

# Secretary of Defense Briefing



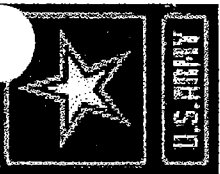
## Detainee Abuse Cases

Brigadier General Dan Wright  
Assistant Judge Advocate General for Military Law and Operations

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



# Abu Ghraib, Iraq Cases



➤ Completed Court-Martial

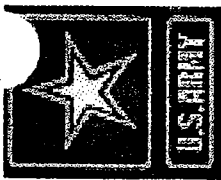
➤ 5 Pending Courts-Martial

➤ Likely Courts-Martial

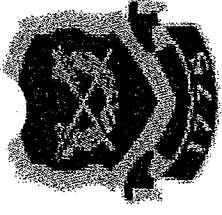
➤ -SPC [REDACTED]

➤ -SPC [REDACTED]

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# Samarra, Iraq ases



## ➤ Article 32 Hearings Completed

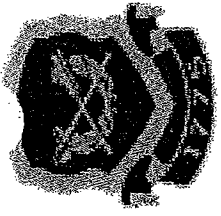
### ➤ Potential Charges:

- SPC [REDACTED] – Assault and False Official Statement
- SGT [REDACTED] – Manslaughter and False Official Statement
- SFC [REDACTED] – Manslaughter, Assault, Conspiracy, False Official Statement, and Obstruction of Justice.
- 1LT [REDACTED] - Manslaughter, Assault, Conspiracy, False Official Statement, and Obstruction of Justice.

### ➤ Issues:

- Insufficient Evidence for Manslaughter Charge until victim's body exhumed and autopsied (underway).
- SPC [REDACTED] and SGT [REDACTED] may testify against SFC [REDACTED] and LT [REDACTED]

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# Bagram Cases

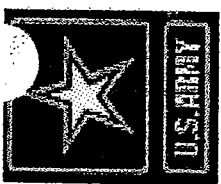
**Facts:** 2 Detainees died after being assaulted and mistreated by MI (AC) and MP (USAR) Soldiers.

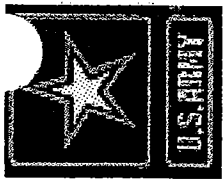
**Potential Charges:** Dereliction, False Swearing, False Official Statement ( CO CDR, 15-6 ), Failure to Obey Other Lawful Order, Maltreatment, Conduct Unbecoming an Officer, and Negligent Homicide.

## Potential Defendants:

CPT	[REDACTED]	SPC	[REDACTED]	SPC	[REDACTED]
SGT	[REDACTED]	SPC	[REDACTED]	SPC	[REDACTED]
SGT	[REDACTED]	SPC	[REDACTED]	SPC	[REDACTED]

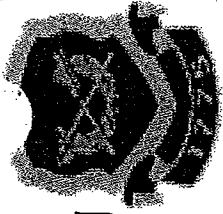
SSG [REDACTED] charges perferred 20 Aug 04





# Miscellaneous Cases

## Open Investigations



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

MG [REDACTED] (Iraq) died while in custody at 3<sup>rd</sup> ACR, Iraq (FOB Tiger). Cause of death was blunt force injuries and asphyxia. 4 Soldiers are being investigated

LTC [REDACTED] (Iraq) died while in custody at FOB Rifles, Al Asad, Iraq. Cause of death was blunt force injuries and asphyxia. 4 Soldiers are being investigated.

Soldiers caught 2 Iraqis in a car. Both were injured, one terminally. CPT \_\_\_\_\_ shot terminally injured detainee by firing 2 shots into the back of his head.

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## OTJAG UPDATE

### Summary of Charges

- Indecent Acts (ordering detainees to publicly masturbate)
- Maltreatment of Subordinates (non-physical abuse for ordering detainees into nude pyramids; taking pictures of nude detainees)
- Battery (stepping on and shoving detainees)
- Dereliction of Duty
- Conspiracy to Maltreat Subordinates
- Additionally two NCOs charged with aggravated assault for striking detainees with enough force to cause serious injury
- One Soldier charged with desecration of a corpse for taking pictures with two dead bodies



**OTJAG UPDATE**

**UCMJ ACTIONS**

- **US v. SSG [REDACTED]** – Referred to GCM on 5 May 2004. Arraignment set for 19 May 04.
- **US V. SGT [REDACTED]** – Referred to GCM on 28 April 2004. Arraignment set for 19 May 04.
- **US v. SPC [REDACTED]** – Art. 32 hearing completed 3 May 2004; IO completing report. Civilian defense counsel retained.
- **US v. SPC [REDACTED]** – Referred to GCM on 14 May 04. Arraignment set for 19 May 04.
- **US v. SPC [REDACTED]** – Art. 32 hearing delayed at the request of civilian defense counsel.
- **US v. SPC [REDACTED]** – Referred to BCD special on 5 May 2004. Trial set for 19 May 04.
- **PFC [REDACTED]** – Charges preferred 7 May 04. Transferred to Fort Bragg for medical reasons

