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**U.S. Department of Justice** 



Federal Bureau of Investigation Washington, D.C. 20535

November 16, 2017

MR. JOHN GREENEWALD JR. SUITE 1203 27305 WEST LIVE OAK ROAD CASTAIC, CA 91384

> FOIPA Request No.: 1389258-000 Subject: Abu Ghraib Investigation (2003 – Present)

Dear Mr. Greenewald:

Records responsive to your request were previously processed under the provisions of the Freedom of Information Act. Enclosed is one CD containing 39 pages of previously processed documents and a copy of the Explanation of Exemptions. This release is being provided to you at no charge.

Documents or information referred to other Government agencies were not included in this release.

Please be advised that additional records potentially responsive to your subject may exist. If this release of previously processed material does not satisfy your information needs for this request, you may request an additional search for records. Submit your request by mail or fax to – Work Process Unit, 170 Marcel Drive, Winchester, VA 22602, fax number (540) 868-4997. Please cite the FOIPA Request Number in your correspondence.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the Freedom of Information Act (FOIA). See 5 U.S. C. § 552(c) (2006 & Supp. IV (2010). This response is limited to those records subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

For questions regarding our determinations, visit the <u>www.fbi.gov/foia</u> website under "Contact Us." The FOIPA Request Number listed above has been assigned to your request. Please use this number in all correspondence concerning your request.

You may file an appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, D.C. 20530-0001, or you may submit an appeal through OIP's FOIAonline portal by creating an account on the following web site: <u>https://foiaonline.regulations.gov/foia/action/public/home</u>. Your appeal must be postmarked or electronically transmitted within ninety (90) days from the date of this letter in order to be considered timely. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so it may be easily identified. You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS) at 877-684-6448, or by emailing <u>ogis@nara.gov</u>. Alternatively, you may contact the FBI's FOIA Public Liaison by emailing <u>foipaquestions@fbi.gov</u>. If you submit your dispute resolution correspondence by email, the subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified.

Sincerely,

David M. Hardy Section Chief, Record/Information Dissemination Section Records Management Division

Enclosure(s)

#### **EXPLANATION OF EXEMPTIONS**

### SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigations, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

#### SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service he release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

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# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE	Date: 07/28/2004
To: Criminal Investigative Attn: Washington Field	Violent Crimes/FU
From: Washington Field CR-2 Contact: SA	,
Approved By:	P/FRS .
Drafted By: wle W2	14ps
Case ID #: 70A-WF-NEW 229870 -/ (	
Title:	b2
Synopsis: To open an investigation. C met with members of U.S. Army Criminal regarding the alleged rape of juvenile Ghraib Prison, Abu Ghraib, Iraq by an A	n 07/27/2004, SAs from WFO b6 Investigative Division b7C
	of a list of CACI

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(Rev. 01-3	31-2003)		•	
	FEDERAL BUREAU O	DF IN	VESTIGA	ΓΙΟΝ
	Precedence: PRIORITY		Date:	08/13/2004
	To: Counterterrorism A	Attn:	IRAQ/SYRIA, UC	/LYBIA
	А	Attn:	Bagh <u>dad OP:</u> OSC	S Center
	From: Washington Field			,
	CR-2 Contact: SA			
		i	.fbi.gov	~
	Approved By:			
	Drafted By:	frs	3	$\langle 1 \rangle$
	Case ID #: 70A-WF-229870 (Pendin	ng)		(RFS)
	Title:	Vict	tim:	$\bigcirc$
	CGR	 >		
	Synopsis: Lead set to re-intervie detainee who previously a that he observed the rape of a juy	advised		Army CID b6 b7C
				Irag in 2065
	and has been detained since then h	by the	U.S. Army.	In early
1	October of 2003 was being he was interviewed in January of	of 2004	4 as part o	f the Abu
ſ	Graib prisoner abuse investigation described the harsh treatmen	n and : ht he i	in his Swor: received wh	n Statement, ich included
L	being assaulted, being deprived of	E food	, and force	d to wear
	women's underwearalso des of abuse that pertained to other of			of instances allegations
	included many of the same types of	E acts	•	_
	Pertaining to the caption that he witnessed a U.S. government descent, rape a juvenile detainee	nt in a d	cell i <del>n the</del>	
	prison. said the translator investigation into the matter determined and the matter determined and the matter determined and the said the translator determined and the said the translator determined and the said the translator determined and thet		d that the	
	name is Fairfax, Virginia. served	as		loyee of for the U.S.
	Army at the Abu Graib prison.			

FS 22601. EC /

Partizion .

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To: Counterterrorism From: Washington Field Re: 70A-WF-229870, 08/13/2004

2 . . 4

A report of the interview of \_\_\_\_\_\_was produced by the interviewing U.S. Army CID Special Agent (SA) and the following is a synopsis of that statement that pertained to the rape he witnessed:

saw a that he referred to as raping a kid, between the ages of 15 and 18 in cell has been determined to be said the victim was hurting badly from the rape and actually heard the victim screaming.

described as a large male with an accent, who appeared to be

doors of the detainee cells to block their view of the rape.

in a cell with In addition, photographed the rape as it occurred, but and did not have any identifiers for

was interviewed by the U.S. Army CID about the prisoner abuses at Abu Graib and was asked questions about his conduct with prisoners. denied having sexual relations with any males in Iraq and said he was never alone in the cell of any detainees unless he was translating for someone from the U.S. Army.

