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 www.fbi.gov/foia 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 website: https://foiaonline.regulations.gov/foia/action/public/home. 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 ogis@nara.gov. Alternatively, you may contact the FBI's FOIA Public Liaison by emailing foipaquestions@fbi.gov. 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 investigation, 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.

FBI/DOJ
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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

To: Criminal Investigative

Attn: Violent Crimes/FU

Washington Field

From: Washington Field

CR-2

Contact: SA

Approved By: ____________________________

Drafted By: ____________________________

Case ID #: 70A-WF-NEW22987D-1

Title: ____________________________

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 an American Contractor, ____________________________

Details: SSA ____________________________ and SAS ____________________________ 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

* * *
Precedence: PRIORITY

To: Counterterrorism

From: Washington Field
CR-2
Contact: SA

Attn: IRAQ/SYRIA/LYBIA
UC

Attn: Baghdad OPS Center
OSC

Date: 08/13/2004

Case ID #: 70A-WF-229870 (Pending)

Synopsis: Lead set to re-interview a detainee who previously advised the U.S. Army CID that he observed the rape of a juvenile male.

Details: A was apprehended in Iraq in 2003 and has been detained since then by the U.S. Army. In early October of 2003, was being held in the Abu Graib prison. was interviewed in January of 2004 as part of the Abu Graib prisoner abuse investigation and in his Sworn Statement, described the harsh treatment he received which included being assaulted, being deprived of food, and forced to wear women's underwear. Also described a number of instances of abuse that pertained to other detainees. Those allegations included many of the same types of acts.

Pertaining to the captioned matter, stated that he witnessed a U.S. government descent, rape a juvenile detainee in a cell in the Abu Graib prison. said the translator's name was but investigation into the matter determined that the subjects name is employee of Fairfax, Virginia. served as for the U.S. Army at the Abu Graib prison.
A report of the interview of [REDACTED] 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:

[REDACTED] saw a [REDACTED] that he referred to as [REDACTED] raping a kid, between the ages of 15 and 18 in cell [REDACTED]. As stated above, [REDACTED] has been determined to be [REDACTED] said the victim was hurting badly from the rape and [REDACTED] actually heard the victim screaming. [REDACTED] said [REDACTED] wore a military uniform while he committed the rape.

[REDACTED] described [REDACTED] as a large male with an accent, who appeared to be [REDACTED]. [REDACTED] stated that sheets were utilized to cover the doors of the detainee cells to block their view of the rape. [REDACTED] stated that he was [REDACTED] to observe much of the rape. [REDACTED] said he was held in a cell with [REDACTED].

In addition, [REDACTED] said an [REDACTED] photographed the rape as it occurred, but [REDACTED] did not know and did not have any identifiers for [REDACTED].

[REDACTED] was interviewed by the U.S. Army CID about the prisoner abuses at Abu Graib and was asked questions about his conduct with prisoners. [REDACTED] 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 [REDACTED] was present during abuse of prisoners but that he was not a significant participant in the acts.

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

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: 7OA-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 requested that the interviewing FBI Special Agent contact U.S. Army CID Special Agent[__________] who is currently working in Iraq. [__________] will determine the location of ______ and coordinate his interview. Because of his knowledge of the Abu Graib investigation, it is requested that SA[__________] participate in the interview of ______

Special Agent[__________] can be contacted by his E-mail address which is: [__________]. SA[__________] has been advised by U.S. Army CID Headquarters at Fort Belvoir, Virginia that a request is coming to him from the FBI 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.

**
Precedence: ROUTINE
Date: 09/10/2004

To: Washington Field
From: Washington Field

CR-2
Contact: SA

Approved By: 
Drafted By: frs

Case ID #: 70A-WF-229870 (Pending)

Title: Victim;

Synopsis: To reassign case.

Details: This investigation was opened by SA on 07/28/04. SA was requested to work on this matter as co-Case Agent. Shortly after opening this case SA was assigned temporarily to an administrative squad. During that time SA took over the investigation. Due to the time invested in this matter it is recommended that SA become the Case Agent on this investigation.

