

COURT-MARTIAL RECORD

NAME CANJAR, TIMOTHY F. SPC

SSN [REDACTED] b(6)(5), b(7)(c)-5

ACTIONS CODED:

INITIAL APR - 4 2005

ACCA APR 1 2005

FINAL

COMPANION(S):

ASSIGNED TO:

PANEL

~~EXAM. DIV.~~ ✓
ACCA Clerk of Court

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US ARMY JUDICIARY

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ARLINGTON, VA 22203-1837

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b(6)-2, b(7)(c)-2

APR 1 2005

ARMY

20040093

[REDACTED]
Clerk of Court's Office

JALS-CC FORM 24, 1 OCTOBER 2000

PERMANENT

FILE

012844

OCT 18 2004

ACLU-RDI 1320 p.1

DOD 14501

VERBATIM ¹

RECORD OF TRIAL ²

(and accompanying papers)

of (b)(6)-5; (b)(7)(c)-5

CANJAR, Timothy F.

(Name: Last, First, Middle Initial)

[REDACTED]
(Social Security Number)

Specialist/E4

(Rank)

Headquarters and Headquarters
Company, 320th MP Battalion

(Unit/Command Name)

U.S. Army

(Branch of Service)

Camp Bucca, Iraq
APO AE 09375

(Station or Ship)

By

GENERAL COURT-MARTIAL

Convened by COMMANDER

(Title of Convening Authority)

Coalition Land Forces Component Command,
Third U.S. Army,

U.S. Army Central Command

(Unit/Command of Convening Authority)

Tried at

Camp Doha, Kuwait APO AE 09304 on 15 November 2003

(Place or Places of Trial)

(Date or Dates of Trial)

COMPANION CASE(S):

THERE ARE NO COMPANION CASES.

¹ Insert "verbatim" or "summarized" as appropriate. (This form will be used by the Army and Navy for verbatim records of trial only.)

² See inside back cover for instructions as to preparation and arrangement.

PERMANENT
FILE

012845

Front Cover

20040003

DEPARTMENT OF THE ARMY
Third United States Army
United States Army Forces Central Command
Coalition Forces Land Component Command
Camp Doha, Kuwait
APO AE 09304

GENERAL COURT MARTIAL ORDER
NUMBER

30 September 2004

8

(b)(6)-5; 6(7)(c)-5

Specialist Timothy F. Canjar, [REDACTED] US Army, HHG, 320th Military Police Battalion, Camp Bucca, Iraq APO AE 09375, was arraigned at Camp Doha, Kuwait, on the following offenses at a general court-martial convened by Commander, Third U.S. Army, Coalition Forces Land Component Command.

Charge I. Article 92. Plea: None Entered. Finding: None Entered.

Specification: On 12 May 2003, was derelict in the performance of those duties in that he willfully failed to safeguard from assault or abuse captured Iraqi prisoners of war that he was escorting from Talil Air Base, Iraq, to Camp Bucca, Iraq, as it was his duty to do. Plea: None Entered. Finding: None Entered.

Charge II. Article 93. Plea: None Entered. Finding: None Entered.

(b)(6)-4, 6(7)(c)-4

Specification 1: On 12 May 2003, did maltreat [REDACTED] a person subject to his orders, by throwing him to the ground and dragging him across the ground with his pants pulled down around his ankles. Plea: None Entered. Finding: None Entered.

Specification 2: On 12 May 2003, did aid and abet in the maltreatment of [REDACTED] (same) a person subject to his orders, by holding his legs apart, and by encouraging other soldiers to kick him, while other U.S. soldiers kicked him in the groin, face and abdomen. Plea: None Entered. Finding: None Entered.

Specification 3: On 12 May 2003, did maltreat [REDACTED] (same) a person subject to his orders, by twisting his previously injured arm, causing him to scream in pain. Plea: None Entered. Finding: None Entered.

Specification 4: On 12 May 2003, did maltreat an Iraqi prisoner of war, a person subject to his orders, by kicking him in the thigh as he walked towards the in-processing tent, causing him to cry out in pain. Plea: None Entered. Finding: None Entered.

