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On 10 February 2004, a team of officers, lead by Major General Antonio Taguba, conducted the following interview. Major General Taguba was appointed as an Investigating Officer under the provisions of Army Regulation 15-6, by Lieutenant General David D McKiernan, Commanding General of the Coalition Forces Land Component Command (CFLCC), to look into allegations of maltreatment of detainees, detainee escapes and accountability lapses, at Abu Ghraib, also known as the Baghdad Central Confinement Facility (BCCF). The panel also inquired into training, standards, employment, command policies, and internal policies, concerning the detainees held at Abu Ghraib prison. Finally, the panel looked into the command climate and the command and supervisory presence

The following persons were present

MG Antonio M. Taguba, ██████████, DCG-CFLCC, Interviewer
██████████, Lackland AFB, TX, Member
██████████, CFLCC – SJA, Member
██████████, U.S. Army MP School, Member
██████████, HHC, 229th MP Company, Respondent

The interview is summarized as follows

My name is ██████████. I'm assigned as the Commander of the 229 MP Company of the 320th MP Battalion. I took command on 16 January 2003, 4 days prior to this mobilization. The 229 is from Virginia Beach, Virginia. We're with the Virginia Army National Guard. My peacetime trace, I was Commander with the 229 Chemical Company, and then was transferred to the 229 MP Company. The higher headquarters is 91st Troop Command out of Richmond Virginia. We mobilized to Camp Atterbury, Indiana, where we were placed under the Post Commander's operation, also the authority of the Mobilization Assistance Team (MAT), and the Unit Assist, to ensure that we met the requirements to deploy. Prior to deployment, we were organized as a Combat Support Company, with 186 personnel. A day or two prior to mobilization, I found out from my Brigade Commander and the XO that we were going to be mobilized as an I/R Guard company. After my company completed the basic requirements needed, such as weapons qualification and CTT, we trained to be an I/R Guard. I had previously been an enlisted MP soldier with 157 MP Company out of West Virginia. I was a squad leader, and we were in charge of EPW and I/R operations. I took these experiences and used them to train my soldiers on what to expect and how to interact in theater. I briefed on these topics as time allowed in home station. I focused the training on guard of EPW and CIs. I am not particularly familiar with AR 190-8. I was more concerned with the external guard of the facility. I did not concentrate on the caring of inmates because that was not in my companies' scope of operation. Based on my prior experience the Battalion is responsible for the intake of the inmates. We spent 2 weeks training at home station, then we arrived at Camp Atterbury, Indiana.

I was using the MTP as a basis for the training that my soldiers were undergoing. I pretty much had to take it from ground zero, because my soldiers had not been exposed to EPW

Operations, prior to this I indoctrinated them on the basis of the operation, what their job was, and some general ROE and ROI that I had devised from my past experience I informed them they would be doing the mounted roving, dismounted roving, guard towers, and Internal Reaction Force I taught everyone from scratch to ensure that all of my leadership could create OPORDERS and organize their platoons within the confines of the mission.

I let everyone know that, although we were there to provide security, everyone needed to show restraint, when interacting with the prisoners. I instructed my leaders to ensure that all soldiers understood the big picture including the Geneva Convention and humane treatment of the detainees.

I had not trained with this company before mobilization, and did not know them very well I had met them the month prior, at Fort Picket while they were doing their SRP. I did this as a professional courtesy, their commander hadn't stepped out of the picture yet When I took command everyone knew I was in charge, and we moved forward. Before we arrived in theater on 14 April, there were about five different Battalions that I thought I was going to be assigned to

I found out that I would be assigned to 304th MP Battalion, an I/R Battalion By this time the need for I/R companies had evidently dissipated because we sat at Arifjan for a few weeks At this time, the Customs mission became a hot priority So, I was directed to have all of my soldiers certified as Customs Borders Clearing Agents to do customs in the Theater of Operations for redeployment We did this from May 1 through August 15th August 18th we re-deployed to Abu Ghraib Prison From May through August we were detached from the 304th, and attached to the 220th MP Brigade After that, we were then assigned to the 317th MP Battalion, and relinquished from the 304th MP Battalion I soon realized that to maintain a state of normalcy I had to adapt and overcome

On 10 August it was determined that we would move to our current unit of assignment The FRAGO was signed on 17 August I was assigned to the 320th MP Battalion under the 800th MP Brigade There were no specific instructions for my company in this FRAGO It was assumed that we would be an external guard company. When I found out that this was going to be our final realignment, I attained contact information for the 320th MP Battalion, and started making phone calls to the S3 section August 19th I met with the Battalion Commander, LTC [REDACTED] We received a tasking from the Battalion, to provide personnel for external security for the two compounds at Camp Ganci (it now has eight). We were tasked with providing personnel to operate external security, the Internal Reaction Force (IRF), and prisoner escorts for all of these compounds. When I say external security, I do not mean for the base camp but for the camp itself I had a dismounted roving guard to secure inside the camp during high traffic hours such as chow We were not responsible for accounting for the detainees 1LT [REDACTED] was in charge of the IRF We got the mission around the 23rd of August

I was aware that the 447th MP Company, 72nd MP Company, a quartermaster element, and some military intelligence soldiers were in the Abu Ghraib facility. The prisoner transport guards were involved with the MI soldiers, because occasionally they would go to the MI compound

I am aware of four to six detainee escapes I am aware of three incidents of detainee abuse inside of the entire complex My company was not involved in any of the abuse They did witness some of it though One of these was inside Ganci, one was in the hard site, and the third one was in a common area My IRF does not go into these areas on a regular basis, only to quell situations

My soldier did report the incident in the common area in August I did not witness this personally but was told by my soldiers The Abu Ghraib complex often came under mortar fire After one of the mortar attacks, a man and a woman were brought in, in connection with this attack The soldiers handling the male detainee were yelling at him in an excessively loud voice There were reports of physical contact between the U.S soldier and the male detainee I believe MI soldiers perished that night from the mortar attack, and a few were severely injured Whether he was the most senior officer, I don't know, but the 320th Battalion S3, MAJ [REDACTED] was there 1LT [REDACTED] and SFC [REDACTED] informed me about this I had them write their statements, and I turned them in to LTC [REDACTED] He said he would involve CID, because this was something he would not tolerate. As far as the final outcome, I don't believe he ever informed me of one I believe my soldiers reported events honestly, and accurately, and without the intent to harm anybody else

My soldiers didn't respond to the situation, when one of the IPs delivered a weapon to the hard site They assisted searching the people within that wing I do not recall them reporting any instances of detainee abuse from that specific event to me

The ROI and ROE were posted in each of the towers, so the soldiers could be familiar with them I did not have a Company SOP We revisited the principles learned from the training we conducted, once we arrived at Abu Ghraib, to make sure the soldiers understood them I did not receive written guidance from the Battalion I did not attempt to link up with them I should have There's no defense for that I feel my soldiers have conducted themselves with restraint and respect

One morning we went to the Staff Meeting, and LTC [REDACTED] wasn't there I believe MAJ [REDACTED] talked to us about it, after a Staff Call I believe that he said the 800th directed the suspension of the Company Commander of the soldiers involved, and the Battalion Commander, to preserve the impartiality of the 15-6 investigation There were two policies passed down from LG Sanchez I passed them down to the platoon leaders, and they read them I believe they did a sign-in roster I didn't understand that I was to read it myself

I have three platoons organic to me I deployed with one hundred fifteen. I have sixty-four left, assigned Three of those are not in Theater, and two more are going to be

REFRADs. I've had people hit their 24-month mark. I had a huge group of those leave in December, and there have been few personal situations, which have warranted REFRADs of individuals. I learned that there was no alternative, or method of getting troops in, to supplement the companies facing depleted strength levels. We have had a decrease in our mission requirements, due to the limited personnel that we have

I would say LTC [REDACTED] has a very open style. Whenever I've had problems, I would try to resolve them with the various section OICs, or whoever was the immediate source of the problem. Sometimes things did not reach the resolution that one would think logical. It just comes down to the fact that whenever people speak, you have to execute. You're allowed to voice your disagreement, but things just..

All along, at Abu Ghraib Prison, and throughout the entire operation, I realized that as a Company Commander, the only person I could rely on is myself, and my staff members. If it had not been for my junior officers, and NCOs, my soldiers would not have had basic soldier care things.

LTC [REDACTED] has surprised me. Whenever I heard we were getting an active duty Battalion Commander, I was like, "This is going to be interesting," but he has been a very reserved, and professional commander. He is firm. He allows you to voice your concerns, and he takes your advice into consideration. I have enjoyed working with him these past few weeks.

Typically, in my experience, people in our organization, i.e., the Reserve Components are more practical in nature. We are not just focused upon the Engineering aspect, or the Military Police things, or the Transportation Corps things. One of the benefits that our organization shares, and relishes is the variety of backgrounds and experiences that our soldiers have. People in an active duty unit may not share such a diverse view within their soldiers. I would say there was concern that an Active Duty unit might misunderstand us.

It was my understanding that LTC [REDACTED] would take action, by informing CID, of the incident reported to me by 1LT [REDACTED]. I would reiterate to my soldiers that the Battalion Commander said it was taken care of. I felt that they were satisfied with my response. I don't think they voiced anything other than that, and I had no reason not to trust my Commander.

I can't understand why we're there, as opposed to a more safe location. From what I've always seen of those types of operations, the entire base camp always seems to be in the middle of nowhere. I don't think anybody expected the post-war climate we have right now, but now that we have it, we need to be flexible, and adapt to the situation.

Force protection needs to be given ten times more support. I feel, and my soldiers feel that we're just sitting out there, waiting to die. That may be a harsh way to say it, but whenever you have mortars coming in, at such frequency, and such close proximity, I feel, as a Commander, I'm charged with bringing my soldiers home, but how do I control that? It's frustrating. It's frightening.

I just try to keep my men focused on the mission, and make sure that they're safe, and careful in the actions that they execute, that they don't do anything stupid, i.e., beat up prisoners, or steal other people's shit, or do any of the other things Joes do now and then

As far as improvements, there should have been SOPs from Battalion, and when the companies didn't get them, they should have asked for them

The prisoners' living conditions are abysmal I don't know how they're not rioting everyday There was a major riot, toward the end of November. I point to that, specifically, in how the Battalion's soldiers showed great restraint, in trying to resolve a situation with less-than-lethal force. It would have been very easy to crack open a 249 that day, and lay a hundred rounds down range, but the soldiers realized the situation they were in, and they wanted to be sure they were operating within the confines of the chain of command's guidance, and also maintain security That day, everybody who works at Abu Ghraib Prison saw how their action or inaction would effect their colleagues life. That was very much impressed upon them But again, that comes back to having the prisoners walking around in knee-deep mud, defecating, and urinating all over the compounds Undoubtedly those human excrements are going to become airborne. Our soldiers are going to be breathing them I'm going to be breathing them The chow the detainees receive has always been inadequate I haven't seen any of it, recently, but the quantity and the calorie content of that stuff is not sufficient.

One other thing, the fact that my soldiers did not know when they're going home has caused me great pain Our experiences have caused us to lose a tremendous amount of faith, in the Army Besides not knowing the going home date, it was the soldier care items that my soldiers needed, the fact that we didn't have heat 'til the latter part of December It was a culmination of things together As leaders, it's our job to give leadership to our soldiers, but eventually, after a while of telling them things in expectation of so on, and so forth, they lose faith in us It's a challenging situation I just often told them I understood their situation I would thank them, frequently. I would go out 2 o'clock in the morning, 8 o'clock at night, and sit in the tower with them, share their misery If I had something good in my care package, like a cigar, or some nice coffee, I would take that out to them, and just let them know, again, that I thank them for their service, and their professionalism, because out of 15 years in the Army National Guard, I firmly believe this is the best company I've ever been with, and that's not simply because I'm their Company Commander, either

The interview complete, MG Taguba advises CPT ██████ to not discuss, or reveal the contents of the interview, and he is released, subject to recall

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301 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 monitored
ROUTINE USES Your social security number is used as an additional alternate means of identification to facilitate filing and review
DISCLOSURE Disclosure of your social security number is voluntary

1 LOCATION Abu Gharaib Prison Iraq	2 DATE (YYYYMMDD) 2004/02/12	3 TIME 0800H	4 FILE NUMBER
5 LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6 SSN [REDACTED]	7 SSAN	8 STATUS CPT O3

9 ORGANIZATION OR ADDRESS
229 MP CO

10 [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT IN WRITING

Events and locations from 10 FEB03 until today

- 1 10-26 FEB 03-Home Station-prepped for move to MS and trained on individual CTT and NBC task
26FEB-13 APR 03-Camp Atterbury IN-completed individual and unit tasks for mobilization validation After validation was accomplished the unit focused on guard company training
14APR-01MAY 03-Camp Arifjan Kuwait-assigned to 304 MP BN 800 MP BDE Remissioned for customs clearing for redeploying units Assigned to the 220 MP BDE
01MAY 15 AUG 03-Camp Doha, Kuwait-performed the customs clearing mission here and at other bases as directed Was assigned to the 317 MP BN
15AUG 03-present-Abu Gharaib Prison Iraq-assigned to 320 MP BN and 800 MP BDE Assigned to perform external security on Camp Ganji, provided prisoner escorts with the complex, provided a 10 soldier IRI to respond to emergencies within the complex

2 Training at Abu Gharaib-the soldiers completed training on less-than-lethal weapons (shogun, etc., bayonet) Also reviewed the ROI/ROE

3 Abuse cases

a Case 1 In SEP/OCT 03 Abu Gharaib received some incoming mortars This particular night two US soldiers perished and a few others were seriously injured Elements of the battalion were dispatched outside of the perimeter to apprehend some suspects One of these suspects was a male and the other was a female According to my soldiers other US personnel were on site and directing the detainees The US personnel were yelling very loud at the male detainee and pushing him and shoving him Additionally the US personnel were observed to have struck the male detainee for no reason The male detainee did not attempt to escape or inflict injury upon any of the US personnel nor they levied blows to various parts of his body

b Case 2 In compound 5 of Camp Ganji one of the tower guards was shooting the prisoners with steel balls and a shotgun I don't know what company the soldier was from but it was not my company nor the 320 MP BN A CO of the 320 MP BN told me about it No punishment was levied against the soldier because the BN Staff said that a person's complaint is not a firm basis for punishing a soldier even though we had the steel balls

c Case 3 The 372 MP CO operates the hard site at BCF Some soldiers of this company were alleged to have forced prisoners to abuse other prisoners I believe the alleged events included sodomy The accused soldiers were to have recorded these acts on film This information is second-hand I did not witness any events

4 The command climate of the 320 MP BN is no different from any other unit that I have been in The commander is easily accessible as are all of his section OICs and NCOICs If I have issues with any directives I address them with the respective section OIC In the end they are my higher HQ and I do what they tell me

5 Players at Abu Gharaib

FOB CDR COL [REDACTED]	320 MP BN CDR LTC [REDACTED]	320 BN S3 MAJ [REDACTED]
320 BN CSM SGM [REDACTED]	320 BN OPNS SGM SGM [REDACTED]	320 BN Assi S3 CPT [REDACTED]
Compound NCOIC MSG [REDACTED]	165 MI BN CDR LTC [REDACTED]	372 MP CO CDR CPT [REDACTED]

10 EXHIBIT

11 INITIALS OF PERSON MAKING STATEMENT

DATE 10

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 RECORDED

STATEMENT OF

TAKEN AT

Abu Ghraib, Iraq

DA FORM

2823 02 12

9 STATEMENT *(Continued)*

6 Shootings/riots at Abu Ghraib

Shootings There was one occurrence of a prisoner obtaining a handgun from an Iraqi Corrections Officer. Another detainee informed the US forces of this weapon. A soldier of the 327 MP CO donned his IBA and entered the cell where the prisoner was located. The prisoner shot the US guard and the guard returned fire.

Riots There have been several small uprisings within the three sites, too numerous to mention individually. The general resolution was to deploy the IRF and search the living areas of the detainees. No major violence resulted from these incidents. In late Nov 03 there was a major riot in Camp Ganji. The prisoners threw rocks at the US POWERS. All personnel of the battalion were deployed to the site in order to increase security. The guards exercised great caution with their actions. In the end it was necessary to implement lethal force in order to regain control of the complex.

7 Attached are the memos from LTG Sanchez

8 I would say the command climate of my unit is average. I have tried to be open and honest with my soldiers about all matters pertaining to the unit. I encourage feedback from my subordinate soldiers and implement positive suggestions they raise and address issues of concern. As with any commander I bear the brunt of policies and decisions made by my superiors and sometimes my subordinate soldiers fail to see this. I attempt to communicate with soldiers of all ranks within my company and visit them regularly at their duty posts.

9 Changes I would implement

- a Develop a more proactive force protection plan
- b Inform the soldiers of when they are going home
- c Bring in soldier care resources such as chow hall, laundry, PX, etc. for the soldiers soon!
- d Search for SOP's for duty positions
- e Improve the prisoner living areas and prisoner food
- f Increase US strength at Abu Ghraib
- g Modernize the gear that my unit has
- h Fire back at the locals who fire mortars and rockets at us!
- i Hasten the prisoners' release process
- j Keen the TOTAL deployment for reserve component units to one year

10 The 205th MI BDE was the FOB commander of Abu Ghraib prison complex. My company suffered the same before and after their arrival.

NOTHING FOLLOWS

INITIALS OF PERSON MAKING STATEMENT

146 2 0 3 PAGES

STATEMENT OF [REDACTED]

TAKEN AT Abu Ghraib, Iraq DATE 2003/02/12

8 STATEMENT (Continued)

AFFIDAVIT

[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 ANY COERCION, FORCE, THREAT, OR UNLAWFUL INDUCEMENT.

WITNESSES

administered this 12 day of FEB 2004
at Abu Ghraib, Iraq

[REDACTED]
Signature of Person Administering Oath

1LT [REDACTED]
Typed Name of Person Administering Oath

Judge Advocate

Authority to Administer Oath

INITIALS OF PERSON MAKING STATEMENT

2A/1 1 0 3 PAGES

On 10 February 2004, a team of officers, directed by Major General Antonio Taguba, conducted the following interview. Major General Taguba was appointed as an Investigating Officer under the provisions of Army Regulation 15-6, by Lieutenant General David D McKiernan, Commanding General of the Coalition Forces Land Component Command (CFLCC), to look into allegations of maltreatment of detainees, detainee escapes and accountability lapses, at Abu Ghraib, also known as the Baghdad Central Confinement Facility (BCCF). The panel also inquired into training, standards, employment, command policies, and internal policies, concerning the detainees held at Abu Ghraib prison. Finally, the panel looked into the command climate and the command and supervisory presence.

The following persons were present:

MG Antonio M Taguba, ██████████, DCG-CFLCC, Interviewer
CPT ██████████, CFLCC-SJA, Interviewer
SFC ██████████, U S Army MP School, Fort Leonardwood, MO, Interviewer
CPT ██████████, 320th Military Police Company, Interviewee

The interview is summarized as follows:

My name is ██████████. My social security number is ██████████.
██████████ My rank is Captain I am commander of the 320th MP Company

I have been Commander of the 320th MP Company since 14 JULY 2001. We mobilized out of Fort Stewart, GA. We are a combat support company. We received CCT training and marksmanship training. Assets were not allocated for land or material, so we made up training for the rest of the 9 weeks. We were mobilized on 20 JAN 03, and we left 29 MAR 03. We are out of 317th MP Battalion out of Tampa, FL. They are assigned to the 641st ASG an army reserve unit.

We fell in on the 800th MP Brigade upon our arrival here. We didn't find out our mission until we arrived here in country. We arrived in Kuwait 29 MAR 03, and we arrived in Iraq on 4 APR 2003. The 744th was at the terminal when we arrived in country, at that time we knew we would not perform combat support. We never received any training on I&R. I also made known we had been focusing on combat support, and never performed an interment and resettlement mission.

I was briefed that our mission was to be in charge of external perimeter security, patrols and escort missions at Talil. We relieved the 18th Military Police Brigade in place so they could move forward and build a facility north. We knew it would be a transfer point, between Baghdad and Bucca. We handled detainees as needed, but our primary mission was escorting. We hadn't received any training on handling detainees. We have a vast number of soldiers with corrections experience.

We basically trained ourselves based on our METL. I certified the readiness status of the Company I reported to the MOB site commander COL [REDACTED]. The resources just were not there to train job specific. The problem with our training was we didn't know what our mission would be. If I had knew at the time what our mission would be all my training would have been focused toward corrections. I made my own MTOE of what was needed to run a routine combat support mission.

We were at Talil from April 2003 until November 2003. We were very familiar with the Geneva Convention, and ROE we certified that every soldier went through that training. We were given a TAC SOP for the 744th, which was based on a large-scale compound, but it didn't pertain to TSB Whitford because it was a non-standard facility so we made procedures up as we went along.

There was one escape while we were at Whitford. My company was not involved with the escape, but we assisted in trying to locate the individual. We were never in charge of any accountability while we were there.

In November we received word that we would be transferred to the Baghdad Correctional Facility. We did a recon of the area and met with the Battalion Commander to see what our mission would be. The advance party on the 16th the main body went up on the 20th of November. We were then assigned to the 320th MP Battalion. We had never worked with the 320th before.

My unit was brought up to fill in for shortages for soldiers that had refraded. We had replaced the 447th. We initially were put in the towers and we conducted roving patrols of the compound. There were several other units involved, they were the 229th MP Company, 670th MP Company, 870th MP Company, and the 372nd MP Company. We had never been associated with any of the companies. LTC [REDACTED] was the Battalion Commander. He explained what our mission would be in regards to filling in the vacancies left by the soldiers being refraded. We did a left seat/right seat changeover with the leaving unit. We hit the ground running having soldiers fill vacancies.

I had four platoons in the company. 2 line platoons and 1 headquarters platoon. I was basically in charge of giving bodies to the Battalion when they needed them. That has been our mission since we have been here. Since there have been units coming in fully manned we can probably start tasking companies on specific tasks. I typically received operational requirements from MAJ [REDACTED]. I interacted with MAJ [REDACTED] and LTC [REDACTED] almost on a daily basis.

Whatever unit needed personnel, my soldiers integrated with that unit. There was constant training on ROE, less than lethal, and handling detainees. We only work in the Camp Gancı area. I was aware of other companies running areas in the compound. I am also aware of non-MP's working in the compounds. I never had anything to do with the interrogations side of the house. I knew that there were MI individuals on ground, I couldn't tell you where they work.

We were not given any other mission, we just fill in where we are needed. I think an improvement for incoming units would be assignments to specific parts of the prison. It would give the commanders an opportunity to be directly in charge of their personnel. The 447th MP Company worked towers in Camp Ganci and did escort missions. No one company at Abu Graib is doing one specific job, units are doing a little bit of everything. It isn't confusing because we have been doing things this way so long everyone knows what everyone else is doing.

We had heard through the press about detainee abuse at Camp Bucca. We hadn't heard of any detainee abuse or shootings at Abu Graib. All the company commanders were called in and told that there was an ongoing investigation at Abu Graib, but we weren't told the reason.

I have heard of three escapes since the time I have been here. None of my personnel were involved. There was a riot in late November where my unit had to respond to. One of my soldiers killed an Iraqi rioter after expending his non-lethal rounds. There were a total of four rioters killed that day in order to calm the riot, but that was only after using up all the non-lethal rounds. There were a number of my soldiers injured that day. The riot was a Camp Ganci. I am not aware of any riots at Camp Vigilence or the hard site. An investigation was conducted, but I wasn't briefed on the outcome. The ROE was adjusted after the incident, so that the MP's could go to lethal force a lot sooner.

The use of lethal force is dependant on the situation. Lethal force is authorized for the defense of oneself or U S Forces if necessary. The ROE is posted in the towers, and all the soldiers are trained up. The JAG conducted a train the trainer session, and then the XO briefed the company. I can't say whether or not the other units were trained up on the ROE.

There are other isolated incidents where detainees have got out of control and have had to have non-lethal rounds shot at them in order to calm them down. There haven't been any more incidents where lethal rounds had to be used. There haven't been any attempt escapes in any of my compounds in the past few weeks. I have personnel working at several compounds at Camp Ganci. I have bodies at the compounds, I don't actually run those compounds the 320th run the compounds.

The command climate can be described as understaffed. There is a MI Brigade at the forward operating not conducting their duties as an external perimeter security force. The 320th has been stuck with having to do everything. There is confusion there as to who is in charge of what. I found out in December that an MI Brigade Commander was in charge of command and control of the forward operating base. COL Pappus is the MI Commander. It wasn't explained to me what their mission was. To my understanding they aren't fulfilling their duties as an external security enforcement.

I didn't find out about the allegation of detainee abuse until MAJ [redacted] called a meeting with all of the company commanders. He didn't go into detail; he just said it involved the chain of command of the 320th. There were several memorandums put out

by Gen Sanchez regarding treatment of detainees, I maintained copies and posted them in the company area

I am aware of AR 190-8, I am also aware of the Field Manual covering interment operations

I heard of General Officers coming to the camps, but times and dates were never posted due to OPSEC. I personally haven't seen General officers here other than Gen Karpinski. I interact with the other Company Commanders everyday. LTC [REDACTED] held a command and staff meeting every morning at 0900, it usually lasted about 45 minutes. There was also a Force Protection meeting at 1600.

No SOP's we provided to us from the Battalion. In my unit we had an unwritten SOP, everyone had an understanding of what the policies were. The forward operating base put out a matrix explaining the uniform posture for the each threat level. At Camp Ganci, there were weapons allowed in the facility.

My assessment of the command climate in the 320th is they are shorthanded. I think command is over their capabilities, and that has to have an affect on morale, soldiers are working 12 hours a day and maybe getting a one-day off every 2 weeks. My company is understaffed also, I have asked for replacements many of times. My authorized strength is 180 personnel, I am down to 118.

Since the allegations of detainee abuse have become public I think everyone is trying there best to rectify the situation, but it comes down to a lack of personnel. I think that senior leadership should be put in areas of command inside the prison, for example my situation where my soldiers work for someone else.

There was another meeting COL Pappus had called that briefed that there was an investigation ongoing, and MAJ [REDACTED] had assumed command of the MI battalion until COL [REDACTED] had arrived.

We were not involved in detainee accountability, and my primary mission was to fill in where personnel were needed. We believe out replacement to be the 420th MP Company. There is a new MI Battalion on board. I haven't had an opportunity to meet some of the new commanders.

My recommendations are that specific units be given specific tasks and enough personnel to complete those tasks. Also a clear understanding of what the commander of the forward operating base is supposed to be in charge of and what the commander of the prison is suppose to be in charge of. The soldiers working 12-hour shifts need to be supplemented with personnel so they can be reduced to 8-hour shifts and they can start to get time off.

Finished with the interview the panel briefed CPT [REDACTED] and then dismissed him.

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

The following persons were present

COL [REDACTED] MP, CFLCC – PMO, Interviewer

COL [REDACTED] JTF-7, Member

LTC [REDACTED] 703rd MP Battalion, Interviewer

CPT [REDACTED] 265th Engineer Group – SJA, Member

CPT [REDACTED] 800th MP Brigade, Respondent

The interview is summarized as follows

My name is [REDACTED]. My social security number is [REDACTED]. I am a Captain. I am the Inspector General for the 800th MP Brigade.

I am the eyes and ears for the commander. I try to test the climate to see if everything is fine, if it is not I report any and all deficiencies. I provide assistance to all the down trace units for investigation and inquiries. My peacetime mission mirrors my wartime mission, since we are IR my mission goes into the scope of prisoners, to make sure their treatment and health and welfare is up to standard.

I don't recall the Geneva Conventions being posted in any of the compounds. When we relocated I know that we had some books containing detainees rights transcribed to Arabic so they could be sent to the different compounds.

I would say BG Karpinski and myself have a good working relationship. She listens to the advice that I provide her. We would have a staff meeting every night if I had issues I would address them to her afterwards. We tried to have a meeting once a week, it didn't always happen but when scheduled permitted we would meet.

I am co-located at Camp Victory with BG Karpinski. She didn't discuss her command philosophy with me. I spent a lot of my time on assistance cases. I was on the road a lot assisting the soldiers with their problems.

The soldiers never reported abuses to me. The command climate was ever changing, but I think it was healthy. Things were rough in the beginning as far as basic soldiers needs,

but things gradually got better It was my opinion that the detainees were being taken care of better than the soldiers I would bring it up to the command and they were working on it, but things were just moving slow I felt sort of helpless at times because I was doing all I could Things really made a turn for the better when the DFAC was put together

Around the August time frame, the major concern was when the soldiers would return home I would brief BG Karpinski, but no one had an answer When Donald Rumsfeld said units would only stay one year; that made a big change in the climate of the Brigade Air conditioning, Ice, and water were also major issues in the command

I can't tell you if the commander briefed the soldiers about their issues, because I was always out handling my mission, or something directed by the commander

I wasn't able to determine the frequency of misconduct in the unit because at the time I was not aware of the disciplinary issues with the command As the JAG and myself started to mesh together, I started to find out more COL [REDACTED] was always truthful with me, but I perceived him as being arrogant I know he didn't want to be bothered, but I stayed on top of him about information I needed

I really didn't know much about LTC [REDACTED] I knew he was a Battalion Commander I had received a call from LTC [REDACTED] about looking at some counseling statements for 2 of his soldiers I was pleasantly surprised to receive a call from him regarding his soldiers LTC [REDACTED] never had spoken to me regarding the suspension of command that he had received

From my observation the soldiers were always in uniform, and always used the general customs and courtesies

Overall I think the 800th MP Brigade is a good unit I think that some mistakes were made and some people lost their morale compass I don't think there is anything that could have changed it I think that the changes within the unit could have had something to do with it For instance, LTC [REDACTED] was a nice guy, but he wasn't a fit for this type of job I never expressed my opinion to the Battalion Commander I thought that bringing in more help to LTC [REDACTED] would have helped tremendously Still, my gut feeling tells me that he wasn't the man for the job

I would rate LTC [REDACTED]'s command as a D or C I would rate the 724th MP Battalion as a C I try to stay away from rumors, but I have heard about sexual relations between the commander and subordinates I would rate the 540th as a B I would rate the 744th about a C to a B I would rate the Headquarters as a B I would rate the whole Brigade as a C I feel that the unit needs help

The books that were translated consisted of ICRC information from the SJA. COL [REDACTED] the CJTF-7 IG, requested the enough copies from me to distribute to the different compounds The Geneva Convention was covered in these books.

The major issues that I hand dealt with spousal support, promotions, and pay I did some due process reviews of UCMJ actions, and some harassment issues, but not sexual harassment I did a lot of counseling and training that they had to let previous disciplinary issues with soldiers were things of the past and they had to let them go

The Brigade Commander tasked me to do command climate-censing cessions for several MP Battalions and companies I spoke to the staff and the company commander's and got a feel to see if there was anything wrong with the commands. No one came to me about the command, I had two people come with issues not pertaining to the censing cession

I would brief the General on what came out of the cessions, but there weren't any issues that I needed to bring to her level for assistance

On the SGM ██████ situation, an EO complaint had been sent up the chain I informed the EO officer that I would speak to the parties involved I spoke to both parties I didn't receive much feedback from SGM ██████ I had let him no that when returned back to the rear that he would also have to talk to EO The allegation was that the SGM inappropriately put his arm around a lower enlisted A third party made the allegation I briefed the General and told her what information was there Their was an investigation initiated, and shortly after the SGM was relieved. I was told that there were also incidents back at Arifjan, with the SGM and the other party.

I heard that rumor about the 724th commander and one of her staff officers. I didn't find this out until way after BG Karpinski had took command I am not sure if the incident had been investigated or not

LTC ██████ was suspended for about a week or so LTC ██████ and LTC ██████ filled in while LTC ██████ was suspended MAJ ██████ became the XO in November

The command's responses to the allegations of misconduct towards detainees were taken very seriously She would have the staff to come in to her office to explain exactly what happened There were several meetings to review the ROE

I am familiar with AR 190-8, not in detail, but I am familiar BG Karpinski or BG Hill didn't task me to conduct spot checks on soldiers, or to see if the Geneva Convention was posted I must admit that is partly my fault because that is one of my responsibilities that I did not take care of

I just felt from LTC ██████ demeanor that with some of the stronger personalities in the unit that it was a bad chemistry

When I spoke to soldiers most of the did not have a problem with the chain command. I say for the most part the soldiers were trained to handle the missions I didn't noticed

written special order at any of the guard post, I missed them because I wasn't looking for them

I have very limited knowledge to the allegations of abuse at the BCCF

I think that unlimited access at any given time to the facilities for the ICRC or any of the other non-governmental agencies would have helped a lot. There was a need for ongoing patrols, so there would be constant watch on everyone throughout the facility

I know that early on there was a lot of pressure to get our facility up so that we could show the world how EPW's were suppose to be treated, as opposed to how our soldiers were being treated by the Iraqi's. During that whole process the ICRC was there showing us how everything was to be. We learned a lot from their presence. The problem of leadership hammering soldiers for incidents that had happened months ago has to stop in order for the units to run properly

In the initial stages I wasn't aware of any detainee issues. I realized the issues were not with the detainees but with the soldiers

I would rate discipline in the unit as a 3 with 5 being highest in the chart. We had a very large theater of operations where we had to transport detainees all over. I know of the all the successful trips that happened. I know of the living conditions in Camp Bucca. I would say the unit did a good job except for the allegations done by a few personnel

I would rate mission readiness as a 4. We could not set up compounds until we crossed the burn, so we had to start behind the power curve. We also had numerous logistical challenges that made the mission very tough for us. All in all I think we did a good job with all the obstacles that we had to face

The positive things that I saw was that the commander fully embraced the leave policy. One we passed the criteria everyone was afforded the opportunity to go wherever they wanted to go on R&R

Ending on a note like this is truly embarrassing and really hurts the unit. The whole unit has to suffer for the actions of a few individuals

Finished with their discussion, the panel briefed CPT [REDACTED]. The panel then dismissed CPT [REDACTED]

On 10 February 2004, a team of officers, directed by Major General Antonio Taguba, conducted the following interview. Major General Taguba was appointed as an Investigating Officer under the provisions of Army Regulation 15-6, by Lieutenant General David D McKiernan, Commanding General of the Coalition Forces Land Component Command (CFLCC), to look into allegations of maltreatment of detainees, detainee escapes and accountability lapses, at Abu Ghraib, also known as the Baghdad Central Confinement Facility (BCCF). The panel also inquired into training, standards, employment, command policies, and internal policies, concerning the detainees held at Abu Ghraib prison. Finally, the panel looked into the command climate and the command and supervisory presence.

The following persons were present

MG Antonio M. Taguba, ██████████ DCG-CFLCC, Interviewer
CPT ██████████ CFLCC-SJA, Interviewer
SFC ██████████, U S Army MP School, Fort Leonardwood, MO,
Interviewer
1LT ██████████ 372nd MP Company, Interviewee

The interview is summarized as follows

My name is ██████████ My social security number is ██████████. My rank is First Lieutenant I am assigned to the 372nd MP Company

I have been assigned to the 372nd MP Company for a little over five years. I was first platoon leader for about 3 1/2 years and then I was moved to third platoon at Fort Lee. We were mobilized on 24 FEB 2003.

We didn't receive any training at the MOB station, we did all of our training internally. We received some range support for one of the ranges but no organized training support exercises from a training support unit. We received the standard set of briefings on cultural customs, ROE, and other standard briefings.

None of the training was mission focus. We were not aware of our mission requirements, we just ready to do any kind of MP work. The company commander was CPT Reese, who took over in October 2002.

We arrived in theater on 15 May 2003. When we arrived in Arifjan we were in limbo for a couple of weeks. We ended up at the 310th than transferred to the 1st MEF. We moved north on 6 JUN 2003, to Al Hila.

We assumed a law and order/police liaison mission with the Marines. We had divided the city in sectors that we would patrol. We would mentor police station, tracked prisoner detention, assisting with arrest, dispose of excess weapons, and various other duties involved with helping out the Iraqi law enforcement. We did the mission for four months.

We arrived at Abu Ghraib-around 1 OCT 2003 We received the Battalion instruction, which was ROE, Geneva Convention, riot training, witness of feeding, and a two-week handoff with 72nd MP Company The 320th MP Battalion administered the training. I was assigned to the 372nd MP Company in November 2002 The entire company attended the training. We were given an outline and we gave the training We didn't have a subject matter expert

The purpose of the training was to prepare us for the new mission The mission set we were given was transporting and escorting Around November I was told to assist in the overseeing of Camp Vigilence, on 20 DEC 2003 I was asked to overlook the hard site, on 21 JAN 2004 I assumed duties as the company commander, and on 3 FEB 2004 I relinquished command as company commander My platoon was split guarding the compound and continuing the transporting and escorting mission SFC [REDACTED] was my platoon sergeant

SFC [REDACTED] ran Camp Vigilence, I checked in two or three times a day. I worked all the special issues for the camp I wasn't involved in the detainee counts; he was able to manage everything He handles prisoner feeding, camp improvements, counts, and anyone who came by to visitors I did not give SFC [REDACTED] specific guidance on the operations of the prison camp It did not appear a need to give specific guidance It was understood not to let anyone get away, make sure the detainees are feed, and make sure the detainees receive medical attention

I am not familiar with the contents of Geneva Conventions I probably should be I understand that detainees should be treated humanely and with dignity

When I assumed responsibility of the hard site, I didn't do any changeover with CPT [REDACTED] I just took on the mission There was no specific guidance given, I just ensured everything remained the same I didn't ask for any guidance, but I probably should have. I was told SOP's were coming through Battalion and Brigade We have yet to receive any SOP, SFC [REDACTED] had made some SOP's that are still under review

Battalion dictated accountability They wanted two counts by 1 D per week, we did actual prison counts two or three times daily The wing NCOIC's conducted the counts and rolled the reports up to the SOG, the SOG then rolled the reports up to Battalion My role was to make sure that the counts happened I verified the counts by word of mouth, I didn't verify that records were kept because there was never a problem with the counts

There were either two or three escapes out of the hard site The first escape, a group of detainees had got out through the infirmary and jumped out of a vacant tower, the second time there was a work detail were someone just escaped from, and the last time it was an similar incident but the ICO's were involved I don't know if any corrective actions were taken, I was not involved with any of the prisons when the escapes happened I ended up directing search operations at the time of the incidents

I assumed responsibility of the hard site on 20 December 2003. I thought I knew the personnel who worked the hard site, but things have come to light that has mad me change my opinion of certain people. I been in the company for five years, so I know the personnel, but I don't know them that well. I never checked any records of the personnel who worked the hard site.

