

12 March 2004

TFO-CO	
MEMORANDUM FOR MARIE CA BN	ئي (ي
SUBJECT: Appointment as AR 15-6 Investigating Officer	
1. You are appointed to conduct an investigation into an allegation of abuse at the Mosul Air Field Detection Pacifity made by an Iraqi detained statement of the Statement of t	66
a. The identity, location, and activity of all involved parties.	
b. What Coalition Forces units and unit members were involved in the incident?	
c. What Other Governmental Agencies and members of these agencies were involved in the incident?	
d. Was Detaine taken from the Facility? If so, why and by whom was he taken from the Facility?	<i>ا</i> ر
e. Are Detaine legations of having water poured into his mouth and being flex- cuffed and dragged true? If so, why and by whom was this done?	<b>b</b> (
f. Were the Facility policies and procedures followed in this case?	
g. Were there any flaws or omissions in the policies and procedures that contributed to the	

- accident?
- 2. You will prepare a detailed chronology of your investigation. You will also prepare a chronology that describes the occurrence of each major event related to the allegations.
- 3. You will make recommendations, based on your findings, for any changes in the current policies and procedures. You will obtain and preserve all available evidence for future reference as necessary.
- 4. You will conduct your investigation using the informal procedures of Chapter 4, AR 15-6. You may consult with subject matter experts, as you doem appropriate. All witness statements, if feasible, will be sworn. During the course of your investigation, if you determine that it is



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SUBJECT: Appointment as AR 15-6 investigating Officer

relevant and necessary to inquire into the conduct of an individual senior in rank to you, you will report this matter to me through the Command Judge Advocate and obtain direction from me before proceeding with your investigation.

- 5. If, in the course of your investigation, you suspect an individual of an offense, you will advise that person of his or her rights under Article 31, UCMI, using a DA Form 3881 and proceed with questioning only if the individual waives their rights.
- 6. Before beginning your investigation, you will receive a briefing by CP beautiful beated with the Office of the Command Judge Advocate. He will also be available to you for legal advice during the conduct of this investigation.
- 7. You will submit your report using a DA Form 1574 to the Command Judge Advocate for legal review NLT 19 March 2004. Requests for extension of this suspense will be submitted to me through the Command Judge Advocate.

Encl



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## DEPARTMENT OF THE ARMY HEADQUARTERS, TASK FORCE OLYMPIA (MNB-N) MOSUL, IRAQ, APO AE 09385

AFZH-GT-F-CG

2 5 MAR 2004

MEMORANDUM FOR MA 164 CA BN

SUBJECT: Amendment of Scope of AR 15-6 Investigation

- 1. You are appointed to conduct an investigation into an allegation of abuse at the Mosul Air Field Detention Facility made by an Iraqi detained the conducted in conjunction with your original appointment to investigate allegations of abuse by Iraqi detained to should use the attached preliminary inquiry as a starting point for your investigation. At a minimum, you will make specific fundings of fact regarding the following matters concerning detained the sequences.
  - a. The identity, location, and activity of all involved parties.
  - b. What Coalition Forces units and unit members were involved in the incident?
  - c. What Other Governmental Agencies and members of these agencies were involved in the incident?
  - d. Was Detained the Facility? If so, why and by whom was he taken from the Facility? How did he receive abrasions to his knees?
  - e. Is there merit to Detaine allegations of having his feet and neck twisted, being placed into a headlock, and having a foot placed into his back during interrogation? If so, why and by whom was this done?
  - f. Were the Facility policies and procedures followed in this case?
  - g. Were there any flaws or omissions in the policies and procedures that contributed to Detain and Injuries?
- You will prepare a detailed chronology of your investigation. You will also prepare a chronology that describes the occurrence of each major event related to the allegations.
- 3. You will make specific findings as to whether there was any misconduct on the part of any detention facility or other coalition personnel. You will also make recommendations, based on your findings, for any changes in the current policies and procedures. You will obtain and preserve all available evidence for future reference as necessary.

