



JOINT TASK FORCE GUANTANAMO
Guantanamo Bay, Cuba
APO AE 09360

FORM 70
APR 67 EDITION

JTF GTMO-CS

08 April 2004

MEMORANDUM FOR Command General, Joint Task Force Guantanamo, Guantanamo Bay,
Cuba APO AE 09360

SUBJECT: Endorsement to AR 15-6 investigation - Allegations of JDOG Misconduct

1. I have reviewed the AR 15-6 investigation completed by [REDACTED]
2. The investigating officer (IO) concluded that JDOG personnel did not mistreat [REDACTED]. The IO also found that although there were general allegations of mistreatment made, those allegations were unsupported by evidence. The evidence supports the IO's findings, and his recommendations are consistent with the findings.
3. The IO makes several recommendations. Although consistent with the findings and based on the evidence ascertained during this investigation, any further investigation into related matters should be handled under a separate action. I note my specific recommendations below:

- a. [REDACTED]
- b. [REDACTED]
- c. [REDACTED]
- d. [REDACTED]

(b)(5)

4. POC is the undersigned, at # [REDACTED]

[REDACTED]

COL, USA
Chief of Staff

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DEPARTMENT OF DEFENSE
JOINT TASK FORCE GUANTANAMO
GUANTANAMO BAY, CUBA
APO AE 09360

JTF GTMO - SJA

31 March 2004

MEMORANDUM FOR Chief of Staff, Joint Task Force Guantanamo, Guantanamo Bay, Cuba
APO AE 09360

SUBJECT: Legal Review, AR 15-6 Investigation - Allegations of JDOG Misconduct

1. I have reviewed the AR 15-6 investigation initiated by you on 26 March 2004.

2. The Investigating Officer (IO) has concluded that JDOG personnel did not mistreat [REDACTED]. The IO also found that although there were general allegations of mistreatment made, [REDACTED] allegations were unsupported by evidence. The evidence supports the IO's findings, and his recommendations are consistent with the findings. The proceedings complied with all legal requirements of AR 15-6.

3. The IO makes the several recommendations, and although consistent with the findings, some more specificity is warranted.

[REDACTED]

b. [REDACTED]

(b)(5)

4. POC is the undersigned, at [REDACTED]

[REDACTED]

Staff Judge Advocate

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DEPARTMENT OF DEFENSE
JOINT TASK FORCE GUANTANAMO
GUANTANAMO BAY, CUBA
APO AE 09360

REPLY TO
ATTENTION OF

JTF GTMO - CS

26 March 2004

MEMORANDUM FOR [REDACTED] J2, Joint Task Force Guantanamo, Guantanamo Bay, Cuba, APO AE 09360

SUBJECT: Appointment as Investigating Officer

1. You are hereby appointed as an investigating officer pursuant to Army Regulation (AR) 15-6, to investigate allegations of detainee misconduct by members of the Joint Detention Operations Group (JDOG). Specifically, I want you to investigate whether [REDACTED] has been subject to maltreatment by JDOG personnel. Additionally, I want you to investigate whether this alleged maltreatment was reported to any members of the Joint Intelligence Group (JIG), and what, if any action, was taken by those personnel.
2. Complete your investigation in accordance with the procedures set forth in AR 15-6. You may compel JTF military personnel to provide sworn statements, however they are not required to incriminate themselves. If, during the course of your investigation, you suspect that any individuals may have committed misconduct or criminal activity, you must advise them of their rights under Article 31, UCMJ, or the Fifth Amendment. Utilize DA Form 3881 as appropriate. In addition, you must administer a Privacy Act statement before you solicit any personal information.
3. If in the course of your investigation you discover misconduct not covered by the guidance above you will notify me in writing of such misconduct.
4. This investigation takes precedence over your normal duty assignment.
5. Consult with the Staff Judge Advocate prior to commencing your investigation, and at any point during the investigation you feel is necessary.
6. Submit your findings and recommendations on DA Form 1574 to the Staff Judge Advocate for legal review no later than 30 March 2004.
7. POC is the Staff Judge Advocate at ext. [REDACTED]

[REDACTED]
Chief of Staff

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REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-6; the proponent agency is OTJAG.

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

SECTION I - APPOINTMENT

Appointed by [Redacted] Chief of Staff, Joint Task Force GTMO (Appointing authority)

on 26 March 2004 (Date) (Attach Inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)

SECTION II - SESSIONS

The (Investigation) (board) commenced at Camp Delta, Guantanamo Bay Naval Base, Cuba at 1400 (Time)

on 27 March 2004 (Date) (If a formal board met for more than one session, check here [] . Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.) The following persons (members, respondents, counsel) were present: (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)

The following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence.) (See para 3-3 and 3-8a, AR 15-6.)

The (Investigating officer) (board) finished gathering/hearing evidence at 1800 (Time) on 29 March 2004 (Date) and completed findings and recommendations at 1030 (Time) on 31 March 2004 (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES

- Inclosures (para 3-15, AR 15-6)
Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)
a. The letter of appointment or a summary of oral appointment data?
b. Copy of notice to respondent, if any? (See item 9, below)
c. Other correspondence with respondent or counsel, if any?
d. All other written communications to or from the appointing authority?
e. Privacy Act Statements (Certificates, if statements provided orally)?

Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?

Information as to sessions of a formal board not included on page 1 of this report?

- A. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?

FOOTNOTES: 1 Explain all negative answers on an attached sheet.

2 Use of the NA column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

Table with columns YES, NO, NA and rows of X marks indicating completion status.

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Does the inclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?

2 Exhibits (para 5-16, AR 15-6)

a. Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?

Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit? Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?

d. Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?

e. Are descriptions or diagrams included of locations visited by the investigating officer or board (para 5-6b, AR 15-6)?

f. Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?

g. If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?

3 Was a quorum present when the board voted on findings and recommendations (para 4-1 and 5-2b, AR 15-6)?

B. COMPLETE ONLY FOR BOARD PROCEEDINGS (Chapter 5, AR 15-6)

4 At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-2b, AR 15-6)?

5 Was a quorum present at every session of the board (para 5-2b, AR 15-6)?

6 Was each absence of any member properly excused (para 5-2a, AR 15-6)?

7 Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?

C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)

9 Notice to respondents (para 5-3, AR 15-6):

a. Is the method and date of delivery to the respondent indicated on each letter of notification?

b. Was the date of delivery at least five working days prior to the first session of the board?

c. Does each letter of notification indicate --

- (1) the date, hour, and place of the first session of the board concerning that respondent?
- (2) the matter to be investigated, including specific allegations against the respondent, if any?
- (3) the respondent's rights with regard to counsel?
- (4) the name and address of each witness expected to be called by the recorder?
- (5) the respondent's rights to be present, present evidence, and call witnesses?

Was the respondent provided a copy of all unclassified documents in the case file?

e. If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?

10 If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings):

a. Was he properly notified (para 5-3, AR 15-6)?

b. Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-4c, AR 15-6)?

11 Counsel (para 5-6, AR 15-6):

a. Was each respondent represented by counsel?

Name and business address of counsel:

If counsel is a lawyer, check here

b. Was respondent's counsel present at all open sessions of the board relating to that respondent?

c. If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the action taken on it included in the report (para 5-6b, AR 15-6)?

12 If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6):

a. Was the challenge properly denied and by the appropriate officer?

b. Did each member successfully challenged cease to participate in the proceedings?

13 Was the respondent given an opportunity to (para 5-8a, AR 15-6):

a. Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?

b. Examine and object to the introduction of real and documentary evidence, including written statements?

c. Object to the testimony of witnesses and cross-examine witnesses other than his own?

d. Call witnesses and otherwise introduce evidence?

e. Testify as a witness?

f. Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?

14 If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in urging for the presence of witnesses (para 5-8b, AR 15-6)?

Were all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (para 5-11, AR 15-6)?

FOOTNOTES: 1 Explain all negative answers on an attached sheet.

2 Use of the N/A return constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

YES NO/ N/A

X X X X X X X X

[REDACTED]

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SECTION IV - FINDINGS (para 3-10, AR 15-6)

The *(investigating officer) (board)*, having carefully considered the evidence, finds:

Attached.

SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

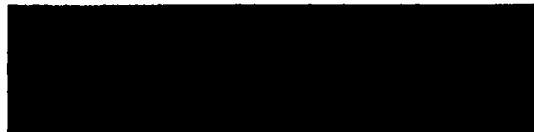
In view of the above findings, the *(investigating officer) (board)* recommends:

See Attached.

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SECTION VI - AUTHENTICATION (para 3-17, AR 15-6)

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. (If any voting member or the recorder fails to sign here or in Section VII indicate the reason in the space where his signature should appear.)



(Recorder)

(Investigating Officer) (President)

(Member)

(Member)

(Member)

(Member)

SECTION VII - MINORITY REPORT (para 3-12, AR 15-6)

To the extent indicated in Inclosure _____, the undersigned do(es) not concur in the findings and recommendations of the board. (In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)

(Member)

(Member)

SECTION VIII - ACTION BY APPOINTING AUTHORITY (para 2-3, AR 15-6)

Findings and recommendations of the (investigating officer) (board) are (approved) (disapproved) (approved with following exceptional submissions). (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence for a summary, if oral) as a numbered inclosure.)

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DIRECTED FINDINGS

1. That there was no mistreatment of [REDACTED] by the MPs before, during or after the interrogation by [REDACTED] and [REDACTED] on 23 March 2004. (See Findings of Fact).
2. That [REDACTED] verbally reported his allegations to [REDACTED] on the evening of 23 March and to [REDACTED] on the morning of 24 March. Both senior officers instructed [REDACTED] to put his complaint in writing and [REDACTED] the deputy JDOG commander, would act it upon immediately. (See Findings of Fact).
3. That [REDACTED] never complied with the orders given him. He has never submitted a written report of his allegations, as ordered by his superiors. (See Findings of Fact).
4. That [REDACTED] verbally reported his allegations to BG (P) Hood on 26 March. (See Findings of Fact).
5. That [REDACTED] wrote up his S/NF interrogation report on 27 March. (See Findings of Fact).
6. That no action was taken by the responsible officers/commands because the chain of command never received a written report of the allegations. (See Findings of Fact).

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FINDINGS OF FACT

1. That a conversation took place on 29 Mar 04 between the investigating officer and [REDACTED] to establish [REDACTED] education and professional military background. After [REDACTED] was told what the topic of the interview was, he started out with his place of birth. When I reminded him that I was only interested in his college education and military experience, he began again by starting to tell me where he went to grade school.

a. [REDACTED] has difficulty listening and grasping the topic at hand and enjoys talking [REDACTED]

b. [REDACTED]

c. The Navy has no active duty HUMINT elements. The board was comprised of USNR officers from his unit and the "scenario-based" technique was used to conduct the vetting. [REDACTED] NSH training was conducted on duty at his unit and was a replacement of US Army correspondence courses and on-site training conducted by a USNR LCDR that had some active duty time (non-specific) and a law enforcement background.

d. [REDACTED]

c. [REDACTED]

and deployed to JTF OTMO in [REDACTED] When he checked aboard he was assigned by [REDACTED] as a Regional Team Chief, responsible for the interrogators of a specific geographic area. When asked what qualified him to be a team chief he related that all the ONI officers that reported to the JTF were assigned team chiefs by virtue of their rank.

