

8 January 2004

INFORMATION PAPER

SUBJECT: CID Investigations Regarding Allegations of Detainee Abuse in Iraq and Afghanistan along with known Dispositions of Cases following Command Action

1. Purpose. To provide information on CID investigations into allegations of abuse committed against detainees in Iraq and Afghanistan who are/were in US custody and the known disposition of cases following command action.

2. Background. This information paper updates and supplements an information paper prepared on 19 Dec 03 by the Under Secretary of Defense for Intelligence. The USD(I) information paper only discussed seven detainee death investigations by CID (three in Afghanistan and four in Iraq), whereas this paper discusses all CID investigations into suspected abuse against detainees in US custody. As of this date, there have been 13 investigations into questionable detainee deaths and 8 investigations into alleged detainee abuse. This paper does not include CID investigations into allegations of abuse against civilians at US checkpoints or other locations off of US compounds. It includes command dispositions, when known. We are unaware of unit level investigations into detainee abuse, though such inquiries are possible. Finally, the Army IG has no systematic inspections or investigations on-going into detainee operations.

3. Discussion.

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c.

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d. On 12 May 03, at Camp Bucca, Iraq, ten USAR enlisted MP Soldiers physically assaulted seven Iraqi detainees during in-processing at the facility. Case closed and referred to the command for appropriate action (0031-03-CID519). The command initiated court-martial charges against the four most culpable Soldiers – all in the 320th MP Group (USAR). All four Soldiers formally asked the GCMCA, through their defense counsel, for an administrative disposition of their case in lieu of trial by courts-martial. **All four Soldiers were administratively separated from the Army under AR 635-200 and the three most culpable received nonjudicial punishment.**




e. On 12 May 03, at Camp Bucca, Iraq, an enlisted Soldier fired a shot at the feet of an Iraqi detainee instead of in a safe direction as required by the ROE, and the detainee suffered a facial wound as a result. Case closed and referred to the command for appropriate action (0033-03-CID519). **The command disposition is currently unknown.**

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h. On 3 Aug 03, at the Camp Cropper detention facility, an Iraqi detainee died while in US custody, no autopsy was conducted, and the body released for burial. The manner of death is currently classified as “undetermined” but since no forensic examination of the body was conducted, **no greater clarity as to the cause of death is expected** (0025-03-CID919).

i. On 10, 13, & 20 Aug 03, and again on 3 Nov 03, all at the Camp Cropper detention facility, an Iraqi detainee died while in US custody, no autopsy was conducted, and the body released for burial. The manner of death in each instance is currently classified as “undetermined” but since no forensic examination of the bodies was conducted, **no greater clarity as to the cause of death is expected** (0139-03-CID259, 0140-03-CID259, 0147-03-CID259, and 0235-03-CID259).

j. On 20 Aug 03, at Forward Operating Base Gunner, Iraq, an Iraqi being detained in US custody was physically assaulted and threatened by LTC  three enlisted Soldiers and an interpreter after the detainee refused to provide information. Case closed and referred to the command for appropriate action (0152-03-CID469). **The enlisted Soldiers received Article 15 punishment; LTC  was relieved of his command. After an preferral of charges and an extensive Article 32 proceeding, LTC  offer to accept nonjudicial punishment for his CG, followed by retirement was accepted.** 66-5,670-5 0281

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k. On 31 Aug 03, at the Bn HQs, 1/36th Inf, 1st Armored Div, Baghdad, Iraq, an enlisted Soldier committed the offense of assault when he threatened to kill Iraqi detainees in US custody in an attempt to obtain information from them. Case closed and referred to the command for appropriate action (0129-03-CID899). **The command disposition is currently unknown.**

l. On 1 Sep 03, at the Ammunition Collection Point, Baghdad, Iraq, five enlisted Soldiers assaulted four Iraqi detainees who were in US custody. The four Iraqis, who were cuffed with their hands behind their backs, were kicked numerous times, then dragged from the detention area to another area where they were thrown against a wall and assaulted. Case closed and referred to the command for appropriate action (0117-03-CID899). **The command disposition is currently unknown.**

m. On 8 Sep 03, at the Tikrit detention facility, an Iraqi detainee alleged he had been physically assaulted and struck repeatedly after being arrested by unknown 4th Inf Div Soldiers. **Investigation continues (0174-03-CID469).**

n. On 11 Sep 03, at the Forward Operating Base Packhorse detention facility, an Iraqi detainee died while in US custody. An enlisted Soldier while on guard duty, failed to follow the ROE and shot the detainee who was throwing rocks. Case closed and referred to the command for appropriate action. **The Soldier was reduced to E-1 and given a Chapter 10 discharge (0149-03-CID469).**

o. On 7 Oct 03, at the Abu Ghurayb detention facility, three active duty male enlisted Soldiers assigned to Co A, 519th MI Bn, Ft Bragg, NC allegedly sexually assaulted and threatened a female Iraqi detainee. **Investigation continues (0216-03-CID259).**

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r. On 9 Dec 03, at the 2d Brigade detention facility in Mosul, an Iraqi detainee died while in US custody. No autopsy was conducted, the body did not exhibit signs of abuse or foul play, and the death is currently classified by CID as "undetermined" with no greater clarity as to the cause of death expected. **Investigation continues** (0140-03-CID389).

CID Input Provided by: CW3 [REDACTED] CIOP-COP [REDACTED]
APPROVED BY: COL [REDACTED]

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TJAG Input Provided by: COL [REDACTED] DAJA-CL [REDACTED]
APPROVED BY: BG Wright

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