



United States Department of Defense.

## News Transcript

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**Presenter:** Senior Military Official; and Senior Pentagon Medical Official

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### Defense Department Background Briefing

The certificates of death can be viewed at [www.defenselink.mil/news/May2004/d20040521cert.pdf](http://www.defenselink.mil/news/May2004/d20040521cert.pdf) and [www.defenselink.mil/news/May2004/d20040521cert1.pdf](http://www.defenselink.mil/news/May2004/d20040521cert1.pdf)

STAFF: All right, let's go ahead and get started. Thanks for being with us this afternoon.

In our continuing effort to provide you with the kinds of information that you're interested in with respect to the Iraqi detainee abuse allegations, we have brought back to you, as we promised, to bring you up to date on the death investigations that are

taking place. The information that we have today is the best information that we have to date, and it's our commitment to you to continue to update that as we get better information. It's not the last chapter, but it's where we're at right now. And there's been significant interest not only on the part of the death investigations, but requests with respect to the medical examiners work and with the death certificates that are available when there has been an autopsy that's been requested.

So today, again, because we're kind of into the process and an update, we'll be doing this on background. We have a senior military official and a senior defense official. I think you're familiar with both of them. If you're not, I will certainly give you their bona fides afterwards and their titles, if you're not familiar with either one of them.

So with that, our senior defense official is going to start -- I'm sorry, our senior military official is going to start off, followed by our senior defense official, then we'll take some questions.

Q Could we do this as a "senior department medical official" as opposed to just a "senior defense official" --

STAFF: Sure, I think that's fine.

Q How do you do that? Senior Defense Medical -- Senior Medical --

Q Senior Pentagon Medical official.

STAFF: That's fine. If that helps, that's good.

SR. MILITARY OFFICIAL: What I'd like to do is I have some notes, and because the last time I was before you we got the numbers skewed a little bit about cases and what was being investigated. So what I'd like to do is refer to my notes to make sure that we've really got it clear today.

The Army Criminal Investigation Command is currently investigating 33 death investigations of detainees. Now, what I will tell you is 30 of those investigations are inside a facility, and three of those investigations are outside a facility. I'll characterize those in big pieces for you --

Q Are these all Iraq?

SR. MILITARY OFFICIAL: No they're not, ma'am. They're both Iraq and Afghanistan.

Of the 30 death investigations, 15 of the 30 are natural or undetermined deaths. Most of these cases involve either verified or suspected natural causes such as heart attacks. Ten of these 15 have been verified by autopsy. Of the remaining five, although autopsies were not conducted, three were reviewed by medical officials in the field.

Four of the 30 death investigations are being categorized as justifiable homicides. Now, let me define that for you in these cases. Justifiable homicide are cases that involve disturbances inside a facility, and the soldiers involved followed the existing rules of engagement to prevent a breach of the perimeter or to protect soldiers or guards from grievous bodily harm or from death.

Two of the 30 death investigations are categorized as homicides. One involved a soldier not following the proper rules of engagement who shot and killed a detainee who was throwing rocks at him. The second case has been closed by the Army Criminal Investigation Command and has been turned over to another government agency.

The nine remaining cases of the 30 are still active pending investigations. Eight of these cases involve deaths that are classified by medical authorities as homicides, which involve suspected assaults of detainees either before or during interrogation sessions that may have led to the detainee's death.

Now before I go further, I need to qualify that, if I could, for you. The National Association of Medical Examiners classify death as one of five categories. It's either natural, accidental, suicide, homicide or undetermined. Homicide is defined as a death that results from the volitional act committed by another person to cause fear, harm or death.

I must emphasize that as used by the medical examiner, it is a neutral term and neither indicates nor implies criminal intent. Let me say that again. From a medical examiner's standpoint, it is a neutral term that neither indicates nor implies criminal intent.

The remaining case of the nine is what we believe to be a natural death and we're pending an autopsy.

The remaining three cases, and these cases are outside of a facility -- one death case is a murder case involving a soldier who shot and killed an Afghani who allegedly lunged toward his weapon -- toward the Afghani's weapon. The two other cases involve an Iraqi

national who was apparently drowned after he was forced off a bridge. And the last one involves a soldier who shot and killed an Iraqi when the Iraqi lunged at the soldier's sergeant who was escorting the Iraqi.

Those cover the 33 death investigations that we are either have or are currently investigating.

Q And of the eight, how many are in Iraq?