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Charge III. Article 107. Plea: None Entered. Finding: None Entered. (b)(6)-1; (b)(7)(c)-1

Specification: On 15 May 2003, with the intent to deceive, make to [REDACTED] United States Army Criminal Investigation Division Command, an official statement on a DA Form 2823 Sworn Statement, to wit: that he did not kick an Iraqi prisoner of war, that he did not see any other U.S. soldier kick an Iraqi prisoner of war, that he did not strike an Iraqi prisoner of war, that he did not see any U.S. soldiers kick an Iraqi prisoner of war in the groin, which was totally false, and was known by the said Specialist Timothy Frank Canjar to be so false. Plea: None Entered. Finding: None Entered.

Charge IV. Article 128. Plea: None Entered. Finding: None Entered.

Specification 1: On 12 May 2003, unlawfully twist the previously injured arm of [REDACTED] (b)(6)-4, an Iraqi prisoner of war with his hands, causing him to scream in pain. Plea: None Entered. Finding: None Entered. (b)(7)(c)-4

Specification 2: On 12 May 2003, unlawfully kick an Iraqi prisoner of war in the thigh as he walked towards the prisoner processing tent, causing him to cry out in pain. Plea: None Entered. Finding: None Entered.

Specification 3: On 12 May 2003, unlawfully throw [REDACTED] (same) an Iraqi prisoner of war, to the ground and drag him across the ground with his pants around his ankles. Plea: None Entered. Finding: None Entered.

Specification 4: On 12 May 2003, unlawfully aid and abet [REDACTED] (b)(6)-5; (b)(7)(c)-5 Sergeant [REDACTED] in unlawfully kicking [REDACTED] (b)(6)-5; (b)(7)(c)-5 an Iraqi prisoner of war, in the groin, abdomen and head, by holding his leg and encouraging SGT [REDACTED] (b)(6)-4 to kick him. Plea: None Entered. Finding: None Entered. (b)(7)(c)-4

Additional Charge I. Article 134. Plea: None Entered. Finding: None Entered.

Specification: On 16 May 2003, wrongfully endeavor to impeded an investigation by meeting with [REDACTED] SSG [REDACTED], SGT [REDACTED] and others for the purpose of deciding who would take responsibility for the actions of SPC Canjar's unit and to misrepresent what occurred on or near Camp Bucca, Iraq on or about 12 May 2003 and by deciding that MSG [REDACTED] SSG [REDACTED] and SPC Canjar would take responsibility for the actions of SPC Canjar's unit at or near Camp Bucca, Iraq on or about 12 May 2003. Plea: None Entered. Finding: None Entered.

(b)(6)-5; (b)(7)(c)-5
b(6)-5, b(7)(c)-5

Additional Charge II. Article 81. Plea: None Entered. Finding: None Entered.

Specification: On 16 May 2003, conspire with MSG [REDACTED] SSG [REDACTED] SGT [REDACTED] to commit an offense under the Uniform Code of Military Justice, to wit: Obstruction of Justice, by meeting to decide who would take responsibility for the actions SPC Canjar's unit, and in order to effect the object of the conspiracy the said MSG [REDACTED] SSG [REDACTED] SGT [REDACTED], and SPC Canjar decided who would take responsibility for the actions of SPC Canjar's unit and to misrepresent what occurred on or near Camp Bucca, Iraq on or about 12 May 2003, and that misrepresentations were made. Plea: None Entered. Finding: None Entered.

b(6)-5;
b(7)(c)-5

The accused having been arraigned, the proceedings were terminated on 7 January 2004. All charges and specifications referred are withdrawn and dismissed with prejudice. All rights, privileges and property of which the accused may have been deprived of by virtue of these proceedings will be restored.

BY COMMAND OF LIEUTENANT GENERAL MCKIERNAN:

[REDACTED]

b(6)-2; b(7)(c)-2

DISTRIBUTION:

1- SPC Timothy F. Canjar	SGM, USA
1- Military Judge	Chief Paralegal NCO
1- Defense Counsel	
1- Cdr, 320th Military Police Bn	
1- Cdr, 800th Military Police Bde	
1- PSB, ATTN: Records Section	
1- DFAS	
10- Clerk of Court (JALS-CCZ) 901 N. Stuart St, Arlington, VA 22203-1837	
1- Cdr, USAEREC (PCRE-FS), Fort Benjamin Harrison, IN 46249	
1- Commander, United States Army Reserve Personnel Center, ATTN: DARP-PRD-MP, 9700 Page Boulevard, St. Louis, MO 63132-5200	
1- FORSCOM, ATTN: FCJA-ML, Fort McPherson, GA 30330-6000	

012848

DEPARTMENT OF THE ARMY
Third United States Army
United States Army Forces Central Command
Coalition Forces Land Component Command
Camp Doha, Kuwait
APO AE 09304

GENERAL COURT MARTIAL ORDER
NUMBER

30 September 2004

8

b(6)-5, b(7)(c)-5

Specialist Timothy F. Canjar, [REDACTED], US Army, HHG, 320th Military Police Battalion, Camp Bucca, Iraq APO AE 09375, was arraigned at Camp Doha, Kuwait, on the following offenses at a general court-martial convened by Commander, Third U.S. Army, Coalition Forces Land Component Command.

