

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 1735	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS LTC	

8. ORGANIZATION OR ADDRESS
205TH MILITARY INTELLIGENCE BRIGADE, HEIDELBERG, GERMANY APO AE

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

On 1 July 2003, I assumed command of the 205th MI BDE in Balad, Iraq. My rater was MG WOJDOWKOSKI, Deputy Cdr, CJTF-7 and my senior rater was [REDACTED]. I submitted an OER Support form to MG WOJDOWKOSKI within the first one to two weeks. I do recall discussing the OER support form but I can't remember specifically what we discussed. A copy of the support form is provided at enclosure 1. At the time I took command, there were eight battalions under my command. Under previous agreements made pre-dating my arrival, I did not rate any commander not organic to the brigade with the exception of the reserve component battalion commanders.

Battalions subordinate to my headquarters were located as follows: the 165th, the 223d, the 224th, and the 325th in Balad; the 302d was located at the Palace on Camp Victory working for V Corps and CJTF-7; the 323d resided at Baghdad International Airport; the 519th was located at Camp Speicher, near Tikrit; and the 1st MI Bn remained in Wiesbaden. Some elements of the brigade were located at Camp Bucca as well. The mission of the brigade was to conduct intelligence and electronic warfare operations in support of V Corps and CJTF-7. The Brigade had numerous intelligence collection activities ongoing in support of this mission. There were UAV operations at two different locations, Balad and al Assad Airbases. The Brigade had an aerial SIGINT mission ongoing with Guardrail. The CJTF-7 had the Prophet Hammer organic to the divisions. Upgrades were ongoing with Guardrail as well. The Brigade's focus was primarily on HUMINT. There were 48 Tactical HUMINT Teams dispersed throughout Iraq. The Brigade was also heavily involved with the Mujhadeen E Khalq (MEK) mission. The focus with MEK was maintaining surveillance and conducting initial screenings. CENTCOM and the CJTF-7 wanted to register them with the Biometric data systems in order to identify whom the terrorists were. The MEK mission proved more challenging than expected because of arrangements made during the initial phases of combat operations. As a result, only the biometric screening had been accomplished when the Brigade departed theater in February 2004. The 205th MI Bde no longer had organic interrogation assets, because they had been eliminated from the MTO&E sometime between 1993 and 1995. However, there were three battalions task organized to the brigade with interrogation capability. The Brigade's interrogation operations were initially conducted at Camp Bucca, Camp Cropper, and Camp Ashrafi. Approximately two or three weeks (mid to late July) after I took command, BG HAHN directed me to provide LTG SANCHEZ a briefing on how the Brigade conducted interrogation operations from the lowest to highest levels. LTG SANCHEZ was not satisfied that the CJTF-7 was getting information from interrogations which could be turned into Actionable Intelligence. Representatives from the 325th MI Bn, the 519th MI Bn and I briefed LTG SANCHEZ, as well as representatives from the Military Police and CJ2 on the process that was in place at that time. LTG SANCHEZ expressed concern over the system in place for conducting interrogations and exploiting information derived from them. During the briefing that LTG SANCHEZ directed the Brigade to establish an interrogation site to exploit actionable intelligence from a list of approximately 3000 to 6000 Saddam Fedayeen members that had been provided to the CJTF-7 from 1st Armored Division. At the briefing all parties decided to conduct this operation at Abu Ghraib that facility offered some segregation capability, an appropriate guard force and the ability to house large numbers of detainees. This was despite the inherent dangers of Abu Ghraib caused by its location in the Sunni Triangle. I directed the 519th MI Bn to establish operations there after discussing the situation with [REDACTED] the Battalion Commander. We conducted a site reconnaissance and [REDACTED] laid out a general plan to conduct operations. My first impression of Abu Ghraib was "holy mackerel." Not only was the place a decrepit prison, but there were significant force protection concerns and an apparent lack of standards being enforced by the supporting Military Police. Especially troubling was the lack of uniform standards including soldiers walking around the prison in civilian clothes. I approved the plan laid out for me by [REDACTED] to conduct the Saddam Fedayeen interrogations. I never spoke to MP personnel on the ground regarding the conduct of the specific operation or the matter of standards. I left on-site coordination to the 519th MI Bn. During the initial phases of the operation the 519th left a field grade officer on site, but eventually left the mission in the hands of [REDACTED] an experienced interrogator. The operation was not as successful as had been hoped. The CJTF did not get the number of Fedayeen members that the list indicated would be captured and through C2 channels the Brigade was informed that LTG SANCHEZ was not happy with the quality of reporting. This viewpoint was confirmed when LTG SANCHEZ directed that I provide him an update on interrogation operations toward the end of September.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF _____ 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.

