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On 17 February 2004, a panel of officers, lead by Major General Antonio Taguba, conducted the following interview Major General Taguba was appointed as an Investigating Officer under the provisions of Army Regulation 15-6, by Lieutenant General David D McKiernan, Commanding General of the Coalition Forces Land Component Command (CFLCC), to look into allegations of maltreatment of detainees, detainee escapes and accountability lapses, at Abu Gharib, also known as the Baghdad Central Confinement Facility (BCCF) The panel also inquired into training, standards, employment, command policies, and internal policies, concerning the detainees held at Abu Gharib prison Finally, the panel looked into the command climate and the command and supervisory presence

The following persons were present

MG Antonio M Taguba, [REDACTED] DCG-CFLCC, **Interviewer**  
COL [REDACTED] Lackland AFB, TX, **Member**  
CPT [REDACTED] CFLCC - SJA, **Member**  
SFC [REDACTED] U.S Army MP School, **Member**  
LTC [REDACTED] 310th MP Battalion, **Respondent**

The interview is summarized as follows

Lieutenant Colonel [REDACTED] Social Security, [REDACTED] I am the Battalion Commander for the 310th Military Police Battalion Operations I assumed command April of 2002 We did our mobilization at Fort Dix, New Jersey We were there with the 800<sup>th</sup> MP Brigade part of the time We're an I/R Battalion out of Uniondale, New York We're co-located with the 800<sup>th</sup> Military Police Brigade, back in New York

We moved to mobilization on 21 January of 2003, and stayed exactly 3 months We had Individual Task Training, collective training, and training with the MRE, while we were there I don't remember the number of the unit, providing us with the MRE, but I believe it was a Training Support Battalion The name of the Colonel in charge was COL [REDACTED] Ullom In addition to that, we did convoy training, and other Military Police training

The MRE was exclusively I/R The one area that we were deficient in the MRE is we did not have any organic Guard Companies or Military Police Companies at all So the MRE was conducted solely with the headquarters element We simulated a lot, as far as the towers and all went, but as far as the actual training, we got some pretty good training We worked with sally port operations, and security We simulated a lot of force protection, and internal security from the guard companies We ran the eight stations that we would normally run in an I/R Battalion Administrative Processing Area We ran our medical section with various scenarios that might come in We ran our S2 section interrogating section As much as we could, we worked with the floor A number of scenarios were put into play, during this 4 day MRE, dealing with I/R Operations, and all of our people were gainfully employed At the end of it, we were singled out as having done the best job on the MRE of anyone that's gone through We developed a training plan, and it was submitted to the Training Battalion

We assumed we were going to be doing I/R Operations. On 21 April we arrived in Kuwait, and stayed at Camp Wolf for 9 days, waiting for our assignment. Finally, we were moved to Camp Arifjan, and didn't move out of there until June. We had no mission. A lot of our soldiers did force protection for the camp. We did do training, a lot of individual training. I employed as many of my people as I could.

We got the first mission from the 800<sup>th</sup> MP Brigade approximately 1 June. It could have been the middle of May, but we didn't move out 'til June. We were told to set up the Regional Confinement Facility for South Central Iraq. So, we had to go out on our own and find a location for this. We were told there was a location in Diwanayah. There, we found a facility, we were told, Sadaam put 500 people in, but we figured 250 was about the max we could put in there.

So, 1 June we effectively moved out to Diwanayah, and we were co-located, and working with the 1<sup>st</sup> Marine Division for logistical support. We were working with the 800<sup>th</sup> MP Brigade, but we had an affiliation with the MEF, being in their AO. As the mission progressed it became more of a dream than reality. Ultimately, we were tasked to come up with a Training Plan and SOP, to train Iraqis in corrections, and have them take over the facility. There were people confined in the facility. Basically, we were to establish the facility, train Iraqis to become Corrections Officers, and ultimately turn it over to them. We did that mission right up until we came here.

Now, the mission was expanded. While we were doing that, we were told to go to Hillah, the place we initially looked at. It had a larger facility, which could hold about 750 people, and there were no prisoners at Hillah. As they were building it up, and bringing it back up to standard, that's when we came in. We were told we had to take over that prison. We were still at Diwanayah.

I started out with four companies. Two of them were pulled to do law and order missions, and two of them stayed with us, the 157 MP Company, and the 755 MP Company. They were assigned to us, once we got the mission. 755 used to be Combat Support, and they were changed to a Guard Company. The 157, I think, had the same situation.

We were still under the command and control of the 800<sup>th</sup>, but we had little to do with the 800<sup>th</sup>. We were more involved with the Marines. I'd have to look at the FRAGO, but we were reporting more to the Marines.

BG Karpinski came down and spoke to us, shortly after she took command. She expressed, in broad terms, what she expected us to do. I don't think there was anything in writing. I believe there was one time she had all the Battalion Commanders in Baghdad, and she was running the meeting. Once we officially fell under the 800<sup>th</sup> Brigade, my staff was in touch with them pretty regularly.

I had no escapes I had no shootings We had a couple of attempted escapes They were pretty quickly resolved We used tasers to zap them, and we got them back in People we identified as troublemakers, we sent here, and there were no real issues of violence We got Rule of Engagement down from the 800<sup>th</sup>, but I believe they were from CJTF-7 I do not recall the changes, possibly two

I only heard about the Bucca incident through the Stars and Stripes There was, and I don't know if it was precipitated from that, something that came down, saying, when interacting with prisoners, we should wear our helmets, and something came down, saying be more aware of how you handle prisoners I heard about the riot I don't remember reading anything specific Probably the helmet and kevlar came from that incident

When dealing with the prisoners, the soldiers will be unarmed, but they'll wear their vest and their helmet Outside the facility, surrounding the perimeter, there will be armed guards They will have both lethal and non-lethal

There were Marine hit teams, doing interrogations We really didn't get too involved in that The Commander is ultimately in charge I'm responsible, and I'm in charge We have only the rules, regarding interrogation rules of engagement in our SOP

At least two times a day we do a count An ISN count is done at mealtime Two times they get checked, and we also do a body count They roll them up, they come up to us, and we forward them to Brigade We have one hundred percent count all the time We've not been off our count ever

I wouldn't say I know them well, but I've met most of the Battalion Commanders I've met LTC [REDACTED] during their mobilization Interestingly, they came after us, but left before us I don't know him very well I know he's not an MP

We were told to come over here, and take over for the 724, nothing specific Since we were here, BG Karpinski came down, to speak to LTC [REDACTED] and I for about an hour She wanted to make sure the RIP was going, well I'm sure she mentioned the Geneva Convention and the Rules of Engagement She sent down her JAG twice to discuss it with everyone This was after the 14<sup>th</sup> of January We're working on a base defense plan The 724<sup>th</sup> did have a diagram showing where the fighting positions were, but I haven't seen a detailed base defense plan

The 988 is our IRF It's a platoon that does it We have two military working dogs, Army Battalion Operations has command and control of those dogs They patrol the whole facility Periodically, we will have demonstrations We don't use them inside the compound We didn't have any for the last mission

BG Karpinski seems to be a concerned leader, concerned about the troops She did visit us in Diwanayah, and spent the night I think she lets her Battalion Commanders run their Battalions There's not a lot of micro-management, but if anything is going on she wants



to know. I'm not aware that there were any major problems in the Brigade. I know COL Ecke from Uniondale, but I had very limited dealings with him, here. The only thing that I've heard is that he's very hands-on, sometimes to the extent that he micro-manages, but that was not my experience.

I think there are some strong personalities on the Brigade Staff. I think that MAJ [REDACTED] the S3, was probably the catalyst in the Brigade. CSM [REDACTED] I've known for years, 20 some odd years. From my perspective, he's highly visible, outgoing, and loud. I would say he's a proud Command Sergeant Major. I've heard a rumor about him and a female or females. I've never seen him do anything inappropriate, but I do know he's a very hands-on guy.

What needs to be done, now, we're doing. We have to tighten up force protection. We're putting in higher burms, we're trying to get more wire out there, and re-fortifying our ECPs. If I had more manpower, I'd put a few more towers on the perimeter. Coming inside, we're installing 12 foot high fencing, getting better lighting, thermal goggles, and other items which are going to make this that much more secure. What this is leading to is a better climate in the compound. I would also like to put in better sanitation facilities for the detainees.

In addition to having the Geneva Convention posted, I want to have the detainees briefed on their way here. We're also in the process of getting the Geneva Convention translated into Arabic.

We have the Sergeants of the Guard, and OICs, going around quizzing the guards on Rules of Engagement, what they would do in certain situations, SOPs, etc. The companies are required to do guard mount. In addition to that the companies have their individual staff meetings, and training meetings to reinforce what's been said.

The interview complete, MG Taguba reminds LTC [REDACTED] to not discuss or reveal the contents of the interview, and he is released subject to recall.

**SWORN STATEMENT**

For use of this form, see AR 190-45, the proponent agency is ODCSOPS

**PRIVACY ACT STATEMENT**

**AUTHORITY** Title 10 USC Section 301, Title 5 USC Section 2951, E.O. 9397 dated November 22, 1943 (SSN)  
**PRINCIPAL PURPOSE** To provide commanders and law enforcement officials with means by which information may be accurately  
**ROUTINE USES** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval  
**DISCLOSURE** Disclosure of your social security number is voluntary

1 LOCATION Camp Bucca, Iraq	2 DATE (YYYYMMDD) 2004/02/19	3 TIME 1700hrs	4 FILE NUMBER
5 LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	6 SSN [REDACTED]	7 GRADE/STATUS O-5	

8 ORGANIZATION OR ADDRESS  
310th Military Police Battalion, Camp Bucca, Iraq APO AE 09375

9 [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

On 17 February at approximately 1330 hrs I was interviewed in reference to a 15-6 investigation being conducted by Major General Taguba, CFLCC Deputy Commander. I was interviewed by Major General Taguba. At the conclusion of the interview I was requested to provide the following information:

information pertaining to the units' deployment, our missions and moves we made to include, dates and locations. On 21 January 2003 the 310th Military Police Battalion, a reserve unit out of Unadilla, NY was mobilized in support of Operation Enduring Freedom. On 24 January we arrived at our mobilization station, Fort Dix, NJ. While at Fort Dix the unit completed all mobilization requirements, the SRP, and training. We remained at the mobilization site for three months. On 20 April the unit was called forward and arrived in Kuwait (Camp Wolf) on 21 April 2003. After waiting at Camp Wolf for nine days we were relocated to Camp Arifjan (Kuwait) and remained there until 1 June 2003. During this time we were assigned to the 4th ID but had little or no contact with them. We communicated primarily with the 800th MP Brigade who was located at Camp Arifjan and is our peacetime higher headquarters (however they had no actual control over us at the time). On 6 May we received a Frago assigning the 310th MP Battalion to the First Marine Expeditionary Force. We were given the mission to establish and operate a Regional Confinement Facility (Iraqi on Iraqi crimes) within their AO. After coordination with them and numerous reconns, we located a facility in Ad Diwaniyah, Iraq and on 1 June relocated to Camp Edson, in Ad Diwaniyah with the Marines CSSG 11, who provided all logistical support for the LSA as well as the support for our confinement mission (note although assigned to the 1MEF we had an ancillary relationship with the 800th MP Brigade who oversaw all jail/prison and confinement facilities within the theater). During this period the Marines provided outstanding support to the battalion. Our primary mission was to operate the facility in Ad Diwaniyah. On 15 July we were reassigned to the 800th MP Brigade and our mission was expanded to encompass overseeing jails and prisons in various cities throughout South Central Iraq. Although our primary mission was in Ad Diwaniyah we were now missioned to oversee the facilities Al Hillah, Al Kut, An Najaf and Karbala. During this period the battalion was also tasked to assist and provide MP assets in Mosul and an administrative team to assist the 800th MP Brigade with BAT training in Baghdad. In addition to overseeing these facilities we were tasked to assess the facilities (most were presently being run by Iraqis), develop a curriculum, train guards to become Correction Officers and once trained, turn the facilities back to the Iraqis. During this period the battalion once again had to move because the Marines were going to REFRAD and Camp Edson was going to close. After an extensive search for a 'home' we finally negotiated with the 'Dominicans' (we were now in the MND, AO for they took over from the Marines) and they "allowed us into their camp Camp Santo Domingo. The battalion remained at this location and performed this mission until we were re-missioned and assigned to Camp Bucca to assume command and control of the Camp and the Internment Facility. On 16 December 2003 the battalion arrived at Camp Bucca and shortly after, began our RIP with the 724 MP Battalion. On 14 January the 310th MP Battalion officially assumed command and control of the Camp and Internment Facility and on 1 February we were reassigned to the 16th MP Brigade.

List guidance provided by the 800th Military Police Brigade. Through various Frago's and electronic communications the brigade would provide assistance and guidance. On a regular basis the battalion staff would interact with and receive guidance and direction from the 800th Brigade staff. Direct guidance was received regarding administrative reporting, prison operations and logistics reporting procedures. Additionally they provided training and guidance in ROE.

Tell about your Military Working Dog program. After assuming control of the Camp Bucca Internment Facility we determined that Military Working Dogs (MWD) would greatly increase security at the facility. On 27 January, two teams (2 dogs) arrived. The goal of the program is to provide a deterrent and assist in the prevention of escapes and identify contraband within the facility. This is done by providing patrols and demonstrations by the teams. The teams are deployed with one team patrolling from 2000hrs - 0400hrs and the other an eight hour shift at random times throughout the day. The dogs patrol the outer perimeter, not inside the compounds. The SOP indicates Handler will not release the dog if it could harm Coalition Forces, MWD will not go inside the individual compounds unless there is a riot and then it will be the local commanders call, Handler will not release dogs unless the prisoner is outside the fence line?

How has MI worked into your mission. When the battalion had the regional confinement mission in Ad Diwaniyah our

10 EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>3</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND PAGE NUMBER MUST BE BE INDICATED

STATEMENT OF [REDACTED]

TAKEN AT Camp Bucca, Iraq

DATED 2004/02/19

9 STATEMENT (Continued)

Any escape attempts? While at Ad Diwaniyah there were no attempted escapes (one time the prisoners from one cell broke through a cell door and got into the court yard, but did not escape nor try to escape) While at Camp Bucca, in the early morning of 24 January and during an extremely dense fog (one could not see 5' feet in front of them), four detainees escaped through the rear of one of the compounds. Although recently having taken over the mission of the Internment Facility, we knew of the extreme fog that would periodically roll in and had practiced the "fog plan" that was developed by the 724th MP Bn, who we replaced. On this particular morning we quickly implemented the plan, performed a detainee count and secured them in accordance with the plan. As the fog lifted and another count was done, it was discovered that four detainees were missing. After a comprehensive search, to no avail, the battalion and company leadership held an AAR of the escape. All factors were taken into consideration and plans to tighten security were developed. Long range plans and projects were also begun. There were no other escapes or known attempts.

Any 15-6 investigations in your battalion (command inquiries)? There have been two 15-6 investigations within the battalion. The first one was performed by the First Marine Expeditionary Force in reference to one of my soldiers from the 755th Military Police Company who was killed in an ambush in An Najaf while performing a Law and Order mission on 26 June 2003. No negligence was found. The second was also performed by the First Marine Expeditionary Force in reference to a soldier from the HHC 310th Military Police Battalion who was killed while working a TCP at Camp Edson. A truck traveling along ASR Jackson lost control and ran through the Hesco barriers protecting the point, pinning and killing the soldier on 13 July 2003. No negligence was found. There have been two commanders inquiries performed. The first one was directed when the ICRC, during an out brief after an inspection on 10 February, mentioned that there was an allegation of possible abuse of a detainee by a soldier. A commander's inquiry was initiated and there was evidence of abuse. The soldier was identified and UCMJ action was administered. The second was initiated when a female enlisted soldier (977 MP Co) alleged an NCO (977 MP Co) had been harassing, intimidating and touching her without her consent over a period of months. This situation came to my attention on 16 February 2004. I have been in touch with the 16th MP Brigade JAG and as of this writing there is no disposition.

Tell your recommendations on what should be done for the IR mission. Although the battalion is in the process of preparing their AAR I will try and provide some of my recommendations.

\* Administration. Each IR battalion should have organic to them, JAG officer, two Lieutenants to be assigned as Battle Captains, an additional SFC in the communications section. Lessons learned from this operation justify the need for this increase in personnel. Because of mission requirements, there should be a minimum of two MP Guard Companies and one Escort Guard Company assigned to each IR Battalion.

\* Logistics. Because of the way we fought this war with no real "rear" our logistical requirements have changed. I believe that the majority of the HMMWVs within the IR Battalion should be "Up-Armored" (M1114). In addition, because of the increased transportation requirements two additional 5 1/2 Ton trucks are necessary. MTS Systems should be installed in all vehicles. A complete package of BAT systems (three-four per battalion) as well as a total NDRS package should be TO&E items. Additional communication capabilities to include fifty handheld radios (with repeater), spotlights, thermal and night vision goggles, non-lethal package, public address system, megaphones, metal detectors etc. need to be added as TO&E items. Line/Guard companies should have 50cals, organic to them for force protection. Sign making capabilities (in the language of the enemy) should be made available to the battalion. Maximum utilization of local contractors should be funded to assist in the building and fortification of the Internment Facility.

\* Operations. A top down Battalion Standard Operating Procedure System (SOP) should be developed for all IR battalions. Standardized forms should be included and all areas of the operation to include separate (pull-out and post) SOPs should be included. Some of the specific SOPs that should be included are: standard ROE (this will change as requirements change), detainee rights, Geneva Convention, camp procedures, uniform and weapons policies, interrogation procedures, property accountability procedures etc. It should be a detailed yet simple to understand and disseminate document. This will standardize all relevant SOPs. All SOPs should be distributed, read and understood by all personnel and should be readily available for reference and inspection. All soldiers prior to deployment should be taught and understand at a minimum, AR 190-8, FM 3-19-40, ROE and the articles of the Geneva Convention. I believe the key to a successful operation is the continuous communication written (Frago) oral and face to face, Coordination, and Cooperation of all units and elements concerned.

\* Training. The entire Military Police Corps needs to be reevaluated. Operation Iraq Freedom proves that the Corps must be increased. The curriculum at the MP School needs to be revamped, increasing and emphasizing IR operations. Every MP should be able to perform IR operations. Standardizing MP company logistics and equipment should be explored. This would allow, if needed, easy cross leveling of units. There should be established at one or more Army installations a fully set up "training" Internment Facility to include four compounds (enough to train two battalions at one time, two compounds each), an exterior perimeter to include towers, interior towers and appropriate concertina and fortification, lights, an in processing area to include medical and supply areas) enough tentage, latrines, shower areas etc for a compound of 500 detainees (doctrine) etc. This would allow Active, Reserve and National Guard units to begin their IR training with out taking up valuable training time building a facility. Having one (or more) already established would keep the training consistent and standard and would maximize training time.

This answers all questions posed to me. NOTHING FOLLOWS.

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

9 STATEMENT (Continued)

[REDACTED]

AFFIDAVIT

I, [REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2 I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME THE STATEMENT IS TRUE I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT

WITNESSES, [REDACTED]

[REDACTED] (Signature of Person Making Statement)

Subscribed and sworn to before me a person authorized by law to administer oaths this 19 day of February 2004 at Camp Bucca, Iraq

5101 MI 610  
Camp Bucca, Iraq  
ORGANIZATION OR ADDRESS

[REDACTED] (Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED] (Typed Name of Person Administering Oath)  
  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

1 AR 15-6 INVESTIGATION INTERVIEW

2

3 At Camp Doha, Kuwait, on 21 February 2004:

4 MAJOR GENERAL ANTONIO M. TAGUBA, U.S. Army, CFLCC Deputy Commanding  
5 General deposing.

6 MASTER SERGEANT [REDACTED], U.S. Army, CFLCC-SJA, Senior Court  
7 Reporter, has been detailed reporter for this interview and has been  
8 previously sworn.

9 LIEUTENANT COLONEL [REDACTED] U.S. Army, was sworn, and  
10 testified as follows:

11 Q Has anyone in your chain of command, or chain of  
12 supervision informed you of the nature of this interview?

13 A Not really, sir

14 Q Okay With that in mind, let me go ahead and give you the  
15 background I'm Major General Taguba I'm The Deputy Commanding  
16 General of the Coalition Land Forces Component Command, as  
17 headquartered here at Camp Doha, Kuwait Lieutenant General David  
18 McKiernan, the Commanding General of CFLCC, has appointed me as the  
19 Investigating Officer under the provisions of Army Regulation 15-6,  
20 under the direction of General John Abizaid Commander of CENTCOM.  
21 This investigation will gather all relevant facts and circumstances  
22 surrounding recent allegations of maltreatment of detainees at the  
23 Abu Ghraib Prison also known as the Baghdad Central Confinement [sic]

1 Facility. As well as detainee escapes and accountability lapses as  
2 reported by CJTF-7. Our investigation will further investigate  
3 training, standards, employment, command policies, and internal  
4 policies concerning the detainees held at the Abu Ghraib Prison. And  
5 finally, we will be assessing the command climate and the supervisory  
6 presence of the 800<sup>th</sup> Military Police Brigade chain of command.  
7 You've already met the members of the investigation team. We will  
8 record your responses as well as my inquiry to you verbatim to ensure  
9 that we have accurate information with regards to the completion of  
10 the investigation. Do you have any questions at all?

11 A No, sir

12 Q Alright. For the record would you please state your name,  
13 your rank, your social security number, your unit of assignment, and  
14 your current duty position?

15 A. Alright, sir [REDACTED], Lieutenant  
16 Colonel, Civil Affairs, I'm currently assigned to the Combined Joint  
17 Task Force-7, C2 Staff Liaison Officer for Brigadier General  
18 promotable, Barbara Fast

19 Q Please state the nature of your duty position at Abu Ghraib  
20 and when was that-- when was the effective date of that assignment?

21 A Sir, I arrived at Abu Ghraib on 17 September 2003 in  
22 liaison role for CJTF-7 C-2. Had a title at times as Director of the

1 Joint Interrogation Debriefing Center, and or Chief of the Joint  
2 Interrogation Debriefing Center.

3 Q. So, your supervisory chain was immediately towards to  
4 Brigadier General Fast?

5 A Umm-- initially sir it was to Colonel [REDACTED] the  
6 Deputy CJ2, umm- the C2 there, and then to General Fast and  
7 eventually it changed over to a new Deputy, a British Colonel, [REDACTED]  
8 [REDACTED] with evaluation input comments by the 205<sup>th</sup> MI Brigade  
9 Commander, Colonel Tom Pappas, sir

10 Q State again when you started your mission there at Abu  
11 Ghraib?

12 A Sir, I arrived at Abu Ghraib on the late afternoon of 17  
13 September 2003.

14 Q Okay And when Colonel Pappas arrived on or about, I  
15 believe, 19 or the 20<sup>th</sup> of November, were you then assigned to him, or  
16 attached to him?

17 A No, sir.

18 Q Not at all?

19 A No, sir.

20 Q Would you please describe your duty position as a Liaison  
21 Officer?

22 A Sir, my direction on going out, because there was not a  
23 defined duty description, just to back track slightly, I was brought

1 on orders from a one year recall to INSCOM, Fort Belvoir, to CENTCOM,  
2 to come to CJTF-7, to be the Deputy C-2. During that transition,  
3 orders being cut what have you, Colonel [REDACTED] being the C-2, they  
4 brought in Flag Officers to be the 1, 2, 3, 4, 5, what have you, they  
5 just moved all the O-6's down to the Deputy. So, on the books, I  
6 think I'm still probably carried as the Deputy C-2 while Colonel  
7 [REDACTED] was carried excess. But-- and when I arrived this was  
8 explained to me, they said they had a new facility They were  
9 combining the interrogation facilities from Camp Cropper another  
10 facility, Bucca, all out at Abu Ghraib, would like me to go out and  
11 assist based on some of my civilian skills working with the  
12 Immigration Service Doing intelligence operations, target forward  
13 production, as well as what I do, intelligence operations for the Air  
14 Marshal Program I said, "Fine " Came out, again, it was more of a  
15 liaison role, assisting Understood that there was a Active Duty  
16 component, a Reserve Component, and found out later there was an  
17 additional Guard Component Any number of civilian employees, both  
18 linguists, and folks with the Khaki Corporation, that provide  
19 screening personnel, analytical personnel, interrogation personnel,  
20 and basically try to assist and get things up and running, because  
21 they had just brought this together I believe somewhere about early  
22 to mid August with the 519<sup>th</sup> MI Battalion, and had just moved out  
23 other folks I believe from 325, and 323 MI. Somewhere either late



1 August, or early September, but they were already on the ground when  
2 I got there, sir.

3 Q So, you were a Liaison Officer from whom, to whom?

4 A. From the C2 Staff to the 205<sup>th</sup> MI Brigade.

5 Q The 205<sup>th</sup> MI Brigade?

6 A. Yes, sir.

7 Q From September on, but your duty location was at Abu Ghraib?

8 A Correct, sir

9 Q Okay So you were from the CJ2, which is Brigadier General  
10 promotable Fast?

11 A Yes, sir

12 Q Liaison to the 205<sup>th</sup> MI Brigade?

13 A Yes, sir

14 Q Reporting to Colonel Pappas?

15 A Roger that, sir

16 Q Okay. So, that was the chain, in your capacity as an MI  
17 Officer, or in your capacity as a Civil Affairs Officer?

18 A Sir, I'm Civil Affairs, but I have an MI background on  
19 Active Duty

20 Q Okay, but what was the nature of your liaison duties?

21 A Well, sir it was MI related.

22 Q Collection?

23 A Yes, sir. Yes, sir.

1 Q Okay. Was that also understood prior to Colonel Pappas  
2 being located at Abu Ghraib since you've got MI units there, 519<sup>th</sup>  
3 you've mentioned, and the 320<sup>th</sup> MP Battalion, of your specific role  
4 and the extent of your responsibility?

5 A Umm----

6 Q. Did you know Lieutenant Colonel [REDACTED]

7 A Yes, sir I do know Lieutenant Colonel [REDACTED]

8 Q Did he understand what your mission requirements were?

9 A Sir, I can't speak on behalf of a conversation between him  
10 and Colonel Pappas, but I know that he and I spoke and I highlighted  
11 things that Colonel Pappas had indicated that he would like to be put  
12 together I also spoke with the Battalion Commander, Lieutenant  
13 Colonel [REDACTED] for the 519<sup>th</sup>, to kind of get guidance because they  
14 had already been on the ground, exactly how they had organized and  
15 how they were evolving They didn't have the entire battalion there,  
16 they had one Company, Alpha 519<sup>th</sup> that was kind of orchestrating or  
17 serving as the headquarters element for that entire JIDC  
18 organization, for lack of a better term.

19 Q Principally though, doctrinally, a liaison officer works  
20 under the direction of the commander

21 A Roger that, sir

22 Q Okay, but in this particular case was that how you  
23 understood your liaison duty was, as a staff officer?

1 A. Oh, yes, sir. Colonel [REDACTED] ---

2 Q. Specifically working with MP's and also engaging in  
3 interrogation operations?

4 A Umm-- I'm not sure of the nature of the question, sir Uh--  
5 --

6 Q Well sir, the nature of the question is that the all-- all  
7 the interviewees have-- have substantiated the fact that you were  
8 engaged in being present at the hard site----

9 A Oh, yes sir

10 Q ----tier 1A, which is by nature an MP operation.

11 A Yes, sir

12 Q And you was also umm-- discussed with us at least for  
13 information was provided to us, but that your mission was purely  
14 collection and interrogation, which will confine you to the "ICE" or  
15 confine your duties to the JIDC, but then your presence at the Tier 1  
16 site on numerous occasions would somehow place you over that  
17 particular role as an intelligence officer

18 A Yes, sir Part of my role defined of me by Colonel Pappas  
19 was to, attend at the time, when the MP Battalion was the host unit,  
20 the morning host unit staff call that everybody attended whether it  
21 was an Intel Unit, Engineering Staff, Medical Staff, what have you,  
22 to consolidate and take a look at that. Operations, anything that  
23 had to do that affected soldiers there. Operation on the Intel side,

1 things that we needed to conduct operations, supplies, billeting,  
2 things of this nature.

3 Q. So, was it rather broad?

4 A Yes, sir, it was very broad.

5 Q. Very broad that included being present or supervising those  
6 who are guarding detainees in the Tier 1, and 1B-- Tier a-- Tier 1 at  
7 the hard site?

8 A Sir, I never supervised anybody guarding and or doing  
9 interrogations in that facility. As far as I understood all the  
10 interrogations-- all the interrogations that I witnessed were either  
11 initially in the tents before we built what we refer to as site wood  
12 and site steel

13 Q Okay Colonel [REDACTED] several statements were made that you  
14 were present at-- during interrogations in locations inside the hard  
15 site, the shower room, cellblocks, another facility inside Tier 1A,  
16 and 1B----

17 A Sir----

18 Q ----to include several MI interrogators that we have  
19 interviewed this past week

20 A Sir I'm going to tell you that I never witnessed any  
21 interrogations in any of the shower facilities.

22 Q Okay

1           A. I've never witnessed any interrogations, quote unquote,  
2 anywhere within the Isolation Arena. I've witnessed folks being  
3 taken from the Isolation Area to the interrogation facilities. I've  
4 witnessed folks being brought in by the MP's, being housed in the  
5 Isolation Area of which the Intelligence side of the house the JUDIC  
6 had 50 cells allocated to put in the more high value detainees that  
7 were going for the initial strong interrogations for intelligence  
8 value. And to this point, I can never remember ever seeing an actual  
9 interrogation go on within that site.

10          Q I want to remind you sir, that you're under oath.

11          A Sir, I'm telling you I can not remember at this time ever  
12 witnessing----

13          Q Again, I want to remind you that under oath

14          A Yes, sir

15          Q Okay. Do you know of any of the MP's that operated as  
16 guards in Tier 1A, and 1B?

17          A Sir, I know quite a few of the MP's that operated----

18          Q Would you tell me who they are that you know?

19          A Sir, are we looking at a specific unit, because there's been  
20 a cross level. Originally it was the 72<sup>nd</sup> MP Company that was there--  
21 --

22          Q Well sir, you spent a lot of time over there since  
23 September----

1 A. Yes, sir.

2 Q. ----and then your duties was that to be engaged with  
3 facilities, interacting with people inside the facilities----

4 A. Yes, sir

5 Q. ----our inside the camp so, I would imagine that with your  
6 experience as an interrogator-- military intelligence person, that  
7 you would recall some of these people----

8 A. Yes, sir.

9 Q ----and the units to who they belonged to.

10 A Okay, sir. Well we'll start off with when we were first  
11 there The 72<sup>nd</sup> MP Company was the unit that had the initial  
12 assignment there, I believe at Abu Ghraib, entirely for the 320<sup>th</sup>.  
13 They were the unit that provided the, what do I want to say, the  
14 initial-- when I was there, MP's that supported the isolation cell as  
15 well as working with the Iraqi correctional personnel. Company  
16 Commander was Captain [REDACTED] First Sergeant----

17 Q This is for the 72<sup>nd</sup> MP?

18 A Roger that, sir

19 Q Okay, in September?

20 A Yes, sir.

21 Q Okay

22 A And they left, sir I want to say somewhere late October  
23 possibly, somewhere in that timeframe

1 Q Who then replaced him?

2 A. The 372<sup>nd</sup> MP Company, sir.

3 Q. Okay.

4 A But back to the 72<sup>nd</sup> MP Company, there was uh-- I want to  
5 say-- I can't think of names right now, if I see the faces uh--  
6 Sergeant um-- it began with a "C", an Hispanic last name, I can't  
7 remember it right now, and there was another specialist that were the  
8 two primary folks that I was aware of that I would deal with if there  
9 had been some issues or anything that would come up on the intake, or  
10 numbers, or how many folks did we anticipate coming over from the  
11 Camp Vigilant area or something along those lines. I dealt  
12 specifically with Captain [REDACTED] in early October when he brought  
13 it to my attention that there were statements made by MP's on his  
14 staff That there were members of the MI community couldn't  
15 designate a unit just yet, that had come over and had done a late  
16 night interrogation of two female detainees. One turned out to be a  
17 MP detainee hold, I believe an 18 year old, and I brought the  
18 statement of the SIR I submitted, sir, and the other was a 17-year-  
19 old MI security detainee Initially I believe being held for  
20 information about Fedahdeen [sic] members in the Baghdad area where  
21 she had been recruited or something of this nature.

22 Q You mean Fedahyeen?

1           A. Fedahyeen, yes sir. I'm not good with the pronunciation  
2 Thank you sir They had reportedly come in late at night with a Titan  
3 translator, taken the females off to a NCELL in the upper deck of the  
4 Tier there to supposedly interview them. Umm-- when the statements  
5 were provided to me I immediately contacted Colonel Pappas uh-- told  
6 him that we had a very sen-- serious sen-- uh situation, because it  
7 was kinda landline, kinda went around what it was. We got the legal  
8 officer Captain [REDACTED] on the line They asked me to go check with  
9 the magistrate cell that was there at Abu Ghraib. Colonel Pappas  
10 authorized me to read the Article 31 rights to the soldiers, and to  
11 provide all that information to Captain Fitch the following day,  
12 which we did Long story short sir, the Criminal Investigation Unit  
13 came out and did a thorough investigation. For some reason, I guess  
14 they could not find reason enough to take the folks to trial, it  
15 dragged on for a couple of months, and I believe some time in mid to  
16 late November Colonel Pappas wound up doing Field Grade UCMJ I've  
17 never read the Article 15's, but it was based on unauthorized  
18 interrogation, not at the appointed place of duty in time, breaking  
19 force pro rules, things of that nature, sir

20           Q So, this particular interrogator was remanded to you because  
21 you were her supervisor?

22           A Sir, it was uh-- three interrogators.

23           Q That was under your supervision?



1 A. No, sir. They were at the JIDC the actually----

2 Q. Who was-- who was-- who was supervising the JIDC?

3 A. There-- there line of chain of command was the JIDC ICE OIC,  
4 Captain Carolyn Wood, and they had a section sergeant from the 519<sup>th</sup>,  
5 can't remember her name at this point in time.

6 Q So, you were not supervising any of those folks?

7 A No, sir

8 Q. Not at all? Who was the OIC of the JIDC?

9 A Sir, if you want to say the overall JIDC?

10 Q. Yes

11 A The timeframes depending how Colonel Pappas put it, at times  
12 I was the OIC of the JIDC, at times I was the Commander of the JIDC,  
13 as a matter of fact I got numerous invitations to attend various  
14 briefings held by the 320<sup>th</sup> MP as Commander JIDC, and numerous times  
15 I'd have to correct them and say, "I'm not the commander, I'm a  
16 Liaison Officer. I'm out here I work for Colonel Pappas, as  
17 everybody does I take his guidance, pass it back and forth."  
18 Anytime we had a issue of anything that would come up with the MP's,  
19 or what have you, Major [REDACTED] the OPS Officer who was actually  
20 assigned to the 205<sup>th</sup> couldn't get in touch with either Major [REDACTED]  
21 or Colonel Pappas then I would contact Colonel Pappas and ask for  
22 guidance and kind of serve as a liaison, a bridge back and forth  
23 between him and the 320<sup>th</sup> MP Battalion.

1 Q So, you're telling me that nobody was in charge of the JIDC,  
2 the Joint Interrogation and Debriefing Center?

3 A. Well sir, I'm telling you in my opinion, since I rated  
4 nobody, since I had no input or evaluations, had no responsibility,  
5 had no-- had no resources, Colonel Pappas was the Commander of the  
6 JIDC

7 Q So, you were using-- being used as a liaison, kind of  
8 strikes me that your liaison duties goes beyond what is a liaison.

9 A Okay, sir.

10 Q A liaison is just kind of a throughput Basically has no  
11 responsibility but passing information, or collecting information not  
12 necessarily involving interrogation, and not necessarily involved in  
13 intelligence collection

14 A First of all sir, I was never involved in any  
15 interrogations

16 Q Okay Are you absolutely sure?

17 A Yes sir, I'm absolutely sure.

18 Q Witnesses have remarked that you have been placed in there,  
19 but we'll go on with this whole process

20 A Roger that, sir

21 Q Since you had some intelligence background----

22 A Yes, sir.

1 Q. ----then you must know some of the provisions of  
2 intelligence gathering?

3 A Yes, sir.

4 Q Have you had any specific training in your military side of  
5 what constitutes interrogation operations with regards to detention  
6 operations?

7 A No sir, I'm not a CI HUMIT Officer.

8 Q I'm not saying you're a CI HUMIT Officer----

9 A All right sir

10 Q ----but telling them----

11 A Other than MI Officer Basic, MI Officer Advanced Course.

12 Q Okay You've got an extensive resume here. Imagery  
13 Exploitation, 35 Charlie, Electronics Warfare, that sort of thing  
14 Civil Affairs Advance Course, you've had an extensive assignments  
15 throughout the world, that sort of thing, so surely you must know  
16 something about doctrine and regulations and the sort?

17 A Passing familiarity, yes sir.

18 Q Could you give me some indications of your familiarity, or  
19 at least some knowledge with regards to things that have something to  
20 do with intelligence gathering or interrogation or whatever have you,  
21 because you just indicated to me that you were there specifically at  
22 Abu Ghraib not to do any kind of facilities things, but there was a  
23 purpose of why there's an Abu Ghraib Confinement Facility.

1 A. Yes, sir.

2 Q. All right, so----

3 A. My direction when it came to the Joint Interrogation  
4 Debriefing Center, was to setup a structure target folders on  
5 individuals----

6 Q That's not what I'm asking you----

7 A. All right, sir

8 Q ----I'm asking you about your familiarity with doctrine or  
9 policy, things of that nature

10 A Sir, other than whatever the "One over the world," pieces  
11 that you get at the MI Basic Course, MI Officer Advance, things of  
12 this nature, I have not gone to a Interrogation Course, Debriefing  
13 Course, things of that nature But I am aware of the CI HUMIT role  
14 and of some of the operations that they do More specifically for  
15 the JIDC, I was very much aware of the Rules of Engagement for  
16 interrogation that General Sanchez----

17 Q What are some of those?

18 A Well, they been modified one time that I'm aware of sir, but  
19 initially when I was there um-- there was use of various methods,  
20 Fear Up, Fear Down, Love of Family, Love of Country, there were  
21 restrictions placed on the amount of hours of Sleep Deprivation,  
22 modified food sources, i.e , MRE's versus regular hot meals things of  
23 that nature. I understood that interrogators depending on how well,

1 or how cooperative a person being interrogated would be especially in  
2 the isolation arena, would maybe allow them to have a mattress,  
3 cigarettes, a cold soda, something of this nature, based on  
4 cooperation going with specific questioning that they wanted----

5 Q So, you're saying there's an Interrogation Plan?

6 A. Yes, sir there is an Interrogation Plan. There was not an  
7 Interrogation Plan sir, however, when I first arrived. There was not  
8 a designated Interrogation Plan at the time when I arrived on 17  
9 September

10 Q All right, who-- who then initiated an Interrogation Plan,  
11 who directed that Interrogation Plan be----

12 A Colonel Pappas directed that we sit down and we-- being  
13 myself at the time the OPS Officer there, Major [REDACTED],  
14 Captain [REDACTED]----

15 Q Okay, backup for a second

16 A All right, sir.

17 Q You said there was a 519<sup>th</sup> MI----

18 A Company, sir

19 Q MI Company?

20 A Yes, sir

21 Q So, in your-- in your estimation who was then in charge of  
22 all of the MI assets at Abu Ghraib at that time?

23 A. Colonel Pappas, sir.

1 Q. No, no, Colonel Pappas was not there at the time. He was  
2 not there. At Abu Ghraib Confinement Facility there's a unit.

3 A. Yes, sir.

4 Q And that unit has a Unit Commander. Who was in charge?

5 A Sir, there's not a Unit Commander at Abu Ghraib.

6 Q. Not at all?

7 A No, sir. There was a Company Commander-----.

8 Q Who was that Company Commander?

9 A. ----for the 519<sup>th</sup>-- changed over just after I got there, it  
10 was Captain [REDACTED], and First Sergeant [REDACTED], but they were  
11 according to Colonel Pappas, only there in a Headquarters role as far  
12 as providing vehicles, fuel, things of that nature.

13 Q So you were actually, as a Liaison Officer, working for  
14 Colonel Pappas as the Senior Officer, non MP Civil Affairs, MI, that  
15 sort of thing at that site?

16 A In the MI arena there, yes sir, I was the MI 0-5 that was  
17 there, so by merely being the 0-5, and other 0-4's, yes sir, I was  
18 the senior.

19 Q. You were the senior man there?

20 A Yes, sir

21 Q Okay. Did you interact-- well let me backup. Back to the  
22 references, based on your background I would assume that you'd at  
23 least have some basic knowledge with some Field Manuals or things of

1 that nature that has anything to do with intelligence collection,  
2 since that's your job?

3 A Yes, sir. But, sir there's a distinction between  
4 intelligence collection, and intelligence interrogation, imagery  
5 intelligence----

6 Q I'm very familiar with that.

7 A Okay sir, I'm just trying not to lump the two together,  
8 because there's a distinction between the two.

9 Q Okay.

10 A Intelligence collection, being a Collection Manager, I've  
11 done that kind of work sir, before.

12 Q Sure

13 A I fully understand tasking out commanders RFI's, getting  
14 information back, handling those kind of things.

15 Q So you're familiar with treatment of detainees that are  
16 being interrogated since you were involved at least that's what  
17 you're saying with the JIDC whether you were observing or Liaison?

18 A Sir, when I first got there, because I'm not a trained  
19 interrogator, not a CI HUMIT, I actually asked at the time the OPS  
20 Officer, Major [REDACTED] if I could attend a couple of the  
21 interrogations and kind of see what they all entailed, and I'm going  
22 to correct a statement I made earlier sir. I did go in with a  
23 Sergeant [REDACTED] from the 519<sup>th</sup>, who did an interrogation inside the

1 site, or the Isolation Area, with an MI detainee, because he took me  
2 in there because I believe the booths were not yet being built or  
3 finished off, or something like that, and they were going to do the  
4 interrogation, and I went and stood outside the area as they did a  
5 30-45 minute, and I want to say it was more of a background update.  
6 I think this was only the second time-- third time that Sergeant  
7 Eckroff had spoken with this detainee, and quite frankly sir it was  
8 kind of tough to get permission to do that. The -- I got the  
9 impression they----

10 Q Pretty tough?

11 A ----felt that I was an outsider. I was not part of the  
12 519th and they were the only Active Duty Component there, and there  
13 was----

14 Q Everybody should be on Active Duty right? If you're  
15 mobilized?

16 A Sir, I'm going to tell you, I'm going to look you in tell  
17 you sir, that's not the environment that's out there, sir. There's  
18 and Active Duty environment and there's the Guard, Reserve  
19 environment that came in, especially with the 519<sup>th</sup> Command element  
20 that permeated that. I can tell you that Colonel Pappas tried to  
21 massage that, make that work between all the units that were there,  
22 and to-- at some point he actually had the 519<sup>th</sup> remove [REDACTED] and  
23 First Sergeant of the 519<sup>th</sup> Headquarter-- Alpha Element, that he had



1 kind of made a Headquarters Element, I believe, and brought up folks  
2 from the 323<sup>rd</sup> MI in Kuwait that were cross leveled 141 National Guard  
3 folks out of Utah, to try to come in an facilitate common soldiers  
4 skills, you know, FU Funds for equipment, and all those kinds of  
5 things So, sir there was a----

6 Q You're a reservist yourself?

7 A. Yes, sir, but I also have a strong Active Duty background.  
8 I've got about even experience in both.

9 Q But most of those folks were also-- had some even experience  
10 in both So, profiling-- at least understanding the profile, but  
11 that's not the issue right now.

12 A All right, sir But-- sir, I'm just telling you that when I  
13 came on board I had the impression that the 519<sup>th</sup> felt that we had  
14 all-- we all, people that were not 519<sup>th</sup>, had come in and taken over  
15 what there mission was and what they were doing There were numerous  
16 comments about how professional they were, how they'd all gone to  
17 Afghanistan Done this for a year, and then had gone to Fort Bragg  
18 for just a few days and had come back and had been doing this mission  
19 since April, May, what have you, things of this nature. There was  
20 very, very, tough acceptance of anybody that was not with the 519<sup>th</sup>.  
21 I believe that over a period of time that that resistance of trying  
22 to make it a team effort and work together as all part of the 205<sup>th</sup> MI  
23 Brigade, eventually came to play, but there was significant

1 resistance. And sir, I can look you in the eye and tell you that if  
2 you were sitting there as the Brigade Commander, and I can't  
3 pronounce the good Colonel's name there, [REDACTED]-

4 LTC [REDACTED]

5 A [REDACTED] was sitting there as the 519<sup>th</sup> MI Battalion Commander  
6 sir, they wouldn't speak to one another, they wouldn't look at one  
7 another, and he had been his Battalion XO in Korea in another  
8 command, but sir, I don't know what that was about but that's just  
9 the situation that I came into at that point.

10 Q Let me go back then What specific guidance did General  
11 Fast give you when she directed you to be the Liaison Officer of the  
12 205<sup>th</sup> MI Brigade?

13 A She just asked me to go out there and assist getting a  
14 reporting structure going Helping that in to----

15 Q A reporting structure?

16 A Right In to the----

17 Q Did she know your background?

18 A Oh yes sir

19 Q There was a reason why you were assigned that section right?

20 A I believe so, sir

21 Q Did she----

22 A She didn't tell me that in particular, but Colonel [REDACTED]

23 did

1 Q. What did Colonel [REDACTED] tell you?

2 A He said that umm-- again, the reporting requirements that  
3 they were looking to put this together had serious implications, in  
4 fact the white house staff, to pull the intelligence out----

5 Q What kind-- what kind of reporting?

6 A From the interrogations for any of the anti coalition  
7 issues, foreign fighters, terrorist issues----

8 Q Sensitive stuff?

9 A Very sensitive, yes sir

10 Q Yes

11 A And that they wanted to get it into some sort of a  
12 structured format that wasn't there yet. And that a lot of the CI  
13 reporting throughout the theatre needed to have some sort of a common  
14 pull and focus being brought in. And before I came over in the arena  
15 to do this, my boss back at INSCOM pulled me in, who had been down as  
16 a J-2 at CENTCOM and highlighted----

17 Q You mean General Kemmins?

18 A Yes, sir, General Kemmins, had highlighted how the structure  
19 of intel kind of was in the theatre, the short falls in his  
20 estimation on CI HUMINT, how the ISG was structured, how some of these  
21 other different intel organizations were over there. And the fact  
22 that some of the units like Task Force 121, were somewhat cowboyish,  
23 out running around, maybe getting good stuff but not sharing it in,

1 not being part of the overall intel effort His direction to me was,  
2 "I hope when you get out there if you get to meet these folks, that  
3 with your experience and what you do in civilian life, that maybe you  
4 can bridge that gap and get more information coming into the CJ2X,  
5 and or support the C2, General Fast.

6 Q And that was the context of your Liaison duties was to  
7 assemble reports and put them in a context where it is formalized,  
8 structured so because of the sensitive nature. Um-- wouldn't that be  
9 kind of strange that that goes outside the bounds of being a Liaison  
10 Officer?

11 A Well sir, there was no truly designated information in  
12 there I sat down before I was going out, Colonel [REDACTED] introduced  
13 me to Colonel Pappas, said, "Here's what we'd like him to do, get  
14 things going for C-2 " Colonel Pappas said, "Good, I would like to  
15 use him in other aspects "

16 Q. So, you're really in a specific mission requirement couched  
17 under the Liaison duty title

18 A Sir, it was a large couch Liaison title to tell you the  
19 truth

20 Q. All right, I got it So, again, you were more-- your mission  
21 requirements were specialized in such a manner that you were going to  
22 act as a Liaison Officer, some C-2 to 205 MI Brigade----

23 A Roger that.

1 Q. ----specifically reporting to Colonel Pappas to ensure that  
2 the requirements sent to you by General Fast and Colonel [REDACTED] was  
3 clearly understood?

4 A. That sir, to tie in the requirements of CJ2X, as well as the  
5 interrogation requirements that have been sent down by General  
6 Sanchez on specific guidance to do those.

7 Q All right. Back to specific guidance with regards to  
8 handling of detainees that either you observed or you have first hand  
9 knowledge of Did you receive any kind of training or reminder of  
10 sorts with the contents of the Geneva Convention?

11 A Oh yes sir, I did

12 Q When did you get that?

13 A I got it from the Magistrate Cell. I went personally----

14 Q Which Magistrate Cell?

15 A. At Abu Ghraib, I'm sorry sir

16 Q. Who was that?

17 A [pause]

18 Q. And when was that?

19 A. It would have been in the September timeframe sir, when I  
20 first got there because I was curious about the difference between a  
21 detainee, and a prisoner And I understood that there was a  
22 significant distinction between the two. And I went and I spoke with

1 Captain, I believe at the time it was Captain Avery, Captain Shaunty,  
2 were the folks at the Magistrate Cell.

3 Q. Okay.

4 A. And they highlighted what the requirements were under the  
5 Geneva Convention

6 Q. Did he also amplify to you, since you were there until the  
7 17<sup>th</sup> of September, of a memorandum that was signed by General Sanchez  
8 on the proper treatment of Iraqi people during combat operations?

9 A Umm----

10 Q Were you familiar with that memo?

11 A ----sir, I'm familiar with that memo. I don't believe that  
12 they mentioned it at that time, but I've seen the memo.

13 Q In your capacity as a senior leader, in your capacity having  
14 to work with the MI Unit at Abu Ghraib, were you ever-- seen or  
15 remember the context of that memo, the content of that memo?

16 A Sir, I want to say that we had that memo posted like we did  
17 General Order Number 1 and a few others, but I could not look you in  
18 the eye and tell you 100% that I saw it posted on the board.

19 Q In your dealing with folks at the hard site or any of those  
20 internment facilities in your, as you say, "Your limited interactions  
21 with the MP's," do you know if they have any knowledge or that thing  
22 ever existed?

1           A. Sir, the MP's directly-- in either 72<sup>nd</sup>, or 372<sup>nd</sup> MP Company,  
2 that were working in the detention facility, I would have to say,  
3 "No," but I do know that Colonel Pappas-- I'm sorry, sir, Colonel  
4 [REDACTED] the Battalion Commander, specifically addressed this  
5 memorandum to the International Red Cross who had come out, and sir  
6 I'm going to pull a SWAG on the timeframe, I'm going to say October,  
7 and had gone into Camp Vigilant and I'm sure you aware of the  
8 difference between Ganci and Vigilant, I'm not going to bore you with  
9 that, and to the isolation area of the prison area So, based on  
10 that I would guess that he provided that to his Company Commanders on  
11 down the chain of command, but I don't know for sure.

12           Q Do you recall ever seeing a memorandum that was also signed  
13 by I believe General Sanchez with regards to interrogation and  
14 counter resistance policy?

15           A Sir, I know that there had been specific guidance put out by  
16 Colonel Pappas about that as well as the Rules of Engagement for  
17 interrogations, and I think those two combined, I think they both  
18 came out together, and if I remember correctly sir, we had everybody  
19 assigned to the unit, per Colonel Pappas, sign off on the Rules of  
20 Engagement for Interrogations, and as I said later on I want to say,  
21 maybe mid November, maybe late November somewhere, those Rules for  
22 Engagement for interrogations were modified where you had to go in  
23 for specific permission for things like, the 72 hour sleep

1 deprivation, I believe some of the physical activities, some of those  
2 other things that were specific things that you had to go in, were  
3 still authorized, but you had to go in and request permission to get-  
4 - before you could implement them in.

5 Q Who do you request permission from?

6 A. Sir, everybody there that requested permission went up the  
7 chain of command to Colonel Pappas to go in. I believe it was in to  
8 General Sanchez to get the approval for the modification-- or the--  
9 those rules that were authorized but-- needed authorization to do, to  
10 include things like staying-- being housed in isolation for more than  
11 30 days.

12 Q Did you notice, or at least have any knowledge of detainees  
13 being segregated or being placed in that special treatment plan as  
14 part of the interrogation plan?

15 A Sir, I-- I don't follow you Could you repeat that, sir?

16 Q Okay, do you-- let me rephrase that Do you have any of any  
17 of the detainees following interrogation, as part of their  
18 interrogation plan, as a treatment plan----

19 A Oh, to be put into isolation?

20 Q Sure

21 A Yes, sir.

22 Q Good enough, okay Do you know who would approve such a  
23 plan?



1           A. Again when the screening process-- when the detainees first  
2 came in, they were screened to see-- first of all they were put into  
3 the MP BAT system, they were screened to see if they had any  
4 intelligence value and or if they were of-- what they called "High  
5 Intelligence Value "

6           Q    "High intelligence value?"

7           A    "High Intelligence Value."

8           Q    Okay.

9           A    Syrian terrorists-- alleged Syrian terrorists. Somebody  
10 caught with explosives and mortar tubes   Things of that nature as  
11 maybe as a group and they end up in a pickup. And when that case  
12 came in those cases were referred to Colonel Pappas to say, "yea or  
13 nay," if they were to be put into isolation. I believe the ICE  
14 Chief, Captain ██████████ and in her absence, Chief ██████████ who worked the  
15 night shift, would monitor the 30 day window and then they would send  
16 up information if they needed a extension beyond 30 days, based I  
17 believe on how responsive or unresponsive the individual may have  
18 been into the interrogation process and or getting him out of  
19 isolation as maybe a reward for being more forthcoming.

20           Q    Okay   Several of those I interviewed to include those that  
21 we've read statements from, those who were accused of detainee abuse  
22 mentioned you several times as having been in the site itself, Tier  
23 1A, and 1B   Let me be a bit more specific.

1           A.   Okay, sir.

2           Q.   On the evening of the 24<sup>th</sup> of November there was a shooting  
3 incident.

4           A.   Yes, sir.

5           Q    But prior to that there was an informant who supposedly had  
6 knowledge that weapons were smuggled into the prison compound.  What  
7 was your involvement in that?

8           A    Sir, there's been a big 15-6, but I can tell you  
9 specifically how it came into----

10          Q    The 15-6 is completed right?

11          A    Yes, sir. I've never seen the results so the----

12          Q    The 15-6 also places you there.

13          A    Yes, sir and I wrote up the Serious Incident Report on what  
14 happened    I've got a copy here if you'd it sir, for the record.

15          Q    No

16          A    Umm----

17          Q    We'll go back to the SIR too.

18          A    Okay sir, Hooah    Umm-- actually because of the holidays,  
19 those kind of things, we had some people folk that were getting ready  
20 to leave some MP's that I had known    I had just come by with----

21          Q    You'd had just gone by there

22          A.   Had-- was walking by from the LSA coming back through that  
23 site----

1 Q. But you stated that you needed permission to get by there?

2 A Yes, sir, and I did cut through----

3 Q. So, where did you the information-- permission from?

4 A. The--the--because it was evening after chow, and I had swung  
5 by to make sure because there was a pre-thanksgiving thing or  
6 something going on Make sure the MP's were aware of it, if not we'd  
7 send people over with tray packs what have you, and it was either  
8 Sergeant [REDACTED] of Sergeant [REDACTED] that was the NCOIC on shift.

9 A Was that the SOP that those sergeants could give you task  
10 that approval or should you get that permission from their Company  
11 Commander, or from their Battalion Commander?

12 A Sir----

13 Q. Was that common knowledge that you could just ask a sergeant  
14 and say 'Let me go by and get you, or "Come by and see you?"

15 A Well sir, I stood outside a secure gate, identified who I  
16 was, asked if I could enter, brought in and actually went into the MP  
17 OPS area, not down in the isolation area but they had like a separate  
18 OPS area And at that point, I believe it was Sergeant [REDACTED]  
19 said, "Sir, one of the translators, and it was on of the translators  
20 that had worked for JIDC and I believe had been transferred because--  
21 a CAT II due to security clearance, over to the MP's But I knew the  
22 individual, [REDACTED] as saying that we may have some information about

1 weapons within the facility. Prior to this, and that was the same  
2 day that they had a riot over at Camp Ganci and----

3 Q. That morning-- that afternoon, right?

4 A. That afternoon, yes sir. And if I remember correctly 12 or  
5 13 injuries with 3 initial deaths and I believe the 4<sup>th</sup> one died at a  
6 later timeframe

7 Q So, you were in this site and you were talking to some  
8 people and somebody brings you this information that we may have  
9 somebody that might have smuggled a weapon?

10 A Exactly-- and sir, I want to say it was Sergeant Fredrick  
11 that brought it.

12 Q Okay

13 A And at that point he came in----

14 Q Do you know Sergeant [REDACTED]

15 A Yes sir, I'd seen him there since he had arrived----

16 Q Did you know where he worked?

17 A Uh-- sir, he-- they kind of had like a split shift, day  
18 shift, night shift. The Company Commander, Captain [REDACTED] First  
19 Sergeant [REDACTED] normally from my impression, ran other issues for  
20 the entire company, which included Vigilant and that area. They had  
21 a-- for lack of a better turn, Deputy XO Liaison Officer by the name  
22 of Captain [REDACTED] who kinda was like OIC or in that area pretty much  
23 during the daytime early evening, what have you.

1 Q. Okay

2 A. Sergeant [REDACTED] and some other folks that I normally would  
3 see occasionally coming in or out or seeing them when I would go in  
4 during the day for taking tours through or with highly uh-- uh--  
5 visiting dignitaries what have you. And then somewhere and I don't  
6 know what the shift change was 1600, 1800, but basically I believe  
7 they did 12 hour shifts. The night shift was headed up by I believe  
8 by Sergeant [REDACTED], Sergeant [REDACTED] depending on who had a day off  
9 or a day on, and Sergeant [REDACTED] At that point I said, "Who you  
10 talking about?" and they said, "Well we've got--" and one of the  
11 things that would happen out there in screening when people would  
12 come in as a group sometimes they would give them a name just to  
13 identify who they were This group happened to be four Syrian's and  
14 an Iraqi taxi driver so I just remembered it was like----

15 Q How did you know they were Syrian's or Iraqis?

16 A Because of their information folder and target files that  
17 we'd put together and things of this nature And when the name gave  
18 to me I said, " Isn't that the taxi driver related to the four  
19 Syrian's?" Sergeant [REDACTED] said, "I believe so," and I said,  
20 "Well, we've got some INTEL that has been coming back and forth about  
21 potential riots in Ganci and Vigilant " There's some specific Iraqi  
22 General Officers that were in Vigilant that were supposedly scheming

1 to put Port to Potties over the wire. Take MP's captive inside the  
2 Sally Port things of this nature.

3 Q. Go back again to what-- the question that I asked you. How  
4 did the information get passed to you when you were visiting that  
5 evening that there was an informant or such that was passing  
6 information to weapons being smuggled in there?

7 A From the-- from I believe it was Sergeant [REDACTED] sir. It  
8 said that the informant was chatting with the translator [REDACTED] Would  
9 I be willing? Could I come help pull the information out further  
10 what was going on? I said, "Sure, I'm fully aware of this specific  
11 detainee Haven't spoken with him that much, but I'm aware of he and  
12 of his group " Specifically, what was unique about this group was  
13 how they had come across the Syrian border, the information that they  
14 had provided on safe houses, how they got to Baghdad, how they had  
15 setup attacks for Coalition Forces, how they were setting up the  
16 IED's, how they're doing their ambushes There was very, very, well  
17 thought out and trained which was one of the first instances where we  
18 actually saw----

19 Q Did you see detainees in the-- Tier 1A, or were they in the  
20 other general populations?

21 A These were in Tier 1A, sir

22 Q Okay So, what action did you take?

1           A. At that point I came in said, "Let me talk to the Taxi  
2 driver, and to [REDACTED] and see what we have going on here to make sure."  
3           Q The taxi driver is the informant?  
4           A. Yes, sir.  
5           Q Okay.  
6           A. He's the Iraqi.  
7           Q And he's at the hard site?  
8           A Yes sir, he's at the hard site.  
9           Q He's inside the Tier 1A?  
10          A Yes, sir Took me in and they had [REDACTED] and the taxi driver I  
11 guess for security. They didn't want anybody else in the Tier to  
12 know They were in a old shower area with a bed sheets on or  
13 something The guy seemed very nervous and [REDACTED] was explaining to me  
14 saying, "Sir, here's what he's saying He's saying that the  
15 individual has a handgun, couple of knives-----  
16          Q Okay, stop-- stop right there  
17          A Yes, sir.  
18          Q. This [REDACTED] guy is a translator?  
19          A Yes sir, he's a Titian-----  
20          Q Sure.  
21          A ----linguist.  
22          Q And he was there by himself?

1           A. He was there with other MP's that were working the Tier's,  
2 sir.

3           Q    Okay, so there was an interrogation ongoing in that  
4 particular site then?

5           A    Sir, I don't know if it's an interrogation or if he was just  
6 giving information. He was translating.

7           Q    Sir, that's interrogation

8           A    Alright sir, I'm telling you sir, there were no MI folks----

9           Q    Now----

10          A    ----doing an interrogation----

11          Q    ----let's try not----

12          A    ----sir

13          Q    ----let's be precise----

14          A    Alright

15          Q    ----because you're a trained MI guy----

16          A    Yes, sir.

17          Q    ----and so just specify because you're under oath

18          A    Yes, sir    Sir I'm going to tell you to me an interrogation-  
19 ---

20          Q    Hang on. Hang on    Let me just go back and you've got a  
21 translator already there

22          A    Yes, sir.

23          Q    Other MP's were already there inside the site.



1 A. Yes, sir.

2 Q. Whereby you just told me previously that interrogations  
3 should not be done inside that site, that they were done outside the  
4 confines of Tier 1A, and 1B


5 A Yes, sir

6 Q But you are-- there's an interrogation that going on in  
7 there whatever you want to call it----

8 A. Sir, I'm telling you sir, it's not an interrogation they way  
9 I would call interrogation

10 Q Okay

11 A Again, I'm not a police officer, I'm not a corrections  
12 officer, but I would say if somebody is providing information and an  
13 informant, is providing information to me that's totally different  
14 then somebody coming in with an interrogation plan saying, "I want to  
15 ask you specific questions I want specific answers. I have a  
16 specific theme " Somebody's coming in reporting something to this  
17 and ----

18 Q Was the company commander or anybody above Sergeant  
19  up there at the time?

20 A No, sir

21 Q None?

22 A Not that I'm aware of that point in time.

1 Q. Did you seem-- kind of notice that that was-- if you say  
2 that that was kind of an MP kind of-- part of the operation because  
3 they're trying to get information from this particular informant by  
4 the use of the translator?

5 A. Yes, sir.

6 Q Wouldn't strike you that your presence there in kind of  
7 broke the authority line? That you were being invited to participate  
8 in an MP operation in your capacity as an MI Officer?

9 A Sir, I didn't look at it that way.

10 Q You didn't look at it that way?

11 A No sir, I didn't

12 Q Would you have asked as an experienced officer with active  
13 duty experience that that is exclusive to an MP operation thereby  
14 perhaps providing guidance to the senior NCO's that were present  
15 there, that they ought to get their company commander at least report  
16 that to their company, or to the battalion commander, or even the S-  
17 3?

18 A Well sir, I did ask them if Captain [REDACTED] was around  
19 Captain [REDACTED] Had they called anybody, they said they couldn't  
20 reach anybody on the hand held At that point didn't know who else  
21 was calling They said, "We're trying to call." At that point I was  
22 just listening to what [REDACTED] was telling me the individual was saying  
23 that was reported in there

1 Q. Who does [REDACTED] work for, Titan----

2 A Titan Corporation, and I believe he had moved over to work  
3 for the 320<sup>th</sup> MP Battalion as one of their CAT II linguists.

4 Q. Okay.

5 A. And sir, I'm saying I believe him.

6 Q. Okay

7 A Okay

8 Q Then what happened after-----

9 A At this point, he came in he identified-- he the taxi  
10 driver, had identified a specific individual in a specific cell and  
11 told he had a weapon And I caught the name, and I said, "I think  
12 that's one of the Syrian's that I've seen being interviewed in Site  
13 Wood, Site Steele, because you have a entryway where you can watch  
14 and see what' going on Who has a very anti coalition presence, a  
15 very anti American presence, "I want to kill folks, I'm on a Jihad,"  
16 what have you So, I asked the MP's, "Excuse me, do you still have,  
17 you know the little baseball card photo's with all the file things  
18 that we put with everybody that-- when they come in here that they--  
19 that the interrogators provide for me?" He said, "Yeah." I said,  
20 "Can we pull that?" We pulled that and looked at the individual and  
21 I said, "I know this guy " I've seen him very, very many times on  
22 interrogations because they were-- going after him, and he was very,  
23 very, forthcoming with the routing and what they did and how they

1 planned attacks, and he couldn't wait to-- to-- to-- to kill us all,  
2 sir.

3 Q Okay.

4 A And----

5 Q. So, in your estimation you were getting this information,  
6 what happened next?

7 A. Well sir, this kind of tied into Intel reporting that had  
8 been coming out of interrogations that there was going to be a  
9 possible either a attack on the Abu Ghraib facility to cause a  
10 disruption for possibly corrections officers from the Iraqi Ministry  
11 of Justice, I think is how they reported it.

12 Q So, did you notify Colonel Pappas at that time, or Colonel  
13 [REDACTED] with based on your estimation of the tie in?

14 A Sir, I asked for the MP's to contact the Battalion 3,  
15 because it was like, I want to say, 1830, 1900, somewhere in there---  
16 -

17 Q Did you get-- did you notify Colonel Pappas?

18 A No, sir.

19 Q Why not?

20 A Because I was still gathering what the information was being  
21 as far as the threat at the time, sir

1 Q. Okay. So, your judgment was notifying at least piliminarily  
2 that you were gaining some information, at least give him an initial  
3 SITREP?

4 A Sir, with Colonel Pappas being at Camp Victory, my not  
5 having comms on me at the time, with the intel that I heard about  
6 possible threat and I'm going to expand on that, were the coalition--  
7 or not the coalition, the Iraqi corrections officers were going to  
8 have weapons already hidden in the facility, they were going to take  
9 over and try to breakout high value detainees. Nobody designated,  
10 identified at that point in time

11 Q With that notification, based on that basic knowledge, would  
12 have at least notified the battalion commander or Colonel Pappas that  
13 perhaps put the IRF on alert?

14 A Well I-- I did ask Sergeant [REDACTED] to request-- I didn't  
15 call it IRF, I called it ORF, to come----

16 Q But Sergeant [REDACTED] never notified anybody because he was  
17 engaged with you

18 A Not when I asked him to make the call sir Because I went  
19 back and asked [REDACTED] specifically, "Is he sure Has he seen the  
20 weapon? Does he know?"

21 Q Right.

1           A. Said, he hadn't seen the weapon, but had been told as of  
2 Thursday, I want to say, sir, that he was going to get weapons, was  
3 this guy going to be with him? Later on----

4           Q. Let me move forward-- let me move forward.

5           A All right sir.

6           Q So, the discoveries were made, and there was information  
7 that was passed, names were given, that sort of thing, indication  
8 that somebody did smuggle a weapon in there, or weapons, whatever the  
9 case may be

10          A Yes, sir

11          Q What-- what subsequently happened?

12          A At that point one of the other NCO's came in, Sergeant  
13 [REDACTED], they were putting on their battle rattle, their vest  
14 plates, everything like this I asked what the procedures were that  
15 they were doing They said, "We're going to lock down the cells.  
16 We're going to do a cell search Sir, we could use the assistance."

17          Q They're doing a cell search and you were still in there?

18          A Sir, I was up in the Sally port right next to where the  
19 informant the taxi driver had been talking to----

20          Q. But you were still in that particular area----

21          A Yes, sir

22          Q ----Tier 1A, and 1B?

23          A. Yes, sir

1 Q. At that time none of the company chain of command, none of  
2 the battalion chain of command had-- were present at the time?

3 A No, sir.

4 Q. Okay.

5 A Were not present at the time.

6 Q And Colonel Pappas was still-- still has not been notified?

7 A. No sir, and you're talking about this all happening in a  
8 period of about three, four, five minutes, sir.

9 Q Sure, okay. That's pretty quick when your trying to  
10 interview and interrogate a detainee and trying to get information.  
11 That's pretty darn impressive all in the span of three or four  
12 minutes. Okay so what was the plan of action?

13 A They were going to go-- they being the MP's were going to do  
14 a cursory sweep of some of the cells to have the folks step forward  
15 secure, when they do that I guess on a normal basis they said.

16 Q But they already knew----

17 A Where they were going

18 Q ----you said you already knew who had those weapons and who-  
19 ---

20 A Who they thought had the weapons

21 Q Okay.

22 A. And at that point I said, "Let me stop you all here for just  
23 a second before you go take this action." I said, "You know that

1 this taxi driver and this Syrian terrorist, there are three other  
2 Syrian terrorists, are they still here in the Isolation Facility?"  
3 And they said, "Believe so." "Where are they at?" One was across the  
4 Tier, there were a couple down below. I said, "You may be getting  
5 yourself set up for ambush, or somebody maybe saying, "Hey, somebody  
6 has a Tier they want you to go-- or a weapon, go down the Tier." You  
7 do that and you get shot from behind, or maybe it's a setup and there  
8 is going to be a crossfire kind of situation

9 Q So you led that effort supervising those folks in a search  
10 process?

11 A To go down to do a cell search I said I will assist and  
12 provide----

13 Q Okay, who's job was that supposed to be, yours or the  
14 company commander or their battalion commander, or the S-3?

15 A Well sir, and I don't want to sound flipped to you, but I  
16 would say if you had extremely adequate notice, something along those  
17 lines obviously, Battalion Commander, Sergeant Major, Company  
18 Commander, Company Commander, First Sergeant, QRF, to do that. But  
19 at that time, I felt strongly that there was something serious that  
20 was likely to occur just because this taxi driver had nothing to  
21 lose He was----



1 Q Sure, but then General-- Colonel Pappas will still have not  
2 been notified, so conceivably the whole camp would have been placed  
3 on alert don't you think?

4 A Umm----

5 Q Because of the incident that happened that afternoon?

6 A Well sir, that incident that happened was very much in my  
7 mind as well as like I say the intel of the fact of corrections  
8 officers looking to do some sort of diversion and break out who they  
9 felt were high value detainees, some of the black list folks, but  
10 sir, they weren't even there, but that's kind of beside the point. I  
11 think the intel structure that they had made them believe that there  
12 were people there that were not----

13 Q Well what my point is Colonel [REDACTED] is you're the senior  
14 officer on the site

15 A Yes, sir I was the senior officer on the site

16 Q So you're basically directing traffic----

17 A Yes, sir

18 Q ----and directing those MP's and you've mentioned earlier  
19 that you don't do MP stuff, and the limit of your duties and  
20 responsibility was just coach in the boundaries of collecting  
21 information and not interrogation or things of that sort So, on  
22 your best judgment, you were giving instructions to those MP's absent  
23 any presence of or notification of those MP's chain of command,

1 [REDACTED] all those folks, and absence the presence of and  
2 notification of your brigade commander in your capacity as a liaison  
3 officer?

4 A Sir I would say it's my capacity as an officer to ensure  
5 health and welfare of all soldiers at that point in time. Yes sir, I  
6 was the senior guy there sir, and sir I was there when they went to  
7 do that cell search and I was there to provide covering fire if  
8 necessary, and sir----

9 Q Did you have a weapon on you?

10 A. Oh yes sir, I did have a weapon on me sir, I had two weapons  
11 on me

12 Q You carry a weapon inside the hard site?

13 A Yes, sir

14 Q All the time?

15 A Not all the time, sir

16 Q. Did you brandish it?

17 A Did I brandish it?

18 Q I mean did you-- was it present-- was there an SOP that says  
19 weapons are not allowed in Tier 1A until such time as it's authorized  
20 to do so?

21 A Sir, when I was asked to come in there by Sergeant [REDACTED]  
22 I did ask about the weapons policy because normally when we did go in

1 there weapons were kept out and he said, "We believe we've got an  
2 incident, sir, bring your weapons with you."

3 Q. Okay----

4 A So-- sir, I brought my weapons with me.

5 Q. So you were getting information from Sergeant Fredrick and  
6 even then you know you did not give them any kind of information or  
7 any direction that at the time you received that initial information  
8 to let's wait until your battalion commander or your S-3 shows up  
9 before we proceed down there because then it's not your  
10 responsibility as an MI officer to be proceeding down there because  
11 that was a search and searches are done by MP's.

12 A Sir, given all the time in the world, yes sir, I would agree  
13 with you

14 Q Okay

15 A I would say that at that point in time and place sir----

16 Q Yep, don't you think it was kind of hasty at the time  
17 because you didn't exactly know what your role and responsibility  
18 was?

19 A Sir, I thought my role and responsibility was care for any  
20 soldier at that point in time.

21 Q That's everybody's responsibility.

22 A. Check sir

1 Q. Okay, but those people belong to somebody else. They have a  
2 chain of command, colonel.

3 A. All right, sir. Check. I hear what you're saying sir. I  
4 wasn't trying to usurp anybody chain of command I was trying to  
5 make sure the soldier was safe sir.

6 Q Okay.

7 A And sir I'm going to tell you on the night of 20 September  
8 myself and 14 other soldiers were wounded at Abu Ghraib I had 2  
9 soldiers die----

10 Q Hold that thought----

11 A All right, sir

12 Q We will cover that for that matter. I just want to ensure  
13 that we focus on your responsibility sir----

14 A Check sir

15 Q ----and your involvement with a shooting incident that has a  
16 serious implication because your name was mentioned on the  
17 investigation at that point in time.

18 A Yes, sir.

19 Q So, you proceeded to take action, directed the MP's, give  
20 them instruction on how to proceed to this particular cell?

21 A No sir, I did not

22 Q Okay so who was the leader of sorts of that search team?

1           A. Sergeant [REDACTED] as the one who was directing, "Sergeant  
2 [REDACTED] when we get there I want you to use the keys. Sergeant  
3 Elliot I want you to instruct the individual to place his hands  
4 through the cell, step forward, etcetera, etcetera "

5           Q All right, then what happened?

6           A He said, "Sir, I'd like you to provide covering fire across  
7 the Tier " I said, "Check, we'll do that." "Sergeant Synder will  
8 come down the other side as well just in case there is a crossfire "  
9 And at that point----

10          Q Did you have a protective vest on at the time?

11          A Sir, I had a protective vest on at the time, but sir I did  
12 not have plates on at the time.

13          Q Okay

14          A Because I did not have plates issued at the time sir.

15          Q. Did you have-- well none of them were issued plates I don't  
16 think

17          A Sir, all the MP's had plates sir.

18          Q Did they have their helmets on?

19          A Yes, sir they had their helmets on.

20          Q Did you have yours also?

21          A. Sir, I'm trying to remember, I can't tell you. I can't tell  
22 you sir, I can't remember

23          Q Okay. So, the shooting starts?

1 A. Yes, sir.

2 Q. What happened next?

3 A Quite frankly the individual [REDACTED] I believe was given  
4 the command four or five times by Sergeant [REDACTED] Sergeant [REDACTED]  
5 "Step forward, show your hands " "No." "Step forward, show your  
6 hands." "Why?" "Step forward, show your hands." "No." At that  
7 time I believe Sergeant [REDACTED] had told Sergeant [REDACTED] to be  
8 prepared to fire. I said, "Sergeant [REDACTED] what do you have  
9 chambered?" Because Colonel Pappas had been very, very adamant about  
10 use of non-lethal rounds to make sure that they didn't misplace a  
11 lethal round with a non-lethal round what have you. Said, "Non-  
12 lethal " Somewhere a few seconds after that, "There's movement.  
13 He's got a gun," and [REDACTED] fired one to two rounds initially.  
14 Sergeant Elliot fired back, I believe the first two rounds which were  
15 non-lethal I believe he hit him with one of those two rounds  
16 Stepped away from the door I stepped up to look to see. He  
17 continued to fire Sergeant [REDACTED] fired three more rounds, I'm  
18 guessing that were 12 gauge lethal rounds, things stopped for a  
19 minute or two, individual went and fired. Again movement you could  
20 just out of the corner of your eye just kind of things fired,  
21 Sergeant [REDACTED] yelled, "I got hit." I believe he'd gotten a  
22 ricochet and hit him in the vest Sergeant [REDACTED] was handed another

1 shotgun by Sergeant [REDACTED] who again fired a couple of more non-  
2 lethal rounds.

3 Q. Sergeant S [REDACTED] was shooting then?

4 A No, sir Handed another shotgun over to Sergeant [REDACTED]  
5 because Sergeant [REDACTED] had expended all the rounds in the shotgun  
6 that he had had Two, three, four, rounds in that weapon, he fired  
7 those waited a second continued to tell the detainee, "Throw out our  
8 weapon, throw out your weapon, cease fire " Wait a second take a  
9 look with the mirror fire a couple of more rounds. Sergeant [REDACTED]  
10 --

11 Q Who was doing the mirror thing?

12 A I believe it was Sergeant [REDACTED], sir, and then Sergeant  
13 [REDACTED] fired a couple of 9 mill rounds and then the detainee at this  
14 point, didn't know that for sure, but was out of ammunition, and  
15 through the weapon outside the cell door block. He was made to put  
16 his hands out by Sergeant [REDACTED] He was cuffed by Sergeant  
17 [REDACTED], swung out immediately called for medics, medical staff had  
18 actually been there because they normally did a daytime, nighttime  
19 check from what I understood of the detainee's and he had wounds in  
20 his legs and he had an indentation in his chest which I thought might  
21 have been a 9 mill round that had come in from an angle that turned  
22 out to be one of the less than lethal rounds that had hit him and he  
23 was medivaced out At that point went back and contacted Colonel

1 Pappas the Battalion 3, and initiated an SIR report. Colonel Pappas  
2 was there on the premise. Gave him the information best I had it. He  
3 typed up what he could. I said, "Sir, another detainee was wanting  
4 to speak." He said go back and pull whatever information you can. I  
5 went back to speak with this detainee. Don't remember his real name  
6 but his name was thumbee because he had blown his fingers in a  
7 coalition attack with a hand grenade. He came and spoke with me as  
8 well as a couple of other folks that were present there and I don't  
9 remember right now off the top of my head

10 Q Was Colonel [REDACTED] and Captain [REDACTED] there at that time?

11 A I don't think Captain [REDACTED] was there yet I think he was  
12 enroute, but I believe First Sergeant [REDACTED] had gotten there.  
13 Sergeant Centers, Platoon Sergeant I'm not sure if Captain [REDACTED]  
14 had made it in there yet or not

15 Q Was there an understanding from your experience there since  
16 September up until you were assigned to the 205<sup>th</sup>, actually you were  
17 already assigned but you then operated with the 205<sup>th</sup> who was then the  
18 FOB Commander, what was the understanding of who was in charge of  
19 Tier 1A, and 1B, MI or MP's?

20 A Well sir it was always understood that the MP's ran that  
21 Tier, and there were a number of incidences were non MI folks non MP  
22 folks would come in that tier and I'm going to be specific on an  
23 occasion of Task Force 121 who had come in and portrayed themselves as



1 being OGA, Other Government Agency, and I'm not sure what everybody's  
2 clearance level is in here, but we can all kind of understand who OGA  
3 is. They came in supposedly said, "We're with OGA to drop off a  
4 couple of detainees And I'd gotten a phone call from Chief Rebus on  
5 one of those little hand helds that they had finally gotten out there  
6 to say, "Sir, there's seems to be and issue here."

7 Q This during-- after the shooting or before the shooting?

8 A This was after the shooting sir. I'm feeling it was after.  
9 I want to say late November, early December Anyways, they had come  
10 inside when they went to drop off the detainees to the MP's and  
11 beyond making sure that all their belongings had already been turned  
12 over to the MP's to be processed I guess they started running the  
13 Tier to check and see who the different folks that were being held in  
14 isolation I understood that one of the MP's, and I wasn't given a  
15 name, had said, "What are you doing?" "We're with OGA. We're  
16 checking this out We're authorized," whatever the case may be.  
17 Kind of a very cowboy kind of affair Chief [REDACTED] for some reason  
18 happened to be coming up in that area maybe back from and  
19 interrogation I didn't ask him what he was doing there sir Called  
20 me, said, "Hey we've got this incidence I said, "Can you still  
21 track him down because we need to stop this and we need to stop this  
22 now because we're having problems with 121 bringing folks to the gate  
23 and just dropping them off and leaving. Not into the facility where

1 detainees are kept like out front at the entry control point and then  
2 just bailing. An actually a lot of times it wasn't even the 121  
3 folks it was a armor unit or something that was just transporting  
4 folks. We had and incidence were 121 came back that same night  
5 because Chief [REDACTED] had caught them at the gate and said, "Listen,  
6 nobody is authorized just to go trailing in there. There is an MP  
7 set of rules there You have go through the MP's to get permission.  
8 There are specific things that you have to do to do that. We don't  
9 appreciate you doing this " They came back in that evening and I  
10 want to say it was about 2200, 2215, and came in and said, "We're  
11 signing out a prisoner that they had dropped off on a quote of quote  
12 un-OGA hold But, sir it wasn't a OG hold-- OGA hold, but they said  
13 we've talked to Lieutenant Jordan Well sir, there was a Lieutenant  
14 Colonel [REDACTED] at 121 All the MP's knew is they heard Lieutenant  
15 Colonel [REDACTED], they thought it had been an authorized MI thing  
16 because it wasn't an MP hold They allowed an E-5 from this unit to  
17 sign a female wife out, and I forget which black list it was. I  
18 think it might have been six, it might have been [REDACTED], I don't  
19 remember, took her off Sir, she came back 72 hours later, or just  
20 less than 72 hours later When they landed the chopper they came up  
21 with these people and they came out there and they said, "Hi, are you  
22 the MP that's going to accept the detainee?" I said, "No I'm not the  
23 MP I'm not going to accept the detainee " And we've got into quite

1 a battle, sir on-- I said, "Do you have a file folder on the  
2 detainee?" "Well no, we're just the transportation." "Were did you  
3 come from?" "Well, Tikrit."

4 Q. In that particular sense, Colonel [REDACTED] it appears that  
5 your MI folks were involved with transfers of detainees just based on  
6 what you've described to me.

7 A Sir, 121 is not MI from what I understand they're----

8 Q I understand. OGA-- there's----

9 A ----out there

10 Q ----all sorts of detainee----

11 A Yes, sir.

12 Q ----operations over there

13 A Yes, sir Okay

14 Q So, but in any case what we're going to do right now is take  
15 a ten minute break. I need to refresh the recording machines----

16 A. Roger that sir

17 Q. ----and give you some time to go to the bathroom and we'll  
18 resume the interview here at about 15 after.

19 A. Roger that sir.

20 Q. And please don't disclose anything. Don't make any phone  
21 calls or whatever have you. Just wait outside, and if you need to go  
22 to the restroom, please convey it as to where your presence is going  
23 to be.

1 A. We talked about a copy of the SIR-----

2 Q. We can discuss this when-----

3 A Later, all right sir.

4 Q. Okay. Good thank you very much.

5 [The session recessed at 1603 hours, 21 February 2004.]

6 [The session resumed at 1620 hours, 21 February 2004.]

7 MG Taguba Have a seat there Colonel [REDACTED].

8 LTC Jordan Yes, sir

9 Q All right, we'll continue with our interview here. Let me  
10 remind you again please that we are being recorded.

11 A Yes, sir

12 Q And that you are still under oath. Several of those who  
13 are-- have been accused of detainee abuses, some of them horrible as  
14 you can imagine, and those that I've interviewed had the  
15 understanding that and I quote from one interviewee, "That Wing 1 was  
16 supervised mostly by Lieutenant Colonel [REDACTED] Lieutenant Colonel  
17 [REDACTED] was very involved with the interrogation process and the day  
18 to day activity that occurred " Which is just one of several who  
19 have had the understanding that your presence there, even though you  
20 indicated that you were there infrequent and had to ask permission  
21 for access, understood that your duty was to supervise or at least  
22 have control of Tier 1A, and 1B

1           A.  Sir, all I know is that anytime that we went on-- anybody  
2  ever went over there you always had to request permission to come in.  
3  Always had to leave your weapon if you had a weapon with you if the  
4  MP's----

5           Q   Did you have an understanding with the battalion commander  
6  that your access was authorized or was necessary in regards to your  
7  liaison duty with the 205<sup>th</sup> MI Brigade?

8           A   Sir, quite frankly when I first got there I sat down with  
9  Colonel [REDACTED] because I know Colonel [REDACTED] from a prior  
10 Reserve assignment, he was the G-1 of a CA Unit I was in Philly, so I  
11 know him friendly, not hunting buddies or anything like that, but  
12 knew him, "I remember you, how are you doing?" He, I, his S-3, the  
13 OPS Officer for Colonel Pappas, [REDACTED] Chief [REDACTED] all of us  
14 at one point in time would set and discuss the movement, and it was  
15 more movement of detainees in regards to military police than it was  
16 interrogation only

17          Q   What kind of movement?

18          A   Movement from either Camp Ganci or Vigilant to the  
19 interrogation booths, the interrogation tents, or to and from  
20 isolation area

21          Q   Why would you be concerned with that?

22          A   Well sir, because there weren't enough MP's to do the escort  
23 duties and we had to tap into MI soldiers to do that.

1 Q. But I thought that was the responsibility of Colonel Pappas  
2 and an MI Battalion Commander who was subsequently assigned there?

3 A. Sir, the only MI Battalion Commander I know that was ever  
4 assigned out there was Lieutenant Colonel [REDACTED] somewhere  
5 December-- in December somewhere around that, so up----

6 Q It's earlier than that, November.

7 A It could have been sir, I'm trying to guess.

8 Q I mean if you're concerned with movements in your capacity  
9 as a liaison officer, because there was a shortage of MP's, why would  
10 you take it upon yourself to be involved in that while in essence  
11 that was the responsibility of the MP's to ask for reinforcements in  
12 that regard

13 A Sir, just per guidance from Colonel Pappas, "Please check  
14 with the Battalion 3. Please check with Colonel [REDACTED] Please  
15 have them understand my intent is to conduct the interrogation  
16 operations not to have MI soldiers moving detainees Not to have----

17 Q So you're checking whether MI soldiers were being used as  
18 guards?

19 A Uh---

20 Q Or augmenting the MP's?

21 A Augmenting the MP force and at one point sir, there had an  
22 issue where the 320<sup>th</sup> is a Host Command Wanted to utilize MI  
23 soldiers, either supporting the entry control guard force, and at one

1 point there was a FRAGO that was cut putting MI supposedly in charge  
2 of two towers 24 7 in essence pulling 12 MI soldiers out away from  
3 interrogation operations and again Colonel Pappas and his 3 said,  
4 We'll handle this. We'll let them know that. They can't come over  
5 and task the soldiers to go do non-interrogation operations. This is  
6 our focus This is what I want you to do. Make sure they understand  
7 that So sir, I was-- basically relaying information between. Like  
8 Colonel Pappas wanted back in forth with the 320<sup>th</sup>.