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- f. Lack of experience is not a disqualifier to be a regional team chief. [REDACTED] acknowledged that he was informed by his predecessor prior to arrival that he would be designated a team chief. When asked what the responsibilities were, he indicated he did not know prior to arrival and could not give a clear definitive answer when asked during this interview after having been in the assignment since early Jan 04. (29 Mar interview).
2. That [REDACTED] and [REDACTED] conducted an interrogation of [REDACTED] on 23 Mar between 1500 and 2000 [REDACTED] (Encl 2, sworn statement of [REDACTED]).
 3. That [REDACTED] entered the interrogation booth with [REDACTED] and knew nothing of [REDACTED] operational combat experience or his relationship to key leaders in Afghanistan. When asked to recount what he knew of [REDACTED] operational history, he stated that [REDACTED] worked in a Starbucks in KY and that he spoke fluent English and had spent a lot of time in the US and UK. When given clarifying guidance to help in answering the question and asked whom [REDACTED] worked for, [REDACTED] said that he worked for AQ and was related to some activities in UK. When I asked him where [REDACTED] was rolled up he hesitated and then said, "I think Afghanistan". I told him he was on the map sheet and then asked him what he knew of [REDACTED] operational experience in the war in Afg. [REDACTED] stated that he knew nothing. (Interview of 29 Mar)
 4. That upon the conclusion of the interrogation, [REDACTED] informed [REDACTED] that he had to use the bathroom when she went in to shackle him in preparation for his return to [REDACTED] his cell. (Encls 3/4; sworn statement of [REDACTED] JIIF Interview Report for 03/23/2004).
 5. That it is a 'small victory' for the detainees to use a latrine out of the one in their cell blocks in the interrogation buildings. They will often request to use the bathroom at the conclusion of their interviews to attempt to gain access to the latrines in the interrogation buildings. These latrines consist of a stall for the MPs and a stall for the detainees, separated by a stall wall. If taken to the interrogation facility latrines, they will attempt to gain access to the MP latrine in order to 'shit on the MPs', thereby achieving their victory. Because of this common knowledge among the MPs and because [REDACTED] was variously estimated to be 20-50 yards and a short walk from [REDACTED], the decision was made by [REDACTED] to take [REDACTED] to the latrine on his block. (Doctrine of High Risk of Capture Level C SERE, Camp Mackall, US Army JFK Special Warfare Center and Schools, Ft Bragg, NC; Encls 3/5/6; sworn statements and interviews of [REDACTED])
 6. That [REDACTED] did create a confrontational situation with his escorts to get into the MP latrine upon being taken to the [REDACTED] latrine by his escorts. [REDACTED] Encls 5/6, sworn statements and interviews of [REDACTED]
 7. That the interrogators, [REDACTED] remained in an observation booth after the completion of the interrogation waiting to remove various pysop products used during the interrogation of [REDACTED] had been escorted out. At some point, [REDACTED] became aware that [REDACTED] had requested to use the bathroom and informed the MPs of the request. When the escort MPs did not respond in what [REDACTED] considered a timely manner, [REDACTED] got involved in the escort of [REDACTED] to the latrine. [REDACTED] states that he told 'JDOG' that the interrogation was complete and that [REDACTED]

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needed to use the bathroom. (Assumption here is that 'JDOG' refers to the MPs in the [redacted] JIF [redacted] overrule [redacted] on his decision that [redacted] would wait until he was returned to his block. [redacted] recounts the exchange he had with [redacted] in which they discuss which of them would return to the JIF to speak to the MPs. [redacted] states "I pointed to my collar devices and said, 'sometimes you just have to be a dick.' I told them, 'Hey, this guy needs to go to the bathroom!'" When asked during an interview on 29 Mar why he felt compelled to make such a graphic, unprofessional and derogatory statement to [redacted], [redacted] could neither comprehend the scope of the question being asked, nor did he ever grasp the negative leadership connotations of his comments and actions toward the MPs. (Encl 2/5/6, sworn statements and interviews of [redacted])

8. That at no time did any of the MPs involved in the escort or monitoring of [redacted] consider that an excessive amount of time had passed in attending to [redacted]. None of them considered that causing [redacted] to wait to use the latrine on his cellblock after he was escorted back was maltreatment. All MPs cited the short distance from [redacted] and the regular insistence of the majority of detainees on using the latrine in the interrogation buildings as consistent with returning [redacted] to his cellblock before granting his request to use the bathroom. In their tours of duty at JDOG, all said that the procedures followed during the escort and monitoring of [redacted] was in accordance with the commonly practiced procedures of detainee escort and monitoring. (Encl 3/6/6/7/8, sworn statements and interviews of [redacted])
9. That on 23 Mar at approx 2050, [redacted] came in contact with [redacted], the OIC of the Behavior Science Consultation Team (BSCT) and engaged her in conversation about his interrogation of [redacted]. She states that he was excited because he got [redacted] to engage in a five-hour interrogation. He recounted the incident of [redacted] request to use the bathroom and what he considered abuse or mistreatment of a detainee by the MPs (which [redacted] generically refers to in several interviews and his statement as 'JDOG'). [redacted] stated that [redacted] had a desire to believe and please [redacted] reciting the Koran consumed four of the five hours of the interrogation. The other hour was a mix of babble, psychotic gyrations and some constructive conversation. [redacted] has observed [redacted] and made a comment that he may be a victim of 'Reverse Stockholm Syndrome'. She cited [redacted] approach at relating the incident as rambling and hard to follow. (Encl 9; sworn statement and interviews of [redacted])
10. That [redacted] specifically instructed [redacted] to submit a write up to her of the events surrounding his interrogation of [redacted] and his allegations. She instructed him to include as many details as possible to help in identifying the responsible MPs. She also told him that if he failed to document and submit the incident that nothing could or would be done. During an interview, [redacted] could not recall that he had seen or spoken to [redacted]. (Encl 9; sworn statement of [redacted])
11. That [redacted] disobeyed L [redacted] order to submit a written report of the incident to her. (Encl 9; sworn statement of L [redacted] interview of 29 Mar with L [redacted])

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12. That on the morning of 24 Mar, [REDACTED] reported the incident of the previous day's interrogation of [REDACTED] to [REDACTED] the deputy commander of the Interrogation Control Element (ICE). He reported "that he personally witnessed his detainee being mistreated in regards to MPs by not taking his detainee to the bathroom after being told to do so and not moving his detainee back his cell in a timely manner." [REDACTED] makes a blanket statement that he believed [REDACTED] complaint to be credible, yet provides no justification for his belief. [REDACTED] directed [REDACTED] to put his complaints in writing so that the JDOG deputy commander, [REDACTED] could act upon them. (Encl 10; sworn statement of [REDACTED])
13. That [REDACTED] stated "There are legitimate problems in regards to improper communications with the detainees and mistreatment by the MPs." When asked during an interview following the writing of his statement to cite specific instances, to include identification of MPs who were responsible for mistreating detainees and specific details of mistreatment, [REDACTED] could not cite any. (28 Mar interview with [REDACTED])
14. That [REDACTED] did not write his report until 27 Mar, three days after the incident and after he reported his concerns to BG Hood. (29 Mar interview with [REDACTED])
15. That [REDACTED] without allowing his chain of command to work and before he did as he was twice ordered by [REDACTED] and [REDACTED] and submit his written report of the incident, told the Commander of JTF Gtmo, BG Hood, about this and other incidents, following a brief on Fri 26 Mar at approximately 1515. Additionally, [REDACTED] handed BG Hood an email from [REDACTED] written on 25 Mar at "6:03 PM". The email was entitled 'MP issues' and detailed several incidents that [REDACTED] had observed after interrogating a detainee. There was no mention of a specific detainee. [REDACTED] seized the opportunity to make his comments to BG Hood as the briefing was concluding and BG Hood was soliciting additional comments from the assemblage. In addition to the bathroom incident on 23 Mar, the email referred to setting the thermostat in a booth to 52 degrees and denial of food. Because [REDACTED] was the only ISN identified, the thinking of those in attendance was that [REDACTED] was inferring that all of the allegations pertained to [REDACTED] (Encl 11/12/14; [REDACTED] email and sworn statements of [REDACTED] various interviews).
16. That [REDACTED] wrote a subsequent email on 26 Mar at "3:52 PM", identifying the detainee in his email as [REDACTED]. During an interview, [REDACTED] was asked for details of his interrogation of [REDACTED]. He was extremely uncomfortable and evasive to the point that [REDACTED] was reminded that he was not being interrogated. When [REDACTED] responded that it felt like an interrogation, he was admonished that the interview was not a game, as well as being reminded of the seriousness of the allegations that had been made by [REDACTED]. [REDACTED] was excused from the interview in order to obtain the information that he needed to answer specific questions about his interview of [REDACTED]'s [REDACTED] regional team chief. [REDACTED] workspace is in the same office as [REDACTED]. It is conceivable that [REDACTED] spoke to each other about the interview during [REDACTED] absence. When [REDACTED] returned with interrogation log sheet, he informed that the interrogation of [REDACTED] occurred on 23 Mar. (Encl 11; sworn statement and interview of [REDACTED])

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17. That when asked why there was a two day gap between the incidents that [redacted] cited in his email of 25 Mar to [redacted] [redacted] replied, "I didn't think it (the incidents) was worth reporting", that he did not consider the incidents as mistreatment of [redacted]. When asked why he wrote the email on the 25th if it was not a big deal on the 23d when the incidents occurred, [redacted] said that during a team meeting,

a. [redacted] instructed his team to submit written reports of anything that they had witnessed that could be construed as detainee mistreatment by the MPs. After [redacted] told [redacted] that he was considering bringing these issues up to BG Hood at his briefing, [redacted] counseled [redacted] that it would not be the 'best idea'. [redacted] was insistent that if the opportunity presented itself, he was going ahead with his plan to tell BG Hood.

b. [redacted] Although he is a neophyte interrogator, his service and training as a tabbed Ranger gives him credibility as a leader. During his training, he has experienced the 'small victory' phenomenon, similar to what the detainees strive for on a daily basis, as Ranger students fight the psychological battle with their Ranger Instructors (RI). (Encl 2/11; sworn statements and interviews of [redacted] and [redacted]. [redacted] personal experience of IO from Class [redacted] pre-Ranger and Ranger training; Level C SERE).

18. That once [redacted] heard that the opportunity was going to present itself for Nair to bring his concerns directly to the attention of BG Hood during or after the briefing on 26 Mar, [redacted] never intended to allow the chain of command to act, which is why he failed to do as he was ordered by [redacted] and [redacted] and submit written reports of his concerns. He cited a lack of confidence in his chain of command to act upon such reports, yet could cite no specific instances where the chain of command failed to act on a report of detainee mistreatment.

a. In fact there are several examples of coordination, cooperation and action between the ICE and the JDOG on related incidents. This was further confirmed when BG Hood asked [redacted] on the 26th if [redacted] had been in attendance the previous Thurs evening at the BG Hood's leadership/commander's call at the Windjammer. [redacted] replied that he had not.

b. [redacted] is on a crusade. He is driven by ego. He sees himself as a hero to the detainees and his subordinates and peers. He is further encouraged in his self-emulation by comments from subordinates and peers such as, "It's about time someone has the balls to stand up and say what's been going on all this time". Immediately following [redacted] comments to BG Hood, [redacted] came in contact with [redacted] and observed his demeanor as upset and defiant and quotes [redacted] as saying words to the effect, "What. Do they want me to keep my mouth shut?" [redacted] states that to him, [redacted] comment and demeanor highlighted [redacted] lack and grasp of the issue of circumventing his chain of command.

c. [redacted] demeanor and comment to [redacted] also lends credibility that [redacted] sees himself as a hero for the detainees, and against the MPs, on a crusade in the battle of the

MPs against the detainees. During the course of several interviews it became readily apparent that [REDACTED] is one who thrives on the sound of his own voice. At the initial interview on 27 Mar when he was being instructed on making his statement, it took no less than five different approaches to get him to understand that he was to deal with the three elements of what this investigation was about. After the third explanation, he said that [REDACTED] who was with him, was not at the interrogation and [REDACTED] was excused, but not before it became apparent that he and [REDACTED] had a grander presentation to make in anticipation that the fantasy that [REDACTED] believed about riding to the rescue of the detainees from the mistreatment by the "JDOG" was being facilitated by the opening of a formal investigation. On the fifth explanation, when he finally understood the limited scope of the investigation, he was clearly disheartened. I instructed him that his comments should address the three points in as great detail as possible and that neatness counted and that if he had additional comments he wished to make, that he should do so below a tear line. [REDACTED] statement is 10 percent substance and 90 percent rhetoric. He does not address the three points of the investigation in any sequence and his comments above the tear line are in disarray. (Encl 2/10/13/14; sworn statements and interviews with [REDACTED])

19. That [REDACTED] makes a blanket indictment of the entire JDOG, accusing the entire organization of complicity in giving information to the detainees. In his statement he alludes to telling BG Hood that 'we don't have much control over the flow of information, since it gets out to the camp via JDOG'. When I asked him to cite specific examples he could give me none.