AG0000535

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

STATEMENT OF

TAKEN AT

DARMSTADT, GE

DATED

2004/05/14

STATEMENT (Continued)

[REDACTED] and I went to the CG's office on a Sunday to lay out what we had collected during the Saddam [REDACTED] mission and what we thought was needed to improve the quality of interrogations throughout my areas of responsibility. LTG SANCHEZ expressed dissatisfaction from the information collected, was dubious about some of the suggestions made to improve interrogations and directed that the Brigade link up with MG MILLER during his assessment visit to IRAQ to determine a way ahead for interrogation operations. MG MILLER conducted his assessment from 31 August to 9 September 2003. The purpose of his visit was to discuss the ability of CJTF-7 to rapidly exploit internees for actionable intelligence. The team focused on three areas: intelligence synchronization, integration and fusion; interrogation operations; and detention operations. Various members of the team spent around 3-4 days at Abu Ghraib. The Brigade's involvement with the team was in regards to interrogation operations. MG MILLER spent time with BG KARPINSKY and her staff regarding detention operations. As his team made recommendations, I took notes and began to contemplate how to implement some of his recommendations. Essentially, the team's recommendation was for the CJTF-7 to create an interrogation facility along the lines of that which MG MILLER was running at Guantanamo Bay Cuba. The decision was also made to centralize all interrogation operations at Abu Ghraib as a result of MG MILLER's visit. Although the force protection challenges of Abu Ghraib remained, the fact that segregation facilities offered an available guard force, the requisite real estate to establish interrogation facilities was present, and CPA was funding construction there led MG MILLER, MG FAST, COL BOLTZ, BG KARPINSKI and I to support the Abu Ghraib facility. Other facilities although considered were discarded because of their distance from Baghdad or the lack of adequate resources. I cannot recall any specific discussions of force protection at Abu Ghraib during this time. LTG SANCHEZ made the final decision. However, I don't know if he was given a decision brief on Abu Ghraib by anyone in his staff. On 11 September, LTG SANCHEZ again called me to his office and wanted to know what my plan was for implementing the recommendations of the MG MILLER report. It was at this time I showed him some initial design configurations for a Joint Interrogation and Debriefing Center. He asked me how I was going to source that organization and I showed him my plan for consolidating interrogation facilities and using people from the Brigade. He told me that filling these slots was not only the Brigade's problem, but a "national one" and directed me to draft a request for forces (RFF) within 48 hours. Another key development that came out of the MG MILLER assessment was the need to have specific written guidance on interrogation policies and authorities. MG MILLER'S worked with the CJTF-7 legal team on developing a CJTF-7 Interrogation and Counter-Resistance Policy along the lines of the rules approved by the Department of Defense for Guantanamo Bay. Prior to the drafting of the Counter-Resistance policy, as the MILLER assessment noted, there was no written guidance addressing interrogation policy and authority for the entire CJTF. Individual units used internal SOPs at each facility. At Abu Ghraib that was the SOP of the 519th MI Bn. I believed their SOP was adequate from the lack of complaints about interrogations, my confidence in their commander [REDACTED] and their experience in Afghanistan. However, the SOP's tactical focus made it inadequate for the conduct of operational/strategic level interrogations that the Brigade was directed to perform. On 14 September, the CJTF-7 SJA published its first Interrogation and Counter-resistance policy signed by LTG SANCHEZ. This policy was revised on 12 October because of objections from CENTCOM. The 12 October policy eliminated several techniques