



DEPARTMENT OF THE ARMY
38th MILITARY POLICE DET (CID)
22nd MILITARY POLICE BATTALION (CID)
CAMP VICTORY NORTH, BAGHDAD, IRAQ
APO AE 09342

CIRF-CHD

31 May 04

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION – INITIAL/FINAL C/SSI – 0167-04-
CID899-81717 – 5H9A

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 07 AUG 2003/0001 – 07 AUG 2003/2359; UNKNOWN LOCATION,
DIWANIA, IRAQ

DATE/TIME REPORTED: 24 MAY 2004/1800

INVESTIGATED BY: SA ~~██████████~~ *b7c-1, b6-1, b2*

SUBJECT: 1. NONE [NATURAL DEATH]

VICTIM: 1. BYATY, HAMZA HASSAD TWFEK NAJM; CIV; DETAINEE
NUMBER 13380, BIAP DETENTION FACILITY; M; OTHER; AL-ZUBYDY TRIBE;
(NFI) [NATURAL DEATH]

INVESTIGATIVE SUMMMARY:

On 24 May 04, this office received the Final Autopsy Report of Mr. BYATY from the Armed Forces Institute of Pathology (AFIP), Rockville, MD, which disclosed Mr. BYATY died while in U.S. custody on 7 Aug 03.

Investigation disclosed Mr. BYATY was a detainee at Baghdad International Airport, Baghdad, Iraq, and while being transported in a bus he became short of breath, hypotensive and tachycardic. Medics from the 115th Military Police Battalion administered an IV to Mr. BYATY, which briefly improved his symptoms; however, shortly thereafter, Mr. BYATY's conditions worsened and he was pronounced dead. The autopsy report from AFIP reflected Mr. BYATY's cause of death was Undetermined Atraumatic Cause and manner of death was Natural.

A review of the previous deployed detachment disclosed Significant Data File 0101-03-CID899 was initiated to document the death of Mr. BYATY.

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STATUTES:

N/A

EXHIBITS/SUBSTANTIATION:

Attached:

1. Agent's Investigation Report (AIR) of SA ^{b7c-1, b6-1} [REDACTED], 24 May 04, detailing the receipt of the final autopsy report.
2. Final Autopsy Report, Report Number ME 03-385, 29 Sep 03, which listed Mr. BYATY's Cause of Death as Undetermined Atraumatic Cause and Manner of Death as Natural.
3. DD Form 2064, Certificate of Death, 24 Aug 04, pertaining to Mr. BYATY.

Not Attached:

None

The original of Exhibit 1 is forwarded with the USACRC copy of this report. The originals of Exhibits 2 and 3 are retained in the files of the Armed Force Institute of Pathology, 1413 Research Blvd., Building 102, Rockville, MD 20850.

STATUS: This is an Initial/Final C/SSI Report. This investigation is being terminated in accordance with CIDR 195-1, paragraph 4-17(a)(8), medical authorities determined that the death resulted from natural causes and there is no evidence to contradict their findings.

LEADS REMAINING: Locate and Interview the Medics of 115th MP BN.

Report Prepared By:

^{b7c-1, b6-1, b2}
[REDACTED]
Special Agent

Report Approved By:

^{b7c-1, b6-1}
[REDACTED]
Special Agent in Charge

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DISTRIBUTION:

- 1 - DIR, USACRC (original), Fort Belvoir, VA 22060
- 1 - THRU: CDR, 22nd MP BN (CID), APO AE 09342
THRU: CDR, 3rd MP GP (CID), Fort Gillem, GA
TO: HQUSACIDC, (ATTN: CIOP-CO), Fort Belvoir, VA 22060
- 1 - AFIP, 1413 Research Blvd. Building 102, Rockville, MD 20850
- 1 - SJA, (LTC [REDACTED]), 1AD, APO AE 09324 (e-mail) b7c-3, b6-3
- 1 - PMO, (MAJ [REDACTED]), 1AD, APO AE 09324 (e-mail)
- 1 - File b7c-3, b6-3

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AGENT'S INVESTIGATION REPORT CID Regulation 195-1	ROI NUMBER 0167-04-CID899-81717
	PAGE 1 OF 1 PAGES

DETAILS

BASIS FOR INVESTIGATION: About 1800, 24 May 04, this office was notified of the death of Mr. BYATY through the receipt of his final autopsy report.

