

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, MI) McKenzie, Scott A.			2. SSN [REDACTED]	3. GRADE OR RANK SSG	4. PAY GRADE E6
5. UNIT OR ORGANIZATION HHC, 320th Military Police Battalion Camp Bucca, Iraq 09375			(S)(b)5 - (7)(c)5	6. CURRENT SERVICE	
7. PAY PER MONTH			8. NATURE OF RESTRAINT OF ACCUSED N/A	9. DATE(S) IMPOSED	
a. BASIC 2,709.60	b. SEA/FOREIGN DUTY 250.00	c. TOTAL 2,959.60		a. INITIAL DATE 19930131	b. TERM 11 years

II. CHARGES AND SPECIFICATIONS

10. CHARGE: VIOLATION OF THE UCMJ, ARTICLE

SPECIFICATION:

CHARGE I: VIOLATION OF ARTICLE 92
 Specification 1: In that Staff Sergeant Scott Alan McKenzie, U.S. Army, HHC, 320th Military Police Battalion, Camp Bucca, Iraq, on active duty, who knew of his duties at or near Camp Bucca, Iraq, on or about 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.

CHARGE II: VIOLATION OF ARTICLE 93
 Specification 1: In that Staff Sergeant Scott Alan McKenzie, U.S. Army, HHC, 320th Military Police Battalion, Camp Bucca, Iraq, on active duty, at or near Camp Bucca, Iraq, on or about 12 May 2003, did maltreat [REDACTED] and [REDACTED] person subject to his orders, by throwing him to the ground striking him on the head and legs as he walked to the inprocessing tent.

Specification 2: In that Staff Sergeant Scott Alan McKenzie, U.S. Army, HHC, 320th Military Police Battalion, Camp Bucca, Iraq, on active duty at or near Camp Bucca, Iraq, on or about 12 May 2003, did maltreat [REDACTED] a person subject to his orders, by dragging him by his armpits across the ground.

Specification 3: In that Staff Sergeant Scott Alan McKenzie, U.S. Army, HHC, 320th Military Police Battalion, Camp Bucca, Iraq, on active duty at or near Camp Bucca, Iraq, on or about 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.

Specification 4: In that Staff Sergeant Scott Alan McKenzie, U.S. Army, HHC, 320th Military Police Battalion, Camp Bucca, Iraq, on active duty, at or near Camp Bucca, Iraq, on or about 12 May 2003, did maltreat [REDACTED] a person subject to his orders by throwing him to the ground on his face and stepping on his previously injured Arm.

(SEE CONTINUATION SHEET)

III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, MI) [REDACTED]	b. GRADE O2	c. ORGANIZATION OF ACCUSER 320th MP Battalion
d. SIGNATURE OF ACCUSER [REDACTED]	(b)(6)2 - (7)(c)2	e. DATE 13 JUL 03

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 13th day of July, 19 2003, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

 Typed Name of Officer

 MAJ / 04

 [REDACTED]

OSJA, CFLCC
 Organization of Officer

Article 136, UCMJ
 Official Capacity to Administer Oath
 (See R.C.M. 307(b) - must be commissioned officer)

012825

CONTINUATION SHEET 2

Specification 5: In that Staff Sergeant Scott Alan McKenzie, U.S. Army, HHC, 320th Military Police Battalion, Camp Bucca, Iraq, on active duty, at or near Camp Bucca, Iraq, on or about 12 May 2003, did [REDACTED], a person subject to his orders, by twisting his previously injured arm, causing him to scream in pain.

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

CHARGE III: VIOLATION OF ARTICLE 107

Specification: In that Staff Sergeant Scott Alan McKenzie, U.S. Army, HHC, 320th Military Police Battalion, Camp Bucca, Iraq, on active duty, did, at or near Camp Bucca, Iraq, on or about 16 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 see MSG [REDACTED] kick an EPW in the groin, that he did not see SGT [REDACTED] kick an EPW in the groin, that he did not hold and EPW's ankles while female soldiers kicked the EPW, that he did not drag an EPW to the searching area, that he did not throw EPWs to the ground, and that he did not kick, punch, or do anything unnecessary to any of the EPWs, or see any of the other MPs do anything unnecessary to the EPWs, which was then known by the said SSG McKenzie to be so false.