Charge I. Article 92. Plea: None Entered. Finding: None Entered.

Specification: On 12 May 2003, was derelict in the performance of those duties in that he willfully failed to safeguard from assault or abuse captured Iraqi prisoners of war that he was escorting from Talil Air Base, Iraq, to Camp Bucca, Iraq, as it was his duty to do. Plea: None Entered. Finding: None Entered.

Charge II. Article 93. Plea: None Entered. Finding: None Entered. b(6)-4; b(7)(c)-4

Specification 1: On 12 May 2003, did maltreat [REDACTED], a person subject to his orders, by throwing him to the ground and dragging him across the ground with his pants pulled down around his ankles. Plea: None Entered. Finding: None Entered.

Specification 2: On 12 May 2003, did aid and abet in the maltreatment of [REDACTED] (same) [REDACTED], a person subject to his orders, by holding his legs apart, and by encouraging other soldiers to kick him, while other U.S. soldiers kicked him in the groin, face and abdomen. Plea: None Entered. Finding: None Entered.

Specification 3: On 12 May 2003, did maltreat [REDACTED] a (same) person subject to his orders, by twisting his previously injured arm, causing him to scream in pain. Plea: None Entered. Finding: None Entered.

Specification 4: On 12 May 2003, did maltreat an Iraqi prisoner of war, a person subject to his orders, by kicking him in the thigh as he walked towards the in-processing tent, causing him to cry out in pain. Plea: None Entered. Finding: None Entered.

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Charge III. Article 107. Plea: None Entered. Finding: None Entered.

b(6)-1, b(7)(c)-1

Specification: On 15 May 2003, with the intent to deceive, make to Special Agent [REDACTED] United States Army Criminal Investigation Division Command, an official statement on a DA Form 2823 Sworn Statement, to wit: that he did not kick an Iraqi prisoner of war, that he did not see any other U.S. soldier kick an Iraqi prisoner of war, that he did not strike an Iraqi prisoner of war, that he did not see any U.S. soldiers kick an Iraqi prisoner of war in the groin, which was totally false, and was known by the said Specialist Timothy Frank Canjar to be so false. Plea: None Entered. Finding: None Entered.

Charge IV. Article 128. Plea: None Entered. Finding: None Entered.

b(6)-4; b(7)(c)-4

Specification 1: On 12 May 2003, unlawfully twist the previously injured arm of [REDACTED] an Iraqi prisoner of war with his hands, causing him to scream in pain. Plea: None Entered. Finding: None Entered.

Specification 2: On 12 May 2003, unlawfully kick an Iraqi prisoner of war in the thigh as he walked towards the prisoner processing tent, causing him to cry out in pain. Plea: None Entered. Finding: None Entered.

Specification 3: On 12 May 2003, unlawfully throw [REDACTED] (Same) [REDACTED], an Iraqi prisoner of war, to the ground and drag him across the ground with his pants around his ankles. Plea: None Entered. Finding: None Entered.

b(6)-5; b(7)(c)-5

b(6)-5; b(7)(c)-5

Specification 4: On 12 May 2003, unlawfully aid and abet Master Sergeant [REDACTED] and Sergeant [REDACTED] in unlawfully kicking [REDACTED] an Iraqi prisoner of war, in the groin, abdomen and head, by holding his leg and encouraging SGT Edmondson to kick him. Plea: None Entered. Finding: None Entered.

b(6)-4
b(7)(c)-4

Additional Charge I. Article 134. Plea: None Entered. Finding: None Entered.

Specification: On 16 May 2003, wrongfully endeavor to impeded an investigation by meeting with MSG [REDACTED], SSG [REDACTED] SGT [REDACTED] and others for the purpose of deciding who would take responsibility for the actions of SPC Canjar's unit and to misrepresent what occurred on or near Camp Bucca, Iraq on or about 12 May 2003 and by deciding that MSG [REDACTED] SSG [REDACTED], and SPC Canjar would take responsibility for the actions of SPC Canjar's unit at or near Camp Bucca, Iraq on or about 12 May 2003. Plea: None Entered. Finding: None Entered.

b(6)-5; b(7)(c)-5

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Additional Charge II. Article 81. Plea: None Entered. Finding: None Entered.