To date, the U.S. Army CID investigation has shown that was present during abuse of prisoners but that he was not a significant participant in the acts.

In U.S. Army CID reports, is listed as a pound male. The U.S. Army advised that when worked in the Abu Graib prison he wore U.S. Army camouflage and Army boots. In addition, the U.S. Army CID said that is very effeminate individual and appeared to most of the detainees and U.S. Army personnel to be

On 08/13/04 the U.S. Army CID advised the writer that the identity of a possible victim was determined. His

To: Counterterrorism From: Washington Field Re: 70A-WF-229870, 08/13/2004

name, listed in the captioned title, is Currently, the U.S. Army CID is attempting to locate the victim in Iraq.

LEAD(s):

Set Lead 1: (Action)

Baghdad OPS Center

AT BAGHDAD, IRAQ

Locate and interview detainee	
and question him about the alleged rape he witnessed	
in the Abu Graib prison. In order to locate who is	
housed at either the Abu Graib prison or Camp Bucca, it is	b6
requested that the interviewing FBI Special Agent contact U.S.	b7C
Army CID Special Agent who is currently working	
in Iraq.             will determine the location of   and	b7D
coordinate his interview. Because of his knowledge of the Abu	
Graib investigation, it is requ <u>ested that SA</u>	
participate in the interview of	
Special Agent can be contacted by his E-mail	
address which is:	
has been advised by U.S. Army CID Headquarters at Fort	
Belvoir, Virginia that a request is coming to him from the FBL	
for his assistance. SA checks his E-mail box on almost	
an hourly basis.	

In addition, this lead was sent PRIORITY due to the fact that the U.S. Army CID advised the writer that \_\_\_\_\_\_ could possibly be released from custody on Wednesday, 08/18/04 or Thursday, 08/19/04.

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# FEDERAL BUREAU OF INVESTIGATION

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Precedence: ROUTINE	Date: 09/10/2004
To: Washington Field	
From: Washington Field CR-2 Contact: SA	TPS .
Approved By:	
Drafted By: :frs	
<b>Case ID #:</b> 70A-WF-229870 (Pending)	$\bigcap$
Title: Victim	$(\chi_{pb})$
Synopsis: To reassign case.	
this matter as co-Case Agent. Shortly aft SA was assigned temporarily to an a	quested to work onD2ter opening this caseb6administrative squad.b7Cinvestigation.Duerecommended that SA
<b>**</b>	
	PRIMORY
Re-assilon 187 - as as	Acent Primary Unvestigator Peassigned 9-14-04
a	-4

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(Rev. 01-31-2003)

## FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY		Date:	10/28/2004	
To: New York	Attn:	SSRA Long Islan Squad (C-4		
WFrom: Washington Field Office CR-2 Contact: SA		<b>_</b>		
Approved By:	ç.			_ 、
Drafted By:	frs	B		$(\mathbf{x})$
Case ID #: 70A-WF-229870 (Pen Title:	nding) -	Le		(FPS)
<b>Synopsis:</b> To set lead for serv Subpoena.	vice of E	ederal Gran	d Jury	b b b b
<b>Enclosure(s):</b> Enclosed for the RA is a Federal Grand Jury Subp District <u>Court for the Eastern</u> served to	ooena, is	sued by the	U.S.	
<b>Details:</b> This investigation pe activities engaged in by civili at a U.S. Military facility at	lan perso	nnel who we	re working	

The investigation by the Department of Justice and the FBI pertains only to allegations of criminal activity engaged in by civilian personnel. The investigation of the uniformed military personnel is currently being conducted by the U.S. Army Criminal Investigative Division and has resulted in a number of arrests and guilty pleas.

The allegations pertain to the treatment of detainees during interrogations and while they were held in the cell blocks at the Abu Graib prison.

				_ Date	of	Birth		
	Security					was	formerly	а
member	of the U.	.S. Army	Reserve	Unit,				

To: New York From: Washington Field Office Re: 70A-WF-229870, 10/28/2004

Ser.

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New York.arrived atthe Abu Graib prison in lateThe writer wasrecently advised by U.S. Army personnel thatresignedfrom the U.S. Army reserves inand is no longeraffiliated with the U.S. Army.	
was previously interviewed as a witness by investigators assigned to the U.S. Army General Fay commission, who investigated activities at the Abu Graib prison. It is not believed that any agents from the U.S. Army CID interviewed	
is considered by the Department of Justice to be a witness. worked with some potential subjects at the Abu Graib in this investigation and may have information about their activities.	b3 b6 b7C
For information, the writer was unable to obtain home or <u>cellular</u> telephone number. These attempts were made in hopes would accept service of the subpoena by fax or mai <sub>i</sub> l.	
When contact is made with advise him to contact SA can then obtain further information about the Grand Jury investigation and information on payment of his travel and lodging. is described as a white male, tall, medium build, brown hair.	
LEAD(s):	
Set Lead 1: (Action)	
<u>NEW_YORK</u>	
AT LONG ISLAND RA	
Contact	
Grand Jury Subpoena. New York 11787 and serve Federal	
FS 30201. EC	
**	

stify Before Grand Jury

# United States District Court

EASTERN DISTRICT OF VIRGINIA

TO:

