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From: b6
Sent: Tuesday, May 25, 2004 3:16 PM
To: b6
Subject: EPW



EPW Case
Summaries.doc

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Summaries of NCIS Investigations Regarding the Deaths or Mistreatment of
Enemy Prisoners of War – May 13, 2004

To date, the Naval Criminal Investigative Service has initiated six separate investigations and one preliminary inquiry regarding the death or alleged mistreatment of enemy prisoners of war (EPWs). The case titles and control numbers are as follows:

1. **Suspects:**

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Victim: Hatab, Naeem Sadum/CIV
CCN: 06JUN03-MEBJ-0233-7HMA/T

Status: Ongoing NCIS full field investigation that remains pending receipt of the final autopsy report and prosecution. Seven-Marine Corps military suspects including two officers and five enlisted personnel were charged with offenses under the Uniform Code of Military Justice. Article 32 Hearings were convened on all the suspects. Charges were dismissed against three enlisted personnel and one officer who will testify as witnesses in the courts-martial of two other Marines. One suspect received administrative discipline and will testify as a witness. Court-martial for is scheduled for August 2004. Court-martial for is scheduled for September 2004. In addition to the courts-martial for and charges are expected to be preferred against the

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Background: On June 3, 2003, Naeem Sadum Hatab and two other enemy prisoners of war (EPWs) were captured near al-Nasariayah, Iraq. Hatab was in possession of an M-16 rifle bearing markings of the U.S. Army's 507th Supply Battalion that was ambushed during Operation Iraqi Freedom. U.S. Forces detained Hatab at nearby "Camp White Horse" detention facility run by the 2nd Battalion, 25th Marines (I MEF). On June 4, the Marine Corps HUMINT Exploitation Team (HET) 17 interrogated Hatab. On June 6, Marine guards at Camp White Horse found Hatab dead in the recreation yard, not wearing any clothes. On June 6, I MEF notified NCIS and NCIS responded to the scene, conducting interviews and taking photographs. Interviews provided the following sequence of events leading up to the discovery of Hatab's death - Hatab had defecated on himself, soiling his clothing. He refused to come out of the cell. Guards forcibly stripped him of his clothing. admitted to ordering to drag Hatab by his neck from the cell into the yard. admits striking Hatab and dragging him by his neck about 40 feet. Additionally, and admit to striking Hatab. Interviews with guard personnel confirm Marine guards at Camp White Horse hit/struck Hatab as well as other EPWs in order to force compliance with directions. NCIS interviewed relevant HET members; however, the information they provided does not suggest that Hatab was abused during interrogation, nor were the beatings by guard personnel done to "break" the EPWs for interrogation. On June 10 an

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autopsy at Talil U.S. Air Force Base, Iraq, revealed that Hatab suffered blunt trauma to the body, causing multiple contusions, broken ribs, and a fracture to the right side of the hyoid bone, suggestive of strangulation.

2. Victim: Mohamed, Farhad/CIV (DECEASED)
CCN: 10APR04-MEBJ-0129-7HNA

Status: Ongoing joint investigation with Army CID.

Background: On April 5, 2004 members of Naval Special Warfare Team Seven (NSWT-7) delivered Farhad Mohamed, an Iraqi EPW, to the U.S. Army 67th Combat Support Hospital at Logistics Support Area Diamondback, Mosul Airfield, Iraq. Life-saving procedures failed. Attending medical personnel identified injuries to include contusions under both victim's eyes, the bottom of his chin, a swollen nose, small cuts on the left side of his forehead and a large bump on the right side of his forehead. Medical staff notified U.S. Army Criminal Investigation Division Command (USACIDC), who coordinated with NCIS in Fallujah, Iraq. A joint investigation was initiated. Army CID documented Mohamed's injuries by taking photographs. Army CID conducted preliminary interviews with several NSWT-7 members, obtained the results of a field autopsy, obtained a death certificate, and conducted an examination of the death scene. NSWT-7's parent command is the Naval Special Warfare Group One (NSWG-1), Naval Amphibious Base (NAB) Coronado, San Diego, CA. NCIS will continue with investigation upon receipt of the investigative efforts of CID, and the return of NSWT-7 to their home station.

3. Victim: Jamadi, Manadel/CIV (DECEASED)
CCN: 30NOV03-MEBJ-0529-7HNA/C

Status: Closed.

Background: At approximately 0300, November 4, 2003, members of SWU-3 conducted a dynamic entry into al-Jamadi's residence near Baghdad. After a brief struggle they captured al-Jamadi, who was sought for his participation in anti-coalition attacks in Iraq. SWU-3 members delivered al-Jamadi to U.S. intelligence officials at Abu Ghraib Prison, Baghdad, Iraq, for interrogation.

At around 0830, November 4, al-Jamadi slumped over and lost consciousness while being interrogated by U.S. intelligence officials at Abu Ghraib Prison. Medical personnel responded and attempted to revive Jamadi, but were not successful. At approximately 0845, November 4 al-Jamadi was pronounced dead. Upon notification, U.S. Army CID initiated an investigation. On November 9 the Armed Forces Institute of Pathology (AFIP) issued a Preliminary Autopsy Report; however a determination on the cause of death remains pending. On November 30, Army requested the NCIS Middle East Field Office assist in the interview of several SWU-3 members who participated in al-Jamadi's capture. NCIS interviewed the three SWU-3 members who were party to or otherwise witnessed the capture of al-Jamadi. Reportedly, al-Jamadi was combative and resisted

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capture. One SWU-3 member said he fought with al-Jamadi while attempting to subdue him, pulling a stove away from the wall and down onto al-Jamadi's head. The information provided by the SWU-3 members appears to be consistent.