9 Q Did that include-- did that include people in the hard site,  
10 because according to your brigade commander his responsibility, if  
11 that, was placing guards of the ECP and also manning the tower, but  
12 nothing in the capacity of putting MI soldiers guarding the compounds  
13 meaning Vigilant and Ganci nor the hard site, so what you're  
14 intimating to me that you were in the hard site checking something  
15 that is outside the bounds of your responsibility and duties and  
16 roles as a Liaison Officer?

17 A Sir, I think we've crossed paths here.

18 Q Yeah.

19 A. When I was saying that I talked to Colonel [REDACTED] and  
20 them about MI soldiers being utilized it was what you were just  
21 discussing Entry Control Point guard towers, things of this nature.  
22 We never from my understood had ever seen MI soldiers being tasked to  
23 perform security functions in the isolation arena, but they did have





1 to move folks from isolation because of a shortage of MP's from the  
2 isolation area to the Site Wood, Site Steel, for interrogations.

3 Q. So using MI soldiers to move from one site to another site?

4 A. From one site back to interrogation-- back to the isolation  
5 cell----

6 Q Who did you interact with that?

7 A. Say again, sir?

8 Q Who did you interact with that?

9 A Umm----

10 Q Colonel [REDACTED] the guards directly, the company  
11 commander, I find it kind of strange that a Lieutenant Colonel is  
12 acting directly with soldiers Does that tell me that there is no  
13 one underneath you that could interact that Colonel----

14 A Sir, I'm saying that inter-- I interacted with Colonel  
15 [REDACTED] Major [REDACTED] the S-3 in concert with our OPS Officer, so  
16 there was a full understanding of our concern conveyed by Colonel  
17 Pappas of pulling MI soldiers away to go do these kind of operations.  
18 "One, we're really not trained to move detainees, they didn't have  
19 the equipment to move the detainees, and the issue came down is we  
20 have x amount of MP's, we're losing MP's, we're not getting any more  
21 MP's, we're getting more detainees, we can't do it. Colonel Pappas  
22 what do you want us to do?" "Get with [REDACTED], get with other  
23 folks, get some of these folks trained up, MI soldiers trained up by

1 the MP's so they can at least do it in a protective manner as much as  
2 possible." We didn't have plates We didn't have the new vests.  
3 Signed for some of those from the MP Company, I think it was from the  
4 372<sup>nd</sup> MP Company, and I believe that Sergeant First Class [REDACTED] the  
5 OPS ICE NCOIC went and signed for those to give them to the soldiers  
6 so they could move detainees And a lot I think were moving them  
7 that were also conducting the interrogations, so added to the length  
8 of time spent on interrogations.

9 Q All right So, that was the understanding, but your  
10 understanding was that you had limited access by asking permission to  
11 be present in the Tier 1A, and Tier 1B?

12 A Sir, every time that I was there and every time I saw  
13 anybody else go into that facility whether it was somebody coming for  
14 a visit or to interview or what have you

15 Q Were you on an access roster?

16 A I believe I was sir

17 Q You believe? Did you have a copy of that access roster?

18 A No sir, I believe we provided a access roster of folks  
19 assigned to the JIDC to the MP's to say, "These are the folks."

20 Q There was an NCOIC of the hard site and there was an OIC of  
21 the hard site and you mentioned Captain [REDACTED] and the other person  
22 you mentioned was Sergeant [REDACTED] was there anybody else between

1 Sergeant [REDACTED] and Captain [REDACTED] that you interact with with  
2 access?

3 A. I would say that the list probably initially went to the  
4 Battalion 3, to Major [REDACTED] to say these were the folks, I believe  
5 we included Colonel Pappas and the Sergeant Major and anybody else  
6 who'd be coming in

7 Q Who was anybody else, I mean that's-- that's-- you just  
8 mentioned that those are high valued detainees?

9 A Yes, sir

10 Q And not anybody else would have access to those unless they  
11 were authorized or had any business with that.

12 A Sir, I'm saying Colonel Pappas, Colonel [REDACTED] because he  
13 was Battalion Commander if he happened to come by to see where his  
14 soldiers were working his Sergeant Major.

15 Q What was the nature of your access there, I mean what kind  
16 of business as a liaison officer, not as an interrogator, would you  
17 have with access to those detainees?

18 A Umm-- kind of checking to make sure that we weren't  
19 violating the 30-day rule That we had an updated roster as far as  
20 the identification cards. Those kinds of things to make sure that  
21 everybody had the proper information That we knew who was where.

22 Q. Okay, but you just mentioned to me that you were limited in  
23 your capacity as a liaison officer, collecting reports, formatting

1 reports, and sending that up to the C-2. But all of a sudden as a  
2 liaison officer you were given additional guidance by Colonel Pappas  
3 check on the conditions of the detainees?

4 A. Sir, that was never----

5 Q. You took that as your own initiative?

6 A Sir, I never checked on the condition of the detainees as a  
7 primary duty.

8 Q But you just said that whether they were being-- the  
9 interrogation plan or post treatment was being carried out whether  
10 their-- not have exceeded 30 days of that, that sort of thing.

11 A Yes sir, because there was a roster on-- when somebody came  
12 in or something like that just-- and we kept one in the JIDC OPS area  
13 too just to take a look, "Hey we're getting close. Someone has been  
14 in there 24, 25 days Captain [REDACTED] have you sent up a request to  
15 Brigade to make sure that we don't violate the 30 day policy," things  
16 of that nature. So, ----

17 Q So, you were helping out, so to speak, there's nobody else--  
18 I'm still trying to make a determination Colonel [REDACTED] of your  
19 specific duties as an Liaison Officer, but every time you say  
20 something it kind of expands beyond what you described was your  
21 specific duties

22 A Sir, whatever guidance I would get from Colonel Pappas if I  
23 didn't think it was an illegal order or something, and it would be,

1 "Steve can you do?" "Check sir, I can do that for you, or Sir, are  
2 you aware this, this, and this, because this came up in a nine  
3 o'clock meeting?"

4 Q Sure.

5 A. "Or this came up at 1600 FORCEPRO, Sir you weren't here  
6 today, you're coming in tonight," what have you.

7 Q So basically you weren't receiving any kind of guidance from  
8 your Brigade Commander That is clearly understood that it could be  
9 outside the bounds of their responsibility as MI Intelligence  
10 Officer, or as MI Interrogation Officers?

11 A Oh yes sir, because I wound up doing things such as  
12 assisting in the MWR development, and procuring a weight system and  
13 getting the DFAC up and running and getting showers and finding out  
14 who the ACS Contractor was for living support type items and things  
15 of that nature

16 Q Okay, so that was-- again outside the bounds of the  
17 specifics duties, because you were just helping out. There's nobody  
18 else there to do but----

19 A Sir, that's what I----

20 Q And your Brigade Commander relied on your capacity to do  
21 that?

22 A Sir, that would be his taskings, "Where do we stand with  
23 this? How come the DFAC is not up? How come we don't have shower

1 points for these soldiers yet?" "Hey sir, here is statements of work  
2 by, you know, ASC, you know. Here is what the engineering board said  
3 what the status is " So I was kind of like-- like I say his liaison  
4 to attend the meetings that was being hosted by the 320<sup>th</sup>, but it  
5 wasn't all just MP functions, sir there was all the other issues that  
6 were involved and at the time he had like I say, removed the  
7 headquarters support role from the 519<sup>th</sup> and there was nothing there.  
8 He had given a requirement to the 323<sup>rd</sup> MI Battalion at BIAP, but sir  
9 I want to say I probably saw that Battalion Commander and Sergeant  
10 Major twice in four and a half months out there.

11 Q So you might say you're Colonel Pappas' trusted agent?

12 A Sir, can I be frank with you I want to say that I respect  
13 Colonel Pappas but Colonel Pappas and I never hit our stride. I  
14 don't think we're ever going to send Christmas cards to one another,  
15 but sir I can look you in the eye and tell you, that Colonel Tom  
16 Pappas would ever tell a soldier to do something illegal or do  
17 anything immoral or would he cover up anything had he been made aware  
18 of anything that had gone on And so, I respect Colonel Pappas for  
19 his position and his rank I can tell you quite frankly that there  
20 were times that we disagreed when I'd bring up issues, sir Are you  
21 aware, I'm trying to protect you on-- sir, and it had nothing to do  
22 with detainee operations I'm talking, you know awards, or possible  
23 congressional issues and I'm hearing being brought to me because I

1 actually lived in the same little environment where all the soldiers  
2 lived. And I'm saying from E-5 to O-5, we all had a very small  
3 environment. And-- so-- whatever he would come back and say, "Steve  
4 this is what I want, this is how I feel about it." All right, again,  
5 back to the incident with the three interrogators from the 519<sup>th</sup> that  
6 did the unauthorized interrogation of two females, etcetera,  
7 etcetera He's the one who said, "Let me get Captain [REDACTED] I'll  
8 give you a call back " Got Captain [REDACTED] on the line. "Want you to  
9 go to the Magistrate Cell, want you to do the Article 31 rights  
10 warning " "You've done these before?" "Yes, sir, I've done them  
11 before " "All right here's what I want you to do. I want you to get  
12 all the statements, things of this nature " So, sir, that's way  
13 outside the line, I think, of any liaison officer role. But, I think  
14 he felt confident-- safe in me doing that or he wouldn't have told me  
15 to do it, sir

16 Q You're not supposed to ask, do you feel like you are his  
17 trusted agent?

18 A Sir, you know when you say trusted agent, you know,  
19 there's-- there's trust and maybe there's friendship and maybe I'm  
20 running the two in there But I think, sir, that he trusted my  
21 judgment, I think he trusted me with the soldiers out there. I think  
22 the soldiers respected me and I think I could get the soldiers to  
23 soldier up in a very austere, tight environment.

1 Q So, based on that trust, [REDACTED] they  
2 would follow your instructions?

3 A Sir, I don't know about MPs, sir, you know I----

4 Q. But you interacted with them frequently.

5 A. Sir, I didn't-- I-- I have to disagree. Sir, I didn't  
6 interact with them frequently. I knew who worked what shifts; I knew  
7 who was in what company, just because it's a very small environment,  
8 you're there 24-7 Matter of fact, the 72<sup>nd</sup> MP Company, and then  
9 eventually the 680<sup>th</sup> provided mess facilities on MKT with us. So, I  
10 never gave any direction to MPs on anything other than on the night  
11 of 24 November when the shooting came down, and, sir, I still feel  
12 confident that that was a soldier safety issue based on the other  
13 intel reporting that even I don't believe the MPs had at that time.  
14 Where the information had come in with-- and it had been coming in  
15 for two or three weeks about outside attacks, inside attacks all  
16 combined, things of this nature

17 Q When Colonel Pappas showed up there on or about the 19<sup>th</sup> of  
18 November, 19-20<sup>th</sup> of November, in what capacity was he moving his  
19 Brigade down there, do you remember?

20 A He was moving in to be designated as the FOB Commander, FOB  
21 Abu Ghraib

22 Q Abu Ghraib. What was the command relations then, of the  
23 subordinate units that were already there?



1           A     Sir, you asking me, between 205<sup>th</sup> and 800<sup>th</sup>? Or are you  
2 asking me 205<sup>th</sup> and all the subordinate units?

3           Q.     And the subordinate units. 320<sup>th</sup>, 519 if they were still  
4 there, any units that were there already. Then you got the 205<sup>th</sup> that  
5 shows up, what was then the command relations? It was either  
6 expressed to you or you had knowledge of?

7           A     Sir, I would have to say that there was significant  
8 resentment towards Colonel Tom Pappas. The 205<sup>th</sup> MI, no, sir, let me--  
9 -----

10          Q     You say resentment, I mean, leave the emotions-----

11          A     -----sir, I'm gonna say resentment to the point where we  
12 all-- we all, in the element were lumped into MI and everybody else  
13 at Abu Ghraib. To the point where the 680<sup>th</sup> MP Company, there were  
14 signs because we shared an LSA and I'll give you some examples of  
15 that later sir, if you want. Where it was like, no MI allowed spray  
16 painted on a wall in a joint LSA.

17          Q     What was the command relations there, Colonel?

18          A     Sir, I never saw any-----

19          Q     Did you see any FRAGO?

20          A.    I saw a FRAGO, yes sir, of the 205<sup>th</sup>-----

21          Q     Do you recall what the command relationship was on that?

22          A     That everybody responded to Colonel Pappas as the FOB  
23 commander

1 Q. You didn't see anything like ADCON, OPCON, attached,  
2 assigned, TACON?

3 A. Sir, I've read so many FRAGOs, I don't wanna say, cause I--  
4 I, but the concept was everybody there was under the guidance of  
5 Colonel Pappas, and specifically I remember a conversation being held  
6 after one of these 0900, 1600 type----

7 Q Sure. Well, because you were a liaison from General Fast  
8 down to him, liaisoning works both ways.

9 A Oh, yes, sir

10 Q So, obviously you were getting some information from that  
11 particular side of the house, and----

12 A Well, sir, sir, I'm going to get there to it for you, sir -  
13 ---

14 Q ----you were probably reporting But I'm just trying to  
15 clarify, based on your experience, your educational background,  
16 military experience, that surely you had some knowledge of what the  
17 command relationship would be

18 A Oh, yes, sir. Sir, I knew-- I worked for Colonel Tom  
19 Pappas I understood when he came out as the FOB Commander,  
20 everybody there worked for Colonel Tom Pappas

21 Q Okay

22 A Explicit What I'm saying is that there was a specific  
23 conversation where he had to take the Battalion S-3 from the 320<sup>th</sup>

1   aside, Major ██████, and highlight, say, "I am in charge." And I  
2   believe----

3           Q.    You were there when that happened?

4           A.    Sir, I was within earshot. Now I'm gonna----

5           Q.    Did he talk to Colonel ██████ about it?

6           A.    No, sir

7           Q.    No. Did he talk to General Karpinski about it?

8           A.    Did who talk to General Karpinski, Colonel Pappas?

9           Q.    Colonel Pappas

10          A.    Sir, he indicated that he had sent her significant e-mails  
11   about it. But before I go to General Karpinski, can I go back to  
12   what I was saying about the three in that conversation, sir? Just  
13   because I remember this distinctly, Major Dinenna then said something  
14   about, "Sir, we know you're in charge, you're a Brigade Commander,  
15   you're a Colonel." Or something like that "But you're causing a  
16   division, a diversity between yourself and everybody else out here.  
17   And Colonel Pappas said, "No I'm not, I'm bringing everybody back  
18   under one strict regime command "

19          Q.    Did you ever ask General Fast why that was occurring that  
20   you have an MI Brigade Commander there that was appointed by the  
21   CJTF-7 Commanding General to be the FOB Commander?

22          A.    No, sir, I never----

1 Q Never Did she ever say anything to you why that was  
2 occurring?

3 A. Oh, yes, sir, she did, she had come out on a visit and she  
4 had actually taken me aside and had asked, you know, how is  
5 everything going, how'd the relationship working? And I said, "Ma'am  
6 there is some resentments, some hesitation, whatever you want to call  
7 it from the 320<sup>th</sup>, engineer, everybody that had kinda been there  
8 before, of falling under an MI-type command " And she said, "All  
9 right, thank you, and how's it working?" I said, "You know, Colonel  
10 Pappas is driving on He's got a sergeant major helping out He's  
11 bringing Colonel [REDACTED] and the 165<sup>th</sup> down to enhance the force pro."  
12 There had been issues of detainees escaping or the potential for more  
13 detainees to escape Colonel Pappas and myself at times, at his  
14 direction, went inside the compounds to take a look at the physical  
15 security aspects, force pro aspects, things of this nature. And,  
16 sir, I'm gonna tell you, a couple times, I said, "Sir, you don't need  
17 to be going down in there by yourself or even with me, you know you  
18 can have other people go do that for you." But he wanted a hands-on  
19 approach

20 Q Did you go down there by yourself?

21 A No, sir. I never went into Camp Ganca by myself, or  
22 Vigilant

23 Q What about the hard site?

1 A. Sir, I could never say that I was in the hard site on my  
2 own. I either went in with other of my soldiers, or I went in with

3 Q Who are some of those that accompanied you, you know?

4 A Major [REDACTED], Chief [REDACTED], Major [REDACTED], Colonel  
5 Pappas,-----

6 Q Chief [REDACTED] is out there right now?

7 A Yes, sir, he is

8 Q Okay, we'll call him afterwards.

9 A. Check, sir.

10 Q So you were always there with somebody?

11 A Sir, there's always some JIDIC person-----

12 Q Except for the night of the 24<sup>th</sup>?

13 A Actually, sir, there was an interrogation team that was  
14 waiting, I believe to take out somebody for an interrogation. There  
15 was a Staff Sergeant [REDACTED] and a Sergeant [REDACTED] as well.

16 Q Were they in civilian clothes?

17 A. No sir, they were in DCUs or they may have had their  
18 blouses off, but November I'm thinking it was probably cool enough  
19 they probably had their blouses on, sir

20 Q. So the two there waiting, but were you both together as you  
21 were entering or just coincidentally they were there?

22 A Just coincidentally and, like I said-----

23 Q. Did they participate in the shooting action?

1           A.    No sir.  No sir, they were off to a separate area based on  
2 going down to do a cell sweep.

3           Q.    Okay.

4           A    But, yes, sir

5           Q    Who is Specialist [REDACTED] do you know?

6           A    Specialist?

7           Q    [REDACTED]

8           A    Specialist [REDACTED], I know Specialist [REDACTED] yes sir.

9 She was one of the interrogators on one of the Tiger Teams  And, I'm  
10 sure you've been told what a Tiger Team is, so I'm not going to bore  
11 you with that  All right, sir.

12          Q    Sure  What was her function?

13          A    She was a interrogator with one of the-- I think she was  
14 in, again. I may be wrong on this possibly, the Foreign Fighter Cell.  
15 We had different breakouts for different groups.  She headed up a  
16 team-- Tiger Team's made up of an interrogator, an analyst, and a  
17 linguist  Sometimes we were short analysts and sometimes you have  
18 one analyst supporting two or three Tiger Teams  We normally had  
19 more interrogators than we did analysts.

20          Q    Did you investigate any of her-- or look into her  
21 interrogation practices and techniques?

22          A    Oh, yes, sir, and I'm going to be very specific that on the  
23 evening of 15 November at approximately 2200 hours, Specialist

1 [REDACTED] with a analyst by the name of Specialist [REDACTED] I forget the  
2 linguists name at this point, had scheduled to do an interrogation  
3 from a detainee in the Vigilant Facility and I believe they used the  
4 site steel. It came to my attention the following morning that they  
5 had used an unauthorized interrogation technique for that  
6 interrogation. And the way we had set up and structured the  
7 interrogation folders was first of all you had to have an  
8 interrogation plan. And that included what you were going to use,  
9 what kind of techniques and we kind of scripted out kinda like a  
10 Coach Walsh from the old forty-niners side of the game. At least ten  
11 questions, if you could, that you were going to go with. And that  
12 might spin something else out. If somewhere along those lines the  
13 interrogation that you decided this wasn't working, you want to do  
14 something else. You stop the interrogation, either set them up for  
15 another time to go back, talk to your chain of command, and try  
16 another approach. Or you go talk to your chain of command at that  
17 time. Cause you have a night shift under Chief [REDACTED] Sergeant  
18 [REDACTED] d day shift under Captain [REDACTED]

19 Q. So you did have, you did provide some instructions to the  
20 interrogators with regards to how to conduct an interrogation plan?

21 A. Yes, sir. And this was a planned process that, sir, I'm  
22 telling you we sweated blood for, I don't know, a couple weeks.

1 Q. But you did not conduct interrogations, per se, but you  
2 have knowledge of interrogation techniques and practices and how to  
3 conduct an interrogation plan?

4 A. Yes, sir

5 Q. All right. How many MI interrogations----

6 A Let me finish what she did on it, sir, if you wanna know  
7 what happened Somewhere along this process on her interrogation the  
8 detainee, according to her statement, was not becoming compliant.  
9 And she started using removal of clothing as a motivating factor.  
10 Somewhere along, and I don't know how long the interrogation took, I  
11 don't remember at this point Specialist ██████ sent a note over and  
12 said, are you sure that this is authorized She wrote back to  
13 Specialist ██████ cause I interviewed them both with their NCOIC there  
14 and Captain ██████ the interrogation OIC and she said, "Yes, it's  
15 authorized " The bottom line was they had the detainee remove all  
16 his outer clothing and took him back to Camp Vigilant like that at  
17 22, 2230 hours in the evening So, it was getting cold that time of  
18 the year Was not an authorized interrogation I went to Colonel  
19 Pappas after I read the statements and told him what happened. Told  
20 him the immediate action was that I requested that they pull both  
21 Specialist ██████ and Specialist ██████ from the Tiger Teams and  
22 reassign them temporary duties pending Brigade Commander's decision  
23 on it. I said, "Sir, here's some options we can do. Keep them out



1 like that and monitor them Give them a counseling statement. Sir,  
2 you can give them UCMJ action, whatever case you want to do, take it  
3 with." I believe he spoke to Chief [REDACTED] and Major [REDACTED] on it.  
4 One of them went to work CMD, Collection Management Dissemination.  
5 The other went to the Fusion Cell Both of them, I understand,  
6 soldiered up, did very well in those arenas. I believe Specialist  
7 Spencer has been put back on the Tiger Team.

8 Q All right, you don't think that was a violation of a  
9 command directive, signed by General Ricardo Sanchez?

10 A Sir, that was my question to the Brigade Commander, was,  
11 "Sir, removal of clothing, especially in cool evening hours and then  
12 walking back kind of a slap in the face, so to speak. Matter of  
13 fact, when I spoke to both soldiers, I gave them a reverse scenario  
14 I said, "What if all of us coalition U.S. forces were inside Camp -  
15 Vigilant, the Iraqi security forces were guarding us, and you,  
16 Specialist [REDACTED] came back with your clothing removed or portions of  
17 your clothing removed late at night How would you expect us as  
18 American soldiers, or coalition forces to react?" And at that point,  
19 I believe, the light bulb kinda came on there, sir.

20 Q So they-- she didn't get an Article 15?

21 A Colonel Pappas chose not to go Article 15, sir.

22 Q So you're saying that the Brigade Commander, somehow,  
23 disregarded this thing called, the purpose of all interviews and

1 interrogations to get the most information from a security detainee  
2 with the least intrusive method applied in the humane and lawful  
3 manner with sufficient oversight by trained investigators or  
4 interrogators?

5 A Sir, that's what I'm saying----

6 Q. Slap on the hand, wasn't it?

7 A Yes, sir.

8 Q Anybody else that were disciplined in a similar manner by  
9 the Brigade Commander that you know of? Since you are an instructor  
10 of sorts ----

11 A Sir, ----

12 Q ----Given in-- that sort of information that there's a  
13 certain standard here that was issued

14 A Yes, sir Sir----

15 Q So you don't think you're responsible for that as well?

16 A Sir, I have no UCMJ authority My only alternative at that  
17 point was to take it up to General Sanchez or to General Fast

18 Q And you didn't do that?

19 A Sir, I was told to stay in my lane

20 Q Who told you that?

21 A Colonel Pappas told me that

1 Q Colonel Pappas told you that. Seems to me that most of you  
2 were kind of knocking heads with regards to compliance with  
3 standards.

4 A. Well, sir, I'm gonna tell you that this is probably not the  
5 first FRAGO that I was told to ignore by Colonel Pappas. And, sir,  
6 there were times that I stood up to Colonel Pappas and refused to  
7 execute what I felt was an unlawful order and asked for clarification  
8 in writing. And, sir, I never got it. And I----

9 Q Let me read you something, Colonel Jordan. AR 190-8, which  
10 is a joint regulation and it, states on here: the inhumane treatment  
11 of EPW civilian internees and retained personnel is prohibited. It's  
12 not justified by the stress of combat or with deep provocation.  
13 Inhumane treatment is a serious and punishable violation of the  
14 International Law and the Uniform Code of Military Justice So  
15 you're telling me that your Brigade Commander somehow took it upon  
16 himself, based on your recommendation, to remove this person from any  
17 interrogation practices or mission and that she just was given  
18 probably a verbal reprimand or admonition and is now being placed  
19 back into interrogation?

20 A Sir, my recommendation was that he pursue UCMJ as was  
21 Captain [REDACTED] as was Sergeant [REDACTED] recommendation And what he  
22 asked me was, "What have I done at the time? Are they still on the  
23 Tiger Team?" I said, "No sir, I pulled them off the Tiger Team and

1 have asked for them to be reassigned to other duties. Sir, this is  
2 where they've been reassigned based on Major [REDACTED] and Chief [REDACTED]  
3 recommendation "

4 Q. Were there any other interrogators that were accused of, or  
5 suspected of, or punished for inhumane treatment of detainees by  
6 virtue of their interrogation practices?

7 A Sir, we go back to the night, October 6<sup>th</sup> or 7<sup>th</sup> where the  
8 three interrogators from the 519<sup>th</sup> ----

9 Q Those were the only ones?

10 A Sir, that's the only ones that I'm aware of.

11 Q What punishment did they get?

12 A Sir, they got Field Grade Article 15, I believe. According  
13 to Colonel Pappas, sir, I never saw the documents, but I did see-- I  
14 handled the statements that were provided to me by the 72<sup>nd</sup> MP Company  
15 Commander based on two or three MPs And, quite frankly sir, I got  
16 chastised for writing an eight-page SIR on exactly what occurred.----

17 Q Who chastised you?

18 A. Sir, Colonel Pappas

19 Q Boy, you guys are having such a great working relationship-  
20 ---

21 A Sir, sir, we never had a great working relationship. And  
22 you can ask General Fast that I even came to her late October, early  
23 November timeframe, I believe, and asked if there's any way I could

1 be reassigned any other duties. Because I felt since I wasn't  
2 assigned to the Brigade, I wasn't on the Brigade staff, that I was  
3 constantly butting heads. Not only on issues like this, but issues  
4 like a soldier coming in theater without a weapon and being at Abu  
5 Ghraib for-- and Balad, being in theater for three weeks without a  
6 weapon. And this Company Commander didn't know about it, Battalion  
7 Commander didn't know about it, Brigade Commander obviously didn't  
8 know about it when I informed, they took action. Soldiers being sent  
9 out without ammunition by the Brigade staff or Battalions. Civilians  
10 being sent out without their protective gear. Abu Ghraib, sir, you  
11 obviously know gets mortared, gets hit, missiles everything all the  
12 time. And, sir, I just couldn't understand that. The safety issue.  
13 I was directed, matter of fact, on the evening of the incident of 20  
14 September where we lost two soldiers and-- I get emotional about that  
15 because if Sergeant-- Specialist [REDACTED] and Sergeant [REDACTED] hadn't  
16 been where they were at, myself, Chief [REDACTED], Major [REDACTED] probably  
17 wouldn't be here to day cause they took the brunt of the blow.

18 Q How do you feel about those detainees being inhumanely  
19 treated?

20 A Sir, I----

21 Q They don't count?

22 A No, sir, I never said that, sir. And I've told everybody  
23 and you can ask these soldiers in formation I talked to them and

1 highlighted what Colonel Pappas would say about how you treat folks  
2 and that there are Rules of Engagement and I stressed that, and I  
3 stressed, and I stressed that, sir. I never stressed that to the MPs  
4 sir, because I never felt that was my lane. I understand that they  
5 had their own rules of how they handle detainees, prisoners, what  
6 have you, and there are two different categories out there.

7 Q But given the fact that you were involved with  
8 interrogation operations for whatever reason,-----

9 A Yes, sir -----

10 Q -----in a liaison capacity, do you know that postings of the  
11 Geneva Conventions have to be done in such a manner where everybody  
12 could see it, to include both U S Military and detainees in both  
13 English and Arabic so they understand the left and right limits?

14 A Sir, I do know that the Magistrate Cell at Abu Ghraib had  
15 provided those, and I do know that there were times that they needed  
16 additional linguist support for those that were illiterate to  
17 understand and help sign their Geneva-- I think it's called a rights  
18 waiver-- that the-- and I know that they had gone to the linguist  
19 manager, I think Chief [REDACTED] to get those folks to go do that  
20 and-- and-- and insure that I had seen it-----

21 Q Based on your presence-- based on your presence there, and  
22 giving advice to the MPs, you didn't see any of that happen?

23 A. Any negative behavior on detainees?

1 Q. Well, detainees, of course, or the MPs as you said you had  
2 limited access into Tier 1A and 1B that given the instructions by the  
3 magistrate on the Geneva Convention that they would have at least  
4 told you the provisions or highlighted the provisions of AR 190-8.

5 A Sir, I would hope that if they were aware of anything that  
6 had gone against the rules of treating people humanely, I'd have  
7 heard about it And, sir, if I had, I would have probably reacted  
8 like I did the night that the shooting went down and Colonel Pappas  
9 had instructed that a lock down of the correctional officers on duty  
10 be held because of concern of weapons being smuggled and prior  
11 intelligence

12 Q Colonel Pappas ordered the lock down of everybody?

13 A Of the correctional officers, yes, sir

14 Q Of the correctional officers

15 A Yes, sir And he went into----

16 Q So does that tell me then, that Colonel Pappas was then--  
17 had control and didn't need to coordinate with the MP Battalion  
18 Commander to lock down everybody in that prison? Why would an MI  
19 Batt-- Brigade Commander order the lock down to which those people  
20 were not under his command and control, which you just stipulated as--  
21 --

22 A Sir, I believe they were under his command and control at  
23 that point in time as the FOB Commander

1 Q. As the FOB Commander?

2 A. Yes, sir.

3 Q So, that would include then, Tier 1A and 1B?

4 A I'm not sure of the question on that, sir.

5 Q. Question is, you have a hard site.-----

6 A Yes, sir.-----

7 Q -----That hard site was shared by both Iraqi-----

8 A MP, MI, yes sir, and Iraqi prisoners-----

9 Q -----so you just said that he ordered the lockdown to

10 everybody there, to correctional officers and the whole thing. Who

11 did he order that lock down to? The MI personnel or to the MPs?

12 A Sir, I believe he ordered it to the MPs on duty at the

13 time Sergeant Fredrick

14 Q So, in other words, that would then imply then that he had

15 authority to order

16 A Oh, yes sir

17 Q Sure.

18 A And matter of fact, it continued on to-----

19 Q Tier 1A and 1B?-----

20 A Tier 1A, 1B-----

21 Q The whole complex, right?

22 A The whole complex and included the shifts two and three

23 that came on the subsequent days



1 Q. Yeah. I'm just trying to understand from what you just  
2 said previously that MI had no control over those folks


3 A. Sir, we're talking a different time frame from when he came  
4 in as the FOB Commander. At that point, everything fell under  
5 Colonel Pappas whether certain folks wanted it to or not.

6 Q Okay.

7 A All right, sir I did question him about locking people  
8 down Second group coming in, third group coming in and they work  
9 24-hour shifts, kinda like firefighters, sir So they came in and we  
10 were all ordered to meet them at the gate, screen them all, and any  
11 of those that had contraband or suspect to take and lock them down,  
12 and we act-- I think the final count, sir, was 47 or 48 of which I  
13 believe 18 are facing prosecution to include 4 for smuggling a weapon  
14 and things of that nature Some got fired, some got fined, but there  
15 was a bad presence

16 Q So then that placed in the custody of whom?

17 A The MPs, sir

18 Q The MPs Do you know a Master of Arms First Class 

19 A. I can't place the name, sir

20 Q He's a dog handler

21 A. Okay, sir Navy petty officer or something like that, I'm  
22 guessing? Okay There were three canine teams that had come out to  
23 Abu Ghraib, yes sir

1 Q Just three?

2 A As far as I know there were only three canine units there,  
3 sir

4 Q. There was five

5 A. Okay sir.

6 Q All right So how do you know MA1 [REDACTED]

7 A Just, when you say dog handler, I'm just assuming I saw  
8 there were a couple Navy folks in DCUs that had dogs.

9 Q How did you know he was Navy?

10 A You said Master Chief, sir, so I'm assuming Navy.

11 Q Did you ever see him in the hard site?

12 A Sir, I couldn't pick him out of a lineup, but I'm gonna  
13 say----

14 Q Did you see him during the evening of the shooting at the  
15 hard site? Was he there?

16 A If he was part of the QRF that had been called in to go in  
17 because the subsequent information was that there might be  
18 explosives, there might be hand grenades, things like that, I believe  
19 at that point in time, and I don't know who authorized-- they just  
20 showed up because I was chatting with Colonel Pappas and he was  
21 putting together an SIR interim report to send up to the JOC. He  
22 asked me to go back and check on what the status, who was there and  
23 whatever and the QRF was doing a shake down of the lower tier cells

1 with dogs looking for explosives and I believe there were two dog  
2 handler teams in there ----

3 Q Okay.----

4 A ----And I just remember the dogs because----

5 Q On the night of the shooting you said you notified Colonel  
6 Pappas following the shooting

7 A Yes, sir. Yes, sir.

8 Q According to interviews, he was never notified by you. He  
9 was notified by somebody else. Cause you mentioned there was no way  
10 for you to contact him inside the hard site.

11 A I may have called-- I may have called Captain [REDACTED] and  
12 asked her to go down and tell Colonel Pappas at that point.

13 Q Why would you do that if you were-- were there telephones  
14 in the hard site?

15 A I had to go down to one of the other offices there and pick  
16 up a DVNT line to make a call over.

17 Q All right I just want to, for the record, he denies you  
18 ever reporting to him that incident

19 A Okay, sir.

20 Q That he was notified after the shooting by General  
21 Karpinski So----

22 A Sir, he was there at the-- living there at night.

1 Q. I mean during chronologically there was a shooting that you  
2 said you never saw the Battalion Commander or the Company Commander  
3 during the entire time prior to going into the cell to do whatever  
4 interviews you did with the taxicab driving which is a search on that  
5 particular side of the house. Or a search of a suspect that may have  
6 subsequently did have the weapon, which is another search. And then  
7 you were in fact had control of those guards taking action that  
8 resulted in the shooting of a guard and then you mentioned that you  
9 then reported that incident to Colonel Pappas to which he denies on  
10 his sworn-- since he was under oath yesterday-- he said he never  
11 received any report from you and that he in fact received the report  
12 from General Karpinski because General Karpinski was notified  
13 afterwards

14 A Sir, I totally disagree Here's a copy of an e-mail that  
15 says, quote "From Colonel Pappas at 2023, it says 8:23 AM here, says  
16 we've got the weapon here, can't tell anything about it except that  
17 the Chinese star on the handle means that it wasn't a U.S. 9mm for  
18 which I am grateful Am getting details from Lieutenant Colonel  
19 [REDACTED] today Frankly this is pretty straightforward. enemy shoots,  
20 we shoot back, no Rules of Engagement or training issues whatsoever.  
21 I am very concerned about the incident at Ganci because the  
22 circumstances are much less clear cut One are the staff needs to  
23 get involved in my assessment, as long as IP guards have the run of

1 the facility and we don't have MPs to supervise them full time, which  
2 we should, but somehow don't, especially at the access point to the  
3 High Value Detainee area One thing I'm looking at doing is cutting  
4 off access to all iso cells blocks and making U.S. only. More to  
5 follow "

6 Q Okay What do you think is the implication of that, at  
7 least the intent that he had already taken control or wants to take  
8 control of the facility?

9 A Sir, my basis is that I informed Colonel Pappas immediately  
10 after the shooting, I want to say it went through Captain [REDACTED] back  
11 and forth because I would get a couple of calls back, please come and  
12 help get the interim report going while the dog teams were back and  
13 forth And then I would be sent back and forth to update Colonel  
14 Pappas Matter of fact, Colonel Pappas came into and asked me to  
15 escort him down to the hard site cell and handled the 9 mil and  
16 pulled off the Chinese star and all these kind of things, off it,  
17 sir

18 Q Is it your understanding that up until the 19<sup>th</sup> of November,  
19 that's the date that he received the FRAGO stipulating that he was--  
20 or appointing him to be the FOB Commander, that-- that nobody was in  
21 charge of the hard site? MPs were in charge of the hard site at that  
22 time But on the 19<sup>th</sup> and subsequently after that that the MI Brigade

1 Commander had control of all the facilities, to include the camps,  
2 the detention camps and as such----

3 A Sir, there's no doubt in my mind it was readily discussed  
4 with me at great length sometimes by Colonel Pappas to go relay  
5 information from him to the battalion three, to Colonel Phillabaum---  
6 -

7 Q Why relayed through you? Why didn't you just tell him?

8 A Sir, my impression of Colonel Pappas is a very smart  
9 individual, very bright, does not like confrontations, and therefore,  
10 uses someone else to send his message.

11 Q So, in your capacity as liaison officer, you conveyed that  
12 to whom?

13 A If he asked me to go see Major [REDACTED] or he asked me to go  
14 see Colonel [REDACTED]----

15 Q Regards to stating that I am now the FOB Commander, I'm now  
16 in charge of that facility, or I'm now in charge of detention  
17 operations You said that he just used you or he utilized you to  
18 convey that particular order----

19 A Sir, back to the conversation I mentioned where he and  
20 Major [REDACTED] after-- and I want to say normally he had a 0900  
21 morning meeting, he came in one afternoon, I believe Colonel--  
22 Lieutenant Colonel [REDACTED] was there as well, he introduced who  
23 Lieutenant Colonel [REDACTED] was, Sergeant Major [REDACTED] few of the

1 other folks, what his focus was now as the FOB Commander, few other  
2 things There was some rolling of the eyes by Dinenna, some other  
3 comments, and that's when he took him outside and highlighted that he  
4 was in charge of everything there at Abu Ghraib as the FOB Commander,  
5 to include----

6 Q To include the confinement facility?

7 A Everything, sir.

8 Q Okay And that was your understanding?

9 A Yes, sir

10 Q Was that conveyed verbally to everybody in that meeting?

11 A Oh, yes sir And I'm talking engineers, quartermaster,  
12 everybody that would come to those normal, base camp-type meetings.

13 Q This is after he had been appointed as the FOB Commander?

14 A Yes, sir Now, I can't tell you if it was the 19<sup>th</sup> or the  
15 29<sup>th</sup> or whenever it was, but it was right in the timeframe and just  
16 prior to that, he had pulled myself in, Major ██████--and I want to  
17 say it was after 15 November, because Major ██████ wasn't there,  
18 that's when he departed--Chief ██████ Captain ██████ whoever else was  
19 there, Colonel ██████ I think maybe his Brigade legal officer, and  
20 indicated, showed the FRAGO, I've now been appointed the FOB  
21 Commander Abu Ghraib in charge of everything that is running here. I  
22 understand, not firsthand knowledge, but through other folks that

1 there was a major falling out between him and the sergeant major  
2 about that issue----

3 Q. Who was this again?

4 A Sergeant Major [REDACTED]

5 Q And the Brigade Commander And that for some reason  
6 Sergeant Major [REDACTED] felt that he-- the Brigade Commander had made a  
7 mistake in pursuing or accepting FOB Command and from what I  
8 understand, they didn't speak for about 30 or 45 days. Matter of  
9 fact, Sergeant Major [REDACTED] stayed at Camp Victory. Colonel Pappas  
10 pulled his ops sergeant major, Sergeant Major [REDACTED] out to be his  
11 acting FOB Sergeant Major, for lack of a better, and that's the role  
12 that Sergeant Major Harris played out there was as the FOB Sergeant  
13 Major

14 Q Let me shift gears a little bit Colonel [REDACTED], did you  
15 ever give any of the MP guards in Tier 1A and 1B any instructions  
16 with regards to detainee treatment More specifically, how to treat  
17 them to prepare them for interrogation the next day or during that  
18 day with such comments as "give him the special treatment, or give  
19 her a special treatment, make it easy for us when we interrogate him  
20 the next day?"

21 A No sir, I would never do anything like that If I said  
22 anything to anybody, it would be, "You let me know if anything has  
23 gone awry on any interrogations " I would talk to even doc [REDACTED]



1 who kind of headed up the medical team that would go in, I guess once  
2 in the morning and once in the afternoon to give prescriptions and  
3 things of this nature, and said----

4 Q. Who's this person?

5 A Lieutenant Colonel [REDACTED] They were with-- I think a  
6 109<sup>th</sup> Medical unit-- they provided all the medical care for us, but  
7 also for the detainees. ----and said, "Please let me know if you're  
8 aware of anybody that appears to have been mistreated and any of  
9 these kind of natures I need to know immediately, very sensitive "  
10 I had a good relationship with doc [REDACTED] to a point where he would  
11 come to me and say, "Hey, [REDACTED] out in Camp Vigilant we have a 73  
12 year old man who has brain cancer I don't know what intelligence  
13 value he has Can you check and see if we can get him released  
14 because he's going to die And he's going to die soon " And we had  
15 a couple of those kind of instances where, again, there was a  
16 procedure Colonel Pappas had in place on any released detainees.  
17 We'd have to go get time, say sir, "Pulled the file, I've looked at  
18 it, I've talked to the interrogations folks I've talked to either  
19 Matt [REDACTED] Major P [REDACTED] Major [REDACTED], Chief [REDACTED] There's no  
20 real intelligence value, we're just kind of holding him. This person  
21 is a security detainee Sir, if this was my dad, I'd like to have  
22 him go home and die at home " In most all those cases, Colonel  
23 Pappas went with the recommendation of releasing the individual out

1 and do that And I appreciate-- quite frankly, sometimes I got tired  
2 of doc [REDACTED] coming by and saying, "Hey, we really need to check  
3 on this guy for dental care," or something like that, you know But  
4 I would pursue it, "Thanks doc Let me take this up and go do it "  
5 And he had a very caring heart that went out beyond Iraq, American,  
6 what have you His whole team did a great job. Never once did he  
7 come and tell me of a detainee in either Ganci, Vigilant, or in the  
8 hard cell site showing any signs of abuse, or anything along those  
9 lines

10 Q You've never seen anybody walking around naked or at least  
11 raise any curiosity of-- in your infrequent checks of seeing a  
12 detainee naked in his or her cell You never saw any of that?

13 A Sir, I never saw any female detainees unclothed.

14 Q What about male?

15 A Sir, I had seen, at times, male detainees that didn't have  
16 all their clothing-- you know, had shorts on, or what have you. I  
17 never saw any detainee totally naked

18 Q When was that? I mean, you see folks without their  
19 clothing in the dead of winter----

20 A No, sir, I'm not saying-- I'm talking September, October  
21 timeframe

22 Q I'm talking about after----

23 A Sir, I never saw anybody----

1 Q Not at all?

2 A Never, never. I did get report from the International Red

3 Cross that [REDACTED]  
4 [REDACTED]  
5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]  
14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED]

19 Q You had reports of that nature?

20 A Sir, I was told by Colonel Pappas that the International  
21 Red Cross finding [REDACTED]  
22 [REDACTED]

1

2

3 Q Well, given the fact that you wanted to go inside the hard  
4 site, the Tier 1 and-- Tier 1A and 1B to check whether there was  
5 compliance of sorts You mentioned that based on these reports or  
6 allegations from ICRC or anybody else for that matter. None of that  
7 sort was occurring?

8 A Sir, not to my knowledge I'm telling you sir, I'm looking  
9 you in the eye, if I was made aware of it, I would have stopped it  
10 You'd probably do a 15-6 on me for putting a boot in a soldier's  
11 butt All right, sir, I'm telling you I was never made aware of  
12 that And matter of fact, when the International Red Cross came from  
13 their visit, Colonel [REDACTED] specifically asked me to take them  
14 over to the iso area and escort them over and help them out in any  
15 area that they had-- if they had any questions about security  
16 detainees

17 Q Let's talk about that, in the iso area You said there was  
18 a roster of who was in there and who was not

19 A Yes, sir

20 Q Okay Were there specific instructions to put somebody in  
21 segregation? And how was that conveyed? Verbal or written?

22 A I'd say it was probably provided verbally and then there  
23 should have been some sort of written annotation----

1 Q Some sort.-----

2 A -----in the detainees-- why they were in segregation What  
3 was the specific goal to have this person in segregation?

4 Q Who should sign those? Who should sign those?

5 A [Pause]

6 Q Interrogator or somebody.

7 A I would say probably the ICE chief for day shift or night  
8 shift because they were the ones monitoring and scheduling the  
9 interrogations, they were the ones that were kinda held accountable  
10 to make sure that the interrogation folders were up-to-date and  
11 current So if any time anybody came to review them and they were  
12 briefed off of, and sir, I spent more time running around, being an  
13 aide-de-camp, no offense, to visit general officers and folks from  
14 the White House, and explaining what a Tiger Team is, and walking  
15 them through the ICE and things like this, than I can shake a stick  
16 at But there was a lot of those

17 Q Well, I will tell you that those have to be as-- based on  
18 the interrogation Rules of Engagement that was approved by General  
19 Sanchez, that they either have to be signed by him or signed by  
20 Colonel Pappas, nothing less

21 A All right sir, I never, ever saw anything signed by General  
22 Sanchez in anybody's interrogation folder that I saw

1 Q Right, but you're familiar with interrogation plans and  
2 things of that nature, based on what you just said about Specialist  
3 [REDACTED] because she wasn't following her interrogation plan.

4 A She wasn't following her directed interrogation plan, yes,  
5 sir

6 Q So, that's part of the interrogation plan is if I want to  
7 have this particular detainee was non-compliant, or we sense he  
8 doesn't want to comply or answer the questions, he or she is given  
9 some sort of a treatment that would either be segregation or some  
10 sort of a sleep management plan or meal management plan, and that was  
11 either conveyed to somebody, to the MPs, you said either in writing  
12 or verbal followed and signed by somebody else

13 A Yes, sir Sir, I would say for isolation, but I know on  
14 that case with Specialist [REDACTED] that the person had come out of  
15 Camp Vigilant

16 Q Right

17 A So that it was not a----

18 Q But everybody's being interrogated----

19 A ----sleep management or something like that, there was not  
20 a----

21 Q Everybody's getting interrogated, whether they liked it or  
22 not That's the whole purpose of having a detention operation

1           A.    Yes, sir.  And at this point I can't understand, sir, if  
2 this was just an initial interrogation, first time, second time, I--  
3 I can't tell you at this point

4           Q.    So, you're not-- are you familiar with Interrogation Rules  
5 of Engagement?

6           A     Yes, sir

7           Q     Which one?

8           A     As far as Rules of Engagement for Interrogation?

9           Q     The Rules of Engagement before Colonel Pappas arrived or  
10 was there a subsequent one after he arrived?

11          A     Sir, there were two sets  There was a first set and I  
12 remember specifically Colonel Pappas directed me to make sure that  
13 everybody read it and signed it immediately on my arrival, so I want  
14 to say 18<sup>th</sup> or 19<sup>th</sup>, somewhere around there, September----

15          Q     Do you recall any of the contents of that?

16          A     Yes, sir  It was like, you know, what was authorized as  
17 far as sleep management, meal modification, things of that nature.

18          Q     Who gets to approve?  Does it stipulate on there who gets  
19 to approve and disapprove, that sort of thing?

20          A     The way that, if I remember correctly, the way that  
21 everything was set down to us from the Brigade was read the Rules of  
22 Engagement, make sure everybody's aware of them, down to the very

1 lowest soldier. Any questions sign the document and make sure they  
2 understand it At this point I----

3 Q. Do you recall seeing that in the Brigade TOC?

4 A Sir, I was never in the Brigade TOC, unless you're talking  
5 about a Brigade TOC at Abu Ghraib.

6 Q Brigade Headquarters at Abu Ghraib?

7 A No, sir. Cause I would call the Brigade Headquarters at  
8 the time, the small office that Colonel Pappas maintained and I never  
9 saw that posted.

10 Q So you never ventured in the admin area of the Brigade  
11 Headquarters? I would imagine that since you're the liaison officer  
12 you would have kind of free reign in that particular area

13 A Sir, he never had his 1, 2, 3, 4, 6, nobody out there.

14 Q When he went down to the FOB?

15 A No, sir, never did

16 Q Never been in there?

17 A Sir, I've been in there, but he didn't have his Brigade  
18 staff, that's what I'm telling you, sir

19 Q But he had an office in there?

20 A He had an office, yes, sir, and I was in there, yes, sir

21 Q Would you venture in his office? I went to his office.

22 A Only invited, sir

23 Q Only invited



1 A Yes, sir, I never went in unaccompanied.

2 Q That's kind of strange, I mean, you were working for him as  
3 his liaison officer, and you had to be invited?

4 A Sir, I would knock on your door out of common courtesy,  
5 like anybody else, cause a lot of times he would take a power nap or  
6 something He had a Brigade legal officer with him, he had an  
7 Assistant 3, Captain [REDACTED] that lived there, and occasionally a  
8 Sergeant First Class [REDACTED] So, a lot of times there were notes  
9 on the door, do not disturb, whatever A lot of times that was the  
10 only DSN line we had, if the Brigade Commander----

11 Q So it was kind of-- it wasn't kind of an open setting?

12 A Oh no, sir, there was nothing open about it, it was very---  
13 -

14 Q It's kind of hard to imagine there, Colonel [REDACTED] but let  
15 me now show you this, have you seen that?

16 [MG Taguba hands LTC [REDACTED] a document ]

17 A Sir, I saw this sometime in early January

18 Q In early January?

19 A Yes, sir

20 Q When in early January

21 A When I happened to venture out to the facility, sir. I left  
22 Abu Ghraib to do a separate mission on 22 December,-----

23 Q Right ----

1 A. ----came back and picked up some gear----

2 Q. Right ----

3 A. ----and that was posted----

4 Q. Okay.----

5 A. ----inside the JIDIC when you walked into the main door.---

6 -

7 Q. Okay ----

8 A. ----But I had never seen it posted prior to that time, sir,

9 and I never saw it----

10 Q. None?----

11 A. ----in his-- in his office, no sir

12 Q. So, based on the memo from General Sanchez, dated 12

13 October 2003, you're stipulating that Colonel Pappas never did do

14 anything to update the Interrogation Rules of Engagement until early

15 January?

16 A. No, sir, I'm saying I never saw this physical sign

17 However, when the modification of the Rules of Engagement came down,

18 Colonel Pappas again directed that an entire formation be held,

19 everybody be read the Rules of Engagement,----

20 Q. And you sign a piece of document?----

21 A. ----and then you read them again yourself, and you sign

22 them and it's maintained by, at the time I believe Sergeant First

23 Class [REDACTED]

1 Q Did you sign it? Sign your portion of it?

2 A. Yes, sir Yes, sir

3 Q I think we have records of that, but we'll take a look.----

4 A Yes, sir And I signed it also, like I say, 18 or 19, the  
5 original one.

6 Q Would it surprise you that it has been prominently  
7 displayed in the Brigade office area that you mentioned that you had  
8 no free reign in since early December? But you did not, since you  
9 were not inside there all the time, you never noticed it

10 A Sir, you'd have to show me where it was displayed because  
11 there was never any large display----

12 Q Okay Well, we have pictures of where it was displayed----

13 A Okay, sir ----

14 Q ----and it was in the front entrance to the right, you make  
15 a left to go to another office, I think, and it was right there, as  
16 big as the moon

17 A Check, sir

18 Q So one would not be surprised as to miss it

19 A Sir, all I'm telling you is, that I only remember seeing  
20 that when you first walked in the door in the JIDIC in early January.

21 Q Okay

1           A.    But I'm saying, sir, that Colonel Pappas was very adamant  
2 when the modification came down from General Sanchez that everybody  
3 read it and signed off on it.

4           Q    So, nobody-- did you have any knowledge of any allegations,  
5 suspicion or recorded detainee abuses?

6           A    No, sir

7           Q    None whatsoever?

8           A    Other than what the International Red Cross supposedly came  
9 down that Colonel Pappas shared with us

10          Q    Okay

11          A    I never imagined anything going on other than normal  
12 operations

13          Q    Since you were involved in interrogation and detention  
14 operations, with your presence as the liaison officer from C-2, and  
15 the fact of the matter is that you said you were familiar with  
16 certain regulations and formats and based on your own experience as  
17 an MI officer and your assignments here, looking at your experience  
18 factor, Hawaii you were with JITPAC, you were IPAC, you were with  
19 732<sup>nd</sup> MI Battalion at Scofield Barracks, Civil Affairs Brigade, that  
20 sort of thing, and all that kind of background    Never heard of AR  
21 190-8?

22          A    The title is?

23          Q    Title is, oh glad you asked that question

1           A     Thanks, ARs can run together, sir.

2           Q.     Title is.  Enemy or Prisoners of War, Retained Personnel,  
3     Civilian Internees and other Detainees, dated 1 October 1997.  Army  
4     Regulation 190-8, OPNAV Instruction 3461 6, AFJ131-304 of Marine  
5     Corps order 3461.1

6           A     Check, sir

7           Q     Never heard of that?  Not in any of the schooling that you  
8     had with-- at the Defense Intelligence College?

9           A     No, sir

10          Q     Not at Leavenworth, not being as a intel analyst, chief  
11     special operations LIC branch at IPAC, company commander, none of  
12     that?

13          A     No, sir     The only time that I've even discussed EPW type  
14     issues versus detainees was at Abu Ghraib with the Magistrate Cell  
15     when it came down to Geneva Convention and then it was pointed out  
16     that there's a difference between the rights for EPWs and detainees  
17     The only time that I've----

18          Q     None of that, ever been associated with that?

19          A     Roger that, sir

20          Q     So you never really worked with detainees until you arrived  
21     in theater?

22          A     On the military side of the house?

23          Q     Yeah

1 A Correct, sir.

2 Q. Not at all?

3 A. Correct, sir.

4 Q So there you did not-- what you're stipulating here is you  
5 never received any training whatsoever with either interacting or  
6 being involved with detainee operations or interrogations operations?

7 A Sir, the closest I even came would be in a division where  
8 you run an exercise and you might have EPWs sent back to the RACKO  
9 area-- guarded by MPs

10 Q So, nobody ever gave you any kind of special instructions  
11 of what your presence was there as an LNO officer?

12 A No, sir

13 Q So, did you take it upon yourself at all to try to do some  
14 self-paced instructions on that?

15 A Well, sir, that's why I said I went to the Magistrate Cell  
16 to ask differences on that That's why I asked the folks----

17 Q I meant to ask you, who's the Magistrate Cell? Who did you  
18 talk to, a lawyer, or captain?

19 A Yes, sir There's JAG officers that run that Magistrate  
20 Cell My bad, my bad Captain [REDACTED] forget the other officer  
21 that was there

22 Q So, they didn't give you anything specific?

23 A Just highlighted under the Geneva Accord the differences.

1 Q That's kind of strange, let me read you something here

2 A All right, sir.

3 Q Paragraph, I mean, Section 2.6, says, "To protect the  
4 persons from acts of violence, bodily injury and threats of reprisals  
5 at the hands of fellow detainees, for that matter, a copy of the  
6 following notice in the detainee's language will be posted in every  
7 compound EPWRP who fear for their lives, who fear that their lives  
8 are in danger or that they may suffer physical injury at the hands of  
9 EPWRP will immediately report the fact personally to U.S. armed  
10 forces personnel at this camp without consulting any representative "  
11 You'd never heard of that? That it should be posted somewhere? That  
12 anybody who felt threatened by other detainees or for that matter  
13 being threatened by guards

14 A Well, sir, if I was aware of that, I would obviously report  
15 it To look you in the eye and tell you am I specifically aware of  
16 that verbiage and that regulation,-----

17 Q Right.-----

18 A -----no, sir, I'm not Do I have common sense enough to  
19 know that you don't mistreat prisoners? Yes, sir And sir, if I was  
20 aware of any prisoners being mistreated, other than the serious  
21 incident report that we had with the interrogation-----

22 Q When would you typically visit the site? I mean if you had  
23 permission to visit the site Daytime, nighttime?

1           A     I would say probably-----

2           Q     After midnight?

3           A.    -----after 10 PM because we normally had a 08 meeting, 0830,  
4 09, so 10, 1030, somewhere around there to maybe early afternoon if I  
5 happen to come in----

6           Q     So you go after like, 2200?

7           A     Oh no, sir    I was too busy involved in the Brigade  
8 Commander's update putting together slides for the next day    Doing  
9 PowerPoint-- how many interrogations have been done, how many are  
10 pre-planned, how many Tiger Teams, how many personnel losses were  
11 gone, what the status of the showers were

12          Q     So you typically did your visits during the day?

13          A     Sir, I was normally not even in there after 1600, if that  
14 And normally that was because mortar time normally began about 1930  
15 to 2000 hours and I wanted to make sure that everybody, not just MI  
16 soldiers-- that everybody had their gear on, they were protected.  
17 Matter of fact, I was chastised at one point in time, by Colonel  
18 Pappas by not having nighttime interrogations going on    Having folks  
19 being removed from the ISC area to just the one timeframe, the wood  
20 interrogation area because I felt, due to force pro issues and  
21 limited computer support that we could hopefully get everybody get  
22 their work done as far as interrogations during the daylight hours



1 and then use the computers at night to get the reports in and get  
2 them taken care of.

3 Q Okay Listen, we're going to have to take another ten  
4 minute break here

5 [The session recessed at 1735 hours, 21 February 2004.]

6 [The session resumed at 1746 hours, 21 February 2004.]

7 Q All right, we'll continue, and hopefully finish up here I  
8 just need to ask you several more questions for clarification  
9 Again, reminder that we're being recorded

10 A Yes, sir

11 Q In your day to day involvement with Colonel Pappas or  
12 elements of this Brigade, or for that matter, was there pressures  
13 from higher headquarters that was conveyed to Colonel Pappas or to  
14 you that we need to operate 24-7 and we need to get going on  
15 intelligence collection?

16 A Yes, sir Very much so

17 Q Who conveyed that then?

18 A I don't know who conveyed that to Colonel Pappas, but  
19 Colonel Pappas conveyed that to me and other folks that worked there,  
20 Major ██████████, Chief ██████████, Major ██████████, Captain ██████████ the worker  
21 element there

22 Q Sure

1           A.    Many, many, many times, sir.  I think I told you before I  
2 was chastised after we lost soldiers and I wasn't comfortable with  
3 having them move detainees out at night that we could still get the  
4 work done to do that

5           Q    Who do you think was giving him-- who did he work for?

6           A    Sir, he works for General Wodjakowski and General Sanchez  
7 We all know----

8           Q    Who was he giving emails to or conveying intelligence  
9 information to-- directly to?  General Fast, or conveying it to you  
10 to give it to somebody?

11          A    Sir, he never conveyed-- he took what we produced, or what  
12 the team produced  A lot of it went into this reporting thing called  
13 the HOC, that I believe----

14          Q    Human Operations Center, right?----

15          A    Yes, sir.

16          Q    It was all given to the HOC?  Who operated the HOC?

17          A    The HOC actually belongs to Colonel Pappas and the-- as far  
18 as the development and the worker bees, I think the 165<sup>th</sup> kind of  
19 headed up for the entire time that I was out there----

20          Q    Tactical Exploitation Unit, right?

21          A    Yes, sir.  I believe he also sent a lot of the reporting  
22 into the CJ2X, Colonel ██████████, who's on General Fast's staff.  How  
23 much he sent directly to her, I'm not sure.  A lot of the products

1 also went to the intel fusion cell at Camp Victory, which is, again--  
2 --

3 Q Sure Did he attend those meetings, did he carry this  
4 information with him personally, or was that conveyed, or was that  
5 given to you to carry to the HOC or the intel fusion cell?

6 A It was electronic setup where you kinda dump it into a  
7 portal----

8 Q Got it Then it goes, it gets flashed.

9 A Yes, sir

10 Q Okay So you felt that there was a pressure to get  
11 information going and get this suckers going and----

12 A Sir, I'm gonna give you a couple instances where I feel  
13 that there was additional pressure

14 Q Yeah

15 A One is that we had a White House staff visit from a  
16 representative on Condolessa Rice's staff purely on detainee  
17 operations and reporting And we also had a fact-finding visit by a  
18 retired colonel by the name of [REDACTED] and a couple folks from  
19 UCOM and I think CENTCOM that came down----

20 Q Did somebody include-- did that somebody else also include  
21 Major General Miller from task force GITMO?

22 A Sir, I think he was there before my time

23 Q Do you remember Major General Rider who came there?

1           A     Oh yes, sir    I remember his visit distinctly, yes sir.

2           Q     All right, so there was pressure to get-- were you involved  
3 in any of the discussions?

4           A     Sir, I was just told a couple times by Colonel Pappas that  
5 some of the reporting was getting read by Rumsfeld, folks out at  
6 Langley, some very senior folks    There was some pressure at the very  
7 beginning supposedly, again according to Colonel Pappas, that he was  
8 getting pressure that the JIDIC was not producing.    Eventually it was  
9 discovered that the reports were going into a portal to DIA and  
10 somebody was stripping off the 205<sup>th</sup> or the JIDIC label and putting it  
11 out as DIA products    This was discovered actually by a team from  
12 GITMO, a six man team that had come out to assist the structure and  
13 organization and who does what and getting a behavioral science team  
14 and things of that nature, ongoing    So. I would say it is a true  
15 statement, sir, that Colonel Pappas was under a lot of pressure to  
16 produce, sir, and to produce quality reporting

17          Q     Are you familiar with FM 34-52?

18          A     Title, sir?

19          Q     Intelligence Interrogation

20          A     No, sir

21          Q     None?

22          A     I've seen----

23          Q     The unit was conducting intelligence interrogations

1           A     Yes, sir. The unit had the FM, I've seen some excerpts out  
2 of it. Have I been trained on it, did I read through the whole  
3 thing, no, sir, did not

4           Q     Never referred to it? Never opened it?

5           A     Sir, I looked at it for some guidance on maybe creating  
6 target folders because I was going off of civilian experience on  
7 doing target folders and what I thought Colonel Pappas was looking  
8 for and we eventually, like I said before, got there to it.

9           Q     Are you familiar with one of the annexes in the back?

10          A     Sir, if it really didn't talk about target folders and----

11          Q     Didn't talk about target folders, you weren't interested in  
12 it? You're not interested in Appendix J, Geneva Conventions?

13          A     Sir, I did review the Geneva Convention with the-- with the  
14 legal side there at the magistrate cell

15          Q     Okay. Prohibition against use of force?

16          A     Sir, that was stated repeatedly in various FRAGOs and  
17 discussions with Brigade Commander, yes, sir

18          Q     If this was stated repeatedly, how come those four  
19 individuals, at least three got an Article 15, you got one that you  
20 had to recommend disciplinary action for, was repeatedly emphasized?

21          A     Sir, again, your question?

1 Q If this is repeatedly emphasized throughout the Brigade,  
2 then why Luciana [REDACTED] or the three others that were disciplined  
3 for violations of it-- those particular----

4 A Well, sir, the first three interrogators from the 519<sup>th</sup>, and  
5 I wanna say that happened very shortly after us closing-- 519<sup>th</sup> was  
6 there about a month before everybody else got there sir.

7 Q Well, let's talk about October and beyond

8 A All right, sir What I'm saying, sir, is the 519<sup>th</sup> had  
9 already been there I understand from the investigation that one of  
10 the individuals, or two individuals were involved with the death of a  
11 detainee in Afghanistan previously, so sir I think there was a couple  
12 bad eggs there, and again, CID could not prosecute Colonel Pappas  
13 did go with UCMJ That is the only instance that I'm aware of, other  
14 than the [REDACTED] interrogation which he chose not to use UCMJ on

15 Q In the chapter 8, joint interrogation facilities, you're  
16 familiar with that? Whereby you JIDIC the principals of the JIDIC is  
17 related to the formation or establishment of a joint interrogation  
18 facility No?

19 A Not especially, no, sir But I did look at the FM that the  
20 MPs had on running a detention facility and what their FM  
21 responsibilities were versus the MI----

22 Q Ah, 3-1940? So you're familiar with that one?

1           A     If that's the correct FM, yes, sir. I went and looked at  
2 that one.

3           Q.     This one, 3452, establishment of not just EPW facilities,  
4 which doesn't talk too much about that. But it does talk about joint  
5 interrogation facility to which you are very familiar with, the  
6 JIDIC And in the context of responsibilities, it says, "JIF is  
7 responsible for the following functions," and there's about a dozen  
8 and one on here ----

9           A     Okay, sir

10          Q     ----And it says, "Coordinate with the provost marshal for  
11 all site operations "

12          A     Okay, sir

13          Q     So, you're not familiar with this particular?

14          A     No, sir, but I'm----

15          Q     You are now

16          A     Yes, sir And I would say that the Brigade coordinated  
17 significantly with the MPs-- provost marshal MPs

18          Q     Okay

19          A     And, again sir, I would have to say it wasn't overly well  
20 received

21          Q     Well, it doesn't matter if it was overly received or not.  
22 There are rules you gotta apply You just don't start making things  
23 up on your own I mean, ----

1 A Yes, sir.-----

2 Q. -----you're somewhat familiar with intelligence collection  
3 You're somewhat familiar with-- based on your own experience in which  
4 you've experienced up there at Abu Ghraib.

5 A. Yes, sir.

6 Q Okay You mentioned that you had to-- you and Colonel  
7 Pappas had crossed wires a couple of times-- a few times, with  
8 regards to illegal orders or guidance that you received from him.  
9 What were some of those illegal guidance? Things that you believed  
10 in to be illegal and you wanted clarity on it and he gave you  
11 guidance on it What were some of those?

12 A Sir, I got a phone call one afternoon from the Brigade S-3,  
13 Major [REDACTED] who said that they were looking to do an operation on  
14 black list one, Saddam And that they wanted to have at a ready  
15 call, four interrogators and four civilian linguists. And that they  
16 would provide two gunship support because the requirement by Brigade  
17 Commander and his FRAGO was minimum three vehicles per convoy, one  
18 crew-served weapon And sir, there were no crew-served weapons at  
19 Abu Ghraib until sometime towards mid-November, something like that.  
20 Said, okay, that's great, got gunships, Major [REDACTED] got a call,  
21 you were out, here's the mission Tell you what, why don't you get  
22 with Chief [REDACTED] pick the best four interrogators you think, get  
23 with Chief [REDACTED] maybe pick the four best linguists, whatever you



1 want Get back with Major [REDACTED], be prepared to go, let them know  
2 what's going on. So they went through this drill, came back later in  
3 the afternoon, Major [REDACTED] was gone somewhere, Major [REDACTED]  
4 called and said, "Hey, the gunships fell out," I want to say it was  
5 about 1430 that we got the initial call, so the gunship issue fell  
6 out around 1730, no about 1430 And said, "Tell you what, can you  
7 get us," and it was supposed to be MP gunships from, I don't know  
8 which Brigade, which Battalion, didn't ask. "Can you get us two  
9 gunships from Camp Victory to come pick the folks up. Major [REDACTED]  
10 get them staged at the ECP, they can go in there and be ready beck-  
11 an-call if they have to go Or bring choppers in, vehicles are  
12 already 100 meters staged off with all the gear, troops just gotta go  
13 in and get " About two and a half hours later, Major [REDACTED],  
14 called back, spoke with Major [REDACTED] said, "No gunships, no air  
15 support, as of 2200 hours, be prepared to go outside the wire and  
16 come into Camp Victory " Major [REDACTED] brought this to me and said,  
17 "Sir, I said, that can't be the clarification Because we have no  
18 crew-serve, we have no nods, we have no tactical communications, and  
19 basically thin-skinned HMVEEs So he's asking basically for another  
20 transportation company from Fort Bliss to happen " I said, "Let me  
21 call and verify with Major [REDACTED] " So I called down and asked  
22 Major [REDACTED] said, and I used his first name, "[REDACTED], are you  
23 sure that this is the old man's intent?" And the response I got was,

1 in front of witnesses "We all know that there's bad guys out there,  
2 this is a war zone, be prepared to execute." I said, "That's a  
3 violation of the FRAGO by the Brigade Commander who says minimum  
4 three vehicles and a crew-served There's not even a crew-served in  
5 Abu Ghraib that we can go sign for." I said, "There's also a Sanchez  
6 FRAGO out there that iterates this same type thing. And I said, "I'm  
7 not comfortable with this, I'm not going to authorize this, I don't  
8 believe Major Thompson's going to authorize this. Would you please  
9 get us an e-mail, get us a phone call by the old man, fax us  
10 something that approves this " Major ██████████ said, "Roger, out "  
11 Never heard back that night Sir, the unusual thing is that that  
12 frickin' phone rang and rang and rang from early morning 'til two,  
13 three in the morning on questions

14 Q So, what was the guidance? What lead you to believe that  
15 was not correct?

16 A Sir, it was in violation of the Brigade FRAGO of minimum  
17 three vehicles and crew-served cause we had no-- had no crew-served,  
18 we didn't even have the three vehicles

19 Q You went up to Colonel Pappas and confronted him with that?

20 A Sir, I went to Major ██████████ and asked to speak to Colonel  
21 Pappas and he said he'd relay it out and never got a call back.  
22 Called in to speak to Colonel Pappas, was intercepted by the Deputy

1 Commander, Major ██████ said, "Colonel Pappas doesn't want to speak  
2 to you "

3 Q Okay, so what else was there?

4 A That was-- that was the key one because I felt very bad  
5 doing this without having some guidance and if they were strongly--  
6 they'd have signed off and we would have done it. And, basically,  
7 sir----

8 Q Were there others?

9 A I was----

10 Q You mentioned already about----

11 A A 15-6, sir on the death of Sergeant ██████ and  
12 Specialist ██████

13 Q The death of Sergeant ██████

14 A A different Sergeant ██████--

15 Q ██████

16 A ----yes, sir, the two MI soldiers that were killed the  
17 night we were injured The 15-6 officer came down to interview  
18 everybody, and I had highlighted that the evening I arrived on 17  
19 September, there was a mortar attack And again, sir, you see I'm  
20 not a ranger, I'm not a Delta guy, I'm not a Group guy, but I do got  
21 some training and I wasn't born last night Came out the next  
22 morning and said, "Well, we've got a work area here in tents, the  
23 Trojan, the communications systems over here. We're all living 50

1 feet over in a hardened old laundry area. There's a very viable open  
2 building that's part of the correctional facility but not being  
3 utilized. Why can't we just move soldiers in here? Because we got  
4 hit last night 200 meters away, and I understand, according to  
5 somebody else that Camp Vigilant, where they were outside working in  
6 August, had had six detainees killed and sixty-one wounded." And I  
7 was told, Brigade says no, I guess it belongs to CPA. So I went to  
8 Brigade and asked permission to move the soldiers in there  
9 temporarily set, you know, up the communication, just move everybody  
10 inside, something hardened other than a tent, and or could I please  
11 get sandbags so we can build sandbags up and harden the facility. At  
12 this same time I had also gone to the MPs and said, "Why don't we  
13 have sandbags maybe out by the tents where the detainees live because  
14 of mortar attacks, obviously And I was told that they refused to  
15 have them,-----

16 Q Who's they?-----

17 A They, the detainees ----that they feel that whatever God  
18 will happen, and-- and that's that I said, "Well, I think I would  
19 still put up some sort of minimal protection from the 8260-----

20 Q So the detainees did not want that to happen, but-----

21 A That's what I was told, sir I didn't-----

22 Q You were told that ----

23 A -----speak to detainees and ask them.

1 Q Did you talk to Colonel Pappas about this?

2 A Yes, sir. And he said at that time it was an MP function  
3 type thing to do that. So, like I say, sir, that's my second day out  
4 there. I called back to Brigade, I said, "Well who owns this  
5 facility and why can't we move in?" And I was told by----

6 Q Colonel Pappas was not there yet as the FOB?----

7 A No, sir, this was all the 320<sup>th</sup> MP, this is early-- late,  
8 late September ----

9 Q All right, got it

10 A ----September 17, 18

11 Q Where was the Brigade stationed at? At Victory?

12 A I think they were split between Balad and Victory, sir

13 Q Okay

14 A Okay But Colonel Pappas probably spent on a average three  
15 nights a week out at Abu Ghraib A lot of times coming in after  
16 dark, sir, you know you got an SUV you stick out out here, you know  
17 these kinds of things But, back to the facility, they said, "Well  
18 it belongs to CPA, Ministry of Justice, or whoever owns corrections  
19 We can't have it " I said, "Well don't they have a representative  
20 out here we can go talk to? I'm just asking to occupy space We'll  
21 move when they want to put detainees or prisoners or whatever "

22 Q So what happened? I'm just trying to move you along.

1           A     All right, sir. Was denied that, unfortunately, sir, I  
2 wasn't bright enough to figure I should have knocked the lock off the  
3 door and moved soldiers in and asked permission later. And like I  
4 say, two nights later, two soldiers died and I carry that because,  
5 had they been inside, sir, they-- they wouldn't have been out in the  
6 open and they wouldn't have died.

7           Q     Was there a----

8           A     When the 15-6 was done on that, I highlighted who I'd gone  
9 to I'd been told that they had done a risk assessment, that the  
10 Brigade felt that it was acceptable risk to-- how they had everybody  
11 positioned out there and I said, "Well, then why do you have people  
12 sleeping under and other people out working? Shouldn't you have  
13 everybody under or everybody out if it is an acceptable risk?"  
14 During the 15-6 and before that I asked for copies of that risk  
15 assessment repeatedly from Major [REDACTED] and Major [REDACTED] and, sir,  
16 never got it, and I look you in the eye and tell you sir, I don't  
17 think one existed. And when I made my 15-6 statement by the MI major  
18 that was doing it, I was told command had looked at the statement  
19 That I needed modify my statement because this 15-6 was only for the  
20 families and we didn't want to rub any additional wounds into the  
21 family because I did highlight that I'd never seen the risk  
22 assessment, that I'd asked for sandbags, that I asked for permission  
23 to move into a hardened site. After this, General Karpinski came out

1 and actually gave us the hardened site, and from what I understand,  
2 worked with CPA to give us the whole facility. But after the fact,  
3 sir.

4 Q To your knowledge, was Colonel Pappas directly involved in  
5 detainee operations?

6 A Sir, I would say, selectively. There would be certain high  
7 value detainee operations that he seemed to take an interest in.  
8 That he would either go into the booth or be right outside monitoring  
9 what was going on----

10 Q Besides interro-- that's interrogation, but was he ever  
11 directly involved with Colonel Pappas giving him direction on how to  
12 treat, feed----

13 A Oh, did Colonel [REDACTED] sir?

14 Q Yep

15 A Pappas to [REDACTED]

16 Q Pappas to [REDACTED]

17 A Sir, I know that there was numerous discussions about food,  
18 the bad source of food by the contracting element, this is also  
19 highlighted by the Battalion S-4----

20 Q What about guards? Guard mounts, things of that nature?

21 A Oh, yes, sir, he and Sergeant Major [REDACTED] routinely went  
22 and did----

23 Q Would go over there----

1 A ----guard mounts

2 Q He was giving instructions to Colonel [REDACTED]

3 A Yes, sir.

4 Q Or was giving instructions to members of the Battalion?

5 A Of the MP Battalion He would find soldiers up in the  
6 tower with Gameboys, things of this nature. And when I say soldiers,  
7 MP soldiers, they were the only ones that were up there, sir  
8 Highlight that, sergeant major would bring it back into the NCO  
9 chain, but then he would come back, call me in and be all fired up  
10 and I-- I would, "Sir, what do you want me to do to help you out?  
11 You want me to go check towers at night?"----

12 Q So he wasn't really-- when he found deficiencies or  
13 shortcomings, he would not go directly to Colonel [REDACTED] he  
14 would go to you?

15 A Actually, go to his sergeant major, tell sergeant major to  
16 go get with the MP sergeant major and work it out and then he'd come  
17 back and he'd vent to me I say, "Sir, I'll go talk to the Battalion  
18 3 and----

19 Q He just doesn't like talking to Colonel [REDACTED] the  
20 Battalion Commander?

21 A Sir, I just don't think he likes confrontations I'm  
22 serious sir, I just don't think he's at ease with-- with doing that  
23 And I don't think he likes to lose his temper, I've seen him do it a



1 couple of times, and then he'll come back and apologize when, sir, he  
2 was right to lose his temper, and-- and-- and chew somebody out.

3 Q. So, he used you-- what specific-- give me a couple of  
4 instances of what specific guidance that he asked you or directed you  
5 to convey to Colonel [REDACTED]

6 A Sir, about the-- the quality of chow, professionalism of  
7 soldiers One of the things the MPs had was that inside the LSA or  
8 outside the LSA, they didn't have to wear full battle rattle until  
9 after like 1700 in the afternoon. Colonel Pappas came to me and  
10 said, "What do you", I said, "Sir I think we should have our battle  
11 rattle on anytime we're outside the LSA " "All right, that's what I  
12 want, implement that, put that out " So, Colonel Pappas' standard,  
13 which I executed, was we go to this, no matter what the MPs do, this  
14 is what we want I got chastised by the MP element of, ya know, MI  
15 guys doing this, MI guys doing that I said, "We're one team "

16 Q What's kind of interesting-- let me stop you for that.  
17 Pappas used you quite a bit----

18 A Yes, sir, he did ----

19 Q convey something, but he had a Deputy Commander named

20 [REDACTED] ---

21 A She was never out there, sir She never spent one night at  
22 Abu Ghraib

23 Q Okay, you had an S-3, okay, that chain of command

1 A. Yes, sir.

2 Q But he referred to you as his deputy.

3 A I've never heard that sir.

4 Q Cause I asked him directly.

5 A All right, sir

6 Q He said, "He was my deputy."

7 A Well, sir, I take that as a complement, I guess never  
8 thought that he thought that highly of me, sir

9 Q All right, so with that particular reference to you--  
10 besides chow, what about direct operations with those guards in Tier  
11 1A and 1B?

12 A Nobody had any real handle on anything in there, sir. I  
13 mean, occasionally Colonel Pappas would even take a stroll, with  
14 Sergeant Major [REDACTED] or somebody, he never found anything in there  
15 that I'm aware of, sir ----

16 Q Was it an understanding that that particular operation with  
17 the detainees in there on both sides, with MP guards there, dual  
18 shift, daytime, nighttime----

19 A Yes, sir ----

20 Q ----was it a common understanding, to your knowledge, that  
21 that was under the command and control of the MI Brigade?

22 A I would say as of 17 November, yes sir, before then, I  
23 would say it was under the MPs and basically [REDACTED] I

1 believe it was Captain [REDACTED] deputy or XO just for that, he had no  
2 other role that I understand in that unit, other than that  
3 corrections-type role.

4 Q Did you ever meet General Karpinski

5 A Sir, I saw her out there probably three, four times----

6 Q Did you have any direct contact with her?----

7 A ----and in a couple briefings Sir, just asked her one  
8 time what she did in real life, cause I was curious what a-- quite  
9 frankly a female, MP Brigade Commander Reserve does because I'd heard  
10 a statement she made one time that, it's not that detainees don't  
11 have rights, it's just that they don't have as many rights

12 Q Okay

13 A And she said-- I believe she's from South Carolina and  
14 she's some sort of business consultant So she wasn't in law  
15 enforcement or corrections or something that I would assume that a  
16 Reserve MP officer to be in

17 Q Sure Okay, so, again I just want to reiterate that it was  
18 common understanding, yourself included, that Tier 1A and 1B because  
19 of the high value of those detainees when they're under the command  
20 and control of the 205<sup>th</sup> MI Brigade, under the context of being the  
21 Forward Operating Base Commander

22 A As of 17 November----

23 Q As of the 17<sup>th</sup> of November----

1 A. Check, sir, if that's the right day, sir----

2 Q Yes, it was about the 19<sup>th</sup> of November

3 A Check.

4 Q. Okay. Who are you assigned to now?

5 A Sir, I'm on a two-year recall to Intelligence Security

6 Command, Fort Belvoir. I was attached for a six-month, one of those

7 179 CENTCOM day tours to CJTF-7 Been extended out, I volunteered to

8 extend out an extra three months, based on a request from General

9 Fast, I'm doing a couple other issues.

10 Q Who's your rater?

11 A My rater right now, sir, is a new colonel, just came on,

12 [REDACTED] He's a British Colonel, the deputy C-2 and General

13 Fast is my senior rater

14 Q Up until that time when you reported mid-September, you

15 were an Individual Augmentee? You were here by yourself?

16 A Oh yes, sir Attached to CENTCOM and then further against

17 a specific paragraph and line number

18 Q I understand you're on a special mission, so I'm not going

19 to dwell on that

20 A Sir, I can talk with that, if you like It's not a great

21 secret----

22 Q It's not relevant to this, so I prefer not to so we don't

23 get lost Once again, you have no knowledge of or anything that was

1 conveyed to you with regards to detainee abuses that you either  
2 observed or have personal knowledge of?

3 A. No sir, and sir I'm gonna tell ya, I'd like to go back one  
4 other time you had talked about a instance with things with Colonel  
5 Pappas and some of the issues with. Sir, we butted heads but I  
6 executed what he told me to do, I'm a soldier, sir, ya know. And he  
7 did----

8 Q Did he ever give you specific instructions to convey to the  
9 guards or to the 372<sup>nd</sup> chain of command on-- with specific  
10 instructions on how to set the conditions for the detainees to be  
11 prepared for their interrogation?

12 A No, sir But, like I say, there are some times that  
13 Colonel Pappas took a specific interest, one case I know that he took  
14 an E-5 female, Sergeant ██████████ and gave her his O-6 regalia His  
15 Kevlar, his soft cap, his blouse for her to go in and portray from I  
16 guess a psychological standpoint female senior in charge to a male  
17 detainee, or I think there was a couple on the specific group----

18 Q And it was done?

19 A Oh, yes, sir

20 Q Inside the hard site?

21 A Oh, yes, sir

22 Q Just as a demonstration or something?

1           A.    The fact that he thought it was a technique to possibly get  
2 the detainees----

3           Q    Intimidate somebody?----

4           A    ----to, not so much intimidate, but to make them maybe feel  
5 uncomfortable having-- in an Iraqi or Arabic culture, speak with a  
6 female as in charge ----

7           Q    Technique----

8           A    ----There was a couple times where-- there that I can tell  
9 you that I know General Sanchez was in our knickers-- I'll take a  
10 proverbial our knickers to get more information from the detainees.  
11 He'd come out on a couple of visits and on one visit, sir, first time  
12 I ever briefed General Sanchez, Colonel Pappas had me get up and  
13 brief in my force pro what we had done following the mortar attack to  
14 do that to include I had developed an LSA fire plan, I had rehearsed  
15 troops, sir, there's nothing in my job description as LNO to do that.  
16 But I saw a need, I took it to him, "Sir, would you like me to  
17 develop an LSA fire plan for troops, sandbags, put things here  
18 Would you like me to rehearse and this is what I'm gonna do "  
19 "Check, say, hey I like this, this is good, go with it " "All right,  
20 sir what do we do with civilians " These kind of issues    And-- and  
21 again, I spent a lot of my time doing those kind of things to make  
22 that happen    The night that ██████████ had that interrogation  
23 on 15 November, it sticks out because that's the night I moved up to

1 the LSA with the rest of the MI folks that were sharing it with the  
2 680<sup>th</sup> MP Company And, sir, within 18 hours, I had a female that was  
3 propositioned. An MI specialist propositioned for sexual favors by  
4 an MP NCO Turns out this MP NCO had provided alcohol to this  
5 soldier and another MI E-4 who had gotten sick and was vomiting in  
6 her room, that's why I got woke up. Went to the Battalion Executive  
7 Officer, Major [REDACTED] because Colonel [REDACTED] was unavailable  
8 He was out of country or somewhere They went to the Magistrate  
9 Cell They went and did a search of that area. They found alcohol,  
10 sir, there were troops with illegal pets. All these things in  
11 violation of General Order One Looked like there were apparent  
12 hookers there living with couple of the MPs There were five Iraqis  
13 that actually hit-- they had brought up with them at Karbala that  
14 were living inside their LSA, like had rooms in the-- in the  
15 barracks I-- I mean every time I turned left, sir, there was all  
16 this stuff coming up, and, ya know, "Colonel Pappas, you're not going  
17 to believe this, here's another indication of what is going on."  
18 Turned out that the company commander had been suspended, relieved  
19 under belief of possible taking nude pictures of female troops in the  
20 showers and someone came by and handed a note to one of my NCOs there  
21 who said, "Hey if you're looking for alcohol, there's a case of gin  
22 in the company commander's SUV " Now, sir, out in the box, I don't  
23 know too many company commanders who got SUVs So I found that kind

1 of-- they brought an SUV up with them from Karbala. So, sir, I'm  
2 just telling you, that was that kind of environment there that I was  
3 handling for Colonel Pappas.-----

4 Q Did-- okay.-----

5 A -----And I have to say that I didn't get all that much more  
6 interrogation operations cause I was doing more solider, company  
7 commander, first sergeant kind of things.

8 Q Okay Did Colonel [REDACTED] ever talk to you?

9 A Sir, he's not very vocacious [sic] I guess is the right  
10 word

11 Q Okay, that's good Captain [REDACTED] had mentioned during his  
12 interview that based on-- he said that you were there all the time,  
13 so he saw you all the time inside the hard site But you said you  
14 had limited access because you had to be authorized access

15 A Sir, can I modify that a little bit?

16 Q Yep

17 A I had limited access when it came to interrogations and  
18 monitoring detainees But I was Colonel Pappas' liaison, Deputy if  
19 want, in this case with OGA there was a 'agreement' between Colonel  
20 Pappas and the OGA folks that ran their detainees-----

21 Q Yeah, but was that agreement conveyed to 320<sup>th</sup> MP Battalion?

22 A Yes, sir, and I'll explain the consternation, if you just  
23 give me a minute I know we're getting short on time. The deal was



1 that they could bring detainees in, they would not put them in the  
2 regular screening process or the BATS where you get fingerprinted  
3 Cause once a detainee did that, you're kinda in there three to six to  
4 eight months. The OGA folks wanted to be able to pull somebody in  
5 24, 48, 72 hours if they had to get 'em to GITMO, do what have you.