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## SUBPOENA TO TESTIFY BEFORE GRAND JURY

SUBPOENA FOR:

PERSON

DOCUMENT(S) OR OBJECT(S)

YOU ARE COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE	COURTROOM
<b>UNITED STATES DISTRICT COURT</b>	GRAND JURY ROOM
401 Courthouse Square Alexándria, Virginia 22314	DATE AND TIME November 16, 2004 9:30 am

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK		DATE
ELIZABETH H. PARET, CLERK OF THE	October 14, 2004	
(By) Deputy Clerk	х.	
This subpoena is issued on application of the United States of America	NAME, ADDRESS and PHONE Michael R. Smythers	NUMBER OF ASSISTANT U.S. ATTORNEY
PAUL J. MCNULTY UNITED STATES ATTORNEY	U.S. Attorney's Office 2100 Jamieson Avenue Alexandria, Virginia 22314	(703) 299-3700

A 110	(Rev.	12/89)	Sub	poena	to	Testify	Bef	ore	Grand	Ju
	1								J. and	00

110 (Rev. 12/8	9) Subpoena to Te	stify Before Grand	d Jury	Ć	<b>J</b>	
	د مع ود ا		RETURN OF SERVICE()			
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SERVED BY (P	RINT NAME)		TITLE			
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TRAVEL		SERVICES			TOTAL	
		<u> </u>	DECLARATION OF SERVER(2)			
Exec	uted on	Date	Signature of Server Address of Server			
ADDITIONAL I	NFORMATION					

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As to who may serve a subpoena and the manner of its service see Rule 17(d), Federal Rules of Criminal Procedure, or Rule 45(c), Federal Rules of Civil Procedure. "Fees and mileage need not be tendered to the witness upon service of a subpoena issued on behalf of the United States or an officer or agency thereof (Rule 45(c), Federal Rules of Civil Procedure; Rule 17(d), Federal Rules of Criminal Procedure) or on behalf of certain indigent parties and criminal defendants who are unable to pay such costs (28 USC 1825, Rule 17(b) Federal Rules of Criminal Procedure)".

70A-WF-229870 · FRS:frs@ 1 On 09/17/04 and 09/20/04, SA reviewed the General Fay Report to obtain the names of witnesses that may have information in reference that pertains to potential criminal activity on the part of civilian contract employees. These civilians worked as interrogators and or interpretors at the Abu Graib prison in Iraq. Each contactor has a civilian number assigned to them in the report. Also, each significant matter investigated by the Fay commission was assigned an The following are the civilian numbers and incident number. corresponding incident numbers. The review is being conducted in order to obtain the specific identities of individuals who witnessed the following incidents: b6

On October 5, 2004, SA will meet with AUSA of the Eastern District of Virginia (Norfolk Orrice) to prepare a list of potential witnesses who will be given Federal Grand Jury Subpoenas.

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### FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 10/28/2004

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b6 /

To: Washington Field From: Washington Field CR-2 Contact: SA Approved By: Drafted By: Case ID #: 70A-WF-229870 (Pending)

Synopsis: To discontinue lead that was sent to the Baghdad Operations Center on 08/13/2004.

Details: A lead was set to the Baghdad Operations Center to re-interview a detainee held in Iraq. The detainee, allegedly observed the rape of a male juvenile while being held in the Abu Graib prison. This prison is located approximately 10 miles west of Baghdad. Over the summer of 2004, had been transferred to the Camp Bucca prison, which is located in southern Iraq near the Kuwait border.

Shortly after the lead was set the writer was contacted by SSA of the Baghdad Operations Center. SSA advised that at that time, FBI Special Agents were rarely leaving the Operations Center, and if so they were accompanied by U.S. Army personnel. In addition, a trip to Camp Bucca from Baghdad was approximately 300 miles and would require the use of U.S. Army helicopters.

It was quickly determined that FBI Special Agents would not cover this lead and the re-interview of would be conducted by U.S. Army Criminal Investigators.

Therefore it is requested to discontinue this lead. fs30202.ec

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Lead not set in system

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Washington Field

To:

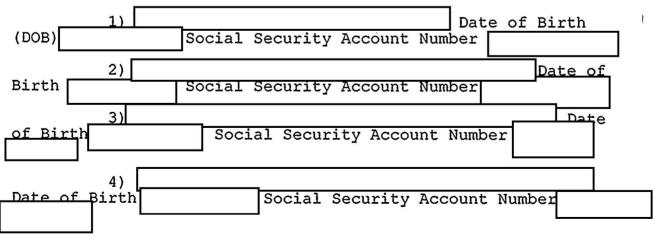
Date: 11/16/2004

From: Washington Field CR-2 Contact: SA Approved By: Drafted By: Case ID #: 70A-WF-229870 (Pending) Title: CGR Synopsis: To update case file

**Details:** A total of 9 individuals, 8 from the United States Army, and 1 U.S. government civilian employee were served subpoenas issued by the United States District Court for the Eastern District of Virginia.

These 9 individuals are witnesses who may have information that pertains to the treatment of detainees in the Abu Graib prison in Iraq in the fall of 2003. This investigation pertains to the conduct of U.S. government contractors not U.S. Military personnel.

The following individuals will testify in the Federal Grand Jury on November 16 and 17, 2004.



