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DATE 03-12-2009 BY 65179 DMH/lsc

FOGLE, TONI M. (INSD) (FBI)

From: [redacted] (OGC) (FBI)
Sent: Friday, November 05, 2004 10:24 AM
To: FOGLE, TONI M. (INSD) (FBI)
Subject: Latest Military Request re: allegations of abuse

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Toni Fogle:

Army Sgt. Javal Davis and Specialist Charles Graner are facing Courts-Martial for their abusive actions against detainees at Abu Ghraib in Iraq. (Davis is to be tried 2/1/05 and Graner is to be tried 1/7/05) The military prosecutors have contacted us because of a defense request for discovery. The defense is requesting an FBI internal report describing abuses witnessed by the FBI and a list of FBI employees who performed interrogations at the facility from 10/01/03 through 12/31/03. The defense is basing this request on a newspaper article in the NY Times on 10/26/04 describing an internal report of the FBI which stated that agents witnessed abuse at the facility.

The prosecutors are advising that under their rules and case law, they must release relevant specific information designated in a defense discovery request. They would like an answer from us by 11/19/04. Could you tell me to whom I could speak in the Inspection Division about their request?

[redacted]
Assistant General Counsel
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11/8/2004