

#### DEPARTMENT OF THE ARMY 400th MILITARY POLICE BATTALION BIAP, IRAQ, APO AE 09302-1322

AFRC-CPA-AO-D-PR 21 June 2003

MEMORANDUM FOR Commander, 400th Military Police Battalion

SUBJECT: Escape and shooting at Abu Gharaib

- 1. This 15-6 investigation includes two parts. An escape that took place around 1400 and a riot that resulted in a shooting and death of one detainee and injuries to seven other detainees around 1600.
- 2. The Escape: The detainee, #8968, used a piece of cardboard from a water bottle box to push the triple strain concertina wire up and slide under. The detainee did this while the tower guard was turned the other way. The QRF was activated and quickly apprehended the detainee while other guards pursued. Reference enclosure 21.
  - a. This location was previously used by detainees to escape seven days earlier. This is an ideal spot to use because of the concealment along the wall. This spot was reinforced after the first escape attempt. A step to prevent an attempted escape attempt like this would be a cellblock enclosure. The cellblock is currently being renovated. Prisoners use cardboard boxes to sleep on. This is good for preventive medicine.
  - b. The SOP does not specifically cover an escape attempt. This is a general guard order to prevent detainees from escaping
- The Riot: Around 1600, 30-40 detainees started to throw rocks from their compounds at the three interior guards. The interior guards tried to get behind a generator to avoid the rock throws. They then proceeded to the exit. Enroute to the exit the interior guards were hit with baseball size rocks. A prisoner was about to throw a tent pole like a javelin at the interior guards only 10-15 feet away, when all three guard towers fired at the main threat 8 times and one tower shot 3 times into the crowd. This effectively dispersed the crowd and eliminated the threat. Reference enclosure 20 and 22 for the prison overlay and tower shooting layout.
  - a. Upon reading the sworn statements (enclosure 7-19), I determined that the shooting was justified. All three towers determined that the lives of the interior guards were threatened. This fact under the current rules of engagement gives authorization for the soldier to respond with a lethal force. Prior to lethal response the towers even tried to verbally control the crowd ineffectively. The rules of engagement are reinforced in the company SOP and stationed at the guard towers. They were followed.
  - b. The company having placed a variety of weapons (M16 or shotgun) gives the guards the choice to avoid unnecessary ricochet or firepower thru a target. This choice let the guard in tower #6 control the crowd effectively with fewer deaths but more injuries.
  - c. The QRF responded immediately after the shots. They helped secure the injured detainees for treatment and secure the compounds.

SUBJECT: Escape and shooting at Abu Gharaib, Cont

- 4. Recommendations.
  - a. Extra concertina wire passed the far tower
  - b. Post a daytime roving patrol
  - c. Less lethal weapon capability with proper training
  - d. Proper life support for prisoners (hygiene support and supplies, variety of food, linguist support, MI support)
  - e. Slug shotgun rounds
  - f. Remove all rocks in compound areas
  - g. Refresh on rules of engagement
  - h. Post compound rules in Arabic and English
  - i. Contracted translators
- 5. The POC is the undersigned at robert.wyks@us.army.mil.

**ENCL** 1 - Appointment orders 2 - Camp Vigilant SOP Adjutant 3 - #8667 Custody Document 4 - 72<sup>nd</sup> Commander SITREP 5 - Prison Count 141045DJUN2003 6 - Prison Count 142115DJUN2003 7 -- DA 2823, SPC - tower shooter 8 - DA 2823, CPT - Commander 9 – DA 2823, SGT tower shooter 10 - DA 2823, SPC - tower shooter 11 – DA 2823, 1SG' First SGT 12 - DA 2823, SSG - RTO 13 - DA 2823, SGT - Interior Guard 14 - DA 2823, SGT - Interior Guard 15 – DA 2823, SPC - Interior Guard 16 - DA 2823, SGT - external tower guard 17 – DA 2823, SGT - prison transport escort 18 – DA 2823, SSG - Yard tower guard 19 – DA 2823, SFC - Yard tower guard

SUBJECT: Escape and shooting at Abu Gharaib, Cont

- 20 Yard Overlay map
- 21 Escape Overlay map
- 22 Shooting Overlay map
- 23 Battalion Serious Incident Report
- 24 Investigation Log
- 25 Evidence photo CD
- 26 Shotgun shells tower #6
- 27 Shotgun shells tower #5
- 28 M-16 shells Yard tower .

#### INDEX OF EXHIBITS

-	EXHIBIT 1 EXHIBIT 2 EXHIBIT 3 EXHIBIT 4 EXHIBIT 5 EXHIBIT 6 EXHIBIT 7 EXHIBIT 8	Memorandum of Appointment, 15-6 IO SOP, Camp Vigilant Detention Center Evidence/Property Custody Document Memorandum for CDR, 400 <sup>th</sup> MP BN, Use of Deadly Force Prisoner Count on 131045(D) June 2003 Prisoner Count on 132115(D) June 2003 DA 2823, sworn statement of SPC DA 2823, sworn statement of CPT Memo to CDR, 400 <sup>th</sup> MP BN by CPT DA 2823, sworn statement of SGT
	EXHIBIT 10	DA 2823, sworn statement of SPC
	EXHIBIT 11	DA 2823, sworn statement of 1SGT
	EXHIBIT 12	DA 2823, sworn statement of SSG
	EXHIBIT 13	DA 2823, sworn statement of SGT
	EXHIBIT 14	DA 2823, sworn statement of SGT
	EXHIBIT 15	DA 2823, sworn statement of SPC
	EXHIBIT 16	DA 2823, sworn statement of SGT.
	EXHIBIT 17	DA 2823, sworn statement of SGT
	EXHIBIT 18	DA 2823, sworn statement of SSG
	EXHIBIT 19	DA 2823, sworn statement of SFC
	EXHIBIT 20	Camp Vigilant Map as of 14 June 03
	EXHIBIT 21	Escape Route of Escapees Caught by QRF
	EXHIBIT 22	Line of fire from tower guards
	EXHIBIT 23	Serious Incident Report
	EXHIBIT 24	Investigation Action Log

#### MEMORANDUM FOR COMMANDER, 400th Military Police Battalion

SUBJECT: Use of Deadly Force, Abu Guhrayb Detainment Facility

- 1. On, 12 June 2004, at approximately 1800 hours, the detainees became agitated and began demanding answers regarding their capture and the amount of time they would be held in custody. They were upset and declared that they were being housed improperly and lacked basic needs such as showers, shampoo, blankets and toilets. Several of the detainees threw rocks and tent poles out of the enclosure at the guards and one guard was struck on the hand. At that time, the Company First Sergeant, and myself responded to the yard and addressed the detainees through one of the prisoner interpreters. They were advised that many of the new detainees had release dates and that the Camp Commander would review other cases and provide us information when it was available. The detainees were all advised that throwing rocks and tent poles at the guards would constitute deadly force and that they could and would be shot if that behavior occurred again. The situation was deescalated, however, due to a lack of additional compounds, the individuals suspected of throwing rocks and tent pools were not pulled out and segregated. A sitrep was sent to battalion with a request to charge the individuals and have them sent to Camp Cropper.
- 2. On 13 June 2003, at approximately 1400 hours, a disturbance was again reported in the yard and involved an attempted escape by detainee #8968. The detainee attempted to go through the wire utilizing a cardboard box, however, was immediately apprehended as he exited the wire. At this time a count was initiated, however, detainees in both compounds refused to stand to be counted. The QRF was dispatched, and ultimately the count proceeded without incident. Shortly after the count the QRF was being called again and as they responded multiple gunshots were heard in the yard.
- 3. Upon responding into the yard it was discovered that multiple detainees with multiple rocks and tent poles had targeted the military police working the enclosure compounds and were throwing the rocks and tent poles at them. As they attempted to flee military police in the tower feared for the lives of the enclosure guards. Simultaneously, three military police from three different guard towers, followed the rules of engagement and fired upon identified detainees who were engaging in the use of deadly force against U.S. personnel. Two military police shot with 12 gauge shotguns and one fired approximately 4 5.56mm rounds from his M-16. At the end of the engagement 7 Iraqi detainees were wounded, one was killed and one U.S. soldier from the 400th Military Police Battalion was injured from being hit by a rock.
- 4. All wounded were taken from the enclosure area and provided first aid by medics from the 400<sup>th</sup> MP Battalion as well as combat lifesavers from the 72<sup>nd</sup> Military Police Company. Medivac was requested and the 7 wounded detainees were evacuated. The body and personnel affects of the KIA were release to Iraqi authorities.