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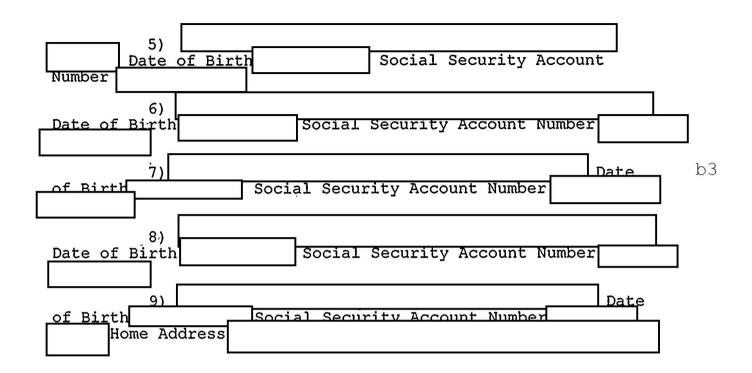
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Washington Field From: Washington Field 70A-WF-229870, 11/16/2004 To:

Re:



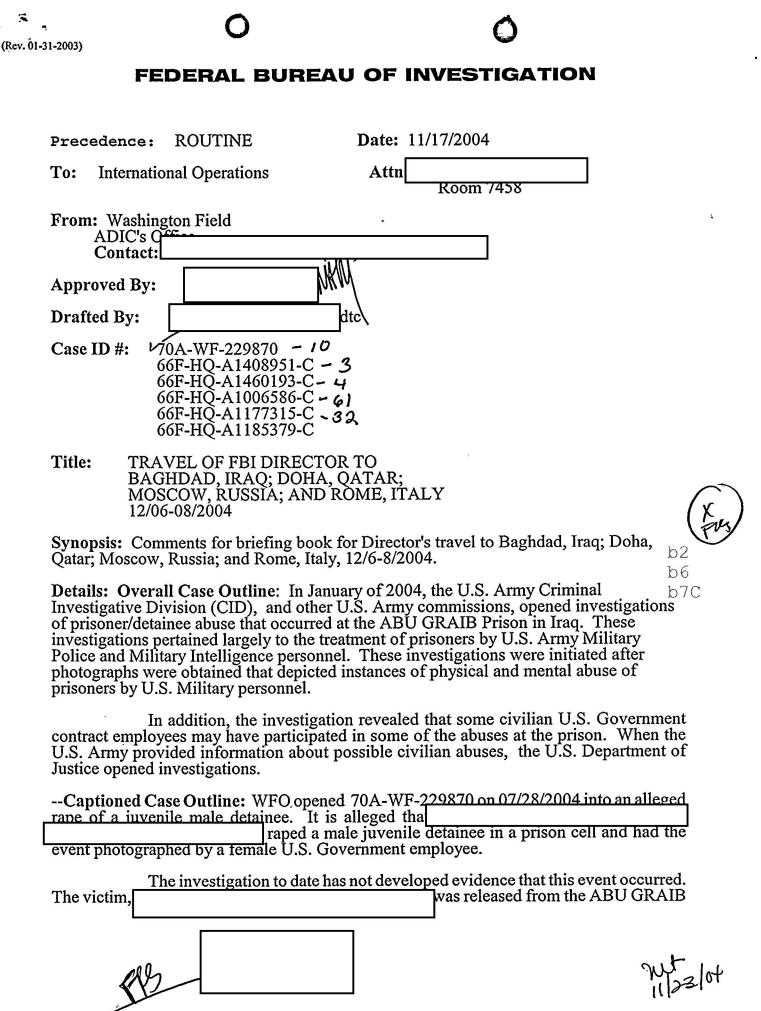
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# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE Date: 07/28/2004	
To: Criminal Investigative Attn: Violent Crimes/FU Washington Field	
From: Washington Field CR-2 Contact: SA	
Approved By:	
Drafted By:	
Case ID #: 70A-WF-NEW - 229870;	b2 b6
Title:	b7C
Synopsis: To open an investigation. On 07/27/2004, SAs from WFO met with members of U.S. Army Criminal Investigative Division regarding the alleged rape of juvenile male detainee at Abu Ghraib Prison. Abu Ghraib, Iraq by	
Details: SSA and SAS and met with U.S. Army Special Agent of Army Criminal Investigative Division (CID). SA provided information of CID's investigation to date and provided a copy of CID's case file for their investigation, all known pictures of a list of CACI employees and pictures of the cell where the alleged rape took place.	
we0420901.ec	
$\begin{array}{c} \bullet \bullet \\ \bullet \bullet \\ \bullet \bullet \\ \bullet \\ \bullet \\ \bullet \\ \bullet \\ \bullet \\ $	



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To: International Operations From: Washington Field Re: 70A-WF-229870, 11/17/2004

Prison before he could be interviewed whereabouts in Iraq at this time are unknown. Interviews are being conducted of U.S. Military and civilian contractors in order to determine the validity of this allegation. There are also allegations of mistreatment by other civilian contractors. The allegations largely pertain to the treatment of detainees before and during interrogations.

b6

b7C

The United States Attorney's Office for the Eastern District of Virginia issued subpoenas to witnesses from the U.S. Military and from civilian contract companies. These witnesses testified before the Grand Jury on 11/16 and 17/2004. Additional witnesses will be called before the Grand Jury in the future.