(b)(6) 1-
(7)(c) 1
(b)(6) 5
- 7(c) 5

CHARGE IV: VIOLATION OF ARTICLE 128

Specification 1: In that Staff Sergeant Scott Alan McKenzie, U.S. Army, HHC, 320th Military Police Battalion, Camp Bucca, Iraq, on active duty, did, at or near Camp Bucca, Iraq, on or about 12 May 2003, unlawfully drag [REDACTED] an Iraqi prisoner of war, across the ground by his armpits.

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

Specification 2: In that Staff Sergeant Scott Alan McKenzie, U.S. Army, HHC, 320th Military Police Battalion, Camp Bucca, Iraq, on active duty, did, at or near, Camp Bucca, Iraq, aid and abet Master Sergeant [REDACTED] and Sergeant [REDACTED] in unlawfully kicking [REDACTED] Iraqi prisoner of war, in the groin, face and abdomen, by holding [REDACTED] leg and encouraging SGT [REDACTED] to kick him.

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

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

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

Specification 3: In that Scott Alan McKenzie, U.S. Army, HHC, 320th Military Police Battalion, Camp Bucca, Iraq, on active duty, did, at or near Camp Bucca, Iraq, on or about 12 May 2003, unlawfully throw [REDACTED] an Iraqi prisoner of war, to the ground on his face, and stepped on his previously injured arm.

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

Specification 4: In that Scott Alan McKenzie, U.S. Army, HHC, 320th Military Police Battalion, Camp Bucca, Iraq, on active duty, did, at or near Camp Bucca, Iraq, on or about 12 May 2003, unlawfully throw [REDACTED] and [REDACTED] an Iraqi prisoner of war, to the ground and strike him on the legs as he walked to the inprocessing tent.

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

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CONTINUATION SHEET 3

Specification 5: In that Scott Alan McKenzie, U.S. Army, HHC, 320th Military Police Battalion, Camp Bucca, Iraq, on active duty, did, at or near Camp Bucca, Iraq, on or about 12 May 2003, unlawfully twist the previously injured arm of [REDACTED] causing him to scream in pain.

(b)(6)-4

(7)(C)-4

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12.

On 13 July, 2003, the accused was informed of the charges against him/her and of the name(s) of the accuser(s) known to the (See R.C.M. 308 (a)). (See R.C.M. 308 if notification cannot be made.)

[Redacted]
Typed Name of Immediate Commander

1LT/02

HHC, 320th MP Battalion

Organization of Immediate Commander

[Redacted]
Signature

all (b)(6) 2 ; (7)(C) - 2

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13.

The sworn charges were received at 1500 hours, 13 July 2003 at Camp Arifien, KU
Designation of Command or

[Redacted]
Typed Name of Officer

XXXXXXE¹ Commander

Official Capacity of Officer Signing

LTC, MP

Grade

Commander, 320th MP Battalion

Signature

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE

Third U.S. Army/CFLCC

Camp Doha, Kuwait

8 NOVEMBER 2003

Referred for trial to the General court-martial convened by Court-Martial Convening Order
Number 6, this headquarters

dated July 3, 2003, subject to the following instructions:² None.

By Command of Lieutenant General David D. McKiernan
Command or Order

[Redacted]
Typed Name of Officer

Chief Paralegal, CFLCC FWD

Official Capacity of Officer Signing

Sergeant Major

Grade

15.

On 9 November, 2003, I (~~caused to be~~) served a copy hereof on (~~each of~~) the above named accused.

[Redacted]
Typed Name of Trial Counsel

Captain

Grade or Rank of Trial Counsel

FOOTNOTES: 1 - When an appropriate commander signs personally, inapplicable words are stricken.
2 - See R.C.M. 601(e) concerning instructions. If none, so state.

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