REPORT OF PROCEEDINGS BY IN For use of this form, see	AR 15-8; the prop	onent agency is OTJ	AG.			
IF MORE SPACE IS REQUIRED IN FILLING OU				SHEETS		
	ION I - APPOINT					
		A TO	A TE 00202			
control by COL	ice Brigade, Ba	ghdad, Iraq AP) AE 09302			
	(Appointing	authority)				
20030612 (Attach inclosure 1: Letter of appoint (Date)	niment or summary	of oral appointment	data.) (See para 3-1	5, AR 15-6.)		
SE	CTION II - SESSI	ONS				
				000		
ne (investigation) (board) commenced at Camp Cropper, Bagho	dad, Iraq		at	0930 (Time		
	, ,			•	-	
20030612 (If a formal board met for more that	n one session, chec	k here 🗀. Indicate	in an inclosure the i	ime each session i	began an	ıd
ded the place persons present and absent, and explanation of absence	es, if any.) The fo	llowing persons (m	embers, respondents,	counsel) were		
esent: (After each name, indicate capacity, e.g., President, Recorder,	Member, Legal Ac	lvisor.)				
coons. prysit customers, see						
he following persons (members, respondents, counsel) were absent:	(Include brief explo	unation of each abse	nce.) (See paras 5-2	and 5-8a, AR 15-	6.)	
he following persons (members, respondents, counsel) were absent:	(Include brief explo	anation of each abse	nce.) (See paras 5-2	and 5-8a, AR 15-	6.)	
he following persons (members, respondents, counsel) were absent:	(Include brief explo	ination of each abse	nce.) (See paras 5-2	and 5-8a, AR 15-	6.)	
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he following persons (members, respondents, counsel) were absent:	(Include brief explo	unation of each abse	nce.) (See paras 5-2	and 5-8a, AR 15-	6.)	
ne following persons (members, respondents, counsel) were absent:	(Include brief explo	anation of each abse	nce.) (See paras 5-2			
		anation of each abse	nce.) (See paras 5-2	20030	621	
				20030 (Date	621	
he (investigating officer) (board) finished gathering/hearing evidenc		2005		20030 (Date 20030622	621	
he (investigating officer) (board) finished gathering/hearing evidence	æ 81	2005	on	20030 (Date	621	
The (investigating officer) (board) finished gathering/hearing evidence and completed findings and recommendations at	1000 (Time)	2005	on	20030 (Date 20030622	621 e)	
The (investigating officer) (board) finished gathering/hearing evidence and completed findings and recommendations at	1000 (Time)	2005 (Time)	on	20030 (Date 20030622	621 e)	NO ^J N
The (investigating officer) (board) finished gathering/hearing evidence and completed findings and recommendations at SECTION III A. COMPLETE IN ALL CASES	1000 (Time)	2005 (Time) R PROCEEDINGS	on	20030 (Date 20030622	621 e)	NO ¹ N
The (investigating officer) (board) finished gathering/hearing evidence and completed findings and recommendations at SECTION III A. COMPLETE IN ALL CASES	1000 (Time)	2005 (Time) R PROCEEDINGS	on	20030 (Date 20030622	621 e)	NO ¹ N
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The (investigating officer) (board) finished gathering/hearing evidence and completed findings and recommendations at SECTION III A. COMPLETE IN ALL CASES Inclosures (para 3-15, AR 15-6) Are the following inclosed and numbered consecutively with Roman 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 auther. Privacy Act Statements (Certificate, if statement provided orally	te at	2005 (Time) R PROCEEDINGS thed in order listed)	on	20030 (Date 20030622	621 e) YES	
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The (investigating officer) (board) finished gathering/hearing evidence and completed findings and recommendations at SECTION III A. COMPLETE IN ALL CASES Inclosures (para 3-15, AR 15-6) Are the following inclosed and numbered consecutively with Roman 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 auther. Privacy Act Statements (Certificate, if statement provided orally	1000 (Time) - CHECKLIST FO n numerals: (Attack a? nority? y)? I delays, difficulties ge 1 of this report?	2005 (Time) R PROCEEDINGS thed in order listed) i, irregularities, or o	onon ther problems	20030 (Date 20030622	621 (YES)	

2) Use of the NIA column or board.

DA FORM 1574, MAR 83

EDITION OF NOV 77 IS OBSOLETE.

