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LAW ENFORCEMENT SENSITIVE
INFORMATION PAPER

SUBJECT: Allegations of Detainee Abuse in Iraq and Afghanistan

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Purpose. To provide summary on CID investigations of detainee abuse and/or death in Iraq and Afghanistan.

CID Investigations.

Death Investigations:

1. On 4 Dec 02, at the Bagram Detention Facility, Afghanistan, a detainee died while in US custody. An autopsy determined he had suffered blunt force trauma, and the Armed Forces Institute of Pathology (AFIP) classified the death as a homicide. Investigation thus far has indicated three active duty enlisted MI soldier and three USAR enlisted MP soldier were involved at various times in assaulting and mistreating the detainee.
2. On 10 Dec 02, also at the Bagram Detention Facility, a detainee died while in US custody. An autopsy determined the detainee had suffered blunt force trauma, and the AFIP classified the death as a homicide. Investigation thus far has indicated five enlisted MI soldier and four enlisted MP soldier were involved at various times in assaulting and mistreating the detainee.
3. On 13 Jun 03, at the Baghdad International Airport detention facility, an Iraqi detainee died while in US custody. An autopsy determined he died of a subdural hematoma to the head. Subdural hematomas are normally the result of a hard, fast blow. AFIP's preliminary classification of the manner of death was homicide.
4. On 21 Jun 03, at a detention facility at the Asadabad Fire Base, Afghanistan, an Afghani detainee died while in US Army custody. Testimony from various soldiers identified a civilian employee of an Other Governmental Agency (OGA) as being responsible for physically assaulting the detainee prior to his death.
5. 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.
6. On 8 Aug 03, an Iraqi detainee died at the Abu Ghraib Prison. An autopsy revealed that the detainee had died of a heart attack.
7. On 10 Aug 03, an Iraqi detainee died at Abu Ghraib Prison. Initially, this investigation was classified as an undetermined death. An autopsy revealed that the detainee died of a heart attack.
8. On 13 Aug 03, an Iraqi detainee died at Abu Ghraib Prison. Initially, this investigation was classified as an undetermined death. An autopsy revealed that the detainee died of a heart attack.
9. On 20 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.
10. On 11 Sep 03, at the FOB Packhorse detention facility, an Iraqi detainee died while in US custody. An enlisted soldier on guard duty, failed to follow the ROE and shot the detainee, who was throwing rocks.
11. On 3 Nov 03, at the Camp Cropper detention facility, an Iraqi detainee died while in US custody. No autopsy was conducted and the body was 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.
12. On 4 Nov 03, at the Abu Ghraib detention facility, an Iraqi detainee died while in US custody. The detainee died during an interview process by OGA and Navy SEAL personnel. Allegedly, the detainee also resisted arrest and had to be physically restrained.
13. On 6 Nov 03, an Afghani detainee was found dead in his cell at FOB Gereshk, AF. He had bruising about his hips, groin, and buttocks. An autopsy could not establish a cause of death. The manner of death is currently classified as undetermined.
14. On 24 Nov 03, four Iraqi detainees were shot and killed while trying to escape Abu Ghraib Prison.

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15. On 26 Nov 03, at the 3d ACR detention facility in Iraq, an Iraqi detainee and former Army MG, died while in US custody. Testimony from various soldier indicated local national interviews of the detainee on 24 and 25 Nov 03 had involved physical assaults. On 26 Nov 03, the detainee died while undergoing "stress technique" interrogation by an MI soldier. Evidence of blunt force trauma was present on the body.
16. 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 CID currently classifies the death as "undetermined" with no greater clarity as to the cause of death expected.
17. On 3 Jan 04, an Iraqi national was drowned after he was allegedly pushed off a bridge by a soldier in Samarra. The soldiers involved are alleged to have conspired to cover up the incident.
18. On 8 Jan 04, an Iraqi detainee died of a heart attack at Abu Ghraib Prison.
19. On 9 Jan 04, CID was notified of the suspicious death of an Iraqi detainee. The detainee, a former Iraqi Army LTC, was taken into custody on 4 Jan 04 and was subsequently placed in an isolation cell and questioned at least two times in ensuing days. An examination of the detainee's remains disclosed there was extensive bruising on his upper body. On 11 Jan 04, an autopsy was conducted by an Armed Forces Medical Examiner. His preliminary report indicates the cause of death as blunt force injuries and asphyxia, with the manner of death listed as homicide.
20. On 16 Jan 04, at the Abu Ghraib Prison, an Iraqi detainee collapsed and died in his cell during morning prayers. To date, the results of the autopsy are unknown. The manner of death is currently classified as "undetermined."
21. On 28 Jan 04, at Camp Cropper, an Iraqi detainee, who was being treated for chest pains at the 28th Combat Support Hospital, fell out of bed, struck his head on the floor, and lapsed into a coma. A CAT scan and surgery revealed inter-cranial bleeding and signs of prior head injuries. The detainee subsequently died on 31 Jan 04. The cause of death was undetermined (body released prior to autopsy).
22. On 7 Feb 04, a 61 year-old detainee died while in custody at a central collection facility in Iraq. The death was determined to be due to natural causes.
23. On 19 Feb 04, an Iraqi detainee collapsed at the Abu Ghraib Prison, and died after CPR failed. An autopsy is pending. The manner of death is currently classified as undetermined. The death was determined to be due to natural causes (peritonitis).
24. On 28 Feb 2004, a SGT attempted to detain an Iraqi; the Iraqi resisted when the SGT attempted to place flexi-cuffs on him. A PFC raised his weapon to protect the SGT. The SGT was able to complete the cuffing process and was leading the detainee away when the PFC believed that the Iraqi was lunging at the SGT. The PFC fired one round from his weapon which struck the detainee in the head and killed him.
25. On 7 Mar 04, a detainee died a Camp Cropper Detention Facility after complaining of chest pains. An autopsy indicated the death was due to natural causes (heart attack).