Specification: On 16 May 2003, conspire with MSG [REDACTED], SSG [REDACTED] SGT [REDACTED] to commit an offense under the Uniform Code of Military Justice, to wit: Obstruction of Justice, by meeting to decide who would take responsibility for the actions SPC Canjar's unit, and in order to effect the object of the conspiracy the said MSG [REDACTED] SSG [REDACTED] SGT [REDACTED] and SPC Canjar decided who would take responsibility for the actions of SPC Canjar's unit and to misrepresent what occurred on or near Camp Bucca, Iraq on or about 12 May 2003, and that misrepresentations were made. Plea: None Entered. Finding: None Entered. b(6)-5;
b(7)(c)-5

The accused having been arraigned, the proceedings were terminated on 7 January 2004. All charges and specifications referred are withdrawn and dismissed with prejudice. All rights, privileges and property of which the accused may have been deprived of by virtue of these proceedings will be restored.

BY COMMAND OF LIEUTENANT GENERAL MCKIERNAN:

DISTRIBUTION:

1- SPC Timothy F. Canjar
1- Military Judge
1- Defense Counsel
1- Cdr, 320th Military Police Bn
1- Cdr, 800th Military Police Bde
1- PSB, ATTN: Records Section
1- DFAS
10- Clerk of Court (JALS-CCZ) 901 N. Stuart St, Arlington, VA 22203-1837
1- Cdr, USAEREC (PCRE-FS), Fort Benjamin Harrison, IN 46249
1- Commander, United States Army Reserve Personnel Center, ATTN: DARP-PRD-MP, 9700 Page Boulevard, St. Louis, MO 63132-5200
1- FORSCOM, ATTN: FCJA-ML, Fort McPherson, GA 30330-6000

 b(6)-2; b(7)(c)-2
SGM, USA
Chief Paralegal NCO

012851

DEPARTMENT OF THE ARMY
Third United States Army
United States Army Forces Central Command
Coalition Forces Land Component Command
Camp Doha, Kuwait
APO AE 09304

GENERAL COURT MARTIAL ORDER
NUMBER

30 September 2004

⁸ b(6)-5; b(7)(c)-5

Specialist Timothy F. Canjar, [REDACTED] US Army, HHG, 320th Military Police Battalion, Camp Bucca, Iraq APO AE 09375, was arraigned at Camp Doha, Kuwait, on the following offenses at a general court-martial convened by Commander, Third U.S. Army, Coalition Forces Land Component Command.

Charge I. Article 92. Plea: None Entered. Finding: None Entered.

Specification: On 12 May 2003, was derelict in the performance of those duties in that he willfully failed to safeguard from assault or abuse captured Iraqi prisoners of war that he was escorting from Talil Air Base, Iraq, to Camp Bucca, Iraq, as it was his duty to do. Plea: None Entered. Finding: None Entered.

Charge II. Article 93. Plea: None Entered. Finding: None Entered. b(6)-4; b(7)(c)-4

Specification 1: On 12 May 2003, did maltreat [REDACTED] a person subject to his orders, by throwing him to the ground and dragging him across the ground with his pants pulled down around his ankles. Plea: None Entered. Finding: None Entered.

(same)

Specification 2: On 12 May 2003, did aid and abet in the maltreatment of [REDACTED], a person subject to his orders, by holding his legs apart, and by encouraging other soldiers to kick him, while other U.S. soldiers kicked him in the groin, face and abdomen. Plea: None Entered. Finding: None Entered.

(same)

Specification 3: On 12 May 2003, ^{did m} [REDACTED] maltreat [REDACTED] a person subject to his orders, by twisting his previously injured arm, causing him to scream in pain. Plea: None Entered. Finding: None Entered.

Specification 4: On 12 May 2003, did maltreat an Iraqi prisoner of war, a person subject to his orders, by kicking him in the thigh as he walked towards the in-processing tent, causing him to cry out in pain. Plea: None Entered. Finding: None Entered.