that were previously approved by LTG SANCHEZ. The Interrogation Rules of Engagement (IROE) was a JIDC published poster based on the 12 October policy created so soldiers and civilians working in the JIDC could have an easy to follow set of rules. It was meant to provide an unclassified reminder that emphasized approved approaches in accordance with the 12 October counter-resistance policy. The IROE was never intended to be, nor was it in fact an approved CJTF-7 policy on the conduct of interrogations. The legally binding document was the approved 12 October policy. To my knowledge, nothing in the IROE violated the 12 October policy. Although the Miller Team had a broad mandate with regard to their assessment, visits to the Brigade did not focus on care and well being of the detainees. Rather, they focused primarily on turning the results of interrogations into actionable intelligence. Discussions on the well being of detainees were discussed with BG KARPINSKI and the 800th MP BDE as part of the discussions on detention operations. I know that MG MILLER spent time with her and units in the 800th. BG KARPINSKI had mentioned to me that they had a very nasty discussion on his findings relative to detainee operations and I believe this included the welfare of detainees. In my opinion, MG MILLER saw many things that had to be done to meet his mandate; improvement to interrogation operations was one of them. I believe that it was MG MILLER'S intention that the person responsible for synchronizing would be located at the CJTF-7 level. I also believe there was pressure from the Department of Defense to produce actionable intelligence from the thousands of security internees the CJTF-7 was capturing. I base my assessment on the discussions with the C2 staff that indicated a tremendous amount of interest in what we were receiving as well as an ever increasing number of "high level" visits to Abu Ghraib. The 205th was given the mission to stand up a joint interrogation and debriefing center as the result of the 11 September meeting. Three critical tasks were involved: completing work on the Request For Forces (RFF), training, and the collapsing of three interrogation facilities into one at Abu Ghraib. The Brigade finished the RFF in concert with the C2 and C3 staff and sent the document out within 72 hours. Training was arranged with Fort Huachuca and TF Guantanamo to begin in October. GTMO would assist with implementing the Tiger Team concept from 5 October through 3 December and Fort Huachuca sent a mobile training team for 21 days in early October to help train soldiers to conduct strategic level interrogations. The movement of personnel to the JIDC was an iterative process because of the need to close old facilities and bring new assets, such as analysts, into the facility that had not been traditionally part of the Brigade's tactical intelligence capability. Initially, [REDACTED] was designated as the senior MI Officer at Abu Ghraib. We discussed his roles and responsibilities, though I do not recall the specifics. The CG had been specific in his direction to me at the 11 SEP meeting that we needed a LTC to run the facility. I went to [REDACTED] and told him I needed a LTC to run operations at Abu Ghraib. [REDACTED] to the brigade to perform that mission [REDACTED]

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 7 PAGES

[REDACTED] spoke with [REDACTED] about my concept for operations and intent on the evening of 20 SEP. A mortar attack interrupted our discussions. There was no doubt in my mind that [REDACTED] was the Joint Interrogation debriefing Center (JIDC) OIC. I know that [REDACTED] understood this because he sent an e-mail out which specified that [REDACTED] was the JIDC Chief and that he was the JIDC Operations Officer. Other organization charts that I received from the JIDC always had [REDACTED] as the person in charge at Abu Ghraib. Commanders maintained their command authority over their soldiers assigned to their units. The arrangement would be somewhat analogous to an Analysis and Control Element in today's intelligence doctrine. [REDACTED]