Primary Investigator reassigned 9-14-04
Re-assigned as Case Agent 9/10/04
Synopsis: To set lead for service of Federal Grand Jury Subpoena.

Enclosure(s): Enclosed for the New York Division, Long Island. RA is a Federal Grand Jury Subpoena, issued by the U.S. District Court for the Eastern District of Virginia, to be served to [Redacted].

Details: This investigation pertains to possible criminal activities engaged in by civilian personnel who were working at a U.S. Military facility at the Abu Graib prison in Iraq. 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.

Social Security Account Number [Redacted] was formerly a member of the U.S. Army Reserve Unit.
To: New York  From: Washington Field Office
Re: 70A-WF-229870, 10/28/2004

The writer was recently advised by U.S. Army personnel that resigned from the U.S. Army reserves in and is no longer affiliated 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.

For information, the writer was unable to obtain home or cellular telephone number. These attempts were made in hopes would accept service of the subpoena by fax or mail.

When contact is made with advise him to contact S and 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)

NEW YORK

AT LONG ISLAND RA

Contact

Grand Jury Subpoena. New York 11787 and serve Federal

**
United States District Court

TO:

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

UNITED STATES DISTRICT COURT
401 Courthouse Square
Alexandria, Virginia 22314

COURTROOM

GRAND JURY ROOM

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

ELIZABETH H. PARET, CLERK OF THE COURT

DATE

October 14, 2004

(By) Deputy Clerk

This subpoena is issued on application of the United States of America

PAUL J. MCNULTY
UNITED STATES ATTORNEY

NAME, ADDRESS and PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

Michael R. Smythers
U.S. Attorney's Office
2100 Jamieson Avenue
Alexandria, Virginia 22314 (703) 299-3700
RETURN OF SERVICE

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SERVED BY (PRINT NAME) | TITLE

STATEMENT OF SERVICE FEES

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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on ________________

Date ________________

Signature of Server

Address of Server

ADDITIONAL INFORMATION

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(1) As to who may serve a subpoena and the manner of its service see Rule 17(b), Federal Rules of Criminal Procedure, or Rule 45(c), Federal Rules of Civil Procedure.

(2) "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)."
On 09/17/04 and 09/20/04, SA [redacted] 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 interpreters 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 incident number. The following are the civilian numbers and corresponding incident numbers. The review is being conducted in order to obtain the specific identities of individuals who witnessed the following incidents:

On October 5, 2004, SA [redacted] will meet with AUSA [redacted] of the Eastern District of Virginia (Norfolk Office) to prepare a list of potential witnesses who will be given Federal Grand Jury Subpoenas.
FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE Date: 10/28/2004

To: Washington Field
From: Washington Field
CR-2
Contact: SA

Approved By: 
Drafted By: frs

Case ID #: 70A-WF-229870 (Pending)

Title:

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 ✓

Lead not set in system

11/1/01
FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE  Date: 11/16/2004

To: Washington Field

From: Washington Field
CR-2
Contact: SA

Case ID #: 70A-WF-229870 (Pending)

Title: Victim; 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.

1) Date of Birth
   Social Security Account Number

2) Date of Birth
   Social Security Account Number

3) Date of Birth
   Social Security Account Number

4) Date of Birth
   Social Security Account Number

FS 32001. EC
To: Washington Field From: Washington Field
Re: 70A-WF-229870, 11/16/2004

5) Date of Birth: ____________________ Social Security Account Number

6) Date of Birth: ____________________ Social Security Account Number

7) Date of Birth: ____________________ Social Security Account Number

8) Date of Birth: ____________________ Social Security Account Number

9) Date of Birth: ____________________ Social Security Account Number

Home Address: ____________________

fs32001.ec

**
Precedence: ROUTINE

Date: 07/28/2004

To: Criminal Investigative Attn: Violent Crimes/FU
Washington Field

From: Washington Field
CR-2
Contact: SA

Approved By: T
Drafted By: Wle

Case ID #: 70A-WP-NEW

Title: 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 [Blank]