The following is the list of wounded and KIA

SEC#	NAME		INJURY	OFFENSE	RELEASE DATE
8667	Alla Jasin Hassan	KIA	Gunshots lower abb and back	Theft and Curfew	20030616
8883			Gunshot left arm	Black Market	20030615
8956			Gunshot right Abdomen	Weapons	20030616
9052			Gunshot left arm	Looting	20030622
5749			Gunshot left shoulder	Raid	unk
7610			Gunshot lower back and butt	Gang	unk
8576			Gunshot left abdomen	Curfew	unk
9158			Gunshot left arm	Unk	unk

3. POC for this action is the undersigned.

CPT, MP, USA Commanding

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# DEPARTMENT OF THE ARMY HEADQUARTERS, 800<sup>TH</sup> MILITARY POLICE BRIGADE (I/R) CAMP VICTORY, IRAQ APO AE 09302

AFRC-CNY-AI-CG

14 July 2003

#### MEMORANDUM FOR RECORD

SUBJECT: AR 15-6 Investigation - Riot and Subsequent Shootings of 13 June 2003

The findings and recommendations in the enclosed DA 1574, report of investigation pursuant to AR 15-6 are hereby approved. Lethal force was used in response to a credible threat of serious bodily injury or death against United States soldiers, by a detainee. The soldier involved acted in accordance with the Rules of Engagement and did not use excessive force.

15/

JANIS L. KARPINSKI Brigadier General, USA Commanding

Encl

as

MEMORANDUM THRU Staff Judge Advocate, 800<sup>th</sup> Military Police Brigade, ATTN:

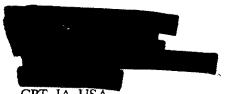
MEMORANDUM FOR Commander, 400th Military Police Battalion, LTC



Subject: Legal Review of AR 15-6 Investigation- Riot and Subsequent Shootings of 13 June 2003.

- 1. On June 13th, 2003, LTC Commander, 400<sup>th</sup> Military Police Battalion, appointed CPT to conduct an informal investigation into the attempted escape, the riot and subsequent shootings of eight (8) civilian internees (including one lethally) at Camp Vigilant on 13 June 2003.
- 2. The DA 1574 and supporting documentation including evidence gathered was timely submitted on 21 June, 2003 by the IO.
- 3. Under AR 15-6, paragraph 2-3b, I reviewed the investigation and make the following determinations:
  - a. The investigation complies with legal requirements for an AR 15-6 investigation.
  - b. There are no procedural errors or irregularities that invalidate the investigation.
  - c. Sufficient evidence supports the investigating officer's findings.
  - d. The investigating officer's recommendations are consistent with his findings. Lethal force was used in response to a credible threat of death or serious bodily injury against U.S. soldiers by detainees who had removed tent poles from their compound and were attacking military police officers at the compound. There are a number of specific recommendations that CPT made. Counsel recommends that LTC review the recommendations made and incorporate any of the provisions that are feasible to address these concerns.
  - e. The investigating officer's recommendation to "post compound rules in Arabic and English" is a requirement which must be addressed immediately if not already remedied.

4. The POC for this memorandum is the undersigned at 550-1450.



CPT, JA, USA 800<sup>th</sup> MP Bde SJA Section

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD C For use of this form, see AR 15-6; the proponent agency is OTJAG.	JF OFFICENS		1
IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH A	DDITTONAL SHEETS		
SECTION I - APPOINTMENT	<del></del>		
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LTC CDR, 400th Military Police Battalion ,Baghdad, Iraq APO AF	3 (733)		
inted by (Appointing authority)			
20030613 (Attach inclosure 1: Letter of appointment or summary of oral appointment data.) (S	See para 3-15, AR 15-6.)		
SECTION II - SESSIONS			
SECTION 11 - SESSIONE			
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e (investigation) (board) commenced at Camp Vigilant, Baghdad, Iraq (Place)	(Ti	me)	
20030613 (If a formal board met for more than one session, check here Indicate in an incoded, the place, persons present and absent, and explanation of absences, if any.) The following persons (members, resent: (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)	closure the time each sessio respondents, counsel) wetc	n began anu	•
The following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence.) (Se			
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The (investigating officer) (board) finished gathering/hearing evidence at (Time)  and completed findings and recommendations at 1800 on (Time)  SECTION III - CHECKLIST FOR PROCEEDINGS  A. COMPLETE IN ALL CASES  Inclosures (para 3-15, AR 15-6) Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)  a. The letter of appointment or a summary of oral appointment data?  b. Copy of notice to respondent, if any? (See Item 9, below)  c. Other correspondence with respondent or counsel, if any?  d. All other written communications to or from the appointing authority?	(I 20030621 (Date)	Date)	
The (investigating officer) (board) finished gathering/hearing evidence at (Time)  and completed findings and recommendations at 1800 on (Time)  SECTION III - CHECKLIST FOR PROCEEDINGS  A. COMPLETE IN ALL CASES  Inclosures (para 3-15, AR 15-6) Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)  a. The letter of appointment or a summary of oral appointment data?  b. Copy of notice to respondent, if any? (See Item 9, below)  c. Other correspondence with respondent or counsel, if any?  d. All other written communications to or from the appointing authority?	(I 20030621 (Date)	Date)	
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The (investigating officer) (board) finished gathering/heating evidence at (Time)  and completed findings and recommendations at 1800 on	(I 20030621 (Date) (Dat	YES NO	

	a. Are all items offered (whether or not received) of considered as evidence individually numbered of lettered as exhibits and attached to this report?	×	
	b. Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	<del> </del> ×	<del>-                                    </del>
	c. Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	X	
	d. Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?	×	
•	e. Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?	X	
ſ	f. Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?	×	;
	g. If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?		·×
3	Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?	<del> </del>	X
	COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)		
-	At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-3b, AR 15-6)?		
5	Was a quorum present at every session of the board (para 5-2b, AR 15-6)?	<del>                                     </del>	
6	Was each absence of any member properly excused (para 5-2a, AR 15-6)?	1	
7	Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?	<del> </del>	
8	If any members who voted on findings or recommendations were not present when the board received some evidence,	<del> </del>	:
	does the inclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?		<b>⊢</b> ;
	COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)		
9	Notice to respondents (para 5-5, AR 15-6):  a. Is the method and date of delivery to the respondent indicated on each letter of notification?		
		!	
	b. Was the date of delivery at least five working days prior to the first session of the board?  c. Does each letter of notification indicate—		
		ļ	-8
	(1) the date, hour, and place of the first session of the board concerning that respondent? (2) the matter to be investigated, including specific allegations against the respondent, if any?		
	(3) the respondent's rights with regard to counsel?	<u> </u>	-61
	(4) the name and address of each witness expected to be called by the recorder?	· · · · · · · · · · · · · · · · · · ·	
	(5) the respondent's rights to be present, present evidence, and call witnesses?	<u> </u>	
	d. Was the respondent provided a copy of all unclassified documents in the case file?	<del></del>	
	e. If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?		
10	If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings):		
	a. Was he properly notified (para 5-5, AR 15-6)?		<u> </u>
	b. Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-4c, AR 15-6)?	<del>                                     </del>	
1	Counsel (para 5-6, AR 15-6):		
	a. Was each respondent represented by counsel?		78
	Name and business address of counsel:		
	(If counsel is a lawyer, check here 🔲 )	· ·	
1	b. Was respondent's counsel present at all open sessions of the board relating to that respondent?		
	c. If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the		<del></del>
	action taken on it included in the report (para 5-6b, AR 15-6)?		i
12	If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6):		1 0
	a. Was the challenge properly denied and by the appropriate officer?		1
	b. Did each member successfully challenged cease to participate in the proceedings?		;
13	Was the respondent given an opportunity to (para 5-8a, AR 15-6):		
	a. Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?		
	b. Examine and object to the introduction of real and documentary evidence, including written statements?		!
	c. Object to the testimony of witnesses and cross-examine witnesses other than his own?		
	d. Call witnesses and otherwise introduce evidence?		
	e. Testify as a witness?	<u> </u>	
	f. Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?		
14	If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (para 5-8b, AR 15-6)?		
15	Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (para 5-11, AR 15-6)?		1
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	OTNOTES: 1) Explain all negative answers on an attached sheet.  2) Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.		

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	See attached Memorandum			
	Nothing else follows	· · · · · · · · · · · · · · · · · · ·	·*************************************	*******
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	See attached Memorandum.	ng officer) (board) recommends:		
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	See attached Memorandum Nothing else follows-	ng officer) (board) recommends:		

		CPT//-	
	(Recorder)		(Investigating Officer) (President)
	(Member)		(Member)
	(Member)	***************************************	(Member)
extent indicated		ION VII - MINORITY REPORT (para 3-1.	3, AR 15-6) indings and recommendations of the board.
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	(Member)		(Member)
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THIS REPORT OF PROCEEDINGS IS COMPLETE-AND ACCURATE. (If any voting member or the recorder fails to sign here or in Section VII below, indicate the reason in the space where his signature should appear.)