SR. MILITARY OFFICIAL: Of the --

Q The nine remaining cases?

Q The nine remaining cases, yes.

SR. MILITARY OFFICIAL: I think six, but let me check before you write that down. Let me check some notes.

Q Of the 33 how many are in Iraq and Afghanistan? What's the breakdown of the 33?

SR. MILITARY OFFICIAL: I am going to have to get that. I do not have it broken down.

Q The other's more important anyway.

SR. MILITARY OFFICIAL: I do not have it broken down by country, but let me see if I can answer the other one.

Q The time period is still since December 2002?

SR. MILITARY OFFICIAL: Yeah, everything I just talked about is from December 2002 to present.

(Pause in briefing as briefer checks numbers.) I apologize.

Q We appreciate you --

SR. MILITARY OFFICIAL: I believe it's seven and two -- seven in Iraq, two in Afghanistan.

Q Are there any deaths that would be outside the scope of Army CID? Of prisoners?

SR. MILITARY OFFICIAL: I think there are, but I really can't answer that, because I just don't have the information. But there may be.

Q Can you tell us why this one death --

Q Why did the Army CID --

STAFF: Before we get into questions, let's have our senior Defense official provide the information that he has before we get into questions here.

SR. PENTAGON MEDICAL OFFICIAL: Okay. Our Armed Forces Institute of Pathology and the Armed Forces Medical Examiner's Office, located here in Washington, has been all along conducting autopsies and producing death certificates on those autopsies. And not in all cases have -- as has been reported, of death, have autopsies been performed. There are very legitimate reasons in some cases.

But let me just summarize what we have on hand right now. We have 23 -- and we will distribute this information at the end of this session -- 23 death certificates that we have from the Armed Forces Medical Examiner's Office, as of today -- 20 of those from Iraq, three from Afghanistan.

And then let me just give you a breakdown of -- because you will be prompted to ask these questions, so we'll go ahead and try to answer them for you now -- prompted by the information on the certificate. Twelve would be from natural causes, all in Iraq. One

has been deemed to be an accident, from Iraq. Nine were listed as homicide, six of those in Iraq and three in Afghanistan.

And then there is one pending case that is from Iraq, bringing the total to 23.

And again, I would just emphasize the definition that [the other briefer] gave: that homicide does -- is a value -- it's a term without -- without a determination of cause except that the cause was by another person. In other words, it could have been in self-defense, law enforcement, combat, even, or -- you know, so that it just means that it appeared that the death was at the hands of another individual.

So that's what we have and that's what we're reporting on tonight.

SR. MILITARY OFFICIAL: If I can clarify the number I gave you, it is six and three. I think I gave you seven and two. It is six and three; six in Iraq, three in Afghanistan.

Q Did you say how many Abu Ghraib?

SR. MILITARY OFFICIAL: I did not say how many Abu Ghraib. Of the nine pending investigations, two were in Abu Ghraib.

STAFF: One of the -- as we get into questions here, one of the things that we won't be able to do today is neither of the officials here are going to be able to comment on any ongoing investigation that's still open. So just keep that in mind, okay?

Q What about --

Q Can I just ask -- the one that you mentioned that is closed and turned over to another government agency, in what circumstances would the military -- would CID have investigated something that would have led to it being turned over? Was it a military person working for another government agency?

SR. MILITARY OFFICIAL: I think the best way for me to characterize that, ma'am, is there was an -- there was a death that took place. We were the investigative agency in the country. We investigated it, and then once we got to a certain point we

saw that that investigation needed to be turned over to another agency, and that's what we did.

Q And so it was not --

Q If I could --

Q I'm sorry, can I just -- can you just tell us factually, then, the person involved was not a military person?

SR. MILITARY OFFICIAL: To be honest with you, since it's not my investigation I'm really stepping over the line to try to get anything more than that to you.

Q Wasn't that a CIA contractor, a civilian? Isn't that why you all turned it over to the Justice Department?

SR. MILITARY OFFICIAL: Really, it's an open investigation for them and all they can tell you is we turned that investigation over.

Q If we asked how many of these that are still under investigation, do these all involve the military or are there any civilian contractors involved here? Military personnel or civilians?

SR. MILITARY OFFICIAL: All the investigations that we're doing are all military.

Q The nine?

SR. MILITARY OFFICIAL: Correct.

Q You said there were two confirmed homicides, one that you turned over and one the soldier not following the ROE, the throwing-rocks incident. Was that at Abu Ghraib?