Page 1 of 4 pages

USAPA V1.20

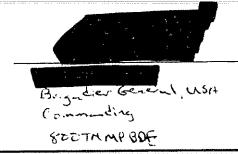
	Exhibits (para 3-16, AR 15-6)	YES	NO	NA ²
2	Exhibits (para 3-10, AR 13-0) a. Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as	X		
	exhibits and attached to this report?			
,	b. Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	X		
	c. Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and an accorded verbatim or been reduced to written form and accorded verbatim or been reduced to written form and accorded verbatim or been reduced to written form and accorded verbatim or been reduced to written form and accorded verbatim or been reduced to written form and accorded verbatim or been reduced to written form and accorded verbatim or been reduced to written form and accorded verbatim or been reduced to written form and accorded verbatim or been reduced to written form and accorded verbatim or been reduced to written form and accorded verbatim or been reduced to written form and accorded verbatim or been reduced to written form and accorded verbatim or been reduced to written form and accorded verbatim or been reduced to written form and accorded verbatim or been reduced to written form and accorded verbatim or been reduced to written form and accorded verbatim or been reduced to written form and accorded verbatim or been reduced to written for the properties of the properties o	×		
	an exhibit? d. Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is	×		
	the location of the original evidence indicated? 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)?		ļ	\perp
	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?		<u> </u>	
	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 (pure 5-164, 74-155).			X
3	Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?			
В.	The man manager is not the proceedings (Chanter) AK (3-0)		ļ	
4	At the initial session, did the recorder read, or determine that all participants had read, the retter of appearance of		+	
5	Was a quorum present at every session of the board (para 5-2b, AR 15-6)?		+	
6	Was each absence of any member properly excused (para 5-2a, AR 15-6)?			
7	111 and the state of the state	 	1	1
8	If any members who voted on findings or recommendations were not present when the board received some evidence, does the inclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?			
	COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)	_		
	Notice to respondents (para 5-5, AR 15-6):	_	بينيا	
9	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—			
	the first session of the board concerning that respondent?			
	all and the considerations against the respondent. If any:			
	(2) the matter to be investigated, including specific and garden a			
	(4) the name and address of each witness expected to be called by the recorder?			- 1
	(5) the respondent's rights to be present, present evidence, and call witnesses?	4—	_	-
	the case rue?	_		_
	a If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them.			
1	0 If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings):		Į	
ĺ	5 AD 15 6\2			
ĺ	 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). 			
7	1 Counsel (para 5-6, AR 13-6):		سنجيد	1
Ι,	a. Was each respondent represented by counsel?		l 	
	Name and business address of counsel:			
	(If counsel is a lawyer, check here [])			
l	h. Was recondent'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 action taken on it included in the report (para 5-6b, AR 15-6)?			
ŀ	22 If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6):			
١	a. Was the challenge properly denied and by the appropriate officer?			
ı	b. Did each member successfully challenged cease to participate in the proceedings?			
H	13. Was the respondent given an opportunity to (para 5-8a, AR 15-6):			
I	a Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent:	-		
1	b. Examine and object to the introduction of real and documentary evidence, including written statements?	-		+
I	c. Object to the testimony of witnesses and cross-examine witnesses other than his own?		_	
1	d. Call witnesses and otherwise introduce evidence?			
Į	e. Testify as a witness?			
-	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)?			

FOOTNOTES:

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.

	SECTION IV - FINDINGS (para 3-10, AR 15-6)	
e (investigating officer) (board), having carefu	lly considered the evidence, finds:	
e attached Memorandum.		
Nothing else follows		
Į.		
•		
		• .
÷.		
:		
		•
	SECTION V - RECCMMENDATIONS (para 3-11, AR 15-6)	
In view of the above findings, the (investigating	g officer) (board) recommends:	
See attached memorandum.		
Nothing else follows		
, · ·		
, ,		

	HENTICATION (para 3-17, AR 15-6)
S REPORT OF PROCEEDINGS IS COMPLETE AND ACCUR w, indicate the reason in the space where his signature should ap	ATE. (If any voting member or the recorder fails to sign here or in Section VI. opear.)
(Recorder)	(Investigating Officer) (President)
	(Member)
(Member)	(**************************************
(Member)	(Member)
SECTION VII - MING the extent indicated in Inclosure, the undersigned the inclosure identify by number each finding and/or recommend	ORITY REPORT (para 3-13, AR 15-6) do(es) not concur in the findings and recommendations of the board. dation in which the dissenting member(s) do(es) not concur. State the
SECTION VII - MINO	ORITY REPORT (para 3-13, AR 15-6) do(es) not concur in the findings and recommendations of the board. dation in which the dissenting member(s) do(es) not concur. State the
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SECTION VII - MINN the extent indicated in Inclosure, the undersigned the inclosure, identify by number each finding and/or recommend tions for disagreement. Additional/substitute findings and/or recommend (Member)	ORITY REPORT (para 3-13, AR 15-6) do(es) not concur in the findings and recommendations of the board. dation in which the dissenting member(s) do(es) not concur. State the mmendations may be included in the inclosure.) (Member)
SECTION VII - MINN the extent indicated in Inclosure, the undersigned the inclosure, identify by number each finding and/or recommend tions for disagreement. Additional/substitute findings and/or recom (Member) SECTION VIII - ACTION BY /	ORITY REPORT (para 3-13, AR 15-6) do(es) not concur in the findings and recommendations of the board. dation in which the dissenting member(s) do(es) not concur. State the mmendations may be included in the inclosure.) (Member) APPOINTING AUTHORITY (para 2-3, AR 15-6) ard) BLE (approved) (disapproved) (approved with following exceptions/
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DEPARTMENT OF THE ARMY