4. Title: I/NAS Whidbey Island WA/ Alleged Assault of Iraqi Prisoners of War
CCN: 06OCT03-NWWH-0193-7GNA/C

Status: Closed.

Background: In October, 2003, Naval Hospital Oak Harbor, Washington, received information concerning the possible abuse of one or more EPWs by a Corpsman while he was deployed in support of Marine Corps units in Iraq during Operation Iraqi Freedom. NCIS interviewed all nine Corpsmen who deployed from the hospital to Iraq, including the one against whom the allegations were made. One Corpsman said that

_____ claimed to have "roughed up some EPWs while in Iraq". NCIS interviewed _____ however, _____ said he never abused or assaulted any EPWs.

_____ did admit pushing one EPW's face in the dirt and tripping other difficult EPWs to put them on the ground while assisting USMC members conducting "pat down" searches of Iraqis taken into custody. NCIS confirmed that _____ is not linked to other investigations into the abuse of Iraqi EPWs. A prosecutive review of the investigation was conducted and it was found to have no prosecutive/disciplinary merit.

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5. Title: I/First FSSG, Camp Pendleton, Ca/Alleged Execution Of Iraqi Prisoners Of War
CCN: 13JUN03-SDPE-0125-7XMA/C

Status: Closed.

Background: On June 13, 2003 the NCIS Field Office at Camp Pendleton received a report from a member of Combat Services Support Company, 1st FSSG, that while attending a party the previous night, a member of his unit, _____ USMC, told several other unit members that he had been ordered by his former _____ to execute three Iraqi EPWs during April 2003. According to _____ while his unit was conducting combat operations near an abandoned Iraqi pharmaceutical factory south of Baghdad, his _____ gave him the order and threatened to kill him if he didn't carry out the executions. _____ claims he killed the three Iraqi EPWs and disposed of the bodies in an eight-foot deep hole. Upon receipt of this report NCIS interviewed those Marines present at the party and confirmed that _____ had indeed provided this same account of events. _____ was interviewed and provided an explanation concerning his previous claim that he executed three Iraqi EPWs. _____ claimed that he was intoxicated and fabricated the entire story. _____ was provided a polygraph examination and was determined to be truthful.

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6. Title: I/2nd BN 5th MARREG 1st MARDIV/Alleged Execution Of Iraqi Prisoners Of War
CCN: 09JUL03-MWPE-0149-7XMA/C

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Status: Closed.

Background: On July 09, 2003 the NCIS Field Office at Camp Pendleton, California, was notified that [redacted]; USMC, 2nd BN 5th MARREG, 1st MARDIV, was being treated at the Naval Medical Center San Diego, when he was overheard bragging about stabbing dead and wounded Iraqi EPWs. NCIS interviewed Naval Medical Center personnel who reported that [redacted] had told several member of the staff that he was meritoriously promoted to Sgt, wounded in Iraq, awarded a Purple Heart, honored by his hometown with a ceremony and parade, and treated to dinner by his Congressman. After reporting late for a medial appointment [redacted] claimed he was delayed because he assaulted the previous night while he was assisting the San Diego Police Department.

[redacted] s command indicated he was not awarded a Purple Heart medal, that his wound was self-inflicted, and that command had no record of his being assaulted or assisting the local police. Additional inquires surfaced no record of a hometown ceremony parade or meritorious promotion to Sgt.

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7. **TITLE: V/EL GASHAME, HEMDAN HABY HESHFAN/CIV (DESEASED)**
CCN: 31MAR03-MEBJ-0087-7XMA/C

Status: Closed

Background: On March 31, 2003, NCIS Special Agents supporting USMC units in Iraq were notified that a member of the 2nd Regiment Combat Team (2ndRCT) 2ndMEB, shot and killed El Gashame who was being detained within the 2ndRCT EPW Collection Point near Nasiriyah, Iraq. Command members were interviewed and reported that El Gashame, a suspected Fedayeen member, was captured on March 28, 2003, and detained in the EPW Collection Point for interrogation. On March 29, 2003, El Gashame was interrogated and following this session he was placed back into his assigned detention room.

[redacted] USMC, was tasked to guard two adjoining detention rooms, one being the room that housed El Gashame. According to command members El Gashame reportedly attacked [redacted] and during the struggle for [redacted] weapon, El Gashame was shot and killed. NCIS processed the death scene and photographed the area to include El Gashame's body. Unit personnel reported an earlier unsuccessful attempt to take [redacted] weapon was made by a separate EPW and El Gashame observed this episode. [redacted] was interviewed and confirmed that El Gashame unexpectedly came toward him, hands extended in a manner to grab his rifle and after a verbal warning [redacted] shot El Gashame. The Commanding Officer determined [redacted] acted in self-defense therefore no disciplinary action was pursued.