

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (CLOSED)

18FEB04

ASSAULT (II)

CONTROL: 06OCT03-NWWH-0193-7GNA/C

I/NAS WHIDBEY ISLAND WA/ALLEGED ASSAULT OF IRAQI PRISONERS OF WAR
 COMMAND/NAVHOSP OAK HARBOR WA/66097

MADE AT/NWWH/WHIDBEY ISLAND WA/ [REDACTED] SPECIAL AGENT

EXHIBITS

- (1) IA: Results of Interview of [REDACTED] and [REDACTED] /14OCT03... (Copy All less NWBG/MWPE)
- (2) IA: Results of Interview with [REDACTED] /07OCT03... (Copy All less NWBG/MWPE)
- (3) IA: Results of Interview with [REDACTED] /07OCT03... (Copy All less NWBG/MWPE)
- (4) IA: Results of Interview with [REDACTED] /08OCT03... (Copy All less NWBG/MWPE)
- (5) Sworn Statement of [REDACTED] /08OCT03... (Copy All less NWBG/MWPE)
- (6) Military Suspect's Acknowledgement and Waiver of Rights/08OCT03... (Copy All less NWBG/MWPE)
- (7) Sworn Statement of [REDACTED] /08OCT03... (Copy All less NWBG/MWPE)

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EXECUTIVE SUMMARY

1. Naval Hospital Oak Harbor (NHOH) reported an allegation of the mistreatment of one or more Enemy Prisoners of War (EPWs) by one of their Corpsman, identified as [REDACTED], USN, while deployed to Iraq in support of USMC units in Operation Iraqi Freedom. Of the nine corpsman that deployed from NHOH, seven were available to interview. All of the remaining corpsman assigned to NHOH, minus [REDACTED] were interviewed relative to any knowledge of the mistreatment of EPWs by any of their peers. One interviewee, [REDACTED] stated [REDACTED] told him that he roughed up some EPWs while in Iraq. [REDACTED] was interviewed and stated he never abused or assaulted any EPWs, but admitted to pushing one EPW's face in the dirt and tripping other difficult EPWs to put them on the ground. NCIS Field Office Marine West was contacted to determine if [REDACTED] name surfaced in a separate investigation by that office involving the abuse of Iraqi EPWs, but there was no connection determined involving [REDACTED]. The facts of this case and [REDACTED] statements were screened with the Trial Service Office West Det, NAS Whidbey Island, which indicated that [REDACTED] actions would not merit disciplinary or prosecutive action. No further investigative activity will be performed by NCISRA Whidbey Island related to this case. Investigation is closed.

NARRATIVE

1. On 06Oct03, [REDACTED] NHOH, reported he learned through a counseling session that a deployed Corpsman, while in Iraq, mistreated one or more EPWs. [REDACTED] provided the last name of [REDACTED] the corpsman that allegedly "roughed up" some

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EPWs while in Iraq. [redacted] was later identified as [redacted]. As background, nine corpsman from NHOH were informed on 29JAN03, that they were to be deployed to Iraq. On 31JAN03, the corpsman deployed to Camp Pendleton, CA. Subsequent to approximately three weeks of training in CA, the corpsman flew to Kuwait, where they were separated and assigned to different USMC Companies within the 1st Marine Division. Seven of the nine Corpsman that deployed to Iraq are still assigned to NHOH. One of the Corpsman, [redacted] is now assigned to the NAVHOSP in Keflavik. Another CORPSMAN, [redacted] is now separated from the Navy. None of the Corpsmen served together in the same unit.

2. A complete list of the nine corpsman was obtained from [redacted] NHOH. All of the remaining corpsman that are assigned to NHOH, minus [redacted] were interviewed on 07OCT03. Five of the six corpsman interviewed, could not cite specific information relating to the mistreatment of EPWs. Exhibits (1) through (4) pertain.

3. [redacted] a friend of [redacted] stated [redacted] admitted to him, during a conversation they had after returning to the United States, that he roughed up some Iraqi EPWs. [redacted] was the last of the corpsman to return back to the United States. He returned in mid-SEP03, while some came back as early as JUN03. [redacted] related that [redacted] told him that he forced EPWs' heads in the dirt if they did not comply with orders they were given to put their heads down on the ground. This action would occur when the EPWs were cuffed and laying on the ground. According to [redacted] [redacted] said he had to set the EPWs straight if they were talking, moving, or not complying with orders directed at them. He said [redacted] told him the first way to set EPWs straight is to yell at them, then resort to more physical means if required. [redacted] told [redacted] he hit an EPW with an empty, tan, plastic, five-gallon water container for not complying with orders. [redacted] was unsure how many times the EPW was told to cease/correct his actions, and he was also unsure where the EPW was hit and how many times. [redacted] cited [redacted] appeared to have lost a significant amount of weight in Iraq. [redacted] observed [redacted] was bitter, disgruntled and agitated upon returning from his deployment. Exhibit (5) provides further detail of the interview with [redacted].

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4. On 08OCT03, [redacted] was interviewed regarding his experience in Iraq and the allegations that he abused or assaulted any Iraqi EPWs. Subsequent to signing his Military Suspect's Acknowledgement and Waiver of Rights, [redacted] stated he never abused any EPWs. [redacted] stated that of the eight other corpsman with which he deployed, [redacted] had regular contact with him while they were deployed. Subsequent to President BUSH declaring an end to the war, [redacted] stated he saw [redacted] two or three times a week. [redacted] said he volunteered to assist the Marines in patting down EPWs after they were taken into custody to ensure they were free of weapons or dangerous items. He volunteered for this duty to gain better acceptance of the Marines. Most of the EPWs [redacted] encountered were looters. [redacted] said he had to force some EPWs to

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the ground by tripping them. [redacted] offered he used a stick to tap the part of the body he wanted the EPW to move due to the language barrier. [redacted] explained the use of the stick was as an intermediary device between verbal commands and direct manipulation of body parts. [redacted] said he stopped using the stick about JUN03, after a general order from the Battalion Commander was disseminated ceasing the use of such objects. [redacted] said he forced an EPW's face in the dirt to keep him from moving. [redacted] did not admit to any incidents where he hurt an EPW and denied assaulting any EPWs. Exhibits (6) and (7) pertain.

5. The NCIS Field Office Marine West was contacted to determine if [redacted] name surfaced in a separate investigation by that office pertaining to the abuse of Iraqi EPWs, which determined [redacted] had no role in events leading to the NCISFO Marine West investigation. The alleged events occurring during [redacted] deployment to Iraq, were while augmenting the 1MARDIV based at Camp Pendleton, CA.

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6. The facts of this case and statements made by [redacted] were screened with [redacted] TSO West Det, Whidbey Island, WA, who indicated that [redacted] actions do not merit prosecutive or disciplinary action. As such, no further investigation will be conducted by NCISRA Whidbey Island and this investigation is closed.

PARTICIPANTS

- [redacted] Special Agent, NCISRA Whidbey Island, WA
- [redacted] Special Agent, NCISRA Whidbey Island, WA
- [redacted] Special Agent, NCISRA Whidbey Island, WA
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Page 3

LAST

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