

SWORN STATEMENT

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PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN)
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
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1. LOCATION Metro Park Springfield, VA	2. DATE (YYYYMMDD) 2004/05/21	3. TIME 1945	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS CPT	

8. ORGANIZATION OR ADDRESS
A/304TH Military Intelligence Battalion, Fort Huachuca, AZ

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

I have been assigned to the 519th Military Intelligence (MI) Battalion (BN) since 01 May 2000. I deployed to Afghanistan for six months with A Company, 519th MI BN on 20 Jul 02. I served as the Operations Officer of interrogation operations at a facility in Bagram until I redeployed on 28 Jan 03. I then deployed to Kuwait on 12 Mar 04, with HHS, 519th MI BN where I served as the Battle Captain/Assistant S-3. I crossed into Iraq on 4 Apr 04, first arriving at LSA Bushmaster, to conduct initial coordination with the 720th Military Police (MP) Battalion who was establishing a detainee facility or "cage". I remained at Bushmaster for approximately 12 days. I then moved forward to LSA Dogwood, where the 720th MP BN established a second cage, and I remained there for 10 days to two weeks at the end of Apr 03. I moved to Camp Speicher (North Tikrit) where the 519th MI BN established its Headquarters. From early May to early June, I served as the 519th MI Bn Liaison Officer to the 4th ID for Tactical Humint Operations. During the June timeframe, I served at the Camp Cropper detention facility as the Senior Intelligence Officer and battalion level representative for the 519th. In early July, I returned to Camp Speicher as a Battle Captain, and it was shortly after returning to Speicher that the 519th received the Warning Order to establish interrogation operations at Abu Ghraib (AG) in support of the upcoming operation Victory Bounty. On or about 23 Jul 03, I was a member of the 519th MI Bn site survey team to conduct an assessment of the AG facility and then returned to Camp Speicher. Due to the overwhelming requests for updates, _____ requested additional higher level assistance from the 519th MI Bn so that he could focus on his company command duties and to provide much necessary life support. I arrived at AG on 4 August, and my position was as the Interrogation OIC responsible for supervising the interrogation operations and personnel. I was responsible for screening, interrogations, and reporting of intelligence information. I departed Iraq on 4 Dec 03 on "Rest and Relaxation" leave and unexpectedly received redeployment orders while on leave. I returned to Kuwait to out-process on 24 December 2003 and departed Kuwait 25 December en-route to Fort Bragg. I never returned to AG. While at Camp Cropper, I had various conversations with my two warrant officers, _____ interrogation ops, and _____ the Operations Officer. All were frustrated with the overcrowded conditions at the Cropper detention facility. For example, the facility was intended to house approximately 200 detainees, and there were anywhere from 700 to 1,000 detainees. Many of the detainees were brought to Cropper for minor infractions, and most of the detainees were "low value detainees". Several detainees were what was referred to as "50 meters detainees", because they had been in the general vicinity of the target of a US raid and had been picked up essentially for being in close proximity. The "low value detainees" did not warrant long term interrogation effort or retention, and Cropper lacked facilities for proper interrogation operations. The conditions were similar at the facilities at Bushmaster and Dogwood. Bushmaster and Dogwood did not have sufficient logistical support - for example there were no tents for detainees and water was rationed. Cropper, however, had tents, which were routinely overcrowded. _____ voiced his concerns with the overpopulation and the disgruntled mood of the detainees with no response. He published an Information Intelligence Report (IRR) in an effort to alert leadership of the situation and the problems within the facility. I am prior enlisted and served for ten years as an Interrogator/HUMINT Collector (MOS 97E) and am qualified as a "Strategic Debriefing". As a Commissioned Officer, I have served in various positions involving tactical HUMINT Collection Operations. I served as a Tactical HUMINT Team (THT) Leader in Bosnia-Herzegovina for six months (SFOR-8), as an Analysis and Control Team (ACT) leader in Bosnia (SFOR 9), and as an Interrogation operations officer in Afghanistan with the 519th MI BN for six months. I consider myself very knowledgeable of Interrogation Operations and techniques. With the exception of what I discuss below, during my time in Iraq, I never witnessed any interrogation methods or operations that were outside normal procedures and observed nothing contrary to Army Field Manuals, Regulations, Doctrine, or the established curriculum presented at the 97E MOS producing school at the US Army Intelligence Center and School at Fort Huachuca, AZ. The interrogation environment in Iraq was challenging because the current US Army interrogation training and doctrine is rooted in and geared toward a conventional, cold war threat and not toward the Arab mindset. When I arrived at AG, there were approximately 50 to 150 inmates being held on criminal offenses. The 72nd MP Company was manning AG and was significantly undermanned and under resourced. The 519th received the mission for AG in late July, when AG was designated as the detention facility for individuals detained during Operation VICTORY BOUNTY (OVb). OVb was a nation-wide sweep to pick up approximately 1,800 _____

