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DEPARTMENT OF DEFENSE OFFICE OF FREEDOM OF INFORMATION 1155 DEFENSE PENTAGON WASHINGTON, DC 20301-1155

AUG 0 3 2007

Ref: 04-F-2296 ARMY FOIA #04-1230

Mr. John Greenewald, Jr.

Dear Mr. Greenewald:

This is the final response to your Freedom of Information Act (FOIA) request of April 30, 2004, that you submitted to the Department of the Army and they subsequently referred to our office. This completes the processing of the AR 15-6 Investigation of the 800th Military Police Brigade, Major General Antonio M. Taguba, Investigating Officer, otherwise referred to as The Taguba Report. As this document was responsive to litigation between the American Civil Liberties Union and the Department of Defense in the U.S. District Court for the District of Southern New York, the release of the entire document was contingent upon releases in litigation. This response addresses Annexes 25, 26, 34, 40, 97, 103, and 104. Enclosed you will find Annexes numbered 34 and 97 which are released in part. Annexes numbered 25, 26, 40, 103, and 104 have been withheld in their entirety from the plaintiff in the aforementioned litigation. I apologize for the delay in completing your request.

Information has been withheld from Annexes 25, 26, 34, 40, 97, 103, and 104, either in whole or in part under the following FOIA exemptions.

5 USC§552 (b) (1) which applies to information which is currently and properly classified pursuant to Executive Order 12958, as amended. In this instance the denied information is currently and properly classified pursuant to Section 1.4(a) of the Executive Order in that the information concerns military plans, weapons, or operations; and Section 1.4(c) of the Executive Order in that the information concerns intelligence activities, intelligence sources or methods.

5USC§552 (b) (2) (High), which applies to information whose release would result in the circumvention of a Department of Defense (DoD) rule, policy, or statute, thereby impeding the DoD in the conduct of its mission.

5 USC§552 (b) (3) which pertains to information exempt from release by statute. The relevant statutes in this instance are 10 USC§130b and 10 USC§130c. 10 USC§130b authorizes the Secretary of Defense to withhold from disclosure personally identifying information concerning personnel in overseas, sensitive, or routinely deployable units 10 USC§130c allows for the withholding of certain sensitive information of foreign governments and international organizations.

5 USC§552(b) (6) which pertains to information the release of which would constitute a clearly unwarranted invasion of personal privacy.

5 USC§552(b) (7) (C) which applies to records or information compiled for law enforcement purposes that could reasonably be expected to constitute and unwarranted invasion of the personal privacy of others.

A complete copy of the AR 15-6 Investigation of the 800th Military Police Brigade, Major General Antonio M. Taguba, Investigating Officer is also electronically available at the following website: http://www.dod.mil/pubs/foi/detainees/taguba/

Appeals may be submitted in writing to this Office, by writing to James Hogan, Chief, Policy, Appeals and Litigation Branch, Office of Freedom of Information, 1155 Defense Pentagon, Washington, D.C. 20301-1155. Your appeal letter should be postmarked within 60 calendar days of the date of this letter and should cite case number 04-F-2296.

Sincerely,

√o, Will Kammer Chief

Enclosures: As stated

CID REPORT ON CRIMINAL ABUSES AT ABU GHRAIB, 28 JANUARY 2004

DENIED IN FULL 5 USC § 552 EXEMPTION (b)(7)(A)

CID INTERVIEWS, 10-25 JANUARY 2004

DENIED IN FULL 5 USC § 552 EXEMPTION (b)(7)(A)

CID Report on abuse of detainees at Camp Bucca, 8 June 2003 (Attached)

DENIED IN PART

5 USC § 552 EXEMPTION (b)(2)(High)

5 USC § 552 EXEMPTION (b)(6)

5 USC § 552 EXEMPTION (b)(7)(C)

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

CIRC-AB

8 June 2003

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL(C) 0031-03-CID519-62147-94/5C1N/5X1/5Y2D2/5Y2G / 4 5