I familiarized myself with the hard site by meeting with the wing NCO's and touring the facility. I would stop by randomly twice a day; I didn't have set hours, because I still had other missions I was in charge of. I didn't have a defined principle duty; the hard site OIC was a title that I owned. I didn't get engrossed in the hard site. I considered platoon leader as my principle duty. I didn't categorize my duties; I should have prioritized them.

When I took over the hard site there was 4 Tiers, now there are 6 Tiers. Tier 1A and 1B are controlled by MI and we work there. I am responsible for the MP's at the hard site. I was never responsible for the MI personnel. I understood my mission was to run the MP's in the hard site. MI took 1A and 1B from us, and CPA always had ownership of the property. I was responsible for the security of the Tier, and security only. CPT Reese appointed me OIC of the hard site. I was not given any guidance nor did I seek any guidance. I was responsible for the MP's guarding Tier 1A and 1B. We were responsible for counts, feeding, and medical attention.

When MI needed our assistance with detainees, they did their request through memorandums. The memorandums would dictate what MI wanted. The memorandums were signed by COL [REDACTED] and given to the NCOIC of the wing. The memorandums would give instructions on diet patterns, sleep patterns, music playing, and various other techniques that MI requested the MP's to carry out. I don't recall a directive for clothing removal. We fell in on clothing removal from the 72nd, but I don't know any specifics.

I heard of the shooting incident, but it was well before I took over at the hard site. I heard that an Iraqi Corrections Officer smuggled in a weapon to one of the detainees, three of our personnel had investigated and had been fired on, our personnel had returned fire and wounded the detainee, and they got the detainee to the CASH for medical treatment. I also had to respond to two Riots at Camp Ganci.

We frequently had visitors at the hard site, they were suppose to stop at the MP's office but because of its location it rarely ever happened. There were no firearms allowed on the tiers. I'm not aware of metal asps being authorized in the hard site, but everyone had knives we didn't do searches for knives.

I made checks about twice a day, I was looking for looking to make sure weapons weren't out. a general personnel and accountability check. I'm not aware of batons being allowed in the hard site, it is a touchy subject. No one is technically authorized to carry batons or asps. I did not pat my personnel down when they came for duty. It was established that body Armour and helmets were required and everyone was brought on-

line I couldn't account for what personnel brought in their pockets, it is possible soldiers could have brought in foreign objects

I wasn't aware of dogs working in the facility I didn't know any of the MI interrogators I have met the Chief, but I can't recall his name I've seen him of and on until present he still works there He is short, wears glasses, combat CIB, I just can't recall his name. I have met the interrogators also, but I can't recall any names

I have been told that events with CPL [REDACTED] and SSG [REDACTED] occurred between 2200 and 0400 I usually made my checks during the day. SFC [REDACTED] was usually there during the night I personally made no checks after 2200. I met SFC [REDACTED] during mobilization, he came with high recommendation from the rest of the E-7 in the company I met CPL [REDACTED] during mobilization, he was assigned to my platoon in during the summer He was having friction with the First Sergeant, and was transferred to my platoon I used him as a team leader He was selected by CPT [REDACTED] to man the hard site because of his corrections experience I heard that he had lost a corrections job, he sued than he got his job back

I have known SSG [REDACTED] for about five years He was a corrections officer also I have only known him professionally He was the nighttime NCOIC in the absence of SFC [REDACTED] He was also the SOG

I didn't receive any report regarding any misconduct in Tier 1A and 1B I didn't hear about the allegations until the investigation started

My understanding that beyond feeding and basic care MI controlled Tier 1A and 1B A memo was presented to the wing NCOIC when a detainee was needed for MI purposes The Tier 1A and 1B wing daytime NCOIC was SGT [REDACTED] the Nighttime NCOIC is CPL [REDACTED]

From 20 DEC 2003 until present I haven't see any unclothed detainees. I have seen detainees made to stand for long periods, detainees with bags over their heads, playing of music, and sleep deprivation

I knew of SGT [REDACTED] I have had no direct contact SPC [REDACTED] was my platoon mechanic in Bosnia SPC [REDACTED] I knew of I had daily contact with SGT [REDACTED] I never observed CPL [REDACTED] in the performance of his duties I had no observations of SSG [REDACTED] either Things were going smoothly I had no reasons to check up on the soldiers

I checked in with SFC [REDACTED] one a day at the 1600 briefing We would discuss if anything unique happened attempted escape, prisoner disturbance, and damage to the facility, and ICO behavior CPT Reese and I would meet nightly to discuss issues

The panel takes a break in the interview

The command climate can be described as open most of everyone has been in the company a long time. Morale has been low for a while. Unit has been double tapped with back-to-back missions. The chain of command has been aware of the morale situation. They started to let re-frads go and made a relaxed LSA environment. Steps have been taken but morale is still low. It was considered an ideal deployment until the allegations surfaced.

We were increasing the amount of discipline, we had just processed 1 of 8 Article 15's for various offenses. The allegation of detainees abuse did not initiate the Article 15's in the unit.

Our soldiers were not directly involved in the escapes. The ICO's were responsible when the escapes occurred. The ICO's were not under our control they are under control of the CPA. We do not have the facilities, capabilities, or time to train the ICO's. They are incompetent.

The company commander priorities were to maintain security of the prison, feeding of prisoners, and health of prisoners. Detention Operations can mean a number of different things. My definition of corrections is a therapeutic program to rehabilitate someone to return to society. Detention Operations means to me holding someone because they gave themselves up. The train of thought at Abu Graib is to not let the detainees get away.

The ICO's were not allowed to be on Tier 1A and 1B, so I wouldn't have expect the ICO's to be held accountable. The conduct displayed by CPL [REDACTED] and SSG [REDACTED] is criminal behavior not incompetence. I feel that the individuals involved should be held responsible not the chain of command. They would wait tell their was no supervision and then they did what they wanted to do. There is no other place in the world that these individuals could commit these acts and not be held accountable. They gained creditability in our minds by them having experience in the correctional field.

I feel discipline is ongoing regardless of mission and morale. In the absence of guidance I feel that soldiers can look upon the NCO Creed. I can't recite it, but I know it's content. I have received brief of the Geneva Convention. I couldn't tell you the bounds of my authority as far as being an military police, because we haven't done anything textbook since we have been here.

I have been a military police and an Officer for five years. My civilian job is a financial analyst. I don't know my bounds as a Military Police, but I should. I followed the instructions that MI gave me, I didn't question COL Pappas, because he is my superior and he is a subject matter expert. Detention at Abu Graib beyond feeding and medical treatment was not to let the prisoners to get away. During my tenure as OIC of the hard site I did not see nor hear of any nude prisoners at the hard site.

I have seen memos on sleep deprivation and feeding times only. During sleep deprivation they wanted the detainee to get 2 to 4 hours sleeps max. They enforce the

deprivation by making the detainee stand up, and playing loud music. The meal plans were meals given at random times during a 24-hour period

I am not familiar with the interrogation ROE. I am not aware that the Geneva Conventions had to be posted in the detainee's language. It did not occur to me to ask that question. I don't know my specific rights in regards to the Geneva Convention; I would be interested in anything that would improve my situation. I would be interested in whatever I was entitled to

During interrogation I am entitled to disclose name, rank, and serial number at a maximum. I would expect two meals a day, clothing, shelter, and basic medical treatment. This treatment was provided to all the detainees at the compound

I am embarrassed about what happened in the allegations. My recommendation is the best thing that could happen to the company is the return of the First Sergeant and the Commander. Anything else would be too complicated or fanciful. Training is an unrealistic expectation due to the shortage of personnel in the unit. We have had a riot and two escape attempts in the past week. Everything is working, but barely. The only way things are going to improve is if we receive an influx of personnel

CPT [REDACTED] is the new Company Commander. An MP company is not authorized an XO. I would never pass on an influx of personnel or more training regardless of how things were going

Something that would be helpful would be a established disconnect between MP's, MI's, and CPA. The division of labor, there is a lot of things that need to be done that are not getting done. We had a serious problem with maintenance, upkeep, contracting, and so forth. My guys had to step up and do things in and around the prison that wasn't being done. My soldiers had to suffer because they aren't in control of the budget, they weren't involved in the management of the facility

The ICO's can't be trusted. We can't hire them, fire them, pay them, nor reward them. They smuggle in drugs and weapons to the facility. They ICO's get searched; things still get in. If we go through the process to get them fired we wouldn't even have the illusion of some type of security. We have tried to discipline and train them but it is useless. We have brought it to the attention of the Battalion commander, the Iraqi Wardens, and the CPA representatives

Once again, I strongly believe the return of the Company Commander and the First Sergeant is the best thing that can happen for this company. There are all levels of leadership starting from the Tier NCOIC on up, which have witnessed the allegations and nothing was reported, I feel the command should not have to be punished for the acts carried out by certain individuals

Finished with the interview the panel dismissed 1LT [REDACTED]

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1 LOCATION FOB ABU GHRAIB	2 DATE (YYYYMMDD) 2004/02/10	3 TIME 2140	4 FILE NUMBER
5 LAST NAME, FIRST NAME, MIDDLE NAME	6 SSN	7 GRADE/STATUS 02	

8 ORGANIZATION OR ADDRESS 372ND MP CO APO AE 09335-1322
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9

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

Q Track your unit from mobilization to today and who was in charge at any time and what they were in charge of

A Our unit was mobilized 24 Feb 03, reported to Ft. Lee VA 27 Feb 03, arrived in theater 15 May 03, arrived at Al Hillah Iraq 6 June 03, return to Arifjan Kuwait for refit late Sep 03, advanced party arrives at FOB Abu Ghraib Iraq 1 Oct 04, main body arrives at FOB Abu Ghraib in middle Oct 03, 2nd platoon arrives at FOB Abu Ghraib 3 Feb 04

A Regarding the company chain of command CPT [REDACTED] was CO from prior to mobilization to late January 1SG [REDACTED] was 1SG from 2002 to late January 2003 1st Platoon Leader was 1LT [REDACTED] and was replaced by MSG [REDACTED] in March 03, SPC [REDACTED] serves as Platoon SGT CPT [REDACTED] served as 2nd Platoon PL until assuming company command in early Feb 04 3rd Platoon Leader is 1LT [REDACTED] CPT [REDACTED] was 4th Platoon PL with SFC [REDACTED] as the platoon SGT Upon arrival at FOB Abu Ghraib CPT [REDACTED] became the hardsite OIC with SFC [REDACTED] as NCOIC and 4th platoon working the hardsite MSG [REDACTED] became Camp Vigilant OIC and SFC [REDACTED] became NCOIC with 1st Platoon working Camp Vigilant 1LT [REDACTED] along with 3rd platoon assumed escort missions, POO Paying Agent, and various projects pertaining to the company in general These additional projects were not prison related Upon redeployment home of MSG [REDACTED] in mid Nov 03 1LT [REDACTED] assumed the position of Camp Vigilant OIC Upon redeployment home of CPT [REDACTED] on 20 Dec 03 1LT [REDACTED] assumed the position of Hardsite OIC Around 20 Jan 04 1LT [REDACTED] assumes acting command of 372nd MP pending return of CPT [REDACTED] or CPT [REDACTED] or additional orders 4 Feb 04 CPT [REDACTED] assumes acting company command of 372nd MP CO

Q Explain the training at the mobilization site, the training you got when you took over the hard site

A Training at the mobilization site was a standard package of ranges, CTT training and Ft Lee sponsored lectures Individual company level training was conducted focusing on Combat Support MP Operations (convoy escort, VIP escort, route recon, vehicle recovery, defend a site, vehicle checkpoints, searches, UXOs, and MOUT) in accordance with the 19-4 Manual.

A Upon arriving at FOB Abu Ghraib the company received Battalion directed or supported training on riot control, non-lethal munitions, ROE, and Gauci Feeding The 372nd MP also had an extensive right seal/left seal ride hand off from the 72nd MP CO (the unit operating Camp Vigilant and The Hardsite prison prior to 372nd MP)

Q What was your mission at the Hardsite? Who gave you that mission? and What did you think that encompassed?

A My mission was to oversee MP operations of the hardsite prison effective 20 Dec 03

A CPT Reese appointed me to that position

A I thought it encompassed the secure operation of the hardsite ie accountability, security, medical, and feeding of the detainees

Q Tell us about meetings, accountability, briefings etc with your company and/or battalion

A The Company CO attends the daily morning brief to the battalion in which he briefs the number of beds available as well as power and water status of the hardsite to the Battalion Commander The Company holds a nightly meeting at 1630 for company business

A Battalion requires 2 prisoner counts per shift to be phoned into them These are verified by the NCOIC with 2 counts conducted by Iraqi Corrector Officers (ICOs) independently These counts are then phoned to Battalion Additional counts (usually 1 or 2 a day) are not uncommon because of logistical needs or special requests In addition there are 2 counts a week by prisoner ID bracelet These too are delivered to battalion by the NCOIC

10 EXHIBIT

11 INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 7 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

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

STATEMENT OF [REDACTED]

TAKEN AT FOB ABU GHRAIB DATED 2004/02/10

STATEMENT (Continued)

Q Tell us about shift change, workers (guards) getting in and out of the hardsite

A Shift change is very chaotic. The ICOs operate on a rolling shift. Rarely are they able to effectively pass on information effectively because of it. They often abandon posts or miss procedures because of this. Especially newly implemented procedures during the renovation of the hardsite the numbers of workers posed severe security risks to the hardsite. Coupled with the large numbers of ICOs this severely complicated security within the hardsite. Since the conclusion of most of the CPA renovation projects the numbers of contractors has declined. Access points to the hardsite prison have also been restricted to 4, 1 of which can only be used by MI. I cannot provide additional details as I was not present at the hardsite during most of the renovation contracts. I arrived just as most were wrapping up.

Q When you were told/ordered to take over the hardsite what additional guidance were you given?

A I was told to just keep things running smoothly. Just check up with the NCOs and assist with any special needs or situations.

Q Tell us in detail what you would get from MI when being instructed to do certain things.

A Around my arrival (I don't know exactly when) at the hardsite it became procedure for MI to drop off at tier 1A/1B signed memos prescribing any special treatment that they required inmates to receive. These memos normally contained special instructions for feeding (times and types of food) as well as sleep plans (times, duration of sleep and methods of preventing sleep). These memos were required to be signed by the MI CO at Abu Ghraib. Since January I have had discussions with MAJ Price (MI) and CW4 Revas (MI) and we have all agreed that all such memos must be very simple and clear with instructions explained at the most basic level for the MPs operating in 1A/1B. MPs at 1A/1B with questions regarding these memos or their instructions are to utilize their chain of command for clarification.

Q Tell us about any escapes/riots/shooting- what happened why, when - what corrective action was taken

A I had no direct role in any of these actions so my data will be sketchy. I am aware of 2 maybe 3 escapes from the hardsite prison. One was an escape that involved 2 or 3 prisoners escaping through their window. I think it may have happened in the infirmary but I'm not sure. No one (including the ICOs) heard them removing the barriers on their window. They ran across the unoccupied fields using cover to make it to an unmanned guard tower where they changed clothes climbed the tower and jumped the perimeter wall. I guess this was in Oct. I was part of the search effort which was unsuccessful. The second attempt was off of a work detail. A soldier (non 372nd MP) was using a group of Iraqis for something. 2 or 3 went to the bathroom and never returned. I was again called to assist with a fruitless search. I don't recall the date of this escape. A final escape occurred where a ICO selected a certain inmate for a work task. The ICO gave the inmate cloths to change into at a portable toilet and the two left together. Neither has been seen. Again I don't recall the date. I am not aware of any corrective actions other than additional ICO placement for these incidents.

A There have been no riots in the hardsite prison. A riot implies loss of control of at least a tier. That has not happened since before Oct 03 and I'm not aware if it ever happened before that. What has happened on 2 or 3 occasions are tier disturbances. Prisoners being loud and rowdy. Throwing things, breaking things, being hostile and disruptive. This is what occurred on 8 Feb 04 in tier 5A. While it is loud, messy, and destructive the prisoners were all confined to their cells. These disturbances cause a general "lock down" of all tiers, and the calling of the IRF and or QRF and sometimes K-9. MPs don riot gear and perform cell extractions on those deemed to be instigators. Instigators are punished with solitary confinement. Tiers can be punished with loss of privileges. For the 8 Feb 04 incident CPA [REDACTED] tried to quell the disturbance using ICOs. When this failed MAJ DiMenna assumed control and used the IRF with K-9 and 372nd MP support to perform the necessary extractions.

A To date there has been only 1 shooting in the hardsite prison. The rest have been in Ganci. There have been no shots fired in Camp Vigilant since the summer of 03 by the 72nd MP CO. The hardsite prison shooting consisted of a gun battle between a MI security detainee (that received a weapon smuggled in by an ICO) and several of the hardsite MPs. This act caused ICOs to be banned from traveling near and around the 1A/1B as was their custom prior to Oct/Nov 03. Again I cannot recall the exact date. The MPs on duty (1A/1B night-shift) were alerted by one MI security detainee that another had a weapon (firearm). The MPs suited up in body armor and kevlar and armed themselves and went to the suspected person's cell. He was ordered to come to the door. He ran to the back of the cell and opened fire with a handgun. The MPs returned fire striking the subject in the legs. Upon running out of ammunition the detainee surrendered. He was secured and moved for medical treatment. CID investigated the incident, numerous ICOs were apprehended and held and the prisoner returned to 1A/1B when medically fit to do so. Again I had no direct role in this action.

Q Recommendations you would make to processes, conditions, etc that needs to be done to prevent abuse

A Knowing what I now know about the illegal acts committed by a select few on Tier 1A/1B I recommend we continue the nightly random checks by an E-7 or higher conducted at all sites.

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 4 PAGES

STATEMENT OF [REDACTED]

TAKEN AT FOB ABU GHRAIB DATED 2004/02/04

S STATEMENT (Continued)

I would also recommend that all soldiers involved in detainee handling undergo additional mission specific training as well as ethical instruction. My final recommendation would be for background screening to be performed periodically on all MPs. This should include input from the soldier's civilian employer.

Q Tell us about 3 escape attempts in past week as well as the riot - tell us about all escapes etc.

A I have already discussed some of this question at length so I will focus on the occurrences of the last 5 or 6 days now. On the morning of 4 Feb 04 the ICOs alerted the NCOIC to what the NCOIC perceived to be an escape. Once a translator was found it was discovered that no one had escaped but that 7 prisoners (the residents of a cell in tier 3B) had been found by the ICOs to have broken apart a bunk and were using it to chip away at their window. Damage to cell was minimal and the prisoners were put in solitary. The next attempt was on the night of 5 Feb 04. The night time NCOIC noticed that the yard lights were off. He instructed the ICOs to turn them on. Upon doing so he saw masonry on the ground. Tier 4A was locked down and 7 individuals were found in cell with a broken water pipe (taken from their room's water feed line) to have chipped away about half of their window. They had also constructed a rope ladder from shredded blankets. Again all participants were put in solitary confinement. On 7 Feb 04 the occupants of tier 5A were using the improvised recreation yard. While the MP was distracted by correcting some ICO behavior an inmate squeezed between the concertina wire and the wall of the building and took off running. The MP present gave chase. Several other MPs saw the prisoner and gave chase. He was eventually caught by a soldier passing by and 372nd MPs in foot pursuit. He was then placed in solitary confinement. During his attempt Tier 5A inmates were rushed back into their cells. During the movement they surged on the ICOs and destroyed a table, some chairs and a space heater before the ICOs and MPs got them back into their cells. The disturbance at Tier 5A on 8 Feb 04 was discussed previously on page 2 of this report.

Q Tell us about uniforms, standards and etc for guards on duty at the hard site

A Uniforms are in accordance with AR 670-1. Cold weather gear is authorized. Body armor and Kevlar are required when in proximity of prisoners as per 800th MP Brigade orders. These standards are enforced by the Company and Battalion Chain of Command.

Q Who was who in your company and platoon?

A In the company, CPT [REDACTED] CO (suspended), 1SG [REDACTED] 1SG (suspended), MSG [REDACTED] 1st Platoon Leader/OIC Vigilant (has left), SFC [REDACTED] 1st Platoon PSG/OIC/NCOIC Camp Vigilant, CPT [REDACTED] 2nd Platoon PL/Acting Company CO, SFC [REDACTED] Acting 1SG, 1LT [REDACTED] PL 3rd Platoon OIC Hard site Prison, CPT [REDACTED] 4th Platoon PL/OIC Hard site (has left), SFC [REDACTED] 4th Platoon PSG/NCOIC Hard site (suspended), SSG [REDACTED] 4th Platoon 1st SL/Daytime NCOIC Hard site/Acting 4th Platoon PL SSG [REDACTED] 3rd Platoon Hard site night time NCOIC, SSG [REDACTED] Operations/Hard site night time NCOIC (suspended), CPL [REDACTED] (now SPC) 3rd Platoon/Tier 1A/1B (suspended), SGT [REDACTED] 4th Platoon daytime Tier 1A/1B SPC Harmon and Ambule 4th Platoon Tier 1A/1B (suspended), SGT [REDACTED] and SSG [REDACTED] (moved to new assignment) 4th Platoon and night time hard site operations SPC [REDACTED] (mechanic) and SPC [REDACTED] (clerk) Operations Platoon 372nd (both suspended)

AFFIDAVIT

[REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 7. 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 11th day of February 2004
at [REDACTED] Victoria L. [REDACTED]

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Authority To Administer Oaths/

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 4 PAGES

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

STATEMENT OF [REDACTED] TAKEN AT FOB ABU GHRAIB DATED 2004/02/10

9 STATEMENT (Continued)

Q Who was your chain of command up to your Brigade Commander?

A My chain of command consisted of CPT [REDACTED], CPT [REDACTED], MAJ [REDACTED], MAJ [REDACTED], LTC [REDACTED] and BG [REDACTED]

Q Tell us how you interact with the ICOs

A The Hard Site MPs act as mentors to the ICOs we provide constant spot corrections, and ensure they do not abuse the prisoners. The Hard Site MPs have are in constant contact with the ICOs

Q If you had a problem with anything who would you go to?

A For any hard site problems I would first consult with the NCOs of the harsite for input. Upon determining the scope and scale of the problem and estimating the requirements for a solution various other people could be contacted depending on the nature of the issue. CPT [REDACTED], CPT [REDACTED], MAJ [REDACTED], MAJ [REDACTED] and LTC [REDACTED] were routinely available. For more specialized needs there are the ICO [REDACTED], the CPA [REDACTED], CPT [REDACTED] (Post Engineer Support), MAJ [REDACTED] (S-4) and the entire staff of 320th MP BN as well as various Abu Ghraib support staff.

I have answered these questions to the best of my ability. Should any clarification be required please contact me 1LT Raeder Lewis [REDACTED]

Nothing follows to PC

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 4 OF 4 PAGES

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

The following persons were present

[REDACTED] MP, CFLCC – PMO, Interviewer

[REDACTED] 705th MP Battalion, Interviewer

[REDACTED] 265th Engineer Group – SJA, Interviewer

[REDACTED], 800th MP Brigade, Interviewee

The interview is summarized as follows

My name is [REDACTED]. My social security number is [REDACTED]. I am the Aide-de-Camp for Brigadier General Karpinski.

I am responsible for overall safety. I act as a PSO. I am also a schedule manager. My branch is MP. I came to the 800th MP Brigade as BG Hill's Aid-de-Camp.

I went through MOB training at Fort Dix. We training consisted of conduct, ROE, and family separation. We did weapons qualification and j-list training. We did an internal CPX. We trained on Geneva Conventions.

BG Karpinski traveled quite often. There would be times we would go daily to the Baghdad Correctional Facility and at least twice a month to Camp Bucca or the prisons in the Mosul Area. When we went to Abu Graib she would touch base Battalion Commander. There were some changes in the position of Battalion Commander; the current Battalion Commander is [REDACTED]. It is my understanding that when the MI took over the facility the 800th MP Brigade was removed from oversight. I believe there was a discussion between BG Karpinski and [REDACTED] about who was in control of what.

There was nothing out of the ordinary when I visited Abu Graib. There were minor uniform discrepancies, but nothing major. I am not aware of the 163rd MI trying to set standards as far as saluting. I recall a discussion between BG Karpinski and [REDACTED] about living conditions as far as expanding the troop living area. I don't recall BG Karpinski's comments in regards to the expansion. I never sit in on conversations nor telephone calls that the General has.

I'd say BG Karpinski and myself have a pretty good relationship. She is a very smart lady, she knows her job, and I respect her a lot. She is hands-on when she needs to be, but she normally steps back and lets her leaders be leaders. If she sees something going off track she will step in.

I am familiar [REDACTED] suspension from his command. If I recall correctly the break in command was due to a couple of incidents, starting with the briefings given to LTG Sanchez. The briefing wasn't put out very well at all. [REDACTED] was unprepared. He did a pre-brief for BG Karpinski where she pointed out things she wanted fixed, they were never fixed. In addition there were taskings BG Karpinski wanted to be done that were never completed. I do not know if the suspension is documented. I think he was the time away from the command to regroup and get focused again, I believe when BG Karpinski felt [REDACTED] was ready he was put back in his position. [REDACTED] took his role during the suspension.

My opinion of [REDACTED] is that he is not a very confident leader. I feel that he doesn't have that leader's presence. I don't know the morale of the unit. I'm not certain about the command climate; I do know his staff is loyal to him. I believe the SGM has held censuring session, but I don't know the outcome.

We have 3 or 4 different prisons in Baghdad that we would visit regularly, to check up on troops, to see if they needed anything, and to let the soldier know they were not forgotten. The number one priority on the general's list was the BCCF. Once the 205th MP Battalion took control of the BCCF the next priority would have been Camp Bucca. I would say there was a decrease in visits after the 205th took over.

Her command philosophy was to focus on the mission, keep safe at all times, and the treatment of detainees with dignity and respect. She didn't have anything written, but after she took command she made her stops at every unit at every site.

There has not been an abnormal amount of disciplinary actions in this unit. I have heard of all of the disciplinary actions of the unit. I wouldn't say that is the norm, it's not proper conduct for anyone in uniform. BG Karpinski has been very strict towards the infractions that have happened in the unit. I would say that leaders that have been involved in some of the disciplinary incidents have either been suspended or relieved.

When BG Karpinski visited the units after the change of command she would meet with the Battalion Commander, and the Company Commanders. The CSM would talk to all of the senior enlisted.

I was in an AGR status starting October 2002 with the 306th MP battalion. I then was the [REDACTED] for BG Hill in January 2003. Previously I was a platoon leader in the 340th MP Company and 423rd MP Company, and I did 8 yrs enlisted active duty as an 11B.

I still have the schedules that I had made for BG Karpinski

When I accompanied the General on her command visits her main focus was the force protection, the force protection posture, the perimeter, needs of the Command, and soldier's MWR issues I believe she was aware of the problems with the S-1, but the unit has been overwhelmed with awards and NCOER's She has also been aware of the numerous problems with the S-4 and the problem getting supplies.

I believe reports of survey have been done for the light sets at Abu Graib It took a long time to get engineer support for Abu Graib, things didn't get situated to the M.I. got on ground My own opinion is that active duty got support where the reserves did not My opinion is that the FOE commander was supported more by LTG Sanchez than BG Karpinski I'm not sure if LTG Sanchez lost faith in the MP's after the briefing from [REDACTED] if so I feel that was a very harsh assumption.

I feel the BG Karpinski and LTG Sanchez had a good working relationship. I think she spoke to LTG Sanchez every 3 days or so There were lots of request put in, and they came back denied for different reasons My observation was that priority went to 4ID, 101st, or whoever else

We would always walk through the compounds BG Karpinski would ask the compound staff about population, how much space, how much food, and general detainee health and welfare issues She would ask about the command climate and if there was a problem what she could do to resolve it

She would ask about detainee treatment, but nothing specific to the Geneva Convention Everyone had already received briefings and training in regards to the Geneva Convention She would ask about the problems encountered with detainees and how they were solved I never saw the Geneva Convention posted, I knew there were SOP's posted There was hand written special orders manning the guard post, the general would inquire and make sure the orders were up to date

When the general was informed of detainee deaths and abuses around the compounds she was upset She would inquire to what exactly happened She would then inquire about the status of the detainees and soldiers that were involved in the various incidents

My opinion is that the unit should receive more frequent classes on detainee treatment and reinforcement of training in ROE

The battalions shared lessons learned through the S-3's of the Brigade, the S-3's of the different units would inform each other of trends they have seen and solutions they have used The general would hold a commander's call about once a month. I can't recall the issues that were addressed

After an incidents had happened at the compounds, we would evaluate the who, what, when, why, and how to see what had to be changed. The Camp Bucca incident happened

right at the end of General Hill's command. I believe the incident had been discussed in BG Karpinski's commander's call.

To my knowledge the rumor of sexual misconduct between a Battalion Commander and a Captain never made it to the level of allegations or an investigation, I am not sure if BG Karpinski was aware. The rumor was the 724th Battalion Commander had a sexual encounter with her female assistant [REDACTED] I believe that incident also took place during General Hill's tenure

Detainee Abuses or misconduct is reported to JAG or IG. I am not aware of any lack of responsiveness to commanders. People who make reports or not looked at negatively. It was MP's that brought the incident in Camp Bucca to light.

To my knowledge BG Karpinski did not withhold jurisdiction from the CFLCC Commander on any of her officer disciplinary issues. If criminal activity was committed there were no second chances given because it was not a mistake. I would say responses to disciplinary infractions in the command are about right on target not to lenient, not too harsh

Finished with their discussion, the panel gave [REDACTED] a list of items, to be addressed, and brought back on a Sworn Statement. The panel then dismissed 1LT [REDACTED]

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1 LOCATION Camp Arifjan, Kuwait	2 DATE (YYYYMMDD) 15 FEB 2004	3 TIME 1800 hrs(L)	4 FILE NUMBER
5 LAST NAME, FIRST NAME MIDDLE NAME [REDACTED]	6 SSN [REDACTED]	7 GRADE/STATUS [REDACTED]	

8 ORGANIZATION OR ADDRESS
800th MP BDE

9 [REDACTED]

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

While serving as the Aide-De-Camp for BG Karpinski from July 2003 until the present, I was present for almost all of her visits to detention locations throughout Iraq. When BG Karpinski would arrive at a facility she would be given an update by the unit that was there on the current status of the facility operation. She would discuss any concerns the unit commander had and offer solutions or advise them that she would take whatever action she could to rectify the problem upon returning to the 800th MP BDE TOC. She would ask the commander several questions concerning the detainees and their welfare. Also questions about the troops welfare and force protection. BG Karpinski would then walk around the facility and talk to the soldiers on duty to get their take on the situation at that facility. BG Karpinski would ask them how they were, what kind of shift they were on, how long had they been on shift, what were they responsible for, how were the detainees behaving, when had the soldier called home last, what were the emergency procedures did they have lethal or non-lethal in their weapon, did they check the weapons when they came on shift to ensure what kind of rounds were in the weapon. BG Karpinski would look at the facility and point out any potential hazards for the soldiers, detainees or possible weaknesses that would enable a detainee to escape. BG Karpinski would also note any force protection issues and discuss ways to improve force protection. If there were Iraqi prison guards working at the facility she would inquire about them to the facility commander and speak to several of them as she went through the facility. The visit would end with a recap of what the facility issues were and possible solutions, and then we would return to the brigade TOC or on to the next location. As requested I have attached the copies of my calendar that I used to maintain BG Karpinski's schedule. The first two weeks of January 2004 are missing due to me not keeping track of them on a calendar format, the remaining two weeks of January and February are present until the day we left Baghdad. The days on which BG Karpinski gave her "Command Philosophy" was during the initial visit with BG Hill during the last two weeks of June 2003. I would also note that throughout the operation as the mission developed, BG Karpinski would visit the facilities to ensure that the commanders at the facilities were clear on any changes to the mission and ROE. I DO NOT RECALL THE TIME AND DATE OF THE FRAGG THAT MADE THE MI THE FOB AT BCCF. I THINK IT WAS DURING LATE NOV 2003. AFTER THAT FRAGG WAS ISSUED AND COL PAPAS TOOK CONTROL OF BCCF, BG KARPINSKI CONTINUED TO MONITOR BCCF TO ENSURE HER SOLDIERS WERE BEING TAKEN CARE OF AND TREATED FAIRLY. BG KARPINSKI, AT THE DIRECTION OF LTG SANCHEZ WAS FOCUSED MORE ON THE MEK SITUATION AND CAMP Bucca. I SPOKE TO [REDACTED] CONCERNING THE PAPERWORK ON [REDACTED] FIRST REMOVAL FROM BCCF. [REDACTED] STATED THAT THERE WAS NO PAPERWORK CONCERNING [REDACTED] REMOVAL FROM BCCF, ONLY THE RELEASE PAPERWORK FOR HIS REMOVAL IN JAN. / [REDACTED] NOTHING FOLLOWS

10 EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

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

STATEMENT OF [REDACTED]

TAKEN AT Camp John DATED 16 FEB 54

9 STATEMENT *(Continued)*

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.

[REDACTED] *(Signature of Person Making Statement)*

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16th day of February, 2004, at Camp John, Kuwait.

[REDACTED] *(Signature of Person Administering Oath)*

[REDACTED] *(Typed Name of Person Administering Oath)*

ORGANIZATION OR ADDRESS

[REDACTED] *(Authority To Administer Oaths)*

[REDACTED] *(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT

EJM

PAGE 2 OF 2 PAGES

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On 9 February 2004, a team of officers, directed by Major General Antonio Taguba, conducted the following interview. Major General Taguba was appointed as an Investigating Officer under the provisions of Army Regulation 15-6, by Lieutenant General David D. McKiernan, Commanding General of the Coalition Forces Land Component Command (CFLCC), to look into allegations of maltreatment of detainees, detainee escapes and accountability lapses, at Abu Ghraib, also known as the Baghdad Central Confinement Facility (BCCF). The panel also inquired into training, standards, employment, command policies, and internal policies, concerning the detainees held at Abu Ghraib prison. Finally, the panel looked into the command climate and the command and supervisory presence.

The following persons were present

COL [REDACTED], MP, CFLCC - PMO, Interviewer
LTC [REDACTED] JIA, CFLCC - SJA, Interviewer
LTC [REDACTED] 705th MP Battalion, Interviewer
1LT [REDACTED] HHC, 320th MP Battalion, Respondent
SSG [REDACTED], 27D30, CFLCC - SJA, Recorder

The interview is summarized as follows

My name is [REDACTED]. My social security number is [REDACTED]. I am currently the Headquarters Company Commander of 320th Military Police Battalion, at Abu Ghraib BCCF. I am Reserve. I was involuntarily transferred from the 305th Military Police Company. There, I was company commander for a short time, platoon leader, and a squad leader prior to that. For us unfortunate Reservist, they force you from the unit you're in, to a unit that has a vacancy that's deploying.

My orders to the 320th are dated 27 November 2002. My role is basically to train for the unit's mission, prepare for deployment, manage supply motors. But, as far as mission, I don't have any operational responsibility for the confinement piece. The operation aspect falls to the S3, once we become operational. I maintain supply motors, and support of headquarters company personnel. After that, when it comes time to re-deploy, then I put together the re-deployment piece.

My orders are dated November, but we conducted the change of command inventory in January. The first time I came to the unit was in January. I finished up and drilled with my old unit in December, to wrap up administrative matters and duties that I had with the 305th, before reporting to the 320th in January. We call it "drilling on a 1310." Basically, you drill with another unit for that month, if your command approves you to drill with another unit.

When we got over here, we were at Camp Bucca, first. Then, we moved to Abu at the end of July - the 23rd. Our duties remained the same.

It's tough for me to address a lot of the training – any training that occurred prior to us leaving. I was there for one drill. The drill that I was there, was geared primarily toward equipment maintenance, licensing, and DRS training for S1 and inprocessing personnel. The training that was conducted prior to that, I can't comment on, because I wasn't there. I have to assume that the unit was trained on Internment/Resettlement Operations, because that's the unit's mission. As part of the 305th, we did our annual training normally with the 320th, which always involved IR Operations.

Training was ongoing, because we constantly had to adapt to the mission. When we first arrived, very little of what we did involved U.S. Army doctrine, because we took over a British established facility. We had to fall into their program, which was a good bit different from what we had trained on. So, we constantly upgraded and adapted to what we were doing.

Specific training, as far as mission goes, I can't address, because I'm not at those shift change briefs, guard mount briefs, when they have that kind of ongoing training. My role is more in the company area, than in the confinement area. I do occasionally go down there, only to talk to soldiers, to see how soldiers are going. I never have any input to the soldiers on ground in the facilities, as far as the operational mission, here, because that's not my role, and I don't want to step into something that runs counter to what they've been told by the S3 or the Operations Sergeant Major. Because, it's very confusing for soldiers as it is to have a Company Commander, and an S3 and an Operations Sergeant Major, because it's like they have two masters. They work for me, when they go home, when they go to work, they work for someone else. So, when I go into those areas, I deliberately stay away from talking operations. After we got on the ground here, that training piece belonged to Operations, because they're the ones with their ear to the ground. They identify training needs, and address those needs as they go along. Of course, we conduct EO, Sexual Harassment training, and Rules of Engagement training. I do those pieces.