To: International Operations From: Re: 70A-WF-229870, 11/17/2004

LEAD(s):

Set Lead 1: (Info)

# INTERNATIONAL OPERATIONS

## AT WASHINGTON, D.C.

Information for Director's briefing book for his travel 12/06-08/2004.

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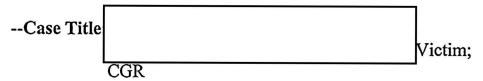
Washington Field

**♦♦** dtc32201.ec4

# 0

--Case Number: 70A-WF-229870

--Case Opened: 07/28/2004 in the Washington Field Office



--Overall Case Outline: In January of 2004, the U.S. Army Criminal Investigative Division (CID), and other U.S. Army Commissions, opened investigations of prisoner/detainee abuse that occurred at the ABU GRAIB prison in Iraq. These investigations pertained largely to the treatment of prisoners by U.S. Army Military Police and Military Intelligence personnel. These investigations were initiated after photographs were obtained that depicted instances of physical and mental abuse of prisoners by U.S. Military personnel.

In addition, the investigation revealed that some civilian U.S. government contract employees may have participated in some of the abuses at the prison. When the U.S. Army provided information about possible civilian abuses to the U.S. Department of Justice opened investigations.

Captioned Case Outline: The Subject listed is	This is				
an investigation into an alleged rape of a juvenile male deta	nee. It is alleged that				
raped a male juvenile detainee in a					
prison cell and had the event photographed by a female U.S. government employee.					

b6 b7C

The investigation to date has not developed evidence that this event occurred. The captioned victim was released from the ABU GRAIB prison before he could be interviewed. His whereabouts in Iraq at this time are unknown. Interviews are being conducted of U.S. Military and civilian contractors in order to determine the validity of this allegation. As stated above, there are allegations of mistreatment by other civilian contractors. The allegations largely pertain to the treatment of detainees before and during interrogations.

The United States Attorney's Office for the Eastern District of Virginia issued subpoenas to witnesses from the U.S. Military and from civilian contract companies. These witnesses testified before the Grand Jury on November 16 and 17, 2004. Additional witnesses will be called before the Grand Jury in the future.

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			b7C
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11/02/2004			
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70A-WF-229870 FRS:frs

Attached to this insert are color copies of photographs taken by U.S. Army personnel at the Abu Graib prison in Iraq. The original photographs are maintained in U.S. Army custody. SA Schmied obtained this set from members of the U.S. Army Criminal Investigative Division (CID) at Fort Belvoir, Virginia.

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Automated Serial Permanent Charge-Out FD-5a (1-5-94)

Date: 03/20/06 Time: 14:14

المعتقد المعتدية

Case ID: 70A-WF-229870 Serial: 21

Description of Document:

Type : OTHER Date : 03/09/06 To : WASHINGTON FIELD From : DEPT OF STATE Topic: TRAVEL NOTIFICATION #172

Reason for Permanent Charge-Out:

numerical error

Transferred to:

Case ID: 105C-WF-229780 Serial: 39

Employee:

b6 b7C Automated Serial Permanent Charge-Out FD-5a (1-5-94)

Date: 08/22/06 Time: 09:08

Case ID: 70A-WF-229870 Serial: 23

Description of Document:

Type : OTHER Date : 06/16/06 To : WASHINGTON FIELD From : DEPT OF STATE Topic: TRAVEL NOTIFICATION FORM #403

Reason for Permanent Charge-Out:

numerical error

Transferred to:

Case ID: 105C-WF-229780 Serial: 42

Employee:

b6 b7C -

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### **RECORD OF INFORMATION FURNISHED OTHER AGENCIES**

Orally	07/27/2004	Written Communication	
	(date)	(date)	
Informa	ation concerning: (Include Drug Matters h	ere.)	
Crime	s on Government Reservation matters		
Informa	ation furnished from File, Serial, and page N	Jumber:	
☑ On	07/27/2004	a continuing disclosure was initiated with	
Unit	(date) ed States Army Criminal Invest. Division (agency)	and will be maintained until the conclusion of the investigation.	
Informa	ation furnished to :		
		•	
Remark	ss:	<u>.</u>	
the U. was co U.S. A acts w 2004. engag	onducted to discuss issues pertaining to crimarmy initiated their investigation of prisone ere obtained by the U.S. Army. Many of On this date, preliminary information was	nd net with members of (CID) at CID Headquarters at Fort Belvoir, Virginia. The meeting minal activitiy that took place at the Abu Graib prison in Iraq. The er/detainee abuse in December of 2003 after photographs taken of the those photographs were obtained by members released in January of s obtained by the FBI that pertained to potential criminal activity rs at the Abu Graib prison. The initial allegation pertained to a rape of ag as an interpreter.	b6 b7C
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1 - 1 -	- 66- WF-C229365 - 70A-WF-229870 - 22	

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FBI/DOJ

(Rev. 01-31-2003)

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# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE	Date: 09/11/2006
To: Washington Field	Attn: Evidence Control Center
From: Washington Field	
CR-2 Contact: SA	
Approved By:	
Drafted By:	frs fM
Case ID #: 321A-WF-229870 (Pend: #70A-WF-229870 (Pend:	
Title:	b2 b6 b7C

Synopsis: To request evidence listed under 1B1, Barcode number E03775989, listed in the Evidence Control Center's Collected Item Inventory be removed from ACS.

