

(b)(6)(s)/(b)(7)(c)-5

(UNCLASSIFIED)

EXECUTIVE SUMMARY

(U) ARMY COURT-MARTIAL COMPLETED IN CASE OF PFC [REDACTED] (DAJA-CL). On 5 August, following a two-day contested General Court-Martial convened by the Commander, 1<sup>st</sup> Infantry Division, a court-martial panel consisting of five officer and five enlisted members convicted PFC [REDACTED] of voluntary manslaughter. [REDACTED] was charged with the unpremeditated murder of an Iraqi detainee who was apprehended and flex-cuffed by unit personnel following a cordon and search operation on 28 Feb 04, vicinity Taal Al Jal, Iraq. [REDACTED] was assigned to [REDACTED], 25<sup>th</sup> ID at the time. The panel found [REDACTED] not guilty of murder, but guilty of the lesser-included offense of voluntary manslaughter and sentenced him to a dishonorable discharge, forfeiture of all pay and allowance, reduction to Private (E-1), and three years confinement. The Commander, 1<sup>st</sup> Infantry Division must review the case and sentence, and, if approved, the Army Court of Criminal Appeals will review the case on appeal. This case is the first tried involving the alleged murder of an Iraqi detainee, but has not received extensive media coverage, as it does not involve misconduct inside a detention facility. There is Army Times media interest. (U) PREPARE MEMO \_\_\_\_\_.

(b)(6)-5/  
(b)(7)(c)-5

(b)(6)-5/  
(b)(7)(c)-5

b(3)-1

(b)-5/  
(b)(7)(c)-5

(b)(6)-2/(b)(2)

[REDACTED]

Approved by BG Wright

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