115th MILITARY POLICE BATTALION BAGHDAD INTERNATIONAL AIRPORT BAGHDAD, IRAQ

REFLY TO ATTENDED O

23 June 2003

MEMORANDUM FOR: COMMANDER, 18TH MILITARY POLICE BRIGADE

SUBJECT: Army Regulation 15-6 Investigation

- 1. The undersigned was appointed as an AR 15-6 Investigating Officer by you on 12 June 2003 to look in to the circumstances involving the escape of two Civilian Internees (CI) from the Camp Cropper Corps Holding Area (CHA) and subsequent shooting and death of one of those CI on 12 June 2003 at approximately 0300 hours.
- 2. Background: Two CI's successfully exited the CHA and made it outside the berm. SPC 186th Military Police Company, who was on exterior guard duty, observed the escape and fired his weapon at the two CI's, striking one, who died shortly thereafter of his wounds. This detainee, registered under the name Sequence #7166, was transported to the 581st ASMC for initial treatment. Was then air medevaced to the 28th CSH, were he was pronounced dead on arrival. The other detainee, Sequence #8399, was recaptured within several hours and was returned to the CHA.
- 3. <u>Scope:</u> The scope of this investigation was twofold. First, to investigate the circumstances surrounding the escape and second, to investigate the circumstances surrounding the shooting and subsequent death of the CI.
- 4. Conduct of the Investigation: The undersigned spoke with medical personnel involved in treating the deceased CI first; to ensure any perishable physical evidence was collected. The undersigned then spoke to security personnel and other witnesses and obtained statements (most of which had already been taken in the form of sworn statements by 186th MP CO staff prior to my assignment as a AR 15-6 Investigating Officer).
- 5. Summary of Interviews:

a) CPT (MD), 581 st Area Medical Support Company, BIAP, Baghdad,
Iraq. On 12 Jun 03 at approximately 1149 hours, the undersigned spoke to
who was the doctor who treated on 12 June 03 at approximately 0320 hours.
stated that was bleeding profusely from wounds in his chest, back
and both legs when he arrived. Stated that the wound in the back was
consistent with an entrance wound from a 5.56 mm projectile, the wound in the chest was
consistent with a exit wound from the same type of projectile, and the leg wounds were
consistent with one 5.56 mm projectile passing completely thru one leg and entering the
other leg. opined that had lost at least one half of his vital fluids by
the time was given two liters of saline
consistent with an entrance wound from a 5.56 mm projectile, the wound in the chest we consistent with a exit wound from the same type of projectile, and the leg wounds were consistent with one 5.56 mm projectile passing completely thru one leg and entering the other leg. Opined that the ball had lost at least one half of his vital fluids be

and one liter of hespan volume expander. The also stated that he noticed that while giving an IV, which blood was extremely watery, indicating that very little blood was present, relative to the amount of intravenous fluids. The felt, however, that the cause was stable when the was placed on the helicopter for transport to the 28th Combat Support Hospital (CSH). Based on his observations of felt that the cause of death was hypovolemic shock, or bleeding out. The also felt that everything medically possible was done in an attempt to save

- b) MAJ B. (MD) 28th CSH, LSA Dogwood, Iraq. On 12 Jun 03 at approximately 1545 hours, the undersigned spoke with a doctor with the 28^{îh} CSH. was not the doctor who pronounced dead, but was present when another doctor, MAJ (MD), pronounced stated that he was very confident in determining cause of death to be hypovolemic shock from one or both of the gunshot wounds. had an entrance wound in the back consistent with a 5.56 mm projectile, an exit wound in the chest, consistent with that same projectile and wounds in both legs consistent with a 5.56 mm projectile. completed a DA Form 2669-R (Certificate of Death) and made sure the undersigned received a copy of the Hospital Report of Death signed by
- c) SFC 186th Military Police Company, BIAP, Baghdad, Iraq. On 12 Jun 03 at approximately 2000 hours, the undersigned spoke to , who is Platoon Sergeant. had no direct knowledge of the incident, but had spoken to and other soldiers with direct knowledge. did provide the undersigned with an overview of what occurred. advised the undersigned that he personally briefed and the rest of his platoon on the Rules Of Engagement (ROE) at least twice since assignment to Camp Cropper, BIAP. checked magazine and discovered 28 issued rounds in the magazine. also had the remainder of his issued basic load. Salso provided the undersigned with four M-16A2 shell casings on 14 Jun 2003 at approximately 1710 hours. Stated that he obtained the casings from 186th Military Police Company, on 12 Jun 03 in the afternoon. SSG that the casings were recovered from the berm, near where was standing when he fired. Talks also showed the undersigned where an additional point and light set had been added to eliminate the shadow behind the latrines.
- d) SPC 186th Military Police Company, BIAP, Baghdad, Iraq.
- (1) On 14 Jun 03 at approximately 1629 hours, the undersigned spoke to who has been assigned as a Military Police soldier since October 2000. On 12 Jun 03 at approximately 0259 hours (just prior to the 0300 hour radio check), was manning guard point #4 at the CHA. Guard point #4 is located at the Northeast corner of the CHA. Innoticed movement out of the corner of his eye. I looked towards the latrine area, which is located near the center of the east side of the CHA, and noticed a detainee manipulating the wire on the outer perimeter of the camp.

latrines created two large shadows across the east wire and onto the berm and this is where the detainees were manipulating the wire.