[REDACTED] Until the middle of November when I went to Abu Ghraib on a permanent basis, I saw [REDACTED] as my guy on the ground and I thought [REDACTED] was pretty clear on what he was supposed to do as well. After I became engaged in day to day operations of the JIDC and [REDACTED] Commander of the 165th MI Bn came down to assist in force protection and security, [REDACTED] did take on more of a liaison role. I did not rate him because he belonged to CJTF-7 and I assumed he was being rated by the C2 chain. This was a similar arrangement to that which was described earlier in this statement for LTC-level commanders. [REDACTED] would attend the daily meetings with the MPs and the other tenant units. I was under the impression that he was satisfied with the way the MPs were running things on Tier 1A and in generally supporting the interrogation mission. There were other things like relations with MPs in the LSA and post security where there were concerns. However, I was led to believe that he had most of these issues under control. [REDACTED]

[REDACTED] also identified equipment shortfalls with the JIDC organization. The Brigade staff worked to fill these needs but as in trying to stand-up any operation without an already established MTOE, there were shortfalls. [REDACTED] provided information concerning soldiers showing up without their personal equipment. I believe that they took corrective action on the ground and the Brigade followed up with the Battalions of these soldiers. I do not recall [REDACTED] discussing with me any issues [REDACTED] had relayed to him on equipment although I do recall several discussions with the DCO [REDACTED] I was not aware that [REDACTED] had told [REDACTED] to stay out of operations; in fact I thought the exact opposite to be the case. [REDACTED] and [REDACTED] would be in a better position to discuss answer your questions on this issue [REDACTED]

Ultimately, the JIDC was to be filled primarily from a Joint Manning Document (JMD) based on the RFF that was developed as a result of [REDACTED] visit. The work of writing and filling the JMD was being done by [REDACTED] from the Brigade and [REDACTED] from CJTF-7. CJTF-7 was responsible for managing and filling this document. Although the JIDC was technically a joint operation, most of the JMD remained unfilled throughout my tour in Iraq. Specific exceptions included some Air Force medical personnel and some Navy personnel, but these arrived much later. The JIDC was essentially an Army run operation with soldiers and civilians. The decision to use civilians was made because the Brigade [REDACTED]

INITIALS OF PERSON MAKING STATEMENTS

PAGE 3 of 7 PAGE

AG0000537

[REDACTED] had no more assets that it could provide to fill the slots. I was consulted concerning this decision and provided favorable feedback. The Brigade S3 and DCO worked with the CJTF-7 headquarters in developing specific requirements. I am unfamiliar with the specifics of the contract and do not recall when the first contractors arrived. However, two requirements were to have a clearance and to have experience. I received positive feedback on the contributions of the contractors from [REDACTED] and other members of the JIDC. I was never given reason to doubt their competency and no issues were brought to my attention. [REDACTED]

[REDACTED] In the first week of November, the CG paid a visit to Abu Ghraib and he was still not happy with operations. In private discussions with the CG and MG FAST I decided to move to Abu Ghraib. My actual movement to Abu Ghraib was sometime in the middle of November. Closely following my movement MG Fast visited me and expressed concern about the level of force protection at the facility. She indicated that because I was now the senior commander on the ground I might have to take additional responsibility for the force protection mission. The 205th MI Bde was named Forward Operating Base commander on 19 November. Although I didn't ask for the job, I did not fight it because I realized that unless the Brigade assumed this role, things would never get better. The 19 NOV FRAGO designating the Brigade with FOB command responsibility gave TACON of the 320th MP Bn for force protection and security of detainees as well. The FRAGO did not delineate any responsibilities. My understanding of this FRAGO was to protect all personnel from external threats. To me this meant that the MPs would continue to run confinement and security operations in the prison camps and facilities, while the JIDC would continue to perform interrogations. I brought the 165th MI Bn to oversee base security operations, assist with the implementation of base security policy, and provide forces to enhance perimeter security and conduct reconnaissance and surveillance outside the walls of Abu Ghraib. After the 19 NOV FRAGO my discussions with [REDACTED] Commander of the 320th MP Bn were positive. He expressed the opinion that his unit would be able to focus their efforts on confinement operations. This FRAGO did nothing to alter the mission of the MPs to maintain control over all of the detention facilities located at Abu Ghraib, even those where internees of intelligence value were housed. At some point, near the end of November the MPs decided to stop escorting detainees between the CAMP VIGILANT, CAMP GANCI and the interrogation facility. Military Intelligence took over this function. [REDACTED] were to ensure that a group of intelligence soldiers were trained on escorting duties and to my knowledge this was done to standard. As a result of the 19 NOV FRAGO I became more involved with base operations at Abu Ghraib. As always, I relied on battalion commanders and the Brigade staff to assist in daily operations of the Brigade. [REDACTED]

