

APPROVED FOR RELEASE DATE: 06-Sep-2013

SECRET

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SWORN STATEMENT			
For use of this form, see AR 190-45; the proponent agency is ODCSOPS			
LOCATION <u>FT. CAMPBELL, Ky 42223</u>	DATE <u>9 July 04</u>	TIME <u>1301-</u>	FILE NUMBER
LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS <u>E-6/366</u>	
ORGANIZATION OR ADDRESS <u>C/1/5 SF6(A) DIDA 531 FT. CAMPBELL, Ky 42223</u>			
I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:			
ON 31 OCT 03 I RECEIVED WORD THAT WOUNDED WAS ON ITS WAY TO OUR COMPOUND AT ABOUT 1730. THAT WAS THE ONLY INFORMATION THAT I WAS GIVEN. ABOUT 5 MINUTES LATER A GAVU PULLED UP AT THE STOPS OF THE LANDING DOCK AND I WITNESSED SFC BRUCE STEP OUT OF THE PASSENGER SEAT COVERED WITH BLOOD, MISSING HIS RIGHT ARM AND HIS LEFT ARM HANGING LIMPLY AT HIS SIDE. I WENT TO HIM AND HELPED HIM WALK TO MY AD-STATION. ONCE INSIDE I STARTED TREATING THE INJURIES. ONCE HE WAS STABILIZED I FLOW WITH HIM TO AL ASAD WHERE HE UNDERWENT THE FIRST SURGERY AND I STAYED WITH HIM UNTIL HE WAS FLOWN TO BAHADAD THE NEXT DAY. I LINKED BACK UP WITH MY TEAM A COUPLE OF DAYS LATER AND RESUMED OPERATIONS. ON 21 NOV 03 WE WERE LEAVING HUSAYBATH HEADQUARTERS BACK TO OUR COMPOUND WHEN MY GAVU WAS AMBUSHED WITH A GZAM CHINSE ROCKET. THE ROCKET STRUCK THE REAR PASSENGER SIDE DOOR AND DETONATED. WHEN THE SMOKE CLEARED OUR CONVOY CONTINUED THROUGH TOWN UNTIL WE COULD FIND A SUITABLE SPOT FOR US TO TREAT THE WOUNDED. MY TEAM SERGEANT [REDACTED] HAD BEEN INJURED SEVERELY IN HIS RIGHT ARM AND FACE. ONCE I STABILIZED THE INJURED HE WAS FLOWN TO TIHON BASE WHERE I MET HIM TO UNDERGO SURGERY AND THEN FLOWN TO BAHADAD. WE AS A TEAM RESUMED MISSION THE NEXT DAY. ON 24 OR 25 NOV 03 I WAS TASKED TO GO TO THE DETENTION FACILITY ALONG WITH CW2 [REDACTED] AND SSG [REDACTED] CONDUCT DETAINEE INTERVIEWS. SOMETIME DURING THAT DAY WE WERE ASKED TO STAND IN ON AIG MCKEITH'S INTERVIEW [REDACTED]			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 1	
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.			

DA FORM 2823

SUPERSEDES DA FORM 2823, 1 JUL 72, WHICH WILL BE USED.

SECRET

DOA 73-1

Dated: 9 JUL 04

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DECLASSIFIED FOR RELEASE DATE: 06-

WHEN NS WALKED IN THERE WAS ABOUT 10-15 PEOPLE IN THE ROOM TO INCLUDE 3RD ACR, [REDACTED] AND CIA. THE GENERAL WAS STANDING IN THE CORNER WITH [REDACTED] AROUND HIM ASKING QUESTIONS ALONG WITH THE 3RD ACR INTERPRETER. WHEN [REDACTED] ASKED THE GENERAL A QUESTION HE WOULD NOT ANSWER. THEY WOULD THEN TAKE A RUBBER HOSE AND STRIKE THE WALL. THEY WOULD KICK AGAIN THEN STRIKE THE FLOOR. THEY WOULD THEN STRIKE THE GENERAL IF HE STILL WOULD NOT ANSWER. AFTER THIS A WHITE GUY IN DC U'S STOPPED IN FRONT OF THE GENERAL. THE GENERAL ATTEMPTED TO KICK HIM. WHEN THIS HAPPENED THE WHOLE ROOM CONVERGED ON THE GENERAL TO SUBDUED HIM. WHILE BEING SUBDUED THE GENERAL WAS STRUCK WITH THE RUBBER HOSE AND PUNCHED. I PUNCHED THE GENERAL WHILE HE WAS BEING SUBDUED. ONCE HE WAS RESTRAINED THE DECISION WAS MADE TO END THE INTERVIEW AND CONTINUE LATER. AT THIS TIME I LEFT THE ROOM WITH CWO2 [REDACTED] AND JSC [REDACTED] TO COMPLETE OUR INTERVIEWS. [REDACTED] WERE BEING DIRECTED BY [REDACTED] WHO GOT THE QUESTIONS FROM THEM IN THE ROOM.

Q: [REDACTED]

A: [REDACTED]

Q: How many times did you punch GENERAL MOWHOUSH?

A: At least 2 but nowhere than 6 times.

Q: Where did you punch GENERAL MOWHOUSH?

A: mid section

Q: Did you STRIKE GENERAL MOWHOUSH WITH AN OBJECT?

A: [REDACTED]

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DOA 73-2

Dec 7 at 10 [REDACTED]

Dated: 9 JUL 04
~~SECRET~~

Q: DID YOU WITNESS SSG [] STRIKE GENERAL MOWHOUSH?

A: NO, I WAS FOCUSED ON RESTRAINING AND SUBDUING THE GENERAL.

Q: DID YOU WITNESS SSG [] RESTRAIN THE GENERAL IN ANYWAY?

A: WHEN THE ROOM CONVERGED ON THE GENERAL HE WAS IN THE GROUP BUT I DID NOT WITNESS WHAT HIS ACTIONS WERE.

Q: DID YOU WITNESS CW2 [] STRIKE GEN. MOWHOUSH?

A: WHEN THE ROOM CONVERGED ON THE GENERAL HE WAS IN THE GROUP BUT I DID NOT WITNESS HIS ACTIONS.

Q: WAS MSG [] IN THE INTERROGATION ROOM?

A: I AM NOT SURE IF HE WAS BUT HE WAS ONE OF THEM THAT DAY. BUT, I CAN'T SAY WHETHER HE WAS PRESENT AT THE TIME I WAS THERE.

Q: WHO DIRECTED YOU [] YOUR TEAM TO ENTER THE INTERROGATION ROOM?

A: I BELIEVE MR. [] ASKED US TO BE PRESENT AS WE WERE CONDUCTING OUR OWN INTERVIEW UNRELATED TO THE GENERAL.

Q: WHY DID YOU PUNCH GENERAL MOWHOUSH?

A: I WAS ANGRY FOR WHAT HAD HAPPENED TO SFC [] AND MSG [] OVER THE PAST 3 WEEKS AND WHEN I SAW HIM (THE GENERAL) ATTEMPT TO ATTACK AN AMERICAN I GOT CARRIED AWAY WITH MY EMOTIONS.

Q: DID YOU WRONGFULLY STRIKE GENERAL MOWHOUSH?

A: AT THE TIME I DID NOT BECAUSE HE WAS ATTEMPTING TO ATTACK SOMEONE BUT LOOKING BACK IT WAS BECAUSE THERE WERE A LOT OF PEOPLE ATTEMPTING TO RESTRAIN HIM.

Q: DESCRIBE GEN. MOWHOUSH'S REACTION?

A: DURING THE QUESTIONING WHEN HE WAS STRUCK HE WOULD YELL OUT []

DOA 73-3

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DATED:
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[] Gently in pain. That continued until he was restrained after
attempts to attack and quit resisting.

Q: YOU MENTIONED YOU OBSERVED PERSON(S) USING PHYSICAL
FORCES ON GENERAL MOWHOUSE AS A METHOD OF INTERROGATION,
IS THAT CORRECT?

A: YES, [] WOULD HIT HIM IN THE LEGS AND MID SECTION WITH THE
RUBBER HOSES WHEN HE WOULD NOT ANSWER THEM.

Q: PRIOR TO GENERAL MOWHOUSE KICKING AT THE INTERROGATORS
HOW MANY (APPROXIMATE) TIMES WAS HE STRUCK WITH AN
INSTRUMENT?

A: IN THE FIRST 2-3 MIN I WAS IN THERE HE WAS STRUCK BETWEEN
15-25 TIMES.

Q: DID SSG [] & CWZ [] OBSERVE INTERROGATORS
STRIKE GEN. MOWHOUSE W/ AN INSTRUMENT?

A: YES

Q: DID YOU NOTICE ANY INJURIES ON GENERAL MOWHOUSE

A: NO, HE WAS WEARING HIS DISH DASHA AND I NEVER PERFORMED A MEDICAL
SCREENING ON HIM.

Q: WHAT IS YOUR MOS?

A: 18D, SPECIAL FORCES MEDICAL SERGEANT

Q: DESCRIBE ANY INSTRUMENT(S) THAT WERE USED AS A
METHOD OF INTERROGATION?

A: HEAVY BLACK RUBBER HOSE APPROXIMATELY 3 FT LONG AND 1-1 1/2" THICK,
8" WOODEN CLUB. THE HOSE WAS HARD RUBBER NOT FOAMY AND NOT A HOSE
APPROXIMATELY 2 1/2 LBS. IT WAS SOMEWHAT FLEXIBLE BUT NOT FLIMSY. []

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DATED
9 JUL 04

Q: DURING THIS INTERVIEW DID YOU DRAW A LAYOUT OF THE INTERROGATION ROOM?

A: yes

Q: [redacted]

Q: How many [redacted] were involved in the interrogation?

A: [redacted]

Q: What other CIA personnel were present?

A: [redacted]

Q: [redacted]

Q: [redacted]

Q: Which [redacted] was striking Mowhoush with the black hose?

A: [redacted]

Q: Who was translating the interrogation for the English speakers in the room?

A: [redacted]

Q: Who translated questions from the English speakers in to Arabic for [redacted]?

A: [redacted]

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DOA 73-4

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Dated
9 Jul 04

Q: Do you remember anything [redacted] told you about what was being said?

A: He said that ~~the~~ ^{the} General was responsible for the death of one of [redacted] during the Shah uprising.

Q: [redacted]
A: [redacted]
Q: [redacted]
A: [redacted]

Q: How long did it take to subdue Mowhoush once everyone converged on him?

A: 30-45 secs.

Q: Was Mowhoush flexed during the interrogation?

A: yes

Q: How often did you travel to the Rife's Blitz detention facility?

A: every other day

Q: What is your understanding of why your team was brought in to the interrogation room with Mowhoush?

A: As a show of force.

Q: What happened once Mowhoush was subdued?

A: We backed off of the General. He moaned and sat himself up in a corner. It was decided that the interview was over so we left.

Q: Was there anyone in the room that did not converge on Mowhoush when he lashed out?

A: The female interpreter.

Q: Did you or any of your Team members conspire to withhold information about what happened to Mowhoush?

A: No, not to my knowledge [redacted]

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DOA 73-5

Dated
9 Jul 04

Q. Did you observe any other interrogations during which detainees were struck?

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A: yes.

Q. Who did you observe striking detainees?

A: OGA [redacted]

Q. Describe OGA [redacted]

A: [redacted]

Q: [redacted]

A: [redacted]

Q. How many times did you see [redacted] strike a detainee during interrogation?

A: I only saw him do it during Rifle Blt and only at the Detention Center. During Rifle Blt I was out at the Detention Center every other day for 2 weeks. I could not have seen him more than 2 or 3 times but of those times I would say it was more than half.

Q. How many times did you see [redacted] strike a detainee during interrogation?

A: During the same period mentioned above and approximately the same number of times.

Q. Describe how [redacted] would strike detainees?

A: He would use a 8" (approx) wood club and his hands. He would use the club and tap their heads to intimidate them, He would also use it to strike the shoulders and hands. He would also slap and punch them.

Q. Describe the reactions of the detainees you saw [redacted] strike.

A: When he would strike with the club on a bony prominence it was hard enough to make them grimace and sometimes scream.

Q. Describe how [redacted]

Q. Who was in the room with [redacted] when you saw him striking detainees? [redacted]

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DOA 73 [redacted]

Dated
9 Jul 04~~SECRET~~

1. Sometimes He was By Himself other times He would Have []
2. Describe How [] would strike detainees during interrogations
1. He would, punch, slap or Kick them.
2. Do you know which detainees [] struck?
- A: No
2. Who was in the room with [] when he was striking detainees?
1. [] only
2. Why was [] striking the detainees?
1. It appeared that He was frustrated because the detainees would not talk
2. Why was [] striking the detainees?
1. The same reason as []
2. Did you tell anyone about [] striking detainees?
1. The team brought it to OGA [] attention, after it was [] up at a team meeting, the Commanding went to the OGA with our concerns.
2. Who from your team observed [] striking detainees?
1. Based on our conversations at the meeting stated above, I feel as though everyone on the team had witnessed it at some time.
2. Was the fact that [] was striking detainees ever addressed to the unit leadership?
1. The interpreters were told that if they had done it, in the past that they were not to do it anymore. They were told, if they had struck anyone before to stop because, I would not be to blame. I'm not sure who told them but it was conveyed to them.
2. Did [] continue to strike detainees after the unit leadership addressed his behavior to []?
1. The day we had the meeting was the day that I wrote my statement. The OGA personnel were soon rotated out and I did not see [] strike anyone after that.
2. Where any photographs taken of any of the incidents you have described? []

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Q: Why were you not entirely honest in your previous statements about the incident with Mowhoush?

A: I know that I was wrong for striking him and I was worried about what might have happened to me. I was covering myself.

Q: How would you characterize the way you have been treated during your interview?

A: I have been treated with respect and honesty.

Q: Have you been offered the chance to eat, use the latrine and smoke?

A: yes

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

A: NO!!! END OF STATEMENT!!!

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DOA 73-8

~~SECRET~~

STATEMENT (Continued)

NOT USED

AFFIDAVIT

MENT WHICH I HAVE READ AND UNDERSTAND. I HAVE READ OR HAVE HAD READ TO ME THIS STATE-
 PAGE 10. 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 REWARD OR WITHOUT THREAT
 OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE.

WITNESSES:

[Redacted]
 [Redacted]
 B7E MP Det (Cdn), Fort Bragg, NC
 [Redacted]
 [Redacted]
 [Redacted]
 [Redacted]

ORGANIZATION OR ADDRESS

INITIALS OF

STATEMENT

Subscribed and sworn to before me, a person authorized by law
 to administer oaths, this 9th day of July, 2004
 at FORT CAMPBELL, KY 42223

(Typed Name of Person Administering Oath)

ARTICLE 136 (b) (4)

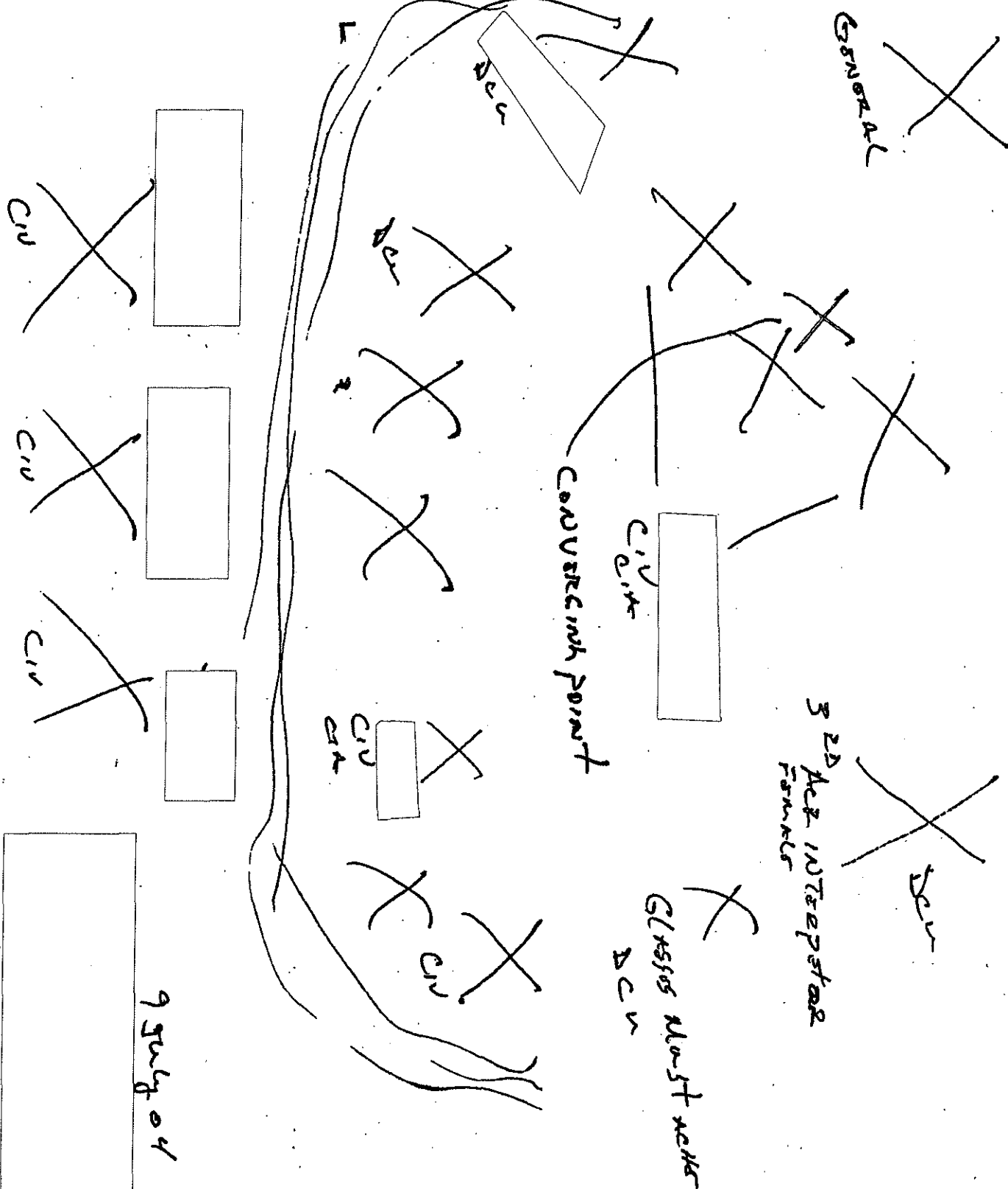
(Authority To Administer Oaths)

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DOA 73-9

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POA 73-10

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

AUTHORITY: Title 10, United States Code, Section 3012(g)
PRINCIPLE PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your Social Security is used as an additional/alternative means of identification to facilitate filing and retrieval
DISCLOSURE: Disclosure of your Social Security Number is voluntary.

LOCATION: Fort Campbell, KY 42223 **DATE:** 9 July 08 **TIME:** 1018
FILE NUMBER: 00027-03-CID679-64999-5H1
NAME (Last, First MI): [REDACTED] **SSN:** [REDACTED] **GRADE/STATUS:** E6/Active
ORGANIZATION OR ADDRESS: Operations Detachment Alpha (ODA) 531, 5th Special Forces Group, Fort Campbell, KY 42223

RIGHTS WAIVER/NON-WAIVER CERTIFICATE

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command as a Special Agent and wanted to question me about the following offense(s) of which I am suspected/charged: Aggravated Assault; Conspiracy; Misprision of a Serious Offense; False Official Statement; False Swearing//

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

1. I do not have to answer questions or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

- or -

(For ~~civilians~~ not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

4. If I am now willing to discuss the offense(s) under investigation, with, or without a lawyer present, I have the right to stop answering questions at any time or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. **COMMENTS:** Have you ever been advised of your legal rights and requested legal counsel? NO

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

87th MP Det (CID)
 Witness# 2

Signature of Witness

Signature of Investigator/Special Agent

SA [REDACTED]
 1000TH MP BN (CID)
 FORT CAMPBELL, KY 42223

NON-WAIVER CERTIFICATE

I do not want to give up my rights: I want a lawyer: ☐ I do not want to be questioned or say anything: ☐

Signature of Interviewee: _____

DA Form 3881-E

FOR OFFICIAL USE ONLY

DOA 73-11