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

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

[REDACTED] and the 320th MP Battalion started operations there about the same time. While the military constructed a mass holding area (Holding area GANCI), the Coalition Provisional Authority (CPA) was simultaneously renovating the hard-site within AG prison. There was no suitable location to establish an interrogation facility and operations area. The 519th established the interrogation and administrative area in the vicinity of Holding Area VIGILANT, using a ARFABs, DRASH tents. The 205th MI BDE coordinated with the CPA to utilize 10 cells of cell block "1A". As a result of the renovation effort, Iraqi National workers employed for the CPA sponsored renovations utilized the courtyard immediately next to cell block 1A as a center of gravity for their welding and construction operation. The 519th initially used the outside portions of AG, not the hard site, due to the ongoing renovation project. The 205th MI BDE, specifically [REDACTED] COL PAPPAS, [REDACTED] were Bde battle captains and constantly requested updates.) kept pressuring the 519th to utilize the hard-site, but the site was not acceptable for use until about three weeks after our arrival (3rd week in Aug 03) because of the following reasons: the proximity of the construction workers could allow communication with detainees, insufficient numbers of MPs to guard detainees housed in the area, the MPs did not have locks, and the wing did not have electricity or running water. Camp Ganci was constructed within the confines of AG as an outside, main holding facility intended to hold up to 4000 "criminal detainees". Camp Vigilant was an outside facility intended to house general population of "security detainees". Although AG had been designated as the repository of the OVB detainees, we received only approximately 180 OVB detainees. Of those, approximately 62 were on the original list of 1,800, and only about 20 provided information, and that information was not particularly "actionable intelligence". About two weeks into OVB, AG started receiving "security detainees" from operations other than OVB and mission creep began as AG started becoming a general security detainee facility and eventually became the central, consolidated detention facility. I did not believe AG was the best place to use as a central facility, and during a meeting focused on consolidating assets on at AG in late Aug 03 with [REDACTED] (Co Cdr, 325th MI Bn), and [REDACTED] (325th MI Bn Commander), I voiced concerns about the defensibility of the facility, man-power shortage, location, and the stigma attached to AG. On or about 2 Sep 03, MG Miller and representatives from the Joint Task Force (JTF) at Guantanamo Bay (GTMO), Cuba, arrived at AG. It appeared that LTG Sanchez was not satisfied with the amount of actionable intelligence resulting from the interrogation operations at AG, and he had requested MG Miller review and assess the AG operations and provide recommendations learned from the detention facility at JTF-GTMO. I had discussions with MG Miller on a couple of occasions and these conversations centered on renovations and improvements of the facilities, challenges of interrogation operations, and the need for increased MP/MI cooperation. Specifically, I recall he discussed the implementation of dedicated MP support to MI. The purpose of dedicated MP support, for example, was to transport detainees to the designated interrogation booth, observe detainees while in holding and provide feedback to the interrogators. I never discussed specific methods or techniques with MG MILLER. The JTF-GTMO focus was more strategic than the tactical screening and operational environment of Iraq, and I believed the JTF-GTMO model could not be replicated in the Iraqi environment and experience. Although I attempted to express the concept, I do not know if MG MILLER understood my position and he appeared to press forward with his JTF-GTMO recommendations. I recommended a central facility could be constructed at Camp Speicher rather than AG, however I understood the reason behind the decision was an immediate demand for a facility. I never saw the final Miller Report, no [REDACTED]