Details: On 11/02/2004, the writer obtained 16 boxes of documents from a courier for the law offices of Williams & Connolly, LLP, 725 Twelfth Street, NW Washington, D.C. 20005. The boxes contained documents pertaining to the activities of while he was employed as \_\_\_\_\_\_ by was investigated in this case for allegedly committing a rape of a juvenile detainee while serving as at the Abu Graib prison. The investigation that was conducted into this matter proved that the allegation was false.

The writer maintained the 16 boxes of documents in the CR-2 squad area. Because all investigation into this matter is closed the writer disposed of the documents in Confidential Trash bags in the CR-2 squad area on 09/03/06 at 10:00 a.m.

The FD-192 chain of custody was placed in a 1A envelope and sent to the case file.

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To: Washington Field From: Washington Field Re: 70A-WF-229870, 09/11/2006

LEAD(s):

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Set Lead 1: (Action)

#### WASHINGTON FIELD

#### AT WASHINGTON, D.C.

The evidence control center is requested to remove the item listed under 1B1, Barcode Number E03775989, which pertain to 16 Boxes of documents, from the collected item inventory of the investigative case management application of ACS.

#### (Rev. 01-31-2003)

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE	Date:	07/31/2007
To: Washington Field		
From: Washington Field CR-8 Contact: SA		b2 b6 b7C
Approved By:		
Drafted By:		
Case ID #: 70A-WF-229870 - 25		
Title: ; VICTIM;		
CGR		

Synopsis: To request the opening of a secret sub file to maintain documents classified secret provided by the U.S. Army.

**Details:** This investigation was opened in August of 2004. The writer worked with the U.S. Army Criminal Investigative Division (CID) and the U.S. Attorney's Office in the Eastern District of Virginia to determine if civilians assigned at the Abu Graib prison in Iraq engaged in the criminal abuse of prisoners.

No indictments were obtained during the Grand Jury investigation and this case will be closed in the near future. In furtherance of this investigation the U.S. Army CID provided the writer with documents that they classified as Secret.

The writer requests a Secret sub file be created to maintain those Secret documents.

fs072031.ec 🕌

(X) (F3)

Subfile grend s/ston

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(Rev. 01-		
	FEDERAL BUREAU OF INVESTIGATION	
л Т	•	
	Precedence: ROUTINE Date: 08/10/2007	
	To: Washington Field	
<b>y</b>	From: Washington Field CR-2 Contact: SA	
	Approved By:	
	Drafted By: frs	
x'	Case ID #: 70A-WF-229870 (Pending)-26	b2
йг , ;		b6 b7C
Ē	Details: In July of 2004 this investigation was opened after a communication was sent from FBIHQ to WFO to review information about alleged crimes committed by U.S. civilian personnel assigned to the Abu Graib prison in Iraq. The information was provided by investigators of the U.S. Army who were conducting a large investigation into the conduct of their personnel at the prison. The initial FBI investigation pertained to an alleged rape committed by	
ء د	male of allegedly raped a juvenile male named while he was held in the Abu Graib prison.	
L	Individuais neid at the prison.	
	This specific allegation was investigated by both U.S. Army Criminal Investigative Division (CID) and the FBI. This allegation was brought to the attention of CID Agents, not by the alleged victim, but by a lone Iraqi detainee named was held due to his alleged involvement in a group that made road side bombs.	1
A.	FS072211.201 1 Chief Charles Chief	

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To: Washington Field From: Washington Field Re: 70A-WF-229870, 08/10/2007

alleged, in his first interview, that covered prison cells with sheets that blocked the view of the to rape the boy. inmates in order for said he heard the victim screaming during the rape. did not know of the identities of the other inmates in the surrounding cells. At no time did know the identity of the alleged In furtherance of this investigation, U.S. Army victim. Agents determined the most likely identity of the alleged victim from prison records. The rape allegation made was done in January of 2004 when he was interviewed by U.S. Army CID Agents in their overall investigation of abuse of prisoners at Abu Graib. The alleged victim, was in prison for relatively minor crimes that he committed on the This individual was releases from Abu Graib before he street. could be interviewed. Due to the realities in Iraq, it was almost impossible to locate him for an interview. In a second interview of told CID Agents that when he witnessed what he believed was a rape, other U.S. Army personnel were present to watch the rape. Legid that watched the rape take place and displayed their approval of it. b6 b7C In the first interview never mentioned any b7D other military personnel were present for the rape. In furtherance of this investigation, and other cases at the prison, hundreds of interviews were conducted by both U.S. Army CID Agents and by U.S. Department of Justice personnel. At no time during the more than three years of this investigation did any other person, witness or subject, civilian or military, ever mention having any knowledge of any rape committed by In addition, a number of U.S. Army personnel were charged with serious felonies because of their conduct at the Abu Graib prison. Specifically, became the symbol of abuse at the prison. received a prison sentence of more than 10 years for his conduct. also received a multi year prison sentence but her sentence was reduced because of her cooperation and other matters. Both went to trial on their cases before being convicted. After their convictions, and many other individuals under investigation, including numerous civilian subjects, were asked about their knowledge of any rapes committed by Not one of the subjects or witnesses in this case

ever provided any positive response to the question, or any

To: Washington Field From: Washington Field Re: 70A-WF-229870, 08/10/2007

evidence that any rape was committed by As a result, this part of the overall case was closed.