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SUBJECT: Amendment of Scope of AR 15-6 Investigation

- 4. You will conduct your investigation using the informal procedures of Chapter 4, AR 15-6. You may consult with subject matter experts, as you deem appropriate. All witness statements, if feasible, will be sworn. During the course of your investigation, if you determine that it is relevant and necessary to inquire into the conduct of an individual senior in rank to you, you will report this matter to me through the Command Judge Advocate and obtain direction from me before proceeding with your investigation.
- 5. If you suspect an individual of an offense during the course of your investigation, you will advise that person of his or her rights under Article 31, UCMJ, using a DA Form 3881 and proceed with questioning only if the individual waives his or her rights.
- 6. CP will continue to provide any necessary legal advice during the conduct of this investigation.
- 7. You will submit your report using a DA Form 1574 to the Command Judge Advocate for legal review NLT 27 March 2004. Requests for extension of this suspense will be submitted to me through the Command Judge Advocate.

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Encl



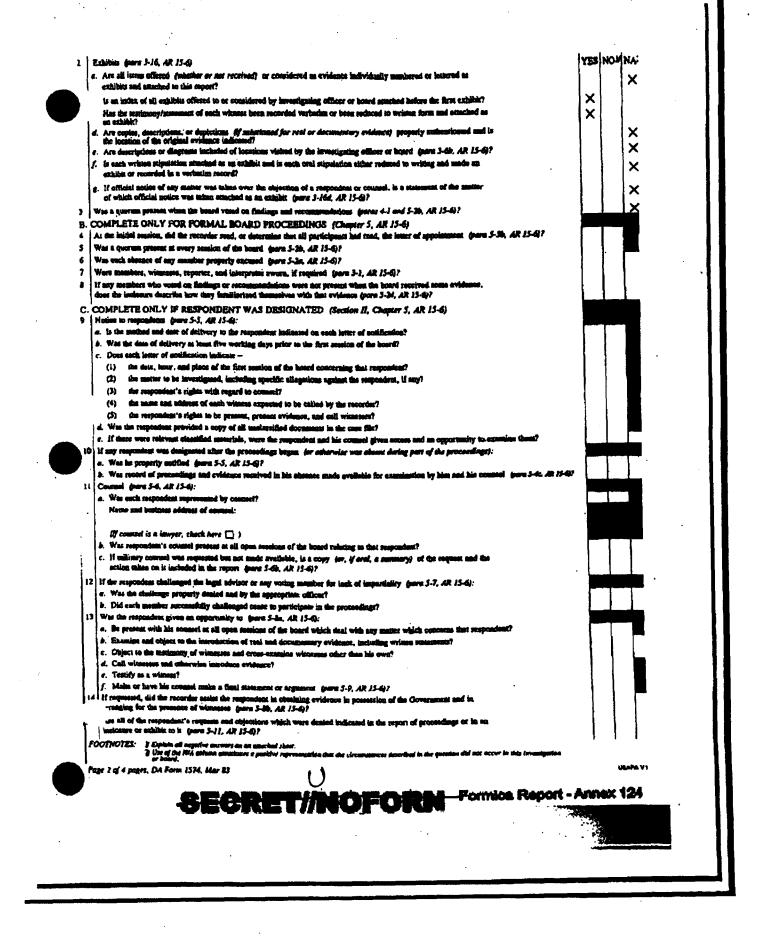
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	SECTION II	- SESSIONS			-
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on 17 March 2004		Place)		(First)	d
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present: (After each name, indicate capacity, e.g., ?	residère, Rocorder, Member, i	Legal Advisor.)			
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and completed findings and recommendations at  A. COMPLETE IN ALL CASES	160	(Time) O e)	901 902	(Date) 27 March 2004 (Date)	
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SECTION IV - FINDINGS (new 3-10, AR 15-6)
be (investigating officer) (board), having carefully considered the evidence, finds:

Tached memo.

BECTION V - RECOMMENDATIONS (pare 5-11, AR 15-4) is view of the above findings, the (investigating officer) (bound) recommends:

See attached memo.

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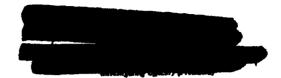
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SECTION VI - AUTHENTICATION (para 3-17, AR 15-6).

HIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. (If my voting member or the recorder fails to sign here or in Section VII elow, indicate the reason in the space where his signature should appear.)





(Recerder)

(Member)

(Mamber)

Manhert

(Member)

SECTION VI - MINORITY REPORT (pare 3-13, AR 15-4)

to the extent indicated in Inclosure , the undersigned do(es) not concer in the findings and recommendations of the board. In the inclosure, identify by number each finding and/or recommendation in which the dissenting mamber(s) do(es) not concer. Same the reasons for disagraement. Additional/substitute findings and/or recommendations may be included in the inclosure.)

