



DEPARTMENT OF THE ARMY
U. S. ARMY CRIMINAL INVESTIGATION COMMAND
U.S. ARMY CRIME RECORDS CENTER
27130 TELEGRAPH ROAD
QUANTICO, VIRGINIA 22134

REPLY TO
ATTENTION OF

0 4 SEP 2014

FA14-3729

Mr. Benjamin LaGuer
500 Colony Road
Gardner, Massachusetts 01440-0446

Dear Mr. LaGuer:

This is in response to your request for release of information from the files of the U.S. Army Criminal Investigation Command (USACIDC) on August 11, 2014.

The enclosed Report of Investigation (ROI) 1982-CID767-40351-5L and Military Police Report (MPR) 1981-MPC023-2149G-5L, responsive to your request, are part of a system of records exempt from the disclosure provisions of the Freedom of Information Act (FOIA). The names of law enforcement personnel, as well as names, social security numbers and other personal items of information pertaining to third parties have been withheld. The removal of this information constitutes a partial denial pursuant to Title 5 USC, Section 552, Exemptions (b)(6), and (b)(7)(C) of the FOIA, because release could violate the personal privacy of other individuals mentioned in the report.

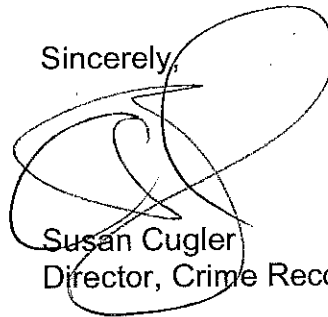
This partial denial, which is made on behalf of Major General David E. Quantock, Commander, USACIDC, the Initial Denial Authority for USACIDC records under the FOIA, may be appealed to the Secretary of the Army.

If you decide to appeal at this time, your appeal must be submitted within 60 days of the date of this letter. In your appeal, you must state the basis for your disagreement with the partial denial and you should state the justification for its release. Your appeal is made through this Center and should be addressed to the Director, U.S. Army Crime Records Center, 27130 Telegraph Road, Quantico, Virginia 22134 for forwarding, as appropriate, to the Office of the Secretary of the Army, the appellate authority. Please note that your appeal should address information denied in this response and cannot be used to make a new request for additional or new information.



If you have any questions regarding this release or the withholding of documents please write to the Crime Records Center at the address shown on the letterhead or by calling (571) 305-4235. Please reference the above control number on any correspondence. The Information Release Specialist responsible for this release is Mr. Jon Ali.

Sincerely,

A handwritten signature in black ink, appearing to be 'Susan Cugler', written over the typed name and title.

