

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
OSJA, DARMSTADT, GERMANY

2. DATE (YYYYMMDD)
2004/05/14

3. TIME
1900

4. FILE NUMBER

5. LAST NAME FIRST NAME MIDDLE NAME
[REDACTED]

6. SSN
[REDACTED]

7. GRADE/STATUS
MAJ

8. ORGANIZATION OR ADDRESS
HQ USAREUR - G3 EXERCISE, HEIDELBERG, GERMANY APO AE

9. [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I arrived to Kuwait in January 2003. We were sent to Camp Virginia. I was the Assistant S-3 for the 205th MI BDE. We had several units who were under the 205th MI BDE: 519th MI BN, 165th MI BN, 323rd MI BN, 325th MI BN, 302nd MI BN, 1st MI, and a company minus from the 141st MI BN. The 205th changed command from COL PARRISH to COL PAPPAS the 1st of July 03. When COL PAPPAS took over, we had interrogation operations in 3 locations in IRAQ. At some point a decision was made to consolidate all operations in one location. This location was Abu Ghraib. Initially, [REDACTED] ABDE S-3 was supposed to go down to Abu Ghraib and be the deputy commander for Joint Interrogation Debriefing Center (JIDC). But [REDACTED] had to go on another mission to Florida and I was sent by COL PAPPAS to be the deputy because we were getting pressure to set up the JIDC now and not wait. Apparently, LTG Sanchez was not happy with the intelligence coming out of interrogations. I was still the Assistant S-3 and my OER Support Form did not change. I basically added JIDC Deputy role to my OER even though I left a captain with the 205th MI BDE to assume my Assistant S-3 role. COL PAPPAS did not tell me to check on the well-being or care of detainees. He didn't tell me to ensure everyone was in compliance with the IROEs or the Geneva Convention. I do remember seeing the policy that specified that LTG SANCHEZ had to approve certain interrogation techniques. I do not remember a FRAGO referencing the treatment of detainees, however, I do recall the FRAGO categorizing detainees. After [REDACTED] returned from Florida, I remained as the JIDC Deputy. MG MILLER visited Abu Ghraib facility and recommended the Tiger Team concept be implemented. COL PAPPAS and the [REDACTED] told me to implement the concept. The concept I was told was 1xinterrogators, 1xlinguist, 1xreport writer, and 1xanalyst. My orders were to go to Abu Ghraib and set up the Tiger Teams to conduct interrogations. This was a vocal order not written on paper. When I first arrived at Abu Ghraib, there were a number (I do not recall the exact number) of personnel from the 519th MI BN. [REDACTED] was the Interrogations Control Element (ICE) OIC and [REDACTED] was there as well. The 519th were already conducting interrogations operations and had a system in place. When I relayed to [REDACTED] what COL PAPPAS' plan was, they were initially opposed to it. [There were some tension between 519th and 325th MI (325th arrived the same time I did). The issue between both battalions was who was better than who. When the 325th was mobilized, they had to go through validation with the 519th. The battalion was validated twice. Then there was a Brigade field exercise and the 325th was the battalion who had to set up all their equipment and run the ranges. The soldiers even had to pull parachute detail. When the 325th asked if some of their soldiers could go to airborne school, they were told no. There were several congressional from both soldiers and officers from the 325th. The complaint was that they were not doing their mission. This angered the Brigade Commander, therefore, the 325th soldiers were sent to Afghanistan before the soldiers of the 525th MI BDE. Plus, the Brigade Commander decided he would demobilize the battalion. The 325th was demobilized only to be brought back on active duty shortly after we were demobilized.] At Abu Ghraib, the MPs were in charge of security of the place and moving the prisoners around. The MPs control the entrances to the prison (Hard Site and Tiers). MI was responsible for interrogation operations. The quality of life was not good. We were operating out of tents and 325th soldiers were living in the old Laundry room. 519th were living in tents erected in the building with the 700th MP BN. Both MPs and MI had their own Living Support Areas. We were being attacked with mortars frequently and had attempts to breach our site often. Even though we were attacked regularly, we were operating out of tents. Not until we had a mortar attack that killed some soldiers did we move operations to buildings. COL PAPPAS gave me daily guidance and I would send my correspondence to COL PAPPAS, [REDACTED] S3, 205th MI, and [REDACTED] Deputy Commander, 205th MI. When a FRAGO came out specifying interrogation operations, I would pass that to [REDACTED] who passed it to [REDACTED] then on to the soldiers. When I arrived, I recall [REDACTED] telling me what we were allowed to do or not do with detainees. The first week we focused on methods while the 519th continued their interrogations. As we discussed the Tiger Team concept, I tried to explain to [REDACTED] that COL PAPPAS wanted this implemented. It took us about a week to get the Tiger Team reorganized. Meanwhile, the soldiers were complaining that the concept made no sense. I told them to just do it because that is what the BDE Commander wanted. Once GTMO representatives arrived on site and explained to everyone the concept and make up of the team, they understood it. The concept was actually an interrogator, a linguist, and an analyst with the support of a report writer [REDACTED]

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 3

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.

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

STATEMENT OF

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DARMSTADT, GE

DATED 2004/05/14

B. STATEMENT (Continued)

I wanted to integrate both the 325th and 519th soldiers, but we agreed that the 325th would have the night shift and the 519th would have the day shift. We discussed the Interrogation Rules of Engagement. I discussed this with [REDACTED] and [REDACTED]. [REDACTED] told me that all the 325th were aware of them and had signed the IROEs. [REDACTED] said the same for the 519th soldiers. I do not recall any Geneva Convention but in the reserves, one is required to get annual training on this. [REDACTED] and the NCOIC brought all the interrogators together and explained to them how the interrogations were going to be conducted and that they must do the right thing. When I first arrived, I was in charged. I was the Deputy for the JDC. [REDACTED] arrived in early September. I assumed he was going to be the Director but COL PAPPAS told me that [REDACTED] was going to work with me and that he, COL PAPPAS, was still the director and I asked [REDACTED] what his role was and he said, I guess I am an LNO for CJTF-7 and report to [REDACTED] and MG FAST. COL PAPPAS never spoke to me and told me what [REDACTED] role was. When we had operational meeting and we could not agree, he would provide guidance and make recommendations but he was not the guy we would go to for operations. He kind of took over mayoral duties. He worked issues such as getting a gym established, ensuring that soldiers had their personal equipment: weapons, fleck vest, and helmet. We had soldiers who would show up without their equipment. [REDACTED] soldiers went through the 205th RSOI cell in Camp Doha, Kuwait before coming to Abu Ghraib. I would go to [REDACTED] with these problems and he would say he would handle it. [REDACTED] also became our link with brigade. [REDACTED] told me to get [REDACTED] out of the mayoral business. [REDACTED] for assistance the MPs. He would attend the daily meetings held by the MPs for all units on site. We went to [REDACTED] when we needed it. He did make things happen. He wasn't really involved with interrogations. He was one of the reviewers for the target folders along with [REDACTED] and me. Once [REDACTED] arrived, he took over the as the operations officer and I remained the Deputy. When brigade would call on specific interrogation issues, they spoke to [REDACTED] never mentioned to me that one of his roles was to ensure the intelligence flow was operational and went up to C2. In reference to detainee abuse, I once saw a detainee with only part of his head shaved. I told the individual to either shave it all off or don't shave it at all (I do not remember who the individual was). Another time, three interrogators and a linguist went to the prison and requested that two of the female detainees be handed to them for interrogations. They took the detainee into a cell and made her take her shirt off. We found out the following morning COL PAPPAS was notified and requested that the soldiers be segregated and a CID investigation was initiated. The three soldiers invoked their rights, but before one of them invoked their rights, he said he had nothing to do with this incident or the death of the detainee in Afghanistan. (I know nothing about the Afghanistan issue). When [REDACTED] and I first questioned the linguist, he denied he was there. Not until the MP identified him did he confessed being there but said he was outside the cell and didn't see anything. We requested from his language manager for his removal and he was sent to another location. I do not remember the name of the linguist. We sent a five page SIR because we wanted to make sure we had all the specifics. [REDACTED] told me to tell [REDACTED] that he did not have to send a five-page report. We had a formation and [REDACTED] and MYSELF stated that under no circumstances will we tolerate any such incident. No night interrogations were authorized and no male to female interrogations would occur unless you had another female in the booth. I cannot honestly verify that all personnel were there (the admin and system guys). The CACI contractors did not arrive until after [REDACTED] arrived and the Joint Manning Document was completed. How soon after that, I do not recall. The Joint Manning Document was developed by [REDACTED] and myself. GTMO personnel helped us develop it. Once it was complete, I sent it up to COL PAPPAS. [REDACTED] and [REDACTED] number of linguist etc. I did not get feedback from Brigade on from civilians. It simply had X number of Interrogators and [REDACTED] CJTF-7 Plans Officer. He is the one who worked on the JMD. They just accepted it. I believe it then went up to [REDACTED] CJTF-7 Plans Officer. He is the one who worked on getting it filled by military or civilians. I had no say so on that. The first few CACI contractors who arrived were approximately seven. One was returned because he did not have all the personal equipment. I spoke to their Manager informing him that the linguist were supposed to get their equipment prior to coming out to our location. We relayed that no linguist will be delivered to Abu Ghraib without his or her equipment. When they arrived on site, [REDACTED] and MYSELF would Question them on their background to get an idea where they would work. They were assigned as screeners or interrogators. Maybe some got assigned as analyst. I do not know how trained they were on the IROEs or Geneva Convention. We trained them and I believe [REDACTED] briefed them on the IROEs and they signed the IROEs. I do not know if the interpreters were also trained on the IROEs. I did see the ICRC in the hard site unsupervised. This happened three or four times. The MPs were supposed to sponsor them. The ICRC that came to visit, report that detainees were wearing women's panties. COL PAPPAS said that it better not be happening and thus was not to happen. We brought everyone together and told them to ensure they followed the IROEs. There were no specifics given and no investigation was initiated. In reference to clothing of detainees, the detainees were wearing orange jumpsuits and later on some were wearing blue jumpsuits. This became a problem because some of the Iraqi civilian workers were also wearing the same colored jumpsuit. I notified the MP S3 [REDACTED] and S4 [REDACTED] that this was a force protection concern. [REDACTED] stated he would handle. I never saw any detainee with women's underwear or saw any women's underwear. I took trips around the detention facility but never saw any detainees totally naked. There were one or two detainees who had only underclothes on. Other Government Agencies (OGA) would come and drop off their detainees in our facilities. The 519th told me they had a problem with this because the detainees were not being accounted for, OGA would drop off detainees without prior notice, they would not let us sit in their interrogations, and we never received any intelligence they might have gathered from the interrogations. I told this to COL PAPPAS and he told me he needed to meet with their boss. I am not sure who I spoke to but [REDACTED] their boss showed up at an arranged time. [REDACTED] is about 5'8, Caucasian, well built, hair longer than a military haircut and about 45 yrs. He would show up every now and then. COL PAPPAS told us we would work

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PAGE 2 OF 2 PAGES

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9. STATEMENT (Continued)

with OGA and allow them to bring detainees and not process them. I was told they did not want us to know who they were. I advised COL Pappas that we should in process them under an assumed name, this way we would have their finger prints, retina scan and medical screening. Also, advised him we needed a memorandum of agreement because you do not want a detainee to die on us and they are not in processed. Who would take responsibility? He said "I will", "I will." Nothing changed. COL PAPPAS said that OGA did not want our interrogators to sit in their interrogations because this would open our interrogators to liability. He said that OGA would share the intelligence gathered with us. OGA would give us a verbal on what they gathered and stated that a report would follow but they never did. There was no jointness in our operations. The JIDC was an Army and civilian run operations. One morning during the morning staff update, [redacted] came in and told us that a detainee had died. Both LTC PAPPAS and I were shocked. COL PAPPAS said to get [redacted] in and that he was not going down alone on this. OGA did not want to just take the dead body. They placed the body in a body bag and placed ice in it. I was told an autopsy was conducted. I was not privy to the result. I did not have to interview to anyone reference this incident. I never saw or had knowledge of any photos or videos of detainees. I never saw any cameras in the hard site when I toured. One night while walking around I saw an Iraqi Police (IP) talking to a couple of our interpreters in the IP area. We stopped that and told the interpreters that they were not allowed in the IP area unless authorized by [redacted] his supervisor or me. The MPs controlled the detention facility. We provided the MPs a list of personnel who had access. [redacted] told interpreter personnel that if he saw any linguist talking with the IP after duty hours in the IP area, we would recommend they be fired. I never saw any guard dogs used during interrogations, they were not there when I was there. We had a very tough situation. There were three battalions on the ground and they all reported to someone different not to [redacted] or MYSELF. I accidentally heard [redacted] state that several personnel were going to be going on leave and I had no idea. Personnel were coming and going and I had no control over them. I was supposed to be running an operation and yet I had no control of the personnel working in the JIDC. I sent a message to Bn Commanders and BDE commander soliciting their support. I could not run the mission if I had no control of the personnel and I did the best I could. We had a situation where a male and female were cohabitating. I told their ISG that one of them had to go and for him to decide. He complaint to his command. [redacted] called me very upset and said that the battalion was telling him I had no decision as to who left the area. I told him to hear my story. After he heard my story, he supported me. I spoke to the S-3 about the issue with control of personnel but nothing changed.

Q. Do you have anything else to add to this statement?

A. No.

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

AFFIDAVIT

I, [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 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.

(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14th day of MAY, 2004

at DARMSTADT, GERMANY

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

UCMJ, ARTICLE 136

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

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PAGE 3 OF 3 PAGES

AG0000485