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Charge III. Article 107. Plea: None Entered. Finding: None Entered. b(6)-1; b(7)(c)-1

Specification: On 15 May 2003, with the intent to deceive, make to Special Agent [REDACTED] United States Army Criminal Investigation Division Command, an official statement on a DA Form 2823 Sworn Statement, to wit: that he did not kick an Iraqi prisoner of war, that he did not see any other U.S. soldier kick an Iraqi prisoner of war, that he did not strike an Iraqi prisoner of war, that he did not see any U.S. soldiers kick an Iraqi prisoner of war in the groin, which was totally false, and was known by the said Specialist Timothy Frank Canjar to be so false. Plea: None Entered. Finding: None Entered.

Charge IV. Article 128. Plea: None Entered. Finding: None Entered. b(6)-4; b(7)(c)-4

Specification 1: On 12 May 2003, unlawfully twist the previously injured arm of [REDACTED] an Iraqi prisoner of war with his hands, causing him to scream in pain. Plea: None Entered. Finding: None Entered.

Specification 2: On 12 May 2003, unlawfully kick an Iraqi prisoner of war in the thigh as he walked towards the prisoner processing tent, causing him to cry out in pain. Plea: None Entered. Finding: None Entered.

Specification 3: On 12 May 2003, unlawfully throw [REDACTED] same [REDACTED] an Iraqi prisoner of war, to the ground and drag him across the ground with his pants around his ankles. Plea: None Entered. Finding: None Entered.

Specification 4: On 12 May 2003, unlawfully aid and abet Master Sergeant [REDACTED] and Sergeant [REDACTED] in unlawfully kicking [REDACTED] an Iraqi prisoner of war, in the groin, abdomen and head, by holding his leg and encouraging SGT Edmondson to kick him. Plea: None Entered. Finding: None Entered. b(6)-5; b(7)(c)-5

Additional Charge I. Article 134. Plea: None Entered. Finding: None Entered. b(6)-4; b(7)(c)-4

Specification: On 16 May 2003, wrongfully endeavor to impeded an investigation by meeting with MSG [REDACTED] SSG [REDACTED] SGT [REDACTED] and others for the purpose of deciding who would take responsibility for the actions of SPC Canjar's unit and to misrepresent what occurred on or near Camp Bucca, Iraq on or about 12 May 2003 and by deciding that MSG [REDACTED] SSG [REDACTED], and SPC Canjar would take responsibility for the actions of SPC Canjar's unit at or near Camp Bucca, Iraq on or about 12 May 2003. Plea: None Entered. Finding: None Entered.

b(6)-5; b(7)(c)-5

012853

Additional Charge II. Article 81. Plea: None Entered. Finding: None Entered.

b(6)-5;
b(7)(c)-5

Specification: On 16 May 2003, conspire with MSG [REDACTED], SSG [REDACTED], SGT [REDACTED] to commit an offense under the Uniform Code of Military Justice, to wit: Obstruction of Justice, by meeting to decide who would take responsibility for the actions SPC Canjar's unit, and in order to effect the object of the conspiracy the said MSG [REDACTED], SSG [REDACTED], SGT [REDACTED] and SPC Canjar decided who would take responsibility for the actions of SPC Canjar's unit and to misrepresent what occurred on or near Camp Bucca, Iraq on or about 12 May 2003, and that misrepresentations were made. Plea: None Entered. Finding: None Entered.

The accused having been arraigned, the proceedings were terminated on 7 January 2004. All charges and specifications referred are withdrawn and dismissed with prejudice. All rights, privileges and property of which the accused may have been deprived of by virtue of these proceedings will be restored.

BY COMMAND OF LIEUTENANT GENERAL MCKIERNAN:

[REDACTED]

b(6)-2; b(7)(c)-2

DISTRIBUTION:

1- SPC Timothy F. Canjar	SGM, USA
1- Military Judge	Chief Paralegal NCO
1- Defense Counsel	
1- Cdr, 320th Military Police Bn	
1- Cdr, 800th Military Police Bde	
1- PSB, ATTN: Records Section	
1- DFAS	
10- Clerk of Court (JALS-CCZ) 901 N. Stuart St, Arlington, VA 22203-1837	
1- Cdr, USAEREC (PCRE-FS), Fort Benjamin Harrison, IN 46249	
1- Commander, United States Army Reserve Personnel Center, ATTN: DARP-PRD-MP, 9700 Page Boulevard, St. Louis, MO 63132-5200	
1- FORSCOM, ATTN: FCJA-ML, Fort McPherson, GA 30330-6000	

012854

DEPARTMENT OF THE ARMY
Third United States Army
United States Army Forces Central Command
Coalition Forces Land Component Command
Camp Doha, Kuwait
APO AE 09304

GENERAL COURT MARTIAL ORDER
NUMBER

30 September 2004

8 b(6)-5; b(7)(c)-5

Specialist Timothy F. Canjar, [REDACTED], US Army, HHG, 320th Military Police Battalion, Camp Bucca, Iraq APO AE 09375, was arraigned at Camp Doha, Kuwait, on the following offenses at a general court-martial convened by Commander, Third U.S. Army, Coalition Forces Land Component Command.