- a. It is common knowledge that the detainees have an excellent communication net in place. When I asked [REDACTED] how long [REDACTED] had been detained, he said about two years. He did not know that [REDACTED] was detained on 13 Feb 02. Throughout various interviews, [REDACTED] has been summarily described as a manipulator, maniac, disruptor, charismatic. What was never accredited to him are his combat leadership skills, his organizational abilities, his devotion to his religion, the units he led and that he is an extremely intelligent warrior and able adversary, as well as being extremely adept at psychological warfare and manipulation. In the two plus years that he has been detained there have been four rotations of MPs which include five to six companies for a conservative total of 5200, plus or minus, MPs. Because of the way the guards are rotated daily in fours, [REDACTED] has come in contact with all 5200, plus or minus, MPs. The vernacular 'that he has come in contact with' is important because he is assessing and cataloguing each one.
- b. In the two plus years that [REDACTED] has been detained, there are three agencies that have been interested in interrogating him with 39 different interrogators. A technique of interrogation is the giving of a piece of information to the detainee in the hopes getting some useful information in return from the detainee. Given these statistics, and that [REDACTED] has at his disposal the information that has been gleaned from his fellow detainees over hundreds of interviews and contacts with JTF Gtmo personnel, it is totally incredulous that an ICE regional team chief such as [REDACTED] would think for a moment that this group of MPs that is here now, is responsible for everything that [REDACTED] knows. Through

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several interviews, it is readily apparent that he has never considered the foregoing facts. When I asked [redacted] if he had ever witnessed the detainees turning the interrogators or MPs against the other, he said, "No". When I asked him if he thought it was possible, he said that it might be possible. (Encl 14/16; Sworn statement and interviews of [redacted])

20. That on 29 Mar when [redacted] was asked why he failed to write his report as ordered by [redacted] and [redacted] on 23 and 24 Mar, why he failed to allow his chain of command to act on his concerns, why he reported directly to BG Hood following the ICE/JDOG command brief on 26 Mar, why he decided to take the matter in his own hands and handle the situation as he did, he fumbled with an answer that could best be synopsised as a crisis of confidence in his leadership and chain of command which starts with the ICE commander, [redacted]. Indeed, when asked whom he was referring to, [redacted] pointed across his chest in the direction of the wall or next office space. When asked whom he was referring to, he said [redacted] cites his commander's abrasive, confrontational style as intimidating to work under. He further stated [redacted] has been mentioned in several interviews as having a deleterious, destructive impact on his command. Comments such as horrible unit morale, no people skills, highly threatened by educated females and other descriptive phrases have been attributed to [redacted]. Additionally, [redacted] ideas and opinions and techniques toward the JDOG are strongly influenced by [redacted] constant potshots and sniping at the JDOG. The JDOG deputy commander alluded to the difficulty of working with the ICE due to the difficult climate that [redacted] fosters. It is no small wonder that the educated astute among the detainee population has picked up on the strife and seeks to exploit it. (Interviews with [redacted])
21. That on 29 Mar at the conclusion of a final interview, [redacted] was told that he was not to discuss the ongoing investigation with anyone and asked if he understood. He answered in the affirmative. [redacted] have been observed 'huddling' and in the constant company of each other during the course of this investigation, more than what one would reasonably expect of a regional team chief and one of his interrogators. That they entered into the initial meeting with the investigating officer together and had prepared for the interview with a host of vague accusations and accounts of various acts of what they considered to be abuse of the detainees by the MPs that vastly exceeded the scope of this investigation and that [redacted] had difficulty in comprehending what he was being asked to provide and then vastly exceeded in content of his statements and interviews, it can reasonably be inferred that there has been constant collusion on the part of [redacted].
22. That on the morning of 30 Mar, [redacted] ICE Operations officer, approached the Investigating Officer with reports that although [redacted] had previously admonished [redacted] not to discuss the ongoing investigation with anyone, it had become common knowledge among the interrogators and other members of ICE that that after the interview of 29 Mar, [redacted] was speaking freely about details of the ongoing investigation. (30 Mar conversation with [redacted])
23. That the MPs are petrified that Privacy Act information, to include their name, rank and SSN, is being provided to the detainees by the interrogators. During the course of interviews with

██████████ and ██████████ they were instructed to fill out Privacy Act Statements. They both pushed away from the table with a look of horror on their faces and told the Investigating Officer that this information was provided to the detainees by the interrogators. When asked why they thought that, they both cited Operation Clean Sweep, when personal effects were returned to several detainees along with a packet containing the privacy act statements of the MPs that had handled the detainee's effects. The detainees had told the MPs that the interrogators had given the detainees that information. The detainees were able to give examples, as repeated by ██████████ and ██████████ and their NCOIC, ██████████. All expressed concerns for the secrecy of their personal information and the safety of their families. (Encls 6/7/15; sworn statements and interviews of ██████████)

24. That ██████████ is in violation of lawful orders when he did not write up his concerns as directed by ██████████ and ██████████ and, after being directed not to discuss the details of an ongoing investigation, did so discuss the investigation with others in various conversations and emails.
25. That no mistreatment was incurred by detainee ██████████ at the hands of the MPs before, during or after the interrogation on 23 Mar conducted by ██████████ and ██████████

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RECOMMENDATIONS

1. That due to the circumstances surrounding [REDACTED] reporting of his concerns of detainee abuse by the MPs, the he be immediately relieved of his duties as a regional team chief.
2. That [REDACTED] be relieved of his duties as an interrogator due to the noted possibility that he suffers from Reverse Stockholm Syndrome, his immaturity and limited life experience commensurate with the job of an interrogator, his noted failure to know his enemy, his lack of regard for the MPs and the JDOG, and his unfounded indictments and allegations of detainee mistreatment at the hands of the MPs.
3. That [REDACTED] receive a General Officer Letter of Reprimand for his failure to follow the chain of command, repeatedly failing to obey the lawful orders of [REDACTED] and [REDACTED], and acting in a manner inconsistent with that expected of an officer and in a way that undermines the good order and discipline of JTF GTMO.
4. That the investigation continue into the allegedly destructive tactics and techniques of the ICE Commander, [REDACTED] that are adversely affecting the people and mission of the ICE. [REDACTED] blames his conduct and approach in this whole situation on [REDACTED] incentive leadership and failure to respond to reports, but fails to recognize his own misconduct. [REDACTED] leadership style has been variously described as threatening, confrontational and intimidating. Further, that it appears endemic within the ICE to launch broad accusations against the JDOG that are without specificity or merit. [REDACTED] apparently compiled a document with various allegations against the JDOG that was described as a cut and paste email. Many of the allegations proved baseless or had previously been resolved and were old. Attempts to obtain the document from [REDACTED] or [REDACTED] were fruitless. The level of despair is such that many of the people and much of the expertise and experience will seek to leave the JTF at the earliest opportunity.
5. That an inquiry be conducted into the passing of personal information of the MPs to the detainees.
6. That a command climate survey be conducted at the ICE.

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From: [REDACTED]
Sent: [REDACTED]
To: [REDACTED]
Subject: [REDACTED]
Classification: [REDACTED]
Caveats: [REDACTED]

For your enjoyment and enlightenment, on his thoughts of [REDACTED]

On August 1, 2003, [REDACTED], Internment Serial Number (ISN) [REDACTED] was interviewed at the [REDACTED] Bay, Cuba, by [REDACTED]. Arabic/English translation was provided by contract linguist [REDACTED] voluntarily provided the following information:

[REDACTED] stated he was doing well and was willing to talk about [REDACTED] when he was living in Afghanistan (AF) [REDACTED] when [REDACTED] first arrived in AF in the middle of 2001 [REDACTED] was in Kandahar at a house owned by [REDACTED] when he and [REDACTED] struck up a conversation about [REDACTED] travel in [REDACTED] told [REDACTED] he was with his cousin [REDACTED] teaching Arab [REDACTED] how to fight the jihad during the [REDACTED] spent a week in the house in Kandahar before going to Al Farouq training camp for three weeks. He did not see [REDACTED] but knew [REDACTED] was connected with it.

[REDACTED] had saw [REDACTED] in Kabul right after [REDACTED] finished his three weeks of training at [REDACTED] was staying at [REDACTED] guesthouse, where he saw [REDACTED] again. [REDACTED] had his own villa in Kabul for his family along with a minibus. [REDACTED] had an 82mm mortar with him at the guesthouse, as he was on his way to the front line to fight. According to [REDACTED] would go to the front line and fight for two or three days at a time, then return home to see his family. The second time [REDACTED] saw [REDACTED] was at the guesthouse, when [REDACTED] arrived to retrieve an M43 120mm mortar to take to the front line with him. [REDACTED] said the mortar was [REDACTED] weapon of choice.

[REDACTED] said [REDACTED] would have mujahedin fighters from the front line to his home for meals. He would also host people from Saudi Arabia and other countries that were coming through Kabul. According to [REDACTED] wife was British. [REDACTED] said Usama Bin Laden (UBL) was sending \$100 to each family of the mujahedin fighters to help pay for expenses. [REDACTED] was receiving money from UBL and others. [REDACTED] and other fighter's families were also helped by Al-Wafa, which provided food, clothing, appliances.

[REDACTED] stated that the members of Al-Wafa knew they were providing to aid to people who were fighting the jihad. Al-Wafa was part of UBL's Al Qaeda organization, and rich people from the Gulf region were sending money through Al-Wafa. Al-Wafa had a branch in Pakistan that bought medicine and supplies and brought them to AF for the fighters. Al-Wafa was the largest aid organization in AF, according to [REDACTED]

[REDACTED] state [REDACTED] was friends with [REDACTED] who was in charge of all the Arab guesthouses in Kabul. [REDACTED] was in charge of sending all people to the front line, a responsibility sometimes shared by [REDACTED]

[REDACTED] was in Kabul again for three weeks after returning from the North when he saw [REDACTED] again. [REDACTED] gave him a ride to his guesthouse one time when [REDACTED] ran across [REDACTED] standing outside a building in Kabul.

When the bombing of AF started, [REDACTED] said [REDACTED] moved his family to a house that he had

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rented in Jalalabad. [redacted] and his family stayed there for one month, until Jalalabad fell. [redacted] sent his family to Pakistan, and he went to Tora Bora with his brother-in-law.

[redacted] had already been in Tora Bora for three months. [redacted] had tried to go back to Jalalabad immediately prior to its fall to retrieve a car. [redacted] saw families fleeing Jalalabad, and judged that it was too dangerous to get the car. He returned to Tora Bora. He was in the small camp of Mercas Al Qureshi, which meant "market of Al Qureshi". According to [redacted] all the small camps in the mountains of Tora Bora were named for the person who was in charge of them. [redacted] camp was run by [redacted], the same man [redacted] fought with in [redacted] arrived shortly after the fall of Jalalabad and stayed in the Qureshi camp for one month.

[redacted] said he was fighting to defend the mountain region against the American, French and Northern Alliance troops. He was fighting alongside [redacted] (the cousin of [redacted] and another man named [redacted]. They were fighting on line around the mountain, at the center of which was an administrative center where UBL and others were located. This central office was in charge of all the satellite camps, of which the Qureshi camp was one. [redacted] said the fighters had Klashnikovs, F1 anti-personnel grenades, DshK-38/Model 38/46 12.7mm anti-aircraft weapons, a tank in the valley, and an M43 120mm mortar. [redacted] said Apache helicopters would come at night, sense the heat of their bodies, and kill a lot of fighters.