6 Q Was that agreement in writing?

7 A No sir, it wasn't And again----

8 Q Boy, isn't that kind of strange?----

9 A Sir, I asked for an MOU or something like that, because  
10 what I said sir-- sir, I'm telling you, Chief [REDACTED], Captain [REDACTED]  
11 Chief [REDACTED] everybody that was there initially when this came up,  
12 said, "Sir we need an MOU because even the MPs," Major [REDACTED] said,  
13 "Hey, we can't be responsible for them if they don't exist " And the  
14 'term' that was used for these kind of detainees was ghost detainees  
15 because they hadn't been brought in All right, sir So because of  
16 my clearance level back at Langley and some of the folks that I've  
17 worked with in civilian life Colonel Pappas said, "I want you to  
18 work with these guys, but here's the rules They gotta leave  
19 somebody there, they're going to conduct interrogations If they  
20 want to use linguists, these kind of things,"----

21 Q So that portends then the thought that Colonel Pappas was  
22 indeed directly involved with detainee operations.

1 A. Especially when it came to the OGA ones. That one, sir, I  
2 will say is a true statement.

3 Q. Okay.

4 A On top of that, sir, what happened was we had a detainee  
5 death out there under the OGA You may have been aware of it

6 Q Yeah, a little bit.

7 A All right, sir And, again, I highlighted the fact, sir,  
8 had we had an MOU, we would be protected. At this Colonel Pappas  
9 said, "Well if I go down, I'm not going down alone The guys from  
10 Langley are going with me "

11 Q. Okay I guess that was the process by which MI and MP had  
12 to at least convey some sort of an interaction But as you know, MPs  
13 are not skilled in interrogation operations and----

14 A Just like MI aren't good in MP operations, sir.-----

15 Q But then at the same time Okay I think we've got enough--  
16 a portion of it

17 A Sir, can I just add one other thing----

18 Q Sure -----

19 A ----you were talking about the focus, and just hit me when  
20 I was sitting out there collecting my thoughts General Sanchez had  
21 come through on another one of his things, I'm sure you've probably  
22 dealt with him, sir, and he's probably not the easiest briefer in the  
23 world. And he had asked for specific guidance that Colonel Pappas

1 had provided to the JIDIC element, i.e., taken the commander's  
2 intent, putting on paper and saying, "[REDACTED]n, Chief [REDACTED]  
3 Chief [REDACTED], Captain [REDACTED] Major [REDACTED] whoever. This is what I  
4 want done " And Colonel Pappas-- and sir, if you ask the folks that  
5 were there at this meeting, General Fast is off to the side, said,  
6 "Well I do these on," I was about ready to say Friday, sir, cause the  
7 intent was you could do them, but we never received one, he said.  
8 "Monday" so I'm glad I didn't offer up anything. General Sanchez  
9 turned and said, "Let me see last weeks guidance " He looked at me  
10 and said, "[REDACTED] can you go get last week's guidance " "Sir, I  
11 can't give you what I don't have " But I didn't say that So I  
12 looked at Major [REDACTED] as I think we most would, sir, "Can you see if  
13 you can pull up last week's guidance " "Sergeant [REDACTED] do you  
14 think," and General Sanchez actually went on the computer and we're  
15 trying to pull up CJ2X guidance which is not Colonel Pappas----

16 Q So there was no guidance?

17 A Sir there was no-- sir there was no written guidance ever  
18 on that aspect Later on, it was forced to come down But, sir, I  
19 stood there and I don't know if Colonel Pappas was overwhelmed by  
20 stress but I know that at the end of this he took me outside and  
21 says, "It's not good when my senior rater puts his thumb in me and  
22 says we need to correct things and he's not happy with the management  
23 out here " I said, "Sir I thought he was very happy with what the

1 soldiers were producing. He's just not happy that we're not  
2 producing what he wanted." And----

3 Q Okay.-----

4 A ----at another time in this same meeting General Sanchez  
5 had taken a couple of Tiger Teams apart-- aside and had said, "Hey  
6 have you ever thought about this kind of approach?" So he actually  
7 took an interest. He told me that he read the target folders, that  
8 he had kind of an idea of what-- how that was to be done And then I  
9 know that he and-- he being General Sanchez and General Karpinski and  
10 Colonel Pappas always had little side sessions out of ear shot of  
11 everybody else But----

12 Q Did-- let me ask you one last question

13 A Yes, sir

14 Q You knew [REDACTED] and you knew [REDACTED] and [REDACTED]

15 A Yes, sir

16 Q As you made your frequent visits that you say.

17 A Well, sir I'd see them in the gym, I mean----

18 Q. So, they know who you are-----

19 A Yes, sir.-----

20 Q Okay And the fact of the matter is, you were mentioned in  
21 several of their statements, [REDACTED] and some of those other  
22 folks Did they ever convey to you any of their concerns about other

1 MI people that may be conveying illegal instructions or you conveying  
2 any kind of special instructions on how to handle detainees?

3 A No, sir. And I'm gonna tell you that, I probably took a  
4 special more interest in Sergeant [REDACTED] cause he's a cop from

5 [REDACTED] -

6 Q You didn't know anybody-- you didn't know the background of  
7 [REDACTED] or those other folks?

8 A I didn't know [REDACTED]. There's an NCO during the day,  
9 Sergeant [REDACTED] who lives in [REDACTED] --

10 Q But Frederick, did you know his background?

11 A He's a [REDACTED] but I didn't know  
12 it until afterwards

13 Q I see So [REDACTED]

14 A He's a [REDACTED] sir. So----

15 Q So, all right So you know those, cause I'm referring back  
16 to the statement what I said if you knew any of the guards and it is  
17 coming to some revelation that you were there

18 A Yes, sir I mean-- just basic-- Reservists Like I knew  
19 some of the guys from the [REDACTED] ---

20 Q Sure ----

21 A ----Did we associate or hang out? No ----

1 Q So there's no trade-- trading of secrets on how to go about  
2 doing detention operations or interrogation operations? They were  
3 not even a bit curious of what comes out of the interrogation?

4 A Sir, they never asked me.

5 Q No interest whatsoever?

6 A No, sir The only thing that I can tell you that we worked  
7 on a joint venture together----

8 Q What kind of joint venture?----

9 A ----was the International Red Cross had come out for a  
10 second visit and there were five or six brand new OGA folks that had  
11 come on board----

12 Q Right ----

13 A ----and had not been processed because they hadn't gone  
14 through the BAT system and the MOU hadn't been set together And  
15 talked to Colonel Pappas, and he said, "You need to move the OGA  
16 folks out of the isolation arena and put them somewhere else " And I  
17 did come down and I believe Sergeant [REDACTED] and Sergeant [REDACTED]  
18 were on shift and they moved them to another area within the facility  
19 above where the MP operations area was at

20 Q Did the MI personnel ever give the MPs any kind of a  
21 specialized training on the handling of detainees?

22 A Sir, I know for a fact that Captain [REDACTED] Chief [REDACTED]  
23 Chief [REDACTED] would talk at length----

1 Q. Not talk, but instructions. Actual training.-----  
2 A. Exactly, here's what you do,-----  
3 Q Right-----  
4 A. ----don't do this-----  
5 Q. Right-----  
6 A ----don't do this-----  
7 Q. Right-----  
8 A ----don't say this Don't handle them this way.  
9 Q Who were they giving instructions to? Just the guards at  
10 Tier 1A and 1B or just the 372<sup>nd</sup> in general?  
11 A Primarily folks in-- in isolation.  
12 Q Primarily folks in isolation  
13 A Sir, I never saw them give any instruction-----  
14 Q Isolation means-----  
15 A Tier 1-- 1 bravo, yes, sir  
16 Q Okay Are you familiar with the hole? A cell called the  
17 hole?  
18 A No, sir, I'm familiar with a darkened room that they--  
19 Sergeant ██████ called the time out room-----  
20 Q Okay.-----  
21 A But I've never heard it called the hole  
22 Q Were you familiar with the fact that there was a partition  
23 there somewhere-----

1 A Yes, sir ----

2 Q ----why they placed that partition?

3 A Actually, sir, that was a partition that we provided based  
4 on the MPs request.

5 Q Based on the MPs request.

6 A. Yes, sir

7 Q Okay, for what purpose?

8 A I believe, at the time it had something to do with if they  
9 brought somebody out that was doing a clothing change or they were  
10 taking a garment from or something like that, they didn't want  
11 females walking by observing----

12 Q A garment change?----

13 A ----males Yes, sir And were removing-- removing a  
14 clothing--for I guess an interrogation technique or whatever the case  
15 may be, but they didn't----

16 Q Was this common, I mean, it was okay to remove clothing  
17 from people so they can interrogate?

18 A I think, not having----

19 Q Isn't that so?----

20 A ----clothing Sir, I don't think they took clothing and  
21 went and interrogated them I think the thing was, they removed  
22 their clothing when they put them in the cell and then a reward was  
23 if you came back later in interrogation, you got----



1 Q Was that an approved technique to take clothing off from  
2 some detainees so-- to modify their behavior?----

3 A. ----clothing back or food. Sir, at the initial point, I  
4 was understood that----

5 Q Who said that? Who gave that approval?----

6 A. ----clothing removed. Sir, that was a Colonel Pappas  
7 approved approach to take clothing off----

8 Q There's a lot of Colonel Pappas here, Colonel Jordan, did  
9 you ever assume any responsibility in your role as a liaison officer?

10 A Sir, if I had told somebody, "Hey take their clothing off,"  
11 sir I would have done that Had I told somebody to beat somebody,  
12 sir, I'd look you in the eye and say, "Hey I said go beat somebody "-  
13 ---

14 Q Sure Okay ----

15 A ----Sir, I've never done that

16 Q I'm a little concerned about your responses, sir

17 A Okay, sir

18 Q Based on your background and your know-how with INS,  
19 Langley, things of that nature, that it would appear to me that if  
20 there was anything that you would recommend that you were always  
21 confronting with Colonel Pappas, but you never ever say in any of  
22 your remarks that you submitted any of these violations up to your  
23 chain of command, namely, General Fast or even General Sanchez.

1           A.    Sir, I had maybe one discussion with General Fast----

2           Q     One discussion over the series of-- I've been interviewing

3 you now for the last three hours and I'm kind of gathering some of

4 the remarks you were making on any of the statements and it would

5 appear to me that you were either not taking on your responsibilities

6 as liaison officer to convey some of that stuff.

7           A.    Sir, I did highlight solidier safety issues, sir. I did

8 highlight my concern with the push for interrogations and wanting to

9 have quality reporting, not quantity----

10          Q     But typically quality gathering-- gathering quality

11 information pressures----

12          A     Oh, yes, sir, and one of my big roles was to actually take

13 the reports at night, screen them, and edit them and those kind of

14 things as well, sir

15          Q     All right, well, you're going to be subject to another re-

16 interview

17          A     All right, sir

18          Q     We will notify you, hopefully we can get that done

19 tomorrow

20          A     All right, sir

21          Q     So, I want to schedule you for a re-interview tomorrow.

22          A     Roger that, sir

1 Q Because we're not finished. I want to at least pause here  
2 for a moment

3 A. Roger that, sir

4 [Witness was duly warned, subject to recall and excused.]

5 [The session recessed at 1831 hours, 21 February 2004.]

6 [The Article 15-6 session was called to order at 1121 hours, 22  
7 February 2004.]

8 [LIEUTENANT COLONEL STEPHEN L. JORDAN, U.S. Army, was recalled as a  
9 witness for the Article 15-6 Investigation, was reminded of his  
10 previous oath, and testified as follows:]

11 A Sir, sir I provided to Major [REDACTED] earlier

12 Q Okay, you have a question, sir?

13 A Yes, sir, I do Retrospect last night after meeting with  
14 you and the board, there are some things I'd like to clear up or  
15 expound on if I'm able to, sir, but I'm not sure if I have that right  
16 to do that, so I----

17 Q Okay, what is it in reference to?

18 A Sir, one thing that you had mentioned was how often I'd  
19 seen General Karpinski or any interaction with General Karpinski kind  
20 of And I said I'd seen her there at the prison probably four or  
21 five times, and that is accurate, sir On one occasion, she had come  
22 to me and had asked if there was any way that MI folks could do a  
23 polygraph of unique folks working at the Abu Ghraib facility. One

1 was a linguist she had concerns about on the MP Brigade and another  
2 was a senior medical officer there for the Iraqi detention facility  
3 for medical concerns.

4 Q Was she asking that because she didn't have the capability  
5 to conduct a polygraph herself?

6 A. Sir, I-- I didn't ask her, I just asked, "Ma'am are you  
7 asking them to be vetted to make sure they're not a security risk?"  
8 And she said, "Yes " I said, "Alright ma'am, I'll take it to Colonel  
9 Pappas," which I did He said check with OGA, the FBI folks who had  
10 come out there Both agencies said they could do that, but it would  
11 take some time for the FBI folks to do it The folks from OGA came  
12 out, coordinated and did a polygraph just for a security type issue  
13 for the doctor at the prison facility and came up a vetting of no  
14 security concerns whatever

15 Q What doctor was it? Was it an Iraqi doctor?

16 A Yes, sir The senior Iraqi doctor that they had an Iraqi  
17 facility there that provided additional medical care for the folks  
18 from Camp Ganca The security detainees, not the MI hold folks, so  
19 to speak, unless there was like some significant thing like they  
20 provided dental care because they had a dentist, those kind of  
21 things So that was done at her behalf, and again with Colonel  
22 Pappas' knowledge saying ask if they can do that, let us know what  
23 comes from that I don't believe they ever did the CAT1 linguist

1 concerned, and I don't know why, at this point, sir, I don't remember  
2 why that was never followed up on. But that was a case that she had  
3 come to me at one time. Another issue, sir, I want to highlight,  
4 that when the ICRC came out on their first visit, [REDACTED]  
5 [REDACTED]  
6 [REDACTED]  
7 Colonel [REDACTED] had asked me to accompany the team over there  
8 because he had something else going on I believe. I didn't feel  
9 comfortable with that, due to security concern. Took the senior team  
10 members back over to Colonel [REDACTED] and indicated what their  
11 concerns were, what they wanted to do. They did ask Colonel  
12 [REDACTED] that they felt they had the need to enter and that they  
13 would take responsibility for their own security Colonel  
14 [REDACTED] ---

15 Q Was that the ICRC folks?-----

16 A Yes, sir

17 Q Did they know that ICRC has access to all those facilities?

18 A Oh, yes, sir Sir, I underscored that to Colonel

19 [REDACTED] -----

20 Q To include your interrogation sites?

21 A Yes, sir Yes, sir I underscored that for Colonel

22 [REDACTED] because I made sure with the Magistrate Cell. And at that  
23 point, Colonel [REDACTED] authorized them to go in there and

1 authorized them to go into the detention detainee cell where they  
2 lived to be locked in there with the detainee. And, sir, myself, my  
3 ops officer at the time, Major [REDACTED] who's a [REDACTED]  
4 [REDACTED], sir, had serious misgivings about  
5 that The next time that the International Red Cross came by and  
6 wanted to do that, [REDACTED]

7 [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]  
14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED]

18 So, I can tell you sir, I did have serious misgivings about Colonel  
19 [REDACTED] authorized and had them put in and he called down and had  
20 the MPs open up the cell door and put them inside, sir

21 Q But, yesterday you mentioned that there was-- that was  
22 under the control of the MI Brigade

1           A     No, sir. This was before Colonel Pappas became the FOE  
2 Commander.

3           Q.     Okay So this was before the 19<sup>th</sup> of November?

4           A     Yes, sir I don't know----

5           Q     How many times was the ICRC visited that facility?

6           A     Sir, that I'm aware of, that I actually talked to ICRC  
7 folks, they had a first visit that was a two day visit, first part of  
8 October, something like that, maybe mid-October And then they came  
9 back They were going to come back two weeks later, but they came  
10 back a week later. So, they came back a bit early and I understand  
11 they may have come back another time after that, but I don't remember  
12 being there when they had come back a third time So, I was aware of  
13 one two-day visit, one one-day visit

14          Q     Well, given the notoriety of the Abu Ghraib Prison complex,  
15 built under Saddam Hussein, and the fact of the matter that we're  
16 occupying that I would that assume ICRC would focus on the conditions  
17 of those facilities, let alone the condition of the detainees and the  
18 treatment by U S military forces

19          A     Oh, yes, sir

20          Q     So, that's a great assumption, given the fact that that's a  
21 very important complex,----

22          A     Oh, yes, sir ----

1 Q ----one that would have been perhaps a point of failure for  
2 U.S military coalition forces?

3 A. Yes, sir, and I was very, like I say, forthcoming with  
4 whoever you want to see, what do you wanna see. Whatever you have,  
5 so to do that The other thing too, sir, kinda caught my memory when  
6 you were talking with me yesterday and you kept using the word  
7 infrequently and sir, I was out there 24/7, seven days a week, and I-  
8 --

9 Q Inside the hard site?

10 A No, sir. Inside Abu Ghraib but basically-- and real quick  
11 I just wanna kinda highlight I kinda put down just a normal battle  
12 rhythm for me Six o'clock PT, what have you, coffee, cereal. Eight  
13 o'clock to nine o'clock we had an ops update in the JIDIC Also----

14 Q Who attended those updates?

15 A Normally the interrogation control element, Captain [REDACTED]  
16 Chief [REDACTED] the ops officer would conduct it, Major [REDACTED]  
17 initially, then Major [REDACTED] when he replaced him I would sit in  
18 just to see what was going on as far as information flow, the  
19 screening personnel would come in, the senior screening on how many  
20 folks were coming in, have we seen any trends, things of that nature.  
21 Possibly, if they were available, some of the senior team leaders for  
22 the Tiger Teams and eventually it got expanded to include  
23 representatives from the 322<sup>nd</sup> MP Company to come in in case there had



1 been any issues as far as what was going on as far as detainee hold  
2 And either Camp Vigilant, Camp Ganci, or in the isolation area, and  
3 the MP representatives normally for that were Captain [REDACTED]  
4 occasionally Captain [REDACTED]. Sometimes Sergeant----

5 Q Occasionally Captain [REDACTED] occasionally Captain [REDACTED]  
6 you say?

7 A Normally one or the other would come. Normally it was  
8 Captain [REDACTED] that would attend, but occasionally Captain [REDACTED]  
9 would come in his stead if he was----

10 Q What was discussed, what was the format and what was the  
11 agenda?

12 A The agenda pretty much, sir, was what was going on as far  
13 as the information flow, what was coming in, the number of detainees  
14 being brought into the prison. Is there anyway that we could  
15 expedite getting some detainees out because there seemed to be an  
16 extended period of time that we had a number of detainees that either  
17 had no additional interrogation value or had no security status to be  
18 there and it was taking an ungodly amount of time to get these folks  
19 out. The procedure initially for a release panel was chaired by  
20 General Karpinski, General Fast, and Colonel Warren. And I believe  
21 it was on Saturdays, I'm guessing on day-- but I believe it was  
22 Saturdays in the afternoon for about two hours. And, sir, I was told  
23 that average-- average maybe 15, 20 file they'd get through. Sir,

1 there were probably two, three thousand folks there that probably  
2 didn't need to be there, and we were very adamant at trying to  
3 getting another expedited type release process in place and we did do  
4 that But that's why the screening folks would come to say "Hey  
5 we've got some folks that came in that we need to catch now to get  
6 released so they don't get caught into this three month, four month--  
7 --

8 Q Was Colonel Pappas there after-- even before since he had  
9 command of the elements that were at Abu Ghraib, not necessarily  
10 control of the facility.

11 A No, sir I----

12 Q After he arrived on the 19<sup>th</sup> of November, was he there?

13 A No, sir

14 Q He didn't attend any of that Who was the senior man?

15 A I was the senior

16 Q You were the senior man

17 A Yes, sir And of course we'd back brief him on anything  
18 that was going on, but normally at eight o'clock he was otherwise  
19 engaged with other brigade activities or whatever he was doing.

20 Q What reports were you giving CJTF-C-2 in your capacity as  
21 the liaison officer?

22 A Just occasionally-- normally I would mention to Colonel  
23 [REDACTED] or Colonel [REDACTED] status on, "Hey we got a lot more

1 detainees coming in." One of the things I had done for Colonel  
2 Pappas based on the screening issues. The number of detainees coming  
3 in was "How many detainees have we recently got from a certain  
4 operation from a certain division that we feel had no reason to even  
5 be sent up to Abu Ghraib and these kind of things." And those were  
6 kinda things I highlighted into the C-2 Like I said, that special  
7 committee came up by Retired Colonel [REDACTED] that highlighted  
8 those as well And he did a very in-depth study and went and talked  
9 with everybody and provided that back, I never got a copy of his  
10 final report back, but I did get a letter of thanks for him on some  
11 of the other things that we were doing that he thought were in the  
12 right direction. So, after that meeting, then there was the normally  
13 nine o'clock base update Originally that was chaired by the 320<sup>th</sup> MP  
14 Battalion ----

15 Q This is before? Please couch before and after

16 A Yes, sir, okay, sir Before 17 November, if that's the  
17 correct date that the FOB stood up under Colonel Pappas, chaired by  
18 the 320<sup>th</sup> MP Battalion Commander, [REDACTED] He had all the  
19 units that were available there attend Initially the 519<sup>th</sup> had a  
20 representative who was the interrogation control officer, their  
21 Captain [REDACTED] Eventually she asked me, "Sir, do you mind attending  
22 these, because there's other stuff involved as far as engineering  
23 support, life sustainment issues, all I really provide is a headcount

1 of MI soldiers here so they know how many MKT meals to get those  
2 kinda things. So, basically provided the headcount----

3 Q You were doing that?----

4 A Yes, sir

5 Q. So, again, you had liaison duties, but since you're the  
6 senior man on the spot, you're also doing admin/logistical duties?

7 A. Yes, sir

8 Q So, with that couched, would it be fair to day that the word  
9 Deputy would have fitted the description of some of the things that  
10 you're mentioning today?

11 A Sir, my whole thing on that, and I talked to Colonel Pappas  
12 at great length because initially he called me the JIDIC Commander  
13 I said, "Sir, I can't be a commander, I'm not even in your Brigade "  
14 He said, "Okay, we'll change it to chief of the JIDIC " So, sir, the  
15 first time I ever heard the term deputy is when you used it  
16 yesterday So, I never ever heard that term before, but again, it  
17 was providing information that we knew to the base ops I'd take  
18 back any tasking issues that the MPs would have for like base support  
19 or what have you, to Colonel Pappas. Eventually I wanna say late  
20 October to maybe the first part of November, he interjected the 323  
21 MI Battalion there at BIAP to kind of be the bridge between the  
22 brigade and the JIDIC staff that was out there However, I only saw  
23 the battalion commander or sergeant major out there probably two

1 times. And I had the feeling that before that when the 519<sup>th</sup> was  
2 there that the ALPHA Company element plus was providing all that kind  
3 of support that Colonel Pappas had removed. The 519<sup>th</sup> element--  
4 command and control element, the first sergeant, company commander,  
5 sergeant major, battalion commander, out of that area. So, there was  
6 just a void at that time for somebody to make sure that troops were  
7 taken care of

8 Q All right. What else were on the schedule?

9 A Then we had a 1600 afternoon would be a base force pro  
10 meeting for QRF missions or the 82<sup>nd</sup> Airborne Company that was there  
11 if they were going to be going out Kinda the areas that they were  
12 going to be looking at----

13 Q Based on base force plan, was there a QRF, an IRF, or both?

14 A Yes, sir There was a QRF involved, there was----

15 Q Who was the QRF?

16 A It was an MP element under the 320<sup>th</sup> that they had pulled  
17 together There was a Lieutenant Colonel [REDACTED], was an MP----

18 Q He was the major ----

19 A Say again sir?

20 Q He was used as a major He came down----

21 A Sir, I was told he came down to be the force protection  
22 officer----

23 Q Before?----

1 A. Before 17 November, yes, sir.

2 Q. Right, okay.----

3 A There was a RAYCO person there, an engineer, a lieutenant  
4 colonel----

5 Q. Rear area guy?----

6 A Yes, sir Who was supposedly doing force pro in concert  
7 with Lieutenant Colonel [REDACTED] and these kind of things, and  
8 somewhere in there QRF either responded to him or battalion commander  
9 or the battalion three for the 320<sup>th</sup>, I'm not really sure.

10 Q Okay, all right

11 A After 17 November, they still had a QRF capability. They  
12 still had-- and I believe that RAYCO was Lieutenant Colonel [REDACTED]  
13 or something like that, responded to them, but normally at these  
14 meetings, at this point, Lieutenant Colonel [REDACTED], the 165<sup>th</sup>  
15 Battalion Commander kind of chaired him on behalf of Colonel Pappas  
16 So same kind of format, they didn't even ever really change the  
17 format of what was reported, or how it was report The medical staff  
18 would report issues if there is anything that came up for the good of  
19 the order, engineer where we stood on force pro barriers, were we  
20 getting trailer showers, air conditioning, heating issues, all those  
21 kind of things earlier in the day But the force pro thing would  
22 kind of tie some of that thing together Part of that force pro

1 issue was a badging systems and how are we gonna do this, and things-

2 ---

3 Q. Okay. That's fine

4 A All right, sir. Then that would probably end about 1700  
5 Normally would meet if the colonel happened to be out there before 17  
6 November, and he'd average maybe three nights a week out in Abu  
7 Ghraib around 1730 if it was any night other than Tuesday, Thursday  
8 or Sunday because he did his Brigade update during that timeframe.  
9 So then, normally after that he would meet with his ops guy, either  
10 Major Thompson or later on Major [REDACTED], sometimes Chief [REDACTED]. And  
11 then we would get together after that if there was any outstanding  
12 issues that I felt he needed to be aware of, or that he was going to  
13 give me guidance on "Hey, I want trailers or whatever " And that  
14 might end at 2000, 2030, 2100 what have you Then I'd normally wind  
15 up the evening by going through reviewing reports for the day for the  
16 analytical content, make any notes, give it back to the ops, say "Hey  
17 you may wanna go back try to get more information on this  
18 organization, this person, here are some key things you want to take  
19 a look at May want to do some link analysis," things like that.  
20 And normally call it a night, midnight, 01, whatever the case may be.  
21 Q In your role as an LNO, because you have multiple roles  
22 then LNO, you were a deputy or whatever you want to call it, you  
23 were coordinating for base ops support, that sort of thing. Looking

1 over reports in the JIDIC, interacting with interrogators, been given  
2 all these additional duties as required type thing What were the  
3 reasons why you would want to go into the hard site?

4 A Glad you asked sir, I made some notes. In some of those  
5 cases, on the hard site, I was directed to go in there specifically  
6 by Colonel Pappas to work issues of----

7 Q Was that directly to you or part of your additional  
8 duties?----

9 A At times there was additional duties and there are other  
10 times specifically Colonel Pappas would ask me, direct me to go do  
11 something with a specific detainee

12 Q Such as?

13 A Such as we had a detainee named [REDACTED] I may  
14 mispronounce it She was a MP hold charged of capital crime, she was  
15 pregnant at the time I guess when she was brought in, long before I  
16 ever arrived there sir, and gave birth inside prison. She had very  
17 great concern over her two older children safety being cared for by  
18 paternal grandparents, the Ministry of Justice and Colonel [REDACTED] and  
19 his legal team worked on getting the children removed from her  
20 husband's side of the family to her parents side as well as getting  
21 the young child out of that detention camp facility to have  
22 grandmother take care of. I felt confident, I believe the legal  
23 folks at the Magistrate Cell felt confident, Colonel [REDACTED] that she



1 had not committed the crime and we were trying to hope to get her  
2 released. She later approached Major [REDACTED] ---  
3 Q She was a detainee----  
4 A Yes, sir ----  
5 Q. ----by U S military forces, not a criminal held by the  
6 Iraqi police?  
7 A No, she was a criminal held by the Iraqi police.  
8 Q. But, she was already----  
9 A She was awaiting prosecution, sir  
10 Q Awaiting prosecution  
11 A Yes, sir. And what happened was----  
12 Q But for some reason, U S Military Intelligence folks were  
13 interested on this particular prisoner, she was a prisoner  
14 A Yes, sir After she had gone to Colonel [REDACTED] and the  
15 Ministry of Justice folks to say she was----  
16 Q Was she already a convicted criminal?  
17 A No, sir She was awaiting prosecution  
18 Q Okay But she is not part of the detainee-- she is not a  
19 person holding an ISN number?  
20 A No, sir Not-- not to my recollection  
21 Q How did this information come about?  
22 A She approached Colonel [REDACTED] ---  
23 Q. Who's Colonel [REDACTED] ---

1           A.    He was the folks from the Ministry of Justice who handled  
2 issues for juvenile and females for incarceration.

3           Q.    Okay.

4           A    Colonel ██████ had approached initially Major ██████ and  
5 just said, "Hey----

6           Q    Please be brief on this----

7           A    Okay, sir    Anyways, long story short sir, she came up with  
8 information that her family had some sort of ties, connection  
9 knowledge of Black List One and where he was, and again sir, I don't  
10 got the right dates on this, but I wanna say it was late September,  
11 early October, she told Major ██████ and one of the interrogators  
12 through translator some things, went back, had him ask some  
13 additional questions on this, she came up with it    He had a big  
14 white beard that he was basically living in a hole that he was  
15 driving a taxi and kind of gave a general location    And, sir, when  
16 Saddam was taken down, he had a big white beard, he was living in a  
17 hole, and he had a taxi about a hundred meters from where he was at  
18 And I understand that he would drive that taxi solo, which she told  
19 me, told us, and quite frankly sir, I thought that was the most  
20 lunatic thing I ever heard of in my life, but sir, we reported it,  
21 put it in the system and you know what, there were some other  
22 ticklers that came in from somewhere else, they consolidated that and  
23 that's what they used to do that    So, based on that belief that she

1 was trying to be truthful and stuff and that she hadn't committed the  
2 murder and these kind of things, we worked hard with the Magistrate  
3 Cell and the Ministry of Justice of getting her a pardon or parole as  
4 the case could be. And, sir, I got to know her family because they  
5 would come visit. Sir, I got kids, she's got young kids, we would  
6 make sure that she was taken from the facility in a separate area to  
7 meet with her parents and to see her children so they would not see  
8 her in a prison environment, these kind of things. So just-- none of  
9 my real duties sir, they asked me, "Hey could you help us out with  
10 getting some jobs or something." I got one of the brothers a job as  
11 a welder there at Abu Ghraib once he was vetted and he could work on  
12 the facility. So, sir, I'm just saying-- and it really doesn't go to  
13 these kind of things, but I just want to tell you that I thought we  
14 tried to do the right thing when we had the information flow  
15 available and ready on us, sir. Back to these morning meetings, I  
16 want to highlight again, I talked about doc [REDACTED] on the medical  
17 staff and he and I both, and I mentioned that I'd seen naked  
18 prisoners there in the-- in the MP wing and there were two in  
19 particular. Both had some sort of mental issues, both would tear off  
20 clothing, one in particular would throw feces or blood at folks.----

21 Q We already know those ----

22 A All right sir ----One refused to eat and would have to be  
23 taken to-- I guess given intravenous. I saw him a couple times in

1 there with the medical folks were doing that. He was-- he had a  
2 blanket, he was covered, but coming in and out of the cell he  
3 wouldn't keep his clothes on, whatever the case may be ----

4 Q All right ----

5 A. ----But, again I racked my brain sir, I never ever remember  
6 seeing any naked female detainees on any given time. And those two  
7 that I saw was always in the presence of medical folks or other----

8 Q Or male detainees----

9 A Say again, sir?

10 Q Or male detainees

11 A They were male detainees, those two, sir And, I believe  
12 both of the were on an MP hold and they were trying-- I know we  
13 mentioned, doc Anderson and myself in particular to Colonel  
14 Phillabaum, "Sir you gotta do something to get these folks outta  
15 there because they're mentally unstable " So----

16 Q We'll get to that because there were statements made that  
17 some of the interrogators were complicit to some of that treatment.

18 A To those two people?

19 Q Not to those two people, but to other detainees who were  
20 stripped of their clothing And you had firsthand knowledge about  
21 Luciana Spencer doing that sort of thing

22 A Sir, I had knowledge after the fact that she did that.

1 Q. Well, at least knowledge that the interrogators were doing  
2 that sort of thing.

3 A. Sir, that was, again the only time I had heard that  
4 clothing had been----

5 Q Well, it's not how you had heard, it was actual fact. On  
6 which you said you took action, or recommended to take action

7 A Yes, sir

8 Q That was indeed happening, not just with the MPs but with  
9 the interrogators as well

10 A In that one instance that I was aware of? Yes, sir

11 Q Did you report that as part of your report to CJTF-7 C-2?

12 A Sir, I may have mentioned that to Colonel Tarrington, yes,  
13 sir

14 Q What about to General Fast? That there were things unusual  
15 that were occurring between interrogators and MPs And if you think  
16 that that was unusual, Colonel [REDACTED] then in your capacity, because  
17 you're telling me that you've been going to the Magistrate to what is  
18 the left and right limits with regards to treatment of detainees,  
19 then it would have been your moral responsibility as an officer in  
20 the United States Army But your telling me that your right and  
21 wrong that you should have reported that?

22 A Sir, I did take it to the brigade commander immediately  
23 when I was made aware of it, so, I did mention it to Colonel

1 [REDACTED] somewhere along the lines, again I didn't see Colonel

2 [REDACTED] every day face to face unless I made a trip into----

3 Q Well I've got statements here, sir, that indicates that  
4 there were some folks that were just doing the wrong thing, which  
5 kind of leads me to believe that even though there were constant  
6 reminders and notification, the brigade commander interrogators were  
7 on their own, especially the ones who were either contractors or  
8 whatever have you That would lead me to believe that between MPs  
9 and MI, folks were doing their own thing And leaders were either  
10 present when the suspicion was going on or even rumors were going on.

11 A Well, sir, I never had any rumors, I never had any  
12 suspicions of any civilian contract employees doing anything wrong

13 Q Now, do you know one of your contractor linguist, anybody  
14 check on their security, their background checks?

15 A Yes, sir, the CAT2 linguists are screened for security  
16 reasons and given a Secret clearance access

17 Q Are you absolutely sure?

18 A Sir, I'm told that every----

19 Q Are you 100% sure?----

20 A That every linguist has gone through the INSCOM screening  
21 and been----

22 Q Yes.

23 A Sir, since I don't do that, sir I couldn't tell you.

1 Q But they're dealing with interrogators with sensitive  
2 information whether they're translating or not, I mean, these are  
3 intelligent people.

4 A Oh, yes, sir

5 Q Yeah.

6 A But we have verifiable that they do have Secret security  
7 clearances-----

8 Q I will tell you that you have at least one there today that  
9 do not have a security clearance

10 A A CAT2 linguist?

11 Q I don't care what CAT he is, he's in there.

12 A Okay, sir

13 Q And he's doing interrogation of Tier 1 and Tier B, 1B  
14 detainees

15 A Okay, sir

16 Q And doing a special mission that you are probably involved  
17 in I have not notified anybody yet, but I will certainly do. And  
18 some of these contractors, to include the ones with military  
19 experience, sir, don't even know the friggin' Geneva Convention and  
20 how would it affects them as a status should they be captured by  
21 anti-coalition forces All right So you have some shortcomings in  
22 even your system.

1           A.    Okay, sir. All I'm going to tell you sir, as far as CAT2  
2 linguists, I know that CAT2 linguists require a secret security  
3 clearance to come in and that the----

4           Q     Well I would think that just about every linguist that is  
5 working with the JIDIC since they are working in the JIDIC.

6           A     Sir, as far as I'm aware of, there has never been a non-  
7 cleared linguist working.

8           Q     There is one

9           A     Okay, sir. I'm-- I'm not aware of that, sir, this is the  
10 first news I've heard that we have a non-cleared linguist.

11          Q     That's what I'm saying, it's the first time you've heard.  
12 Somebody should be checking on these people

13          A     Yes, sir

14          Q     Okay

15          A     And, sir, I agree with that    And again, sir, I'm not an  
16 interrogator    I don't do interrogations    I was never authorized to  
17 do interrogations

18          Q     But you're involved with interrogation operations, sir

19          A     Sir, I'm involved with taking the information from  
20 interrogation operations and answering----

21          Q     Colonel ██████████, you are involved, you don't specifically  
22 interrogate, but you are involved with interrogation operations.



1           A     No, sir, I'm not. I am specifically taking the information  
2 that comes in from the interrogation operations as we would from  
3 signals intelligence, imagery intelligence, putting it together and  
4 making it actionable intelligence to support the coalition forces,  
5 JSOTIF what have you

6           Q     All right.

7           A     Okay, sir.

8           Q.    Anything else you want to add before we proceed?

9           A     Just sir, like I said-- talked about what my initial focus  
10 was there And eventually that focus expanded based on Colonel  
11 Pappas from just reporting, proper formatting, developing ad hoc  
12 report connections, link analysis, those kind of things. Creating  
13 target folders, worked with Colonel Pappas and his team to set up the  
14 interrogation plans, those ten scripted issues of all those kind of  
15 things that would go on And I'll go on record to say, sir, that I  
16 also did observe screening processes and things coming in I  
17 observed the MPs on how they did their in processing and things like  
18 that But I never did screenings, I never did MP processing, but I  
19 was aware where they were doing that or what their mission was. And  
20 one of the things I'd like to add on that screening MP processing,  
21 sir, day two, day three, when I was getting a tour of the layout of  
22 the facility, I walked in and passed where the MP elements at, they  
23 had these sandbags up that looked like they were being used for

1 hooded security on detainees and there were signs on them that said  
2 things like, 'kick me', 'I'm stupid', 'I don't play well with  
3 others.' And sir, I took offense at that and went and mentioned it  
4 to the Battalion three and the next----

5 Q It appears that you're all over the place, Colonel [REDACTED]  
6 except the Battalion Commander, the Brigade Commander, the S-3, who  
7 seems to be seeing the same thing, or at least if were seeing the  
8 same thing, were not taking corrective action But you're all aware  
9 of all this stuff

10 A Sir, what I'm saying is I mentioned it to them to have them  
11 taken down and the next day----

12 Q What would you have done, I mean, you knew it was wrong.---

13 -

14 A Sir, I don't know if it was wrong, it just didn't look  
15 right ----

16 Q Okay, well if it didn't look right, if it didn't look  
17 right, Colonel [REDACTED] then it ain't right I mean, you're an  
18 educated person ----

19 A Yes, sir.----

20 Q ----You know about the Army values.----

21 A Sir, I know about the Army values ----

22 Q ----You know about the Geneva Convention.----

23 A I know about the Geneva Convention ----

1 Q. If it didn't look right, then it ain't right.

2 A Sir, I'm just telling you, I saw something when I came in  
3 the first couple of days I was there, mentioned it, the next day I  
4 went by, or next two days, they were down, sir. So, again, I didn't  
5 think it was a on-the-spot correction Colonel [REDACTED] had to make and  
6 maybe in retrospect I should have, sir

7 Q Well, you've been a company commander.

8 A Roger that, sir, four times, yes sir.

9 Q Four times, well daggonit, well, you know if it ain't  
10 right, you correct it on the spot, sir.

11 A All right, sir

12 Q Couple of statements

13 A Yes, sir

14 Q Do you know a [REDACTED]

15 A Can you give me a unit sir, and that might--

16 Q Contractor

17 A Doesn't ring a bell, sir

18 Q Do you know a [REDACTED]

19 A I know Sergeant First Class [REDACTED] who's the ICE ops NCOIC  
20 during the day shift

21 Q Okay. Do you know of an incident where both or either one  
22 of them were involved with a detainee named [REDACTED] who was  
23 supposedly thrown out of a vehicle while he was handcuffed?

1 A. No, sir

2 Q So you have no knowledge of that?

3 A. Sir, no sir, I do not.

4 Q All right Do you know an [REDACTED]

5 A Translator?

6 Q. I would imagine so, yes.

7 A. Yes, sir

8 Q Okay Do you know that he was involved in some of the

9 allegations?

10 A Sir, I've been told that, yes, sir.

11 Q You've been told? Given that he was involved, do you know

12 that there were any corrective actions done by the brigade to train,

13 retrain all these translators that their responsibility limits them

14 to translating and not being involved with handling or treatment or

15 even showing up at the access, or not have access-- limited access to

16 Tier 1-- 1B unless they are specifically directed to?

17 A Sir, yes sir And I specifically, specifically, with CW2

18 Rummager and with Major Mike [REDACTED], took all, all the translators

19 from TITAN and numerous occasions when I first came on board said,

20 "You're not authorized to be down in that facility--" where they were

21 getting very chummy, let's call it, with the corrections personnel

22 Smoking, joking, whatever, understand a few of them initially before

23 I even got there had spent the night. I said, "You're not authorized

1 to do that." And my concern was not only OPSEC but later on the FBI  
2 came and said that one of the TITAN CAT2 linguists, and they didn't  
3 know where in the country, or maybe two, was possibly providing  
4 information leading to possible anti-coalition force type attacks.  
5 So we kept a very tight hold, matter of fact Major Thompson, I  
6 believe, briefed them one point that if they were seen in that area  
7 unauthorized, that he would contact TITAN and have them removed if  
8 not possibly fired. Additionally, there were female soldiers that'd  
9 come up to say, "Hey I feel uncomfortable around this one or two  
10 individuals. They're very friendly, hasn't gotten to sexual  
11 harassment, but it's gotten to a point of I don't feel comfortable."  
12 Again, I called them all in, I said, "Let me look you in the eye and  
13 tell you, that if you want to touch somebody or if you want to say  
14 something to somebody, pretend you're saying it or touching me and  
15 how I would react, or more so how you would want somebody to touch or  
16 say something to a female relative." And I also expanded that to  
17 say, sir, on alcohol. I understand that CAT1 linguists over in the  
18 MP site possibly were supplying the alcohol to the MPs.

19 Q So there were linguists from the MPs and linguists with the  
20 MI?

21 A Oh, yes, sir.

22 Q How many linguists were, that you know of since you're--  
23 seem to know or have familiarity, more than a familiarity up there?

1           A     Sir, TITAN at one point when I was there I think the max we  
2 had were 21 linguists that were CAT2----

3           Q.     For?----

4           A     ----for MI    I believe the MPs had four or five    But the  
5 MP ones, with the exception of one or two were all CAT1s, i.e., they  
6 don't have the Secret security clearance, they're not quite screened  
7 and what have you    So you always had to be careful of what kind of  
8 information was shared    In fact, I had asked the TITAN  
9 representatives specifically what the rules were because the  
10 linguists were always asking Chief ██████████, coming to me, going to  
11 other folks, saying, "Hey we'd like to go visit our relatives in  
12 Baghdad    We'd like to go here, we'd like to go there."    They brought  
13 a statement to work and said they were not authorized any  
14 unauthorized trips out, these kind of things    Matter of fact, we  
15 were advised one day that there were four linguists that had gone  
16 outside the wire    Colonel Pappas directed myself and Lieutenant  
17 Colonel ██████████ to wait for them because supposedly they had gone out  
18 the north area    My concern, sir, was not so much they'd gone out,  
19 but if they'd gone out and got back in and were unseen getting back  
20 in, that meant that we were vulnerable to enemy penetration.    Turns  
21 out that they'd rode out, I guess, with a contractor through the MP  
22 gate, flashed their white DOD ID cards and came back in and nobody  
23 thought to ask what they were doing.

1 Q So, again, in that particular instance was Battalion  
2 Commander-- MP Battalion Commander notified about that particular  
3 incident?

4 A Of the linguists going out the gate?

5 Q Right

6 A Oh, yes, sir And matter of fact, Colonel [REDACTED] directed  
7 that we contact TITAN, we contacted the CJTF-7 linguist manager,  
8 Major [REDACTED] They pulled them back in, mentioned it into General  
9 Fast, she called them in and there was a concern that we were so  
10 short CAT2 linguists cleared that they would give them letters of  
11 reprimand instead of removing them, sending them back home and  
12 sending them out to other areas, such a Fallujah and Ramadi or give  
13 them the opportunity to go home

14 Q Okay Do you know a detainee by the name of [REDACTED]  
15 [REDACTED]

16 A Sir, I believe [REDACTED] the individual who tried to shoot  
17 me on the night of 24----

18 Q Tried to shoot you or shot you?

19 A Tried to shoot me, sir He didn't shoot me, knock on wood,  
20 sir, cause I didn't have plates on I'm very glad he didn't shoot  
21 me, sir

22 Q Okay Who is an interrogator by the name of [REDACTED]

1           A     Sir, I would need to know more last names because I believe  
2 there were two [REDACTED] -- civilians, if you're saying civilians not  
3 military, that were there

4           Q     Which-- describe those two individuals please.

5           A     One [REDACTED]  
6 [REDACTED] n,

7 [REDACTED]

8           Q     Who would have responsibility for this guy named [REDACTED]  
9 [REDACTED]? Since you know of him

10          A     Well, sir, I believe he was obviously an MI hold because he  
11 was part of that Syrian team that came in----

12          Q     Which one of those [REDACTED] was involved with his  
13 interrogation?

14          A     Sir, I-- I don't know because I didn't direct the  
15 interrogations, I'd have to ask Captain [REDACTED] Chief [REDACTED] or one of  
16 the team leaders----

17          Q     Do you have any knowledge of [REDACTED] or his partner taking  
18 him near the prison complex and putting a pistol to [REDACTED] head  
19 and threatening to kill him?

20          A     No, sir, not at all     Sir, the other question I would like  
21 asked is how did a civilian interrogator get a weapon?

22          Q     I'm just asking?



1           A.    Sir, I'm-- I'm telling you, those guys repeatedly were  
2 seeking weapons. They actually had a meeting one day where they felt  
3 that they were going to have to quit and they were kind of hold up--  
4 I called it extortion to Colonel Pappas-- trying to hold him up to  
5 say, "We fear for our lives here, we need to be armed, and--" they  
6 had a couple people quit.

7           Q    Why would they fear for their lives when they are  
8 surrounded by security people?

9           A    Sir, I asked them that    They just felt that they needed to  
10 be armed within the compound----

11          Q    Were they armed?

12          A    No, sir, not at all    And, sir, I'll tell you this, if I  
13 saw them with weapons or anything like that, I'd have confiscated the  
14 weapon and would have reported it    Now Colonel Pappas says put in a  
15 request, I believe through General Sanchez to General Abazaïd for  
16 side arms for them to be authorized through their contract or what  
17 have you, I don't know what the status of that memo is, but I do know  
18 that he was going to submit that memo to see if that could be  
19 supported

20          Q    How many weapons did you have on you the night of the 24<sup>th</sup>  
21 of November?

22          A    Sir, I had two    an M-16 and my 9mm

23          Q    Were you authorized two or did you just like to carry two?

1           A     Sir, I normally carried-- I signed for a 9mm when I came  
2 over, sir, and when we had excess weapons available and I had an  
3 opportunity to carry an M-16, I always carried an M-16, yes, sir.

4           Q     So, when you entered after Sergeant [REDACTED] asked for  
5 your assistance or your help to go search a cell that was suspected  
6 to have weapons in there, you had those two with you at the outer  
7 entrance, ----

8           A     Yes, sir ----

9           Q     ----not the inner entrance and you carried those two with  
10 you?

11          A     Yes, sir, I asked permission to enter with my weapons, yes,  
12 sir

13          Q     What was the SOP upon, not during that time, not during the  
14 snooting, what is typically the SOP when you did access the Tier 1,  
15 Tier 1B complex?

16          A     At the time, if you had weapons, you checked your weapons,  
17 there was a weapons holding area, the MPs would take your weapon and  
18 secure it in there    After 24 September, what have you, they started  
19 ever sandbagging inside the Sally Port, everybody going in had to  
20 have plates, Kevlars, things of that nature    Before that timeframe,  
21 when you entered, there was no requirement for vests and if you had  
22 plates, plates and/or Kevlar    And the unique thing about this Mr  
23 [REDACTED] was that he was scheduled to have an interrogation that

1 evening at 2300 hours and I believe-- I believe [REDACTED] as one of the  
2 MI folks that would have been scheduled to do that interrogation, I  
3 believe, sir, I don't know-- I don't remember.

4 Q Which [REDACTED] would that have been, the short guy or the tall  
5 guy?

6 A. The tall guy.

7 Q Okay

8 A And I'll tell you, sir, I think had [REDACTED] incident not  
9 happened, he'd have pulled that Chinese 9mm and killed the MP and the  
10 two or three MI folks that were on the deck, had the keys, and would  
11 have released everybody else that he had access to on the cell block.  
12 And, sir, I don't know what the outcome would have been-- it wouldn't  
13 have been nice But--

14 Q You mentioned that you and Colonel Pappas did not always  
15 see eye-to-eye When did you depart your duty at Abu Ghraib?

16 A 21, 22 December

17 Q 21, 22 December, let's just say 22 December

18 A Okay, sir

19 Q Then you got there the 17<sup>th</sup> of September, thereabouts

20 A Roger that, sir Afternoon of the 17<sup>th</sup>

21 Q Okay What was the reason why you were reassigned?

22 A Got a note from Lieutenant Colonel [REDACTED] who had said----

23 Q Who's [REDACTED] ----

1 A [REDACTED] was a C-2 personnel guy for General Fast. ----Said  
2 General Fast wants you to come in handle party of five issues. If  
3 you'd like to stay at [REDACTED] she understands, please respond, let me  
4 know what you'd like to do Sir, as I said before, probably two,  
5 three weeks before that I had gone to General Fast and say, "Ma'am,  
6 Lieutenant Colonel [REDACTED] and the 165<sup>th</sup> is coming in. I see no need  
7 for me to assist the brigade with force pro issues, engineering,  
8 they've got a whole battalion of bodies here that they didn't have  
9 before Again Ma'am, I'm not in the brigade, I'm on the outside  
10 looking out I don't get the same connectivity, I don't get the same  
11 email, I-- you know everything-- a lot of times I have to find out  
12 second hand I have to be more reactive than proactive and it's hard  
13 to support the brigade commander at times." And I said, "Ma'am, I  
14 understand OGA has come to you and asked for me to be possibly their  
15 military liaison officer pending my extension in Iraq." And she  
16 said, "Well, it's not quite true " She said, "I told them I'd  
17 consider it based on your extension I think I have a couple of  
18 other things for you to do " A few days after that, Colonel [REDACTED]  
19 had called me and said, "Hey, just give you heads up, we're looking  
20 to set up this Iraqi Military Intelligence battalion and we may be  
21 looking at having you come in and make that happen " Turns out that  
22 that party of five is a baseline or template to get that going sir  
23 and that's what that's related to

1 Q Okay. Who did you-- who was your-- who is now your  
2 supervisor at CPA?

3 A. Colonel [REDACTED]. British colonel just came on  
4 board

5 Q. Do you work directly for him?

6 A I work directly, sir, I'm gonna tell you, on paper I work  
7 directly for him. But between you, me and the fencepost I work  
8 directly for General Fast and keep Colonel [REDACTED] informed because  
9 British versus American pecking order, LNO, whatever

10 Q I got it I understand Would you-- how would you  
11 characterize your relationship with Colonel Pappas, notwithstanding  
12 that there were some disagreements between you and he on occasion?

13 A Sir, sir, I'm-- our relationship, sir, he's my senior I'm  
14 subordinate He wears an eagle i don't. I call him sir, even when I  
15 disagree, "Sir I disagree with you and here's the reasons why." Lay  
16 out courses of action Certain things that we disagreed about, sir,  
17 would be admin kinda, law kinda things, or awards or things of this  
18 natures But, sir, I don't think he's a individual who would cover  
19 up anything I don't think he's an individual that would authorize  
20 illegal activities I know that he's very, very career driven He's  
21 a below-the-zone selectee, I believe, for both O-4 and O-5 I know,  
22 sir that he and his staff have talked very much that he's looking  
23 forward to possibly getting his star One of the biggest things he

1 talked about was commanding the largest MI brigade ever assembled in  
2 a combat zone, these kind of things. I do know, sir that he tried to  
3 buffer anything of any embarrassment, to include the incident of the  
4 fake shake at Abu G, which I'm sure, is not full knowledge yet to  
5 everybody. A few other things, but criminally wrong, morally wrong,  
6 I don't think he would support anything sir. I don't dislike Colonel  
7 Pappas, I just don't think we ever hit our stride sir, but  
8 professionally, sir, I think he's a good officer. And actually  
9 called me and gave me a brigade coin so I thought that was nice of  
10 him. And again, sir, when you told me yesterday that he called me  
11 his deputy, sir, I never thought I had that much trust, confidence  
12 from him or even support. I just-- you know, he never been in there.  
13 But I-- he has a fairly good sense of humor, he's not troop oriented.  
14 You know he doesn't focus on troop issues, just make sure troops are  
15 taken care of and those kind of things. I think he took it very  
16 hard, sir, when Specialist [REDACTED] was killed. Specialist [REDACTED] was  
17 his driver and I believe you know a driver and commander get very  
18 close and I know he took it hard. So, I guess that's my relationship  
19 with him sir.

20 Q Did you ever see or attend any meetings between he and  
21 General Karpinski relative to detainee operations or conditions of  
22 the Abu Ghraib complex?

1           A     No, sir, but he told me what he had discussed with General  
2 Karpinski, but basically that's hearsay, I never heard him tell her  
3 directly

4           Q     Did he ever discuss with you that he had specifically  
5 requested to General Karpinski, not to anybody else, that he should  
6 have control of Tier 1A and 1B, notwithstanding the fact that based  
7 on your explanation that that was already covered on his  
8 responsibility as the FOB commander?

9           A     Sir, I know he had asked for that. I know he had asked for  
10 additional MPs and other things from General Karpinski based on his  
11 assessment, sir, and don't take this flippant, but Ray Charles, being  
12 blind, could see there were not enough MPs out there around Ganca or  
13 Vigilant if everybody decided to come out at the wire all at one time  
14 and do something. It was going to be a major, major problem. And,  
15 sir, I know that Colonel Pappas through me to Colonel [REDACTED]  
16 addressed issues like cold weather clothing for the detainees, you  
17 know, figuring out some way to sandbag up part of the tents and still  
18 provide heating and if it was an OPSEC things with the flaps down to  
19 make sure that they could see that there were like, not sexual rapes  
20 going on between detainees on detainees or any of this kind of thing.  
21 I know that he was in Colonel [REDACTED] knickers about the food  
22 contract for the detainees and things of this nature.

1 Q. Who's responsible for the mess hall out there after the 19<sup>th</sup>  
2 of November?

3 A Well, sir, I'm going to tell you we didn't even have a mess  
4 hall "a DFAC" until the very last day or two in November. We  
5 basically, we the MI contingency ate off an MKT that the 72<sup>nd</sup> MP  
6 Company did and when they left, the joint LSA with the 680<sup>th</sup> MPs and  
7 us, we had cooks assigned and we did MKT. When the DFAC came in,  
8 that was under the FOB commander, obviously Colonel Pappas, but it  
9 was ran by Major [REDACTED], the 320<sup>th</sup> MP Battalion S-4

10 Q Okay. You had mentioned that you know of [REDACTED],  
11 [REDACTED] based on your visits there at the hard site, Tier  
12 1A and 1B Do you know a Corporal [REDACTED]

13 A Sir, I'm sure I've heard the name and I'm sure if you  
14 showed me a picture, I'd probably say yes I've seen that individual,  
15 but I can't----

16 Q Do you know a Specialist [REDACTED]

17 A I know Specialist [REDACTED] yes, sir

18 Q Okay Do you know a Specialist [REDACTED]

19 A Can't say I do, sir, I'm sure if you showed me a picture---

20 -

21 Q Do you know a Private [REDACTED]

22 A No, sir

23 Q Do you know a Staff Sergeant [REDACTED]



1 A. No, sir

2 Q. Do you know a Staff Sergeant [REDACTED] or Sergeant [REDACTED]

3 A I know Sergeant [REDACTED] yes, sir.

4 Q Do you know a Sergeant First Class [REDACTED]

5 A I know a Sergeant First Class [REDACTED] yes, sir.

6 Q Okay Obviously you know Captain [REDACTED]

7 A [REDACTED] yes, sir.

8 Q [REDACTED] And you know Captain [REDACTED]

9 A Yes, sir I also know the First Sergeant there

10 Q All right. Now based on your frequent visit to the hard

11 site, whether you're observing or conducting a special mission for

12 Colonel Pappas and those are numerous times between the 17<sup>th</sup> of

13 September to the 22<sup>nd</sup> of December----

14 A Yes, sir ----

15 Q ----Has any of those NCOs [REDACTED],

16 Davis, or whoever else that you had a conversation with, ever

17 confided in you on whether they were doing the right things or not or

18 whether they were following the instructions of MI interrogators with

19 respect to setting up the conditions for their interrogation either

20 that day or the following day?

21 A No, sir

22 Q Not at all?

23 A No, sir

1 Q Did they ever confide in you that perhaps there were some  
2 questionable things that a [REDACTED]  
3 anything of-- any interrogators, whether they were questioning or  
4 not?

5 A No, sir

6 Q Had they ever asked you whether they should be receiving  
7 any training of sorts that could be additional or additive to their  
8 duties as guard or even assisting the interrogators?

9 A No, sir

10 Q Have you provided any comments to them, or any corrective  
11 action that you saw, that you thought were questionable or not right?

12 A No, sir. And had I had corrective action, advised whoever  
13 they belonged to chain of command-wise to do that

14 Q Do you see anything wrong with regard to the way detainees  
15 were being detained in their cell or any SOPs that might have been  
16 absent in their little guard shack there in the second floor or  
17 third, or anything of that nature that could have been cleaned up  
18 because it didn't look right, given the fact that you understood that  
19 that was already under MI control?

20 A Sir, there were issues with the specifically two mentally-  
21 ill individuals were-- they would throw feces and things like that  
22 out----

23 Q. The one that----

1 A. ----and, sir, the place stank. Sergeant [REDACTED] said, "Hey  
2 sir, can you do me a favor? You got access to supply stuff, can you  
3 get us some disinfectant, can you get us some Lysol spray, these kind  
4 of things?" I said, "Well CPA is supposed to be providing that, I  
5 thought through Ministry of Justice." I said, "Let me see what I can  
6 do " And, sir, I went out on my own pocket cause I make a little  
7 more money than an E-5 does and I bought things at the exchange or  
8 had somebody pick them up bring them out and provided them in to the  
9 folks in there to do that But, sir, I'm telling you, had I known,  
10 and here you give me names and questions I'm assuming those are folks  
11 that are probably under accusation for doing negative actions. I do  
12 know that Colonel Pappas had even mentioned to me, due to the night  
13 of the 24<sup>th</sup>, based on General Karpinski coming in and saying, "Hey  
14 thanks very much for being there for the soldiers, whatever happened,  
15 glad nobody was killed," things of that nature Colonel Pappas said,  
16 "You know Steve, I can approve ARCOMs with V devices " I said,  
17 "Well, sir you asking me to submit these soldiers for ARCOMs with--"

18 Q This is Pappas?-----

19 A Yes, sir ----and I said, "Well, okay sir, let me think  
20 about it " I did go talk to the Battalion Commander, Colonel  
21 [REDACTED] and said, "Sir, you know the majority of the people that  
22 were there obviously were MPs, I don't know what the procedures are,  
23 I'm not one to give awards easily," and these kind of things, and

1 Colonel [REDACTED] said, "It's your call if you want to write it up,  
2 submit it, or give it to me to give to General Karpinski." And, sir,  
3 I just kinda felt like we were doing our duty, nothing special above,  
4 beyond, you know we didn't pull anybody out of a burning tank or, you  
5 know, give somebody mouth-to-mouth, or nobody lost a life or  
6 something like that And, sir, I never submitted anybody for those  
7 awards

8 Q Okay The reason why I ask those questions, Colonel  
9 [REDACTED], was on the statements that I've read so far, is that they--  
10 because of your presence they didn't see [REDACTED] in there, commander  
11 of 165<sup>th</sup>, they hardly saw Colonel [REDACTED] in there. Seldom saw  
12 Colonel Pappas, but because your presence there, they regarded you as  
13 a battalion commander They regarded you as a commander, so if you  
14 did not explain to them your role, they were looking at you as the  
15 senior officer present predominantly most of the time, asking were  
16 these being present there that they looked upon you as the commander  
17 of sorts, battalion commander or whatever, and that the absence of  
18 their own chain of command would have lead them to that conclusion.  
19 And I'm not sure you explained yourself to them in terms of what your  
20 role was as a liaison officer, as whatever, to those MPs that you  
21 always seem to see there all the time. Thereby, if your presence was  
22 there and by all means things that they may do or may not do were  
23 then either approved by you or you had knowledge of that I mention

1 that to you based on the interviews and the statements that we have  
2 received to date.

3 A. Sir, I'm gonna tell you. I have no knowledge of any  
4 maltreatment of anybody, whether it's detainees or soldiers I would  
5 never authorize that, I never----

6 Q. You have no firsthand knowledge, but you did have knowledge  
7 that some of the interrogators were indeed involved because there are  
8 three Article 15's that were given by Colonel Pappas And there was  
9 at least one reprimand that you know of. So, that's knowledge.

10 Q Sir, two incidents and when the information was provided to  
11 me by the MP chain of command-- from the 72<sup>nd</sup> MP Company, so it was  
12 the first company there, within a few days of my arrival. Sir, the  
13 first person I called on the phone was the brigade commander And  
14 then we went to CID the whole route So, sir when it was made aware,  
15 action was taken I think-- I don't think enough action was taken, I  
16 really think those folks were setting----

17 Q Was there a 325<sup>th</sup> MI battalion assigned to that brigade?

18 A To the brigade, yes, sir

19 Q Were they there at Abu Ghraib?

20 A A slice from one company

21 Q Okay Would it surprise you that two members of that  
22 battalion or a slice of that battalion are also, are suspects in  
23 detainee abuses?

1           A     Yes, sir, it would

2           Q     Okay. Well, I don't have any more questions to ask of you  
3 at this time. We're going to do a verbatim transcription of your  
4 statement

5           A     All right, sir.

6 [Witness was duly warned, subject to recall and excused.]

7 [The session ended at 1310 hours, 22 February 2004.]

8

SECTION 1 - IDENTIFICATION DATA

1 NAME  
2 SSN

SECTION II - CLASSIFICATION AND ASSIGNMENT DATA

MOSC	YR & MO	SCORE	YR & MO	SCORE	YR & MO	SCORE

ASSIGNMENT CONSIDERATIONS

SECTION II - CLASSIFICATION AND ASSIGNMENT DATA (Continued)

MOSC	TITLE	DATE
35D	Tactical Intel	810918
5U	Air Operations Officer	820520
5M	Electronics Warfare	820930
35B	Strategic Intel	880909
(FA) 41A	Bers Programs Mgmt	
35C	Imagery Exploitation	840723
(P) 38A	Civil Affairs Off. Advance Course	930806

OVERSEA SERVICE

FROM	THRU	AREA AND COUNTRY	MO	TYPE	CONT	DEPN	ARR OS
830309	840224	FEPA-Korea	12	PCS	Yes		
890101	900131	FEPA-Korea	13	PCS	Yes		
900201	920827	FEPA-Hawaii	30	PCS	Yes		
970405	970417	Korea	2wk	AT	Yes		
961102	961116	Korea	2wk	AT	Yes		
960421	960507	Jamaica	2wk	AT	Yes		
931009	931023	Korea	2wk	AT	Yes		
940916	941105	Haiti	2	TAD	Yes		
970615	980114	Bosnia	8	TAD	Yes		
970405	970419	Korea	2wk	AT	Yes		
981010	981023	Korea	2wk	AT	Yes		
990903	990918	Germany	2wk	AT	Yes		
100612	000624	Germany	3wk	AT	Yes		

9 AWARDS, DECORATIONS & CAMPAIGNS

AWARD	DATE	PLACE
NSM-1/NSM-2/ARCM-1/ARCM-2/ARCM-3/		
AAN-1/NDSM-1/OSR-3/JSCM/GCMD-ARMY/		
ARMED-FCS-RES-MIL/ARMY-SVC RBV/		
ARCOIR/AEFM/ARCM-4/ARCM-5/ARCM-6/		
ARCOIR-2/ARCOIR-3/ARCOIR-4/		
DMSN/AEPM/AEPM W M/AEPM W 2/		
NATO/ARCOIR-5/ARCM-5/ARCM-2/		
ARCOIR-6/ARCOIR-7/ARCOIR-8/		

11 AMERICAN BOARD CERTIFICATION

CERTIFICATION	DATE
PISTOL 9MM (SHF) BADGE (0010)	267 0005

12 LANGUAGE PROFICIENCY

LANGUAGE	PROFICIENCY	DATE





SECTION VII - CURRENT AND PREVIOUS ASSIGNMENTS

RECORD OF ASSIGNMENTS

EFFECTIVE DATE	DUTY MOSC	PRINCIPAL DUTY	ORGANIZATION AND STATION OR OVERSEA COUNTRY	NON-	NON-	TYPE REPORT
				DUTY DAYS EFFECT RATING	RATED DATES CONDUCT RATING	
ENTL SVC	USAR 790127 -	790906 svc not on AD:RA 790907-810409	SP5-E5 (OCS)			
810410		Com Military Intelligence Branch USAR				
810410		Casual	Enroute to Ft. Huachuca, AZ			
810428	00A00	Duty Unassigned	Atch to Co G USAIGS Ft. Huachuca AZ	00	00	NONE
810527	00E35	Student Officer (MIOBC 81-8)	Atch to Co G USAIGS Ft. Huachuca AZ	00	00	ACAD
810801	00E35	Student Officer (TIOC 81-9)	Atch to Co G USAIGS Ft. Huachuca AZ	00	00	ACAD
810919	00A00	Project Officer	CoA USAIGS Ft. Huachuca AZ	00	00	ACAD
820919	35A37	Project Officer	CoG USAIGS Ft. Huachuca AZ	00	00	67-8
830308	00A00	Casual	Enroute to Korea	03	00	NONE
830311	00A00	Duty Unassigned	HHD 728th MP Bn, Korea	00	03	NONE
830314	35A5M00	S-2	HHD 728th MP Bn, Korea	00	00	67-8
830613	35A5M00	S-2	HHD 728th MP Bn, Korea	00	00	67-8
840224	00A00	Casual	Enroute to CONUS	00	00	NONE
840224	00A00	Duty Unassigned	7thAGRepDel7thInfDivFtOrdCA	00	00	NONE
840224	00A00	Duty Unassigned	HHC7thInfDivFtOrdCA	01	00	NONE
840226	00E00	Casual	Enroute to Ft. Huachuca			
840724	00A00	Stu Off Imagery Exploitation Off Crs	Co G USAIGS Ft. Huachuca AZ			ACAD
840225	35A00	G2 Operations Officer	Enroute to Ft. Ord, CA			CD
850402	35A00	Divarty S2	HBB 7th Divarty Light Ft Ord CA			67-8
860402	13A00	Battery Commander	HBB 7th Divarty Light Ft Ord CA			SR OPT
860905	13A00	Battery Commander	HBB 7th Divarty Light Ft Ord CA			CR
870918	00A00	Casual	Enroute to Ft. Huachuca AZ			
870917	00E00	Stu Off MI OAC	F Co USAIGS Ft. Huachuca AZ			ACAD
871203	00A00	Casual	Enroute to Washington DC			
871203	00E00	Stu Off Pos Grad Intel Program (35B)	Defense Intel College			ACAD
880909	00A00	Casual	Enroute to Ft. Leavenworth KS			
880911	00E00	Stu Off CAS-3	Ft Leavenworth KS			ACAD
881231	00A00	Casual	Enroute to Korea			
890101	35G00	Deputy Chief Casic	A Co 532nd MI Bn			CR
890621	35G00	Deputy Chief Casic	A Co 532nd MI Bn			67-8
900201	00A00	Casual	Enroute to Hawaii			
900201	35B00	Strat Intel Analyst	USAE IPAC Camp Smith HI			67-8
910201	35B00	Chief Special Oper/Lias Branch	USAE IPAC Camp Smith HI			CR
910703	35B00	Strat Intel Analyst	USAE JICPAC Pearl Harbor HI			CR
911016	35G00	Co Commander	B Co 732nd MI Bn, Sch Bks			REPRAD
920828	00A00	Casual	Enroute to Co A 368th MI Bn			NONE
920828	35G00	Team Leader (USAR Ready)	Co A 368th MI Bn			NONE
921217	38A00	Asst/Plb Safety Officer	322nd Civil Affairs Brigade			67-8
930606	38A00	Asst/Plb Safety Leader	322nd Civil Affairs Brigade			67-8
940430	00A00	Casual	Enroute to Pennsylvania			



SECTION V - MISCELLANEOUS

27 REMARKS

2004 560407  
OVER 40 PT QUALIFIED 9705

28

ITEM CONTINUATION

ITEM NO

DATA

"CERTIFIED TRUE COPY"

SECTION IX - RESERVE COMPONENT DATA

12a READY RESERVE OBLIGATION EXPIRATION DATE

090507

b DA FORM 3126 OR 3126-1 AGREEMENT EXPIRATION DATE

c SERVICE OBLIGATION EXPIRATION DATE

d MANDATORY REMOVAL FROM ACTIVE STATUS

e RETIREMENT YEAR ENDING DATE

0127

29 DATE DA FORM 208 PREPARED

30 DATE DUPLICATE DA FORM 2-1 SUBMITTED

REPORT OF CHANGES

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46
47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69
70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92

PREPARED DATE

REVIEWED

950809

00009

SIGNATURE

850126  
090507



## RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form see AR 180-30, the proponent agency is ODCSOPS

### DATA REQUIRED BY THE PRIVACY ACT

**AUTHORITY** Title 10, United States Code, Section 3012(g)  
**PRINCIPAL PURPOSE** To provide commanders and law enforcement officials with means by which information may be accurately identified  
**ROUTINE USES** Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval  
**DISCLOSURE** Disclosure of your Social Security Number is voluntary

1 LOCATION <b>CAMP DOHA KUWAIT</b>	2 DATE <b>24 FEB 04</b>	3 TIME <b>0933</b>	4 FILE NO <b>NA</b>
5 NAME (Last, First, MI) [REDACTED]	8 ORGANIZATION OR ADDRESS <b>CJTF-7 (C2) WA. # 91400 APO AE 09342</b>		
6 SSN [REDACTED]	7 GRADE/STATUS <b>LTC / USAR</b>		

### PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

#### Section A Rights

The investigator whose name appears below told me that he/she is with the United States Army, 15-6 INVESTIGATING OFFICER and wanted to question me about the following offense(s) of which I am suspected/accused: ARTICLE 107 FALSE STATEMENT AND ARTICLE 92 OBSTRUCTION OF JUSTICE

Before he/she asked me any questions about the offense(s) however he/she made it clear to me that I have the following rights

- 1 I do not have to answer any question or say anything
  - 2 Anything I say or do can be used as evidence against me in a criminal trial
  - 3 (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both
- or
- (For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one a lawyer will be appointed for me before any questioning begins
- If I am now willing to discuss the offense(s) under investigation with or without a lawyer present I have a right to stop answering questions at any time or speak privately with a lawyer before answering further even if I sign the waiver below

5 COMMENTS (Continue on reverse side)

#### Section B Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me

1a NAME (Type or Print)	3 SIGNATURE OF INTERVIEWEE
b ORGANIZATION OR ADDRESS AND PHONE	4 SIGNATURE OF INVESTIGATOR
2a NAME (Type or Print)	5 TYPED NAME OF INVESTIGATOR
b ORGANIZATION OR ADDRESS AND PHONE	6 ORGANIZATION OF INVESTIGATOR

#### Section C Non-waiver

- 1 I do not want to give up my rights
- I want a lawyer  I do not want to be questioned or say anything

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

On 14 February 2004, a team of officers, directed by Major General Antonio Taguba, conducted the following interview. Major General Taguba was appointed as an Investigating Officer under the provisions of Army Regulation 15-6, by Lieutenant General David D. McKiernan, Commanding General of the Coalition Forces Land Component Command (CFLCC), to look into allegations of maltreatment of detainees, detainee escapes and accountability lapses, at Abu Gharib, also known as the Baghdad Central Confinement Facility (BCCF). The panel also inquired into training, standards, employment, command policies, and internal policies, concerning the detainees held at Abu Gharib prison. Finally, the panel looked into the command climate and the command and supervisory presence.

The following persons were present:

COL [REDACTED], MP, CFLCC – PMO, **Interviewer**  
LTC [REDACTED], 705th MP Battalion, **Interviewer**  
MAJ [REDACTED] JA, CFLCC – SJA, **Interviewer**  
LTC [REDACTED], 800th MP Brigade, **Respondent**

The interview is summarized as follows:

I am [REDACTED] Lieutenant Colonel. I'm attached to the 800th MP Brigade, currently assigned in Arifjan, Kuwait. My social security number is [REDACTED].

I was Battalion Commander of the 724th MP Battalion from February 2003 until August 2003. We were here until March, and went forward the 2nd day after the war started, and built the first internment facility at Camp Bucca. We initially went just south of Talil for one week, and then were told to move south to Umm Qasr, to take over Camp Freddy, and build the internment facility, there.

Policies and procedures were flowing from Brigade down, because COL [REDACTED] the Camp Commander, was there on site, and he was basically running how things were operating, there. I never got anything in writing. Verbally, we were told to follow the Geneva Convention, in terms of the treatment of prisoners. The ROE was a policy put out in writing, in terms of what the Rules of Engagement were at Camp Bucca. That was basically it. I asked the Brigade for certain things in writing, but didn't get them. I can't answer why.

COL [REDACTED] left in September. I was there until August. BG Hill was in command until the end of June, BG Karpinski the last 6 weeks I was there. She came to visit with BG Hill, before she took command. The next time was when I had my Change of Command. I changed command with LTC [REDACTED]. BG Karpinski asked me to change command with him. He was my board-selected replacement. I was at the end of my 3-year command, and this would give him an opportunity to have some active duty time.

I think I did well, as a Commander. I had no problems with detainee abuse. We were the first ones to operate a theatre internment facility, which we built with the Engineers. My

MP's pounded all the pickets, laid all the wire. We had no serious problems with detainees. We treated them humanely, and I tried to emphasize that, as much as I could.

I had 2 escapes in July. That was it. There was some minor misconduct in the unit. I gave one Article 15 for a negligent discharge at Arifjan. The Brigade did a 15-6 investigation on the 2 escapes.

I don't know of a 15-6 initiated against me. Okay, back in June, some people made an issue of me being friendly with another officer in the Brigade. That was it. No action was taken.

My battalion has had some training in their present mission. I would rate them as a T3. Now, they're probably a T1.

I would re-emphasize the Geneva Hague Convention in staff meetings, and I would visit the companies on a monthly basis, to discuss those things. I would tell them, that our mission wasn't really rocket science. The way we were going to be successful was to treat the detainees humanely, and to keep them in the wire until it's time to let them go. I would try to get those 2 points across, as much as I could.

I never used the conex for segregating detainees. It was used by the 320th, I believe, when they were over at Camp Freddy. There weren't a lot of choices. I don't think it was the best-case scenario, to isolate someone, but there weren't a lot of choices. I would say it wasn't the best-case scenario, because it's a conex. It's metal, it doesn't have ventilation, and it doesn't have a bathroom. I don't think they were using them late into the year. When we isolated prisoners, we put them in a tent. Then, we built what we called "Iraqatraz," and put them inside a building, in their own individual cell. "Iraqatraz" was at Camp Bucca, in a building adjacent to the Brigade TOC. I was directed by BG Hill and BG Ecke, to construct something in there, so I had my R&U Officer build 12 different cells.

The MI had a separate area. I didn't provide them soldiers from my battalion.

I think our soldier strength was adequate. It wasn't 100 percent, but soldiers weren't put in jeopardy. We didn't put low-density MOS's into Military Police roles.

After my Change of Command, I was the Rear OIC of the Brigade footprint at Arifjan. My Battalion was war-traced to the 800th. The METL approval process went through the peacetime chain. An informational copy went to Brigade.

Like COL ██████ said, "A message can be changed, or misconstrued, if it's too cumbersome." I tried to keep my message simple, something that could be delivered down to the lowest soldier.

We had movies for them. We had games for them. I interviewed them through our PSYOPS teams, to find out what their needs were. I would talk to the compound mayors.

We made sure they were fed, had their cigarette rations, and religious support. And, of course, kept them in the wire. If we failed at either of those, then we failed.

I knew what my priorities were. I was at the end of my tenure. I know what the Geneva Convention is, and I know the sensitivity toward treating prisoners. All of us up the chain would emphasize the treatment of prisoners and the Geneva Convention. We know what guidelines we're under, 190-8, the Geneva Convention, and the FM for I/R Operations. All of those things talk about how we treat prisoners, and what we're supposed to provide for them.

I was inside the compound with my soldiers everyday. I wouldn't spend a lot of time in there, because the detainees would get excited, knowing I was the Camp Commander, they would come running out. That made everyone's job harder. But, I did want to show a presence, to support the soldiers. I instructed my company commanders to do the same.

I never got any negative feedback from Red Cross, in terms of our operation, the whole time I was there. They did want us to move the detainees into the warehouses at the port, but after a risk assessment we recommended to BG Hill not to do it. My recommendation was to mitigate the heat, by providing ice, solar shades, shorts, and things like that, which is what we ended up doing.

There were no allegations of EPW abuse by soldiers in my command. I found out, by watching the ticker on FOX, that LG Sanchez initiated an investigation into prisoner abuse at a Baghdad Prison. I assumed it was Abu

You have to create an atmosphere of zero tolerance, everybody has to understand the message, and you have to have a presence. I live 3 miles away from where my battalion is in Fort Lauderdale, and I'm there a lot. It makes a difference, as opposed to emailing or calling them.

Finished with their discussion, COL [REDACTED] gave LTC [REDACTED] questions, to be addressed, and brought back on a Sworn Statement.

**SWORN STATEMENT**

For use of this form, see AR 190-45, the proponent agency is ODCSOPS

**PRIVACY ACT STATEMENT**

**AUTHORITY** Title 10 USC Section 301, Title 5 USC Section 2951, E O 9397 dated November 22 1940, SSN

**PRINCIPAL PURPOSE** To provide commanders and law enforcement officials with means by which information may be accurately

**ROUTINE USES** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval

**DISCLOSURE** Disclosure of your social security number is voluntary

1 LOCATION CAMP ARIFJAN, KUWAIT	2 DATE (YYYYMMDD) 2004/02/14	3 TIME 2000	4 FILE NUMBER
5 LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6 SSN [REDACTED]	7 GRADE/STATUS (05)	

8 ORGANIZATION OR ADDRESS  
800TH MILITARY POLICE BRIGADE CAMP ARIFJAN, KUWAIT 09366

9 [Signature] [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

1 HOW DID I COMMUNICATE MY POLICIES AS BATTALION COMMANDER OF THE 724TH MP BN

I COMMUNICATED MY POLICIES IN SEVERAL WAYS. I WAS FORTUNATE THAT I MOBILIZED AND DEPLOYED WITH MY THREE MP CO'S TOGETHER AT FT DIX, NJ. WE STAYED TOGETHER THROUGHOUT THE DEPLOYMENT SO THERE WAS CONTINUITY OF LEADERSHIP. I IMMEDIATELY ENACTED NIGHTLY STAFF MEETINGS TO DISCUSS TRAINING AND OTHER COMMAND ISSUES. THESE MEETINGS INCLUDED ALL PRIMARY STAFF, COMMANDERS AND SENIOR NCO'S. I DELIVERED THE MESSAGE FORM THE START THAT WE ARE GOVERNED BY AR 190-8, THE GENEVA CONVENTION CONCERNING THE HUMANE TREATMENT OF PRISONERS AND THE IR FIELD MANUAL. WE HAD A CLASS AT FT DIX ON THE LAW OF WAR AND THE GENEVA CONVENTION. I HAD COUNSELLING SESSIONS WITH ALL MY COMMANDERS. I GAVE THEM MY OER SUPPORT FORM SO THEY WOULD KNOW WHAT WAS IMPORTANT TO ME AND THEY COULD ADOPT THE SAME. I EXPECTED THEM TO REITERATE THESE GOALS AND OBJECTIVES TO THEIR UNITS. MY BN WAS THE FIRST IR BN TO ENTER THEATRE. WE IMMEDIATELY ASSUMED MISSIONS IN KUWAIT GUARDING THE ASP, THE SPOD AND PROVIDING TROOP ESCORTS FROM THE THEATRE. WE MOVED FORWARD TO CAMP COYOTE IN MID MARCH TO PREPARE THE UNIT TO CROSS THE LZ AND ACCLIMATIZE TO THE ENVIRONMENT. I STRESSED TO THE UNIT AT EVERY CHANCE I HAD THAT OUR MISSION WAS NOT "ROCKET SCIENCE" AND THAT WE WOULD BE SUCCESSFUL BY, ONE, KEEPING THE PRISONERS IN THE WIRE UNTIL THEY WERE RELEASED AND TWO, BY TREATING THEM HUMANELY. I DID THIS BY VISITING SOLDIERS IN THEIR WORK AREAS ON A DAILY BASIS SO I WOULD BE VISIBLE TO THEM AND APPROACHABLE. I BELIEVE THE MESSAGE WAS SUCCESSFULLY DELIVERED TO THE SOLDIERS OF THE 724TH BECAUSE WE HAD ZERO INSTANCES OF ABUSE IN OVER NINE MONTHS OF GUARDING PRISONERS.

2 WHAT WAS BG HILLS' AND BG KARPINSKI'S COMMAND PHILOSOPHY?

A WRITTEN COMMAND PHILOSOPHY WAS NOT DISTRIBUTED BY EITHER BRIGADE COMMANDER. I DID HAVE AN INITIAL COUNSELLING SESSION WITH BG HILL. I DID NOT HAVE AN INITIAL COUNSELLING SESSION WITH BG KARPINSKI WHEN SHE TOOK COMMAND NOR WHEN I MOVED TO ARIFJAN AS THE BDE REAR OIC. I BELIEVE IT WAS UNDERSTOOD AS A BN COMMANDER THAT WE WERE GOVERNED BY AR 190-8, THE GENEVA CONVENTION ON THE TREATMENT OF PRISONERS. COL [REDACTED] WAS THE CAMP COMMANDER AT CAMP BUCCA AND RAN THE BDE OPERATION FROM THERE. BG KARPINSKI CAME TO BUCCA WITH BG HILL BEFORE THE CHANGE OF COMMAND IN JUNE. MY STAFF BRIEFED HER THEN SHE CAME BACK IN AUGUST FOR MY CHANGE OF COMMAND.

3 EXPLAIN YOUR TENURE AS COMMANDER OF THE 724TH AND THE TIME PERIOD ATTACHED TO THE 800TH MP BDE

I TOOK COMMAND OF THE 724TH MP BN IN DEC 2000. I WAS THE EXECUTIVE OFFICER OF THE BN FOR TWO YEARS BEFORE THAT. I EXPERIENCED AT LEAST THREE EPW EXERCISES IN MY TENURE TO INCLUDE, GOLD SWORD, PLATINUM SWORD AND SILVER SWORD. ONE YEAR THE UNIT WENT TO LEAVENWORTH FOR A CONFINEMENT MISSION AND ANOTHER YEAR THEY PERFORMED BASE DEFENSE RIGHT AFTER 9/11 AT OPACKA LACKA AIR FIELD IN MIAMI, FL. EVEN WITH NORMAL SOLDIER TRANSITIONS FROM THE UNIT I BELIEVE WE WERE FAIRLY WELL TRAINED IN OUR MISSION AS AN IR BN. WE WERE ALERTED 2 OCT 02, MOBILIZED 27 DEC 02, DEPLOYED TO FT DIX ON 3 JAN 03 AND CAMP ARIFJAN, KUWAIT ON 7 FEB 03. THE UNIT

10 EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
------------	--	-------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED



STATEMENT OF [REDACTED] TAKEN AT CAMP ARIFJAN DATED 2004/02/14

9 STATEMENT (Continued)

MOVED FORWARD TO CAMP COYOTE MID MARCH 03 WE CROSSED THE IZ BORDER ON D-3 TO OUR INITIAL TIF SITE JUST SOUTH OF TALLIL AIRFIELD A WEEK LATER WE WERE ORDERED TO MOVE TO UMM QUASR TO ASSIST THE BRITS AT THE CHA FREDDY AND TO BUILD THE THEATRE IF ADJACENT TO THE CHA IN JULY 03 BG KARPINSKI ASKED ME IF I WOULD CONSIDER CHANGING COMMAND WITH MY BOARD SELECTED REPLACEMENT, LTC [REDACTED] WHO WAS IN THEATRE WORKING AS THE FORCE PROTECTION OFFICER AT THE SPOD WITH THE 143RD TRANSCOM I AGREED TO THIS SINCE I WAS AT THE END OF MY THREE YEAR TENURE AND THOUGHT IT WOULD BE ADVANTAGEOUS FOR MYSELF TO ASSUME A POSITION AT THE BDE LEVEL I ALSO THOUGHT IT WOULD BE FOR ONLY A 2 MONTH PERIOD SINCE THE 1 YR BOG POLICY HAD NOT PASSED YET I WAS TOLD THAT I WOULD BE ATTACHED ONLY TO THE BDE AND THAT I WOULD REDEPLOY WITH MY BN I WAS NOT TOLD SPECIFICALLY WHAT I WOULD BE DOING IN THE BDE BUT THERE WERE SEVERAL OPTIONS. I CHANGED COMMAND ON 15 AUGUST 03 I THEN CAME TO KUWAIT AS THE REAR AREA OIC LTC [REDACTED] WAS CALLED FORWARD TO BAGHDAD ONCE COL [REDACTED] THE DEP CDR LEFT IN SEPT 03 AT THAT POINT I REALIZED I WOULD STAY IN ARIFJAN AND WORK THE BDE SUPPORT ISSUES FROM THE REAR AS WELL AS REDEPLOYMENT PLANNING AND ASSISTANCE FOR BDE UNITS I WILL NOT HOLD A POSITION WITH THE 800TH MP BDE UPON REDEPLOYMENT AS I LIVE IN FL AND THE BDE IS IN NY I AM CURRENTLY AWAITING THE RESULTS OF THE 06 COMMAND SELECTION BOARD THAT MET THIS MONTH TO DETERMINE MY NEXT ASSIGNMENT

Nothing Follows JKA

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 2 OF 3 PAGES

STATEMENT OF

TAKEN AT

Camp Arifjan  
Kuwait

DATED

20040214

9 STATEMENT (Continued)

[Large area crossed out with a large X]

AFFIDAVIT

[Redacted] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[Redacted Signature] LTC  
(Signature of Person Making Statement)

WITNESSES

[Redacted] SGT  
[Redacted] WITH MP 1506, Camp Arifjan Kuwait  
AND THE CHIEF OF [Redacted]  
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me a person authorized by law to administer oaths, this 15 day of February, 2004 at Camp Doha (FLC-357)

[Redacted Signature]  
(Signature of Person Administering Oath)

[Redacted Name] 117  
(Typed Name of Person Administering Oath)  
Judge Advocate  
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

[Redacted Initials]

PAGE 3 OF 3 PAGES

On 10 February 2004, a team of officers, directed by Major General Antonio Taguba, conducted the following interview. Major General Taguba was appointed as an Investigating Officer under the provisions of Army Regulation 15-6, by Lieutenant General David D. McKiernan, Commanding General of the Coalition Forces Land Component Command (CFLCC), to look into allegations of maltreatment of detainees, detainee escapes and accountability lapses, at Abu Ghraib, also known as the Baghdad Central Confinement Facility (BCCF). The panel also inquired into training, standards, employment, command policies, and internal policies, concerning the detainees held at Abu Ghraib prison. Finally, the panel looked into the command climate and the command and supervisory presence.