# Shift Time Table 8 hour shifts

### 1st DAY SHIFT SCHEDULE

<u>Time</u>	<u>Event</u>	<u>Place</u>	<u>Remarks</u>
0330-0400	Guard Mount	Prison Facility	Conducted By NCOIC/OIC
0400-1200	Guard Duty	Prison Facility	NCOIC/OIC
0500-0600	Working Lunch	Prison Facility	NCOIC/OIC
0600-0700	Prisoner Count	Prison Facility	NCOICIOIC

# 2<sup>nd</sup> DAY SHIFT SCHEDUAL

<u>Time</u>	<u>Event</u>	<u>Place</u>	<u>Remarks</u>
1130-1200	Guard Mount	Prison Facility	Conducted By NCOIC/OIC
1200-2000	Guard Duty	Prison Facility	NCOIC/OIC
1745-1800	Prep Tower Meals	Prison Facility	NCOIC/OIC
.1800-1900	Lunch Tower Meal Run	Prison Facility Prison Facility	NCOIC/OIC NCOIC/OIC
1700-1800	Prisoner Count	Prison Facility	NCOIC/OIC

# NIGHT SHIFT SCHEDULE

<u>Time</u>	<u>Event</u>	<u>Place</u>	Remarks
1930-2000	Guard Mount	Prison Facility	Conducted by NCOIC/OIC
0000-0100	Working Lunch	Prison Facility	NCOIC/OIC
2000-0400	Guard Duty	Prison Facility	NCOIC/OIC

Annex B

# STANDARD OPERATING PROCEEDURE (SOP)

# CAMP VIGILANT DETENTION CENTER

(ABU GHURAYB)

#### TABLE OF CONTENT

#### Mission Statement

Chapter 1: Military Police/Corrections Officer Operations
Rules of Engagement (ROE)
Interaction with Prisoners
Uniform Policy

Chapter 2: In-processing Prisoners
Out-processing Prisoners
Prisoners Property / Money

Chapter 3: Tower Operations

Chapter 4: Prisoner Compound (Yard) Operations

Chapter 5: Special Work Details

Chapter 6: Prisoner Sick Call Procedures

Chapter 7: Rules for Prisoners
Rule Violation

Chapter 8: Annexes A – Compound Shift Schedule
Annexes B – Shift Time Table
Annexes C – Compound Schematic

#### Mission Statement

TASK: The 72<sup>nd</sup> Military Police Company and 400<sup>th</sup> Military Police Battalion conducts Civilian Detainment Operations VIC GRID 38S MB12948405 NLT 26May 2003.

PURPOSE: To assist in the stabilization process of the new Iraqi government by providing a temporary, but secure holding area for Iraqi civilians accused of committing crimes. Furthermore, to assist in the transition of civilian detainment operations from U.S. to Iraqi forces.

END STATE: A secure, stable, and civilized environment for pre and post trial detainment of Iraqi citizens, operated by trained Iraqi detention personnel.

Note: This SOP is your SOP. It is a minimum! It is up to you as leaders to go above and beyond this SOP if it involves the protection of your soldiers or the accomplishment of the mission. The Bottem Line. "it's not my/our job" doesn't get things done.

#### Military Police/Corrections Officer Operations:

Military Police (95B series) and/or Corrections Officer (95C) are the primary soldiers used in the daily prison operations. In this SOP Military Police and Corrections Officer may be used interchangeably in missions conducted inside the compound. MPs will use primary and cover officer techniques (2 man technique) at all times when in the compound.

There are three primary areas of responsibility for MPs. Yard operations. Tower operations and Special Details. It should be noted that even though three job areas have been identified they should not be the MP's only areas of operations. Secondary areas include escort operations of prisoners to and from other military/civilian holding areas and escorting local civilian contractors contracted with repairing and/or up-keeping duties in the prison.

Shifts will be run in twelve (12 and / or 8) hour rotations. MP manning of positions will follow Annex A outline (Compound Shift Schedule). Current number of MPs on duty will be determined by the total number of prisoners in the compound and directed by Company Commander and/or First Sergeant. MPs will not leave their post (i.e. designated working area) unless authorized to do so by NCOIC/OIC.

MPs on duty will follow uniform standards as stated in AR 670-1 or Company Commander (CO) /First Sergeant (1SG) directed. Recommendations made by area/local medical and preventive medicine personnel should be implemented as appropriate (i.e. wet bulb temperature). MPs or soldiers involved in daily prison operations, will wear full Desert Camouflage (DCU) or Battle Dress Uniform (BDU) at all times around prisoners. Further instructions can be found below under "Uniform for Military Police."

No weapons (shotgun, rifle or pistol) will be allowed within the compound. Weapons will be used on the outside perimeter of the main compound (i.e. outside five-strand concertina wire). Weapons carried by soldiers will be handed over to the company arms room prior to entry into the main compound.

Prisoners will be treated with dignity and respect at all times while housed in the prison facility. Mistreatment of a prisoner will be dealt with UCMJ action, if misconduct was committed by military personnel, and Geneva Convention Statues pertaining to treatment of Civilian Internees (CI). Violation of rules and regulations stated to prisoners can be found in Chapter 7 (Rules for Prisoners) of SOP.

#### Rules of Engagement (ROE):

MPs working with prisoners must always maintain a heightened state of readiness at all times. If an MP believes that his/her life is in danger or another human being's life is in danger it is the responsibility of the MP to do all means possible to save lives. MPs are reminded to use the following four words in thinking through courses of actions: Shout, Show, Shove, Shoot.

Shout: In prisoner's native language three shouts of "Halt" will be directed to the prisoner. If no response to verbal commands then.

Show: a show of weapon (MP Baton, Riot Baton, Pepper Spray, Shotgun, Rifle or Pistol) will be displayed to the prisoner. If no response to show then,

Shove: a shove at the prisoner is authorized. However if an MP feels that contact with the prisoner may result in bodily harm then,

Shoot: a shot will be fired. This is the last step/course of action and constitutes deadly force. All means to stop the prisoner must be initiated before deadly force is used (i.e. shout, show, shove) on him/her. A prisoner always initiates the course of action needed, not the MP. Warning shots will not be used to stop a prisoner from escaping. Only if a belief that bodily harm or death will result if the prisoner escapes (i.e. prisoner grabs an MP's weapon, takes a hostage or is incarcerated due to a violent crime- for example murder).

#### Interactions with Prisoners:

As stated above, all prisoners will be treated with dignity and respect while housed in the prison facility. As human beings are social in nature interaction between military police officers and inmates will occur. Interactions with prisoners will occur when assigned to special duties and due to cultural/language differences between military police and prisoners. It is understood that MPs cannot be 100 percent unsociable and small talk will happen, yet remain professional at all times. All prisoners will be treated Firm, Concise, and Fair in ALL DEALINGS.

However promises of early release, special treatment for favors or unauthorized release of confidential information to prisoners is unauthorized. Talking to prisoners about other soldiers in any manner is unauthorized. Passing along or promising contraband in any capacity (i.e. cigarettes, money or extra food rations) is unauthorized. MP's will not compromise their integrity.

#### Uniform For Military Police:

- 1. MPs Working In Towers- Kevlar Helmet, Flak Vest, Primary and Alternate Weapon.

  Basic Combat Load (Ammunition). Uniform will be worn at all times.
- 2. MPs Working The Yard- Pistol Belt with MP Baton and Holder, Handcuff, Handcuff Case, Flashlight. Whistle and Arabic Translation Card (Cargo Pocket). Uniform will be worn at all times.
- MPs Conducting Escort Outside Prison- Primary and Alternate Weapon, LBV/LCE.
   Protective Mask. Basic Combat Load (Ammunition), Kevlar Helmet, Flak Vest
- 4. MPs Working Special Details- To Be Determined by NCOIC of the detail.

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#### In-processing Prisoners:

Prisoners will be dropped off at the entry point (Sally point) prior to entry into the main compound. During in-processing no more that five prisoners will be processed at a time. QRF will respond to the yard to provide security, searching and escorting prisoners into the holding compound. Representatives for the company S-1 (Administrative) and S-4 (Supply) section will be located at the in-processing station to collect and sign for prisoners and their respective property. It will be the unit's responsibility to handle and store prisoner's property while housed in at the prison.

Representatives from the company's attached medical section will also be located at the entry point. Medical personnel will examine each prisoner and ensure that they are in fair health and have no major medical conditions prior to entering the compound. Prisoners with serious medical conditions identified by medical personal will be transported to the nearest medical facility for further evaluation.

Prisoners will be issued a bottle of water and will remain in their custody for the duration of their stay. Prisoners will also be issued blankets. Prisoners will be explained the rules of the compound and what will happen if these rules are violated.

