

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 [REDACTED] 2. DATE /YYYYMMDD/ 2004/01/31 3. TIME 11:25 4. FILE NUMBER 0005-04-CID062
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED] 6. SSN [REDACTED] 7. GRADE/STATUS E-4/RESERVE
8. ORGANIZATION OR ADDRESS A COMPANY, 325TH MILITARY INTELLIGENCE BATTALION, DEVENS, MA 01432

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

While I was deployed in Iraq, I was assigned to the 325th Military Intelligence Battalion, 205th Military Intelligence Brigade, and I was working in Abu Ghraib. There was already an Iraqi prison located in Abu Ghraib and when US Forces moved into Iraq they took control of the prison. My job was an interrogator while I was assigned to the prison, I was interrogating Iraqi detainees, some of them were Syrian Iraqis, and I also performed interpretations of Russian speaking detainees. Each interrogation was different, my team leader would assign me a detainee to interrogate and I would perform planning and preparation for each one. When I was ready I would call one of the Military Police (MP) working inside the prison, the guards, I would tell them the number of the detainee that I wanted to talk to and they would bring the detainee into a tent, for about the first two or three weeks outside the facility, and then after the first couple of weeks they were brought into wooden booths outside the prison. Inside the tent or booth with me would be an interpreter, an analyst, and myself. Sometimes there would be two analysts, sometimes no interpreter because the detainee speaks English. When the detainees were brought to me they were in different conditions. Sometimes I would ask the MPs to bring the detainee blindfolded sometimes, handcuffed and for the first couple of weeks they sometimes would be brought without handcuffs but then that stopped and they were always brought handcuffed. I conducted the interrogations in different ways, sometimes we uncuffed them, sometimes not, sometimes we let them stand and sometimes we would let them sit.

Q. Were you ever present when any detainee was abused?

A. Yes, when I was walking through the isolation cells part of the prison, I saw prisoners being handcuffed to each other naked, having two inmates walking in the isolation section of the cells naked and handcuffed to each other. One of the MPs took a Nerf football and threw it at the detainees and another MP threw water at the detainees. I had never seen anything like that before. I only saw this take place once. It was between the middle and the end of October or the beginning of November. I saw three or four MP Guards in the same area. There were eight or nine Iraqi Police that saw it. All the other detainees appeared normal.

Q. Who were the individuals who abused the detainees?

A. The time that I spoke with one of the detainees, the same night that I saw the detainees handcuffed to each other [REDACTED] was working. [REDACTED] was in the female section, and a very overweight interpreter, a TITAN Contractor.

Q. Why were the detainees handcuffed to each other on the floor and walking around?

A. The MPs were making these two detainees do exercises and "smoking" them. From what I understand these two detainees were in the same cell as a young boy when they came into the prison, the boy was fifteen or sixteen year old, and supposedly the two raped the young boy in the prison. There were also Iraqi guards inside the prison, the Iraqi guard saw it going on and told the MPs about it and the MPs ended up moving the boy to a juvenile cell. Then the two detainees who abused the boy were put in separate cells in isolation and "smoking" them, making them do push-ups and other exercises. After that incident, they didn't let us go to the isolation cells anymore and the MPs kept us out of there. Prior to that I could just go in there when I wanted but if I was going to do a full interrogation I had to let my supervisor know. Like one time when I wanted to bring a Koran into one of the detainees the MPs would not let me take it in and would not take it in for me.

Q. What was the purpose for you being present during this incident?

A. Myself and my interpreter and analyst were asking one of the detainees that was assigned to me questions through the cell door.

Q. What other ways were the detainees abused?

A. Once I saw a detainee being walked on their hands by and knees with a leash by an MP. The MP had a strap from a mattress or some cloth, he was an E-5 Guard, white male, 5'11", medium build, maybe 175 pounds, I'm not sure what unit he was in, he had dark hair, high and tight hair cut.

Q. Did you ever take any photographs of the detainees?

A. No.

Q. Do you know of anybody who took photographs or videotaped the detainees?

10 EXHIBIT

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE OF 2 PAGES

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

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

EXHIBIT 35

For Official Use Only

STATEMENT OF [REDACTED] ^{RL} TAKEN AT [REDACTED] DATED 2004/01/31

9. STATEMENT (Continued)

- Q. Have you ever seen any photographs of any detainees?
- A. Not besides the photograph in their personal file.
- Q. Have you ever seen anybody providing any photographs to any other individuals?
- A. No.
- Q. Did you ever see anyone with a camera taking photographs of detainees?
- A. Many of the MPs had cameras but they would take pictures of themselves. I never saw any MP take pictures of any detainees while they were handcuffed.
- Q. Did you ever see [REDACTED] assault any of the detainees?
- A. I saw MPs walking detainees on a leash and handcuffing them together. There were four of five MPs that were involved in these types of things.
- Q. Describe where the two inmates that were handcuffed together naked walked?
- A. They walked out of the isolation section, up onto the second floor, through the whole isolation section, then they went down to where the Iraqi police were and they went back to the first floor. They eventually uncuffed both of them from each other and then separately and that is the last time I saw them. After the two handcuffed detainees were handcuffed individually, there was a third detainee that came from over where the Iraqi Police were, I'm really not sure, and he was not in the isolation cell from the beginning, and he came. The same four of five MPs told the detainee to take his clothes off, he was naked and they made him do push-ups, low crawl on the ground. They were yelling at the detainee while he was doing this. There was no kicking or punching, if they wanted him to go the ground they would move the detainees arm to the ground and push them down.
- Q. Did you ever see any of the listed suspects photograph or videotape any of the detainees?
- A. No.
- Q. Did you ever receive any photographs of the detainees from the listed suspects or other personnel working at the prison?
- A. No.
- Q. Did you receive emailed pictures of detainees or email pictures of detainees?
- A. No.
- Q. Did you ever throw a football at the detainees?
- A. No.
- Q. Who were the detainees abused?
- A. I don't remember the two that were handcuffed. One was about 6', very skinny, 140 or 145 pounds, black hair, beard, mustache, and the other guy was about the same build, about 5'7", black hair, beard and mustache. The guy that was on the leash I don't remember what he looked like, I just remember he was built for an Iraqi, he had a scar that was a couple of inches on the right side of his neck. He was about 5'8" and built, 150 pounds.
- Q. Is it common practice to have MPs assist in interrogations?
- A. It's not common but it happens sometimes.
- Q. Who told the MPs to conduct the interrogations?
- A. No one, they aren't allowed to conduct the interrogations.
- Q. What form of interrogation techniques were the MPs told to use?
- A. We asked them if they could come in and randomly yell at the detainee, sometimes there would be MPs in the booth just to stay with the detainee while myself and my analyst would go outside and talk.
- Q. Were any of the detainees injured during any interrogations by Military Intelligence (MI) with MP personnel?
- A. No.
- Q. Were any MI or MP personnel left alone with female detainees?
- A. No. We only had three or four female detainees and I never had to interrogate one of them.
- Q. Did you ever see a videoclip of [REDACTED] having sex with a female detainee or female at the prison?
- A. No.
- Q. Has anyone discussed with you any incidents that happened to the detainees at the prison?
- A. I never heard anything about anyone hitting or having anything sexual to do with the detainees.
- Q. Can you describe the four of five guards that were present for the two inmates being handcuffed naked?
- A. There were three white males and a black male, that is all I remember.
- Q. Do you have anything else you wish to add to this statement?
- A. No detainees were abused or hurt in my custody.
- Q. Do you have anything else you wish to add to this statement?
- A. No.

//////////////////////////////////////END OF STATEMENT//////////////////////////////////////

INITIALS OF PERSON MAKING STATEMENT [REDACTED] PAGE 2 OF 3 PAGES

For Official Use Only

EXHIBIT 135

STATEMENT (Continued)

John *Heard*

AFFIDAVIT

I, **[REDACTED]** HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT
AND I HAVE FULLY UNDERSTOOD THE CONTENTS OF THE ENTIRE STATEMENT MADE
BY ME. I HAVE READ THIS STATEMENT IN ALL DEPARTMENTS 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
OR COERCION, AND WITHOUT CONVICTION AND WITHOUT RECEIVING OR RECEIVING ANY BENEFIT OR REWARD.

[REDACTED]
Signature of Person Making Statement

Subscribed and sworn to before me, a person authorized by law to
administer oaths, this 11th day of JANUARY 2004
at 10 BOLLINGTON STREET, BOSTON, MA 02116

[REDACTED]
Signature of Person Administering Oath

[REDACTED]
Typed Name of Person Administering Oath

01160 BIR

Authority To Administer Oaths

INITIALS OF PERSON MAKING STATEMENT **[REDACTED]**

PAGE 3 OF 3 44028

For Official Use Only