

DEPARTMENT OF THE ARMY
10th MILITARY POLICE DETACHMENT (CID) (FWD)
THIRD MILITARY POLICE GROUP (CID), USACIDC
CAMP BUCCA, UM QASR
APO, AE 09375

CIRF-DF

16 May 2003

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - INITIAL/FINAL(C) - 0032-03-CID519-62148-5C2B

DATES/TIMES/LOCATIONS OF OCCURRENCES: 1. 01 May 2003/0700 – 03 May 2003/0900;
Compound #4, Camp Bucca, Um Qasr, Iraq, APO, AE 09367

DATE/TIME REPORTED: 9 May 2003, 0900Z

INVESTIGATED BY: SA [REDACTED] b7C/b6/b2, SA [REDACTED] b7C/b6/b2

SUBJECT: 1. NONE; [ASSAULT, UNFOUNDED].

VICTIM: 1. [REDACTED] b7C/b6/b4, CIV; Internment Serial Number (ISN) [REDACTED] b7C/b6/b4
[REDACTED] b7C/b6/b4 [ASSAULT, UNFOUNDED].

INVESTIGATIVE SUMMARY:

This is an "Operation Iraqi Freedom" investigation. The delay in dispatching this report was due to the lack of secure communications capabilities for CID at Camp Bucca, Um Qasr, Iraq.

This investigation was initiated when COL [REDACTED] b7C/b6/b3, Staff Judge Advocate, Camp Bucca, Um Qasr, Iraq, notified this office of an assault between a soldier and a Enemy Prisoner of War (EPW).

Investigation did not establish probable cause to believe SPC [REDACTED] b7C-4/b6-4 320th Military Police Battalion, Um Qasr, Iraq, APO, AE 09367, assaulted Master [REDACTED] b7C-4/b6-4 when SPC [REDACTED] b7C-4/b6-4 twisted his right arm to remove some fruit Master [REDACTED] b7C-4/b6-4 had received from the Battalion Aid Station dislocating his elbow. Master [REDACTED] b7C-4/b6-4 had a prior injury to his elbow which did not properly heal causing his elbow to easily dislocate. Master [REDACTED] b7C-4/b6-4 attempted to treat himself by tying his arm above his head while he slept the night, of the incident, which worsened his condition.

STATUTES:

ARTICLE 128, ASSAULT (UNFOUNDED)

EXHIBITS/SUBSTANTIATION:

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Attached:

1. Agent's Investigative Report (AIR) of SA [REDACTED] ^{b7C-1, b6-1} 10 May 03, detailing the initial notification, interview of Master [REDACTED] ^{b7C-4, b6-4}, subject interview of SPC [REDACTED] ^{b7C-4, b6-4}, interview of SSG [REDACTED] ^{b7C-3, b6-3} and re-interview of Master [REDACTED] ^{b7C-4, b6-4}
2. Waiver Certificate and Sworn Statement of SPC [REDACTED] ^{b7C-4, b6-4} 9 May 03, denying he assaulted Master [REDACTED] ^{b7C-4, b6-4}
3. AIR of SA [REDACTED] ^{b7C-1, b6-1} 10 May 03, detailing subject interview of SGT [REDACTED] ^{b7C-4, b6-4}
4. Waiver Certificate and Sworn Statement of SGT [REDACTED] ^{b7C-4, b6-4} 10 May 03, denying he assaulted or observed anyone assault Master [REDACTED] ^{b7C-4, b6-4}

Not Attached:

None.

The originals of Exhibits 1 through 4 are forwarded to CRC with the final copy of this report.

STATUS: This is an Initial/Final (C) Report. This investigation was terminated in accordance with CID Regulation 195-1, paragraph 4-17a(6), in that the Special Agent in Charge has determined the furtherance of the investigation would be of little or no value or leads remaining to be developed are not significant.

LEADS REMAINING: Canvass interview of compound 4, interview of the medical personnel who treated Master [REDACTED], and interview vehicle driver.

^{b7C-4, b6-4}
REPORT PREPARED BY:

^{b7C-1, b6-1, b3}
[REDACTED]
Special Agent

REPORT APPROVED BY:

^{b7C-1, b6-1}
[REDACTED]
CW2, MP
Special Agent in Charge

DISTRIBUTION:

1 - (original) Director, U.S. Army Crime Records Center, ATTN: CICR-CR, 6010 6th St, Fort Belvoir, VA 22060

1 - CDR, 10th MP BN (CID) (FWD) (ATTN: Operations Officer), APO, AE 09304, (Email only/Less Exhibits)

1 - CDR, 3rd MP GRP, (FWD) (ATTN: Operations Officer), APO, AE 09366

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2

1 - CDR, 800th Military Police Brigade (COL ^{b7C-3, b6-3} [REDACTED]), Camp Bucca, APO AE 09367 (Email only/Less Exhibits)

1 - 800th Military Police Brigade (ATTN: MAJ ^{b7C-3, b6-3} [REDACTED]), Camp Bucca, APO, AE 09375 (Email only/Less Exhibits)