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## OTJAG UPDATE

### ADMINISTRATIVE ACTIONS

- LTC(P) [REDACTED] – Battalion Commander
  - Relief for Cause
  - General Officer Memorandum of Reprimand; filed OMPF
  - Recommendation for Removal from 0-6 Promotion List
- LTC [REDACTED] – JIDC LNO
  - Any action deferred until completion of Procedure 15
- MAJ [REDACTED] – Battalion S-3
  - General Officer Memorandum of Reprimand – (25 May response deadline)



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# OTJAG UPDATE

## ADMINISTRATIVE ACTIONS (cont'd)

- CPT [REDACTED] – Company Commander
  - General Officer Memorandum of Reprimand (rebuttal submitted)
- 1LT [REDACTED] – Platoon Leader
  - Letter of Admonishment (no rebuttal required)
- SGM [REDACTED] – Operations SGM
  - Relief for Cause
  - General Officer Memorandum of Reprimand – (25 May response deadline)



**OTJAG UPDATE**

**ADMINISTRATIVE ACTIONS (cont'd)**

- **1SG [REDACTED]** – Company First Sergeant
  - General Officer Memorandum of Reprimand (rebuttal submitted)
- **SFC [REDACTED]** – Platoon Sergeant
  - General Officer Memorandum of Reprimand (rebuttal submitted)
- **CPT [REDACTED]** – Platoon Leader; GOMOR to be recommended

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



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## OTJAG UPDATE

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



## OTJAG UPDATE

### UCMJ ACTIONS

- US v. SSG [REDACTED] – CA referred case to GCM on 5 May 2004. Civilian defense counsel has been retained.
- US V. SGT [REDACTED] – CA referred case to GCM on 28 April 2004.
- US v. SPC [REDACTED] – Art. 32 hearing completed 3 May 2004; IO completing report. Civilian defense counsel retained.
- US v. SPC [REDACTED] – Art. 32 hearing completed 26 April 2004; IO completing report.
- US v. SPC [REDACTED] – Art. 32 hearing delayed at the request of civilian defense counsel.
- US v. SPC [REDACTED] – Art. 32 originally scheduled; CA instead referred case to BCD special on 5 May 2004.
- PFC [REDACTED] – pending charges; transferred to Ft. Bragg for medical reasons

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



# OTJAG UPDATE

## ADMINISTRATIVE ACTIONS

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  - Relief for Cause
  - General Officer Memorandum of Reprimand
  - Recommendation for Removal from O-6 Promotion List
- LTC [REDACTED] – JIDC LNO
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- MAJ [REDACTED] – Battalion S-3
  - General Officer Memorandum of Reprimand

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### ADMINISTRATIVE ACTIONS

- Battalion Commander
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  - General Officer Memorandum of Reprimand
  - Recommendation for Removal from 0-6 Promotion List
- JIDC LNO
  - Any action deferred until completion of Procedure 15
- Battalion S-3
  - General Officer Memorandum of Reprimand



# OTJAG UPDATE

## ADMINISTRATIVE ACTIONS (cont'd)

- CPT [REDACTED] – Company Commander
  - General Officer Memorandum of Reprimand (awaiting his rebuttal)
- 1LT [REDACTED] – Platoon Leader
  - Letter of Admonishment (no rebuttal required)
- SGM [REDACTED] – Operations SGM
  - Relief for Cause
  - General Officer Memorandum of Reprimand



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## OTJAG UPDATE

### ADMINISTRATIVE ACTIONS (cont'd)

- Company Commander
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- Platoon Leader
  - Letter of Admonishment (no rebuttal required)
- Operations SGM
  - Relief for Cause
- General Officer Memorandum of Reprimand



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



# OTJAG UPDATE

## ADMINISTRATIVE ACTIONS (cont'd)

- 1SG [REDACTED] – Company First Sergeant
  - General Officer Memorandum of Reprimand (awaiting his rebuttal)
- SFC [REDACTED] – Platoon Sergeant
  - General Officer Memorandum of Reprimand (awaiting his rebuttal)

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## OTJAG UPDATE

### ADMINISTRATIVE ACTIONS (cont'd)

- Company First Sergeant
  - General Officer Memorandum of Reprimand (awaiting his rebuttal)
- Platoon Sergeant
  - General Officer Memorandum of Reprimand (awaiting his rebuttal)

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