



DEPARTMENT OF THE ARMY
COALITION FORCES LAND COMPONENT COMMAND
UNITED STATES ARMY FORCES CENTRAL COMMAND
THIRD UNITED STATES ARMY
APO AE 09304

AFRD-CG

01 JUN 2004

MEMORANDUM FOR MG Antonio M. Taguba, Deputy Commanding General Support,
Coalition Forces Land Component Command, Camp Doha, Kuwait, APO AE 09304

SUBJECT: Investigating Officer Appointment

1. Pursuant to CENTCOM directive dated 24 January 2004, you are hereby appointed an investigating officer pursuant to Army Regulation 15-6, Procedures for Investigating Officers and Boards of Officers, to conduct an informal investigation into the 800th MP Brigade's detention and internment operations from 1 November 2003 to the present.

a. The investigation should inquire into all of the facts and circumstances surrounding recent allegations of detainee abuse, specifically, allegations of maltreatment at the Abu Ghraib Prison (Baghdad Central Confinement Facility).

b. The investigation should further inquire into detainee escapes and accountability lapses as Reported by CJTF-7, specifically, allegations concerning these events at the Abu Ghraib Prison (Baghdad Central Confinement Facility).

c. You should also investigate the training, standards, employment, command policies, internal procedures, and command climate in the 800th MP Brigade as appropriate.

d. You should make specific findings of fact concerning all aspects of this investigation, and make any recommendations for corrective action as appropriate.

2. Before you begin your investigation, you should contact LTC Mark Johnson or LTC Gary Kluka, Office of the Staff Judge Advocate, Coalition Forces Land Component Command, DSN 438-8044/8006, who will serve as your legal advisors. You will consult with your legal advisor or his designee regarding all aspects of this investigation, including developing an investigation plan and determining whether witnesses need to be advised of their rights under Article 31, UCMJ. You will be assisted by an investigative team, coordinated by COL Kinard J. La Fate, CFI CC Provost Marshal.

3. You are to conduct this investigation using the informal procedures outlined in Chapter 4, AR 15-6. No individual has been named as a respondent at this time. All witnesses will be sworn prior to their interview. You are to thoroughly document all witness interviews in writing, preferably on a DA Form 2823 (Sworn Statement). You will interview all key witnesses in person, if practical. Due to the scope of this investigation, you may employ an investigative team to assist in the interview and analysis process. If in the course of your investigation you come to suspect that certain people may have committed criminal conduct, you must advise them of their rights under Article 31, UCMJ, or the Fifth Amendment, U.S. Constitution, as

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appropriate. Witness waivers of their Article 31 or Fifth Amendment rights will be documented on a DA Form 3881 (Rights Warning Procedure/Waiver Certificate). In addition, you may need to provide a witness with a Privacy Act statement before you solicit any information.

4. You are to maintain a written chronology of your actions on this investigation and report your findings and recommendations on DA Form 1574, specifically citing the statements that support your findings. If there is conflicting evidence on a specific issue, evaluate the credibility of the witnesses and indicate whom you believe in your explanation.

5. You should complete your investigation and submit your final report to me by 1 March 2004. I must personally approve any request for an extension of time to complete the investigation.



DAVID D. McKIERNAN
Lieutenant General, USA
Commanding