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[REDACTED] received any direct feedback as a result of the visit. The only feedback I saw was from the 205th following the recommendations from MG MILLER's visit. I do believe that the Miller visit propelled AG to become a "mini-mo". Shortly after MG MILLER departed AG, [REDACTED] arrived at AG on approximately 10 September, approximately the same time as the 325th MI Bn personnel. He was the Senior Intelligence Officer (SIO) to AG. I believe [REDACTED] role was to be the 205th representative at AG, provide guidance, and implement a mandate from COL PAPPAS and [REDACTED] to replicate the JTF-GTMO model in the form of the Joint Detention and Interrogation Center (JDIC) at AG, beginning with the introduction of the Tiger Team interrogation concept and strategic level collection (knowledgeability briefs, for example). Prior to [REDACTED] arrival, I had one chief warrant officer and approximately 12 active duty HUMINT collectors (97E, 97B), an analyst and a Trojan communications team working for me. I continued to send operational reporting through the 519th MI Bn Tactical Humint Operations (THOPS) to the 205th MI Bn and COL PAPPAS. It was at this time (10 September) that the interrogator personnel from the 325th MI began arriving and the process of merging the 519th and 325th MI assets began. The 325th initially sent five "Tiger Teams", with one interrogator and one analyst per team. Because I needed leaders for the new arrivals, I pulled one NCO from the five teams to act as a section leader. To facilitate the integration of the 519th and 325th, I then broke up the original teams and merged the personnel of the two units. As the 519th did not have analytical assets, the reorganization benefited the collection mission. The resulting structure was four sections with an NCO in charge of each, and at least one analyst per section. This organization did not follow the "GTMO Model" and I receive pressure from the 205th leadership to maintain an interrogator/analyst structure. I believe the structure implemented (two collectors per team and analytical support to the entire section) was more efficient and effective for our operational working environment and available manning. After the close of Cropper (approximately 5-7 days later), the 325th provided additional personnel who became the Operations section. [REDACTED] arrived at AG on or about 15 Sep 03 and I understood him to be the "new boss". His original title was "Chief of JDIC", but he stated that he did not like the title and changed it to "Director of JDIC". I understood that [REDACTED] was in charge of the JDIC at AG. [REDACTED] was fairly uninvolved with interrogation operations within AG and never provided interrogation guidance, Standard Operating Procedures (SOPs), or directives, probably because he was not overly familiar with interrogation operations. At the end of Sep 03 (I do not recall the exact date), the first of the CACI contracted civilian interrogators [REDACTED] arrived. Although I had been told to eventually expect contract augmentees, the three CACI contractors arrived out of the blue. I never received official guidance or perimeters from higher as to how to employ them. I briefly interviewed each contractor, provided in-brief information, and standards of conduct and interrogation rules of engagement and paired them up with a military interrogator since I knew my soldiers capabilities but did not know that of the contractors. At this time I created a three to four page initial counseling statement which each contractor signed. The statement essentially covered the standards of conduct, performance expectations, informed them of the military chain of command and to whom to report any incidents, operational security awareness. About five days later, seven more CACI contractors arrived, and then one's and two's arrived periodically over the next couple of months. I presented each CACI contractor with a new arrival briefing and had each sign an initial counseling statement and acknowledge his understanding of the operation and IROE. [REDACTED] a contractor who arrived in the second group of seven [REDACTED]