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 [Blank]

Details: SSA [Blank] and SAS [Blank] met with U.S. Army Special Agent [Blank] of Army Criminal Investigative Division (CID). SA [Blank] provided information of CID's investigation to date and provided a copy of CID's case file for their investigation, all known pictures of [Blank] a list of CACI employees and pictures of the cell where the alleged rape took place.

we0420901.ec
FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE
Date: 11/17/2004

To: International Operations
Attn: L--.::::=====::::-:riiiT'-----____J
Room 7458

From: Washington Field
ADIC's
Contact:

Approved By:

Drafted By:

Case ID #: 70A-WF-229870 - 10
66F-HQ-A1408951-C - 3
66F-HQ-A1460193-C - 4
66F-HQ-A1006586-C - 61
66F-HQ-A1177315-C - 32
66F-HQ-A1185379-C

Title:
TRAVEL OF FBI DIRECTOR TO
BAGHDAD, IRAQ; DOHA, QATAR;
MOSCOW, RUSSIA; AND ROME, ITALY
12/06-08/2004

Synopsis: Comments for briefing book for Director's travel to Baghdad, Iraq; Doha, Qatar; Moscow, Russia; and Rome, Italy, 12/6-8/2004.

Details: 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 employees may have participated in some of the abuses at the prison. When the U.S. Army provided information about possible civilian abuses, the U.S. Department of Justice opened investigations.

--Captioned Case Outline: WFO opened 70A-WF-229870 on 07/28/2004 into an alleged rape of a juvenile male detainee. It is alleged that a female U.S. Government employee raped a male juvenile detainee in a prison cell and had the event photographed.

The investigation to date has not developed evidence that this event occurred.

The victim, was released from the ABU GRAIB

[Signature]

11/23/04
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.

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.
LEAD(s):
Set Lead 1: (Info)

INTERNATIONAL OPERATIONS
AT WASHINGTON, D.C.

--Case Number: 70A-WF-229870

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

--Case Title
CGR

--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 detainee. 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.

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.
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.
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:  

Date: 03/20/06  Time: 14:14
Automated Serial Permanent Charge-Out
FD-5a (1-5-94)

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:
RECORD OF INFORMATION FURNISHED OTHER AGENCIES

Orally ___________________________ Written Communication ___________________________
(date) (date)

Information concerning: (Include Drug Matters here.)

Crimes on Government Reservation matters

Information furnished from File, Serial, and page Number:

☑ On ___________________________ a continuing disclosure was initiated with
(date) United States Army Criminal Invest. Division and will be maintained until the conclusion of the investigation.

Information furnished to:

Remarks:

On 07/27/2004, SA _______ and _______ met with members of the U.S. Army's Criminal Investigative Division (CID) at CID Headquarters at Fort Belvoir, Virginia. The meeting was conducted to discuss issues pertaining to criminal activity that took place at the Abu Graib prison in Iraq. The U.S. Army initiated their investigation of prisoner/detainee abuse in December of 2003 after photographs taken of the acts were obtained by the U.S. Army. Many of those photographs were obtained by members released in January of 2004. On this date, preliminary information was obtained by the FBI that pertained to potential criminal activity engaged in by U.S. citizens serving as contractors at the Abu Graib prison. The initial allegation pertained to a rape of a detainee committed by a U.S. contractor serving as an interpreter.

Employee Furnishing Information

1 - 66- WF-C229365
1 - 70A-WF-229870

FBI/DOJ
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: CR-2

Case ID #: 321A-WF-229876 (Pending)
70A-WF-229870 (Pending)

Title: VICTIM;
CGR

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.
To: Washington Field  From: Washington Field

LEAD(s):

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.

++
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.
FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE          Date: 08/10/2007

To: Washington Field

From: Washington Field
      CR-2
      Contact: SA

Approved By:          Drafted By: frs

Case ID #: 70A-WF-229870 (Pending)

Title: VIC\TIM; CGR

Synopsis: To close case.