 DATES/TIMES/LOCATIONS OF OCCURRENCES 1. 12 May 2003/1730 Zulu; Grid Coordinate QU 77 	
Prisoner of War (EPW), Camp Bucca, Um Qasr, Iraq, A	DO A E 00275
2. DATE/TIME REPORTED: 14 May 2003, 0600 ZUI	LU 672,66,62
3. INVESTIGATED BY: SA	SA SA
SA SA	SA SA
57eib 6-5	6761665
4. SUBJECT: 1. MSG; MSG;	, F;
WHITE; HHC, 320 TH MILITARY POLICE BATTALIC	
AE 09375; CT [CRUELTY AND MALTREATMENT (••
ASSAULT][CONSPIRACY][DERELICTION OF DUT	[Y][CONDUCT UNBECOMING]
2. SFC; SFC;	M;
WHITE; HHC, 320 TH MILITARY POLICE BATTALIC	
AE 09375; [CRUELTY AND MALTREATMENT OF]	
ASSAULT][CONSPIRACY] [DERELICTION OF DU	616,665
3. SSG; SSG;	CN CAMBRICCA IMAGASRIRAG ARG
WHITE; HHC, 320 TH MILITARY POLICE BATTALIC	-
AE 09375; [CRUELTY AND MALTREATMENT OF	EFW][AGGKAVATED ASSAULT]
[CONSPIRACY][DERELICTION OF DUTY][CONDU	Lang 66-5
WHITE; HHC, 320 TH MILITARY POLICE BATTALI	
AE 09375; [CRUELTY AND MALTREATMENT OF	
· •	
ASSAULT][CONSPIRACY] [DERELICTION OF DU	11 [CONDUCT ONDECOMING]
5 COT	F WHITE
5. SGT; SGT; HHC, 320 TH MILITARY POLICE BATTALION, CAN	MP BUCCA, UM OASR, IRAO, APO AE