Other civilians individuals were referred to the U.S. Department of Justice for review. were other U.S. civilian personnel investigated for engaging in alleged acts of abuse. of interrogations who worked in the hard site of the prison. No specific or credible evidence was developed that showed engaged in any abuse of prisoners. No evidence was developed that shoed he directed any other personnel to Individuals who testified in the Grand Jury in abuse anyone. the Eastern District of Virginia were specifically asked about the conduct of <u>Not one civilian or military</u> member stated that engaged in any specific acts of abuse.

The other civilians subjects were alleged to have engaged in acts such as; pushing a detainee to the ground on one occasion, forcing detainees to sit in uncomfortable positions during interrogations, and assisting U.S. Army personnel in their acts of abuse.

It was the conclusion of the lead Assistant United b7CStates Attorney (AUSA) in this matter, that b7Dnone of the allegations made against any U.S. civilian employees met the Federal standard for Felony Assault or torture. Another factor taken into strong consideration during this investigation was the environment that these civilian personnel operated in. The Abu Graib prison was set up and operated in a war zone. Detainees and other personnel were routinely shot at by snipers or were injured by mortars shot into the prison by others outside.

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The Grand Jury proceedings in this case stopped in the early part of 2005. The only other possible investigative lead in this case was to await the result of two U.S. Army trials of two Army K9 handlers. There was some thought that may have forced these K9 handlers to use their dogs to abuse prisoners. At no time during the trial of these handlers, or after their convictions, did either ever state that they were directed by to abuse prisoners.

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On August 8, 2007 the writer contacted AUSA of the Eastern District of Virginia (EDVA) to again closing this case. Over the past few months, AUSA and others in the EDVA, were requested by their

To: Washington Field From: Washington Field Re: 70A-WF-229870, 08/10/2007

supervisors to review the evidence developed in this case. AUSA advised the writer that no evidence provided by the FBI, the U.S. Army, or developed in the Grand Jury investigation, was sufficient enough to prosecute anyone for any Federal crimes. AUSA stated that the only evidence in this case were witness statements, not forensic evidence. b6 b7C

AUSA advised the writer that closing this case is appropriate. AUSA said if any new information was presented to him, or others in his office, they would contact the FBI. The writer also advised AUSA that the case file itself would be maintained by the FBI in a closed status.

Based on the above-listed facts this case should be closed.

FS072211.ec

70A-WF-229870 FRS:frs

Attached to this insert is a Maryland DMV photograph, Criminal History report, for male of DOB Social Security Account Number home address b6 b7C was investigated for possibly engaging in the rape of a juvenile male detainee at the Abu Graib prison in Iraq. No evidence was developed to prove this and evidence was developed to show that the only witness in this matter, fabricated the entire story. was never charged in this case. Also attached is the statement made by to investigators of the U.S. Army Criminal Investigative Division.

fs072092.ins

Message	Page 1 of 1
O	
(FBI)	
From: (WF) (FBI)	•
Sent: Tuesday, September 07, 2004 5:34 PM	
To: BA) (FBI)	
Subject: Request for Maryland DMV PHOTO	b2
UNCLASSIFIED NON-RECORD	b6 b7C
could you please provide me a Maryland DMV photo for the following individ         Date of Birth       Social Security Acct #         The case file # is 70A-WF-229870, My Social Mashington Field Office. You can E-mail me the photo or if faxing is easier my fax nu thanks, SAWFO.	dress dre

UNCLASSIFIED

<u> </u>
From:
here are a list of questions that can be used in the re-interview of the voldn't be too much trouble could you attach a copy of the original interview. Thanks again for all the help.
was previously interviewed on 18 January 2004 by Agents of the U.S. Army Criminal Investigative Division. Most of the interview pertained to the abuse received or witnessed at the Abu Graib prison. In one incident, said he witnessed an individual he believed to be rape a juvenile or teenaged male in the Abu Graib prison.
The U.S. Army CID developed the identity of the victim The questions listed below are basic questions an investigator would ask in the interview of a witness to a crime. The basic who, what, when, where, how, and why will probably suffice in this matter. Some questions that come to mind are listed below.
- Request describe where he was located in the prison in order for him to be able to see the rape occur.
<ul> <li>Determine how knew the rape occurred ir</li> <li>Determine from the date and time of day that the rape occurred.</li> </ul>
- Determine what military/contract personnel were in the area at the time of the rape and what the cell block surveillance practices were at that time.
<ul> <li>Determine it has learned anything else about the attack or the personnel involved over the last 7 months.</li> <li>Request to physically describ I and how he knew him.</li> </ul>
- Reques to physically describe in as much detail as possible the female he said photographed the rape of the juvenile.
stated in a previous interview that
<ul> <li>How long did this attack take and what was said in the cell block afterward?</li> <li>After the attack was the juvenile removed from the cell block? What did he say about it?</li> </ul>