Steps for in-processing are as follows:

- 1. Receive prisoners from transport vehicle.
- 2. Escort prisoners, five individuals at one time, into the in-processing tent.
- 3. In-processing tent:
  - A. Prisoners searched
  - B. Serial number and wrist id number will be checked with master roster
  - C. Property will be signed for by supply/administrative personnel and secured
  - D. Prisoners will be escorted to medical tent for examination
- 4. Medical tent:
  - A. Qualified medical personnel will examine the prisoners as stated above.
  - B. Water and blankets will be issued.

#### Out-processing Prisoners:

MPs will verify prisoners to be released by checking wrist id number and serial number with master release roster. Outgoing prisoners will then be separated from the remaining population. Prisoners will be escorted, no more than five at a time, to the out-processing tent. Prisoners will verify and sign for their property. Prisoners will be provided a humanitarian meal and escorted to the departure vehicle.

Steps for out-processing are as follows:

- 1. Verify prisoners wrist id number, serial number, and name. (Also a photo if movement cards are incorperated at a later date.
- 2. Separate outgoing prisoners from those remaining.
- 3. Escort five prisoners to the out-processing tent at one time.
- 4. Confirm wrist id, serial number, and roster number match prior to release.
- 5. Issue a humanitarian meal.
- 6. Place in transport vehicle for release.
- 7. Explain in Arabic rules for safe transportation ie. No Jumping Out of Vehicle.

8. In Arabic express/wish them a better life to include Law and Order when departing.

#### Prisoner's Property/Money:

During in-processing supply and administration personnel will inventory prisoner property item by item. (Chain of Custody Form) Prisoners will sign DD Form 2745 to record inventory of their property. All property will be locked/stored in the arms room/storage room until prisoner's release. Upon release all items will be handed back to prisoner and verified, at which point he/she will sign for receipt of said property. All forms will be kept by administrative personnel for a period of 1 year.

#### Tower Operations:

MPs will man the towers 24 hours a day / 7 days a week. The purpose of the tower guards are for a show of force, provide early warning, protection of interior compound MPs, and to deter escape.

ROE for external contact outside the Prison compound will follow V Core guidance and include the following:

You are AUTHORIZED to take appropriate action up to and including DEADLY FORCE to:

- 1) Defend yourself and others including detainees from death or serious harm.
- 2) To stop serious crimes including murder, armed robbery, rape and aggravated assault.
- 3) To protect designated Iraqi property including:
  - a) Financial Institutions
  - b) Institutions containing vital government records
  - c) WMD or suspected WMD sites
  - d) Oil Fields
  - e) Public Utilities
  - f) Commercial fuel service
  - g) Hospitals and public health facilities
  - h) Water supplies.

Assess What You See! If you suspect that contact against the facility or towers has occurred report your suspicions immediately. If it's significant or impacts our mission, a SALUTE/SITREP will be given after the initial Contact report. You do not need permission to defend yourselves, or others against death or serious bodily harm, however, the use of deadly force will be utilized only when necessary, in accordance with V core guidnace and upon positive identification of a legitamate threat, legitamate target and no risk to friendly or innocent personnel.

A detailed SITREP will follow any type of firing incident.

The Bottem Line: Protect yourself, protect your fellow soldiers, and protect innocent civilians. Assess, Assess, Assess, think before you shoot!

Uniform. Tower Specific- Enforced at all times!

Worn or on you:

Kevlar Flak Vest M9 M16/SAW/M203 Whistle and Arabic book

#### Carried or grounded with you:

LBE/LCE Full Battle Load Ammo Mask DCU top

#### MPs at the guard towers will:

- 1. Arrive at their respected tower 10 minutes before the start of shift (day or night).
- 2. Conduct challenge and password to the oncoming and off going shift.
- 3. Brief oncoming shift of events that occurred during previous shift.
- 4. Oncoming shift will conduct a quick inventory of equipment. (Night Vision Goggles, Batteries. Red Star Cluster, Green Star Cluster, White Star Cluster, Basic Load, Binoculars)
- 5. Always maintain one MP with full attention inside the compound and another MP with full attention outside the jail wall. Note: MPs in towers not directly over-watching the Detainee yard or ECP 2, will both face outward with full attention outside the compound wall at all times.
- 6. Both MPs will have weapons at the ready when in the tower. Towers 5 and 6 will always have shotguns at the ready as a show of force.
- 6.5 SAWs will always be located at the following:

 $FC\bar{P}$ 

#### TOWERs 1,2,& 3

- Communications check with TOC will be conducted every hour on the hour. Radio communications will be made via Motorola Hand Held Radio, TA-312 or SINGARS (If available).
- 8. MPs will not leave their post until properly releaved.
- 9. Tower MPs must be vigilant on the duress sign from inside the yard (removing head gear inside the yard).
- 10. Towers should report all vehicle(s) or civilian(s) outside the compound to TOC. Military vehicles approaching the compound and identified by a tower must be reported to TOC.
- 11. Passes will be issued under Tower 2 to all contracted personnel who arrive for work detail in in the prison.
- 12. Local population will be kept at a minimum of 75ft from the Prison compound wall at All Times. Only exceptions will be POCs who are conducting business with MPs. These will be limited to (2) two locals at a time. This rule will be enforced even if it requires repeated warnings from tower and ECP personnel.

Note: 2 whistle blows = EMERGENCY ie. Being fired upon, prisoner escaping, life in danger, danger to compound personnel etc.

#### Prisoner Compound (Yard) Operations:

MP personnel will be assigned their perspective duty position by the NCOIC of the yard at guard mount. MP personnel working the yard can be rotated every 2-4 hours as time and weather permit.

Those assigned to guard the ECP compound gate will determine who enters and leaves the compound, to include MP personnel and prisoners. The compound gate is to remain closed at all times except when entering or exiting the compound.

MPs escorting prisoners in work detail will have a visual of the detainee/s at all times.

When issuing out food, blankets ect., detainees will line up single file on one half of the compound. After food/blankets, ect. have been issued detainees will gather on the opposite side of the compound until all detainees have received issued items. This avoids a detainee from getting more than one item.

A head count will be conducted a minimum of two times a day (0600 and 1700 hours). However shift NCOIC/ OIC may initiate a head count at any time.

When an MP feels that a possible confrontation or incident is about to occur and the MP is with prisoners the MP will remove his/her cap as a sign of duress and initiate steps provided in the ROE.

Incident reports/daily staff log (DA Form 1594) will be completed daily and turned in at the end of each 12 hour shift. Yard NCOIC will log work details, in-processed and outprocessed prisoners and visitors to compound.

All questions on yard operations will be directed at the NCOIC/OIC.

Note: NO Prisoners are allowed to remain standing at any enclosure door at any time unless being addressed by an MP

#### Special Work Details:

Special work is defined as details that can be done by prisoners for the prison compound or for prisoners. Details cannot be dangerous to the prisoner. For example, removal of unexploded ordinance or using prisoners as human shields during riot or outside attack on compound.

Special work details that can be done by prisoners are:

- 1. Filling of water jugs/bottles for prisoners.
- 2. Construction of more prison compounds using manual labor.
- 3. Placing and building of tents on the compound.
- 4. Area beautification of the compound. For example; painting, trash detail or removal of weeds.
- 5. Interpreter duties for native speakers that can also speak English.

#### Prisoner Sick Call Procedures:

Sick call will be done by medical personnel attached to the company. Sick call hours will be from 0800 hours until completion. Emergency sick call will be handled 24 hours a day/ 7 days a week.

Prisoners identified as having a medical condition during in-processing will be seen by medical personnel during sick call. Examples of medical conditions identified at in-processing may be asthma, high blood pressure, heart conditions, etc...

Prisoners that have a recent medical condition will be seen by medical personnel during sick call. Examples of recent medical issues that arise may be bug bites, cuts, colds, etc. Medical personnel on duty will treat prisoners as medically appropriate.

Medical evacuations will be handled by medical personnel on duty. All medical evacuations will be communicated to Headquarters TOC and then to Battalion Headquarters for further coordination.

#### Rules For Prisoners:

- 1. All prisoners will be present during headcount. No one is allowed to stay in the tents during headcount.
- 2. Prisoner vs. Prisoner fighting is unauthorized.
- 3. No prisoner will have a weapon, in any capacity, in their possession.
- 4. Verbal abuse towards the guard force will not be tolerated.
- 5. Throwing of any items (rocks, tent stakes, spitting, etc.) is not authorized.
- 6. Leaning up on the concertina wire is not authorized.
- 7. Prisoners will not be allowed to receive items without approval from OIC/NCOIC. Items include food, clothing, shoes, etc. from outside the gate
- 8. Smoking/Smokeless Tobacco/Matches are not allowed in the compound.
- 9. Talking to family members through the wall or wire is not authorized.