Charge I. Article 92. Plea: None Entered. Finding: None Entered.

Specification: On 12 May 2003, was derelict in the performance of those duties in that he willfully failed to safeguard from assault or abuse captured Iraqi prisoners of war that he was escorting from Talil Air Base, Iraq, to Camp Bucca, Iraq, as it was his duty to do. Plea: None Entered. Finding: None Entered.

Charge II. Article 93. Plea: None Entered. Finding: None Entered. b(6)-5; b(7)(c)-5

Specification 1: On 12 May 2003, did maltreat [REDACTED] a person subject to his orders, by throwing him to the ground and dragging him across the ground with his pants pulled down around his ankles. Plea: None Entered. Finding: None Entered. (same)

Specification 2: On 12 May 2003, did aid and abet in the maltreatment of [REDACTED] a person subject to his orders, by holding his legs apart, and by encouraging other soldiers to kick him, while other U.S. soldiers kicked him in the groin, face and abdomen. Plea: None Entered. Finding: None Entered. (same)

Specification 3: On 12 May 2003, did maltreat [REDACTED] a person subject to his orders, by twisting his previously injured arm, causing him to scream in pain. Plea: None Entered. Finding: None Entered.

Specification 4: On 12 May 2003, did maltreat an Iraqi prisoner of war, a person subject to his orders, by kicking him in the thigh as he walked towards the in-processing tent, causing him to cry out in pain. Plea: None Entered. Finding: None Entered.

012855

20040093

Charge III. Article 107. Plea: None Entered. Finding: None Entered.

b(6)-1;
b(7)(c)-1

Specification: On 15 May 2003, with the intent to deceive, make to Special Agent [REDACTED], United States Army Criminal Investigation Division Command, an official statement on a DA Form 2823 Sworn Statement, to wit: that he did not kick an Iraqi prisoner of war, that he did not see any other U.S. soldier kick an Iraqi prisoner of war, that he did not strike an Iraqi prisoner of war, that he did not see any U.S. soldiers kick an Iraqi prisoner of war in the groin, which was totally false, and was known by the said Specialist Timothy Frank Canjar to be so false. Plea: None Entered. Finding: None Entered.

Charge IV. Article 128. Plea: None Entered.

Finding: None Entered.

b(6)-4; b(7)(c)-4

Specification 1: On 12 May 2003, unlawfully twist the previously injured arm of [REDACTED] an Iraqi prisoner of war with his hands, causing him to scream in pain. Plea: None Entered. Finding: None Entered.

Specification 2: On 12 May 2003, unlawfully kick an Iraqi prisoner of war in the thigh as he walked towards the prisoner processing tent, causing him to cry out in pain. Plea: None Entered. Finding: None Entered.

Specification 3: On 12 May 2003, unlawfully throw [REDACTED] some [REDACTED] an Iraqi prisoner of war, to the ground and drag him across the ground with his pants around his ankles. Plea: None Entered. Finding: None Entered.

b(6)-5; b(7)(c)-5

Specification 4: On 12 May 2003, unlawfully aid and abet Master Sergeant [REDACTED] and Sergeant [REDACTED] in unlawfully kicking [REDACTED] an Iraqi prisoner of war, in the groin, abdomen and head, by holding his leg and encouraging SGT Edmondson to kick him. Plea: None Entered. Finding: None Entered.

b(6)-4

Additional Charge I. Article 134. Plea: None Entered. Finding: None Entered.

b(7)(c)-4

Specification: On 16 May 2003, wrongfully endeavor to impeded an investigation by meeting with MSG [REDACTED] SSG [REDACTED] SGT [REDACTED] and others for the purpose of deciding who would take responsibility for the actions of SPC Canjar's unit and to misrepresent what occurred on or near Camp Bucca, Iraq on or about 12 May 2003 and by deciding that MSG [REDACTED] SSG [REDACTED] and SPC Canjar would take responsibility for the actions of SPC Canjar's unit at or near Camp Bucca, Iraq on or about 12 May 2003. Plea: None Entered. Finding: None Entered.