[REDACTED] contractors, was the CACI "site manager" at AG, and became my POC for CACI issues and personnel. I relied heavily on [REDACTED] to manage the CACI personnel and I did not personally interview each contractor individually and knew very little about their qualifications, trusting that higher echelons had validated their qualifications. Most contractors had prior military or police experience. I basically would rely on [REDACTED] my military section chief, [REDACTED] feedback from section leaders and interrogations to judge a contractor's abilities and qualifications. I had only one performance issue with a CACI analyst [REDACTED] the analyst continually interjected and attempted to dominate the interrogation. I discussed this issue with [REDACTED] and the analyst was relocated to another section within the JIDC. [REDACTED] 323rd MI Bn (I believe his original unit is within the Utah National Guard), arrived approximately 30 Sep (very unsure of the date, after the mortar attack on 20 Sep and about the same time we began using the hardsite room for interrogation operations) after [REDACTED] and [REDACTED] had arrived. He had been the OIC/SIO at Camp Bucca. When Camp Bucca closed its collection mission, the 205th brought 323rd asserts to AG as part of the centralization process. The majority of 323rd personnel became the Command and Control/staff/headquarters element and were not used in interrogation operations. [REDACTED] 323rd MI, became the screening OIC and [REDACTED] became the CM&D NCOIC. [REDACTED] (originally from the 141st MI, Utah National Guard) attached to the 323rd MI BN, became the Headquarters Commander. [REDACTED] became the Operations Officer and I worked closely with him. [REDACTED] and [REDACTED] worked closely together. I took most guidance from [REDACTED] who provided oversight to the interrogation operation. During this time period, COL PAPPAS's visits increased from visiting every week or two, to 2-3 visits a week, to occasional overnights, until late mid Nov mid he moved out to AG. At the beginning of Nov 03, LTG SANCHEZ and MG FAST visited AG for a briefing and to assess the situation. This was the second visit to AG LTG Sanchez made following the 20 Sep mortar attack. The first was on approximately 30 September, when LTG Sanchez's focus was primarily the force protection and defensive posture of AG. LTG Sanchez toured the entire facility, to include a short brief on interrogation operations, which took place in the building recently acquired for use by the JIDC. LTG Sanchez expressed concern about the interrogation operation to COL PAPPAS and indicated that the issue would be further discussed "later". Shortly after the second visit in November, LTG SANCHEZ issued a FRAGO on 19 Nov 03, which appointed COL PAPPAS as the FOB Commander, giving him responsibility for all assigned at AG. In discussion with COL PAPPAS, it was my opinion that this was not a good situation and that there should remain a clear delineation between MI and MP, and that COL PAPPAS should recommend against the appointment. I believed that MI should not become involved in detainee or prison operations. As a result of the OPORD, my understanding was that COL PAPPAS would take control of AG security and force protection, but not "warden responsibilities". After the OPORD, COL PAPPAS assigned AG Force Protection responsibility to [REDACTED], 165th MI BN Commander. [REDACTED] was a good choice because of his tactical knowledge, and he brought in fragments of the 165th Long Range Surveillance (LRS) Company to provide a more robust force protection posture and guidance than the MP could provide. The MPs had had many breaches of security and poor installation access control, and frequently allowed private vehicles and taxis on the base without escort. The FRAGO generated tension between MI and the MPs. The MP chain of command pulled the MP detail dedicated to MI for transportation of detainees between their holding area and the interrogation booths. By this time, Camp Vigilant and the hard site (Block 1A and 1B) were overcrowded, so security [REDACTED]

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[REDACTED] detainees and MI Holds were put in to Camp Ganci and thus scattered throughout all three AG sites. By the time of my departure, the AG population had swollen to about 6,500, and locating and rounding up detainees for interrogation became problematic. With the pulling of the MP detail, the interrogators had to track down and transport the detainees themselves, wasting a considerable amount of valuable time. The MPs also pulled the MP overwatch from the interrogations, putting the interrogators at greater risk. For clarification purposes, a "Security Detainee" was an individual perceived to be a threat to Coalition Force, i.e. detained for weapons possessions, IED involvement, etc. An "MI Hold" is anyone of interest to MI and can include a Security Detainee. This category would also include Al Qaeda types, individuals possessing information regarding foreign fighters, infiltration methods, or pending attacks on Coalition Forces. A "Criminal Detainee" is, as the name indicates, an individual simply involved in criminal activities unrelated to Coalition Forces. All three groups were treated equally. Our interrogation approaches and selected techniques were driven by the individuals circumstances of capture and placement/access, and not determined by their status as one of these categories. The "hard site" consisted of Cell Block "1A" and "1B" as two man cells, and several other wings which were utilized as they became available, which were 4 or 8 man cells. The hard site, like the rest of AG, was under MP control. MI had no say so or influence over inmates or activities in Cell Block 1B, which primarily housed criminal female and juvenile inmates or any of the 4/8 man cell wings. Cell Block "1A" was primarily designated as the holding area for "Security Detainees" and "MI Holds". While the MPs controlled "1A", MI requested and had influence over who would be placed and housed in "1A". "1A" consisted of 40 cells, situated on two levels, with twenty cells on either side of a central corridor. Each cell had two bunks, but efforts were made to have only one detainee at a time in each cell. No detainee could be kept in "1A" longer than 30 days without LTG Sanchez approving an extension. If I, or one of my interrogators, wanted a detainee to remain in "1A" longer than 30 days, the interrogator would write up a justification and request, forwarded from the section leader to myself, which I would forward up through the 205th MI BN for LTG Sanchez's approval. We maintained an electronic dossier folder on each detainee of MI interest, and I placed the approval request and final approval documents in the affected detainee's e-file. The final signed copies were placed in the detainee's paper dossier. Although "1A" was primarily designated as an MI holding area, on occasion, the MPs placed other detainees in "1A". These might include unruly or "problem" detainees and detainees of interest to CID or OGA. However, "1A" was never so crowded that we could not get a cell for an MI detainee. I did not, nor did any other MI personnel to my knowledge, track non-MI detainees for status or release after 30 days, as they were not my responsibility. The MPs were the "inn keepers", specifically an MP [REDACTED]. We began interrogation operations at AG using accepted Field Manual 34-52 norms and techniques. We were moving from a tactical to an operational or insurgent environment and it increasingly felt to me like my experience in Afghanistan. I did not want my folks to lose sight of their boundaries and their left and right limits. I saw the situation moving to the "Bagram" model. Pressures were increasing from overpopulation, the mission creep from bona fide Security Detainees to others who probably really didn't need to be detained for a long period, and the realization that Iraq was evolving into a long standing mission. I increasing felt the need to draw on my experience in Afghanistan. We had used "sleep adjustment" and "stress positions" as effective techniques in Afghanistan. Although I never saw written authorization, the techniques had SJA and CJTF-180 C-2X / C2 review and approval on a case by case basis. Because we had used the techniques in Afghanistan, and I perceived the Iraq experience to be evolving into the same [REDACTED]

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[REDACTED] operational environment as Afghanistan, I used my best judgment and concluded they would be effective tools for interrogation operations at AG. Because the winds of war were changing, and the mounting pressure from higher for "actionable intelligence" from interrogation operations, I requested more options that FM 34-52 provided. [REDACTED] acquired a copy of TF-121 IROE and essentially "plagiarized" it, changing the letterhead on the MFR, incorporating some general editing, and then submitted the IROE MFR for approval through the 519th MI BN to the 205th MI BDE for approval. [REDACTED] never received a response. Shortly after my arrival, I resent the IROE MFR request to the 205th, cc'd the 519th MI Bn. I received no response and again sent out the document to the CJTF-7 C-2X shop. I discussed the issue with [REDACTED] at the C-2 shop, and he opined that the approval should be sent up through command channels rather than intelligence channels. While the MFR was being staffed, we continued to use FM-34-52 procedures, as well as sleep management and stress positions from our experience in Afghanistan, as I believed these to be reasonable, given the similarity of the situation. However, at AG, sleep management was requested only a few times, and it never exceeded the limit of 72 hours. Stress positions were used a little more frequently, but always in a very controlled manner. All usages of these techniques were documented in Interrogation Plans. Due to the fact the interrogations were conducted in open tents, anyone could observe the actions conducted therein. Concerning administration of the sleep management prior to the actual interrogation, the MPs implemented the procedure. The MPs would keep the detainees awake by saying "stand up" or "wake up". I did not, nor did any MI personnel to my knowledge, have a conversation or provide written instruction to the MPs as to how to exactly implement the procedure. No MP ever inquired of me as to how the procedure should be implemented. Concerning the administration of stress positions, interrogators could not utilize a stress positions for more than a total of 45 minutes within a given four hour period (meaning the total time a detainee could be in any stress position could not exceed 45 minutes. That did not mean one position could be held for 45 minutes, then move to another position for another 45 minutes.) The time keeping was the responsibility of the two interrogators in the booth, so I can not say for certain that these limitations were not exceeded. However, I never received any reports of excessive use of the technique. The next milestone in the effort to have the IROE approved. On or about 25 Aug 03, two Coalition lawyers [REDACTED] (Australia) (I am not 100% sure of the US SJA rep's name.), came to AG as a result of providing the IROE draft to [REDACTED] and requesting assistance and feedback. They came to AG to review operations. The lawyers informed me that my IROE MFR seemed to be within legal purview and authority, and the Australian lawyer even commented that the techniques were rather soft. They indicated the IROE MFR would be pushed higher for CJTF-7 review. The Miller Tiger Team arrived at AG on 2 Sep 03, and remained at AG for three to four full days. On the second day, I participated in a meeting with several members of the Miller Team, COL PAPPAS, and maybe [REDACTED]. It was during that meeting that the Team had a copy of my IROE MFR and someone from the team stated that it was a "good start", but that CJTF7 should consider something along the lines of what's approved for use in CJTF-170, although no specific tools or techniques were discussed. Shortly thereafter, on 10 Sep 03, the CJTF-7 MFR providing IROE (possibly the result of my MFR and the CJTF-170 approved IROE) was signed. I do not recall seeing a copy of the 10 September, however was provided a copy of the 14 September IROE. At about the same time, on or about 10 Sep 03, the 325th MI BN arrived and I began the integration of the 519th and 325th personnel. During a shift change meeting which included both 519th and 325th personnel, I handed out copies of the 14 Sep IROE approval MFR [REDACTED]

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[REDACTED] interrogators took turns reading the MFR aloud as others followed along. I am 90% certain that all interrogators and analysts read the IROE MFR, while it is possible due to sick call or some other reason, that some might have missed the meeting. I had each soldier sign a roster stating that he or she had read and understood the IROE. I also created a slide which synopsized the 14 September IROE and posted the IROE in numerous locations throughout the working area as a constant reminder. This original slide contained three columns - the first column general interrogation techniques IAW FM 34-52. Techniques outside of the FM were placed in a second column which I titled "OIC approval required prior to use", this was to ensure the interrogators did not have 'carte blanche', and sought guidance with more involved approaches. The third column was titled "CG's approval required for use on EPW's". After the subsequent IROE MFR was signed by LTG Sanchez on 12 Oct 03, I created a second slide to reflect the changes from the 14 September to the 12 October IROEs. Within the body of the main memorandum, it stated that any approach not listed in the policy required the CG's signature. It was explained to me (I cannot remember by who, but the guidance was from higher) that those approaches removed from the 14 Sep version were not necessarily out of reach, that they had to be approved by the CG prior to use. I therefore placed those approaches which were removed were placed under the title "Requires CG's approval in writing". In retrospect, the phrase "all other approaches require the CG's approval" would have been better verbage. This slide was posted about the interrogation operations room about the same time as the CACI contractors arrived. Following the incident involving three soldiers conducting unauthorized activities within 1B, I drafted a "memorandum of understanding" in MFR format (approximately 20 Oct) which not only outlined the approaches approved for use, but also added that all interrogations will be conducted in a humane manner, interrogations involving female detainees required another female's presence, detainees will not be maliciously humiliated, detainees will not be touched in an unwanted or malicious manner, cultural boundaries will be respected, unscheduled interrogations will not be conducted and the understanding of these rules and the requirement to report any violations of these rules to the OIC. I had each member of the JIDC who was in contact with detainees, which included interrogators, analysts, contractors and interpreters, read the MFR and sign indicating their understanding. The IROE has always applied to other agencies as well and I mandated that if other agencies wished to use AG facilities, they were required to follow US Army IROE. Other agency reps were requested to also sign the IROE prior to any interview beginning approximately the beginning of November. COL PAPPAS told me that the CJTF-7 CG delegated to him the authority to approve sleep deprivation and sleep management, but I do not recall if he specifically stated he had received authority to approve use of stress positions. The IROE slide was posted prior to COL PAPPAS's arrival at AG on 16 Nov 03 (in preparation for taking command of the FOB on 19 Nov 03), and there was a conflict between the IROE slide, which stated these techniques required CG's approval, and COL PAPPAS's claim that he had the authority to approve such techniques. COL PAPPAS never stated to me the basis of that authority other than to state that the CG had delegated it to him. I never saw anything in writing granting that authority. Regarding my experience with OGA, I first had limited contact with OGA while at Cropper. It was during the end of Aug 03/beginning of Sep 03 timeframe, everyone started shifting their operations to AG. OGA occasionally coordinated for interrogation space. I instructed OGA representatives that they must abide by the Army IROE while at AG. Most of my contact was with an individual we knew only as [REDACTED] who appeared to be in charge of the OGA interrogation operations. I never endorsed the practice of "overnight parking" of OGA "ghost" detainees and expressed my disapproval to COL PAPPAS [REDACTED]

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Statement of [REDACTED]

Taken At MetroPark, Springfield, VA

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[REDACTED] and [REDACTED] but I was overridden. [REDACTED] and [REDACTED] then authorized several interrogations be conducted without the presence of Army interrogators and I did not have visibility or knowledge of what transpired during those interrogations. At the beginning to mid Oct 03, [REDACTED] as one of my interrogators sat in on their interrogations. This responsibility was picked up by the operations section, and any other agency requesting to conduct operations at AG coordinated with OPS. It was shortly thereafter that an incident occurred in which an OGA "ghost" detainee died during the course of an interrogation. JIDC personnel were not present during this interrogation. I have no knowledge of any OGA abuses or violations. The practice of housing "ghosts" continued and was still in practice at the time of my departure on 4 Dec 03, and I do not know if LTG Sanchez was aware of the practice or not [REDACTED]

NOT

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STATEMENT OF [REDACTED]

TAKEN AT Springfield, VA

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STATEMENT (Continued)

[REDACTED] the first officer in the "interrogation chain". I was comfortable that my subordinates knew their boundaries and believed they would have informed me of any violations or infringements of the IROE or any abuses they might witness. I did not have any concerns about any specific subordinates. The first incident of abuse of which I was aware was the "unauthorized interrogation" incident in early Oct 03. I was notified the following morning and only have second hand knowledge. Three soldiers [REDACTED] were involved in an incident at about 0200 when the three soldiers conducted an unscheduled interrogation of a female criminal detainee in Cell Block "1B", who was not an MI Hold. CID investigated the incident, but I never saw the report. All three soldiers were immediately removed from JIDC duties, received Article 15 punishment under UCMJ and were reduced in rank. [REDACTED] immediate corrective action was to call a mass formation the next morning at which all personnel were present. He informed the formation that there had been an "altercation" and "unauthorized interrogation". He stated that "such action won't be tolerated", and reiterated the JIDC mission. The second incident of inappropriate actions during interrogation of which I was aware involved [REDACTED] during the first or second week of Nov 03. She had submitted an Interrogation Plan in which the primary approach was the "direct approach", but I do not recall her secondary approach plan. I gathered that [REDACTED] viewed the detainee as having a flippant attitude in response to her questioning, perhaps not cooperating because she was female. She then decided to strip the detainee and apparently did so down to his underwear. [REDACTED] who was the analyst sitting in on the interview passed a note to [REDACTED] in which he asked her "are you sure you can do this but she replied "yes". After the interrogation, the inmate was escorted semi-naked back to VIGILANT. [REDACTED] overheard MPs talking about the incident and inquired as to what happened and immediately reported the incident to [REDACTED] his section leader, so confronted [REDACTED] [REDACTED] claimed that she did not know she had done anything wrong. [REDACTED] notified me, and I in turn informed COL PAPPAS and [REDACTED]. I recommended at [REDACTED] receive an Article 15 to both COL PAPPAS and [REDACTED] but she merely received a written reprimand from [REDACTED] the interrogation NCOIC, recommended she be returned back to her parent unit for the non-compliance. [REDACTED] were immediately removed from interrogation duties and re-assigned within the JIDC. I was not aware of any incidents of abuse involving [REDACTED].

I was not present for any visits to AG by the International Red Cross. I heard after the fact that they had visited, but I have no knowledge of the results or findings of those visits. Such visits would have been coordinated with the MPs. I was unaware of any incident involving administering cold showers to detainees, or the throwing of cold water on naked detainees, possibly in support of sleep deprivation efforts. I was unaware of any incident in which a naked detainee was forced to stand on a box with a hood over his head holding bottles in outstretched hands. I walked through the hard site, more often during the day or early evening hours than in the late hours of the night, but I never saw or heard of any naked detainees or any incidents involving women's underwear.

Q. Is there anything else you would like to add to this statement?

A. No.

//////////////////////////////////////End of Statement//////////////////////////////////////

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 9. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED] (Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 day of MAY, 2004 at Metro Park, Springfield, VA

ORGANIZATION OR ADDRESS

[REDACTED] (Signature of Person Administering Oath)

[REDACTED] (Typed Name of Person Administering Oath)

UCMJ, ARTICLE 136

[REDACTED] (Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

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