SR. MILITARY OFFICIAL: No, it was not.

Q Can you tell us where that was?

SR. MILITARY OFFICIAL: I think the only thing I can tell you on that -- it was in a forward operating base.

Q That was September '03?

SR. MILITARY OFFICIAL: It was.

Q Okay.

Q Just to be clear also, out of these 33 cases, it seems pretty clear that only one person has been charged, and that was the soldier who was released from the military, right? There's only one charge been made in all of these 33 cases. Is that not right?

SR. MILITARY OFFICIAL: No, I do not think that's an accurate statement.

Q Well, how many -- I'm sorry. How many have resulted in charges?

STAFF: Well, charging, unfortunately -- it's a fair question, but charging, it goes beyond the responsibilities of the individuals up here. It's done by the commander, and unfortunately, we'd want to be correct as opposed to giving you a number that we're not sure of.

Q Could -- I mean, I have some specific incidents that were previously reported. Would it be useful, possible to go through some of them and if you could tell us which one of the 33 this -- you know, how this is classified?

SR. MILITARY OFFICIAL: I will be as candid as I can.

Q There was November 26, 2003, Major General Abed Hamed Mowhoush, the former commander of Saddam's air defenses, died at Qaim.

SR. MILITARY OFFICIAL: What I will tell you, that's an ongoing investigation.

Q Okay.

Q One of the reports that's given in the press, the autopsy from a detainee who died at a classified interrogation facility near Baghdad. The question is, are any special operating forces being investigated for that death? This occurred in June '03.

SR. MILITARY OFFICIAL: Well, I would not categorize that we're not investigating because it's special operating force. If it's a death investigation, we're doing the investigation. The one that you just talked about, I'd have to go back to look and see if I could in the time frame talk exactly about that. But I would not characterize, because it's a special operating unit, that we're not conducting the investigation. If it's a death investigation, we're going to conduct it. We're going to get to the bottom line.

The Army Criminal Investigation Command is a -- I'll use the term for you -- it's a "stovepipe" organization. The agents in the field work directly through a CID chain of command to me. They do not work for commanders in the field. They support commanders in the field, but they do not work for them. It's an independent investigative agency.

There is -- to do away with the perception of command influence, or command influence, it does not happen. Those agents diligently seek the truth deterred neither by fear nor prejudice -- that's the oath they take, and that's how they conduct investigations. They're going to kick over every rock that they can to get to the bottom line. So I wouldn't characterize because it may have been a special operating unit that we're not going to investigate. That is not --

Q Well that was not my implication. My question was --

SR. MILITARY OFFICIAL: I apologize.

Q -- whether special operating forces are being investigated for this incident in June of 2003.

SR. MILITARY OFFICIAL: If it's a murder -- excuse me. If it's a death investigation that I talked about, no matter who it is, we are doing the investigations, we are conducting the investigation.

Q Sir, rather than us playing "find the peanut" and offering different bases, is it possible for you to go through any subset of these, perhaps the nine remaining cases, and tell us what date it happened and as much detail as you can about it?

SR. MILITARY OFFICIAL: What I can tell you on the nine I think what I can tell you safely on the nine, because they're ongoing investigations -- and really it was already asked. You know, the time frame goes from December of '02 to present.

Q But you can't be specific and say there was on November 26th, one on this --

SR. MILITARY OFFICIAL: Not on the open investigations. I really can't.

STAFF: And these are all open investigations.

Q Sir, what about on January 9th this year, Forward Operating Base Rifles Base. A detainee died while in custody. He had been shackled to the door of his cell with his hands over his head and gagged. Five minutes later he was found dead. Is that one of your ones that are under investigation?

SR. MILITARY OFFICIAL: I'm sorry, say the date?

Q January 9th, 2004.

SR. MILITARY OFFICIAL: The location again, please?

Q Forward Operating Base Rifles Base?

SR. MILITARY OFFICIAL: It is an ongoing investigation.

Q Okay. How about November 4th of last year, an Iraqi died at Abu Ghraib during an interview by Special Forces and Navy SEALs?

SR. MILITARY OFFICIAL: It's an on going investigation.

Q Can you go back to the June 13th, 2003, is that still ongoing?

SR. MILITARY OFFICIAL: That case was -- I'm sorry, the June 13th is not -- which one?

Q Classified interrogation facility in Baghdad.