[REDACTED] As discussed earlier in this statement, the JIDC created and posted IROE on their bulletin board. The IROE identified presence of working dogs and sleep management as requiring CG approval. However, the 12 October Interrogation and Counter-Resistance Policy General Safeguards (enclosure 2) allowed that dogs present at interrogations were to be muzzled and under the control of a handler. Likewise the Brigade Staff Judge Advocate opined that sleep management could be permitted at the JIDC as long as [REDACTED]

[REDACTED]
INITIALS OF PERSON MAKING STATEMENTS

[REDACTED]
PAGE 4 of 7 PAGE

AG0000538

[REDACTED] detainees were allowed adequate sleep. Adequate sleep was defined as "4 hours in a 24 hour period" based on conversations with personnel from Guantanamo Bay. Any sleep of less than 4 hours in a 24 hour period would have required [REDACTED] signature. We did submit requests concerning interrogations to [REDACTED]. I believe these were mostly requests for segregation of detainees in excess of 30-days, but I cannot recall the total number or specifically what they were. The requests were kept on file at Abu Ghraib until January when they were maintained on softcopy. [REDACTED] would know where they were kept. As for sleep management, the interrogators had to write down their plan and then give it to the MPs who would maintain and implement it. Additionally, these plans were to be monitored by our resident doctor. I do not know what the MPs did to implement the plan. I do not know of any training that was provided to the MPs on what MI could do with detainees or if MI trained on what MPs could do with detainees. 20/20 Hindsight, it should have been done. [REDACTED]

[REDACTED] and that they not have to go through the normal inprocessing procedures. [REDACTED] could tell you more. I went to speak to [REDACTED] about my concerns over this arrangement and asked if we were going to continue this. He said yes to facilitate their request. They would drop off detainees without notifying us. I do not remember any staff officer voicing any concerns about OGA concerning these practices although they may have. In fact I was under the impression that [REDACTED] established good relations with this organization and that the problem had been reduced to a manageable level. With regards to the specifics of a dead detainee I can relate the following: AN OGA rep and [REDACTED] notified me that a detainee was dead; we reported this information to the C2. I was informed by the OGA representative on the scene that the detainee died during an interrogation while an OGA interrogator was yelling at him. The detainee apparently collapsed while he was being interrogated. The body appeared to have been in a fight. [REDACTED] told me that the detainee received the injuries during the take down in operations the night before. The operation was a combination of [REDACTED]. I saw injuries to the left side of the head. It was decided that the body would be placed in a bag and iced to prevent rotting. The body was removed that evening/next day quietly making it appear as if a detainee was injured in order to prevent unnecessary panic among the other detainees. OGA investigated the incident and decided that they would comply with inprocessing requirements after the [REDACTED] advised them to do so. Likewise when TF-121 asked to use our facility months later I recall we required them to follow established policy as well. [REDACTED]

[REDACTED] have no knowledge of any MI person abusing detainees by pushing them off a truck or on the ground. I would think that if a ISG in my Brigade knew about the use of excessive force, he would let me know. No one ever told me about such an incident. [REDACTED]