The following persons were present:

MG Antonio M. Taguba, [REDACTED] DCG-CFLCC, Interviewer  
COL [REDACTED] Lackland AFB, TX, Member  
CPT [REDACTED] CFLCC-SJA, Member  
SFC [REDACTED] U.S. Army MP School, d, MO, Member  
LTC [REDACTED] 744<sup>th</sup> Military Police Company, Respondent

The interview is summarized as follows:

My name is LTC [REDACTED]. My social security number is [REDACTED]. I am Battalion Commander of the 744<sup>th</sup> Military Police Battalion.

I have been the Battalion Commander of the 744<sup>th</sup> MP Battalion for a little over 3 years. We mobilized on 20 JAN 2003. We reported to the MOB station on 24 JAN 2003. Our MOB station was Fort Dix, New Jersey. We were at Fort Dix for 6 to 7 weeks. We conducted the regular training requirements mandated by FORSCOM. The MP's received training in handling detainees. The remainder of training was an MRE (mission readiness evaluation), which consisted of processing prisoners, setting up computers, accountability of prisoners, and proper handling of prisoners. Our unit has participated in previous exercises to gear us up for the mission here. We also received cultural awareness training at the MOB station.

There were no companies assigned to us upon our mobilization. We arrived here in theater on 21 MAR 03. About 7 to 10 days later we were assigned command and control over 320<sup>th</sup> MP Company upon their arrival. We were soon notified that we had Transshipment point mission up at Talil Air Base, Iraq. This mission was a non-doctrinal mission that we didn't have any training for. We were in Talil 2 to 3 weeks when we were assigned the 79<sup>th</sup> MP Company. I had 2 companies plus the HHC while we performed our mission at Talil.

The transient mission was a halfway point between Baghdad, Talil, and Bucca. When prisoners were captured in the Baghdad vicinity, the units would bring them in and we would process them, and then we would transport them down to Bucca. We had maybe 250 prisoners at one time.

We didn't perform any training in Kuwait in accordance to our mission. We were in Kuwait maybe 9 to 10 days before we moved forward, in Kuwait we were concerned about accountability of soldiers and equipment for the move forward.

Our peacetime trace is the 220<sup>th</sup> MP Brigade, when we arrived in country we were traced to the 800<sup>th</sup> MP Brigade. The commander was General Paul Hill. The 320<sup>th</sup> MP Company is a Army Reserve Unit from Florida, it's a combat support company. The 79<sup>th</sup> is also a combat support company. We realized that the companies were not trained for guard company mission, so we did a rotation so they could go out on escort missions and conduct external guard missions. As I recall the 320<sup>th</sup> MP company was the first to perform the external guard mission, and the 70<sup>th</sup> MP company performed the escort mission. Every three weeks they would rotate.

I never worked with General Hill or his staff before this mission. I had talked to him and his staff numerous times before we crossed the border. As the war progressed we could see a need for the Transition Point at Tallil. We basically operated a Field expedient detention facility.

We covered the Geneva Conventions with the soldiers several times. Our philosophy was that every guard has the right to defend themselves, but they do not have the right to abuse a prisoner physically and verbally and that has been stressed numerous times. There was a MI unit with us for sometime during the war. They were interrogating prisoners for intelligence value. They would come to the NCOIC of the facility and request a prisoner, and then the prisoner would be pulled out by a guard and escorted to a booth to be interrogated. There was nothing in writing; the vast majority of it was done verbally. The proximity of the MI people to the facility facilitated that method.

We were at the facility from April to November 2003. We processed close to 4000 prisoners through the facility. At the beginning of the war we transported the prisoners south to Camp Bucca. The 800<sup>th</sup> provided the bus and we provided the personnel. The prisoners were never shackled or restrained to the bus.

I never worked with Gen Karpinski before, the first time I met here was at the change of command. To my knowledge there was no change in policy after Gen Karpinski took command.

We accounted for the prisoners with capture tags. We created a database to account for the serial numbers off of the capture tags. To my knowledge Camp Bucca was in charge of the assigning the ISN numbers for the MDRS system. At our facility we accounted everyone with Excel spreadsheet. We had one escape while we were at the facility. We called the QRF and the canine team to conduct a search, but we didn't find him.

We transferred accountability of soldiers to Camp Bucca by making a spreadsheet of transferring detainees, putting them on bus, and moving them down to Camp Bucca. A physical headcount was done on the detainees when they entered and exited the buses. It

was a very simple, but effective method. We did accountability checks on the detainees at the facility at least twice a day if not more. The counts were verified by our database. There was not an SOP for us to distribute reports of the daily accountability checks to higher.

We closed the facility on 15 November 2003. We were reassigned to close the transfer point at Talil, and we did a relief in place with the 115<sup>th</sup> MP Battalion who was running Camp Cropper on BIAP. We had been to Camp Cropper several times before taking over because we made runs to the camp. At Camp Cropper we handle a number of high value detainees. My definition of a high value detainee is a former Baathist member or government official that someone else has characterized as a high value detainee. We have about a 101 high value detainees. We use the BAT system and the MDRS system at this facility, they were already in place upon our arrival.

Our task organization changed when we moved to BIAP. I lost the 320<sup>th</sup> MP Company they were tasked to 320<sup>th</sup> MP Battalion, I picked up the 186<sup>th</sup> MP Company and the 770<sup>th</sup> MP Company. I ended up with three companies at BIAP, the 79<sup>th</sup> MP Company stayed with me. The 770<sup>th</sup> is a guard company, and 186<sup>th</sup> and 79<sup>th</sup> are combat support companies.

We received information from the 115<sup>th</sup> MP Battalion prior to their departure. We also had a visit from ISG personnel and we in-turn went over to their headquarters to see how they ran things. We are not in the interrogation business, the ISG dictates who does the interrogation and when. We have never discussed with ISG on sleep deprivation, meal removal, or no other disciplinary actions. ISG handled all aspects of detainee interrogation. The ISG even complemented us on our supplement of hot rice and fruits along with their meals. We can make recommendations to ISG on unruly detainees, but ISG always handle discipline of detainees.

ISG also handles visitation. They control the visitation schedule, in my opinion it is a reward for providing intelligence information. There is only a select few who have the opportunity to participate. There are no family members who are allowed in the facility.

Aside from attending staff exercises and conferences at the 800<sup>th</sup> MP Brigade, we have no relations with the Brigade. The climate between the 800<sup>th</sup> MP Brigade and us was very good. Gen Karpinski visited us in Talil about 3 times, and she has been here at BIAP at least 3 times. The General was just performing the standard command presence visit to the installation.

The panel takes a break.

There had been no rumor of detainee abuse, except the incident in Camp Bucca with the four MPs that happened in May. There were notices passed down conduct would be upheld, standards would be checked on. There was e-mail traffic stating increasing of situational awareness, to review physical security barriers and procedures. I think there

was memorandums to that effect put out. The S-3 may have copies of those in their office.

I am familiar with AR 190-8. I am also familiar with FM 219-40. I believe my Battalion chain of command to be familiar with AR 190-8. My facility has the Geneva Conventions posted. I can't answer if the detainees understand the provisions of the Geneva Conventions. I feel that the members of the ISG understand the Geneva Conventions.

The ISG is made up of a mix of civilian and military. There is a military General over all of the civilians. Underneath the civilians there is an interrogations section. I would say they are familiar with the Geneva Conventions. Since we have taken over the HBD's, I can say that we haven't explained the provisions the detainees in the native language.

I was never informed by the Chain of Command about the Camp Bucca incident. I had heard about it through the press and the media. I never inquired about the incident through the Chain of Command. No of the units involved were traced to my Battalion. I had personnel that were asked to testify in the hearing, but none of the units were under my command and control. Some of the abused detainees came through the facility at Tahli.

We provided a daily sit-rep that was submitted to the 800<sup>th</sup> MP Brigade. There were conferences held at the Brigade, but because of the distance we did not attend. When we took over the mission we met with the ISG, then we went over to Camp Slayer to see how they run their operations.

My observation is that you have to build a facility then put the prisoners in, not have the prisoners in place and then try to build or expand on a facility. Communications are also a problem with the facilities, it think it contributed immensely to the problems any facility would. Putting combat support companies in a guard company role is also a substantial problem. Regardless of the training that the MP's my have had, you are never fully prepared for something like this. I think the mindset that most of us had is that we would be over here six or seven months than go home, but to have fought the war, performed missions successfully, and then being told oh by the way you are going to have to be here another six months is a lot for a soldier to take. Their families back home also had to suffer, which caused more stress on the individual soldier.

The Geneva Conventions are posted in the common areas, I doubt they are posted individually in each room.

The panel briefed LTC [REDACTED] and then dismissed him.

On 15 February 2004, a panel of officers, directed by Major General Antonio Taguba, conducted the following interview. Major General Taguba was appointed as an Investigating Officer under the provisions of Army Regulation 15-6, by Lieutenant General David D. McKiernan, Commanding General of the Coalition Forces Land Component Command (CFLCC), to look into allegations of maltreatment of detainees, detainee escapes and accountability lapses, at Abu Ghraib, also known as the Baghdad Central Confinement Facility (BCCF). The panel also inquired into training, standards, employment, command policies, and internal policies, concerning the detainees held at Abu Ghraib prison. Finally, the panel looked into the command climate and the command and supervisory presence.

The following persons were present:

COL [REDACTED] MP, CFLCC – PMO, Interviewer  
LTC [REDACTED] 705th MP Battalion, Interviewer  
CPT [REDACTED] 265th Engineer Group – SJA, Interviewer  
MAJ [REDACTED] 800th MP Brigade, Respondent

The interview is summarized as follows:

My full name is [REDACTED]. The [REDACTED] is for [REDACTED] Rank - Major.. My status is Reserve, but I'm AGR, Active Guard Reserve. I'm assigned to the 800th MP Brigade out of Uniondale, New York. I'm attached there from St. Louis, AR PERSCOM, as the S1, Personnel Officer. My Social Security Number is [REDACTED].

I'm primarily responsible for all the Personnel functions, OERs, NCOERs, pay, personnel numbers. I've been in this position, since October of 1999. I've been on active for 16 years. I went straight from Active component one day, to AGR status the next day. BG Hill had just taken over the Brigade, the summer before I arrived there.

I deal with the Battalion S1s. I provide support, through them, to the companies. I try keeping people in their own lane, so everyone can do their jobs. Communication has been important from day one. As they processed through Arifjan, at the beginning of the war, I met with all the S1s, and explained to them the PERSTAT reporting requirements. A lot of the initial stuff was covered in the FRAGO that was written, when we first got here. One of the big roles, initially, was the PERSTAT, enforcing personnel accountability, and timely submission. A lot of the communication with the Battalions, after they left Arifjan, was primarily through e-mail, NIPR, and SIPR.

We strive for a hundred percent accuracy, so we constantly work with the Battalions, to refine their numbers. We have pretty good accuracy. When we did the initial scrub of the Joint Theater Personnel Roster with 3rd PERSCOM, we had over ninety-percent accuracy, and that included some attachments on their roster that didn't belong to us. I think some of the Battalions, initially, had problems getting reports from their companies. A lot of the Battalions had companies not physically with them, and depended on communications to get their information, which wasn't always reliable.

Our philosophy was always one hundred percent accuracy on the PERSTAT, and that was put out as our goal in the FRAGO, and BG Karpinski did not say anything to change that. She is my rater. I think she rates seventy to eighty, total. Initially, after our XO left, due to REFRAD, there was a lot of turbulence in our XO and Deputy positions for a while. There wasn't a whole lot of continuity, there. The only continuity was, really, the General. I recommended to the General, and she approved it, that she be the Rater and Senior Rater for a lot of the primary staff officers in the Brigade Headquarters. Of the personnel in those positions, COL [REDACTED] had the longest stay, as the Deputy, from the October to December.

As far as I understand, BG Karpinski never suspend LTC [REDACTED] in writing, or relieved him. She said that he needed a break. I guess things were pretty stressful for him. He didn't want to take leave at that point. He'd already been home on emergency leave. It was after a meeting at Baghdad Central. I think General Sanchez or MG Wojdakowski was there for a briefing, and the briefing didn't go that well. I think she felt that she needed to give LTC [REDACTED] a break. That's the way it was phrased. He spent two weeks, roughly, at the Brigade headquarters. LTC [REDACTED] took over in the interim. I think the 320th MP Bn should have Assumption of Command Orders.

LTC [REDACTED] got a Center of Mass. He's probably near the bottom of the Battalion Commanders. Personally, I wouldn't have put him back in command. He's a nice man, a very smart individual, and he's very concerned about his soldiers, but he did not have the strength in leadership or experience, it seems like, and the responsibilities were huge at that facility. MAJ [REDACTED], the Operations Officer, seemed to be the person that most of the staff had to deal with, to get things done.

I thought we provided pretty good support. I believe the company, who had their awards lost, was from the 320th MP Battalion. We tried our best to track them. I don't recall that we ever received them at Brigade level. With the 320th, there were multiple times that we returned awards for corrections. If mistakes were minor, we tried to correct them ourselves. There are quite a few Bronze Stars. Most of the Battalion Commanders were submitted for Bronze Stars. LTC [REDACTED] wasn't one of them. I couldn't tell you the number of company commanders. There were a lot of people, who did a lot of hard work.

I have an electronic file of stuff I've worked on with the SJA, in terms of letters of reprimand, or relief. I don't have a spreadsheet per se, but I have an electronic file of people who were relieved of command.

My relationship with BG Karpinski is not as close as the relationship I had with BG Hill. I feel more like a clerk – do this, do that, get it done. With BG Hill, I could give advice. I felt there was more respect for my position, and what I did. I would go to her to get stuff signed, or ask a question, if I needed information, but I didn't sit down and talk to her everyday. There was one-way communication for the most part. She makes up her mind, and that's pretty much it. As a Commander, I think helps to have an open mind, to



talk to your staff, and to your commanders. She seems to depend on a smaller group of people than BG Hill did; mostly the S3 section, MAJ [REDACTED], the S3, CPT [REDACTED] who is the Operations Officer, and SGM [REDACTED] who came in as the Operation Sergeant Major from active duty, while we were in Baghdad

I know there are allegations of detainee abuse at Camp Bucca, and BCCF. I believe the soldiers involved at Bucca were all discharged, and a few of them got Article 15s

I had very little involvement with detainee operations. I would brief the detainee numbers, as part of our daily update to the Commander. Early on, under BG Hill, MAJ [REDACTED] was made the DRS Officer, responsible for reporting detainee numbers. She did not work for me. I did not rate her. She was, essentially, made a separate staff officer. I think, early on, there were some problems with detainee numbers, because they decided to incorporate the British database into our database, and there were problems with the British database. One, I think there were some compatibility problems, but they managed to convert it over to our database. I don't think the British had a solid hold of accountability – they had escapes, they didn't know who escaped.. The incorporation of the database resulted in multiple entries, which had to be worked through.

There were several emails from BG Karpinski to LTC [REDACTED] telling him to fix the problems with accountability, at Baghdad Central. At one point, we sent some expert processing people from the 310th MP Battalion, to assist the 320th, and I think there were some processing people from the 324th MP Battalion. I recommended, because Baghdad Central had five companies, that they use the admin personnel in these companies, and integrate them into processing, and they said these people were already tapped out, doing guard duty, and force protection, in addition to their company administrative duties.

In response to detainee abuses, I think the Brigade came out with additional policies. I think there were reiterations of the Rules of Engagement, as well. I think the S3 or JAG may be providing these documents. I think BG Karpinski's emotional response was one of shock, kind of a "I can't believe people actually did this," type of thing. She took the situation seriously.

From what I understand, I don't know how you would stop people who would do that from doing something like that. You could give additional classes, and policy letters, but, if they actually did that, they wouldn't have the morals.. From what I understand, there's not a lot of visibility in the area this took place. That probably aided the fact that this could happen.

Personally, it was kind of rough, going from being looked at to re-deploy, to getting another mission to build another internment facility. It was like starting all over again. I think it was tough from a morale standpoint. You had to restart that drive all over again.

Finished with their discussion, the panel gave MAJ [REDACTED] a list of items, to be addressed, and brought back on a Sworn Statement.

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOP6

PRIVACY ACT STATEMENT

AUTHORITY This 10 USC Section 301; This 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN)
PRINCIPAL PURPOSE To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES Your social security number is used as an additional/alternate means of identification to facilitate filing and
DISCLOSURE Disclosure of your social security number is voluntary.

1. LOCATION CAMP DOHA, KUWAIT
2. DATE (YYYYMMDD) 20040215
3. TIME 1330
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS MAJ/AGR

8. ORGANIZATION OR ADDRESS
800TH MILITARY POLICE BRIGADE

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH
DURING THE EARLY STAGES OF THE WAR WHEN THE 800TH MP BDE WAS STILL UNDER THE COMMAND OF BG HILL, WE EXPERIENCED INITIAL PROBLEMS WITH THE PRISONER DATABASE DUE A DECISION BY COL [REDACTED] (DEPUTY CDR) TO INCORPORATE THE BRITISH DATABASE INTO OURS IN ORDER TO SPEED UP THE U.S. TAKEOVER OF THE U.K. HOLDING AREA, NAMED FREDDY. I DON'T BELIEVE THE BRITISH HAD A FIRM ACCOUNTABILITY OF THEIR PRISONERS DUE TO FREQUENT ESCAPES THE INCORPORATION OF THE BRITISH DATABASE ALSO CAUSED MULTIPLE ENTRIES ON THE SAME PERSON IN OUR DRS DATABASE. THIS ISSUE WAS RESOLVED FIRST BY GETTING A PHYSICAL HEADCOUNT OF THE PRISONERS, AND THEN BY RE-PROCESSING THE PRISONERS IN DRS WHEN THEY WERE REMOVED FROM FREDDY INTO COMPLETED COMPOUNDS IN THE THEATER INTERNMENT FACILITY (TIF), NAMED CAMP BUCCA. WE DID NOT TO MY KNOWLEDGE HAVE ANY ACCOUNTABILITY PROBLEMS WITH DETAINEES UNDER CJTF-7. IF WE WERE PROVIDED AN ISN OR CAPTURE TAG NUMBER, WE COULD FIND A DETAINEE IN THE DATABASE AND THEREBY REFERENCE HIS STATUS, CRIME AND CAMP LOCATION. IN ORDER TO ACCOMPLISH THIS, WE HAD TO USE

10 EXHIBIT
11 INITIALS OF PERSON MAKING STATEMENT
PAGE 1 OF 4 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT DATED
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED

STATEMENT OF [REDACTED]

TAKEN AT CAMP DHADATED 20040215

## 9. STATEMENT (Continued)

THREE DIFFERENT DATABASES - NDRC, CRIMINAL DATABASE & BATS, WHICH WERE CONSOLIDATED INTO ONE ROSTER BY MAJ GARRITY AND POSTED ON THE CJTF-7 WEBSITE. IF A DETAINEE INQUIRY, EITHER FROM A MILITARY UNIT OR FAMILY MEMBER, DID NOT HAVE A CAPTURE TAG # OR ISN, IT WAS DIFFICULT TO LOCATE A DETAINEE BASED ON MULTIPLE SPELLINGS OF ARABIC NAMES OR EVEN DECEPTION ON THE PART OF THE DETAINEE TO HIS REAL NAME. IN A BRIEFING FOR LTG SANCHEZ, THE BRIGADE RECOMMENDED THE DEVELOPMENT OF AN ARABIC VERSION OF BATS FOR THE IRAQI PRISON SYSTEM WITH COALITION PROVISIONAL AUTHORITY (CPA) TAKING THE LEAD FOR A CONTRACTOR/DEVELOPER. THE SHORT TERM SOLUTION FOR FAMILY INQUIRIES WERE LNO'S AT CPA ([REDACTED] & CPT [REDACTED]), ~~AND~~ ~~THE~~ DISTRIBUTING THE CJTF-7 ROSTER TO CIVIL AFFAIRS UNITS, AND HAVING THE PRISONERS FILL OUT NEW CAPTURE CARDS UPON CHANGE OF LOCATION TO PROVIDE TO THE ICRC.

THE NDRC IN THE PENTAGON HAD ISSUES WITH GAPS OR BLANK DATA FIELDS IN THE NDRC DATABASE COMING FROM BAGHDAD CENTRAL. BG KARPINSKI REINFORCED FIXING THIS IN AT LEAST TWO EMAILS TO THE BATTALION COMMANDER, LTC [REDACTED], AND THRU ME TO THE BATTALION ON AT LEAST TWO OCCASIONS. THE BATTALION COMMANDERS RESPONDED TO ME VIA EMAIL THAT FORCE PROTECTION TOOK PRIORITY OVER FILLING OUT THE DATABASE. THE 320TH MP BATTALION WAS PROVIDED ADMINISTRATIVE PERSONNEL FROM OTHER BATTALIONS ON A TEMPORARY BASIS IN ORDER TO WORK ON FILLING THE GAPS IN THE DATABASE. MAJ [REDACTED] SENT THE 320TH A RECOMMENDATION

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 4 PAGES

STATEMENT OF [REDACTED]

TAKEN AT CAMP DohaDATED 20040215

## 9 STATEMENT (Continued)

TO CAPTURE THE MISSING INFORMATION WHEN OUTPROCESSING THE PRISONERS AND TO SEND A TEAM WITH AN INTERPRETOR INTO THE COMPOUNDS; SHE ALSO PROVIDED A COUPLE OF CHECKLISTS IN ORDER TO DO THIS. I SUGGESTED TO THE BATTALION TO AUGMENT THEIR DETAINEE PROCESSING LINE WITH ADMIN PERSONNEL FROM THEIR 5 COMPANIES. THE RESPONSE BACK WAS THAT THE COMPANY ADMIN PERSONNEL WERE TAPPED OUT DOING TOWER & ECP DUTY FOR FORCE PROTECTION AND THEIR COMPANY ADMINISTRATIVE FUNCTIONS

REFERENCE THE QUESTION ON MY RELATIONSHIP WITH BG KARPINSKI AS THE COMMANDER IN COMPARISON TO THE FORMER COMMANDER, BG HILL, IT IS NOT AS CLOSE UNDER BG HILL, I FELT MORE AS A CLOSE & TRUSTED ADVISOR THAN UNDER BG KARPINSKI OF COURSE, THE RELATIONSHIP WITH BG HILL WAS DEVELOPED OVER A 4+ YEAR PERIOD AND NOT IN THE MIDDLE OF A DEPLOYMENT THERE WAS MORE TWO WAY COMMUNICATION WITH BG HILL, AND I FEEL MY RECOMMENDATIONS AND OPINIONS WERE MORE SOUGHT OUT AND VALUED/CONSIDERED THE MAJORITY OF MY DEALINGS WITH BG KARPINSKI ARE TO GET VARIOUS ITEMS SIGNED OR ASK SPECIFIC QUESTIONS TO GET ANSWERS I NEED. I FELT MORE LIKE A CLERK THAN A STAFF OFFICER

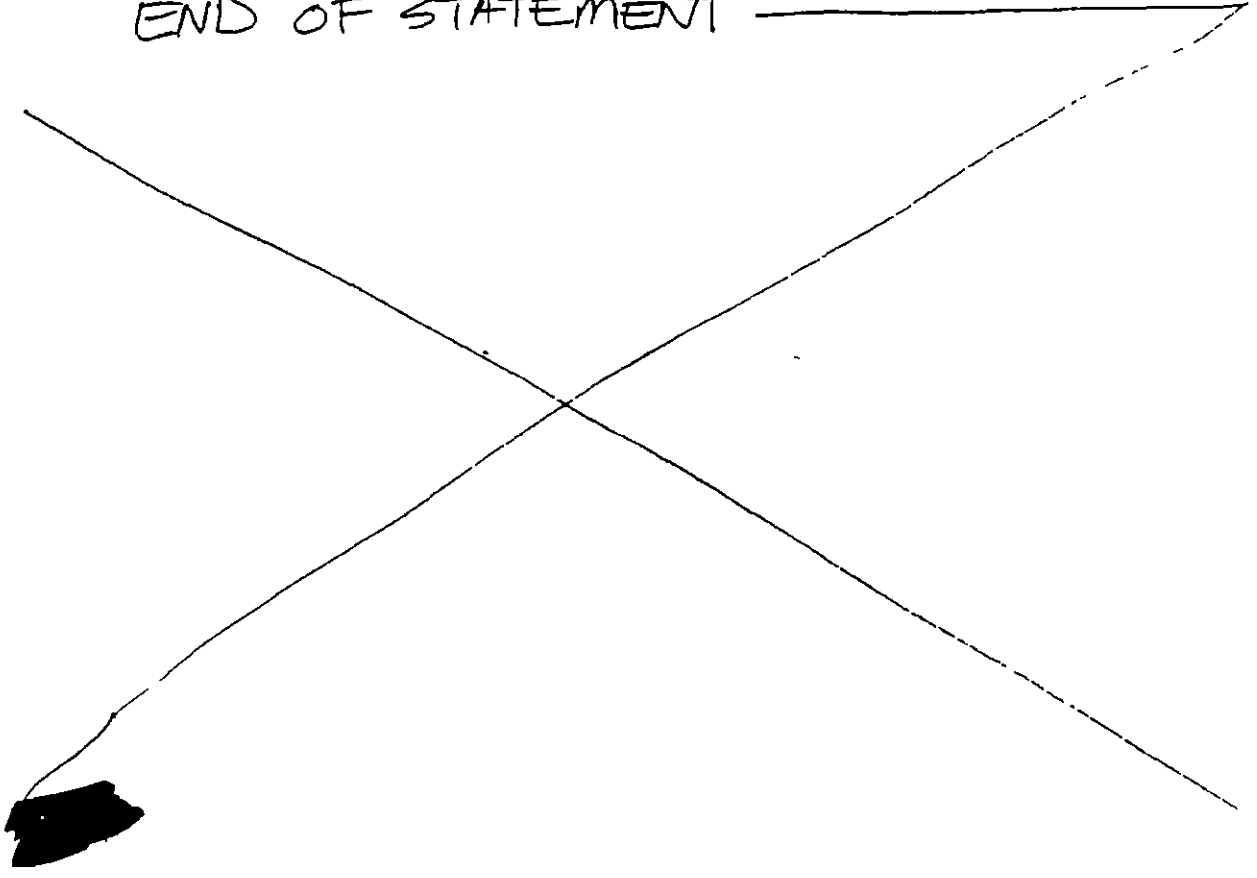
END OF STATEMENT

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 4 PAGES

9 STATEMENT (Continued)

END OF STATEMENT



AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 9. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law administer oaths, 15 day of FEBRUARY, 2004 at CD DOHA, KUWAIT

[REDACTED]  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

NET 13663 LIC. 211  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

On 15 February 2004, a team of officers, directed by Major General Antonio Taguba, conducted the following interview. Major General Taguba was appointed as an Investigating Officer under the provisions of Army Regulation 15-6, by Lieutenant General David D. McKiernan, Commanding General of the Coalition Forces Land Component Command (CFLCC), to look into allegations of maltreatment of detainees, detainee escapes and accountability lapses, at Abu Ghraib, also known as the Baghdad Central Confinement Facility (BCCF). The panel also inquired into training, standards, employment, command policies, and internal policies, concerning the detainees held at Abu Ghraib prison. Finally, the panel looked into the command climate and the command and supervisory presence.

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LTC [REDACTED], 705<sup>th</sup> MP Battalion, Member  
CPT [REDACTED], 265<sup>th</sup> Engineer Group – SJA, Member  
MAJ [REDACTED] 800<sup>th</sup> MP Brigade, Respondent

The interview is summarized as follows:

My name is [REDACTED]. I am a Major, U.S. Army Reserve. I am assigned HHC, 800<sup>th</sup> Military Police Brigade at Camp Arifjan, Kuwait. I work for COL [REDACTED].

I am the Deputy Staff Judge Advocate. My duties during wartime operations consisted of supervising and organizing the Article 5 screenings and tribunals and after major combat operations I was assigned to assist the Article 32 process for the Camp Bucca incident. I help the accused soldiers administratively, help them make phone calls to their counsel in Germany, make sure there were no legal issues, and I also help gather evidence in support of the Article 32. Once that was over I would handle different issues for COL [REDACTED] at different stops in Kuwait and Iraq.

I have been in the region for a year and 2 weeks. I was due to rotate a few weeks ago.

I was assisting with the whole legal process for the Camp Bucca incident. All four accused made deals to get out on chapters. Two of the accused took Other than Honorable discharges, and two took general discharges.

I couldn't tell you how the numbers of disciplinary actions in the unit compares to other units because this was the first time I worked Criminal Law.

I am aware of some inappropriate relationships in the command. I don't remember the details but a lot of them happened at Camp Bucca. There was a Captain who resigned his commission, and there was also SGM [REDACTED].

I am not familiar with an incident with a 1SG [REDACTED]. It is possible COL [REDACTED] knows, he didn't fill me in on every action.

I looked over a couple of 15-6's and COL [REDACTED] looked at the rest. From my standpoint all of the 15-6's that I reviewed were complete, I can't say what happened once they left my desk.

I was at Abu Grab twice. I was there once in December and once for an ICRC briefing by CJTF-7.

At Camp Bucca I didn't see any wild undisciplined behavior, just the normal grumbling about having to be there. Other than that I didn't see any wild parties or anything like that.

I once advised a Battalion Commander on a custody situation with one of his soldiers. I advised the commander if the soldier was telling the truth, the soldier should be allowed to go home. I later found out the soldier wasn't allowed to go home to take care of his custody issue. That was my only experience here with a commander not taking my advice.

I arrived at Camp Bucca on April 5<sup>th</sup>. The British was still in control of the facility and they told us if flairs went up in the air that would be a sign of detainees escaping. There must have been 2 or 3 times a night that I would see flairs going up. When we took over the facility, the escapes continued, I couldn't tell you a number though. There were investigations done and recommendations made, but I don't know what was done to remedy it.

My only knowledge of detainee shootings are from the 15-6's, from what I read it appeared that the ROE was followed. Gen Sanchez passed a directive that he wanted us to reinforce to the guards if the situation could call for lethal force, to not hesitate to use lethal force to protect them.

I wasn't aware that soldiers were wearing arms inside the compound, and as far as I know there was no policy change to allow guards to wear arms inside the facility. We have some new active duty units that are taking over for rotating units, it could be possible that they were not trained on the procedures that we follow.

I believe that Geneva Conventions is MP Doctrine that MP's receive throughout their career. Back in the reserves system we give that briefing once a year. I believe it to be a command directed function, so the commander directs when that training is given. We did do ROE briefings throughout the gear that some what covered Geneva Convention.

I don't know if Geneva Conventions is posted at Camp Bucca. I feel that the soldiers know the general points, but I feel that they wouldn't all the detailed areas that the Geneva Convention covers.

I am not aware of any retraining at the Brigade level for soldiers after the incident at Camp Bucca, there could have been retraining at the Battalion and Company levels

I have been assigned to the 800<sup>th</sup> Military Police Brigade since July 2000

The soldiers were discharged and reduced in grade. The command did not agree with the decision, BG Karpinski refused to give the soldiers Article 15, because she wanted them to go to courts-martial. CFLCC made the decision to discharge the 4 accused soldiers. Charges were preferred on the soldiers, 1LT [REDACTED] signed the charge sheet. BG Karpinski, LTC [REDACTED] and 1LT [REDACTED] all recommended General Courts-Martial. From what I understand the charges were set to go to courts-martial when a COL [REDACTED] was involved in the shooting incident with an EPW that was in the news. Then suddenly they made the decision to go with OTH discharges, I feel like it was political. I don't know who made the decision to pull the court-martials.

It appeared that the commanders in the 800<sup>th</sup> gave serious consideration to the legal advice that they received from COL [REDACTED] and myself.

I couldn't say to what degree discipline was handled in the unit. A lot of issues I was not aware of. A lot of Article 15's were given out and the command wanted to courts-martial people, but we were told by the 377<sup>th</sup> and CFLCC basically they didn't have the staff to do a lot of courts-martial. I would say from August onward Field Grade Article 15's were the vehicle of choice for discipline. A lot of the commanders would come and tell me that their soldiers were turning down Article 15's. We went back to 377<sup>th</sup> and CFLCC for support but I didn't get a comfortable feeling back that they were able to support us in this way. So I went back to the commander's and told them if you have a problem soldier to go ahead and chapter the soldier on a Chapter 14. We were not able to do special courts-martial either because CFLCC held that jurisdiction also.

The Soldier and Sailor's Civil Relief Act did not cover the soldier with the custody issue. The reason that is because of the welfare of the child, you can't put the child status on hold because the soldier is away.

During the first half of the year COL [REDACTED] and myself were busy interviewing over 5,000 detainees. COL [REDACTED] had active duty experience so he was always doing Criminal Law work. I can't speak much about the second half because I was back and forth between Kuwait and Iraq.

I don't recall the Geneva Conventions being posted in any of the compounds. When we relocated I know that we had some books containing detainees rights transcribed to Arabic so they could be sent to the different compounds.

When a detainee was killed BG Karpinski always ordered an investigation into the circumstances surrounding the incident or it was reported to CID and they would conduct an investigation.



I don't keep personal logs of individuals that I see. I can't speak for LTC [REDACTED]. If a commander wanted to relieve someone you would tell him what his options are, and is up to that commander to make the call. I believe a relief for cause NCOER handles it, I know it is an administrative action to get someone relieved. No one came to me about that subject and if they did I would take it to LTC [REDACTED] for guidance.

I know that there was a period of time that BG Karpinski saying LTC [REDACTED] "was given a break for a few days." LTC [REDACTED] had replaced LTC [REDACTED] during this period of time. I don't know about LTC [REDACTED] signing and assumption of command orders, I just knew that it was something informal. I believe it had something to do with the briefing LTC [REDACTED] gave Gen Sanchez. I believe that Gen Sanchez wasn't happy with the presentation that was given, but it is only speculation.

I wasn't there for the briefing, but I heard that when LTC [REDACTED] has to do public speaking starts to stutter, and my guess is that what happened. I think the break was a few days to a week. BG Karpinski probably explained to COL [REDACTED] the reason for the suspension but I wouldn't know who knew. I heard a rumor that COL [REDACTED] went to the IG and made a complaint about him not being officially relieved, so soon after the meeting with the IG he was back in command. It is possible he went to the IG for CJTF-7.

Early on I we had a problem with the British holding area, they would just pile inmates into one cell. I didn't particularly see any problems with the way we ran the compounds. I don't of any British areas that were holdovers that we continue to use.

The only homosexual case I am aware of was someone had seen an e-mail that eluded to improper homosexual relationship. BG Hill had to order an informal investigation, and he assigned LTC [REDACTED] as the investigating officer. I hadn't heard anything else about that incident. The accused were LTC [REDACTED] and CPT [REDACTED]. It was an informal inquiry, I don't believe it to be a 15-6. It was BG Hill's policy to do the informal investigation, as far as Army policy I don't feel that it was done to the fullest extent that it should have been done. LTC [REDACTED] findings were that it was not enough evidence. I never saw the e-mails I heard that it pertained to sexual acts to sexual acts between the two.

COL [REDACTED] was involved with the lost M-16, that was an investigation initiated by CFLCC. The findings were that COL [REDACTED] was not negligent, and he did not have to pay for the weapon.

We have had complaints of CPT [REDACTED] taking naked pictures of his female soldiers. There was also a commander involved in an inappropriate relationship with a specialist, and the incident with SGM [REDACTED]. COL [REDACTED] could give you more insight into these incidents.

I couldn't tell you if the misconduct of the 800<sup>th</sup> MP Brigade is high or low because this is my first experience in a situation like this. The 800<sup>th</sup> has its share of problems like any other unit, but in general I don't have a bad opinion about it. I had my issues with individual soldiers on a personality level, but you learn to get over it.

Compliance with the Geneva Convention was our main mission, so that would be something we would strive to comply with. Our basic manual AR 190-8 is based off of the Geneva Convention and that is what we train on.

I am not aware that our office has a Staff METL. I have seen the Brigade METL, but I haven't read it in detail. I would say the Brigade METL follows the guidelines of the Geneva Convention.

I heard that they would punish detainees by taking cigarettes away, and a confinement system. They would use a coner with chain links over the front to put suspected Al-Qaida and troublemakers in. I believe the MI was in charge of it. I don't know what was done as far as hot days.

My observation of the command climate can be broken up into BG Hill's command and BG Karpinski's command. BG Hill was very laid back. I never saw him yell or get mad at anybody. He would locally file reprimands. BG Hill was a lot more laid back. BG Karpinski is not afraid to speak her mind. I have seen her chew out people before. I would say BG Karpinski was tougher.

I would say BG Karpinski was approachable. I never heard anyone say that they couldn't take a problem to her. COL [REDACTED] or myself never had an issue with her. She spent most of her time at Camp Victory.

The panel broke to discuss MAJ [REDACTED] statements.

Finished with their discussion, the panel gave MAJ [REDACTED] a list of items, to be addressed and brought back on a Sworn Statement.

**SWORN STATEMENT**

For use of this form, see AR 190-46, the proponent agency is ODCSOPS

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10 USC Section 301, Title 5 USC Section 2951, E O 9397 dated November 22 1943 (SSN)  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurate v  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval  
**DISCLOSURE:** Disclosure of your social security number is voluntary

1 LOCATION Camp Doha, Kuwait	2 DATE (YYYYMMDD) 2004/02/14	3 TIME 1100	4 FILE NUMBER
5 LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6 SSN [REDACTED]	7 GRADE/STAT JS O-4	
8 ORGANIZATION OR ADDRESS 800th MP BDE, HHC			

9 I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

1 Q What are the details you know about LTC [REDACTED] replacement of LTC [REDACTED] in or around October of 2003 a. BCCF?

A The first I heard of this was at a Staff meeting when LTC [REDACTED] was present. BG Karpinski said that LTC [REDACTED] was "taking a break". I do not recall any other details. I think the length of this break was anywhere from a few days to a week or more, but am not entirely sure. I am not aware of anything in writing regarding this change. I was asked by COL [REDACTED] the SJA of CJTF-7 if he was relieved, and I told him that as far as I knew this was not a relief and that he was getting a "break" according to BG Karpinski. He expressed to me that he thought it might have been as a result of his alleged poor performance at a briefing.

2 Q Issues with Camp Bucca?

A We arrived at Camp Bucca in Early April of 2003. I complained about the overcrowding at Camp Freddy which was the British holding area to COL [REDACTED]. Our internment facility had not been built yet and COL [REDACTED] told me that the prisoners were being moved as soon as it was built.

3 Q Inappropriate relationship between 1SG [REDACTED] and lower enlisted of the 670th MP Company?

A I do not recall this issue. I asked LTC [REDACTED] and he did not recall it either. In addition, we do not have any documentation that I am aware of.

4 Q What were the command responses to detainee abuse issues, accountability and escape attempts?

A I am aware of 15-6 investigations that were conducted during BG Hill and BG Karpinski's tenure about both escapes and abuse. I do not know what happened with the escape findings and recommendations at Camp Bucca. LTC [REDACTED] and [REDACTED] were the Battalion Commanders of the 724th MP BN at Bucca during the escape attempts. I am aware that in abuse cases, the Commanders had recommended General Court Martials, which in some cases were reduced to Field Grade Article 15s as per the advice of 377th SJA and input from the GCMCA at CFLCC. In response to the photo incident, I am aware that BG Karpinski put out a policy letter emphasizing that detainee abuse would not be tolerated and that LTC [REDACTED] was suspended and recommended for relief for cause.

NOTHING FOLLOWS

10 EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED

9 STATEMENT (Continued)

[Large diagonal line indicating a redacted or empty statement area]

AFFIDAVIT

I, \_\_\_\_\_, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2 I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME THE STATEMENT IS TRUE I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT

\_\_\_\_\_  
(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of Feb 2017 at Camp Detention

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ORGANIZATION OR ADDRESS

\_\_\_\_\_  
(Signature of Person Administering Oath)

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ORGANIZATION OR ADDRESS

\_\_\_\_\_  
(Typed Name of Person Administering Oath)  
Private 136 B Co  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

On 14 February 2004, a panel of officers, directed by Major General Antonio Taguba, conducted the following interview. Major General Taguba was appointed as an Investigating Officer under the provisions of Army Regulation 15-6, by Lieutenant General David D. McKiernan, Commanding General of the Coalition Forces Land Component Command (CFLCC), to look into allegations of maltreatment of detainees, detainee escapes and accountability lapses, at Abu Ghraib, also known as the Baghdad Central Confinement Facility (BCCF). The panel also inquired into training, standards, employment, command policies, and internal policies, concerning the detainees held at Abu Ghraib prison. Finally, the panel looked into the command climate and the command and supervisory presence.

The following persons were present:

COL [REDACTED] MP, CFLCC – PMO, Interviewer  
LTC [REDACTED] 705th MP Battalion, Interviewer  
CPT [REDACTED] 265th Engineer Group – SJA, Interviewer  
MAJ [REDACTED] 800th MP Brigade, Interviewee

The interview is summarized as follows:

My name is MAJ [REDACTED]. Social Security Number, [REDACTED]. I'm presently assigned to the 800th MP Brigade. I originally came from the 367th Military Police Group out of Ashley, Pennsylvania. I'm probably going back to that unit, when the 11th MP Brigade stands up in Ashley, Pennsylvania.

I was the S1 for Detainee Ops at Camp Bucca, also the ICRC POC. I was responsible for Theater Reporting that went to CENTCOM, also the NDRC POC, which is the National Detainee Reporting Center Point of Contact. At Camp Bucca, I was responsible for the Family Visitation Program, and I was also responsible for the interpreters. We had 16. Other than that, I was responsible for Processing Operations, and tracking all the releases.

I had a processing line. It varied at different phases, during the deployment. For the first 3 months we worked 24/7, and we ran 2 lines. So, there were actually 6 different units. I was responsible for 4 different shifts. Each shift would consist of 6 people. I had an NCOIC on every shift and a technical representative on every shift. As we moved north, we scaled down. We went from 3 battalions at Bucca, down to 1 battalion at Bucca. As far as Theater Reporting, I had 2 people from 530th, up until the last month, that assisted me with Theater Reporting. After they left, I did it myself. As far as the NDRC, I basically did that all myself. I used to have assistance from one of the Spec 4s from the 530th, until they went to the MEK. The ICRC I took care of that myself, and the Family Visitation, I initiated that all myself, and an interpreter helped me take care of that.

BG Hill and BG Karpinski are significantly different. BG Hill is more of a listener. He's very approachable. He will listen to any type of problems you have, and gather all the facts in and make a decision. He's a very good person to work for. BG Karpinski is the

opposite. She kind of has her mind made up, and doesn't listen to different courses of action, suggestions, or issues.

We had several versions of ROE come out, of course, and then we had a policy that came out, regarding release procedures from CJTF 7. But, other than that, not a whole lot of policies and procedures, regarding detainee operations came out. Towards the end, they published more, as far as the proper way to transport detainees, as they were released, things like that. Making sure they were fed, making sure they had a way home, I was doing all that at Bucca, so it was more transparent to the Bucca operation, than Abu Ghraib.

The policy explained the different classifications of detainees, and how they would be released. Basically, they are Major Criminal, Minor Criminal, or Security Detainee. For a minor criminal the Battalion Commander has the authority to release those detainees. Major criminals, have to go through a Criminal Release Board. I think there's a moratorium still out on that. And Security Detainees left through the Security Detainee Review Board. HVDs would go through ISJ.

As far as detainees being released that shouldn't have been released, I'm not aware of any, other than the escapes, or mix ups in courts. Well, I remember, if this is the same person, that somebody called directly to the Battalion, and didn't go through the proper chain of command, and said to go ahead and release him. He was going to be released from the Security Detainee Review Board in a matter of 48 hours, but they went ahead and jumped the gun. There was another one released at Camp Bucca, by an Article 5 Tribunal. It was a big mix up.

Camp Bucca started out on a landfill. It was hot. There were massive sandstorms. There was no d-fac, no showers, no latrines, absolutely nothing there. Today, there are trailers, it's all graveled in, and there are showers, MWR, and an Internet café. It's significantly different, now.

We really didn't see BG Karpinski at Camp Bucca. I can only remember her spending the night one time. That's when BG Hill was there. BG Hill actually lived there. But, for a while, Bucca was the only game in town. So, I'm sure he would have been splitting his time between Bucca and Abu, if he had Abu, then. We saw a lot of BG Hill. He was very visible. He was a familiar face. We just didn't see BG Karpinski, so it would be hard to comment on it. I've only had a couple of conversations with her.

I reported the incident involving the 10 soldiers, who were escorting a busload of 44 detainees from Talil to Bucca, and some of the detainees were roughed up pretty badly. One of the detainees came through my line with his nose smashed in, and blood running down his face. So, I asked him what happened, and he told me. One of the DOD interpreters witnessed the incident out in the field. They were kicking the detainees, and stepping on one of their necks. A couple required surgical procedures. Two other soldiers, from 2 different units, also reported this to me. So, I reported it to COL Ecker and BG Hill, and they initiated a 15-6 investigation. This happened in May of last year.

I probably know of every incident. Another incident that happened, prior to this one, involved a Canadian detainee. He reported to me, directly, being punched in the stomach several times by the same soldier, MSG [REDACTED]. I reported this to COL [REDACTED] and he initiated a CID investigation, but it was the detainee's word against MSG [REDACTED] word, so that didn't go anywhere. Then, one of our juveniles had a broken arm, and reported to [REDACTED] his story, and said he had fallen.

In my opinion MSG [REDACTED] had a good record, and nothing was proven. She had a lot of involvement with detainees, and detainees would make up stories, thinking they would be released, if they said someone had hurt them. We were careful to check them all out, and there was very little abuse at Camp Bucca. I saw every single detainee that left, and ninety percent of the detainees thanked me and thanked the guards for the good treatment at Bucca. That is no lie. So, I was proud of Bucca and the soldiers, particularly the 724th soldiers and the 530th soldiers. The detainees spoke highly of the 724th soldiers. For the most part, I think we were sensitive about the Geneva Convention, and making sure we followed all the Articles.

The 800th didn't have training on the Geneva Convention, at Bucca, but I kind of monitored that. I had very close contact with the Red Cross. The Red Cross came to Camp Bucca every single day for 6 weeks straight. So, the guards must have asked me once a day, what this article meant or what that article meant. Sometimes, I would ask the Red Cross about what their interpretations of different things. The policy at Bucca was to treat everybody with dignity and respect. We weren't lax on discipline, but we tried to be fair.

A couple of months after the incident, I had a birthday. Some friends of mine from the battalion invited me over for a drink, which I went and had one. I went back, and the individual I was sharing a tent with thought I reported her relationship with the Battalion Commander, which I hadn't. So, she proceeded to go to COL [REDACTED] and tell him that she thought I had a drink. I told him the truth, and somehow it escalated, and I had to see General McKiernan. I accepted responsibility, and continued to do my job. I probably came out more focused after that.

I was in the Gulf War, and I don't remember anything like the incidents I've seen in this Brigade.

I think we've had it easy at Camp Bucca, compared to Abu. Abu is so spread out, they have more detainee movements, and the mortar attacks. So, I don't think it's fair for me to judge what's happening, there. Abu should be a 2-battalion operation. I don't know how 1 battalion can keep that straight. I've felt that from the get go.

In general, I would say that every single person I've had interaction with, at the new Brigade, has been very professional, and they were very supportive. Of course, they're coming in fresh. They're not coming in to Indian Country. At Abu, things are progressing, and a lot of improvements have been made.

I know LTC [REDACTED] I think he's extremely intelligent, and I think he truly cares about the soldiers, but I don't think he's had enough I/R experience. The 220th has, hands down, the most difficult mission of any battalion in Theater, and, after the incident that happened at Bucca, I would put them in there with another battalion, it's just too overwhelming. They were pretty beaten down, by what happened. It caused a big rift. There are still some soldiers, today, that think those soldiers didn't do anything.

We knew that BG Karpinski didn't seem to like him; every time she saw him, she pretty much beat him up. That was the word I got from his staff. So, we were all told that he was relieved and sent to Arifjan, where he kind of got a sprung in his step. We were all happy, when he was re-instated. We thought he hadn't gotten the proper support. I don't think he was officially relieved. MAJ [REDACTED] covered for him, during this break. Later, MAJ [REDACTED] became his XO, which was a very positive step. I think he helped him out a lot.

I've had battalions call me to say CID wants to hold detainees. If someone questions me, I would hold a detainee for an extra day. I would also call to double-check. There's MI and CID representation on the Security Detainee Review Board. So, there's no reason that anybody on CID or MI Hold should be released.

I didn't have a good experience with BG Karpinski. The only conversation I had with her was very negative. I went to a brief to pitch detainee operations. I didn't want to go, because I was super busy, but I received 3 emails, saying I should go. I don't think she was happy that I came. She said, if she knew I was coming, she would have told me not to. We had a dress rehearsal, and she be-rated and demeaned me in a way I've never been demeaned in my 17 ½ years as an officer. She told me I shouldn't have done the brief, that MAJ [REDACTED] should have, which would have been fine with me, but he just wasn't involved with detainees. She thought I was a poor officer, but later she said I should be a Battalion XO, which was inconsistent. She said I didn't present myself professionally enough, and she referenced the drinking incident. I don't think it was personal, she's done that to many, many officers. It's just her style, and maybe it's effective with some people, but it doesn't work with me, because that's not motivating to me.

I think she saw my name a lot, when she first started, because after I turned in the abuse incident, that made my life kind of rough. There was a Congressional filed by MSG [REDACTED] brother-in-law, saying I failed to call QRF, when they shot a detainee, when I was even there. There were a series of IG complaints. It was kind of rough on me, as well as MAJ [REDACTED] and SGM [REDACTED] after this happened. After the abuse incident, everyone was trying to deflect attention from their own situation.

There's no point in taking anything to BG Karpinski, because you can't get a sentence out, without her giving you the answer, or saying no, or fix it. She's just not approachable.



As far as the abuse, I think there should be training for soldiers on the Geneva Convention, as it relates to the treatment of detainees, and I think there needs to be an avenue where these things can be reported, because it's not a popular thing to report

Initially, I don't think anybody believed the abuse happened LTC ██████ told me he didn't believe it, and I had to say, "Sir, I'm sorry I know I was there I saw the detainee " These were docile detainees I don't think this was the first time they done it Then, there became 2 factions, some that did believe it and were ashamed because it was hurting the MP Corps, and some that said they didn't I lost a lot of friends, but I would report it, again

I know the abuse occurred I don't think any soldiers would make that up about an MP I think the NCOs should have been more severely dealt with, because they lead soldiers down that path, and had them convinced that they were doing the right thing.

We've had 3 deaths Two were medical, and 1 was a shooting. We felt, if we had less than lethal, it might not have gotten to the point where someone was killed But, we all think they did the right thing CID cleared them. It was self-defense

I encouraged them to stop using the conex for segregating detainees I threatened them with ICRC Conexes were used, before we had an isolation area We had to stop, because the weather was so hot, that they might cook in those So, we set up a better area A vacant building was secured, and individual cells were built inside.

The MP's view of the detainees varied from battalion to battalion The 724th they treated them all with dignity and respect If they saw someone who was overzealous, or went to strike a detainee, they pulled them out 530th the same thing; they were very professional In general, they treated them like people Whereas 310th weren't always I/R, so they're struggling a little

Finished with their discussion, the panel gave MAJ ██████ a list of items, to be addressed, and brought back on a Sworn Statement

So, it was difficult, but what we did was go box by box, and re-invented every single piece of detainee property. Things we couldn't identify, we put as unclaimed, in case it was claimed at a later date. I was hoping Civil Affairs could come in and help. I had them put the property annotated in the DRS System. It took a long, long time, but there was no other way to do it. I got the finance section of the 724, and they split up into 2 shifts and chipped in. They were also able to count over fifty five million Iraqi Dinar and exchange that. We made contact with a bank near the port, and we were able to get the money exchanged just at the deadline. Those soldiers worked hard and very long hours just to do that. The money that wasn't claimed, we set aside, because a lot of detainees will come back and make a claim. A lot of those claims weren't paid, because the SJA required documentation. Now, unfortunately, Iraqis don't have documentation. It's a paperless society, and a lot of times they have all their possessions on them. All the money they ever had is going to be on them in a little box that they're carrying. So, if they came, and said they had x amount of dinar, and they have a capture tag, we'll go ahead and satisfy their claim. If they don't have a capture tag, but have a creditable story, we will pay half of their claim. It's fairly subjective, but I had them write up an SOP, and that's the way it's done. It's not perfect, but it's come a long way. I should also say, that I had soldiers from the compound patrol teams volunteer to come in and help.

I have received my report card, and it is significantly different from when BG Hill was my senior rater. BG Hill gave me a top block, and put me in for a Bronze Star. BG Karpinski gave me a middle block, and COL [REDACTED] told me that she had put a couple of comments in there, that he had to personally ask her three times to take out, or it would have been an un-referable OER, but they were taken out, and I'm sure it won't hurt me. It's kind of what I expected because there's been no interaction, and I doubt she knows what I do, but I'm alright, and I'm satisfied with what I've been able to accomplish.

The interview complete, MAJ [REDACTED] was dismissed.

**SWORN STATEMENT**

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

**PRIVACY ACT STATEMENT**

**AUTHORITY** Title 10 USC Section 301 Title 5 USC Section 2951; E.O. 9397 dated November 22 1943 (SSN)  
**PRINCIPAL PURPOSE** To provide commanders and law enforcement officials with means by which information may be accurately  
**ROUTINE USES** Your social security number is used as an additional/alternate means of identification to facilitate filing and  
**DISCLOSURE** Disclosure of your social security number is voluntary

1 LOCATION CAMP DOMA	2 DATE (YYYYMMDD) 20040214	3 TIME 1000 HRS	4 FILE NUMBER
5 LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]		6 SSN [REDACTED]	7 GRADE/STATUS C- RESERVE
8 ORGANIZATION OR ADDRESS 800th MP BDE CAMP ARIFJAN KUWAIT APC - E COSUB			

9 I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

- HOW COULD RIPS BE MORE EFFICIENTLY EXECUTED?  
In order to avoid transitional lapses, BNs should not be assigned to exercise command and control over an Internment Facility on an interim basis until the "permanent" BN is assigned. This has the potential to cause:
  - unnecessary disruption of operations
  - loss of institutional knowledge
  - disruption to care provided to detainees
  - unnecessary paradigm shifts in philosophy
 Recommend holding existing BN or calling forward new BN to bridge the 4-2 month gap. This should also be applied to guard companies.
- My involvement to change connex holding area. Due to questionable appropriateness of the isolation area used at Camp Bucca, I strongly encouraged the command to consider

10 EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND PAGE NUMBER MUST BE BE INDICATED

STATEMENT OF



TAKEN AT

11/00/75

DATED

2-17-76

9 STATEMENT (Continued)

an alternative to utilizing connexes for detainees with disciplinary, mental illness or other protective custody needs. With escalating temperatures and the apparent mental deterioration of detainees who were interred in the connexes over an extended period of time, I made the recommendation that one of the compounds be split into individual areas @ a EP small and a common area @ latrines and shower be installed at the IF. This was an interim arrangement until a permanent solution was confirmed. With an upcoming site inspection by the ICRC scheduled in the immediate future, this accelerated the move from the connexes to the IF. The isolation area was leveled and the connexes were removed.

3. Recommendation on reporting mechanism for detainee abuse:

There should be a dedicated ombudsman at the theater level for the purpose of investigating allegations of detainee abuse. This would negate any cover up by

INITIALS OF PERSON MAKING STATEMENT



PAGE 2 OF 3 PAGES

STATEMENT OF

[REDACTED]

TAKEN AT

1100 HRS

DATED

27th 4 2012

9 STATEMENT (Continued)

the local chain of command and potential retaliation against members of the command who seek to pursue investigations of these complaints.

- H i n -

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED SIGNATURE]  
(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law administer oaths 14<sup>th</sup> day of FEB at CAMP DCHA KUWAIT

[REDACTED SIGNATURE]  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED NAME]  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

USIA AR-06  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED INITIALS]

PAGE 3 OF 3 PAGES

On 9 February 2004, a team of officers, directed by Major General Antomo Taguba, conducted the following interview. Major General Taguba was appointed as an Investigating Officer under the provisions of Army Regulation 15-6, by Lieutenant General David D McKiernan, Commanding General of the Coalition Forces Land Component Command (CFLCC), to look into allegations of maltreatment of detainees, detainee escapes and accountability lapses, at Abu Gharib, also known as the Baghdad Central Confinement Facility (BCCF). The panel also inquired into training, standards, employment, command policies, and internal policies, concerning the detainees held at Abu Gharib prison. Finally, the panel looked into the command climate and the command and supervisory presence.

The following persons were present:

COL [REDACTED], MP, CFCC – PMO, **Interviewer**  
LTC [REDACTED] JIA, CFLCC – SJA, **Interviewer**  
LTC [REDACTED] 705th MP Battalion, **Interviewer**  
MAJ [REDACTED] 320th MP Battalion, **Respondent**  
SSG [REDACTED], 27D30, CFLCC – SJA, **Recorder**

The interview is summarized as follows:

[REDACTED] Sr, O4, AGR, 320th Military Police Battalion. As an S3, I'm responsible for operations and training within the 320th, to include subordinate companies. I'm essentially responsible for accomplishing the mission according to the commander's intent. We've had a variety of missions, since March, to include running the facility at Camp Freddy at Umm Qasr, to running half of the facility at Camp Bucca, as well as the Bucca TOC for the Base Ops, and moving up north to Abu Gharib prison, to run 3 facilities, there, my role is to ensure that each facility operates according to standards, the Geneva Convention. To ensure, despite extremely limited resources, we are able to complete the mission, which ranges from providing escorts, to guarding, feeding, housing, giving water, providing basic human supplies for prisoners, and I do that through taskings to subordinate units.

I know that the Geneva Convention, 1949, differs with EPW's versus Security Detainees and Civilian Criminals. It gives the guidelines to how facilities should be established, and what should be provided to the prisoner. We know the basics of what is to be provided, such as food, water, housing, medical care. Well, I/R Battalions are not designed, nor were they trained to handle foreign civilian criminals. Part of an I/R mission is U.S. Confinement. It's been a little confusing, as to whether Geneva 4 applies to Security Detainees versus EPW's. Sir, I can tell you that I don't fully understand, because I've had several discussions, with several different JAG officers, and brigade personnel, S1's, and I really think there is a big problem. We originally had civilian criminals at Gancy. We also had, in other compounds, at Gancy, security detainees. So, civilian criminal, at first, we understood Geneva 4 didn't apply to them. Then, someone said it does, because they're under U.S. control, but they're civilian criminals. These were JAG officers at brigade. I remember, one time, COL [REDACTED] was having a

conversation with someone maybe at the Magistrate Cell, explaining that Geneva does apply to security detainees, because they're CI's So, there's nothing that has ever been put out in black and white, from JAG channels, as to the differences that Geneva may apply, or may not apply, to EPW's, security detainees, displaced civilians, civilian criminals, which is a whole different area, etc

Nothing at our MOB Station was taught, in regards to I/R Operations The training plan we submitted, which we had to work between the extremely changing MOB Station training plan, was one of compound operations, and processing, how to go through the processing line They were the 2 focuses And of course, daily, were the Rules of Engagement, Rules of Interaction, which are both contained in the Battalion SOP Scenarios? The total lack of support we know we're not going to have, when we get there, which has been the case for the 12 months And then of course, weapons qualifications, react to indirect fire, briefings on smallpox, medical briefings, that sort of thing That's all from Fort Dix I can recall right now

When we closed Camp Freddy, and the prisoners went into the Bucca facility, we were escorts for 2 weeks, so we did refresher re-training on escorts, which was simply following the bus up, following the bus back, to simplify their role Upon completion of the escorts, we were given 7 days to move a battalion and a company from Umm Qasr to Baghdad Upon arrival at Abu Gharib, in between setting up the facility in conjunction with the engineers, which we set up the facility in a week, which is unheard of, then, making the place livable for soldiers, there was refresher training on compound operations, processing, and basic I/R Operations tasks

As I see it, Sir, it's ultimately the commander's responsibility, to provide that training, and then it's my responsibility, and, as it goes down, it's the sergeant major's responsibility and the platoon sergeant's responsibility In conjunction, though, it's also the HHC Commander's, and the First Sergeant's responsibility So, the 3 and the HHC work very close together, to accomplish his needs, requirements, training, and the battalion's overall mission Actually, it's E5 to O5 responsibility

When a training plan is set up, there is an Observer/Evaluator, someone who assesses the training All training is AAR'd We base the training on Battalion SOP, 3-3.19-40, which is Internment/Resettlement Operations, and parts of AR 190-8 So, basically, Sir, we use the FM's, AR's, and SOP's, to accomplish the mission, then you pull the training tasks that are required to do that mission The entire chain of command has eyes on the training

All of my cooks are in the compounds Mechanics, we have 3, which only leave to for HHC Admin, each If I could back up, nothing has been doctrine, since the day we hit the ground We have 4 I/R control teams, however, at Camp Freddy, we were running 16 compounds The math doesn't work There are not enough I/R control teams, which have the specialized training, to run a compound You then have to take your guard companies, or they may be combat support companies, train them OJT, because there's no time to have a day of training That hasn't existed, since we took the facilities Then,

you have to fill in the holes. We have assumed a tremendous, outrageous, criminal amount of soldier safety risks in running these facilities. I have never seen anything. It is absurd, if I may be so blunt.

To run a compound, a 500-man compound, there're 14 MP's in an I/R control team. There are 2 E7's, 2 E6's, and 2 E5's, per 12 hour shifts. You should have almost 7 MP's on a compound, not counting the MP's in the 3 towers. We are tremendously low, due to of REFRAD's. Our battalion HHC is authorized 56 I/R Control Team MP's. They run the compounds. I have, now, 33. That's it. I run 8 compounds. So, on one compound, you should have, at least, 4 MP's per shift, on the gate, on the ground. I'm lucky, if I have 3, so I usually have 2 MP's. Each compound is authorized a 71L, who does all the paperwork, files, etc, and they're also authorized a supply person, who gets all the supplies for that individual compound. Due to the fact, that we've also been running Base Ops, at the BCF, all of our supply people have to go take care of that. So, that leaves your MP's and your 71L on shift in the compound. So, during the day, you may have 2 - 3 MP's and a 71L, or 2 MP's and a cook, or supply, or an electrician. Most of the soldiers, doing that now at the BCCF, also had to do it at Camp Freddy. They've been, for lack of a better term, "running" prisoners, since April.

It's a resource issue, Sir. Currently we are at a C3 rating. Here's the problem with USR - we could have people in medical, in Landstuhl, and they are still on our books. We still count them. I have 112 soldiers on the ground, and I'm authorized 148. The reason we are down to 112, is REFRAD's. Some are medical, some emergency leaves turned hardship discharges. And, in the reserves, you don't get those back. Your TDA gets locked upon mobilization. Even when the 10 from the Camp Bucca incident were pulled out of the unit, they still counted against our unit as available soldiers.

The service support personnel will never work the compound, without the presence of a military police person, there. They go through the Rules of Engagement, Rules of Interaction, handcuffing, less than lethal training, how the compound operates, which is more of an SOP thing, than a formal training, searches, and the basic MP functions at a compound.

When the second version of the ROE came out, it identified the steps, to prevent an escape, and treating all with dignity and respect, and the steps for the levels of force that are utilized. It defines hostile intent, one's inherent right to defend himself, halt in the native language, show your weapon. At first, warning shots were authorized, now they're authorized. Which changes, and it is briefed daily. The regulation does not authorize warning shots.

The ROI are the Rules of Interaction, i.e. fraternization, how you talk to them, cultural sensitivity, not giving, or accepting gifts, you day to day contact with them. New soldiers are briefed. They read it, and walk through scenarios. It's posted in every tower, every compound tent, and every control area. It's posted on the wall. The Geneva Convention is not posted. Soldiers should know it only to a degree. I don't know every article that applies to prisoners or detainees. We've had the training.



After support personnel have had training, they will observe an MP, before being allowed to perform a task. None of them work in Tier 1A and 1B. The hard site should be MP pure.

After the incident came out, one soldier was identified as being a mechanic, and one soldier was a 71L. I don't know if they had been through the training.

I know for a fact, that if I were to tell my soldiers, to hit someone in the head with a baseball bat, they wouldn't do it. I believe one of the soldiers involved had a past criminal history, which, if it had been indicated, would have prevented him from working with prisoners. They saw interrogations, and how newly brought in prisoners were broken by MI. I think, they were criminal individuals, who took the opportunity to do something they knew was wrong, after their senior leaders departed the area.

It's common for NCOs to work all day, get a couple hours of sleep, and then go back and do their rounds at night. It's very common, due to the fact that there's a lack of personnel. The way I/R battalions are MTOE'd they are not designed to run 3 different facilities. In my S3 section there's an O4, an E9, and a couple of E6's.

The panel stopped, to discuss MAJ [REDACTED] statements.

Finished with their discussion, the panel gave MAJ [REDACTED] a list of items, to be addressed, and brought back on a Sworn Statement.

On 10 February 2004, MAJ [REDACTED] returned, to provide a sworn statement, and documents, outlining the program of training for support personnel transferred into military police functions. He also presented documents outlining his unit's request for logistical support.

MAJ [REDACTED] then made the following statements:

Sir, on the CD are all the Situation Reports (SITREPs) from August to present, which went up from the 320<sup>th</sup> to the 800<sup>th</sup>, which I know were then wrote up, and sent to CJTF-7. Also contained on the CD are Troops to Tasks, I couldn't find all of them. Also, I printed out several SITREPs, in case you wanted to view them right away. There also emails on logistical support.

COL [REDACTED] reads a sworn statement made by SGT [REDACTED], and MAJ [REDACTED] responds as follows:

We were attacked, and there were suspects, I believe a woman and her son. They brought them to the site, directly inside the ECP inside the walls. We responded. I went down, and the IRF was called to secure them. The MI folks later pulled up. They approached the 2 individuals that were on the ground, and there was yelling. Then, when they took the individuals, and moved them back, I recall 1LT [REDACTED] coming up to me, while I was on the radio with the TOC. I heard him say something to me. I didn't understand him. He said something like, "I'm not going to let them continue." I told him to stand by. I went with him to the other side of the vehicle. I saw one of the MI soldiers push the male Iraqi from the back of the truck. 1LT [REDACTED] was already there. I came up, told them to stop, got all of their names, instructed the IRF to do statements. We went to SFC [REDACTED], who is the 1SG of the 519<sup>th</sup> MI Company, advised him of the situation, and told him IRF was making statements. He informed me that 2 of the soldiers that went out there, he shouldn't have sent them, because their friend was killed. He asked me if I saw any physical abuse whatsoever, and I said, "No, but I could see that their emotions were above being able to handle the situation in a calm manner." After 1LT [REDACTED] intervened, I told the one soldier that he was to have no contact, called over his NCOIC, as a matter of fact, and told him, to put that soldier in the front of the truck, and he was to have no contact with the 2 people in the back. The NCOIC was then required to ride with the Iraqi female and male up to the holding area, where they could then screen them, to see if they had anything to do with the attacks. Come to find out, they supposedly were doing their water irrigation, at night, as many of the farmers do.

I never witnessed any physical abuse. I wouldn't tolerate it. I'm very sensitive to how prisoners are handcuffed. Our soldiers are more very sensitive, because of what our soldiers went through. I won't even allow profanity, though they don't understand what you're saying, and it's culturally insensitive. I heard the yelling and screaming, and profanity, which I addressed, when I went to the back of the truck. It's uncalled for, because they don't even know what you're saying. No, Sir. At no time, did I witness any prisoner abuse. This incident was immediately handled by the MI chain of command, Sir.

The interview complete, MAJ [REDACTED] was dismissed

On 12 February 2004, MAJ [REDACTED] returned for a follow up interview, and to provide the 320th MP Battalion's SOP, regarding the use of dogs. The interview is summarized as follows

The SOP was prepared 10 December. CPT [REDACTED] prepared it, I proofread it, and LTC [REDACTED] signed it. MAJ [REDACTED] produced the work schedule. He was the NCOIC of the dogs, because he was the senior handler. CPT [REDACTED] would review and sign it, and then I would sign it. This was briefed to the Commander. We originally received two Army dogs, then, three Navy dogs. The two Army dogs are patrol/narcotics. The three Navy dogs are patrol/bomb. We originally set it up, where all the dogs would rotate through the ECP, Entry Control Point. I think that's the one LTC [REDACTED] originally signed off on. When I came back from leave, I thought it was best to strictly use the Navy dogs at the ECP, and keep the Army dogs in the compounds. As far as I know, the dogs are all certified, and we also allow time for their training. I believe it's a mandatory 4 - 6 hours a week.

Initially, there was a little bit of "we - they," when we put the two services together. The Navy dogs fell right into place, but there was some concerns about the Army dogs. Understandably, they didn't want to work the ECP, because they're not bomb dogs. There was a strong personality problem with the Army folks, whereas the Navy folks were here to help. They came from Sicily, I think, and they're here to work for you. So, I had gathered together the 5 dog handlers, my Operations Sergeant Major, CPT Hampton, and, I think, one of my Operations NCOs. I had a meeting right outside the TOC, and said, "By virtue of military rank you're on this installation, therefore you work for the battalion. So, this is how the schedule will be set up. This is what the objective of the schedule is, what dogs will work where, who will focus on what. Whoever has a problem with it, we'll be more than happy to call your chain of command, and you can pack your bags and leave." I didn't have any problems after that conversation.

I don't know the politics of it, but 1A was given to MI for higher value detainees. Then, CPA came to me, and said we had to clear out 1B. That was a problem, because I had all these juveniles, some criminal, some security detainees, and females in 1B, because I had no place to put them. So, we moved them out within two days.

It wasn't an easy transition. First, I had to gather the resources to do it. Then, transfer the paperwork and disks with all their information down to that facility. Then hopefully, they have the capability to open up the disk. But, getting the resources to do everything was a strain, every time we moved somewhere.

We moved them out. It sat vacant for at least a week. I was getting females and juveniles, and I had to put them somewhere, because I wasn't allowed to turn away prisoners. So, I put them in 1B. Then, the MI and CPA came to me, and asked, "How come there's people in 1B?" I said, "Because you all have me handcuffed. You've tied my hands. You told me to empty this facility. There's no place to put females and juveniles. I can't mix them with the adult male population, obviously. This is the only place I have to put them." So, they finally agreed that they had me handcuffed, and I had

no choice I had to accept them, put them in 1B, and get beat on by CPA and MI Then, turn around and get the resources together, to move them down to Clark or Mustafa So, it was always double work That was the biggest issue I had

I'm the S3, and I have my hands in everything As I tell my section, we are the heartbeat of the mission I'm also AGR, so I'm full time I don't know, Sir I like to make things happen. If there's a problem, I'll fix it If there's an issue with a soldier, I'll help them Sometimes, I go to far into people's sections, but it's always for good reasons

LTC [REDACTED] articulates the priorities for the Battalion, at times, in front of the Battalion and in staff meetings We have a staff meeting, and a force protection meeting everyday There, he puts out guidance, taskings, and goals

The entire release program is broke I'll start by that The Conditional Release Program is gaining more visibility, than the regular Security Detainee Review Board We get a list If it's for Security Detainees, the list comes from Brigade or the Magistrate They would be the results of the Security Detainee Review Board, which determined who should be released Once we received that list, we would find out who was where Then, our S1 folks would go to MI, to ensure that this individual is not MI Hold, or not on CID Hold, as well They would check it with the Magistrate, CID, and MI. Then, we'd set up a release date, which was usually two days later, sometimes later We'd take the list to the compound, and they would verify if those people are on their compound. Once that's done, we'd set up a plan, to have them pulled out of the compounds, taken up to the holding area for outprocessing, put them on vehicles, and take them to eight different locations in Baghdad, to release them

At home station, we have I/R Companies that are War Traced to us They are not the same as our Peace Traced The 305th MP Company is in our War Trace, as well as our Peace Trace, so we approved their METL We did identify Battle Tasks – Establish an I/R Facility, Provide Logistics in Support of an I/R Facility, Accountability of all EPWs, and Force Protection When we went to Abu, we identified I/R and Guard Companies Some were Combat Support Companies that were dwindled down to a Guard Company and given Guard Company equipment, and some Guard Company training The training that we gave them consisted of night seat rides for 4 –7 days, depending on their Company Commander's assessment of their ability to do the mission All the tasks were very similar – searches, handcuffing The only real difference is the towers My battalion doesn't have individual tasks for towers Geneva Hague Convention training is done twice a year It's mandatory twice a year I can't think of anything related to Geneva Hague in our METL Before we left home station, we had all Ts in our METL Assessment, except Force Protection, which was a P

The interview complete, MAJ [REDACTED] was released

### SWORN STATEMENT

For use of this form, see AR 190-45, the proponent agency is ODCSOPS

LOCATION Baghdad Correctional Facility, Abu Ghraib, Iraq	DATE 9 FEB 2004	TIME 2015hrs	FILE NUMBER
LAST NAME, FIRST NAME MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS [REDACTED]
ORGANIZATION OR ADDRESS 320TH Military Police Battalion (I/R)			

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH-  
1 71L/52D at the site of the allegations To the best of my knowledge the female soldier, 71L, and the 52D male soldier were never scheduled to work in the hard site facility, to include Wing 1A and 1B, performing the roles of Military Police From what I have been told and heard was that the female soldier was having a relationship with CPL Graner which could be the reason she was present during the incident The mechanic was on duty to ensure that the CPA prison generators kept functioning and remained fueled This was necessary due to the fact that CPA did not provide a 24hr generator mechanic and the generators would constantly go down The generators operate the water and lights of the prison That would be the only explanation as to why the mechanic would be at the prison

2 Training (Home Station, MOB Station, Theater) The 320th Military Police Battalion has conducted exhaustive training in Internment/Resettlement Operations, Military Police Tasks, crowd control, Less than lethal, ROE, ROI, Law of land Warfare Geneva Convention, and MP Combat support missions  
Home Station Training at home station include all of the above which were scheduled intermittently throughout Drill Weekends and Annual Training In reference to Annual Training the 320th MP BN was selected 4 years in a row by 8th Army to train the 8th MP BDE, Korea, during Operation Foal Eagle During drill weekends the unit convoked to Tenthanna Army Depot (TYAD) where a mock EPW facility was constructed, through the efforts of the 320th and TYAD This training was conducted quarterly While at the center for training, the unit focused on Compound operations, the handling of EPWs, ROE, ROI, Use of Force and In-processing, in addition to the required training, mandatory briefings (SAEDA, Geneva Convention, etc ) and SRP During the 4 months prior to mobilization, the unit was still slotted for Annual Training in Korea, a rotation in Kosovo, while simultaneously preparing for mobilization and deployment to Iraq The final decision of which the unit would do was made by FORSCOM in January 2003 The unit was mobilized 10 February 2003 for Operation Iraqi Freedom While at Home Station, the unit was finalizing its training plans for the MOB station However, the challenge was the constant changes by MATOPS Also, I had re-written the BN TACSOP for IR Operations This SOP was requested by the NDRC at the Pentagon and distributed to all 17 IR Battalions in the system as well as the 78th Training Division to validate IR units mobilizing through Ft Dix, NJ I/R training dictated by the MOB station consisted NDRS (Processing) The unit was not required to complete a Mission Readiness Exercise (MRE) for validation as our SOP was used for the validation In addition to the mandatory training from the MOB Station, the unit had training schedules each day consisting of Compound Operations, SOP review to all members of the BN, ROE, ROI, Use of Force, cultural sensitivity and other MP Tasks After the unit arrived in theater the only IR training given was that conducted by the unit This consisted of refresher training in compound operations, ROE, ROI, SOP review and in-processing The unit was only at Camp Arifjan for 10 days

3 Relationship between MP and MI (Wing 1A & 1B) The MP were asked by MI to perform several tasks, which included sleep deprivation, music, limit certain prisoners to certain foods (MRE and/or Iraqi food) At first the relationship was awkward It was confusing as to who was the C2 for the wings CPA owned the wings yet, they had given the wings to the MI to utilize Another issue was agencies within OGA would frequently bring prisoners to the facility and not want them processed When this first occurred, I awaited their arrival (0300hrs) and informed them that either the prisoners was to be processed or they would need to leave an agent with the prisoner I received this guidance from the 800th MP BDE and COL Charles Luce, Chief, National Detainee Reporting Center, DAMO, Pentagon At the beginning of October, the requests were originally verbal However, the MP on duty, specifically SGT [REDACTED] questioned this and requested them in writing The instructions were also placed on the wall next to the cell of the prisoner As I understood it from the previous OIC, CPT [REDACTED] the tasks were supervised by himself, or an NCOIC with a member of MI present I believe that LTC [REDACTED] had also supervised this as well CPT [REDACTED] has since REFRAD The tasks were carried out by the MP on duty Only MP were scheduled to work in 1A and 1B

4 Training Non-MP personnel Any Non-MP personnel required to work around Detainees or prisoners receive the following training ROE, ROI, some MP tasks (hand cuffs searching), some received Less than Lethal training These soldiers are utilized more for additional security versus MP duties 'Hip pocket training', ROE, and Use of force are briefed at shift changes and guard mounts Most of the Non-MP soldiers in the units received MP type training at either their home station or MOB station I have discussed this with the Company Commanders that have non MP soldiers performing these type tasks [REDACTED]

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_ CONTINUED"  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES" WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM

STATEMENT (Continued)

5 Incident - Pictures (what I think is happening) Originally I was assigned as the I5-6 Officer by LTC Jerry [redacted] in the alleged incident CID had already been notified and had briefed me on the incident in question and had shown me the pictures. Upon viewing the pictures I had to "take a break" as I was in shock as to what I was viewing. It was obvious that these soldiers had acted independently to commit these inhumane, criminal acts. These were obviously the acts of criminals and these individuals should receive the maximum punishment allowed. It is obvious that the leadership did not have an indication or knowledge that this could happen or was happening. The Commander, myself, staff and NCOs of the 320th MP BN would not allow such activity. This Command has "preached" against any type of violations of the ROE, ROI and has constantly reviewed/ lectured the humane treatment of prisoners. If the command had an inkling that these individuals could have done such acts, these individuals would not have been permitted to be in the presence of prisoners. If the Command had known of these activities, these individuals would have been apprehended immediately. It would be my opinion that possibly these soldiers had seen similar, yet, possibly not to this extreme, activity by the MI personnel during interrogations of these prisoners. They then took it upon themselves to conduct such criminal activity. I have been a Military Police Officer for 17 years, involved in all types of investigations, to include undercover work with the German Police. I was a RA Officer, Reserve Officer and now AGR Officer. A criminal will perform a criminal act if committed to do so, regardless of the amount of "training to do the right thing", lectures and classes on conduct, etc. They will seize the opportunity of chance to commit such acts.

6 Spot Checks Command presence has been a vital role of NCOs and Officers in the Battalion (subordinate companies included) especially with this particular mission. Three confinement facilities, over 6,000 prisoners and extremely limited resources (as seen in the Troop to Tasks). Leaders at all levels randomly go through the facilities at all hours of the day and night, from the BN CDR to Squad leaders. I personally know this to be a fact. However, due to the extremely limited assets constant addition of missions, REFRADS, work to be done during the daylight hours (0600-2100), Officers and certain Senior NCOs cannot be at each facility every night. The issue of lack of personnel has gone to the extreme that CO CDRs, Senior NCOs, BN Staff pull duty at a guard post, escort, or the compounds to give their soldiers a day off, to reduce the chances of complacency, stress and misjudgement. Would it be possible to commit such acts if leaders are checking on their soldiers' Of course. Again, someone with the obvious frame of mind and intent of these individuals will accomplish their cowardly tasks at their own time and pace. Based on a theory that this should have been prevented, there would have to be an Officer or Senior NCO for each soldier in each unit. This BN ensures that there is an NCOIC for each compound, shift, escort, mission. There exists three facilities, 2 Entry Control points, Force protection points, Holding Area, Processing Line and CP's. Based on the strengths of the units, they must be split into several locations to accomplish all missions which results in the utilization of Senior NCOs and Officers to have to pull shifts at times to meet mission.

7 Actions In addition to what the units have been doing to check on their soldiers at all hours, a DA Form-6 has been instituted at the Battalion to have every E7 and above to make nightly sporadic checks at each facility. Despite its effect on daily missions, it has been implemented. ROE, ROI more detailed guard mounts are ongoing.

8 Since the 320th MP BN assumed the mission of the British Corps Holding Area in March 2003, which had 16 compounds (versus the 4 compounds that an I/R BN doctrinally can operate), to the mission now at BCF, required number of personnel has been a significant issue. Despite this, this unit has accomplished every mission assigned, performing non-doctrinal missions under resourced, forced to create new doctrine. This unit has processed, safeguarded, fed, housed over 25,000 detainees.

AFFIDAVIT

I, [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD WITHOUT THREAT OF PUNISHMENT AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted signature]  
(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10th day of February 2004 at Victoria Camp P.

[redacted signature]  
(Signature of Person Administering Oath)

[redacted name]  
(Typed Name of Person Administering Oath)

[redacted authority]  
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS  
[redacted]

ORGANIZATION OR ADDRESS  
[redacted]

INITIALS OF PERSON MAKING STATEMENT  
[redacted initials]

STATEMENT (Continued)

The 320th has housed more EPWs, Security Detainees, and prisoners than any other unit in Theater. A statement that can be supported by the Theater accountability roll ups and reports. We have had 13 escapes in 11 months, with 5 different facilities. These escapes in relation to the number of prisoners equals 0.52%.

I was asked by the panel what we could have done differently. Here is what was done to attempt to mitigate the shortage of personnel and resources. [redacted], after many Requests for Forces cut down the R&R leave from 10% to 5% throughout the Battalion. Senior NCOs and Officers would perform their daily missions, rest for a few hours and then work a night shift. Officers and Sr NCOs would pull shifts for their soldiers. Fought the opening of new compounds until proper resources were received. In addition, I instructed an NCO in the S3 section to compile all SOPs/MOIs for all different missions, ensured that the Companies created and maintained SOPs for their missions, reviewed and approved by the BN. Perhaps a standard training team could have been established to move through out the units.

I feel obligated to mention that during mid to end of September, the CJTF-7 IG visited BCF for approximately 2 days. During the outbrief to the BN CDR, BN Staff, Company CDRs and leadership of other tenant units located at BCF the COL ended the outbrief with "There are the poor, weak and the forgotten, you all are definitely the forgotten." The COL referenced the challenge of being resourced properly, the constant mortar attacks, and the increasing prisoner population. Following that visit, LTG Sanchez visited BCF. Upon completion of his visit, many from the CJTF-7 staff visited BCF and the Base support began as BCF was declared an Enduring Base. However, no additional resources in the area of manpower was received.

In summation the 320th MP BN accomplished their mission, and continues to do so. Despite tremendous hurdles leadership dedication to duty, loyalty and training persevered. Mistakes were made, yet, corrective action was always immediately implemented by the Command. The Battalion Chain of Command was in constant communication within itself and to the soldiers. I had absolutely no information that any type of prisoner abuse in any degree had occurred. If I had known immediate steps would have been taken to ensure that such actions ceased and actions against those individuals would have been initiated.

*NOTY - [unclear] - [unclear]*

AFFIDAVIT

I, \_\_\_\_\_, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE \_\_\_\_\_. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[redacted signature]  
(Signature of Person Making Statement)

WITNESSES

[redacted witness information]

Subscribed and sworn to before me a person authorized by law to administer oaths this 10th day of February 2004 at Victory Camp

[redacted signature]  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS  
\_\_\_\_\_  
\_\_\_\_\_

[redacted name]  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS  
\_\_\_\_\_

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT  
[redacted initials]



Non-MP Personnel

NAME	RANK	MOS	Duty Position	Training
[REDACTED]	SPC	75H	Comp Guard	LTL ROE OJT Search Handcuff ROI
[REDACTED]	SPC	92G	Comp Guard	LTL ROE OJT Search Handcuff ROI
[REDACTED]	SPC	92Y	Comp Guard	LTL,ROE OJT Search Handcuff, ROI
[REDACTED]	SPC	92G	Comp Guard	LTL ROE,OJT Search,Handcuff, ROI
[REDACTED]	SPC	92G	Comp Guard	LTL,ROE,OJT,Search,Handcuff, ROI
[REDACTED]	SPC	92G	Comp Guard	LTL ROE OJT Search Handcuff, ROI
[REDACTED]	SPC	75H	Comp Guard	LTL,ROE OJT Search Handcuff ROI
[REDACTED]	SPC	51B	Comp Guard	LTL ROE,OJT,Search Handcuff ROI
[REDACTED]	SSG	92G	CPMD GD/Towers	ROE ROI ROLE OF TOWER GD OJT
[REDACTED]	SGT	92G	CMPD GD/ Towers	ROE ROI, ROLE OF TOWER GD, OJT
[REDACTED]	SPC	92G	Towers/Contr ol Tent	ROE ROI, Self Defense LTL, Security Role

NOTE Non-MP personnel were placed in the compounds to provide additional and required security for the MP on duty. Also Non-MP personnel work with a MP at all times. If they are placed in the towers following the above training they must have a minimum of 3 days of training. Also, the Admin personnel are assigned to the compound Control Teams per the MTOE. In addition to providing additional security they maintain the files and logs. The Non-MP personnel are given this training in the event they need to be utilized yet again their hands on with prisoners is limited unless required.

**MAJ CJTF7-320 MP BN S3**

**From:** [REDACTED] MAJ CJTF7-320 MP BN S3  
**Sent:** Sunday, November 02, 2003 7:48 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** FOOD

ALCON

Have you ever experienced about 80 prisoners standing in line at 2130hrs at night, cold and being told that the vendors do not have any more food? Well this is becoming a nightly routine, and because I was there I can tell you it is a very unpleasant experience. Why is it so difficult to bring enough food? That is what the MP (soldiers) are asking every meal due to the fact that they, not you, or me, have to deal with it every day. So I guess my question is who in the helo can fix this so that we can at least give the soldier the basic necessary tools to guard prisoners without them having to worry about a riot, fight or other related problems in the compounds during meal times. Oh by the way you now know why we have to have MREs on hand every day. So please do not question the ordering of MREs, we need them to feed prisoners even though there exists a contract for food. In the mean time I would simply suggest that someone call contracting the vendor or perhaps Ray Parks (though that conversation will be filled with promises and not results) and fix this continuing problem. Unfortunately the basics required to "house" prisoners food, lights, prisoner supplies is still a serious issue.