#### Rule Violation:

Violation of the above rules will be dealt with by OIC/NCOIC and may result in referral of additional criminal charges to the Company Commander. Assaults on prisoner by another prisoner will result in an extension to the prisoners stay, per Judge Adjutant Generals (JAG) office guidance. Assault on guard force by prisoner will result in immediate removal from compound and placed into a separation cell. The JAG office will be contacted immediately.

All incidents will be reported and written up as an incident report per OIC/NCOIC guidance.

#### Compound Shift Schedule

Date: OIC: NCOIC:

#### External

Tower 1: 1. 2.

Tower 2: -1. 2.

Tower 3: 1. 2.

Tower 4: 1. 2.

Tower 5: 1. 2.

Tower 6: 1. 2.

Yard Tower: 1.

ECP: 1. 2.

QRF: 1. 2. 3. 4.

5. 6. 7. 8.

RTO: 1.

# Internal Compound

#### NCOIC (E-6):

SGT of the Guard 1:

Rover/Shotgun: 1:

ECP Compound (Bellagio): 4

Main EPW/CI ECP: 1

#### Annex A

		EVIDENCE/PROPERTY CUSTODY D	OCUMENT	MPRICIO SEQUENCE NUMBER
		form see AR 190-45 and AR 195-5; the proposent agency is US gation Command	Amy	CRO REPORTICIO ROI NUMBER
RECEIVING		MP CO/ 400TH MP BN	LOCATION CAMP VIGI	03-400-01 LANT, BAGHDAD, IRAO
NAME GR	ANE AND TITLE OF	PERSON FROM WHOM RECEIVED	ADDRESS Unclude Zia Code	
OWI	WER HAS	SAN, ALAA JASIN	UNKNOWN	
	ISN#	f8667		
	FROM WHERE ORT	AINED	REASON OBTAINED	THE DATE OF LINE
		Y ROOM & BODY OF ABOVE INM		TIME/DATE OBTAINED 1720/13 JUNE 2003
ITEM No.	QUANTITY	l (teclus	DESCRIPTION OF ARTICLES te model, sarial number, condition and unusual ma	****
1	l	BODY OF INMATE TENETIVELY	Y ID' AS HASSAN, ALAA I	ASIN APPROXIMATELY 68" IN
		LENGTH, APPROXIMATELY 140	) LBS IN WEIGHT, MEDIU	M COMPLEXION, MEDIUM LENGTH
		BLACK HAIR, FULL BLACK BEA BACK, ONE 1 1/2" DIAMETER W	OUND TO THE LEFT UPP	VOUND TO THE RIGHT UPPER ER BACK,TWO SMALL 1/8"
		WOUNDS LEFT AND RIGHT OF	THE UPPER CENTER BAC	K. ONE 1/2 " IN DIAMFTER WOUNT
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3	1	CLEAR PLASTIC BAG CONTAIN	ING MISC. PILLS MARKE	D ERYTHROMYCIN 250 MG.
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#### DEPARTMENT OF THE ARMY 18TH MILITARY POLICE BRIGADE Baghdad, Iraq APO AE 08302

AETV-MP-400

13 June 2003

MEMORANDUM FOR CPT



S-1, 400th MP BN.

SUBJECT: Appointment as an AR 15-6 Investigating Officer

- 1. Reference: AR 15-6, Procedure for Investigating Officers and Boards of Officers, 11 May 88, with Change 1, 30 Oct 96.
- 2. You are hereby appointed to conduct an investigation concerning the escape attempts and shootings at Abu Ghurayb on 13 Jun 03. You may incorporate the results of any Commanders Inquiry that has been begun on these escapes.
- 3. You are to investigate all details concerning these escapes, attempted escapes, and the responses by the Military Police that were on duty at those times. You are directed to specifically address the following questions:
  - a. How did the prisoners escape?
  - b. What steps could have been taken to prevent these escapes?
  - c. What was the response of the Military Police on duty?
  - d. Was the response of the Military Police on duty reasonable, or was excessive force used?
  - e. Is there an SOP in place to deal with this situation, and if so, was it followed?
  - f. Is there additional training that needs to be implemented to cover these situations?
  - g. What actions, if any, were taken by the QRF?
- 4. During the course of your investigation, you will record all interviews on DA Form 2823 (Sworn Statement). If, during any interview, you suspect a violation of the UCMJ by the person you are interviewing, you are required to stop the interview, and advise the interviewee of their Article 31(b) rights, using a DA Form 3881 (Right Warning Waiver Certificate). You may continue to interview that person if they agree to make further statements. If they do not, terminate the interview and contact your legal advisor. If you have any questions about whether or not the person made a knowing and valid waiver, terminate the interview and contact your legal advisor. You will advise all persons being interviewed that their statements can be discovered

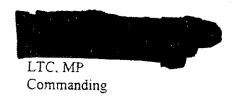
AETV-MP-400

SUBJECT: Appointment as an AR 15-6 Investigating Officer

under the Freedom of Information Act, and you will further advise them that any actions taken in reprisal against them for making a statement should be reported immediately to their Commander, the Office of the Inspector General, or to the Office of the Staff Judge Advocate. Per Article 136.b.(4) and 136.b.(6) of the UCMJ, you are authorized, as an Investigating Officer, to swear people in.

- 5. You are authorized to investigate any issue(s) that arise during your investigation that are related to the primary purpose of your investigation.

  18th MP BDE Judge Advocate, will serve as your initial legal advisor. Should your investigation extend past the change in task organization that will have the 400th MP BN falling under the 800th MP BDE, then the 800th MP BDE will provide you with a legal advisor.
- 6. This is your primary duty until you complete it, and you will submit a chronology of your actions along with your completed report. The report of investigation will be submitted to the appointing authority NLT 23 Jun 03. Requests for extension must be made in writing to the undersigned.
- 7. The POC for this memorandum is the undersigned.



13 June 2003

#### MEMORANDUM FOR COMMANDER, 400th Military Police Battalion

SUBJECT: Use of Deadly Force, Abu Guhrayb Detainment Facility

- 1. On, 12 June 2004, at approximately 1800 hours, the detainees became agitated and began demanding answers regarding their capture and the amount of time they would be held in custody. They were upset and declared that they were being housed improperly and lacked basic needs such as showers, shampoo, blankets and toilets. Several of the detainees threw rocks and tent poles out of the enclosure at the guards and one guard was struck on the hand. At that time, the Company First Sergeant, Daryl Keithley, and myself responded to the yard and addressed the detainees through one of the prisoner interpreters. They were advised that many of the new detainees had release dates and that the Camp Commander would review other cases and provide us information when it was available. The detainees were all advised that throwing rocks and tent poles at the guards would constitute deadly force and that they could and would be shot if that behavior occurred again. The situation was deescalated, however, due to a lack of additional compounds, the individuals suspected of throwing rocks and tent pools were not pulled out and segregated. A sitrep was sent to battalion with a request to charge the individuals and have them sent to Camp Cropper.
- 2. On 13 June 2003, at approximately 1400 hours, a disturbance was again reported in the yard and involved an attempted escape by detainee #8968. The detainee attempted to go through the wire utilizing a cardboard box, however, was immediately apprehended as he exited the wire. At this time a count was initiated, however, detainees in both compounds refused to stand to be counted. The QRF was dispatched, and ultimately the count proceeded without incident. Shortly after the count the QRF was being called again and as they were responded multiple gunshots were heard in the yard.
- 3. Upon responding into the yard it was discovered that multiple detainees with multiple rocks and tent poles had targeted the military police working the enclosure compounds and were throwing the rocks and tent poles at them. As they attempted to flee military police in the tower feared for the lives of the enclosure guards. Simultaneously, three military police from three different guard towers, followed the rules of engagement and fired upon identified detainees who were engaging in the use of deadly force against U.S. personnel. Two military police shot with 12 gauge shotguns and one fired approximately 4 5.56mm rounds from his M-16. At the end of the engagement 7 Iraqi detainees were wounded, one was killed and one U.S. soldier from the 400th Military Police Battalion was injured from being hit by a rock.
- 4. All wounded were taken from the enclosure area and provided first aid by medics from the 400<sup>th</sup> MP Battalion as well as combat lifesavers from the 72<sup>nd</sup> Military Police Company. Medivac was requested and the 7 wounded detainees were evacuated. The body and personnel affects of the KIA were release to Iraqi authorities.