[REDACTED] The International Community Red Cross (ICRC) visited Abu Ghraib twice. Once before I was FOB commander and once after. They did not meet with me the first time. I did receive a copy of the results and noted there were allegations of maltreatment and detainees wearing women underwear on their heads. I did not believe it. I felt some [REDACTED]

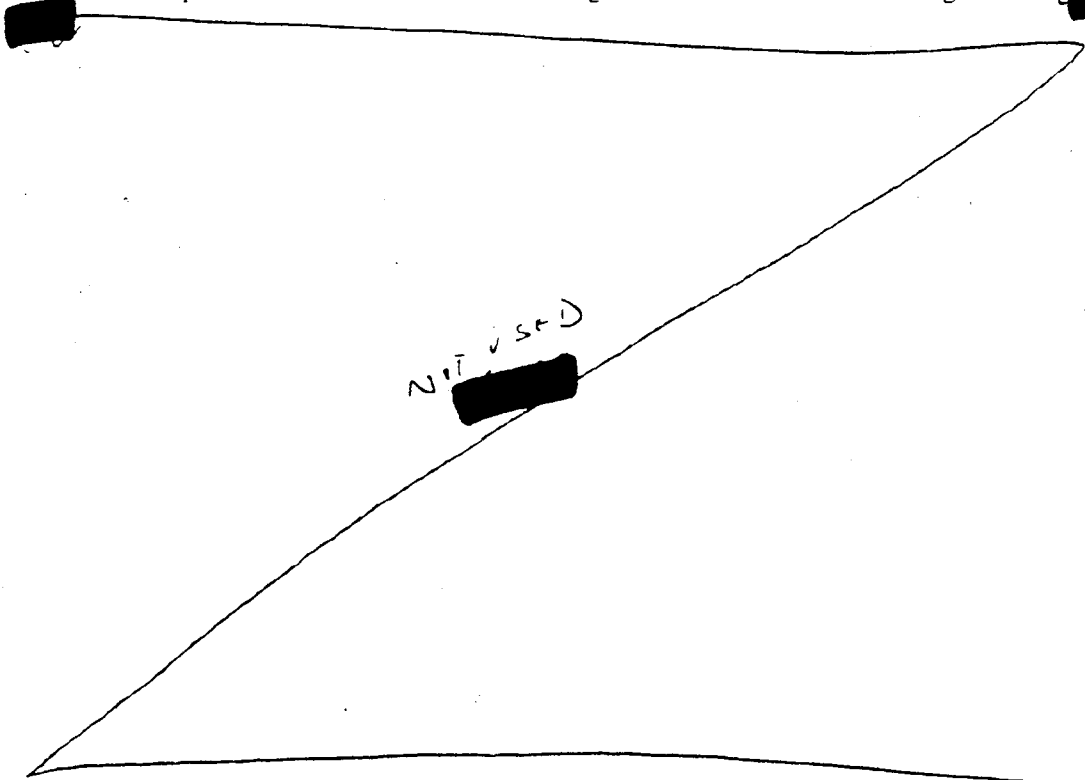
[REDACTED]
INITIALS OF PERSON MAKING STATEMENTS

[REDACTED]
PAGE 5 of 7 PAGE

AG0000539

[REDACTED] detainees just simply wanted to get some sympathy. I truly believed our guys were not doing this. I recall I might have relayed to the staff that this stuff couldn't have been happening. I cannot specifically recall telling the staff this stuff better not be happening, but I might have said words to the effect. When the ICRC came by the second time, the FOB invoked GCIV/Article 143, for eight detainees to prevent them from talking to the ICRC while undergoing an active interrogation. [REDACTED] informed me that I had the authority to do this. Before I became FOB commander, I was told there was a shortage of jumpsuits, but I was never told about the women's underwear issue. I occasionally walked down Tier 1 A and 1B and I never saw any naked detainees [REDACTED]