-28

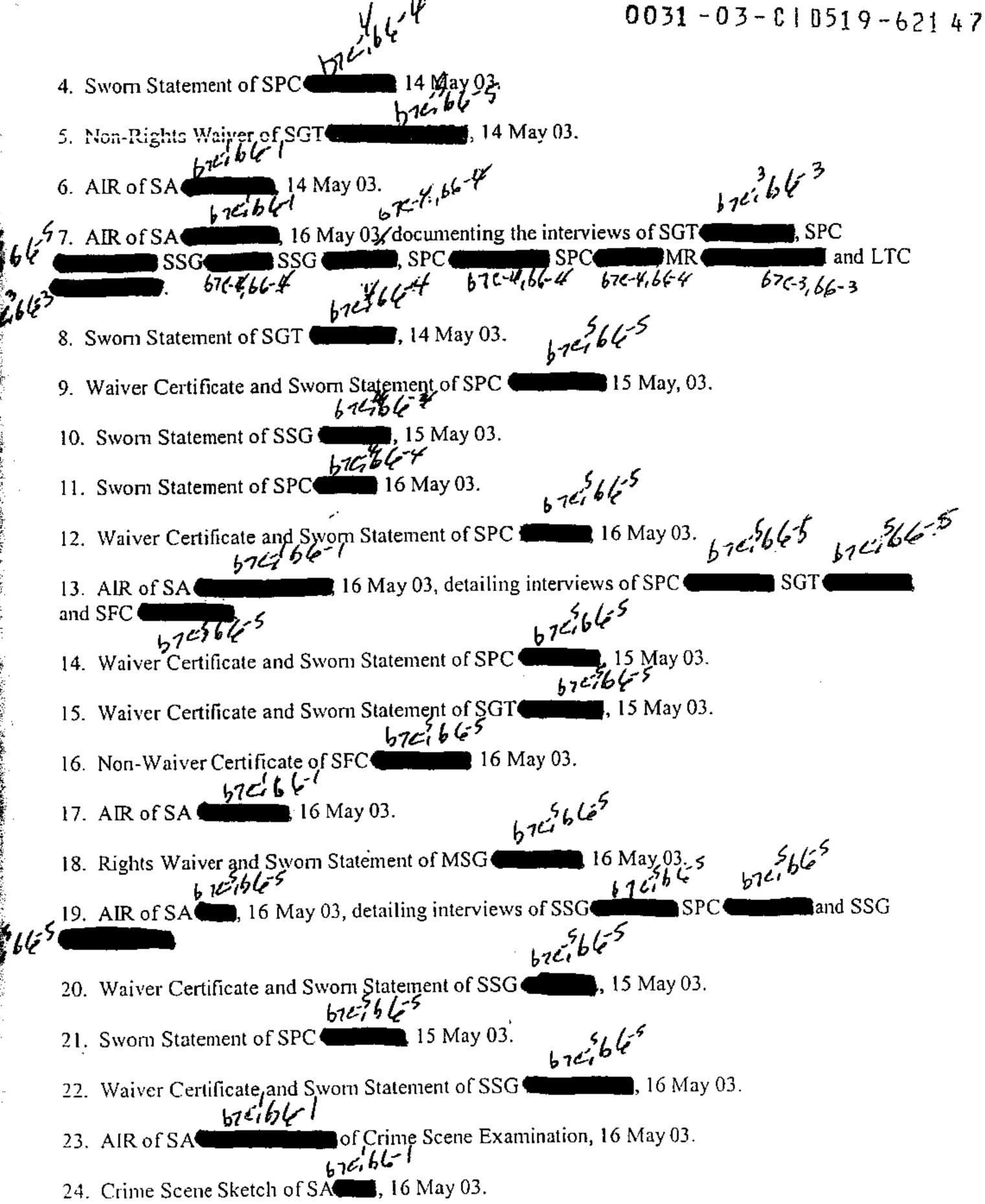
09375; [CRUELTY AND MALTREATMENT OF EPW][AGGRAVATED ASSAULT][CONSPIRACY] [DERELICTION OF DUTY][CONDUCT UNBECOMING] WHITE; HHC, 320TH MILITARY POLICE BATTALION, CAMP BUCCA, UM QASR, IRAQ, APO AE 09375; [CRUELTY AND MALTREATMENT OF EPW][AGGRAVATED ASSAULT][CONSPIRACY] [DERELICTION OF DUTY][CONDUCT UNBECOMING] M; WHITE; HHC, 320TH MILITARY POLICE BATTALION, CAMP BUCCA, UM QASR, IRAQ, APO AE 09375; [CRUELTY AND MALTREATMENT OF EPW][AGGRAVATED ASSAULT][CONSPIRACY] [DERELICTION OF DUTY][CONDUCT UNBECOMING] M; WHITE; ; SPC; HHC, 320TH MILITARY POLICE BATTALION, CAMP BUCCA, UM QASR, IRAQ, APO AE 09375; [CRUELTY AND MALTREATMENT OF EPW][AGGRAVATED ASSAULT][CONSPIRACY][DERELICTION OF DUTY][CONDUCT UNBECOMING] WHITE; HHC, 320TH MILITARY POLICE BATTALION, CAMP BUCCA, UM QASR, IRAQ, APO AE 09375; [CRUELTY AND MALTREATMENT OF EPW][AGGRAVATED ASSAULT][ASSAULT][CONSPIRACY][DERELICTION OF DUTY][CONDUCT UNBECOMING] WHITE; HHC, 320TH MILITARY POLICE BATTALION, CAMP BUCCA, UM QASR, IRAQ, APO AE 09375; [CRUELTY AND MALTREATMENT OF EPW.][AGGRAVATED ASSAULT][CONSPIRACY][DERELICTION OF DUTY][CONDUCT UNBECOMING] 5. VICTIM: 1. WHITE; 223RD MP CO; CAMP BUCCA, UM QASR, IRAQ, APO AE 09375; [ASSAULT] CIV-EPW; ISN BAGHDAD, IRAQ; M; OTHER; [CRUELTY AND MALTREATMENT][AGGRAVATED 67 ci 6 64 ASSAULT][CONSPIRACY] CIV-EPW; BABEL, IRAQ; M; OTHER; [CRUELTY AND MALTREATMENT][AGGRAVATED b16664 ASSAULT][CONSPIRACY] CIV-EPW; ISN BASRAH, IRAQ; M; OTHER; MAJOR FOR CIVILIAN POLICE BASRAH; [CRUELTY AND MALTREATMENT][AGGRAVATED ASSAULT][CONSPIRACY] b70:66-4 BABLE, CIV-EPW; ISN IRAQ; M; OTHER; CAPTAIN FOR CIVILIAN POLICE BASRAH; [CRUELTY AND MALTREATMENT][AGGRAVATED ASSAULT][CONSPIRACY]