Other Abuse Allegations

1. Between 15 Apr and 1 Jul 03, at the 3d Bde, 3d Inf Div detention facility in Samarra, Iraq, enlisted members of Det B, 223d MI Bn (CA NG), allegedly physically abused Iraqi detainees during interrogations. According to a statement from one soldier, the MI soldier struck and pulled the hair of the detainees, and forced into asphyxiation numerous detainees in an attempt to obtain information.
2. On 12 May 03, at Camp Bucca, Iraq, ten USAR enlisted MP soldier physically assaulted seven Iraqi detainees during in-processing at the facility.
3. On 12 May 03, at Camp Bucca, Iraq, an enlisted soldier fired a shot at the feet of an Iraqi detainee, and the detainee suffered a facial wound as a result.
4. Between 1 - 22 Jun 03, two soldiers (PFCs) detained two Iraqis for curfew violation and possible possession of small arms. It is alleged that one of the detainees became unruly, although their hands were "zip-tied." The two PFCs struck the detainee in the face several times breaking his nose.
5. On 13 Jun 03, a SGT punched, kicked and slapped a detainee.

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6. On 13 Jun 03, the squad leader of the SGT mentioned in paragraph above, allowed his soldier to beat detainees.
7. On 20 Jun 03, a 1LT detained several individuals suspected of looting and placed them in the back of a truck. He later took one detainee, a young boy, from the truck, pointed his pistol at the boy's head, and fired a round away from the boy in an effort to scare him.
8. On 21 Jun 03, a SPC slapped a detainee who was seated on the ground with his hands behind his head.
9. On 21 Jun 03, a SSG allegedly charged and placed a weapon next to a detainee's head.
10. On 20 Aug 03, at FOB Gunner, Iraq, an Iraqi being detained in US custody was physically assaulted and threatened by a battalion commander, three enlisted soldiers and an interpreter after the detainee refused to provide information.
11. 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.
12. On 1 Sep 03, at the Ammunition Collection Point, Baghdad, Iraq, enlisted soldier 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.
13. 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 soldier.
14. On 7 Oct 03, at the Abu Ghraib detention facility, three active duty male enlisted soldier assigned to Co A, 519th MI Bn, Ft Bragg, NC allegedly sexually assaulted and threatened a female Iraqi detainee.
15. On 31 Dec 03 during a "knock and search" operation, four Iraqi civilians were detained and guarded by an MP assigned to the 300th MP Co. The MP allegedly "butt stroked" one of the individuals when he refused to stay quiet and placed the muzzle of his M-4 rifle in the mouth of another detainee and "dry fired." He then removed the muzzle, charged the weapon, and fired the weapon into the ground near that detainee.
16. On 13 Jan 04, a soldier assigned to the Abu Ghraib Prison guard force provided CID and envelope containing a letter and CD disk. The letter identified MP guards allegedly involved in abusive acts against detainees. A review of the CD revealed photographs of MP soldiers involved in abusive or degrading acts involving detainees.

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REPORT TO ATTORNEY GENERAL

~~SECRET/REL G6TF~~
DEPARTMENT OF DEFENSE
COMBINED JOINT TASK FORCE 180
OPERATIONS ENDURING FREEDOM
BAGRAM AIRFIELD, AFGHANISTAN
APO AE 09354

28 NOV 2003

26 November 2003

CJTF-180-DCJS

MEMORANDUM FOR CHIEF OF STAFF, U.S. CENTRAL COMMAND

SUBJECT: Investigation of Alleged Abuse Against Detainee [REDACTED]