[redacted] related that UBL would come to the front line and sit with the fighters for hours at a time. During one of these meetings, UBL and [redacted] walked away to have an important conference for a few hours. [redacted] said [redacted] was very close to UBL, and would ask UBL for advice on how to deal with certain military situations and where to stage weapons. According to [redacted] UBL put [redacted] in charge of ten people on the mountain and organizing fighters on the mountain, due to [redacted] experience in [redacted].

[redacted] said [redacted] met UBL before coming to Tora Bora, but [redacted] only saw the two of them together in Tora Bora. [redacted] also saw [redacted] and UBL. UBL's Kuwaiti right-hand man, [redacted] and [redacted] in addition to his role as the head of the Kabul guesthouses, [redacted] was also in charge of finances for Al Qaeda and UBL. They spent a lot of money defending the mountain, according to [redacted].

[redacted] revealed that on the 15th day of Ramadan, UBL, UBL's son, [redacted], [redacted], and [redacted] pulled out of the area to save their lives. [redacted] said UBL told his bodyguards to flee to Pakistan and surrender to the embassies who would protect them. [redacted] said 8-10 of them ended up being arrested.

[redacted] stated [redacted] was not a bodyguard for UBL. He spoke English fluently and was respected by everyone on the mountain. [redacted] also worked with [redacted], AKA [redacted].

[redacted]

[redacted]

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SWORN STATEMENT

For use of this form, see AR 190-48 the proponent agency is ODCSOPS

LOCATION
CAMP DELTA, GUANTANAMO BAY, CUBA

DATE 29 MAR 04 TIME 13:19

FILE NUMBER

LAST NAME, FIRST NAME, MIDDLE NAME

SOCIAL SECURITY NUMBER

GRADE/STATUS

ORGANIZATION OR ADDRESS

JTF-6 TAM

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

This serves as a coversheet for my computer generated statement that was generated on 27 MAR 04 at approx. 1630.

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 4 PAGES

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.

DA FORM 2823 JUL 72

SUPERSEDES DA FORM 2823, 1 JAN 69, WHICH WILL BE USED.

USAPP V2.00

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SWORN STATEMENT

On 23MAR04 at the ICE briefing for the incoming Command General (Brigadier General Hood), I mentioned a counter-intelligence (CI) problem we were having in the camp. The question was in response to a question by the General regarding how we would exploit the possible death or capture of UBL. I stated that we don't have that much control over the flow of information, since it gets out to the camp via JDOG. I explained that during a recent interrogation of [REDACTED], we found out a number of CI issues in the camp, and alleged abuse by JDOG. I stated that the detainee knew more about the camp than most of the uniformed personnel in the room. And, stated that despite what the LCDR had said earlier, the detainee was aware of Camp Echo, and it's relative location. He told us how they pass messages, and the ingress and egress of personnel. I stated that I took what he said with a grain of salt, until I witnessed an incident regarding him after the interrogation. This is after I read an e-mail from my NCOIC about an incident that was brought to my attention on 25MAR with who was later determined to be [REDACTED]. I read the statement (see attached), what I said encapsulated the problem we were having. I then illustrated the situation that occurred with [REDACTED], which will follow in more detail.

After the briefing, the General called for the JAG to come down immediately. I was shell-shocked. I returned to my office in a daze. I took a walk outside with a colleague, and then returned to the office. I was told to report to Bldg. 8 for an inquiry. When I arrived I was told that I did not need to be seen. The Command General asked if I had come to his Commander's call, I said I hadn't. But, later understood that he had said to bring-up issues with him (just like this situation). I eventually, went back to the office to finish my work and write-up a report on the incident with [REDACTED] (which I am still completing).

The incident itself took place on 23MAR04 at between 1900 and 2000 in Gold 14. [REDACTED] and I arrived a little before 1500 to set-up the room. After doing so, we went into the observation booth to await the detainee. At this time we were joined by interrogator [REDACTED] from my team, and a Specialist for the BSCT, who [REDACTED] as asked to be allowed to observe. The details of the interrogation are available in the SIR (which is in production - and should be finished today), and the notes from notes from [REDACTED] (see attached - which deal with some of the CI allegations). The interrogation concluded at 1900. Both [REDACTED] and the Specialist from the BSCT had left. I told JDOG that we were done, and that he needed to go to the bathroom. I rejoined [REDACTED] in the observation booth, since we had to collect the Psy Ops products we placed. The MP's came in and talked with the detainee. He asked to go to the bathroom. One of the guards said, "Oh, he doesn't speak English," and walked off with the other MP's. [REDACTED] said to me, "did you hear that." We waited for about ten minutes waiting for the MP's to return. They didn't. [REDACTED] and I talked about who should go to talk to the MP's. I pointed to my collar devices and said, "Sometimes this means I have to be a dick." I told them, "Hey this guy needs to go to the bathroom!" One of the MP's affirmed. Then they took him to the bathroom. We went back in and he said that happens all the time. He articulated a time he had to squat in the corner once, and one time he used a chair to hit the light switch on and off until someone came for him.

and I returned to the observation booth, and wondered where the escorts were, it was about 1930, and I called Escort Control at x3505. to ask how long it would take to move back to the cells. The answer I got was 10 mins. So, and I waited. At 1945, suggested I call Escort Control to see if anyone had been dispatched. I did, and they stated that the escort team was enroute. At approximately 1950, the detainee was taken from interrogation. and I removed the Psy Ops products, and returned back to Bldg. 5. He left, and I returned to the office.

The next morning (24MAR04) I told what had happened (it might have been after I saw an e-mail from the Saudi Team regarding an OPSEC issue with JDOG).. He told me to write it up, and send it to I put it off in order to deal with a number of other pressing issues. However, I mentioned the incident at my team meeting. I told my team that I needed them to send me examples of other incidents they had knowledge about, so I could send it up the chain for action. That evening I received the e-mail from my NCOIC about I told him I might bring the issue up at the CG brief, since it was undermining the mission. He replied via e-mail that it might not be the best idea. I said if the opportunity presented itself, I would bring the issue up, which I did. And, which is why I'm writing this statement now.

-----Tealine-----

After the incident occurred, during that evening and the next morning I discussed the interrogation with my teammates. First because talked, which was of significance since he is a pretty hard case, and because of the CI and other information he discussed. But, most importantly regarding what I witnessed regarding the behavior of the MP's. During the course of these conversations, I spoke to Specialist who is one of my interrogators. She usually rides the bus with the MP's to and from camp, and is currently dating an MP. She stated that the MP's openly talk about "doing things" to detainees, mostly harassment, etc. This continued to bolster my contention that we had a problem. However, this was nothing new, many of the team chiefs had brought similar incidents up in a number of meetings. The teams had begun to try to address the issue by doing briefings for JDOG regarding the importance of their role to the intelligence mission. However, problems continued to occur. This week seemed to be the high point for mediocrity, with two MP's having what seemed to be a lover's quarrel in front of the detainees (see e-mail from Saudi Team).

To further substantiate my position on the general tenor regarding the MP situation in the camp, I asked the MP's. This morning, I was preparing to go into the booth, I spoke to who came in to ask about coordination for the upcoming DMO. He's with JDOG, and I asked him about MP behavior. It seems he was aware of some of the "Pespi Patch" antics, and told me to try and touch base with him later for more details (he's with one of the artillery units - the one's with the Half Rainbow patch). After I called in two of my detainees to tell them that they would be leaving for the DMO next week, I spoke to some of the MP's in the Yellow Building. They told me additional stories of unprofessionalism in the wire, mostly by the active duty component. (another Half Rainbow Patch artillery guy) told me that there was an

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unauthorized cell search last week around midnight (which might corroborate [REDACTED] story). He heard about it, but didn't witness it, so he'd didn't write it up. I said he should, just for the record. The entire team on duty gave me additional incidents and stories. I don't know if they are all hearsay, or if they actually witnessed any of this, but they seem as distressed about it as I do.

In fact, they gave me some solutions that could rectify fifty percent of the problem. They suggested a pamphlet that articulates some basic tenets that they should follow in the camp. The stated that they have an SOP, but it changes every week, so it's hard to figure out what they are supposed to do. The also suggested that direction be given regularly via the guard mount messages. That way, those on leave or in training would be able to see them when they return.

The majority of the JDOG personnel, especially the reservists, are consummate professionals. I believe everyone in the ICE, appreciates what they do. However, those few that dispense information (even inadvertently), who harass detainees, and act in an all together unprofessional manner, undermine the mission of the JTF, and do a disservice to those who work hard to do a good job.

[REDACTED]

[REDACTED]

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DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)

AUTHORITY: Title 5 USC Section 301 and Title 10 USC Section 3013.

PURPOSE: To be used in an investigation on behalf of the Chief of Staff, Joint Task Force Guantanamo in accordance with Army Regulation 15-6.

ROUTINE USES: Any information you provide may be disclosed to members of the Department of Defense who have a need for the information in the performance of their duties.

DISCLOSURE: Disclosure is mandatory. Failure to provide information could result in disciplinary action under the UCMJ. Information provided assists the Commander for his decision in this matter. You do not have to incriminate yourself. Article 31 rights advisement and the Fifth Amendment of the US Constitution supersedes this portion of the Privacy Act statement.

CERTIFICATION: I, [REDACTED], have read and understand the above Privacy Act statement, and/or signed a rights advisement.

Name: [REDACTED]
Rank/Branch: [REDACTED]
Title: [REDACTED]

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SWORN STATEMENT

For use of this form, see AR 180-46; the proponent agency is OCSOPS

PRIVACY ACT STATEMENT

AUTHORITY:

Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 8387 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

2. DATE (YYYYMMDD)
2004/03

3. TIME

2L

4. FILE NUMBER

5. LAST NAME FIRST NAME MIDDLE NAME

6. SSN

7. GRADE/STATUS

8. ORGANIZATION OR ADDRESS

208th MP (11)

9.

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 23 March 2004 between 1900 and 2000hrs I was a [redacted] in gold building. During the interrogation of Detainee [redacted] we [redacted] for the couple hours that he was in [redacted]. After his interrogators were done with him he the interrogator said they were finished my self and [redacted] went in [redacted] to sketch him back up. Detainee [redacted] said he needed to use the bathroom and we said ok. As soon as we got back into the monitor room we called for a escort team to pick him up. I figured since the escorts were on there way [redacted] and he was just going to [redacted] block that it was not that important. So we continued to watch the monitors a couple of [redacted] mins later his interrogator came in to the monitor room and said that [redacted] needs to use the bathroom and we needed to take care of it immediately so two of the male monitors got up and escorted him to the bathroom. I was standing in the hallway and I could hear [redacted] trying to use the MP latrine and the other monitors told him no he had to use the Detainee latrine. They escorted him back to [redacted] after he was finished and soon after that the escort team came to pick him up.

(b)(1)

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF _____ 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.

DA FORM 2823, DEC 1988

DA FORM 2823, JUL 72, IS OBSOLETE

UBAPA V1.00

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USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF

TAKEN AT

DATED

9. STATEMENT (Continued)

USE THIS PAGE



INITIALS OF PERSON MAKING STATEMENT



PAGE 2, DA FORM 2223, DEC 1988

PAGE

OF

PAGES

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STATEMENT OF

TAKEN AT

DATED

B. STATEMENT (Continued)

NOK USA

[Redacted]

[Redacted]

AFFIDAVIT

WHY [Redacted] AND ENDS ON PAGE 2. I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT BY [Redacted] TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE CONTAINS THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

[Redacted]

THE GYM TA
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 3, DA FORM 2823, DEC 1998

Subscribed and sworn to before me, a person authorized by law to administer oaths, this ___ day of ___ at

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

PAGE OF PAGES
USAPA V1.00

ST
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DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)

AUTHORITY: Title 5 USC Section 301 and Title 10 USC Section 3013.