[REDACTED] the training on IROE was established at Abu Ghraib after we had an incident with A/519th soldiers on or about 6 OCT. It was reported to me that three male soldiers had gone in to interrogate a female detainee and had some sexual motives and had touched the females. I told [REDACTED] we needed to suspend the individuals from interrogation operations and remove them from contact with detainees. A CID investigation was initiated but there were not enough evidence to prosecute them for detainee abuse or sexual misconduct so I gave them Article 15s for dereliction of duty. Two soldiers were reduced in rank and fined and another was fined and taken away from interrogation operations. I was told that a TITAN Linguist was also involved, but that he did not participate. [REDACTED] thought there were some initial problems with the linguists statement and went back to clarify the situation. When he came back [REDACTED] told me we had a true statement and I took the recommendations from my staff as to the disposition of the three soldier interrogators. We did not fire the linguist and [REDACTED]



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INITIALS OF PERSON MAKING STATEMENTS

[REDACTED]
PAGE 6 of 7 PAGE

STATEMENT OF

TAKEN AT

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DATED

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2. STATEMENT (Continued)

do not know what happened to him after he transferred. Everyone was brought eventually together and the IROEs were reiterated. I had no suspicion that the incident went beyond these individuals or that night. Another time, it was reported to me that an interrogator had inappropriately taken the clothes from a detainee and led him back to the compound. I spoke to [redacted] and he recommended the individuals be suspended from interrogations, orally reprimanded, counseled and given training. I concurred. I didn't think this presented a pattern. We had many interrogations take place between the two incidents without any notification of problems. I believe that the entire chain of command and supervision believed this was an unusual occurrence; and that suspension and retraining would send the appropriate message to everyone. The shooting in the Hard Site was brought to my attention when BG KARPINSKI called to tell me about it. She asked if I knew there had been a shooting in Tier 1A. After notification, I went down to the hard site and my immediate concern was to check on everyone and notify higher headquarters. [redacted] walked me around and explained to me what happened. There was a Syrian detainee who had a handgun. Another detainee had told someone of the presence of the weapon. When I arrived, MPs were conducting a "shakedown" of the Iraqi Police and preparing for a cell search of the Cell Block 1A. I recall witnessing a small part of the cell search. The detainees would be taken out of their cells and the dogs would go in the cell to search for weapons. This was done one by one. As far as I could tell, the guard dogs were being led by their dog handler. An MP captain was in charge of the search. I am sure there were some MI personnel there but I do not remember who they were. [redacted] told me that our MI personnel were interrogating the Iraqi Police in support of the MPs. I didn't see it. I do not remember any civilians at the site. At no time did I see dogs being used during interrogations. I was not aware that a dog might have bitten a linguist. The first time I found out about it was when I read the CID report. If this happened, someone should have told me. I never witnessed any detainee abuse. I was satisfied with the level of knowledge MI personnel had and that they were in compliance with the policy on counter-resistance, IROE and the Geneva Convention. [redacted] was very competent as the ICE Chief and had implemented a system to train personnel coming into the JIDC. I also had the GTMO assistance visit from early October through the beginning of December looking at all facets of operations and they never reported anything inappropriate. During our Fort Huachuca MTT we did a left/right seat ride and was provided only positive feedback about the ongoing operations. I had seen nothing to doubt that things weren't being done right. I was able to identify one of the linguists in one of the photos shown to me. [redacted] is standing in one of the TIERS with several soldiers around a naked detainee on the floor. I was also able to identify a female linguist with a civilian (did not recognize him). They were with a detainee who appeared to be in an unauthorized stress position. Taking the photos was a violation. If an NCO did not report an incident he was aware of, there was a break down. There is no justification for any abuse of detainees and the leadership did not condone it. In all cases where abuse was brought to my attention I took action to discipline soldiers. I believe that the vast majority of leaders and soldiers were acting in good faith to do the right thing and that prudent actions were taken to conduct training with teams from GTMO and FT Huachuca. However, clearly a more rigid inspection of operations, less confidence in civilians working in interrogation, and closer attention to ICRC report of abuse may have enabled earlier detection and prevention of some of this. I also believe that the difficult conditions of Abu Ghraib, the lack of established doctrine and little collective training for JIDCs, as well as the Army decision to migrate the Brigade's interrogators into the Reserve Components after Desert Storm were all contributory factors to the situation that occurred at Abu Ghraib.