	then attempted to send a radio message stating there was an escape in progress. Also stated he yelled that there was an escape in progress and yelled for the detainee to stop. Also noticed that a second detainee had exited the outer wire perimeter and was also running up the berm and a third detainee was at the wire. The third detainee saw yump down from his static HMWWV guard point, and turned around and went back into the main compound.
	in the same basic track as the two detainees who had escaped. When reached the top of the berm, he stated he yelled "stop" again. Saw the detainee who was the first one out of the wire from the top of the berm. fired one shot from his assigned weapon (M16A2) and noticed that the detainee was still running. Fired a second round and saw the detainee drop. The detainee was approximately 150' to 200' from the berm when fired at him. Then saw the second detainee running in the same general area as the first detainee, which was east of the camp, towards the main road. If fired two rounds at the second detainee, but stated the detainee was still running when lost sight of him. Delieved he had fired four rounds total.
	(4) After firing at the second detainee, went back to the bottom of the berm, made contact with another guard to get a flashlight. The proceeded to the injured detainee, who was laying in the roadway, and called for a medic. stated that medics from Task Force 20 arrived before CHA medics. The detainee was treated by medics then transferred to the 581 st ASMC. attempted to locate the other detainee and told other soldiers what had transpired. was told by a supervisor to return to his post.
	(5) stated that he knew the ROE, acted within the ROE and accomplished his mission of preventing escape. The reviewed the written sworn statement he had completed on 12 Jun 03 for the state of the William Police Company, and stated the sworn statement was accurate with no additions, deletions or corrections needed. The statement was accurate with no additions, deletions or corrections needed. The statement was accurate with no additions, deletions or corrections needed.
6.	Additional Interviews: The undersigned spoke with the following individuals and had them review their sworn statements that they prepared on 12 June 2003 for the 186 th Military Police Company. A summary of the pertinent parts of the sworn statement and subsequent statement to the undersigned is included.
	a) 186 th Military Police Company. On 21 Jun 03 at approximately 1900 hours, the undersigned spoke to who was on guard point #6 (South side of CHA, behind warehouse) during the time in question.

that on 12 Jun 03 at approximately 0300 hours, she noticed scaling the berm, near the middle of the east side of the CHA. In noticed stop at the top of the berm and fire at least 5 shots from his rifle. In then heard someone yell for a medic. It was unsure as to whether she would have heard yell "halt" or anything similar, sighting distance as a factor preventing her from hearing. It is stated that the Quick Reaction Force (QRF) went inside the camp to assist with the headcount. It is read and confirmed that her sworn statement dated 12 June 2003 was accurate with no additions, deletions or corrections needed.

- approximately 1905 hours, the undersigned spoke to who was on guard point #5 (Southeast corner of CHA) at the time of the incident.

 It is stated that he heard yell that there was a detainee outside the wire.

 I read and confirmed that his sworn statement dated 12 June 2003 was accurate with no additions, deletions or corrections needed.
- c) SPC 186th Military Police Company. On 21 Jun 03 at approximately 1910 hours, the undersigned spoke to who was on guard point #2 (Northwest corner of CHA) at the time of the incident. Stated that he heard say over the radio that "They're going over the berm." ead and confirmed that his sworn statement dated 12 June 2003 was accurate with no additions, deletions or corrections needed.
- . 186th Military Police Company. On 21 Jun 03 at d) SGT approximately 1920 hours, the undersigned spoke to who was on guard point #3 (middle of North side of CHA) at the time of the incident. stated that he heard say over the radio that he needed a spotlight to shine on the wire between points #4 and #5. then reported a prisoner going over the observed going up the berm, heard yell from the top of the berm towards the other side, then heard twice, pause and fire twice again. stated that he could not hear specifically what velled from the berm because of distance and ambient noise from the also stated that he briefed the SRT/QRF on the events that transpired and the direction of travel. read and confirmed that his sworn statement dated 12 June 2003 was accurate with no additions, deletions or corrections needed.
- 186th Military Police Company. On 21 Jun 03 at e) approximately 2005 hours, the undersigned spoke to who was the guard shift NCOIC/Rover, at the time of the incident. He was co-located with guard point #6. stated that he heard a radio message that he couldn't make out, but immediately assumed it was reporting a prisoner escaping. observed going up the berm and heard yell "Halt" numerous times. heard ire two to three rounds. pause and fire two or three more rounds. account of the actions after the shots being fired is consistent with account. stated that responding soldiers were directed to begin an organized search.

that a piece of cloth had been used to tie the wire apart to permit a person to squeeze through the wire. Tread and confirmed that his sworn statement dated 12 June 2003 was accurate with no additions or deletions needed. It is not sure now whether the individual was in fact that the confirmed that his sworn statement, he referred to a subject as the confirmed that had been used to a subject as the confirmed that lack of adequate lighting contributed to the escape. This change would not materially affect the statement. The change would not believe any other factors contributed to the escape.