PURPOSE: To be used in an investigation on behalf of the Chief of Staff, Joint Task Force Guantanamo in accordance with Army Regulation 15-6.

ROUTINE USES: Any information you provide may be disclosed to members of the Department of Defense who have a need for the information in the performance of their duties.

DISCLOSURE: Disclosure is mandatory. Failure to provide information could result in disciplinary action under the UCMJ. Information provided assists the Commander for his decision in this matter. You do not have to incriminate yourself. Article 31 rights advisement and the Fifth Amendment of the US Constitution supercedes this portion of the Privacy Act statement.

CERTIFICATION: I, [REDACTED], have read and understand the above Privacy Act statement, and /or signed a rights advisement.

Name:
Rank/Branch:
Title:

[REDACTED]

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SWORN STATEMENT

For use of this form, see AR 180-45; the proponent agency is OOCBOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 3851; E.O. 9397 dated November 22, 1943 (SSAH).
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 Delta, Guantanamo Bay, Cuba
2. DATE (YYYYMMDD) 27/03/04
3. TIME [REDACTED]
4. FILE NUMBER [REDACTED]
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]
6. ORGANIZATION OR ADDRESS
25th Military Police Company

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: On 23 March 2004 at Gold building in Camp Delta I was working as the WOIC of Gold Building for swing shift 1700-2200 hours. At 1444 hours [REDACTED] brought detainee [REDACTED] to Gold 14. I met [REDACTED] in the hallway to supervise then placing [REDACTED] in the room. When [REDACTED] he smiled and chuckled and said something in arabic, because me and [REDACTED] have dealt with each other on the blocks before. We placed [REDACTED] in the chair and I unschackled one of his legs and placed that schackle on the eye bolt on the floor [REDACTED] stated to me that [REDACTED] have then problems on the block before they came over. [REDACTED] stated that [REDACTED] accused him of calling [REDACTED] stupid and refused to wear his flip flops to reservation and I said okay. As we were leaving the room [REDACTED] interrogator asked me to unschackle [REDACTED] hands, which I did and then I left the room and went to the monitor room. Also while we were unschackling [REDACTED] he looked at the pictures on the wall and smiled and said kids. [REDACTED] or one of my guards asked [REDACTED] if they were his kids and [REDACTED] said yes and then [REDACTED] asked how old and [REDACTED] pointed at them and [REDACTED] was with his interrogators from that time until approximately 1930 hours. I was out of the building from 1930 hours to 1900 hours for chow. Around 1920 hours [REDACTED] interrogator came to the monitor room and stated that he was done with the detainee and to send him back to his block. I said okay sir and immediately called escort control to send an escort team to pick him up. After I got off the radio with escort control I heard them call a team in to there office and I assumed it was the team that would escort [REDACTED] back. We sat and monitored [REDACTED] on the camera for about 5 minutes and he was looking at himself in (the mirror.)

10. EXHIBIT [REDACTED] 11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] PAGE 1 OF 5 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.
DA FORM 2823, DEC 1998 DA FORM 2823, JUL 73, IS OBSOLETE USAFA VI, 88

(5)

1273

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [REDACTED]

TAKEN AT [REDACTED]

DATED 28 March 2004

B. STATEMENT (Continued)

Window. [REDACTED] took off his shirt and started flexing and then he was pinching at his love handles. I have been told by other MP's that [REDACTED] has lost alot of weight since he has been at Camp Delta. After looking at himself for a couple minutes he put his shirt back on and I instructed [REDACTED] and [REDACTED] to go out the shackles back on [REDACTED] and they did. When they returned [REDACTED] told me that [REDACTED] did not like me he said something to her about the big guy which was me and also he said he needed to use the latrine. I said okay and made the decision that he could wait till he got back to the block. We sat there for approximately 10 minutes talking about boards because [REDACTED] and [REDACTED] were going to [REDACTED] any board on Friday. I was explaining to [REDACTED] how the [REDACTED] board and club work, when [REDACTED] interrogator came in and said [REDACTED] needs to use the latrine and I said Okay sir and he left. I then continued to tell my story about Audie Murphy and after about 5 more minutes the interrogator came in and said that [REDACTED] needs to use the latrine NOW. I said okay sir and myself and [REDACTED] escorted [REDACTED] to the latrine. While in the latrine I unshackled [REDACTED] right hand and he went into the detainee's stall and then came right back out and started walking toward the MP stall. I instructed [REDACTED] to stop and he did, I told him he had to use the detainee latrine and he stared at me for a couple seconds and then mumbled something in arabic and laughed. [REDACTED] then used the detainee latrine for about a minute, then came out, wiped his hands and then we [REDACTED] escorted [REDACTED] back to his room. About 3 to 5 minutes after that the escort team picked [REDACTED] up and escorted him out of gold building. [REDACTED] interrogator that night was a [REDACTED] from the [REDACTED] with darker colored skin and glasses, but I do not know his name.

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2, DA FORM 2823, DEC 1998

PAGE 2 OF 3 PAGES

USAPS V1.00

FORM 2823-100-0000

1274

STATEMENT OF [REDACTED]

TAKEN AT [REDACTED]

DATED 28 March 64

B. STATEMENT (Continued)

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 CONNECTIONS 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)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28th day of March, 1964, at Camp Delta, Guantanamo Bay, Cuba.

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED]
(Typed Name of Person Administering Oath)

[REDACTED]
(Authority To Administer Oath)

[REDACTED]
TTF 6777 TA
ORGANIZATION OR ADDRESS

[REDACTED]
ORGANIZATION OR ADDRESS

[REDACTED]
INITIALS OF PERSON MAKING STATEMENT

[REDACTED]
PAGE 3, DA FORM 3823, DEC 1953

PAGE 3 OF 3 PAGES
USAM V168

FORM 3823-1

1275

DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)

AUTHORITY: Title 5 USC Section 301 and Title 10 USC Section 3013.

PURPOSE: To be used in an investigation on behalf of the Chief of Staff, Joint Task Force Guantanamo in accordance with Army Regulation 15-6.

ROUTINE USES: Any information you provide may be disclosed to members of the Department of Defense who have a need for the information in the performance of their duties.

DISCLOSURE: Disclosure is mandatory. Failure to provide information could result in disciplinary action under the UCMJ. Information provided assists the Commander for his decision in this matter. You do not have to incriminate yourself. Article 31 rights advisement and the Fifth Amendment of the US Constitution supersedes this portion of the Privacy Act statement.

CERTIFICATION: I, [REDACTED], have read and understand the above Privacy Act statement, and /or signed a rights advisement.

Name:
Rank/Branch:
Title:

[REDACTED]

1276

SWORN STATEMENT

For use of this form, see AR 190-45; the preparing agency is OCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2861; E.O. 9397 dated November 22, 1943 (ESM).
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
GOLD BLDG

2. DATE (YYYYMMDD)
20040528

3. TIME
2020

4. FILE NUMBER

5. SSN

6. GRADE/STATUS

7. ORGANIZATION OR ADDRESS
256th MILITARY POLICE COMPANY

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 23 MAR 04, AT APPROXIMATELY 2000, WHILE WORKING AS A MONITOR IN GOLD BLDG, I WAS INFORMED THAT THE DETAINEE IN GOLD 14 WAS FINISHED. MYSELF AND [REDACTED] ENTERED GOLD 14 AND RESTRAPPED THE DETAINEE [REDACTED]. WE THEN WENT BACK INTO THE MONITOR ROOM TO AWAIT THE ESCORT TEAM TO PICK HIM UP AND TO CONTINUE OUR DUTIES AS MONITORS. THERE WAS THEN A KNOCK ON OUR DOOR AND [REDACTED] ENTERED THE ROOM AND INFORMED US THAT THE DETAINEE IN GOLD 14 HAD TO USE THE REST ROOM. THE [REDACTED] WAS INFORMED TO TELL GRAY SIR. HE [REDACTED] RETURNED A COUPLE OF MINUTES LATER AND TOLD US THAT THE DETAINEE, "HAD TO GO NOW." AT THAT TIME MYSELF AND [REDACTED] WENT TO GOLD 14 AND ESCORTED HIM TO THE LATRINE. WHILE IN THE LATRINE THE DETAINEE'S HAND WAS UNDONE TO ALLOW HIM TO GO TO THE BATHROOM. THE BATHROOM HAS (2) TWO STALLS, ONE FOR M/F AND ONE FOR DETAINEE'S. THE DETAINEE WALKED INTO THE STALL FOR THE DETAINEE'S AFTER GETTING SOME TOILET PAPER OFF THE LIAK AND THEN PROMPTLY WALKED BACK OUT. HE THEN TRIED TO WALK INTO THE M/F STALL. HE WAS THEN TOLD NO, THAT HE HAD TO USE THE DETAINEE STALL. THE DETAINEE MADE A FACE AT US AND THEN USED THE DETAINEE STALL. WHEN HE WAS FINISHED WE ESCORTED HIM BACK TO GOLD 14. **END OF STATEMENT!!!**

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT [REDACTED] PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT [REDACTED] DATED [REDACTED]

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

DA FORM 2823, DEC 1998 DA FORM 2823, JUL 72, IS OBSOLETE USAF V1.00

(10)

1277

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF

TAKEN AT

DATED

B. STATEMENT (Continued)

NOT USED

INITIALS OF PERSON MAKING STATEMENT

PAGE 2, DA FORM 2823, DEC 1998

PAGE 2 OF 3 PAGES

USAPA VLSB

1278

STATEMENT OF
B. STATEMENT (Continued)

TAKEN AT _____

DATED _____

NOT USED



AFFIDAVIT

I, _____, 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.

(Signature of Person Making Statement)

WITNESSED:

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____

TIF 6700A T-1
ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS
INITIALS OF PERSON MAKING STATEMENT



PAGE 3 OF 3 PAGES
GRAPH VLSB

1279

DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)

AUTHORITY: Title 5 USC Section 301 and Title 10 USC Section 3013.

PURPOSE: To be used in an investigation on behalf of the Chief of Staff, Joint Task Force Guantanamo in accordance with Army Regulation 15-6.

ROUTINE USES: Any information you provide may be disclosed to members of the Department of Defense who have a need for the information in the performance of their duties.

DISCLOSURE: Disclosure is mandatory. Failure to provide information could result in disciplinary action under the UCMJ. Information provided assists the Commander for his decision in this matter. You do not have to incriminate yourself. Article 31 rights advisement and the Fifth Amendment of the US Constitution supersedes this portion of the Privacy Act statement.

CERTIFICATION: I, [REDACTED], have read and understand the above Privacy Act statement, and /or signed a rights advisement.

Name
Rank/Branch:
Title:

[REDACTED]

1280

SWORN STATEMENT

For use of this form, see AR 150-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2851; E.O. 9397 dated November 22, 1943 (SSA).
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: Gold Bldg 2. DATE (MM/DD/YY): 2nd/05/76 3. TIME: [REDACTED] 4. FILE NUMBER: [REDACTED]

5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED] 6. GRADE/STATUS: [REDACTED]

8. ORGANIZATION OR ADDRESS: 258th Military Police Company

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 25 March 2001 approx between the hours of 1900 to 2000 detainee [REDACTED] was brought to Gold Building for interrogation. Myself and two other people went in the room to Shackle the detainee to the floor, while in the room I noticed the detainee getting excited about the pictures on the wall. In which I asked [REDACTED] if that was his family and he shook his head yes. I then pointed to each picture and he told us how old they were. After completing the shackling to the floor we then returned to the observation room. Some time later the interrogator came in and told us that [REDACTED] had to use the latrine our [REDACTED] told him OK, he then frisked our [REDACTED] about 2 more minutes waiting on the escort team to arrive. The interrogator then came back in and told us that the detainee need to go now. Then [REDACTED] proceeded and took [REDACTED] latrine and then returned him to the interrogation room to wait for the escort team.