1. Reference. (U) Joint Staff Memorandum dated 14 Nov 03, subject: Allegation of Mistreatment (U).
2. An inquiry was made at direction of US Central Command concerning an allegation of abuse directed against [REDACTED] a Bagram Collection Point (BCP) detainee from 7 April 2002 to 7 Feb 2003.
3. No interviews were conducted with anyone who had personal knowledge of this detainee. Unfortunately, all BCP personnel who may have been associated with [REDACTED] have long since departed the command. An exhaustive review was conducted of all associated classified official detainee records to include Military Police custody documents, interrogation reports, interrogator notes and Criminal Investigation Task Force reports. Detainee medical records indicate [REDACTED] was treated for asthma and other minor ailments only. There is no information to support any claim of abuse directed against [REDACTED] while he was detained at the Bagram facility.
4. A review of [REDACTED] International Committee of the Red Cross (ICRC) [REDACTED] Further, a review of ICRC Visit Reports by the CJTF-180 Staff Judge Advocate indicate [REDACTED] did in fact meet with ICRC representatives on several occasions [REDACTED]
5. Conclusion. Based on available records and documents, allegations of abuse against [REDACTED] cannot be substantiated at this time.

~~SECRET/REL G6TF~~
FOIA/press Annotation

FROM SITE 12 OSD

(TUE) MAY 25 2004 10:36/ST. 10:36/NO. 5160427289 P 5

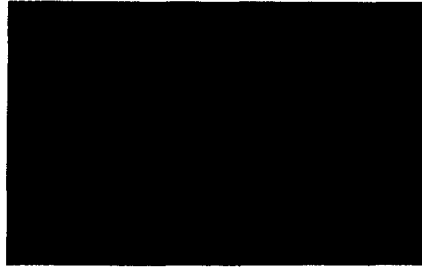
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CJTF-180-DCJS

SUBJECT: investigation of Alleged Abuse Against Detainees [REDACTED]

6. Point of contact is [REDACTED]

FOR THE COMMANDER:



FOIA/press Annotation

**Information on Detainee Operations
Guantanamo Bay, Cuba**

LGSI

- **Joint Task Force Guantanamo (JTF-GTMO) conducts detention and interrogation operations to collect and exploit intelligence and support law enforcement efforts associated with the Global War on Terrorism.**
- **Major General Miller assumed command of JTF-GTMO on 4 November 2002.**
- **Criminal investigations are conducted by an Army-led Criminal Investigation Task Force (CITF).**
- **Detainees at Camp Delta are enemy combatants, as determined by the President of the United States.**
- **Detaining enemy combatants is not an act of punishment, but of security and necessity, intended to prevent them from continuing to fight against the U.S. and our partners.**
- **We are detaining those enemy combatants that would contribute to our ongoing fight against terrorism.**
- **The USG has begun releasing those who no longer pose a threat. Five individuals have been released thus far.**
- **At Camp Delta, detainees receive:**
 - Three culturally appropriate meals each day,**
 - Daily opportunities for prayer and ability to practice their religion,**
 - Ability to send and receive mail,**
 - Opportunity to take showers regularly,**
 - Exercise opportunities, and**
 - Excellent medical care.**
- **Significant quality of life improvements at GTMO since the detainee operations began in January, 2002:**
 - **New, well ventilated detention units constructed at Camp Delta have replaced Camp X-Ray.**
 - **Detainee hospital constructed to provide excellent medical care to detainee population.**
- **Representatives of the International Committee of the Red Cross (ICRC) visit enemy combatants under US military control.**

- **Approved foreign government representatives are permitted to visit their nationals for specific law enforcement or intelligence purposes.**
- **These detainees are enemy combatants. It would be inappropriate to permit consular, counsel or family visits during a time of war.**
- **Intent is to release from DoD control those who no longer threaten U.S. security and have not committed crimes against our nation.**
 - Some detainees may have committed crimes.**
 - Military commissions occur at the direction of the President.**
 - No detainees have been charged with crimes to date.**
 - DoD published draft Crimes and Elements that could be applied should military commissions be conducted.**
- **There is no requirement in international law that a detaining power accuse enemy combatants of crimes or prosecute in order to continue detention.**
 - **There is no law requiring the detaining power to release enemy combatants prior to the end of the conflict.**
 - **The authority to detain enemy combatants exists in law independent of the civil judicial or criminal justice system. It is a basic tenet in the law of war.**
 - **The decision whether, or when, to prosecute enemy combatants is completely separate from the underlying authority to detain them during the war.**
- **Five detainees released from GTMO in November 2002**
 - **Others would be considered for release, or transfer to another government, if they meet the criteria.**
- **Transfer to another country for continued detention would only occur if U.S. conditions were satisfied, including a guarantee of humane treatment.**
- **We constantly review detained enemy combatants at GTMO to determine:**
 - **Intelligence value,**
 - **Law enforcement value, or**
 - **Threat they pose to U.S. security**
- **Enemy combatants under control of U.S. armed forces continue to be treated humanely, and consistent with military necessity, in a manner consistent with the principles of the Third Geneva Convention of 1949.**