We did have a couple of escapes. Assaults? No, I didn't hear anything. After our situation at Bucca, my guys are gun-shy about doing anything that would be considered abuse. If I heard anything, I would immediately report that to the Battalion Commander. It is the Battalion Commander's responsibility to take actions, but if he didn't, I would go to the next higher commander or the IG, to make sure the issue is brought forth.

Obviously, we could address it at my level from a UCMJ standpoint. But, in my personal opinion, any issue that deals with abuse of detainees is not appropriately handled at company level.

There is no policy, withholding jurisdiction to the Battalion level for certain cases. I know where Tier 1A and Tier 1B are at. I'm not aware of any of the policies at the prison. I've been at the hard site one time.

I'm also responsible for motors, promotions, administration, food, clothes, water – everything but operations I don't make up operations training. If the S3 asks me to train on something, I'll do that training. But, as far as creating operational training, that would be outside my lane.

We just finished training the CJTF-7 Rules of Engagement, which were published in December, I believe. We follow the standard theatre rules of engagement, which now include detainee pieces, because of some issues that happened during some riots several months ago. We don't publish or post a ROE different from the existing CJTF-7 ROE. We print it off directly as it is published, and post that at all the towers, guard posts, in the tents, etc.. There is no separate or alternate set of rules that we have within the facility.

I think the latest Rules of Engagement more than adequately addresses what actions should be taken with escaping prisoners, prisoners that are endangering the lives or safety of MP's or Coalition personnel. And, we have a Battalion SOP, which addresses rules of interaction, as far as dealing with detainees in general. I can't think of anything that is not covered in those two documents.

We are void of military police personnel. Each compound should have, I believe, 8 MP's. Most of our compounds have two, augmented by a clerk, a cook, and a supply soldier. We've lost 27 personnel to REFRAD, since we've come in theatre, and we don't get replacements for those folks. We need E1 – E4 military police personnel!

Non-MP personnel stand at the gate with a shotgun, they escort detainees on work details, they conduct headcounts, go through the feeding procedures. A lot of the paperwork is handled by the cooks, supply folk, MP's, because we're short clerks. So, everyone on the ground is doing everything.

These cooks, clerks, supply personnel work side by side with the MP's since this started. Essentially, they've been on a "right seat ride" from day one. So, they know exactly what MP's do, because they've been there seen it, and watched it for months, before we plug them into a position. Now, they're locked into those positions, because of their knowledge and the time that they've spent with MP's in that role. There are always MP's at the compound with them. I don't believe any of them work in Tier 1A or Tier 1B. They only work at Camp Gancy with Security detainees. I've been to the hard stand, once. My soldiers don't work with the MI at all, so I can't address what their mission is.

My Battalion Commander is LTC [REDACTED]. I see LTC [REDACTED] several times a day. He lives right across the courtyard from my CP. It's not uncommon for me to go to lunch or dinner with him, and I see him at daily staff call.

At staff call we discuss staffing. The Operations goes through a rundown of the previous day's events – any riots, searches, contraband that was discovered, supply shortages, feeding problems. It's like sitting in on a mayor's meeting at a village.

Issues that I've brought up are always handled within very short order. We had a Sergeant First Class (Promotable) that had an EO complaint, and he stepped outside of what was outlined in the reprisal plan, and I recommended to LTC Phillabaum, that UCMJ action be taken, and it was. A female soldier felt she was sexually harassed, and the case was expeditiously handled, by the Battalion Commander.

The only issues we've had at BCCF were a couple of escapes that happened early on. In those instances things were identified that we need to do differently, and were addressed. None of the escapes were the fault of my soldiers, specifically, but we did go back and re-train

The panel stopped, to discuss 1LT [REDACTED] statements

Finished with their discussion, the panel gave 1LT [REDACTED] a list of items, to be addressed, and brought back on a Sworn Statement

SWORN STATEMENT

For use of this form, see AR 100-45, the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301 Title 5 USC Section 2951 E.O. 13397 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 The 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 BCF Abu Ghraib Iraq APO AE 09335	2 DATE (YYYYMMDD) 2004/02/09	3 TIME 2030	4 FILE NUMBER [REDACTED]
5 LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	6 SSN [REDACTED]	7 GRADE/STATUS O2/USAR	[REDACTED]

8 ORGANIZATION OR ADDRESS
HHC 120th Mil Inf Det Battalion BCF Abu Ghraib Iraq APO AE 09335

9

[REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

1 Explain your role as company commander and your relationship with operations

My role as HHC Commander once in the theater of operations can be compared to that of a parent. I am responsible for making sure that all battalion personnel have a place to live, water to drink, food to eat, clothes to wear, vehicles to drive, and that all of their administrative needs are met. When necessary I counsel and punish. I have a small group of about 10 soldiers who report directly to me and help me to ensure that all of the above mentioned tasks are accomplished. I am not involved in direction of battalion personnel in accomplishment of the unit's defined mission. In this case interment/resentlement operations. That job belongs to the S-3 section. I would liken the S-3 to one's boss. When the soldiers leave the living area and go to work, they belong to operations and I am not at all involved in what they do during that time. As soon as their shift ends they belong to me again. They work for us but they have to live with me. During peacetime operations, I am responsible for basically the same things mentioned above but I am also responsible for planning, conducting and documenting all training to support the unit's METL. However, operations is heavily involved. My relationship with the operations section is excellent. We communicate daily on unit/soldier needs and requirements and this almost completely eliminates getting into each other's lane. I am regularly asked my opinion but rarely sit in on decision making sessions that involve operational matters. I also regularly ask the S-3 for his opinions and guidance.

2 Further explain ROE and ROI. When were they approved, trained and distributed?

The rules of engagement define the inherent right to self-defense and the application and levels of force necessary to counter a threat. The unit has been trained on the rules of engagement several times during this operation. Training is conducted each time the rule changes or gets updated. The initial training on the CFLCC ROE (dated 31 Jan 03) was conducted at Camp Arifjan, Kuwait on 17 Mar 03. Training was conducted on the 800th MP BDE ROE on 18 May 03 (undated), 18 Aug 03 (undated), and 30 Nov 03 (dated 6 Nov 03). Training was conducted on the CJTF 7 ROE in January (4). It should be noted that the first part of the 800th MP BDE ROE closely follows the theater ROE. The second part of the 800th ROE pertains to detainee operations.

The rules of interaction relate to the conduct of soldiers when dealing with detainees in situations that do not involve hostile action or threats to US soldiers. The ROI refers to respectful treatment, prohibition against traumatization, respect for religious material, etc. It is a very basic guideline for standards of conduct in detainee operations. Our ROI is contained in the battalion SOP that was published on 2 Feb 03. It was trained during mobilization at Ft. Dix NJ in March 03 and again at Camp Bucca, Iraq on 18 May 03. The ROI has not changed during the operation.

3. What was the reason to support the methodology of placing cooks, clerks, and supply personnel in MP positions at Camp Gan 1?

While I was not part of the decision making process I am aware of why this decision was made. Simply there were no MP to fill those positions. The unit has lost 19 MP for various reasons since deployment. The other units at BCF are in the same situation. There is no one left to do the work.

4. How often do you and the Battalion Commander go into the compounds to interact with the soldiers? What time of day?

I only go to the compounds around once a week normally in the morning after staff call or right after lunch when they change shifts. Most of my interaction with the soldiers occurs in the LSA. The Battalion Commander is at the compounds every day at all different times. He spends so much time there that some of the NCO's have complained. They feel that at times they get

10 EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT <i>[Signature]</i>	1 PAGE 1 OF	2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF" _____ TAKEN AT _____ DATED _____

THE BOTTOM OF EACH JP FORM MUST BE INDICATED THE BOTTOM OF EACH JP FORM MUST BE INDICATED

STATEMENT OF Warren Edward Ford II TAKEN AT BCF DATED 2004/02/09

9. STATEMENT *Comments*:
by passed because [REDACTED] is so approachable and accessible

5. Are you aware of methods for identifying, logging or tracking reported problems?

I am not aware of a formal procedure or method for identifying, logging or tracking reported problems.

6. Have the unit members been trained on Geneva/Hague? Where is it posted?

All of the unit's members were trained on Geneva/Hague during basic training. It was most recently trained at Ft. Dix, NJ during mobilization in February. To my knowledge it is not posted.

AFFIDAVIT

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

[REDACTED]
(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me a person authorized by law to
administer oaths this 10th day of FEB 2004

at Victory Camp

[REDACTED]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

EDWARD A. RAY, CPT, TA

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 0 PAGES

On 10 February 2004, a team of officers, at the direction of Major General Antonio Taguba, conducted the following interview. Major General Taguba was appointed as an Investigating Officer under the provisions of Army Regulation 15-6, by Lieutenant General David D. McKiernan, Commanding General of the Coalition Forces Land Component Command (CFLCC), to look into allegations of maltreatment of detainees, detainee escapes and accountability lapses, at Abu Gharib, also known as the Baghdad Central Confinement Facility (BCCF). The panel also inquired into training, standards, employment, command policies, and internal policies, concerning the detainees held at Abu Gharib prison. Finally, the panel looked into the command climate and the command and supervisory presence.

The following persons were present

COL [REDACTED] MP, CFCC – PMO, Interviewer
LTC [REDACTED] JA, CFLCC – SJA, Interviewer
LTC [REDACTED] 705th MP Battalion, Interviewer
1LT [REDACTED] 229th MP Company, Respondent

The interview is summarized as follows

My name is [REDACTED]. I'm a First Lieutenant with the 229th MP Company, Virginia Army National Guard, currently located at the Baghdad Central Confinement Facility at Abu Gharib. My social security number is [REDACTED]. I'm in charge of 3rd Platoon, and we've been tasked to organize at Abu Gharib. Our mission is to run the Internal Reaction Force, and to provide escort guards within the confines of the facility. I enlisted in 1985. I was infantry active duty for 3 years. After an 11-year break in service, I went to the National Guard, and to OCS. I've been with the 229th MP Company, since 2001.

My commander is CPT [REDACTED]. We've been at the BCCF, since August 2003. I was TDY in Saudi Arabia, prior to that. The rest of my company was at Camp Doha, Kuwait.

We did some confinement training, at the MOB Station. It was anticipated, that we would have that mission when we arrived. We did customs when we arrived, but our mission at the prison is pretty much a no-brainer.

It seems, being a National Guard Company, we do a lot of things on our own, when we should have more help from the battalions. A lot of questions we've had, pertaining to movement, I've had to go outside the chain.

Our living conditions aren't that bad. We have a hard roof, over our heads, MRE's, and water, so I can't complain.

We are way short of personnel. When we're short, we suck it up, and work longer hours. I'm in charge of the Internal Reaction Force. I've got 10 guys that are on call 24 hours a day. Since I have 2 missions, I've been able to sacrifice my escort mission. Anytime I lose somebody due to REFRAD, or injury, I'll pull them to my mission. My numbers are okay, but the other 2 platoons are steady losing people, and have to put support personnel to work in the towers.

As far as equipment's concerned, we have just got a brand new conex full of stuff that came with the 16th Brigade, less than lethal capabilities, and we're in the process of digging through that. We hadn't had that. We deployed with clear face shields and some clear riot shields. I'm a SWAT Team Leader on a civilian police department, so I've been on raids, and I know the clothing and tools that we need to do the job. I've asked for those things, when we first got there. We didn't get them, so we've made do with what we've had. For instance, collapsible batons are great for that environment, because you don't have to stand there with a stick in your hand. To me, standing there with a stick in your hand, automatically escalating to force. It's unnecessary, if we go in there to hold the prisoners, while they're going in there to do a compound search. We can stand there with our shields, and, quite often, we stand at rest, but we don't even have baton holders. So, we took our riot batons, and sawed them in half, now they're our short batons. Little things like that we've had to improvise.

Talking from my slice of the pie. The new Brigade Sergeant Major came out, last week, and actually spent time with the troops in the towers. He came out and talked to me, and went through our living areas. He seemed like he had a genuine concern for a lot of the things that soldiers brought up. I wasn't at the NCO meeting, but I know a lot of the stuff that was brought up, like uniforms, haircuts, and Army standards. The soldiers told him, "We would love to do those things, Sergeant Major, but we don't have a barbershop or alterations out here," little things like that, and he took a genuine concern to that, and he seemed like he will make something happen.

I never met the Brigade Commander. I've never worked in a brigade setting. I was a grunt, when I was on active duty, and I never met my Brigade Commander, then either.

Sir, the truth of the matter is, I write SOP, and send it up to them. They asked me, when I came back off leave. They said, "We need an IRF SOP," for the oncoming battalion, so I did an SOP. This isn't unique to this battalion. It happened in Kuwait, as well, and at MOB Station. They ask for us to do these SOP's, which I don't know if that's protocol, or not. They do not provide the commander's intent.

COL [REDACTED] reads a sworn statement made by SGT [REDACTED] and MAJ [REDACTED] responds as follows:

[REDACTED] was there at the site, but I can't answer to whether he saw the abuse or not. It was dark out there. When this happened, and the MI soldier said, "I'm a professional," and they started to get out of hand, in my view, I went over to MAJ [REDACTED] and said,

"Sir, you gonna let this happen," and he looked at me. I don't know whether or not he knew what I was talking about. I was mad, maybe a little unprofessional, and said, "I'll do something about it, then" I walked over to where the MI people were. They had already dragged the guy back there. I didn't witness the abuse in the back of the truck. My platoon sergeant did. I asked who was in charge, and everything kinda de-escalated from there. So, whether he saw what was going on, I don't know. I don't remember the MI person's name, but he was an E6. I think I asked him what his rank was. When I asked, "Who's in charge of this crew here," he said, "I am," and I asked, "What's your rank?" But, whether I asked him or his 1SG, later, I know he was an E6.

That was my only dealing with MI. My opinion is - they just had a couple of their friends killed by a mortar. They were really emotionally amped up, and to bring these guys over here, whether they were guilty or not, it was a bad call. I can say that my escort team escorts prisoners from the various camps, to the MI interrogation cell. They say it gets loud in there, but according to the rules they have posted, there was no abuse going on. They have their rules posted in their TOC, not in the interview area. As I lost people, I pulled my people off that duty, so they're now doing their own escort. The rules state that you can yell at a person.

COL [REDACTED] presents 1LT [REDACTED] with the 205th MI's Interrogation Rules of Engagement, asking, "Like this?" 1LT [REDACTED] responds as follows:

That's the same thing. We're not given that. That was one of my only dealings with MI, but I don't believe they behave that way all the time. That's the first time I saw those rules. You have to understand, Sir - My LSA is probably about 200 - 300 meters from their LSA, and I never had any reason to go over there, until my guys started doing escorts for them. I was very apprehensive about my soldiers working with their soldiers in such a short time span, after this incident had happened. It was made clear, that if we saw anything like that again, then we were to report it.

I can't remember putting out information about Geneva Hague. We've gone over General Order 1A, and the Rules of Engagement, but specifically reading the Geneva Convention rules of mistreatment. We went over that in MP School. Recently, there was a memorandum put out about things you're not supposed to do. I don't know if that was a knee-jerk reaction to something that happened, but it specifically says things in there about mistreatment, photography, and contraband, stuff like that. My platoon, they know me, and they know my platoon sergeant and me won't stand for that, and we try to set a good example. I know they would report anything to me.

I was there when the abuse happened, and my soldiers looked at me. Well, the first thing that happened was a guy walked up to the prisoner, and shoved his face toward the ground. A couple of my guys said they hit him, but it look like they shoved his head toward the ground. Right there, the flags went off, like this wasn't going to go well - the cursing and the yelling, tempers and everything. That's when I tried to diffuse it by saying, "Hey, that's not professional." That's when the guy fired back at me, that he was

a professional. So, I went ahead and tried to nip it in the bud. I didn't know who the person was, but I felt like it was my responsibility, since I was the ranking person. The prisoner posed no threat to anybody there, and that's just basic rules of engagement. I think the person was bound, and he had a shirt over his head. I don't have a problem with that, but when you start shoving someone around, and screaming and cursing at them in English, I got a problem with that.

I know the chain of command through battalion, but within the last couple of months, COL [REDACTED] who was the MI Commander, was the FOB Commander, but I don't think the MI had any control over the 320th. The 320th answered straight to the 800th.

I know the mission comes first, but you really got to look out for your troops. You got to be willing to go into conflict to enforce the standard. You can't be afraid to do that. Right now, the way the prison is run it's dangerous. They've been working soldiers on 12-hour shifts, since August. I think somebody needs to put their foot down, and say, "We need to staff that." It's not good for the soldiers to be working in that environment, taking fire, and working 12 hours a day. I'm blessed. We're working 24 hours, but we may only get called twice a day for only an hour at a time. It's not bad for my guys, but when they start pulling cooks to do MP duties. You know.

When you don't have tools to do the job, you got to be willing to push it farther than the person that told you no. If I'm a battalion commander, and you're my brigade commander, and I need X number of troops, to do a mission, and I know they're out there, and you say well we haven't got time, but we've got a week in advance, I'm gonna keep coming at you with that question. I'll say, "Hey, my guys are working 12 hours a day. We're supposed to have X number of soldiers to work all of these camps. What do you mean, 'No'?" This can't happen. Soldiers are gonna start dying. They're gonna start sleeping on the job. Prisoners are gonna start escaping. We're gonna look like a bunch of idiots out there.

The panel stopped, to discuss 1LT [REDACTED] statements.

Finished with their discussion, the panel gave 1LT [REDACTED] a list of items, to be addressed, and brought back on a Sworn Statement.

SWORN STATEMENT

For use of this form, see AR 190-46; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301; Title 5 USC Section 2951, E.O. 9397 dated November 22, 1943 (SSN)

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be 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 Victory, Iraq	2 DATE /YYYYMMDD/ 2004/02/10	3 TIME 2208	4 FILE NUMBER
5 LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6 SSN [REDACTED]	7 GRADE/STATUS O-2 / ILT	

8 ORGANIZATION OR ADDRESS
229th Military Police Company, Baghdad, Iraq, APO AE 09335

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

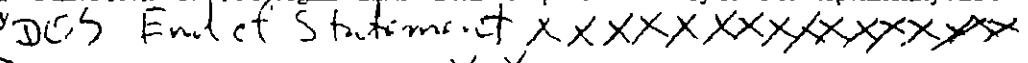
On February 10, 2004 at approximately 1500 hours I was questioned at Camp Victory, Iraq, in regards to specific incidents and leadership at the Baghdad Central Confinement Facility. Upon summarizing the interview I was asked to expound, in writing, on three key questions.

I was asked if I had to pass on any thing I had learned during my tour of duty in Iraq to soldiers or leaders who were about to be deployed here what would it be. My answer was to not be afraid of conflict to enforce the standard. This applies to leaders dealing with subordinates as well as superior officers and NCO's. I have heard too many times during this deployment from my commander that he didn't want to do anything that would jeopardize his career. While I applaud anyone who wishes to serve on a full time basis, I feel this attitude has led some officers to seek approval for decisions which should be handled at the company level. One example is MSG [REDACTED]. He was deployed as a E-7 Squad Leader in my platoon. He was promoted to E-8 in November with a promotion date of August. I had requested he be moved to a position within the company commensurate with his rank and it was agreed that he would be moved to HQ to assist the acting First Sergeant. I was assuming he could be rated in that position. Around the 1st of February, I learned that he could not be rated in that position because there was no spot on the UMR. In addition, a platoon sergeant could not be moved without cause to open a spot on the UMR, even though he is senior to every enlisted soldier in the company, except for the acting First Sergeant, MSG Utter. CPT [REDACTED] has repeatedly emailed and called the state of Virginia seeking guidance in this matter. Last week it was clear to me that there were only one of two options. MSG [REDACTED] could complete his tour and be rated as a squad leader through his promotion date in August, or he could be REFRAD. I brought this up to CPT [REDACTED] attention and he said he would seek further guidance from the state. I feel this attitude of not wanting to rock the boat has caused us to work understaffed and ill-equiped at times not only at the company level, but battalion and brigade as well.

I point the finger at myself as well. During IDT weekends and AT events, Guard and Reserve soldiers form working relationships, which eventually breed friendships. While this is rarely a conflict during peacetime duty, during this deployment I have caught myself overlooking simple standards, i.e., haircuts and military bearing, in order to keep peace within the platoon as long as the mission was accomplished. While I may have avoided conflict with my subordinates, this could have compromised good order and discipline within my platoon. Fortunately I have been blessed with mature, knowledgeable soldiers and they have excelled in every mission assigned. These are a couple of examples of what I have learned as a platoon leader in Iraq.

I was also asked to compare leadership styles of the 800th MP BDE versus the 16th MP BDE as it relates to the conduct of our duties at the prison. While I had very little interaction with the leadership of the 800th MP BDE, I have had an opportunity to interact with LTC [REDACTED] our interim Battalion Commander, and the Brigade Command Sergeant Major of the 16th MP BDE. The BDE CSM did a site visit at the prison and stayed there for a couple of days. While he was there he visited the soldiers in their work and living areas. He conducted some NCODP with the senior enlisted and let them voice their concerns. He seemed genuinely concerned for the welfare of the troops. Our Battalion Commander LTC [REDACTED] was present during a riot at the hard prison 8 Feb 2004 on wing number five. (the Internal Reaction Force of which I am the OIC) was tasked with quelling the riot and apprehending the instigators after the Iraqi ICS guards were unsuccessful. LTC [REDACTED] allowed me to execute my plan without interference and conducted a thorough AAR when the incident was over. He is very visible at the facility and seems open minded and proactive. In summary the 16th MP BDE leadership seems to be more proactive than reactive.

Finally I was asked about any Hague or Geneva Convention training I had received during this deployment. I cannot recall any specific instance where we formally studied either treaty other than my initial entry training and OCS / OBC. General guidelines are in General Order 1A which we have reviewed. To recognize mistreatment of a prisoner is every soldiers responsibility and it should be reported immediately.

DGS End of Statement 
 

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

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

MET
1000 hrs

AFFIDAVIT

[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

CJTF-7 PMO

Boatman, Eric

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths this 11 day of February 2007
at CJTF-7 PMO Bagram, AF

[Signature of Person Administering Oath]

ORGANIZATION OR ADDRESS

[Typed Name of Person Administering Oath]

AFT 130 (5)(4) 116,5

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

On 22 February 2004, a team of officers, directed by Major General Antonio Taguba, conducted the following interview. Major General Taguba was appointed as an Investigating Officer under the provisions of Army Regulation 15-6, by Lieutenant General David D. McKiernan, Commanding General of the Coalition Forces Land Component Command (CFLCC), to look into allegations of maltreatment of detainees, detainee escapes and accountability lapses, at Abu Ghraib, also known as the Baghdad Central Confinement Facility (BCCF). The panel also inquired into training, standards, employment, command policies, and internal policies, concerning the detainees held at Abu Ghraib prison. Finally, the panel looked into the command climate and the command and supervisory presence.

The following persons were present

COL [REDACTED], MP, CFLCC – PMO, Interviewer
LTC [REDACTED] SJA, CFLCC – SJA, Interviewer
LTC [REDACTED] 705th MP Battalion, Interviewer
CW2 [REDACTED], CJTF-7, C2, IMIR, Respondent

The interview is summarized as follows

My name is [REDACTED]. I am a CW2, Interrogation Technician. Currently, I'm assigned to the CJTF-7 C2, in the IMIR, Iraqi Military Intelligence Requirement project. I work specifically for [REDACTED], as of 16 Feb 2004. Before, I worked for the 205th MI Brigade at Abu Ghraib. My immediate supervisor was MAJ [REDACTED] from October 2003 to January 2004. My Senior Rater would have been COL Pappas. I arrived at Abu Ghraib around the middle September 2003 as the Operations Collection Focus Element Team.

Interrogations took place in Tiers 1A and 1B. Upon arrival we had three interrogation tents for a lot of people. So, at the end of the tier was a room that was actually a non-used stairway that was used for interrogations. There were also non-used showers that were used, as well. Tier 1A is on the left hand side and Tier 1B is on the right hand side as you walk down the corridor towards the back exit. I believe it was on Tier 1A. The door at the stairwell was locked. No one ever used it. There were showers on both tiers.

MP role was to stay near the entrance way in order to escort detainees back to their cells or, if the detainee requires medical attention, to summon aid. The MP unit assigned to Tier 1A was responsible for that section. Operations were controlled by the MPs. While interrogations were taking place, MPs were allowed into the interrogation room, if the MPs felt that they needed to be present.

We all followed, I think it's called, the Interrogation Area SOP. MAJ [REDACTED] generated it. I don't have a copy, but there are copies at the JIF.

We may have done twenty to twenty-five interrogations in this area, but I'm not sure. The actual interrogators assigned to our Interrogation Control, and one of the MPs who

happens to be on schedule were usually involved in the interviews I can't remember who was involved in the last interview We stopped doing interrogations there in November, because, we got the ability to do interrogations at the wooden site The MPs are not involved, because there are not enough MPs to go around

I wasn't there, but I understand LTC [REDACTED] observed some interrogations I know [REDACTED] [REDACTED] is an Interrogator We do have a log The ICE maintains it. I don't have access to it All detainees belong to the MPs They're in their custody. Sometimes, an MI soldier might use his position, as a collector, to try and influence the environment of the detainees. We borrow the detainees for our collection That's what I've always preached to the guys

I've heard of the Rules of Interrogation They deal with certain approaches There are certain approaches that have to be approved by higher, before you can use them Approaches include change of scenery, pride and ego, sleep management, dietary management LTG Sanchez would approve these. I typically don't see them when they come back They don't come to me The SOG should have a copy signed off by LTG Sanchez, or they do nothing I don't think any were approved for use of dog.

I have not seen any prisoners being abused I've seen some potential incidences, especially with transporting units, but I've talked to them about it When people are taking somebody off the deuce and a half, and they're cuffed, they can only move so quickly So, you remind people, "Hey, if that guy falls, and breaks a hip, it's on you" We're also charged with their care

I'm aware of the Geneva Convention, and I've received training on it To post things like that up, is not as accurate as posting the Rules of Engagement, saying you can't do this, this, this, and this, unless it's approved

I had no supervisory role over the interrogators, but I'm in the neighborhood I'm in the area The most important operation, to me, is the screening, the assessment people These are the people that the truckloads get dropped off to They assess them of Intelligence potential Their call puts people in our collection system, or turns them away

We would show up to the gate, and wait We would say, "I would like detainee, 156035, in cell 32, please" They bring him over They search him Another MP escorts him to the booth The MP stays outside the booth When we're done, as a courtesy, we walk them back, so that the MP would have some language support

My guys have had exposure to detainees As the host collectors, and because they have introductory training in Geneva Hague Convention, the Law of Warfare, and the treatment of prisoners we have to ensure nothing funny is happening in the booth When OGAs come in, they follow our rules, or they don't play It's all in working with people. Luckily, we established a very good relationship with every single OGA at Camp

Cropper. In addition to being in there for the safety of the detainee, and the OGA, we're in there to gather leads.

In my understanding, "softening up" is done to a detainee prior to being interrogated, so that when he is interrogated, he'll be more likely to cooperate. From the photos I saw, what they were doing was no way near a technique that would have ever been proposed. The guys who have the most information are the most savvy anyway. If we had to crunch soup to nuts, who we were effectively able to exploit, we got into them by speaking to them nicer, and building rapport. You didn't have to be the guy's best friend, but you at least found what was important to him, and you got the narrative going. When a VIP comes into an interrogation facility, and he walks down the admin hallway, the interrogation he will stop and look at, and spend the most time with, is the one where the guy is standing in his chair yelling, "You're lying to me, and I know you are!" Those are the ones that are not effective.

We were under pressure to produce. There are people dying out there. There was pressure from outside sources, and from myself.

As far as taking away clothes for collection purposes, I would say that's not a good intelligence tactic. There are people who may think that would work.

The MPs implemented the approaches, particularly, with sleep management. They had a time frame of when to bed the guy down. I observed music being placed outside the cell to keep them awake.

I overheard there was an investigation of an unauthorized interrogation, when three male collectors interrogated a female detainee. I've never been the subject of a Procedure 15 Investigation, and I don't know of any being conducted.

Finished with their discussion, COL [REDACTED] gave CW2 [REDACTED] questions, to be addressed, and brought back on a Sworn Statement.

1 [Command Sergeant Major ██████████, U.S. Army, was
2 interviewed on 9 February 2004, as follows:]

3 Q: MG Taguba

4 A. CSM ██████████

5 Q. I'm Major General Taguba, I'm the Deputy Commanding General
6 for CFFLIC, and of course, you probably understand the extent of
7 my presence here with regards to the 15-6 Investigation that's
8 currently underway. I also understand that you have invoked
9 your rights and have sought legal counsel in that regard, so
10 this matter of proceeding here is a matter of formality that it
11 is stipulated that I have been advised of your invoking of your
12 rights and seeking of legal counsel that you understand that I
13 know remand you back to your legal counsel subject to a call
14 from your legal counsel or from the investigating team with
15 regards to the continued process of this investigation. Do you
16 understand?

17 A. Sir, I understand all that. I'm not sure what the
18 scope of the investigation is

19 CPT Ray. You can go over that with him, sir.

20 Q. I can go over that. The appointment that I was given
21 is I have been appointed by Lieutenant General McKiernan, the
22 Commanding General of Coalition Land Forces Component Command,
23 headquartered at Camp Doha, Kuwait, under the direction of

1 General Jchr Abizaid, the Commander of CENTCOM. This
2 investigation is asked to gather all relevant facts and
3 circumstances surrounding the recent allegations of maltreatment
4 of detainees at the Abu Ghraib Prison, also known as the Baghdad
5 Central Confinement Facility, as well as detainee escapes and
6 accountability lapses as reported through CJTF-7. My inquiry is
7 to further investigate any standards, employment, command
8 policies--internal policies concerning the detainees held at Abu
9 Ghraib Prison. And finally, the inquiry is to assess the
10 command climate and the supervisory presence of the leadership
11 of the 800th Military Police Chain of command. That is the
12 extent and the scope of the investigation into which I've been
13 appointed to----

14 A Yes, sir, thank you.

15 Q Does that answer your question?

16 A Yes, sir.

17 CPT [REDACTED] Sir, is there any part of the scope of the
18 investigation, which you feel comfortable with discussing with
19 the General today?

20 A No

21 CPT [REDACTED] Thank you

1 Q And again, since you have invoked your rights, sought
2 legal counsel, I have been further instructed that I will remand
3 you to your legal counsel for further instructions. All right?

4 A Thank you.

5 Q Command Sergeant Major [REDACTED], you're probably
6 wondering why you're here, right?

7 A Yes, sir.

8 Q. Well, if I were in your position, I'd be, too, the
9 sensitivity of this. So before we start any proceedings at
10 all, could you, for the record, state your full name, rank,
11 social security number, and unit of assignment?

12 A Sure. It's [REDACTED],
13 Command Sergeant Major, 320th Military Police Battalion, [REDACTED]

14 [REDACTED]
15 Q All right, thank you. I will now introduce you to the
16 rationale or the purpose of your presence here today. I'm Major
17 General Taguba, the Deputy Commanding General of the Coalition
18 Land Forces Component Command, commanded by Lieutenant General
19 McKierney, David McKierney, stationed at Camp Doha, Kuwait. And
20 he has appointed me as the Investigating Officer under the
21 provisions of AR 15-6 under the direction of General John
22 Abazaid, the Commander of CENTCOM. Of course this
} investigation, the purpose of it is to gather all relevant facts

1 and circumstances surrounding recent allegations of maltreatment
2 of detainees at the Abu Ghraib Prison, also known as the Baghdad
3 Central Confinement Facility, as well as detainee escapes and
4 accountability lapses as reported to CJTF-7. The investigation
5 will also look into the training, the standards, the employment,
6 the command policies and internal policies concerning the
7 detainees held at Abu. And finally, we will ask to look at the
8 command climate and the supervisory presence of the 800th MP
9 Police Brigade's chain of command. I also want to mention that
10 in the course of our interview, all of our questions and answers
11 will recorded, tape recorded, as shown to you in front. So
12 before I begin, I want to ask if you have any questions about
13 the scope and nature of this inquiry.

14 A No, sir

15 Q Other than the Doctor opening up his Coke can there,
16 we'll proceed with some questions that I want to ask of you with
17 regards to the scope of the investigation

18 How long have you been the Sergeant Major there, the
19 Command Sergeant Major there?

20 A Out at Abu?

21 Q Yes.

22 A About 2 months.

1 Q. About 2 months. So you actually got there end of
2 December .

3 A. December 5th, sir.

4 Q. December 5th. When you arrived, did you get any kind
5 of specific guidance or direction from the Battalion Commander
6 or from the 800's chain of command with regards to your role and
7 responsibility as the Command Sergeant Major?

8 A. Nothing written, sir. I would assume that being the
9 Command Sergeant Major and I had been the Command Sergeant Major
10 of the 320th Battalion for nearly 4 years. I was unable to
11 deploy with the Battalion when we were mobilized due to the fact
12 that I was [REDACTED], which precluded me from
13 getting on an airplane with my soldiers. And I subsequently
14 stayed 8 1/2 months at Fort Dix until an MEB and a PEB board met
15 and finally found me fit for duty and deployable, at which time
16 I finally cleared Fort Dix and joined the Battalion at Abu. As
17 far as written policies or guidance as to duties and
18 responsibilities as a CSM, sir, it's pretty much that I know
19 what my duties and responsibilities are and that I was to
20 continue with them, except just in a different environment.

21 Q. So Lieutenant Colonel [REDACTED] had been your
22 Battalion Commander throughout your tenure as a Battalion
23 Command Sergeant Major?

1 A. Not my whole tenure, no, sir. Tenure for a CSM on the
2 Reserve side is 4 years. My 4 years will be up in March.
3 Colonel [REDACTED] was my second Battalion Commander at the
4 320th MP Battalion. The previous Battalion Commander is now
5 Colonel [REDACTED], and then in his absence, Major [REDACTED] had
6 filled in on a temporary basis until Colonel [REDACTED] came on
7 board

8 Q When you were mobilized through Fort Dix, you said .

9 A Yes, sir

10 Q Was Lieutenant Colonel [REDACTED] was your Battalion
11 Commander

12 A Yes, sir, he was

13 Q And since you were not able to deploy with him, did
14 you go through your mobilization and training at Fort Dix?

15 A Yes, sir.

16 Q And then at the time, you were not able to deploy
17 because

18 A Less than 48 hours, sir, is when they decided they
19 weren't going to let me go before the plane lifted off.

20 Q Could you describe what sorts of training that you
21 received at Fort Dix prior to your deployment?

22 A The mandatory training, sir, in regards to deployment
3 issues just pretty much the mandatory training we went through,

1 rifle training, pistol training, weapons certification, maybe
2 rules of engagement, tactical side of the house...different
3 mandatory classes, anthrax shots....

4 Q. Things of that nature.

5 A Roger, sir.

6 Q The general stuff.

7 A Yes, sir.

8 Q Was there anything specific to the tasks that you had
9 to get the refresher training on or had to be validated or
10 certified on?

11 A We weren't afforded an MRE, sir, Mission Readiness
12 Exercise due to the time constraint. We had been allocated, I
13 believe, in the first week of March to the Fuda Exercise, and
14 that exercise was waived as a requirement due to the time
15 constraints to get us on the plane to get us over here.

16 Q How long were you there at Fort Dix?

17 A I'd like to say we got to Fort Dix February 19th or
18 the 20th, because I ran into my daughter. She was mobilized,
19 and she was staying in the barracks right behind us and she
20 showed us pretty much where we had to go. I went in the Advance
21 Party I'm pretty sure it was the 19th or the 20th, sir I
22 think we moved out around March 12th or 13th, sir, I think.

3 Q So you were there about a month.

1 A. Less than that, sir, I'd say closer to a good solid 3
2 weeks

3 Q. Given the circumstances then, even though you were
4 unable to deploy with the battalion, you were intimately
5 involved with the personnel, command, situation, that sort of
6 thing, how would you describe then the training and readiness
7 status at the time prior to and during preparation for
8 deployment?

9 A We really didn't know what we were going to get, sir,
10 in the line of the companies that were going to be attached to
11 us for the operation. We heard we were going to be getting a
12 company here, a company there that would be joining us. In the
13 beginning, we heard we were only going to get two companies.

14 Q Which companies were those?

15 A I don't recall, sir One I think was from the Florida
16 area, another one from possibly California, and I believe one
17 might have been closer around the Midwest. We mobilized with
18 146 soldiers, we put 140 or the plane So those were the only
19 personalities that I was familiar with were those soldiers.

20 Q They were a headquarters company----

21 A Yes, sir The other soldiers that were at Abu when I
22 arrived were the 372d, the 670th, the 870th, the 229 and also

1 the 320th companies, that was my first introduction to those
2 soldiers when I hit the ground here.

3 Q. In December, the 5th of December.

4 A Yes, sir.

5 Q When you did arrive on the 5th of December, did you
6 get any additional guidance from the Brigade leadership or the
7 Battalion leadership with regards to the missions set that they
8 are conducting at Abu at all?

9 A Not per se as far as handwritten policies or things of
10 that nature. I mostly went about reacquainting myself with my
11 soldiers and making visits to their locations, pretty much
12 everywhere I just briefly exposed myself, just to let them
13 know that I'm still on the ground, kids that I hadn't seen in a
14 while, introduced myself to their new First Sergeant, new
15 companies, briefly got an oversight of their operation and how
16 they blended with my battalion's overall concept of the
17 operation. And then as time progressed, you're able to go in
18 and really get to understand the whole operation, and see the
19 individual soldier, you put a face with a nametag because of the
20 ability to be there with them for that period of time. You get
21 to know their personalities. You're able to--and you try to get
22 a good gel there, sir, and it's tough. I had three National
3 Guard companies, two Reserve companies in my Battalion, but the

1 concept in those five companies are working pretty well together
2 despite the difference in missions. And some of those guys were
3 able to come in and augment the shortage of personnel that I had
4 in regards to I&R duties, guard tower duties and things of that
5 nature, especially in the Ganci compound where I'm really short
6 31 Bravos, critically short, sir.