V/R

[REDACTED]  
320th MP BN  
S3  
DSN 559-1763

**MAJ CJTF7-320 MP BN S3**

From: [REDACTED] MAJ CJTF7-320 MP BN S3  
Sent: Wednesday, November 05 2003 6 57 PM  
To: [REDACTED] MP BDE NBC 800 (E-mail)  
Cc: MP BDE ASST S-4 800 (E-mail)  
Subject: (S) Prisoner Meal shortages

~~Classification SECRET~~

ALCON,

At the 1600 meal for the prisoners the caterers were short well over 100 meals. SFC [REDACTED] S-4, gave the caterers the morning count of 3950 meals even though there were roughly 3700 prisoners on ground. Still the caterers came up short over 100 meals. This is happening almost on a daily basis.

MAJ [REDACTED]  
320th MP BN  
S3  
DSN 559-1763

DRV FM 123 ?  
Dated 24 Feb 96  
DECL ON Y1

~~Classification SECRET~~

EXEMPTED  
BY U.S. Central Command  
DATE 15 OCT 2004

MAJ CJTF7-320 MP BN S3

From: [REDACTED] MAJ CJTF7-320 MP BN S3  
Sent: Friday, November 07, 2003 10:06 AM  
To: JIDC Intg OIC [REDACTED] MAJ (205 MILICE OPS OIC)  
Cc: MAJ CJTF7-800TH MP BDE-S3 [REDACTED] LTC CJTF 320TH MP BN  
CDR [REDACTED] (E-mail), Karpinski, Janis BG CJTF7 CDR 800 MP BDE  
Subject: (8) FW: SIR Prisoner riot

Classification: ~~SECRET//X1~~

MAJ [REDACTED] CPT [REDACTED]

As you know we had a very serious riot last night in Vigilant. Currently there are 689 prisoners in Vigilant. The compounds, based on the segregation requirements are busting at the seams. I cannot emphasize enough the need to reduce the population in Compounds A, B & C. This is an unstable situation which is putting the lives of the MP and soldiers at risk. I have been to many prisoner riots since March and I can tell you that last night was one that could have turned real bad, real quick. The design of Vigilant places the MP in a dangerous situation in the event of a riot with so many prisoners. We must reduce the population in Vigilant ASAP. The situation last night is simply a quiet time being and could erupt at any time. Please forward this to whomever can expedite the process.

As you can see from the below SIR, the issues are that there are many Security Detainees that have been held for long periods of time and 1) Not interrogated yet or 2) have been questioned months ago and are still being held. Understand the process, yet we MUST increase the speed of the interviews, release boards, etc. In order to maintain some peace last night I asked the Prisoner compound representatives to provide me a list of prisoners that have not been seen. Yes, I do know that there will be many on the list that have been seen, but will put their numbers down, hoping you will get them out. I also know that your BDE gives you priorities, however, that does not maintain peace in the compounds.

FYI, the prisoner compound reps request that someone of some type of authority meet with them to outline the process. From last night's events, I can tell you that this issue will not go away.

Once again, I cannot emphasize enough the lack of stability in Vigilant and the need to reduce the population.

MAJ [REDACTED]  
MAJ [REDACTED]  
320th MP BN  
S3  
DSN [REDACTED]

--Original Message--

From: [REDACTED] MAJ CJTF7 320 MP BN S3  
Sent: Thursday, November 06, 2003 4:44 PM  
To: MP BDE NBC 800 (E-mail) [REDACTED] (E-mail)  
Subject: SIR Prisoner riot

Classification: ~~SECRET//X1~~

- 1 NA
- 2 Type of incident: Prisoner Riot
- 3 062140LNOV03
- 4 Baghdad Correctional Facility, Vigilant A, B, C
- 5 None
- 6 Personnel involved

Prisoners detained in Vigilant A, B, C

DECLASSIFIED  
BY U.S. Central Command  
DATE 16 OCT 2004

7 A prisoner Riot began when an MP broke up a fight between two prisoners. The prisoners were throwing their water cans, and rocks at the MP's. The prisoners indicated that the riot began because the MP's broke up the fight and subdued the offenders and because they wanted to go home. The 320th TOC dispatched the IRF and QRF. Shortly thereafter the riot was quelled due to diplomacy by the S3 and no injuries occurred. Alarm clocks were requested and issued. Additionally, the prisoners indicated that they have been in the compounds upwards of five months without being asked any questions by MI. This is why they wanted to go home. The prisoners will provide a list of any prisoner who is similarly situated. MAJ [REDACTED] will make an inquiry as to why these prisoners have not been questioned with MI. He will then inform the compound reps of any information obtained. The riot was quelled and there were no reports of any injuries.

8 Remarks

9 Publicity None

10 Command Reporting 320th MP BN

11 POC MSG [REDACTED]

12 Downgrading Instructions None

MSG [REDACTED]  
320th MP BN  
S-3 NCOIC

DRV FM 123-2  
Dated 24 Feb 98  
DECL ON X1

Classification ~~SECRET//X1~~

MAJ [REDACTED]  
320th MP BN  
S3  
DSN, 559-1763  
[REDACTED] (MAJ CJTF7-320th MP BN - S3)  
DRV FM 123-2  
Dated 24 Feb 98  
DECL ON X1

Classification ~~SECRET//X1~~

MAJ CJTF7-320 MP BN S3

From: [REDACTED] MAJ CJTF7-320 MP BN S3  
Sent: Thursday, August 14, 2003 3:35 PM.  
To: [REDACTED] CJTF7-800MP BDE OPS (E-mail); [REDACTED] MAJ 800TH MP BDE  
Cc: [REDACTED] MP BDE NBC 800 (E-mail); [REDACTED] MAJ CJTF7-800TH MP BDE-S3 (E-mail); [REDACTED] LTC CJTF7-320TH MP BN CDR (E-mail)  
Subject: Ganci Status Report

Ganci Compound Status  
14AUG03

Compound 1

Water Tanks (Tanks leak aggressively at seams)  
Porta Johns  
Guard Towers  
Light Sets

Compound 2

Water Tanks  
Porta Johns  
Guard Towers  
Light Sets

Compound 3

Water Tanks  
Porta Johns Red (Contains 3 of the required 16)  
Guard Towers  
Light Sets Red (Missing 3, 2 that are present need a battery)

Compound 4

Water Tanks  
Porta Johns Red (Contains 0, requires 16)  
Guard Towers  
Light Sets Red (Needs 4)

Compound 5

Water Tanks (Contains 1, needs 1 more)  
Porta Johns Red (Contains 0 Needs 16)  
Guard Towers (Needs 1)  
Light Sets Red (Contains 0, needs 6)

Compound 6

Water Tanks  
Porta Johns Red (Contains 0, Needs 16)  
Guard Towers (Needs 1)  
Light Sets Red (Contains 0, needs 6)

Compound 7

Water Tanks Red (Needs 2 Tanks)  
Porta Johns Red (Contains 0, Needs 16)  
Guard Towers Red (Needs 3 Towers)

Light Sets Red (Contains 0, needs 6)

Compound 8

Water Tanks Red (Needs 2 Tanks)  
Porta Johns Red (Contains 0 Needs 16)  
Guard Towers (Needs 1)  
Light Sets Red (Contains 0, needs 6)

Roll Up

Water Tanks Need 5 units and 2 need repairs  
Porta Johns' Need 93  
Guard Towers Need 4 (2 are shared towers)  
Light Sets Need 28, 2 need batteries

SSG [REDACTED]  
320th MP BN  
S3, NCOIC  
DSN: 559-1763

**MAJ CJTF7-320 MP BN S3**

From [REDACTED] MAJ CJTF7-320 MP BN S3  
Sent Sunday, August 24, 2003 11:20 AM  
To [REDACTED] MAJ CJTF7-8001H MP BDE-S3 [REDACTED] (E-mail) [REDACTED] CPT CJTF7-8001H MP BDE  
[REDACTED] (E-mail)  
Cc: [REDACTED] LTC CJTF7-320TH MP BN CDR [REDACTED] (E-mail)  
Subject: (U) Requested Assets

Classification: ~~SECRET X1~~

Sir,

The following list contains assets requested for Abu Ghraib

1. There is a surgeon en route, however we are still missing a PA
2. Civil Affairs,
3. Military Working Dogs,
4. Force Protection,
5. MPI,
6. Interpreters, and
7. JAG,

Thank you in advance for your attention to this matter

SSG [REDACTED]  
320th MP BN  
S3, NCOIC  
DSN 559-1763

DRV FM 123-2  
Dated 24 Feb 99  
DECL ON X1

Classification: ~~SECRET X1~~

DECLASSIFIED  
BY U.S. Central Command  
DATE 15 OCT 2004



MAJ CJTF7-320 MP BN S3

From [REDACTED] MAJ CJTF7-320 MP BN S3  
Sent Thursday, September 18, 2003 10:38 AM  
To [REDACTED] MAJ CJTF7-800TH MP BDE-S3 (E-mail) [REDACTED] CPT CJTF7-800MP BDE  
[REDACTED] (E-mail) [REDACTED] MAJ 800th MP BDE  
Cc. [REDACTED] LTC CJTF7-320TH MP BN CDR (E-mail) [REDACTED] (E-mail)  
Subject 800MP BDE XO/S5  
(S) Prime Power Lighting

Classification ~~SECRET//X1~~

ALCON

Last night the prime power folks lit up compound 5 GANCI strictly with the pole lights and left off the Generator light sets. CPT [REDACTED] MSG [REDACTED] and myself did a walk around the compound and talked with the tower guards. The current pole lights do not provide adequate lighting for the compound. Therefore, generator light sets (approximately 4 ea per compound) are required. They are going to power up compound 6 with the pole lights but again we cannot open 6 until we receive more generator light sets (as well as porta johns not enough to open compd 6 to full capacity).

Porta Johns

Need 6 more for compd 6

Need 14ea for 7 & 8

Need enough for 2 more MP COs (strength 140 ea) and for other tenant units, MI CID, Magistrate, Medical

Approximately 330 additional soldiers. Need assistance asap if there is an intention to transfer from Bucca to here and place more US forces here.

MAJ [REDACTED]  
320th MP BN  
S3  
DSN 559 1763

DRV FM 123-2

Dated 24 Feb 98

DECL ON X1

Classification ~~SECRET//X1~~

DECLASSIFIED

BY U.S. Central Command

DATE 15 OCT 2004

MAJ CJTF7-320 MP BN S3

From: [REDACTED] MAJ CJTF7 320 MP BN S3  
Sent: Thursday, October 23, 2003 11:35 AM  
To: [REDACTED] MAJ CJTF7-600TH MP BDE S4  
Subject: RE (S) From CPT Simms

Classification: ~~SECRET~~

I need 50 Amida light sets and the 15 or so light sets fixed (the brown light sets). I need a new contractor to prepare food due to the fact that they are always 100-200 meals short and at least 3-4 times a week the food is inedible because it has bugs. Today an entire compound 500 prisoners could not be fed due to bugs and dirt in the food.

MAJ DiNenna

-- Original Message --

From: [REDACTED] MAJ CJTF7 800TH IIP BDE S1  
Sent: Wednesday, October 22, 2003 7:51 PM  
To: David (MAJ CJTF7 370 MP BN S3 Dinenna (E-mail))  
Subject: FW: (U) From CPT Simms

Classification: ~~SECRET~~  
Caveats: NONE

FYI

-- Original Message --

From: [REDACTED] CPT CJTF7 C4 ASST LCG FLA JS  
Sent: Wednesday, October 22, 2003 5:01 PM  
To: [REDACTED] MAJ CJTF7 800TH MP BDE S4  
Cc: [REDACTED] MAJ 800th IIP BDE  
Subject: (U) From CPT Simms

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

Sir,

Please find attached the Itinerary for BG West's visit to the 800th MP Bde Thu 23 Oct 03. Please address any queries to the undersigned.

CPT [REDACTED]  
C4 XO  
822-1432

CPT [REDACTED]  
C4 Plans (LOGCAP Coordinator)  
318 822 1436

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY  
<< File: 800th MP Bde - Abu Ghareb - 231003 doc >>

Classification: ~~SECRET~~  
Caveats: NONE

[REDACTED] MAJ CJTF7 320 (1) MP BN S3

DRV FM 120-2  
Dated: 24 Feb 99  
DECL ON Y1

Classification: ~~SECRET~~

DECLASSIFIED

BY U.S. Central Command

DATE 15 OCT 2004

MAJ CJTF7-320 MP BN S3

From: [REDACTED] MAJ CJTF 7-320 MP BN S3  
Sent: Friday, October 24, 2003 12:55 AM  
To: [REDACTED] MAJ CJTF 7-800TH MP BDE S4  
Cc: [REDACTED] MAJ CJTF 7-800TH MP BDE-S3 [REDACTED] (E-mail)  
Subject: (U) Ganci deficiencies

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

The following is a list of deficiencies in Ganci:

CMPD 1

- Grey water drainage problem
- Broken water pump
- Issues with the shower

CMPD 2

- Grey water drainage problem
- Issues with the shower

CMPD 3

- Water valve for tank
- 240 outlets
- Shower heads and valves
- 2 Light sets have seized motors
- Grey water drainage problem

CMPD 4

- Water pump
- Water tank leaks
- Shower door latches
- Shower heads
- Porta john door broken
- Water pump switch
- Interior gate bent

CMPD 5/6

- Light sets

CMPD 7

- Light sets

MAJOR [REDACTED]  
320th MP BN  
S3  
DSN 559-1763

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

MAJ CJTF7-320 MP BN S3

From: [REDACTED] MAJ CJTF7-320 MP BN S3  
Sent: Monday, October 27, 2003 9:49 AM  
To: [REDACTED] MAJ CJTF7-800TH MP BDE S4 [REDACTED] CPT CJTF7-800MP BDE OPS  
Cc: [REDACTED] MAJ CJTF7-800TH MP BDE-S3 [REDACTED] (E-mail), [REDACTED] CJTF7-800MP BDE XO/S5 Karpinski, Janis BG CJTF7 CDR 800 MP BDE  
Subject: (S) RE Tasker # 22 URGENT URGENT URGENT " " " " " "

Classification ~~SECRET/XX1~~

The other day when you were here and for the past how many months I addressed the light set issue re repair of the light sets in the compounds [REDACTED] as we were told was supposed to fix the light sets. Now I am being informed by Mr [REDACTED] BN PBO, that there has not been a contract awarded so the light sets cannot be fixed unless funded some other way. Is this the case? And if so, why wasn't I informed after the hundreds of emails SITREP requests etc. I hope the above info is not correct. Bottom line, the compounds lack the proper lighting to protect soldiers, prisoners and escapes, all of which is MISSION. I am not sure why a greater emphasis for the past couple of months has not been put on this above our level. We are talking about soldiers, safety and prisoner safety and the prevention/deterrence of escapes. Please advise on the status of the repair of light sets. I know that issues are being worked to bring A-10s back to the locations to here, yet the number that I have seen will not fix the problem.

While I am addressing basic necessities, Contract Meals Disaster. That is the best way to describe this issue. Short hundreds of meals every feeding, bugs and dirt are found in the meals several times a week and for the past two days prisoners have been vomiting after they eat. That coupled with the fact that their arrival time varies tremendously. This is of great concern as Ramadan has begun. We are now out of MREs for the prisoners and are attempting to get some today from the 541st. We are just about at 4000 prisoners between three locations and as each day goes by the tension within the prisoner population increases obviously. Yet, simple fixes food would help tremendously.

I appreciate your immediate assistance with these issues.

V/R

-----Original Message-----

From: [REDACTED] MAJ CJTF7-800TH MP BDE S4  
Sent: Sunday, October 26, 2003 9:23 PM  
To: [REDACTED] CPT CJTF7-800MP BDE OPS  
Cc: [REDACTED] MAJ CJTF7-320 MP BN S3  
Subject: RE Tasker # 22 URGENT URGENT URGENT " " " " " "

Classification ~~SECRET~~  
Caveats NONE

MSG [REDACTED]

I will talk to LTC [REDACTED] who will inform me when the train arrives at the Baghdad railway. What I need from you is all the container numbers and the train number. Give me the departure time as well. Once the train arrives I will get FLS Trucks. I just need you to provide the escorts once LTC [REDACTED] gives me the arrival time.

CPT [REDACTED]

-----Original Message-----

From: [REDACTED] CPT CJTF7-800MP BDE OPS  
Sent: Sunday, October 26, 2003 4:02 PM  
To: [REDACTED] MAJ CJTF7-800TH MP BDE S4 [REDACTED] MAJ CJTF7-320 MP BN S3  
Cc: [REDACTED] (E-mail)  
Subject: FW: Tasker # 22 URGENT URGENT URGENT " " " " " "

1 DECLASSIFIED  
BY La.S. Central Command  
DATE 15 OCT 2004

Classification ~~SECRET~~  
Caveats NONE

FYI [REDACTED] what do we do about the connexes with the light sets in ?

MSG, USA  
800th MP BDE  
S-3 Ops NCO  
DSVT 302-559-1743

-----Original Message-----

From: 724MPS4 [mailto:724MPS4@93sigbde2.army.smil.mil]  
Sent: Sunday, October 26, 2003 3:51 PM  
To: [REDACTED] CPT CJTF7-800MP BDE OPS  
Cc: 724MPALOC, 724MPXO, 724MPS3  
Subject: RE: Tasker # 22 URGENT URGENT URGENT || || ||

Classification ~~SECRET~~  
Caveats NONE

Martin,

I spoke w/ MSG [REDACTED] in ref to Baghdad Central needing light sets  
Tuesday I'm going to send out 8 by railhead it will take 17 hrs to reach  
your location. Martin as the light sets become available I will send  
them forward. I will e-mail you the container (connex) numbers as well  
as any other info that makes it easier for you to identify this equip.

I hope this helps for the time being.

CPT [REDACTED]

P.S. 8 lightest will come in two to three 20ft containers.

-----Original Message-----

From: [REDACTED] CPT CJTF7-800MP BDE OPS  
[mailto:[REDACTED]@hq.c5.army.smil.mil]  
Sent: Saturday, September 27, 2003 4:40 PM  
To: 800MP S3FWD, [REDACTED] CPT CJTF7-800MP BDE OPS  
Cc: 724MPS3, 724MPS4 [REDACTED] (E-mail)  
Subject: RE: Tasker # 22 URGENT URGENT URGENT |||||

Classification ~~SECRET~~  
Caveats NONE

Then I will need 16 radios from the 724th. Everybody on track ?

[REDACTED]  
MSG, USA  
800th MP BDE  
S-3 Ops NCO  
DSVT 302-559-1743

-----Original Message-----

From: 800MP S3FWD [mailto:800MPS3FWD@93sigbde2.army.smil.mil]  
Sent: Saturday, September 27, 2003 4:35 PM  
To: [REDACTED] CPT CJTF7-800MP BDE OPS

Cc 724MPS3, 724MPS4  
Subject RE Tasker # 22 URGENT URGENT URGENT !!!!!

Got it! The 530th MP BN signed over all but four radios to the 724th  
We will give up our four We plan to send up 120 detainees on either  
Tuesday or Wednesday

Major [REDACTED]

-----Original Message-----

From [REDACTED] CPT CJTF7-800MP BDE OPS  
[mailto:[REDACTED]@c5main.hq.c5.army.smil.mil]  
Sent Saturday, September 27, 2003 8:29 AM  
To 800MP S3FWD, 724 MP CDR, 724MPALOC  
Cc [REDACTED] (E-mail)  
Subject Tasker # 22 URGENT URGENT URGENT !!!!!

Classification ~~SECRET~~  
Caveats NONE

<<Tasker #22 Motorola Hand Held Radio Support doc>>

Alcon Tasker #22 need these ASAP!

Classification ~~SECRET~~  
Caveats NONE

Classification ~~SECRET~~  
Caveats NONE

Classification ~~SECRET~~  
Caveats NONE

Classification ~~SECRET~~  
Caveats NONE

Classification ~~SECRET~~  
Caveats NONE

DRV FM 123-2  
Dated 24 Feb 98  
DECL ON X1

Classification ~~SECRET//X1~~

MAJ CJTF7-320 MP BN S3

**From:** [REDACTED] MAJ CJTF7-320 MP BN S3  
**Sent:** Monday, October 27, 2003 11:20 AM  
**To:** [REDACTED] MAJ CJTF7-800TH MP BDE S4  
**Subject:** RE (S) RE Tasker # 22 URGENT URGENT URGENT URGENT

Classification: ~~SECRET~~

Food is not just late, there isn't enough. Our MPs, Medics and field surgeon can easily identify bugs in rats and other things they did. We talk to the people who bring the food and all they say is that they just deliver. We submit head count every day and strongly suggest a 10% overage as BUCCA does and they agreed to that. Instead they are 30% short. The light sets this long existed before [REDACTED] was even the DEPT CDR. As for taking the prisoners word I think we have been court-martialed a little bit longer than most. Parks is full of shit and not the least bit trustworthy. Why doesn't anyone see that out from Victory.

MAJ D

-----Original Message-----

**From:** Green, William MAJ CJTF7 800TH MP BDE S4  
**Sent:** Monday, October 27, 2003 11:09 AM  
**To:** Dinnena, David MAJ CJTF7 320 11F BN S3  
**Subject:** RE (S) RE Tasker # 22 URGENT URGENT URGENT URGENT

Classification: ~~SECRET~~  
Caveats: NONE

MAJ [REDACTED]

The Brigade Deputy sent an e-mail to you on 22 OCT 03 that [REDACTED] has to be paid for the services he can perform, performs. The SOW for Baghdad Central is to be awarded on the 28 Oct. This will give one contractor all the services at the site and that includes maintaining the light sets. For food, yes he has been late but he can no longer control 1AD road blocks and closed roads for IEDs. They are constructing a kitchen facility there on site and this helps with the delivery problem. For head count, your unit must submit a timely head count to them. If you get prisoners in after the head count is given to the contractor then they can not deliver food they do not know you need. The new kitchen facility on site should also help solve this problem. The contractor has people with the food from the kitchen to your site. They eat the meals and I would like to know who from your staff is inspecting the food before giving it to the prisoners? Who is making the charges that there is dirt, bugs or what ever in the food? If it is the prisoners I would take that with a grain of salt.

As for your light sets. There are light sets coming from Bucca by rail and from the 744 by air. Moving assets in theater takes time. I talked to Mr. Parks about working on the fixed lights and the light sets. Your people told him to do a survey and give them the information before starting work. Also Mr. Parks needs a bulb that goes into the fixed lighting system so he knows what to get.

<< File RE (S) Meeting with MG Wojdakowski: rtf >>

--- Original Message ---

**From:** [REDACTED] MAJ CJTF7 320 MP BN S3  
**Sent:** Monday, October 27, 2003 9:50 AM  
**To:** [REDACTED] MAJ CJTF7 800TH MP BDE S4 [REDACTED] CPT CJTF7-800MP BDE OPS  
**Cc:** [REDACTED] CJTF7-800TH MP BDE S3 [REDACTED] (E-mail); [REDACTED] CJTF7 800 P BDE S4 [REDACTED] [REDACTED] B3  
[REDACTED] CJTF7 CDR 800 11F BDE  
**Subject:** (S) RE Tasker # 22 URGENT URGENT URGENT URGENT

DECLASSIFIED

BY U.S. Central Command  
DATE 15 OCT 2004

Classification ~~SECRET//X1~~

MAJ [REDACTED]

The other day when you were here and for the past how many months I addressed the light set issue the repair of the light sets in the compounds [REDACTED] as we were told was supposed to fix the light sets. Now I am being informed by Mr [REDACTED] BN PBO, that there has not been a contract awarded so the light sets cannot be fixed unless funded some other way. Is this the case? And if so why wasn't I informed after the hundreds of emails SITREP, requests, etc. I hope the above info is not correct. Bottom line the compounds lack the proper lighting to protect soldiers, prisoners and escapes, all of which is MISSION. I am not sure why a greater emphasis for the past couple of months has not been put on this above our level. We are talking about soldiers safety and prisoner safety and the prevention/deterrence of escapes. Please advise on the status of the repair of light sets. I know that issues are being worked to bring A midas from other locations to here, yet the number that I have seen will not fix the problem.

While I am addressing basic necessities, Contract Meals Disaster. That is the best way to describe this issue. Short hundreds of meals every feeding bugs and dirt are found in the meals several times a week and for the past two days prisoners have been vomiting after they eat. That coupled with the fact that the area time varies tremendously. This is of great concern as Ramadan has begun. We are now out of MREs for the prisoners and are attempting to get some today from the 541st. We are just about at 4000 prisoners between three locations and as each day goes by the tension within the prisoner population increases obviously. Yet simple fixes food, would help tremendously.

I appreciate your immediate assistance with these issues.

V/R

MAJ [REDACTED]

-----Original Message-----

From [REDACTED] MAJ CJTF7-800TH MP BDE S4  
Sent Sunday, October 26, 2003 9:23 PM  
To [REDACTED] CPT CJTF7-800MP BDE OPS  
Cc [REDACTED] MAJ CJTF7-320 MP BN S3  
Subject RE Tasker # 22 URGENT URGENT URGENT !!!!!

Classification ~~SECRET~~  
Caveats NONE

MSG [REDACTED]

I will talk to LTC [REDACTED] who will inform me when the train arrives at the Baghdad railyard. What I need from you is all the container numbers and the train number. Give me the departure time as well. Once the train arrives I will get PLS Trucks- I just need you to provide the escorts once LTC [REDACTED] gives me the arrival time.

CPT Felix

-----Original Message-----

From [REDACTED] CPT CJTF7-800MP BDE OPS  
Sent Sunday, October 26, 2003 4:02 PM  
To [REDACTED] MAJ CJTF7-800TH MP BDE S4 [REDACTED]  
CJTF7-320 MP BN S3  
Cc [REDACTED] (E-mail)  
Subject FW Tasker # 22 URGENT URGENT URGENT !!!!!

Classification ~~SECRET~~  
Caveats NONE

FYI [REDACTED] what do we do about the connexes with the light sets in ?

[REDACTED]  
MSG, USA  
800th MP BDE  
S-3 Ops NCO



DSVT 302-559 1743

-----Original Message-----

From: 724MPS4 [mailto:724MPS4@93sigbde2.army.smil.mil]  
Sent: Sunday, October 26, 2003 3:51 PM  
To: [REDACTED] CPT CJTF7-800MP BDE OPS  
Cc: 724MPALOC, 724MPXO, 724MPS3  
Subject: RE: Tasker # 22 URGENT URGENT URGENT '!!!!'

Classification: ~~SECRET~~  
Caveats: NONE

[REDACTED]  
I spoke w/ MSG Moffett in ref. to Baghdad Central needing light sets. Tuesday I'm going to send out 8 by railhead; it will take 17 hrs to reach your location. [REDACTED] as the light sets become available I will send them forward. I will e-mail you the container (connex) numbers as well as any other info that makes it easier for you to identify this equip.

I hope this helps for the time being.

CPT [REDACTED]

P.S. 8 lightest will come in two to three 20ft containers.

-----Original Message-----

From: [REDACTED] CPT CJTF7-800MP BDE OPS  
[mailto:[REDACTED]@c5main.hq.c5.army.smil.mil]  
Sent: Saturday, September 27, 2003 4:40 PM  
To: 800MP S3FWD, [REDACTED] CPT CJTF7-800MP BDE OPS  
Cc: 724MPS3, 724MPS4, [REDACTED] (E-mail)  
Subject: RE: Tasker # 22 URGENT URGENT URGENT '!!!!'

Classification: ~~SECRET~~  
Caveats: NONE

Then I will need 16 radios from the 724th. Everybody on track?

[REDACTED]  
MSG, USA  
800th MP BDE  
S-3 Ops NCO  
DSVT 302-559-1743

-----Original Message-----

From: 800MP S3FWD [mailto:800MPS3FWD@93sigbde2.army.smil.mil]  
Sent: Saturday, September 27, 2003 4:35 PM  
To: [REDACTED] CPT CJTF7-800MP BDE OPS  
Cc: 724MPS3, 724MPS4  
Subject: RE: Tasker # 22 URGENT URGENT URGENT '!!!!'

Got it! The 530th MP BN signed over all but four radios to the 724th. We will give up our four. We plan to send up 120 detainees on either Tuesday or Wednesday.

[REDACTED]  
-----Original Message-----

From [REDACTED] CPT CJTF7-800MP BDE OPS  
[mailto:[REDACTED]@c5main.hq.c5.army.smil.mil]  
Sent Saturday, September 27, 2003 8:29 AM  
To 800MP S3FWD, 724 MP CDR, 724MPALDC  
Cc [REDACTED] (E-mail)  
Subject Tasker # 22 URGENT URGENT URGENT "!!!!"

Classification ~~SECRET~~  
Caveats NONE

<<Tasker #22 Motorola Hand Held Radio Support doc>>

Alcon Tasker #22 need these ASAP!

Classification ~~SECRET~~  
Caveats NONE

Classification ~~SECRET~~  
Caveats NONE

Classification ~~SECRET~~  
Caveats NONE

Classification ~~SECRET~~  
Caveats NONE

Classification ~~SECRET~~  
Caveats NONE

DRV FM 123-2  
Dated 24 Feb 98  
DECL ON X1

Classification ~~SECRET//X1~~

Classification ~~SECRET~~  
Caveats NONE  
[REDACTED] MAJ CJTF7-320th MP BN S 3]  
DRV FM 123-2  
Dated 24 Feb 98  
DECL ON X1

Classification ~~SECRET//X1~~

MAJ CJTF7-320 MP BN S3

From: [REDACTED] MAJ CJTF7-320 MP BN S3  
Sent: Friday, November 07, 2003 10:47 AM  
To: [REDACTED] MAJ CJTF7 800TH MP BDE-S3 724 MP ALOC  
Cc: [REDACTED] MAJ CFLCC/3A FWD-PMO  
Subject: [REDACTED] RE MWDS

Classification ~~SECRET//X1~~

The situation here at BCF is now critical. Last night we had a significant riot in Camp Vigilant. MWDS are a must and we need them asap. We currently have 4500 prisoners in three different locations. We need the dogs. We have the housing for the dogs and handlers (the engineers are building kennels). We can support the personnel. For some reason this would seem easy simply based on the population at Bucca versus here. In addition we are receiving the prisoners from BUCCA that have been there for months and they are causing a great deal of problems here. How do we get them out asap? Please advise. I cannot emphasize enough how critical this is now.

MAJ [REDACTED]

-- Original Message --

From: [REDACTED] MAJ CJTF7 800TH MP BDE S3  
Sent: Wednesday, November 05, 2003 1:22 AM  
To: 724MPALOC (E-mail) (E-mail)  
Cc: [REDACTED]  
Subject: MWDS

Classification UNCLASSIFIED  
Caveats NONE

Dale

What is the status of the MWDS there at Camp Bucca? Can we transfer those dogs up to Camp Gana in the next two weeks? I am doing CFLCC [REDACTED] to see what we need to do to get the dogs up there. We need them due to the population up there.

MAJ [REDACTED]

Classification UNCLASSIFIED  
Caveats NONE  
[REDACTED] MAJ CJTF7 320th MP BN S3  
DRV FM 12J2  
Dated 24 Feb 98  
DFCL ON Y1

Classification ~~SECRET//X1~~

1 DECLASSIFIED  
BY U.S. Central Command  
DATE 15 OCT 2004

MAJ CJTF7-320 MP BN S3

From: [REDACTED] MAJ CJTF 7 320 MP BN S3  
Sent: Sunday, November 09, 2003 1:33 AM  
To: [REDACTED] MAJ CJTF7-800TH MP BDE-S3 [REDACTED] CPT CJTF 8 (MP) SDE  
OPS (E-mail)  
Cc: Karpinski, Janis BG CJTF7 CDR 800 MP BDE; [REDACTED] LTC CJTF7 320TH MP BN  
CDR (E-mail)  
Subject: RE (S) BCF Weapons

Classification ~~SECRET~~

Ma'am ALCON

I would ask that this be reconsidered. I have removed all M16s from the compounds as we do not have adequate weapons racks to secure them. If all 9mms are to be removed I would request that all be replaced with 12ga (non-lethal). That would require the BDE to task other units to provide shotguns as we (BN & COs) would not have enough. Again, non-lethal would be great if the BDE can provide the weapons. I can relay many incidents where the carrying of a weapon has prevented a more serious incident. The compounds are maxed and extremely unstable. Removing weapons from the compounds would place the lives of the MPs in danger.

I believe that this assessment is not one of accuracy and is made with a lack of experience operating this type of internment/prison facility. I am extremely concerned that this is not based on experience of operating a facility with up to 500 prisoners that are simply held in by wire and not a hard site facility. We are on the ground and have been operating facilities since March with over 15,000 prisoners.

As we all know this is not a doctrinal mission and not that of Desert Storm where many of the prisoners gladly surrendered and "enjoyed" their stay with food, medical care and clothing. This is not a "by the book" mission, no MET. LTC has required that traditional doctrine be changed. This is not a defensive response, yet one of great concern based on fact. I honestly believe that my soldiers' lives would be in jeopardy. I am at the compounds daily and night. I see the personality of the compound and its lack of stability. Please do not take offense, but that cannot be seen from anywhere - but here. Many of the MP approached me when I removed the M16s as they were not comfortable with the lack of firepower. I believe that removing their 9mms will make them even more uncomfortable and extremely concerned. The MP who questioned the carrying of weapons is from the 372nd, and has not operated such a facility since mobilization and has only been in his position for a couple of weeks. Experience is not there. We have had 3 times 3 non-lethal shootings in the past 4 days. I cannot emphasize enough the lack of stability within the compounds.

Each compound only has at the most 3 MP on the gate. In the event that the prisoners (10') or soldiers at the gate which has occurred, how then would an unarmed MP defend themselves? Keep in mind these facilities are built over landfills and the prisoners daily make home-made shanks and weapons. They would not need to take a weapon from an MP to kill an MP. They would bring one with them. We remove these types of weapons daily from the compounds.

SOP. Unfortunately this is completely not correct. If you question every (711 R BN in the system as to what the information in their SOP was obtained, the reply is that it was given to them. The 320th SOP was requested by the Validation team at Ft Dix and the NDRS folks at the Pentagon to be distributed to all other IF BNs. The same standard of operation has been used, again, since March.

We are required to transport prisoners to the Medical facility. We are not provided with the proper transportation to transport prisoners. Additionally, there are 2 MP that transport the prisoner to the medical clinic.

I am at the compounds at least 3 hours a day and 5 hours at night. On the spot corrections are made as needed. It is an issue of manpower. Overwork, lack of days off, as we all know, leads to routine, boredom and complacency with any task. This is addressed and reiterated daily.

I would again reiterate that this be reconsidered based on the above. Allow for additional training that is what is believed to be needed and re-evaluated. I strongly request that either the 9mms remain or every MP is armed with a non-lethal shotgun. MPs escort the prisoners many times a day outside of the compounds to go trash and other details around the compounds. They need, require a weapon. Keep in mind again, the prisoners do have weapons in the compounds. We cannot take the non-lethal shotgun from the front of the compound. If we do the MPs at the gate would not have any type of weapon at all, totally defensive. I would submit another COA to be securing the 9mm in a lock box in the tent and the ammunition separate. Yet, shotguns would be required. We have experienced that weapons are required in the run & hide. The lowers cannot safely engage all areas of the compounds.

DECLASSIFIED

BY U.S. Central Command

DATE 15 OCT 2004

The facility is not designed for the MP to have an escape route if the prisoners rush the gate or come over the wire. Yes riots of this magnitude happen as experienced at Camp Freddie in BUCCA. Last night we had to call on about 70 MPs from the living areas to quell a riot where three prisoners were stabbed and several were beaten with tent poles. The MPs had weapons which I whole heartedly believe kept the prisoners in the wire.

I have spoken to several of the MP CO CDRs and they have relayed their concerns of placing soldiers in the farrier without weapons. They also believe that weapons are required in the run way based on the prisoners the MPs are securing.

I would not continue to emphasize the request to reconsider if I did not believe that weapons are a necessity to operate the compounds.

V/R

MAJ [REDACTED]

-- Original Message --

**From:** Cavallaro, Anthony MAJ CJTF7 806TH MP BDL 53  
**Sent:** Saturday, November 08, 2003 11:21 PM  
**To:** [REDACTED] (E mail)  
**Subject:** (U) BCF Weapons

Classification UNCLASSIFIED  
Caveats NONE

Classification UNCLASSIFIED//FOR OFFICIAL USE ONLY

[REDACTED]  
The CG has directed that all 9mm's be removed from the compound areas and walkways around Camp and adjacent

<< File: BCF Weapons asses 6 nov doc >>

SGM [REDACTED]

Classification UNCLASSIFIED//FOR OFFICIAL USE ONLY

Classification UNCLASSIFIED  
Caveats NONE

[REDACTED] MAJ CJTF7 806th MP BN 53

DRV FM 7232  
Dated 14 Feb 98  
DECL OI X1

Classification ~~SECRET//X1~~

On 14 February 2004, a team of officers, directed by Major General Antonio Taguba, conducted the following interview. Major General Taguba was appointed as an Investigating Officer under the provisions of Army Regulation 15-6, by Lieutenant General David D. McKiernan, Commanding General of the Coalition Forces Land Component Command (CFLCC), to look into allegations of maltreatment of detainees, detainee escapes and accountability lapses, at Abu Ghraib, also known as the Baghdad Central Confinement Facility (BCCF). The panel also inquired into training, standards, employment, command policies, and internal policies, concerning the detainees held at Abu Ghraib prison. Finally, the panel looked into the command climate and the command and supervisory presence.

The following persons were present:

MG Antonio M. Taguba, [REDACTED] S, DCG-CFLCC, **Interviewer**  
[REDACTED] JA, CFLCC – SJA, **Interviewer**  
[REDACTED] 705<sup>th</sup> MP Battalion, **Interviewer**  
[REDACTED] 800<sup>th</sup> MP Brigade, **Interviewee**  
[REDACTED], **Recorder**

The interview is summarized as follows:

My name is [REDACTED], Armor, [REDACTED]. Current assignment is S-2 of the 800<sup>th</sup> MP Brigade, my former assignment I was the XO of the 320<sup>th</sup> MP Battalion at Abu Ghraib.

I have been associated with the 800<sup>th</sup> MP Brigade since January 1995. I served on the Brigade staff until 1996 or 1997 and then I formed the 455<sup>th</sup> Brigade Liaison Detachment, co-located with the unit, but a separate UIC with a different function under the Brigade. Subsequent to that I was the XO for the 306<sup>th</sup> MP Battalion. I physically reported to the Brigade headquarters on 24 December 2002 that I was now the Brigade S-2 and on the 27<sup>th</sup> of December, they told me I was taking the Early Entry Module.

I brought the Early Entry Module into theater upon deployment. I reported with the rest of the Early Entry Module to Uniondale, New York, our home station on 2 January and on 4 January we reported to Fort Dix, NJ, the mob site. I arrived 26 January with the cargo pallet and the other ten members of the Early Entry Module arrived the afternoon of the 27<sup>th</sup> of January. The headquarters stayed at Fort Dix until I was deployed for about three weeks.

I was the OIC of the Early Entry Module and in discussions with the force trainers at Fort Dix, we tried to come up with what would be a valid ARTEP mission evaluation without imposing undue constraints. We were not configured to be a brigade headquarters or liaison detachment. There was no ARTEP for Early Entry Module, it was a force package of 11 officers and NCOs and office equipment to arrive and setup the

headquarters. The closest mission analogy would be preparing a skeleton headquarters for forward movement.

We designed this from commander's guidance since I joined the Brigade in 1995. It is not a part of our METL. All the Mission Essential Tasks of an IR Brigade Headquarters, the functioning of the Early Entry Module doesn't raise itself to a high mission essential level. I really have no inclination of the METL. I would assume that one of those tasks would be command and control and a subtask would be the formation and employment of the Early Entry Module (EEM).

General Hill had preceded the Brigade Headquarters, as was the deputy and the executive officer and one of the S-3 planners. The OIC for the main body of the headquarters that mobilized through Fort Dix was [REDACTED].

I had no knowledge of the types of tasks they were to train on at Fort Dix as they were in a separate set of barracks. [REDACTED] were in the next detachment coming right behind us, so we brought them with us before the main body. After validation, we spent time with the 724<sup>th</sup> MP Battalion, which was the lead battalion coming in.

Our trainer for the validation was a training NCO from Fort Dix Readiness Group. SFC (female) can't remember her last name. She was a very capable NCO and an MP. The majority of training she had done in the past was for combat support MP battalion missions. She had also worked with guard companies and evaluated them before and she had worked with MP companies that were peacetime downtrace to my former combat support MP battalion. I don't remember the specifics of the training, but I remember sitting down with her early in the process when we were developing the schedule. We stacked the mandatory Fort Dix requirements of range firing, CIF issue, things like that towards the front and then we had scheduled Officer Professional Developments because the staff that had been coupled together for the EEM were a lot of filler people that hadn't operated at the MP IR Brigade level before. I conducted OPD's, terrain orientation overview of the theater, Geneva Convention requirements, dealing with the International Community Red Cross and Red Crescent, FM 190-8. We covered a range of topics because we didn't have specific training plans for the quartermaster people and the brigade S-4 shop or the S-3 shop. The NDRS officer, [REDACTED] with 367<sup>th</sup> MP Group was very fluent with the NDRS system. She gave background classes in the PWIS, NDRS training system.

Everybody knew that we were here to do the EPW mission. In that context, training was provided relative to all those things for sure in my detachment. The main body, [REDACTED] as probably giving almost identical classes.

We had to design something for our module that I thought would coincide with training certification for which there is not doctrine associated with. We arrived at that by going through the available MTPs for the IR battalions and the brigade. Eliminated the tasks that would require the full involvement of a brigade headquarters. Scaled down the

remaining tasks suited to an 11-man task force to set up a headquarters via a JUMPTOC operation, planting the flag in Kuwait and focused on those tasks

General Hill went on before all of us and arrived in country first. He validated through Bragg. It would have been ideal to train collectively on collective tasks rather than individual tasks, had we been able to execute it. The method in which we were brought in was driven by the TPFD. The TPFD has a 12-man ADVON. We were broken up into individual UICs and parceled us out into the flow when we should have gone together.

Main body arrived in country second week of February. The brigade in essence arrived at Arifjan. Based on guidance from PMO and C-2 we were told to anticipate somewhere in excess of 80,000 Enemy Prisoners of War. Enemy Prisoners of War was going to be our mission. There was no mention of refugees, internees, displaced civilians or any of the other Geneva classes. It was purely to be an EPW mission. We were told that contrary to doctrine, contrary to everything we had ever trained for as a brigade or exercised in any of our simulation exercises, we could not immediately start work building camps because they could not be on Saudi soil, out of scud distance where they should be. They couldn't be on Kuwaiti soil out of long gun artillery distance, which at a minimum they should have been. Instead, they had to be on Iraqi soil and since we didn't own an inch of Iraqi soil, we would have to wait until ground had been seized and then start building. From numerous iterations of exercises on how to get these things built, we knew it would cost somewhere around \$14 million and would require about 600 CONEXs worth of supplies for the first four thousand man camp. As we had told 377<sup>th</sup> TSC over the past five years we've been working for them, this is a big monster and it sucks down logistics. It is designed to be in a secure theater rear with an ASG pushing supplies to it. Once you break that paradigm, you have to be prepared to support it. They said, "Okay, we got it."

So we initiated our planning for a location called Bucca. It was supposed to be on the main highway between Zubayr and Talil about halfway across a set of revetments that the Marine Expeditionary Force intended for their core holding area and not too far distant from where V Corps had their initial plan for their core holding area. Since a lot of the doctrine for backhaul of EPWs relied on light and medium truck companies because of the responsibility to evacuate EPWs is incumbent upon the capturing unit until they get them back to the core rear area and then the core should coordinate with theater for theater trans assets to haul them back and a lot of those trucking assets had gone over to the PLS system. So we knew that backhaul was going to be a huge problem. Rather than go just 2 inches across the Iraqi border, we decided it would be more prudent to tuck the initial camp location up as close to the core holding areas as possible in order to minimize the transport. We picked a spot across from where the Marines were going to be establishing their core holding area. The Marines and V Corps in the OPPLAN and also in the exercise that was conducted mid-February, late-February. They had specific instructions that they were to be prepared to build their core holding area to a capacity of 4,000 EPWs and be prepared to hold them for up to 30 days. That amount of time and that amount of stand-off would give us, if properly supported, the opportunity to haul \$14 million worth of plywood and piping into Iraq and on Iraqi soil build the camp properly.



Long and short of it was, the Marines built theirs and never used it, the British had roughly 80 percent of the EPW in hand and the smartest solution because the original planned location was untenable because the fighting was still going around Nasariya and then north over towards Kerna and long gun artillery was still in range of the proposed location. We put it down in the vicinity of Camp Freddy which we had helped the British in their recon of where they were going to put their divisional collection point and we elected to displace what had been intended for Bucca to go over there. We built Camp Bucca there.

There were two battalions at Bucca initially, the 320<sup>th</sup> was sent in to initiate taking over what was then called Camp Freddy which was the British collection point, and the 724<sup>th</sup> which was the lead battalion into theater was sent there to build the new camp. It probably could have used a Combat Support Battalion and maybe an additional two guard companies or combat support companies. All of our prior training was directed towards building it to the rear of the core rear boundary in a secure theater rear. We were bleeding off MP IR battalion strength and MP guard company strength to do the force protection mission at Camp Bucca because the Umm Qasr to Zubayr and Umm Qasr up to Basra area was still not completely secure, they were receiving regular RPG attacks. By definition then, your prisoners are not out of harms way.

Around mid-November I took over as the XO of the 320<sup>th</sup> MP Battalion at Abu Ghraib. This was a temporary assignment until I redeployed. They had been without an XO since June 2003. This was an extraordinary means taken by General Karpinski because the bulk of S-2 work happened during the ground fighting phase. I then became the liaison to CPA prisons department in June, after she assumed command. After they started hiring more civilians for the CPA prisons department she moved me into the XO position.

The guidance I was giving in assuming that role was not specific, it was more along the lines of see what you can do out there to ensure that everything is done properly. She knew full well that I had been an XO for almost four years in my prior battalion. So, out of all the staff officers, I had more XO experience than any of them.

[REDACTED] was the battalion commander at the time. He gave me guidance about what I expected, of what a full strength IR battalion generally focuses on is the non-compound operations. The processing line, the logistics, the maintenance of the vehicles, things that rarely get addressed at the MP company level because the companies usually don't have XOs. You may or may not have an escort guard company. They are accustomed to doing their own IR battalion HHC, guard company one, guard company two. At the time, they had four companies, none were actual guard companies, but combat support companies who had been reflagged at mob site as guard companies. So, I was focusing on company work, the logistics, and the enablers to let the compound operations function more smoothly.

We also had significant dealings with the 205<sup>th</sup> MI Brigade. They were the "other" people on post and at that point they made up roughly 45% of the population at Abu Ghraib.

The 205<sup>th</sup>'s principle requirement was as a Forward Operating Base and all units in that FOB were TACON'd to them, pursuant to FRAGO 1106. When I got there, everyone still looked to the 320<sup>th</sup> MP Battalion as the "base owner" and the base mayor. And if anything went wrong on "the base" they came to the MP battalion to get it fixed. This FRAGO came out about a week after I arrived, on 19 November.

It was clearly understood by the battalion what TACON'd meant. I asked the 205<sup>th</sup> if they were ever going to give specific instructions about what being TACON'd to them meant. The original JTF-7 FRAGO was fairly straightforward. They brought in the 165<sup>th</sup> MI Battalion and increase the headcount in. They also brought a LRS Company with them to increase the headcount again. But they never published a FRAGO detailing what each battalion's role was. I asked about a FRAGO and they said they weren't going to publish one. This was between battalion commander and battalion commander.

The working dogs didn't get there until after I arrived. They were being used at the Entry Control Point. We had two Army teams and three Navy teams. They were being used in a straightforward, doctrinal, military working dog for Entry Control Point stuff, around the fringes of crowd control, but more as a deterrent when we were doing shakedowns in the compounds, tent searches. I'm not aware of them being used inside the hard site. Hard site security internee, pod 1A and 1B was used for criminal segregation of females and juveniles and I think a couple of TB cases.

We never permitted guards to wear their weapons inside the compounds. I remember that around 17 November, very near the end of Ramadan, we had a riot in the compounds and it involved a lot of rock throwing and in re-establishing control of the compounds, we had blown through all non-lethal projectiles at hand and we went with lethal ammunition and we had four detainees killed and two more later died of wounds even after MEDIVAC. That night we had the incident over in pod 1A where a detainee had gotten his hands on a pistol and I think two bayonets that had been smuggled to him by an Iraqi Corrections Officer and he fired at our MP search team that was going through the cells to find the weapon. The soldier had his ballistic armor on and returned fire with non-lethal first and then went with lethal fire, but aimed at the detainee's legs and that's what stopped the engagement. The very next day we received a change in uniform posture from the 800<sup>th</sup> that said that anytime you are in a position where you are dealing with detainees directly, your uniform is Kevlar and ballistic armor. Prior to that the requirement was soft cap and out garment because body armor was too easily snagged and you are dragged to the ground and beaten senseless or you get a shank in your throat.

I was not aware that on the 24<sup>th</sup> of November the working dogs were being used in the hard site for other than searches. I was not aware of two military dogs being used to attack a prisoner.

I know that escapes had happened prior to my arrival. I think they were from the Ganci compounds. We had around 34,000 people and only 34 escapes. Part of the brigade objective is to prevent escapes. When Camp Freddy was being run by the British, they were losing up to 100 people a night. There was one escape after I got there who was an Iraqi Correction Officer who had a relative who signed him out and helped him escape.

I grew to know [REDACTED] fairly well while I was his executive officer until his release.

The climate within the battalion following the MSG Girman incident was good within the 320<sup>th</sup> HHC. Some of the newer companies that had not been working with the 320<sup>th</sup> in the past, it was a developing situation with young leaders in a combat zone stepping up to command in situations that were not what their companies had always been their bread and butter. The 372<sup>nd</sup> came in to replace the 72<sup>nd</sup>. To my knowledge the 372<sup>nd</sup> had never worked with the 320<sup>th</sup> before whether in peacetime or in this deployment. The 320<sup>th</sup> was strung kind of thin, so it was a challenging mission for them. The IR mission at Abu Ghraib was strikingly similar to the IR mission at Camp Bucca with the exception that as poorly supported as the building of Camp Bucca was, the building out at Abu was under even worse conditions. Bucca wasn't built on a landfill and there was some separation between the compounds.

Before I arrived, and what I heard was [REDACTED] was sent to Arifjan for a "time out" and they sent [REDACTED] out there. [REDACTED] was also a Battalion Commander for the 115<sup>th</sup>. I didn't think it was odd to assign [REDACTED] in this position temporarily. The HVD operation is pretty low scale, there are only about 100 people and very little involved to run. Abu has about eight times the population of Guantanamo and they're doing it with roughly a third to half the MPs. It seemed odd because I'm the senior Major in the brigade, but I think it was a good choice.

I also know that [REDACTED] had some emergency leave and I think he had some R&R leave early in the summer. Then in the December timeframe when I was going on R&R leave, he had an emergency leave that lasted about 8-10 days.

What I got from CID was that the incidents of indecent acts at Tier 1A it has been reported to them a few hours prior to them coming to tell me. I don't remember the date, but I was still the XO. I had not prior knowledge. They showed me the CID reports and they showed me the CD that had been turned in to them. It showed pictures of detainees in degrading positions and being abused and photographed. It showed two females clothed and seated on a bunk and in one of the photos it was of one of the females exposing her breasts. It was an Iraqi prisoner that I had recognized from one of the pods. Having a female criminal was an out of the ordinary circumstance. The only criminals that were to be brought to Abu Ghraib by the Iraqi police were male convicts or male pre-trial detainees. They would bring us females and juveniles all the time and they'd be gone before we could ask why they left them. We put them in isolation in 1B to keep them segregated from the male population and 1A had the security internees in isolation because they were being interrogated and 1B was being used for criminal isolation.

I was never involved in the development of the detention Rules of Engagement. We were on the fourth or fifth version of the Rules of Engagement. It would be developed between the brigade SJA and the brigade S-3 and the brigade staff. When they had it down to final draft form, they would SIPR it to the battalions. We would give recommendations or ask for clarification and they would say okay and when it was ready, they would send it electronically and the battalions would print up copies and give it out at the shift change briefings and cover it at the next staff update and force protection briefing. Then make up flyers and get them out to each of the companies. There were copies posted in the guard towers.

Guard mounts were conducted. It was done decentralized. Over time, some of them may have gotten out of the routine of doing formal guard mounts. I would think a more experienced unit could rely on their senior NCOs to change out the guard posts.

I knew the daytime NCO in Tier 1A and 1B, [REDACTED]. I had met all of the guards, but I couldn't remember their names.

I didn't know [REDACTED] in-depth, mostly through official interactions with him as a company commander. He impressed me as a real sharp company commander, he was well seasoned and rational. He was a strong leader and trained a very effective company operations section. I've always felt the MP company should have an XO.

Two weeks prior to FRAGO 1106, 320<sup>th</sup> MP Battalion asked the 205<sup>th</sup> MI if somewhere in the MI pool of soldiers they could cough up four people to man one tower. The response was no their soldiers were doing a more important mission. Within 48 hours of that FRAGO coming out, there was an MI battalion and a LRS company on site.

I think the battalion commander had a good relationship with all the company commanders. The Command Sergeant Major, [REDACTED] had not yet arrived in theater. He showed up in December. The acting CSM, [REDACTED] on loan from the 530<sup>th</sup> whom I knew from Uniondale. He was establishing a good climate until they pulled him out. The operations sergeant major was working well with all of the first sergeants and company operations NCOs as was [REDACTED] the compound NCOIC. [REDACTED] facilitated the company commanders and company leadership interacting with the battalion staff and working to accomplish the IR mission.

The battalion was overwhelmed for the mission they were handed. They were not configured to run a 4K IR facility here, a 600 man IR facility over there, and a prison over here that could potentially hold 2000 people and then the 4000 compound you put 5600 people in. This is a 2 IR battalion mission.

Every moment of every day we requested assistance and got nothing. We were supposed to do it with our own organic assets. The brigade received that response. There was a concerted effort RFF process. The majority of their discussion was that they could handle the original mission. The mission creep is what is killing us. Abu Ghraib was

supposed to be a hard site, incarceration, post-trial criminals, that's the mission that the 320<sup>th</sup> was given. They built prior to all of the hard site being renovated, a small tent facility that could hold 600 criminals. When it became complete it became a security internee mission and immediately you had segregation issues. Then MI moved in, took over 50 percent of the facility and made it the premier interrogation place.

I put a stop to the MPs escorting the detainees to be interrogated because of an incident related to me only two weeks after I arrived was that one of the male detainees was being interrogated naked and then my MPs had to escort him back to his cell in 45 degree temps with nothing but a bag over his head, and one of the MPs was a female. So I forbade them beginning that day, to escort the detainees to interrogation. I discussed it with the battalion commander and I gave the instruction to the company commander and the company operations NCO. He spoke to [REDACTED] the JIDIC OIC, within 24-48 hours. I made it very clear to him that we would help the MI folks if they needed help brushing up on their "how to handle a prisoner" skills, but would no longer escort them to interrogations.

[The session recessed at 1608 hours, 14 February 2004.]

[The session resumed at 1623 hours, 14 February 2004.]

I have never been able to secure a copy of the Detention Rules of Engagement.

[MG Taguba shows [REDACTED] the Detention Rules of Engagement.]

I have seen something like this posted in the JIDIC cell at Abu. I wasn't aware that this was the final copy. I had asked [REDACTED] for a block of training on these procedures for the guards. Nothing like this has ever come near any of our cells that says that there are written instructions about a specific detainee signed by General Sanchez, or anybody else. Although I had asked for it. The interrogators may tell them verbally some instructions, but it wasn't put into writing. The request I made to [REDACTED] was discussed by LTC [REDACTED] and I'm fairly confident he had the discussion with General Karpinski. When I was the acting commander, I asked [REDACTED] for two things. One, a training block on what are acceptable things in the MI world; and two, something in writing for requirements on each detainee.

I barely knew [REDACTED]. I knew [REDACTED] quite well. I had worked with him on one or two exercises in the past. And I was at Camp Bucca for awhile as the Brigade S-2, but didn't have any work dealings with him.

No rating scheme was established after I took over as the XO. I discussed it with [REDACTED] that I wouldn't have the time to be the rater or senior rater. So we did not change any of the rating schemes.

I have no knowledge of the working dogs being used inside the hard site for interrogation or intimidation techniques. [REDACTED] from the 320<sup>th</sup> MP S-3 shop pulled out the

manuals and worked out a schedule with the dog handlers that would cover the battalion's needs

I am aware of the provisions of the AR 190-8 that direct that the Geneva Convention must be posted in the camps in languages of detainees and military personnel. I am also aware that anyone having interaction with or handling of EPWs or detainees is also held to these provisions. I never saw these Geneva Convention posted, but I know that we had copies of Geneva 3 for EPW in Arabic that we had gotten a good stockpile of and brought into theater. Most of the supplies of Geneva 3 text that we had were exhausted at Camp Bucca.

I would adjust two things for training. I would realign the mission to a small extent and I would adjust the training to focus more heavily on the security internee operations in a area forward of the divisional rear area. Everything we had done prior was focused on the Geneva categories of internees. The adjustment to the mission is get rid of the prison mission. Incarceration is not what IR battalions and brigades are about.

Step one, let's put the leadership back in command. Put [REDACTED] back in command and give him an XO that will be there for the entire time. Put the company commander and the first sergeant and his ops NCO back in position. And the shift NCOIC who allowed that to happen on his watch should be tried at court martial along with all his soldiers who participated, whether they are MI or not. I'm convinced that what happened in Pod 1A would never have happened if Master [REDACTED] at Camp Bucca had been court martialed promptly, as was recommend by the battalion and brigade, you never would have had another incident after that. What she did was a crime and she should have been made to pay for it. The incident at 115<sup>th</sup> at Camp Cropper that I was the 15-6 Investigating Officer on, 1AD never investigated it. I recommended court martial as the Investigating Officer. Brigade forwarded it with a recommendation and it came back to give them an Article 15.

I would also suggest that training requirements should also include an MI directed block of instruction on the Interrogation Rules of Engagement. We have had Rules of Engagement instruction by the SJA. Also the Geneva Convention again.

Witness was warned and excused, subject to recall.

[The session ended at 1708 hours, 14 February 2004.]

ARTICLE 15-6 INVESTIGATION INTERVIEW

1

2

3 At Camp Doha, Kuwait, at 0924 15 February 2004:

4 MAJOR GENERAL ANTONIO TAGUBA, U.S. Army, CFLCC Deputy Commanding  
5 General.

6 MASTER SERGEANT [REDACTED] U.S. Army, CFLCC-SJA, Senior Court  
7 Reporter, has been detailed reporter for this interview and has been  
8 previously sworn.

9 MAJOR [REDACTED], U.S. Army, 800<sup>th</sup> MP Brigade was duly sworn  
10 and interviewed as follows:

11 Q Before we start, has anyone told you the context of this  
12 interview of this investigation?

13 A No, sir

14 Q Has anybody spoken to you about anything that's regarding  
15 this investigation?

16 A Umm-- [Pause] When we were up in Baghdad, I--I knew that  
17 there was an investigation coming So, uh--I'm trying to remember  
18 who we heard from and so we assembled some documents and prepared  
19 some things and sure enough, I believe you asked for those last week  
20 Uh--last night when the crew came back from their day of interviews,  
21 we just talked about the--if anybody was able to leave. But we did  
not discuss anything about the investigation.

1 Q Alright, well let me go ahead and inform you that--the  
2 nature of this investigation. So you get informed. I'm Major  
3 General Taguba, I'm the Deputy Commanding General for the Coalition  
4 Land Forces Component Command as headquartered here, which you are  
5 familiar with. General McKiernan, the Commanding General, has  
6 appointed me as the Investigating Officer, under the provisions of  
7 Army Regulation 15-6, at the direction of General John Abizaid, the  
8 Commanding General of CENTCOM Our investigation is to gather all  
9 relevant facts and circumstances regarding the recent allegations of  
10 maltreatment of detainees of the Abu Ghraib prison and also known as  
11 the Baghdad Central Confinement [sic] Facility. As well as detainee  
12 escapes and accountability lapses as reported by CJTF-7. We will  
13 also investigate training, standards, employment, command policies,  
14 internal policies, concerning the detainees held at Abu Ghraib And  
15 finally, we'll be assessing the command climate and the supervisory  
16 presence of the 800<sup>th</sup> MP Brigade chain of command. You've met the  
17 interview members Sergeant--Master Sergeant [REDACTED] is a court  
18 reporter We're tape--taping your responses and the questions that I  
19 will ask of you So, before we begin, you have any questions?

20 A No, sir.



1 Q. Alright. So, for the record, would you please state your  
2 name, your rank, your social security number, and duty position, and  
3 unit of assignment?

4 A My name is Major [REDACTED] Social Security  
5 Number. [REDACTED] My duty position is the Brigade S-3 for the  
6 800<sup>th</sup> Military Police Brigade.

7 Q Okay, that's good How long have you been the Brigade S-3?

8 A I believe I started this position in June of 2002.

9 Q June of 2002. What was your unit of assignment before then?

10 A I was the Inspector General for the 800<sup>th</sup> MP Brigade, sir.

11 Q Wonderful.

12 A And, that position ended in February of '02 and at that  
13 time, the S-3 was deployed forward here to do pre-planning for  
14 Operation Iraqi Freedom So, from February to June, I kind of filled  
15 in as the rear S-3 because by IG tenure was up And I believe the  
16 colonel who had the position retired. Then, so I took over the  
17 position about June.

18 Q June of zero-two

9 A 02, right sir.

1 Q Did you deploy with the Brigade Headquarters?

2 A Yes, sir.

3 Q When did you deploy?

4 A. We arrived at the mobilization station, I believe on  
5 January 16<sup>th</sup>.

6 Q Where was that?

7 A Fort Dix, New Jersey.

8 Q Okay

9 A And we arrived in theater--I believe it was the 25<sup>th</sup> of  
10 February We had a lot of delays along the way because we were on a  
11 C-5 and the Det. we left in actually came in two different planes and  
12 one I believe arrived on the 22<sup>nd</sup> and mine arrived on the 25<sup>th</sup> of  
13 February

14 Q What preparation did the Brigade Headquarters conducted  
15 prior to moving out to the mob station?

16 A Umm--what we did was we actually have been involved with  
17 detainee operations since--I believe it was, November of 2001. And  
18 we had a cell over here working with CFLCC, Colonel [REDACTED] and  
19 I believe Colonel [REDACTED] came in towards the end--or--or around

1 August 2002. And so the Brigade did preparations with respect to  
2 detainee operations and they wrote SOPs in conjunction with CFLCC.  
3 What we did back at home station, we uh--once the plan was in place  
4 and we knew that we were going to deploy and that many of our  
5 battalions when we had a conference in Uniondale, I believe it was in  
6 January of 02 Yeah, the first or second week of January before we  
7 deployed and we got all our battalions, commanders and I think uh--  
8 their S-3's or their XO's.

9 Q Who were those battalions?

'0 A I'd say it was all of them. I can go down the list, it's  
11 the 115<sup>th</sup> MP Battalion, the 310<sup>th</sup> MP Battalion, 306<sup>th</sup> MP Battalion, the  
12 304<sup>th</sup> MP Battalion, uh--530<sup>th</sup> MP Battalion, 320<sup>th</sup> MP Battalion, the  
13 744<sup>th</sup> MP Battalion, you had the 381<sup>st</sup> BLD, and I think we had--yeah,  
14 the 494<sup>th</sup> BLD was at that conference

15 Q Was the plan was--since those were organic to you, those  
16 battalions were organic to your brigade or task organized?

17 A The--in the Reserves there's the p- I think you know the  
18 structure--there were peace-traced battalions, the 310<sup>th</sup> and the 306<sup>th</sup>  
19 who didn't deploy but those are our two peace-traced. The other  
20 battalions were all war-traced and since we had been working on the  
1 war plan, we knew which battalions would be in what--would be working

1 with us But, at that point, I believe the plan was restricted to a  
2 certain number of people and I think we were able to get the  
3 Battalion Commanders at that time read into the plan. So the reason  
4 why we invited all these battalions was because we knew that  
5 eventually they would deploy with us

6 Q Was there any discussion, whatsoever, of a post-mob  
7 training plan that would be applicable at Fort Dix and applicable to  
8 all these other battalions who are going to be deploying to other mob  
9 stations?

10 A. I don't--I don't remember if I discussed it at that  
11 conference Many things that I discussed at the conference had to do  
12 with the war plan itself and what the mission was going to be and  
13 what the Commander's intent was.

14 Q Was there any discussion, whatsoever, of the Battalion  
15 Commander's presenting to the Brigade Commander their overall combat  
16 readiness in preparation for their deployment? Personnel shortages,  
17 equipment shortages, cross-leveling, things of that nature?

18 A I don't remember, sir I--I don't remember if General Hill  
19 had a meeting with those battalion commanders afterwards Uh--I  
20 don't remember if he required them to bring their USR's and be able  
1 to talk USR, I don't remember.

1 Q. Well, as the S-3, don't you think that's important?

2 A Yes, sir

3 Q As the S-3, don't you think that you would want to know the  
4 unit's overall readiness status? Personnel, equipment, training,  
5 that sort of thing before you start heading out the door?

6 A Absolutely sir. But--and that's why I think we would have  
7 discussed those things, but I just don't remember.

8 Q None of that was discussed, that you recall, you can  
9 recall, okay?

10 A And I do remember units discussing or e-mailing us from mob  
11 stations what their particular shortages were with respect to  
12 equipment and some of the things they would be doing.

13 Q Does it surprise some--that some of those battalions or  
14 some of the companies that they're assigned to was neither validated  
15 nor certified and some of those units were doing their own training  
16 at the mob stations?

17 A That wouldn't surprise me because uh--I didn't have  
18 visibility on what all these units were doing at the mob stations  
19 since I had left them much earlier than they did.

1 Q Would that be a command objective to insure as the training  
2 officer, as the Operations Officer for the brigade, to insure that  
3 that objective is met. That all units that are either going to  
4 detach, organize to you, potentially be assigned to you, if that's  
5 the objective that that unit before they deploy from the mob station  
6 that they be certified and validated on their training tasks, knowing  
7 full well that you're going to be conducting internment and  
8 resettlement operations?

9 A Yes sir, but--but--uh, in my own personal experiences, when  
10 our brigade left, we couldn't leave the mob station once we were  
11 validated and I had made the assumption that all these units were  
12 trained at the mob stations and went through the MREs and were all  
13 validated before they left

14 Q Did umm--we were informed that your Brigade Headquarters  
15 Command Group, Headquarters, Headquarters Company, did not--was not  
16 complete when you went to the mob station, that there were some  
17 segments of it that went ahead and some segments of it that were  
18 segmented?

19 A Yes, sir

20 Q Was that the commander's intent?

1           A     I'm certain it was, and I think it was also CFLCC's intent  
2     Because CFLCC wanted the 800<sup>th</sup> presence here earlier, and we couldn't  
3     get the whole brigade in at one time because it was too large. So  
4     what they had done was they split it up into different Det's. So we  
5     had Colonel [REDACTED] here who's the Deputy Brigade Commander here earlier  
6     with Captain [REDACTED] And then we had another--Colonel [REDACTED] came  
7     with Captain [REDACTED] and then they stayed and this is--this is  
8     during the planning stage, and six people came from the brigade.  
9     Then everybody came back in, I believe it was June or July of 02.  
10    Yes, 02 And then in December, Colonel [REDACTED] came back earlier with  
11    uh--and we went to a bunch of conferences at the 377<sup>th</sup> between June  
12    and uh--December And then Colonel [REDACTED] came back, I believe with  
13    Captain [REDACTED] that was in December and then uh--Colonel [REDACTED] who  
14    is our XO came over. I think he came by himself. And then General  
15    Hill came And then----

16           Q     He came back, General Hill had already gone forward?

17           A     Uh I mean--he--he came to theater, uh--I don't--think he  
18    might have come to theater and came back just for a couple of days,  
19    but he came permanently, I believe around December because, uh--at  
20    that point I was at a conference in Virginia, I remember talking to  
21    him on the cell phone about it And then we have a--we had a Det of  
2    12 people come I believe they got here at the end of January. And

1 then three more came a week after them. And then the remaining--  
2 actually there were two Dets left. One came, the one I was on, at  
3 the end of February and then we had another Det with 23 people umm--  
4 they got here around June.

5 Q. Was that the early entry command module that went forward?

6 A No, sir. That was uh--the one that came in June?

7 Q The one that went in December.

8 A Yes, the early entry module came here in January.

9 Q So they were all with your deployment cycle was such that  
10 you had a--a command planning group, you might want to call that a  
11 planning group led by Colonel [REDACTED] or General Hill who went forward?

12 A Colonel [REDACTED] sir.

13 Q Okay And uh, in--when you deployed to Fort Dix, was the  
14 Brigade Commander there?

15 A No, sir

16 Q He was forward?

17 A Yes, sir.



1 Q Okay So in essence, who was in charge of post-mob  
2 training at Fort Dix?

3 A Uh--I would have been in charge of the post-mob training at  
4 Fort Dix for the 42 individuals. The--we did have an O-5 there by  
5 the name of Colonel [REDACTED] who was at Fort Dix, but he had a  
6 smaller Det And the other Det of the--Det 8, which had 23 people in  
7 it, they--they arrived at the mob station while we had already, I  
8 think we were on the runway getting ready to leave, or were just  
9 about to leave

10 Q So you had detachments--so in other words, your whole  
11 staff, the whole Brigade staff was not necessarily integrated,  
12 because you're segmented into little detachments.

13 A Right--right, we didn't have uh--I believe our S-2 wasn't  
14 there, we didn't have our S-4, we didn't have our Deputy Commander,  
15 we didn't have our Commander, and we didn't have some people from the  
16 S-3 shop, and all different areas

17 Q So--is it fair--fair to say then, that your validation was  
18 somewhat fragmented as well?

19 A Absolutely Umm--and uh----

20 Q Who uh--who validated your deployment [inaudible]?

1           A     That was uh--the MAT team at Fort Dix. I don't remember  
2 the name of the--of the--of the evaluator. But you're correct, it  
3 was fragmented, and--and without the presence of the brigade staff it  
4 was a little bit difficult to conduct staff training, but----

5           Q     Okay, but you did have a set of training objectives you  
6 needed to accomplish?

7           A.    Right sir.

8           Q     Okay. And was it fair to say that because of the  
9 fragmentation of your brigade staff in the HHC that that was not  
10 comprehensive enough, that questionable validation?

11          A     Yes, sir. But--I don't know if I can go on, but we did  
12 what we could. Umm--we conducted our own CPX with our Brigade  
13 Headquarters. Umm--what we had--and we did umm----

14          Q     Who played your higher headquarters?

15          A     We--we created our own cell. Uh--I think it was Lieutenant  
16 [REDACTED] who was our a--the General's Aide, but since the General wasn't  
17 there and I think we had our HHC, Commander play and kinda did it  
18 along SIMEX line where we had different INJEX and we kept each staff  
19 section busy and I think we did this for about two days. Umm- but,

1 you--you can't--we couldn't get the whole staff involved because not  
2 everybody was there.

3 Q. That's fair. Umm--then you had deployed to--when did you  
4 arrive in Kuwait?

5 A. Around the--I think--I think I arrived around the tw--I  
6 arrived the 27<sup>th</sup> of February because it was my birthday, so I remember  
7 that

8 Q. Twenty-seven February, okay, and of course you had about a  
9 month before the ground combat ensued

10 A. Right, sir

11 Q. Umm--how were you task organized at that time knowing that  
12 you received a mission--let me back up. What was the mission that  
13 was given to the Brigade during the planning stages of Phase I?

14 A. The mission was to create or establish uh--an interment  
15 facility in the south. Umm--and to--and to prepare and to plan for  
16 that and get the logistics ready and then move all that stuff and  
17 pre-position it in Kuwait and then be able to move it up to Iraq  
18 within two days of combat operations. So that was the mission, it  
19 was also additional missions of being prepared to establish  
20 additional interment facilities south of--a little bit south of

1 Baghdad I think they called it [inaudible], and an additional  
2 mission of internment facilities north of Baghdad in the 4<sup>th</sup> ID AO  
3 under task force Ironhorse. But that was going to be a--an operation  
4 run by 4<sup>th</sup> ID and we were going to give a slice to be attached to them  
5 and they would run the entire operation up there.

6 Q Was there any tasking that you would be supporting the  
7 Marines as well?

8 A There was a umm--we would support the Marines in the sense  
9 that we would take their detainees. But when I got here there was  
10 umm--a lot of discussion about when we would in fact take their  
11 detainees The Marines in V Corps wanted us to take them right away.  
12 But there's no way--there was no way we were going to be able to set  
13 up our internment facility--I think they wanted it to be umm--on C+20  
14 and we weren't able to do it on that day 'cause there was no way we  
15 could have gotten the internment facility built.

16 Q Mission analysis you all conducted at the Brigade, how did  
17 that go about?

18 A A lot of that mission analysis was done by Colonel [REDACTED] and  
19 the advance party that was here working on that with the CFLCC staff,  
20 the PMO staff, and umm----

1 Q So the Brigade XO directed the staff mission analysis, the  
2 staff's mission analysis

3 A Right, sir

4 Q Who was the S-3 at the time?

5 A The staff that was here, that was Lieutenant Colonel, I  
6 forget his name, sir.

7 Q So, all that done--was done prior to your arrival or at  
8 least subsequent to your arrival was already being planned at this  
9 time?

10 A Yes By the time we got here the mission was already set  
11 and the plan was already set

12 Q So, basically, did you take over as the S-3 then, or was  
13 this Lieutenant Colonel still there?

14 A No--uh umm--I had taken over in June of 02

15 Q Okay, so in June 02, since you were not available at the  
16 time for the planning because you were still doing your IG whatever  
17 you were doing, [REDACTED] was doing all the planning here, led the  
18 planning team here, conducted all the planning, and upon your arrival  
the planning was set, the mission was uh--ready to be executed, umm-

1 and uh--and what was your objective; what was the mission at that  
2 time? Where were you going to put the first facility?

3 A The first facility was going to be in southern Iraq, I  
4 don't re--I don't think it was--it wasn't near a town or anything, so  
5 I can't give you a reference location, but----

6 Q What happ--you know--let me fast forward. What was it  
7 called after?

8 A Afterwards, Umm Qasr, which is Camp Bucca. But originally  
9 Camp Bucca was supposed to be north of the Umm Qasr location. And it  
10 was supposed to be near the Marines' holding area, which uh--I think  
11 was just a couple of kilometers away from there. And the reason why  
12 we put it there, so it would be easier to transfer the detainees that  
13 the Marines had to our internment facility. And then what had  
14 happened was when combat operations started, and we were trying to  
15 move all the equipment up on C+2, that area was still a hot area, and  
16 the Marines built their internment facility, but they never used it.  
17 So--

18 Q Consequently--trying to fast forward here. Consequently,  
19 the plan that was um--that was included in the--in your planning  
20 factors was to build an internment and resettlement facility  
somewhere around the Umm Qasr area thereabouts?

1 A The original plan?

2 Q The original plan

3 A. Not near Umm Qasr, sir, it was----

4 Q Okay----

5 A. ----it was further north, umm--probably about a half hour,  
6 forty minute drive further north and the reason why we moved it to  
7 Umm Qasar was because the Brits had a holding area there, a holding--  
8 --

9 Q ----so already, something was already established there?

10 A ----something was there, we built right next door, because  
11 the Brits at that time had uh--I think they had almost 3,000  
12 detainees in there.

13 Q Let me--let me move a little ahead here. Umm--task  
14 organization set--had already been set when you arrived that  
15 consisted of the 744<sup>th</sup>, 530<sup>th</sup> \_\_\_\_\_, and 320<sup>th</sup>, is that right?

16 A The original task organization when we first got here was  
17 the 724<sup>th</sup> MP Battalion

18 Q 724<sup>th</sup>

1           A     They were actually on the ground already, before I had  
2 gotten here.

3           Q     But the ones that was task organized for the Bucca mission,  
4 was who?

5           A     The 724<sup>th</sup>, the 320<sup>th</sup>, and then the 530<sup>th</sup> MP Battalion came  
6 in

7           Q     Where was the 310<sup>th</sup>? What was their mission?

8           A     The 310<sup>th</sup> uh--they didn't get here until about April, and I  
9 believe before they got here--okay now I remember now. There was a  
10 point where I tried to stop units from coming in, because the  
11 detainee numbers were down and I wanted to stop units from coming in  
12 'cause we had no mission for them. And so, my concern was that--what  
13 are we going to do with the next rotation, 'cause there aren't that  
14 many I&R battalions to go around. So we briefed General Kratzer, I  
15 put together a briefing on here's the number of detainees, here's the  
16 projections, these units are at their mob stations. Cause if I  
17 remember, the 310<sup>th</sup> was part of task force Ironhorse. So even though  
18 they were at the mob station in February, umm--they didn't get in  
19 theater until I think about April

20          Q     Okay, just hold that for a moment.



1 A Yep.

2 Q So, the Bucca mission was underway, I'll fast-forward you  
3 Umm--and umm--I believe prior to that there was a command estimate or  
4 at least command--what I'm saying is CFLCC has conveyed to you that  
5 potentially you could gather upwards to 80,000 detainees, prisoners  
6 of war, whatever have you, were you aware of that?

7 A Yes, sir

8 Q Okay, but then----

9 A I don't remember if it was 80 or 60, but it was in--it was  
10 around that number

11 Q What was then--was it conveyed to anybody from your  
12 experience, or your, uh--on the ground experience here, of what was  
13 your estimate of what your capabilities can handle?

14 A With those number of detainees and the battalions coming  
15 in, uh--for EPWs, we--I believe we would have been able to handle  
16 that number of detainees and that's why the plan was built with those  
17 battalions coming in and phased in. The only problem was the  
18 logistical issue of getting all the stuff, and I think what they had  
19 done, was they had contracted with Brown & Root to build the second

1 internment facility at Camp Bucca if that was required and then more  
2 up north in the Dogwood area.

3 Q. Alright, I'm just trying to gain some knowledge here.  
4 There was a command estimate that you can get upwards of 60 or 80  
5 thousand detainees, umm--somehow the planning stipulated that you'll  
6 use three battalions for the Camp Bucca, and yet you were trying to  
7 stop other--or slow down other battalions from coming in, in that  
8 regard because of logistical issues

9 A Well, no I wasn't trying to slow them down because of  
10 logistical issues, I was trying to slow them down because the war had  
11 already started and--and the detainee capture rates that were  
12 projected earlier didn't turn out to be anywhere near that number.  
13 So----

14 Q Was there any estimates given to you with civilian or  
15 displaced individuals on that?

16 A No No, sir

17 Q Did you ask? Did the command ask?

18 A Well, when we submitted this presentation up to uh--CFLCC,  
19 then that's when I--I believe I spoke with Major [REDACTED] and Major  
20 [REDACTED] who worked in the PMO shop at the time, and that's when they

1 said, "No we want all the battalions to come, because what we're  
2 going to do with those battalions is, we're going to attach them to V  
3 Corps, and we're going to attach them to umm--the Marines. And  
4 they're gonna--and we're going to attach another one to--we're going  
5 to be two to V Corps, one to handle the HPD mission and one to do  
6 criminal--a criminal facility and one to the Marines to do a criminal  
7 facility

8 Q Alright

9 A And that's why they let them come in.

10 Q Umm--let's move a little different now. How is your  
11 Brigade Headquarters organized?

12 A We have a uh--General, and we have a Deputy Commander. We  
13 have an Executive Officer and we have an S-1, 2, 3 and 4, and uh--S-6  
14 and we have a--an S-5 We have a medical officer and we have a PAO  
15 Do you need the ranks?

16 Q Do you have a Staff Judge Advocate?

17 A. Yes, sir An SJA

18 Q Alright Do you feel-----

19 A And I'm sorry sir, we had an IG also.-----

1 Q ----Do you feel that your Headquarters Command Group were  
2 experienced to conduct I&R operations in theater?

3 A [Pause] That's a--that's a very tough question. My answer  
4 is no Umm--

5 Q Why not?

6 A Because a number of these people had never done this  
7 before

8 Q Well, nobody's been gone to war before.

9 A No, but--but--uh

10 Q But you've trained for it before.

11 A We've trained for it, but [pause]

12 Q So you didn't feel confident that they were prepared?

13 A [Pause] I never had any doubts that we can do the mission.  
14 But, over time, umm--and not at day one, but over time, and certainly  
15 when we got up to Baghdad, I got involved in more stuff than I  
16 should've gotten involved as the S-3 because some of these sections  
17 just didn't know what to do, didn't feel comfortable knowing what to  
18 do So I had to get involved in all aspects of the brigade other  
19 than the S-3 I would deal with the S-6, I would deal with the umm--

1 medical officers all the time because medical officers were always  
2 rotated out after 90 days, so you constantly had somebody new in  
3 there that--that never worked in the brigade before, didn't know the  
4 detainee business, and usually took them a little while to get up to  
5 speed. It--in a couple of instances, umm--there was actually an  
6 under lap where we didn't have a medical officer, so the captains in  
7 the section would come to me. The--I don't think our XOs did what  
8 they should have done with respect to staff coordination and getting  
9 the staff together

10 Q Meaning your XO--I mean you were having these--this  
11 assessment and identification of problems, was that conveyed to  
12 Colonel [REDACTED] or General Hill at that time?

13 A I--I conveyed them to Colonel [REDACTED] who was the XO. I  
14 would tell him, "You need to--you need to tell the S-4 he needs to do  
15 this, you gotta get the S-1 to do this, and you gotta get on these  
16 guys," and--and uh----

17 Q Was the XO the proponent for staff coordination?

18 A Yes, sir

19 Q Staff supervision?

1 A Yes, sir

1 Q Was he your rater?

2 A Yes, sir

3 Q. Okay. So those have been identified and over time things  
4 got a little bit more voluminous in terms of mission sets and----

5 A. Right, sir ----

6 Q ----and as you know, as the S-3, the S-3 shop is where  
7 everything gravitates to. Operations, training, requirements.  
8 Requirements, requirements, requirements, right?

9 A Right, sir.

10 Q You've experienced that? Okay, so that was conveyed to the  
11 Brigade Commander, uh--but are you stipulating, or at least  
12 insinuating that no help was being given to you? Or staff  
13 supervision--those other staff functions were not being supervised by  
14 the XO?

15 A I--I'm not--I don't want to say that, that no help was  
16 given and that they weren't being supervised, I--I just thought it  
17 could have been done better And--and when I did complain and--at  
18 times it did get better But----

19 Q How many folks were in your S-3 shop?

1           A.    I had a uh--a major, who redeployed in beginning of  
2   January    I had two captains, one who redeployed in uh--the end of  
3   August    I had another captain who was the NBC officer who worked  
4   back in Arifjan   I had a uh--sergeant major who redeployed in May,  
5   and then we got a new sergeant major, I believe it was in July.

6           Q    Who was that?

7           A    That's Sergeant Major [REDACTED]   And then November  
8   Sergeant Major [REDACTED] was--because we lost our CSM [REDACTED] he was  
9   made acting Brigade CSM.

10          Q    Lost in the sense of?

11          A    He wasn't working in the S-3 section any more.

12          Q    At the time of--prior to LD, do you recall what  
13   preparations was made by the Brigade Headquarters as conveyed to the  
14   battalions and subordinate units with regards to mission, pre-combat  
15   checks, pre-combat inspections, refresher training, that sort of  
16   thing?

17          A    Yeah, I--we had--we had briefed every battalion when they  
18   came in on--we had a--we call it new Battalion in-brief.   And so all  
19   the staff sections would--would uh--we all got together at Arifjan  
20   when the Battalions came in, we brought in the Battalion staffs and

1 if there was a company there at the same time, we brought them in and  
2 we did about a two hour presentation where each staff section got up  
3 there and talked about the mission.

4 Q What umm--okay, so you got to talk about the mission. What  
5 other specific items that was addressed umm--with regards to your  
6 mission?

7 A Umm--we talked about--each--each staff section went up  
8 there, so we gave an intelligence overview. Umm----

9 Q It's like an operations brief?

10 A Right, sir. But we also included in it, uh--the JAG gave a  
11 JAG overview with the Rules of Engagement Uh--I believe I--we also  
12 went over the weapons procedures, green, amber, and red and the hold  
13 and umm--the IG went over some--the IG issues; issues dealing with--I  
14 believe at that time there was some--there were a few rapes that  
15 happened at Camp Arifjan, so he talked about those types of issues.  
16 Our medical officer talked about medical conditions and what--what  
17 they would expect up there

18 Q Up until that time you were OPCON I believe to 377<sup>th</sup>, so you  
19 were still under CFLCC's control?

1 A We were attached uh--attached to 377<sup>th</sup>, sir.



1 Q You were attached to 377<sup>th</sup>, okay. With regards to the ROE,  
2 what kind of ROE was emphasized to the battalions? Different kinds  
3 of ROE's, how many ROE's, or 1, 2, 3?

4 A Well there was always one, but we had made changes along  
5 the way for different reasons, and so there was the original ROE that  
6 was developed with CFLCC, umm--and we handed that out to all the  
7 battalions and----

8 Q In what form?

9 A We gave it in a--a regular piece of paper, that--you know  
10 8-1/2 by 11, but what we also did is we had a PSYOP unit attached to  
11 us that had printing capability So we printed up thousands of cards  
12 that we gave out to all the battalions that they were just able to  
13 cut up and give out to the soldiers, so--so we did that. And then,  
14 along the line we made different changes to the ROE as--as it was  
15 required You want to know----

16 Q Were those approved? How did you make changes to those  
17 ROEs? Did you request your command, since there was one ROE which is  
18 a CFLCC ROE or did you have a somewhat indistinct ROE that you all  
19 developed in the Brigade?

1           A     We--it was basically the CFLCC ROE; but if I remember, the  
2 CFLCC ROE didn't really discuss the detainee piece and how you should  
3 handle detainees inside a wire compound     So we took the CFLCC ROE up  
4 top and then we added detainee operations at the bottom and uh--I  
5 worked--I worked Colonel [REDACTED] on that and so the way we get--we  
6 always get that approved through CFLCC.     And he would send the ROE to  
7 the CFLCC SJA and say, "Do you have any problems with this?"     And so,  
8 matter of fact you asked me--I think you asked them for some copies  
9 yesterday

10     [MAJ [REDACTED] responds and hands copies to MG Taguba.]