SR. MILITARY OFFICIAL: I'd have to get back -- I think the answer to that is yes, but I'd have to get back with you because I'm not carrying it as you're carrying it, I don't think.

STAFF: One other thing, these are all fair questions. But one of the things we're not going to be able to do is a complete cross-walk for you at this time. We came today because we wanted to try to give you a sense of the magnitude of what is being investigated, and it's what these gentlemen briefed to the Hill this afternoon, too.

And so we're trying to provide you with the most up to date that we have, knowing that there is still more work to do and there is still greater clarity that you'll want and that we're working on and we want to provide to you also. So that cross-walk - at this point, we're not ready to do just yet.

Q We have copies of the autopsies? Is that public record?

SR. PENTAGON MEDICAL OFFICIAL: Yeah, that issue is being reviewed currently by our legal counsel. The certificates are being released today, but the specific autopsy results, I am told by a legal counsel, if they relate or may impact upon directly the investigation, may not be releasable. So we're in a process of going through those cases that have been cleared and if they've been cleared and closed then we'll be releasing those results as soon as we can.

Q What is the department's policy on autopsies of detainees?

SR. PENTAGON MEDICAL OFFICIAL: The policy is that when an individual dies while in custody that individual is to notify the commander in charge and a medical officer is then to be notified and then some determination would be made at that point about the appropriateness of performing any forensic examination.

Q So why weren't autopsies performed on five of the deaths?

SR. PENTAGON MEDICAL OFFICIAL: They were not requested. I would have to say that a case-by-case determination would need to be performed as to whether the proper judgment was applied.

Q Well, was it not applied --

SR. PENTAGON MEDICAL OFFICIAL: But there could be many reasons that an autopsy would not be performed. It could be at the request of a family member; could be the judgment of a medical person on site that the cause of death was quite obvious. There's a variety of reasons.

Q Doctor, you said there are 23 death certificates. Are you talking 23 as opposed to 33 deaths that we're talking about today?

SR. PENTAGON MEDICAL OFFICIAL: That's what we're still in the process of trying to cross-walk. And --

Q You have two different sets of records and you're not sure where they intersect yet.

SR. MILITARY OFFICIAL: If I could, there may be a couple issues here.

There's the issue of -- the autopsies are on each individual remain, each individual person. What I'm talking about is cases, and in a case there may be more than one or two victims. So the number of autopsies and the number of cases, if that's what you're trying to reconcile, may not always reconcile that way.

Q So how many people are involved, then? How many 33 death cases; 30 inside facilities, three outside. How many people involved here? How many people died here?

SR. MILITARY OFFICIAL: I'm not too sure I've got every single -- the numbers of every single case. I can for sure -- to get to my point, I can tell you that for sure on those that I talked out, the justifiable homicides, where the soldiers followed the proper rules of engagement, they are four cases but there were eight victims there.

Q Well, sir, respectfully, though, how can you come before us and tell us and present this 33 death cases without knowing how many total people are killed? That's what we need here. We don't need cases; we need people who were killed?

Q I think we all assumed that one killed per case.

Q Right.

Q Yeah. That is really misleading.

Q I mean, we thought you were talking about individuals --

Q I mean, you say at least 33 people have died, but you've already -- in one case here, it's double the number in this category. So how many people died here?

SR. MILITARY OFFICIAL: Sir, I guess what I'll have to tell you is --

Q Can you get back to us today with that?

SR. MILITARY OFFICIAL: Well, I don't know if we can get back to you today. We can get back with you on the number of victims, but remember --

Q That's ridiculous. Why even come down here if you don't have the number of people who died?

SR. MILITARY OFFICIAL: Let me -- let me --

Q Why do you present these briefers here if you don't have the information? You say this is the latest information, (staff's name).

STAFF: Eric, there's no reason to get adversarial here. What we're trying to do is, as we develop this information because of the interest that you have in it, we're trying to bring it to you as rapidly as we can but with the greatest amount of accuracy that we

can. This is the same information that we briefed members of Congress on today. We felt it was important that you should have the same kind of information.

Q Did you make this distinction to them, that these are cases and not individuals?

STAFF: We are making this distinction right now to you about the cases, okay? And we understand the desire to have other cases' number of victims, and we'll work on getting that information for you.

Q Can we get that tonight, do you think?

STAFF: You heard the official say that there is no the senior military official said we'll try and see what we can do.