About 1800, 24 May 04, SA ^{b7c-1, b6-1} [REDACTED] reviewed Mr. BYATY's autopsy report, which stated he was a detainee at Baghdad International Airport, Baghdad, Iraq, who was being transported in a bus when he became short of breath, hypotensive and tachycardic on 7 Aug 03. Medics of the 115th Military Police Battalion administered an IV, which briefly improved his symptoms; however, shortly thereafter, Mr. BYATY's conditions worsened and he was pronounced dead. Mr. BYATY's autopsy report reflected his Cause of Death as Undetermined Atraumatic Cause and listed his Manner of Death as Natural. (See Autopsy Report and Certificate of Death of Mr. BYATY for details)

AGENT'S COMMENT: A review of the closed cases of this office revealed that on 24 Aug 03, a USACIDC investigation was conducted under Significant Data File 0101-03-CID899 to document the death of Mr. BYATY.

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER SA ^{b7c-1, b6-1, b2} [REDACTED]	ORGANIZATION 38 th MP Det (CID), 22 ND MP BN (CID) Baghdad, Iraq, APO AE 09342
SIGNATURE [REDACTED]	DATE 24 May 04
	EXHIBIT 1

CID FORM 94
1 FEB 77

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Page(s)

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Referred to:

U.S. ARMY MEDICAL COMMAND
FREEDOM OF INFORMATION/
PRIVACY ACT OFFICE

ATTENTION: MCFP
2050 WORTH ROAD, SUITE 13
FORT SAM HOUSTON, TEXAS
78234-6013

MR. JOHN PETERSON
John.Peterson1@cen.amedd.army.mil
(210) 221-7826

AGENT'S ACTIVITY SUMMARY (CID Regulation 195-1)	Control Number 0101-03-CID899
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY

<p>1300 Z, 23 Aug 03 [REDACTED] b7C-1, b6-1</p>	<p>Received notification from LTC [REDACTED] IAD SJA of the death of a detainee while in US Custody. LTC [REDACTED] requested CID assistance in having an autopsy conducted on the remains to rule out abuse by US Forces.</p>
<p>1330 Z, 23 Aug 03 [REDACTED] b7C-1, b6-1</p>	<p>Reviewed matter with SAC, agreed CID would participate in the autopsy under the following conditions:</p> <ol style="list-style-type: none"> 1. AFIP would do the autopsy 2. There were no legal or religious restrictions on having the autopsy conducted.
<p>1400 Z, 23 Aug 03 [REDACTED] b7C-1, b6-1</p>	<p>Discussed with LTC [REDACTED], she would address the issues and get back to us.</p>
<p>1700 Z, 23 Aug 03 [REDACTED] b7C-1, b6-1</p>	<p>Received a call from LTC [REDACTED], she stated she has received the agreement with AFIP to do the autopsies and she opined there was not religious reasons or legal reasons why an autopsy could not be done. Was provided a cell phone number for Maj [REDACTED] as the POC for AFIP to schedule the autopsy of 914 360 0151.</p>
<p>1715 Z, 23 Aug 03 [REDACTED] b7C-1, b6-1</p>	<p>Called Maj [REDACTED], scheduled the autopsy for 0600 Z, 24 Aug 03 at the mortuary at BIAP.</p>
<p>0500 Z, 24 Aug 03 [REDACTED] b7C-1, b6-1</p>	<p>Went to IAD SJA and pick up a copy of the report on the death. Confirmed the body was at the mortuary.</p>
<p>0530 Z, 24 Aug 03 [REDACTED] b7C-1, b6-1</p>	<p>Arrived at the mortuary, met with Maj [REDACTED] she introduced me to Dr. [REDACTED] who would be performing the Autopsy.</p>
<p>0645 Z, 24 Aug 03 [REDACTED] b7C-1, b6-1</p>	<p>Maj [REDACTED] inquired who would be representing CID at the Autopsy of the other four EPW that were undergoing autopsy. Informed her I would check with the 10th MP Bn and let her know.</p>
<p>0715 Z, 24 Aug 03 [REDACTED] b7C-1, b6-1</p>	<p>Checked with the 10th, no one was scheduled to be there. I would handle....</p>
<p>0800 Z, 24 Aug 03 [REDACTED] b7C-1, b6-1</p>	<p>Autopsy of Mohaned Tariq ZAID was completed. Dr. [REDACTED], AFIP stated the death was a natural death, no indications of physical abuse, the death is constant with a heat stroke. The body was fingerprinted and the fingerprints were retained by this office.</p>
<p>0805 Z, 24 Aug 03 [REDACTED] b7C-1, b6-1</p>	<p>Autopsy completed on Al Zubydy HAMZA was completed. Dr. [REDACTED] stated the death was a natural death, no indications of physical abuse. The body was fingerprinted and the fingerprints were retained by this office.</p>
<p>1000 Z, 24 Aug 03 [REDACTED] b7C-1, b6-1</p>	<p>The autopsy of Taleb Ehad KAZEN was completed by Dr. [REDACTED]. He stated the death is a natural death, there were no signs of abuse. The body</p>