b(6)-5; b(7)(c)-5

012856

Additional Charge II. Article 81. Plea: None Entered. Finding: None Entered.

b(6)-5
b(7)(c)-5

Specification: On 16 May 2003, conspire with MSG [REDACTED] SSG [REDACTED], SGT [REDACTED] to commit an offense under the Uniform Code of Military Justice, to wit: Obstruction of Justice, by meeting to decide who would take responsibility for the actions SPC Canjar's unit, and in order to effect the object of the conspiracy the said MSG [REDACTED], SSG [REDACTED] SGT [REDACTED], and SPC Canjar decided who would take responsibility for the actions of SPC Canjar's unit and to misrepresent what occurred on or near Camp Bucca, Iraq on or about 12 May 2003, and that misrepresentations were made. Plea: None Entered. Finding: None Entered.

The accused having been arraigned, the proceedings were terminated on 7 January 2004. All charges and specifications referred are withdrawn and dismissed with prejudice. All rights, privileges and property of which the accused may have been deprived of by virtue of these proceedings will be restored.

BY COMMAND OF LIEUTENANT GENERAL MCKIERNAN:

b(6)-2
b(7)(c)-2

DISTRIBUTION:

1- SPC Timothy F. Canjar.
1- Military Judge
1- Defense Counsel
1- Cdr, 320th Military Police Bn
1- Cdr, 800th Military Police Bde
1- PSB, ATTN: Records Section
1- DFAS
10- Clerk of Court (JALS-CCZ) 901 N. Stuart St, Arlington, VA 22203-1837
1- Cdr, USAEREC (PCRE-FS), Fort Benjamin Harrison, IN 46249
1- Commander, United States Army Reserve Personnel Center, ATTN: DARP-PRD-MP, 9700 Page Boulevard, St. Louis, MO 63132-5200
1- FORSCOM, ATTN: FCJA-ML, Fort McPherson, GA 30330-6000

SGM, USA
Chief Paralegal NCO

DEPARTMENT OF THE ARMY
Third United States Army
United States Army Forces Central Command
Coalition Forces Land Component Command
Camp Doha, Kuwait
APO AE 09304

GENERAL COURT MARTIAL ORDER
NUMBER

8

b(6)-5; b(7)(c)-5

30 September 2004

Specialist Timothy F. Canjar, [REDACTED] US Army, HHG, 320th Military Police Battalion, Camp Bucca, Iraq APO AE 09375, was arraigned at Camp Doha, Kuwait, on the following offenses at a general court-martial convened by Commander, Third U.S. Army, Coalition Forces Land Component Command.

Charge I. Article 92. Plea: None Entered. Finding: None Entered.

Specification: On 12 May 2003, was derelict in the performance of those duties in that he willfully failed to safeguard from assault or abuse captured Iraqi prisoners of war that he was escorting from Talil Air Base, Iraq, to Camp Bucca, Iraq, as it was his duty to do. Plea: None Entered. Finding: None Entered.

Charge II. Article 93. Plea: None Entered. Finding: None Entered. b(6)-4; b(7)(c)-4

Specification 1: On 12 May 2003, did maltreat [REDACTED]
[REDACTED] a person subject to his orders, by throwing him to the ground and dragging him across the ground with his pants pulled down around his ankles. Plea: None Entered. Finding: None Entered.

Same

Specification 2: On 12 May 2003, did aid and abet in the maltreatment of [REDACTED]
[REDACTED] a person subject to his orders, by holding his legs apart, and by encouraging other soldiers to kick him, while other U.S. soldiers kicked him in the groin, face and abdomen. Plea: None Entered. Finding: None Entered.

Same

Specification 3: On 12 May 2003, did maltreat [REDACTED] a person subject to his orders, by twisting his previously injured arm, causing him to scream in pain. Plea: None Entered. Finding: None Entered.

Specification 4: On 12 May 2003, did maltreat an Iraqi prisoner of war, a person subject to his orders, by kicking him in the thigh as he walked towards the in-processing tent, causing him to cry out in pain. Plea: None Entered. Finding: None Entered.