Susan Cugler
Director, Crime Records Center

Enclosure

52

COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION For use of this form, see AR 190-45 and AR 195-2; the proponent agency is DCSPER.		SUSPENSE DATE 11 Apr 83	
THRU:		TO: Director Crime Records Center Baltimore, MD 21222	FROM: Karlruhe Resident Agency Second Region, UEACIDC APO NY 09164
USACRC CONTROL NUMBER 0309-82-CID767-40351-5L2B/5L2C/5L2D/9G2		MP REPORT NUMBER	SUB-INSTALLATION IDENTIFIER
<p><i>To be completed by the commander or supervisor of the subject identified below and in corresponding MP/CID report. Check all applicable blocks. Briefly explain circumstances not covered by blocks. For multiple offenses resulting in more than one type of action taken or action taken for offenses not listed in the report, explain in REMARKS which offenses apply to blocks checked and action taken for other offenses. Retain last copy and return all others to addressee indicated in "TO" block on completion of final action.</i></p>			
NAME OF SUBJECT (Last, first, MI) LAGUER, Benjamin		GRADE PFC	SOCIAL SECURITY NUMBER Redacted by Ben Laguer
			DATE OF BIRTH 1 May 63
OFFENSE(S) Wrongful Possession and Sale of Marihuana (Hashish)		DATE OF OFFENSE(S) 14 Aug - 9 Sep 82	
ACTION TAKEN			
<p>A <input type="checkbox"/> NONE 1 <input type="checkbox"/> INSUFFICIENT EVIDENCE (Explain in remarks) 2 <input type="checkbox"/> OTHER (Explain in remarks)</p> <p><i>*Subject was advised that although no action was taken, the report will be retained in Army records and that requests for amendment, correction, or expungement may be submitted IAW AR 190-45 (MP Reports) or AR 195-2 (CID Reports).</i></p> <p>B <input type="checkbox"/> ADMINISTRATIVE C <input type="checkbox"/> NONJUDICIAL (Article 15, UCMJ)</p> <p>D <input type="checkbox"/> JUDICIAL (If subject was tried by court-martial attach a copy of the court-martial order giving findings and sentences)</p> <p>1 <input type="checkbox"/> SUMMARY COURT-MARTIAL 2 <input type="checkbox"/> SPECIAL COURT-MARTIAL 3 <input type="checkbox"/> GENERAL COURT-MARTIAL 4 <input type="checkbox"/> CIVIL COURT</p>			
JUDICIAL FINDINGS			
<p>A <input type="checkbox"/> GUILTY B <input type="checkbox"/> NOT GUILTY C <input type="checkbox"/> DISMISSED D <input type="checkbox"/> OTHER (For example, guilty of a lesser included offense) (Explain below)</p>			
RESULTANT SENTENCES, PUNISHMENTS, OR ADMINISTRATIVE ACTION			
<p>A <input type="checkbox"/> REPRIMAND/ADMNITION (Strike inappropriate word) 1 <input type="checkbox"/> ORAL 2 <input type="checkbox"/> IN WRITING</p> <p>B <input type="checkbox"/> DETENTION/FORFEITURE/FINED (Strike inappropriate words) \$ _____ / _____ MONTHS</p> <p>C <input type="checkbox"/> REDUCED FROM _____ TO _____ D <input type="checkbox"/> EXTRA DUTY FOR _____ DAYS E <input type="checkbox"/> RESTRICTED FOR _____ DAYS</p> <p>F <input type="checkbox"/> CORRECTIONAL CUSTODY FOR _____ DAYS G <input type="checkbox"/> CONFINED _____ YEARS _____ MONTHS</p> <p>H <input type="checkbox"/> PUNITIVE DISCHARGE ADJUDGED (type) _____</p> <p>I <input type="checkbox"/> ADMINISTRATIVE DISCHARGE UP PARA _____, AR _____, EFFECTIVE _____</p> <p>J <input type="checkbox"/> OTHER, FOR EXAMPLE, SUSPENSION OF DRIVING PRIVILEGES (Explain below)</p>			
REMARKS			
<p>A check with unit 1SG (b)(6) (b)(7)(C) revealed that LAGUER was tried by a Summary Court Martial and sentenced to 60 days confinement, reduction to the grade of E-1, and forfeiture of \$350.00 per month for two months.</p> <p style="text-align: center;">(b)(6) (b)(7)(C)</p> <p>4 Incl Originals of Exhibits 4, 5, 9, and 10</p> <p style="text-align: right;">CW3, USA Special Agent in Charge</p> <p style="text-align: right;">BEST COPY AVAILABLE</p>			
TYPED NAME & GRADE OF COMMANDING OFFICER		SIGNATURE	DATE OF REPORT

25 APR 83 11 02

CID REPORT OF INVESTIGATION

For use of this form see AR 195-2; the proponent agency is United States Army Criminal Investigation Command

PREPARING AGENCY
Karlsruhe Resident Agency
 Second Region, USACIDC
 APO New York 09164

TYPE OF REPORT
Final
 DATE OF REPORT
01 DEC 1982

REPORT NUMBER
0309-82-CID767-40351-
5L2B/5L2C/5L2D/9G2

PLACE OF OCCURRENCE
Bldg 7854, Third Floor, Troop Billets, of D Btry, 2/67th ADA, APO 09095