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 [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 INDOUCEMENT

(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)

ORGANIZATION OR ADDRESS

UCMJ, ARTICLE 136

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 7 OF 7 PAGES

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1. LOCATION: MNF-1 HQ, Iraq; 2. DATE: 20040620; 3. TIME: 1130 AM; 4. FILE NUMBER; 5. LAST NAME, FIRST NAME, MIDDLE NAME; 6. SSN; 7. GRADE/STATUS: O-8/USA; 8. ORGANIZATION OR ADDRESS: MNF-1, DCS-OPS

9. I, [redacted] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I arrived in Iraq, early August 2003, possibly the 4th or 5th. I did not discuss the consolidation of operations at Baghdad Central Correctional Facility with General Sanchez at that time. We did not discuss interrogations until mid to late October. I don't recall sitting down with either General Fast or General Sanchez to discuss interrogations until that time. I was more involved with the force protection aspect of the correctional facility, concentrating on the quick reaction force and the counter battery fire, things of that nature. Myself and General Wodjakowski had numerous conversations concerning the security of the facility. As for General Sanchez being frustrated in the October time frame, I did not see that. The first sign of frustration that I witnessed was not until the January time frame, General Sanchez was frustrated at the cloudy picture as a whole. The picture of, "who is my enemy", was not being articulated to him to his satisfaction. However, interrogation and detainee operations were only part of that frustration and not the sole reason for it. In mid January 2004, General Sanchez, at a staff meeting voiced his frustration with the overall detainee operations situation and said something on the order of, "so who in the staff is bringing all this together?" Our [redacted] stated that he had staff responsibility, and I followed up by saying that since I supervised the PMO that I would oversee the issue. Approximately one week later I e-mailed General Ryder and requested his assistance because I felt we did not have the proper expertise on the staff with regards to detainee operations. This resulted in two formal requests: (1) dated 16 January 2004, for a Mobil Training Team for military corrections specialists, and (2) dated 29 January 2004, requesting a detention operations cell to augment the PMO staff. General Sanchez never spoke to me about the counter resistance policy, nor did we discuss military intelligence implications as far as interrogations is concerned. The 4th Infantry Division was extremely active, they were conducting very aggressive offensive operations. The volume of detainees being collected by them was high, that being said, they were conducting operations in a very hostile environment and their operational tempo was one of the highest in theater. I have never heard of the, "50 meter rule", concerning the 4th Infantry Division or any other unit. I recall that from mid October on, there were discussions concerning the slow release of detainees. General Sanchez was concerned that maybe the procedures were not what they should be as for the release of the detainees. Generals Fast and Sanchez discussed the, "board issue" on a number of occasions. Some of the problem seemed to be that the division holding areas were becoming too full and needed the detainees to be moved out, that meant to the Baghdad Central Correctional Facility. Another problem was that when a detainee was released the commanders in that particular sector did not want them to be released in their area of operations. As for the force protection posture at the Baghdad Central Correctional Facility, I don't believe that there was more of a threat there than in any of the forward operating bases and every reasonable step to provide security for the troops and the detainees was taken. The tactics being used in that area were constantly looked at and adjusted to the changing situation. One example was the extra radar coverage in the area. This and other steps were taken to secure the facility. Your attention was given to the facility. I do not know who made the decision to use that particular facility. Do you have anything to add to this statement?

NOT USED

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

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