1 - File

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3

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0032-03-CID519-62148

PAGE 1 OF 3 PAGES

DETAILS

BASIS FOR INVESTIGATION: About 0900Z, 9 May 03, this office was notified by COL [REDACTED] Staff Judge Advocate, Camp Bucca, Um Qasr, Iraq, of an assault between a soldier and a EPW. Master [REDACTED] alleged between 1 May 03 to 3 May 03 an American soldier named [REDACTED] (NFI) accused Master [REDACTED] of stealing fruit from the medical center (NFI) after being released for vomiting. [REDACTED] then grabbed Master [REDACTED] right arm and twisted it to take the fruit from his hand. Master [REDACTED] alleged the following day he awoke to find he had pain in his right arm and sought medical attention at the medical center (NFI) and was determined that his arm was broken.

About 1320Z, 9 May 03, SA [REDACTED] interviewed Master [REDACTED] who related about a week ago he awoke throwing up and was sent to the medical center for treatment. Master [REDACTED] related he was given an apple and an orange from the hospital staff (NFI). Master [REDACTED] explained he returned to the compound and an American guard named [REDACTED] took the fruit from him by twisting his right arm. The guard was a white male, about 65" to 67" and weighed about 170 lbs, but could not describe the other guard which was present when his arm was twisted. Master [REDACTED] stated his arm hurt, but he went about his business. Master [REDACTED] explained that he then went to sleep and awoke with a stiff arm the next day. Master [REDACTED] stated there was a second American guard (NFI) present at the time and that someone had told him "I'm sorry" in English. Master [REDACTED] related he thought the incident was an accident. Master [REDACTED] explained there were three other Syrian EPWs in the area, but did not know their names.

About 1410Z, 9 May 03, SA [REDACTED] advised SPC [REDACTED], Headquarters and Headquarters Company (HHC), 320th Military Police Battalion (MP BN), Camp Bucca, Um Qasr, Iraq, APO, AE 09367, of his legal rights which he waived and rendered a sworn statement in which he denied striking or brutalizing an Enemy Prisoner of War (EPW). (See Rights Waiver Certificate and Sworn Statement for details.)

About 1105Z, 10 May 03, SA [REDACTED] and SA [REDACTED] interviewed SGT [REDACTED] and SPC [REDACTED] both of the 724th MP BN, Camp Bucca, Um Qasr, Iraq, APO, AE 09367. SGT [REDACTED] and SPC [REDACTED] related that Master [REDACTED] was a trouble maker in the compound and frequently went to sick call. SPC [REDACTED] and SGT [REDACTED] related Master [REDACTED] tore his cast off on 10 May 03 and went to sick call. SPC [REDACTED] AND SGT [REDACTED] related they hadn't had to touch Master [REDACTED], and if they did then they would have to log such an incident in the DA Form 1594. SPC [REDACTED] and SGT [REDACTED] related their current shift was from 0600 to 1400 and fully remember when Master [REDACTED] went to sick call, but the reason why Master [REDACTED] went to sick call was not documented. SPC [REDACTED] and SGT [REDACTED] further related that it was not uncommon for the prisoners to mutilate themselves in order to go to the Battalion Aid Station (BAS).

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED] b7c-1, b6-1, b2

SIGNATURE

[REDACTED] b7c-1, b6-1

ORGANIZATION

44TH MP Det (CID), Camp Bucca, Um Qasr, Iraq.

DATE

13 MAY 03

EXHIBIT

1

CID FORM 94
1 FEB 77

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0032-03-CID519-62148

PAGE 2 OF 3 PAGES

DETAILS

Agent's note: A review of the DA Form 1594, Staff Duty Journal, search of the log for the initial day Master [redacted] met with negative results.

About 1120Z, 10 May 03, SA [redacted] and SA [redacted] interviewed SSG [redacted] 724th MP BN, Camp Bucca, Um Qasr, Iraq, APO, AE 09367, who stated Master [redacted] went to medics and returned with a cast on his arm. SSG [redacted] related Master [redacted] alleged an MP (NFI) at the BAS, Camp Bucca, APO, AE 09367, twisted and broke his arm.

About 1130Z, 10 May 03, SA [redacted] re-interviewed Master [redacted] who related he had injured his arm about three or four years ago. Master [redacted] explained his arm had not healed properly. Master [redacted] related that he had told the Red Cross Worker (NFI) that he had dislocated his arm and not that he had broken it. Master [redacted] stated the American Guard (NFI) had only slightly twisted his right arm to remove the fruit from Master [redacted] from his hand. Master [redacted] explained his arm hurt, but he was not in any experiencing any physical discomfort and his arm did not display any signs of injury. Master [redacted] stated later that day he twisted his arm more and tied his arm to his bunk to attempt to remedy the discomfort that he was experiencing, but only made the pain he was experiencing worse.