b6 b7C b7D 70A-WF-229870 FRS:frs Wednesday, August 25, 2004 Camp Bucca was previously interviewed on 18 January 2004 by the U.S. Army Criminal Investigative Division.. Most of the interview described physical abuse he received and said he witnessed an individual he believed observed in the Abu Graib prison. In one incident. to be rape a juvenile or teenaged male in the Abu Graib prison. The U.S. Army CID has developed a possible identity for the victim: The questions listed below may be part of the basic questions an investigator would ask in the interview of a witness to a crime. The basic who, what, when, where, how, and why questions will probably suffice in this matter. Some things that come to mind are listed below. 1) Request describe where he was located in the prison in order for him to be able to see the rape occur. 2) Determine how knew the rape occurred in cell 3) Determine if knew the time of day or the date of the rape. 4) Determine what other U.S. government personnel were in the area at the time of the rape? has learned over these past months the identity of the juvenile. 5) Determine if physically describe 6) Request and elaborate on how he knows his identity. 7) stated in his previous interview that sheets were used to cover the cell doors of detainees to block their view of the rape. Who placed the sheets over the cell doors? 8) How long did the attack take and what was done immediately after in the cell block? 9) Who removed the sheets in the cell block? Where did this juvenile go? How long did this juvenile stay in the cell block?

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10) In his first interview said a for a for a for a formal said said a formal said a formal said said said said said said said said	emale photographed the rape. Requested the rape.
If photographs are available of the femal for a photospread to be displayed to	b 6 e personnel implicated in other prison abuse arrange ${}^{b6}_{b7C}_{b7D}$

Attached is a copy of the previous interview and statement given by

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(Rev. 6-2-97) PRECEDENC Immediate Priority Routine To:	<ul> <li>Top Secret</li> <li>Secret</li> <li>Confidential</li> <li>Sensitive</li> <li>Unclassified</li> </ul>	Time Transmitted: Sender's Initials: Number of Pages: (including cover sheet)
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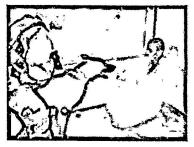
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# Army Dog Handler Gets Six Months in Prison

AP A



AP Photo: This undated still photo made available by The Washington Post on Friday May 21, 2004,...

Slideshow: Abu Ghraib Prison

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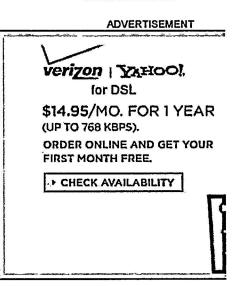
USATODAY.COM Massive cleanup, mourning after deadly storms By DAVID DISHNEAU, Associated Press Writer Wed Mar 22, 4:38 PM ET

FORT MEADE, Md. - An Army dog handler was sentenced Wednesday to six me bars for using his snarling canine to torment prisoners at Abu Ghraib.

The military jury handed down the sentence a day after convicting Sgt. Michael J. Smith, 24, of Fort Lauderdale, Fla. He could have gotten 8 1/2 years in prison.

Smith was sentenced on five charges, including maltreatment of prisoners, conspiring with another dog handler in a contest to try to frighten detainees at the Iraqi prison into soiling themselves, and directing his dog to lick peanut butter off other soldiers' bodies.

Smith was also demoted to private and will receive a bad-conduct discharge after getting out of prison. He will forfeit \$2,250 in pay.



Prosecutors said he let his unmuzzled black Belgian shepherd bark and lunge at Iraqis for his own amusement. The defense argued that Smith believed he was for orders to soften up prisoners for interrogation.

Smith appeared unrepentant when he addressed the jury Tuesday, shortly after convicted. "Soldiers are not supposed to be soft and cuddly," he said. Smith also wished he had gotten his orders in writing.

Nine other soldiers have been convicted of abusing prisoners at Abu Ghraib. Am things, prisoners were photographed in sexually humiliating poses.

Former Cpl. Charles Graner Jr. received the longest sentence — 10 years in pris Lynndie England \_\_\_\_\_, a 23-year-old reservist photographed giving a thumbs-up i naked prisoners, is serving three years behind bars.

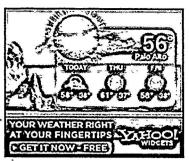
In closing arguments, prosecutors urged the jury to send Smith to prison for at le years, suggesting that his actions could undermine U.S. standing in the world.

http://news.yahoo.com/s/ap/20060322/ap\_on\_re\_us/abu\_ghraib\_dog\_handler

4/4/2006

## Army Dog Handler Gets Six Months in Prison - Yahoo! News





"Every soldier must understand that individual acts of misconduct have strategic i said Maj. Matthew Miller, a prosecutor. "This is a global war on terror. It is a globa the hearts and minds of people all over the world."

But the defense said Smith should not serve jail time and instead be returned to h unit. Defense attorney Capt. Scott Rolle told the jury that while Smith made mista Ghraib, he is also a hero for saving the lives of other U.S. soldiers during a morta-

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KEVIN SITES IN THE HOT ZONE



The Halfway Point Six months in, Kevin Sites' dispatches are putting a human face

on global conflict.

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The Endgame in Iraq E at The New Yc (reg. req'd), Apr 02

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4/4/2006

Page 2 of 2

70A-WF-229870 - 32 FRS:frs

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Attached to this insert is a photograph, Criminal	
History report, and printout for a white male, DOB Social Security	b2
Account Number home address	b6
Telford, Pennsylvania, 18969.	b7C
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