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	BABEL, IRAQ; M; OTHER; [CRUELTY AND MALTREATMENT][AGGRAVATED ASSAULT][CONSPIRACY] 616666666666666666666666666666666666
	KARBALA, IRAQ; M; OTHER; [CRUELTY AND MALTREATMENT][AGGRAVATED ASSAULT][CONSPIRACY]
	8. CIV-EPW, ISN BAGHDAD, IRAQ; M; OTHER; [CRUELTY AND MALTREATMENT][AGGRAVATED ASSAULT][CONSPIRACY]
	9. U.S. GOVERNMENT [DERELICTION OF DUTY]
	INVESTIGATIVE SUMMARY:
	This is an "Operation Iraqi Freedom" investigation. The delay in dispatching this report was due to the lack of secure communications capabilities for CID at Camp Bucca, Um Qasr, Iraq.
-t	This investigation established probable cause to believe MSG (MSG), SSG (MSG), SFC (MSG), SPC (MSG)
	STATUTES:
	ARTICLE 128, UCMJ: AGGRAVATED ASSAULT ARTICLE 81, UCMJ: CONSPIRACY ARTICLE 93, UCMJ: CRUELTY AND MALETREATMENT ARTICLE 92, UCMJ: DERELICTION OF DUTY ARTICLE 134, UCMJ: FALSE SWEARING ARTICLE 134, UCMJ: CONDUCT UNBECOMING
	EXHIBITS/SUBSTANTIATION:
	Attached:
,3 51	1. Agent's Investigation Report (AIR) of SA (SA), 16 May 03, detailing: the initial break notification by with COL (SA) of maltreatment of EPWs; Coordination with MAJ (SA) and 1LT (SA), and the interviews of SSG (SA) SPC (SA) (SA) (SA) (SA) (SA) (SA) (SA) (SA)
	2. AR 13-6 Investigation, 14 May 03. 3. Sworn Statement of SSG 14 May 03

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	25. AIR of SA AI	
	26. Waiver Certificate and Sworn Statement of SPC 15 May 03.	
	27. Waiver Certificate and Sworn Statement of SPC 16 May 03.	
16	28. AIR of Investigator detailing interviews of Mr	
	29. AIR of SA 14 May 03, detailing re-interviews of SGT and SPC and SPC breible-4	
	30. Sworn Statement of SGT Market 14 May 03.	
•	31. Sworn Statement of SPC breit 66 4 14 May 03. breit 66 4 breit	
	32. AIR of SA detailing interviews of CPT details photographs of injuries to Enemy of Prisoners of War (EPW) and coordination to obtain medical records of EPW's, 27 May 03.	
-	33. Computer Disk containing images of injuries sustained by victims, 003103519.62147 (file, SJA, USACRC copies only).	
	34. Medical Records of injured EPW's, 27 May 03.	
	35. AIR of SA 19 May 03 detailing the interview of members of the 744th MP BN, CWTI.	
	36. Camp Whitford Release List, 12 May 03.	
6	37. AIR of SA by S	
	38. Non-Waiver Certificate of MSG 676, 21 May 03.	
	39. Non-waiver Certificate of SSG (1986) 1986, 21 May 03.	
6	40. AIR of SACCESSACCES, 23 May 03, detailing a briefing with Staff Judge Advocate LTC	
	Not Attached:	
	On file at USACRC, Polygraph Division:	
	41. Polygraph request of MSG (Marketta), 21 May 03.	
	42. Polygraph approval of MSG 21 May 03.	
	7C 6C 686612 m. 32	

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888812 Jun. 32

576166 31 May 03. 43. Polygraph request of SSG

44. Polygraph approval of SSG4 21 May 03.

The originals of Exhibits 1-4, 6-8, 10, 11, 13, 17, 19, 23-25, 28-32, 35, 37 and 40 are forwarded with a USACRC copy of this report. The originals of Exhibits 5, 9, 12, 14-16, 18, 20-22, 26 and 27, 33, 38 and 39 are retained in the original case file pending adjudication of this investigation. The originals of Exhibit 36 is maintained in the files of the 800th MP BDE, Camp Arifjan, Kuwait, APO AE 09366.

