED]  
Supervisory Special Agent  
Naval Criminal Investigative Service  
Rota, Spain  
DSN: 727-2902/3  
TEL: 34-95-682-2902/3  
CEL: 34-646-95-9835  
FAX: 727-2276