About 1140Z, 10 May 03, SA [redacted] interviewed SSG [redacted] HHC, 320th MP BN, Camp Bucca, Um Qasr, Iraq, APO, AE 09367, who related he was the BAS, Non-Commissioned Officer-In-Charge (NCOIC). SSG [redacted] explained Master [redacted] had been in the BAS three different occasions for treatment on his arm. SSG [redacted] stated the right arm of Master [redacted] was dislocated at the elbow. SSG [redacted] related there were x-rays taken of Master [redacted] right arm and there were no indications of broken bones on the X-rays. SSG [redacted] related he heard the compound guards (NFI) had watched Master [redacted] destroy his cast and twist his own arm. SSG [redacted] explained if there was a prior injury to Master [redacted] elbow, then it would be easy for Master [redacted] to dislocate his elbow.

AGENT'S NOTE: A check of the BAS log by SSG [redacted] confirmed Master [redacted] had been at the BAS: 7 May 03, 9 May 03, and 10 May 03 for his right arm. SSG [redacted] related he had been to the BAS on 9 and 10 May 03 for destroying his bandages and re-dislocating his arm. SSG [redacted] explained each time the right elbow of Master [redacted] was dislocated and had to be reset.

About 0750Z, 13 May 03, SA [redacted] coordinated with LTC [redacted] Senior Staff Judge Advocate, 800th MP Brigade, Camp Bucca, APO, AE 09367, and briefed him on the facts and circumstances of this investigation. LTC [redacted] opined there was insufficient evidence to believe SPC [redacted] committed the offense of Assault.

TYPED AGENT'S NAME AND SEQUENCE NUMBER		ORGANIZATION	
SA [redacted] b7c-1, b6-1, b2		44 TH MP Det (CID), Camp Bucca, Um Qasr, Iraq.	
SIGNATURE [redacted] b7c-1, b6-1		DATE	EXHIBIT
[redacted]		13 MAY 03	1

CID FORM 94
1 FEB 77

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5

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AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0032-03-CID519-62148

PAGE 3 OF 3 PAGES

DETAILS

b7c-1, b6-1
About 1200Z, 13 May 03, SA *b7c-1, b6-1* coordinated with 1LT *b7c-3, b6-3* Company Commander, *b7c-3, b6-3* HHC, 320th MP BN, Camp Bucca, Um Qasr, Iraq, APO, AE 09367, and briefed him on the facts and circumstances of this investigation.///End of Statement///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA *b7c-1, b6-1, b2*

SIGNATURE

b7c-1, b6-1

ORGANIZATION

44TH MP Det (CID), Camp Bucca, Um Qasr, Iraq.

DATE

13 MAY 03

EXHIBIT

1

CID FORM 94
1 FEB 77

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6

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
 PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
 ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
 DISCLOSURE: Disclosure of your social security number is voluntary. **b7C-4, b6-3** **b7C-4, b6-3** **0033-03-CID519-62148**

1. LOCATION **Camp Bucca, UmQast, Iraq** 2. DATE (YYYYMMDD) **20030509** 3. TIME **1550Z** 4. FILE NUMBER **0045-03-CID519-1**

5. LAST NAME, FIRST NAME, MIDDLE NAME **[REDACTED]** 6. SSN **[REDACTED]** GRADE/STATUS **E-4/RL**

3. ORGANIZATION OR ADDRESS **320th MP BN, Camp Bucca, APO, AE 09367**

9. **[REDACTED]** **b7C-4, b6-4** WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I worked the compound with juveniles, IOB, with SGT. **[REDACTED]** **b7C-3, b6-3**. Sgt **[REDACTED]** **b7C-3, b6-3** and I treated the EPWs with respect, always took them to sick call, and were tried to settle problems that arose calmly.
 One situation occurred where two EPWs had razor blades and were slashing themselves because they didn't get cigarettes. The BC **[REDACTED]** **b7C-3, b6-3** decided the juveniles would get no cigarettes. The compound NCOIC, MSG **[REDACTED]** **b7C-3, b6-3** witnessed them cutting themselves. SGT **[REDACTED]** **b7C-3, b6-3** heard them saying that **[REDACTED]** **b7C-3, b6-3** cut them, and they wanted to talk to the major. Another instance of my name being mentioned by an EPW was when one of them came out of the gate and approached us, refusing to get back in. I took him down, using least amount of force necessary, and put him back in the compound. The next day when the MI or CID or whatever character called himself **[REDACTED]** **b7C-3, b6-3** came around, they were crying that US soldier **[REDACTED]** **b7C-3, b6-3** brutalized **[REDACTED]** **b7C-3, b6-3** them. The EPWs read our names off of the DCUs, and routinely called us by our last names. The EPWs often fought among themselves, sometimes severely, and it is annotated in the compound log book.