**Udanters** 

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SECTION VIII - ACTION BY APPOINTING AUTHORITY (part 2-3, AR 15-6)

The findings and recommendations of the (investigating officer) that the component the proceedings of the investigating officer of board for further proceedings or corrective action, attack that correspondence (or a summary, if arai) as a numbered inclusive.)

Precautions will be taken immediately to prevent detainees from receiving abrasions on their knees and elbows during interrogation. The Task Force Olympia Provost Marshal will bring to my attention any inability to comply with the recommendations from this report.



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## AR 15-8 investigation into Alliantique of Detainee Abuse

## SUMMARY OF BIVESTIGATION:

During my investigation, I interviewed individuals from the TFO Detantion Facility and the NSWTU and other persons whom I deemed had information relevant to my investigation. Based on all the evidence that I collected through review of records and personal interviews. Ldo not find any evidence to substantiate allegations of abuse made by

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Allegation by

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## Findings of Fact:

1. The SBCT was involved in the apprehension of during a target series executed on 03 March 04. Later, at approximately 1900, was picked up from the detention facility and questioned by members of NSWTU and later returned at approximately 0530 on 04 March.

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2. The FBI was interrogated

ior to the NSWTU.

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3. We have a serious from the detention facility at approximately 1900 on 03 Mar by final for futher interrogations because they suspected that the had valuable information that could be of benefit. It is later returned to the detention facility at approximately 0530 on 04 Mar.

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4. I found no evidence to support allegations that make the poured into his mouth and was drug on his knees while flex cuffed.

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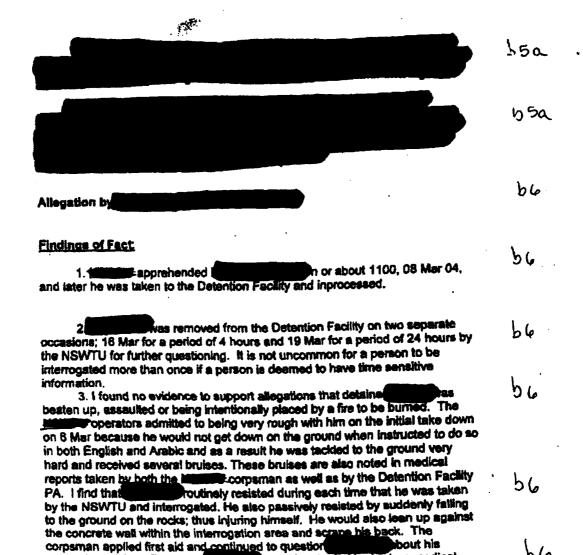
riex-cuited when being moved but I cannot find any evidence to suggest that any member of the NSWTU dragged. Nor did pomptain to any member at the detention facility of any such incident occurring and never asked to see the PA who is on duty everyday at the detention facility. I find the most likely explanation of the marks on lower extremities is that the bruising was caused by long periods of kneeling. This is consistent with bruises the detention facility PA has seen on other detainees.

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members did not assault

existing condition that affects his skin and causes inflammation of the feet. Once

cause him injury but rather that his injuries are a result of his current pre existing

would state that he had no medical

S corpsman took a<u>dditional mea</u>sures

does suffer from a pre

medical condition. Each time

this information was obtained, the

condition. However it was later discovered that

to ensure his health...i.e. elevating and continually sanitizing swelling feet. I find that the members did not assau

b6

condition, the injuries he incurred while resisting arrest on 8 Mar and a result of repeated falls and frequent collepses during his periods of interrogation. With regards to the blisters below his knees, I do not find that 66 intentionally placed by a heat source to be burned. The presence of hair around and at the blister sites leads me to conclude that the blisters were not the result of exposure to a heat source. I believe the blisters could have been a result of his skin condition and the medications that were applies to his abrasions. b5~ At that time the PA was also able to determine that ld, in fact, have a pre existing condition. The second corrective action that they took was to notify the PMO's office because of the nature of the detaince's injuries. **55**a However my investigation revealed that this error did not contribute to true 96 incident and as a result I do not find any negligence on the part of the Detention Facility. Recommendations: 55a FORTH Formice Report - Annex 124

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