DEPARTMENT OF THE ARMY 286th MILITARY POLICE DETACHMENT (CID) 22nd MILITARY POLICE BATTALION (CID) UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND OPERATION IRAQI FREEDOM II APO AE 09392

CIRC-KAM

29 Jun 2004

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION – FINAL "C "REPORT - 0121-04-CID469–79668/5Y2P9

1. DATES/TIMES/LOCATIONS OF OCCURRENCES: 9 MAY 2004/0001 - 11 MAY 2004/2400; TIKRIT, IRAQ (IZ)

DATE/TIME REPORTED: 10 JUN 2004/1900 676-1,66-1,60 **INVESTIGATED BY: SA** SUBJECT: 1. UNKNOWN; [DETAINEE ABUSE] [CRUEL AND MALTREATMENT] 676-4,66-4 FORMER DETAINEE NUMBER BAGHDAD, IZ; FORMER SSO CAPTAIN; M; ARABIC; ZZ; [DETAINEE ABUSE] [CRUEL AND MALTREATMENT]. **INVESTIGATIVE SUMMARY:** This is an "Operation Iraqi Freedom II" Report of Investigation. This investigation was initiated based upon information received from CPT Legal Advisor, Office of the Staff Judge Advocate (SJA), 1st Infantry Division, Division Collection Control Point (DCCP), FOB Danger, APO AE 09392, pertaining to allegations Mr. was bic-4 be-4 abused/assaulted while in the custody of U.S. Forces in Tikrit, IZ. Investigation did not develop sufficient evidence to prove or disprove Mr. that Mr. was interviewed and declined to make a

complaint against Mr. and was released from U.S. Custody and his whereabouts are 6-40-41

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00226

unknown.

SUBJECT: CID Report of Investigation - 0121-04-CID469-79668-5Y21 9 FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE

STATUTES:

Article 93, UCMJ: Cruelty and Maltreatment

EXHIBITS/SUBSTANTIATION:

Attached:

676-1,66-1 14 Jun 04, documenting the initial 1. Agent's Investigation Report (AIR) of SA notification; other coordinations; interview of victim; interview of suspect.

b764,66-4 written in the Arabic language, dated 11 Jun 04, detailing he 2. Sworn Statement of Mr. how did not wish to make a complaint (USACRC copy only).

level 3 interpreter. 3. English translation of Exhibit 2, translated by Mr.

676-4,66-4 dated 14 Jun 04. 4. Waiver Certificate of Mr.

Not Attached:

None

The originals of Exhibits 1 through 4 are forwarded with the USACRC copy of this report.

STATUS: This is a final (C) report. This investigation is being terminated in accordance with paragraph 4-17(5), CIDR 195-1, in that the complainant/victim's cooperation is necessary for the satisfactory resolution of the investigation, and such cooperation is not forthcoming. Mr. declined to follow through with any complaint and conveyed he was never abused/assaulted by U.S. Forces while he was incarcerated. Leads remaining are canvass interviews of the other detainee's, canvass interviews of unit personnel and other interviews. Commander's Report of Disciplinary Action Taken (DA Form 4833) is not required.

Report Prepared By:

Special Agent

675-1,106-1 676-1,60-1,60-

Report Approved By:

b74,66-1

64C-4166-4

Special Agent in Charge

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SUBJECT: CID Report of Investigation - 0121-04-CID469-79668 FOR OFFICIAL USE ONLY LAW ENFORCEMENT SENSITIVE

DISTRIBUTION:

- 1 Director, U.S. Army Crime Records Center, U.S. Army Criminal Investigation Command, Attn: CICR-CR, 6010 6th Street, Fort Belvoir, VA 22060-5505 (w/Exhibits)
- 1 THRU: Commander, 22ND MP Battalion (CID), Attn: Ops Officer, USACIDC, Camp Victory, APO AE 09335 (w/o exhibits) (email only)
- THRU: Commander, 3d MP Group (CID), USACIDC, Fort Gillem, Forrest Park, GA (w/o Exhibits).
- TO: Commander, USACIDC, ATTN: CIOP-ZA, 6010 N. Sixth Street, Fort Belvoir, VA 22060-5505 (w/Exhibits)
- 1 SJA, 1ID, APO AE 09392 (w/Exhibits)
- 1 PM, 1ID, APO AE 09392 (e-mail only)
- 1 File (w/Exhibits)

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AGENT'S INVESTIGATION REPORT

SA SIGNATURE 676-1

UID FORM 94

1 FEB 77

Provisional Authority Order #23 Annex covers Iraqi on Iraqi detainee abuse allegations ///Last Entry////

286th Military Police Detachment (CID) FOB DANGER,
TIKRIT, Iraq APO AE 09392

(1)

0121-04-CID469-79668

TIKKIT, Iraq APO AE 09392

DATE EXHIBIT

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Agent's Note: Per USACIDC policy regarding Iraqi on Iraqi detainee abuse allegations and Coalition

676-4,66-4 , was arrested on Saturday. May 9. 2004 by American force. They took me from my home with my hands cuffled and eyes blinded to the cage of the north gate. I stayed there for one day, then the American force come to me afternoon and cuffed my hands and blinded my eyes and took me to's Somewhere I don't know where it is but it is in Tikveet They put me in a cell of about One moter (little bit overløne meter) for two days or more. There was tape recorder with a tape on in Loud Voice and they did not let me sleep even for a minute and without foor and water. After that the investigator called me for questioning. He was wearing a mask and as ked me several questions Suddenly I was beated on my face by the translator with his hand three times but the industigator stoped his beating me. Then they took me to the small cell and I refused to get in Then the investigator come and took me again to the mo investigation for a half hour. A feer that they brought me water and food. At the night of that day they took me here with hands cuffed and types thinded in this location. bid the translator hit you by his fix or - Question: pton palm?

> FOR OFFICIAL LIVE ONLY LAW ENERGEMENT SENSITIVE

He beated me with his palm

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EXHIBIT (3)

Answer:

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Question: Do you want to complain former	ly
- Question: Doyon Want to complain former against this translator? To Answer: no	
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Answer: no - Question: How do CID treat you in this. Answer: Very Very Very good - Question: Do you want to add anythin this Statement?	interview;
Answer: Very Very Very good	now 10 kishiya i nahi ya hki na ya masa santas A Asabisa
- Question: Do you want to add anythin	g to
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DAnswer: No, I don't want to add anyth	ing.
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FOR OFFICIAL LISE ONLY LAW ENFORCEMENT SENSITIVE EXHIBIT (3)

RIGHTS	WA NG PROCEDURE/WAIVER CERTIFICATE
AUTHORITY: PRINCIPLE PURPOSE:	Title 10, United States Code, Section 3012(g) To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES:	Your Social Security is used as an additional/alternative means of ideatinication
DISCLOSURE:	to facilitate filing and retrieval. Disclosure of your Social Security Number is voluntary.
LOCATION: FOB COL FILE NUMBER: COL NAME (Last, First M ORGANIZATION OR A	AN: NA GRADE/STATUS: CIV AN: NA GRADE/STATUS: CIV ADDRESS: OF ODA, 5th SF. Gr. FOLD DOME, APO AF 09892
	RIGHTS WAIVER/NON-WAIVER CERTIFICATE
Command as a Special A suspected/accused: No. 18 Before he/she asked me a following rights: 1. I do not have to answ. 2. Anything I say or do a supplementary of the supplement	name appears below told me that he/she is with the United States Army Criminal Investigation agent and wanted to question me about the following offense(s) of which I have the Detru noes, Aggranded CSSSS II. Any questions about the offense(s), however the/she made it clear to me that I have the bac-4, bb-4 er questions or say anything. can be used as evidence against me in a criminal trial. t to the UCMI) I have the right to talk privately to a lawyer before, during, and after a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange
for at no expense to the	Government or a military lawyer detailed for me at no expense to me, or both.
questioning and to have arrange for at my own exany questioning begins. 4. If I am now willing to stop answering questions.	iect to the UCMJ) I have the right to talk privately to a lawyer before, during, and after a lawyer present with me during questioning. I understand that this lawyer can be one that I spense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before to discuss the offense(s) under investigation, with, or without a lawyer present, I have the right any time or speak privately with a lawyer before answering further, even if I sign the
waiver below. 5. COMMENTS: HAV AND REQUESTED AN	E YOU BEEN ADVISED OF YOUR LEGAL RIGHTS WITHIN THE PAST FIVE YEARS
Statement without tarking	s stated above. I am now willing to discuss the offense(s) under investigation make a g to a lawyer first and without having a lawyer present with me.
Witnese#	160-1
Signature	Signa
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NON-WAIVER CERTIFICATE

I do not want to give up my rights: I want a lawyer:

I do not want to be questioned or say anything:

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286th MP Det (CID)(FWD) Tikrit, Iraq APO AE 09329

EXHOOR32

Signature of Interviewee: _

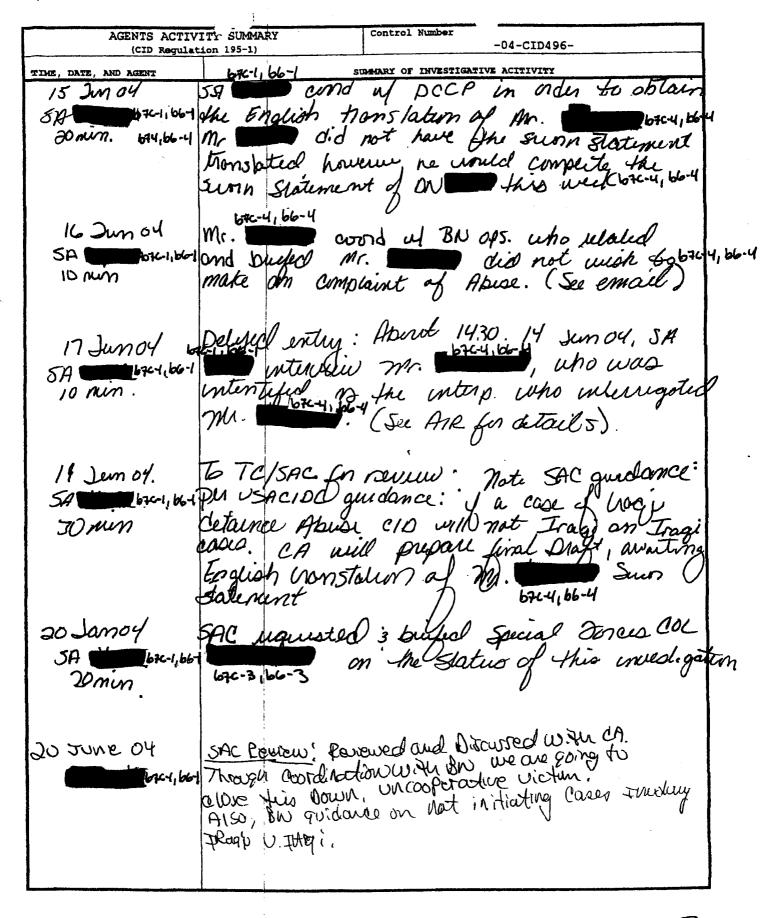
DA Form 3881-E

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DATE NOTED!		PLANNE	LANCOUS PROPERTY IN			COMPLETED.				
10 Jun 04	Acknowledge receipt of CAT 1 15 2m 04									
10 Jun 04	Coordinate with DCCP for any documentation of detainee									
10 Jun 04	Interview guards									
10 Jun 04	Obtain Medical	records ·		·····						
10 Jun 04	Determine validi	ty of abuse				13 Jun				
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AGENTS ACTIVI	
IME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACITIVITY
160, 10 Jun 04	BASIS FOR INVESTIGATION: About 1600, 10 Jun 04, this office was notified by CPT Division Central Collection Point b7c-3,66-1 (DCCP), Legal Advisor, Forward Operation Base (FOB), Danger, APO AE 09392, of the suspected abuse of Detainee Number (DN) 7400, prior to his transfer to DCCP.
1210, 11 Jun 04, SA 30min	About 1210, 11 Jun 04, SA and SA and SA briefed CW2 About 1210, 11 Jun 04, SA and SA briefed CW2 CW2 related that detainee had been in DCCP custody since 11 May O4; however, ODA 065 detained the individual on 9 May 04. CW2 672-3, 1 crelated the detainee did not initially report the abuse when he in processed the DCCP. Although when CW2 Conducted his weekly censing session; 672-3, 1 crelated by an Arabic interpreter and kept in a small cell which played loud music. Mr. Conducted his incident. Additionally, Mr. 672-4, 1 crelated DOD Interpreter, GS4 Conducted his weekly censing session; 672-3, 4 crelated DOD Interpreter, GS4 Conducted his incident. Additionally, Mr. 672-3, 4 crelated DOD Interpreter, GS4 Conducted his weekly censing session; 672-3, 4 crelated DOD Interpreter, GS4 Conducted his incident. Additionally, Mr. 672-3, 4 crelated DOD Interpreter, GS4 Conducted his weekly censing session; 672-3, 4 crelated DOD Interpreter, GS4 Conducted his weekly censing session; 672-3, 4 crelated he then informed SJA of this incident. Additionally, Mr. 672-3, 4 crelated DOD Interpreter, GS4 Conducted his weekly censing session; 672-3, 4 crelated DOD Interpreter and kept in a small cell which played loud music. Conducted his weekly censing session; 672-3, 4 crelated DOD Interpreter and kept in a small cell which played loud music. Conducted his weekly censing session; 672-3, 4 crelated DOD Interpreter and kept in a small cell which played loud music. Conducted his weekly censing session; 672-3, 4 crelated DOD Interpreter and kept in a small cell which played loud music. Conducted his weekly censing session; 672-3, 4 crelated DOD Interpreter and kept in a small cell which played loud music. Conducted his weekly censing session; 672-3, 4 crelated hi
1450, 11 Jun 04, SA bac-1, b6-1	AGENTS COMMENT: Mr accompanied with Mr SA and SA observed SA interview DN 676-1, 66-4 About 1450, 11 Jun 04, SA interviewed DN Mr Interpreter GS4 regarding his allegation of abuse by Coalition forces 676-676 between 9-11, May 04, prior to being transferred to the DCCP. Mr provided a sworn statement in which he refused to make a complaint regarding an incident wherein Mr Interpreter" (NFI) while being questioned by US Forces. Mr adamant that US Forces never abused him; rather the US forces corrected the translator when he slapped him in the face. Mr had been treated very well by US forces at the DCCP and only wished to go home to his family. (See sworn statement and English translation of Mr for details) 676-4, 66-4
1810, 11 Jun 04, SA 676-1, 66-7	Mr Stranslated the provided the English translation of DN sworn statement Drafted initial, TC corrected to SAC for review:
14 Jun 04 SA 676-1, 66-1	SAC Pau: Minor corrections to Fritial Report. Dispotched. Ensure we Follow while cano guidance and weeky uplates, Follow Fold thack this out this week.



Control Number AGENTS ACTIVITY SUY ARY (CID Regulation 195-1) SUMMARY OF INVESTIGATIVE ACITIVITY TIME, DATE, AND AGENT Drofled final C. cool saint will obtain 21 Jun 04 English Translation this week. SA 20.6964,106-1 CA on Rie from 26 Jun-15 Jul 04 26-15 Jul 04 SAC Revi Reviewed Final Pepar, Miner Corrections Dispatched, Also, There 29 JUN 04 one Severt Downeuts contained within File, SA Billibe we need to 67C-1, 60-1 ensure this case is marked Occordingly, SAC will Disuss with M. brow, both The secret Documents are the Detainer Packet with Enclosures. the priginals are Kept in the UNI OFFICE. They in Be Regenerated It It the cardinated with 674 66-1 need arises, st , attached secret books were NOT FINFOR and they have no Boardy on case ortere 676-3,66-3 COR · contriba reti TO SA 676-1,66-1 No classifical does other than our four LES. Scanned reported. Printed's posted to case 1.71, made cos for distro. rad No-evid. No 4833. Filed operlay) CLOBY)

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	676-4,66	<u>-4</u>			9. TYPE OF					
Mr.					CA	AT 1				
5. VICTIM					10.	22222				
NONE					20172018	REPORTS	COMP			
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while he was	a detainee in	Tikrit, Iraa	Loubou by co.	101000	SAC	20 Jule.				
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					Closed		29 June 04			
11. OTHER	ACTION	12.	CID FUNDS							
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