STATUS: This is a Final (C) Report. This investigation was terminated IAW paragraph 4-17a(4), CIDR 195-1. The supported staff judge advocate is of the opinion that sufficient admissible evidence is available to prosecute the subject(s) for the offense(s), that additional investigation would produce only cumulative and unneeded evidence, and that the identification of additional subjects or offenses is unlikely.

Leads Remaining: Locate possible additional witnesses and interview.

REPORT PREPARED BY: 666 Special Agent,

- REPORT APPROVED BY:

pecial Agent in Charge

DISTRIBUTION:

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

TO: Action Commander, 800th MP BDE (ATTN: BG Camp Bucca, APO AE 09367) th MP BDE, SJA (ATTN: LTC b72.66e-3) 1 - THRU: CDR, 800th Military Police Brigade (ATTN: COL

1-800th MP BDE, SJA (ATTN: LTC Camp Arifjan, Kuwait, APO AE 09366.

- 1 CDR, 3rd MP GRP, (FWD) (ATTN: Operations Officer), APO, AE 09366 (e-mail only/less exhibits)
- 1 CDR, 10th MP BN (CID) (FWD) (ATTN: Operations Officer), APO, AE 09304, (e-mail only/less exhibits)

b72,663

1 - 800th Military Police Brigade (ATTN: MAJ (MAN), Camp Bucca, APO, AE 09375 (e-mail only/less exhibits)

1 File

OFFICIAL USE ONLY

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Joint Interrogation and Debriefing Center's (JIDC) Slides, Undated DENIED IN FULL

5 USC § 552 EXEMPTION (b)(1)

5 USC § 552 EXEMPTION (b)(2)(High)

5 USC § 552 EXEMPTION (b)(3) –

Statute 10 U.S.C. 130b

5 USC § 552 EXEMPTION (b)(6)

530th MP Battalion Mission Brief, 11 Feb 2004 (Attached)

DENIED IN PART

5 USC § 552 EXEMPTION (b)(1)

5 USC § 552 EXEMPTION (b)(2)(High)

530TH MILITARY POLICE BATTALION (I/R)

OMAHA, NEBRASKA



CAMP ASHRAF MISSION BRIEF FOR MG ANTONIO TAGUBA 11 FEBRUARY 2004

23 Pages Withheld In Full Exemption 1

530th Military Police Battalion (I/R)



"Securing The Vanquished"

The Geneva Convention Outline

- Brief History
- Define EPW
- Selected Articles
 - Beginning of Capture
 - Quarters, Food and Clothing
 - Hygiene and Medical Attention
 - Discipline
 - Rank of EPW's
 - Summary

The Geneva Convention

- Adopted on 12 August 1949
- Made Official 21 October 1950
- Has 143 Articles and 5 Annexes
- Established By A Diplomatic Conference
- Provided For The Protection of EPW's

Why Comply?

- DOD Directive 2310.1
 - Establishes Policies for the Treatment, Care, Accountability, Legal Status, and Administrative Procedures.
- Army Regulation 190-8, 190-57
- SECNAV Instruction 31-3461
- Air Force Joint Instruction 31-304

Army Regulation 190-8

This regulation provides policy, procedures, and responsibilities for the administration, treatment, employment, and compensations of enemy prisoners of war (EPW) in the custody of U.S. Armed Forces.