[REDACTED]

10. EXHIBIT: [REDACTED] 11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED] PAGE 1 OF [REDACTED] 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.

DA FORM 2823, DEC 1988 DA FORM 2823, JUL 72, IS OBSOLETE USAF V1.20

(7)

FORM 2823-1

1281

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF,

TAKEN AT

DATED

B. STATEMENT (Continued)



INITIALS OF PERSON MAKING STATEMENT

PAGE 2, DA FORM 3233, DEC 1996

PAGE

OF

PAGES

USDA 01-88

1282

STATEMENT OF

TAKEN AT

DATED

B. STATEMENT (Continued)



AFFIDAVIT

I 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:



TIF GTMO T+
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25th day of March, 19 at

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oath)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 3, GA FORM 2822, DEC 1958

PAGE OF PAGES

USAPA 01-50

1283

DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)

AUTHORITY: Title 5 USC Section 301 and Title 10 USC Section 3013.

PURPOSE: To be used in an investigation on behalf of the Chief of Staff, Joint Task Force Guantanamo in accordance with Army Regulation 15-6.

ROUTINE USES: Any information you provide may be disclosed to members of the Department of Defense who have a need for the information in the performance of their duties.

DISCLOSURE: Disclosure is mandatory. Failure to provide information could result in disciplinary action under the UCMJ. Information provided assists the Commander for his decision in this matter. You do not have to incriminate yourself. Article 31 rights advisement and the Fifth Amendment of the US Constitution supersedes this portion of the Privacy Act statement.

CERTIFICATION: I, , have read and understand the above Privacy Act statement, and /or signed a rights advisement.

Name:
Rank/Branch:
Title:



1284

SWORN STATEMENT

For use of this form, see AR 180-48; the proponent agency is GDCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2081; E.O. 3387 dated November 22, 1943 (SSA).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with records by which information may be accurately
ROUTINE USES: Your social security number is used as an additional means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: Camp Delta / Guantanamo Bay, Cuba
2. DATE: 23 March 2004
3. TIME: 16:00
4. FILE NUMBER: [REDACTED]
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
6. ORGANIZATION OR ADDRESS: 250th Co
7. GRADE/STATE: [REDACTED]

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

On 23 March 2004, while performing my duties as an escort team (G-16) with my partner [REDACTED], we were called by escort control to escort [REDACTED] to Gold building for reservation. My partner and I applied the restraints to the detainee. While we were escorting the detainee out of the cell the detainee told a block guard that my partner [REDACTED] said he was "stupid" being his back. My partner did not say what the detainee had told the block guard. My partner [REDACTED] after finishing the frisk search of the detainee, asked him to get on his flip flops that were at the detainee's feet on the tier. The detainee replied that he was a thirty nine year old man and he was not wearing them. My partner and I notified the block NCO who in turn notified SOG 2 about the refusal to wear flip flops. The SOG 2 came to the block space with the detainee and the issue was resolved by authorizing the detainee not to wear the flip flops to Gold building. The detainee was then escorted to Gold building making an effort to step in a puddle of water with me rather than stepping over it or allowing the escort team to shift to the right or left of the puddle. I observed the detainee singing a song by Bob Marley, Redemption Song, while escorting him to Gold building. My partner and I escorted him into a room in Gold building where the JTF monitors. [REDACTED] assisted in shackling the legs to the key hole in the door.

17. INITIALS OF PERSON MAKING STATEMENT: [REDACTED] PAGE 1 OF 3 PAGES
TAKEN AT: [REDACTED] DATED: [REDACTED]

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

(8)

1285

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [REDACTED]

TAKEN AT

DATED 10040328

B. STATEMENT (Continued)

This was a routine move except for the refusal to wear flipflops by the detainee [REDACTED] //End of Statement// [REDACTED]

[REDACTED]

INITIALS OF PERSON MAKING STATEMENT

PAGE 2, DA FORM 3823, DEC 1998

[REDACTED]

PAGE 2 OF 3 PAGES

USDA 01-00

1286

DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)

AUTHORITY: Title 5 USC Section 301 and Title 10 USC Section 3013.

PURPOSE: To be used in an investigation on behalf of the Chief of Staff, Joint Task Force Guantanamo in accordance with Army Regulation 15-6.

ROUTINE USES: Any information you provide may be disclosed to members of the Department of Defense who have a need for the information in the performance of their duties.

DISCLOSURE: Disclosure is mandatory. Failure to provide information could result in disciplinary action under the UCMJ. Information provided assists the Commander for his decision in this matter. You do not have to incriminate yourself. Article 31 rights advisement and the Fifth Amendment of the US Constitution supersedes this portion of the Privacy Act statement.

CERTIFICATION: I, [REDACTED], have read and understand the above Privacy Act statement, and /or signed a rights advisement.

Name:
Rank/Branch:
Title:

[REDACTED]

1287

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 201; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSA).
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/statement means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: BLK 9 2. DATE (YYYYMMDD): 20040727 3. TIME: 1657 4. FILE NUMBER: _____
5. LAST NAME, FIRST NAME, MIDDLE NAME: _____ 6. SSN: _____ 7. GRADE/STATUS: _____
8. ORGANIZATION OR ADDRESS: ICF JIC JTF A7MD

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On Tue, 23 Jul 04, I returned to Camp Delta at approx 2050 hrs in order to observe an interrogation at 2100 hrs. That interrogation was delayed, and while waiting, I ran into _____ outside between Bldgs 5+6 on G Delta. _____ was excited about having gotten _____ to talk during a 5 hr interrogation. I do not recall the exact time of my conversation with _____ but I would estimate it to have been 2100-2130. During the discussion _____ complained about behavior that his detainee had described to him that was conducted by the "pepsi patch" MPs. I do not recall the details, but let _____ in his desire to believe the detainee (in my opinion) said he tested the MPs. He told the MPs the session was over, the detainee was ready to go back, and please take him to the bathroom first. He told me in a manner that was a little hard for me to follow; that the MPs took 20-30 mins to take _____ to the bathroom. _____ went to question the MPs to get them to follow

10. EXHIBIT _____ 11. INITIALS OF PERSON MAKING STATEMENT _____ PAGE 1 OF 2 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.

DA FORM 2823, DEC 1988

DA FORM 2823, JUL 72, IS OBSOLETE

USAFS 61-28

(9)

1288

DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)

AUTHORITY: Title 5 USC Section 301 and Title 10 USC Section 3013.

PURPOSE: To be used in an investigation on behalf of the Chief of Staff, Joint Task Force Guantanamo in accordance with Army Regulation 15-6.

ROUTINE USES: Any information you provide may be disclosed to members of the Department of Defense who have a need for this information in the performance of their duties.

DISCLOSURE: Disclosure is mandatory. Failure to provide information could result in disciplinary action under the UCMJ. Information provided assists the Commander for his decision in this matter. You do not have to incriminate yourself. Article 31 rights advisement and the Fifth Amendment of the US Constitution supersedes this portion of the Privacy Act statement.

CERTIFICATION: I [REDACTED] have read and understand the above Privacy Act statement, and /or signed a rights advisement.

Name: [REDACTED]
Rank/Branch: [REDACTED]
Title: [REDACTED]

1289

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 552; E.O. 13526 dated November 22, 1943 (SSA).
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 Delta, Guantanamo Bay, Cuba
2. DATE: 27 March 2004
3. TIME: 1547
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. ORGANIZATION OR ADDRESS: Interrogation Control Element, Joint Intelligence Group, Joint Task Force GTMO

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the morning of 24 March 2004, [redacted] came to my office concerning a series of incidents that he witnessed in regards to one of his detainees that he was working. He told me that [redacted] had collected a great deal of information about the Camp as well as other information about GTMO in general. Additionally, he told me that he personally witnessed his detainee being mistreated in regards to MPs not taking his detainee to the bathroom after being told to do so and so moving the detainee back to his cell in a timely manner. I believed [redacted] complaint to be credible. He also spoke of other complaints that some of his team members had in regards to treatment of their detainees. At that time, I told him to put the complaints in writing so that I could in turn send them to [redacted] the Deputy JDOG commander and my main point of contact for such issues. Shortly thereafter, I received an email from [redacted] in regards to a complaint about improper communication at Camp 4 that was emailed from [redacted], an contract instructor on the Saudi Arabia country team. [redacted] email went out at 2323 hours on the evening of the 23rd of March. [redacted] forwarded her email to me at 1013 hours in the morning of the next day. I spoke to [redacted] earlier that morning and in the email that I sent to [redacted] at 1026, I mentioned my conversation with [redacted] when I forwarded [redacted] concerns. [redacted] responded to my email at 1047 the same morning. I responded to [redacted] concerning her complaint at 1038 hours that morning and informed her of my intentions collect additional information concerning [redacted] complaint. From the time that [redacted] first sent her email to the time that [redacted] responded back to me was just over half an hour. This is important because during the course of the emails, I notified [redacted] that there was an additional complaint by [redacted] pending and that it would be forwarded when the details were put in writing. Unbeknownst to me at the time of my emails, [redacted] complaint was received by [redacted], my senior operations NCO, who forwarded the complaint to [redacted] the JDOG S-2 at 0713 hours that morning. [redacted] did not know of the [redacted] complaint but this is a closely related example showing that the ICE as an organization was addressing the allegations to the JDOG chain of command and that the JDOG chain of command affirmed that appropriate action would be taken. At the time of the CG's briefing on 26 March 2004, I had not received anything further from [redacted] in regards to his verbal complaint so I had not taken any further action. I was caught completely off guard by his remarks to the CG during the meeting. After the meeting, I spoke to [redacted] who informed me that he had already initiated an AR 15-6 investigation in regards to the email that I sent him on the morning of the 24th. My take on the whole thing is that one of my junior officers elected to air his legitimate concerns to the new CG in a forum that was not appropriate given the fact that much of the operation is still very new to the CG. There are legitimate problems in regards to improper communications with the detainees and mistreatment of the detainees by the MPs. I believe that these problems are constantly being addressed by the JDOG chain of command. I speculate that the breakdown may be at some of junior levels of leadership and at the level of some individual MPs. The dynamics of the camp and the intelligence collection mission are extremely complicated. The ICE has a close working relationship with JDOG senior leadership and we work together to accomplish the mission.///////END OF STATEMENT////////

7. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT
PAGE 1 OF 1 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.

(10)

1290

STATEMENT OF [REDACTED]

TAKEN AT Camp Delta

DATED 2004/03/27

STATEMENT (Continued)

Not Used

AFFIDAVIT

[REDACTED] 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.

WITNESSES:

[REDACTED]

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27TH day of MARCH, 2004 at Camp Delta, Guantanamo Bay, Cuba

JIF 6777 J2
ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 2 OF 2 PAGES

1291

DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)

AUTHORITY: Title 5 USC Section 301 and Title 10 USC Section 3013.

PURPOSE: To be used in an investigation on behalf of the Chief of Staff, Joint Task Force Guantanamo in accordance with Army Regulation 15-6.

ROUTINE USES: Any information you provide may be disclosed to members of the Department of Defense who have a need for the information in the performance of their duties.

DISCLOSURE: Disclosure is mandatory. Failure to provide information could result in disciplinary action under the UCMJ. Information provided assists the Commander for his decision in this matter. You do not have to incriminate yourself. Article 31 rights advisement and the Fifth Amendment of the US Constitution supersedes this portion of the Privacy Act statement.

CERTIFICATION: I, [REDACTED], have read and understand the above Privacy Act statement, and /or signed a rights advisement.