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

[Blank]

...allegedly raped a juvenile male named... while he was held in the Abu Graib prison. [Blank] served as... of individuals held 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 roadside bombs.
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 inmates in order for to rape the boy 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 victim. In furtherance of this investigation, U.S. Army 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 street. This individual was released from Abu Graib before he could be interviewed. Due to the realities in Iraq, it was almost impossible to locate him for an interview.

In a second interview told CID Agents that when he witnessed what he believed was a rape, other U.S. Army personnel were present to watch the rape. said that watched the rape take place and displayed their approval of it.

In the first interview never mentioned any 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 [redacted]. 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. [redacted] were other U.S. civilian personnel investigated for engaging in alleged acts of abuse. [redacted] of interrogations who worked in the hard site of the prison. No specific or credible evidence was developed that showed [redacted] engaged in any abuse of prisoners. No evidence was developed that showed he directed any other personnel to abuse anyone. Individuals who testified in the Grand Jury in the Eastern District of Virginia were specifically asked about the conduct of [redacted]. Not one civilian or military member stated that [redacted] 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 States Attorney (AUSA) in this matter, [redacted], that none 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.

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 [redacted] 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 [redacted] ever state that they were directed by [redacted] to abuse prisoners.

On August 8, 2007 the writer contacted AUSA [redacted] of the Eastern District of Virginia (EDVA) to again discuss 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.

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

* * *
Attached to this insert is a Maryland DMV photograph, Criminal History report, for 

male of [redacted] Social Security Account 

DOB [redacted] home address [redacted] 

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, [redacted] fabricated the entire story. 

[redacted] was never charged in this case.

Also attached is the statement made by [redacted] to investigators of the U.S. Army Criminal Investigative Division.
could you please provide me a Maryland DMV photo for the following individual; The case file # is 70A-WF-229870, My Squad is CR-2 in the
Washington Field Office. You can E-mail me the photo or if faxing is easier my fax number is thanks, SA WFO.
Here are a list of questions that can be used in the re-interview of [ ] if it wouldn’t be too much trouble could you attach a copy of the original [ ] interview. Thanks again [ ] for all the help.

Detainee [ ] Camp Bucca

[ ] 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.
- Determine how [ ] knew the rape occurred in [ ].
- Determine from [ ] the date and time of day that the rape occurred.
- 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.
- Determine if [ ] has learned anything else about the attack or the personnel involved over the last 7 months.
- Request [ ] to physically describe [ ] and how he knew him.
- Request [ ] 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 [ ]

- How long did this attack take and what was said in the cell block afterward?
- After the attack was the juvenile removed from the cell block? What did he say about it?
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 observed in 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 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?

5) Determine if has learned over these past months the identity of the juvenile.

6) Request physically describe 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?
10) In his first interview said a female photographed the rape. Request describe the female that photographed the rape.

If photographs are available of the female personnel implicated in other prison abuse arrange for a photospread to be displayed to

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

frs23801.ins
**FBI FACSIMILE COVER SHEET**

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| Approved:                           |                  |                   |                    |

| Brief Description of Communication Faxed: |                                  |

**WARNING**

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Army Dog Handler Gets Six Months in Prison

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 months in prison 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 following orders to soften up prisoners for interrogation.

Smith appeared unrepentant when he addressed the jury Tuesday, shortly after he was 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. Among them, prisoners were photographed in sexually humiliating poses.

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

In closing arguments, prosecutors urged the jury to send Smith to prison for at least 10 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
"Every soldier must understand that individual acts of misconduct have strategic implications," said Maj. Matthew Miller, a prosecutor. "This is a global war on terror. It is a global war on terror. It is a battle for 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 duty. Defense attorney Capt. Scott Rolle told the jury that while Smith made mistakes at Abu Ghraib, he is also a hero for saving the lives of other U.S. soldiers during a mortar-
Attached to this insert is a photograph, Criminal History report, and printout for a white male, DOB_, Social Security Account Number, home address, Telford, Pennsylvania, 18969.