- 7. Camp Rule Considerations: 13th PSYOPS Detachment has been playing camp rules in Arabic several times a day since early May 2003. Included in the camp rules is the statement that "If you climb over the barbwire, and attempt to escape, you will be shot." Also played is an announcement that states "Any attempt to escape or uprising will result in the use of deadly force by the coalition soldiers." PSYOPS also plays a message that states that detainees must stay one meter from the fence line and not to touch or place any objects on the barbwire fence. One last message of significance states that "The English words 'Stop' and 'Halt' mean 'Kiff' in Arabic. You must immediately halt when a coalition soldier uses the English or Arabic command. Failure to do so may result in disciplinary action up to and including the use of force. 'Stop' and 'Halt' mean 'Kiff'". These messages are also played for new detainees upon in processing. The had been in the CHA since on or about 14 May 2003. The had been in the CHA since 28 May 2003. Both detainees had ample opportunity to hear the PSYOPS messages.
- 8. Rules of Engagement: legal advisor to Camp Cropper, provided the undersigned with written and verbal guidance from Annex D, 115th Military Police Battalion Tactical Standard Operating Procedure (TACSOP) concerning ROE that has been given to soldiers. Included in this guidance is rule #1 "Necessary Force, including deadly force, is authorized to prevent escapes." Sub-paragraph (a) states "If a detainee attempts to escape, guards must use graduated force, first, if possible. (b) Guards should shout 'halt' in Arabic three times ('kiff', pronounce 'cough') before using deadly force. (c) Deadly force is authorized to prevent escape only where the detainee is crossing the last wire and there is no other lesser means to prevent escape. (e) Do not continue firing, once the subject has stopped. The purpose of shooting a detainee is to stop him or her from escaping." Also pertinent to this investigation is rule #5 "Prevent all escapes by all detainees, by order of the Brigade Commander."

9. Discussion:

- a) The purpose of this investigation is to answer two main questions, how did the escapes occur and did the Military Police respond appropriately. These two questions are closely intertwined because the personnel with the most knowledge on how these escapes occurred are also the same personnel who had to make the decision on how to respond. Additionally, several specific questions were addressed to the undersigned. These are answered in the narrative.
- b) The lack of adequate lighting at the CHA was a major factor that permitted the escapes. In any detention facility, perimeter lighting must be designed to reduce shadows as

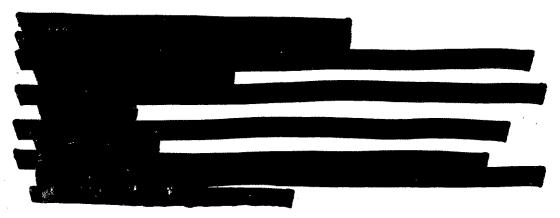
much as possible. The worst-case scenario is what occurred at CHA Cropper, which is that a shadow went from inside the wire, across the wire and onto the ground outside the wire. This made it relatively easy for detainees to begin escape operations from inside the compound and operate relatively concealed until they were outside the wire.

- c) The undersigned, as the battalion S2, received indications from inside the wire in the days leading up to 12 Jun 03 that due to the presence of hardened criminals, relative overcrowding in the facility, frustration over lack of resolution of the detainees cases and primitive conditions inside the camp, some detainees were planning to escape, no matter what the consequences were. These indications were passed to appropriate staff sections, commanders and guard force personnel. Additionally, some detainees, despite our PSYOPS messages and the shootings that occurred on 9 Jun 03, believed that the Coalition Forces would not use deadly force to prevent escapes. Some of these detainees actively tried to convince other detainees of this.
- d) These factors contributed to three detainees attempting escape by proceeding to the latrine area, stripping off their shirts to prevent snagging on concertina wire, tying cloth to the wire to give additional room and crawling under and through the wire.
- e) The undersigned also learned that the second detainee, Sequence #8399, was recaptured at approximately 0545 hours, near were had last seen him running by an Military Police search team.
- f) The second question is, "Did the Military Police act appropriately, once the detainees were outside the wire?" They did.

 fulfilled, almost to the letter, the requirements to use deadly force according to the ROE spelled out in the 115th Military Police Battalion TACSOP. The only possible technical exception is that he velled, "halt" or "stop" in English, not Arabic, at least twice.

 "halt" "numerous times." PSYOPS messages make it clear to the detainees that they must know what the English words "halt" or "stop" mean. In the heat of the moment, KLOSTERMAN fulfilled the spirit of the ROE. The detainees knew what they were doing when they went to the latrine area, stripped off their shirts, tied the wire apart, crawled under the wire and ran up the berm. They were committed to escaping and were not going to stop unless they were physically stopped.
- getting through the wire, stopped another one will using appropriate deadly force and probably assisted in the recapture of the third detained who was so scared he hid and passed out near where had last seen him rather then continue to run away. The actions of the other soldiers of the 115th Military Police Battalion were also appropriate. They ensured medical aid was rendered, searched for and found the second detainee, completed a headcount and took corrective action.
- 6. Recommendations: No disciplinary action should be taken against any soldiers of the 115th Military Police Battalion. There is no evidence that they acted inappropriately. To the contrary, SPO should be commended for taking appropriate action during

difficult circumstances. Additionally, the other soldiers present also took appropriate actions, given the circumstances. Areas that should be addressed, however, include:



The 115th Military Police Battalion, except for providing handheld spotlights and posting a hard copy of the camp rules in Arabic, has addressed these areas satisfactorily. Additionally, a guard post has been added directly behind the latrines, giving security and visibility to this vulnerable area.