Q Sir, can you at least tell us, of the nine, then, active/pending cases, can you at least narrow down for us how many people, how many victims are involved in nine active/pending cases?

SR. MILITARY OFFICIAL: I can clarify -- but I do want to go back and add up -- but I think I can clarify that in the 33 cases that I'm talking about, we are talking single victims except for the disturbances at -- on those detention facilities, except for the four that I told you about, the justifiable homicides.

Q Which are eight victims, if we understand you precisely.

SR. MILITARY OFFICIAL: Yes, ma'am.

Q So is there 37 total victims?

Q There would be 37.

SR. MILITARY OFFICIAL: I think -- but let me go back and answer. I think the rest of them are single victims for each of the case. But I just want to make sure, without sitting here and counting every single one in front of you.

Q Well, if you've got that there, we'd sure appreciate it before we leave. We'd be happy to wait for the information.

Can I just also ask -- two points. Because it's been so much in the public, is there anything you can tell us about why the two cases in Afghanistan -- the December 2002, roughly, cases -- are taking so long?

And my second question is, when you have these death certificates and findings, what is your policy about notifying Iraqi families of what you find?

SR. MILITARY OFFICIAL: I can take the first one, ma'am. The cases you're talking or speaking about, from Afghanistan, have taken about 17 or 18 months. They are very difficult, and they are very complicated cases, and they're still open, so I can't go into them, and I can't go into them for specific reasons of why they're still open. But they were very difficult, and they were very complicated.

I will say this: that as I said earlier about taking cases and doing them very thoroughly, we do cases to a standard and not to time. We take a case wherever a lead takes us, to get to the truth of what took place in that case. And that's exactly what we're doing in those cases. I understand that 17 months is a long time, ma'am, but I would rather have you ask me why it's taking me so long than you ask me about why we didn't do a good job on the investigation. And I think that's what we're doing -- a good job on the investigation and we're being very thorough.

Q Do you think you're going to be able to close those two out?

SR. MILITARY OFFICIAL: Yes, ma'am, I know we are going to be able to close those two out.

Q Do you have any metric of measuring how many deaths you've had relative to the number of the total population in this particular time period?

SR. MILITARY OFFICIAL: What I think -- and these are approximate numbers, please. I think the approximate numbers that the coalition and U.S. forces have handled since the beginning of OEF -- of OIF and OEF are approximately 45,000. And that's an approximate number. That could be -- and we've released about 35,000 -- again, approximate numbers. So that kind of gives you the scope of the number of detainees that have been handled since the beginning -- and again, please, approximate.

Q And how would that compare to, say, Bosnia or Operation Desert Storm and the number of deaths and the number of cases? In other words, what I'm trying to figure out is, are more people dying now than in the past?

SR. MILITARY OFFICIAL: I just don't have the information. I mean, I can tell you personal experience. When I was a lieutenant colonel, I was a battalion commander during Desert Shield/Desert Storm, and I handled 26,000 EPWs. Of the 26,000, we had a few that died, but they just died of heart attacks. But I don't think it's fair to categorize that group against

this group. I think they're separate groups. But anecdotally, I could tell you that for sure.

Q Of the nine --

SR. PENTAGON MEDICAL OFFICIAL: If I might, I came prepared with a little bit of that information, though it's not -- certainly not down my lane. But what I'm told or what I have in front of me is from -- some data from probably the most recent years of the federal/state prison system. And that would suggest that about 3-1/2 -- 3.3 percent of prisoners die in any given year. That was about 3,175 out of 95,043 in federal and state prisons. So that comes to -- my math -- about 3.3 percent.

Q Can we go back to the documents you talked about? I imagine you released those to members of Congress, right?

SR. PENTAGON MEDICAL OFFICIAL: No, we have not.

Q How will you release that? Is that something that we can get here or --

SR. MILITARY OFFICIAL: We're going to bring them to you. We're making copies up for you now.

Q Are there any staff investigations at Gitmo that are in your purview?

SR. PENTAGON MEDICAL OFFICIAL: No.

Q Of the nine pending, you said two are at Abu Ghraib. Can you tell us if that's two homicides or if that's one homicide and one natural?

SR. MILITARY OFFICIAL: Remember the comment on -- when I talked about the nine, I talked about eight that were classified by the medical examiner as homicide. So eight --

Q Eight were classified homicide, one was natural --

SR. MILITARY OFFICIAL: Right, and one was -- we think is a natural death. It's still yet to be determined.

Q So of the two that are of the nine that are Abu Ghraib, are they two homicides or a one and one? Which one is the natural? Is the natural at Abu Ghraib or not?

SR. MILITARY OFFICIAL: No, I don't think it is. But I'll look.

(Pause while briefer checks records.) Yes.

Q Yes, it's one natural death at --

SR. MILITARY OFFICIAL: Yes, at Abu Ghraib. I apologize.

Q In addition to the death figures, do you have updated figures for assault investigations -- similar figures for assault investigations that you've undertaken and resolved and are still open?

SR. MILITARY OFFICIAL: I do have a number for assaults. I think the number is 16 total, sir.

Q Sixteen in Iraq and Afghanistan?

SR. MILITARY OFFICIAL: Sixteen total cases.

Q Cases?

SR. MILITARY OFFICIAL: Yes, sir.

Q Open? Closed? What are they?

STAFF: We can probably get that for you. We didn't come prepared to really do the assault. We've been kind of looking at the death data. But we'll see if can't break that out.

SR. MILITARY OFFICIAL: I think I can give it to you. I'll come back to give you a definitive, but I think right now what I can tell you -- of the assault cases, there are 14 that are closed and two that are open.

Q Does that include sexual assaults as well? That's what we got last time. Last time there were nine assaults, one sexual assault. Can you give a breakdown on that? And where they are.

SR. MILITARY OFFICIAL: I think the sexual assault is a closed case, but I'll have to get back with you. But I think it's a closed case.

Q Who brings assault charges? Prisoners can't ask obviously for an assault case to be brought against a guard. Or maybe they can?

SR. MILITARY OFFICIAL: The cases come to us in a variety of ways.

The cases come to us from other soldiers that saw something. Most of the time in the assaults the cases come to us from an Iraqi that will say that "I was assaulted." We investigate everything.

Q Are any of the assault cases that are under investigation the ones that are in court-martial right now?

SR. MILITARY OFFICIAL: Yes, they are.

Q Sir, I have a question that kind of relates to what you were saying before about the independent nature of CID. And it involves these prison abuse cases. If I understand right, CID undertook this investigation of the MPs at Abu Ghraib parallel to the Taguba investigation. Now you've got a Fay investigation of the MIs. Is CID also doing criminal investigations of the MIs?

SR. MILITARY OFFICIAL: Let me see if I can clarify what I think you said earlier. You said CID conducted the investigation of the MPs in parallel to what General Taguba did.

We started the investigation at Abu Ghraib on, I think it was, the 14th or 15th of January, when Darby came to a CID agent and said, "Look." So we started that investigation immediately. General Taguba's report, Taguba's 15-6 didn't happen till later. So we started that immediately.

Q Did you limit your look to the MPs?

SR. MILITARY OFFICIAL: What we did was -- the answer to that is no. The answer to that is we will -- and this is why it's still an open case -- will continue to look at that investigation to see where it takes us. So I guess I would tell you it is not limited to the MPs. As you've already heard, these investigations are going to take us wherever they take us, to whatever level they take us. So even though the 15-6, they may have taken some administrative action, it is still open for criminal

investigation if in fact, as we continue with the investigation, we find something of criminal nature. We'll continue on.

Q Well, can you say at all why it was that you brought charges against the MPs, but it's been weeks now, months, and you haven't brought any actions against any of the MIs?

SR. MILITARY OFFICIAL: I can't answer for the commander of -- the process of how the commander, based on the case, is deciding to take action. That's the best way I can answer that.

Q Can I take that a step further, please? One of the soldiers from the 372nd, Ivan Frederick, mentioned that two CID agents were present during some wrongdoings. Who's looking into that?

SR. MILITARY OFFICIAL: Sir, we did an internal inquiry into those allegations. And our inquiry found that that is not true. That there were no agents in that facility when any of those activities were being conducted.

STAFF: We're starting to stray a little bit from the death investigations. If there's anything more on the death investigations (Cross talk.)

Q About the death investigations, other than the one homicide, the soldier who wasn't following ROEs and killed the guy throwing rocks at him, has anyone else been punished for any of these deaths, received any kind of punishment?

SR. MILITARY OFFICIAL: I can't get into the adjudication that commanders meted out. That's out of my lane. I just don't have that information.

Q Sir, on the autopsies, is there -- I vaguely recall seeing something earlier that there's something in the Geneva Conventions requiring autopsies on prisoners. Is that true? Or what's your understanding of the Geneva Conventions?

SR. PENTAGON MEDICAL OFFICIAL: No, that's not correct to my understanding.

Q Could you tell me how many -- you've said that there are currently 33 death investigations going on. What's the whole universe of death investigations that have occurred since the beginning of this? Is that it? Because I came across some Army reports today about a soldier who accidentally killed a child when his gun discharged, and a few other things. I mean, is that it?

SR. MILITARY OFFICIAL: This is the universe of death investigations on detainees that I've got. This is the universe.

Q Okay, on detainees.

SR. MILITARY OFFICIAL: Yes.

Q Do you have anything separate for other deaths civilians or --

SR. MILITARY OFFICIAL: I do not have that here with me, I'm sorry.

STAFF: We didn't really come prepared to talk about that.

Q If we could get confirmation on 37 --

STAFF: I think there's one more, and then we'll close it up.

What's that?

Q If we can --

SR. MILITARY OFFICIAL: I tried to add it as you were talking, but somebody asked me a question. I apologize.

Q No, we'll give you all the time you need. We're easy.

Q The four that were -- or the ones that were determined to be justified, could you give us date, locations on those since those are concluded? And all the different incidents there have been reports on, it would be good to just cross those off the list.

SR. MILITARY OFFICIAL: The four justifiable homicides.

Q Is that the right number, was four?

SR. MILITARY OFFICIAL: Four.

Q Four cases, eight people?

SR. MILITARY OFFICIAL: Right. Four cases, eight people. I will give you the dates. April of '03, November of '03, March of '04, and April of '04.

Q And locations?

SR. MILITARY OFFICIAL: Camp Bucca, April of '03; and the other three at Abu Ghraib.

Q How do you spell Camp Bucca? B-U-C-C-A, right?

SR. MILITARY OFFICIAL: This really is a test!

(NOTE: Question relating to Senior Military Official's title not transcribed.)

Q And just to go over, there was one death at Camp Bucca and then seven others at Abu Ghraib, is that correct? Of the four justifiable, one and seven. Is that correct?

SR. MILITARY OFFICIAL: Okay, let me see if I -- let me give it to you exactly where it is, okay?

The November at Abu Ghraib is the one that has four.

The April of '03 at Bucca has one. The March of '04 at Abu Ghraib has one. And the April of '04 at Abu Ghraib has two.

STAFF: All right. Let's bring it to an end, then. We know that

Q Is the CID -- the investigation you turned over to the other government agency, did that involve -- was that Abu Ghraib? How many people did that involve?

SR. MILITARY OFFICIAL: That was not at Abu Ghraib, and I can't go any further. I apologize.

Q But the other government agency, is that the Justice Department? Can we assume that, since it's the investigative arm of the civilian --

(Cross talk.)

SR. MILITARY OFFICIAL: I'm out of my lane. I just can't talk about it.

Q Sir, you're going to take the question on the total number of deaths, 37 you believe, but you'll double-check that?

SR. MILITARY OFFICIAL: Before I leave here, I'll go to the back room and I'll do my math.

Q Thank you. Can you also take the question, if you can, of the number of deaths now, people who died, how many were in Iraq, how many were in Afghanistan?

SR. MILITARY OFFICIAL: That may be a little more problematic for me before I walk out, but I'll do the best I can, sir.

Q Thanks. Thank you.

Q Because we still don't know exactly how many people are dead, right?

SR. MILITARY OFFICIAL: It's the one that's been referred, isn't that?

Q At least 37, right. So you can't --

SR. MILITARY OFFICIAL (?): We'll do another cross-walk on those (off mike).

Q And we're getting the death certificates now?

STAFF: The death certificates will be available in the press operations. And again, we know that this is difficult from the standpoint of it's a lot of data, it's a lot of numbers. And we also know --

Q Do you have a sheet -- (inaudible) --

STAFF: Pardon me, if I could, please?

Q Excuse me.

STAFF: We also know that it's not the complete picture. And we'll continue to provide you these updates as long as you feel that you're useful. We'll try to do them as early in the day as we can, but as you know this is an ongoing process and that material is being developed each and every hour of the day. So I hope it's helpful.

Q Thank you.

STAFF: If it's not, let me know. I appreciate your feedback. And we can wait till we have a clearer picture before we bring things to you, too.

Q It's helpful.

STAFF: Okay.

(Cross talk.)

Q Thank you.

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