Article 4 Enemy Prisoners of War

- EPW's are
 - Members of an Armed Force in Conflict
 - Members of a Militia (Resistance Movements)
 - Members of a Volunteer Corps
 - Members of Crews (Planes and Ships)

The Geneva Convention Beginning of Capture

- What Occurs Upon Capture:
 - Required to Give, Name, Rank, SSN, DOB
 - EPW's will Be Given an ID
 - No Physical or Mental Torture
 - No Form of Coercion May Be Inflicted
 - No Punishment for Refusing To Answer Questions
 - Questioning Will Be Done In Their Language

- EPW's are allowed to keep:
 - All effects and articles of personal use
 - Gas Masks/Articles for Personal Protection
 - Items Used For Clothing and Feeding
 - Items of Sentimental Value
 - Articles of Value will be Secured for Security Reasons

EPW's shall be evacuated as soon as possible after their capture to Internment Facilities (IF) situated in an area far enough from the combat zone for them to be out of danger.

- EPW's shall always be treated humanely.
- They will be given sufficient food and water along with the necessary clothing and medical attention.
- Stays at temporary holding areas should be as brief as possible.

- EPW's will not be housed in an area that is unhealthy or where the climate may cause injuries to them.
- Prisoners will be housed according to their nationality, language and customs.
- EPW's will be broken down by rank and sex.

The Geneva Convention

Quarters, Food and Clothing

- EPW's will be housed under conditions as favorable as those of the detaining power.
- The premises shall be entirely protected from dampness and adequately heated and lighted.

- The daily food ration will be in an amount so that the prisoners will not loss any weight and should be in a diet they are accustomed to.
- EPW's must be kept in good health and free of nutritional deficiencies.
- Sufficient drinking water shall be supplied.
- The use of tobacco shall be permitted.

- Proper clothing should be made available to all EPW's.
- Must make allowances for the weather conditions.

The Geneva Convention

Hygiene and Medical Attention

All prisoners will be given sanitary measures to ensure cleanliness and to assist with the prevention of epidemics.

- Each IF will have an infirmary for treatment of EPW's.
- If necessary, an isolation ward will be set up to prevent the spread of diseases.
- Seriously ill EPW's will be admitted to military medical facilities.

- Medical Inspections of each EPW should be conducted once a month.
 - Weigh-in
 - Check general health, nutrition and cleanliness

Articles 32,33,34,35

- EPW's can use their own:
 - Medical Personnel
 - Chaplains
 - Religious Beliefs
 - Cooks
 - Make Their Own Compound Improvements

- EPW's are encouraged to participate in educational and recreational activities.
- The Internment Facility must provide adequate premises and the necessary equipment to participate in these activities.

The Geneva Convention

Discipline

- EPW's will salute and show respect to all officers of the detaining party.
- EPW Officers are only required to salute officers of higher rank.
- All EPW's will salute the Battalion Commander.

Rank and insignias are authorized to be worn by all EPW's.

 Any regulations, orders and notices will be published in the EPW's language.

The Geneva Convention

Rank of EPW's

 EPW's will be treated in accordance with their rank.

Summary

- Brief History of the Geneva Convention
- Define EPW
- Beginning of Capture
- Quarters, Food and Clothing
- Hygiene and Medical Attention
- Discipline
- Rank of EPW

Comments & Questions

■ The Geneva Convention of 12 August 1949

Final Comments

- U.S. Soldiers are Ordinary People Who Do Extraordinary Things!
- Ask Not What Your Country Can Do For You.....Ask What You Can Do For Your Country!!

"Securing the Vanquished"

ANNEX 103 Various SIRs from the 800th MP Brigade / 320th MP Battalion

DENIED IN FULL

5 USC § 552 EXEMPTION (b)(1)

5 USC § 552 EXEMPTION (b)(2)(High)

5 USC § 552 EXEMPTION (b)(3) –

Statute 10 U.S.C. 130b

5 USC § 552 EXEMPTION (b)(6)

ANNEX 104 205th MI Brigade SITREP to MG Miller

12 December 2003

DENIED IN FULL

5 USC § 552 EXEMPTION (b)(1)

5 USC § 552 EXEMPTION (b)(2)(High)

5 USC § 552 EXEMPTION (b)(3) –

Statute 10 U.S.C. 130b

5 USC § 552 EXEMPTION (b)(6)