Name:
Rank/Branch:
Title:



1292

[Redacted]

From: [Redacted]
Sent: [Redacted]
To: [Redacted]
Cc: [Redacted]
Subject: [Redacted]

Classification: ~~SECRET~~
Caveats: NONE

Sir,
The ISN referred to here was [Redacted]

-----Original Message-----

From: [Redacted]
Sent: [Redacted]
To: [Redacted]
Subject: [Redacted]

Classification: UNCLASSIFIED
Caveats: FOUO

Sir,
I had a detainee for most of a day this week. When I got done with him for the morning the MPs asked what I wanted done with him. I told them that he would be sitting there a while until I came back after lunch. They suggested that he would "refuse his meal" and that they could turn down the temperature to cool him off. I didn't think they were serious. However, when I returned in the afternoon, there was a new shift of MPs and they were told by the former set that my detainee had "used his meal". When I went in to the booth it was 52 degrees in there. I then turned the temperature up and asked him why he refused to eat, to which he said that he hadn't. That's just a verified example of possible misconduct or abuse. The detainees talk about it all the time. That MPs make fun of them while they pray, or provoke them to anger and spit at the MPs so they can be punished. I'm sure that some the stories are lies, but I also know that power is easy to abuse.

Classification: UNCLASSIFIED
Caveats: FOUO

Classification: ~~SECRET~~
Caveats: NONE

(11)

1293

DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)

AUTHORITY: Title 5 USC Section 301 and Title 10 USC Section 3013.

PURPOSE: To be used in an investigation on behalf of the Chief of Staff, Joint Task Force Guantanamo in accordance with Army Regulation 15-6.

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DISCLOSURE: Disclosure is mandatory. Failure to provide information could result in disciplinary action under the UCMJ. Information provided assists the Commander for his decision in this matter. You do not have to incriminate yourself. Article 31 rights advisement and the Fifth Amendment of the US Constitution supersedes this portion of the Privacy Act statement.

CERTIFICATION: I, [REDACTED], have read and understand the above Privacy Act statement, and for signed a rights advisement.

Name:
Rank/Branch:
Title:

[REDACTED]

1294

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is GOC/SOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2061; E.O. 9367 dated November 22, 1943 (SSNs).
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 _____ 2. DATE (YYYYMMDD) _____ 3. TIME _____ 4. FILE NUMBER _____
5. LAST NAME, FIRST NAME, INITIAL NAME _____ 6. SSN _____ 7. GRADE/STATUS _____
8. ORGANIZATION OR ADDRESS _____

9. _____, I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 26 March 2009 at approximately 1515 hrs I was in attendance at a briefing for O5(D) Hood by the Interrogation Team Chiefs. The briefing had concluded and O5(O) Hood posed a hypothetical question. He asked "If we were to capture or kill Usama Bin Laden, how would we use that information in the interrogation process?" Most answered that we would not divulge the information right away. I stated that eventually the detainees would learn about it since they have a rather sophisticated communications network. _____ commented that the SIPs will become occasionally provide information to the detainees. At this, O5(O) Hood became quite agitated and said that he would deal severely with anyone that violated the policy regarding conversing with the detainees. I stated that information is sometimes acquired by the detainees by eavesdropping conversations amongst the guards. _____ said he had proof of guards abusing detainees and produced an email message that discussed turning down the temperature in the cell block and not delivering a meal to a detainee. When the author of the email went into the cell block he stated that the temperature was 52°F and he asked the detainee why he had refused the meal. The detainee said he didn't refuse the meal. I understood that the detainee in

10. EXHIBIT _____ 11. INITIALS OF PERSON MAKING STATEMENT _____ PAGE 1 OF 2 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.

DA FORM 2823, DEC 1998

DA FORM 2823, JUL 72, IS OBSOLETE

USAFS V1.08

1295

STATEMENT OF

TAKEN AT

DATED

B. STATEMENT (Continued)

question and [redacted] also discussed an incident involving [redacted] in the interrogation booth. He stated that the detainee wanted to use the latrine. When the MPs came into the booth they decided they would not bring him to the latrine. BGC had asked if these incidents had been reported. [redacted] said it was reported two days ago. BGC had asked for the Chief of Staff and the Judge Advocate to report to him so that he could initiate an investigation.

[redacted]

AFFIDAVIT

I, [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE [redacted]. 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:

[redacted]

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

TJF GTRD Jrd
ORGANIZATION OR ADDRESS

[redacted]
(Signature of Person Administering Oath)

[redacted]
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

[redacted]
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2, DA FORM 2122, DEC 1966

PAGE 2 OF 2 PAGES

USAF V1.20

1296

DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)

AUTHORITY: Title 5 USC Section 301 and Title 10 USC Section 3013.

PURPOSE: To be used in an investigation on behalf of the Chief of Staff, Joint Task Force Guantanamo in accordance with Army Regulation 15-6.

ROUTINE USES: Any information you provide may be disclosed to members of the Department of Defense who have a need for the information in the performance of their duties.

DISCLOSURE: Disclosure is mandatory. Failure to provide information could result in disciplinary action under the UCMJ. Information provided assists the Commander for his decision in this matter. You do not have to incriminate yourself. Article 31 rights advisement and the Fifth Amendment of the US Constitution supersedes this portion of the Privacy Act statement.

CERTIFICATION: I, [REDACTED], have read and understand the above Privacy Act statement, and /or signed a rights advisement.

Name:
Rank/Branch:
Title:



1297

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2061; E.O. 8337 dated November 22, 1943 /ESM.
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 JDOG HQ	2. DATE (YYYYMMDD) 20040327	3. TIME 19:19	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	
8. ORGANIZATION OR ADDRESS JDOG			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 26 Mar, sometime in the afternoon, I received a call from the JDOG S2 asking me to meet up with the CG near Camp 3. I asked what the urgent meeting was all about. [REDACTED] informed me that [REDACTED] had informed the CG that unidentified MPs were abusing [REDACTED]. I met up with [REDACTED] and [REDACTED] immediately. [REDACTED] confirmed the issue in a telephone conversation with someone from the NTC Team. I asked for details. All they could give me were allegations of: ① not allowing the detainee to use the toilet [REDACTED] ② Lowering his cell temperature to 5-20 and ③ Refusing to feed him.

To this date, the JDOG has no detailed information on who was involved and when this took place. We have no names of any MPs involved. In other words, this incident was never reported to the JDOG to the best of my knowledge.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT [REDACTED] DATED [REDACTED]		

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.
DA FORM 2823, DEC 1988 DA FORM 2823, JUL 72, IS OBSOLETE MARK VI.00

(13)

1298

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF

TAKEN AT

DATED

B. STATEMENT (Continued)

Consequently, no action was taken because we did not know about it. As [REDACTED] I take all such reports extremely seriously. We have an MPD section that is good with such investigations. Although rare, MP infractions have occurred in the past. When they do, we act appropriately.

MPs are never in a position to act independently or unilaterally. There are always other MPs present. I find it difficult to believe that section leaders would condone any acts of abuse.

[REDACTED] End of Statement
Nothing Follows

INITIALS OF PERSON MAKING STATEMENT

PAGE 2

PAGE 1

OF

3 PAGES

LEAF 1/3

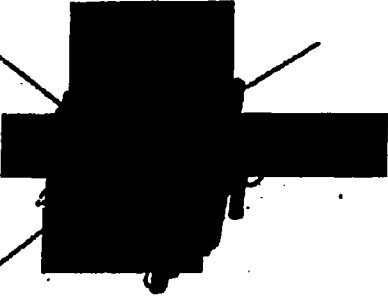
1299

STATEMENT OF

TAKEN AT

DATED

B. STATEMENT (Continued)



AFFIDAVIT

_____, 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.

WITNESSES:

TTF and TA
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF FORM 482, DEC 1950

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____, 19____
at _____

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oath)

PAGE 1 OF 3 PAGES

WAFV1.00

1300

DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)

AUTHORITY: Title 5 USC Section 301 and Title 10 USC Section 3013.

PURPOSE: To be used in an investigation on behalf of the Chief of Staff, Joint Task Force Guantanamo in accordance with Army Regulation 15-6.

ROUTINE USES: Any information you provide may be disclosed to members of the Department of Defense who have a need for the information in the performance of their duties.

DISCLOSURE: Disclosure is mandatory. Failure to provide information could result in disciplinary action under the UCMJ. Information provided assists the Commander for his decision in this matter. You do not have to incriminate yourself. Article 31 rights advisement and the Fifth Amendment of the US Constitution supersedes this portion of the Privacy Act statement.

CERTIFICATION: I, [REDACTED] have read and understand the above Privacy Act statement, and /or signed a rights advisement.

Name:
Rank/Branch:
Title:



1301

SWORN STATEMENT

For use of this form, see AR 180-48; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2881; E.O. 8207 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: Building 8 Camp Delta
2. DATE (YYYYMMDD): 20040927
3. TIME: 1501
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS

8. ORGANIZATION OR ADDRESS: Joint Detention Operations Group, MPOAE 09360

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 3-26-04, I received a phone call from [REDACTED]
operatives officer from the Interrogative Control & Control
My Senior Analyst, [REDACTED] was present when I took
the phone call. [REDACTED] called to give me a heads-up
that [REDACTED] had made some statements to BG Hood that
USP's had mistreated his detainee. [REDACTED] told me
that he was coming over to my office in Building 8, Camp
Delta. [REDACTED] arrived with [REDACTED] Deputy
JIG Commander. [REDACTED] said that he witnessed
[REDACTED] make the statements to BG Hood that his
detainee, [REDACTED] had been mistreated by USP's.
According to [REDACTED] "he said he witnessed" his [REDACTED]
detainee being mistreated in 3 ways: 1) detainee was
denied access to use bathroom, 2) detainee was deprived
of food, 3) Air conditioning was turned down to 52° in
the interrogative cell." [REDACTED] and
myself walked over to the CG's entourage in Gold JIF.
We met with [REDACTED] to discuss what had happened.
Shortly thereafter, the CG and his entourage, Chief
of Staff, ST4, and the JIG Director came to my office
so that we could discuss the statement in [REDACTED]

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.

(14)

1302

STATEMENT OF [REDACTED] AT 1501

DATED 3-27-04

STATEMENT (Continued)

[REDACTED] AND RECEIVE FURTHER GUIDANCE FROM THE CG. THE CG, JIG DIRECTOR, CHIEF OF STAFF, STA, DCJDOG, [REDACTED] AND [REDACTED] WERE PRESENT IN MY OFFICE. THE CG WANTED TO MAKE SURE THAT [REDACTED] CONCERNS WERE ADDRESSED AND TO GET TO THE BOTTOM OF ALLEGATIONS MADE BY [REDACTED] WITH THE NEW CG AND SHARED KEY DATA WITH HIM ON [REDACTED] ROLE AS A LEADER IN THE CAMP. I ALSO STATED WITH CG THAT [REDACTED] WAS A LONG HISTORY OF HIJACKING INTERVIEWS AND IS HIGHLY SOPHISTICATED. [REDACTED] IS AN ENORMOUSLY DECEPTIVE AND CLEVER DETAINEE IS A CHARMATIC LEADER WITHIN THE CAMP. PREVIOUSLY, I RAN INTO [REDACTED] WAS GOING IN TO INTERROGATE [REDACTED] AND I WORRIED THAT [REDACTED] WOULD TRY TO "PULL A Jedi mind-trick" ON [REDACTED] IN THE BOOTH. HIS CHARMATIC WAY MAKES MANY INTERROGATORS FEEL SORRY FOR HIM AT TIMES AND KEY INTELLIGENCE ISN'T COLLECTED BECAUSE [REDACTED] DOMINATES THE SESSIONS WITH PHILOSOPHICAL SERMONS. I WAS ATTEMPTING TO LEAVE THE ROOM WHILE THE CG AND KEY FIELD OFFICERS DISCUSSED MATTERS. I SAW [REDACTED] WHEN I LEFT MY OFFICE. HE LOOKED UPSET AND DEFEATED AT THE SAME TIME. I JOKED WITH HIM THAT THE NEXT TIME HE SHOULD WARN ME IN ADVANCE. IN A MINUTE LATER AND SPOKE [REDACTED]. I TOLD THAT WE HANDLE INVESTIGATIONS AND TAKE THE ALLEGATIONS IF ANY ARE UNSUBSTANTIATED SERIOUS. I ALSO TOLD HIM HE SHOULD HAVE USED THE [REDACTED] OF [REDACTED].