The following is the list of wounded and KIA

SEC#	NAME .		INJURY	OFFENSE	RELEASE DATE
8667	Alla Jasin Hassan	KIA	Gunshots lower abb and back	Theft and Curfew	20030616
8883	4.1		Gunshot left arm	Black Market	20030615
8956			Gunshot right Abdomen	Weapons	20030616
9052			Gunshot left arm	Looting	20030622
<b>8</b> 749 7610			Gunshot left shoulder	Raid	unk
			Gunshot lower back and butt	Gang	unk
8576			Gunshot left abdomen	Curfew	unk
9158	A STATE OF THE STA		Gunshot left arm	Unk	unk

3. POC for this action is the undersigned.

CPT, MP, USA Commanding

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In 13 June 2003, while performing duties as the Configuration of gunshots in the yard area where the company majorce Abu Guhrayb Detainee Facility*, is my office reumstances surrounding an attempted escape early. The detainee identified escaped by placing a call of the detainee going through the wire, but was unable elling he was able to get elements on the ground to while we instituted a static position at this locate adjught hours. As a result, we are now posting the Additional training regarding detainee behavior as	ompany Commander of the sintains civilian detainees, ial statement. In addition the lier that day are provided:  In the tower guard turned to get immediate assistance or respond and apprehend the static post during during lie static post during evening	72nd Military Por The attached mer he following information wire and the distance as his radio bate detainee.  mited visibility it and daytime hou hould be welcome.	en crawled through it as the ction of the wire he observed teries had died out. After was not posted during rs.
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INITIALS OF PERSON MAKING STATEMENT	PAGE 2 OF 2 PAGES
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### **SWORN STATEMENT** For use of this form, see AR 190-45; the proponent agency is ODCSOPS PRIVACY ACT STATEMENT Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 ISSN/. AUTHORITY: To provide commanders and law enforcement officials with means by which information may be accurately identified. PRINCIPAL PURPOSE: Your social security number is used as an additional/alternate means of identification to facilitate filling and retrieval. ROUTINE USES: Disclosure of your social security number is voluntary. DISCLOSURE: 4: FILE NUMBER 2. DATE (YYYYMMDD) 3. TIME 1. LOCATION 2003/06/1 1315 HRS 03-400-01 CAMP VIGILANT, IRAQ 5 LAST NAME, FIRST NAME, MIDDLE NAME 6. SSN 7. GRADE/STATUS E-8/1SG 8. ORGANIZATION OR ADDRESS 72ND MILITARY POLICE COMPANY 1, <u>ISG</u> , WANT TO MAKE THE FOLLOWING STATEMENT UNDER DATH: On 13 Jun 2003, at approx. 1400 hrs. I received information that ORE had been activated for a attempted prison escape in the yard. Upon my arrival at the scene, I made contact with SGT and SPC who was escorting detainee #8968 to the Inprocessing tent. I was advised that the detainee had laid down a piece of cardboard at the bottom of the concertina wire and crawled through the wire at which time QRF was notified and made the apprehension. Detainee #8968 verbally related that he was the only one that attempted to escape. We had been advised by other prisoners that three (3) detainees had escaped. At that time we attempted or conduct a head count of the two compounds, however, both compounds refused to be counted. QRF was despatched out to the compound and the prisoners were advised no releases would occur today unless they stood in a straight line and got counted. At that time both compounds stood up to be counted with the QRF present. It was very evident that the prisoners were very agitated and not very cooperative. I felt that there would definitely be some type of a incident from those that would not get released on this date. On 13 Jun 2003, at approx. 1557 hrs. we initiated the release of 15 prisoners. After the release had been completed you could again tell that the remaining detainees were very agitated and were just waiting for a excuse. I stayed in the vard for a few minutes, then returned back into the building. On 13 Jun 2003, at approx. 1615 hrs. I heard the QRF radio go off requesting that they respond to the yard. Less than a minute later I could hear what sounded like gun shots going off in the compound. At that time CPT and and myself took off running towards the yard. As I got in vision of the yard, I could see three (3) of the 400th personnel hankered down behind the

On 13 Jun 2003, at approx. 1615 hrs. I heard the QRF radio go off requesting that they respond to the yard. Less than a minute later I could hear what sounded like gun shots going off in the compound. At that time CPT and myself took off running towards the yard. As I got in vision of the yard, I could see three (3) of the 400th personnel hankered down behind the generater in the yard. I yelled at them to go ahead and exit the yard. CPT and myself along with some members of the QRF continued into the yard. There were still numerous detainees standing in front of the tents in both compounds yelling and screaming at us. I verbally advised and with hand motions advised the subjects to get down on the ground. Most of the detainees still refused to get down, but a few complied. After yelling and screaming at the detainees to get down and obtaining a shotgun and more QRF personnel arrived we entered Compound Alpha. We observed that one (1) detainee had been shot in the arm. At that time QRF extracted that detainee out. While this was being conducted one (1) detainee refused to get down and continued to yell and scream at us provoking the other detainees. At that time I advised the QRF to go ahead and place that subject in custody. Subject resisted, but was removed from the compound and moved to Compound C without further incident. After that the QRF and myself entered Compound B where most of the injuries were. It should be noted that all of the injured detainees had been drug from the yard to under the tentage for cover. The QRF team removed 7 injured detainees out of the tentage area into the center ill-way. At that time MP personnel began to administer immediate first-aid and transport the prisoners to the first aid station. It should be noted that personnel that entered into the cages, entered into a extremely volatile situation, putting there lives in danger in a attempt to extract the wounded prisoners out of the compounds as absolutely as fast as possible in a attempt to save there lives and get them the prope

Once the medivac exited the area, I initiated the investigation of the incident. Investigation revealed that SGT fired four (4) 5.56 rounds from the yard tower into the compounds. SGT willized a M16A2 Rifle, SN# 7000087. Two (2) of the rounds recovered were at the very base of the yard tower and two more 5.56 rounds were recovered by myself at the top of the tower as evidence. The recover occurred at approx. 1823 hrs. 13 Jun 03. Lt. The photographed where the expended rounds located in the tower and photographed where SGT would be looking from the tower into the yard.

At approx. 1900 hrs. I took into custody five (5) 12 gauge Winchester shotgun rounds located outside the tower wall of Tower No #6 located on the NE side of the compound. These rounds were shot off by SPC who was caring a Mossberg 12 gauge

" o received on the FrE side of the compound. Thes	se rounds were shot off by are the who was	caring a Mic	pasperg 17 gauge
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THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

المستسلقين المستقدين المستسلقين ا	ORN STATEMENT AR 190-45; the proponent agency	is ODCSOPS		
	DATE (	I TIME	FILE NUMBER	
LOCATION	13 June 2003	1831	03-400-4	
Camp Vigilant, Iraq	SOCIAL SECURITY NUMB	ER	GRADE/STATUS	
LAST NAME, FIRST NAME, MIDDLE NAME	SUCIAL SECOND		E-6/Active	
ORGANIZATION OR ADDRESS				
72nd Military Police Company				
	WANT TO MAKE THE	FOLLOWING STATEMENT	UNDER OATH:	
Below I've listed in chronological order the radio transm	income accurring between	en 1600-1900, 13	June 2003.	
1620 - NCOIC reported compound secure 1622 - Numerious transmissions with 1SG and QRF squa 1630 - RTO notified of needed medivac - possible 6 litter 1630 - RTO repeadily tried to reach Medivac on their fromotified and 9 line medivac was relayed. 1632 - Centinal Base received a situation report from RT 1640 - RTO notified of 7 confermed injuried 1645 - Centinal Base requests situation status update 1648 - Centinal Base notified Star Gold Base - medivac of 1648 - Landing Zone notified Star Gold Base of needed of 1700 - Centinal Base confermed medicvac enroute 7 min 1703 - Landing Zone notified Star Gold Base of possible 1704 - Centinal Base notifies Star Gold Base of inbound 1704 - Centinal Base switch Frequency to single channel 1705 - Chopper 46 notified Star Gold Base 2 minutes ou 1715 - Notified by Landing Zone of chopper's land 1720 - Chopper outbound - gave updated situation repor 1720 - RTO notified by landing zone personnel that dust 1720 - notified Centinal Base for guidance on with what t 1820 - Notified by Centinal Base of grid coordinate and	equency single channel on the current statu enroute urgency with medivac, ivac ASAP uttes away DOA of Detainee chopper trying to reac 33550 and went direct to centinal base, and off medical personnel I US soldier odo with the DOA De special instructions with	Detainee's possible of Star Gold Base of with Chopper 46 detairmined detair are enrouted etaines of the scorting the an	thive results Centinal Bases of the short time left living in at our location nee had passed away to LSA Dogwood	
DOA Detainee 1830 - Escort element SP from Camp Vigilant to grid N 1900 - notified by Escort patrol of being 2 minutes out f	rom Camp Vigilant D OF STATEMENT			
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EXHIBIT	S OF PERSON MAKING STATEME	-	PAGE 1 OF 2 PA	AGE
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	(Signature of Person Making Statement)
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WITNESSES:	Subscribed and sworn to before me, a person authorized by law to
	at CAMP VIGILANT, IRAQ
72ND MILITARY POLICE COMPANY	MILITARY POLICE
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ORGANIZATION OR ADDRESS	logiacus vi Colon Normilotting Sacrif
COND ACTION DOLLOR COMPANY	(Typed Name of Person Administering Oath)
72ND MILITARY POLICE COMPANY	ART 126 (b) (4) UCMJ
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INITIALS OF PERSON MAKING STATEMENT	PAGE 2 OF 2 PAGES