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Charge III. Article 107. Plea: None Entered. Finding: None Entered. b(6)-1; b(7)(c)-1

Specification: On 15 May 2003, with the intent to deceive, make to Special Agent [REDACTED] United States Army Criminal Investigation Division Command, an official statement on a DA Form 2823 Sworn Statement, to wit: that he did not kick an Iraqi prisoner of war, that he did not see any other U.S. soldier kick an Iraqi prisoner of war, that he did not strike an Iraqi prisoner of war, that he did not see any U.S. soldiers kick an Iraqi prisoner of war in the groin, which was totally false, and was known by the said Specialist Timothy Frank Canjar to be so false. Plea: None Entered. Finding: None Entered.

Charge IV. Article 128. Plea: None Entered. Finding: None Entered. b(6)-4; b(7)(c)-4

Specification 1: On 12 May 2003, unlawfully twist the previously injured arm of [REDACTED] an Iraqi prisoner of war with his hands, causing him to scream in pain. Plea: None Entered. Finding: None Entered.

Specification 2: On 12 May 2003, unlawfully kick an Iraqi prisoner of war in the thigh as he walked towards the prisoner processing tent, causing him to cry out in pain. Plea: None Entered. Finding: None Entered.

Specification 3: On 12 May 2003, unlawfully throw [REDACTED] Same [REDACTED] an Iraqi prisoner of war, to the ground and drag him across the ground with his pants around his ankles. Plea: None Entered. Finding: None Entered.

Specification 4: On 12 May 2003, unlawfully aid and abet Master Sergeant [REDACTED] and Sergeant [REDACTED] in unlawfully kicking [REDACTED] an Iraqi prisoner of war, in the groin, abdomen and head, by holding his leg and encouraging SGT Edmondson to kick him. Plea: None Entered. Finding: None Entered.

Additional Charge I. Article 134. Plea: None Entered. Finding: None Entered. b(6)-4; b(7)(c)-4

Specification: On 16 May 2003, wrongfully endeavor to impeded an investigation by meeting with MSG [REDACTED] SSG [REDACTED] SGT [REDACTED] and others for the purpose of deciding who would take responsibility for the actions of SPC Canjar's unit and to misrepresent what occurred on or near Camp Bucca, Iraq on or about 12 May 2003 and by deciding that MSG [REDACTED] SSG [REDACTED] and SPC Canjar would take responsibility for the actions of SPC Canjar's unit at or near Camp Bucca, Iraq on or about 12 May 2003. Plea: None Entered. Finding: None Entered.

b(6)-5; b(7)(c)-5

Additional Charge II. Article 81. Plea: None Entered. Finding: None Entered.

b(6)-5;
b(7)(c)-5

Specification: On 16 May 2003, conspire with MSG [REDACTED], SSG [REDACTED] SGT [REDACTED] to commit an offense under the Uniform Code of Military Justice, to wit: Obstruction of Justice, by meeting to decide who would take responsibility for the actions SPC Canjar's unit, and in order to effect the object of the conspiracy the said MSG [REDACTED] SSG [REDACTED] SGT [REDACTED] and SPC Canjar decided who would take responsibility for the actions of SPC Canjar's unit and to misrepresent what occurred on or near Camp Bucca, Iraq on or about 12 May 2003, and that misrepresentations were made. Plea: None Entered. Finding: None Entered.

The accused having been arraigned, the proceedings were terminated on 7 January 2004. All charges and specifications referred are withdrawn and dismissed with prejudice. All rights, privileges and property of which the accused may have been deprived of by virtue of these proceedings will be restored.

BY COMMAND OF LIEUTENANT GENERAL MCKIERNAN:

b(6)-2;
b(7)(c)-2

DISTRIBUTION:

1- SPC Timothy F. Canjar
1- Military Judge
1- Defense Counsel
1- Cdr, 320th Military Police Bn
1- Cdr, 800th Military Police Bde
1- PSB, ATTN: Records Section
1- DFAS
10- Clerk of Court (JALS-CCZ) 901 N. Stuart St, Arlington, VA 22203-1837
1- Cdr, USAEREC (PCRE-FS), Fort Benjamin Harrison, IN 46249
1- Commander, United States Army Reserve Personnel Center, ATTN: DARP-PRD-MP, 9700 Page Boulevard, St. Louis, MO 63132-5200
1- FORSCOM, ATTN: FCJA-ML, Fort McPherson, GA 30330-6000

[REDACTED]
SGM, USA
Chief Paralegal NCO