OCCURRENCE		REPORTED	
DATE 14 Aug 82 - 9 Sep 82	TIME 2110-1355	DATE 14 Aug 82	TIME 2110
REPORTED BY SGT (b)(6) (b)(7)(C)		INVESTIGATED BY SA (b)(6) (b)(7)(C)	
DISTRIBUTION		SIGNATURE OF APPROVING AUTHORITY	
<input type="checkbox"/> ACTION COMMANDER	OTHER (Specify)	(b)(6) (b)(7)(C) (b)(6) (b)(7)(C) Special Agent In Charge Karlsruhe Resident Agency	
<input type="checkbox"/> STAFF JUDGE ADVOCATE	1-CINCUSAREUR		
<input type="checkbox"/> PROVOST MARSHAL	ATTN:ASAPM-PP		
<input type="checkbox"/> CRIME RECORDS DIR			
<input type="checkbox"/> REGION			
<input type="checkbox"/> FIELD OFFICE			
<input type="checkbox"/> FILE		APPROVING AUTHORITY	

DETAILS:

a. LAGUER, Benjamin (NMN); PFC; *Redacted by Ben Laguer* 1 May 63; Bronx, NY; M; Other; D Btry, 2/67th ADA, APO NY 09095; Wrongful Possession and Sale of Marihuana (Hashish).

b. (b)(6) (b)(7)(C) PV2; (b)(6) (b)(7)(C); (b)(6) (b)(7)(C); (b)(6) (b)(7)(C) M; White; D Btry, 2/67th ADA, APO NY 09095; Wrongful Possession, Transfer, Sale, and Use of Marihuana (Hashish).

VICTIM: US Government; Wrongful Possession, Transfer, Sale, and Use of Marihuana (Hashish).

SYNOPSIS: Investigation revealed that about 2110, 14 Aug 82, LAGUER sold 7.51 grams of hashish to SGT (b)(6) (b)(7)(C) a covert military policeman, for \$100.00 in U.S. Government funds. Further investigation revealed that between 1325 and 1355, 9 Sep 82, LAGUER was in possession of .35 grams of hashish and a smoking device containing marihuana residue. Further, investigation revealed that at unknown times, dates, and locations, (b)(6) (b)(7)(C) possessed, sold, and used hashish.

EXHIBITS:

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A. Attached:

1. Agent's Investigation Report (AIR) of SA (b)(6) (b)(7)(C) 16 Aug 82, in which he outlines the controlled purchase made by SGT (b)(6) (b)(7)(C) on 14 Aug 82, and other aspects of this investigation not mentioned elsewhere in this report.

WARNING: This is a police report, not a legal disposition. The listing of offenses are for crime classification purposes only and are not adjudications of guilt or innocence. Reviewers must analyze the report on that basis and should consult with the supporting Staff Judge Advocate for specific charges. This report is the property of USACIDC, the contents of which are not to be distributed outside of your organization without the expressed approval of the Commanding General, USACIDC.

000702

COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION SUSPENSE DATE
OCT 15 1981

For use of this form, see AR 190-45 and AR 195-2; the proponent agency is DCSPER.

THRU: Commander 50th Signal BN Fort Bragg, N. C. 28307	TO: PROVOST MARSHAL XVIII ABN CORPS & FT BRAGG FORT BRAGG, NC 28307	FROM: Commander A Co, 50th Signal BN Fort Bragg, N. C. 28307
USACRC CONTROL NUMBER 81-MPC023-2149G	MP REPORT NUMBER 7460-81	SUB-INSTALLATION IDENTIFIER

To be completed by the commander or supervisor of the subject identified below and in corresponding MP/CID report. Check all applicable blocks. Briefly explain circumstances not covered by blocks. For multiple offenses resulting in more than one type of action taken or action taken for offenses not listed in the report, explain in REMARKS which offenses apply to blocks checked and action taken for other offenses. Retain last copy and return all others to addressee indicated in "TO" block on completion of final action.

NAME OF SUBJECT (Last, first, MI) LAGUER, Benjamine (NMN)	GRADE E-2	SOCIAL SECURITY NUMBER <i>Reduced by Paralegal</i>	DATE OF BIRTH 630501
OFFENSE(S) WRONGFUL POSSESSION OF MARIHUANA ARTICLE 134 UCMJ			DATE OF OFFENSE(S) 810904

ACTION TAKEN

A *NONE 1 INSUFFICIENT EVIDENCE (Explain in remarks) 2 OTHER (Explain in remarks)

**Subject was advised that although no action was taken, the report will be retained in Army records and that requests for amendment, correction, or expungement may be submitted IAW AR 190-45 (MP Reports) or AR 195-2 (CID Reports).*

B ADMINISTRATIVE C NONJUDICIAL (Article 15, UCMJ)

D JUDICIAL (If subject was tried by court-martial attach a copy of the court-martial order giving findings and sentences)

1 SUMMARY COURT-MARTIAL 2 SPECIAL COURT-MARTIAL 3 GENERAL COURT-MARTIAL 4 CIVIL COURT

JUDICIAL FINDINGS

A GUILTY B NOT GUILTY C DISMISSED D OTHER (For example, guilty of a lesser included offense) (Explain below)

RESULTANT SENTENCES, PUNISHMENTS, OR ADMINISTRATIVE ACTION

A REPRIMAND/ADMONITION (Strike inappropriate word) 1 ORAL 2 IN WRITING

B DETENTION/FORFEITURE/FINED (Strike inappropriate words) \$ _____ / _____ MONTHS

C REDUCED FROM _____ TO _____ D EXTRA DUTY FOR _____ DAYS E RESTRICTED FOR _____ DAYS

F CORRECTIONAL CUSTODY FOR _____ DAYS G CONFINED _____ YEARS _____ MONTHS

H PUNITIVE DISCHARGE ADJUDGED (type) _____

I ADMINISTRATIVE DISCHARGE UP PARA _____, AR _____, EFFECTIVE _____

J OTHER, FOR EXAMPLE, SUSPENSION OF DRIVING PRIVILEGES (Explain below)

REMARKS

PLEASE EXPEDITE. EVIDENCE PENDING FINAL DISPOSITION. IF CHARGE IS REDUCED, PLEASE INDICATE ON RETURN OF DA FORM 4833.

BEST COPY AVAILABLE

(b)(6) (b)(7)(C)

TYPED NAME & GRADE OF COMMANDING OFFICER (b)(6) (b)(7)(C) CPT, SIGC, CDR	SIG	DATE OF REPORT 26 Oct 81
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MILITARY POLICE REPORT
 FORM 3975, 1 JAN 74, REPLACES DA FORM 3975, 1 JAN 74, WHICH IS OBSOLETE
 MILITARY POLICE REPT NO: 7460-81
 REPORT DA: 810916
 CROSS REFERENCE REPT NO: 81-PCO23-2149G

THRU: Commander 50th Signal BN Fort Bragg, N. C. 28307
 TO: Commander A Co, 50th Signal BN Fort Bragg, N. C. 28307
 FROM: PROVOST MARSHAL XVII ABN CORPS & FT BRAGG FORT BRAGG, N. C. 28307

1. REPORT TYPE/STATUS
 Information Complaint Supplemental
 Police action completed Commanders action required (See attached DA Form 3975 if) Commanders action completed

2. EVALUATION
 Unfounded Criminal offense Serious criminal offense Military offense Traffic offense

3. TYPE COMPLAINT: WRONGFUL POSSESSION OF MARIHUANA IN VIOLATION OF ART# 134 UCMJ
 4. LOCATION (Address): BLDG# D-6625, 1st Floor Fort Bragg, N. C.
 On post Off post
 5. HOUR OF OFFENSE: 0715
 6. DATE OF OFFENSE: 810904
 7. OFFENSE CODE: 5L2C

8. COMPLAINT RECEIVED BY (Name, grade, position):
 a. In person
 b. By telephone
 c. By mail
 9. HOUR RECEIVED: _____ DATE RECEIVED: _____

9a. MP ACTION REFERRED TO:
 NA Patrol MPI CID Other agency (Specify) _____
 RET PRED

10. NAME OF SUBJECT: (b)(6) (b)(7)(C)
 a. GRADE: E-4
 b. SSN: (b)(6) (b)(7)(C)
 c. ORGANIZATION (include address and telephone no.): A Co, 50th Signal BN Fort Bragg, N. C. 28307 Telephone: 6-3524
 d. HOME OF RECORD: (b)(6) (b)(7)(C)
 e. PLACE OF BIRTH: (b)(6) (b)(7)(C)
 f. DATE OF BIRTH: (b)(6) (b)(7)(C)

11. INVOLVEMENT: Alcohol Drugs Other (Specify) _____
 12. DRESS: Uniform Civilian clothing Belligerent
 13. BEHAVIOR: Cooperative Uncooperative Belligerent
 14. IDENTIFYING MARKS: NONE VISIBLE
 15. PERSONS RELATED TO REPORT:
 a. Name: (b)(6) (b)(7)(C)
 b. Grade: INV
 c. SSN: (b)(6) (b)(7)(C)
 d. Organization/Address: SD to USACIDC, MDDT/IDST
 e. (1) (2): O/E A
 (b)(6) (b)(7)(C)
 INV (b)(6) (b)(7)(C) SD to USACIDC, MDDT/IDST E A

16. PROPERTY DATA
 a. Date: _____ b. I/I: _____ c. I/I: _____ d. Amount: _____
 17. DISPOSITION OF:
 a. Offender: Released to Unit on DD FM 629
 b. Evidence: Seized by MDDT and retained by Main Post MPI Evidence Custodian

18. DETAILS OF REPORT (Who, what, when, where, how and why) (Continue on reverse)
 SEE REVERSE

BEST COPY AVAILABLE

ENCLOSURES: 3-3881, 1-36, 12-4833
 DISTRIBUTION: 1-File, 1-Unit, 1-USACIDC
 FOR THE COMMANDER (Strike out if inapplicable)
 TYPED NAME, GRADE, AND TITLE OF REPORTING OFFICER:
 (b)(6) (b)(7)(C) MAJ, IN.
 Chief, Police Services
 (b)(6) (b)(7)(C)

FOR OFFICIAL USE ONLY
 PROTECTIVE MARKING IS CANCELED UPON OCCURRENCE OF PERMITS
 I STATUS: A-Subject, B-Witness, C-Victim, D-Complainant, E-Military police, F-Civilian authorities
 II CATEGORY: A-Other, B-Other service, C-Dependent, D-DA civilian, E-Civilian, F-Civilian, G-Other govt emp, H-Formerly
 III PROPERTY TYPE: A-Govt prop./lands, B-Govt vehicle, C-NAF prop funds, D-NAF vehicle, E-Pvt property, F-Host govt prop funds, G-Host govt vehicle
 B-Stolen, C-Recovered, D-Damaged
 REPORT PERIOD TO
 MANHOURS EXPENDED

ITEM# 10, Continued. SUBJECT# 2: LAGUER, Benjamin (NMN)/E-2/ *Redacted by Ben Lauer*
Unit: A Co, 50th Signal Co, FBNC/Loemister, MA/New York City, N. Y./630501/
A/Black/Brown/Fair/128/67"/18/Negro/Male/Drugs/Uniform/Cooperative/None Visible/.

SUBJECT# 3: (b)(6) (b)(7)(C) /E-4/(b)(6) (b)(7)(C)/A Co, 50th Signal Co, FBNC/
(b)(6) (b)(7)(C)/(b)(6) (b)(7)(C) (b)(6) (b)(7)(C) A/Black/Brown/Fair/140/5' (b)(6) (b)(7)(C) Negro/Male/
Drugs/Cooperative/NONE/.

#18: BASIS FOR INVESTIGATION:

This investigation was initiated based on information received from (b)(6) (b)(7)(C) who related that while he was assisting in a Health & Welfare, he seized some suspected Marihuana.

INVESTIGATIVE SUMMARY:

Investigation by MPI (b)(6) (b)(7)(C) disclosed that LAGUER, Benjamin & (b)(6) (b)(7)(C) did in their assigned room in BLDG# D-6623 on the first floor wrongfully possess trace amounts of Marihuana at approximately 0715 hours, 4 Sept 81. Investigation also disclosed that (b)(6) (b)(7)(C) in BLDG# D-6623, 1st Floor, did wrongfully possess 8 grams, more or less, at approximately 0715 hours, 4 Sept 81.

SUBSTANTIATION:

(b)(6) (b)(7)(C) in a sworn and written statement relates that at approximately 0715 hours, 4 Sept 81, while assisting in a Health and Welfare Inspection of A Co, 50th Signal BN, FBNC. While in BLDG# D-6623, on the first floor in a room assigned to (b)(6) (b)(7)(C) & LAUGER, (b)(6) (b)(7)(C) related that in the closet assigned to (b)(6) (b)(7)(C) he found a brown paper bag containing several partially burnt Marihuana cigarettes. Also in the night stand belonging to LAUGER, (b)(6) (b)(7)(C) found one suspected Marihuana. (b)(6) (b)(7)(C) also related that in the room on the 1st floor assigned to (b)(6) (b)(7)(C) he found in the air conditioner one clear plastic bag containing a greenish-brown vegetable matter suspected to be Marihuana.

Evidence was receipted for on DA Form 4137. Field Test were conducted on the suspected Marihuana, utilizing the Becton-Dickinson Test Kit E for Marihuana. Results showed strong positive reactions for Marihuana. Marihuana is listed in Schedule I, Public Law 91-513.

(b)(6) (b)(7)(C) LAGUER and (b)(6) (b)(7)(C) were advised of their legal rights, which they waived and made verbal statements denying any knowledge of the Marihuana found in their rooms.

THIS IS A FINAL REPORT.

ATTENTION UNIT COMMANDER:

When court martial charges are pending against SUBJECTS, please notify DST INV (b)(6) (b)(7)(C) at 396-4311/1912, promptly so the evidence can be forwarded to the Crime LAB for analysis.

000003

DEPARTMENT OF THE ARMY
HEADQUARTERS, 3D BATTALION
UNITED STATES ARMY CORRECTIONAL ACTIVITY
Fort Riley, Kansas 66442

SPECIAL COURT-MARTIAL ORDER
NUMBER 30

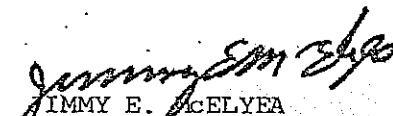
27 April 1983

Effective 28 March 1983, confirming verbal order of the Commander, the unexecuted portion of the approved sentence to confinement at hard labor for sixty days, in the case of Private First Class Benjamin Laquer, ~~Reduced by Ben Laquer~~ US Army, D Battery, 2d Battalion, 67th Air Defense Artillery, APO New York 09095, (currently assigned to 6th Unit, 3d Battalion, US Army Correctional Activity, Fort Riley, Kansas 66442), adjudged on 28 February 1983, as promulgated in Special Court-Martial Order Number 7, Headquarters, 3d Brigade, 8th Infantry Division (Mech), APO New York 09028, dated 11 March 1983, not subsequently modified, is suspended until 15 July 1983, at which time, unless sooner vacated, the suspended portion of the approved sentence will be remitted without further action.

BY ORDER OF LIEUTENANT COLONEL GERARD:

DISTRIBUTION:

- 1 - Indiv conc
- 1 - CDR, 6th Unit
- 1 - AFYA-PA-TPT
- 2 - AFYA-PA-TF
- 1 - AFYA-PA-TPR
- 1 - AFYA-L
- 1 - CDR, USAERC (PASC), Ft Ben Harr, IN 46249
- 1 - Crime Recds Dir, USACIDC, 2301 Chesapeake Ave, Baltimore, MD 21222
- 1 - CDR, 21st SUPCOM, ATTN: SJA, APO NY 09325


JIMMY E. McELYEA
SFC, USA
Assistant Adjutant