

DETAINEE OPERATIONS COMMAND DISPOSITION SUMMARY

TOTAL DEATH CASES: 52

Natural/Undetermined Deaths: 21
Justifiable Homicide: 9
Homicides: 5
Death Investigations Still Pending: 17

Command Disposition in Death Cases:

GOMOR – 2
Insufficient Evidence of Abuse – 2
Administrative Discharge – 1
NJP – 2
Court-Martial – 6 (5 pending, 1 complete)
Command Disposition Pending - 15

OTHER ABUSE CASES:

Assault Investigations: 114
Sexual Assaults: 6
Theft: 20
Unit Investigations: 28

Command Disposition in Other Abuse Cases:

Closed Cases: 85
Of those closed cases:
No action taken: 39
Command Action Taken: 35
Disposition Pending: 11
Pending Investigations: 82
Court-martial (GCM, BCD Special, Special, Summary): 45
NJP: 42
GOMOR: 12
Admin. Sep: 13

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Case breakdown
 Detainee abuse cases

Total cases (as of 6-2-2004)

109

Death Investigations:		36 (40 deaths total)
CID	36	
Unit	0	
DF	33	
Non-DF	3	
Natural causes	10	
Undetermined	5	
Homicide	3	
Justifiable homicide	5 (9 detainees total)	
Investigations pending	13	

Assault		51
CID	28	
Unit	23	
DF	30	
Non-DF	21	

Sexual Assault		3
CID	3	
Unit	0	
DF	2	
Non-DF	1	

Theft/Robbery		19
CID	18	
Unit	1	
DF	0	
Non-DF	19	

Command Dispositions:

91

Court-martial		32
Summary	11	
SpecCM	1	
BCD Special	4	
General	16	
Article 15		37
GO	3	
Field grade	21	
Company	0	
Unknown	13	

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GOMOR
Admin Separation

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Note: Of the 32 Court Martial cases, 10 are still pending. Six of the pending are related to Abu Gharib, two others are pending in Iraq, one is pending at Ft. Meade, and one is pending awaiting final action on Chapter 10 discharge. Of the completed cases, all but 2 have resulted in convictions. One defendant was acquitted by GCM and another was acquitted by BCD-Special. In 8 cases, command disposition remains pending.

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The 4 Cases Referred to Trial are as follows:

SPC [REDACTED] (b)(6)-5/(b)(7)(C)-5
Art 81 Conspiracy - 1 Spec
Art 92 Dereliction of Duty - 1 Spec
Art 93 Maltreatment - 2 Specs

SGT [REDACTED] (b)(6)-5/(b)(7)(C)-5
Art 81 Conspiracy - 1 Spec
Art 92 Dereliction of Duty - 1 Spec
Art 93 Maltreatment - 1 Spec
Art 107 False Official Statement - 1 Spec
Art 128 Assault - 2 Specs (both battery)

SSG [REDACTED] - (b)(6)-5/(b)(7)(C)-5
Art 81 Conspiracy - 2 Specs
Art 92 Dereliction of Duty - 1 Spec
Art 93 Maltreatment - 5 Specs
Art 128 Assault - 3 Specs (2 Specs Battery and 1 Spec Aggravated Assault)

SPC [REDACTED] - (b)(6)-5/(b)(7)(C)-5
Art 81 Conspiracy - 2 Specs
Art 92 Dereliction of Duty - 1 Spec
Art 93 Maltreatment - 4 Specs
Art 128 Assault - 4 Specs (2 Specs Battery and 2 Specs Aggravated Assault)

The Three Cases Not Yet Referred to Trial are as follows - (These charges are subject to amendment prior to referral or dismissal):

PFC [REDACTED] - (b)(6)-5/(b)(7)(C)-5
(Article 32 Completed)
Art 81 Conspiracy - 1 Spec
Art 92 Dereliction of Duty - 1 Spec
Art 93 Maltreatment - 1 Spec
Art 134 Indecent Act - 1 Spec (observing detainees masturbate)

SPC [REDACTED] - (b)(6)-5/(b)(7)(C)-5
(Article 32 delayed until June to accommodate schedule of CDC, [REDACTED])
Art 81 Conspiracy - 1 Spec
Art 92 Dereliction of Duty - 1 Spec
Art 93 Maltreatment - 5 Specs
Art 107 False Official Statement - 1 Spec
Art 128 Assault - 1 Spec (battery)

Article 134 - Conduct Prejudicial to Good Order and Discipline 3 Specs (2 Specs of desecrating a corpse by unzipping body bag and taking or posing for pictures with corpses and 1 Spec of Indecent Act by observing detainees masturbate)

PFC [REDACTED] - (b)(6)-5/(b)(7)(C)-5
(Charged at Fort Bragg)
Art 81 Conspiracy - 1 Spec
Art 128 Assault - 3 Specs (all batteries)
Art 134 - Conduct Prejudicial to Good Order and Discipline - 9 Specs
- 1 Spec indecent act by observing detainees masturbate
- 1 Spec wrongfully position a detainee in front of the groin of a masturbating detainee
- 7 Specs for wrongfully photographing detainees or posing in photographs with detainees

(b)(6)-4/
(b)(7)(C)-4

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