10. EXHIBIT 11. INITIALS OF PERSON MAKING STATEMENT **[REDACTED]** **b7C-4, b6-4** PAGE 1 OF 1 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

FOR OFFICIAL USE ONLY EXHIBIT 2
 8

b7C-3, b6-3

STATEMENT OF

[Redacted Name]

TAKEN AT

Camp Bucca

DATED

9 May 03

STATEMENT (Continued)

Q: SA [Redacted]

A: SPC [Redacted]

Q: What other guard? Do the EPWs know SGT [Redacted] name?
A: Yes. They knew every guard's name and referred to the guard by their name.

Q: Has SGT [Redacted] been accused by the prisoners of hurting them?
A: No. He has heard them accusing me.

Q: Have you struck prisoners?
A: No.

Q: Have you brutalized a prisoner?
A: Everything I have and SGT [Redacted] have done has been in self-defense.

Q: Who is SGT [Redacted]?
A: I don't his first name. He is in 1st Platoon, 320th MP BN, he's 5'10"-5'11"

Dirty blonde colored hair. White, but not too tan.
Q: Who do you normally work with at the compound? juvenile compound?
A: SGT [Redacted]

Q: Have you worked with any other soldiers at the juvenile compound?
A: Yes, SSG [Redacted] and SPC [Redacted]

Q: Who is SSG [Redacted]?
A: He's an E-6 that works in another compound. He's in 4th Platoon, 320th MP

Q: Who is SPC [Redacted]?
A: He's in 1st Platoon, 320th MP BN. He filled in when SGT [Redacted] wasn't there.

Q: What do you mean when you say "the EPWs fought amongst themselves sometimes severely"?
A: They would fight. Sometimes, 4 to 5 on 1. They would throw a guy into the wire. They would get black eyes.

Q: Any prisoners get hurt more severely?
A: Not to my knowledge other than scrapes and bruises. We had a guy that had a lump on his knee where the prisoners had hit him with the bamboo sticks for the tent.

Q: Are all medical visits and sick calls entered into the log book?
A: Yes.

Q: Is the guard who escorts the prisoner entered into the log book?
A: No. The medic who escorts them enters their name in the log book.

Q: Why would the prisoner just mention your name?
A: I have no idea. They mentioned my name before when they cried to [Redacted]. I think he was G/D [Redacted].

Q: Have you seen [Redacted] around the camp lately?
A: He was there a couple of days ago. He said he was leaving for the next three or four days. He brought magazines and pictures of Britney Spears to the kids. I have seen him around other MI people. Most of the time he's been there during our shift he's been entered into the log book.

Q: What shift do you work?
A: [Redacted]

INITIALS OF PERSON MAKING STATEMENT

[Redacted Initials]

PAGE

OF

PAGES

9. STATEMENT (Continued)

A: Midnight to noon ██████████ b7c-4, b6-4

Q: What is the location of the logbook?

A: I do not know where it is at now, ██████████ b7c-4, b6-4

Q: How can you describe ██████████? b7c-3, b6-3

A: About 6'8" to 6'2", white, male, pretty pale for being here. Wears oakley sunglasses with black frames and lenses with prescription lenses. He wears a University of Georgetown ring. ██████████ b7c-4, b6-4

Q: Describe some instances when you would use self-defense?

A: Prisoner attacks me or my partner. If they charge the guards during escort. If they try to grab our weapons or ammo, when we are searching them and they break free and attack or grab us. ██████████ b7c-4, b6-4

Q: What are the prisoners ^{NOT} allowed to have?

A: Anything considered a weapon, flags, pictures of leaders, cigarettes, matches, MRE heaters, and tent poles, drugs, alcohol. They are not allowed to hoard food. ██████████ b7c-4, b6-4

Q: SA ██████████ has written the answers and questions. Are the written answers your answers?

A: Yes ██████████ b7c-4, b6-4

Q: How do you feel you have been treated by CID today?

A: alright ██████████ b7c-4, b6-4

Q: Do you have anything to add to your statement?

A: Not at this time. //END OF STATEMENT//

██████████ b7c-4, b6-4

AFFIDAVIT

I, ██████████ b7c-4, b6-4, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

██████████ b7c-4, b6-4
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9 day of May 2003 at Camp Bucca, Um Qasr, Iraq

██████████ b7c-1, b6-1
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

██████████ b7c-1, b6-1
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Article 136
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT ██████████ b7c-4, b6-4

PAGE OF PAGES

AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0032-03-CID519-62148

PAGE 1 OF 1 PAGE

DETAILS

About 0557, 10 May 03, SA ^{b7c-1, b6-1} [REDACTED], this office, interviewed SGT (MP) ^{b7c-3, b6-3} [REDACTED] 1ST Platoon, 320th Military Police (MP) Battalion, Camp Bucca, Iraq, APO AE 09375 (CBI), under rights advisal, which he waived and provided a sworn statement documenting he had no knowledge or involvement in a verbal altercation which turned physical with Master ^{b7c-3, b6-3} [REDACTED] Further, SGT (MP) ^{b7c-3, b6-3} [REDACTED] stated he was in charge of Compound #10, CBI, until all the detainees were moved to Compound #6. In addition, SGT (MP) ^{b7c-3, b6-3} [REDACTED] stated the detainees who were in his custody were all juveniles. (See Sworn Statement for details) ///Last Entry///

^{b7c-1, b6-1, b2}
TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA [REDACTED]

ORGANIZATION

44th Military Police Detachment (CID)
Camp Bucca, Iraq APO AE 09375

SIGNATURE [REDACTED]

DATE

10 May 03

EXHIBIT

3

CID FORM 94

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1 FEB 77

11

DOD-DOACID001077

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary.

1. LOCATION 444th MP Det (CID), CAMP BUCCA, IRAQ, 09375	2. DATE 10 MAY 05	3. TIME 0557Z	FILE NO.
5. NAME (Last, First, MI) [REDACTED]	8. ORGANIZATION OR ADDRESS 320th MP BN 1st PLT CAMP BUCCA, IRAQ 09375		
6. SSN [REDACTED]	7. GRADE/STATUS E5/RC-A		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army CRIMINAL INVESTIGATION COMMAND AS A SPECIAL AGENT and wanted to question me about the following offense(s) of which I am suspected/accused: AGGRAVATED ASSAULT

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

- I do not have to answer any question or say anything.
- Anything I say or do can be used as evidence against me in a criminal trial.
- (For personnel subject to the UCMJ)* I have the right to talk privately to a lawyer before, during, and after questioning and to have 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.
- or -
(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.
- If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)
HAVE YOU REQUESTED A LAWYER AFTER HAVING YOUR RIGHTS READ IN THE PAST 30 days? NO

Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE [REDACTED]
1a. NAME (Type or Print)		[REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE		[REDACTED]
2a. NAME (Type or Print)		5. TYPED NAME OF INVESTIGATOR SA [REDACTED]
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR 444th MP Det (CID) CAMP BUCCA, IRAQ 09375

Section C. Non-waiver

- I do not want to give up my rights
 I want a lawyer I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: 44th MP Det (CID) Camp Bucca, Iraq 09375
2. DATE (YYYYMMDD): 2003 05 10
3. TIME: 0759 Z
4. FILE NUMBER: 0015-25-42519

5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED] b7c, b6
6. SSN: [REDACTED] b7c, b6
7. GRADE/STATUS: E5/RC-A

8. ORGANIZATION OR ADDRESS: 1st Plt, 320th MP Bn, Camp Bucca, Iraq 09375

9. I, [REDACTED] b7c, b6, want to make the following statement under oath:

I know absolutely Nothing about A JUVENILE IN MY compound who was escorted To medical & supposedly stole fruit from Sickcall where a confrontation took place with the guard resulting in a broken arm on the juvenile. All of this was told to me by a CID Agent. The juveniles were transferred over to the 724th MP BN's IFV APPR. [REDACTED] b7c, b6 A week go on or about the 3rd of May 2003. When I left my [REDACTED] b7c, b6 shift at 1230pm on the last day [REDACTED] b7c, b6 the camp was open none of the juveniles to the best of my knowledge had or complained of a broken arm. All 11 juveniles appeared to be in good health and to the best of my memory none of the juveniles [REDACTED] b7c, b6 had a cast on his arm. There were no complaints or any indication of a broken arm while in

10. EXHIBIT: [REDACTED]
11. NAME OF PERSON MAKING STATEMENT: [REDACTED]
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] b7c, b6 TAKEN AT [REDACTED] DATED [REDACTED]
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF [REDACTED] b7C-4, b6-4 TAKEN AT Camp Bucca DATED 10 May 03

3. STATEMENT (Continued)

my custody in my compound.

Q: [REDACTED] b7C-1, b6-1

A: [REDACTED] b7C-4, b6-4

Q: WHY DID YOU SAY FRUIT WAS "STOLEN" IN YOUR STATEMENT? ^{THIS MORNING AT 0730L}

A: I WAS IN THE PROCESS OF GETTING OFF SHIFT - WHEN SPC [REDACTED] b7C-3, b6-3 NOTIFIED ME THAT CID WAS INVESTIGATING A BROKEN ARM OF A JUVENILE THAT INVOLVED STEALING FRUIT FROM SICKCALL.

Q: DID YOU WRITE THE PREVIOUS STATEMENT?

A: YES

Q: DID YOU HEAR OR SEE ANY ALTERCATION WITH A GUARD AND INTERNMENT DETAINEE ^{HEAD} PERTAINING TO THE BROKEN ARM INCIDENT?

A: NO

Q: WERE YOU INVOLVED IN AN ALTERCATION W/ A DETAINEE REGARDING THIS INCIDENT? (the broken arm incident)?

A: NO

Q: DID YOU BREAK A JUVENILE DETAINEE'S ARM?

A: NO

Q: WERE THERE ANY OTHER GUARDS WORKING WITH YOU ON YOUR SHIFT?

A: YES

Q: WHO WORKED WITH YOU ON YOUR SHIFT WITHIN THE PAST 3 WEEKS? NAME ALL?

A: SPC [REDACTED] b7C-3, b6-3, SPC [REDACTED] b7C-3, b6-3

Q: WERE THERE OTHER GUARDS IN THE AREA DURING THE AFOREMENTIONED TIME PERIOD?

A: YES, SSG [REDACTED] b7C-3, b6-3, SSG [REDACTED] b7C-3, b6-3, SPC [REDACTED] b7C-3, b6-3, SPC [REDACTED] b7C-3, b6-3

Q: WHAT IS THE PROCEDURE FOR DOCUMENTING ANY INCIDENTS THAT OCCUR ON THE COMPOUND?

A: NOTIFYING THE CAMP NCOIC OR TOC, AND LOGGING IT IN THE LOG BOOK.

Q: WHO HOLDS THE LOG BOOK?

A: MYSELF OR WHO EVER ELSE IS ASSIGNED TO THE COMPOUND.

Q: WHERE WAS THE LOG BOOK STORED?

A: ANY PLACE WITHIN REACH, USUALLY ON A WOODEN BENCH OR IN A CARDBOARD BOX.

Q: DID YOU KNOW ABOUT THE AFOREMENTIONED INCIDENT?

A: YES

Q: HOW DID YOU KNOW?

A: SPC [REDACTED] b7C-3, b6-3 NOTIFIED ME THIS MORNING OF THE BROKEN ARM INCIDENT. THIS MORNING WAS THE FIRST TIME I EVER HEARD OF THIS INCIDENT.

INITIALS OF PERSON MAKING STATEMENT [REDACTED] b7C-4, b6-4 PAGE 2 OF 3 PAGES

[REDACTED]

Camp Bunker

10 May 03

9. STATEMENT (Continued)

Q: Do you have anything else to add to this statement?

A: Yes, NO JUVENILES ARM WAS BROKEN TO MY KNOWLEDGE ON MY SHIFT. AGAIN THERE WAS NEVER ANY COMPLAINT OR VISUAL SIGN OF A BROKEN ARM ON MY SHIFT. THIS MORNING WAS THE FIRST TIME THIS SO CALLED INCIDENT WAS BROUGHT TO MY KNOWLEDGE. I KNOW NOTHING ABOUT A BROKEN ARM OF ANY DETAINED JUVENILE IN MY COMPOUND,

Q: How do you know it happened on your shift?

A: There was a MISUNDERSTANDING I SAID TO THE BEST OF MY KNOWLEDGE. THERE WAS NEVER ANY COMPLAINT OR VISUAL SIGN OF A BROKEN ARM ON MY SHIFT."

Q: Do you have anything further to add to this statement?

A: NO /// END OF STATEMENT /// [REDACTED] b7c-4, b6-4

AFFIDAVIT

I, [REDACTED] b7c-4, b6-4, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT THE USE OF COERCION OR REWARDS WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED] b7c-4, b6-4

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10 day of MAY 2003 at CAMP BUNKER 12A12 APO AE 09375

[REDACTED] b7c-1, b6-1
(Signature of Person Administering Oath)

SA [REDACTED] b7c-1, b6-1
(Typed Name of Person Administering Oath)

ALT 136(B)(4), UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED] b7c-4, b6-4

PAGE 3 OF 3 PAGES

AGENT ACTIVITY SUMMARY
(CID Regulation 195-1)

CONTROL NUMBER

0032-03-C10519-62148

13 JUNE 03

SPC [REDACTED]

b7c-2, b6-2

DISTRO: ORIGINAL TO CRC, CD (MOORE)
TO 3RD MP GROUP, COPY FOR FILE.

AGENT ACTIVITY SUMMARY
(CID Regulation 195-1)

CONTROL NUMBER 0015-03-CID519 ^{AK}

0032-03-CID 519-62148

1300Z, 9 Aug 03 (10 mins)

1320Z, 9 Aug 03 (20 mins)

1340Z, 9 May 03 (10 Mins)

1350Z, 9 May 03 (10 Mins)

1410Z, 9 May 03 (110 Mins)

1600Z, 9 May 03 (10 Mins)

0557Z, 10 May 03 (150mins)

1057Z, 10 May 03 T:10/I:25

1105Z, 10 May 03 T:20/I:60

1130Z, 10 May 03 T:20/I:120

1140Z, 10 May 03, 1:40

1400Z, 11 May 03 1:5

1700Z, 11 May 03 1:40

0750Z, 13 May 03 (I-15)

0955Z, 13 May 03
SAC

1110Z, 13 May 03 (I-10)

1200Z
1240Z, 13 May 03
(I:10 / T:10)

1522Z, 13 May 03
(I:10)

0845Z, 15 May 03
(I:5)

16 MAY 03

26 MAY 03

26 MAY 03 (I-15)

BASIS FOR INVESTIGATION: About 1310Z, 9 Aug 03, this office was notified by COL [redacted] of an assault between a soldier and a EPW. Master [redacted] alleged between 1 May 03 to 3 May 03 an American soldier named [redacted] (NFI) accused Master [redacted] of stealing fruit from the medical center (NFI) after being released for vomiting [redacted] then grabbed Master [redacted] right arm and twisted it to take the fruit from his hand. Master [redacted] alleged the following day he awoke to find he had pain in his right arm and sought medical attention at the medical center (NFI) and was determined that his arm was broken.

Coordinated with COL [redacted] and interviewed Master [redacted] who related that about a week ago he awoke throwing up and was sent to the medical center for treatment. Master [redacted] related that he was given an apple and an orange from the hospital staff (NFI). Master [redacted] related that he returned to the compound and an American guard named [redacted] took the fruit from him by twisting his right arm. Master [redacted] related that the guard was a white male, about 65" to 67" and weighed about 170 lbs, but could not describe the other guard that was present when his arm was twisted. Master [redacted] related that his arm hurt, but he went about his business. Master [redacted] related that he then went to sleep and awoke with a stiff arm the next day. Master [redacted] related that there was a second guard present at the time and that someone had told him "I'm sorry" in English. Master [redacted] related that he thought that the incident was an accident. Master [redacted] related there were three other Syrian EPWs in the area, but did not know their names.

Travelled to 320th MP BN, and coordinated with SPC [redacted]

Coordinated with Maj [redacted] and determined Master [redacted] was still being detained

Advised SPC [redacted] of his legal rights which he waived and provided a sworn statement detailing how he handled the prisoners and had no knowledge of the incident under investigation.

Took SPC [redacted] to his company area and briefed commander on investigation.

SA [redacted] advised and interviewed SGT [redacted]

Coordinated with MAJ [redacted] for location of Master [redacted] and use on an Interpreter, Mr [redacted]

Travelled to compound 4 and interviewed guards at camp [redacted] and [redacted]

SA [redacted] re-interviewed Master [redacted]

SA [redacted] interviewed SSG [redacted] BAS NCOIC.

Directed by SAC to draft initial/final

Drafted IFI in Microsoft Word

Coordinated w/ LTC [redacted] Chief Staff, for opine

Reviewed File & IFI/BSec IFI/AIR For Corrections.

Get to me ASAP.

SAC related final transmitted to 800MPS3FWD @ 93sigbde 800MPS3FWD @ 93sigbde 2, army. smil. mil.

Briefed 1LT [redacted] (CO) on this investigation. Arranged for SPC [redacted] to be at CO's tent 0900Z, 14 May 03.

Ensured AAS/AIR reflected all guidance to date.

Notified case number is 0032-03-CID519-62148

SA [redacted] sent FINAL

SAC REVIEWED/FINAL PREP DUSTED

Copied file for Distro.

b6-3, 4

b7C-3, 4, b6-3

b7C-3, 4, b6-3

b7C-4, b6-4

b7C-3, 4, b6-3, 4

b7C-4, b6-4

b7C-4, b6-4

b7C-4, b6-4

b7C-4, b6-4

b7C-4, b6-4

b7C-4, b6-4

b7C-3, 4, b6-3, 4

b7C-3, b6-3

INVESTIGATIVE WORKSHEET

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g).

ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate filing and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

DISCLOSURE: Disclosure of your social security number is voluntary.

1 REC CODE	2 ACTION CODE	3 DATE SUBMITTED	4 SEQ NUMBER	5 YEAR	6 UNIT	7 POX NUMBER	8 PO TO CASE	9 CONTR. /
A4								

INDIVIDUAL DATA

10 LAST NAME [REDACTED] b7C-# b6-#			11 FIRST NAME [REDACTED] b7C-# b6-#			12 MIDDLE NAME [REDACTED] b7C-# b6-#			13 GRADE E5 b7C-# b6-#			
14 SOCIAL SECURITY NUMBER [REDACTED] b7C-# b6-#			15 OTHER ID NUMBER [REDACTED] b7C-# b6-#			16 PROB-CTY [REDACTED] b7C-# b6-#			17 PROB-CTY [REDACTED] b7C-# b6-#			
18 SEX M	19 RACE C	20 ETHNIC 20	21 HEIGHT 71	22 WEIGHT 155	23 HAIR COLOR BLD	24 EYE COLOR BLU	25 CITIZEN US	26 EDUC 13	27 PRIOR RECORD N	28 MARITAL M		
29 MOS 95B20		30 MCAC RC/A		31 POSITION GUARD		32 INDUSTRY		33 SECURITY TS		34 PHYSICAL MARKS NONE		
35 ALIAS-NICKNAME(S) NONE				36 ALIAS-NICKNAME				37 ALIAS-NICKNAME				
38 ORGANIZATION 320th MP BN						39 IF CONTRACTOR, CONTRACT /						
40 MILITARY SVC USAR			41 SUBUNIT 1ST PLT			42 FORT/CITY ASULEY			43 STATE PA		44 COUNTRY US	
45 ADDRESS [REDACTED] b7C-# b6-#			46 CITY [REDACTED] b7C-# b6-#			47 STATE [REDACTED]		48 COUNTRY [REDACTED]		49 ZIP CODE/APO [REDACTED]		

FAMILY MEMBER DATA

50 SPO		51 FAMILY REL		52 SPONSOR LAST NAME			53 SPONSOR FIRST NAME			54 SPONSOR MIDDLE NAME		
55 SOCIAL SECURITY NUMBER			56 SPON GRADE		57 SPON MCAC		58 SPONSOR UNIT ADDRESS					
59 SPON CITY			60 SPON ST		61 SPON CTY		62 SPON ZIP CODE/APO					

OFFENSE

63 OFFENSE CODE		64 UFC		65 OFFENSE CODE		66 UFC		67 OFFENSE CODE		68 UFC		69 OFFENSE CODE		70 UFC	
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ADMINISTRATIVE DATA

TELEPHONE /		ETS 28 NOV 05		PCS/DTCS		DATE INTERV START 10MAY05		TIME INTERV START 0549Z			
PLACE OF INTERVIEW START CAMP BUCCA		DATE INTERV END		TIME INTERV END		PLACE OF INTERVIEW END		FINGERPRINT 4		PHOTO 4	
VEHICLE DATA						DISPOSITION					

CORPORATION DATA

71 CONTRACTOR NUMBER		72 FED SERV/PROG /		73 CORPORATION NAME							
74 CORP ADDRESS				75 CORP CITY		76 CORP ST		77 CORP CTY		78 CORP ZIP CODE	
79 CONTRACT NUMBER											

NOTES

INVESTIGATIVE WORKSHEET

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 2012(g).

ROUTINE USES: Your social security number and other personal information are used as an additional/alternate means of identification to facilitate filing and retrieval.

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified. DISCLOSURE: Disclosure of your social security number is voluntary.

1 REC CODE A4	2 ACTION CODE 2	3 DATE SUBMITTED 1	4 SEQ NUMBER 8	5 YEAR 4	6 UNIT 2	7 FC NUMBER 3	8 REL TO CASE 3	9 CONTROL # 1
INDIVIDUAL DATA								
10 LAST NAME b7c-3, b6-3			11 FIRST NAME b7c-3, b6-3			12 MIDDLE NAME b7c-3, b6-3		13 GRADE E-4/Sgt
14 SOCIAL SECURITY NUMBER b7c-3, b6-3			15 OTHER ID NUMBER b7c-3, b6-3			16 DOB b7c-3, b6-3		17 RES-CITY b7c-3, b6-3
18 SEX M	19 RACE C	20 ETHNIC 20	21 HEIGHT 73	22 WEIGHT 185	23 HAIR COLOR BRN	24 EYE COLOR BRN	25 CITIZEN US	26 EDUC 14
27 PRIOR RECORD N	28 MARITAL S		29 MOS 95B		30 MCAC Res	31 POSITION -		
32 INDUSTRY -			33 SECURITY SECRET			34 PHYSICAL MARKS Horizontal burn/scar on left forearm		
35 ALIAS-NICKNAME(S) b7c-3, b6-3			36 ALIAS-NICKNAME			37 ALIAS-NICKNAME		
38 ORGANIZATION 320th MP BN						39 IF CONTRACTOR, CONTRACT #		
40 MILITARY SVC -			41 SUBUNIT -			42 FORT/CITY Camp Bucca		43 STATE AE
44 ADDRESS -			45 CITY -			46 ZIP CODE/APO 09367		47 STATE AE
48 ADDRESS -			49 CITY -			50 STATE AE		51 ZIP CODE/APO 09367
FAMILY MEMBER DATA								
52 SEX		53 FAMILY REL		54 SPONSOR LAST NAME			55 SPONSOR FIRST NAME	
56 SOCIAL SECURITY NUMBER		57 SPON GRADE		58 SPON MCAC		59 SPONSOR UNIT ADDRESS		
60 SPON CITY			61 SPON ST		62 SPON CTY		63 SPON ZIP CODE/APO	
OFFENSE								
64 OFFENSE CODE		65 UFC		66 OFFENSE CODE		67 UFC		68 OFFENSE CODE
69 OFFENSE CODE		70 UFC		71 OFFENSE CODE		72 UFC		73 OFFENSE CODE
ADMINISTRATIVE DATA								
TELEPHONE #			ETS		POS/DTG		DATE INTERV	
PLACE OF INTERVIEW			DATE INTERV		TIME INTERV		TIME INTERV	
START			END		START		END	
VEHICLE DATA						DISPOSITION		
CORPORATION DATA								
74 CONTRACTOR NUMBER			75 FED SERV/PROG #			76 CORPORATION NAME		
77 CORP ADDRESS			78 CORP CITY			79 CORP ST		80 CORP ZIP CODE
81 CONTRACT NUMBER			82 CORP CTY		83 CORP ST		84 CORP ZIP CODE	
85 NOTES b7c-3, b6-3								