Timeline for AR 15-6 Investigation, dated 12 June 2003

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Informally assigned Cmdr's Inquiry

Informal interview on medical circumstances

Discussed Scope

Discussed Time Frame

Arranged to interview witnesses

Attempted Contact with CPT (DR)

Was informed that it was a AR 15-6

Learned of two sworn statements

Discussed medical treatment Discussed medical treatment

Background information

Witness Statement

Witness Statement

Witness Statement

Witness Statement

Witness Statement

Witness Statement

Draft review

Final Submission

Index of Exhibits for AR 15-6 Investigation, dated 12 June 2003 Appointing Officer: COL Investigating Officer: CPT

- 1. Original appointment memorandum signed by COL dated 12 June 03.
- 2. Copy of DA Form 2669-R (Certificate of Death) for Detainee #7166, Akel Abebal Hussein Jabar, dated 12 Jun 03.
- 3. Copy of Hospital Report of Death for Jabar, dated 12 Jun 03.
- 4. Copy of Standard Form 600 (Chronological Record of Medical Care) for Jabar, signed by CPT (DR) Leifeste, dated 12 Jun 03.

dated 12 Jun 03.

- dated 12 Jun 03. 5. Original DA Form 2823 (Sworn Statement) of SPC
- 6. Hand drawn map of CHA by SPC
- 7. Original DA Form 2823 (Sworn Statement) of SGT dated 12 Jun 03.
- dated 12 Jun 03. 8. Original DA Form 2823 (Sworn Statement) of SPC dated 12 Jun 03.
- 9. Original DA Form 2823 (Sworn Statement) of SPC
- 10. Original DA Form 2823 (Sworn Statement) of SGT
- dated 12 Jun 03. 11. Original DA Form 2823 (Sworn Statement) of SSG
- 12. Copy of PSYOPS message scripts.

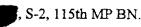


DEPARTMENT OF THE ARMY 18TH MILITARY POLICE BRIGADE Baghdad, Iraq APO AE 08302

AETV-MP-JA

12 June 2003

MEMORANDUM FOR CPT



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 escapes and shootings at Camp Cropper on 12 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-JA

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. CPT HVD/CHA Judge Advocate, will serve as your legal advisor for this investigation. The completed investigation will be turned in to CPT for legal review.
- 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 CPT 559-5110, SIPR.

18th MP BDE Judge Advocate, DNVT

COL, MP

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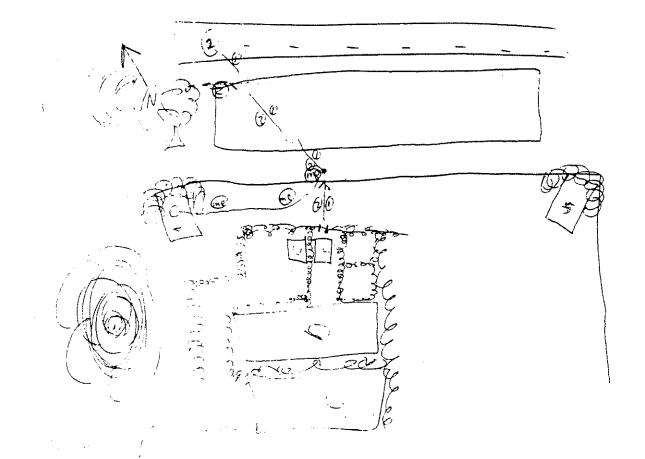
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED CONTINUED."
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE I WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.



MAP PACPARED ON 14JUNOS BY

For use of t	SWORN Sthis form, see AR 190-	STATEMENT -45; the proponent ag	ency is ODCSO	PS
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ORGANIZATION OR ADDRESS				
186 MP Co.				
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		WANT TO MORE	THE POLLOW	
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A. No, it is possible the				
·			, ,	
Q Do you have any	thing else y	on wish to	add	
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/1, ///		DOF STATE	2007/1/	
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED CONTINUED."

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE I WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

]		PRIVACY A	CT STATEMENT		
AUTHORITY:	Title 10 USC Section 301; Title				
PRINCIPAL PURPOSE:	To provide commanders and lav				
ROUTINE USES:	Your social security number is a			eans of identification	to facilitate filing and retrieval.
DISCLOSURE:	Disclosure of your social securit		TE (YYYYMMDD)	3. TIME	4. FILE NUMBER
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5. LAST NAME, FIRST	International Airport		6. SSN		7. GRADE/STATUS
8. ORGANIZATION OR	P / 186th MP Co				
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MUST BE BE INDICAT	EU.			*	

STATEMENT OF TAK	EN AT 0435 DATED 2003 06 11
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1 d agon as a little after 1	1
# END OF	STATEMENT ///
	·
WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULL BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL COR	, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT Y UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE RECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE IT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT FUL INFLUENCE, OR UNLAWFUL INDUCEMENT (Signature of Person Making Statement)
WITNESSES	Subscribed and sworn to before me, a person authorized by law to
WITNESSES:	administer caths, this 12 day of Tune 12019 at Comp Couler, 318, Baghdad, TRAQ
	- Story Crupa, Sin , Sugaron, Jane
ORGANIZATION OR ADDRESS	(Signature of Person Administering Oath)
	(Typed Name of Parson Administering Oath)
ORGANIZATION OR ADDRESS	(Authority To Administer Oaths)
INITIALS OF PERSON MAKING STATEMENT	PAGE 2 OF 2 PAGES

RINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval. Disclosure of your social security number is voluntary. 2. DATE (YYYYMMDD) 3. TIME 4. FILE NUMBER 3. LAST NAME, FIRST NAME, MIDDLE NAME 4. FILE NUMBER 7. GRADE/STATUS 6. SSN 7. GRADE/STATUS 8. ORGANIZATION OR ADDRESS		For use of this form	, see AR 190-45; the proponer	it agency is ODCSOPS	
RINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately your social security number is voluntary. Your social security number is voluntary. I. COCATION 2. DATE PYTYMMOD! 3. TIME LAST NAME, FIRST NAME, MIDDLE NAME 3. SSN 7. GRADESTATUS 8. SSN 7. GRADESTATUS 8. SSN 7. GRADESTATUS 8. SSN 7. GRADESTATUS 8. SSN 8. ORGANIZATION OR ADDRESS WHO CO 1. WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: HAT ON JURY 11, 2004 at apprax, USTO 0.250 I heard point 4 dikmpt to carded print 5 and direct part 5 attortion targets the breakant point, Then approximatly 10 seconds later I Haven point 4 call out "there going out the beam" Than approximatly 10 seconds later I Haven point 4 call out "there going out the beam" Than approximatly 10 seconds later I Haven some between 5 and 6 shots fired At that I then saw between 6 and 7 people in the internal part of compared go running towards the processing text. The PRES SRT team respected around 0.800 to their points at which time several mounted particula and several MPs on 505 proceeded to search to the north of the claw. I proceeded to amounter rachio tradic at that points. till I was relieved on shots. But had not I reported to amount conter. I'll Lind of Statement Takenat Dated 10. EXHIBIT 11. INITIALS OF PERSON MAKING STATEMENT PAGE 1 OF PAGES ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKENAT DATED 10. EXHIBIT 11. INITIALS OF PERSON MAKING STATEMENT PAGE 1 OF PAGES					1042 CCAII
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	(Signature of Person Making Statement)
WITNESSES:	Subscribed and sworn to before me, a person authorized by law administer oaths, this 12 day of Line . 2003
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	PAGE 2 OF 2 PAGES

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

	PF	UVACY ACT STATEMENT		
: AUTHORITY:	Title 10 USC Section 301; Title 5		7 dated November 22	, 1943 <i>(SSN)</i> .
PRINCIPAL PURPOSE:	To provide commanders and law e	nforcement officials with mea	ins by which informat	ion may be accurately
ROUTINE USES:	Your social security number is use	d as an additional/alternate m	eans of identification	to facilitate filing and retrieval.
DISCLOSURE:	Disclosure of your social security is	number is voluntary.		
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ORGANIZATION OR ADDRESS	(Authority To Administer Oaths)
INITIALS OF PERSON MAKING STATEMENT	2 - 2
	PAGE 2 OF 2 PAGES

PAGE 3, DA FORM 2823, DEC 1998

USAPA V1.00

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

		PRIVACY ACT STATEMENT			
AUTHORITY:		e 5 USC Section 2951; E.O. 9397			
PRINCIPAL PURPOSE:	To provide commanders and law enforcement officials with means by which information may be accurately Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.				
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FOR NEW ARANDS

You are now entering a United Stated enemy prisoner of war/ civilian internee camp. No harm will come to you as long as you follow instructions and obey the camp rules. You are about to be searched. You will receive further instructions after you are searched.

2. WAITING AREA

Attention detainees: To ensure your safe and timely in processing it is essential for you to follow all instructions.

- Remain seated with your feet crossed, head lowered, and your hands on your head.
- Remain calm.
- Be patient.
- You are going to be searched, some personal information will be collected, and your personal property will be inventoried and secured.
- You will be issued an identification bracelet.
- You must not remove or alter it in any manner.
- This is a temporary holding area.
- You stay will be brief.
- You will be moved to a more established facility soon for further review and possible/ eventual release.

1/3. CAMP RULES

- All orders from the guards must be followed immediately.
- Do not touch any of the guards at any time.
- Do not touch the barbwire.
- If you climb over the barbwire, and attempt to escape, you will be shot.
- No yelling.
- No fighting.
- No hand signals or other non-verbal communication allowed.
- Nothing may be passed between cages.
- Save your empty water bottles so you can exchange them for more water.
- All trash will be placed in the bag provided with the meal.
- · You must only use the trench as a latrine

√4. ALERT/ ALARM INSTRUCTIONS

Attention detainees:

When you hear the following alarm... (Whistle) you must immediately lie down on your stomach and remain still. Any one who fails to follow these instructions will be considered a threat towards the safety of others and will be dealt with accordingly. You must remain on your stomach and still, until a soldier gives you permission to rise.

$\sqrt{5}$. FAILURE TO COMPLY

Attention detainees: Failure to follow all holding area rules or disobeying orders from coalition forces may result in the following:

- · Your placement in an isolation holding area.
- A notation in your records of non-compliance and an upgrading of your risk status, which may result in a longer period of detention.
- The use of the amount of force and the application of restraints is deemed necessary by coalition forces to maintain the security, safety and the good order of this holding area.
- Any attempt to escape or uprising will result in the use of deadly force by coalition soldiers
- Physical contact with any coalition soldier is prohibited at all times.
- Follow all holding area rules and obey all orders from coalition forces and you will not be harmed.

Or accidica wit

. PROTECTIVE CUSTODY

Attention detainees:

Anyone who fears that their life is in danger or that they might be harmed by other detainees will report that fact to any of the U.S. Army personnel. From that time on, the camp command will take measures to insure the detainee's safety by segregation, transfer, or other means. Detainees who harm or attempt to harm other detainees will be punished.

WEATHER

7. HYDRATION

Attention Detainees: For your continued good health, it is important for you to drink lots of water. High temperatures make you susceptible to dehydration and heat related injuries.

6 MINE

8. MEALS @ 9

Attention Detainees: Meals are served at 9:00 am every day. To receive your meal, all trash from the previous meal must be collected for disposal. At 9:00 am after all trash has been disposed of, you will be given your meal.

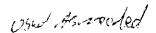
9. NO HAND SIGNALS

Attention detainees: Hand signals and other non-verbal communications are prohibited.

10. ESCORT

Attention detainces:

When being escorted within the holding area, it is essential that you follow all instructions given to you by the coalition soldiers. Coalition forces will not hesitate to defend themselves and each other. For your own safety, follow all instructions and directions given by the coalition soldiers in the holding area.



11. NO FIRES

Attention detainees:

Fires within the holding area are prohibited. Failure to follow this guideline will result in being restrained by coalition forces.

√12. FENCE LINE

Attention detainees: You must stay at least one meter away from the fence line at all times. Do not touch or place anything on the barbwire fence. Failure to follow these instructions will result in disciplinary action.

$\sim /$ 13. HALT

Attention detainees:

The English words "Stop" and "Halt" mean "Kiff" in Arabic. You must immediately halt when a coalition soldier uses the English or Arabic command. Failure to do so may result in disciplinary action up to and including the use of force. "Stop" and "Halt" mean "Kiff."

14. TWO METERS

Attention detainees: Only one person at a time may approach the gate. All others must stay at least two meters away.

15. LATRINE USE

Attention detainees: In order to maintain sanitary conditions within the holding area you must use the trenches in each containment area as a latrine site. After use, cover your waste material with a small amount of lime. Then put a layer of dirt over the line to help minimize odor and the presence of insects.

16. PREPERATION FOR TRANSPORT

Attention detainees: You are being moved from this holding area to a more established facility The facility you are being moved to should be better prepared to deal with your individual needs. It is important for you to follow all instructions to ensure that your transport proceeds quickly and safely.

- Be patient.
- Be calm.
- · Follow all instructions.

17. RELEASE

Attention detainees: You are being released. Thank you for your patience and cooperation. Please follow all instructions given by Coalition Forces.

18. * LATRINE

Attention Detainees: Please do not use the old latrines in your enclosures. You will go to new latrines in groups of ten people. Notify your guard when you need to use the latrine.

√19. WRISTBANDS

All detainees must keep tags and wristband on. The guards can't identify who you are without these items and it will be harder to release you.

20. SPOON MESSAGE

You will be issued a spoon with your meal. Your spoon will be accounted for so please turn in your spoon with your trash when asked by the guard.

21. * FOUR BOTTLES

You are required to drink 4 - 1.5 liters of water and eat one humanitarian meal each day to avoid becoming a heat casualty. You will be here a short time relative to your life; you must stay strong to help rebuild Iraq. Do not endanger your life by not eating properly.

22. HEAD COUNT

Attention: The Guards are going to conduct a count of all prisoners. Move to your tents and sit in rows until told to move. No water or trash runs will be done until count is completed. DO not disobey this order or force will be used against you. Thank you for your cooperation.

AETV-MP-JA 24 June 2003

MEMORANDUM THRU Staff Judge Advocate, 800th Military Police Brigade

MEMORANDUM FOR Commander, 800th Military Police Brigade, BG Paul Hill.

SUBJECT: Legal Review of AR 15-6 Investigation – Escape and Shooting 12 June 2003

- 1. On 12 June 2003, COL Commander, 18th Military Police Brigade, appointed CPT to conduct an informal investigation into the escape and subsequent shooting and death of a civilian internee held at the Camp Cropper Corps Holding Area.
- 2. On June 20, 2003, the 115th Military Police Battalion was OPCONed to the 800th Military Police Brigade. LTC 800th Military Police Brigade Staff Judge Advocate advises that BG Paul Hill, Commander 800th Military Police Brigade, is the appropriate appointing authority. A courtesy copy of the DA 1574 and attachments was furnished to COL but but the original was directed to be turned over to BG Hill and the undersigned was directed by LTC to complete the legal review of the AR 15-6 investigation. The DA 1574 and supporting documentation was timely submitted on 23 JUNE 03 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 her findings. The original scope of work did not specifically ask whether or not the ROE was followed, but it is the advice of the undersigned that ROE was followed. Lethal force was not used until the escapee(s) had crossed the last wire. The shot used was a "well-aimed shot to center of mass" that did not endanger innocent bystanders. The guard shouted "halt" or "stop" numerous times prior to the shooting. The Camp Commander, Ronald G. Chew, had fulfilled his legal obligation under AR 190-8, par. 3-6.f(2) to ensure that the detainees understood what the words "halt" and "stop" meant.
- 4. I am the POC at DNVT 550-1451 or

AETV-MP-JA

SUBJECT: Legal Review of AR 15-6 Investigation – Escape and Shooting 12 June 2003

CPT, JA
Command Judge Advocate, Camp Cropper

CASE NOTE:

18th MP BDE

Escape, Sheoting

Camp Cropper

12 June

115th

LTC, JA Staff Judge Advocate