AGENT'S ACTIVITY SUMMARY (CID Regulation 195-1)	Control Number 0101-03-CID899
TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY

<p>1015 Z, 24 Aug 03 [REDACTED] b7c-1, b6-1</p> <p>1315 Z, 24 Aug 03 [REDACTED] b7c-1, b6-1</p> <p>1400 Z, 24 Aug 03 [REDACTED] b7c-1, b6-1</p> <p>0800 Z, 24 Aug 03 [REDACTED] b7c-1, b6-1</p> <p>0700hr 25 Aug 03 Zulu [REDACTED] b7c-1, b6-1</p>	<p>was fingerprinted.</p> <p>The autopsy of Abed Mohamed NAJEM was completed by Dr. [REDACTED] b7c-3, b6-3 He stated the death was a natural death, there were no signs of abuse. The body was fingerprinted and the prints were retained by this office.</p> <p>The autopsy of Dahm SPAH was completed by Dr. [REDACTED] b7c-3, b6-3 Dr. [REDACTED] b7c-3, b6-3 stated the cause of death was a natural death, believed to be heart failure. There was no signs of abuse. The body was fingerprinted and the fingerprints were retained by this office.</p> <p>Returned to the CID Office. Advised SJA of the findings.</p> <p>Preliminary investigation complete. No criminality indicated. Suggest this case be closed in accordance with CID Regulation 195-1 (Section 4-8 a).</p> <p>SAC Review... I agree, close this under the Seq# and retain for records. Forward for filing.</p> <p>Investigative time: 27 hrs Administrative time: 2 hrs Travel time 1 hr</p>
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TIME, DATE, AND AGENT	SUMMARY OF INVESTIGATIVE ACTIVITY
1800, 24 May 04 SA [REDACTED] b7c-1, b6-1	BASIS FOR INVESTIGATION: About 1800, 24 May 04, this office was notified by the Operations Officer, 22 nd Military Police Battalion, Baghdad, Iraq of the death of Mr. BYATY.
1800, 24 May 04 SA [REDACTED] b7c-1, b6-1	On 24 May 04, this office received the final autopsy report of Mr. BYATY, which stated he was a detainee at Baghdad International Airport, Baghdad, Iraq, who was being transported in a bus when he became short of breath, hypotensive and tachycardic on 7 Aug 03. Medics of the 115 th Military Police Battalion administered an IV, which briefly improved his symptoms; however, shortly thereafter, Mr. BYATY's conditions worsened and he was pronounced dead. Mr. BYATY's autopsy report reflected his Cause of Death as Undetermined Atraumatic Cause and listed his Manner of Death as Natural. (See Autopsy Report and Certificate of Death of Mr. BYATY for details)
1800, 24 May 04 SA [REDACTED] b7c-1, b6-1	A review of the closed cases of this office revealed that on 24 Aug 03, a USACIDC investigation was conducted under Significant Data File 0101-03-CID899 to document the death of Mr. BYATY.
25-26 May 04 SA [REDACTED] b7c-1, b6-1	Out in Taji assisting SA [REDACTED] b7c-1, b6-1 with ROI 0173-04-CID899, unable to draft up reports.
1500, 28 May 04 SA [REDACTED] b7c-1, b6-1	Added AAS entries from SDF to this ROI. Drafted Initial/Final report. To SAC for review.
31 MAY 04 [REDACTED] b7c-1, b6-1	Reviewed: 1. Sent Initial/Final 2. To Det Commander for distro in same file keeping of case
3 Jun 04 [REDACTED] b7c-1, b6-1	Distro completed.