7 Q. You said when you deployed or when the Battalion
8 deployed the Headquarters Company, you deployed with 114, 140?

9 A 146

10 Q What is their status today?

11 A We're down to about 118 boots on the ground, sir, and
12 we were hit the hardest with my Battalion, when we deployed,
13 sir, we had a lot of what we call "involuntary transfers,"
14 soldiers that are in the Reserve system within our Regional
15 Support Command with a lower density MOS. And what I mean by
16 that, sir is like my 71L's, my 63 Charlies, I had a hard time
17 filling those slots The big emphasis, we always had a--back at
18 home station, we always had a good number of, in this case, 31
19 Bravos, which are no longer 95 Bravos, 31 Bravos, military
20 policemen, we were able to get real good numbers there,
21 especially at the lower levels When it comes time to move the
22 Battalion and we're short, in this case, physician's assistant,
3 surgeon, chaplain, and having to just get a phone call and a set

1 of orders in the mail and tell you where to report. So once
2 again, that was the first time I met most of those people, to
3 include some of the staff members, the S4, the chaplain,
4 chaplain's assistant and a whole host of others, sir.

5 Q When you were back in the rear, were you keeping in
6 touch with the Battalion at all or were there any words given to
7 you or a phone call of sorts or----

8 A I received a letter from Colonel [REDACTED] There
9 were six of us that were left back, sir. Major [REDACTED] was the
10 Physician's Assistant; he was left back [REDACTED],
11 [REDACTED] Specialist [REDACTED] big fellow, he's about
12 6'8, s.., 6'9, he was left back because they couldn't fit him
13 properly with a JSLIST suit, so therefore he couldn't deploy
14 because it was one of the requirements. Sergeant [REDACTED] was left
15 back because of [REDACTED] that they felt, I believe, the dust
16 storm and stuff would have really [REDACTED] an

17 [REDACTED] I believe she's been chaptered out of the Army
18 now since then Sergeant [REDACTED] was--had been left back because
19 [REDACTED] and I believe he's been chaptered out of the
20 Army, as well, sir, for medical And Sergeant [REDACTED] was left
21 back, sir, because he had a [REDACTED] lem. They took
22 most of his teeth, and the Army had to [REDACTED]

3 [REDACTED] So,

1 [REDACTED] and myself eventually rejoined the Battalion.

2 Those guys much sooner than me, sir.

3 Q When you arrived on the 5th of December, you assumed
4 your position as the Command Sergeant Major, in the first few
5 weeks or so, how would you describe the condition of the
6 Battalion, the context of their performance there at Abu?

7 A With what they had to do it with, sir, my soldiers'
8 morale was high. Conditions were--now I've been around, sir,
9 where very deplorable as far as sanitary conditions in an
10 environment which they had to work. And I felt the same way
11 about the prisoners, sir, I mean, to see some of the way that
12 these people were living, and you had to look at what we had to
13 do it with out there We can't have--we have no control of the
14 rain, and when it rains out there, it just turns to mud. You
15 can't basically teach them our standards of personal hygiene in
16 regards to utilizing the bathroom the way we normally utilize
17 the bathroom and the way we normally utilize the bathroom is
18 something they don't, and therefore, the first one in just
19 destroys it for the second one and so on and so forth.

20 The meals that were being fed by the Iraqi caterers I
21 found to be substandard in regards to the amount. Therefore, I
22 had no problem saying, "Feed these people MREs." In fact, on
3 one visit down to the compound, I saw where, because of the

1 Iraqis strict forbiddance of pork products, they were throwing
2 the whole MRE--open a case of MREs, and take the jambalaya, and
3 I guess one other one there, pork chop, the Jamaican pork chop
4 and they would just throw that out. And I mean, there was
5 literally a dumpster full of MREs. I made a suggestion to pull
6 them out and take the crackers out, the cheese, the peanut
7 butter, things of that nature, because when you run into a
8 shortage, you can supplement it. It worked real well. I mean,
9 sometimes these guys, I saw one night they had two hard-boiled
10 eggs, a piece of cheese about this big, a cup of tea and a piece
11 of pita bread I said, "That's not going to make it." You have
12 to wonder about them, sometimes you feel sorry for them because
13 not all of them are inside that wire, sir, for that same reason
14 the guilty ones are.

15 C Did you see any, in the context of your involvement
16 with the daily operations, be it with meals or just walking
17 around and being at guard positions and things of that nature,
18 did you have any knowledge whatsoever that there should be or
19 must be established SOPs that the MPs must follow with regards
20 to operations or handling of detainees or guard actions, for
21 example, monitoring the facilities, things of that nature that
22 you're aware of or should be aware of?

1 A We had a 320th SOP, sir, in effect in regards with IR
2 operation and things of that nature, pretty much covered
3 everything from what every individual soldier responsibilities
4 are in regards to the IR operation.

5 Q Were they posted or were they in a folder somewhere at
6 each guard position or the Battalion or each Company had a copy
7 of such SOPs?

8 A I wouldn't say that every SOP, sir, is posted. I
9 would say that in the towers you have certain items that pertain
10 to that particular position, i.e. rules of engagement. As a
11 standard, you would walk into a company area, you would find
12 letters on sexual harassment posted on company bulletin boards.
13 Certain things pertain in certain areas. We were--you leave a
14 paper trail, I guess, you would have to put some many things up
15 there in the towers. A lot of the towers that I visited had
16 your range cards set up for your weapons systems, and then there
17 were some who didn't. Some that on the range cards, that were
18 in place found substandard and talked to the gunners up there,
19 made the on-the-spot corrections. A couple, I actually
20 implemented weapons systems up there for force protection. We
21 had two towers out there, and they were just bare air, just bare
22 metal towers, couldn't really control from the ground. You
23 needed something up above, for force protection, especially

1 around, I think it was the 1st or 2d of January, we were
2 expecting a threat to come through in the form of a vehicle with
3 explosives in it. So the force protection level was stepped up,
4 but we needed certain things to go in and increase that level.
5 Elevated towers with a 50-cal were up there. So we sandbagged
6 it, as matter of fact, we did that with the help of the
7 prisoners, we were able to sandbag it.

8 Q With regards to specifically detainee operations, were
9 you aware that there were other folks that are involved in
10 detainee operations, interrogators, the MI---

11 A Yes, sir, we have my side of the house, I have the
12 interrogation portion of the operation. 372d Company had the
13 hard site and Camp Vigilant operation there. My Battalion
14 augmented with certain soldiers from the other companies because
15 of the shortage at the Camp Ganci operation.

16 Q Was there any awareness on your part that there should
17 be established procedures or SOPs or guidelines associated with
18 the interaction between the MP guards and the MI interrogators?

19 A I have never known of an SOP that would dictate that
20 policy, sir I thought that pretty much your job description
21 would dictate what your functions of daily responsibility and
22 scope are

1 Q When you're conducting any operations, or even I and R
2 for that matter, you having been associated with this battalion
3 for the past almost 4 years. Are you aware that the posting of
4 the Geneva Convention must be in the language of the nation to
5 which the detainees are from?

6 A We have notices to that effect, sir, with regards to
7 the ICRC, in regards to the languages. We also had conducted
8 operations on the training side of the house in Korea, two
9 operations, Operation Foal Eagle, so we would see how that was
10 run, as well. We do post things in Arabic. I would assume that
11 what I see in Arabic is what is written and translated in
12 English next to it.

13 Q But in the context of the Geneva Convention, which is
14 the responsibility of the company that's conducting--or
15 battalion that's conduction I and R as required by AR 190-8, did
16 you see any of that posted or being enforced since your arrival?

17 A No, sir, not that I'm aware of.

18 Q Should there be?

19 A I would say that what I see posted, sir, pertains to
20 that particular post. I would say that the things that I'm
21 looking at pertain to that certain--once again, I'd like to use
22 the posit on, for example, for the guard tower or for the
3 compound at Camp Ganci, whether it be Compound One, Compound

1 Two, and also the operation building at the hard site at Camp
2 Vigilant. Being inside the compound, you'll see a great deal of
3 things posted on various sections of the camp, itself, and you
4 would glance at it I mean, I've glanced at some of it. I've
5 seen Arabic writing, but the exact content of what it says, sir,
6 I

7 Q It could be, "Don't stand here."

8 A It could, sir, or "Don't come up close to the wire,"
9 or "Deadly force area." I've seen some of those signs in the
10 area

11 Q Let me shift a little bit to command climate. You
12 said you had to basically reintroduce yourself with some of the
13 folks you hadn't seen since deployment.

14 A Yes, sir.

15 Q . reacquaint yourself with some those folks you were
16 not familiar with, the rest of the companies that make up the
17 battalion, and you've already elaborated that the command
18 climate seems to be pretty great In that context, how often
19 did you interact with your NCOs and how often do you feel that
20 there's a climate in there where they would come up to you and
21 talk to you freely without any apprehension?

22 A It didn't happen right off the bat, sir. I'm going to
3 say that quite frankly. It's... not from my kids in the 320th,

1 when I say "my kids," those that came from my unit up in Ashley.
2 We've always had that rapport that I have an open door policy.
3 And what I mean is, if I'm at my desk and the chair is empty,
4 it's yours. Come on in and tell me about yourself, and these
5 kids know that. Here at Abu Ghraib, with the five additional
6 companies that I picked up, just making the general
7 introductions of yourself and let them know a little bit about
8 yourself has taken some time. The first sergeants I'm working
9 with now, I hold a first sergeant's call every Tuesday morning
10 after the staff call. We air pretty much the quality of life
11 issues here at Abu Ghraib, which are basically none. We have no
12 PX. We have no Haaji shops like some installations have.
13 There's nothing there for these soldiers. There's no
14 barbershop. There's no place to sew on nametags. So if you're
15 going to make an on-the-spot correction for a soldier who's in
16 violation of the uniform, you've got to take into consideration
17 that, what's he in violation of the uniform for? If it's a
18 sterile uniform, it's probably because there's no way to sew
19 these nametags, etceteras, to keep the soldier up to AR 670-1
20 standards. There's nothing there.

21 Q Did you bring this up to the attention of the five
22 brigades?

1 A Yes, sir. The Five Brigade ?? is the one that threw
2 the Haaji vendor off, sir. That was a serious morale deterrent
3 right there. They have nothing, sir. Some of these kids go and
4 buy a blanket for \$25. That will keep them and get them through
5 the cold nights and it made them happy. The PX that we had out
6 there at Abu Ghraib is one that my company stood up itself. We
7 went over and signed for a \$20,000 account and we got it up and
8 running and sold the basic soldier needs, sodas, shaving cream,
9 toiletries, out of the PX for the soldiers. We had to close it
10 up on February 1st because we're in the process of clearing. I
11 brought up the fact that every time I meet with a senior Command
12 Sergeant Major, and I met with another one yesterday, Brigade
13 CSM from the 16th was out for 3 days prior to that, I'd bring
14 up the quality of life issues about the PX, the Haaji vendors,
15 things that everybody has here on Camp Victory that we don't
16 have out at Abu Ghraib

17 C But you came in on the 5th of December to assume the
18 position of CSM, what happened to your predecessor?

19 A I couldn't tell you who the predecessor was, sir.
20 I've heard rumors that it was Sergeant Major [REDACTED] who's the
21 Operations Sergeant Major, was put in my place. I heard that it
22 was a Command Sergeant Major by the name of [REDACTED] was the
3 Acting Battalion CSM in my absence for a brief period of time.

1 Q. Who was the Sergeant Major when they deployed and you
2 stayed behind?

3 A That would have to be Sergeant Major [REDACTED], sir. I
4 would assume he assumed the dual responsibility of CSM and
5 Operations Sergeant Major.

6 Q Sergeant Major [REDACTED] was the "acting," I guess.

7 A Roger, I guess you would say that, sir. He was
8 probably wearing both hats.

9 CPM [REDACTED] Command Sergeant Major [REDACTED] was from the
10 800th, the Command Sergeant Major at the Brigade-level, sir.

11 Q. Understand, but I just want to make clear that you
12 arrived on the 5th of December to assume the position as the
13 Battalion Command Sergeant Major.

14 A. Yes, sir, Battalion CSM.

15 Q The question that I have is, who was your predecessor
16 before?

17 P I wouldn't know, sir

18 Q You wouldn't know. You know it was Sergeant Major
19 [REDACTED] at the time that the time the battalion deployed to Iraq
20 at that point, when they left Fort Dix

21 A Yes, sir

1 Q So, just for the record, to make that clear, I want to
2 make sure that you were assuming the position, not necessarily
3 replacing someone.

4 A. That's right

5 Q So you were replacing somebody.

6 A Well, I wouldn't--I'm not sure, you got me here.
7 You've gotta explain that one to me as far as----

8 Q Let me back up You were not deployed at the time.

9 A No, sir

10 Q Because you had a [REDACTED]

11 A Roger, sir.

12 Q So somebody assumed the position as the Acting
13 Sergeant Major. You were not necessarily relieved of your
14 position, you were not deployed But you were not exactly also
15 DEMOB'd. At the time, you were still MOB'd, is that correct?

16 A That's correct, sir

17 Q So you were basically in a holding pattern at Fort
18 Dix

19 A Yes, sir, that's correct

20 Q So, at that time, there must have been some condition
21 that precipitated your deployment to assume the position or
22 relieve somebody from the position of the Command Sergeant
} Major

1 A They just cut me a set of orders and said, "Rejoin
2 your battalion," sir.

3 Q They said, "Rejoin your battalion."

4 A Yes, sir.

5 Q So you were actually reassuming your position as the
6 Command Sergeant Major.

7 A Yes, sir

8 Q Because those people that you mentioned, to include
9 Emerson, were actually in an acting capacity.

10 A Yes, sir.

11 Q They were not appointed as the Command Sergeant Major,
12 because you are the Command Sergeant Major

13 A Roger, sir.

14 Q Okay, got it, just to make sure that we're not mixing
15 apples and oranges for the sergeant major's position of the
16 800th MP Brigade.

17 All right, obviously, when you arrived, again, you
18 kind of got acquainted. Was there any mention to you of any
19 reported or alleged detainee abuses or escape incidents prior to
20 or during your arrival, at the time of your arrival?

21 A Yes, sir, I was briefed on certain things that had
22 transpired

3 Q Who briefed you on that?

1 A Everybody I talked to, sir, pretty much.

2 Q. So you weren't really briefed, you were informed.

3 A. Right, sir. I knew about the incident at Camp Bucca

4 involving the Battalion, I mean, that's something that bad news

5 travels fast, even back at Fort Dix. So I knew about that one.

6 It involved 10 of my soldiers that had been originally cleared,

7 and the others were eventually prosecuted. The battalion never

8 really recovered from that as far as I'm concerned, sir. My

9 scidiers have done magnificent work with what they've had to do

10 it with, little or no support, little or no sleep. They

11 literally built that camp And for them to take it on their

12 chin like they did and still soldier on, that says a lot for the

13 caliber of those kids from the 320th, but we never really

14 recovered from it. Formal certain instances had transpired, I

15 was informed about the riot that took place. I was informed

16 about the mortars that fell on top of the prisoners one night in

17 Compound Two I was informed of the body parts and the brains

18 hanging out and things of that nature, how well my medics did

19 I was informed of the escape that night.

20 Q Was it an escape or attempted escape?

21 A I believe one of them got out, sir. Okay, I believe

22 he got out from under the wire

3 Q At Bucca?

1 A No, sir, not at Bucca, up at Abu Ghraib.

2 Q Okay.

3 A. Just trying to stay up on the events that had
4 transpired and get the overall OPTEMPO and the climate of what
5 the conditions were, what things could get done maybe better or
6 what happened that facilitated that. It's tough to be
7 everywhere I found myself torn. The hard site yesterday, I
8 got caught up in a riot when we were just inside there, just
9 trying to get a walkthrough of how the guy escaped from the day
10 before He didn't get out of the compound--he got out of the
11 compound, he just didn't get out of the overall LSA or the guard
12 tower They were able to chase him down. They found him trying
13 to get ou' of the orange jumpsuit under a bus. So he was taken
14 back into custody and placed in confinement.

15 But then we had an incident where we--and it could
16 have been part of the diversion, there was a fight in Tier--or
17 Wing Five, and the whole block was put on a lockdown, certain
18 privileges taken away And so yesterday, they started
19 rebeling So while I was getting a tour of the facility with
20 the First Sergeant, Sergeant of the Guard, Sergeant Ward, we got
21 pressed in a service, the three of us, basically. About 2 1/2
22 hours later, he was put down

3 Q This was yesterday?

1 A Yes, sir

2 Q In the context of the investigation that's currently
3 underway, that accused some of the guards there that were
4 operating in Tier One A, are you familiar with that particular
5 case?

6 A I've heard rumors, sir. It allegedly occurred before
7 my arrival there.

8 Q This case is a suspension of the battalion commander
9 and certain elements of the company was done these past 2 weeks.

10 A Yes, sir, I'm aware of that.

11 Q You're of that And certainly you know the suspension
12 would arise to the awareness that certain things are happening
13 in that particular site, the hard site, that constituted the
14 suspension of the Battalion Commander and the Company Commander
15 and the Operations Sergeant. Was that the first time you were
16 aware that the whole thing was happening?

17 A Yes, sir. The Battalion Commander, Colonel [REDACTED]
18 [REDACTED] my Operations Sergeant Major, Sergeant Major [REDACTED]
19 [REDACTED] the company First Sergeant, First Sergeant [REDACTED]
20 the Company Commander, Captain [REDACTED] and the Platoon Sergeant,
21 Sergeant First Class [REDACTED] All five were suspended, sir.

22 Q Now giving the circumstances, had there been any type
} of corrective action that was taken by the leadership of the

1 battalion the Acting Battalion commander, yourself, or the
2 chain of command with regards to corrective actions to prevent
3 such reoccurrences that you know of?

4 A Yes, sir. First off, at my first convenience, I got
5 rid of the seven individuals, there was eight originally that I
6 saw Since one soldier's complaints were unfounded by CID, he
7 was returned to duty, but rot at that location where the alleged
8 crimes occurred. The other seven, I had transferred over here
9 to Camp Victory and are now working at 16th Brigade, various
10 capacities relating to their MOS's.

11 Q And they were just from that one company that's....

12 A 372d----

13 Q conducting this mission, 372d.

14 A Yes, sir. Those were the seven soldiers--I believe
15 there were 10, sir, all tolled from the report that I read. The
16 two are from the MI, I think, the other eight were from the
17 372d Like I say, the charges against the one were unfounded,
18 he was returned to duty Colonel [REDACTED] made the call on that
19 one and said, "Well, we got nothing to hammer this guy on.
20 Let's put him back to work "

21 Q So these are the seven individuals of the 10 or so
22 that were involved in the abuse case?

3 A Yes, sir, we moved them here to Camp Victory.

1 Q So they're not performing any more duties----

2 A No, sir.

3 Q. And how were you able to replace those guys?

4 A We just work a little harder, sir, with what I had.

5 Some of the soldiers that were involved in that incident were
6 non-MP-type soldiers. Therefore, they weren't really in the
7 hard site, they were pulling administrative duties, along the
8 lines of, I think one might have been a mechanic. One might
9 have been a clerk. I think, sir, four may have been MPs, five,
10 maybe I know two were MI. So we just go ahead and suck it up,

'1 sir

12 Q Sergeant Major [REDACTED], who was suspended, he was, at
13 the time, I believe, was the acting Command Sergeant Major prior
14 to your arrival

15 A Him and Command Sergeant Major [REDACTED] I believe
16 were, sir

17 Q And who was Command Sergeant Major [REDACTED]

18 A I met him on one occasion, sir, briefly. In fact, he
19 came back off leave back to the battalion shortly after I
20 arrived there. Once they found out that I was in place, there
21 was no need for two CSMs, Sergeant Major [REDACTED] rejoined I
22 think, I'd like to say, sir, the 530th MP Battalion or the 510th
3 MP Battalion He also came under the 800th.

1 Q The same brigade.

2 A Yes, sir, the 800th But I don't know which facility
3 he went back to, sir, but he did rejoin that battalion.

4 Q. Upon your arrival, once again, was there anything
5 given to you, provided to you by the MP Brigade chain of
6 command, namely General Karpinski or the Brigade Sergeant Major
7 or the topic of your performance and how you're supposed to
8 interact in with regards to your new mission at Abu Ghraib?

9 A No, sir. The first time I met General Karpinski and
10 Sergeant Major [REDACTED] who was the interim Sergeant Major, the
11 Command Sergeant Major of the Brigade at that time, or
12 previously, had been a guy named [REDACTED], I think. He wasn't
13 there when I first arrived, and Sergeant Major [REDACTED] again
14 was the interim CSM for the Brigade. I met them here at Camp
15 Victory when I came over with Major DiNenna for a conference.
16 Other than formal introductions and apologies on my part for
17 conduct of one of my NCOs who emailed the General directly
18 without going through the chain of command, I would conclude
19 that's a heck of a way to start business.

20 Q With regards to the conduct of the guards on the daily
21 operations, both day and night, was there any effort that you
22 know of or established policy that the leadership presence was

1 either an implied mission task given the nature of the business
2 that you were conducting there at Abu Ghraib?

3 A I wouldn't say implied, sir. We would--a lot of us
4 would do it, I mean, upon my arrival, I would tour the facility
5 sometimes at different hours of the night, especially with the
6 jetlag : just couldn't get a sleep pattern down, so it
7 wouldn't be uncommon for me to be moving through the compounds
8 at 2 or 3 in the morning, or as far up as 5 or 6. Pretty much
9 later on in the day, I suffered But in the beginning, it
10 wasn't a problem. It wasn't uncommon to see some of the first
11 sergeants transporting coffee and tea and things of this nature
12 out to various guard posts to the soldiers on watch. Various
13 elements of the leadership on the B-side could be seen roaming
14 the compounds at different hours The commander, Colonel
15 [REDACTED] would be seen doing the same thing, sir. Some of
16 the company commanders that I can recall were doing pretty much
17 just checking on their men, per se, not an overall view, except
18 for that one first sergeant, First Sergeant [REDACTED] He pretty
19 much visited all the kids or all the towers. He was with the
20 229th Company and his towers responsibilities were usually
21 supporting Ganci One and Two compounds He'd make it a point,
22 sir, to go and hit all the towers.

1 Q 372d was not assigned or attached until they arrived
2 in country, if I'm not mistaken. Had you ever trained with the
3 372d before?

4 A No, sir, not as a company.

5 Q So basically, the first introduction with the 372d was
6 when you arrived in country?

7 A. Yes, sir.

8 Q So did you know their reputation or training readiness
9 or things of that nature?

10 A No, sir.

11 Q You had no knowledge, whatsoever.

12 A No, sir

13 Q And the point where you mentioned the incident down at
14 Bucca which pretty much degraded the morale of the battalion,
15 the headquarters, primarily, did you get an inclination of who
16 were involved with the incidents down there, whether it involved
17 directly the 320th MP Battalion or the 372d?

18 A. Yes, sir, the 320th. Yes, sir, I read the newspapers.

19 Sir, the bad news travels fast, even back at Fort Dix. Every
20 one of the soldiers named, I knew.

21 Q But they were not assigned to the 320th, I don't
22 think, were they?

3 A Yes, sir, every one of them was

1 Q. The 320th MP Company?

2 A. MP Battalion, sir, the HHC out of Ashley,

3 Pennsylvania. In fact, Master Sergeant [REDACTED] she was an E7

4 originally, and I got--heard she was promoted, promoted in the

5 Battalion. She had been with the 424 and had been with the

6 Battalion previous to my arrival. Sergeant First Class

7 [REDACTED], I got him years ago when he was an E5, and made it up

8 to E7 Specialist [REDACTED] and Sergeant [REDACTED]. I knew him as an

9 E3 in the Battalion, sir. So those four soldiers were mine.

10 Q. Assigned to the 320th.

11 A. Yes, sir.

12 Q. Headquarters and Headquarters. .

13 A. Ashley, Pennsylvania, yes, sir.

14 Q. So there was no undisputable fact that they were not

15 assigned to anybody else but----

16 A. No, sir, they were mine, sir

17 Q. And the incidents that had been made knowledge to you

18 with regards to the current investigation that's being conducted

19 now, based on what has been recorded so far, those people that

20 you reassigned somewhere or were suspended, what corrective

21 actions within the context of that one facility or one tier, can

22 you describe any type of corrective actions that were taken?

1 A. Yes, sir. As soon as it happened, and the leadership
2 was put on the spot, per se, the S3, Major [REDACTED], decided to
3 develop a DA 6 on E7s and above from the headquarters element,
4 itself, that would pull unscheduled visits of the hard sites in
5 Ganci compounds of the towers during the hours of probably 2300
6 to 0600 every night. So that if we went by alphabetical order,
7 Sergeant [REDACTED], I'm just using an example, sir, Sergeant [REDACTED]
8 might pull it one night, Chief [REDACTED] might pull it the next
9 night Lieutenant [REDACTED] might pull it the next night. That's
10 what we've been going with, sir.

'1 Q So those are the actions that have been taken to
12 ensure there's a new set of eyes that are looking or overseeing
13 the operations of that particular site, which is also considered
14 the security detainee tier, if I'm not mistaken.

15 A Yes, sir, that site and the other sites, as well. The
16 instructions aren't just clearly directed towards that hard site
17 or Camp Vigilant It's instructed to look at the whole
18 operation, to include the towers and the TOC.

19 Q Have you inquired on the interaction of the
20 interrogators with other MPs?

21 A No, sir.

1 Q. Are you aware that there is an active interaction
2 between interrogators and the MPs with regards to an
3 interrogation plan, punishment plan, things of that nature?

4 A. Yes, sir. I wouldn't want to say--a Regular Army-type
5 thing, but there seems to be that break right there, sir, where
6 it's MI or the Regular Army side of the house and the IR
7 settlement on the Reserve and Guard side of the house. I
8 wouldn't say there's a job description breakdown, but it seemed
9 that they would do what their job requirements are and nothing
10 more. And my soldiers would do their requirements and nothing
11 more. There seemed to be a break there. I had good interaction
12 with the Command Sergeant Major that was on the ground for the
13 165th. In fact, he helped me quite a bit out there in regards
14 to getting soldiers back into uniform standards and things of
15 this nature, Command Sergeant Major [REDACTED]. He was the 165th MI
16 Battalion CSM.

17 Q. You had interaction with him

18 A. Yes, sir. He was--if I'd say over all my years of
19 working with various CSMs in the active side of the house and
20 Reserves he'd be like the best friend I had, good man, sir.

21 Q. How often did you meet with your senior NCOs with
22 regards to conduct of detainee operations, soldier quality of
23 life, soldier discipline, things of that nature?

1 A Like I say, sir, every Tuesday morning, after we had
2 staff call, was my normal call with the first sergeants.
3 However, the open door policy that I've got, sir, I can be
4 stopped anywhere. Last night, I had a first sergeant come to my
5 room, caught me at 2100 and wanted to talk, first sergeant from
6 the 670th Company having an issue with his company commander.
7 He asked for some guidance and things of this nature. That's
8 not uncommon. I think that's good. They were trying to work
9 something out. He's got about 62 days left. He's a pretty good
10 man, sir

'1 Q Do you often interact with Sergeant Major [REDACTED]
2 from 800th MP?

13 A I would say, sir, on the trips I would have to make to
14 Camp Victory to the Brigade Headquarters I think he came out
15 to Abu Ghraib on two occasions, maybe three, maximum. He came
16 out with Command Sergeant Major [REDACTED] to introduce his 16th
17 Brigade CSM. He had one NCO call with my senior NCOs, and then
18 he came out with the General on Christmas Day. We would take
19 pretty much quality of life issues, standard of uniform and
20 appearance, which greatly increased there at Abu Ghraib.

21 Q When the incident was finally put out into the open in
22 regards to detainee abuses, was there any concerted effort by
3 the battalion or the companies to do an all-hands call to let

1 them know what was going on, why their leadership was being
2 suspended at Abu Ghraib?

3 A. I went over to the 372d Company, sir, and I talked to
4 all the soldiers involved, the same day that I brought the five
5 soldiers up here. I escorted [REDACTED] all the way down
6 to Sergeant [REDACTED] up here to Camp Victory. When I got back, I
7 called for a meeting with the 372d company members, told them
8 what had transpired, what the alleged actions of certain
9 individuals in our company. There was no doubt that some of
10 those individuals were present in that meeting on the night with
11 the company. Because at that time, I didn't have any names. In
12 fact, I hadn't even seen an investigation report. Colonel
13 [REDACTED] was the one that showed me the report, and I don't know
14 whether that's due to Colonel [REDACTED] with the
15 confidentiality portion of it, I'd like to think that that's the
16 case. Colonel [REDACTED] showed it to me and said, "Sergeant Major,
17 this is what you're dealing with here. These are the seven
18 individuals, or eight individuals." That's when I finally found
19 out who the names were. But getting back to my meeting with the
20 company, I told them that the actions of a certain few have
21 caused a great many to suffer from it. I said, "Two individuals
22 from my side of the house, being my colonel and my Sergeant
Major," who I had a great deal of (inaudible) for. I took the

1 hurt very, very hard...their first sergeant, First Sergeant
2 [REDACTED] When you're with a Reserve unit, sir, a lot of times
3 you think you'll be with a unit for a great unit of time, so you
4 build the friendships there, as well. And I asked them, I said,
5 "I don't know how close these soldiers were to these
6 individuals, but if any of these were with them for a long
7 period o' time and considered them a friend," I said, "You've
8 hurt that friendship by your actions." It took about a half
9 hour for me to talk to most of the soldiers. I tried to
10 reinforce the good things that they've done in the past, that
11 because of the actions of a few, and I told them about my
12 soldiers bearing that scorn, as well, the incident at Camp
13 Bucca, that my Battalion had gone through, that it's something
14 we've got to overcome and we've got to continue on with the
15 mission because you can't walk off your post.

16 Now that the seven individuals were out of there, I'd
17 like to go back and talk with the soldiers again and assess the
18 climate I spent a lot of time over there with them, and their
19 First Sergeant because I have an acting First Sergeant in that
20 position right now, Sergeant [REDACTED] And at the same time, we
21 had the only officer left in the company, Lieutenant [REDACTED] who
22 assumed the role as the company commander. So, we put those two
3 in that position, it required a little closer mentorship and a

1 little more visibility, sir, than I would normally give a
2 company that was operating at this normal tempo.

3 Q A lot more closer attention, I'm sure.

4 The amount of time that's been given to detention
5 operations, Sergeant Major, also would suggest that there are
6 other folks that are involved in your operation because you're
7 one of the tenant units in that forward operating base that's
8 now under the command and control of the 501st MI Brigade. And
9 previous to that, of course, you belonged to the 205th MI
10 Brigade as a tenant unit

11 A Yes, sir.

12 Q So you are under tactical control of the Brigade that
13 is currently above you, but you are still assigned to the 800th
14 MP Brigade When things of that nature typically--and I'll be
15 going back to your interaction with the 800th, with things of
16 that nature, you were under further dual responsibility of
17 reporting, one to the Brigade that you were currently under
18 tactical control, and one to the Brigade that you were assigned
19 to, the 800th And I keep going, harping back at your
20 interaction with both Command Sergeants Majors and that
21 particular point, given the circumstances, did you ask for any
22 assistance from either Brigade to help alleviate the problem
3 that you were undergoing with one company that has a difficult

1 mission of guarding a hard site, let alone, a camp? Did you
2 request any assistance from any assistance or were you doing
3 things on your own in terms of what your capability---

4 A. I didn't know the 372d was under that type of trauma
5 or anything, sir I didn't know about the incident until after
6 it surfaced on January the 13th. I didn't know anything had
7 transpired Once again, I didn't get in country until December
8 the 3d, and didn't get to Abu Ghraib until December the 5th. I
9 was unaware that any of this had ever occurred until this all
10 came out, sir

11 Q So have you asked for any assistance from the two
12 superiors that you have to give you further guidance so you can
13 accomplish your mission in Abu Ghraib?

14 A As to----

15 Q Had you been given any assistance, whatsoever, or have
16 you requested any assistance from either the 800th or the 504th
17 or the 204th to give you additional personnel so you can
18 accomplish the mission in Abu Ghraib?

19 A I haven't asked for any, sir, no. In order for them
20 to accomplish the mission, I would need exact replacements for
21 the MOSS that are gone of those seven soldiers that have been
22 transferred over here, in this case, I believe four MPs and
3 three lower density MOSS. The 504th, I just met their Command

1 Sergeant Major for the first time yesterday. The 202d MI
2 Battalion just came in, Command Sergeant Major [REDACTED] I met him
3 for the first time when Command Sergeant Major [REDACTED] came on
4 the ground. That was a couple days ago, as well. In fact, I
5 invited them to the NCO call we had with Command Sergeant Major
6 [REDACTED] his first day on the ground out there. We are trying to
7 work the 172d issue and keep them up to speed, sir, with the new
8 First Sergeant. Word was that a new First Sergeant was inbound;
9 I don't think that's a good call. These soldiers, once again,
10 know nothing about this and it will come down to the trust
11 factor. It took me almost 2 months to get this close to them.
12 They're not going to open up to a brand new First Sergeant
13 coming in on the ground.

14 Q If you did not ask for any specific personnel
15 replacements----

16 A We've always been asking for replacements, sir. With
17 the Reserve side of the house and the Guard side, it's not like
18 Regular Army where you could go to a Replacement Battalion.
19 It's just--this is issues and echelons above me, sir, it's just
20 something that's gotta be worked out. Right from the get go,
21 when we left out of Fort Dix, we were six people short. Now
22 we're down to 118. Again, I've got MOS-trained soldiers that I

1 know are back at the Reserve Center just sitting there just
2 doing----

3 Q. Well, I guess what I was looking for, Sergeant Major,
4 is not exactly getting a replacement from the States, it's
5 getting some reallocation of assets within the Brigade or even
6 within the Battalion to help out with that issue. You said you
7 took out seven NCOs or seven personnel out of a company that was
8 guarding a site, and then reallocated within that company, per
9 se, to cover that site.

10 A. Four were guarding the site, sir. The other three
11 worked in the admin side of the house

12 Q. So you were still out seven soldiers.

13 A. Yes, sir.

14 C. Which means that company is still seven soldiers
15 short

16 Z. Yes, sir.

17 C. But then no movement whatsoever or whether the
18 Battalion was either going to augment that company or whether
19 the Brigade would take any action to reallocate within their own
20 Brigades and give you the additional seven people that you are
21 short of

1 A That's a roger, sir, I haven't asked for seven
2 additional people. We just go ahead and just work with what
3 we've got here.

4 Q. What is the personnel status of the 372d?

5

6 A. They just got, which is one good thing, sir, they just
7 got a platoon back that was on the Hallow ?? mission providing
8 escort duty in that area. I believe 17 personnel came back up
9 with that element, to include their acting company commander
10 right now, Captain Steve. So the timing was good----

'1 Q Are the 17 personnel up here now?

12 A Yes, sir, they're on the ground now.

13 Q What is that company doing now?

14 A They're still conducting the operation at the hard
15 site at Camp Vigilant, sir

16 Q That company has now has been given--but that's a
17 platoon, . thought, or is it a company?

18 A That's a platoon--well, it's a designated company,
19 sir, but when we just back the other day, it was a platoon, a
20 platoon-strength element

21 Q So that platoon was conducting hard site duty?

22 A Yes, sir, hard site at Camp Vigilant.

1 Q. Okay, that is under the command and control of the
2 372d MP Company?

3 A. Yes, sir.

4 Q. Under the command of Lieutenant [REDACTED]

5 A. Captain [REDACTED] now, sir, the at acting company
6 commander

7 Q. Captain [REDACTED]

8 A. [REDACTED] yes, sir

9 Q. When did that occur?

10 A. When he hit the ground, sir, at Abu Ghraib.

11 Q. When was that, this week?

12 A. Yes, sir

13 Q. Because on the 2d of February, we met Lieutenant
14 Raider

15 A. Yes, sir, I was there.

16 [The session paused at 1533, 9 February 2004, and reconvened at
17 1559, 9 February 2004.]

18 Q. When you arrived back on the 5th of December and
19 assumed the role as Command Sergeant Major, did you know that
20 there was an MI Brigade that was operating as your higher
21 headquarters for the Forward Operating Base?

22 A. I know that there was an O6 on post, Colonel Pappas.

3 I know they were basing the 5 commanders of Abu Ghraib and that

1 the Interrment/Resettlement operation was pretty much a 320th
2 task

3 Q. Have you ever asked or inquired as to the command
4 relationship between the 320th and 205th MI Brigade?

5 A No, sir, I never asked about the command--I never
6 asked what the climate was or anything like that between it was.

7 Q. In other words, you understood the 320th was the
8 detention operations.

9 A Yes, sir

10 Q But you never asked to what extent are you related
11 somewhat to command and control to the 205th, other than being a
12 tenant unit

13 A Roger, sir, that was our understanding. The 205th had
14 a LRS company out there that conducted--or 165 had a LRS company
15 on the ground out there with us that provided LRS operations
16 outside the wire, as well as the 82d, and our own QRF as far as
17 security forces there. The MI conducted military interrogations
18 and things of that nature And we reported basically to Colonel
19 Pappas and his chain. I met the Brigade CSM on one occasion,
20 Command Sergeant Major [REDACTED] I believe a lot of their elements
21 were here at Victory, as well, and had only a small cell at the
22 FOB, one out at Abu Ghraib.