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For use of this	SWORN STATEMENT s form, see AR 190-45; the proponent agenc	y is ODCSOPS	
LOCATION CAMP VIGILANT PRISON YAR	NATE	TIME 1800	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY NUM	BER	GRADEISTATUS ES / MP G-VARD
ORGANIZATION OR ADDRESS		<u> </u>	7 0 0
		A CONTRACTOR OF THE CONTRACTOR	
FROM THE ROVING SHOTGUN HERE. THE PRISONERS IN BITTO WAIT AND BEGAN TAX MORE PEOPLE HAD TENT PICKING UP ROCKS, I IN THEM AND GESTURED FOR (POLES AND ROCKS). THE I WARNED THEM THAT I (SGT. OF THE GUARD) CAME CONTROL POINT), HE THEN AT THAT SAME TIME, PRITTHROWING ROCKS, STRIKE, IN THE SHOULDER, AND THE THREE OF US THEN GENERATOR, THE FRISON POLES AT US AND THE TOWER INTO THE YARD TOWER INTO THE YARD THE THEN REMOVED.	HOURS, PRISONERS  BECAUSE IT HI  BECAUSE IT HI  RUN, THE SAM  ROS OF PEOPLE WE  WHEN PERSON  RAVO COMPOUND  RAVO CALL FOR  TO MY RADIO  IN  SONIERS IN  RAVO CALL FOR  TO MY RADIO  IN  TO MY RADIO  TO MY RADIO  IN  TO MY RADIO  IN  TO MY RADIO  IN  TO MY RADIO  TO MY RADIO  IN  TO MY RADIO  IN  TO MY RADIO  IN  TO MY RADIO  TO MY RADIO  IN  TO MY RADIO  IN  TO MY RADIO  IN  TO MY RADIO  TO MY RADIO  IN  TO MY RADIO  IN  TO MY RADIO  IN  TO MY RADIO  TO MY RADIO  IN  TO MY RADIO  IN  TO MY RADIO  IN  TO MY RADIO  TO MY RADIO  IN  TO MY RADIO  IN	AD BEEN OF THE THAT RELIAND THE BECAME OF AND THE STAND	SON YARD,  BRAVO  DUER AN HOUR  RUE FOR ALPHA  THEY WOULD GET  FIVED  THREE PEOPLE  SET AT HAVING  TEN OR  OME BEGAN  O, AND I TOLD  HEIR WEAPONS  N, AND AGAIN)  THE EEP (ENTRY  LLED FOR QRF  NA BEGAN  SGT  HIND THE  FRIM THE  FRIM THE  TOLED FOR ORF  TOLED FOR
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For use of this (m. see A	R 190-45; the proponent agenc		
LOCATION	DATE 5	TIME 😥	FILE NUMBER
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RGANIZATION OR ADDRESS			
4000 MP BN			
	, WANT TO MAKE THE	FOLLOWING STATEMENT	UNDER GATH:
At approximately 1615 has, 13 June 2003,	the prisoners	in the	a missing 5 12 min
oulling tent poles from the tents	and starte	d to thre	. 27th no hot
they also started strowing rocks.	I UZS SPran	ik in the	3 4001007 017
poseball sized rock that was coming			
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WE Chysel	† <sub>1</sub> \	<u> </u>	r
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pettering the trailer like a hail s	tare - net		
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had been broken. During the in	itial moments	08 +he	disturbance I
	tent poles	<u>and 27 /1</u>	24 8-15 p
EXHIBIT INITIALS OF	PERSON MAKING STATEMEN	T	PAGE 1 OF 2
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of a time, coming out as their	tends, throwny rocks, and going back inside
The generator trailer is located	I at the siste at the very end of AB
and a compounds, with B compo	16
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	(Signature of Person Making Statement)
WITNESSES:	Subscribed and sworn to before me, a person authorized by law to
W114C32C3.	administer caths, this 44 day of JUNE, 19 2003
	81 CAMP VILLIANT, TOAC
	DIAKUS
ORGANIZATION OR ADDRESS	(Signature of Person Addinistering Oath)
	156
	(Typed Name of Person Administering Dath)
ORGANIZATION OR ADDRESS	ART 136 (b) (4) UC A J (Authority To Administer Oaths)
AUDVIETY HOR OU WOOLGO	
INITIALS OF PERSON MAKING STATEMENT	PAGE 2 OF 2, PAGES
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STATEMENT (Continued)

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LOCATION	DATE	TIME	FILE NUMBER	
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ORGANIZATION OR ADDRESS				
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on 15 June 2013 of Affroxingte water 15th and I explaine	I to them that as Son	n as one mor	e agund arrived we	
WOULD TAKE THEM TO SET WATER, IN 1	response to our explar	iation they	Sat at the Sally Pag	CO
and Started to best on their wate	r Juss and yelling for	- water, usa	in we told them as	
Soun & S One more from a server we !	will take them for ou	ter then t	heard a called	
10 TYPE ## 10 N = 0 T	Noticed Leveral Prisoni	8/3 ሣር <sub>ወ</sub> ኤነ፣ . 1	teat Palos and Record	
I Pointed this out to Set	and we started to to	all them to in	ALLE - WOOP Com	
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that point we started to run ffirst shot use fired. While we we	ior the cover of the	Senerator a	" o my ankie. At (	<b>.</b> .
first shot use fired. While we we entry control point usuing us to	there Rehind the sen	land Today	in the 15 when the	2_
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ORGANIZATION OR ADDRESS	h		ES/NG
72 MP MP Co			
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AT APPROXIMATELY 1630 HOURS CAL 13 JUNE 03 I OF THE PERIMETER. I WAS RETURNING FROM A RADIO, THAT THERE WAS A POSSIBLE PRISORER ESCA LOR THE OTHER HUMBER, DRIVEN BY SPC CAPTURE THE INMATE. MYSELF AND STIC.  TOWER FOUR. I ASKED SPL WHAT HAD HAPPENING OF THE COMPOUND, MENSUM AND I WENT UP SPC. STATED THAT THE INMATES WERE THROWING PACKINSON STATED THAT HE OBSERVED POCKS AND PMPS. SR  MEDIVAL LANDING ZOME PARKINSON & BOYD STATED THEY AND SIN STATED THEY AND SIN STATED THEY AND SIN STATED THEY ANY 6.56 IMM WAS FIRED. FIVE AND SIN STATED THEY ANY 6.56 IMM WAS FIRED. FIVE AND SIN STATED THEY THEN BELAME VISIOLY UPSET WHEN IT WAS BROADCAST THE MEMICINI THEN EXITED THE TOWER AND BELAM TO LICE.	PECUER TRANSOR  PECUER THE WA  TO FOLICIU IME  THEN DRIVE AS  ED ANIO HE STATE  TO TOWER FOUR  SEES BEING THROUGHEN DEPARTED AR  THAT ABOUT FOUR  FIRED WITH SHOTE  RESPOND I THEN  EXTRACT THE WAY  AT AN IRAGI, IME	TO TOWER FOR THE SOLUTION TOWER AT THE SOLUTION AT EACH SHOW TOWERS AT TOWERS OF THE SHOW TOWERS OF THE SHOW TOWERS OF THE SHOW T	THEARD, VIA HANDHELD  VER FIVE. I MUTUMED  WE IN ATTEMPT TO RE-  FINE AND PARKED UNDER  RE WERE SHITS FIRED  CE THE NUMBERS.  DHE ANOTHER STC.  OTHER AND THE YARD  GREEN SMOKE TO THE  HAD FIRED AND WITH  S ASSED AVAIN IF  EVERAL WERE (BUIK REALTON  VIOLATORS MENUMES)
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	(Signature of Person Making Statement)
	Signature of Fersult making Proteins III
	Subscribed and sworn to before me, a person authorized by law to
WITNESSES:	20,73
•	administer dates, this 17 day of 3000
	at Comp Vicienar, 112AQ
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# Serious Incident Report

To: Commander, 18<sup>th</sup> MP BDE From: Commander, 400<sup>th</sup> MP BN

Subject: SIR Number 030001

Faragraph:

Category: Category 2 (AR 190-40, Appendix C-1.g)

- 2. Type of incident:
  - a. 1 US Soldier Injured
  - b. Prisoner Death
  - c. Seven Prisoners Injured
- 3. Date and Time: 131615(L) JUN 03

ation. ABU GUHRAYB (Vic MB 23579 85233)

Other Information.

- a. Racial: No
- b. Trainee Involvement: No
- 6. Personnel Involved.
  - a. Subject. 1
    - a. Name:
    - b. Rank or grade: SGT
    - c. Social Security Number:
    - d. Race: Caucasian
    - e. Sex: M
    - f. Age: Unknown
    - g. Position: Yard Tower
    - h. Security Clearance: Secret
    - i. Unit: 72d MP CO
    - j. Duty Status: On duty
  - b. Subject. 2
    - a. Name:
    - b. Rank or grade: SPC
    - c. Social Security Number:

- d. Race: Caucasian
- e. Sex: M
- f. Age: Unknown
- g. Position: Tower 6
- h. Security Clearance: N/A
- i. Unit: 72d MP CO
- j. Duty Status: On Duty
- c. Subject. 3
  - a. Name:
  - b. Rank or grade: SPC
  - c. Social Security Number:
  - d. Race: Caucasian
  - e. Sex: M
  - f. Age: Unknown
  - g. Position: Tower 5
  - h. Security Clearance: Secret
  - i. Unit: 72d MP CO
  - j. Duty Status: On Duty
- d. Victim. 1: US Soldier.
  - a. Name:
  - b. Rank or grade: SGT
  - c. Social Security Number:
  - d. Race: Caucasian
  - e. Sex: M
  - f. Age: 29
  - g. Position: Enclosure Guard
  - h. Security Clearance: Secret
  - i. Unit: 400<sup>th</sup> MP Bn
  - j. Duty Status: N/A
- e. Victim. 2: Death (Gunshot to lower abdomen and back)
  - a. Name: Alla Jasin Hassan
  - b. Rank or grade: Iraqi Civilian
  - c. Social Security Number: 8667
  - d. Race: Arab
  - e. Sex: M
  - f. Age: Unknown
  - g. Position: Prisoner
  - h. Security Clearance: N/A
  - i. Unit: N/A
  - j. Duty Status: N/A
- f. Victim. 3: Injury (Gunshot to left arm)
  - a. Name:

- b. Rank or grade: Iraqi Civilian
- c. Social Security Number: 8883
- d. Race: Arab
- e. Sex: M
- f. Age: Unknown
- g. Position: Prisoner
- h. Security Clearance: N/A
- i. Unit: N/A
- j. Duty Status: N/A
- g. Victim. 4: Injury (Gunshot to right abdomen)
  - a. Name:
  - b. Rank or grade: Iraqi Civilian
  - c. Social Security Number: 8956
  - d. Race: Arab
  - e. Sex: M
  - f. Age: Unknown
  - g. Position: Prisoner
  - h. Security Clearance: N/A
  - i. Unit: N/A
  - j. Duty Status: N/A
- h. Victim. 5: Injury (Gunshot to left arm)
  - a. Name:
  - b. Rank or grade: Iraqi Civilian
  - c. Social Security Number: 9052
  - d. Race: Arab
  - e. Sex: M
  - f. Age: Unknown
  - g. Position: Prisoner
  - h. Security Clearance: N/A
  - i. Unit: N/A
  - j. Duty Status: N/A
- i. Victim. 6: Injury (Gunshot to left shoulder)
  - a. Name:
  - b. Rank or grade: Iraqi Civilian
  - c. Social Security Number: 0749
  - d. Race: Arab
  - e. Sex: M
  - f. Age: Unknown
  - g. Position: Prisoner
  - h. Security Clearance: N/A
  - i. Unit: N/A
  - j. Duty Status: N/A
- j. Victim. 7: Injury (Gunshot to lower back and buttocks)
  - a. Name:

b. Rank or grade: Iraqi Civilian

c. Social Security Number: 7610

d. Race: Arab e. Sex: M

f. Age: Unknown g. Position: Prisoner

h. Security Clearance: N/A

i. Unit: N/A

j. Duty Status: N/A

## k. Victim. 8: Injury (Gunshot to left abdomen)

a. Name:

b. Rank or grade: Iraqi Civilian

c. Social Security Number: 8576

d. Race: Arab

e. Sex: M

f. Age: Unknown

g. Position: Prisoner

h. Security Clearance: N/A

i. Unit: N/A

j. Duty Status: N/A

### 1. Victim. 9: Injury (Gunshot to left arm)

a. Name:

b. Rank or grade: Iraqi Civilian

c. Social Security Number: 9158

d. Race: Arab

e. Sex: M

f. Age: Unknown

g. Position: Prisoner

h. Security Clearance: N/A

i. Unit: N/A

j. Duty Status: N/A

## 7. Summary of Incident:

- a. Synopsis: Eight prisoners began to riot after witnessing 14 inmates being released. They attempted to overtake the guards utilizing rocks and tent poles. One MP received minor injuries from a rock. Guards opened fire killing one and wounding seven prisoners. The seven were provided Air MEDEVAC to LSA DOGWOOD, along with an MP providing security on the prisoners. IPF forces were notified and a civilian ambulance was escorted back to the prison to retrieve the body of the KIA.
- b. Events Preceding the Incident: On 12 Jun 03, at 1800 hours, the detainees became agitated and began demanding answers regarding their capture and the amount of time they would be held in custody. They were upset and declared that they were being

#### **FOUO**

housed improperly and lacked basic needs such as showers, shampoo, blankets, and toilets. Several of the detainees threw rocks and tent poles out of the enclosure at the guards and one guard was struck in the hand. At that time, the Company First Sergeant, and the Commander, and the prisoner interpreters. They were advised that many of the new detainees through one of the prisoner interpreters. They were advised that many of the new detainees had release dates and that the Camp Commander would review other cases and provide information when available. The detainees were all advised that throwing rocks and tent poles at the guards would constitute deadly force and that they could and would be shot if that behavior occurred again. A SITREP was sent to battalion with a request to charge the individuals and have them sent to Camp Cropper.

- c. On 13 Jun 2003, at approximately 1400 hours, a disturbance was again reported in the yard and involved an attempted escape by detainee #8968. The detainee attempted to go through the wire utilizing a cardboard box, however, was immediately apprehended as he exited the wire. At this time a count was initiated, however, detainees in both compounds refused to stand to be counted. The QRF was dispatched, and the count proceeded without incident. Shortly after the count, the QRF was called again to respond to multiple gunshots occurring in the yard. Multiple detainees with rocks and tent poles had targeted the MPs working the enclosure compounds. As the enclosure puards attempted to flee the objects, the tower guards feared that the enclosure guards were in danger. Three Tower Guards simultaneously followed the ROE, and fired upon the detainees who were engaging in the use of deadly force against U.S. personnel. Two of the towers fired 12-gauge shotguns expending eight rounds. The third guard fired four M-16 rounds. Seven detainees were wounded and one killed as a result of the incident. One U.S. soldier was injured by a rock. All wounded were taken from the enclosure area and provided first aid by medics from the 400th MP Bn and combat lifesavers from the 72d MP Co. MEDEVAC was requested and the seven wounded were evacuated under one MP guard. The body and personal belongings of the deceased prisoner were released to Iraqi authorities.
- 8. Remarks: All rounds were confiscated, the crime scene was photographed, and tower views were photographed. Personal property of the KIA was provided to Iraqi authorities who retrieved the body at 1930. The riot was believed to have been caused by a lack of information about their dispositions, dates of release, and lack of basic living necessities.
- 9. Publicity: Unknown
- 10. Commander Reporting: LTC (P), 400<sup>th</sup> MP Battalion
- 11. Point of Contact:
  - a. Prison Company Commander, CPT 72d MP CC
  - b. Reporting Officer, CPT Battalion Assistant S3

#### FOUO

- 12. Downgrading Instruction: FOUO markings may be removed after 13 July 2003
- 13. Other Requested Information:
  - a. What gate or guards were rushed? Three Enclosure Guards.
  - b. Describe the location between the enclosure guard and the tower guards. The tower guards formed a triangular position around the enclosure guard and prisoners. The guards fired their weapons from the towers.
  - c. How many guards used their weapons? Three guards; Total rounds expended: four M-16 rounds from the Yard Tower; five 12-guage shotgun rounds from Tower 6; and three shotgun rounds from Tower 5.

FOUO

6

## Investigation Action Log

13 June 2003

1915 Assigned as investigating officer

Moved out to prison for pictures, Dark upon arrival, company stated they took pictures, walked over scene, checked status of unit soldiers for well being, advised command of appointment order, advised command of return in near future for interviews, gathered Co Commander's Initial report

2045 Left prison

14 June 2003

Spend day researching and planning investigation strategy, gathered BN SIR 15 June 2003

Spend day at Camp Vigilant gather sops, sworn statements, map site

16 June-2003

Mission support requirements

17 June 2003

Spend day at Camp Vigilant, gather evidence, sworn statements.

18 June 2003

Mission support requirements

19 June 2003

Spend day typing up report

20 June 2003

Mission support requirements

21 June 2003

Print report and turn in