INITIALS OF PERSON ON WHOM NO STATEMENT

1303

STATEMENT OF

EN AT

1501

DATE 2-27-04

STATEMENT (Continued) He had an upset, dejected look on his face and he said "What... do they want me to keep my mouth shut." That statement highlights [redacted] lack / grasp of the issue at hand. The issue is that he jumped the chain of command entirely. I explained to [redacted] that we get quite a bit accomplished at our level and the issue didn't need to be brought up to the newsg in that form / time and place. I saw an email that was sent from [redacted] to [redacted]. It was being passed around between the SJA, COS [redacted] and the [redacted] [redacted]. It was my impression that these were allegations / complaints from [redacted] to [redacted]. I was also informed that [redacted] had expressed concerns to [redacted] 48 hours previously and that [redacted] had not replied to [redacted].

AFFIDAVIT

I, [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE [redacted]. 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 27 day of March, 2004 at 1524 HWS

TIF GTMP T2
ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 4 PAGES

FORM 3, DA FORM 3223, DEC 1998

GRAPH 1158

1304

Attachment of 3-27-04

PAGE 4 OF 4 PAGES

[redacted] email yet. [redacted]

and [redacted] work in the same building.

~~In addition, [redacted] was brought in to discuss the issues at hand with the CG.~~

Since their offices are in such close proximity, I found it strange why no visits, phone calls, etc. were made to utilize the existing chain of command [redacted]

[redacted]

4 of 4 pages

[redacted]

[redacted]

NOTHING FOLLOWS 3-27-04

[redacted]

[redacted]

1305

DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)

AUTHORITY: Title 5 USC Section 301 and Title 10 USC Section 3013.

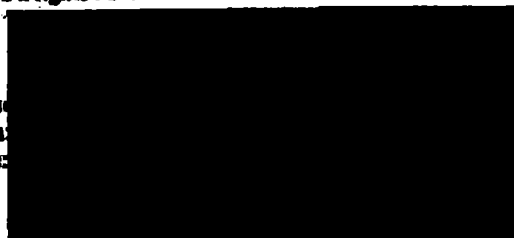
PURPOSE: To be used in an investigation on behalf of the Chief of Staff, Joint Task Force Guantanamo in accordance with Army Regulation 15-6.

ROUTINE USES: Any information you provide may be disclosed to members of the Department of Defense who have a need for the information in the performance of their duties.

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CERTIFICATION: I, [REDACTED], have read and understand the above Privacy Act statement, and /or signed a rights advisement.

Name
Rank/Branch
Title



1306

SWORN STATEMENT

Form of DA Form 2823, use AF 190-15; the proposing agency is ODC&ODA

CONTACT ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 5514; EO 13526 dated November 21, 1993; 48 CFR
PURPOSE: To provide commanders and law enforcement officials with names by which information may be accurately identified.
ROUTING USE: 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 Delta, Guantanamo Bay, Cuba APO AE 09360	2. DATE (YYYYMMDD) 2004/03/29	3. TIME [REDACTED]	4. FILE NUMBER [REDACTED]
5. PARTNER IDENTIFYING INFORMATION [REDACTED]	6. AAK [REDACTED]	7. CODE/STATUS [REDACTED]	

8. ORGANIZATION OR ADDRESS
255th Military Police Company, Guantanamo Bay, Cuba APO AE 09360

I WANT TO MAKE THE FOLLOWING STATEMENT DATED DATE:

On 28 March 2004 I was instructed by [REDACTED] to write this statement on why I believe that 2 of my soldiers were hesitant to put their personal information on the Privacy Act Statement.

In my opinion the soldiers are concerned and so am I about giving up personal information to anyone because the detainee's in the past have been given MP's information. I know that the 3 United Kingdom detainee's that are gone now know the names of our Company Commander and one of our NCO's [REDACTED]. If you ask the detainee's how they got this information and they stated that their interrogators told them or let them read the sworn statements that we write against them and it has our name and social security number on it. Also our company was involved in Operation Clean Sweep and we went through and confiscated a lot of papers and books from the detainee's. During that operation we were instructed to put our names on the outside of the packets and also fill out 4137's Evidence forms with each one. Then a couple of months after the operation we found the packets and 4137's in the detainee's possession with MP's names still on it. I know that the intelligence gathering is the primary mission here at JTF GTMO and I believe that some of the interrogators would do whatever it takes to gather that information including giving out some MP's personal information. I am told by many detainees that I am a bad MP because I follow the rules and do not think for myself and I know that there are a lot of detainee's that have a deep hatred for me. I do not want to take the chance of them getting my information and getting revenge on me by hurting my wife and children. That is why I think that my soldiers would question if their information would be given to the detainee's. ---End of Statement--- ---

10. CREDIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF

[REDACTED] 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.

DA FORM 2823, DEC 1998

DA FORM 2823, JUL 21, IS OBSOLETE

FORM 100

(15)

1307

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF

[REDACTED]

TAKEN AT

[REDACTED]

DATED 2004/03/29

STATEMENT (Continued)

[REDACTED]

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 2 OF 3 PAGES

PAGE 2 OF FORM 1025 DEC 1998

FORM 100

1308

STATEMENT OF [REDACTED]

TAKEN AT [REDACTED]

DATED 20 [REDACTED]

STATEMENT (Continued)

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 REQUESTED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF REWARD OR PUNISHMENT, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]

Signature of Person Making Statement

STATION [REDACTED]
[REDACTED]

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29TH day of MARCH, 2004 at Camp Delta, Guantanamo Bay, Cuba 09360

Signature of Person Administering Oath

TTF PMU Jd
ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Authority To Administer Oath

DETAILS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 3 OF 3 PAGES

PAGES DA FORM 3823, DEC 1999

16141-100

1309

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 201; Title 5 USC Section 2851; 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 BLDC 8, CAMP DELTA	2. DATE (MM/YY/HHDD) 7/00/1973	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	[REDACTED]		7. GRADE/STATUS [REDACTED]
6. ORGANIZATION OR ADDRESS [REDACTED]			

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH IN REGARDS TO [REDACTED], KNOWLEDGE I HAVE OF THIS DETAINEE INCLUDES: 1) HE WAS THE SUBJECT

[REDACTED]

(b)(1)

RESULT OF THIS ODS EVOLUTION OBSTRUCTED [REDACTED] ABILITY TO NEGATIVELY INFLUENCE DETAINEES AROUND HIM.

2) [REDACTED] HAS BEEN KNOWN AS A CHARISMATIC INDIVIDUAL WHO COERCES DETAINEES AND MPS AHEAD. [REDACTED] WAS REMAINED DUBIOUS ABOUT KEEPING IDENTIFIED ISMS SECRET UNDER CONTROL IN AN EFFORT TO MAXIMIZE EXPLOITATION EFFORTS W/ THE INTERROGATION BROTHER. 3) DURING THE MORNING CGS BRIF YESTERDAY (24/2603), [REDACTED] BRIGGED BG HODD ABOUT ALLEGATIONS CONCERNING JDDG MPS AND [REDACTED] HE STATED THAT HE WAS IN PROCESS OF COMPILING INFORMATION ABOUT SAPOSD INCIDENTS IN WHICH DETAINEES WERE BEING MISTREATED BY JDDG MPS. [REDACTED] PRODUCED A PAPER COPY OF AN EVAL AND READ FROM IT TO BG HODD. AT THAT POINT, BG HODD TOOK THE PAPER AND STATED THAT HE WAS OPENING AN INVESTIGATION INTO MISFEASANCE OF DETAINEES BY JDDG MPS. 4) IMMEDIATELY FOLLOWING THE CGS BRIF, I CONTACTED [REDACTED] AND APPRISED HIM OF THE DETAILS ARIAT [REDACTED] ALLEGATIONS TO BG HODD.

10. EXHIBIT	11. SWORN/COMPLAINING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]"

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

(16)

1310

STATEMENT OF

TAKEN AT BLDG 9/1535 DATED 2004 7 7 03

STATEMENT CONTINUED

PROCEEDED TO GATHER DETAILS FOR B6 HOOD WHO WOULD BE COMING TO S-2 STARTUP. I CALLED [REDACTED] ON THE TELEPHONE AND PROCEEDED TO INQUIRE IF HE HAD COMPILED A REPORT FOR THE ICE CHAIN OF COMMAND PRIOR TO PROSECUTING SUCH ALLEGATIONS TO B6 HOOD. HE ACKNOWLEDGED THAT HE DID NOT COMPLETE HIS FACT FINDING AND HAD NOT FINISHED TYPING UP HIS REPORT TO FORWARD TO [REDACTED] I THEN ASKED HIM WHY HE WOULD BRIEF THE CG ON SUCH AN ISSUE WITHOUT GOING THROUGH THE CHAIN OF COMMAND FIRST.

5) HE BEGAN TO POKER IN A WAY THAT INDICATED HE KNEW HE HAD MADE A MISTAKE IN PROTOCOL. I ASSURED HIM IT WAS A SIMPLE MISTAKE AND THAT FOR RTIA'S PURPOSES, WE HAVE A SYSTEM: LET ICE OPS KNOW ABOUT PROBLEMS SUCH AS THESE. THE CHAIN OF COMMAND WILL BE REACHED IT WITH JDOG [REDACTED] AND APPROPRIATE ACTION WILL BE TAKEN.

I FURTHER EXPLAINED TO [REDACTED] THAT HE SHOULD COME WITH ME TO BUILDING 8 TO EXPLAIN EVERYTHING TO [REDACTED] AND [REDACTED]. [REDACTED] CAME WITH ME AND SOON B6 HOOD APPROACHED [REDACTED] AND TOLD HIM HE HAD DONE THE RIGHT THING.

6) FOLLOWING THE [REDACTED] DEPARTURE, I HAD A CONVERSATION WITH [REDACTED] CONCERNING THE SITUATION. HE INFORMED ME THAT HE WAS APPASSED OF SOME DETAILS ABOUT [REDACTED] ALLEGATIONS, BUT [REDACTED] HAD YET TO GIVE HIM THE FOLLOW-ON DETAILS HE HAD REQUESTED FROM HIM. [REDACTED] INFORMED ME HE WAS ALREADY TALKING WITH [REDACTED] ON THIS ISSUE AND THAT IT WAS GOING TO BE INVESTIGATED AS IT ALWAYS HAD TO THROUGH ICE, THEN JDOG, AND THAT [REDACTED] WAS CONSISTENT IN ADDRESSING THESE TYPE CONCERNS.

F. TOLD MAJ POGGERS THAT IT WAS MY OPINION THAT [REDACTED] HAD CHANGED THE GUN AND [REDACTED] ASSESS.

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

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STATEMENT OF

TAKEN AT

DATED

2. STATEMENT (Continued)



Michael Edwards

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)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____, _____ at _____

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED]
(Typed Name of Person Administering Oath)

[REDACTED]
(Authority To Administer Oaths)

TF 5700 J2
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2. DA FORM 1522, OCT 1964

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DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)

AUTHORITY: Title 5 USC Section 301 and Title 10 USC Section 3013.

PURPOSE: To be used in an investigation on behalf of the Chief of Staff, Joint Task Force Guantanamo in accordance with Army Regulation 15-6.

ROUTINE USES: Any information you provide may be disclosed to members of the Department of Defense who have a need for the information in the performance of their duties.

DISCLOSURE: Disclosure is mandatory. Failure to provide information could result in disciplinary action under the UCMJ. Information provided assists the Commander for his decision in this matter. You do not have to incriminate yourself. Article 31 rights advisement and the Fifth Amendment of the US Constitution supersedes this portion of the Privacy Act statement.

CERTIFICATION: I , have read and understand the above Privacy Act statement, and /or signed a rights advisement.

Name
Rank/Branch
Title



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