1 Q What do you think is the role of the Forward Operating
2 Base?"

3 A My assumption would be, sir, that they would be in
4 charge of the quality of life issues on post, the facilities,
5 the overall operating facilities that they have there on post,
6 coordination as--or the head element as far as the coordination
7 between the sub-elements on post, the monitoring of the exact
8 operations on the post, itself A lot of times, I would find
9 myself as the Battalion CSM looking for further guidance up
10 there to the FOB because I understood the FOB ran the operation
11 out there But it wasn't somewhat in place. A lot of times, I
12 would make an on-the-spot correction in regards to uniforms, and
13 there would be two sets of standards Some soldiers were
14 allowed to--in fact, I grabbed a soldier in the mess hall before
15 we came out He had that Iraqi scarf-type thing in a tan and
16 white check, per se, around his neck and he told me, he said,
17 "That's accepted--," or he said, "That's authorized by my
18 commander "

19 Q Did you ask him who his commander was?

20 A He said he's a LRS element, sir, and that's what I
21 plan to take up when I go back to Abu Ghraib

1 Q. Now, you've been in this business now as a Command
2 Sergeant Major for the last 4 years with the same outfit, the
3 320th

4 A Correct, sir.

5 Q Now surely, in the context of conducting an I and R
6 mission in a combat operation that holds detainees, that there's
7 going to be some interaction with interrogators. Were you at
8 all curious or aware of what interrogators do, interacting with
9 your MPs with regards to, you got prisoners in there in a
10 security area to secure the detainees, and you've got folks
11 somewhat providing either instructions or interaction or
12 coordination between the MP guards and the interrogation. Were
13 you ever curious as to what are the established procedures?

14 A Yes, sir. I've observed some of the procedures, sir.
15 I've observed the interrogation block located over at Camp
16 Vigilant there, just on the--it's the building on the outskirts
17 of where Vigilant began, the building right there, and I've
18 walked through it. I have not interrupted any of the sessions
19 that I saw, but never observed anything out of the ordinary,
20 other than talking to the prisoners

21 Q You never inquired about what should be the
22 established SOP or any guidance written or otherwise that would
3 establish why they're even coming into the cell and taking out

1 any of these detainees and taking them to the interrogation
2 room, any practices whatsoever in regards to punishment or
3 things of that nature?

4 A. No, sir. I would assume that that was part of the
5 operational role and that they were doing it for the military
6 side of the house in regards to the operations. I would never
7 see them go into a cell and take them out because basically, the
8 cells were down on the hard site there and they'd come down in
9 cars and things of that nature. What I observed mostly with the
10 MI is coming by Camp Ganci and taking the prisoners out, moving
11 them up into the facility right there and conducting the
12 interrogations there. Then I would tour into the interrogation
13 area, and like I say, sir, I've never observed anything out of
14 the ordinary I observed basically two soldiers or two
15 interrogators talking to an Iraqi prisoner. What the content
16 was or what he was charged with, what they were asking him, I
17 don't know, sir It was pretty much soundproof

18 C. Have you ever asked your guards and say, "How do you
19 guys do that?" Have you inquired on your guards or your
20 leadership? What's our interaction with them since we're
21 supposed to be doing detention operations?

22 A. The MI compound--or the MI guards would show up, sir,
3 and say they want to see Prisoner such-and-such. They'd give my

1 compound guards an ISN number. A compound representative, who
2 spoke English most of the time, would go in and summon that
3 person that needed to be seen by the MI. The MI would then
4 escort the prisoner from that area up into the interrogation
5 area

6 Q Have you ever asked any questions just out of sheer
7 curiosity of why those prisoners are being held in solitary
8 confinement?

9 A No, sir. The one yesterday in solitary that I
10 observed with the handcuffs on was the one that tried to escape.

11 Q Which one tried to escape?

12 A I couldn't tell you his name, sir.

13 Q When did he try to escape?

14 A The day before, sir, out of Tier number five. He was
15 the one that----

16 Q He was the one that was crawling underneath the bus?

17 A Roger, he went around the side, sir, with the barbed
18 wire we had there, pushed his way through it, down to the left,
19 got pinched--tried the one gate there that was locked, which I
20 find amazing--that the Iraqi Guards, the ICOs, they don't lock
21 anything, sir. They have to be constantly told. And has he
22 kept going, the one guard in the tower tried to come down the
3 stairs, but he couldn't get out in time. And then when the

1 alert went out, Sergeant [REDACTED] was coming out of Tier One A and
2 fumbling around with the keys. He was finally able to get out
3 of the guard tower and down to where he went under. [REDACTED] was
4 able to come out and get him out from underneath the bus.

5 Q Okay, you mentioned something about corrective actions
6 that were made since the allegations have been made of multiple
7 detainee abuses Did you or your Battalion Commander, acting
8 Battalion Commander, Colonel [REDACTED] discuss any kind of a plan
9 or were you informed of any plan, written or otherwise, to
10 conduct corrective actions to prevent reoccurrences of detainee
11 abuses by the guards?

12 A Yes, sir Different flyers and notices have been
13 posted. Rules of engagement were once again gone over.

14 Q What I meant to say is, what I mean by a plan, it has
15 to be a written plan, like an operations order of some sort, or
16 an OPLAN or an SOP, and then bring people in and instruct them,
17 as opposed to just arbitrarily posting SOPs and flyers and
18 things of that nature We're talking about a training plan of
19 sorts that would correct the shortcomings that were perpetrated
20 by the seven or ten other soldiers that did all these alleged
21 abuses

22 A We AAR'd it and talked amongst ourselves, sir, what
3 transpired We can't really say at liberty, I guess, because

1 there's a confidentiality to report what the full content was.
2 We talked with the staff. We hope that maybe this 15-6, once
3 it's finalized, will help us formulate a training plan, I
4 believe, find out where the shortcomings were, what we can do to
5 implement a plan, that something like this won't happen

6 Q So even to this day, you are not aware of any
7 specificity of what those soldiers did?

8 A I've seen the charges, sir, but the exact--I've seen
9 the wording of the charges The exact elements of exactly what
10 went into each of those charges that precipitated the next
11 element, no, sir, I'm not aware of it

12 Q You were just shown, "indecent acts, cruelty," things
13 of that nature, but you've not seen any film or photographs,
14 things of that nature?

15 A No, sir, no film, whatsoever.

16 Q And your guards that you talk to every day have not
17 told you anything of any degree of specificity of what those
18 soldiers might or might not have done?

19 A No, sir

20 Q Not at all.

21 A No, sir. I know some soldiers have seen photos,
22 allegedly I know some members of the staff may have seen some
3 of these photos I haven't seen a photo, sir.

1 Q So really, the corrective actions that you're talking
2 about is not a comprehensive list of corrective actions, it was
3 just kind of a response or a reaction to what is really
4 transpiring, like more signs out there reminding people to not
5 do this stuff, that sort of thing.

6 A. Yes, sir.

7 Q. That's the kind of corrective action you're talking
8 about

9 A. Yes, sir.

10 Q. And have you seen Colonel [REDACTED] at all, whatsoever?
11 He gathered all these guys and you read everybody the full
12 context of the allegations that are made against the Battalion?

13 A. Has he...

14 Q. Has he done any of that stuff? Since you were with
15 him, at the time when people were getting suspended and being
16 relieved from their particular job position and he was then, of
17 course, subsequently appointed as the Acting Battalion
18 Commander

19 A. Yes, sir. Colonel [REDACTED] came in on the ground with
20 Colonel [REDACTED] and Colonel [REDACTED] said he's going to be
21 staying on as the Battalion Commander.

22 Q. But before then though, who did you think, since the
3 Battalion Commander was suspended on or about the 13th of 14th

1 or 15th of January or something like that, who was then the
2 Acting Battalion Commander at the time?

3 A. The XO, sir, Major [REDACTED]

4 Q Major [REDACTED] was the XO. Did he then take immediate
5 action to correct the problem?

6 A. Once again, sir, we implemented that plan of
7 unscheduled checks and visits by staff personnel. The reading
8 of once again, and posting of signs and things, encouraging
9 soldiers to report violations of detainee abuse and to overall
10 to make the command aware of--without going into certain details
11 of the incident that had occurred with the 372d.

12 Q But since you've been in this business for a long
13 time, what do you consider as your bible, so to speak, when
14 you're talking about detention operations? What are the
15 regulator^w and doctrinal field manuals, MTP that particularly
16 would be associated with the conduct of detention operations or
17 Internment and Resettlement?

18 A It would be, sir, the Battalion SOP, which we have, or
19 the MTP are the two books that I mostly look at.

20 Q Are you familiar with AR 190-8?

21 A If you give me the name of it, sir, I may.

22 Q It has something to do with detention and
3 resettlement

1 COL NELSON: Which one, sir? I've got it.

2 MG TAGUBA. 190-8.

3 COL NELSON: Enemy POWs or retained personnel, civilian
4 internees and other detainees.

5 Q Are you familiar with FM 3-19-40?

6 A No, sir

7 COL NELSON: And that's MP internment, resettlement
8 operations.

9 CSM ARRISON The excerpts coming out of this, sir, and it
10 would be in the MTF or anything As far as sitting down and
11 opening it up front to cover and know that that is the AR and
12 that's the title, no, sir.

13 Q These are things that should be somewhat relegated to
14 you as the Battalion Command Sergeant Major. You should be the
15 subject matter expert

16 A Or the training, yes, sir

17 Q But you should also be very, very, very keenly
18 familiar with the context of this AR, because it has something
19 to do with the mission that you're conducting today.

20 A If you're asking me, sir, if I can tell you about the
21 size of the compounds, which come out of that, but to say that I
22 know verbatim what that manual says, no, sir, I don't.

1 Q Are you familiar with the context of the Geneva
2 Convention?

3 A Yes, sir, I've had Geneva Convention training.

4 Q Do your soldiers have Geneva Convention training?

5 A I believe that was one of the classes, sir, that we
6 had before we mobilized--or deployed, rather.

7 Q Are you able to articulate the context of the Geneva
8 Convention that would make you culpable to war crimes if you
9 violate such provisions of the Geneva Convention?

10 A Yes, sir, and I know that there's crimes--a code as
11 far as that goes

12 Q What is typically associated with the Geneva
13 Convention and the handling of prisoners?

14 A Abuse, from which is one kind, stealing of trophies,
15 prisoner's belongings, the administering of punishment, things
16 of that nature.

17 Q It goes beyond that, as you know, cruel and inhumane
18 treatment, what is allowed, is not allowed.

19 A. Yes, sir

20 Q Have you seen any of your guards parading any of our
21 detainees without their jumpsuits or their clothing?

22 A No, sir.

1 Q Have you had any knowledge, whatsoever, that things
2 like this----

3 A Just what I read, sir.

4 Q Just what you read? Have you heard any rumors
5 associated with that?

6 A No, sir.

7 Q What about the use of force relative to the handling
8 of a detainee getting prepared for interrogation?

9 A The use of force as in applying handcuffs and moving
10 them from one position to another? And again, your question
11 again or that, sir, is am I aware of handcuffing the prisoner
12 and moving him?

13 Q This is all part of an interrogation plan.

14 A Yes, sir.

15 Q That basically stipulates what are those things that
16 are contained in an interrogation plan as they relate to the
17 removal of the detainee from his cell and taken to an
18 interrogation room, being interrogated, returned back to his
19 cell, is there anything associated with any kind of post-
20 treatment? In other words, should that detainee be put on a
21 special meal plan? Or should that detainee be deprived of
22 sleep, for 4 hours every 24 hours to keep him awake? That he's
3 only going to get 4 hours of sleep in a 24-hour period? Should

1 he be shackled? Should he be stripped of his clothing? Should
2 there be other treatment? Are you familiar with that?

3 A I'm not aware of what would authorize that, sir, or
4 how it's perceived or who makes that determination of what that
5 conduct--is implemented I do know that certain prisoners are
6 placed on lack of sleep schedules, per se, but who makes that
7 determination is, I assume, the MI and what their focus is on
8 that as far as what information they need to extract from a
9 prisoner I don't know about them being paraded around naked or
10 things of this nature or abuse, other than as far as the sleep
11 schedule, I do know that.

12 Q What did you hear when four members of the 320th were
13 held accountable for detainee abuses way back in May? When did
14 you first hear about that?

15 A When I was at Fort Dix, sir

16 Q When was that?

17 A In May, sir, I guess, I mean, it was--like I said, it
18 was well known. It didn't take long for it to travel back. We
19 had one of my soldiers, I think, come back to Fort Dix in the
20 May timeframe for a back problem He was the one that made me
21 aware of it

22 Q How would you characterize your relationship with your
3 Battalion Commander, Colonel [REDACTED]

1 A. I have a good relationship with Colonel [REDACTED]
2 sir It's professional, yes, sir.

3 Q When you were not deployed and you were sticking
4 around at Fort Dix, were there any phone calls, whatsoever, or
5 emails?

6 A I received a letter from Colonel [REDACTED] sir,
7 stating that he knew the predicament the six of us were in, that
8 he wished he could do something about it, that his thoughts and
9 prayers are with us, things of that nature, sir. He knew that
10 all of us wanted to deploy, but for certain reasons, we were
11 unable--he didn't hold that against us. He said that the
12 soldiers know

13 Q Ever since you've been in that Battalion for the last
14 4 years, how long was Colonel [REDACTED] your Battalion
15 Commander up until the deployment time? How long was he in
16 command and you being his Command Sergeant Major? To what
17 extent was your relationship with him, how long was that?

18 A Probably 7 months, maybe, sir

19 Q Seven months, did you know him before?

20 A No, sir.

21 Q Was he assigned to the battalion before that?

22 A No, sir

3 Q So basically, 7 months worth of relationship----

1 A I'd say that's probably right, about 7 months, sir. I
2 think sometime in the May timeframe, April timeframe of the
3 summer before that, we got mobilized.

4 Q So you really didn't establish a good solid
5 relationship with him, per se?

6 A We never performed at AT together, no, sir.

7 Q So the first time you really performed together was at
8 mobilization?

9 A No, sir, we drill weekends and conferences together
10 and things of this nature, but as far as performing a mission
11 together, no, sir

12 Q Not in the collective sense.

13 A No, sir

14 Q What about any other members of the Battalion?

15 A The S3, sir, I've been on board with him for the whole
16 time

17 Q Who's the S3?

18 A Major [REDACTED]

19 Q So he's been there the whole time you've been there
20 for the past 4 years?

21 A He was in the group, sir, the MP group that was here
22 in the same building when I was at 367th, a group when I
3 originally came on board, and then came and moved into the

1 Battalion Sergeant Major [REDACTED], which is also a fulltime, an
2 AGR, he's always been as the Battalion Operations Sergeant Major
3 for the whole time I've known him.

4 Q What about the XO, Major [REDACTED]

5 A The first time I laid eyes on Major [REDACTED] sir, was
6 when I came here to Abu Ghraib.

7 Q So you never knew him?

8 A No, sir

9 Q Headquarters Company Commander?

10 A Lieutenant [REDACTED] is one of my E6s, sir, back years
11 ago I was helpful in getting his direct commission to First
12 Lieutenant--Second Lieutenant, and eventually, now he's a First
13 Lieutenant

14 Q Reporting detainee abuses or inmate escapes, on your
15 best knowledge, Sergeant Major, what are the established,
16 through SOP or different doctrine, field manuals and MTP, is the
17 procedure for reporting that, documenting that?

18 A The alert notification, sir, to the TOC, the
19 summonsing of the IRF and the QRF, if it's a mass escape or if
20 it's an individual escape, a quick assessment and
21 accountability, the overall trying of the apprehension, the
22 facts that go into it, that if he does get outside the wire, who
3 is he? Is he going to go back to certain areas and things of

1 this nature? Was there weapons involved? Are there injuries?
2 It's pretty much along that line there, sir.

3 Q When you first heard that the Bucca incident occurred
4 and you said it somewhat demoralized the morale of the
5 battalion, did you provide any advice, whatsoever, to the chain
6 of command or perhaps even suggested or recommended to get the
7 Battalion back on its feet?

8 A Sir, I wasn't here when it happened.

9 Q Well, through your intermittent contact with the
10 Battalion

11 A I never had much contact with the battalion, sir,
12 other than the soldiers that were coming back through Fort Dix.

13 Q And what about the note, memo or contact with your
14 Battalion Commander--other than the letter that you got----

15 A No, sir. They pretty much had their--I wouldn't say
16 the Battalion did, sir, but pretty much--mind was made up that I
17 was going to be medically discharged from the Army.

18 Q Are you still suffering from diabetes?

19 A I feel fine, sir I mean, it will eventually kill me,
20 but that's not today or tomorrow That will be somewhere down
21 the road.

22 Q Competent medical authority cleared you for
3 deployment?

1 A Yes, sir.

2 Q Are you on medication now?

3 A Yes, sir.

4 Q And your leadership knows that?

5 A Yes, sir.

6 Q The 800th MP knows about it?

7 A Well, I don't know if the 800th knows. I mean, they

8 knew that I was a medical hold due to diabetes, sir.

9 Q But you're not aware whether they know....

10 A What type of medication I'm on, no, sir.

11 Q All of your medical conditions....

12 A No, sir

13 Q Have you made that known or made any attempt to

14 contact----

15 A No, sir.

16 Q When was the last time you saw General Karpinski?

17 A The morning she came out to Abu Ghraib, sir--well, no,

18 sir, I'm sorry, I stand corrected, on the change of command

19 ceremony, sir, here on the 31st of January--the TOA, I'm sorry,

20 the transfer of authority.

21 Q The first time since your deployment?

22 A No, sir, that's the last time I saw the General, sir.

3 Q When did you see her before that?

1 A. She came out right after this incident occurred,
2 talked to the leadership at their staff meeting that morning.
3 The time before that was Christmas Day, I think, sir, she came
4 out to visit the troops And the time before that, I met the
5 General here on Camp Victory

6 Q Did you say something, converse, or was it just a
7 matter of meetings and things of that nature.

8 A Yes, sir. I apologize for my Master Sergeant
9 emailing the General directly with a matter, sir. That's when I
10 first got on board, so I'm not sure whether that Master Sergeant
11 knew I was on the ground, because she's stationed down at Camp
12 Arifjan. I didn't come through Camp Arifjan on my way in, I
13 came in through Camp Wolf up to here

14 Q How would you characterize Colonel [REDACTED]
15 leadership style?

16 A Very approachable, sir, very soldier-oriented, to the
17 needs of the soldier, very hands-on, he leads by example. If
18 the soldiers are stringing wire, he's stringing wire. If the
19 soldiers are getting rained on, he's getting rained on. He
20 leads from the front, sir. The soldiers love him. I know my
21 kids do in the 320th. They're pretty well upset that their
22 Colonel is over here and not back at Abu Ghraib.

1 Q When you arrived and he was the Battalion Commander
2 and based on your observations up until the allegations were
3 made, thus removing some of the soldiers from their position,
4 how did you characterize the interaction between Colonel
5 Philibaum and the rest of the soldiers?

6 A Colonel [REDACTED] is always respected by his
7 soldiers, sir. The soldiers, I guess, at the subordinate
8 company levels didn't know him as well as we know him, just like
9 I don't know their commanders or first sergeants as well as they
10 do because of the different geographical areas. They're not
11 organically assigned to us. That's one of the problems in the
12 Reserves, we don't know what we're getting until we show up and
13 get it. We had one escort Guard Company that was organic to us
14 for a good number of years, the 305th Company out of West
15 Virginia, and those kids were great and we had a great working
16 relationship with them. They'd come to AT with us and do their
17 portion of the mission, which was the towers, the escorts of the
18 prisoners, and things of this nature. And for some geographical
19 reason, where Ashley, Pennsylvania, and Wheeling, West Virginia,
20 and Big Bend, West Virginia, are located, they decided that we
21 couldn't provide the guidance that they needed and pulled the
22 company from our control, which when they reassigned the
3 company, there was only another hour difference, 4 hours as

1 opposed to 5 hours of travel time And they assigned it to an
2 Ordnance group, which makes no sense to me.

3 Q Sergeant Major, what would be your recommendation to
4 help obviate some of the situation that your Battalion is
5 currently undergoing?

6 A Well, sir, we have to realize that this incident right
7 here was no reflection on my Battalion. This is not my
8 Battalion of soldiers. These soldiers are from the 372d
9 Company My Battalion has taken the hit, sir, from that Bucca
10 incident, which we brought on ourselves with the conduct of
11 those four soldiers. These are not my soldiers. We inherited
12 it because of this operation, and I'd like that to be known. I
13 didn't see these soldiers before I got on the ground, therefore,
14 I didn't know what type of soldier I'm getting If this is an
15 internal problem with the 372d that has been existent for a
16 great period of time, I'm not aware of it. Once again, sir,
17 this is echelons above us as far as who we get to do the job
18 with I think maybe perhaps a problem of this nature could be
19 eliminated if somewhere in the future we knew what we were
20 working with As I mentioned in the case with the 305th
21 Company, we knew what those kids were about. I knew who had
22 heart problems I knew who had these kind of problems and
3 things of this nature. They would know me. They came from the

1 poorest part of the country and the poorest states, those kids
2 down there. The biggest employer they had was the Army
3 Reserves, and they get to know these kids. But you don't get to
4 know them when you never meet them. So the leadership has to
5 get down there. But if you don't know what you got until you
6 get here or the ground, you're never going to meet the
7 leadership and they're never going to get a chance to trust you
8 until you get in there to interact with them, and that takes
9 time, sir. It's not something that's developed from the first
10 time these units get on the ground and say, a day later or 48
11 hours later so you have to get to trust these guys. It doesn't
12 happen that way, sir.

13 Q So you are basically recommending that the 372d fix
14 their own problem?

15 A I'm not saying that they have to fix their own
16 problem, sir. I'm saying that that problem they had with those
17 individuals shouldn't be a reflection on my soldiers from the
18 Battalion. Like I say, sir, we shot ourselves in the foot at
19 Camp Bucca with the conduct of those soldiers, and we'll take
20 the hit for that. But this here, we didn't do, sir

21 Q Was the 372d, just so I'm clear in my head, was the
22 372d part of the 320th at Camp Bucca?

3 A No, sir.

1 Q They were not Who were they assigned to?

2 A I'd like to say, sir, the 530th, and I can't be sure
3 of that I believe they came in country in the May timeframe,
4 which is right around the time the Bucca incident happened. But
5 who they were with down here, sir, I wouldn't know.

6 Q So the 372d was assigned to another Battalion at Camp
7 Bucca

8 A I'm not sure if they were at Camp Bucca, the 372d,
9 sir

10 Q They were.

11 A They were somewhere--oh, they were, okay. I wasn't
12 aware of that

13 Q And when everybody from the 800th got their mission,
14 I'm not sure to what extent the 372d was reattached or
15 reassigned to another outfit in the 800th, other than that the
16 800th assumed the mission here that was assigned to the 320th
17 that the 372d was then made part of Okay?

18 A Yes, sir.

19 Q Do you have anything else you want to add?

20 A No, sir

21 Command Sergeant Major [REDACTED] was duly warned and departed the
22 interview area. The interview terminated at 1630, 9 February
3 2004 ;

SWORN STATEMENT

For use of this form see AR 100-45, the proponent agency is DODFSO/S

PRIVACY ACT STATEMENT

1. AUTHORITY: 3 U.S. Statute 30 - Title 5 USC Section 2951 & D. 9397 dated November 22, 1947 / S/N
 2. PRINCIPAL PURPOSE: To facilitate government and law enforcement officials with means by which information may be accurately identified.
 3. ROUTINE USES: The social security number is used as an additional/alternate means of identification to facilitate tracing and tracking.
 4. DISCLOSURE: Disclosure of your social security number is voluntary.

LOCATION:	2. DATE (YYYYMMDD)	3. TIME	4. GRADE/STATUS
ABU-GHAIB, BCCF, IROQ, 10 FEB 04	0700		E-9 USAR
5. LAST NAME FIRST NAME MIDDLE NAME	6. SSN		

ORGANIZATION OF APPROVAL:
320TH MP BN, APO AE 09333
 TO THE BEST OF MY RECOLLECTION

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

THE 320TH MP BN MOBILIZED ON 10 FEB. 2003 AT ITS HOME STATION, ASHLAND, PA. ON 19 FEB. 2003 ADVON ARRIVED AT FT. DIX, NJ. FOLLOWED BY THE MAIN BODY 1 DAY LATER. WHILE AT FT. DIX WE RECEIVED THE TRAINING REQUIRED FOR ALL MOBILIZING UNITS. THE NRE WHICH EVALUATES OUR COLLECTIVE TRAINING AND READINESS ASSESSMENT TO PERFORM OUR MISSION WAS WANTED AND THE BN LEFT FT. DIX ON OR ABOUT 12 MARCH 2003, 140 PERS.

I REMAINED AT FT DIX AS A MEDICAL HOLD BECAUSE OF

SOP'S SEE ATTACHED LIST

THE PROCEDURE FOR MP'S IN REGARDS TO MI INTERROGATIONS IS ONLY TO APPLY THE REFERENCES MADE BY MI AND FOLLOW THE INSTRUCTIONS AS OUTLINED BY MI PERSONNEL IN REFERENCE TO SLEEP PLANS, FOOD PLANS, LIGHTING ETC MP PERSONNEL DO NOT ASSIST IN THE INTERROGATION OF PRISONERS. THE PROCEDURE FOR CONDUCTING THIS IS DONE AT THE "HARD SITE" TIER #1 WITH THE 373RD MP CO NOT THE 320TH

I PERSONALLY HAD A GOOD WORKING RELATIONSHIP WITH THE 165TH MI BN CSM [REDACTED] THE FOB COMMANDER WAS THE 205TH MI BDE. I MET THEIR CSM ([REDACTED]) ON ONE OCCASION AND NEVER SAW HIM AGAIN THE FOB COMMANDER COL. PAPPAS WAS HERE AT ABU-GHAIB VERY OFTEN IN MY

INITIALS OF PERSON MAKING TAT-MEN

PAGES

STATEMENT

TAKEN AT BCCF, IRAQ

DATE 10 FEB 04

S STATEMENT ~~LAWRENCE~~ OPINION THE FOR DONT TAKE AN ACTIVE PART IN BASE OPERATIONS. THE MAJORITY OF EXTERNAL FP TOWERS WERE MANNEED BY MP'S AS WELL AS ALL INTERNAL TOWERS AND ECP'S. YOU DO NOT HAVE TO NAME TO HAVE MP'S OR ECP'S + TOWERS, ANY SOLDIER CAN STAND THAT POST. WHEN THIS WAS ADDRESSED WE RELUCTANTLY RECEIVED SOLDIERS FROM THE MI FOR STAFFING THREE EXTERNAL TOWERS. OUR BN. S-4 OFFICER AND RCU OIC BASICALLY RAN THE WHOLE LOGISTICAL OPERATION FOR THE ENTIRE FACILITY.

320TH MISSION IS TO CONDUCT DETAINEE AND EPW OPERATIONS IN A DESIGNATED THEATER OF OPERATION (SEE ATTACHED) MISSIONS THE TRAINING RECEIVED IS FORMAL (MOS PRODUCING) (INDIVIDUAL, COLLECTIVE, SOP'S ANNUAL TRAINING EXERCISES, AT 8000 FT. DIX, AT 2001 AND 2002 - KOREA, OPERATION FOAL EAGLE, INTERNAL FTX'S ON DRILL WEEKENDS. STA'S (STAFF)

SERIOUS INCIDENTS ARE REPORTED IMMEDIATELY THROUGH CHANNELS, (IE TO C) CHAIN OF COMMAND, INTERNAL SOP'S

CORRECTIVE ACTION TAKEN SINCE THIS INCIDENT CAME TO LIGHT IS TO CONTINUE OPERATIONS AS THEY WERE. CRIMINAL BEHAVIOR IS GOING TO EXIST NO MATTER WHAT CONTROL OR PREVENTIVE MEASURES ARE IMPLEMENTED. THESE INDIVIDUALS CLEARLY INTENDED TO UTILIZE AND SEIZE AN OPPORTUNITY UNDERTAKEN IT PRESENTED ITSELF WHICH WAS EVIDENT BY THE PRESENCE OF CAMERAS, AS THEY INTENDED TO PHOTOGRAPH THEIR SESSIONS. WE ARE QUICK TO ASSUME THAT THE LACK OF LEADERSHIP WAS THE PRIME PRESENCE WAS THE PRIME FACTOR WHICH AFFORDED THE 373RD DEGENERATES TO THRIVE. IF THESE ACTS OCCURRED OVER A 2 MONTH PERIOD PERHAPS IT WAS THE LEADERSHIP PRESENCE THAT PREVENTED THIS BEHAVIOR FROM HAPPENING MORE OFTEN. WHEN THIS INCIDENT WAS MADE KNOWN AND NAMES FURNISHED, ALL THOSE INVOLVED WERE REMOVED TO ADMINISTRATIVE DUTIES FROM THEIR PRESIDENT DUTIES. THEY WERE EVENTUALLY

AT BAGHDAD, IRAQ DATED 10 FEB 04

STATEMENT [REDACTED] MOVED TO CAMP VICTORY AWAY FROM THE REMAINING COMPANY MEMBERS. A MEETING WAS HELD BY ITSELF WITH ALL COMPANY MEMBERS OF THE 370TH. AMNESTY BOXES WERE EMPLACED IN THE USA BY THE FOR COMMANDER. DA FORM 6 WAS CREATED TASKING SENIOR LEADERS TO CONDUCT UNCHEDULED VISITS OF THE FACILITY. THIS WAS ALREADY BEING DONE ON AN UNDOCUMENTED BASIS. NOTIFICATIONS WERE POSTED REGARDING DETAINING AGENT THROUGHOUT THE COMPOUND.

320TH NEEDS: THE ABILITY TO DRAW FROM MANPOWER RESOURCES AS RA DOES. LOGISTICAL DRAW IN PLACE SO THAT WE'RE NOT SCROUNCING AND BEGGING FOR SUPPORT. A HIGHER HQ THAT CARES ABOUT MISSION AND QUALITY OF LIFE ISSUES AND WILL SUPPORT SAME THE ABILITY TO INTERACT WITH DESIGNATED SUPPORT UNITS PRIOR TO MOBILIZATION.

AFFIDAVIT

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 HEREIN. 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 IN THE PURSUIT OF THE BENEFIT OR REWARD WITHOUT THREAT OR PUNISHMENT.

José A. Mendoza
CFCC - CG - PSD José A. Mendoza SGT.

Give, read and sworn to before me, a person authorized by law to administer oaths. 10th DA 0⁰ FEB 0004
Visiting Base

On 14 February 2004, a team of officers, directed by Major General Antonio Taguba, conducted the following interview. Major General Taguba was appointed as an Investigating Officer under the provisions of Army Regulation 15-6, by Lieutenant General David D. McKiernan, Commanding General of the Coalition Forces Land Component Command (CFLCC), to look into allegations of maltreatment of detainees, detainee escapes and accountability lapses, at Abu Ghraib, also known as the Baghdad Central Confinement Facility (BCCF). The panel also inquired into training, standards, employment, command policies, and internal policies, concerning the detainees held at Abu Ghraib prison. Finally, the panel looked into the command climate and the command and supervisory presence.

The following persons were present:

MG Antonio M. Taguba, DCG-CFLCC, Interviewer
COL [REDACTED], Lackland AFB, TX, Member
LTC [REDACTED] CFLCC-SJA, Member
SFC [REDACTED], U S Army MP School, Member
MSG [REDACTED], Recorder

The interview is summarized as follows.

I'm Sergeant Major [REDACTED] social security number is [REDACTED]. I am the Interim Brigade CSM, and by MTOE I'm still also the Brigade Operations Sergeant Major

I reported to Uniondale New York towards the end of June last year, 2003 August 3, 2003 I arrived in Kuwait, and was assigned to the 800th MP Brigade. I was an Individual Replacement, and I replaced SGM [REDACTED] who retired either April or May 2003 as the Operations SGM. He retired and I was sent here to replace him. I was not associated with the 800th MP Brigade prior to this assignment. I worked up at Garrison Command at Fort Leonard Wood in the Operations Section there

My MOS is 31B, and I have not worked with any unit like the 800th MP Brigade, nor do I have any experience with Internment and Resettlement Operations. My preparation for this assignment consisted of reviewing the IR FM, 3-14-90. I was not given any specific guidance as to my responsibilities and duties from anyone in the 800th MP Brigade. As an Operations Sergeant Major I knew what my

skill sets were. -My immediate supervisor was Major [REDACTED] I met with the Brigade CSM and we did not discuss my duties and responsibilities. We discussed that he wanted me to keep him informed of issues concerning soldiers and any serious operational issues such as soldiers being injured or anything he could help out with.

Major [REDACTED] did sit down with me once I got up to Baghdad. He discussed with me that he wanted me to provide oversight on the NCO part, and I helped draft up FRAGO's, and he told me to perform the Sergeant Major job.

I used every opportunity to assess my duties and responsibilities as it related to the 800th MP Brigade. I knew that there had been a previous case of detainee abuse at Camp Bucca, as I heard about that as I was in processing at Uniondale in New York through conversation with other members of the unit as well as the local newspapers.

I knew where the battalions where and what their jobs were. The battalions were set when I arrived in theatre. There were a few battalion moves between August and January. I was not involved with their moves. It was already set before I arrived. Major [REDACTED] and his assistant OPS officer did the planning and execution. I did not get involved with the orders preparation or planning sessions that Major [REDACTED] was involved in. I was not personally involved from one mission to the next with the battalions.

A lot of the mission of the 800th MP Brigade was related to Internment and Resettlement Even though parts of the mission was not doctrinal, there are certain references, policies, to which the units most abide with. Some of those are the treatment of humans, human rights, Geneva Convention Codes, proper treatment of prisoners per the FM, and standard Army policy regulations, and Army values. I am vaguely familiar with AR 190-8 I am familiar that the Geneva Convention needs to be posted where it is visible to both guard and prisoner and in the language of the prisoner or detainee

I am familiar with the established SOP called Detention ROE I was not here, but I'm almost positive that there was ROE training before I arrived Since I arrived to the 800th MP Brigade, at least one modification to the ROE, and it was around the November timeframe. It was disseminated to all of the units via a FRAGO. A new ROE was sent out

and we created some vignettes to go with the new ROE. The units were instructed to train all personnel in the new ROE and vignettes, and to ensure that they were posted in all their guard towers and facilities.

I interacted with each of the battalions Operation Sergeants frequently, some battalions more than others. This was due to some battalions Operations Sergeants being only involved in just tracking movements, and their officers were more involved with the actual movements. I was involved with the receipt of reports from the battalions to the brigade. The principal reports that were required by the brigade were: SIR's or SALUTE reports, and these were forwarded up to CJTF-7. Also, Troop to Task reports were used for the S-3.

Reports involving detainee accountability and management were rolled by the S-1. The S-1 handled this because it dealt with personnel not necessarily operations. This may not be the right answer, but that is the procedure that was in place when I got to the brigade. Most of the SIR reports that were submitted involved IED's, mortar attacks, prisoner escapes. A ballpark figure of prisoner escapes that happened from the time I reported to the brigade was maybe 16 reports of escape. Once I received those reports the staff would be briefed and it would be sent up to CJTF-7, and then a subsequent report would be prepared. Sometimes General Karpinski would launch a 15-6, or an inquiry. I can't recall getting any reports of detainee abuse. The reports were filed on email.

My appointment as the Interim Brigade Command Sergeant Major was due to CSM [REDACTED] being suspended and later relieved of duty. General Karpinski asked me if I wanted the job as Interim CSM, and I accepted. I did not read the report on CSM [REDACTED], but I knew the circumstances. CSM [REDACTED] made some false statements under oath, and allegedly had an illicit relationship with a subordinate, and possibly inappropriate of a government vehicle. General Karpinski told me of this when she asked me to be the Interim CSM. General Karpinski told me to make sure that soldiers were taken care of and do some of the things that her previous CSM hadn't done to include training and mentoring soldiers and NCO's

I went to all the battalions and had an NCO call with their CSM's and all available NCO's. I told the soldiers that I

was the new Interim Command Sergeant Major. I did not go into detail of the circumstances of CSM [REDACTED]' relief. I told some battalions that CSM [REDACTED] was relieved. When I did my NCO call, every battalion had a CSM. I asked General Karpinski why she picked me over some of the other senior battalion CSM's. Before General Karpinski asked me if I wanted the position, I thought CSM Scanlon was in the door waiting to be the brigade CSM. Her decision to choose me caught me by surprise Even CSM [REDACTED] had mentioned to me that General Karpinski had mentioned to him that she asked him to be the brigade CSM. General Karpinski told me that the 530th MP Battalion had moved from Camp Bucca to Ashraf and because of the mission up there, their battalion commander told General Karpinski that he really needed CSM Scanlon up there She also told me that their battalion commanders needed the other CSM's, and that there were several that she did not have full confidence in to give them the job as brigade CSM.

I do not recall any extra emphasis being given to the brigade with regards to directing improvements with the conduct of senior leaders eliciting sexual acts with junior subordinates. When I went out and did my NCO call, I had a few subjects that I went over One such subject was about NCOER's Another class was on awards, but the key class I gave was on conduct and discipline, and making sure that soldiers were doing the right thing As the Interim CSM, I did not get out to the battalions as much as I wanted too The S-3 was short handed During the two month that I was the CSM, I visited the battalions at least once, and some of them more than once I was the Interim CSM and I also helping out in the OPS SGM position The OPS section was short of enlisted and officers I continued to help them when I could The S-3 was authorized six total folks and we averaged six folks

General Karpinski did not indicate that being the Interim CSM would be my principal duty, but I know she wanted that to be my principal duty As much as she and I wanted it to be my principal duty, I couldn't always make it my principal duty I told Major Cavallaro that I was now the Interim CSM, and he was not happy about that due to the shortage of personnel in the S-3 section He was happy for me that I was given a leadership position. Major Cavallaro did not go to General Karpinski and ask her to allow me to work both jobs Anything that was Brigade CSM focused was always first, and that was clear with Major [REDACTED]. I

don't recall having a talk with General Karpinski with regards to my sharing my time between working as the S-3, OPS Sergeant Major, and the Brigade CSM. I should have had a talk with General Karpinski about this. I think I did more in the two months that I was Interim CSM than probably was done for a long time. I had NCO Call, I had a promotion board, sent soldiers to PLDC, got projects built inside some of the battalions to improve soldiers health and welfare. My priority was the brigade. When I wasn't actively doing something for the brigade, working for one of the CSM's, working on a mission, I would walk over to the S-3 section and help out if I could.

When I made my visits to the battalion I went back and gave my observations to the entire staff. During the 1700 Staff meeting I would stand up and give the pulse of the battalion I would tell of any infrastructure problems that the S-4 needed to work on. I would talk about any S-1 problems General Karpinski and I talked about problems that arose in the battalion on several occasions. I didn't think everyone in the battalion was happy, but I thought there was a lot of good information going up and down

Most of the time morale wasn't high. I would go up into the towers and stand and talk with soldiers for up to 45 minutes Soldiers told me that they were tired of being there, tired of being in towers, tired of being short handed, tired of seeing people being REFRAD due to the 24 month rule and no one comes to replace them. Some of the positive comments were that the facilities were improving daily, Internet café, and heat in the rooms, among others

I would describe General Karpinski's leadership style as direct. She is an authoritarian, not a passive leader When issues are brought to her she is direct General Karpinski reemphasized the treatment of detainees in a policy letter I am familiar with the two policy memo's, one dated 5 October 2003, titled, "Proper treatment of the Iraqi people during Combat Operations and the other dated 12 December, 2003, title, "Dignity and Respect while conducting Operations I don't recall that a command directive to tell the units to read to everybody those memo's nor do I recall anyone telling us to post them for all to read It may have been done though When Abu Ghraib became an enduring camp everything started to flow in As to living conditions at Abu Ghraib, a lot of the soldiers were living in the cells We wanted to get

trailers for the soldiers. This was hindered by the mortar attacks A mess hall has been put in as well as a MWR room

I knew that the 205th MI Brigade was directed to be the FOB Command for the Abu Ghraib prison. It did raise my curiosity as to why that happened We had a Battalion Commander there that was in charge until a full Colonel was moved in with the 205th MI Brigade. I did not make an effort to meet the 205th MI Brigades CSM. I used all my efforts to meet with the 800th CSM's and its soldiers.

As far as knowing the operational status of the 320th MP Brigade, I made as much an effort as I could to deal with issues when they came up I know the importance of Abu Ghraib in relation to the other Battalions in the 800th MP Brigade We needed more force protection at Abu Ghraib. This would have had to come from CJTF-7.

I was at Abu Ghraib visiting the Battalion there more time than any other Battalion. I am familiar with Colonel [REDACTED] I had met him several times. Right now the morale is lower in the 320th MP Battalion than it was before Overall morale of the battalion was maybe "medium" I knew that the 320th Battalion was the battalion involved in the detainee abuses at Camp Bucca.

I was out at Abu Ghraib several times and I met with General Karpinski about some of my observations. One of the observations had to do with meeting SFC [REDACTED] when he came down and did his assessment with General Rider. We discussed weapons out in the compound area. I did follow ups with regards to this issue with weapons. Weapons were still in the compound because that was the decision that was made For weapons to stay in the compound tents. I recommended that weapons be removed. The battalion commander and his S-3 officer said that the only thing that keeps inmates from coming over the wire into the compound tent during mortar attacks was them being able to have 9 mils They went and spoke to the CG behind closed doors, and came to a compromise where they could still have their weapons but they must carry them in their cargo pockets. The weapons had to be concealed If it was my decision, I would have went without weapons

[The session recessed at 1306 hours, 14 February 2004.]

[The session resumed at 1326 hours, 14 February 2004.]

The other Sergeants Major told me they were supportive of my assignment, but I know that they would have reservations without telling me. I spoke to each of them individually and all of them said they were fully supportive. I'm sure there was some resentment inside. I would probably feel a little slighted if I was a CSM and an SGM was the Brigade CSM.

Accountability of detainees went up through the S-1 channels unless they come up shorthanded. Then they would send it up to operations with the circumstances. There is a Brigade TACSOP but it doesn't go into detail about detainee accountability. General Karpinski is confident that her commanders have good policy for headcounts. I would ask on my visits how they did their headcounts and all of them were by ISN at breakfast, lunch and dinner. The jails run by the Iraqi Corrections officers did it themselves.

The S-1 maintained a database by numbers by each facility and on a daily basis. The report broke down the raw numbers in several ways. The database was massive. Major Garrity worked late each night updating it. The reports were forwarded to PMO and they may have forwarded them to CJTF-7, but S-3 did not. Same for SIRs, and they would go to the LNO.

I helped resource getting soldiers up for additional training the SFC [REDACTED] was providing as a refresher course. SFC [REDACTED] team selected specific days that they could be available and we sent out the information to all the battalions so they could send representatives to this training. The battalions sent their representatives so that they could go back and train the trainer. I don't think there was an established deadline to have the training completed. There was an initial directive telling the battalions about this training. There was not validation process with the training. There should have been. I don't recall any validation process with any of the battalions to see if and when the training was completed.

With regards to the 320th MP Battalion and morale problems no special or specific instructions were given to me by General Karpinski to pay more attention to this particular battalion than the rest. I do not know if any special training or instructions were given by the S-3 of the Brigade, Major ██████████ right after the incidents.

As the senior enlisted advisor, there was a bond between the brigade commander, General Karpinski and me. She trusted me, and I trusted her. This was a good command relationship. I know that General Karpinski did not have a great deal of respect for the former CSM of the brigade, CSM █████. This was because of the allegations about him, and the fact that he was never around. It was obvious to everyone that there was not a good relationship there.

With regards to the alleged abuses of detainees at Abu Ghraib prison there was not an effort to canvas the brigade, or to try and quell rumors. There was not a special mission to do that. I spoke with all of the CSM's and let them know what was going on. Because this was an ongoing investigation we did not talk about it to the whole brigade. I personally didn't go to talk to soldiers about this because I was told not to talk about it by General Karpinski, as it was an ongoing investigation.

I have knowledge about the detainee abuse. What was relayed to me was that there was some horrific things done. I was told that there were nude detainees, bags over their heads, MP's in the pictures, that sort of thing. I did not see any pictures, or CD's about this.

Everyone saw or knew that the people in the senior leadership were suspended or relieved. Some of the individuals were Colonel ████████ SGM █████ 1SG of the 372nd, and the SFC NCOIC of the night shift at Abu Ghraib, and the Company Commander. I had no knowledge of any follow on information about the suspension of these individuals by General Karpinski. The initial time that she briefed the staff that there was an issue, I was not in that meeting. One of my NCO's let me know that there was an issue and the CG talked about it. As far as giving particular guidance about the incidents she did not give any. She did bring it up once or twice more at another staff call. I have no knowledge whatsoever that she instructed the brigade leaders of the battalions to check their soldiers to prevent further abuses of this nature. I

do know that she put out a policy letter right after the incident which discussed detainee abuse, and that was disseminated.

I would not consider myself as part of the "tight knit" group of the senior leaders within the 800th MP Brigade. I am the new guy. Peer staff officers call each other by their first names. A "go to" person in the 800th MP Brigade is a hard question. Maybe the Chaplain, maybe Colonel [REDACTED], maybe Colonel [REDACTED]. I do not have a "go to" person. I do not go to the CG with my personal issues.

The one recommendation that I would make would be reinforcement type of training. I also stressed standards and uniformity when I went up to the battalions.

I would like to add that as far as prisoner escapes and loss of accountability as soldiers, there is no excuse for prisoner escapes. The brigade had over 32,000 prisoners and only between 16 and 20 have escaped. Total adds up to about 35, and this is less than a decimal of a percent. I think overall the brigade did pretty well at maintaining accountability. Some of the escapes happened under the Iraqi corrections officers watch. I feel deeply saddened for the entire brigade and every soldier who was called up, deployed over here and built up camps from nothing and working hard all year long for these two incidents to completely tarnish everything they and the brigade has done. This includes building a corrections system from nothing to where it's at today. I think it's unfortunate that soldiers and some leaders make some terrible decisions that steered the course of our successful mission to overshadow that by a couple of incidents.

Those who committed need to be punished, and I guess there is more that we could have done at brigade level to help prevent that. There is always more that we could have done. I wish there was more that I could have done, and there probably was.

MG Taguba warned the respondent not to discuss his interview with anyone and let him know that he was subject to being recalled.

[The session closed at 1408 hours, 14 February 2004.]

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

The following persons were present:

COL [REDACTED] MP, CFLCC – PMO, Interviewer
LTC [REDACTED], JA, CFLCC – SJA, Interviewer
LTC [REDACTED], 705th MP Battalion, Interviewer
CSM [REDACTED], 310th MP Battalion, Interviewee
SSG [REDACTED] 27D30, CFLCC – SJA, Recorder

The interview is summarized as follows

My name is [REDACTED]. My social security number is [REDACTED]. I am the Battalion Command Sergeant Major with the 310th Military Police Battalion. I am Reserve.

I was assigned as the Battalion Command Sergeant Major on 8 July 2002. Before this assignment I was detachment Master Sergeant for the 98th Division. I was the reserve liaison between Connecticut National Guard and the Army Reserve for NCOES.

My role as the Battalion CSM mainly is the senior enlisted advisor to the Battalion Commander on all enlisted matters. I assist the Battalion Commander in any official function that he requests my presence at, ceremonies things of that nature. I monitor troop morale, ensure NCOER's are processed correctly, mentor and counsel senior enlisted to make sure they are taking care of their troops, uniformity, and all other aspects of enlisted needs.

I have seen several problems with the command, but it is nothing that can't be fixed. The relationship between officers and noncommissioned officer, I think more emphasis on the NCO's be allowed to do their job. Some Officers should give the NCO's a little bit more authority to do their job. The morale problem with soldiers thinking they were going home didn't help the situation either.

An example would be a senior NCO's trying to mentor a young soldiers by assigning a task and then an officer undermined the senior NCO, by telling the junior enlisted they didn't have to complete the task.

I try to talk to the officers and the colonel the best way possible on the roles officers and enlisted are suppose to play, and try to monitor and reemphasis it. The individuals have to be reminded to follow the chain of command. But, it continues to happen because the officers continue to allow it

We arrived here 16 December 2003 and we relieved the 724th MP Battalion, we were at D1e before that. We spent 49 days assigned to the 1st MEF, and then we were reassigned to the 800th and stayed there until 16 December 2003

We are an IR unit, we were specifically trained for the mission that we have here. We were probably at about 52% strength when we received our orders. We were cross-leveled and we received personnel 812th MP Company from New York. We arrived in country on April 12th. We spent 32 or 33 days in Arifjan, and then we moved to D1e with 1st MEF.

The 1st MEF took care of us. In my 21 yrs in the military that was the best that a unit I served with had been taken care of. We actually had more support from them than anyone else. The difference in leadership between the 1st MEF and our unit was an extreme difference. The marines followed their rules and regulations; they used common sense, and allowed leeway in regards to UCMJ actions. They gave warning, then counseling, and then on to the next step. They always used the chain of command when it would only reach their staff sergeant level. As for the Army problems would make it up to the Battalion Commander before the issue got resolved.

The standards fell once the marines left D1E. Discipline, uniformity, and work ethic are some of the standards that fell. We immediately attempted to resolve the falling of the soldiers standards any lower, and it's still an ongoing issue. I think it improved because soldiers are fully employed here, and also the efforts of the senior NCOs and myself to keep morale high. There is no saluting on the compound.

The units that are assigned to the compound are 310th Military Police Battalion, 977th Military Police Company, 988th Military Police Company, 998th Quartermaster, 151st Signal Battalion, 161st Medical Company, 806th Postal Company, and 2 dog handlers whose units I can't remember right now.

When Gen Karpinski arrived she basically stated she was the new commander, and briefed us on the basic commanders guidance. Some topics covered were getting everyone home safe, and keeping morale up.

We haven't had an issue with NCOER's because about 99% of them aren't due, until they redeployed. There are some that we had to submit, they were kicked back, but only for some minor mistakes. All of our ARCOM's have been completed, the were some bronze stars that were submitted and were kicked back three times, the last time I had to get involved. I had to speak to LT [REDACTED] to find out exactly what they needed.

We have had 1 escape since we took control of the prison, it happened during extreme heavy fire when we had to have detainees low crawl out of the compound. We account for detainees by an ISN/picture count, and a headcount which we do both twice a day. The count is verified by a manifest.

The compound is responsible for collecting the counts for both Abu Ghraib and here, and submitting a consolidated report to higher. We had MAJ [REDACTED] doing the camp counts before she left

My understanding of comments made by the 724th MP Battalion is they attempted to take over MAJ [REDACTED] function as a Battalion function. She was left here to continue to handle that job. Under normal circumstances an S-1 shop would handle that task and an E-7 would be in charge of it.

The 310th is a Military Police Battalion. It is also an IR battalion. The uniforms authorized here are DCU's, BDU's and PT Uniforms. Flip-flops are authorized to and from the shower. There are deviances for the National Guard soldiers that weren't issued the new PT uniforms. Anyone that was in close contact with detainees was required to wear the interceptor body Armour, and Kevlar helmet. Weapons could be secured if soldiers had to come in close contact with detainees.

The Battalions soldier individual task under the Battalions METL have been identified, it's an ongoing leadership duty from team leader on up the chain. Our METL had changed upon our arrival here, but now it has changed back to the original plan. Most of our training to was OJT. The individual tasks were working an interior tower, employ non-lethal weapons, basic use of force, and escort of detainees. It was the responsibility of the S-1 to make sure the Geneva Conventions training was distributed and preformed.

The soldiers' standards that were lacking were in the common soldier task area. Specifically the standards lacking are discipline, customs and courtesies, and the basics that would allow the soldier to perform at their best. If everyone is not enforcing the standards it's like shoveling sand against a tire.

Sir, I have no problems being honest, but I'm a little thrown off by the scope of this interview. I can give you more detail, whether I feel comfortable about it is another story. Like I said before, the support of the officer's plays a big part in the role of an NCO. The NCO can work his hardest, but if the support from the officer is not there the NCO loses his credibility. Where I came from before that is not allowed to happen, so that is why I try my hardest to not let that happen here, but you always have one or two.

Recently we had an E-7 flat out disobey a tasking given out by an E-8. The statement the E-7 made was; he was not doing it, do what you want to me, a counseling statement, Article 15 Letter of Reprimand, I don't care. There were 2 or 3 officers within an earshot of the conversation. Statements were prepared, an Article 15 was recommended. The Article 15 went up to the Battalion Commander. I gave input to the Commander on

what I think the disposition of the Article 15 should be The E-7 only received a letter of reprimand. I was told prior to the disposition of the Article 15 that it would be a letter of reprimand, and I voiced my disagreement and it still took place anyway The E-7 is SFC [REDACTED], and the E-8 is MSG [REDACTED] SFC [REDACTED] rater is CPT [REDACTED] SFC [REDACTED] was clearly disrespectful towards MSG [REDACTED]

We are very extremely short on personnel We only have one individual who is the movement control NCO who resides back at Camp Arifjan We have been making our personnel shortage well known since we knew we would be losing bodies

When we arrived here the 724th MP Battalion had a no salute policy We discussed the policy, and decided to keep it the way it was because we had EPW security detainees in the area That was a mutual agreement between the Battalion Commander and myself

MG Karpinski's battalion priorities were to keep soldier's safe, get everyone back home safe, get the job done, keep morale up, and focus on leadership. It was the standard speech a commander would give to his command

There were reports of detainee abuse by soldiers of the 310th MP Battalion There were two reports that I know of The first soldier received an Article 15, which was finalized today It was a Battalion level Article 15 I was not present, because the soldier requested MSG Lombardo be present

***** (Remaining portion of interview not captured on recording due to technical difficulties)

Tape 2 begins

AR 190-8 covers the treatment of detainees, what you are allowed and not allowed to do.

The detainee count is reported to the Battalion TOC and the S-1 The count is then verified to the camp manifest There have been discrepancies in the detainee count When discrepancies are found there is an immediate recount. The only times the recount didn't match with the camp manifest is when there were escapes.

The battalion submits a USR, shortages of personnel was presented in the USR

***** (Remaining portion of interview not captured on recording due to technical difficulties)

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY:	Title 10 USC Section 301, Title 5 USC Section 2951, E.O. 9397 dated November 22, 1943 (SSN)		
PRINCIPAL PURPOSE	To provide commanders and law enforcement officials with means by which information may be accurately identified		
ROUTINE USES.	Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval		
DISCLOSURE.	Disclosure of your social security number is voluntary		
1 LOCATION Camp Bucca, Iraq	2 DATE (YYYYMMDD) 2004/02/17	3 TIME 1522	4 FILE NUMBER
5 LAST NAME, FIRST NAME MIDDLE NAME [REDACTED]	6 SSN [REDACTED]	7 GRADE/STATUS E-9/USAR	

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

9

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

On 17 February 2004, at approximately 1300, I was interviewed by CO [REDACTED], LTC [REDACTED] and LTC [REDACTED] regarding an ongoing investigation into the 800th Military Police Brigade. At the completion of the interview, I was instructed by LTC [REDACTED] to prepare a Sworn Statement. (DA FORM 2823), and to answer the following questions in my statement

1. Describe the differences that the unit experienced between the 1st MEF and the 800th MP BDE. For example, UCMJ actions taken, uniform standards and policy, and the no salute policy?

ANSWER The differences that I noticed regarding UCMJ actions were that the majority of the issues encountered by the Marines were handled at the NCO level, only the necessary issues were accordingly dealt with at the higher level. In my opinion this was due to the fact that the Marine Command structure allowed their NCO's to do their job, and supported the NCO's by enforcing the "chain of command". The Marines were not prone to a lot of UCMJ action because the NCO's had the respect and authority of their troops, and this came from the support of the Officer's within. This was visible in the actions and performance of the various Marine units. As far as the 800th, more specifically the 310th, this respect and authority is not there to the level that it should be. This is due to several reasons, the Officers keeping the NCO's out of the loop, Officers not backing the NCO's on various decisions, Officers allowing Enlisted Soldier's to go directly to them with issues, and Officers reversing an NCO's decision without ever informing, or discussing, the circumstance with the NCO. Regarding the uniform standards and policy there is not much difference in our current policy as there was when we were with the Marines. The enforcement of this area is a basic NCO responsibility, and was enforced at all times. The no salute policy was in effect for the Camp, by the Marines in Ad Diwaniyah. When we arrived at Camp Bucca, the 724th MP BN had the same policy in effect for this Camp. Upon Transfer of Authority to the 310th MP BN, the Command staff decided to keep that policy in effect due to the presence of EPW's/Security Detainees

2. Describe the accountability process for detainees and escapes?

ANSWER The accountability process for detainees is to conduct two "Roll Call" counts each day, one at morning meal, and one prior to curfew. Roll call counts are conducted by verifying the ISN with the corresponding detainee, then with the manifest. There are also two "Head Counts" conducted each day, "Head Counts" are done by counting the total number of EPW's/detainees in each compound, then verifying the total with the manifest. One "Head Count" will be conducted at the evening meal, and the second one at random during the 24 hour period. If a "Head Count" is interrupted for any reason, a "Roll Call" count will be conducted immediately

When there is an escape, or suspected escape, the facility is immediately "locked down". All compounds conduct an immediate "Head Count" and forward this count to BN Operations. BN Operations consolidates the counts from all compounds and verify's the total count. After security is established and maintained in the compound's, a "Roll Call" count is also conducted by each compound

3. Describe the Battalion process to bring Companies up to METL standards for GPW?

ANSWER This process started on 09 Jan 2004 with the arrival of the 977th Military Police Company, and the 988th Military Police Company at Camp Bucca. Both Companies were briefed by the 724th Military Police Battalion, and the 310th Military Police Battalion on 10 Jan 2004. The initial briefing consisted of a welcome brief by both Battalion Commanders, and an overview of the mission at Camp Bucca. Over the next 2 days, both Companies were given guidance on their new mission as a Guard Company, in support of an EPW Camp. The Companies were provided copies of the Geneva Convention regarding GPW, AR 190-8, and FM 3-19-40. On 12 Jan 2004, both Companies started their RIP with the units that they were replacing and continued

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

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE BE INDICATED

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

STATEMENT OF [REDACTED] TAKEN AT Camp Bucca, Iraq DATED 2004/02/17

9 STATEMENT (Continued)

to receive information in an On The Job Training status, (OJT) Training was conducted, and information was presented daily covering the duties and responsibilities of a MP Guard Company, and GPW Daily Staff Briefings were held with continued emphasis on the Geneva Convention regarding GPW, to include examples of violations of GPW In early January 2004 the 310th MP BN requested the 800th MP BDE to provide training on "Use of Force", and "Rules of Engagement" Major Prieto of the 800th MP BDE provided this training to us twice, once in the beginning of January 2004, and again towards the end of January 2004 Battalion and Company leadership were directed to make on the spot corrections to ensure continued improvement in all aspects of EPW operations The Battalion efforts to bring the Companies up to METL standards is continuous, but challenging, due to the rapid turnover, the OPTEMPO, and limited manpower available within the Battalion

4. Explain what has happened in detainee abuse cases?

ANSWER I am aware of two incidents that involved physical contact between detainees, and U S Soldiers In one incident I received word from Captain [REDACTED] that SPC [REDACTED] was not allowed to return to the Internment Facility due to an incident that occurred between him and a detainee When I asked Captain [REDACTED] what had happened, he told me that there was minor physical contact between SPC [REDACTED] and a detainee, and the incident was being investigated I was told that this incident had happened several days earlier During a conversation with the Battalion Commander, I informed him of what I knew about this incident

The other incident occurred during questioning of a detainee and involved SPC [REDACTED], I was informed of this incident by LTC [REDACTED] The details as I understand them are that SPC [REDACTED] was questioning a detainee and that there was also an interpreter present in the tent during this questioning According to the interpreter's statement, SPC [REDACTED] struck the detainee in the face 1 time, he then grabbed the detainee by the shirt and shook him, and also struck the detainee in the back I was also told that the detainee had reported this to the ICRC, and they informed LTC [REDACTED] I understand that there were 3 other U S Soldiers in the area of the tent, but they were outside of the tent I was told by LTC [REDACTED] that he had directed Captain [REDACTED] to conduct an investigation into the matter At the completion of the investigation, LTC [REDACTED] showed me the statement that was given by the interpreter The statement was in a question and answer format with Captain [REDACTED] asking the interpreter the questions The interpreter initially stated that he knew nothing about any Soldier beating a detainee, but then supported the accusation LTC [REDACTED] also told me that he had statements from 3 other Soldiers and they stated that they did not see or hear anything LTC [REDACTED] then informed me that he was going to administer Article 15 proceedings on SPC [REDACTED] LTC [REDACTED] stated that he had decided to reduce the Soldier in rank, take some pay from him, and give him extra duty LTC [REDACTED] also said that he was not sure how much rank or pay he was going to take but he would not treat the situation lightly I was informed later that SPC [REDACTED] accepted his Article 15 and the punishments imposed were, reduction from SPC to PFC, 1/2 months pay for 1 month, 2 weeks of extra duty, and suspension of his Security Clearance for one year

5 Articulate what the unit did to request the need for additional forces?

ANSWER The unit has requested the need for additional forces on several occasions through the 800th MP BDE This was done through E-mail correspondence, voice communication, and face to face conversation These requests came from several different people to include, LTC [REDACTED], MSG [REDACTED] and I At least two different times MSG [REDACTED] and I went to Baghdad to the 800th MP BDE TOC and spoke to Major [REDACTED] and told him that with our current manpower, we could not safely and effectively perform this mission Major [REDACTED] stated to me that we would be getting two full strength Combat MP Companies for the mission at Camp Bucca and that would be enough to do the mission At various different times I notified CSM [REDACTED] and SGM [REDACTED] of these same concerns When we were finally told which Companies we were getting, we found out that one was close to full strength, and the other was 52 Soldiers short of full strength The unit also continuously attempted to acquire the Soldiers that we left behind at Fort Dix due to medical holds To perform our current mission we had to OPCON 12 Soldiers from the 988th MP CO to fill the manning requirements for the Compound Control Teams USR Personnel Data continues to be reported to the Brigade on a monthly basis //NOTHING FOLLOWS//

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 3 PAGES

STATEMENT OF [REDACTED]

TAKEN AT Camp Bucca, Iraq DATED 2004/02/17

9 STATEMENT (Continued)

|||||NOT USED|||||

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

[REDACTED]
(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me a person authorized by law to administer oaths, this 20TH day of February, 2007
at Camp Bucca, Iraq.

[REDACTED]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

SWORN STATEMENT

For use of this form, see AR 100-45, the proponent agency is OICCSOPS

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301 Title 5 USC Section 2851, E.O. 13397 dated November 22, 1943 (SSN)
INCIPITAL PURPOSE To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
DISCLOSURE Disclosure of your social security number is voluntary

1 LOCATION Camp Bucca, Iraq APO AE 09375	2 DATE (YYYYMMDD) 2014/02/20	3 TIME 10:00	4 FILE NUMBER
5 LAST NAME FIRST NAME MIDDLE NAME	6 SSN	7 GRADE/STATUS E-8/ACTIVE	

8 ORGANIZATION OR ADDRESS
977th Military Police Company, APO AE 09375

9

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

General command climate with regards to support, mission, training, Hague and Geneva Convention and Military Customs and Courtesies. The main body of the 977th Military Police Company arrived on 9 January 2004. Since our arrival the support from the 310th Military Police Battalion has been good with relation to QOL. Camp Bucca has had the best life support of any location we have occupied the last six months. Since our arrival the camp has continued to improve adding another MWR internet cafe, equipment in the gym, a barber shop, and has held numerous bazaars. As far as mission support, we have been able to make any changes and or improvements we deemed necessary to improve our ability to accomplish the mission. We started out on twelve hour shifts but were able to transition to eight by realigning our troop to task. We have designed and started upgrades to the security of the ECPs. We have made improvements to the towers and suggested more improvements and our awaiting approval for plexiglass. The S2 given here has been very limited. We were used to get all INSUM's posted by the 18th MP BDE and the MNDCS. Normally the briefs are limited to the local area, because we travel to both Baghdad and Basra we need an in-depth knowledge. We would have to ask for that specifically to prep for our missions. Our missions daily involve convoy escorts to NAVSTAR, force protection of Camp Bucca itself including eight static posts, area security patrols, and a QRF. We also conduct the detainee escorts to BCCF, the Schieba Military Hospital, or to Basra Airport. We also operated the two ECPs on camp. On visitation days, we provide additional security at the ECP for visitor entrance and at the visitation site itself. We also assist with the searching of the visitors prior to entrance into camp. We also augment the Fog Plan by providing dismounted support to the left side of the IF and mounted support by pulling the ASO patrols and QRF to positions outside the IF where previous escapes have occurred. The patrols also search the area exterior to the IF. As far as training, we have been conducting most these mission through out the deployment. The detainee escort has been the only unique mission. Prior to every mission, the platoon involved conducts in-depth reassessments on the required actions dealing with the detainees from search technique and the use and hand and leg irons to actions on contact. We have conducted searches all through our deployment during our law and order role in Ad Diwaniyah, Iraq. Prior to jumping to Camp Bucca we had eight NCOs assist on a detainee escort mission to BCCF. They provided significant train the trainer instruction to our Soldiers on the nuance of the mission. During the RIP, we were assisted on our first mission by members of the unit we replaced. We conducted refresher training on the ROE particularly how it pertains to the IF and detainees. We review the ROE weekly, as we have since our deployment. The 716th MP BN our previous higher required weekly ROE reviews and we have continued that policy here. The CDR and I also conducted an in-depth ROE class in December 03. Although each Soldier does not currently carry a ROE card, we did not have enough, the updated ROE is posted in each tower and ECP. The Hague and Geneva convention standards are posted at the IF. We have not conducted any specific training on the Hague and Geneva conventions since our predeployment training in March 03. We did brief our Soldiers on General [REDACTED] letter dated October 03 ref to proper treatment of detainees. Contrary to my verbal statement, it was the ROE training and how it pertains to the IF that we conducted. Due to our limited contact with the Detainees, we had not conducted any Hague and Geneva training. We have now mandated that published a class on the Hague and Geneva Convention and will brief the unit. Military Customs and Courtesies has been lacking here at Camp Bucca. Particularly evident by the lack of saluting. We have been saluting in base camps since May. I was surprised when we did not salute here. Initially our Soldiers continued to salute as we had been doing. We were corrected many times. The 724 MP BN and 310th MP BN ordered that this would be a no salute area. We continue to salute just our officers, I was again corrected and told to have our Soldiers to stop saluting. The double standard of who to salute and who not to salute was confusing to the Soldiers so we stopped. I also found uniform standards to be lacking. Civilian clothes were authorized in the gym and in the MWR room on Friday and Saturday nights both counter to the theater policy. Soldiers uniforms were also incomplete missing patches. Lots of "do rags" were being worn and uniforms were worn incorrectly i.e. no headgear, unauthorized sunglasses, id card holders worn on the arm sunglasses on the top of the head sleeves improperly worn rolled up a few turns, and numerous other small violations. Also nobody was carrying personal weapons. Our unit maintained ours despite what everyone else was doing. We were never corrected on this point.

10 EXHIBIT

11 INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF

2 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

STATEMENT OF [REDACTED]

TAKEN AT Camp Bucca, Iraq DATED [REDACTED]

9 STATEMENT (Continued)

The reporting of Detainee Abuse would be handled in our unit by reporting it from the lowest level through the chain of command to operations cell. From our operations cell, we would report the situation to 310th BN operations, our higher headquarters and Camp Commandant. Our Soldiers also knew the IG could be used to report abuses or problems. Our contact with detainees was limited to their transport and security between Camp Bucca and BCCF or to exchange and release sites. For these missions, we search the buses and detainees and also place them in leg irons prior to loading them on Buses. We secure them on the buses until they are off-loaded at BCCF or the release or exchange site. Each bus is manned with an NCOIC, and two Soldiers. During the Fog Plan our headquarters unit is placed on the South Side of the IF, outside the individual compound wires but within the IF wire itself. They are unarmed. Their role is to provide additional visibility during the limited visibility period. Our ASO patrols and QRF patrol the exterior of the IF concentrating on areas where escapes have occurred previously. They patrol the areas just outside the IF wire and berm. They also conduct searches for prisoners in the area surrounding Camp Bucca if an escape occurs.

[REDACTED] Notating follows

AFFIDAVIT

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

[REDACTED]
C-22 - SJA
4-20 16 09 3 24

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths this [REDACTED] day of [REDACTED] [REDACTED] (Army) Doha, Kuwait

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

10 USC 1044 A

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 2 PAGES

On 18 February 2004, a panel of officers, lead by Major General Antonio Taguba, conducted the following interview. Major General Taguba was appointed as an Investigating Officer under the provisions of Army Regulation 15-6, by Lieutenant General David D. McKiernan, Commanding General of the Coalition Forces Land Component Command (CFLCC), to look into allegations of maltreatment of detainees, detainee escapes and accountability lapses, at Abu Ghraib, also known as the Baghdad Central Confinement Facility (BCCF). The panel also inquired into training, standards, employment, command policies, and internal policies, concerning the detainees held at Abu Ghraib prison. Finally, the panel looked into the command climate and the command and supervisory presence.

The following persons were present:

MG Antonio M. Taguba, ██████████ DCG-CFLCC, Interviewer
COL ██████████ Lackland AFB, TX, Interviewer
CPT ██████████ CFLCC - SJA, Interviewer
SFC ██████████ U.S. Army MP School, Interviewer
SGM ██████████ 320th MP Battalion, Respondent

The interview is summarized as follows:

I'm ██████████ Sergeant Major, 320th Military Police Battalion Operations Sergeant Major My Social Security Number is ██████████

CPT █████ then swears the Sergeant Major, and the interview continues

I arrived to the 320th MP Battalion in June of '99, and I've been there ever since. I've been Operations Sergeant Major at several different units. I am an AGR soldier, so I've been transferred about. I never had any dealings with the 800th, before I got here. We deployed out of Fort Dix to Camp Arifjan Kuwait.

There, we had training in NBC defense posture. We had some training in platoon element type training. We had an event, the MRE. It was postponed, and then canceled at the last moment. We had a Post Mobilization Plan, but it pretty much went out the window. There was another training plan force fed to us, when we got there. Someone from the 77th RSC did the validation. We did not do much training on Combat Support Tasks. Basically, we trained on common tasks, and very limited I/R Battalion Tasks.

We arrived in Kuwait on 14 March, Sir. I went across the border on the 22nd of March with an ADVON from the 800th MP Brigade. We accompanied the MEF northward, to put up their first holding area. It was north of Tallil, and Nasiriyah. They determined that it was too hot an area, so they brought us back down by Al Jazir. That was too hot, and they ended up telling us we had to take over the holding area the British were running at Umm Qasr, Camp Bucca.

Our training prior to going to Umm Qasr was very limited. We trained on NBC Defense Posture Methods. Everyone received the CFLCC Rules of Engagement. The Commander went through it line by line. Our Rules of Interaction is in our TAC SOP, and that was gone through with all of our people. It's a standard TAC SOP. We did update it for Iraq, prior to our leaving Fort Dix, and we had it republished at Fort Dix.

I would be surprised, if the 724th and 530th didn't have the same Rules of Engagement, because I remember the 800th going through it battalion by battalion, and I remember the changes. First it was the CFLCC Rules of Engagement, then the 800th's Rules of Engagement. Now, it's back to CFLCC Rules of Engagement.

The training was conducted at the platoon level, Sir. Our Platoon Sergeants did that. The Platoon Sergeants were pre-trained by MAJ [REDACTED] and myself. I don't recall if we had a sign-in roster, but we sat down with the entire platoon present, and because the platoons are so small, we knew if everybody was present.

We were briefed on the Geneva Convention, back at our home station, and we were briefed again on it at Fort Dix. I remember, prior to us going across, getting another brief on this. Treating all detainees with humanity and dignity is what the Geneva Convention boils down to, also safeguarding them, the 5 Ss, conducting operations in a humane manner, and giving them proper care, clothing, and food. I also recall that they have a right to Red Cross presence, and mail.

After the incidents of detainee maltreatment, we retrained everybody. We trained them by platoons, after we reorganized the platoons, because all of them came out of one platoon. We put senior NCOs in with the platoons, as well, to ensure there was always somebody there, during mission operations. At every shift change brief, at noon and midnight, I led the training. It was NCO driven. Running the compounds was NCO business. The Battalion Commander would have his own staff briefing, and give us the information he had to put out, and I would take that to the Shift Change Brief.

I've never received disciplinary action from BG Karpinski. She has approached me to tell me I was no longer the CSM, just the Operations Sergeant Major. I would like somebody to tell me why.

Who's in charge of training the 372nd? The Company Commander.

We don't have Guard Mount. We have Shift Change Briefs. Shift Change Briefs happened every 12 hours. You'd take all the information from that day to the brief, and you'd have the off coming shift, and the oncoming ones present. The senior NCO leadership would be present.

The Sergeant of the Guard was by company, so, in some cases, we'd have two companies with MPs present in one compound. So, you would really have two Sergeants of the Guard.

I was in the compound, at the time of the riot. The NCOIC of Compound 4, where it first started to swell up, called the TOC. MAJ [REDACTED] was in the TOC at the time. PFC [REDACTED] probably answered the radio. The information was logged, and given to the responsible person in the TOC, in that case MAJ [REDACTED] or probably the Battle Captain, probably [REDACTED], that day. He would have given it to MAJ [REDACTED]. SSG [REDACTED] [REDACTED] is one of our assistant Operations NCOs. He ran the afternoon shift. They called for the IRF to be on standby. Personnel from the 229th MP Company were manning the IRF. 1LT [REDACTED] was the Platoon Leader. The Platoon Sergeant probably was SFC [REDACTED]

Under the Rules Of Engagement for the Military Police, at the time, if any prisoner went through the wire, the exterior wire of the encampment, the prisoner would be told "Halt" three times, and if they did not halt, they would be shot

The guard would have gone into his On Guard weapons stance, and they had shotguns with non-lethal ammunition at the time. SGT [REDACTED] was the first one to fire, that I recall with non-lethal ammunition. MAJ [REDACTED] would have given the order to progress. It's the S3's job to run the compound. LTC [REDACTED] responsible for the overall picture. The S3 owns the compounds. All the MPs work for the S3. They are in their direct chain in an I/R Battalion. The word came down from the TOC, and it kept progressing and elevating. It was to the point where it was literally a hail of rocks, and in order to protect MP's lives, the word came down from the TOC to fire lethal ammunition. There were a few shots of lethal ammunition fired, and indeed we shut everything down.

I don't know where the Battalion Commander was, at the time. I had moved from Compound 4 down to 1. I called the TOC, and said, "Get all available MPs down here." We need every available soldier down here." As they came filtering down, SSG [REDACTED] formed them into platoon-sized elements, and sent them to areas, where we needed support. I was keeping the runway open, so people could come through, against Compound 1, otherwise they would rock them so bad they couldn't get through.

The uniform, at that time, was the DCU, the flak vest, and the helmet. That's all that we had. We didn't have face shields. There were some shotguns, rifles, and pistols. Inside the wire, we take off our helmets and our flak vest, and go in with no weapon. We depend on the MPs in the towers for protection. We wear a soft cap, and an orange, PT-type vest. The Brigade Commander approved of that uniform. I've probably spent more time in those compounds than all the rest of the MPs put together. I didn't feel threatened. There's always a danger, but you have to depend on the MPs in the towers. I haven't checked all their marksmanship records, but they better be able to shoot from 50 yards away. They have standard ball, 5.56. The shotguns were on the ground, and they were used for roving. In the towers, they had M16s and 1 saw per compound. The rules were covered in every Shift Change Brief. In the tower, they would shoot, to protect life, whether it was another MP, or to protect an inmate's life. There are no warning shots. I'm sure. The Rules of Engagement are posted in the towers.

There are towers for the exterior wall. MI took those towers. Those guys were looking out, guarding as force protection. Inside, the towers looked in, guarding against anything that might happen with the prisoners. Those looking in are only MPs. We were taken out of the force protection role, and told to leave that alone. We had no more business with force protection.

We were told the MI Brigade was coming in to do C2, Base Ops, and we would handle all Military Police issues. That's what I heard several times from my Battalion Commander in meetings. It was my understanding that all detainee operations were still to be conducted by us, and there was no intermingling or association by the MI Brigade.

The hard site, Tier 1A and Tier 1B was guarded by the 372nd MP Company, at the time. It would be hard to say how often I was there, but it was probably once a week. MI came to us, when they first came here, and said they wanted our MPs to do such things as Sleep Deprivation Program, and this type of thing. They wanted to have segregated units, and I said, "Stop right there. We don't have the capability to segregate. As far as doing things like Sleep Deprivation Programs, my MPs are not trained in that, and will not do that." The next thing that I knew, maybe two months later, I heard that our MPs were in fact doing things like escorting people with bags over their heads, doing the Sleep Deprivation Program. I went to the Battalion about it, and was told our Battalion XO said we had to do it. The Battalion Commander wasn't there at the time. I did go to MAJ [REDACTED] and he said, "This is just the way the program works." I don't know if there was anything in writing on it. Once the MI people took over, things just kind of developed along their line of thinking, especially in Camp Vigilant, and the hard site. The MI had control, including control of the guards.

I didn't raise the issue with SGM [REDACTED]. I saw him out there only once. He was the Operations Sergeant Major. I didn't see him in his capacity as the acting Command Sergeant Major. CSM [REDACTED] came to see me maybe twice. I had interaction with CSM [REDACTED] only a couple of times. I saw him more often at Camp Bucca. I didn't try calling him. It would have been useless to talk to him. He had nothing to offer you. Guidance would come down from Brigade, but we got very little guidance in the NCO Channel from CSM [REDACTED].

I'm not sure who was in the TOC, during the riot. It could have been SFC [REDACTED] or SSG [REDACTED]. A report was provided to the 800th MP Brigade TOC in SIR format. I'm not sure if it was done telephonically. I would be surprised, if all of the reporting was through the 205th MI Brigade TOC.

I learned of the shooting, that happened that same evening, around midnight – 1 o'clock. I was up. I don't know if I was in the TOC. I'm everywhere. It depends on where the issues take me. It was common for me to be all over the place. I didn't have any junior NCOs to delegate those responsibilities to. It wasn't a matter of trust.

A Troop to Task was always being done. It was a living document. We had twelve different companies throughout the time we were there. We might lose a company that

had eighty-eight men, and get one that was sixty-six. So, we were constantly dealing with Troops to Task issues.

HHC is all LSA activities. Detention Operations belonged to S2 HHC personnel are the medics, the motor pool people, and the cooks Five different dog handlers came in, two Army ones, and three Navy ones There was an initial discussion over who owned them, because the 205th MI said, "We requested three Those are the three that we got, the Navy ones." The Battalion said, "We requested them all, so we get them all." Finally, it was decided that all the dog handlers would work for the S3, exclusively

They are supposed to do a walk through the compounds, for demonstration persons They were supposed to be on call in 12-hour shifts, 24 hours a day They were supposed to walk through as a patrol measure They were supposed to use to quell down riots or fights in the compound They were good for searching tents for knives or those types of items They also accompanied the IRF in crowd control I don't remember when the SOP was written We do have an SOP I helped MAJ [REDACTED] write SOPs I referenced FM 19-40, 3-19-1, all of our higher operations manuals. We had one, I don't recall the number, on military working dogs Military dogs were new to us

I don't know if the dogs were used for interrogation purposes Three of them are certified bomb-sniffing dogs Two are narcotics dogs We used them all for patrol, but we tried to utilize the bomb dogs out at the ECP for the searches, there I don't think the advisement of the dog handlers was taken all that much, when they wrote the SOPs I was present on one occasion, when CPT [REDACTED] and an Army dog handler got into a discussion about their proper roles and utilization There were disagreements about that. I don't recall the names of the dog handlers I know SGT [REDACTED] and there's a Specialist, but I don't remember his name I did hear that a dog bit somebody I was at Victory, when that happened

There was somewhat of a conflict between the NCOIC for the Army dogs and the NCOIC for the Navy dogs There were disagreements on how the dogs should be utilized The NCOIC from the Navy was cooperative, and SGT [REDACTED] was much less cooperative I did not know SGT [REDACTED] was a suspect in detainee abuses

MG Taguba hands SGM [REDACTED] a document listing the Interrogation Rules of Engagement, and directs SGM [REDACTED] attention to the list of items in the right hand column SGM [REDACTED] responds

I've never seen this, Sir These are not the functions of the MPs, Sir I wouldn't know how to go about doing that, and I'm a Senior MP I'm certain my junior MPs wouldn't We're not trained for that, Sir

AR 190-8 covers the proper treatment of detainees Extracts from the Geneva Convention were posted It was ripped down We ended up giving the books themselves to the Compound Reps, so they would have a copy. A Compound Representative is a prisoner appointed Mayors All but one or two could speak English, and they had

assistants who could They had compound speakers, English speakers that would assist the Representatives with the language between the Compound Commanders and the prisoners It would have made sense to post it in a language they would understand It probably wasn't posted out of frustration, because everything was torn down

We did give the book to the Compound Reps, we met with the Compound Reps several times a week, and talked about all the issues that were in there. We went through them in the books They had meetings with their tent representatives. Each tent had a representative. They went through that with them. So, everybody was made aware of it All the prisoners and detainees are aware of all their rights. We've been through it with the guards

Sir, they didn't break those rules, and treat prisoners inhumanely because of lack of knowledge They did that out of their own choosing It was their individual choice. They did have proper training and leadership

We had an After Action Review for the riot Some basic changes were put into place Such as, keeping vehicles out of the runway, and putting them on one end We would keep four vehicles on the other end, in case we lost the compound and had to evacuate Another part of it was only the TOC could authorize non-lethal There was a plan that was put on paper It was briefed down to the lowest Private in the Battalion. They all had to sign Then, we had train up scenarios on that. I'm not aware if this was shared with the MI community

I was made aware of the incidents of detainee abuse that resulted in the apprehension of some of the soldiers from the 372nd MP Company on, I think, Friday the 17th of January MAJ [REDACTED] advised me that I would no longer be operating as the Ops Sergeant Major on Sunday evening, the 18th of January He just said that this was direct from the 800th Brigade, and to bring enough clothes for a week, and show up there No one has told me why I was suspended I've had discussions with my Battalion Commander about things that led up to the incident

I constantly interact with the NCOs from my Battalion I don't know about SSG [REDACTED] background I interacted with SSG [REDACTED] a little bit SFC [REDACTED] was the Platoon Sergeant, there I've had interactions with [REDACTED] I think he's a team leader. I didn't interact with CPL [REDACTED] other than to give the greeting of the day, "How are you doing?" this kind of thing I know SGT [REDACTED] was the one that was shot, but I don't really know him I read the SIR on it I know that the individual had a weapon and shot him Luckily, he was wearing his vest He returned fire with non-lethal

The command climate wavered between good and bad It never really got to bad, but it was never a really good command climate either Our NCOs rallied around each other, and supported the rest of the soldiers in the Battalion on this thing We're not going to let one black mark take us down You've done a good job You've worked and soldiered hard Now, we're going to continue on and drive on LTC [REDACTED] wanted the

soldiers to know he was proud of them, and he wanted them to be proud of what they accomplished.

LTC [REDACTED] is very quiet. Sometimes, he would lay back too much I went to MAJ [REDACTED] for guidance on a regular basis. At times, he would say I run this Battalion He had the LTC's ear He definitely could get the LTC's support on whatever was his issue at the time

The LTC had been pulled down to 800th Brigade He suspended or relieved, I don't know which, for a period of two weeks He came back LTC [REDACTED] was in there, at the time CSM came at that time for a two-month period

Sir, I've never seen a Brigade operate like that in my life It wasn't cohesive. It just seemed like a conglomeration of people doing what they wanted to do. It didn't seem like everyone in the traces were pulling the same way

Sir, we should definitely increase training, increase awareness, increase supervision on soldiers Impart to the soldiers that they are responsible too, from Private on up I think that's the answer more than over-supervising That's just saying we don't trust you Building a trusting relationship amongst the soldiers, and teamwork that's what it's going to take I think the trust kind of split, when we had the first incident at Bucca, Sir I don't know if the trust came back in all those areas. In some platoons it did In some platoons it didn't

Well, I think the leadership needs to answer for why it occurred, and how it could be prevented, and how to ensure it wouldn't happen again I also think individual soldiers should answer for their own activities

I've only heard pieces of all that happened, there I don't know if I ever will hear what transpired I think some soldiers were pulled out that did some very hard work, there They were loyal to this Battalion and worked extremely hard I've preached dignity and humane treatment to all of my soldiers, since day one I read General [REDACTED] documents, addressing respect and dignity, in treating Iraqi citizens and detainees, to my soldiers during Shift Change Briefs

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

On 10 February 2004, a panel of officers, directed by Major General Antonio Taguba, conducted the following interview. Major General Taguba was appointed as an Investigating Officer under the provisions of Army Regulation 15-6, by Lieutenant General David D McKiernan, Commanding General of the Coalition Forces Land Component Command (CFLCC), to look into allegations of maltreatment of detainees, detainee escapes and accountability lapses, at Abu Gharib, also known as the Baghdad Central Confinement Facility (BCCF). The panel also inquired into training, standards, employment, command policies, and internal policies, concerning the detainees held at Abu Gharib prison. Finally, the panel looked into the command climate and the command and supervisory presence.

The following persons were present

COL [REDACTED] MP, CFCC – PMO, Interviewer
LTC [REDACTED], JA, CFLCC – SJA, Interviewer
LTC [REDACTED], 705th MP Battalion, Interviewer
1SG [REDACTED], 372nd MP Company, Respondent
SSG [REDACTED], 27D30, CFLCC – SJA, Recorder

The interview is summarized as follows

My full name is [REDACTED], social security number [REDACTED]. I am a 372nd Military Police Company, U.S. Army Reserve, Cumberland Maryland. The company is currently located at Abu Gharib Prison. Myself, along with a few other individuals, since 19 January, have been here at Camp Victory. Pending further investigation, I've been suspended from First Sergeant duties at the 372nd Military Police Company. I don't really know the full circumstances behind it, Sir. I just know, whether it's a political issue or not, based on the individual actions of some soldiers, they felt that the leadership should be removed, pending the investigation.

My role as 1SG is nothing very complex. Really, it's looking after the morale, the health, safety, and welfare of the soldiers in the company. Taking care of the soldiers is the bottom line to it.

Company level, CPT [REDACTED] and I shared the same room at our former assignment, but here we have 2 different rooms. We see each other everyday. On a battalion level, I do attend the battalion briefs in the morning. I had very little contact with the Brigade. If they were to happen to come by the facility, and just happen to be in the neighborhood, I might bump into one of them. I had a CSM [REDACTED] come by once or twice. The only time I really interacted with them with some work was when a water pump at the prison facility needed to be replaced. We worked pretty aggressively to get try and get some money to replace the water pump. I got most of my support from the battalion level. I don't interact directly with the Brigade. This was an exception.

My chain of command consists of CPT [REDACTED], the Company Commander, LTC [REDACTED] at the battalion level, General Karpinski was the Brigade Commander, and

CSM Clements, the Command Sergeant Major, at the time CSM [REDACTED] took his place after he left COL Pappus? I never really had a whole lot of interaction with him

The 205th were the head They were above the battalion, but our leadership chain did not fall under them, because they were the MI crowd I did not see a whole lot of policies or directives coming from the 205th, when they were in charge We went by the guidelines that were already presented, the Rules of Engagement from the 800th, the one back and July, and then in November, the update. I don't know whether our specific units had any relationship

The first half of our element came up to Abu Ghraib October 1st. Our mission was a law enforcement mission in Al Hillah, Iraq We had an Iraqi Police School Our soldiers trained Iraqi security guards The entire city was broken up into 3 sectors. Each one of our platoons had a sector, and we had one as a standby backup QRF type platoon The Commander was very close to the Chief of Police. We had dual roles We integrated into 3 of their sub-stations We had soldiers there 24/7, going out on raids, going out on arrests, going out on warrants, going to and from local courts, and assisting in operating the local jail

We're a CS Company We felt that we were more prepared for that mission, in that many of the raids that we did were similar to the mount training that we often did Certainly the highway miles up and down the road, getting around in cities and things lends us more to what we knew how to do Being a Military Police Company, we have a lot of law enforcement people, who have a little more expertise than someone just going through a Military Police School

We trained the Iraqis on search procedures, weapons handling procedures, how to properly handle AK-47's, Code of Ethics, getting them to understand that there is some type of ethical system out there A police officer making \$30 a month might supplement his income, by taking bribes and grafts from family members wanting to come in and feed the prisoners, or buying their family members out It was a very rudimentary school

We fell under the 310th, when we came into country We were very uncertain what our role was going to be Again, we're a combat support element Combat support typically does not do Internment/Resettlement, Escort Guard, things like that During our Pre-mobilization and mobilization, we did not train on any kind of I/R mission

We organized the company We targeted those who had experience in the correctional field, and put them into key leadership positions, because they've operated prisons, they've operated lock downs, they've operated cells Cumberland, Maryland has a facility right next to it We also contacted the 320th, making sure we attended the mandatory training on the Rules of Engagement, as laid out by the 800th, on the riot control stuff, on non-lethal training I think there was a mandatory feeding observation. We found out the requirement, to make sure we could run things as effectively as we could There was also a "right seat ride" with the 72nd MP Company That was more of an OJT type of training

Our unit's been under strength. We were supposed to mobilize with 180 soldiers. We only took 177 to the MOB site. We came to country with 163, with the medical holds at Fort Lee. Through the exercise we lost soldiers to medical issues. We had 2 with kidney issues, there was a knee, another with a headache type of a thing. One of our platoons was tasked with a protective service mission with the CPA, in and around Hillah and the four cities I guess. So that drops out 28 soldiers right there.

Our soldiers have 3 primary missions. We had the hard site, which has Iraqi criminals, pre-trial and post-trial. We had Camp Vigilant, which has security detainees living in tents, somewhere in the neighborhood of 500. We also did convoy escorts.

Initially, we didn't have to use support personnel, with the numbers we had on the ground. We had enough MP's to cover the mission requirements. Our low-density staff would do their normal activities. To meet force protection requirements we would pull from our low density MOS's. As we integrated the soldiers into the prison, we made sure they had the same mandatory training we had early on.

The commander was involved in the management of stuff. He participated in some of the training, but training function does not necessarily rest on his shoulders. SFC [REDACTED] was our Force Protection NCO, so he designated what training, and we coordinated through him. Former Corrections Officers were integrated as trainers. Sergeant [REDACTED] he works at a correctional facility. He directed the riot control training. We have several individuals, Sergeant [REDACTED], Sergeant [REDACTED], Sergeant [REDACTED], who we tried to plug into key positions at the site, even before we hit boots on the ground.

Yes, Sir. It is alleged that some of my people were involved in prisoner abuse. From second-hand information, I know there were photographs, possibly a video, of some of the things that were going on. Firsthand, I did not observe, or witness anything they are being accused of. They were trusted individuals.

Right now, Sir, morale is in the toilet. I personally felt cheated, exploited, and stabbed in the back. People that have served many years in this unit, feel that there's been a lot of good years, and a lot of good people have come through this unit, and now the unit history's gone down the toilet. We will be remembered as this event, not the history had in World War II, Desert Storm, and the Bosnia rotation. We have a very colorful, very active reserve history. One "Aw shit" eliminates a lot of "Atta boys."

I wasn't aware of the specific tactics that MI used, or what their ROE was for that. I really can't speak toward that one. I don't think our soldiers were aware of the MI ROE. We didn't train our soldiers on that. MI was in charge, and maybe gave direction and guidance to our soldiers, as needed, but I don't think our soldiers had a list of what was going on.

Speaking to that, I don't think that anyone would prescribe or write that on any piece of paper for their Rules of Engagement or "softening up," because it would not hold up. It

doesn't pass the common sense test or any kind of correctional test for treatment of a human being

Each shift had a shift supervisor, who coordinated activities with the soldiers who were working within the hard site or Vigilant

I don't know what the MI instructed them on, specifically. At the company level, we did not know of separate rules of engagement for the prisoners. The soldiers may or may not have. They had more of a daily interaction with the MI's, the interrogators that would actually give them instruction on how to prepare a prisoner for an interrogation.

I think the program we set up, when we first hit the prison, was an excellent program. We put key individuals in place, and those key individual soldiers, at some point in time, maybe took it beyond what the MI softening program was. The MI may have given them very liberal instructions, as to what to do, and they took the ball a little further. To prevent that, I think it's getting to where it's gotten to now – individual contracts with individual soldiers. You will read the Rules of Engagement, you will read the 3 pages on how to wear the Army uniform, you will not think outside the box, you will sit in that chair. If someone wants a glass of water, they will ask you for a glass of water. I think that's going to defeat any kind of motivation, any kind of initiative. What to do different? I think we had a very good plan in place. I think that the problem with the plan in place is that there were individual soldiers, who had warped, demented initiatives, and took advantage of an opportunity, when the opportunity presented itself, a small block of window in the middle of the night. I carried myself through there a number of times. SFC [REDACTED] was there 18 hours a day. They had their own opportunity.

SFC [REDACTED] was the NCOIC of the hard site. The shift change at the hard site was at 4 in the morning. So he would roll in there at 10 - 11 o'clock in the morning, and stay there until 11 - 12 o'clock at night, to try and cover the 2 shifts. SGT [REDACTED] was the correctional officer, daytime, SSG [REDACTED] who was a correctional officer in Virginia, nighttime shift. We had SSC [REDACTED] who was law enforcement. Again, we really stacked correctional people in the facility. There didn't seem to be a whole lot of need to micro-manage what was going on there. The briefs we received from LTC [REDACTED] spoke very highly of our soldiers, the work that they were doing, the accomplishments and success that they were having. There were no indicators that anything outside the outstanding job our soldiers were doing was happening. We had 24-hour coverage with the soldiers we had in place.

I don't think having an FOB made a bit of difference. When I talked to my soldiers, they were short things. They need clothes, they needed food at the confinement facility. All that stuff was handled through the S4. I don't know whether they were handling that stuff through the 205th, or if they were handling it through the 800th. It was a challenge.

MAJ [REDACTED] worked the man to task type set up. We lost 11 soldiers in November, because of REFRAD's, due to 23 - 24 month deployments. Another company may have lost the same thing. So frequently, he would do task to manning standards. Our mission

collapsed in November. In November, we looked at our 3 missions, escort, Vigilant, and the hard site, and we said, we could no longer do the escort. We do not have the soldiers to do the escort mission. So, that collapsed our mission. I'm sure they were doing the same thing for others. We assumed other towers. Other units assumed other responsibilities, as well. As the 870th moved in, they picked up 2 compounds at Ganci. There was a continuous rotation of allocation of resources, as best as I think they could do.

I don't think one quick answer can make things right. Logistics has been the biggest letdown of anything we have. Why are we begging for oil for light sets, to keep electric lights on? Why are we running vehicles that may very well be deadlined, because we can't get parts to fix them? Honest, this is a true story – If you have a bad CV boot on your front shafts of your HMWV's, a corrective measure is to take an MRE bag, and wire tie it around it, to keep the dirt and debris out of it. That's a corrective measure to fix a CV boot? I'm sorry, but parts are falling way short. I think the military has contracted so much out. They can't function independently. We are so interdependent upon the local nationals to provide support, to provide parts or labor, or something in between. I work in the private industry for a profit organization, and I see the military leaning toward operating as a profit organization. Just in time inventory.

We took a mortar attack 3 weeks ago. We just lost our fuel truck. How do we replace it? What mechanisms is there, to DX that one, and get a fuel truck, now? We had a vehicle accident in early June. We lost a 998 truck. We stripped it for parts, because we couldn't get other parts coming in to service. Where is that truck, now? Has that truck been replaced? No, it hasn't. Could we use that 998, to transport prisoners, rather than transport prisoners in the back of a Deuce, that you can't manipulate through some of the serpentines around? Sir, I'd just burn your tape up on that type of an answer. The bottom line is - I think the military should be independent for the soldier's health, safety, and welfare. We need to depend on the military serving us food, clothing, parts, and labor, to minimize the risks that we know are out there. We're allowing hundreds of dumpsters to come in a day. How effectively can we search those trucks? Do we know what's under those 17 tons of rock? It's all a pile.

The panel stopped, to discuss 1SG █████'s statements

The LTC █████ has more questions for 1SG █████, which he answers as follows

I've been the 1SG since March of 2001. I've been with the company since June 1986.

Behavioral issues? I think more control is in corrective measures. I don't think you can change a person's behavior. Their life experiences have made them what they're going to be. You can control it by, maybe increased supervision, or whatever.

MI is responsible for 1A, 1B. Our soldiers monitor the care, welfare, and food of the detainees. I had no role at all at 1A, 1B. My concern is in the morale, safety, and welfare.

of my soldiers Wherever my soldiers were, my question to them is – Is there something I can do for you? Is there something you need? My function is to help support them in their job Not necessarily to do there job, or monitor what they're doing, but to try and support them

Working 12 on, 12 off 7 days a week, a lot of the soldier's training was OJT We leaned on our NCO strength of corrections officers to train those soldiers As far as the training role, I'm assets and resources

My first opportunity to know SGT [REDACTED] was through this deployment We've had our run-ins He's always been a little more of an individual, but talking to his Platoon Sergeant and his Platoon Leader, he's always performed his mission well Right now he's a Specialist He was promoted to Sergeant. A month later he was demoted, not through any fault of his own His security clearance ran out. His interim clearance ran out He gained Corporal rank during Homeland Defense, so he went back to that rank

I did walk through 1A, 1B, 2400 – 0030 Not every night, but at random times I would make my rounds I would see SFC [REDACTED] in there, and he's a capable NCO CPT [REDACTED] would come get me, we'd be trying to check out the generators, and he'd say come with me, so we'd walk through

These things happened out of opportunity There are rooms that have an outside metal door, and you can't see inside Someone has to allow you access I don't remember my access ever being significantly delayed

With LTC [REDACTED] having no further questions, LTC [REDACTED] then gave 1SG [REDACTED] a list of items, to be addressed, and brought back on a Sworn Statement

SWORN STATEMENT			
For use of this form, see AF 190-45, the proponent agency is ODCSOPS			
LOCATION CAMP VICTORY, PALACE	DATE 2004/02/11	TIME 12:30	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]		GRADE/S. ATUS SGT
ORGANIZATION OR ADDRESS 372ND MILITARY POLICE COMPANY, ABU GHURAYB PRISON, IRAQ, APO AE 09335-1322			
I [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH			
Q What did your command do differently after the incident at Bucca? How did your Company operate differently?			
A The situation at Bucca did not affect our Company's mission when we became aware of the incident in August 2003. Our Unit was doing a Law and Order in the city of Al Hillah, Iraq, which was not any type of prison operations. One of the accused soldiers went to Bosnia in 2001 with our Unit. Some of us reflected on his character and agreed he was a good soldier in Bosnia. Our only information about Bucca came from the press. We were not very informed of the details of the incident.			
Q Who was in supervision control of the MP's at 1A and 1B? (CPA, OJA(Other Government Agencies) MI MP) [REDACTED]			
A I would say that "Supervision control" in 1A and 1B rested with the MP's. The Hard site mission was one of our missions. The Hard site consisted of tiers 1 through 4 at that time. Working Manning to taskings were driven by MP guidance. Although "supervision control" was handled by the MP's many of the specific detainee taskings and direction for 1A and 1B were directed by MI or OJA. Detainees in that tier did not fall under the same guidelines of the other Iraqi criminal population in tiers 2, 3, 4. I was told that MI or OJA verbally directed sleep activity, exercise, or isolation to prep for interrogation. [REDACTED]			
Q What was the manner used by MI for prisoner instruction on MI holds? [REDACTED]			
A MI and OJA used verbal instructions when we assumed responsibility of the mission from the 72nd MP Company in October. Written instructions began in late December. Our soldiers were requesting this information to eliminate confusion. [REDACTED]			
Q Knowing what we know now, what would you recommend to your commander to do differently?			
A Recommend differently. This mission stretched our field of expertise or experience. We are not CSC's but we pulled on civilian correctional assets. With the time and manpower resources OPS developed a plan to conduct successful mission operations. The plan called for using Civilian Correctional personnel in leadership positions at Vigilant and the Hard site. Additional general prison training was conducted for other MP personnel. Unknown variables CPA, MI, OJA, policies and procedures working with limited experienced Iraqi Correctional staff and Iraq/CPA Operations.			
Recommendations In a perfect world I would recommend more specific mission definition requirement in order to develop specific training prior to start of mission. Time, energy, resources, necessity and activity determine how much can be accomplished (Troop Leading Procedures). Gain more control of the unknown variables. Hold the variables to specifics in writing, with accountability without specifics no intervention basic life support operations to detainees, survival, support, stabilize, and security, initiate a detainee journal on activities sooner, accountability of procedures accountability of detainees, accountability of soldiers. [REDACTED]			
Q Describe Geneva/Hague rules training, when and where it occurred? [REDACTED]			
A The Geneva/Hague briefing is mandatory annual training. Briefings were conducted in December 2002 and during mobilization at Ft Lee March 2003. The briefings were conducted in group settings lecture style. The briefings at Ft Lee were conducted by non-unit subject matter experts. [REDACTED]			
EXHIBIT [REDACTED] INITIALS OF PERSON MAKING STATEMENT [REDACTED]			
PAGE 1 OF 2 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			

STATEMENT (Continued)

ND 1 4385

AFFIDAVIT

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

[REDACTED] (Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me a person authorized by law to administer oaths this 11th day of February, 2004
at Camp Victoria, Iraq

[REDACTED] (Signature of Person Administering Oath)

[REDACTED] (Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED] (Authority To Administer Oath)

ORGANIZATION OF ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 CF 2 PAGES

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form see AR 190-30 the parent agency is ODCOPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY Title 10 United States Code Section 3012(g)
PRINCIPAL PURPOSE To provide commanders and law enforcement officials with means by which information may be accurately identified
ROUTINE USES Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval
DISCLOSURE Disclosure of your Social Security Number is voluntary

LOCATION	2 DATE	3 TIME
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PART I RIGHTS WAIVER/NON WAIVER CERTIFICATE

Section A Rights

The investigator whose name appears below told me that he/she is with the United States Army.

15-6 [REDACTED] -10

and wanted to question me about the following offense(s) of which I am

suspected accused:

Before he/she asked me about the offense(s), however, he/she made it clear to me that I have the following rights:

I do not have to answer any question or say anything.

Anything I say or do can be used as evidence against me in a criminal trial.

If I am a personnel subject other than UCMJ, I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me

during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me or both.

C

For persons who subject to the UCMJ, I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

I am now willing to discuss the offense(s) under investigation, with or without a lawyer present. I have a right to stop answering questions at any time, to speak privately with a lawyer before answering further, even if I sign the waiver below.

5 COMMITMENT (Continue on reverse side)

Section B Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

1a WITNESS (If available)

1b SIGNATURE OF INTERVIEWEE

1c NAME (Type or Print)

1d ORGANIZATION OR ADDRESS AND PHONE

1e SIGNATURE OF INVESTIGATOR

CPT C. SJA, CHIEF MILITARY LAW

2a NAME (Type or Print)

2b TYPED NAME OF INVESTIGATOR

2c ORGANIZATION OR ADDRESS AND PHONE

2d ORGANIZATION OF INVESTIGATOR

Section C Non waiver

I do not want to give up my right:

 I want a lawyer I do not want to be questioned or say anything.

3 SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

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

The following persons were present

MG [REDACTED], DCG-CFLCC, Interviewer
COL [REDACTED], Lackland AFB, TX, Member
CPT [REDACTED], CFLCC – SJA, Member
SFC [REDACTED], U.S. Army MP School, Member
MSG [REDACTED], 310th MP Battalion, Respondent

The interview is summarized as follows

[REDACTED] My Social Security Number is [REDACTED] My rank is [REDACTED] Master Sergeant, and my position is Operations Sergeant Major, effective 3 January 2003. I deployed with the Battalion. Generally, I deal with the day-to-day operations of the Battalion. Operations entail being aware of the current friendly situation, direct supervision of the NCOs and soldiers within my section, direct supervision of the Compound Control Team NCOICs, at Camp Bucca, while I was assigned here, developing certain standards and procedures, or TTPs related to our mission, as defined by our higher headquarters, advising my S3 on operational matters; and enforcing standards. In an indirect way, we are responsible for accounting for the detainees under the control of the Battalion. The primary responsibility would belong to the S1 section. The S1 submits the daily reports on detainee accountability, through the S3. I have knowledge of the amount of detainees within the facility.

The basic standards would be uniform standards, the basic standards in the Geneva Convention, the basic doctrine of FM 19-40, and basic standards within AR 190-8. As an I/R Battalion we follow FM 19-40. I'm not familiar with the provisions in there, regarding interrogations. Detainees have certain rights that you have to abide by. They're entitled to mail, to contact with the outside, to read a copy of the Geneva Convention in their own language, to recreation, and to food and lodging. Our MPs need to know the provisions of the Geneva Convention.

The soldiers know the Geneva Convention through training. The detainees would know it, through being provided a copy of it in their own language, according to the AR. The posting of the Geneva Convention is required. All the MPs on this base camp conduct a Guard Mount, prior to their shift. Shifts vary according to their element. For example,

the Compound Control Team NCOICs, at Camp Bucca, conduct a Guard Mount one half hour prior to their shift. Their shift would be a twelve-hour shift. If it was 2400 – 1200, they would conduct it at 2330. If it was 1200 – 2400, they would conduct it at 1130.

It is a written in the Battalion SOP that guard mount will be conducted, as related to Camp Bucca and I/R Operations. It's not directed when it will be conducted

I'd have to refer you to the S1. I'm not aware of the exact procedures for counting detainees. It's generally run through a system called National Defense Reporting System, but there are many variables to this. Do you report an Iraqi criminal being tried by an Iraqi criminal court? That situation is in covered in any SOP. I'm not absolutely sure, Sir. I'm not saying they're not trained. I'm just saying I'm don't have the expertise to answer that.

At the time I took the operation over, from the 724th MP Battalion, detainees were accounted for, at a standard interval of two times a day. The count would be done in various ways. One way would be to compare wristbands to the NDRS List produced by S1, which I call a roll call. Another way was to use a localized produced manifest by a compound NCOIC, which married the NDRS manifest, which was broken down by tent assignment to expedite the manifest. That is what I know.

At Diwaniyah, they would conduct a count, during shift change. Anytime there was a discrepancy in the count, they would conduct an ISN check, based on the manifest that the S1 produced, matched with the photo. The MP NCOIC of the Compound Control Team ensures that the count is conducted properly, according to the SOP that we established, within the 32 days we've been assigned to this camp. The S1 is responsible for updating and providing rosters and manifests to the Compound Control Teams, and they do quality assurance with any adjustments, transfers, that type of information. Changes are reconciled daily.

According to our MTOE, Compound Control Teams are a 17 – 19 soldier commitment for 2 compounds capable of containing a thousand detainees. Currently, this unit is at fifty-six percent. When we were assigned to take this mission, we could not conduct it according to doctrine. We currently have the same MPs working the same compound routinely, to develop a TTP in order to be familiar with the procedures and personnel in the compound, and to interact with the Mayor. I am augmenting them with the 988th Military Police Company.

Requirements are generated by the S4, if it deals with logistics. Certain requirements are generated by the S1. Certain requirements, regarding detainee interrogations, are implemented by the S2. They generally go through the S3, to effect it. I have not seen the Interrogation Rules of Engagement. I know what I know from the civilian world. Number one, you got to have a witness. Number two, it should be recorded. I don't know where you going with the question, Sir. So, I don't know what you're looking for.

I believe, Sir that an MI unit should be assigned to this location and that MI unit should be responsible for operating a Joint Interrogation Facility, or JIF, and they should be responsible for conducting interrogations

MG Taguba hands MSG █████ a document containing Interrogation Rules of Engagement, and continues the interview. MSG █████ responds:

I have not seen this, Sir. MI is conducting interrogations. I'd have to refer to my SOP for the procedure. If an interrogator wants a detainee, it's generally done through S2 channels. It could be done with a telephone call, or through an email. They could be escorted down by the S2.

I am familiar with the 800th MP Rules of Engagement. I believe there have been three to four drafts. There's also CJTF-7 ROE. There's CFLCC ROE. I had a draft set, Sir.

I've seen pictures in the newspapers, regarding the Bucca incident, but I've never read them. I can't say that there have been any changes implemented as a result. I'm vaguely familiar with the Abu Ghraib riot. I am aware of the shooting. I received an email, regarding a revised uniform policy, when in close proximity to detainees. We did inquire as to when the drafts would be finalized, but I haven't received a response.

I've received a draft version of the ROE. It's been directed by the Battalion Commander that every soldier will have in their possession the ROE. He has also directed that everyone be trained on the ROE. That is guaranteed through a couple mechanisms. When we first came to this location, we had the Brigade JAG, MAJ █████ brief Rules of Engagement to those soldiers that were on the ground. He conducted a follow-up visit, to conduct a class. The 977th and 988th were emailed, and provided with copies of the ROE that I had, because I knew they were not familiar with detainee operations. They were instructed, through their command, to conduct training on the ROE. Upon follow-up questioning, I was informed that they were. They asked if a roster was needed. We planned to have them go through a second training with JAG, and I felt it sufficient for them to sign the JAG roster.

I do not know of any cases of prisoner abuse. I know SPC █████ was given an Article 15 for an allegation of punching a detainee. I'm aware of another soldier allegedly striking a detainee. I am aware of a soldier displaying a Star of David to a detainee, an allegation of that. That's all I can recall, Sir. The action taken depends on the investigation, and what it was concluded to be. There's no policy on what should happen. I think the soldier should be removed from operations, if there is an allegation. SPC █████ was never an MP Guard. He is an MI Agent, a Counter-Intelligence Agent. He was conducting an interrogation. I don't know if they've seen the Interrogation Rules of Engagement. The S2 NCOIC should know what their left and right limits are.

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

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY	Title 10 USC Section 301, Title 5 USC Section 2951, E.O. 9397 dated November 22, 1943 (SSN)		
PRINCIPAL PURPOSE	To provide commanders and law enforcement officials with means by which information may be accurately identified		
ROUTINE USES	Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval		
DISCLOSURE	Disclosure of your social security number is voluntary		
1 LOCATION	2 DATE (YYYYMMDD)	3 TIME (AD)	4 FILE NUMBER
Camp Bucca Umm Qasr, Iraq	20040220	1022	
5 LAST NAME, FIRST NAME, MIDDLE NAME	6 SSN	7 GRADE/STATUS E-8/USAR	

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

9

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

On 17 Feb 04, at approximately 1530, I was questioned by MG Taguba during a AR15-6 investigation with the stated purpose and scope of allegations of abuse at BCCF, training standards at BCCF, command climate in the 800th MP BDE At the completion of the interview, I was directed to prepare a Sworn Statement and answer the following questions

Q Tell us about your "difficulty" with all the officers in your BN [REDACTED]
 A I have had and continue to have a professional working relationship with all the officers within my BN. The difficulties I have experienced primarily encompass the following areas, my views of the use for a NCO Corp and the proper charge/support I believe officers should invest in the NCO Corp, the occasions when officers undermine the authority of NCO's, my perceived inability to effectively persuade officers within my Battalion to implement guidance/advice that I have recommended for action, some friction that is caused by the ambiguity of staff organization and span of control, disagreeing points of view on some established BN policies, in one case disagreement with a punishment that was imposed as a result of non-judicial punishment I have attempted to convince some officers on occasion when they need something accomplished that they should not go straight to a soldier and not inform/charge with the NCO with the responsibility of getting the mission accomplished It is my belief that junior and mid-level NCO's should execute officers and senior staff NCO's plans An example of not allowing an NCO their proper charge is when a Company Commander or other officer goes direct to a group of soldiers assigning them an escort mission to pick up and escort a visitor and not notifying his 1SG of the plan or charging him with the execution, this also occurs with NCO's An example of undermining the authority of an NCO is when Battalion Staff officers discuss the weakness of a senior NCO in the presence of soldiers and/or makes comments that he is weak in the presence of soldiers An example of undermining NCO charge is when I receive a tasking through the Brigade and tasked by my Battalion commander with assigning a mission to a company and to perform the duties of the S3 in the in his absence, the company commander choosing to disregard the tasking I have had occasional differing views on the best way to accomplish a mission or how to proceed in the absence of guidance Some of these differing views are regarding soldier uniform policy and the wearing of civilian clothes on a base camp while acting as the senior NCO in the Battalion in the absence of my CSM, the Battalion commander permitting a company commander not to accomplish a required tasking after I showed the BN CDR that the company had the assets available to complete it, the enforcement of discipline evenly when necessary As a senior NCO I provide input to these policies and command decisions, I am loyal to the final decision if it is lawful although I may not always be in agreement I have had some friction with officers in other staff sections over confusion regarding Battalion organization, for example, we have an established SOP that is backed by doctrine that task organizes the Compound control teams directly under the S3 section, however, in practice, it has been accepted that they be tasked by the HHC I was unable to effectively persuade the officer staff and BN commander to proceed with this organizational design I also believed it would be more effective to be able to directly task the BN repair and utility section directly without having to task them through the BN S4 or the HHC They have been task organized under Battalion staff and HHC at different points throughout the deployment I have recommended one NCO receive non judicial punishment for outright refusal to conduct pre-mission execution fueling of vehicles which almost resulted in mission failure I felt that the NCO should have received a lenient punishment but not as lenient as was given There has been friction on which section is responsible for coordinating detainee movement These are all doctrinal ambiguities and there are many ways to get a task completed I believe any friction that has existed is due to the Battalion being composed of soldiers from a combination of different units both within the BN HQ and companies I believe many units have this level of "difficulty" especially at the staff level I believe the proper term should be growing pains

Q Tell us (or walk us through) your accountability process (IE from the time you get a detainee how are they processed, accounted for and reported-this means how head counts are done now and prior to 7 Feb 04 Do you line them up, do you sit them down- how do you count them and report those #'s [REDACTED])

A We receive a tasking from Brigade to transport detainee's from BCCF 977 MP Co escorts buses to BCCF They verify and sign receipt for a ISN manifest to account for detainees and verify property by ISN when provided by transferring unit BN S3 has previously planned what amount of detainees will be placed in which compound and notifies S1 processing line BN S3

10 EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>6</u> PAGES
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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

STATEMENT OF [REDACTED]

TAKEN AT Umm Qasr, Iraq

DATED 20040220

9 STATEMENT (Continued)

S3 notifies US LNO to KBR DFAC to ensure meal is available BN S3 notifies CCT, SOG, CCT Supply Sergeant, S1 IF NCOIC of incoming detainees either in person or via FM/land line when working. Detainees are delivered to a pre-staging area immediately outside the holding area comprised of metal stakes and engineer tape that acts as a sally port, are taken off bus by bus, searched, made to squat in column with the CS MP escort company responsible for security and with MWD conducting perimeter security and to demonstrate the MWD in order to increase the psychological deterrent of escape (demonstrations cannot be conducted due to lack of MWD demonstration equipment). Detainees then receive hasty process (as they are required to receive full process from BCCF) where processing personnel verify manifest and determine height, weight and general medical health status and ultimately prepare a movement manifest by ISN to a respective compound after verifying and uploading NDRS/BATs data onto their computer. They are then placed in a holding area at which point they are fed, receive required uniforms and issue and directed to form lines and an interview is conducted by interpreters to determine NOK information. At this point, the MP company responsible for IF security assumes security of detainees. They are also notified of camp rules and schedule of calls by interpreter with a PA system drawn from TSC Doha until a PSYOPS is tasked to reproduce documents in Arabic. This process is generally supervised by the Camp Commander, the S3, the S1, the SOG and the CTT NCOIC. Once a movement manifest is created, the MP IF SOG signs for and is responsible to deliver/march the detainees under the security of roving patrols or foot to respective compound. The CCT then searches the detainee, verifies the manifest, records the intake of detainees on a DA form 1594, briefs the detainees on IF rules and compound rules and then with the assistance of the compound representative ensures that they are lodged in a tent. TOC battle NCO is notified by FM/land line if working when transfer is complete or in person by S1 NCOIC if not, records it on a 1594. The S1 IF NCOIC then updates the TOC detainee tracking board to reflect new detainee population. Head counts prior to January 15th, 2004 were conducted the way the previous Bn, the 724th MP BN, handed off to this Battalion during the RIP. Two established counts were conducted per day. One between 0700 and 0900 coinciding with feeding and one between 1430 and 1630 also coinciding with feeding. They were counted standing as they exited the feeding pen after receiving their meal. The exact method of conducting the count was delegated down to the I/R Control team NCOIC level. The S1 NCOIC was again responsible to conduct quality control, reconcile changes in the numbers of detainees (re: out at sick call, hospital, typographical error etc.), retrieve the compound manifest and deliver it to the TOC in order to update the compound tracking board. The S1 IF NCOIC then updates NDRS or BAT for the next count to reflect any changes and delivers it to the I/R control team NCOIC. This Battalions goal was to standardize accounting procedures across compounds in order to pass off a standardized system with consideration of METT-TC and doctrine. This Battalion has trained CCT on the difference between a head count and a roll call by ISN. We currently conduct a roll call by ISN and match it to a NDRS manifest prior to food being served during morning meal. We conduct a head count during evening meal and a roll call prior to a 2100 curfew that we have established. The CCT is also required to conduct a second random headcount per 24 hour period and record it on a DA 1594. The standard to conduct a roll call is for a whistle to be blown (if available), detainees being required to squat in rows in ISN order behind a sandbag within the compound. CCT then directs detainees by row by ISN to the entrance of the feeding pen within the compound where a ISN wristband is matched against an NDRS manifest (in other words, they are counted into the pen and not out of the pen). If the count is interrupted for any reason, it must be started from the beginning again. Once all detainees are within the feeding pen, they are given meal. During Fog plan, detainees are head counted into the feeding pen with aid of a mechanical counter if available as expeditiously as possible and then reported to the CCT NCOIC/SOG who report all accounted for to the TOC and then a manifest roll call is conducted while detainees squat in rows in the feeding pen. Any uncertainty regarding any head count or roll call is immediately reported to the CCT NCOIC, SOG, TOC. All compounds are locked down which means the fog plan head count/roll call procedure is utilized. The Battalion S2 coordinates and receives information from the TOC supplied by the S1 NCOIC and submits in the form of an Intsum to 16th MP BDE Brigade S2 daily and CJTF-7 Battle Captain daily. S1 also submits a Battalion detainee roll up to CJTF-7 NLT 2000hrs daily.

Q Tell us about how your unit got here, what the unit did at each stage and what training they did at each stage to prepare the soldiers for the IR mission.

A The 310th MP BN (I/R) was activated on 21 January 2003. It was filled to 100% strength with soldiers of the 812th MP CO (CS), the 423rd MP CO (CS). The unit prepared for deployment to Mobilization Station FT DIX, NJ. The unit moved to mobilization station on 24 January 2004 and while at FT DIX received predetermined POI on CTT, weapons qualifications, cultural brief, by the 78th Training Division and unarmed self defense by SGM [REDACTED] from Ft Leonard Wood. The BN METL were trained by unit personnel who were 95B (no 95C instructors were on Ft Dix) and monitored by MATOPS who were not 95B. This training was derived from individual and collective tasks supporting the approved METL tasks. It consisted of individual tasks from STP 19-95C14-SM-TG dated March 1999, and collective tasks from ARTEP 19-546-MTP dated 10 APR 1999 and GPW. The unit conducted unit individual task training at all skill levels and created SOP's which were reproduced. The BN HQ was evaluated in what could best be described as a CPX as the companies that were tentatively identified to be assigned to the BN (the 79th MP CO and the 670th MP CO) were mobilized to a different mobilization site. The unit also conducted training on 4th ID reporting procedures. The unit was validated on or about March 17th and continued CTT training and developed SOP's and tentative BN TTP's based on the current mission analysis. The BN HQ deployed to Camp Wolf on 21 April 2003. It remained at Camp Wolf for 13 days and voluntarily assisted the CSH there in guarding wounded EPW.

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 6 PAGES

STATEMENT OF [REDACTED]

TAKEN AT Umm Qasr, Iraq

DATED 2004 02 21

9 STATEMENT (Continued)

The unit moved to Camp Arifjan in early May and conducted base camp force protection, coordination with the 800th MP BDE in order to determine mission. It conducted port operations to recover unit equipment, theater ROE training and 800th MP BDE draft ROE training. The BN was later assigned the 157th MP CO(G), the 755th MP CO (G), the 372nd MP CO (CS) and the 870th MP CO (CS). It was learned late May that CJTF-7 Frago # 11 to COMCFLCC OPORD 03-033 resulted in the "I MEF accept attachment of the 310 MP BN to I MEF NLT 061700MAY03 and the following MP Companies in order to establish a criminal internment facility in the I MEF zone" with the above companies joining upon their arrival in theater. The BN conducted reconnaissance of Al Hillah Prison and Diwaniyah jail as we had been directed to use existing detention facilities for the mission. The BN HQ and the 157th MP CO moved to Ad Diwaniyah on 6 June 2003. It assumed operational control of the Ad Diwaniyah Jail with a stated capacity of maximum 200 detainees from a team assigned to the 977th MP CO (CS) on 8 June 2003. We coordinated for the improvement /construction of the facility to hold up to 2000 detainees. After coordination with MEF, the BN was further TACON to CSSG-11 14 June June 03 with the 157th MP CO (G). The 755th MP CO TACON to the 1st BN 7th MAR to conduct ASO and MMSO and PIO, the 870th to the 3rd BN, 7th MAR to conduct ASO, MMSO and PIO, the 372nd MP CO to the 1st BN 4th MAR CJTF-7 Frago 360 to OPORD 03-33 Directed I MEF to release HHC, 310th MP BN, the 157th MP (G) and 870th MP CO (CS) to 800th MP BDE NLT 15 June 03 for the mission of assessing and determining the locations of prisons or hard sites suitable for criminal detention and assist CPA with detainee operations and to train/monitor Iraqi corrections officers to facilitate handover of confinement operations to the Iraqi Government. On 17 June 2003, the 310th MP BN was tasked by CSSG-11 to additionally man TCP's in front of SA Edson and base camp defense. On 1 July 2003 1MARDIV decided to retain 870th MP CO and Frago Chops platoons of 870th MP CO (CS) to TACON TF 1/7 and 3/7. On 6 July 2003, the 310th MP BN is directed to establish command and control of the Al Hillah prison and upon CPA hiring guards conduct on the job training so they will be able to operate the jail with minimal US oversight. The BN developed an ad hoc academy program of instruction based on available military manuals, civilian correctional experience and the Geneva conventions centering on civil rights, prison administration, custody and control, unarmed self defense, cell extraction, emergency drills, instruction on available CPA policy and modified it as CPA came up with rules, standards and procedures and as theater guidance started. It Graduated over 91 correctional officers in Diwaniyah alone, created an inservice training program and key control procedures and initiated visitation policies for criminal detainees in Iraq. The 755th MP CO (G) is reattached to the BN from the MEF 29 July 2003. On this day, the BN is tasked with oversight of Al Kut Jail and the An Najaf Jail. With Marine support, the BN begins implementation of the Biometric automated tracking system versus Army NDRS and introduces it to the 800th MP BDE and CJTF-7 to better account for Arabic detainees who do not possess identification numbers, know dates of birth, possess addresses and have a variety of names. On 24 August 2003, CJTF-7 issues Frago 749 creating a detainee procedure and defines security inmates and criminal detainees. On 9 September 2003, the 310th MP BN HQ, the 157 MP CO and the 755 MP CO move from SA [REDACTED] to Medical University in Ad Diwaniyah and become responsible to share with the Dominican Republic responsibility for base defense and shifts priority of support from I MEF to MND-SC. About 18 November, 157th MP CO redeploys and the Battalion is tasked with the additional mission of monitoring Samawah jail and oversight of construction of the An Nasiriyah Prison. On 1 December 39 MP from BN HQ redeploy due to title 10 USC double tap policy and the BN HQ is at 56% strength with numerous MP vacancies and critical vacancies in S2, Engineer Officer, S4 and unit physician. On 15 December, 755th MP CO is released and attached to the 530th MP BN. The BN HQ is directed to move to Camp Bucca NLT 22 Dec 2003 and assume control of Bucca NLT 2 Jan 04. 18th MP BDE releases 977/988 MP CO (CS).

[REDACTED]
AFFIDAVIT

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE [REDACTED] 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)

Subscribed and sworn to before me, a person authorized by law to administer oaths this 20 day of Feb 2004

a: [REDACTED]

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ART 136 124 0015

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 6 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY	Title 10 USC Section 301, Title 5 USC Section 2951, E.O. 9397 dated November 22, 1943 (SSN)		
PRINCIPAL PURPOSE	To provide commanders and law enforcement officials with means by which information may be accurately identified		
ROUTINE USES	Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval		
DISCLOSURE:	Disclosure of your social security number is voluntary		
1 LOCATION	2 DATE (YYYYMMDD)	3 TIME	4 FILE NUMBER
Camp Bucca Umm Qasr, Iraq	2004-01-21	AM	
5 LAST NAME, FIRST NAME MIDDLE NAME	6 SSN	7 GRADE/STATUS E-8/USAR	

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

9

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

on 9-10 Jan 04 The 988 MP CO (CS) and the 977th MP CO (CS) leadership initially received an informal briefing on IR operations at Camp Bucca by both battalion commanders, they received information regarding reported accusations of detainee abuse and warned that it would not be tolerated at Camp Bucca. They were informed of some prohibited conduct to pass on to their soldiers, for example, not to photograph detainees. Previous to that, I emailed copies of 800th MP BDE ROE with attached vignettes for unit training to be conducted prior to their arrival. In accordance with a BDE Frago that training ROE training be conducted and recorded by companies NLT 31 December 2003, I requested JAG assistance. Companies were provided with a copy of a troops to task breaking down anticipated mission tasking per CO that I had created pending approval of the BN CDR. BDE SJA conducted ROE/GPW training in late December/early January and again returned on or about 24 January to conduct further training. Commanders were directed to have all MP attend BN CDR guidance to learn the way operations were currently conducted at the camp and mirror that as much as possible within manpower restraints. A 5 day right seat ride and a 5 day left seat ride was conducted with the 724 MP BN HQ MP and the 310th MP HQ MP on CCT operations. Soldiers received OJT on 724th MP BN verbal and written SOP regarding accountability, feeding procedures, fog plan procedures. 977/988 MP CO conducted an approximately 3 day RIP coordinated between company leadership of incoming and outgoing companies. The 977/988 MP CO and CTT assumed control of their mission on or about 13 January. BN TOA was 15 January 2004. Since TOA, company leadership have received copy of BN SOP's, AR 190-8, and FM 3-19.40. Continued training has primarily been by discussion with company leadership on various provisions of GPW and through operations meetings. Conducting a training plan while conducting mission has been a challenge due to increasing operational tempo, man power requirements and limited expertise of available personnel to conduct training.

Q Tell us about every escape, escape attempt, abuse of detainees, alleged cases of abuse that you or any member of your unit has heard about or has any level of knowledge of

A I am aware of two successful escapes incidents at Camp Bucca while under the command of the 724th MP BN. One was from within the IF during heavy fog that occurred during the RIP and one was during a transport of detainees from BCCF to Camp Bucca also during the PIP. I cannot provide much detail as I was not involved in any investigation or AAR conducted by the 724th MP BN. I do know that three detainees were captured outside the IF during the escape attempt but I recall that 7 attempted escape. This BN has had one escape incident that occurred between January 26/27 during heavy fog. Four detainees escaped by low crawling from within compound 9, under one set of triple strand concertina and avoided setting off a trip flare, over triple strand razor wire and then over a berm avoiding exterior trip flares. The escape was investigated by CPT [REDACTED]. I was told that other escape attempts were made under the command of another BN prior to the 724th at Camp Bucca. I was focused on prison rebuilding efforts in MND-SC and I MEF sector and I did not have much involvement in IR operations. I was told of other attempted/successful escapes during intel briefings at BCCF. I can not provide details as my focus was CPA operations and not IR operations. I am aware of two instances of use of force which may be considered abuse. In the first, it is alleged that a SPC [REDACTED] struck a detainee in the medical tent at Camp Bucca. I do not know if it was a justified use of force but I do know that he was ordered not to return to the IF by a MAJ [REDACTED] and I was told that the matter was under investigation by the HHC Commander and BN. I am also aware of use of force that may be considered abuse by a PFC [REDACTED]. I was told that an allegation was made that PFC [REDACTED] was conducting an interrogation of a detainee for unknown reasons under unknown authority by himself with the exception that he had an interpreter present. I was told that this allegation was first reported by the detainee to ICRC during interview. ICRC reported it to the BN CDR. I was told SPC [REDACTED] questioned the interpreter who at first denied and then made a statement supporting the allegation after being further questioned. I am also told that this detainee was involved in a detainee disturbance in which he was hit in the eye by another detainee. I was told that CPT [REDACTED] BN S-3 was appointed to investigate the matter, that PFC [REDACTED] has received non-judicial punishment and cannot return to the IF.

10 EXHIBIT

11 INITIALS OF PERSON MAKING STATEMENT

PAGE 4 OF 6 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE BE INDICATED

STATEMENT OF ██████████ TAKEN AT Umm Qasr, Iraq DATED 2004 07 20

9 STATEMENT (Continued)

I was told by CPT ██████████ and SFC ██████████ of conduct where a SPC ██████████ displayed a neck chain of a star of David to detainees while at work and was removed from the compound by SFC ██████████. CPT ██████████ directed me to look into the matter which I did. After SPC ██████████ admitted the conduct, told me why he did it and stated that he was not sure if he would do it again, I recommended to the HHC Company Commander that he receive a immediate command referred to mental health. I backbriefed CPT ██████████. SGT ██████████ turned in a incident report at the end of her shift about the occurrence. I have not witnessed any incident that would cause me to conclude that any detainee had been abused. I was not immediately informed about either allegation. These incidents were first reported to Commanders. I have skimmed the headlines of news paper articles regarding alleged cases of detainee abuse by Marines and by members of the 800th MP BDE but did not read them. I would imagine that the Command Staff may have some higher level of knowledge or details about uses of force that when investigated or adjudicated may be determined to be a abuse.

Q How would we improve the ability to do this mission?

Regarding training, insure units that are tasked with this mission receive MP school instructor training in MOS 95C and are certified. I would ensure units are not constantly realigned or reassigned so that they may better operate as an effective team. When mobilizing reserve units, I would cause companies assigned to Battalions to train with Battalions and be assigned to the same mobilization site in order to develop SOP's and TTP and learn of their strengths and weaknesses. Further, I would recommend training in use of force, levels of force, what constitutes abuse of force and what constitutes authorized use of force. I would request or direct training to define proportional use of force and least amount of force necessary to stop an escape in layman terms to soldiers without law enforcement background. I have requested and would recommend assigning JAG to Bucca to provide continuous military legal training in order to teach when to use force and better articulate authorized uses of force. Task JAG to assist in developing legally sound use of force SOP's. Train non MP on what constitutes reasonableness in determining whether or not to make an apprehension, instruct them on how to effectively articulate the details of an offense and preserve evidence and establish crime scenes. afford detainees the right to a preliminary hearing or arraignment in order to determine if there is legally sufficient evidence to hold them and do it within a reasonable amount of time to provide due process. Regarding escapes, recognize that the detainees currently being captured are not demoralized captured soldiers looking to wait out a war, that many of them are idealistic and some are professional criminals and require hard modern prisons to effectively prevent escape. Ensure security measures are provided for their safety and the safety of MP. Increase availability in theater of Oleoresin capsicum to offer a lesser means of force or a level of force that is commonly perceived as less abusive than physical force. Recognize that this type of detainee requires higher MP to detainee ratio than a IR mission. It should be based on greater ratios than assigned to US military prisoners (one Guard Company per 500 prisoners) due to the nature of the acts that these detainees are accused of. Regarding detainee abuse, cause recorded CCTV or hand held video cameras to be installed in the facility or hand carried to support or refute allegations of abuse. Cause professional investigators such as CID to investigate alleged crimes. Provide this camp with the details of the crimes accused by the detainees in its custody in order to better assess their individual security requirements and immediate access to case status or a mechanism where detainees can find out about the status of their case. Assign a TOE 19643L000. Assign TOE 19543LD or 19543LH to increase the Brigade span of control. Assign I/R processing quad TOE 19543LC who are more familiar with processing. A Psyop slice is needed at Bucca to translate required documents into Arabic to comply with GPW, to gain intel on notes that are passed from compound to compound by attaching them to rocks and throwing them, to set up a PA system and Arabic instructions on tape. We need M1 assets and CA assets. We should have more MWD according to the 2 MWD handlers that we have just been able to get on site in order to increase the deterrent factor of attempting escape. We need better and more portable communications equipment as it is difficult if not impossible to communicate with the compounds.

11. END OF STATEMENT III

INITIALS OF PERSON MAKING STATEMENT ██████████

PAGE 5 OF 6 PAGES

STATEMENT OF [REDACTED] TAKEN AT Umm Qasr, Iraq DATED 2004 02 22

9 STATEMENT (Continued)

AFFIDAVIT

I [REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 6. 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 or Person Making Statement)

WITNESSES
[REDACTED]

211010 MP BN
CPO PF 09375

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me a person authorized by law to administer oaths, this 20 day of Feb, 2004
at CAMP MURTAZAH

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED]
(Typed Name of Person Administering Oath)

AR-136 b4 (CMA)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 6 OF 6 PAGES

On 10 February 2004, a panel of officers, directed by Major General Antonio Taguba, conducted the following interview. Major General Taguba was appointed as an Investigating Officer under the provisions of Army Regulation 15-6, by Lieutenant General David D McKiernan, Commanding General of the Coalition Forces Land Component Command (CFLCC), to look into allegations of maltreatment of detainees, detainee escapes and accountability lapses, at Abu Ghraib, also known as the Baghdad Central Confinement Facility (BCCF). The panel also inquired into training, standards, employment, command policies, and internal policies, concerning the detainees held at Abu Ghraib prison. Finally, the panel looked into the command climate and the command and supervisory presence.

The following persons were present

COL [REDACTED], MP, CFLCC – PMO, Interviewer
LTC [REDACTED] JA, CFLCC – SJA, Interviewer
LTC [REDACTED] 705th MP Battalion, Interviewer
SFC [REDACTED] 229th MP Company, Respondent

The interview is summarized as follows.

I'm Sergeant First Class [REDACTED], 229th MP Company. My sosh is [REDACTED]. I am in the IRF, the Internal Reaction Force, which is separate from the Quick Reaction Force. We handle all issues inside the wall, dealing with prisoners. I work for 1LT Sutton. Before, I worked in Customs at Camp Doha.

COL [REDACTED] reads an excerpt from a sworn statement, dated 20 January 2004

"The MI person hit him on the back of the head with a closed fist, causing the suspect to fall forward. The suspect was handcuffed, on his knees, and had a towel wrapped around his head. The MI soldier kept yelling, 'Eyes down,' and 'Get up,' while knocking the suspect down, and repeating the verbal abuse towards the suspect. Another MI soldier came to the assistance of the MI person. The 2nd MI soldier put an arm lock around the suspect's neck, pulling the suspect forward from the ground. While pulling the suspect from the ground by the neck, the MI soldier was twisting left and right, yelling at the suspect, while the first MI soldier struck the suspect in the mid-section of the stomach. 1LT [REDACTED] IRF Commander, approached the soldier and asked if this treatment was necessary. The MI soldier told the 1LT that he was a trained professional and to let him to let him handle the situation. The 1LT reminded the soldiers that the suspect may be innocent. The MI soldiers continued their verbal abuse, and excessive force. The 1LT stated to the MI soldiers that this abuse was not necessary. The MI soldiers ignored the 1LT, and continued to verbally abuse the suspect and drug the suspect off by the neck. The 1LT approached MAJ [REDACTED], and asked the Major if he was going to let this continue. The Major said nothing, and the 1LT stated that he was not going to allow this abuse to continue. The 1LT went to the MI vehicle and wanted to know who was the NCOIC."

Finished reading the statement, COL [REDACTED] continues the interview with SFC [REDACTED]
SFC [REDACTED] responds as follows

I do recall the incident. We all wrote statements on this on August 23rd, about 20 minutes after the incident. I'm surprised you don't have it. 20 January is the second time we reported this incident. We reported this a second time, because we didn't know if this had been investigated. SPC [REDACTED] asked CPT [REDACTED], a Marine who works in the Magistrate Cell, and CPT [REDACTED] said he spoke with the 800th, who told the Captain that he could handle the investigation, that they didn't have time for it. In a few days, after that, the CID folks showed up because of another incident going on at the prison.

I don't recall who interviewed me, but he told be this was turned over to CID. They looked at it, and turned it back over to the command. He knew of no resolution to it. I was under the assumption, from CID, that it was turned back over to the MI command, who have since left a few months ago. I think it was the 205th or 202nd. I remember the 1SG's name was [REDACTED]. Shortly after the incident occurred, 1LT [REDACTED] and I were called to the Battalion TOC, by MAJ [REDACTED] and met with their 1SG, who tried to do some battle damage assessment.

We did the statements, that night, after the incident. We turned them in to 1LT [REDACTED] who turned them in to CPT [REDACTED], our Company Commander, who turned them over to LTC [REDACTED] or MAJ [REDACTED]. They went to someone in the Battalion, but we got no resolution from the 800th at all.

I haven't met COL [REDACTED], yet, but I know LTC [REDACTED] is leaps and bounds over anything we've seen from the 800th. He recognizes senior NCOs by name. Speaks with you every time he sees you. He asks you how things are going. The Brigade CSM met with all senior NCOs, last week, after only being on the ground just a few days. And, within a few days, issued us all brand new brassards. I've hadn't had a brassard from the 800th, since I've been here. I was told we could buy some. I only know of a couple of occasions when BG Karpinski had interaction with any of the soldiers in our unit. It was back in August or early September. She went into 2 towers, and spoke with one of soldiers, who was augmented to another platoon, and spoke about the prisoners. She didn't ask him how his living conditions were, she just wanted to know how the prisoners were. She talked about setting up an intramural inter compound soccer league with him. The other occasion was when Secretary of Defense Rumsfeld came. I wasn't there, but my soldiers said she told Rumsfeld we had everything we needed. She told him we were "Good to go." We were far from "good to go."

As far as the Brigade CSM from the 800th, that was another investigation we brought to the Brigade. The 377th Theatre Support Command investigated him. He came to visit, and had an inappropriate liaison with one of my soldiers. He spoke directly to one of my E4s, before speaking to anyone else. He put his arm around her, and walked around with her. He was rubbing her shoulders, and they disappeared for about 5 or 10 minutes. When they came back, he sat down with her. He was holding his hand on her leg, with his arm around her. She was having some difficult times, with the stress of coming from

Camp Doha to up there, but it wasn't anything that required the physical touching I think she was trying to play the stress card, to get out of pulling duty. We had her evaluated, and the doctor said she was completely fine. But, several of my soldiers observed that, including myself. A couple of them were so angry, that they wrote sworn statements and turned them in to CPT [REDACTED] our EO Representative, which eventually spearheaded the 15-6. That was my first time meeting CSM [REDACTED].

CSM [REDACTED] came out another time, and I spoke with him about the lack of communication devices. We had no phones, no way of calling home to say we're still alive, even though the mortar attacks happen every night. He gave me his satellite phone, and said, "Call home." I said that's not the issue. "We have 115 soldiers, here, that don't have access to a phone. What's being done to fix that?" He said, "Well send up a request for a phone." I said that's already been done. He said, "Well use mine," and I said, "Well, we need to line up every soldier out here, and get them a free phone call," and he then he told me he had to go.

The only other person I know from the 800th is the HHC Commander, a female Captain. When we were at Arifjan, I had a soldier whose brother was killed. She helped me get all the emergency leave paperwork squared away. And, CPT [REDACTED] helped us get up here.

They've never come and talk to us. We'd tell them our living conditions suck, and that we've eaten T-Rations, and that we've eaten breakfast 12 days in a row in September for dinner, but none of those people would come out to see that. SGM [REDACTED] LTC U [REDACTED] and the folks from the 16th are the first people from the Brigade to spend the night at that prison. I've never seen anybody from the 800th come and spend the night, there. They are gone by dark, because Abu Ghraib is a dangerous place after dark.

Morale was really bad back in August and September, because we moved from Camp Doha, which has ideal living conditions, to Iraq. But, morale kind of leveled off mid-field. The mortar attacks don't help, and the fact that we don't do anything about the mortar attacks really doesn't help. The 82nd goes out, and the QRF goes out, but from what I understand, if you don't have the right information in 90 seconds, you're not going to get those guys.

I would have thought that a Brigadier General could stop a buck, but I may be wrong. There are enough people, here, that have been told what's going on, that someone should be able to fix this problem. Related to these incidents, my personal feeling is, as someone who's been a cop for 10 years in the civilian world, if they had taken action on this back in August, it would have set the stage that prisoner abuse was not going to be tolerated.

We're a CS Company that was re-organized prior to deploying as an I/R Company. We changed our MTOE, when we left 1 year ago, today. We went to our MOB Station, and we had time at our MOB Station, where CPT [REDACTED] met with the Platoon Leaders and Platoon Sergeants, and we sat down and developed a training plan. We set up Camp

Alpha It was engineer tape, but it was a compound, and we rotated all 3 platoons through tower guard operations, through internal operations, and escort details, because, at the time, we didn't know what we were going to do We looked at the METL Tasks for an I/R Company, and we knew there were a lot of things we could be doing We tried to prepare for what we thought we were going to be doing It's funny, because soldiers hated Camp Alpha, back in Indiana, but when we got on the ground up there, they were like this is just like Camp Alpha, this is going to be easy Then, it turns out we were only going to be responsible for Tower Guard Operations, which made it easier

I don't think you need to have training, to know that hitting someone in your custody is wrong It's an issue of right and wrong. I've had many conversations with the MI folks after that, and I told them from the beginning, that I wouldn't tolerate that

Finished with their discussion, the panel gave SFC [REDACTED] a list of items, to be addressed, and brought back on a Sworn Statement

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

JURISDICTION Title 10 USC Section 301 Title 5 USC Section 2951 E.O. 9397 dated November 22, 1943 /SSN/
INCIPITAL 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 Victory, Iraq	2 DATE (YYYYMMDD) 2004/02/10	3 TIME 2100	4 FILE NUMBER
5 LAST NAME FIRST NAME, MIDDLE NAME [REDACTED]	6 SSN [REDACTED]	7 GRADE/STATUS SFC/E-7	

8 ORGANIZATION OR ADDRESS
229th Military Police Company Abu Ghraib, Iraq APO AE 09335

9

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

Our unit was mobilized on 10 Feb 2003 and reported to its mob station. Upon arriving at mob station all required training was completed. Once complete we began mission training for MP I/R Company. CPT [REDACTED] prepared a operation order and each platoon was assigned a piece of the mission. A make shift prison camp was established using engineer tape and stacks. Each platoon rotated through each portion of the training over a weeks time. Once arriving in country we were assigned a customs mission from April to August 2003, at which time we move to Abu Ghraib Prison to operate a prison compound. Once arriving we were assigned tower guard duties for Camp Ganji which closely resemble the make shift camp we trained on at mob station. No other training was offered to our unit except to qualify everyone on the use of less-than-lethal rounds for shotguns. Since August our units main mission has been the tower guard operations. Our unit was also assigned the IRF (internal reaction force) which was a new concept to be used as a QRF for situations inside the prison walls. Training for this was established by LT [REDACTED] and myself using FM's and years of civilian Law Enforcement training in the area of civil disturbance. The ROE and Rules of Interaction were the only other items briefed prior to beginning our missions. There were no Geneva convention classes given to our unit. In September 2003 IRF responded to a call to pick up prisoners at the main gate. I was incorrect earlier on he date on this incident. It was September rather than August. During which time we witnessed a prisoner being assaulted by MI soldiers. Sworn statements were completed that night on the incident and forwarded to CPT [REDACTED] who forwarded them to LTC Philabom. Until now no one has asked to speak with anyone who completed a statement. Sometime in late 2003 SPC [REDACTED] spoke with a 'G Captain from the MAG Cell about the incident. SPC [REDACTED] relayed to me that the CPT had contacted the 800th MP Brigade but the incident and was told that he could investigate it himself. The CPT not being sure and being to busy with his assigned work declined to conduct an investigation. In Jan after the news of other crimes against prisoners broke a CID team was sent to conduct interviews about the incidents which had occurred. During my interview I asked about the August incident and was told that they were aware of that but had sent it back to the MI BN for investigation. After the CID interview I advised SPC [REDACTED] that we would wait a few weeks until the 16th MP BDE arrived and turn the statements over to the JAG or IG for investigation as I did not feel that the 800th was concerned about the incident. Until now I do not believe that this incident has been investigated in any way shape or form. A copy of the original statement from August is attached. Since the 16th MP BDE's arrival the change in command climate has changed tremendously. Not only have they arrived but the Deputy Brigade Commander is our acting BN Commander which has put us in direct link with the BDE staff. LTC [REDACTED] is very visible and make a concerted effort to speak with all soldiers that he comes in contact with. He seems to value senior NCO input and wants us to bring forward thoughts and ideas to better the prison environment. The BDE CSM also is very visible. He met with all senior NCO's a few days after his arrival. He stressed that the prison mission was one of the most significant missions that they had and that CPA stressed this as well. That is the first time that I had heard that this was an important mission by anyone outside of the prison. During our meeting he took lots of notes and gave us his word that he would work the issues to the best of his ability. Just this visit and promise to try was 100% more effort than was put forth by the previous BDE CSM. He also gave us the first 16th MP Brassards which had come in to our soldiers. He wanted them to look sharp and be proud of who they are and what they are doing. The 800th told us to buy our own which is why only a few soldiers had them. Prior to leaving he spent several more days visiting all the soldiers to include spending some time in their living areas to see how they lived. He also had his EO NCO speak with soldiers to get their feelings on how things were going. He was very concerned about some of the long term issues that were going unresolved, many since August and September. Elements of the 16th BDE were the first BDE staff to actually spend the night at our prison and see what the conditions are like in the middle of the night. I have not personally met the new BDE CDR but I have seen him at the prison several times in the past few weeks compared to only seeing Gen Karpinski a few times and never in the troop living areas. Since August she had only spoken with 2 soldiers from our company, one of which was my soldiers. He said she was more concerned about the prisoners and starting them a soccer league than how he was doing. All in all it appears that the new BDE is trying to fix the problems we are dealing with as quickly as possible. //End of Statement//

1C EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 7 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BE BE INDICATED

STATEMENT OF [REDACTED] TAKEN AT 2100 DATED 2004/02/10

9 STATEMENT (Continued)

[REDACTED] Not Used [REDACTED]

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.

[REDACTED]
[REDACTED] (Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 11 day of February, 2004
at CTF 7 PMC [REDACTED]

[REDACTED]
[REDACTED] (Signature of Person Administering Oath)

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED] (Type or Name of Person Administering Oath)

Art 134 (5)(g) UC 45

[REDACTED]
[REDACTED] (Authority To Administer Oaths)

[REDACTED]
[REDACTED]

TRIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1 LOCATION	2 DATE /YYYYMMDD/	3 TIME	4 FILE NUMBER
Abu Ghraib Prison, Iraq APO AE 09335	2003/09/21	0100	
5 LAST NAME, FIRST NAME, MIDDLE NAME	6 SSN	7 GRADE/STATUS	
		SFC/E-7	

8 ORGANIZATION OR ADDRESS
229th Military Police Company

9

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

On 20 Sep 03 at approx 2145 a mortor attack was received in the vicinity of Camp Vigilant. At approx 2230 the IRF (internal Reaction Force) was called to the 320th BN TOC and advised that a mortor had laneded in the MI BN tent and there were approx 15 wounded that were being medivac. We were told to stand by there and wait for further. Shortly thereafter we were told to go back to our living quarters and stand by to be called again. About 2330 we were called to responded to the ECP (entry control point). Once arriving we were told that the QRF was outside the wire attempting to stop a vehicle which they believed may be involved with the attack. We were told to stand fast and be prepared to be their backup should the need arise. They soon stopped the vehicle and transported it back to the ECP with the 2 occupants a male and female. Once arriving the vehicle was searched searched and the two in custody were taken over to the visitor tent where we responded and watched over the two. A few minutes later at approx 0030 21 Sep 03 a HMMWV pulled up with approx 10 soldiers and came over to us. The first soldier wearing a deserri camo flak jacket came up to the male prisoner and began screaming at him telling him eyes down and asking "what the fuck are you looking at". He then grabed him by the back of the head and pushed it down into the dirt. 1LT [REDACTED] told him that was unnecessary and the soldier looked at him and told him "that he was the professional at this he knew what he was doing". 1LT [REDACTED] said that doesn't look to professional. I then said that I had never been taught that when I went through intergator school. At this point another soldier (a very large stocky soldier) came over and started yelling at him to get up. He grabbed him and yanked him up off the ground and secured his arms and began walking him back towards the vehicle. He continued screaming and forcefully moving towards the truck. As he passed me I told him to "at ease and calm down". He continued past me to the back of the truck. Once reaching the back of the truck he began striking the prisoner in the back of the head and back. He continued reaming at him to get into the truck. The soldier then forcefully slammed the prisoner into the bed of the truck once the prisoner was in the bed of the truck he was struck a few more times and told to put a mask on. When the prisoner turned towards the back of the truck it appeared that he was bleeding from the lip, but I was unsure do to the poor lighting. At this point I asked the NCOIC what unit he was from and he told me the 519th MI. I then realized that these were soldiers from the unit that had been attacked. At this point the vehicle left and the IRF secured back to our living area. After arriving back in our area 1LT [REDACTED] was called by Maj [REDACTED] and asked that both he and I responded to the TOC. Once arriving we introduced to 1SG [REDACTED] who is the 1Sg of the MI group. He told us that this had never happened and that had been doing these operations for 14 montus in Afghanistan and Iraq. He continued to apoligize and remind us that he had people that were wounded and everyone was upset. Maj [REDACTED] told us that Cpt [REDACTED]'s had been told and she was very upset over the incident. We explained to them that during our many years of law enforcement that you never send a suspect back to a group of officers that were directly effected by an incident because you don't know what they might do and that this case was exactly the same. We were told by the 1SG that they would handle it and we advised that we were going to forward statements of the incident as well. Maj [REDACTED] advised that he would forward that paperwork to the BN CDR so that action could be taken. 1LT [REDACTED] and I then responded back to the IRF barracks where we advised the team to complete statements of the incident and we advised them of what the 1Sg had told us.

End of Statement

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 BE INDICATED

STATEMENT OF _____ TAKEN AT _____ DATED _____

9 STATEMENT (Continued)

- Not Used -

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]

CPT FAB

CPT FAB

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me a person authorized by law to administer oaths this 11 day of February, 1998
at C.JTF-7 PHAL GARDEN, DEK,

[REDACTED] (Administering Oath)

[REDACTED] (Typed Name of Person Administering Oath)

AF 134(3)(4) AACM

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES