

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: Metro Park Springfield, Virginia
 2. DATE (YYYYMMDD): 2004/05/24
 3. TIME: 1645
 4. FILE NUMBER:
 5. LAST NAME, FIRST NAME, MIDDLE NAME:
 6. SSN:
 7. GRADE/STATUS: MAJ/O-4

8. ORGANIZATION OR ADDRESS: B Co, 141st Military Intelligence Battalion, Utah Army National Guard, Logan, Utah 84020

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

I am the Commander of B Company, 141st Military Intelligence (MI) Battalion (BN), Utah Army National Guard, Logan, Utah, and, having assumed Command on 24 Jul 02. The 141st MI mobilized on 7 Feb 03, to support Operation Iraqi Freedom. After spending about two weeks and a half at the mobilization site at Fort Carson, CO, undergoing deployment preparation and training, we deployed and arrived in Kuwait on 4 Mar 03. We stayed two nights at Camp Wolf and then moved to Camp Udairi, KU, on 6 Mar 03. I crossed into Iraq on or about 21 Apr 03. I departed Iraq on 8 Feb 04, and returned to Kuwait, where we remained until I redeployed to US on about 14 Feb 04. During my deployment, I took "Rest and Relation" leave from 14 Nov to 2 Dec 03. The 141st MI FWD3 mobilized for deployed with 98 personnel. Most of the training at Fort Carson was concentrated on convoy operations, react to fire, weapons qualification, and threat briefings. I do not recall receiving any classes regarding Geneva Convention requirements or Interrogation Rules of Engagement. Upon our arrival in Kuwait, most of the 141st was farmed out to fill positions in different companies in the 202nd MI BN. Most of my leadership was also farmed out and I personally was assigned to the 202nd Tactical Operations Center and served in S-3 Operations until 21 Apr 03, when (202nd MI BN Commander) assigned me to be the 202nd/513th liaison officer to the 800th Military Police (MP) (BDE) at Camp Bucca, Iraq. After the 202nd MI redeployed in Jun 03, I remained with the 323rd MI, and I became the Officer-in-Charge of the Joint Interrogation Facility (JIF) at Camp Bucca. I never saw or heard of any interrogation techniques being used at Bucca that were inconsistent with FM 34-52 and I never saw or heard of any abuses. The Bucca facility was a joint British/US facility. US interrogators predominately used the Direct Approach and focused on calling the detainee on inconsistencies in his answers. British interrogators appeared to focus on Fear Up and used a lot of yelling. I received word via e-mail from the 205th MI BDE S-3 that the decision had been made to consolidate interrogation operations at Abu Ghurayb (AG), and I began shutting down Bucca interrogation operations to begin the transition to AG. About 23-27 Sep 03, I arrived at AG, bringing with me from Bucca the last six 141st and 323rd soldiers I had with me there. When I arrived at AG, introduced himself to me as the Deputy Director of the Joint Detention and Interrogation Center and COL PAPPAS was the Director. was the Operations Officer and of the 519th MI BN was the Interrogation Control Element (ICE) OIC. It appeared to me that they were struggling with the screening and in-processing process. Had been chief of my ICE at Bucca, and I recommended that he head up the AG screening process. also 141st soldiers I had brought with me from Bucca, were also assigned to the screening cell. The process was problematic since few incoming detainees arrived with capture tags or sworn statements. This problem persisted, but progressively improved until Jan 04. My other 141st soldiers were assigned to logistical roles. I assumed the responsibility as the Operations Officer and transitioned to become XO. Basically my responsibilities were to manage Human Collection Requirements (HCRs), manage the information flow to CJTF-7 C2X, ensure the ICE had current and appropriate/answerable Priority Intelligence Requirements (PIRs), and track other intelligence requirements. During Oct 03 and early Nov 03, was at AG one or two times a week, until he moved there on a permanent basis in mid Nov 03. I believe he moved to AG to help ensure that interrogation operations were producing actionable intelligence. predominately spent his time with external support functions such as coordinating with other agencies, doing Force Protection things, addressing signal/communication problems, talking to MPs in the hard site area (Cell Blocks 1A and 1B), and attending daily MP meetings. He was not very involved in interrogation operations and left that responsibility to the ICE. and had what appeared to be a good system in place and apparently didn't feel a need to get into their business. I left on "R & R" leave on 14 Nov 03, and I believe permanently departed AG two days later, on 16 Nov 03. Inmates fell into three categories: "Security Detainees" - those who posed a threat to Coalition Forces, "Iraqi Police Detainees" - those who were dropped off by Host Nation authorities, and "MI Holds" - those of interest to MI. In mid Oct 03, a "Tiger Team" of five or six personnel from the detention facility at Guantanamo (GTMO) Bay, Cuba, showed up at AG. There was no real explanation about the Team, but it appeared to me that they were there in the capacity of advisors to help the AG process any way they could. There was no direction to implement the advice or suggestions they offered. and I all talked to the GMTMO Team. The suggestions the Team offered were very good and what

10. EXHIBIT: 11. INITIALS OF PERSON MAKING STATEMENT: PAGE 1 OF 1 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT DATED

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

STATEMENT OF [REDACTED]

TAKEN AT Springfield, VADATED 2004/05/24

STATEMENT (Continued)

[REDACTED] think we needed. The GTMO process was very methodical and they offered useful SOPs, ideas for analyst support packages, management reports, and various training classes. We did not have the background and experience that the GTMO Team had acquired from two years of operations there, and it was not until their process was showed to us that we were really about to reorganize into a more effective organization. COL PAPPAS was the major decision maker in implementing the GTMO organization and the changes really began in earnest after he arrived there on or about 16 Nov 03. [REDACTED] ICE OIC, really took the lead on the IROE. She made everyone sign that they had read and understood the IROE MFR signed by [REDACTED]. Additionally, the IROE slide she had created was posted in numerous locations around the operational area as a reminder. [REDACTED] was managing and driving the intelligence cycle and talking to the CJTF-7 C2X. The GTMO Team really didn't bring any interrogation techniques beyond those which were listed on the IROE slide and appeared to think that the techniques were acceptable. LTG SANCHEZ and BG FAST visited AG in early Nov 03. During that visit SANCHEZ asked how we were getting information from recalcitrant and uncooperative detainees. When he received the answer that measures and techniques available in FM 34-52 were being implemented, LTC SANCHEZ asked if we were utilizing all of the available approaches and techniques and that he had not seen any requests for more aggressive techniques. Such requests went from the ICE through SJA to COL PAPPAS, who presumably would have passed them on the CJTF-7 for LTG SANCHEZ's approval. I never saw any approvals signed by LTG SANCHEZ I do not know how many requests COL PAPPAS forwarded for approval. I do know that COL PAPPAS said early on that he would not approve any stress positions, and, as a result of that declaration, no one put in any such requests. I do not know if COL PAPPAS got authority to approve other techniques beyond FM 34-52. Upon my arrival, I heard about an incident of an "unauthorized interrogation" conducted by three 519th MI BN soldiers. I heard that there was a CID investigation and that they had been punished, but I do not know any other details. This was the only abuse I had heard about until CID contacted me on 14 Jan 04 and learned some details of the MP abuses. I never personally observed, nor did anyone ever report to me, any detainee abuses. Although the 205th MI BDE had requested and received military working dogs, those dogs were assigned to the MPs for force protection and security duties. I never observed, nor did anyone ever report to me, the unauthorized use of military working dogs during the course of an interrogation. Interrogations approaches requesting the use of military dogs were submitted thru COL PAPPAS for approval. After hearing about the CID allegations in January we developed a 1 page letter of instruction on the rules of using a military dog. I never observed, nor did anyone ever report to me, the unauthorized photography or videotaping of detainees. I never heard of any incidents where detainees were forced to wear female clothing. [REDACTED] dealt directly with OGA until he departed the AG. In January [REDACTED] and I developed an MOU for COL PAPPAS's signature that outlined the requirement for OGA to in-process OGA detainees. [REDACTED]

END OF STATEMENT

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 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 24 day of May, 2004
at Metro Park, Springfield, Virginia

[REDACTED]
ORGANIZATION OR ADDRESS[REDACTED]
(Signature of Person Administering Oath)[REDACTED]
(Typed Name of Person Administering Oath)[REDACTED]
ORGANIZATION OR ADDRESS

UCMJ, Article 136

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT: [REDACTED]

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