11           Q     Is this the final one?

12           A     Well, I can go over them right now, if you'd like

13           Q     Sure

14           A     This one marked on the bottom that says "Original ROE" this  
15 is the one that we first had

16           Q     Okay

17           A     Then we redid the ROE----

18           Q     Do you remember the date umm--this is prior to LD?

19           A     Yes, sir.

1 Q Okay

2 A. And that would've--yeah, exactly--that's what we would have  
3 briefed at the new commander in-brief and then we redid the ROE in  
4 about May.

5 Q So that was the second one?

6 A This was the second one And the difference on this one is  
7 we asked to be able to fire a warning shot in the compounds.

8 Q In the compounds?

9 A Yes, sir

10 Q Alright Okay

11 A And then we did another ROE at the end of June, and what  
12 happened there was, there was an escape from Camp Bucca, and the  
13 Commander, who was Lieutenant Colonel [REDACTED] said one of the  
14 problems is the soldiers were confused, so we--with the ROE on when  
15 you can shoot and not shoot So we--we developed this one, which  
16 basically, uh--paragraph number six on the bottom--we added the word  
17 compound because it wasn't clear on when they can fire because the  
18 way a EPW camp is set up. You've got the compound and then you got  
19 the outside wire So we made it clear that once they crossed that

1 compound--see you still have the compound then the outside wire that  
2 they would be able to shoot.

3 Q Just out of curiosity, during your training at home station  
4 or AT or anything like that, was ROEs ever discussed at training?

5 A. I know we received some training at the mob station on the  
6 use of force.

7 Q But not during a home station or annual training, none of  
8 that?

9 A No, sir

10 Q Okay Does it kind of raise your curiosity that you're in  
11 an I&R Brigade that should be included in your [inaudible] task?

12 A It probably should be, sir

13 Q Probably should be? Okay, based on your experience----

14 A Oh, certainly now, yes sir

15 Q This is the last ROE that was changed?

16 A Then we changed it in--at the end of November, when----

17 Q You had that riot----

1           A     ----we had the riot in the compound. General Sanchez  
2 wanted to use force first and not an escalating force, so they redid  
3 this and came up with a bunch of vignettes.

4           Q     Okay. Thank you So there's the changes.

5           A.    Right sir.

6           Q     Let me move ahead a little bit with regards to Camp Bucca  
7 and the incidents at Camp Bucca Could you tell me how that was  
8 reported to the chain?

9           A     Which incident, sir?

10          Q     The shooting, escapes, things of that nature That was  
11 then the only detention site that you had being operated by the 800<sup>th</sup>  
12 at that time?

13          A     Well, we had also the trans-shipment point, Whitford, which  
14 was able to hold about 500----

15          Q     That's the transfer point?

16          A     Right But----

17          Q     I'm talking about Camp Bucca, which is more of a semi-  
18 established----

1 A Right, sir.

2 Q Okay

3 A The uh--incidents would be reported via telephone or via e-  
4 mail followed up by an SIR of the incident.

5 Q How many incidents of escapes, umm--anything unusual,  
6 shootings, at Camp Bucca that was reported that was during the April  
7 - May timeframe, if I'm not mistaken.

8 A There was nothing unusual But there was some instances  
9 when we had holding area Freddy which we inherited from the Brits.  
10 And holding area Freddy was a mess to begin with The compounds were  
11 too close together, they didn't have the support structure that was  
12 needed They had dig-out latrines where a detainee would go to the  
13 end of the compound and squat in a hole on a box and every couple  
14 days they would fill in some dirt and throw some lime on it and it  
15 would be back new again So, there were some instances there, I  
16 believe where one that comes to mind where a detainee was shot  
17 because he tried--he was swinging a tent pole at one of the MPs so  
18 they shot that detainee and I believe they killed that detainee.

19 Q This was inside the compound?

1           A.    Right, sir.  The soldier was going in to feed the  
2    detainees, and uh--so he was shot inside the compound.

3           Q     Which Company, which Battalion was that?

4           A     That was the 320<sup>th</sup> MP Battalion ran holding area Freddy,  
5    while the 724<sup>th</sup> MP Battalion was building the internment facility.

6           Q     Okay    So they were the guard.  Those were the ones that  
7    were conducting detainee operations, 320<sup>th</sup>?

8           A     Well, they were conducting detainee operations at the  
9    holding--at that holding area Freddy.  The 724 then conducted--they  
10   were building the internment facility   And then once that was  
11   finished we moved everybody over, 724 conducted detainee operations  
12   and then we destroyed--

13          Q     That was the mission set--the mission set was 320<sup>th</sup> conduct  
14    detainee operation to guard that whole thing.  The mission for the  
15    724<sup>th</sup> was build the facility

16          A     And then when they build it, they would run that facility.

17          Q     Right    What was 530<sup>th</sup>?

18          A     The 530<sup>th</sup>, I believe got here later, I think they got here  
19    at the end of March or beginning of April and their mission was force

1 protection, because there was such a large area there and there  
2 wasn't really any divisions in the back to protect it, and CFLCC--  
3 somebody from uh--they had a team go out and do an inspection and it  
4 came up red. So we worked that team and we got it to a green status  
5 and I think the 530<sup>th</sup> was just coming in at that time.

6 Q. When these battalions were to conduct their mission,  
7 knowing full well that you're going to be holding detainees, whatever  
8 category they may be. Were there any established command and  
9 control, command and signal, and your operations or coordinating  
10 instructions on how these detainees were to be accounted for? How to  
11 be reported to? What system was to be done, that sort of thing, in  
12 your operations order?

13 A The--yes, the detainees were supposed to be reported on the  
14 NDRS system

15 Q On the NDRS system?

16 A Yes, sir.

17 Q How was that to be done?

18 A Umm--the detainees would be processed in, into the  
19 compound, we had a processing area set up



1 Q Is that done automated? Is that done handwriting? Because  
2 NDRS is a separate reporting system.

3 A The process is automated. It's a--they would go through a-  
4 -we had a tent set up and the detainees would go in, there would be a  
5 bunch of laptop computers and they'd be processed in, give the name  
6 and uh--fill out the database on the NDRS. Then that's how it would  
7 be reported. Then Major [REDACTED] rolled up all those numbers and we  
8 reported that daily to CFLCC.

9 Q Okay Then the battalions are to do that daily?

10 A Yes, sir.

11 Q Accountability?

12 A Yes, sir.

13 Q How many times daily and what was the procedures for that?

14 A The battalions were to report daily to the brigade the  
15 number of detainees they had within their--their compound. I think  
16 it was at the end of the day they would report those numbers up.

17 Q Okay How many times a day did they report, once a day,  
18 twice a day?

19 A Once a day

1 Q Once a day.

2 A Yes, sir.

3 Q Just once a day?

4 A. [Pause] From what I recall, the Battalion just reported  
5 once a day to us because we were only required to submit that report  
6 once a day to CFLCC Right, sir.

7 Q But those reports were not going to you, they were going to  
8 the S-1, were they not?

9 A The reports were going to [pause] the S-1 but I received a  
10 copy of the report every day

11 Q Okay

12 A I received a copy of the report every day because we posted  
13 the report every day and it was a way for me to estimate if we were  
14 reaching the capacity limits and where detainees were on the  
15 battlefield

16 Q So essentially, the battalions reported to you once a day,  
17 actually to the Brigade S-1 once a day, and that's where it's managed  
18 and she gives you a copy of that report which then you forward to  
19 CFLCC?

1           A     I believe the S-1 forwarded that up and I just got a cc of  
2 that

3           Q     Okay. Was that the preferred method of reporting  
4 detainees or was that in the SOP or was that just happenstance?

5           A     That was the preferred way to report it because I wanted--  
6 since I got a copy of it every day I knew the numbers that were being  
7 report and it was easier if one section reported it as to--as opposed  
8 to the Battalion sending the same information to two different staff  
9 sections

10          Q     Those were just number though?

11          A     Right, sir

12          Q     But how did the S-1 manage all of that? Did she manage by  
13 numbers, did she manage by name, did she manage through Excel  
14 spreadsheets?

15          A     I think she did all of those She managed it by number,  
16 and she was required to manage it by name And then over time, the  
17 report came to about 14 pages because everybody wanted the report in  
18 a different format So we added different Excel spreadsheets to  
19 accommodate what everybody wanted.

1 Q So there's no standard format, per se? Not in your TAC  
2 OPS?

3 A Well, there was a format. CFLCC established the format and  
4 required us to report a certain way, but then they changed the  
5 format, what the reporting--what the report was, and then--so we  
6 changed ours. And then when we got up to CJTF-7, there really wasn't  
7 any standard that CJTF-7 wanted, so we reported with the EPW report  
8 that came out daily

9 Q So essentially, you had three different formats CFLCC's  
'0 format, you created your own format, and CJTF didn't have a format  
11 so, you know There's no commonality is what I'm saying.

12 A Right, but it wasn't--it wouldn't have been three different  
13 formats at the same time There was--before the war, uh--CJ--CFLCC  
14 PMC said, "Here's how we want things reported, and here's the numbers  
15 we want them reported "

16 Q Okay

17 A Then, once the war started, they changed the format and how  
18 it was supposed to be reported And so, we changed our format, and  
19 then once we reporting on a daily basis, then when we went up to  
20 CJTF-7, we just kept that format.

1 Q But, all of those formats: management, database,  
2 accounting, analysis, all that stuff, resided in the Brigade S-1?  
3 You did not manage anything regarding detainee rosters or anything of  
4 that sort

5 A No.

6 Q Okay. You just received the reports. How were the escapes  
7 reported?

8 A The escapes were reported uh--via phone call, via an e-  
9 mail, and followed up by an SIR

10 Q Was there a format that----

11 A The SIR format, sir

12 Q And, then how was that handled?

13 A Well, umm--what we required the units to do was to conduct  
14 a review of what happened, and we never had that many escapes So it  
15 wasn't like----

16 Q How many is not having--how many is that at Camp Bucca?  
17 You had a total population of X who escaped?

18 A We had a total of--from June through January we had 34  
9 escapes from all of our facilities

1 Q. At Camp Bucca?

2 A At Camp Bucca, we had four on the 19<sup>th</sup> of June. We had 11  
3 on the 30<sup>th</sup> of July. And then, that's the one where I told the  
4 Commander--because what happening was, the Battalion's--I wasn't  
5 certain they were taking this--we always got called to task for it.  
6 So the Brigade suffered the heat when detainees escaped. So, I told  
7 General Karpinski, I said, "I think it's time for us to start----

8 Q She wasn't in command during Bucca

9 A This is 30 July

10 Q Okay

11 A So I believe General Karpinski took over at the end of  
12 June

13 Q What did you convey to General Hill with regards to  
14 escapes? Since you're his Operations Officer.

15 A There--I don't remember there being that many escapes when  
16 General Hill was there.

17 Q Was the objective not to have anybody escape?

18 A Always, sir That was the objective Umm--and then----

1 Q. If there is an escape, then you investigate and you're  
2 supposed to provide some sort of recommendation for prevention?

3 A Right, and those recommendations always were to add  
4 additional wire. The units would put additional trip-flares out,  
5 they'd move towers to umm--get a better view of the compound. So we  
6 would go over what had happened and then the battalion would make the  
7 changes to make sure it didn't happen again.

8 Q Was that conveyed to the Battalion or was that conveyed  
9 Brigade-wide?

10 A That was conveyed to the Battalion.

11 Q Okay Don't you think it should have been conveyed  
12 Brigade-wide, because units in the Brigade will be conducting I&R, in  
13 terms of improvement

14 A Well, see one--the issue we had was each of our facilities  
15 was different So----

16 Q But you still had the objective of preventing detainees  
17 from escaping?

1           A     Right.  But, if a guard tower at Camp Bucca needed to be  
2 moved, it wasn't that we needed to do the same thing at Baghdad  
3 Central

4           Q     Fair enough.  However, the stipulations that I'm trying to  
5 lead to is that the objective is accountability, and the objective  
6 was prevention.  It's a matter of having--it's a matter of attention  
7 to detail, don't you think?

8           A     Yes, sir.  But I never thought we got to the point where  
9 the number of escapes was out of control, or anything----

10          Q     that significant----

11          A     ----that significant.  We had from June to January we had  
12 34 escapes, umm--we detained in our facilities, almost 34,000 people  
13 So, if you add those numbers up, it's probably less than one-tenth of  
14 one percent.  So----

15          Q     I heard that one before.  So--okay.----

16          A     ----So whenever--whenever we had these issues and we seemed  
17 to have a number at Camp Bucca during January, and so what we  
18 required the Battalion to do--we even sent Colonel ██████████ up to do a  
19 15-6 on the escapes, umm--but what we required the Battalion to do  
20 ) was to provide to us what they were going to do to fix the problem.



1 Q The umm--Bucca was being operated--where was the Brigade  
2 Headquarters at?

3 A. The Brigade Headquarters--what timeframe we talking about,  
4 sir? In the beginning?

5 Q May.

6 A In May, uh--well--in March the Brigade Headquarters was at  
7 Arifjan, but when Camp Bucca was opened, the Deputy Commander was the  
8 Camp Commander at Camp Bucca That's Colonel [REDACTED]

9 Q Who was that?

10 A Colonel [REDACTED] And he also had with him a staff of probably  
11 about 12 to 15 from the Brigade staff that were there.

12 Q So you displaced--what would you call that?

13 A That was the--they called themselves the Brigade Forward.

14 Q The Brigade Forward, okay

15 A So, since we had----

16 Q Was that directed by General Hill?----

17 A ----Yes, sir. Since we had umm--three lieutenant colonel's  
8 on the ground then we had a fourth from the BLD, and the other issue

1 was we had so many other people there, we had uh--signal units, we  
2 had the Brits there, we had a medical unit, we had a postal unit, we  
3 had engineers there. So Colonel [REDACTED] went up there as an O-6 to  
4 provide the oversight

5 Q So he was the Camp Commander, so to speak?

6 A He--right sir, that was his title.

7 Q He was the command--the Brigade Forward Okay, if that was  
8 the intent, that's fine How many shootings occurred at Camp Bucca?

9 A [Pause]

10 Q There was at least that one you said.

11 A Yeah, I know there was the one I think there were two or  
12 three I don't remember, sir

13 Q Two or three? How were they reported?

14 A They would report--they were reported up via NSIR.

15 Q Were they investigated?

16 A I believe if--if uh--I believe they were all investigated  
17 by a 15-6 officer, Colonel----

8 Q ----And the conclusion was, they followed the ROE?

1 A. I don't remember what the conclusion was, sir.

2 Q Okay, cause, you recall there were several changes to the  
3 ROE.

4 A Right

5 Q At that time there were shootings in there. One inside the  
6 wire, there were other shootings that you estimated cannot recall.  
7 Was the ROE adjusted at that time? You mentioned they were  
8 investigated, or how was that handled?

9 A Think we adjusted the ROE and we put in the firing of the  
10 warning shot, because uh--General Hill wanted that put in there He  
11 didn't want anybody else killed, umm--so we adjusted the ROE to be  
12 able to fire a warning shot Because our location, we were able to  
13 do that

14 Q Okay But do you recall if--you don't specifically recall  
15 whether they were investigated or not?

16 A I don't recall, but I'm almost certain there were  
17 Because, certainly if it ended up--if it ended in the death of a  
18 detainee, it would have been investigated

1 Q Alright. Give me a brief--your assessment, then, umm--each  
2 of the Battalion Commanders. How did you assess their capability,  
3 leadership style, command climate, that sort of thing? Who do you  
4 think was the strongest and who do you think was probably not so  
5 strong?

6 A I'm gonna write 'em all down so I don't forget any. [Pause]  
7 There are eight battalions Umm--the 530<sup>th</sup> Battalion, uh--Colonel  
8 Novotny, was a very good commander, and they are continuing to do a  
9 very difficult mission at the MEK Compound. The----

10 Q Have you been up there?

11 A Yes, sir. Um--the 324, Lieutenant Colonel [REDACTED] was  
12 uh--probably one of our best commanders And he had a very difficult  
13 mission, because he assumed the MEK mission early on, and that was a  
14 mission that I think we did an excellent job doing and the Battalions  
15 handled it real well. The 744<sup>th</sup> MP Battalion, Lieutenant Colonel  
16 [REDACTED] was a decent commander He had a good staff, so he--that was  
17 a pretty good Battalion. The 310<sup>th</sup> and the 400<sup>th</sup> MP Battalions,  
18 Lieutenant Colonel [REDACTED], the 310<sup>th</sup> and the 400<sup>th</sup> was Lieutenant  
19 Colonel [REDACTED] They were uh--I would say middle block battalion  
20 commanders, but they also--they had very good staff and the 310<sup>th</sup> has  
21 a good S-3 by the name of Captain [REDACTED], and the 400<sup>th</sup> had an

1 excellent S-3, umm--whose name escapes me right now--but we [pause]  
2 no I'm sorry, the 400<sup>th</sup>--the 400<sup>th</sup> was taken over by the S-3 at the  
3 324, but the 400<sup>th</sup> Commander was middle-of-the-road commander, and he--  
4 -he basically was running the Baghdad jails. The 724 Commander, uh--  
5 Colonel [REDACTED] was also a mediocre Battalion Commander and--but she  
6 had a good staff--Captain [REDACTED] And the 115<sup>th</sup> Battalion  
7 Commander, Lieutenant Colonel [REDACTED] was an excellent Battalion  
8 Commander, he ran the HVD facility in Camp Cropper. The 320<sup>th</sup>  
9 Battalion Commander, Lieutenant Colonel [REDACTED], I thought was a  
10 weak Battalion Commander, and [pause] was probably the reason for  
1 some of the problems that they had down there is his inability to  
12 motivate the troops and to provide that command presence. I think  
13 that's all the battalions

14 Q Okay What we're going to do now, Major [REDACTED], we'll  
15 take a five minute break session, refresh the reporting here,  
16 equipment, and reconfigure some of our issues, and I will call you  
17 right back Please don't discuss anything--any of the contents of  
18 the interview. Just have you wait outside. Thank you.

19 [Interview recessed at 1023 ]

20 [Interview reconvened at 1033 ]

1 Q Okay, we're going to shift a little bit to----

1 A I remembered the two names.

2 Q Sure, sure.

3 A. The S-3 prior to my tenure is Lieutenant Colonel [REDACTED]

4 Q [REDACTED] okay.

5 A And the S-3 from the 324<sup>th</sup> that took over the 400<sup>th</sup> was Major

6 [REDACTED]

7 Q [REDACTED]

8 A. [REDACTED]

9 Q [REDACTED] ---

10 A [REDACTED]

11 Q With regards to internment and resettlement operations,  
12 Major [REDACTED] what--did you refer to any kind of references,  
13 guides, or guidelines or doctrine?

14 A AR 190-7 is a regulation dealing with detainees, and uh--FM  
15 3-14 is the regulation dealing with IR operations.

16 Q Okay Do you know the contents of those documents, I've  
17 heard that this is a non-doctrinal approach with regards to I&R, but  
18 you still have to refer to the basic principles with regarding to

1 conduct and operations of an I&R mission, being that the United  
2 States Army is the executive agent for all internment and  
3 resettlement missions

4 A Right, sir

5 Q Umm--do you recall what it stipulates or is stated in those  
6 references that you mentioned, requirements that are guiding  
7 principles of sorts in the performance of your mission?

8 A The biggest guiding principles is [sic] that detainees are  
9 to be treated in accordance with the Geneva Convention, and be treated  
10 humanely and fairly.

11 Q Was there other requirements stipulated in those Army  
12 Regulations and those Field Manuals of how the components of or the  
13 provisions of the Geneva Convention are conveyed to both the  
14 detainees and also the military policemen that are handling them?

15 A Well, the--the requirements are you're supposed to post  
16 signs in the facilities for the detainees to be able to read 'em to  
17 provide Geneva Convention to the detainees so that they can review it  
18 to see, ya know, if they have any issues or questions with the Geneva  
19 Convention To allow uh--the ICRC to come in and conduct visits to  
20 see how detainees are being treated, are required to segregate

1 detainees so you don't have obviously males or females or criminal  
2 detainees with EPWs or civilian internees with EPWs.

3 Q Were those requirements posted on the operations order a la  
4 coordinating instructions or emphasized during the mission briefs at  
5 the battalion, did you know? From the brigade?

6 A I don't recall, they were specifically put in the  
7 operations order, but in each of the battalions was given a CD-rom  
8 that had all of the manuals in there, the Ars, the FMs, that dealt  
9 with detainee operations. The uh--and we gave that to them in  
10 January when we met even before we got to theater. And, uh--each of  
11 the battalions was--were given copies of the Geneva Convention both  
12 in Arabic and in English and I also prepared for each of the  
13 battalions a CD-rom that had on it the--I think it's FM 27-1 which is  
14 the Law of--which had in it the Geneva Convention and uh--the  
15 different ARs that pertained.

16 Q Did anybody supervise whether these were being properly  
17 employed, or properly followed either by the Brigade leadership or  
18 the Battalion leadership?

19 A We had uh--a unit--the 346<sup>th</sup> MP Det that went out to the  
20 facilities and did a review of the facilities and those are the  
1 things that they looked at. Umm--the ICRC also came in and did



1 reviews of the--of all of our facilities, so when I read those  
2 reports, there were nothing in those reports that were glaring that  
3 we weren't following what the guidelines were. Obviously, there is  
4 always stuff that we can do better, but there was nothing that came  
5 to my attention. We also had uh--reviews by uh--General Miller, who  
6 came from GITMO and looked at some of the facilities. And General  
7 Rider came with his team and looked at all of our facilities So, I  
8 was comfortable that we were following those rules

9 Q Alright, would it surprise you that since the beginning, or  
10 at least at the onset of our investigation that none of those are  
11 being followed?

12 A It would surprise me, sir.

13 Q It would surprise you?

14 A Yes, sir

15 Q Did you physically go out to each of those facilities and  
16 check to see if the Geneva Convention was posted somewhere in the  
17 facility, both English and Arabic where the detainees and the guards  
18 could see them?

19 A I didn't go out there and physically see if they were  
20 posted, but----

1 Q. Did you emphasize that to the battalions to prevent  
2 maltreatment and abuses, because you already cases of maltreatment of  
3 detainees?

4 A I--

5 Q Would that surprise you that you need to emphasize that to  
6 the Brigades, to the Battalions, to cover that--to prevent that from  
7 ever occurring again?

8 A It--it certainly did surprise me, sir. And one of the  
9 things after we found out about what happened at BCF, umm--I asked  
10 the Commander to send out some policy letters, which she had Colonel  
11 [REDACTED] write, and they were sent out And I got with the IG and I  
12 had the IG write a letter that we posted in all of our facilities and  
13 we also created a flyer that said if anyone is aware of any detainee  
14 abuse, you should report that immediately, and we not only gave the  
15 800<sup>th</sup> MP Brigade IG's number and we also gave the CJTF-7 IG, in case  
16 somebody did not want to report it directly to the Brigade

17 Q Was that the proper procedure, report abuses to the IG for  
18 investigation or report it to the command?

19 A Well they can report it to the command also, but my feeling  
20 was that I--being an IG and that certainly one of the things in a

1 wartime situation can look at. I felt that what bothered me about  
2 what happened at Baghdad Central was that no soldier came forward and  
3 said this is wrong.

4 Q Except for one.

5 A Except for the one, but it was a little bit--way after the  
6 fact. Even when we had the abuse in May, umm--what a lot of people  
7 didn't focus on in the beginning was that that was reported by an MP,  
8 at or about the time it happened So----

9 Q How would you characterize that--why did that happen?

10 A At Baghdad Central?

11 Q Yeah Cause you had sergeants and corporals doing that.  
12 What were the contributing factors, do you think? Based on what you  
13 discussed that everybody's supposed to have ROEs. Based on the fact  
14 that you said they're supposed to understand the provisions of the  
15 Geneva Convention

16 A I--I think there were a number of things that contributed  
17 to that

18 Q Sure

1           A.    I mean, the Army values are very basic, and every soldier  
2 knows those values.  So----

3           Q     ----You think?

4           A     They should.  Umm--and we certainly more so on active duty  
5 instill those values in soldiers.

6           Q     Okay.

7           A     So, those soldiers there, obviously, were lacking the  
8 values, and so they let that happen.  The other contributing factors  
9 was that one facility was always--wasn't clear who was in charge of  
10 that facility  Be it the MI or the MP, because when General Miller  
11 came, General Miller said specifically that we weren't supporting the  
12 MI in their interrogation role  And that detainees needed to be  
13 woken up at a certain time, be brought to the latrine in a certain  
14 way, to be brought to the interrogation facility in a certain way  
15 And that we needed to have our MPs comport to that and to help them  
16 out  And, so--umm--you've been out to that facility, I take it?

17          Q     Sure, several times

18          A     That front pod there, those isolation cells, they were the  
19 first ones constructed by CPA and MI took that when they built their  
20 MI interrogation facility off the back--that trailer that's back

1 there So use that to put in that facility whoever they wanted to be  
2 put in that facility. And, one of the things MI did was to have  
3 detainees strip down and I believe the ICRC actually came across that  
4 when they were doing their review. And this is just me looking back,  
5 I--I wasn't aware this was happening at the time it was happening.  
6 And so I think that by allowing those things to happen, umm--the  
7 soldiers took it a little bit further, you know----

8 Q ----So you're blaming the soldier themselves or are you  
9 blaming the unit that was responsible for performing that mission, or  
10 are you blaming lack of clear guidance or a lack of clear standards,  
11 with regards to that?

12 A Well, I don't think we can blame any one individual for  
13 what happened Uh----

14 Q ----Not even those soldiers that----

15 A ----Well, obviously, those were criminal acts, so--I mean,  
16 I doubt there'd be guidance out there that said--that--that they  
17 would have followed anyway I mean, you just don't do those things  
18 to people, those--those are criminal acts and they should be held  
19 accountable for that, so I blame the soldiers for that Umm--but I  
20 can't blame any one reason, MI didn't do this, the MPs didn't do  
1 that, or the 320<sup>th</sup> should have done this, the 800<sup>th</sup> should have done

1 that. Umm--we probably could have been all been a little bit more  
2 vigilant uh--as to what was going on in that facility.

3 Q But the MI soldiers were not involved in those--that events  
4 in that facility

5 A. Yes they were sir They were umm----

6 Q Physically involved?

7 A I--I----

8 Q Have you read the CID investigation on that Major  
9 Cavallaro?

10 A I did not, sir. I read it--part of it and saw that there  
11 were two MI names mentioned in there, but I didn't read the whole CID  
12 investigation----

13 Q Do you know for a fact whether they participated in that or  
14 not?

15 A I don't know, sir, but I know that the MI soldiers were  
16 around---

17 Q Were around?----

8 A ----in the facility.

1 Q Okay.

2 A. ----and there were certain----

3 Q. Were you given information of who exactly was involved in  
4 that event?

5 A From MI or from the soldiers?

6 Q From anybody Who were the preponderant people who  
7 participated in that?

8 A I don't know who they were, I--I----

9 Q Do you know what Company they belonged to?

10 A Yes, they belonged to the 372<sup>nd</sup> MP Company.

11 Q Okay So, could you reasonably assume that they were MP  
12 soldiers?

13 A Oh, yes, sir I'm not trying to say that this is an MI  
14 issue or that the MPs didn't do what the MPs should have done. What  
15 I'm trying to say is that I think there were a lot of contributing  
16 factors to this And that we just can't----

17 Q Okay What would you think would be the single  
8 contributing factor of why that happened?

1           A     [Pause] Lack of supervision on the part of the Company  
2 Commander.

3           Q.     Just the Company Commander?

4           A     And--and the Battalion on the ground.

5           Q     Okay.  Would you say that there was no clear comprehensive  
6 set of standards for which that Company Commander, that Battalion  
7 Commander could comply or not comply?

8           A     The ROE was out there and the ROE said treat everybody with  
9 dignity and respect.

10          Q     But you just mentioned that the Geneva Convention was  
11 supposed to be posted somewhere, did you not?

12          A     Right, sir

13          Q     So, if that was not enforced, do you assume that those  
14 soldiers would memorize that?

15          A     I would----

16          Q     ----Commit that to memory?

17          A     I would uh--hope that they all had a copy of the Rules of  
8 Engagement ----



1 Q. ----You would hope. The reason why I'm asking that from  
2 you is you were the Operations Officer. You develop operations  
3 orders, you provide instructions, you're supposed to refresh  
4 everybody's memory on the standards and the mission intent. And the  
5 Brigade Commander is supposed to reinforce that. So if you're giving  
6 me those references, but yet none of those references were ever  
7 applied to the operation, nor ever enforced because you said lack of  
8 supervision, perhaps that could have been prevented, if leadership  
9 was visible That clear, unambiguous guidance; clear, unambiguous  
10 standards was understood all the way down to the lowest private  
11 Would you reasonably assume?

12 A Oh, absolutely sir

13 Q Okay

14 A But we did reinforce----

15 Q In what sense did you reinforce that?----

16 A When----

17 Q ----Was that reinforced after the Bucca incident? Was that  
18 reinforced after the lighting incident?

19 A After the Bucca incident

1 Q Okay

2 A. We went out and did the FRAGO that moved everybody around  
3 when we did the TOA and moved up specifically in that FRAGO, I tasked  
4 each battalion to ensure that uh--detainees were treated in  
5 accordance with the Geneva Convention, umm--and other regulations.

6 Q Okay.

7 A And reminded them that the current Rules of Engagement were  
8 in effect

9 Q Okay.

10 A Could we have done more, looking back on it? Absolutely,  
11 sir

12 Q Did you go back to any references? Did you refer back to  
13 any of the provisions of the ROE? Did you go back to the FM? Did  
14 you go back to the AR? Did you go back to anything that says,  
15 perhaps we were remiss of something? Was any of that attempt made?  
16 Was that an AAR made based on each incident there was some sort of a-  
17 -a team huddle of sorts that says we gotta quit doing this sort of  
18 thing

1           A     A--after the Bucca abuse incident, General Hill went around  
2 to each unit and reminded them of their obligations to treat all  
3 detainees-----

4           Q     Was that carried over to General Karpinski?

5           A     No, sir.

6           Q     No? When she took command, did she ever provide or  
7 amplified or emphasize her command philosophy?

8           A     We--in the--in the Commander's intent she amplified how  
9 detainees were supposed to be treated.-----

10          Q     ----Did she say anything about "This is how I want to run  
11 my command " Was that ever amplified? Detainee operations is just a  
12 segment of all this

13          A     Not that I can recall, sir

14          Q     None? None was ever posted?

15          A     Nothing was ever posted     No, sir

16          Q     Nothing was ever posted?

17          A     Other than the--the Commander's intent distributed out to  
8 each of the units     Truthful accountability and the humane treatment

1 of captured enemy forces consistent with the Geneva Convention and  
2 established regulations

3 Q. Okay That was the Commander's intent?

4 A Yes, sir. Well, that was part of it, but that was in the  
5 Commander's intent.

6 Q Part of it? Okay. And you reasonably assume it was  
7 understood by those who received that order?

8 A Yes, sir

9 Q And then there were cases in investigations of escapes, and  
10 suspected maltreatment of detainees, whether reported or not. Let me  
11 ask you, did you know that there were dogs being employed up there?

12 A Where sir?

13 Q At Abu Ghraib

14 A I knew there were dogs there, yes.

15 Q Did uh--when were you made aware of the dogs being up  
16 there? Was that a request made from the 320<sup>th</sup>, or did you all request  
17 that?

1           A.    The--there was a request made not only from the 320<sup>th</sup>, but I  
2 believe the MI also got dogs for their own use and they re--they did  
3 a uh--I think they did a Request for Forces, so they got some dogs  
4 and then what we did was, once the Bucca population--cause we were  
5 gonna close Camp Bucca--once it was reduced to a manageable number, I  
6 think around 800, we moved the dogs from Camp Bucca to Baghdad  
7 Central

8           Q    Okay.  Uh--those dogs were not under the control of the MI  
9 Brigade  Those dogs were under the command and control of the 315--  
10 20<sup>th</sup> MP Battalion.

11          A    The dogs from Bucca were  But the dogs from the MI, they  
12 were the MI dogs  And I specifically spoke to Major [REDACTED] about  
13 that because he--they wanted those dogs to be used in the MI areas of  
14 Camp Vigilant

15          Q    So you thought that the MI had command and control of the  
16 working dogs there?

17          A    Well----

18          Q    ----Do you even know the composition of the working dogs  
19 there?

20          A    I believe there were five working dogs.

1 Q. Okay. All Army or Air Force or----

2 A ----uh--the ones we had were Army. I don't remember the  
3 ones the MI guys had, I think they might have been Navy or Air Force.

4 Q. Okay I want to make clear to you that the MI never had  
5 any military working dogs

6 A Those dogs came--some of those dogs came at the request  
7 from the MI Battalion.

8 Q At the request of the MI Battalion, or the MI Brigade?

9 A Right, the MI Brigade, I'm sorry.

10 Q But did you check to see if they were physically under the  
11 command and control or they were under the command and control of the  
12 320<sup>th</sup>?

13 A I knew that since the 320<sup>th</sup> was operating those facilities  
14 that they were--they would use those dogs as--as they saw fit And I  
15 never expected that the MI guys were using the dogs because they  
16 don't have any handlers and they wouldn't know how to use the dogs  
17 anyway But--so----

18 Q I want to tell you one more time, those dogs were never  
9 under the command and control of the MI Brigade or the MI Battalion.

1 Uh--which leads me to my next question of--were you ever aware that  
2 there were military working dogs that were being utilized in Abu  
3 Ghraib from the period October until now?

4 A Yes, sir.

5 Q Okay Do you have any knowledge as to the purpose of the  
6 utilization of those dogs?

7 A The dogs were basically used as a--to prevent riots and uh-  
8 -to control the detainee population within Camp Ganci and uh--Camp  
9 Vigilant Kinda like a show of force.

10 Q Show of force? Okay Was there anybody in your staff that  
11 had any knowledge, whatsoever on the employment of those military  
12 working dogs?

13 A The Brigade staff? No sir

14 Q Did that RFF come through you?

15 A The request for the--us to move the dogs from Bucca came  
16 through us, yes sir.

17 Q Okay Back in November a FRAGO was issued umm--I believe  
18 it was FRAGO 1108 that appointed the 205<sup>th</sup> MI Brigade Commander as the  
19 Forward Operating Base Commander for the Bucca Complex--I'm sorry,

1 the Abu Ghraib Complex, the BCCF. Could you--do you recall what the  
2 command relationship was between the MI Brigade and all the tenant  
3 units in Abu Ghraib?

4 A The--I believe that there were have a--a TACOM to--yeah,  
5 they were TACOM to the 205<sup>th</sup> MI Brigade for security detainees and FOB  
6 protection

7 Q What does that mean to you?

8 A Well, to me it means that they were responsible for the  
9 force protection of the facility itself of the entire complex. Umm--  
10 and for the security of detain--the detainees themselves.

11 Q Who sets the priorities for the tenant units?

12 A [Pause] I don't know sir I--I would----

13 Q The gaining Commander So the gaining Commander then would  
14 be?

15 A 205<sup>th</sup>

16 Q 205<sup>th</sup> Was there some sort of a collaboration between you  
17 as a Brigade S-3 and the 205<sup>th</sup> MI Brigade S-3 as to the stipulation of  
18 that command relationship if there were any constraints, limitations  
19 of that sort of what that command relationship actually meant?



1           A.    I spoke to Major [REDACTED], but I don't recall specifically  
2 what I spoke about.  Umm--I don't remember there being any particular  
3 issues with this FRAGO, and one of the issues we always had was the  
4 whole force protection piece, cause we simply just didn't have enough  
5 MPs to secure the detainees and to take care of the force protection.  
6 And we asked MI community on a number of occasions to help us out  
7 with that, to--ya know, man some of the towers, and they didn't want  
8 to do that, so when this--when this FRAGO came in umm--I actually  
9 felt it was actually better for our soldiers because Colonel [REDACTED]  
10 was on the ground and he had some soldiers there that could help out  
11 with the force protection and now that he--he was responsible for it,  
12 I thought they would get a little bit--little more assistance.

13           Q    What gave guidance or any rationale that you can think of  
14 on the task organization of the--re-task organization of the Brigade  
15 following the Bucca mission where everybody was pretty much told to  
16 move up north?  Umm--was there any consideration given in your  
17 mission analysis for that particular operation of--of weighing the  
18 importance of all those camps that you're supposed to establish:  
19 HVD, Cropper, back up north, Abu Ghraib, was there something that  
20 kinda weighed which--which mission is more important than the other?

1 A. Well, yeah, when we did the mission analysis, the Abu  
2 Ghraib piece was certainly one of the more important ones at that  
3 time and we hadn't had----

4 Q ----How did you all prioritize that?

5 A [Pause] Bucca would have been the priority because we had<sup>k</sup>  
6 some detainees in there. Umm--

7 Q Thee priority.

8 A I'm sorry sir?

9 Q Thee priority, after Bucca?

10 A The main effort would have been Baghdad Central because  
11 that's what CJTF-7 wanted us to do to get that facility operational.

12 Q Right

13 A So, that would have taken most of the effort to build a--  
14 four thers--four thousand person internment facility basically from  
15 scratch, so----

16 Q Sure ----

17 A ----that was the priority at the time.

3 Q Which is considered--what was your supporting effort?

1           A.    Supporting effort would have been CPA and the establishment  
2 of the--all the jails cause we also got the mission to do all of the  
3 criminal confinement facilities throughout Iraq.

4           Q.    So you--Brigade staff you would lead as a 3, task organized  
5 the Brigade, per se, and then chose Battalions to be missioned for a  
6 specific mission set or site    And you chose or the Brigade  
7 Commander, based on your recommendation, somebody else's  
8 recommendation to put the 320<sup>th</sup> there.    And uh--what was the rationale  
9 selecting the 320<sup>th</sup>, based on their previous performance of the 3 at  
10 Bucca and based on your assessment that Colonel [REDACTED] is a weak  
11 Commander?

12          A    Well, my assessment of Colonel [REDACTED] comes during the  
13 whole operation, from the beginning til January    And so, when--when  
14 I made that recommendation in around--I guess it would have been  
15 around the June timeframe, umm--some of the instances didn't happen  
16 that would make me make that statement now that he was a weak  
17 commander    Umm----

18          Q    Let me focus it though    Colonel [REDACTED] was in charge  
19 of the 320<sup>th</sup> conducting the Bucca mission up until around October;  
20 whereby, incidents of shootings and escapes and whatever have you to  
21 include the four that were punished for detainee maltreatment was

1 under his command. But yet, he was selected to--to be missions for  
2 what you consider to be a priority mission called Abu Ghraib.

3 A Umm--Colonel [REDACTED] actually--in--he was not in charge  
4 of Camp Bucca. The person responsible for the Camp Bucca internment  
5 facility was uh--Colonel [REDACTED]

6 Q ----I understand.

7 A Right, but he was there.

8 Q People that were punished for mistreatment of detainees  
9 belonged to him

10 A I--I understand sir

11 Q Okay

12 A And, I believe you said until October it would have been  
13 til June he was at or--beginning of July he was at Camp Bucca then we  
14 moved--

15 Q ----Then he moved out

16 A Right

1 Q. Okay. So you weighed all of that effort, important  
2 mission, task organized, how did that all--what was the rationale  
3 behind that decision?

4 A The rationale behind it was um--

5 Q Because you had other battalions out there somewhere.

6 A Right. The other battalions we had were already committed  
7 to missions. The 310<sup>th</sup> was already in the Marine area. They were  
8 running one facility down there and building another facility. The  
9 324<sup>th</sup> was already up in the MEK area, up in Ashraf. The 400<sup>th</sup> already  
10 had uh--the facilities in Baghdad, they were already operating that.  
11 The 744<sup>th</sup> was already at--at TSP Whitford and that was still  
12 operational And they were working on a couple of prisons and jails  
13 in that area The 115<sup>th</sup> had the HVD mission and they all already had  
14 Camp Cropper So that left me with three battalions. The 724 who  
15 was operating Camp Bucca, the internment facility and we always  
16 thought that the way the redeployments were going to work was that  
17 they would be one of the first units to leave because they got here  
18 much earlier than everybody else The reason why I--I selected the  
19 320<sup>th</sup> umm--was because they had a very strong engineer A guy by the  
20 name of Captain [REDACTED] who basically had a big hand in building Camp  
21 Bucca uh--and helping out the Brigade staff get all the requirements

1 and the resources for Camp Bucca. So, that was one of the decisions  
2 why we picked the 320<sup>th</sup>. And also, umm--the 530<sup>th</sup> had been conducting  
3 a force protection operation at--at Camp Bucca, so the 320<sup>th</sup> at that  
4 point really didn't have a mission. Because the 724<sup>th</sup> had the Bucca  
5 piece by that time holding area Freddy was already gone, that was the  
6 320<sup>th</sup>'s mission and the 530<sup>th</sup> had the force protection piece. So, that  
7 was the other deciding fact that went into it.

8 Q Did you umm--assess their capability or did the Battalion  
9 Commander or their Battalion S-3, Major [REDACTED] come up to you and  
10 confer with you whether they were short portions of their capability,  
11 short of people, things of that nature, or whether they can  
12 accomplish that mission set or not?

13 A Everybody was short people, umm----

14 Q Yeah, but you could--everybody's short people.

15 A Right

16 Q But then, you had the ability, based on your assessment to  
17 re-task or organize within your Brigade, not necessarily the Battalion,  
18 but reallocate assets, based on your analysis

19 A Major uh-[REDACTED] initially wanted that mission and he told  
20 me that, they want the mission because he wanted to prove to everyone

1 that they can do it. And that, after what happened with Sergeant  
2 [REDACTED] they wanted another mission to be able to do it, to do it  
3 well. Then, once we issued the FRAGO, Major [REDACTED] said, "Why don't  
4 you pick somebody else, because we don't really want to come to  
5 Baghdad." But, at that point, he never, I don't recall him  
6 expressing any concern about any shortages of people at that time.

7 Q Did they have a Battalion XO?

8 A They did not have a Battalion XO.

9 Q Was that--did the Brigade Commander know that?

10 A Yes, sir.

11 Q Was there any attempt to give him a Battalion XO given the  
12 gravity and importance of the mission?

13 A We--That Battalion XO pretty much stayed at Arifjan anyway.  
14 He did not--he spent a lot of time in the rear and I believe he--he  
15 redeployed somewhat quickly by the time he got here. Umm--there was  
16 a point where we sent Major [REDACTED] over there from the Brigade  
17 staff.

18 Q That was after the riots?

9 A Right, sir.

1 Q Okay This is at the time of the employment to Abu Ghraib.

2 A No

3 Q No. Where there any attempt by anybody to volunteer to be  
4 the Battalion XO, or just waited around to be picked?

5 A We didn't really have--the battalions, I didn't really have  
6 a lot of people to choose from or to recommend that this person go  
7 over there and be the Battalion XO.

8 Q There was nobody back at Arifjan, the rear detachment back  
9 there that could help out?

10 A Not as Battalion XO, sir

11 Q Not as Battalion XO So, in your assessment, there were  
12 nobody qualified, skilled, competent enough to be selected as a  
13 Battalion XO for the 320<sup>th</sup> Given the fact that they were going to a  
14 very important mission, where you could actually reallocate people  
15 within the Brigade, and there was no attempt to do that?

16 A At that point, I wasn't aware that it was an issue, sir.  
17 So----

18 Q ----Did you make it aware to your Brigade Commander?



1           A.    The Brigade Commander would have known that there was no XO  
2 at that particular unit.

3           Q     But you would have known the capability of that Battalion.  
4 Cause you selected it for that mission.

5           A.    Right but I--I didn't think that there was an issue the  
6 fact that they were short an executive officer

7           Q     So that wasn't an issue?

8           A     No, sir.

9           Q     Okay. Did you also know that each of those Companies do  
10 not have a Company XO?

11          A     That I know, sir

12          Q     So in your assessment, on your best judgment that they  
13 could--that they were capable of doing it, given the fact that the  
14 Battalion S-3 came back to you and said, "Pick somebody else  
15 Mission too large, I'm not capable enough as a unit to accomplish  
16 that mission " Given the fact that they got about nine, seven, or  
17 eight, or whatever Company Detachments that were task organized to  
18 that Battalion.

1 A. It wasn't that Major [REDACTED] said he couldn't do the  
2 mission. My impression of that conversation was they didn't want to  
3 do the mission; that they didn't want to move.

4 Q Okay.

5 A And I had discussed that with Colonel [REDACTED] And we really  
6 didn't have any other options then to send that unit up to Baghdad  
7 Central

8 Q Absolutely, you're given a mission, and you salute the flag  
9 and you move out

10 A Right, and so when they went up there, Colonel [REDACTED] spent a  
11 lot of time up at Baghdad Central to help out with the construction.

12 Q Help out with the construction?

13 A With the coordination with the engineers and getting the  
14 assets to -to build it and working with the CJTF-7 C-4, umm--in  
15 coming up with the site locations

16 Q This is all before the 205<sup>th</sup> showed up So, what were the--  
17 what would you think was then the priority task of that Battalion  
18 when they assumed the mission of BCCF?

19 A To build that internment facility.

1 Q To build an internment facility. In preparation for what?

2 A Up to 4,000 detainees.

3 Q. Up to 4,000 detainees. But in preparation for what?

4 A The--the uh--it was in preparation for the anticipation of  
5 additional captures by 4<sup>th</sup> ID, umm--1<sup>st</sup> Armored Division and 101<sup>st</sup> and  
6 so we wouldn't have to send people down from--because Camp Cropper  
7 was a holding area that--that was never built the right way from the  
8 start. So, our intent was to--to reduce the number of detainees in  
9 that particular facility I think when we got up here there were  
10 about 800 detainees at Camp Cropper, which was originally built for  
11 about 250 So one of the things we kept doing was sending people  
12 down to Camp Bucca via buses And, so, the priority was to get  
13 Baghdad Central completed and opened and then--so we wouldn't have to  
14 send these detainees all the way down to Bucca, we could just send  
15 them right to Baghdad Central

16 Q Let me fast forward a little bit Were you aware that  
17 Colonel [REDACTED] was--either took leave or took some time off  
18 ordered by the Brigade Commander sometime in October?

19 A Yes, sir

0 Q Did you inquire as to the--that particular decision?

1 A You mean why she did that?

2 Q Yeah.

3 A Umm--what happened was, General Sanchez had come out to  
4 Baghdad Central to do a uh--a review. And General Sanchez wasn't  
5 comfortable with I think he even told her that, "I'm not comfortable  
6 with this Battalion Commander " And so she asked him to go down  
7 Arifjan and take a break And then she put in charge uh--I'm not  
8 sure if it was Colonel [REDACTED]. I think she put Colonel [REDACTED] in charge  
9 there and brought down Colonel [REDACTED] to be the base major. To  
10 take some of that off of Colonel [REDACTED] because the whole force  
11 protection piece there was just--it was--they were getting a lot of  
12 mortar attacks and small arms fire and we had asked CJTF-7 for  
13 assistance with the force protection And, umm- to relieve that  
14 whole force protection piece, she put the major in there because not  
15 only did we have the whole force protection issue, but when General  
16 Sanchez came out they made that an Enduring Base. So, because it was  
17 an Enduring Base, now it got all this additional funds. And then we  
18 started to have construction projects, so it really became more than  
19 she thought Colonel [REDACTED] could handle

20 Q So she put a major there, Colonel [REDACTED] Where was he  
21 from?

1 A The 324<sup>th</sup> MP Battalion.

2 Q Okay. So, was he still the Battalion Commander of the  
3 324<sup>th</sup>?

4 A I don't know if Major [REDACTED] assumed the Battalion Command.  
5 I don't--I don't recall--I don't think--no, I'm sorry, he was  
6 probably still the Battalion Commander but he had an XO up there,  
7 Major [REDACTED] who ran the Battalion while he was down at Baghdad  
8 Central

9 Q Did you--was it odd or was it a common practice in the  
10 Brigade to tell a Battalion Commander to take some time off, then  
11 take another serving Battalion Commander to go take over or whatever,  
12 another Battalion--but another Battalion Commander who was conducting  
13 a mission to assist in there Was that common practice in the  
14 Brigade?

15 A No, sir

16 Q No?

17 A Wasn't--wasn't common practice.

18 Q Did you ever been--did you ever experience that before?

3 A No, sir.

1 Q Do you think that's standard or doctrinal, or whatever have  
2 you?

3 A I don't think it's doctrinal, but, I know that Colonel  
4 [REDACTED] umm--needed to probably take a little break and I think  
5 the staff needed somebody else there to provide some guidance and  
6 some leadership.

7 Q Different if the Brigade Commander was off and another MP  
8 Brigade Commander was told to take over the Brigade? Knowing full  
9 well that he is also a Commander of another Brigade? Is that pretty  
10 common?

11 A No, sir

12 Q No? Alright Well I find it hard to believe, Major  
13 [REDACTED] that we're doing something like that in our Army Because  
14 in that particular hierarchy of a unit there's always a second in  
15 command and I find it hard to believe that that's being practiced in  
16 your Brigade Because then it's ad hoc. You move a Command Sergeant  
17 Major here over here and this and that, this and that. Don't you  
18 think that would be cause of turbulence in that outfit? People are  
19 being borrowed from one unit to the other?

20 A Yes, sir.

1 Q. That you had maybe different command philosophies? You  
2 think that was appropriate?

3 A I think it was-----

4 Q -----Did they teach you that at Command and General Staff  
5 College?

6 A No No, sir But, what the Commander was trying to do  
7 was--was try to fix an issue and I believe she went to General  
8 Wodjakowski and asked if he had an O-5 available that could take over  
9 at Baghdad Central, and there wasn't any in CJTF-7, so she tried to  
0 fix it from within.

11 Q Alright Umm--so he was given some time off to kind of  
12 refresh himself And Colonel [REDACTED] from the 115<sup>th</sup> out of Cropper, umm--  
13 took over for a couple weeks, per se Which meant that he probably  
14 got some other priorities, which meant that he got to divide his time  
15 in-between One Battalion, he's got a mission set over there, now  
16 he's gotta go over here, another important mission, which means  
17 you're piling on, you know, and nobody was assisting. There's no  
18 other assets to be had. Uh--I find that hard to understand, umm--in  
19 the context of what you just described In any case-----

20 A -----Are you talking about piling on for Colonel [REDACTED]

1 Q. No Why?

2 A Colonel ██████ at that point, we had closed Camp Cropper.

3 Q Ah.

4 A. And Camp Cropper, Colonel ██████ had told me this took up most  
5 of his time. The HVD facility pretty much ran itself.

6 Q Okay

7 A Umm--so to move Colonel ██████ at that point when he closed  
8 Camp Cropper, which was basically a thorn in his side from the day it  
9 opened, and then----

10 Q ----You get a mission, you get a mission.

11 A Right, sir

12 Q You know. And, uh--there's no room to complain, it's a  
13 combat operation. But then if you're stipulating that it ran by  
14 itself, automatically, could you have re-allocated some assets from  
15 his Battalion to assist the 320<sup>th</sup>?

16 A We----

17 Q Because 320<sup>th</sup> was short personnel with regards to force  
18 protection



1           A.    I believe we sent over-- [pause] we sent a Platoon up from  
2 the 223<sup>rd</sup> MP Company to help out, umm--at--at Baghdad Central. So we  
3 re-allocated.

4           Q     Re-allocated them    Uh----

5           A     ----We also--when there was a mortar attack at Baghdad  
6 Central, we sent a Platoon up from the 744<sup>th</sup> to help out for about a  
7 week over at the 320<sup>th</sup> til things calmed down and cause uh--and  
8 soldiers we had to stress--combat stress team come in there and talk  
9 to the soldiers so we brought up a Platoon from the 744<sup>th</sup> at Whitford  
10 to help them out at Baghdad Central

11          Q     Uh--relationship with the 205<sup>th</sup> MI Brigade. Umm--since  
12 there was no clear understanding of what TACON meant, doctrinally  
13 though, according to FM 101-5, the gaining unit takes control if  
14 under tactical control and sets the priorities for that unit    Was  
15 there any complaints or calls or did you know if the 205--205<sup>th</sup>  
16 Brigade Commander was coordinating General Karpinski was just--you  
17 know there was an understanding between those two Brigade Commanders  
18 of what exactly TACON entailed with reference to the 320<sup>th</sup>?

19          A     I'm not aware of any calls, sir

1 Q Oh well. Okay Umm--given the shortages of the personnel  
2 and the state of mind at that time, this is October now, given the  
3 observations and assessment by the Commanding General, CJTF-7, was  
4 there besides Colonel--another Colonel taking over the Battalion and  
5 another Colonel coming down, another serving Battalion Commander  
6 coming down, was there any long-range plan to help ameliorate that  
7 problem instead of Band-Aiding it in-between?

8 A We had moved a number of Companies up to help out Baghdad  
9 Central

10 Q Which ones were they?

11 A Umm--I believe the 372<sup>nd</sup> was one, because there were two  
12 Companies that worked for the Marines when the Marines left. And we  
13 took those units and we moved them up to Baghdad Central. And  
14 [pause] so that gave him additional manpower.

15 Q How many Companies did he have at that time?

16 A I think he had five

17 Q Okay Was that sufficient?

18 A [Pause]

19 Q He had five to include Headquarters Company 320<sup>th</sup>?

1           A       The uh--it would have been five Companies in addition to  
2 the Headquarters Company itself. So, Major [REDACTED] always asked for  
3 more MPs. Whenever he asked, I always tried to get him more MPs when  
4 I could and where I could get 'em from. If I could move a unit  
5 around, I'd move a unit around and get him the MPs. Umm--when uh--  
6 744<sup>th</sup>--when we closed Whitford, we moved one of those Companies from  
7 Whitford, the 320<sup>th</sup> up to Baghdad Central so they got another unit to  
8 help out, that would have been the fifth unit that they received up  
9 there. But the problem is as we're given these units, soldiers are  
10 reaching their two year boots on the ground, so we're losing soldiers  
11 from--so as quick as I can get the soldiers up there, there's another  
12 busload of soldiers who are leaving. And so we tried to cut the gap  
13 down on when soldiers would leave theater. CJ--I think CFLCC had a  
14 21-day window, and CJTF-7 was around 17, so we tried to stick to the  
15 17-day window just to give him more soldiers on the ground. Umm--we  
16 requested force protection assistance from the MI to help out in some  
17 of the towers to give Major Dinenna's guys some relief so we wouldn't  
18 have MPs in the towers and so everybody could share the burden, but  
19 we never got anyone--any--any assistance from the MI, until the MI  
20 became the FOB Commander, then they brought an entire Battalion in to  
21 help out with the force protection. So that helped out Major  
22 Dinenna. We had a Platoon that CJTF-7 had us cut to--from the 372<sup>nd</sup>  
.3 to provide a PSD support in Multinational Division Central South.

1 So, we battled from day one on that one not to let that happen, cause  
2 A, it wasn't our mission; and B, we needed the MPs So we lost that  
3 battle And the MPs were taken And I spoke to General Miller or  
4 General Karpinski spoke to General Miller----

5 Q The C-3?----

6 A Yes, sir. And he agreed that, "Okay, we'll take this  
7 Platoon, but we will review it after 30 days." And this was in  
8 October So every 30 days I'd send an e-mail up or make a phone call  
9 up to the CHOPS and say, "Hey, we gotta review this " And also to  
10 Multinational Division Central South, so they can get their own  
11 people to take over that mission

12 Q So the 800<sup>th</sup> MP Brigade, the entire Brigade, with all of  
13 your organic and task organized outfits were TACON to CJTF-7 by that  
14 time?

15 A Right, sir.

16 Q Okay. Who did General Karpinski report to?

17 A She reported to uh--I believe General Wodjakowski was her  
18 rater, but I don't know if there was a rating scheme or anything like  
19 that but--actually, I'm sorry, I don't--she reported to General

1 Wodjakowski, that was clear, but I don't know if there was a rating  
2 scheme or anything like that, or if he even rated her.

3 Q. Who did--speaking of rating scheme--umm, how did--how did  
4 General Karpinski rate commanders? What was her scheme? Just senior  
5 rated Battalion Commanders, or senior rated Company Commanders, or  
6 obviously senior rated you, but--what was the--do you have any  
7 knowledge of that?

8 A I--I think she senior rated Company Commanders and I  
9 believe she senior rated the Battalion Commanders--umm--and I know  
10 that she probably----

11 Q She rated the Battalion Commanders?

12 A Rated them, yes sir I'm not sure who the senior rater was  
13 for Battalion Commanders The loss of our Deputy in August--uh--  
14 required her to do a lot more OERs rating and senior rating and I  
15 think----

16 Q Then nobody replaced Colonel [REDACTED] is what you're saying?

17 A Right, sir We used--uh--Colonel [REDACTED] from the 400<sup>th</sup> MP  
18 Battalion as a replacement for Colonel [REDACTED] but he's a--he is an O-

19 5

1 Q. Okay. Then [REDACTED] took over as the Deputy as an O-5--  
2 senior O-5 at that, he was no longer commanding that Battalion?

3 A. Right, sir.

4 Q. Okay.

5 A And that's when Major Poth took over the 400<sup>th</sup> MP Battalion

6 Q How would you characterize the command climate in the  
7 Brigade during the extent of your experience with them?

8 A. [Pause] I think the command climate was fine. I went out  
9 to a lot of different locations and every time I went out there,  
10 soldiers were always doing what soldiers should do. Umm--it was  
11 refreshing to go on the road and see all the accomplishments that--  
12 that the soldiers had done Umm--we worked from Um Qasr up to Mosul,  
13 up--from Ashraf to Baghdad, to Baghdad Central, and everywhere you  
14 went--um--soldiers--soldiers were fine, and their morale was good  
15 Even during the time when we weren't sure if we were going to do one  
16 year boots on the ground, we were going to be on the ground for ten  
17 months, umm--the morale was good. And General Karpinski always had  
18 an open door policy, so you know, anybody was free to come in at any  
19 time And she did spend a lot of time out on the road talking to  
20 soldiers and looking at units, so I--I think the command climate was

1 pretty good. I'm sure there were some soldiers who were not happy  
2 that--that they were deployed and, ya know, being at Baghdad Central  
3 and having mortars tossed over--it's tough, but I always gave them  
4 credit for getting up the next day and going to work.

5 Q One question before we take a break here for a moment. You  
6 mentioned Sergeant Major [REDACTED] was lost or had gone. Do you  
7 remember what the circumstances why--why he departed the Command?

8 A Yes, sir. Umm--Sergeant Major [REDACTED] --uh--I've known him  
9 for awhile He was in the reserve structure, so I know who he is  
10 Always had a problem with being touchy-feely. Patting people on the  
11 back and doing shoulder rubs and umm--whether there was anything more  
12 than that I--I was never aware of anything like that. But, General  
13 Hill was aware of it and I know he spoke to CSM [REDACTED] and then  
14 General Karpinski, he told her before--when they did their change, I  
15 think he--he gave her a heads up as to Sergeant Major [REDACTED] Then  
16 something -I don't know what happened, but she went to General Speaks  
17 and said that there was a problem with CSM [REDACTED] I don't--I don't  
18 know what it was, I think she might have gotten a call from Arifjan  
19 cause she would spend some time down in Arifjan Umm--and then  
20 General Speaks appointed a--a Major to do a 15-6 investigation on--I  
21 don't know if--I think it was related to sexual misconduct, but I  
2 don't know what they called it And then after that, during the

1 period of the 15-6, I think General Karpinski asked him to remain at  
2 Arifjan, I'm not sure if that was at anyone else's direction. And  
3 then once the allegations--I guess they were founded, she uh--she  
4 released him and--and appointed CSM----

5 Q Did you see that kind of odd since you were TACON to CJTF-7  
6 and eight MP Brigades parent unit with the 377<sup>th</sup>? Did she inform  
7 General Wodjakowski or General Diamond at that time?

8 A I'm sorry, I don't understand the question, sir.

9 Q The reporting

10 A Right

11 Q You said she went to General Speaks, who is the Deputy  
12 Commanding General for CFLCC, while in fact the Command is TACON'd to  
13 CJTF-7 and you mentioned she reported to Major General Wodjakowski---  
14 -

15 A Right----

16 Q ----and the only unit is the 377<sup>th</sup> Theater Support Command  
17 whereby General Diamond is reportedly her chain of command, yet she  
18 went to a two-star



1           A.    I think--I'm not sure what her conversations were with  
2 General Wodjakowski.  I--I'm not sure if she made him aware of it or  
3 not, I think she did, but I wasn't there.  I think she made General  
4 Diamond aware of it, cause I know General Diamond was, because I  
5 think he received some complaints through his sergeant major and he  
6 might have even have told General Karpinski about, "Hey, your CSM is  
7 doing this "  So I think General Diamond was aware of it.  I don't  
8 know whose idea it was to go speak to General Speaks.

9           Q     I got it  Okay.  Here's what we'll do.  Uh--we'll break--  
10 uh--uh--I need for you to come back at 1300.

11          A     1300

12          Q     Okay  And in the meantime, cause I have to brief the CG  
13 here on another matter, I'd like to remind you not to discuss the  
14 matters by which we have just covered during the course of your  
15 interview session.  Uh--I would also advise you or direct you not to  
16 call or even infer to anybody the contents of this investigation.  
17 Failure to do that would be a disobedience of a General Order which  
18 will subject you to the UCMJ  Uh--and if there should be any  
19 inclination on subsequent interviewees that the matters were being  
20 discussed  and they could be potentially be traced back to you or

1 other folks that I interviewed, so I'll I remind you of that, umm--  
2 and I will see you back at on or about 1300----

3 A ----Right, sir.

4 Q ----when we will reconvene. Alright. Any questions?

5 A No, sir. Clear.

6 Q Thanks Carry on.

7 [Interview recessed at 1131.]

8 [Interview reconvened at 1327 ]

9 Q We're going to try to wrap this up here

10 A Sir, if possible, I wanted to just clarify a couple of  
11 things I was thinking about over lunch

12 Q Okay, sure. Alright

13 A Umm--we talked about the selection of what Battalion would  
14 go forward to uh--Baghdad Central and--and during that discussion we  
15 talked about the strengths and weaknesses of different Battalions.  
16 At that point when I made that recommendation, I hadn't worked with  
17 the 310<sup>th</sup>, the 115<sup>th</sup>, the 324 or the 400<sup>th</sup>, because they were already  
9 working for 1<sup>st</sup> MEF and uh--V Corps. So I didn't know what they were

1 capable of doing or not. And my assessments were based on after we  
2 had already started to work with them.

3 Q Okay

4 A The other point was, umm--I believe you mentioned that  
5 Companies working for Major [REDACTED] did not have Xos. And the way  
6 the IR Guard Companies are structured, none of those Companies have  
7 executive officers

8 Q Okay

9 A The other things is uh--we discussed uh--the support to the  
10 320<sup>th</sup> and--and uh--Major [REDACTED] request for--for additional  
11 soldiers Major [REDACTED] uh--was put out at Baghdad Central at the  
12 beginning of November. I also gave a captain, by the name of Captain  
13 [REDACTED] to the 320<sup>th</sup> who works in the S-3 shop and Major Dinenna was  
14 the only Battalion to have two offices in the S-3 shop. I also gave  
15 up my uh--NBC NCO who worked in my TOC with me, Master Sergeant  
16 [REDACTED] to replace their first sergeant who left. And we provided a  
17 uh--S-4 assistance--we gave a Captain [REDACTED] who worked in the  
18 Brigade S-4 shop Throughout the--the course of time, we also gave  
19 additional units as those units became available. And as Major  
20 [REDACTED]--or the 320<sup>th</sup> as units started to redeploy. I believe in  
1 the October timeframe we gave the 372<sup>nd</sup> and the 870<sup>th</sup> to Baghdad

1 Central In November we gave the 670<sup>th</sup> and the 320<sup>th</sup> MP Companies. I  
2 also uh--spoke to Major [REDACTED] about ways to maximize his soldiers.  
3 One of them was to allow the Iraqi guards who work in there to do the  
4 family visitation program So we discussed that and--and that freed  
5 up some of his MPs. I worked with CPA and uh--Major [REDACTED], Major  
6 [REDACTED] to allow the Iraqis to do court escorts Because Major  
7 [REDACTED] uh--or--or the 320<sup>th</sup> soldiers were doing that, and that  
8 freed up an additional 40 soldiers at that time. We uh--got  
9 contractor support for the feeding and the water distribution at at--  
10 Baghdad Central So that feed up--freed up some of his cooks and  
11 some of his logistical personnel to help out with the force  
12 protection We also requested a--a RAYOC be assigned out to Baghdad  
13 Central and we received a RAYOC that actually went out there sometime  
14 in the beginning of October to free up the Battalion from some of the  
15 force protection responsibilities and plannings--base defense plan.  
16 We also had an element of the 998 Quartermaster Company, which was  
17 stationed at Camp Bucca and we moved some of those assets up to  
18 Baghdad Central to help out the 320<sup>th</sup> with fuel distribution and water  
19 distribution So, over the course of uh--the existence of Baghdad  
20 Central, we provided a number of assets and even uh--in January we  
21 got that PSD Platoon back, which was 30 additional soldiers and we  
22 uh--returned the Platoon from the 320<sup>th</sup> MP Company, which was probably  
23 about another 20 MPs, they went back--they should have gone back on

1 the 1<sup>st</sup> of February. And we worked with uh--from--from the beginning  
2 when we got here, we were--we were encouraging CPA to hire additional  
3 civilians to help out with the prison piece and in uh--the middle of  
4 January, 21 civilians arrived in Baghdad to help out CPA. And they  
5 put four of those civilians at the hard site at Baghdad Central to  
6 help with the operation of the uh--of the prison itself. And they  
7 will be living out there and--and--uh they got out there probably  
8 about the 20<sup>th</sup> of January and uh--at first they were going to commute,  
9 and uh--now they're gonna actually live out there and--and spend days  
10 and nights out there to help train the Iraqi guards in running the  
11 hard site

12 Q Given all those assets at 320<sup>th</sup>, prior to the TACON, umm--  
13 obviously--umm--that added or relieved some pressure. What was the  
14 understanding that you know of, of the mission set that was given to  
15 the 320<sup>th</sup>? Was it a competing requirement of detention operations and  
16 building up a facility?

17 A The [pause]

18 Q What was the principle--what was their principle mission?

19 A To--to care for the detainees in their control That was  
20 the principle mission The building up of the facility, umm--that's

1 why Colonel [REDACTED] was put out there as the base major to take over  
2 that--that part of the----

3 Q. How long did he have that job?

4 A I think Colonel [REDACTED] was there until he redeployed uh--  
5 I think in--towards the end of November, I think he had that job for  
6 about 435 days.

7 Q So you had a Camp Major, [REDACTED] and you had a Battalion  
8 Commander, [REDACTED]

9 A Mm-hmm

10 Q Umm--did--did they work for General Karpinski at the time,  
11 or was [REDACTED] supporting [REDACTED], or was [REDACTED] supporting  
12 [REDACTED]

13 A They both worked for General Karpinski.

14 Q Okay

15 A And, when the 205<sup>th</sup> became the FOB Commander, that's  
16 actually when Colonel [REDACTED] was no longer----

17 Q What assets did [REDACTED] have?

1 A. Colonel [REDACTED] I believe, umm--he brought his Sergeant  
2 Major down, Sergeant Major [REDACTED] umm--I'm sorry, not [REDACTED]  
3 Sergeant Major [REDACTED] came down from the 530<sup>th</sup> to help out Colonel  
4 [REDACTED]

5 Q Okay.

6 A. Umm--Colonel [REDACTED] also utilized Captain [REDACTED] who the  
7 Brigade sent out there to help out in the logistical area because it  
8 was really a logistical issue of building the rest of the facility.

9 Q Was there an engineer with him or----

10 A Captain [REDACTED] who is the 320<sup>th</sup>'s engineer, was the engineer  
11 on the ground And the engineer worked with uh--Colonel [REDACTED]

12 Q So you had this cell led by [REDACTED] Was the--all his  
13 requirements for building up the facility--logistical requirements  
14 was outside those required from the 320<sup>th</sup>. In other words, [REDACTED]  
15 was not going through [REDACTED] per se, of getting supplies, that  
16 sort of thing, but going directly to the Brigade

17 A I believe he was working through Captain [REDACTED] who would  
18 have went right to the Brigade Captain [REDACTED] worked for the Brigade

19 S-4

1 Q. So that's--that's the arrangements that was done?

2 A Right, sir

3 Q. Now when the 205<sup>th</sup> showed up, [REDACTED] disappeared

4 A It--it happened at the same time his unit was redeploying.  
5 So, what had happened was, General Karpinski had asked Colonel  
6 [REDACTED] if he would extend past his unit, and he agreed to do that  
7 So we were working the personnel piece to try to make that happen so  
8 he could stay there. And then when the 205<sup>th</sup> took over, they brought  
9 in a Battalion, umm----

10 Q ----The 165<sup>th</sup>

11 A I believe so, right sir Who took over the base  
12 management

13 Q But, alright, we--we'll come back to that. Let me go back  
14 to Bucca When you got the mission from--for to build up an I&R  
15 facility, now called Bucca, did you receive a written order or FRAGO  
16 from CFLCC tasking you to do that? Do you recall?

17 A I'm sure we did, sir.

18 Q Well, I hope you did, because----

19 A I--I don't know how we would do it any other way.



1 Q. Yeah, but I'm just asking----

2 A. ----Yes.

3 Q. I mean, you're the 3, so you must remember----

4 A Yes.

5 Q Okay.

6 A Actually it was a uh--the order would have come through the  
7 377<sup>th</sup> TSC

8 Q Okay. Then subsequent it came down to you?

9 A Right, sir

10 Q Okay, uh----

11 A It was an Annex in their op plan

12 Q What was the command relationship between the 377<sup>th</sup> umm--  
13 yourself and CJTF-7, CFLCC when you got the mission for Abu Ghraib?  
14 Were you TACON to CJTF-7 then, or were you still OPCON or attached to  
15 the 377<sup>th</sup>?

16 A We--we were attached to the 377<sup>th</sup>, so we worked----

17 Q You were still with 377<sup>th</sup>?----

1 A. Yes, sir

2 Q Okay. So you got that mission. And was that--how did that  
3 order uh--disseminated to you?

4 A And then--then there was uh--the transfer of authority from  
5 I guess it was CFLCC to CJTF-7. There was an order that came down  
6 making us TACON to CJTF-7

7 Q Okay, but when you go the mission for Abu Ghraib, said,  
8 "800<sup>th</sup> you're going to take charge and build me something at Abu  
9 Ghraib " Who gave you those orders?

10 A That was CJTF-7

11 Q CJTF-7 gave you those orders.

12 A Right, sir

13 Q Did it come down in the form of a FRAGO or an op order, 5  
14 paragraph op order, or what?

15 A I believe it came down in the form of a FRAGO.

16 Q Okay [Pause] Alright Okay Umm--can you describe for me  
17 umm--General Karpinski's leadership style?

1           A.     She had a--I don't want to say hands off approach to  
2 leadership, because she was certainly always there, and uh--uh--we  
3 always had staff meetings, and shift change and whenever she--she  
4 could make those she would make the shift change briefings. Umm--but  
5 I don't think she pushed the staff hard enough or asked questions  
6 that needed to be asked of the different staff members when they did  
7 their staff briefings. And uh--you know, sometimes a staff section  
8 would get up there and say, "Nothing significant to report today."  
9 And so I commented to her one day that we have over 2500 soldiers out  
10 there, how could you not have anything significant to report in this-  
11 -in the shift change? I mean, you gotta be doing something. Even if  
12 you're the PAO and there's no news people at the door, then there's  
13 gotta be a good story. So, I went and I told her that, and during  
14 the staff meeting she started to ask more questions of the staff.

15           Q     She--you might say she was passive or not a micro-manager  
16 or that sort?

17           A     She was not a micro-manager

18           Q     Did she rely heavily on the staff?

19           A     Yes, she relied on me a lot

1 Q Okay. Umm--how would you characterize relationship--  
2 professional relationship as a Commander with the rest of the  
3 Battalion Commanders?

4 A I thought she had a very professional relationship with the  
5 Battalion Commanders. Umm--she certainly treated them all  
6 professionally. And if anyone wanted to come in and talk to her, she  
7 was always available to do that

8 Q Had you ever worked with her before?

9 A No, sir.

10 Q This the first time?

11 A Yes, sir

12 Q Okay Umm--with regards to shortcomings. You mentioned  
13 that uh--there were some shortcomings there. Umm--besides personnel  
14 and conditions and whatever have you, what--what would you s--what  
15 would you sa--what would you as you would, you know you're doing this  
16 now, based on retrospect experience Uh--would you have asked for  
17 some sort of a guiding system, some sort of a process by which  
18 perhaps your missions sets or your requirements would have been a bit  
19 more clearer?

1           A.    Looking-looking back umm--you know I was thinking about  
2 that very question when I was outside. The problem with detainee  
3 operations is every mission is important. Because if you have 50  
4 detainees in a facility, you gotta guard those detainees and you  
5 gotta protect them. Unlike if you are a unit doing convoy escorts  
6 and you decide you're only going to do 25 escorts instead of 50.  
7 Where you're going to focus on the point from Talil to Baghdad or  
8 whatever, it's easy to take risks. Umm--I always felt that all of  
9 our missions were equally important, and they certainly were.  
10 Because if I was trying to draw down the number of MPs that were used  
11 to staff the Baghdad facilities and a detainee broke through the  
12 window and escaped, I was on the blame for that. And I had a report  
13 and that, and you know, 15-6 investigations on how did this guy get  
14 out. We accepted some risk by doing that. Umm--the MEK took over so  
15 much of our time towards uh--the end of November that--that almost  
16 became our main effort. And I pro--I would have asked for clearer  
17 guidance from CJTF-7 what do you want us to do? We were doing  
18 everything for the MEK from securing 3800 people in a 30 square  
19 kilometer facility and it always seemed like everybody had a  
20 recommendation or idea from the C-2 to the POLAD to the SJA on what  
21 should and shouldn't be done there. And nobody really understood the  
22 mission. Umm--we got missions up there to umm--move ammunition from  
23 warehouses to Tatajil. And we became the commander and controller of

1 moving ammunition. We became the command and control of moving  
2 equipment from Ashraf the MEK compound to essential equipment  
3 location. So we were doing all these things outside of MP lane and  
4 whenever we asked for relief, we never got it. You know, "Hey that's  
5 your mission, guys." You know, have at it. And we, sir we  
6 accomplished every mission, and we never said no.

7 Q Well there's in every mission analysis and you know this  
8 for a fact. There are those that are specified and those that are  
9 implied. And then there is a critical task, essential task, and  
10 those that are all others. So, I can't dispute that anything within  
11 the confines of your mission set, regardless of whether ammunition, --  
12 moving ammunition, or transporting or whatever have you, was not  
13 unusual. I mean, MPs just don't do MPs. Uh--because there are  
14 basically five functions that you're supposed to be doing anyways  
15 besides detention operations. At least have some capability to do  
16 that whether it's combat support, law and order, that sort of thing,  
17 law enforcement. So, uh--the reason why I say is cause I hear it  
18 every day. It's not my job. Okay. Well, it is your job if you're  
19 given that mission.

20 A Absolutely.

1 Q. Okay, so whether it's power or ECP, that sort of thing, or  
2 building up a logistics support area, umm--I'll just make a comment  
3 to you Now [REDACTED] was your ser--Ops Sergeant Major and then all  
4 of a sudden, [REDACTED] gets relieved, gets sent home for having  
5 illicit sex relationship with folks, and I think you know that,  
6 afterward, you know that now

7 A I don't know if he was having sex or a sexual relationship,  
8 I don't----

9 Q Which is kind of questionable in that regard. Then  
10 [REDACTED] gets umm--picked by General Karpinski to be the acting, or  
11 interim as you call it, he suggested it as the interim Command  
12 Sergeant Major A Sergeant Major because you have other Command  
13 Sergeant Majors out there, that was probably capable of doing, but  
14 nobody attempted to take risk. Umm--but then his--his time was  
15 divided because you didn't have a sergeant major.

16 A Right.

17 Q Did you understand his priorities, or did you care about  
18 his priorities, or did you go to Colonel Karpins--General Karpinski  
19 and said, "You shouldn't have taken him," or uh--or you were not able  
20 to operate without an ops sergeant major?

1           A     I--at the point that he was moved, I was on leave. Had I  
2 have been there, I would have recommended he not be moved, but I also  
3 understand that would be a great opportunity for him to be the  
4 Brigade interim Command Sergeant Major. So, when I got back,  
5 although I voiced some concern about it, I didn't voice a concern to  
6 have him move back. And I did the same thing with Master Sergeant  
7 [REDACTED]

8           Q.    Yeah, but [REDACTED] came--kept coming back working for you.

9           A     His priority was to be the CSM and that's basically what he  
10 focused his time on, sir

11          Q     But he came working back for you

12          A     Not uh--when he wasn't visiting the troops, he would--he  
13 didn't have a desk in the--in the TOC, so he would sit in that area  
14 there, but I--he might have answered some phone calls or responded to  
15 a couple e-mails but he didn't really work in my area

16          Q     That's not what he suggested    That's not what he commented  
17 and that according to his statements was that you never addressed  
18 that this priority should be the Brigade Command Sergeant Major, as  
19 opposed to, "Okay, continue to work for me "   Umm--that's why I keep  
20 asking you whether all these ad hoc move-arounds were--were common in



1 your Brigade, which I feel difficult to understand, cause here's a  
2 senior NCO who was appointed as the interim command sergeant major  
3 but you still allowed him to operate in your section. Uh--which, as  
4 far as I'm concerned, you either contravened or contradicted a  
5 priority of ordering the command--the Sergeant Major not to work in  
6 your area.

7 A I--I assumed he understood that his priority was to be the  
8 interim CSM And so I never----

9 Q What about you?

10 A I'm sorry sir?

11 Q What about you? What was your assumption about his role?

12 A That he was going to be functioning as the interim CSM and  
13 that he wouldn't be working in my section.

14 Q Did you order him not to work in your section?

15 A No, sir

16 Q Did you remind him not to work in your section?

17 A No, sir.

1 Q Did uh--you tell anybody else, that he ought not to be  
2 working in your section?

3 A I didn't do that because he--if I remember, by the time I  
4 got back, I don't--I don't think he spent that much time in the  
5 section He was--he was on the road quite a bit, he had gone to the  
6 PLDC graduation, I believe with General Karpinski, and uh--I don't  
7 really remember him doing much S-3 work, but like I said, he didn't  
8 have a physical location to sit, so we allowed him to sit in the  
9 area, but I never gave him any particular task to do.

10 Q Umm--alright. I'm just surprised that a senior NCO cannot  
11 find a place to work, besides in your section. Given the space, one  
12 would certainly take the initiative and say, "This is my space now "

13 A Well, he--there was an area where he would go to to review  
14 NCOERS Umm--but as far as having any type of SIPR connection or a  
15 telephone, there was no physical location for him to do that But,  
16 I--I did not use uh--when I got back from leave, I did not use  
17 Sergeant Major [REDACTED] in the capacity that I used him for before I  
18 went on leave I--it was my understanding he was the interim CSM

19 Q Are you familiar with interrogation operations and the  
20 interaction with detention operations?

1           A     Could you repeat that question, sir?

2           Q.     Are you familiar with the interrogation interaction  
3 relative to detainee operations? In other words, I'm sure where  
4 you're holding prisoners or detainees at Camp Bucca there's some  
5 interrogation that was going on, interaction with the MP. I'm sure  
6 you're aware that at Abu Ghraib there were some interrogations being  
7 conducted. I'm sure that you were at--HVD there was some  
8 interrogation

9           A     Right, sir.

10          Q     Did you do any interaction at all with elements of that MI  
11 interrogation?

12          A     Uh--I would speak very often with Major Williams from the  
13 205<sup>th</sup> MI who was the Brigade S-3 and uh----

14          Q     Did you talk about delineation of responsibilities, you  
15 know who's going to escort what to whom, to the interrogation booth  
16 and then back to the----

17          A     Right, they--they had wanted us to do the escorts, and we  
18 did the escorts for them----

1 Q. Alright. Did you establish some sort of an agreement of  
2 sorts that says this is going to happen as opposed to two distinct  
3 responsibilities?

4 A No, we did not, we did not have an agreement, sir.

5 Q Were you aware of an interrogation ROE of sorts that was  
6 established at that time?

7 A. No, sir.

8 Q Alright Was there any reason why you shouldn't be more  
9 engaged with interrogation operations relative to detention  
10 operations?

11 A The MI facilities were pretty much run by the MI  
12 themselves So, even at Camp Bucca we had the JIF, but the JIF was  
13 run by the MI Battalion that was there on the ground. Same thing at  
14 Baghdad Central----

15 Q There in your AO.

16 A That's correct, sir

17 Q So who should be in charge?

18 A There was no command relationship between us and the MI  
9 unit, so----

1 Q Did you ask?

2 A I did not ask.

3 Q. Same thing happened at Abu Ghraib, correct?

4 A Right, sir.

5 Q. Okay. Uh--did General Karpinski understand the command  
6 relationship after the 205<sup>th</sup> was appointed as the FOB Commander  
7 relative to his mission in interrogation and 320<sup>th</sup>'s mission to  
8 continue handling the 320--I'm sorry the Abu Ghraib Detention  
9 facility?

10 A I don't know what she understood, sir.

11 Q Okay You're the S-3, so you're the Operations Officer,  
12 should you have been interested in that?

13 A I--I should have umm--and as we discussed earlier, my  
14 thoughts on that FRAGO that came out were that the MI was now  
15 responsible for the force--the force protection issue, the base  
16 management, and security of detainees while we still had the  
17 obligation and duty to operate Ganci and Camp Vigilant.

18 Q Okay But you understood that TACON says security of  
3 detainees and the force protection TACON Umm--in other words, I'll

1 ask you again, since they're TACON to the 205<sup>th</sup> MI Brigade Commander,  
2 who establishes priorities for the tenant units?

3 A. Well, like you reminded me before, it's the gaining  
4 commander

5 Q Right, it's the gaining commander. But then, somehow there  
6 is a string that was still attached to the 320<sup>th</sup> from your Brigade?

7 A Right, sir.

8 Q In what context is that?

9 A The--I mean, my feeling always was that we're responsible  
10 for detainee operations, so if Camp Ganci was not able to meet the  
11 capacity, General Sanchez or General Wodjakowski didn't call up  
12 Colonel [REDACTED] they called up General Karpinski. So, we made sure  
13 that we had the capacity there I always understood it as-as my  
14 responsibility to get the criminal detainees out of the tents in the  
15 sand And so we worked with the contractors and CPA to get the rest  
16 of that hard site opened I also understood it as our responsibility  
17 to make sure that detainees were being cared for, that if they  
18 weren't eating, that was our responsibility and not Colonel Pappas'  
19 responsibility

1 Q So would you suggest then, that sets of instructions to  
2 detention operations that was provided from your Headquarters to the  
3 320<sup>th</sup> and the sets of priorities given by Colonel [REDACTED] to those he  
4 owns as tenant units in the 205<sup>th</sup> would somehow either conflict or  
5 somehow compete with the priorities of 320<sup>th</sup>?

6 A Yes, sir

7 Q If you were the Battalion Commander, giving two sets of  
8 instructions, how would you do that?

9 A I would go to the Brigade Commander----

10 Q Which one?----

11 A ----General Karpinski, and say "You're my rater, or my  
12 senior rater, so I need some guidance here as what--as to what you  
13 want me to do

14 Q Yeah, but I just told you the guy who owns that, the 205<sup>th</sup>  
15 provides priorities on that tenant units----

16 A Right, but, what I mean is if he--if he had any issues with  
17 that, he raises it to her and she can talk to Colonel [REDACTED] about  
18 that and then work it out

9 Q Why?

1 A. Because----

2 Q. I just told you that 205<sup>th</sup> MI Brigade Commander established  
3 priorities for that Battalion. Why would he want to call to the  
4 other Brigade Commander who then want to ask clarity of guidance,  
5 it's just like saying, "Well, before I do this, let me talk to my--  
6 the guy that rates me."

7 A My--what I mean is if-if a call--if--there was an issue  
8 with respect to the priorities Let's say, Colonel ██████ said, "I  
9 want you to put 50 MPs on the towers for force protection " And  
10 Colonel ██████ or Major ██████ said, "If I give up 50 MPs I  
11 can't work the inside of these compounds." And so now we have this  
12 priority with the priority to--to maintain these compounds.

13 Q Right

14 A And so, that--that would be an example where I think he  
15 would have to go to General Karpinski and say----

16 Q Why don't you just dump it on these--on the MI Brigade  
17 Commander, "You've given me this mission, I'm asking you now for  
18 assistance " If I go back outside that command chain which is TACON-  
19 ---



1           A.    I think they--I think they did go to Colonel ██████ for  
2 assistance.

3           Q     Okay    I asked that question to you because you have to  
4 understand tenants of doctrine because command as we do it today here  
5 is not doctrinal    Somebody--there's a purpose for that.    And I think  
6 you intimated the purpose was that, back in October, Sanchez went  
7 over there, he was not happy with the situation there and the  
8 predicament there was called force protection, correct?

9           A     Right, sir

10          Q     Okay.    Thereby, you got an MI Brigade Commander who was  
11 establishing responsibilities for force protection, but because that  
12 was not clearly understood, then you were giving either conflicting  
13 guidance or that Battalion Commander would have to compete with those  
14 priorities

15          A     That's correct.

16          Q     That's called a train wreck, Major ██████.    Okay    And  
17 the guy who referees at, I'm lookin' at him    That's the extent of  
18 your responsibility as the Operations Officer    So, in that regard,  
19 be sure you understand that in future operations, will you not?

1           A     Yes, sir.  Sir, there's a lot of things that will be done  
2 differently in future operations.

3           Q.    I certainly hope so.  As complex as this mission is and the  
4 limited capability that you bring to the theater, given the fact that  
5 there's only two MP Brigade I&R, you being one of them, uh--I would  
6 suggest that lessons learned through all of this stuff, is clearly  
7 understood   Okay   Using the capabilities.  What recommendations  
8 would you provide?

9           A     For future?

10          Q     Any recommendation.

11          A     I think that [pause] too many times when the work detainee  
12 left somebody's mouth, they immediately thought of the 800<sup>th</sup> and  
13 although that's our mission, when you look at the MP Corps in  
14 general, every MP knows the detainee mission   So, we got involved in  
15 every aspect of moving detainees all over the battlefield because we  
16 were the 800<sup>th</sup>   The CJTF-7 PMO, uh--Colonel ██████████ was a very weak  
17 PMO in the beginning, and he didn't want anything to do with detainee  
18 operations   So, the 800<sup>th</sup> had to answer directly for all detainee  
19 operations   Fourth ID AO, 101<sup>st</sup> AO, south, we had the whole country.  
20 And that is too much battle space for one Brigade who's really not  
1 designed to do that kind of mission.  So, my recommendation would be,

1 and I think General Rider had the same recommendation, was the--I  
2 mean very often I found myself in many different directions  
3 Whenever I had to brief General Sanchez, General Sanchez was  
4 primarily uh--concerned about the prisons and jail facilities  
5 throughout the whole country. So, to me that became his priority.  
6 "How do we get these jails operational?" So, the 18<sup>th</sup> MP Brigade, who  
7 had the police station mission only had the police station mission in  
8 Baghdad The other police stations, it was the responsibility of the  
9 divisions and division provost marshals. My recommendation would be  
10 that these jails and prison facilities in the division AOs become the  
11 responsibility of those divisions through the provost marshal.  
12 Divisions have engineers, divisions have civil affairs, divisions  
13 also have MPs They can do that job just as well as I can do and  
14 they have at their fingertips many more assets than I do. They don't  
15 have to beggin' for it, they just task an engineer unit to help out.  
16 And--and because we had all those missions, we found ourselves doing  
17 just about everything Umm--I'll never forget the time Colonel [REDACTED]  
18 and I drove up to one of the facilities in Baghdad and the soldier  
19 came running out that the electric is out and what are we going to do  
20 about it So, I said to Colonel [REDACTED] I said, "How could we run a  
21 Brigade operation when we're getting involved in turning the  
22 electricity on at this one facility," because there was no one else,  
23 to do it The CPA was non-existent until we got these 21 people in

1 here Umm--let me just go back, so--so my recommendation number one  
2 would be the divisions have the responsibilities for the prisons and  
3 jails in their AOs. And whatever additional MP support we give the  
4 divisions [inaudible] to handle in their AO. Umm--CPA wasn't staffed  
5 adequately, umm--to conduct a refurbishment of the entire Iraqi  
6 correctional system Umm--they had at one point one civilian working  
7 in their section and so the MPs had to take up a lot of that slack.  
8 So, my recommendation on that would be we need more CPA civilians  
9 My soldiers, umm--their expertise is not operating a jail or prison.  
10 I mean, it's a different type of operation.

1 Q But you did have personnel who had correctional  
12 experiences, right?

13 A Absolutely And--and sir, that's why--that's why we were  
14 successful in most of the areas we were in because we had civilian  
15 expertise corrections officers who--who knew the procedures, and so--  
16 so we made it work

17 Q Okay

18 A But there's these 21 civilians, and CPA had always been  
19 promising up to 100 Hopefully there's more flowing in, but to put  
20 forth civilian experts at the facility or five would make a world of  
1 a difference in the training of the Iraqi guards. Umm--the other

1 recommendation would be to do more training on Rules of Engagement  
2 and the Use of Force and the Geneva Convention. And send out mobile  
3 training teams to each location Just keep going around and around  
4 like Sergeant [REDACTED] did I mean, that was some of the best  
5 training we had when General Rider's team came in and we brought uh--  
6 we brought people in from each facility and--and they conducted two  
7 or three days of training out there And I would recommend that we  
8 do more of that if--if I'm the Brigade S-3 next time or XO, wherever  
9 I am, that's something that we--that--that I would recommend we take  
10 experts from each Battalion and we send these teams out, and they go  
11 to each different location and they do the training

12 Q Okay Good I agree with you.

13 A Umm, the uh--you know, it--we can go all the way back to  
14 the mobilization station I think mobilization stations just want to  
15 get people out and meet--meet the dates. Umm--but I'm not sure of  
16 the--the meaningful training that--that's going on there The other  
17 thing is, the 800<sup>th</sup> typically runs an exercise called Gold Sword,  
18 which is an exercise that brings in a number of IR Battalions and we  
19 do a large IR exercise The problem is, we can never get enough role  
20 players, to play the detainees And so, I would suggest we do more  
21 of those exercises and do our best to get role players who are really  
22 playing the role Umm--on of the other things I would do is-is I

1 think we have too many detainees right now in custody longer than  
2 they should be. And the detainees right now, there's probably about  
3 3500 who have been confined for over 90 days. So, when you have  
4 detainees in that type of situation, they're all trying to get out  
5 because they don't know an EPW is different. Because an EPW is just  
6 waiting for the war to end 'cause they think they're gonna be  
7 released. Whereas, a criminal detainee or--or uh--or an asage,  
8 security internee, they don't know where the end is, they don't know  
9 when they're leaving. For all they know they're going to GITMO. So,  
10 I--I would--I would focus more on that type of detainee, then--I mean  
11 I think we all thought this was going to be Desert Storm and we had  
12 50, 60 thousand detainees just waiting for the end of the war sitting  
13 on their hand and then, you know, everybody left and nobody escaped  
14 because they had no place to escape to. Whereas, here as a detainee,  
15 when he's being brought in the bus back to a facility, some of them  
16 know exactly where they are. And uh--so I think one of the things I  
17 would do is make our soldiers more aware of the different types of  
18 detainees. And also encourage the release of detainees who do not  
19 need to be held anymore.

20 Q Okay Umm--any closing comments that you want to make?

21 A If you wouldn't mind, sir Uh--we've been doing this for  
almost a--for over a year now and it's unfortunate what happened out

1 at Baghdad Central and--but I don't want to discredit the hard work  
2 that all the other MPs did and the accomplishments that they did  
3 And our mission was detainee operations and we never turned a  
4 detainee away from any warfighter and we allowed V Corps and 1<sup>st</sup> MEF  
5 to move forward and to fight the battle. We umm--handled a very  
6 difficult situation up at the MEK. And uh--and I--I still don't  
7 think that Secretary of Defense or State Department really knows what  
8 they wanted to do with those detainees up there at the MEK and both  
9 of our Battalions on the ground up there have done excellent work.  
10 Umm--if you look at the number of detainees who escaped compared to  
11 the number of detainees that we actually held in our facilities, it's  
12 relatively low and not that I--I'm discounting any escapes, because  
13 nobody should escape. But if you look at the GITMO model, which has  
14 about 650 detainees and about 650 MPs, with additional support  
15 personnel somewhere along the line somebody decided to take a little  
16 risk. We had, I think at the end of January, almost 13,000 detainees  
17 and about 2500 MPs. So, you know we were certainly doing more with  
18 less. We probably transported over 14,000 detainees. Umm--one of  
19 the--one of the missions--or in the FM is that detainees are--will be  
20 brought via backhaul. Umm--but that--that's old doctrine now because  
21 we used a PLS and we used CONEXs, so there's no more backhaul. So,  
22 our MPs were required to drive buses--umm--from Baghdad all the way  
3 down to Camp Bucca. MP drivers, sometimes we got drivers from the

1 APOD, but predominantly it was MPs. And we probably transported over  
2 14,000 detainees throughout this theater, and uh--we've only had two  
3 escapes during transport. We had no accidents during transport--umm--  
4 -so I think that's--that's certainly an accomplishment that the  
5 soldiers should be proud of. During all the--the visits by the ICRC,  
6 uh--General Rider's team and General Miller's team, although there  
7 were findings, we always made improvements. When we got up to  
8 Baghdad, umm--Camp Cropper was a mess and I think the ICRC was about  
9 to go public with it. You had detainees sleeping on the dirt; same  
10 thing at Camp Vigilant. Then we came in, we did our best to fix  
11 those facilities. We put carpeting, we put wooden floors, we got  
12 feeding contracts, we got light sets, we got porta-potties. And so  
13 we did all--all those things, umm--throughout the entire theater  
14 while we kept Bucca going, we kept--we're building BCF, we also  
15 improved the other facilities. We never had any escapes from our HVD  
16 facility and we improved that dramatically over the last couple of  
17 months, umm--to the point where when the ICRC came in last month they  
18 noted the remarkable improvements. When the ICRC came into Baghdad  
19 Central, I think they were finished up in--it was a recent  
20 inspection, they--they noted the improvements that were made at  
21 Baghdad Central. So, you know, in closing, it's unfortunate that  
22 this event had to happen and uh--it--it puts a black mark on not only  
3 the 800<sup>th</sup> MP Brigade but the entire Army, and I understand that. It's



1 a terrible thing that happened and when I read that CID report--makes  
2 your stomach turn. How could a soldier do something like this? But,  
3 there are other soldiers out there, who every day got up and--and did  
4 soldier stuff and did the right thing. And so that's how I want to  
5 end it

6 Q Two questions

7 A Yes, sir.

8 Q Who should be held directly responsible for the events that  
9 happened at Abu Ghraib in tier 1A?

10 A Well, the soldiers should be held directly responsible for  
11 what happened

12 Q Who should be held indirectly responsible for their  
13 conduct?

14 A I would say the Battalion Commander should be held  
15 responsible for their conduct

16 Q Does it stop there?

17 A I think it should

18 Q Okay Only because somebody's supposed to be supervising,  
9 mentoring, coaching, training that Battalion

1           A     I understand that, sir     But, we had a facility within a  
2 facility.  If the entire facility was out of control, then I--I--I  
3 would say that somebody should know what's going on     But, we had  
4 these two pods in a larger facility.  We had another facility,  
5 Vigilant, we had another facility, Camp Ganci, and----

6           Q.     She had a Battalion Commander who was told to take a rest  
7 and a Battalion Commander, for whatever assessment, medical or  
8 whatever was reinstated     A Battalion Commander you referred to as a  
9 weak Battalion Commander     So, you still think it should stop there?

10          A     I think it should, sir

11          Q     Okay

12          A     Because, that Battalion also had a staff and that wasn't  
13 too far from where their TOC was

14          Q     Have you ever heard that anything that happens or failed to  
15 happen in the unit is then relegated back to the Commander?

16          A     Well--I agree with that, sir     That Command is responsible,  
17 so the Brigade should be responsible for what happens as it--at it's  
18 facilities

1 Q One of these days you'll command, so I commend that thought  
2 to you That somehow I'm hoping that nothing does every occur your  
3 command tenure, but if it does down at the platoon, squad, company  
4 level, your level, that uh--a very simple process goes through your  
5 mind that [REDACTED] who gets held indirectly or directly  
6 responsible for the acts of their soldiers?" It doesn't happen by  
7 omission

8 A Right, sir.

9 Q Sometimes it happens by commission. So, I commend that to  
10 you I also commend the fact that you need to brush up on your  
11 doctrine You didn't answer the test I commend to you that you  
12 need to study up on your--on your regulations. You didn't pass that  
13 test either Umm--so you need to brush up on that. I think you'll  
14 still be the Brigade S-3 for whatever reason. As the Operations  
15 Officer, you are the repository of all operations knowledge,  
16 experiences, for training, you are the repository for that. Huge  
17 responsibility, and with that level of responsibility, as much is  
18 expected Much is expected, because, again, it's commensurate with  
19 your responsibility as the Operations Officer So I recommend you  
20 brush up on those knowledge and those skills, uh--your ability to  
21 conduct mission analysis, that sort of thing. Your ability to  
22 conduct an assessment and evaluation and lastly to identify

1 requirements and bring to bear the support that is needed for those  
2 requirements in the accomplishment of the overall mission. I  
3 recommend that to you.

4 A. Thank you, sir.

5 Q. Okay. This completes our session. You're subject to  
6 recall. Again, you're advised not to discuss, if I suspect any  
7 collusion of any sort, uh--I have no choice but to prefer charges for  
8 disobedience of a direct order Do you understand?

9 A Yes, sir

10 Q Alright Do you have any questions?

11 A Do you know when this will be finished?

12 Q I hope to finish sometime before the end of February Uh--  
13 and I've put out the mission that up until such time as I complete my  
14 investigation--our investigation, is everybody stays in place. So, I  
15 don't want to hold anybody any longer than what's required, cause  
16 there's families back there, but I think this an important mission  
17 that you conveyed that we need to clear this up within the matter at  
18 hand because you certainly don't want to be stigmatized by an event  
19 of some people that they conducted Cause I will tell you, that once

1 this is revealed to the press, you pretty much know what the  
2 cascading effect will be. Very important mission.

3 A Right, sir.

4 Q And following me is a DAIG investigation sometime next  
5 month. I'll recommend to him that they followup my investigation  
6 with interviews with members of the 800<sup>th</sup> MP. Understand?

7 A Yes, sir.

8 Q Alright. You're dismissed.

9 [Interview closed at 1500 ]

On 10 February 2004, a team of officers, directed by Major General Antonio Taguba, conducted the following interview. Major General Taguba was appointed as an Investigating Officer under the provisions of Army Regulation 15-6, by Lieutenant General David D McKiernan, Commanding General of the Coalition Forces Land Component Command (CFLCC), to look into allegations of maltreatment of detainees, detainee escapes and accountability lapses, at Abu Gharib, also known as the Baghdad Central Confinement Facility (BCCF). The panel also inquired into training, standards, employment, command policies, and internal policies, concerning the detainees held at Abu Gharib prison. Finally, the panel looked into the command climate and the command and supervisory presence.

The following persons were present:

COL [REDACTED] MP, CFCC – PMO, **Interviewer**  
LTC [REDACTED] JA, CFLCC – SJA, **Interviewer**  
LTC [REDACTED] 705th MP Battalion, **Interviewer**  
CPT [REDACTED], 670th MP Company, **Respondent**  
SSG [REDACTED], 27D30, CFLCC – SJA, **Recorder**

The interview is summarized as follows:

I'm CPT [REDACTED], 670th Military Police Company, National Guard from California, and I'm currently at Baghdad Correctional Facility. The 670th at Baghdad Correctional facility is responsible for the QRF, quick response force. We're also tasked with providing 2 platforms of escort teams of 2 teams each. Additionally, we're responsible for providing 4 soldiers per day for internal contractor escorts. We also have 2 to 3 soldiers on standby for basically whatever the battalion needs us to escort. On a daily basis, I have 2 people off for the company. The guidance we were given, originally, was the internal escorts needed to be MP's, but later that changed to, if you're soldiers, you could use anybody you want to do that. I've never had my soldiers assist other companies, except at Camp Bucca, but they stayed under my command.

Right now, my chain of command includes LTC [REDACTED] the 320th Battalion Commander, and next up from him is COL [REDACTED] the 16th MP Brigade Commander. I don't know who is next up from him.

Prior to February 1st General Karpinski was the 800th MP Brigade Commander. I saw her every couple of months – not very often, but she was around. The 670th has been at Abu Gharib since November 14th, and I think I saw her one time between November 14th and now. The day she came in was to talk to the company commanders about serious allegations of misconduct going on. She talked about making sure soldiers understood their ROE's. She passed out paperwork to the 320th Battalion, which contained information on who to contact, if anyone witnessed any misconduct. She was vague about what happened. I still don't know what happened. She wanted to make sure soldiers knew, if something were wrong, they could contact their chain of command, and this individual, CPT [REDACTED] of CJTF-7.

Annex 62

Well, Sir, we've been here for 10 months. If you're talking about soldier life support, it's been horrible. We got here April 12th, and crossed the border April 16th to Camp Bucca, and it was pretty bad. There was no ice. It took 6 months to get air-conditioned buildings. We had no Porta-Potty latrines for a month and a half. As far as soldier life support, I'd give them an F. As far as supplies, or any classes of supply, or S4 issues, I pretty much initiated that myself. I never got anywhere with the Battalion, because, I think, they weren't getting anywhere with the Brigade. So, I went off on my own, and told my guys to we needed to make it happen. We'd go to Camp Doha, or Camp Arifjan. It's the same, here. I've tried to do things on my own, based on what I've seen and heard from the Brigade.

I have confidence in my battalion, but not the brigade. As a matter of fact, we submitted 50 plus awards, back in June, to go through the chain of command for General Hill to sign, before he left, and those got lost. We re-did them, and they never made it to brigade. Or they made it to brigade, and they didn't go anywhere, at least that's what my battalion was telling me. We re-submitted them again, about a month and a half ago, and this time, we took them straight to brigade, and handed them to the brigade S1 NCO. I just found out, yesterday, that they were signed. My OER is still missing. I made sure it got submitted numerous times, and it's still not signed. I still have some NCOERs that are still not signed. I don't have any confidence in the 800th at all.

The S1 and S4 are broke. It's rumored that we were supposed to get trailers at Camp Bucca, soon after we arrived. General Hill put out to MAJ [REDACTED] the S4, that he was to push this contract, and MAJ [REDACTED] didn't do it, because he felt the contract wouldn't be signed, because it was so expensive. Then there was some meeting, and General Hill asked about the disposition of these trailers (this was told to me by my battalion staff), and MAJ [REDACTED] basically said, "I didn't do it." Then, about a month later, we started getting trailers. It took them an entire summer to put all that stuff together. We didn't move in until a week before we came up to BCF.

They 800th asked a couple of times to for us to write AARs. I've never heard anything back. I didn't expect to. There's never been a time, when someone from the brigade came down, to say what are we doing wrong, what can we do to improve. Except one time, when there was an escape at Camp Bucca, they sent someone up a Lieutenant Colonel, I think he's a Chief of Staff. He brought all the company commanders in, and I didn't have anything to do with working in the compounds at Camp Bucca. We've always been TCP's or OP's. He came to talk about ways we could improve operations at Camp Bucca, and I thought it was so ridiculous, because this guy obviously didn't know what he was talking about. It was a waste of our time.

I think that, if my brigade is across the border, then, I should be up there, as well. I don't know everything about what the brigade was doing, but if their sole purpose in life, back in April, was to run things at Camp Bucca, they should have had their brigade main at Camp Bucca. Not, one O6 up there, who didn't know what he was doing. COL [REDACTED] I'm not going to get in trouble for this, am I? He was very far from reality. If he was the one, who was supposed to be in charge of Camp Bucca, then, there should have been a lot

more definitive guidance put out from him, which should have trickled down to my level. I never saw a force protection plan, until I re-wrote it, as the Force Protection Officer for a couple of months. He never came down to the TCP. He never talked to any of my soldiers about what their roles and responsibilities were. Stuff just wasn't together. They didn't have ice. They didn't have trailers. See the bottles of water, being heated in front of the heater? Well, it was so hot you could sit a bottle on a sandbag, and your water would be hot enough for soup. That's how hot it was down there. They didn't have ice. They didn't have trailers. The only guidance my guys got was the guidance I gave them, but nothing ever trickled down. When you tried to go up, you basically got blown off.

I tried to relieve my First Sergeant back in May. It really upset me, because he had an inappropriate relationship with one of my soldiers. I'm in the process of doing it, now, with the 16th. I went down to Arifjan, because my battalion commander told me that before I take action, I had to go down to Arifjan, and talk to LTC [REDACTED]. The relationship started before the deployment, continued on at Fort Lewis, I tried to have him relieved there. Couldn't do it. We got to Camp Bucca, it happened again. I went down to talk to LTC [REDACTED], and he basically blew me off. So, I went to the 377th TSC JAG people, and they said I had 2 options – I could go back to the 800th, and deal with it, because it has to go through the first general officer in the chain of command, which would, at that time, would have been General Hill. Or, you could go back to Camp Bucca, write him a counseling statement, have someone there senior to him, to act as a witness, and you could give him another direct order, like I did back at Fort Lewis, and basically give him another chance. Because of the way I felt about the brigade, and the way LTC [REDACTED] blew me off, I did just that.

After February 1st, I went to my battalion commander and said, now that the 16th MP Brigade I know something is going to get done. This is what's going on. I want to take care of this. So, it's getting done.

Sir, the 16th has only been in charge 11 days, but you can already see a difference. You can already see a difference. Their S1 has already come to our battalion and asked, "What can we do to help?" They've taken awards, and they've been actively involved in the battalion S1. The Brigade Sergeant Major came over to my company area. My soldiers were shocked to see a Brigade Sergeant Major come over, and give them an hour of his time. I went into their 16th Brigade TOC, and everything it's dress right dress. People have their rules and responsibilities, and it's obvious, that you've got a structured team in there. As opposed to the 800th, where everyone was working in one small building with books, and Gatorade packets, and snacks, and shelves all over the place. It's like night and day. It's incredible.

Sir, I never received any guidance. Whether there was a Force Protection Plan for Camp Bucca, or not, I never saw it, and my guys were the ones working the TCP's, we were controlling the external area for Camp Bucca, and we were doing the LP/OP's, that surrounded the LSA. The only guidance that my soldiers got was the guidance that came from my mouth, thinking this has got to be right. I talked to my S3, and he said that sounds fine. You're doing fine. The only scheduled patrol times came from me. There



was no insight from the brigade. I don't think the Battalion gave me that, because they didn't get it from brigade. Everything that I did, at Camp Bucca, came from what I thought was right. Thankfully, nobody got hurt.

We are a Combat Support MP Company, back at home. We were mobilized as an EPW Guard Company. There was a cap on the number of people we were authorized to bring over here. We were only authorized to deploy as P2, so that the other units in the battalion could also deploy. My normal strength, back home is 184. I was only authorized to bring 104. We were the 2nd company in the battalion to get our mobilization orders. The first company 649th MP Company, they're in Baqubah, right now. They got their mobilization order, and ended up taking 25 of my soldiers. About a week and a half, after they got their mobilization order, we got ours. Because we had given 25 of our soldiers, now we couldn't fill all our positions. We took 10 of them back. Then, we took a platoon from northern California down with our company, and deployed with 103. There was crazy shifting all over the state.

We're normally under the 100th Troop Command. They pass out a lot of guidance. They're always communicating with us. I saw our Brigade Commander, back home, all the time. He was a great speaker, and great with soldiers. I think I didn't see much of General Karpinski, because we didn't have anything to do with detention operations. She never talked to any of my guys.

My soldiers were never trained on Geneva Convention. I received training on the ROE, and turned around and provided training to my soldiers. The only time I heard anything about treatment of prisoners was when this whole big thing happened last month. We got a memo from General Sanchez and General Karpinski, and a power point slide. We were told to post this guidance.

I am just waiting for COL [REDACTED] to let him know about the 1SG. We're meeting today at 1300. I've already established where he's going to work. I have all the paperwork. The 1SG will be at Camp Victory, and she will remain in the company.

The incidents have been very hush hush, quiet. I don't even want to know. These guys were replaced my escorts, and I had to give up 4 guys to go into the prison for about a week and a half. They still reported to their chain of command. I stayed away from them. I know there were 1 female, and 1 male. The female had a tattoo on her wrist. They're gone. I have my guys back, now.

The panel stopped, to discuss CPT [REDACTED] statements.

Finished with their discussion, the panel gave CPT Hale a list of items, to be addressed, and brought back on a Sworn Statement.

**SWORN STATEMENT**

For use of this form, see AR 190-45, the proponent agency & ODCSDPS

**PRIVACY ACT STATEMENT**

**AUTHORITY** Title 10 USC Section 301 Title 5 USC Section 2951 E.O. 9397 dated November 22, 1943 (SSW)  
**PRINCIPAL PURPOSE** To provide commanders and law enforcement officials with means by which information may be accurately identified  
**ROUTINE USES** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval  
**DISCLOSURE** Disclosure of your social security number is voluntary

1 LOCATION Baghdad Correctional Facility	2 DATE (YYYYMMDD) 10 February 2004	3 TIME 2130	4 FILE NUMBER
5 LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6 SSN [REDACTED]	7 GRADE/STATUS O-3/ CPT	

8 ORGANIZATION OR ADDRESS  
670th Military Police Company, Baghdad Correctional Facility APO AE 09335

9 I, CPT [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

I have been asked by COL La Haye to prepare written answers to questions posed to me on 10 February 2004. The following are the questions and answers:

- Have you seen or received any SOPs or special orders from the 800th MP BDE or the 320th MP BN  
 - The only orders or special instructions my company has received from the 800th MP BDE are the Rules of Engagement. We received the initial ROE upon arrival in theater and then an update sometime after 24 November 2004. The only SOPs we have received from the 320th was the base defense plan for Baghdad Correctional Facility. While at Camp Bucca and under the control of the 530th MP BN, we did receive a BN TACSOP from them.
- Give a brief discussion of your command philosophy  
 - I have attached a copy of my command philosophy. Additionally, I have every new soldier to the unit read it, and then sign a copy of it saying that they understand it and will follow it. (See Attached)
- How did the relationship evolve between the 670th MP CO and the 800th MP BDE  
 - While at our mobilization stations, Ft Lewis, WA, I was in constant contact with CPT [REDACTED] of the 4th ID PMO. Initially, we were supposed to be under the 530th MP BN then it changed to the 310th MP BN. It wasn't until we arrived in theater that we found out we had been switched back to the 530th and were no longer under the 4th ID. Additionally, I had no idea that the 670th was assigned to the 800th MP BDE until we hit the ground at Arifjan. There was no point of contact/ liaison for us at Camp Wolf upon our arrival. I took the company, on a chance, over to the SPOD in hopes to find our vehicles. Once again, there was no POC there and we spent the entire day searching for our vehicles and trailers. Still unsure of where the 670th was actually supposed to go for temporary housing prior to movement north, I took another chance and moved the company to Camp Arifjan (because it was the closest base to the SPOD). After meeting with the housing people there, we were told that we were indeed in the correct spot. At this point I went to find out any information about our unit. I went into the 800th MP BDE and found out that we actually belonged to them rather than the 4th ID. This was extremely disturbing because in fact they knew we were coming into theater but made no efforts to assist us once we were on the ground. I was told by the S-3 not to unpack. There was no schedule in place for incoming units. There was no pre-execution checklist for incoming units. I did what I thought needed to be done and hope that it was the correct thing.
- Compare and contrast the 800th MP BDE and the 16th MP BDE with regards to training, SOPs, discipline, leader involvement  
 - Refer to above with regards to the 800th. As for leader involvement, the only time my soldiers ever got to talk with the BDE commander was back in May 2003 when BG Paul Hill was in charge. He actually came to our LSA at Camp Bucca and sat down to speak with the troops for about 1 hour. We never saw the BDE CSM either. I cannot comment too much on the 16th as they have just recently taken over from the 800th. I can say that I have seen the 16th BDE commander at least twice now at BCF in the two weeks they have been in charge. The 16th BDE CSM came into our LSA and spoke first with me about my mission statement and asked me, from the commanders standpoint, what the concerns of my soldiers were. He then had a sensing session with all of the NCO's in my company which lasted approximately 2 hours. This was extremely valuable. As for discipline, see attached memorandum for record regarding my ISG. I felt that I was completely blown off from the BDE SJA, LTC [REDACTED]. I had a serious issue regarding misconduct from my company ISG and LTC [REDACTED] did not seem like he was interested in helping. Because of the situation, I waited until the 800th left and then brought the issue back up again with the new chain of command under the 16th MP BDE. Just this afternoon, following my appointment with the 15-6 investigation, I had an appointment with the 16th MP BDE commander and the outcome was successful. I feel I got the attention I needed eight months ago and since the appointment have taken the necessary steps to remove my ISG and start to improve the morale in my company. As far as

10 EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>2</u> PAGES
------------	--	--------------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"  
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED

9 STATEMENT (Continued)

It wasn't until I was appointed as the Force Protection Officer for Camp Bucca in Late September that any changes or updates were made. I have not yet received any SOPs from the 16th MP BDE.

5. The last issue I was asked to address was with regards to the M1114's that were left behind by the 223rd MP CO (Kentucky National Guard) and I was forced to sign for (See attached memo, and email traffic). My response to this is that if these vehicles belonged to the National Guard and NGB did not want anyone but a National Guard Unit to sign for them, then why was I forced to receive them on my property book and then subhandreceipt them out to reserve units. Why was it left up to the company supply sergeant from the 223rd and me to figure out all of the paperwork without any specific guidance from the BDE other than subhandreceipt 11 here and 14 here.

END OF STATEMENT

AFFIDAVIT

[REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]

(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me a person authorized by law to administer oaths this 11 day of FEB 2004 at VIET (THAI) (16th)

[REDACTED]  
670th MP CO / 320th MP BN  
BIAP APO AE 09335

ORGANIZATION OR ADDRESS

[REDACTED]

(Signature of Person Administering Oath)

[REDACTED]

(Typed Name of Person Administering Oath)

MAJ (364) G. W. J.

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

MCH

PAGE 2 OF 2 PAGES

800MPS3FWD

From: 800 MP BDE OPS (ef800mpbdeops@arifjan.arcant.army.smil.mil)  
Sent: Tuesday, October 21, 2003 7:09 AM  
To: [REDACTED] CPT CJTF7-800MP BDE OPS, [REDACTED] CPT CJTF7-800MP BDE OPS,  
[REDACTED] MAJ CJTF7-320 MP BN S3, 744 MP BN, 800MPS3FWD, 744 MP BN  
Cc: [REDACTED] MAJ CJTF7-800TH MP BDE-S3, Clarke, Donald R SFC 800 MP BDE S-3,  
[REDACTED] MAJ CJTF7-800TH MP BDE S4, Heard, Keith CPT CJTF7-PMO Det OPS  
Subject: Officer, [REDACTED] COL CFLCC/3A-FWD-377 TSC  
RE FRAGO 70A CHANGE M1114 UA Redistribution

Classification: ~~SECRET~~  
Exemptions: NONE

I just had a call from [REDACTED] the ARNG representative in theater. He said that there could be a problem with this transfer as portrayed. For property book purposes, these vehicles have to go to another ARNG unit. We can move them around operationally with hand receipts, but they must remain on an ARNG property book, or we have to get permission from the Secretary of the Army to make the transfer. I am not a log expert so I can not readily assess the validity of his argument, but it sounds reasonable to me. I know we certainly have major pains transferring equipment from one component to another in peacetime.

Suggest modifying Frago 70A to move the up-armored HMMWVs to other ARNG units, say the 186th at Camp Bucca and the 186th in Baghdad. Both of these units will be here for a while and we can then hand receipt them out as needed.

SF [REDACTED]

--- Original Message ---  
From: [REDACTED] CPT CJTF7-800MP BDE OPS  
Sent: Saturday, October 18, 2003 10:35 AM  
To: [REDACTED] CPT CJTF7-800MP BDE OPS, [REDACTED] (E-mail),  
[REDACTED] 744MPBN (E-mail), [REDACTED] (E-mail), '800mps3fwd (E-mail)' (E-mail), 744th MP  
BN S3  
(E-mail)  
Cc: [REDACTED] (E-mail), [REDACTED] (E-mail), [REDACTED]  
(E-mail), [REDACTED] (E-mail)  
Subject: FRAGO 70A CHANGE M1114 UA Redistribution

> Classification: ~~SECRET~~  
> Exemptions: NONE  
>  
> Changes highlighted in yellow

> << File FRAGO 70A (REDISTRIBUTION OF M-114'S) doc >>

> SGM [REDACTED]  
> 800th MP BDE  
> OPNS SGM  
> (702 559-1743)

> Classification: ~~SECRET~~  
> Exemptions: NONE

Classification: ~~SECRET~~  
Exemptions: NONE

Classification: ~~SECRET~~

DECLASSIFIED  
U.S. Central Command  
15 OCT 2004

800MPS3FWD

From: [redacted] MAJ CJTF7-800TH MP BDE S4 [redacted] @c5main.hq c5 army smil mil]  
it: Tuesday, October 21, 2003 7 24 AM  
Subject: 800 MP BDE OPS, [redacted] CPT CJTF7-800MP BDE OPS, [redacted] CPT  
CJTF7-800MP BDE OPS, [redacted] MAJ CJTF7-320 MP BN S3, 744 MP BN,  
800MPS3FWD, 744 MP BN  
Cc: [redacted] MAJ CJTF7-800TH MP BDE-S3, [redacted] SFC 800 MP BDE S-3,  
[redacted] MAJ CJTF7-800TH MP BDE S4, [redacted] CPT CJTF7-PMO Det OPS  
Officer, [redacted] COL CFLCC/3A-FWD-377 TSC  
Subject: RE FRAGO 70A CHANGE M1114 UA Redistribution

Classification: ~~SECRET~~  
Reveals: NONE

[redacted]  
Sounds good to me

> --- Original message ---  
> From: 800 MP BDE OPS  
> Sent: Tuesday, October 21, 2003 3 09 PM  
> To: [redacted] CPT CJTF7-800MP BDE OPS, [redacted] CPT  
> CJTF7-800MP BDE OPS, [redacted] MAJ CJTF7-320 MP BN S3, 744 MP BN,  
> 800 MP S3 FWD, 744 MP BN  
> Cc: [redacted] MAJ CJTF7-800TH MP BDE-S3, [redacted] SFC  
> 800 MP BDE S-3, [redacted] MAJ CJTF7-800TH MP BDE S4, [redacted]  
> CPT CJTF7-PMO Det OPS Officer, [redacted] COL CFLCC/3A-FWD-377 TSC  
> Subject: RE FRAGO 70A CHANGE M1114 UA Redistribution

Classification: ~~SECRET~~  
Reveals: NONE

> Sir  
> I just had a visit from COL [redacted] the ARNG representative in  
> theater. He said that there could be a problem with this transfer as  
> portrayed for property book purposes, these vehicles have to go to  
> another ARNG unit. We can move them around operationally with hand  
> receipts, but they must remain on an ARNG property book, or we have to  
> get permission from the Secretary of the Army to make the transfer. I  
> am not a log expert so I can not readily assess the validity of his  
> argument, but it sounds reasonable to me. I know we certainly have  
> major pains transferring equipment from one component to another in  
> peacetime.

> Suggest modifying Frago 70A to move the up-armored HMMWVs to other  
> ARNG units say the 670th at Camp Bucca and the 186th in Baghdad  
> Both of these units will be here for a while, and we can then hand  
> receipt them out as needed

> [redacted]  
> --- Original Message ---  
> From: [redacted] CPT CJTF7-800MP BDE OPS  
> Sent: Saturday, October 18, 2003 10 35 AM  
> To: [redacted] CPT CJTF7-800MP BDE OPS  
> (E-mail), '44MPBN (E-mail) (E-mail), '800mps3fwd (E-mail) (E-mail),  
> 744th MP BN S3 (E-mail),  
> Cc: [redacted] (E-mail), [redacted] (E-mail), [redacted]  
> (E-mail), [redacted] (E-mail)  
> Subject: FRAGO 70A CHANGE M1114 UA Redistribution

Classification: ~~SECRET~~

DECLASSIFIED  
BY U.S. Central Command  
15 OCT 2004

Comments NONE

Changes highlighted in yellow

<> 14 FRAGO 70A (REDISTRIBUTION OF M-114 S) doc >>

TOP  
300L MP T3DE  
OPN= SGM  
(707) 579--1743

Classification ~~SECRET~~  
Comments NONE

Classification ~~SECRET~~  
Comments NONE

Classification ~~SECRET~~  
Comments NONE

Classification ~~SECRET~~  
Comments NONE

INFO I WAS  
REQUIRED TO POST  
FOR SOLDIERS TO  
SEE.

THIS WAS AFTER  
372ND INCIDENT,

On 21 February 2004, a team of officers, directed by Major General Antonio Taguba, conducted the following interview. Major General Taguba was appointed as an Investigating Officer under the provisions of Army Regulation 15-6, by Lieutenant General David D. McKiernan, Commanding General of the Coalition Forces Land Component Command (CFLCC), to look into allegations of maltreatment of detainees, detainee escapes and accountability lapses, at Abu Ghraib, also known as the Baghdad Central Confinement Facility (BCCF). The panel also inquired into training, standards, employment, command policies, and internal policies, concerning the detainees held at Abu Ghraib prison. Finally, the panel looked into the command climate and the command and supervisory presence.

The following persons were present:

COL [REDACTED] MP, CFLCC – PMO, **Interviewer**  
LTC [REDACTED] A, CFLCC – SJA, **Interviewer**  
LTC [REDACTED] 705<sup>th</sup> MP Battalion, **Interviewer**  
CPT [REDACTED] 372<sup>nd</sup> MP Company, **Interviewee**  
SSG [REDACTED] 27D30, CFLCC – SJA, **Recorder**

This is the second interview for CPT [REDACTED] social security number [REDACTED]. He is the company Commander for 372<sup>nd</sup> Military Police Company.

I was in the LSA when we received a call over the singars saying that there was a possible riot at Camp Ganai. Everyone had to go up to a upgraded posture, Kevlar and Flak Jacket at that point. My company was put on stand-by. When this situation occurs normally we take all commands from the TOC, MAJ [REDACTED] the Battalion S-3, put on us standby. We rounded up 20 of my people who were not working at that time and stood by in the LSA. About 10 minutes later we were called forward, we walked up to the edge of the wall just shy of Camp Ganai. When we called forward again, we stood only in the main runway and we acted as a deterrent.

When the riot was going on we set up a base defense. We were in full battle rattle at that point. The basic ROE was that if they got out of the wire we could engage. If the detainees were inside their compound and no threat to escape we would use minimum force and it would escalate depending on if the detainees got out of the wire. The ammunition changed from non-lethal to lethal.

We carry walk-about radios to communicate commands. The RTO would receive command from the singars and then transfer the information through the walk about.

The base defense was never rehearsed. The riot was the first time the base defense was deployed. I developed a base defense plan, but I don't remember to whom it was turned in to.

My operations sergeant came in my room and notified me about the shooting. When I arrived on the scene LTC [REDACTED], LTC [REDACTED], SGT [REDACTED], SSG [REDACTED] and the



doctor were all present. I also carry a man-pack the situation. I wasn't aware that an informant warned about a detainee having a weapon. Military Intelligence has overall control over Tier 1, I have MP's there, but MI runs it. It was common knowledge that COL [REDACTED] was the OIC over Tier 1. There wasn't anything in writing but, everyone was aware that COL [REDACTED] was in charge of Wing 1, Gen Karpinski, LTC Phillabaum, MAJ [REDACTED], and anyone who worked at the hard site. I had never worked in confinement facility before, so when I was told COL [REDACTED] was in charge of that Wing I didn't ask any questions. I still made sure that my soldiers working that wing were taken care of, but I didn't know anything about the interrogations.

I take full responsibility for my soldiers and their actions. I don't place any blame against LTC [REDACTED]. I didn't seem to think anything was wrong with my soldier, working under LTC [REDACTED] in the MI Wing because the entire chain of command was aware of it.

When I first arrived in October and entered the MI wing my first reaction was "Wow there is a lot of nude people here." I was told that it was a MI tactic that was used to make the detainees uncomfortable. There were many people way above my pay grade that walk through that wing and nothing was ever said about it. I was told it was ok; nothing was illegal or wrong about it.

I saw LTC [REDACTED] daily, he spent a lot of time at the hard site. In the beginning he attended every staff meeting, and then it started to taper towards the end. LTC Jordan was the OIC of the MI unit, he was in charge of all the MI personnel who were doing the interrogations.

My soldiers had to conduct detainees accountability counting. I had made a mistake in my last statement. The soldiers conducted accountability three times a day then a headcount sometimes around midnight, in my prior statement I said twice, but I meant twice a shift.

I have never seen a DA 2674-R. My people took the counts, we forwarded it to S-1 from there. I don't know how it was formatted.

The ROE changed once. JAG briefed us around the December 2003 time frame. In the new ROE we went away from warning shots. We had 20 personnel attend the ROE Training. I don't recall us receiving the pocket-sized ROE card.

My soldier felt he had to go over me to report the allegations of detainee abuse. He felt that since the soldiers were about to be repatriated back to the states, the proper way would be too short. He apologized to me after, I didn't have a problem with that, and I understood what he was trying to do.

LTC [REDACTED]'s description is that he is about 5'10, balding, a little overweight, and sometimes he wore glasses. He wore DCU's with a black "bear suit" type jacket. He was well known by all the guards. He is a straightforward type of guy. He would stand up for the soldiers regarding morale issues. He mostly stayed in Tier 1A and 1B.

The MI had a partition set-up so they can conduct their exercises in privacy. The exercises conducted of making the detainees do PT stuff, I've seen the detainees holding buckets arms out, and other drills. I didn't know it was wrong at the time, but I know now. It was the nudity factor that I would question. There were females there on the left side of the hallway, we hung a sheet up because a lot of Iraqis would catcall to the females. we put the sheet up to try to deter that.

I understand this a 15-6 investigation, and the seriousness of this situation. I have concerns for my First Sergeant and my Platoon Sergeant, if you want to hold me accountable that is fine with me, I just would like to ask, could they be released?

The panel briefed CPT [REDACTED]

I feel like there is a discrimination issue with us being reservist. I talked to CID and I know other people were involved but their chain of command wasn't pulled. We have been treated like criminals, we are confined to this tent, and we aren't able to go back to our living areas to get items that we need.

The panel briefed CPT [REDACTED] again and dismissed him.

1 Captain [REDACTED], U.S. Army Reserve, was interviewed on  
2 10 February 2004, as follows:

3 Q Have you received word as to why we're interviewing  
4 you today?

5 A Yes, sir

6 Q Before I start, I want to provide you with the purpose  
7 of our interviewing you today I'm Major General Taguba. I'm  
8 the Deputy Commanding General for the Coalition Land Forces  
9 Component Command, headquartered at Camp Doha, Kuwait Our  
10 Commanding General, Lieutenant General McKiernan has appointed  
11 me as the Investigating Officer under the provisions of AR 15-6  
12 under the direction of General John Abazaïd, who is Commander of  
13 CENTCOM Command This investigation will gather all relevant  
14 facts and circumstances surrounding recent allegations of  
15 maltreatment of detainees at the Abu Ghraib Prison, also known  
16 as the Baghdad Central Confinement Facility, as well as detainee  
17 escapes and accountability lapses as reported by CJTF-7. Now,  
18 we'll also further investigate training, standards, employment,  
19 the climate, command policies and internal policies concerning  
20 the detainees held at Abu Ghraib And finally, we will be  
21 assessing the command climate and the supervisory presence of  
22 the 800th MP Brigade chain of command, from General Karpinski  
23 all the way down to your level

1           So before I start, I want to advise you that we're  
2 going to be recording our interview. And before I start asking  
3 you any questions, do you have any questions as to the scope of  
4 the inquiry?

5           A     No, sir.

6           Q     For the record, could you state your full name, social  
7 security number and unit of assignment?

8           A     [REDACTED] social security number is [REDACTED]  
9 [REDACTED] I am the Company Commander for the 372d Military Police  
10 Company.

11          Q     Let me begin by asking you, how long have you been the  
12 Company Commander?

13          A     I took over in December 2003--2002, excuse me.

14          Q     So, you were the Company Commander when the company  
15 was mobilized and deployed to Iraq?

16          A     Yes, sir, I took over 2 months prior to the  
17 mobilization.

18          Q     What was your previous position to that?

19          A     I was the Battalion S1 at the 336th out of Pittsburgh.

20          Q     Was your unit, both the 336th and 372d, organically  
21 assigned to the 800th MP Brigade? Could you describe what your  
22 chain of command was?

1           A     We were assigned to the 220th, and we fell under the  
2 99th RSC     That's how our chain of command went.

3           Q     That was your original assignment.

4           A     Right, I had no dealings or anything prior to this  
5 deployment with the 800th, so the first time I've ever been  
6 under their command.

7           Q     So the 372d was part of the 336?

8           A     Correct, and the 336th fell under the 320th

9           Q     Okay

10          A     And the 220th fell under the 99th.

11          Q     RSC out of the Pittsburgh area.

12          A     Yes, sir

13          Q     Where were you mobilized at?

14          A     We were mobilized at Fort Lee, Virginia, sir

15          Q     How long were you there for your mobilization  
16 training?

17          A     Seventy-some days, sir, I'm not exactly sure, 72, I  
18 believe     We were originally with the 4th ID contingent, and we  
19 got held up there a little longer than what we thought     So we  
20 sat there from February through May

21          Q     Of '03?

22          A     Correct

1 Q Could you describe briefly what types of training you  
2 received there?

3 A A lot of stuff was just check-the-block, sir, type  
4 thing I hate to use that terminology, but that's what it was.  
5 We focused on--we are a combat support company. We focused on a  
6 lot of extra NBC, we anticipated also that threat. And we also  
7 focused on a lot of breaching, which I'm very glad we did that  
8 because we utilized that a lot in the first part of this  
9 deployment.

10 Q Breaching operations?

11 A Buildings, right, correct, sir And then we just did  
12 all the other ranges and all the other stuff that they had laid  
13 on for us We did a lot of extra unique-type of ranges. We did  
14 a lot of live fire and that kind of stuff, which was really good  
15 stuff for the company So that's basically what we focused on.  
16 Everything else that they had laid on their agenda was mandatory  
17 training

18 Q So predominantly, common task Any law enforcement or  
19 I and R type of tasks?

20 A No I and R, sir, I wasn't--we're not an I and R--I did  
21 not anticipate that mission I honestly did not focus that way  
22 I knew we were going with the 1-4 Marines, and I knew we were

1 going to do a law and order mission That's what we did for the  
2 first 6 months So we did very little I and R

3 Q So your initial mission was you were going to the  
4 Marines

5 A Yes, sir

6 Q And how did you know about that particular  
7 arrangement?

8 A One of my platoon leaders is a congressional aid, and  
9 he had some connections, and he knew who that we were going that  
10 way

11 Q Did you know from the start at Fort Lee which  
12 Battalion you were going to, other than the Marines?

13 A No, sir

14 Q No order----

15 A It took a lot for us to have some contact or email as  
16 to where we were going There was some confusion Like I said,  
17 we were supposed to go through--the original contingent was  
18 scrapped and they came up with another plan So, no, it took a  
19 little while

20 Q Was your parent Battalion there mobilizing with you?

21 A No, sir, they're currently here for OIF II, they just  
22 got here

23 Q So you were selected out of that Battalion for----

1 A Yes, sir, all the companies were MOB'd except for the  
2 Battalion Headquarters, they stayed at home

3 Q So you were there from February to May, and you  
4 deployed first to Kuwait, and when did you arrive in Kuwait? Do  
5 you remember?

6 A Sir, I believe it's May 15th I'm not exactly sure, I  
7 think that's correct

8 Q Did you receive orders then, follow-on orders to your  
9 deployment northward?

10 A Yes, sir, that's where we linked up, we were TACON to  
11 the 1-4 And we proceeded north to the city of Al Halah, which  
12 is in the Babylon Province And there, we conducted law and  
13 order operations We also ran a police academy to train the  
14 local police And we assumed the local police stations there  
15 and we actually ran the stations and gave guidance to the local  
16 Iraqi police officers there and did that kind of operation

17 Q Which Marine outfit were you assigned to?

18 A The 1-4, sir

19 Q And how long did you conduct that operation?

20 A We were there until October, from May through October

21 Q Going back to your mobilization and deployment, could  
22 you describe for me the status of the readiness of your company  
23 at that time?



1           A     I just took over the company in December, so I did not  
2     have an opportunity to do any training with the company prior to  
3     the mobilization. I went off of the previous commander's, you  
4     know, where she kind of evaluated the company. When we got  
5     there, I pretty much agreed with what she wrote as far as the  
6     training, so it's basically TRP, every area there, from  
7     witnessing and from seeing the training we did

8           Q     How about personnel, what was the personnel status?

9           A     Our stats at the time, we MOB'd--full strength, we  
10    were 180, sir, and we MOB'd with 173 at Fort Lee.

11          Q     What about your DMOSQ? Were you up there?

12          A     I know what you're talking about, sir, I honestly  
13    can't remember what my numbers were. We were good enough to--we  
14    had a lot of people cross level into the company, also, and that  
15    brought us up in our strength as far as DMOSQ numbers. I do not  
16    recall the exact, I'm sorry

17          Q     From December to your mobilization, you didn't really  
18    have time to know about your company, is what you're saying?

19          A     Well, no, sir, December is basically, typically your  
20    Christmas part, and then I had January. And we MOB'd February  
21    24th. So no, I knew very little about my company at that point.

22          Q     So you didn't get a chance to----

1 A We had one month of training, and that one month was  
2 preparatory to load.

3 Q When were you alerted for mobilization?

4 A There was rumors way back in December We were  
5 actually MOB'd on February 24th.

6 Q Now, before I continue our interview questions here, I  
7 want to make sure that you know Captain [REDACTED] who is also a legal  
8 advisor here to the interview.

9 Okay, so short amount of time, didn't get a chance to  
10 know about your company. You knew about the readiness  
11 proficiencies of your outfit And you said upon arrival here,  
12 you were assigned to 1-4 Marines and conducting law and order  
13 missions off and on

14 A Yes, sir

15 Q Okay Let me kind of fast forward a little bit here  
16 So that gave you a little bit of time to know your people,  
17 basically who your First Sergeant was, who your platoon  
18 sergeants your platoon leaders, your company XO, that sort of  
19 thing Could you kind of describe then how the company was  
20 melding together under your command?

21 A Yes, sir We were under very adverse conditions  
22 there, on the heat, and a lot of those things played into that  
23 fact Overall, I was very pleased with the way the company was

1 headed We received nothing but praise from the 1-4. We did an  
2 excellent job down there I mean, my soldiers, with the  
3 conditions they were in, I think, could not have done a better  
4 job, and I truly mean that. I'm pleased with the First  
5 Sergeant, for the most part We had a few small issues, and he  
6 and I talked them out and that kind of stuff, but that was  
7 handled internally. There was no discipline problems We had  
8 some minor things, but everything was handled internally, like  
9 any other company

10 Q When did you change mission and went down to Bucca?

11 A We arrived, I believe, October 1st, sir. We assumed  
12 the mission October 15th from the 72d

13 Q MP Company?

14 A Yes, sir

15 Q Were you given proper notice ahead of time, or an  
16 alert notice stipulating that you were going to go from a law  
17 and order mission to an internment and resettlement mission?

18 A Well, I guess the notice would have been when the  
19 Marines were leaving and we had no home at that point, so we  
20 knew we were moving And then, we were told we fell under the  
21 310th at that point, a different Battalion, and we were told at  
22 different points that no, we're heading to Bucca, and then from

1 Bucca, no, you're not, you're heading to Abu So we did have  
2 probably a week or so in there that we knew we were moving

3 Q So initially, you were being attached or assigned  
4 somewhere to the 310th MP Battalion, which, where were they  
5 located then?

6 A They were in DO&E, which is about 2 hours south of  
7 here

8 Q And when you arrived to Bucca, was the 310th then the  
9 parent Battalion, or were you assigned to somebody else?

10 A No, they were our Battalion at that point.

11 Q At Camp Bucca

12 A Well, we never arrived at Camp Bucca. We sent the  
13 advanced party anticipating our movement down there, and then it  
14 got switched around, and I don't know how we ended up here, but  
15 we ended up here to stay

16 Q So you never served at Bucca?

17 A Negative, sir I just did an advanced recon, and it  
18 got squashed, and we never ended up going there

19 Q So you were never at Bucca, you were assigned to the  
20 310th

21 A Yes, sir

22 Q And the 310th was at Al Haniah.

23 A Yes

1 Q And when did you get assigned to Abu Ghraib?

2 A October 1st. And like I said, we assumed the mission

3 October-- -

4 Q You hadn't moved out of Al Hallah at that time?

5 A No, we came straight from Al Hallah to straight here,

6 sir

7 Q So Al Hallah to Abu?

8 A Uhm hum.

9 Q And who were you assigned to at that point when you

10 arrived at Abu?

11 A Then we fell under the 320th, and then obviously the

12 800th

13 Q And that was around October 1st, and you assumed the

14 mission around the 15th

15 A Yes, sir

16 Q Were you given any kind of specific instructions as to

17 what your mission requirements were going to be?

18 A Well, sir, when we got on ground, we basically did a

19 "right seat ROC" within 72d Military Police Company I, myself,

20 have never been in a prison, so I had no experience at all as

21 far as a warden or that type of thing They just showed us what

22 the duties were and how they did it, and we just basically fell

23 in on that

1 Q How long was the TOA?

2 A Two weeks, sir

3 Q Two weeks; so you had 2 weeks to gain some  
4 understanding of what your mission requirements were going to  
5 be

6 A Yes, sir.

7 Q Did you get any specific guidance from the 320th MP  
8 Battalion command?

9 A Uhm

10 Q Did they talk to you like we're talking right now,  
11 saying, "This is what I want you to do, Captain [REDACTED]"

12 A I don't recall that, sir

13 Q Did the 72d MP Company turn over any records, any  
14 SOPs, as they holding the mission then and since you were a  
15 combat support company, and how you were going to do an I and R  
16 mission, any kind of specialized training, their lessons  
17 learned, that sort of thing?

18 A I knew the previous commander from the 72d from the  
19 previous OA classes and OB classes, so we had a great rapport.  
20 He shared what he knew, what he could help me out . As far as  
21 SOPs, there were no SOPs, I don't think so

22 Q Did the Battalion provide you with any SOPs?

23 A Negative, sir

1 Q. Was the Battalion here already?

2 A Yes, sir

3 Q And did you understand that they had any doing with  
4 the I and R mission at Abu Ghraib at the time?

5 A Yes, sir

6 Q Did you ever ask for SOPs or policy guidance, or what  
7 does an I and R company do?

8 A Right, we asked, initially, a lot in the beginning.  
9 And I know that the 320th also requested through the 800th, sir,  
10 I know they did, for SOPs, and we never received anything My  
11 company started to write our own, and what we did was we took  
12 different areas and we started to create our own SOPs from that,  
13 and I think we developed about two or three, one for the  
14 visitation, which I set up, one for another wing that we wanted  
15 specific IP duties and responsibilities in that wing, so we  
16 wrote that for that And I know Sergeant [REDACTED] who's my NCOIC  
17 during the daytime, was working on some other ones, too There  
18 was a generic one that was passed down from the 72d, that was a  
19 blanket, cover all It was not specific to Abu Ghraib or to  
20 that particular mission, and we were tweaking that and working  
21 on that as we went along As far as anything from higher down,  
22 no

1 Q Did you ever ask any questions, any references like,  
2 for example, AR 190-8, or even a copy of the Geneva Convention?

3 A No, sir, I never seen a copy of that.

4 Q. Are you aware of the tenants of the Geneva Convention  
5 in the performance of your duty with handling detainees and  
6 prisoners and things of that nature?

7 A I may not be the smartest guy, sir, but I understand  
8 there's certain things you can and can't do when you're dealing  
9 with civilian internees

10 Q Is that part of the training and part of the TOA  
11 process over the 2-week period?

12 A No, sir

13 Q So you had no knowledge that that was part of your  
14 mission or part of the tasks associated with your mission in the  
15 performance of your duties regarding Camp Ganci, Camp Vigilant  
16 and the hard site?

17 A Nothing formal, sir, but I think as an MP or as a  
18 person, you understand that there's certain rights that people  
19 have

20 Q Who was your Battalion Commander of the 320th at the  
21 time when you assumed your mission?

22 A I hesitate only for one reason, sir, because Colonel  
23 [REDACTED] wasn't there for a little while in the beginning.



1 Q I'm talking about in October.

2 A Yes, he was gone. It was Colonel [REDACTED] or--Colonel  
3 [REDACTED] was there for a brief time in October, then he left  
4 for a while and Colonel [REDACTED] came in as an interim for a short  
5 period for a few weeks and then Colonel [REDACTED] came back  
6 And I don't have the dates.

7 Q So who did you interact with in that----

8 A Colonel [REDACTED] for the most part.

9 Q Did you interact with the Battalion XO or the  
10 Battalion S3 during the----

11 A The Battalion S3 and I have daily conversations, sir,  
12 mostly over strength and troop to tasks, and that kind of thing,  
13 because we were under strength, as everybody here is. And we  
14 had to, you know, do the best we could to accomplish the  
15 mission, and that meant shuffling people around sometimes and  
16 that kind of thing.

17 Q So during the course of your assumption of the mission  
18 requirements from October to date, you were developing your own  
19 SOPs absent any guidance from higher headquarters?

20 A Yes, sir.

21 Q Were those SOPs ever written or posted somewhere?

22 A We haven't, sir. The ones we developed were more for  
23 the Iraqi corrections so that they understand their job. Our

1 whole goal here was to turn this over to them and for us to step  
2 back and let them run the prison. So we were developing SOPs  
3 more for them so they understand what their job, what their  
4 responsibilities are and what we expect of them

5 Q And did you understand, of course, in your mission set  
6 that there were interrogators that were going to be involved in  
7 the detainee operations?

8 A Yes, sir, they were there and I knew Colonel [REDACTED]  
9 He was the OIC of the MI I never had any interaction with them  
10 prior to that, and I wasn't exactly sure a lot of times as to  
11 what they did and how they did things. But we talked to Colonel  
12 [REDACTED] and he helped me Initially, I saw some stuff that was a  
13 little surprising

14 Q So, were you at least curious as to why interrogators  
15 were involved with detainees?

16 A Yes, sir, and Colonel [REDACTED] talked to Colonel [REDACTED] and  
17 they told me that Wing One specifically was for HVDs and people  
18 that we had an interest in And there was also--there were  
19 civilians, we had juveniles, we had females, we had the crazy--I  
20 don't want to call them crazy, but the psych ward was also  
21 dumped on Wing One So we had quite a hodgepodge of people in  
22 there

23 Q But what about the Camps Ganc1 and----

1 A I was responsible only for Vigilant, sir. I got  
2 Vigilant, the hard site, an escort mission and a PSD mission  
3 with one platoon in Doha That's what I was responsible for

4 Q Describe for us now, Captain ██████, how you organized  
5 your unit to accomplish the mission that was given to you, hard  
6 site, Camp Vigilant, how did you organize that?

7 A What I did, sir, was I basically broke it down by  
8 platoon for the best we could And from that point, I took my  
9 people who were stronger Being in the Reserves, you have--one  
10 of the advantages, hopefully, is that you have some civilian  
11 experience I pulled my people out who were correctional  
12 officers in the civilian side and I put them in, for the most  
13 part, into the leadership spots and I tried----

14 Q Leadership spots where?

15 A Within the hard site or at Camp Vigilant.

16 Q Were they assigned to a platoon or where you just  
17 pulled them out from each of the companies?

18 A Sometimes I pulled them out of the platoon, sir, if I  
19 felt that we needed, you know, if the one platoon didn't quite  
20 have the experience, maybe this one is a little heavier, and I  
21 had some correctional people there We pulled them out and put  
22 them in the other platoon so that we could balance it out the  
3 best we could One of the interesting things is, you know, I've

1 seen the pictures from the CID. I've seen probably 90 percent  
2 of them. I'm appalled by what I saw from my soldiers. I'm not  
3 going to kid you. The interesting thing is that two out of the  
4 seven of my soldiers who are going to be probably prosecuted  
5 here are correctional officers. And they were specifically put  
6 there for that reason, because I trusted them and I was relying  
7 on their knowledge and their experience to do the job.

8 Q Let's stop there before we go on that portion. So you  
9 pulled your correctional officers and put them on the hard site  
10 How did you do the camps and how did you do the PSD and how did  
11 you do the other----

12 A The PSD, sir, was basically a platoon. They just  
13 wanted a platoon, flat out, and that's what we did with that

14 Q And left them where?

15 A They were left at Al Hallah where we originally came  
16 from

17 Q How many platoons did you have?

18 A I had four--well, five if you count headquarters, but  
19 I had four platoons of MPs. So I had one platoon there. I had  
20 one platoon basically in the hard site. I had one platoon in  
21 Vigilant. And then the other two, we kind of split between  
22 Vigilant and the hard site.

23 Q Who was your platoon leader at the hard site?

1 A I actually had a Captain, a Captain [REDACTED]

2 Q Was he always assigned to you?

3 A No, sir

4 Q Or was he one of these kind of guys that was a "hey

5 you"?

6 A No, sir, he came in from a lateral transfer, I

7 believe, from the 352d MP Company, a very good guy, very--you

8 know, integrity, correctional lead on the civilian side

9 Q Did he have any experience in I and R?

10 A No, sir

11 Q Did he have any experience as a law enforcement

12 officer?

13 A No, sir

14 Q What was his branch?

15 A He's an MP, sir

16 Q He's an MP Has he been a company commander before?

17 A No, sir

18 Q And so, he was assigned to you as an extra person

19 A No, sir, he was assigned--yes, sir, as a platoon

20 leader

21 Q Based on his rank, not questioning his proficiency,

22 not questioning his competency, not questioning his experience,

1 you placed him in the command of a platoon that was responsible  
2 for the hardstand

3 A That's correct, sir

4 Q Did you give him any specific guidance?

5 A The guidance that I gave him was to make sure we  
6 didn't anything wrong, just to make sure we did everything--took  
7 care of the inmates, and he understood--we had a very good  
8 understanding as to what I wanted and what he--there was no grey  
9 area as to what we were--what our job was from the 72d as to  
10 what we should be doing

11 Q Who had Camp Vigilant? Which platoon was that?

12 A That was First Platoon, sir, and the NCOIC of that was  
13 Sergeant First Class [REDACTED] and I had a Lieutenant [REDACTED] as  
14 the CIC

15 Q Who were at Vigilant.

16 A Yes, sir

17 Q And you had a platoon that was doing the transporting,  
18 you said

19 A Yes, sir, we also had the escort responsibilities,  
20 that was the Third Platoon, Sergeant [REDACTED] and they were  
21 responsible for many of the escorts, the daily prisoner runs or  
22 whatever it may be

23 Q And who had the [inaudible]?

1           A     That was Second Platoon    I had another Captain down  
2 there, a Captain [REDACTED], and Sergeant First Class [REDACTED]

3           Q     What was the role of your First Sergeant at this time?

4           A     The First Sergeant, basically, he would just roam  
5 around, and he did a lot of force protection things. There was  
6 a lot of towers and stuff that needed reinforcing, and he kind  
7 of focused on Plexiglas gates and taking care of the troops,  
8 just when he was walking around and doing First Sergeant kind of  
9 stuff

10          Q     Now, according to your statement, you said that you  
11 spent 70 percent of your time focused on the construction or  
12 improvements surrounding the camp

13          A     Yes, sir

14          Q     Your area of responsibility

15          A     Yes, sir

16          Q     So you didn't spend too much time checking on the  
17 detention operations of your company

18          A     When I took over the mission, sir, the previous  
19 commander told me the majority of your time will be spent on  
20 these other issues, and it was    I placed competent people in  
21 them areas so that I would not have to, because I knew I would  
22 not have the time to be everywhere at once    That's my reasoning  
23 why I put those people where I did    I spent the majority of my

1 time, as you said, working with the contractors, working with  
2 the CPA, looking at their construction. There was many, many  
3 issues there, to include the generation power, water, all that  
4 stuff is what I dealt with, the logging. Anything I did, they  
5 basically came through me and I was like the liaison through the  
6 CPA for whatever reason, and that's the job I got

7 Q At the onset of your taking over that particular  
8 complex, did you write down or articulate your mission to your  
9 company?

10 A My specific mission, sir?

11 Q [Affirmative.]

12 A No, they knew, though, the role that I was in. But  
13 no, I didn't

14 Q You did not articulate to them what your role----

15 A Oh, yeah, sure, I articulated, but there was nothing  
16 in writing. They understood what I was doing, as they seen me  
17 every day running around doing whatever I was doing

18 Q What did you think your mission was?

19 A My mission, sir, was to oversee the hard site, to  
20 oversee Vigilant, to do all that stuff, and to also prepare to  
21 get the jail ready to open up so we could move the people out of  
22 Wing One that were not supposed to be down there and put them in  
23 Wing Five where they belonged so that we could, you know, we



1 could get in compliance with the...I guess the Geneva  
2 Convention, we were violating the--I know we were in violation,  
3 and it was no secret that we shouldn't have juveniles and  
4 females and all them people in the same wing or the same tier  
5 with HVDS and I knew that

6 Q But did you articulate that to your higher  
7 headquarters?

8 A Oh, yes, sir, and they had also articulated that, too.  
9 There was a lot of pressure from people to open up that other  
10 part of that prison "When can we open it? When can we do  
11 this?" "It's not ready, the beds. .," whatever, it wasn't  
12 ready So I worked closely with the contractor on a daily  
13 basis, and also, I spent a lot of time with the warden

14 Q So basically, what did you think was your number one  
15 priority based on your mission?

16 A In my heart, sir, my number one priority is my  
17 soldiers and it always will be If you're going to that, I  
18 mean, I spent the majority of my time, like I said in my  
19 statement, on them other areas, sir

20 Q So your soldiers were your number one priority.

21 A My soldiers will always be my number one priority.

22 Q But in terms of your mission

1 A My mission, itself, I spent the majority of my time on  
2 the other stuff, and I'm not going to tell you differently

3 Q Was there any time when you were conducting the  
4 mission that your soldiers were even advised of the tenants of  
5 the Geneva Convention in the performance of their duties?

6 A No, sir, not that I'm aware of.

7 Q Was there a reason why?

8 A I don't know, sir

9 Q Because you stipulated, at least you commented that  
10 you knew something was not right

11 A Well, sir, we have to backtrack a little, there was an  
12 IC/RC investigation, and their initial findings were, [REDACTED]

13 [REDACTED]  
14 [REDACTED]

15 [REDACTED] That's how I was made aware of it, initially And  
16 because of that, the pressure was put on to [REDACTED]

17 [REDACTED] and that was a big snowball effect from that  
18 whole thing

19 Q Okay, now during the course of your command and your  
20 mission set down there, how many incidents of riots or attempted  
21 escapes or escapes or shootings of anything unusual that you  
22 were either aware of or were reported to you?

1           A     When I was there, there were three escapes     There was  
2 one attempted shooting in the hard site     There was obviously  
3 other ones in Gancı, I don't recall the number there.     Riots,  
4 there were no riots in my area

5           Q     How did you deal with reporting?     Did you report those  
6 incidents to your higher headquarters?

7           A     Oh, yes, sir, of course.     There was some 15-6s done,  
8 usually on everything, on all of it

9           Q     Let's cover the escapes here for a moment here.     You  
10 said there were two escapes.

11          A     Yes, sir

12          Q     They were not attempted, they were successful escapes.

13          A     They were successful

14          Q     How many prisoners escaped from each incident?

15          A     The first one, there was two, and they used the beds  
16 to pry the window open, and they escaped out of a very small  
17 area     And we believe there was some inside help from the first  
18 one, as far as opening locks and doors and that kind of thing  
19 And they knew exactly where to go, what wall to go to.     They  
20 knew the tower that wasn't manned, and they climbed right over  
21 it and they were gone

22          Q     And these escapes were out of the hard site?

23          A     That particular one was, sir.

1 Q When was that?

2 A Uh

3 Q A window

4 A December, sir. There was a second one that wasn't too  
5 long ago That would probably have been January. And what  
6 happened there was, one of the correctional officers who  
7 normally supervises the work details came in and took a  
8 particular prisoner out, took him to an isolated area of the  
9 prison, the new part And he was on a cleaning detail,  
10 supposedly The IP just happened to walk away, and left him  
11 unsupervised There was a bathroom nearby, and the particular  
12 IP happened to also have access to the supply room. And we  
13 believe that he gained access to the uniform and dropped the  
14 uniform in the bathroom and conveniently walked away The  
15 inmate changed his clothes, walked right out of the prison,  
16 walked under a manned tower that was manned by IPs, walked right  
17 through it and walked right out

18 Q Pertaining to the first incident, did you take  
19 corrective actions at the time, that something was----

20 A Yes, sir, what we did, as we started to--we welded the  
21 beds together at that point We started welding beds and making  
22 sure all the slats were welded down The beds were welded  
23 together so they could not use them as a leverage We also, at

1 that point, we tried to reinforce, and I emphasize "try,"  
2 because it was a daily struggle to keep the clothing off of the  
3 windows so we could see the windows, that they were being  
4 tampered with That's what happened when they first--they broke  
5 off the concrete and they pried away the rebar by using the bed,  
6 and they hung some clothing over it so it wasn't detected.  
7 That's how that happened, so that's what we did as far as that  
8 We also took corrective measures I personally went to General  
9 [REDACTED] who was the Iraqi warden at that point and explained to  
10 him how this happened and how they did it. And he took  
11 corrective actions as far as addressing his people at that  
12 point

13 Q Did you give the same report, the same brief to your  
14 own chain of command?

15 A Yes, sir. General Karpinski came up a day or two  
16 later, and I actually gave her the tour, the nickel tour, as to  
17 exactly how they did it, where they went and the path they took.

18 Q Was there any change to your standard as you know it,  
19 your self imposed standard for accounting for all those  
20 prisoners at any given time? How did your accountability----

21 A Right, sir, there was a checks--we had a checks and--  
22 we actually accounted for the prisoners ourselves, and we made

1 the IPs also account for and we balanced our numbers together  
2 and made sure. .

3 Q How often was that done?

4 A That was done daily, twice a day

5 Q Between the hours of when?

6 A It was done in the morning, sir, and in the .and I  
7 don't know that, that was handled by the NCOs. And I know they  
8 did it, I don't know what times they did it, though.

9 Q Was there any written report provided or filed that  
10 you know of?

11 A No, sir, there was just a daily board we kept our  
12 numbers on. And I reported the numbers every day at my 09 staff  
13 meeting as to the number of people in the hard site.

14 Q Who did you report that to?

15 A To Colonel [REDACTED] and his whole staff, sir, the  
16 number of people present, the number of beds available, and then  
17 if there's any other issues

18 Q Was that done verbally?

19 A Yes, sir.

20 Q Were there any written reports on a daily basis from  
21 you, twice a day, as you say, up to Battalion that you can  
22 recall?

1           A     Sir, that wasn't my responsibility    I do believe that  
2 Major ██████████ the 3, reported that stuff up through the----

3           Q     Chain of command?

4           A     Yes, sir

5           Q     What company, since you're operating the hard site,  
6 you were operating Vigilant and obviously, those folks are doing  
7 their accounting of the prisoners twice a day, as you stated.

8           A     Yes, sir.   The S1 also briefed the numbers in the  
9 morning, too    So she had accountability of the numbers that we  
10 had    So there was a communication between us and the 1.   She  
11 knew exactly who was there by name and how many----

12          Q     We understand how you were doing that.   You relegated  
13 that responsibility to the NCOs and because, for whatever  
14 reason, and they were reporting those numbers to you verbally.

15          A     Yes, sir

16          Q     There's no written report.   There's no listing of all  
17 prisoners by ISN, and all prisoners are accounted for twice a  
18 day, and then somebody signs off on that report and then it gets  
19 to your company TOC who will then provide that report to the  
20 Battalion

21          A     That is correct, yes

22          Q     So it's all done by visual

1           A     Yes, sir, it was 100 percent     They'd go through the  
2 cells and they would check the number, the bracelet that they  
3 wore, by ISN     And then each person on a wing was responsible  
4 for that responsibility, and then together, they would  
5 collectively take that to the NCOIC, he would add up the numbers  
6 and make sure they were right

7           Q     That's how they would do it, okay.

8           A     Yes, sir.

9           Q     Were there any other corrective actions that were  
10 taken after the second escape?

11           A     Yes     We immediately posted--where the escape was a  
12 wing that was brand new, and what it was a bunch of  
13 administrative offices     It was stuff that was used for  
14 inprocessing in the past     And because of that, it was just  
15 basically a big hallway with a lot of offices on both sides     So  
16 what we did was we immediately posted IPs at the door and at  
17 the--where you came in at, and also at the hallway, there was  
18 another IP posted there     They were instructed that no one,  
19 nobody left that prison without an ID card, nobody     And then  
20 also, I talked to ██████████ and he put that in place almost  
21 immediately     And we also--there was a door there that, which  
22 we'd call the common lower door, the little heavy steel door



1 that slid across, and he also enclosed that door at that point,  
2 too So it saved [REDACTED]

3 Q Are you saying that you also had Iraqi correctional  
4 officers that were involved in detainee operations?

5 A Absolutely, sir That was the one thing that--you  
6 know, if I could change or--or I guess I had no control over  
7 that We were--it's a civilian-run prison run by the Iraqi  
8 correctional officers. They went through a 2-week training  
9 course, and they were basically given to us, and we were to  
10 train them, OJT, train them and kind of teach them their  
11 responsibilities And we had to rely on them a lot because we  
12 could not--we did not have the manpower--to put the appropriate  
13 number of people we wanted to on the wings So we had to rely  
14 on the Iraqi correctional police or whatever you want to call  
15 them, to do their job And because of that, you know, we got  
16 put in a lot of situations where----

17 Q But that site was under your control.

18 A Yes, sir

19 Q Your direct----

20 A Well, mine and the General from the Iraqi----

21 Q But I'm looking at the hard site was your direct  
22 control

23 A Yes, sir

1 Q But then you had Iraqi----

2 A It was a partnership, sir. That's the way I like to  
3 look at it. Like I said, all along, our goal was to turn this  
4 over to the Iraqi police. We're not going to be here all the  
5 time, and our goal was to eventually, as they learned what we  
6 expected, we tried to step back and let them take over the  
7 responsibility.

8 Q. Let's concentrate now on the shooting that happened  
9 where which part of your complex did that shooting occur?

10 A That was in One B, sir, top floor.

11 Q One B, top floor. So if I'm looking down the  
12 hallway

13 A It would be to your left, sir, on the top

14 Q What occurred there?

15 A We had got a tip from one of the inmates that possibly  
16 one of the other inmates at the other end of the wing had gained  
17 access to a weapon. Immediately, my NCOICs--the procedure was,  
18 a lot of times, they would put on their flak jacket and their  
19 Kevlar, and immediately, what we did was, and we tried not to  
20 alert the guy that we were on to him, that we possibly had  
21 something. So what we do in a case like that is we would take--  
22 we would take the inmates--ask them to come forward to their  
23 door, and just handcuff them through their door. And as they

1 worked down the line, when they got down to the person who we  
2 suspected had the weapon, he became very agitated. And he had  
3 the weapon underneath his pillow, I guess, on the bed, pulled  
4 out the weapon and he started to shoot, fire off many rounds.  
5 One of the rounds struck one of my soldiers in the vest and  
6 glanced off of his vest, and there were many other shots that  
7 went into the walls. The NCOIC at that time grabbed the  
8 shotgun

9 Q Who was the NCOIC?

10 A Sergeant [REDACTED] and he fired  
11 two non-lethal rounds at the suspect. The suspect basically got  
12 up and just continued with what he was doing.

13 Q Was he inside the cell?

14 A He was inside the cell, sir, correct. It was locked,  
15 but he was laying the weapon through the bars and just shooting.  
16 At that point, Sergeant [REDACTED] fired a third round, which was a  
17 buckshot, and it hit the suspect in the legs. At that point, he  
18 stopped, dropped the weapon and stopped. They extracted him,  
19 extracted him from the cell. We called medical support and then  
20 we evac'd him out of there at that point.

21 Q What did you do afterwards? Did you report it?

22 A Yes, sir. As you can imagine, sir, that was a rather  
23 large event, so yes, sir, everybody knew about that. That very

1 night, Colonel [REDACTED] the entire staff was on-site  
2 Colonel [REDACTED] the OIC of the MI was also present during the  
3 shooting. He was there, myself, of course, we were all present  
4 right immediately after

5 Q Were there any corrective actions taken by you or  
6 authorized or directed by your chain of command at that time, if  
7 anything?

8 A The only thing I can recall, sir, is at that point, we  
9 went to a heightened state and everybody wore their flak and  
10 their Kevlar inside the hard site at that point

11 Q How was that done?

12 A That was ordered down through, I believe General  
13 Karpinski through the Battalion

14 Q Just wear your flak vest, anything to be done----

15 A You know, I forgot something. We did, also, we  
16 searched everything. We went through the entire wing. We went  
17 through everything and did a complete search of that entire  
18 area. We also searched some of the other wings, too, very  
19 extensively, looking for anything, weapons or that type of  
20 thing

21 Q Any other corrective actions like unscheduled  
22 searches, unscheduled checks, that sort of thing?

1           A     We've always did that thing, sir. We use the dogs,  
2 also We used them many times That was done almost on a daily  
3 basis I can't say it was done every day, but we did that quite  
4 often, unscheduled routine searches of the cells

5           Q.     What about around the camps?

6           A     That was also done randomly, but that was scheduled  
7 through Master Sergeant [REDACTED] He would basically just come  
8 to me and say, "Sir, we're gonna check--we're gonna search  
9 Vigilant Three or whatever, or Charlie, Delta at 09," and I'd  
10 say, "Roger that," and we would do that We'd just set it up.

11          Q     Who was Master Sergeant [REDACTED]

12          A     Master Sergeant [REDACTED] I'm not sure exactly what  
13 company he was with, sir He was with one of the other  
14 companies and he was just basically put in charge of all the  
15 searches, through either Camp Ganci, Vigilant or the hard site.

16          Q     So he wasn't assigned to your company

17          A     No, sir

18          Q     And you understood him to be, as an authorized person,  
19 did you ask him, "What do you do for a living?" or "What's your  
20 role?"

21          A     He's a--I believe a State Trooper, I talked to him,  
22 personally

23          Q     So he's a State Trooper.

1 A Yes, sir, for Pennsylvania

2 Q Where did you think he was assigned to? What unit was  
3 he assigned to, that you know of?

4 A Sir, I'm sorry, I don't know. I know it was one of  
5 the other units that are there on the ground, and I'm not sure  
6 what unit he came from, to be honest

7 Q Is he still around?

8 A Yes, sir

9 Q So he's still assigned to the compound?

10 A Yes, sir

11 Q Okay, concentration now on another focus area, and  
12 that would be any reported abuses of maltreatment of the  
13 detainees Were any of those reports provided to you, or have  
14 you heard of rumors or

15 A There was one, and it was reported--Sergeant Davis, it  
16 was reported to me by Captain [REDACTED] my OIC, and Sergeant  
17 [REDACTED] my NCOIC The report was only of verbal abuse, and that  
18 was it The actions I took were I immediately removed him from  
19 the hard site, sir, and I gave him some additional duties that--  
20 we were working on force protection issues and I assigned him to  
21 that for his safety and for the inmate's safety at that point

22 Q So there were no other reported physical abuses or  
23 maltreatment that you have knowledge of?

1 A No, sir

2 Q Did you suspect any?

3 A No, sir

4 Q Did you make any visual checks around the area?

5 A Yes, sir I work primarily the daily--I mean, I work,  
6 with the meetings and things, and I work mainly the daylight  
7 shift However, I would stop in periodically at nighttime My  
8 OIC, Captain ██████████ was there all day I had Sergeant First  
9 Class ██████████ come in He stayed many times until 1, 2 o'clock  
10 in the evening. There was a time in the evening that they took  
11 advantage of, usually between 22 and like 6, and I think that's  
12 when some of this stuff happened But for the most part, we had  
13 people there

14 Q That you relied on

15 A Yes, sir, that I relied on, that I counted on. And  
16 they were put there, like I said before, because of their  
17 civilian skills

18 Q Did you ever check on their military skills?

19 A I'm not sure at all if I'm tracking, sir.

20 Q You based your selection of people for the specific  
21 duties based on their civilian skills

22 A Yes, sir

1 Q But you never checked on their military skills,  
2 whether they have the proper leadership skills or experience in  
3 that regard

4 A The one, sir, was a staff sergeant, I thought as an  
5 NCOIC that was sufficient The other one was a corporal And  
6 like I said, I was new to the company. He was transferred into  
7 me I had no recollection--I had no idea of his past or  
8 anything of that nature And he never gave me any indication  
9 prior to that during their recent mission to think anything  
10 else They both performed well

11 Q Did you understand why those detainees were put in  
12 that particular wing?

13 A Yes, sir, because they were of some type of  
14 intelligence value, or they were either female, juvenile, or  
15 psych

16 Q Did you follow up on that, as to why they were  
17 important, how long they were going to be there----

18 A No, sir, I didn't care, to be honest, that wasn't my  
19 area That was the MIs focus I didn't do the interrogations,  
20 and I really wasn't focused on that.

21 Q So that really didn't interest you at all

22 A I mean, they would tell me why they were there. "This  
23 guy blew his thumb off with a grenade. This guy shot at



1 somebody " I knew basically why they were there. I didn't care  
2 for how long they were there or when they were leaving

3 Q Did you understand that was related to your overall  
4 mission requirement?

5 A I guess

6 [The session paused at 0937, 10 February 2004, and reconvened at  
7 1000, 10 February 2004 ]

8 Q Captain [REDACTED] before we continue, let me focus again  
9 on your selection of personnel that were based on their civilian  
10 skills of being correctional officers or in that particular  
11 sense. Could you describe one more time how you selected these  
12 folks?

13 A Yes, sir. Being in the Reserves, we have the luxury  
14 of having people with very diverse backgrounds. And what I did  
15 was, I took my--we looked at each platoon and we evaluated those  
16 who had, in particular, police or correctional backgrounds, and  
17 we selected those individuals to work, specifically, in the hard  
18 site because we knew we really didn't have the training. I  
19 didn't have the experience, and I needed their help and their  
20 expertise to get us through, you know, to make sure we were  
21 doing the right things.

22 Q Did you, upon selection, did you personally interview  
23 these people, or how did you run that?

1 A Not personally, sir, but I knew them from--we had been  
2 MOB'd at that point for 6 months at that time, and I knew of  
3 their civilian occupations and what they did. Many of them came  
4 forward to me at that point and said, "Hey, you know, I'd like  
5 to work at the hard site because I work in corrections," or "I'd  
6 rather not work in the hard site because I work in corrections,  
7 I'd rather get away from it," so vice versa

8 Q Who, specifically, were those that you selected?

9 A The two that I selected, actually, the three were  
10 Corporal [REDACTED] who is a civilian correctional officer,  
11 Sergeant [REDACTED] who also works in corrections. He was the  
12 NCCIC of the nightshift. And Sergeant [REDACTED] who is a D.C  
13 police officer, and there was some other ones there, police  
14 officers, but those were the three that jump out at me as far as  
15 senior people, sir

16 Q Now, originally, or initially, who was the NCOIC for  
17 this group? Do you know? Do you remember? Did you pick a  
18 leader?

19 A Yes, sir That would have been Sergeant [REDACTED] E7,  
20 and he does not have a--he was the platoon sergeant for the  
21 platoon who handled the majority of the hard site

1 Q So Snider, Sergeant First Class [REDACTED] then became the  
2 NCOIC for the hard site, but specifically, which portion of the  
3 hard site?

4 A Wings one through four, sir

5 Q One through four

6 A Yes, sir

7 Q But who was the NCOIC for the tier? Did you have  
8 NCOICs for each tier?

9 A Yes, sir, we had like a--well, yes, sir, those were--I  
10 can't give you the specific ones because they rotated on a daily  
11 basis There was a dayshift NCOIC, Sergeant [REDACTED] Staff  
12 Sergeant, he worked mostly days And then there was the  
13 nighttime supervisor, was Sergeant [REDACTED]

14 Q Sergeant [REDACTED]

15 A Right

16 Q Can you go back to why these detainees were, the  
17 security detainees were being placed in that particular tier,  
18 which was overseen by both Staff Sergeant [REDACTED] and Corporal  
19 [REDACTED] Did you ever inquire as to why they were being placed  
20 or segregated from the other detainees on the hard site?

21 A I knew that anybody who was in Wing One, sir, we had--  
22 they had some type of intel or perceived intelligence to the  
23 military, and that's why they were there

1 Q But didn't you say that they were being placed there  
2 for a reason, did they provide that particular guidance to you?

3 A Well, that came from, I guess, Colonel [REDACTED] or  
4 Colonel [REDACTED] I just knew that whenever they were  
5 processed in, that if they came to Wing One, that they had intel  
6 value And that was given to us by whoever brought them in,  
7 whoever detained them or arrested them. That could've been 4th  
8 ID It could've been anyone who brought them.

9 Q Somebody

10 A Somebody who brought them in to us, sir, said, "These  
11 people have intel value," when they were inprocessed and they  
12 were brought over to the prison, we were told to put them in  
13 Wing One

14 Q Were there any kind of special instructions that you  
15 knew on the handling and the treatment of these particular  
16 security detainees that were placed in Wing One?

17 A No, sir, everybody was inprocessed the same way for  
18 the most part We brought them in We put them into a holding  
19 cell Sergeant [REDACTED] would then--it was usually during the  
20 daylight hours, so Sergeant [REDACTED] would then assign them to a  
21 cell number They would write on, with a marker, on their hand  
22 cell number, their ISN. And then from that point, they were

1 transported from the holding area, holding cage down into their  
2 respective area

3 Q Okay, but let me focus now, you mentioned that these  
4 people who were in Wing One, that particular tier is what I'm  
5 talking about, were placed there because of their intelligence  
6 informational value

7 A Yes, sir.

8 Q And you were given instructions as to why they were  
9 being placed there in the first place.

10 A No, sir, not necessarily We just, you know, we would  
11 just hear over time as to why they were there or why they were  
12 suspected of being there Like I said----

13 Q Maybe I'm not phrasing this question properly.  
14 Somebody, after their being placed or interrogated or whatever  
15 have you, are of security value, intelligence value, and that  
16 particular tier is specially designed to hold those security  
17 detainees for a specific purpose, because not everybody is mixed  
18 in and mixed up

19 A That's right

20 Q So did you ever inquire as to why they're being placed  
21 there? Did you ever inquire as to any specific instructions to  
22 their handling and treatment?

1           A     Once again, sir, I honestly didn't care why they were  
2 there    I mean, I knew they were there for a reason, but that  
3 wasn't my--from my understanding, that was not my  
4 responsibility. My responsibility was just to house them, make  
5 sure they were taken care of. MI did the interrogation and all  
6 that stuff    We did not do that stuff with them

7           Q     So the MI, of course, does the interrogation, and the  
8 MI, of course, provides some sort of a set of instructions for  
9 the treatment and handling----

10          A     Okay, I see where you're going, sir. Yes, sometimes  
11 they would put them on special sleep deprivation programs    In  
12 the beginning, they often stripped their clothing, their  
13 bedding, that kind of thing from them    And we were told by  
14 Colonel ██████████ when I questioned this that this was an  
15 interrogation method and it was something they used. They often  
16 brought the dogs in and they would walk the dogs through and  
17 stuff like that    But as far as--sometimes they'd also be put on  
18 like a sleep deprivation, or they'd want my soldiers to turn on  
19 a radio or turn off a radio    They'd be given special favors if  
20 they were cooperating, like radios and that kind of stuff

21          Q     So those instructions were provided to you through  
22 Lieutenant Colonel ██████████ and his----

23          A     That is correct, sir, yes, sir

1 Q Were they in a written form or were they----

2 A They weren't originally, sir, and then about a month  
3 into this, a month and a half into this, I demanded that it was  
4 written or we did nothing We would take no action until we had  
5 something in writing. And the reason why I did that, I was  
6 concerned that--well, there was an incident that popped up that  
7 put a flag up in my head And what it was, there was a  
8 particular inmate, and I don't know who, I don't know which one,  
9 but he was on a sleep deprivation program. Well, that  
10 particular inmate had a panic attack, and my soldier stopped the  
11 music and called for a medic at that point to give this  
12 individual some help The MI guys, his name was ██████ a big  
13 tall guy, I don't know his name or rank, because he was in  
14 civilian clothes most of the time, became upset with my soldier  
15 for doing that. I approached him and I said, "No, he did the  
16 right thing " And I said, "If something would have happened to  
17 him, he would have blamed my soldier." And we're not trained  
18 for this kind of--and I don't want the responsibility. I've  
19 seen how he turned on us and said, "No, it's the MP's fault.  
20 You can't do that I have to start all over again with this  
21 guy " I said, "I don't care I don't care if you have to start  
22 all over with him because we did the right thing." From that  
3 point on, I made sure that it was in writing, specific

1 instructions as to what we were to do, how we were to do it, and  
2 what we were to do. At one point, I asked that we be removed  
3 completely from Wing One, my MPs. I didn't want to be  
4 responsible for anything in there, and I was told, of course,  
5 "No, we can't do that. You have to be down----"

6 Q Who said that?

7 A That was the XO, Major [REDACTED]. He said, "No, no,  
8 that's the wrong answer. You have to be there to transport and  
9 all that stuff." So, "Okay, I got you, sir, I understand that."  
10 But at the same time, I wanted something in writing, and from  
11 that point on, we demanded it in writing.

12 Q When was that confrontation?

13 A December, roughly, sir.

14 Q Early, mid, late?

15 A Probably mid to late. It took me a little while for  
16 that incident to happen.

17 Q Who brought this situation to your attention? The  
18 guards?

19 A Yes, my soldier, Sergeant [REDACTED], was the one who  
20 was working. And one of my soldiers approached me with it, one  
21 of the NCOs said, "Hey, sir, this happened and he did the right  
22 thing." I said, "Yeah, I fully agree with you. He did the



1 right thing." And from that point on, I approached that Steve  
2 MI guy and said, "No more."

3 Q Did you report these events to your chain of command  
4 besides Major Sheridan?

5 A No, sir, Major [REDACTED] he was the XO.

6 Q This [REDACTED] guy, did you ever question who he worked  
7 for?

8 A It was just common knowledge, sir, that he worked for  
9 MI Like I say, he wore no uniform. He was in civilian  
10 clothes I didn't know his rank

11 Q He didn't wear any kind of uniform?

12 A No, sir

13 Q No DCUs?

14 A No, sir

15 Q He was strictly civilian

16 A Yes, sir, I assumed so, sir He had facial hair, so  
17 I'm assuming he was a civilian

18 Q So from then on in, you demanded a written plan on the  
19 handling and treatment of these security detainees. Was it just  
20 for that wing or for everything else around the----

21 A It was primarily for that wing, sir, because nothing  
22 else happened in the other wings There was no interrogation in

1 Wings Two through Four Those were criminal only Only Wing  
2 One was specific to that type of individuals.

3 Q Were there any unusual circumstances of any other  
4 suspected types of, different types of treatment and handling  
5 that was occurring in that particular wing that was either  
6 reported to you or you suspected to happen?

7 A I suspected nothing to the nature of what I saw. Like  
8 I said, sir, there were a lot of people without clothing on I  
9 seen some people doing some exercises, but I seen nothing that  
10 was--other than that that I suspected to be wrong.

11 Q Well, in your statement, you said that people walking  
12 around without their clothes on was a normal thing, it was just  
13 a nudity thing, and it didn't particularly bother anybody. But  
14 how often was that always occurring, every day or.

15 A Yes, sir, very frequent in the beginning. I mean, I  
16 never worked in corrections before, and my initial thought was,  
17 that's a little odd, and I did think that When I approached  
18 Colonel Jordan, I said, "Why doesn't anybody have any clothes  
19 on, or why does everybody have their clothes off?" And he just  
20 said, "It's an interrogation method that we use," and from that  
21 point on, I said, "Okay "

22 Q It's an interrogation method that they use, but not  
23 during the performance of the interrogation

1 A. No, sir Many times, they were in the cells and they  
2 would just be standing there without clothes on So as you walk  
3 down the wing and look in, you'd see somebody nude standing  
4 there, correct.

5 Q And the answer to you was, "That's an interrogation---  
6 -

7 A That's an accepted method of interrogation. That was  
8 known by everybody, Colonel [REDACTED] everybody knew that

9 Q So it wasn't construed to contract the--as part of any  
10 punishment

11 A No, sir, it was an interrogation method from what I  
12 understood

13 Q I was just trying to make it clear that the prisoners  
14 inside of their cell not being interrogated

15 A Right, sir, he was in his cell with the locked door  
16 and many times nude

17 Q Are you familiar with the interrogation rules of  
18 engagement?

19 A No, sir

20 Q Have you ever been aware of one?

21 A No, sir

1           A     I've never witnessed an interrogation. I've seen a  
2 part of one for 5 minutes, but they mostly just--I just never  
3 went in to watch

4           Q     And throughout this whole period, since you were not  
5 aware, or at least instructed your troops on the tenants of the  
6 Geneva Convention, did that ever occur to you that, perhaps,  
7 that could have been a violation of the Geneva Convention?

8           A     It didn't at first, sir, but once the IC/RC, when they  
9 came through on their initial visit, [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED] a lot of that  
14 stuff stopped and you seen a lot less of it It was a  
15 corrective measure.

16          Q     When did the IC/RC come to visit you?

17          A     I believe the first one was in November, sir

18          Q     November.. .

19          A     Mid November, sometime, and it took a little while for  
20 the report to get generated And then over time, I saw less and  
21 less of that behavior.

22          Q     With the changes that were made with regards to the  
23 treatment was it done collectively? In other words, did you

1 put the word out to your company that this type of conduct or  
2 this type of treatment will stop or cease because the IC/RC was  
3 coming through, or did you just make a determination on your own  
4 that the treatment was very important?

5 A We constantly, myself, the First Sergeant, the NCOICs,  
6 I mean, I would go to them daily and ask, you know, "How are  
7 things going? Is there any problems?" "No, sir, everything's  
8 fine " I saw them go down to the inmates, you know, walk around  
9 in the wing, "How are you doing?" "Okay, good, sir, good."  
10 Nothing was ever reported to me My soldiers know what's right  
11 and what's wrong, sir. They know there's a line you don't  
12 cross And you don't have to even be an MP or a soldier, just a  
13 simple person knows when you cross the line.

14 Q Well, you entrusted a lot of this stuff to Captain  
15 [REDACTED] at the time

16 A Yes, sir

17 Q And you mentioned earlier that the only instructions  
18 you gave were to make sure that everything's right, correct?

19 A Well, sir, I had no SOP I had nothing else to go off  
20 of What we did was, I said, "Make sure they're treated  
21 humanely and we're doing the right thing." I don't--I mean, I  
22 don't know what else--you know, he understood, he knew what was

1 expected, and I truly, truly believe in my heart that he did the  
2 right thing and he would never, never let anything go on.

3 Q How often did Colonel [REDACTED] or any of his chain  
4 of command come to visit you?

5 A Colonel [REDACTED] I would see him periodically,  
6 twice a week I often ran into him in Wing One. I ran into him  
7 a lot at Vigilant Major [REDACTED] the 3, I seen him a few  
8 times, 9, 10 o'clock, 11 o'clock at night walking around. So  
9 you know, he made some visits around Sergeant Major was there  
10 The 800th, I really didn't see them a whole lot I did see  
11 General Karpinski probably five times It was usually when a  
12 VIP came through, something like that, she would show up I  
13 couldn't point out our Sergeant Major if you put him in a  
14 lineup I have no idea who he is, I've never seen him And I  
15 knew her S, because I met him previous at Al Hilla.

16 Q Who was her S3?

17 A Major [REDACTED] sir But other than that .

18 Q In the absence of SOP, which you mentioned earlier you  
19 developed your own in the absence of guidance, did you ask legal  
20 advice or presented it to the Battalion to see if it was an  
21 acceptable----

22 A Sir, that was the plan. We're still developing--we  
23 have two that are done, I would say, and the actual goal was,

1 when it's completed, was to pass it through the Battalion for  
2 their approval, of course. And if they wanted to make any  
3 changes at that time, they would do that.

4 Q Do you have copies of those SOPs?

5 A I don't have them on me, sir, and I'm restricted to go  
6 back there, but I can get them for you.

7 Q Okay How would you characterize the command climate  
8 in the Battalion? You seldom saw the leadership, or you often  
9 saw the leadership?

10 A I often did, sir, because we worked right next door to  
11 them I made several visits a day over there to check in with  
12 the 3 We talked about transfers and how many spaces I had and  
13 all the issues that came up in the prison, that kind of stuff  
14 Colonel ██████████ was available quite a bit, actually He was  
15 around a lot He worked pretty late at night

16 Q Were you able to approach him at any time?

17 A Absolutely.

18 Q Did he give you any kind of guidance or...

19 A If I had issues and I was unsure, I would always  
20 approach him I can honestly say that, you know--and I don't  
21 want this to be misconstrued in any way, you know, he's not the  
22 strongest of leaders, I mean, as far as personality, that kind

1 of stuff But he never gave me any incorrect guidance, and I  
2 think everything he did was with the best intent.

3 Q So you feel you were adequately supervised by him?

4 A Yes, sir

5 Q Let's talk about the S3, you said you talked to him a  
6 lot, Major [REDACTED]

7 A Yes, sir.

8 Q Did you consider him as your go-to guy?

9 A Yes, sir

10 Q Since he provided the type of requirements for you,  
11 did you convey to him what your priorities were? Or did he give  
12 you any inkling or direction of what your priorities ought to  
13 be?

14 A No, sir I mean, I was never sat down and counseled,  
15 if that's what you're saying

16 Q No, in other words

17 A Everyone knew that the previous commander and myself  
18 focused on the building, the issues inside the building, and  
19 that's what we did That was common knowledge. When I briefed  
20 in the morning, I often briefed that kind of stuff, along with  
21 the numbers, that was one thing But I often briefed the issues  
22 in the building and how we were coming along, where we were at  
23 and that kind of thing That's what I did.



1 Q Did you understand that to be the guidance from the  
2 Battalion?

3 A Yes, sir

4 Q Did they amplify that? Did they verbalize that and  
5 then write it down?

6 A Nothing was in writing, sir But once again, Colonel  
7 [REDACTED] many times, almost probably two, three times a week,  
8 I'd give him a walkthrough of the prison as to the progress we  
9 were making and where we were at with certain projects and how  
10 soon we could open up Wing--you know, the push was to open up  
11 Wing Five They wanted to move the inmates.

12 Q So did you feel pressure to accomplish that as soon as  
13 possible?

14 A Well, yes, sir, that was a big issue CPA was  
15 pushing, everybody was pushing for that to be complete.

16 Q That was what you believed----

17 A Yes, sir

18 Q That was conveyed to your company Was that to be  
19 understood by the company?

20 A It was--yes, sir, it was public--it was knowledge  
21 common to anybody that worked in the hard site There was  
22 frequent visits from CPA, and that's where they focused on. "Do  
23 this, this, this and this " "Yes, sir, we'll take care of it."

1 Q So that really, the completion of the renovation  
2 around the hard site or around the camp was principally focused  
3 on the turnover of those facilities to the Iraqi authorities?

4 A That is correct, sir.

5 Q So that was then principally your mission requirements  
6 then the daily operation of the detention site was your  
7 secondary priority?

8 A I guess so, yes, sir

9 Q And you believe that that was commonly understood by  
10 your company, and you believe that was the priority given to you  
11 by the Battalion commander?

12 A Yes, sir

13 Q And he did not, at any time, ask you to deviate from  
14 those priorities

15 A No, sir He knew everything I did on a daily basis.  
16 He could have, at any time, said, "Hey, Captain [REDACTED] forget  
17 about that Focus on this " But I was never given guidance to  
18 that effect, sir.

19 Q Despite the fact that you've had two escapes, despite  
20 the fact that you had a shooting incident, you still followed  
21 the same priority throughout

22 A Well, sir, we made the adjustments we talked about  
3 earlier We just continued on with our mission at that point.

1 Q And there was no inclination whatsoever of your  
2 guards' performance with following established rules,  
3 understanding their responsibility of the Geneva Convention, and  
4 that the only demand you made was anything that came out of the  
5 interrogators was to be put in writing, in the either pre or  
6 post-handling of the prisoners, especially, specifically in Tier  
7 One

8 A Yes, sir.

9 Q Did you periodically check your NCOs or your leaders  
10 that were in the hard site to see whether those requirements  
11 placed on them by the MI interrogators were, indeed, in writing?

12 A Sir, everything--yes, it is in writing, and they will  
13 not do anything unless it is in writing

14 Q Did you inquire whether those things that were in that  
15 piece of paper, I would imagine that would be the interrogation  
16 plan, were approved by competent legal authorities or by the  
17 Brigade Commander or the Battalion Commander? Were they signed?

18 A Yes, sir, everything was approved by Colonel [REDACTED]  
19 He had the overall plan for each individual person in Wing One  
20 He's an O5, I'm an O3, and if he approved a plan, I went with  
21 the plan, sir

22 Q So there was a signature that was on the plan.

1           A     I don't want to commit to that, sir. I think there  
2 is, but I m not going to commit to that because I'd have to look  
3 at one

4           Q     Did your company maintain file copies of those plans?

5           A     We have those, sir, yes

6           Q     So you're assuming that if the Battalion Commander  
7 said so, that he was competent authority to give you a set of  
8 instructions?

9           A     Yes, sir   Once again, it came from Colonel [REDACTED] it  
10 was the MI commander. And I figured the MI commander knew what  
11 he was doing as far as his people

12          Q     Did you make any mention of that to Colonel

13 [REDACTED]

14          A     I don't think--no, sir   I don't see a reason to do  
15 that

16          Q     The only reason I ask that is because you demanded, in  
17 absence of your demand, that perhaps the Battalion did not know  
18 of such a requirement.

19          A     I demanded it because I was concerned for my soldiers  
20 I did not want anyone to get into any kind of trouble for doing  
21 something that----

22          Q     I understand. You didn't want your soldiers to get in  
\_3 trouble

1 A Yes, sir.

2 Q For anything that happened to the prisoners.

3 A That's right.

4 Q But I guess my question would be is, because of that  
5 demand, because of the absence of guidance from the Battalion,  
6 that the Battalion did not make an equal demand or least  
7 [inaudible] with subsequently demanded all interrogation plans  
8 should be in writing with regards to the treatment of those  
9 prisoners in that particular wing

10 A The initial request came from us, sir. I don't know  
11 if they jumped on board after that and said, "Go forward with  
12 that," I'm not sure. But all I know is now, we get everything  
13 in writing

14 Q So you did make mention of that. It was a common  
15 understanding, according to you, that says the Battalion  
16 Commander or at least the Battalion chain of command----

17 A Yes, sir

18 Q Let's now talk about the allegations that your  
19 soldiers were participating in or actually committed those  
20 detainee abuses Let me go back to your selection of these two  
21 individuals which you mentioned, Corporal [REDACTED] and Staff  
22 Sergeant [REDACTED] If you'll describe for me how you came about  
23 being notified that these abuses were being done

1           A     Approximately--today's the--30 days, a month ago, I  
2 was awoken at midnight, and I was told that Colonel [REDACTED]  
3 wishes to speak to me. I went up to the Battalion TOC area I  
4 was greeted by CID, in particular, [REDACTED] and he  
5 basically--there was some other people in the room. He  
6 basically said that this is a serious allegation and we're going  
7 to start, you know, we have to do an investigation on your  
8 soldiers We believe they're involved in some alleged abuse  
9 At that point, he asked me to assist him. We went down and we  
10 took [REDACTED] room, and we took  
11 them back to the CID area They also searched their rooms.  
12 They confiscated computers and things like that. Then they  
13 started the interrogation process, and from that point on, they  
14 worked their way through many other people in my company

15           Q     What's your reaction to all of that?

16           A     I'm still in shock As I've said earlier, I saw the  
17 pictures, and I don't know, I'm totally--I feel betrayed. I'm  
18 just saddened for the MP Corps, in general I'm saddened for my  
19 company that they would do things like that. And like I said,  
20 sir, you don't need an SOP You don't even have to be a  
21 military policeman or a soldier What I saw in those pictures  
22 was just flat out wrong.

1 Q Okay, that's fair I keep going back, Captain [REDACTED]  
2 to the absence of SOPs. Perhaps, with the absence of SOPs, that  
3 pretty much made a determination that the soldiers didn't know  
4 what was right and what was wrong. Because of your reliance on  
5 these people, you pretty much made a determination that you  
6 trusted their judgment and you made a comment that since you  
7 didn't know the tenants of the Geneva Convention, could it be  
8 that your over reliance on them led to these type of  
9 allegations?

10 A Sir, I'm going to disagree with that, because like I  
11 said, I saw the pictures They're sexual in nature. You don't  
12 need a Geneva Convention or an SOP to know that that's wrong  
13 what they did I don't think knowing the Geneva Convention or  
14 having gold-trimmed SOPs in the hallway there would have stopped  
15 this action

16 Q Do you think there were implements and that sort of  
17 thing?

18 A I think that--my initial thought--you know, I've  
19 obviously had a lot of time to think about this, and I replay it  
20 in my head what I could do differently to stop this or if I  
21 would have known anything I think initially, when they saw the  
22 nudity, the exercising, the things like that, that they just  
23 took it a step further. But what they did is criminal and

1 there's no excuse for that I mean, I'll honestly say, it's  
2 wrong

3 Q Giving those circumstances of, again, I harp on the  
4 fact that, if you said there were SOPs, per se, if they were  
5 posted somewhere in the performance of their duty, the fact of  
6 the matter is you were operating as a combat support and not  
7 trained to conduct I and R particular mission The trusted  
8 agents in your company were just basically following what they  
9 thought was a set of guidelines in the performance of their  
10 duty, which was to conduct I and R, to conduct detention  
11 operations And given the fact that your escapes, shootings and  
12 disorderly conduct of that nature, that again, you did not do a  
13 shifting of priorities to ensure that you're performing the type  
14 of detention operations tasks that you were to do, because as  
15 you mentioned, your priority was provided to you on that matter,  
16 to continue to renovate the facility, continue to improve the  
17 facility in order to turn over the facility to the Iraqi  
18 authorities

19 A That's correct, sir

20 Q Is that true?

21 A Yes, sir

22 Q Well, let's go back and a little bit now where you  
23 think our MPs were conducting this. You were aware that a lot



1 of these activities were being done between the hours of 2200  
2 and 04. Was there another set of SOPs or instructions to  
3 stipulate that perhaps there should be more supervisory checks  
4 done during this period of time?

5 A No, sir, there was no SOP. Once again, we just did  
6 random checks. I did assign Sergeant First Class [REDACTED] there  
7 for the evening. Now, he's also a platoon sergeant, so he has  
8 other responsibilities. So there were days and there were times  
9 that he was not there all the time

10 Q What about Captain [REDACTED]

11 A Captain [REDACTED] worked primarily during the day. He  
12 worked 08 roughly, to 2100, 2000 at night, sometime in there.  
13 He would leave. Sergeant [REDACTED] would stay many, many times  
14 until 01, 02 in the morning

15 Q Many, many times

16 A Very, very often.

17 Q But there were many, many times, again, perhaps do you  
18 believe that proper supervision would have alleviated some of  
19 these problems?

20 A Yes, sir

21 Q How many is many, many times? Every day?

22 A You know, a 7-day week, he probably was there four  
23 nights on an average, randomly. Like I said, he was a platoon

1 sergeant He had other responsibilities to his platoon. You  
2 know, it's very possible, I'm sure it's very, you know, that  
3 they knew when he had other things going on, you know, he  
4 wouldn't be there that night or he was taking off a little  
5 earlier That's very, very possible

6 Q Was there a proper procedure of sorts of who had  
7 access to the hard site, particularly, people like those that  
8 you approved? Was there people that were not even involved in  
9 detainee operations or even involved on the hard site but yet  
10 were entering the hard site?

11 A Yes, sir, I know exactly what you're talking about.  
12 The first one was one of my mechanics, who was a generator  
13 mechanic that I put on duty for 24 hours. The reason why he was  
14 on duty was, the electricity was off at the hard site and we  
15 have very unreliable power generation sources And we needed--  
16 you can't have the power down in the middle of the feeding at  
17 1800 and have a blackout where there's people everywhere So I  
18 specifically assigned him there as a standby, in an emergency,  
19 and he was not to be down in Wing One. However, he wandered  
20 down there a few nights without anyone knowing, without the  
21 leadership knowing that

22 Q Who was this individual?

1 A That was Specialist [REDACTED]. He's in the picture, too  
2 I seen him The second individual is my clerk, who is now a PFC  
3 [REDACTED] She was--had a relationship or a perceived  
4 relationship with Corporal [REDACTED] Prior to all this breaking  
5 loose, we didn't know where she was We had attempted to  
6 contact her a few nights, couldn't find her. We didn't know  
7 where she was The other thing to that, the other part of that  
8 equation, she worked in the inprocessing over in Ganci, and she  
9 works some very strange hours and we really didn't know her  
10 schedule It wasn't a set schedule for her. When we approached  
11 her, we gave her a direct order. If she's not working, she's to  
12 be back in her room at night She violated that And for that,  
13 I gave her an Article 15 and reduced her in rank.

14 CPT [REDACTED] Just continue back and explain how it led to  
15 [REDACTED] Article 15

16 A This was Specialist [REDACTED] The platoon sergeant was  
17 looking for her on a few occasions at nighttime We could not  
18 locate her She had a very unique work schedule working over at  
19 Ganci in inprocessing, so we were not really sure of the hours  
20 she worked We gave her a specific order to, if she's not at  
21 work to be in her room at night She violated that, and we  
22 found her over in [REDACTED] room one night And because  
23 she violated the direct order given to her by her platoon

1 sergeant, I issued her an Article 15, company grade I also  
2 reduced her in rank prior to all this breaking out.

3 Q So her supervisor was her platoon sergeant.

4 A That's correct, sir

5 Q Her immediate supervisor

6 A Yes, sir.

7 Q She was your clerk.

8 A Yes, sir.

9 Q Who was her platoon sergeant?

10 A Sergeant [REDACTED] he was the Headquarters platoon  
11 sergeant

12 Q So you gave her an Article 15, and of course, you  
13 reduced her, but then when did you give her the Article 15?

14 A You know, sir, I had about seven in the span of about  
15 2 weeks there It was prior to all this breaking loose, January  
16 timeframe I had a couple bad weeks there. I don't know if  
17 it's because we're getting a little shorter on our tour here,  
18 but it was on a roll there for a while, unfortunately

19 Q So, you reduced her Of course, since you didn't know  
20 her whereabouts, which led to the Article 15, did you make any  
21 changes to the procedures of access in the hard site?

22 A No, sir, at that point, I didn't know she was going  
23 there I didn't know where she was I thought she was at work,

1 and when we told her to be in her room, we found her in [REDACTED]

2 [REDACTED]

3 Q What about Specialist [REDACTED]

4 A I was not aware that he was up there either at that  
5 point I knew that he was assigned--what they normally did was  
6 they stayed in the Headquarters section But they periodically  
7 would walk out and check the generators throughout the night.  
8 Well, on one of his rounds late at night, he would just float  
9 down into Wing One. That's how he ended up down there.

10 Q Who was in charge of the access to the hard site?

11 A There was no--it was pretty much wide open, sir.  
12 There's many, many doors to get in and out of there.

13 Q So there's no procedure or SOP that says who is  
14 authorized in there, visitors or----

15 A Well, no, sir I mean, visitors were logged in  
16 through our Headquarters in our office They were logged in as  
17 to who they went to see and what time As far as regular  
18 soldiers just walking through there, it's wide open You could  
19 walk through at any point

20 Q So no checks--not that there were no checks, but there  
21 was no established procedure to do any of that. Should there  
22 have been any?

1           A     I would think so     I mean, typically, you know, I'm  
2 not a prison kind of guy here, but I would think that you would  
3 have one or two doors in and out     And there's a lot of side  
4 doors that were wide open     And like I said, in Wing One  
5 particularly, we try--there was only military people that were  
6 in that wing     There was no civilians     There was no Iraqi  
7 people allowed in that wing     Other than that, no, sir, it was  
8 pretty much open.

9           Q     In that particular sense then, let me go back, let me  
10 go to a question, a follow-on for that.     Because there was no  
11 established procedures for access, does this lead us to a  
12 process by which there's no checks of the types of any kind of  
13 contraband or weapons or anything of that sort, the weapons  
14 stance, hasps, things of that nature?

15          A     Weapons were--this was put down through the Battalion,  
16 if you walked down the wing, the main wing of the prison, your  
17 weapon was okay     If you went into the individual wings, you had  
18 to give up your weapon to the MP that was standing by.

19          Q     But besides weapons, what are authorized----

20          A     Anything else went, sir, there was no other--there was  
21 nothing I was aware of, no

22          Q     So, a metal hasp is permissible?

23          A     It was, yes

1 Q Who authorized that?

2 A The only thing that I was ever told, sir, was weapons  
3 were not allowed in the individual wings. I was never told in  
4 writing or verbally of any other restrictions on anything.

5 Q Was there any requirement to check the guard areas?

6 A For what, sir? For the IPs? There was a sleeping  
7 area that they used, and I walked in there quite a bit. There  
8 was mattresses all over the floor and that kind of thing, a lot  
9 of food and disgusting things. Most of the IPs worked right in  
10 the wing. They just basically sat, you know, outside the wing.  
11 And as time progressed, we tried to work on them having a  
12 presence on the inside with the MP on the outside, and that's  
13 how we worked towards that. For the most part, when they  
14 worked, they stayed out in the main hallway there or in the  
15 individual cell in their block.

16 Q So there's no checks, periodic checks for conditions,  
17 cleanliness, that sort of thing?

18 A Sure, there was daily checks on that. They cleaned  
19 every day. We used the inmates to clean.

20 Q But not necessarily in the guard areas.

21 A No, sir. However, as I walked down the hallways and  
22 seen the food trays and the things laying around, I often went  
23 to General Juma and said or Sergeant Ward and said, "Get that

1 cleaned up. It's a mess. It stinks," or whatever, and he would  
2 take care of it.

3 Q Did you understand, you keep talking about [REDACTED]  
4 [REDACTED] was there an understanding or an agreement between the two  
5 of you that those Iraqi guards were under your supervision, as  
6 well? Or was there a shared responsibility?

7 A It was a shared responsibility to some extent, sir.  
8 However, I prefer that he handle his own people, because I just  
9 think that's the right thing to do. If we ever had any issues,  
10 I mean, I had a daily meeting with him at 10 o'clock where we  
11 sat down just about every day and we talked about any issues  
12 that came up, concerns I had, concerns that he had, and we  
13 addressed it in that manner. So, I mean, I like to let him--  
14 first of all, I can't speak the language, so there's a language  
15 barrier there. I really can't----

16 Q How did you deal with that?

17 A We had interpreters that worked with us, that were  
18 assigned to us, and everything was done through an interpreter.  
19 But I feel that as a leader, it's important that you speak in  
20 front of your people and you give the guidance and direction to  
21 your people, that it's not coming from an American or from a  
22 U.S. soldier, it's coming from him.



1 Q But let me repeat this one more time. Since you were  
2 preparing the facility to be turned over to the Iraqi control,  
3 was it your understanding that that facility was under your  
4 immediate control?

5 A Yes, sir.

6 Q So you understood that Was that understanding or  
7 that direction provided to you by Colonel [REDACTED] and your  
8 chain of command?

9 A No, sir, not directly But I know that if, you know,  
10 many, many times, [REDACTED] would say, "Whatever you want,  
11 whatever you want me to do, I will do it," and I knew that we  
12 had the ultimate say so in the end

13 Q So that's part of the understanding Let me go back  
14 to your relationship with the Battalion S3 Did you ever ask  
15 him whether you're doing okay or you were not doing okay?

16 A Yes, sir, I did, maybe not specifically him so much,  
17 but Colonel [REDACTED] many times, said, "Hey, you're doing a  
18 great job," you know, when people would come out, visitors and  
19 certain things. I often gave the tours, was kind of like the  
20 tour guide, too I had the official death chamber key and all  
21 that stuff And as I would do that kind of stuff, he often  
22 would say afterward, you know, "Great job, you guys are doing a  
23 great job Your soldiers are doing a great job "

1 Q So that was part of the conveyance. What about  
2 anything specific? Anything specific? Any instructions with  
3 mission requirements of that nature when you talked to the S3?

4 A. I mean, there was a few things. I know one time he  
5 was walking around, you know, in the evening hours and he seen  
6 some of the Iraqi guards disciplining one of the inmates and it  
7 was a method we didn't approve of. And he approached me with it  
8 and said, "Hey, I saw this. I went to your people and I told  
9 him what I saw. I don't want to see it again," and that kind of  
10 stuff. So he did get around some, and when he saw something he  
11 didn't like or approve of, he approached me with it, without a  
12 doubt.

13 Q And what did you do?

14 A We corrected it, and I'd go to [REDACTED] the next  
15 day, "Sir, we witnessed your guards doing this last night," you  
16 know, "You can't roll the inmates around in the mud. It's not  
17 approved. Please put that out that it's not an accepted method  
18 of discipline. We will not take that."

19 Q Did you often take, you personally, take corrective  
20 actions? Did you ever delegate any of these actions to your  
21 subordinates, to your First Sergeant?

22 A Not really, sir. I did most of it, the corrective  
23 actions. You know, we had a company meeting every day at 1600,

1 and we'd put all that out The platoon sergeants, the platoon  
2 leaders would pass the information on. If there were any  
3 changes that needed to be made, it was very difficult with the  
4 shift work to touch everybody one on one. But we did our best  
5 to disseminate the information that way The First Sergeant, I  
6 mean, he was there and he was helpful, but he focused a lot more  
7 on force protection stuff and the troop issues, like he should.

8 Q Well, were there any kind of procedures or an  
9 organized process of changing the shifts?

10 A Yes, sir

11 Q Was it done centrally or was it done de-centrally?

12 A It as done centrally, I guess, a combination of both  
13 It was de-central on the wings, as far as the lower enlisted,  
14 and they did their little handoff We had a shift change brief,  
15 I guess, in the NCOIC room Sergeant [REDACTED] the dayshift, would  
16 pass on any pertinent information to the nighttime supervisor.  
17 "Watch out for this We heard a rumor about this," that kind of  
18 stuff was all passed down and then it was disseminated out  
19 through the chain

20 Q Let me ask you a question about the command climate in  
21 your unit If you could kind of describe or characterize it in  
22 the sense from October from when you were given a new mission  
23 set

1           A     From October on, I mean, overall, like I said, we had  
2 very little issues I don't think--the command climate was  
3 pretty good I know my soldiers respect me and they respect my  
4 senior NCOs I know that for a fact because they told me many  
5 times and I appreciate that I don't really feel there was any  
6 major issues I did do a command survey while we were MOB'd at  
7 Fort Lee, and it was very, very favorable, and I can show you  
8 the results of that If you talk to my soldiers, they'll tell  
9 you that, I'm sure

10           Q     What about October on when your mission set shifted  
11 from law and order to internment and resettlement----

12           A     Honestly, sir, I mean, I don't think anybody really  
13 wanted that mission You know, we accepted whatever we were  
14 given, but that's not really our expertise And you know, when  
15 you picture an I and R mission, you picture a lot of long, you  
16 know, tedious work And coming from what we came from to go to  
17 that, that wasn't not our first choice, I'm sure.

18           Q     Well, you didn't have much of a choice in the matter

19           A     No, sir, we had no choice, so we accepted it----

20           Q     ----Captain ██████████ and I believe you understand what  
21 missions are So how did you prepare your company for that  
22 mission?

1           A     We just told them, I said, "We're going to be  
2 reassigned    We're going to have another mission," and there was  
3 grumblings    I said, "Look, we've done a great job up to this  
4 point, just continue on and we'll get out of here." My main  
5 goal from day one is to get everybody home safely    And so far,  
6 we've accomplished that mission, and that's our goal    Whatever  
7 they throw at us, we'll do    We adjust like anything. I mean,  
8 MPs do that, we adjust.

9           Q     Do you feel that your leadership style was adequate  
10 enough or positive enough that any soldier in your chain of  
11 command can come up to you and tell you if there are any  
12 wrongdoings in the company or can confide in you or to any of  
13 your leaders that they're doing things that are improper or  
14 things that are proper?

15          A     Sir, I do believe that strongly. That was one of the  
16 things that came out in the previous command climate that I did,  
17 was that I was--not just me, but my senior NCOs were easily  
18 accessible, easily approachable, and I don't think that's  
19 changed at all

20          Q     Not up until this incident

21          A     Up until this incident, yeah, that's why I was so hurt  
22 over it

1 Q There are many people involved in that whole incident,  
2 Captain [REDACTED] One can only speculate that the chain of command  
3 had no knowledge of that, of those activities that were  
4 happening in Tier One A.

5 A Sir, we had absolutely no knowledge of that

6 Q Even through proper supervision?

7 A The problem was, this is my opinion, seeing the  
8 pictures, there's also another part of this that I found out  
9 later that explains some of it, although it doesn't justify what  
10 my soldiers did But Corporal [REDACTED] in my opinion, is the  
11 ringleader If you look at the pictures, sir, you'll see him in  
12 every picture You'll see him performing these acts or right  
13 there involved Sergeant [REDACTED] my NCOIC who I trusted, was  
14 also involved He stood there in many of the pictures watching  
15 what was going on If he was involved and [REDACTED] was  
16 involved, it stopped at that point Nothing went beyond that.  
17 You're right, there was other people in pictures However, the  
18 serious ones that contain sexual matters was mostly three  
19 people The other ones are people who just--mostly naked  
20 people, that kind of thing, who were standing around, watching  
21 or are in a picture There's also other people involved, to  
22 include MI and other people It's not just my soldiers.  
23 However, I do take the responsibility for what they did.

1 Q Were any of your soldiers or yourself aware about the  
2 prisoner mistreatment, events that happened at Camp Bucca?

3 A Yes, sir A lot of my soldiers knew the one  
4 individual, the one sergeant who was involved. Apparently, he  
5 deployed the last time with my unit or they knew of him. So, we  
6 knew about it We read the headlines and we seen it on the TV  
7 and stuff

8 Q And based on those events at Camp Bucca, have you any  
9 knowledge whatsoever of any guidance of sorts on preventions for  
10 those types of incidents that were disseminated from the 800th  
11 MP down to your Battalion or down to you?

12 A No, sir, nothing at all

13 Q None whatsoever

14 A Nothing ever got to my level, sir

15 Q Going back to your command climate. Since you  
16 indicated that you conducted a survey at your pre-deployment,  
17 did you make any kind of an assessment following your re-  
18 missioning to Abu Ghraib of where you are in terms of your troop  
19 morale and your readiness status, that sort of thing?

20 A No, sir, honestly, sir, we don't have the time for  
21 that We transitioned from one mission straight into another  
22 one I would love to be able to do that Actually, my intent

1 is, if I'm still allowed to lead my company back, is to do it at  
2 the end

3 Q Based on all of this, Captain [REDACTED] what  
4 recommendation would you make?

5 A You know, sir, like I said, I kicked this around for a  
6 month now. And as far as what we did personnel-wise, I would  
7 change nothing for the decisions I made. I put the people where  
8 I thought they should be. I trusted my NCOs to do the right  
9 thing, and they failed me. I guess the lesson I learned out of  
10 this is I need to change my style somewhat and maybe micromanage  
11 a little more than I do, and obviously trusting. The second  
12 thing is, you know, I probably should have demanded SOPs from  
13 higher instead of just asking for them, maybe I should have  
14 demanded them. Although, I'm still not convinced that that  
15 would have stopped these criminal acts, but at least we would  
16 have been covered on that aspect, I guess. I'm just, you know,  
17 like I said, I can look myself in the mirror, I know my First  
18 Sergeant can, I know my senior NCOs can, and regardless of the  
19 outcome of this whole thing, you know, my goal, I want to take  
20 my company back home. But if that doesn't happen, you know, I  
21 know I did my best and I know we all did our best and I can't  
22 help what a few people, you know, with criminal intent do. And  
23 I'm saddened for my company that we have to go through this



1 We've accomplished way too much to have to deal with this. I'm  
2 saddened for the MP Corps I'm saddened for the 320th I'm  
3 saddened for the 800th I'm saddened for the damn Army for that  
4 matter, and I get very upset about this.

5 Q Now before we conclude, are there any other comments  
6 you want to make?

7 A Just one more, sir, and this may or may--and I don't  
8 know if you can use this type of information This may explain  
9 the mindset of [REDACTED] a little bit If I would have  
10 known this prior, this would have definitely affected my  
11 decision While I was whisked away here in captivity, I ran  
12 into one of my old E7s, [REDACTED] who is on the 800th  
13 staff I'm not sure what he does for them, exactly As we were  
14 talking about why I'm here, he happened to say, "Hey, you got  
15 Graner, right?" I said, "Yeah, he's one of the main people  
16 involved in this " He said, "Holy shit, sir If I would have  
17 known that, I would have told you " I said, "Told me what?"  
18 Apparently, Sergeant [REDACTED] works on the civilian corrections  
19 side, also, and he happens to be [REDACTED] boss. And he told me  
20 there's a long history with [REDACTED] and I was not aware  
21 of this He had been fired from his previous job in corrections  
22 for doing similar actions, maybe not as severe, sexually, but he  
23 has an extensive file, rather thick. The Union hired a lawyer,

1 an attorney, they got his job back and all that stuff. He also  
2 said that he continues to do things, but because he's  
3 underhanded, whatever you want to call it, they can't pinpoint  
4 him, they can't catch him in the act, but they know he does  
5 things. And I'm not making excuses, but what I'm saying is this  
6 guy has a history, and if I would have known he had a history,  
7 number one, he wouldn't even be in my company. Number two, I  
8 wouldn't have put him on a nightshift in charge of a wing. So I  
9 don't know if that has any effect on anything or not, but it's  
10 relative to me, and I wished I would have known that prior.

11 Q Let me just follow up on that. You mentioned that  
12 [REDACTED] was not originally assigned.

13 A That's right, sir, he came from another company.

14 Q Which company?

15 A The 363d

16 Q And the 363d was where?

17 A It's a sister company of ours, and they're out of  
18 Grafting, West Virginia, sir

19 Q Are they deployed here?

20 A They were, they're home now

21 [Captain [REDACTED] was duly warned and the hearing recessed at 1103,  
22 10 February 2004.]

SWORN STATEMENT

For use of this form, see AR 190-45, the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301, Title 5 USC Section 2951; E O 9397 dated November 22, 1943 (SSN)
PRINCIPAL PURPOSE To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
DISCLOSURE Disclosure of your social security number is voluntary

1 LOCATION ABU GHRAIB PRISON, ABU GHRAIB, IRAQ 2 DATE (YYYYMMDD) 18 JAN 04 3 TIME 1501 4 FILE NUMBER 0003-04-CID149-83130

5 LAST NAME, FIRST NAME, MIDDLE NAME 6 SSN 7 GRADE/STATUS CPT

8 ORGANIZATION OR ADDRESS 372ND MILITARY POLICE COMPANY, CUMBERLAND, MD (DEPLOYED TO ABU GHRAIB, IRAQ)

9 I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

I am the current warden of the Hard Site at Abu-Ghuraib I have additional responsibilities of the Vigilant Yard along with escorts, a PSD mission and company responsibilities On 15 Oct 03, we accepted the mission from the 72nd Military Police Company I divided all my responsibilities among my platoons to evenly distribute as much of the work load as possible I assigned one platoon to Vigilant the two others split duties at Hard Site The third platoon is currently still at AL-Hilla performing the PSD Mission Wing one at the Hard Site is used exclusively by MI and OGA and other government agencies Wing one was supervised mostly by LTC [redacted] was very involved with the interrogation process and the day to day activity that occurred I spent approximately 70% of my time supervising and coordinating the construction activity at the Hard Site I also worked closely with the CPA to ensure all aspects of the current contract were fulfilled The rest of my time was spent assisting and mentoring the current Iraqi Warden, operating Camp Vigilant, and performing company commander tasks Because I knew it was impossible to accomplish all these missions at once, I assigned CPT [redacted] as OIC of the Hard Site [redacted] worked closely with LTC [redacted] and they understood the daily routine of the site [redacted] is a superb officer of outstanding morale and ethical values and I am convinced he had absolutely no knowledge of any misconduct [redacted] would often stay later into the night, on many occasions I can recall him returning well after midnight I am not sure of the exact date, but in November of 2003, I had heard there was a 15-6 investigation on a possible situation which involved interrogator abuse to certain female detainees LTC [redacted] spearheaded the investigation I was told nothing was founded and everything returned as usual It was not uncommon to see people without clothing I only ever saw males, I was told the 'whole nudity thing' was an interrogation procedure used by MI, and never thought much of it We then had a visit by the ICRC and one of their main concerns [redacted]

[redacted] In December, I heard some stories about possible abuse but I was never able to confirm or gather sufficient evidence to sustain anything concrete. I immediately assigned SFC [redacted] (the PLT SGT) to the wing just to ensure all was well SFC [redacted] often worked late into the evening and was committed to ensuring the proper care was given to all inmates Cpt [redacted] returned to the States in Dec as a refrad and SFC [redacted] continued to work the wing On a few occasions when SFC [redacted] did see something minor he made immediate corrections I was awoken the morning of the 13th of Jan by my operations sergeant She informed me that the BN Commander wished to speak with me I reported to the 320th TOC area and was greeted by [redacted] He proceeded to explain the allegations and he immediately started to interview my soldiers and confiscate computers and pictures When I initially saw the pictures, I was absolutely appalled at what I saw I specifically assigned the soldiers to certain missions based on their civilian backgrounds Many of the pictures contained [redacted] in them I have since seen and heard many other stories that absolutely sadden me and I can't believe these two soldiers whom I trusted were mainly responsible for these actions Some of the pictures contained other people observing or participating in events I will not defend the actions of my soldiers but I know they were others who had knowledge to illegal activity In the beginning of our mission, it appeared that the MI tactics were very aggressive and then appeared to taper in intensity as time went along One of my accused soldiers approached me and said "He was unclear of the rules and didn't know what he could or couldn't do" I replied "You are a correctional officer back home, that is the sorriest excuse I have ever heard" I know I am responsible for the site and continue to question myself for not detecting their behavior earlier I thought I had assigned responsible soldiers with the right knowledge and was totally unaware of any alleged illegal activity taking place As I stated earlier, I did not spend a lot of time in wing 1 because I was and continue to be extremely busy with many other duties I feel that I made reasonable decisions and I took the appropriate steps in assigning work duties My company and the U S Army will probably not recover from this for a long time I am ashamed of what my soldiers did and embarrassed as well This company deserves better, we have worked extremely hard only to have a few soldiers tear down the morale and all our accomplishments I only hope these two soldiers can live with their choices because it will likely affect many people for a long time

Q Who was LTC [redacted]
A He was the MI Commander for the Battalion, which has departed the area
Q Do you know where LTC [redacted] is now?

10 EXHIBIT 11 INITIALS OF PERSON MAKING STATEMENT [redacted] PAGE 1 OF 4 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED

- A He was my 4<sup>th</sup> Platoon Leader He was the OIC for the Hardsite.
- Q Have you witnessed any interrogations conducted by MI?
- A Partial I saw detainees in their rooms without clothing The interrogators were within the rooms talking to the detainees It was common practice to walk the tier and see detainees without clothing and bedding
- Q During this time period did any of your soldier inform you of the abuse going on in the tiers?
- A No
- Q Who was assigned to work the tiers during the Midnight shift?
- A [REDACTED], which worked wing 1 The other tiers had soldier working them, but was controlled by the platoons They handled their relief and days off SSG [REDACTED] and CPL [REDACTED] were initially assigned to a separate platoon, but because of their experience they were brought into the hard site
- Q What was the investigation conducted by LTC [REDACTED]
- A It was my understanding it dealt with an interrogator had a female detainee in the nude being interrogated in a closed room
- Q What was the result of the investigation?
- A LTC [REDACTED] handled the investigation and it was unfounded
- Q At the time was there any MP's involved?
- A No
- Q Have you had any disciplinary issue with the MP's in the hard site and the detainees?
- A I pulled out SGT [REDACTED] as the Platoon Sergeant's approached me as he was becoming a little aggressive with the detainees I pulled him out as a preventive measure
- Q When did this occur?
- A Towards the end of Nov 03
- Q Describe how he was being aggressive?
- A I was informed about excessive yelling, and being very agitated The Chain of Command was concerned for his well being and had him pulled
- Q Was SGT [REDACTED] returned to the hard site after a cooling off period?
- A No he is still working with SFC [REDACTED]
- Q Is it common to have Admin Specialist and Mechanics in the hard site?
- A Absolutely not
- Q Did you authorize them in the hard site?
- A The mechanic yes, as he was assigned to a 24 hour duty for generator mechanical purpose The Admin did not have and reason to be there
- Q Is there an SOP for the hard site operation?
- A Yes
- Q Are all soldiers require to read and understand the SOP?
- A Yes
- Q Is there any documentation showing everyone read and understood the SOP?
- A I do not think so
- Q Are the MP's in the site authorized to conduct their own form of interrogation?

A No

Q Do you know who authorized them to conduct these types of acts depicted on the pictures previously shown to you?

A No

Q Was the Chain of Command aware of these types of acts being conducted in the hard site?

A No

Q What happened when the ICRC walked through the hard site?

A The first time they were upset with what they saw. They were concerned with the amount of nudity and the area was cold and damp. The detainees did not have appropriate clothing and bedding. The second visit occurred two weeks ago, and things were much better. There nudity has stopped and they seemed happy with what they saw.

Q Have you heard of your soldiers being told to give detainees the special treatment or something to this affect?

A No

Q How long has CPL [REDACTED] been assigned to your unit?

A He just came on board when we mobilized. He was an insert.

Q Have you had any problems with his work performance?

A Yes, he constantly challenges orders and requests from the leadership. He would put stuff on his uniform that he was not authorized.

Q How long has SSG [REDACTED] been assigned to your unit?

A I believe he was assigned to the unit prior to the mobilization. I was just coming on board when we got our orders. There are several assigned that was inserts to the unit for the deployment.

Q Was there any disciplinary issue concerning SSG FREDERCK?

A No

Q As far as the other soldiers involved were there any disciplinary issues concerning them?

A [REDACTED] had an issue of disobeying a direct order to stay away from CPL [REDACTED].

Q When you viewed the pictures did you recognize any other soldiers previously not identified?

A I believe two of the soldiers are SPC [REDACTED] and SPC Jason [REDACTED] 4<sup>th</sup> Plt, 372<sup>nd</sup>. I cannot be 100% sure on [REDACTED] out that is [REDACTED].

Q What actions have you taken to correct the issue regarding this investigation?

A We immediately moved all suspects out of the hard site and reassigned them. We reassured everyone understood the SOP and LTG SANCHEZ's guidance. Everyone will sign a roster. SFC [REDACTED] will now work the evenings to ensure nothing further occurs. The Command is making more unannounced visits to the hard site. All soldiers were informed no interrogations were to be conducted by them.

Q Do you wish to add anything else to your statement?

A No

**AFFIDAVIT**

I [REDACTED], HAVE READ OR HAD READ TO ME THIS STATEMENT, WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OR BENEFIT OR REWARD WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT.

[REDACTED SIGNATURE]

(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by Law to administer oaths, this 18 day of JAN, 2004 at Fort Ghazal Prison

[REDACTED SIGNATURE]

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED NAME]

(Typed Name of Person Administering Oath)

Article 136, UCMJ or 5 USC 303

(Authority to Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

*[Handwritten initials]*

PAGE 4 OF 4 PAGES

On 15 February 2004, CPT [REDACTED] returned for a follow-up interview

The following persons were present:

COL [REDACTED] MP, CFLCC – PMO, **Interviewer**  
CPT [REDACTED], CFLCC – SJA, **Interviewer**  
SFC [REDACTED], US Army MP School, **Interviewer**  
CPT [REDACTED], 20th MP Battalion – S3, **Respondent**

The interview is summarized as follows.

I'm the Battle Captain for the S3, at the 320th Military Police Battalion. I'm also the Force Protection Officer

I wasn't assigned to BCF until October 22nd '03. I tallied up the number, and I believe there have been seven or eight escapes. I know of two separate incidents, one at Camp Ganci, where, I believe, six escaped. Another involved the hard site, where one or two escaped. We prepare a SITREP that we forward to Brigade. These are maintained on our computer. They are in a folder titled, "Escapes."

After the mass escapes at Camp Ganci, we increased the roving patrols and stationary positions, and we put up additional fencing. As far as the hard site, they used the metal bed, and used the legs of the metal bed, to pry open the concrete bars, and create a very small hole. I think he was cut or injured in the process of escaping. As a countermeasure, we have started tacking the beds down, either to the wall or to the floor. It's been a constant battle with the ICOs to man their posts, and to do what they're supposed to do. The CPA hasn't been too supportive in that area. They've kind of dumped that mission on the 372<sup>nd</sup>, there.

The 372<sup>nd</sup> was delegated authority over the hard site, and they were the primary contact for all issues related to the hard site, and work with CPA. I know that most of the S3's focus was on Camp Ganci, leaving Vigilant and the hard site to the 372<sup>nd</sup>.

On a rotating schedule, we have a dog on compound duty. They're always available for call out, when they're actively engaged in patrol duties. During an escape, the IRF and the QRF are mobilized. When the IRF is activated, the K-9 unit comes with them. Under the direction of the NCOIC of the compound, they go to the area the suspect is believed to have escaped from. Then, they start their process of tracking, and piecing together the route of escape. We haven't had any escapees caught with the K-9s. We had an attempted escape within the last two weeks, where our soldiers, through situational awareness, nabbed a guy hiding between the conexes.

I tried to manage the Dog Program. I kind of created a job for myself. The Commander never directly told me to take charge of any one area. So, I just kind of took the bull by the horns. The S3 went on leave, and the S3 Sergeant Major went on leave, so there I

was, a by default guy. The Dog Program seemed an implied task for the S3. I found out that I didn't have the authority to do that, so I deferred it to the [REDACTED]

I'm concerned about the narcotics dogs. I know that [REDACTED] was aggravated that he couldn't get narcotics kits. He was concerned that his dog could possibly have to go back to school, if he didn't maintain his accreditation. I don't believe that they got the necessary kits. I believe they would have shared that with the 3, if they did.

The presence of a dog is a psychological deterrent for escape, not knowing whether or not they're going to get bit, when they take off running. It's a force multiplier.

MAJ [REDACTED] was charged with the responsibilities of managing the Dog Team. He's a Staff Sergeant. It was expressed to all handlers that he was the NCOIC, and all matters should go through him.

The Army dogs were originally scheduled for departure 4 February. Apparently, that was delayed. I don't know what for. I don't know if they're going to be replaced or not. I never saw any orders on them. The Navy dogs, I don't know what their termination date is.

I know that the [REDACTED] was not a team player. That issue was brought up to SGM [REDACTED]. Based on his insubordination, I told [REDACTED] in front of SGM [REDACTED] that he should be facing charges under the UCMJ. The Commander was unaware of this. I brought it up to MAJ [REDACTED] because he's my supervisor. I was a little aggravated with the SGM, because he'd look you in the eyes, and tell you, "I got it under control. I agree with you, Sir," and turn around and tell the subordinate just the opposite.

It was pretty apparent the day to day operations were ran by MAJ [REDACTED]. The primary focus was on Camp Ganci, and I'll say that again, the primary focus was on Camp Ganci. I think that the resources were so tapped, that everyone was at their wit's end. I know that policies and SOPs were slow in coming forth. There was so much going on, that it was difficult to put it on paper, immediately.

The primary issue was soldiers, the number of soldiers on the ground. An I/R Battalion comes with x number of MPs. Seventy-seven, I think, is on the MTOE. Those MPs are divided between four compounds. You have your guard companies that are attached to do external security. Problem is, we have about 35 MPs in the Battalion proper. We couldn't run four compounds with a thousand each. Now, you divide that up, and you have your manning requirements for eight compounds, with towers and so forth. So, we have double the workload, with half the MPs we're supposed to have. It's mind-boggling why a battalion, with a complement of four or five companies was tasked with that mission. We have a generic briefing. When VIPs come through, we pop it in and show them, but I don't think this was emphasized to most of our visitors.



I don't know when a Vet last looked at these dogs. I know there's a Vet at BIAB. I don't know what type of food the dogs eat. I'm not aware of the kennel requirements. I don't know how often the dogs are trained. I've deferred the training to the handlers.

Ideally, the dog handlers should report to [REDACTED] and [REDACTED] should to the S3. I hate to admit it, but they've gone pretty much unsupervised from a management point of view. As long as they showed up, and did what they were supposed to do. I wanted to avoid SGT [REDACTED]. I didn't want to compromise my position, by having a verbal confrontation with an NCO, without any support on the disciplinary side.

The K-9 Program needs a Kennel Supervisor and an integrated team. We need to mimic what the Air Force has done with their facilities. And, they need the next tier NCO to supervise the standard. I think the FOB Commander should have overall control of the K-9 Program.

I think we need to replace SGT [REDACTED] and bring in someone who has a spirit of cooperation. I think [REDACTED] is more than capable, with the support of a good team. If we had somebody in there to put their foot down, we'll be in good shape.

The interview complete, CPT [REDACTED] was dismissed.

On 12 February 2004, a team of officers, directed by Major General Antonio Taguba conducted the following interview. Major General Taguba was appointed as an Investigating Officer under the provisions of Army Regulation 15-6, by Lieutenant General David D. McKiernan, Commanding General of the Coalition Forces Land Component Command (CFLCC), to look into allegations of maltreatment of detainees, detainee escapes and accountability lapses, at Abu Ghraib, also known as the Baghdad Central Confinement Facility (BCCF). The panel also inquired into training, standards, employment, command policies, and internal policies, concerning the detainees held at Abu Ghraib prison. Finally, the panel looked into the command climate and the command and supervisory presence.

The following persons were present:

COL [REDACTED], MP, CFLCC – PMO, **Interviewer**  
LTC [REDACTED], JA, CFLCC – SJA, **Interviewer**  
LTC [REDACTED], 705<sup>th</sup> MP Battalion, **Interviewer**  
CPT [REDACTED], 530<sup>th</sup> MP Battalion, **Interviewee**  
SSG [REDACTED], 27D30, CFLCC – SJA, **Recorder**

The interview is summarized as follows:

My name is [REDACTED]. My social security number is [REDACTED]. My rank is Captain. My unit is the 530<sup>th</sup> MP Battalion out of Omaha, Nebraska. I am currently assisting to the 320<sup>th</sup> Military Police Battalion, at Abu Ghraib BCCF. I am Reserve. I was told to report to the 800<sup>th</sup> MP Brigade. Then, I was directed to the 320<sup>th</sup> MP Battalion to help with force protection.

My duties consisted of focusing on force protection issues, it took up the bulk of my duty day. The remaining time I assisted and integrated with operations. My OER support form reads assistant S-3/Force Protection Officer for the Battalion. I work for MAJ [REDACTED] he is my immediate supervisor.

From my experience we generate policies in the S-3 section dictating operating procedures, we take input from subordinates to help define, and improve policies and procedures. We have a TAC SOP that governs procedures of camp operations.

We disseminate policies in couple of different ways. We have two daily meetings, a 0900 staff briefing and a 1600 force protection meeting, additionally we would notify individual unit commanders as they were affected by set policies.

I am familiar the Geneva Hague Convention. I know it is posted but I don't know if it's posted throughout the facility. I believe it is posted in the TOC, but it probably should put out in different areas. We received training when the ICRC came down. I think it was about thirty days ago for Battalion Staff. I know that during the last visit, there was a discussion of the articles. When there is training we try to maintain a sign-in roster, but I'm probably not the expert on that.

There were no policies governing the use of dogs in 1A and 1B to my knowledge. I took it upon myself to develop an SOP to deal with the joint resources focusing on three areas: ECP operations, IRF operations, and Compound operations. I didn't get into the specific hard site limited use of dogs. We attempted to concentrate on Camp Yancey, Camp Vigil, IRF, and then the ECP was my primary focus. Our primary threat against the facilities were IED's, knowing the dogs capabilities and their presence as a psychological and physical deterrent at the gate, that's where we tried to focus our efforts.

I can't be specific for the specific Tiers, but in general the dogs were used in the hard site. I remember vaguely about a dog bite incident, I remember Kimbrough reporting to me that his dog snipped at someone but nothing serious. The S-3 didn't change any policies regarding that incident. I didn't hear about the [REDACTED] incident, but I believe what [REDACTED] reported was the same incident with [REDACTED].

SSG [REDACTED] did bring up to me that the use of dogs at the hard site was not a good idea. After he found out that he would be leaving soon he dropped off a list of items with suggestions. I had not had a chance to review the list, before your arrival here.

The Battalion Commander would make the decision on dog use or policy changes. The direct responsibility would fall on the S-3. MA1 [REDACTED] handled the day-to-day operations. We published a work schedule and gave guidance, and did not micro manage the program. We gave MA1 [REDACTED] the flexibility as an NCO to run the dog program.

I don't have the list of suggestions I had submitted a copy. The SOP clearly states the NCOIC will handle administrative issues, personnel actions, and handling the teams. I do not know if military working dogs are used in other Battalions.

No dog handler representative would attend the daily force protection meeting or daily staff call. A representative would attend in the beginning and then they stopped because the information would not pertain to them.

There was a published ROE at BCCF, even though there was a lot of confusion about that ROE because there were revisions and so forth. For compound operations in general, word was passed during shift change briefings. Dog Handlers were issued a copy of the ROE, and that I know for fact.

The navy dogs were bomb explosive patrol dogs, and the army's dogs were narcotic patrol dogs. The intent was to integrate both teams so there would be one NCOIC, with the original work schedule it was possible, but with all the changes that took place and without the help of a SGM the integration never took place. There was a little friction between the army and the navy dogs. I took a personal interest in this but I was shut down. As an outsider, I am not part of the unit so my input did not weigh much.

If your efforts are undermined by an E-9, it's difficult to get them across. The SGM used lines of friendship, rather than the command lines of influence to affect things in the unit. I gave the prison personnel an SOP and a schedule, and told them how I wanted things done. They moaned and complained to the SGM to the point that they got to do what they wanted. This was the S-3 operation SGM ██████████ she has been removed

I found out yesterday that I got a baby boy

I tried to do this the best way, the right way, which I knew how. I presented an SOP and a work schedule to the Battalion Commander. The Battalion Commander signed off on the integration of both teams. There was a meeting held after that, that dictated otherwise, and at that point is when I realized where I fit in in the hierarchy. I was rendered helpless.

The Battalion Commander, the Battalion S-3, SGM ██████████, SSG ██████████ and basically all the dog handlers, had a meeting to determine that would not follow my proposed work schedule. When you task individuals to do things a certain way and that changes, you lose your authority. The changes included that the army specifically work the compound, which had me dumfounded. It works broken down to where all the dogs would work all the areas, but it never came to light. I made the work schedule and SOP based on input from the dog handlers.

There were not any specific guidelines on when a dog entered a facility or who had OPCON (Operational Control). It is my understanding when a dog handler is patrolling, and then the dog handler is called for a specific task, that is the dog handler's lane. The use or deployment of the dog is up to the dog handler, it is his duty to know the limitations and parameters in which they may operate. They were familiar with their specific policies regarding use of their dog.

I would speculate that a handler could lose control of his dog by being in cramped spaces, too many people around, distance person should stay from dog, noise, and I could see lots of ways that leash could have been extended.

I can't even imagine why the acts in the allegations occurred, I'm just dumfounded.

We have done a few changes in the way we conduct operations, we have posted information about the treatment of detainees, we've done training on treatment of prisoners, and we have done a rotation of random third party independent officers to conduct walkthroughs at random hours of the night. The MP's are disgraced and embarrassed on what happened.

The Brigade Commander is Brigadier General Karpinski. She visited the facilities three times to my knowledge. She is located here at Camp Victory. It is difficult for me to say why she hadn't visited more, I didn't know her workload or demands of her position entailed. If I were the Brigade Commander I would on a rather frequent basis. I can't speak on the number of visits by SGM ██████████, there was one gentleman that replaced

someone I think his name was [REDACTED] I saw him on at least two occasion, we had discussed the release program and some other issues that impacted operations

It is very apparent that we were not resourced to do the mission that we were given. We had inadequate facilities, inadequate resources, and manpower. We were running force protection/perimeter security for one square mile. We had to man towers, do QRF, while repeatedly receiving RPG and mortar fire. It was an unacceptable environment for our soldiers to be in. I don't know how the soldiers in the command did it working 12 hours on 12 hours off everyday in this type of environment.

I don't think the Brigade had the proper support either, but I know that the concerns were voice daily to Brigade. I recall pissing contest to get an MI Battalion to fill one tower on our perimeter initially, but we have made a lot of progress since then with limited resources. We had accomplish a lot on our lower level, we had an R&U captain that was handling the development of an entire base, the personnel had to do a lot more than they were expected to do.

The Battalion mission is to conduct IR operations. There was so much the Battalion was responsible for, while maintaining a reasonable force protection posture. The Battalion's main effort was to survive day-to-day operations, and I don't mean that to exaggerate. It was a struggle just to get through the day with the movement of prisoners, escort missions, all with maintaining the security at the prison.

You can deploy the best personnel, but occasionally you get a bad apple. Whatever motivated those soldiers to do types of things that I have heard about, I don't know if there is anything you can do as a commander to prevent that from happening, other than until after the fact. We needed policies that established a clear line between MI and MP duties and responsibilities. I don't think we knew enough about what MI does. I think there were some assumptions made about the latitude that MI had. I don't know how much questioning I would have done if I were an MP, if MI said that they needed a prisoner it wasn't a problem because that was MI's lane. A briefing from MI on what their parameters were would have helped a lot.

My observation is that the S-3 drove operations, because the Battalion Commander was to busy with getting gravel, getting resources, and pleading to Brigade.

The 530<sup>th</sup> MP Battalion is an IR Battalion. My role there was the HHC Commander. I was relieved of my command and sent to Camp Arifjan. The basis was unfounded.

I would say a total of 7 or 8 escapes for the BCCF. We actually had to deploy the IRF and other resources on the one big day in question, where we ended up having to kill three or four detainees.

My civilian job back home is a special agent for the Bureau of Alcohol, Tobacco, and Firearms (ATF). That is what scares me about this other stuff, he's a police officer and

any UCMJ action directly impacts my Top Secret clearance. In e-mail he threatened something to that affect, and I've had it up to here.

The 372<sup>nd</sup> Military Police Company was tasked with the management of the hard site. It was commanded by CPT Reese, the majority of the responsibility was delegated to CPT Brinson. He has since refraded. Most of the responsibility of the hard site was delegated down. It was mostly from commander-to commander.

The best way to describe me is as a Battle Captain; I ended up handling most of the briefings.

I knew the certification on the narcotic dogs were an issue because the dogs have to be certified with the different narcotics, and we also needed certification kits that we did not have. The navy dogs were good to go, because they teamed with EOD, and the Air Force also had kits available for navy dogs.

The S-4 is MAJ [REDACTED]

LTC [REDACTED] is an intelligent leader. He is very perceptive, and in tune with issues and problems. He was always seen working, trying to make himself present during visits, very involved. I never got involved on what he was working on. A fair man, not very articulate, but beyond that he gave a lot of insight and wisdom on what needed to be done.

Finished with their discussion, the panel gave CPT [REDACTED] a list of items, to be addressed, and brought back on a Sworn Statement.

**SWORN STATEMENT**

For use of this form, see AR 190-46; the proponent agency is ODCSOPS

LOCATION CAMP BUCCA, IRAQ (UMM QASAR)	DATE 17 FEB 04	TIME	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY NUMBER	GRADE/STATUS O3	
ORGANIZATION OR ADDRESS 310th MILITARY POLICE BATTALION, CAMP BUCCA, IRAQ (UMM QASAR), AE APO 09375			

I, \_\_\_\_\_, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

Q What are the accountability procedures of detainees at Camp Bucca?

A Detainees are counted twice (at a minimum) on a daily basis during feeding times. Each detainee is counted by ISN. The detainees are moved into the front holding area. As each detainee moves in, the compound control team physically counts the detainee using a clicker. One compound control member controls the movement into the holding area as the other CCT member counts the detainees on a clicker. Once the count is verified, the detainees are counted back out and checked off on an ISN manifest. If there is a discrepancy, the SOG and NCOIC are informed immediately. The roving patrol teams come to the compound to help conduct a second and third count until 100% accountability is obtained. Once a count is believed to be off or short, it is assumed that a detainee has escaped. The chain of command is immediately informed and full alert status is placed into effect until the count is corrected. Additional counts are used as needed for poor visibility or suspected missing detainees. The detainee count procedure was adapted for the 724th MP BN in which we replaced. The accountability procedures were placed into SOP. Since our arrival at Camp Bucca, no formal accountability procedures were sent from the 800th MP BDE.

Q Can you explain the detainee escapes?

A. (SEE ATTACHED DOCUMENTS ON DETAILS OF ESCAPE) After each escape, the brigade was immediately informed on the incident, the detainees missing (by ISN and photo). Once a detainee is discovered missing, the brigade is informed and then followed up with a complete SIR. In addition, photos were distributed to the British forces in the area and local Iraqi police department.

Q What training has been conducted for the combat support MP companies?

A ONCE ASSUMING THE MISSION FROM THE 724TH MP BN, I SAT DOWN WITH THE OPERATION SERGEANT OF THE 988TH AND 977TH MILITARY POLICE COMPANY TO INCLUDE MY OPERATIONS NCO FROM THE S-3 SECTION. WE SPECIFICALLY PULLED TASKS FROM SOLDIER'S MANUAL AND TRAINER'S GUIDE MOS 95C INTERNMENT/RESETTLEMENT SPECIALIST SKILL LEVELS 1/2/3/4. IN ADDITION, FM 3-19.40 IR OPERATIONS AND AR 190-8 ENEMY PRISONERS OF WAR WERE USED AS GUIDELINES FOR OPERATIONS. RULES OF ENGAGEMENT CLASSES WERE CONDUCTED BY THE JAG AND NCO CHAIN OF COMMAND. FURTHERMORE, THE SAME TRAINING PLAN WILL BE USED FOR THE INCOMING FIELD ARTILLERY UNITS COMING TO REPLACE THE MILITARY POLICE UNITS. (SEE ATTACHED)

Q What are the uniform standards in Camp Bucca and what is your opinion of it?

A A Soldiers are instructed to be in proper uniform at all times. There are only two authorized uniforms which are the DCUs or APFT uniform. While a soldier is going into the Internment Facility or going off post, every soldier must be wearing their protective vest and Kevlar helmet. At no time will a APFT uniform be worn at the internment facility or off post. There is a camp policy that allows soldiers to wear civilian clothing in the MWR tent on Friday and Saturdays. In my opinion, I disagree with this policy. While deployed it is crucial to maintain military bearing and professionalism. Allowing a civilian clothes policy slowly diminishes the core of military bearing and discipline. There are too many KBR workers in civilian clothes on the base camp and it can be confusing with soldiers in civilians clothing from a security point of view.

Q What is the APFT standard on Camp Bucca and what is your opinion of it?

A A Most of the enlisted and officers officially do PT and take the APFT test IAW the standards. However, several senior officers and NCOs do not take the APFT. This is a breakdown in leadership and sets a poor example for soldiers. Soldiers see that certain senior leaders do not take the test and show a poor attitude towards the army because the standards are not enforced from the top down. In my opinion, this seriously affects the command climate of troops. In addition, we as leaders are hypocrites if we hold our soldiers to a different standard. Furthermore, there is an integrity problem when OER's and NCOER's reflect these senior leaders passing the test when they never took it. This has been going on for years.

Q What standards have you received from the 800th Military Police Brigade?

A Most recently, we received a standard on transporting detainees within theater. Most of our deployment was training Iraqi correction guards. We have been working the internment facility mission for the last 30 days.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_ CONTINUED". THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES". WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

STATEMENT (Continued)

/// nothing follows///

AFFIDAVIT

\_\_\_\_\_, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 1. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

\_\_\_\_\_  
(Signature of Person Making Statement)

WITNESSES

\_\_\_\_\_, MAJ, MP  
310th MP BN, Camp Bucca, Iraq 09375

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths this 17 day of February 19     at Building 4, Camp Bucca (Limm Qasr)

\_\_\_\_\_  
(Signature of Person Administering Oath)

\_\_\_\_\_  
(Typed Name of Person Administering Oath)

\_\_\_\_\_  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

\_\_\_\_\_



On 15 February 2004, a team of officers, directed by Major General Antomo Taguba, conducted the following interview. Major General Taguba was appointed as an Investigating Officer under the provisions of Army Regulation 15-6, by Lieutenant General David D. McKiernan, Commanding General of the Coalition Forces Land Component Command (CFLCC), to look into allegations of maltreatment of detainees, detainee escapes and accountability lapses, at Abu Ghraib, also known as the Baghdad Central Confinement Facility (BCCF). The panel also inquired into training, standards, employment, command policies, and internal policies, concerning the detainees held at Abu Ghraib prison. Finally, the panel looked into the command climate and the command and supervisory presence.

The following persons were present:

COL [REDACTED] CFLCC – PMO, Interviewer  
LTC [REDACTED], 705<sup>th</sup> MP Battalion, Member  
CPT [REDACTED], 265<sup>th</sup> Engineer Group – SJA, Member  
CPT [REDACTED] 800<sup>th</sup> MP Brigade, Respondent

The interview is summarized as follows:

My name is [REDACTED]. My social security number is [REDACTED]. I am a Captain, U.S. Army Reserve. I'm assigned as the assistant S-2 for the 800<sup>th</sup> Military Police Brigade.

I was assigned to the 800<sup>th</sup> Military Police Brigade as a lateral transfer in January 2003. I transferred from the 306<sup>th</sup> MP Battalion, where I was the S-4 for 1 year. Prior to that I was a Platoon leader for the 340<sup>th</sup> Military Police Company in Kosovo.

I started out as assistant S-2 focusing on counterintelligence. We worked on preventing information to be shared among the prisoners. We tracked the internal threat and I assist the S-2 in reestablishing the external threats. From July on we learned all of the inner workings of the S-2 shop and was able to free up [REDACTED] so that he could perform other duties. At the time I assumed the duties of the S-2, but hadn't been formally assigned. I didn't actually figure out it was my title for a couple of months. I'm relatively a junior captain so I took as a compliment that I was trusted to assume the S-2 position.

I am a MP by MOS, although in the Army Reserve I have had to branch transfer twice in order to be stabilized, upon the completion advance course I will be branch qualified. I have learned the S-2 job by OJT and doing left seat right seat training with the previous counterintelligence officer.

The threat we track is a potential for a riot, escape, criminal acts, and potential troublemakers. We are providing the information for the commander on our side to make

the decision. Our policy was to share all information with any MI that was on the ground

In July we jumped TOC from Camp Arifjan to Baghdad. [REDACTED] was the S-2 in Camp Arifjan, as an assistant S-2 I went forward to Camp Bucca. I am not sure if the logistical stag left behind at Arifjan when we jumped TOC. The operations cell consisted of the S-1 shop, because they managed the leave. Even though we were in the heart of V Corps territory we were still logistically supported by the 377<sup>th</sup> so when we through leave we wouldn't have to go all the way back to Arifjan. We had to leave [REDACTED] behind, she stayed back in the rear. She was the commander of the 724<sup>th</sup> while I was at Bucca

I never saw any 15-6's or derogatory information on personnel in the unit. I never submitted any DEROG's. I haven't seen any cases that warrant DEROG's. I believe the soldier involved in detainee abuse at Camp Bucca, belonged to the 320<sup>th</sup> MP Battalion. I don't know if the soldiers. I assume DEROG's are handled at the battalion level. There are S-2's at the Battalion level. I have heard of DEROG's they are derogatory statements towards an individual's security clearance. If that is my duty I have failed to perform my duty

The philosophy of [REDACTED], the deputy commander, was that he wanted to know the threat status every town we were potentially going to open up a prison in. He also stated that he wanted the SIPRNET used to the maximum, and to maintain open contact with our down trace units S-2's because most didn't have SIPR capabilities

From July until November I made it a point to visit each facility. While I was visiting I made sure my counterintelligence agents assigned to my section go one way while I went the other so every was seen rather quickly to do a threat vulnerability analysis on each facility. Some of the structures we inherited were quite derelict and not up to force protection standards so we concentrated a lot on identifying the force protection vulnerability

I believe when the Deputy Commander went back to the states BG Karpinski started to participate in the daily staff meetings. That is when I would inform her on the status of the prisons. Occasionally she would ask for a sidebar, a few times I would have a list to submit to her

I had a relatively positive relationship BG Karpinski. I had been BG Hill's aid beforehand and I wanted to make sure that I didn't assume a degree of informality that I had with him. So at first I kept things very formal and distant so that is the reason I brought most of my issues to the Deputy Commander. I could approach the general in an informal matter, especially when it was mission related

In regards to the incident at Camp Bucca it is unacceptable. It happened once and by the MP standard, and once is too much. I am proud of the fact that other MP's reported the incidents. I didn't here of what happened in November until January, by the end of December I was assigned to Camp Ashcraft with the MEK capitulation mission. I didn't

here about the incidents until I made it back to Camp Arifjan and I was told I was on a list I wasn't read in on the picture taking incident, because I was at the MEK. BG Karpinski was at MEK for a little while also, but she had to go back. The MEK was a place where we negotiated with high-ranking Iraqi Soldiers to capitulate. From my understanding there was a FRAGO for BG Karpinski to be there at the MEK, but she was only there for about 3 to 4 days.

By August we realized that CPA was not able to fulfill their obligation to build the prison, so the focus was to build something bigger at Abu Graib which later became known as Camp Ganzi. We need Camp Ganzi in order to be able to hold the vast amount of prisoners we were getting because the building of hard stands were getting slower. At that time we had prison operations being done at Mosul, and several other locations.

Our OPLAN was based on EPW operations and that something we had prepared for a very long time.

I know BG Karpinski made it a point to visit all of the facilities including the smaller ones on several occasions. When I came off of leave the 205<sup>th</sup> MI Brigade was named the land-owners of Abu Graib prison. In July and August we weren't getting any support for force protection, and we had started accumulating numerous mortar attacks, one of which we sustained fatalities in the prison population, it was until a month and a half later when some MI soldiers were killed by a mortar attack that we received force protection.

The MEK was never a TOC for the 800<sup>th</sup> MP Brigade. The FRAGO said for her to be there not to move the operations there. She was needed there for the delicate operations going on at the time.

I had about 8 drill weekends back home as an S-4, I did receive an OER for my time at that position. My civilian occupation is a Network Administrator for computers. I was a Signal Corps officer and went into the IRR in 1996 because of the closing of 5 or 6 units simultaneously. In 1988 I came out of the IRR into the 800<sup>th</sup> MP Brigade and became a lieutenant in the S-3 shop. I was assigned as the EPW plans officer. As an EPW plans officer I fell in love with the MP mission, and that is why I did not cease being a reservist after my 8-year obligation. When I was being branch transferred I became BG Hill's aid. When the Kosovo mission came up I saw the opportunity to become a platoon leader. I had been a platoon leader a couple of times before, but I volunteered for Kosovo to be an MP platoon leader.

I have used our SOP to refer to as a guideline, I couldn't quote you the regulation right now that covers our operation here.

The greatest threat to the Brigade is during the escort missions there would be IED's and small arms fire on the road. As far as the facilities, the facility that received the greatest threat was Abu Graib, due to the amount of mortar attacks it received.

There was usually 1 or 2-CIA agents on the MTOE, although over the course of the year battalions' loss their agents and MP's were loss also because there was no replacement system in place. The CIA agents are usually were usually specialist and sergeants; they are not granted badges with the credentials. They are actually working for the MP unit's and not MI, so they were not involved with interrogations. Their job was to sensitize the MP's on what to look for. Those who had the language skill would talk to Iraqi's who could possibly offer information to us

The Brigade's main effort was detainee operations. When we first arrived our mission was find out what CPA wanted and what CPA was able to do. We had Camp Cropper at BIAP, which was constantly at over capacity. ██████████ was constantly stating he couldn't run Camp Cropper at over capacity, he finally received relief when Camp Ganci was stood up

My first experience with BG Karpinski was as part of the staff on the MDMP. We made plans on how we would expand facilities in order to accommodate all the detainees. I identified how hostile things were at Abu Graib, so to expand there was solely based on us establishing force protection. Our MTOE was designed to exist in a rear environment, we didn't even have crew served weapons. So establishing our own Force Protection deterred or ability to take in prisoners. We had to improvise by having units do missions they were not trained for. Everyone assumed since we were MP's we had turrets and up-armored vehicles, so we would always tasked to conduct escort mission, but we were not properly equipped. I constantly identified these issues as vulnerabilities, but still had to perform the missions.

I never saw a priority of one Battalion over the other because all the mission we extreme, what I can say is that Camp Bucca, the 724<sup>th</sup> Military Police Battalion, was eventually self running. Camp Bucca didn't need very much intervention on our part, so I would say the main effort was BCCF, Baghdad, and then Camp Ashcraft.

I was located at Victory Base. I traveled to BCCF on 5 occasions. I stayed there once for 3 days straight. I went there to check up on the reporting procedures and found out that the intelligence analysis was too busy tracking mortar launches and impacts to send the internal reports to higher. In October we started receive support for Force Protection. I submitted RFI's to C-2 for imagery and we were not priority. We were in between 2 Q36 zones and they could track what left us, but not what came in.

I asked BG Karpinski for replacements, but that was a request that could not be filled. During a period I would take the day shift will my NCO took the night shift. BG Karpinski supported me when the S-3 wanted us to track patterns; she said that we would not be responsible for that.

Finished with their discussion, the panel gave ██████████ a list of items, to be addressed, and brought back on a Sworn Statement.

### SWORN STATEMENT

For use of this form, see AR 190-45, the proponent agency is ODCSOPS

LOCATION Camp Doha, Kuwait	DATE 20040215	TIME 1300	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS O-3	
ORGANIZATION OR ADDRESS 800TH MILITARY POLICE BRIGADE (I/R), Camp Arifjan, Kuwait APO AE 09366			

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

As a non-MOSQ Captain executing the duties of a Brigade S-2 Major's position, I did the best I could to learn the job to the utmost of my abilities. During OPERATION IRAQI FREEDOM, I concentrated on tracking/reporting the threat to detainee operations, both from external hostile forces and internal populations. I received verbal counselings, guidance, advice and eventually praise from most senior officers in the 800th MP BDE headquarters.

Q How many soldiers in the 800th MP BDE (I/R) had DE-ROG reports submitted during Operation Iraqi Freedom?  
A I do not know. From 16 July 2003 until 31 January 2004, the 800th MP Brigade S-2 Section submitted no report of derogatory information on any soldier directly. As Brigade S-2, I did not emphasize nor track DE-ROGs. I did not understand that such tracking was part of my duties. Subordinate Battalions' own Security Managers may or may not have done so. As partial reparation, I will immediately obtain from Brigade SJA the list of all accounts of negative investigative findings (Article 32s, Article 15, etc.) and submit the list to the Brigade Security Manager.

Q When did Brigadier General Karpinski relocate to Camp Ashraf and by what order?  
A BG Karpinski came to Camp Ashraf on 10 January 2004, and stayed for two to three days a week from then until transfer of authority. To the best of my knowledge, it was directly ordered in a FRAGO from CJTF-7 that she do so. While BG Karpinski was at Camp Ashraf, the 800th MP BDE TOC continued to operate at Victory Base in Baghdad. The 530th MP BN provided dedicated phone and computer assets for BG Karpinski to maintain communication with the Brigade TOC. At this time, I do not recall the FRAGO number. (I will look it up and try to submit a hard copy.)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>1</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_ CONTINUED"  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES" WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM

STATEMENT (Continued)

*2-15-04*

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2 I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME THE STATEMENT IS TRUE I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT

[REDACTED]

(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 15 day of February, 2004

at Camp Doha, Kuwait

[REDACTED]

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

[REDACTED]

(Typed Name of Person Administering Oath,

Judge Advocate

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 1 OF 2 PAGES

On 9 February 2004, a team of officers, directed by Major General Antonio Taguba, conducted the following interview. Major General Taguba was appointed as an Investigating Officer under the provisions of Army Regulation 15-6, by Lieutenant General David D. McKiernan, Commanding General of the Coalition Forces Land Component Command (CFLCC), to look into allegations of maltreatment of detainees, detainee escapes and accountability lapses, at Abu Ghraib, also known as the Baghdad Central Confinement Facility (BCCF). The panel also inquired into training, standards, employment, command policies, and internal policies, concerning the detainees held at Abu Gharib prison. Finally, the panel looked into the command climate and the command and supervisory presence.

The following persons were present:

MG Antonio M. Taguba, [REDACTED], DCG-CFLCC, Interviewer  
[REDACTED], MP, CFLCC – PMO, Interviewer  
[REDACTED], JA, CFLCC – SJA, Interviewer  
[REDACTED], 35<sup>th</sup> MP Battalion, Interviewer  
[REDACTED], 520<sup>th</sup> Military Police Battalion, Interviewee  
[REDACTED], 27D30, CFLCC – SJA, Recorder

The interview is summarized as follows:

This matter of proceeding is a formality because [REDACTED] invoked his rights, and is seeking legal counsel.

The panel briefed [REDACTED] on the scope of the investigation. [REDACTED] wished not to speak on any matters regarding this investigation. [REDACTED] was dismissed by the panel.

# RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

## DATA REQUIRED BY THE PRIVACY ACT

**AUTHORITY:** Title 10, United States Code, Section 3012(g)  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified  
**ROUTINE USES:** Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval  
**DISCLOSURE:** Disclosure of your Social Security Number is voluntary

1 LOCATION <u>Victory Camp</u>	2 DATE <u>9 Feb 2004</u>	3 TIME <u>1318</u>	4 FILE NO
5 NAME (Last, First, MI) [REDACTED]	8 ORGANIZATION OR ADDRESS <u>320th MP BN</u> <u>APO AE 09355</u>		
6 SSN [REDACTED]	7 GRADE/STATUS <u>C5/Reserve wither Duty</u>		

### PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

#### Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army C-FLLE CMD GROUP and wanted to question me about the following offense(s) of which I am suspected/accused: DESTRUCTION OF INTL

Before he/she asked me any questions about the offense(s), however he/she made it clear to me that I have the following rights:

- 1 I do not have to answer any question or say anything
- 2 Anything I say or do can be used as evidence against me in a criminal trial
- 3 (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

or

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

- 4 If I am now willing to discuss the offense(s) under investigation with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further even if I sign the waiver below.

5 COMMENTS (Continue on reverse side)

#### Section B Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (If available)		3 SIGNATURE OF INTERVIEWEE
1a NAME (Type or Print)		4 SIGNATURE OF INVESTIGATOR
b ORGANIZATION OR ADDRESS AND PHONE		
2a NAME (Type or Print)		5 TYPED NAME OF INVESTIGATOR
b ORGANIZATION OR ADDRESS AND PHONE		6 ORGANIZATION OF INVESTIGATOR

#### Section C Non-waiver

- 1 I do not want to give up my rights.  
 I want a lawyer.  I do not want to be questioned or say anything.

2 SIGNATURE OF INTERVIEWEE  
 [REDACTED]

ATTACH THIS WAIVER TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED



On 9 February 2004, a team of officers, directed by Major-General Antonio Taguba, conducted the following interview. Major General Taguba was appointed as an Investigating Officer under the provisions of Army Regulation 15-6, by Lieutenant General David D McKiernan, Commanding General of the Coalition Forces Land Component Command (CFLCC), to look into allegations of maltreatment of detainees, detainee escapes and accountability lapses, at Abu Ghraib, also known as the Baghdad Central Confinement Facility (BCCF). The panel also inquired into training, standards, employment, command policies, and internal policies, concerning the detainees held at Abu Gharib prison. Finally, the panel looked into the command climate and the command and supervisory presence.

The following persons were present:

MG Antonio M. Taguba, [REDACTED], DCG-CFLCC, **Interviewer**  
COL [REDACTED], MP, CFLCC – PMO, **Interviewer**  
LTC [REDACTED], CFLCC – SJA, **Interviewer**  
LTC [REDACTED], 705<sup>th</sup> MP Battalion, **Interviewer**  
LTC [REDACTED], Military Police Battalion, **Interviewee**  
SSG [REDACTED], 27D30, CFLCC – SJA, **Recorder**

The interview is summarized as follows:

This matter of proceeding is a formality because LTC [REDACTED] invoked his rights, and is seeking legal counsel.

The panel briefed LTC [REDACTED] on the scope of the investigation. LTC [REDACTED] wished not to speak on any matters regarding this investigation. LTC [REDACTED] was dismissed by the panel.

# RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30, the proponent agency is ODCSOPS

## DATA REQUIRED BY THE PRIVACY ACT

**AUTHORITY:** Title 10, United States Code, Section 3012(g)  
**PRINCIPAL PURPOSE:** To provide commanders and law enforcement officials with means by which information may be accurately identified  
**ROUTINE USES:** Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval  
**DISCLOSURE:** Disclosure of your Social Security Number is voluntary

1 LOCATION <u>Victory Camp</u>	2 DATE <u>9 Feb 2004</u>	3 TIME <u>1318</u>	4 FILE NO
5 NAME (Last, First, MI) [REDACTED]	8 ORGANIZATION OR ADDRESS <u>320<sup>th</sup> MP BN</u> <u>APO AE 09355</u>		
6 SSN [REDACTED]	7 GRADE/STATUS <u>C5 / Reserve on Active Duty</u>		

## PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

### Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army C FULL CMD WLP and wanted to question me about the following offense(s) of which I am suspected/accused. Dereliction of Duty

Before he/she asked me any questions about the offense(s), however he/she made it clear to me that I have the following rights

- 1 I do not have to answer any question or say anything
- 2 Anything I say or do can be used as evidence against me in a criminal trial
- 3 (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me or both.

or

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

- 4 If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time or speak privately with a lawyer before answering further even if I sign the waiver below.

6 COMMENTS (Continue on reverse side)

### Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (If available)		3 SIGNATURE OF INTERVIEWEE
1a NAME (Type or Print)		
b ORGANIZATION OR ADDRESS AND PHONE		4 SIGNATURE OF INVESTIGATOR
2a NAME (Type or Print)		5 TYPED NAME OF INVESTIGATOR
b ORGANIZATION OR ADDRESS AND PHONE		6 ORGANIZATION OF INVESTIGATOR

### Section C. Non-waiver

- I do not want to give up my rights  
 I want a lawyer
- I do not want to be questioned or say anything

2 SIGNATURE OF INTERVIEWEE  
[REDACTED]

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED