

SWORN STATEMENT

DA FORM 2823, JUL 72, IS OBSOLETE

PERSON'S AFFIDAVIT

Affiant: [Redacted]
Punished for: [Redacted]
Dishonored: [Redacted]

[Redacted]
[Redacted]

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STATEMENT OF [REDACTED] TAKEN AT Baghdad, Iraq DATED 2004/05/28

head was touching the floor. I asked the MPs if they had notified the 320th MP Battalion and they had. [REDACTED] said he would notify his supervisor. [REDACTED] notified COL PAPPAS and [REDACTED]. COL PAPPAS stated he wanted to know when [REDACTED] arrived and to keep him abreast of everything.

When [REDACTED] arrived he stated that he had to call Washington and requested that we maintain the body until the next day. I contacted COL PAPPAS who agreed to hold the body. [REDACTED] brought in a body bag and units were contacted for ice to pack up the body. [REDACTED] had the body secured in the shower area.

CID was informed and the body was removed on a litter the following day making it appear as if the detainee was merely ill. This was because the Iraqi police were stationed in the immediate area and intelligence reported that some officers might have been working for anti-Coalition forces. [REDACTED] accompanied the body and OGA staff from the Hard-Site to another area to ensure that the body was loaded into a government vehicle.

I heard that OGA brought the detainee to Abu Ghraib at approximately 0530 hours. JIDC operations were not notified of the detainee's arrival. This was not in accordance with the verbal agreements with COL PAPPAS. Reportedly, a Seal Team captured the individual during one of their missions. The detainee was presumed to have been involved in the attack against the ICRC and apparently had several weapons with him. He was resisting arrest and allegedly a Seal Team member butt-stroked him on the side of the head.

In January 2004 I spoke with a case officer, [REDACTED] who indicated [REDACTED] wanted to speak to me. [REDACTED] told me that the detainee's death was being investigated by OGA and asked me to speak to the OGA attorneys. After speaking with the attorneys, I never heard anything again about this incident until I saw photos of the deceased on the news.

OTHER MISCONDUCT

Around 10 - 12 December 2004, four Titan linguists were seen departing Abu Ghraib without authorization. When they returned to Abu Ghraib, COL PAPPAS ordered the 165th MI BN Commander and me to wait for them and report when they returned. We learned that they had departed without authorization to go shopping and visit relatives in Baghdad. The linguists were removed from the base and allowed to transfer to further outlying areas or lose their positions.

ICRC

The International Red Cross visited Abu Ghraib. COL PAPPAS told me that he and BG KARPINSKI received the final report. I did not see the report. COL PAPPAS asked me if I had ever seen or heard rumor of any abuse. I replied no. I am not aware of COL PAPPAS doing anything about the allegations. This occurred mid to late October [REDACTED] and I called a formation and addressed these issues to the soldiers and civilians of the JIDC. Nobody indicated that they were aware of any such activity and again IROE was stressed as well as the need to treat detainees with respect.

PHOTO IDENTIFICATION:

I identified [REDACTED], a Titan Linguist, possibly [REDACTED] an analyst, [REDACTED] an analyst, and another soldier I believe to be either an analyst or an interrogator. The photos were taken in the Hard-Site area and depicted detainees naked and all bunched up together. I also identified [REDACTED] and a female Titan Linguist in three other photos. On one photo, Mr. [REDACTED] appeared to be interrogating a detainee who was sitting on two stacked plastic chairs facing back in a likely stressed position. [REDACTED] was standing by the side. I also identified a photo of [REDACTED] an MP. Other photos were of Ms. [REDACTED] and [REDACTED] together. I saw other photos of dogs in the Hard-Site area.

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After the shooting, I remember going into the lower-level of Tier 1A, looking for either [REDACTED] of the MP Company for assistance with the Iraqi police chain-of-command. The working dogs were not muzzled and were searching the cells in concert with the QRF. I believe there were two or three dogs present with their handlers. I saw no detainees abused or dogs being mishandled. I do not know if COL PAPPAS received permission to use dogs during this time.

TF-121, OGA, and GHOST DETAINEES

OGA and TF-121 routinely brought in detainees for a short period of time. The A/519th soldiers initiated the term "ghost". They stated they used this term as the detainees were not in-processed in the normal way via the MP database and were not yet categorized. It was difficult to track these particular detainees and I and other officers recommended that a Memorandum of Understanding be written up between OGA, the 205th MI BDE and the 800th MP BDE to establish procedures for a ghost detainee. [REDACTED] suggested an idea of processing them under an assumed name and fingerprinting them but COL PAPPAS decided against it.

[REDACTED] worked with OGA to train people on properly filling out the Detainee Coalition Intake Form and sworn statements describing capture as two were required for the in-processing of each detainee.

Ghost Detainees were referenced in the database with their capture tag numbers. COL PAPPAS began a formalized written MOU procedure I believe in late November between the 205th MI Bde, 800th MP BDE, and OGA. COL PAPPAS introduced me to [REDACTED] the senior representative for OGA and [REDACTED] introduced me to various staff from TF-121. [REDACTED] stated he had heard of me from [REDACTED] and that [REDACTED] stated I would assist with possible linguist and logistics support. [REDACTED] usually accompanied his staff when they dropped off a detainee about two to three times a week.

Some of the OGA people I recall include [REDACTED]. I do not know whether [REDACTED] interrogated detainees. I don't recall briefing MG FAST or COL BOLTZ on ghost detainees per se, but used the term OGA detainee.

The only TF-121 personnel I remember by name were [REDACTED].

OGA ordered [REDACTED] to move a detainee by himself from Site [REDACTED] to the Hard-Site. I intercepted [REDACTED] while transporting the detainee, asked him what was happening and then served as his battle buddy. After transporting the detainee, I spoke with [REDACTED] and suggested that OGA should move their own detainees or at a minimum request Army assistance through Operations.

DETAINEE DEATH

At approximately 0715-0720 on a day in late Oct 2003, someone approached me and asked if I knew COL PAPPAS' location. I asked what was going on because it was nearly time for the scheduled Brigade Command Update. I learned that a detainee died in the Hard-Site.

I walked over to the Hard Site and talked with [REDACTED] an Iraqi prison medical doctor on site, who told me that the detainee was dead. The detainee was in the Tier 1B shower stall, face down, handcuffed with his hands to his back, wearing an orange jumpsuit.

[REDACTED] from OGA, [REDACTED] various MPs, [REDACTED] Hard-Site OIC, and U.S. medical staff were on site. [REDACTED] uncuffed the detainee and he was turned over. I did not see any blood on the body, [REDACTED] the walls, floor, clothes, et cetera, except a small spot where the detainee's

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DETAINEE CLOTHING

When I arrived at Abu Ghraib, some detainees had torn jump suits and some wore civilian clothes. In mid-September through late October, it was very warm and detainees would sometimes have their tops off. Even when detainees were washing their jumpsuits or clothes, they would wear their underwear or wrap a towel around themselves. When bathing, I saw them put up sheets over the doorway for privacy. The only male detainees I saw without any clothing were new arrivals who were undressed while being searched and a few who had mental problems and tore their clothes off.

I never saw any male detainees wearing women underwear on their body or head. I never saw any female detainees ever without clothing.

DOG and TRUCK INCIDENT

I have no knowledge or ever saw any detainees being thrown off the back of a truck or any vehicle for that matter. I have no knowledge of dogs ever being used or approved for interrogations. Dogs were used to sniff and inspect the cells to ensure no weapons or explosives were on site. Dogs were also used at the IOP to check vehicles for explosives. I never saw the dogs muzzled for these routine force protection uses.

THE HARD SITE

The only way to access the Hard-Site was through three locked or guarded gates from one entrance or through one to three manned gates to a final locked gate from another entrance way. MPs or Iraqi police controlled the keys and access. MPs always escorted the in and around the Hard-Site area.

THE SHOOTING INCIDENT IN THE HARD SITE

On 24 Nov 03, a riot broke out in Camp Delta. MPs were reportedly attacked by detainees. I believe a number of detainees were killed (more than 40) and a few others wounded to whom medical evaluation was required.

Later that evening, [REDACTED] MP COMPANY saw me walking and told me that there might be a weapon in the Hard-Site. The MPs were setting up to conduct a cell search. I saw a lot of detainees who were involved and talked with the informant detainee.

The suspected detainee was at the far end of the hallway. I helped the MPs conduct the cell search. KOO's took up position on one side of the doorway, they were going to unlock the door another KOO and I took up position on the other side of the cell doorway. The suspected detainee refused to stand by the doorway to be cuffed and to allow cell search. The suspected detainee made a rapid movement and he fired a round, I yelled "Fire" at the same time an MP returned fire. The detainee continued firing. He was subdued and he sustained wounds to his legs.

One of the wounded detainees discovered two knives in the cell. Another informant detainee reported there might be other knives and weapons in the cell block in the possession of detainees. Intelligence reported that Iraq, pilots and contractors smuggled in weapons and explosives. It is said in a coordinated attack from the outside to free High Value Detainees. The IOP came in and dogs were used to search the facility in particular Tier 14 and 15, as well as the area where the Iraq teams worked and the personal belongings.

Incident COI PAPPAS of the incident. COL PAPPAS ordered the facility locked down.

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on ideas for target folder development, then work with [REDACTED] developing specified interrogation plans, and then structure report formats for C2 approval.

After the 20 Sep 03 mortar attack, I realized that the soldiers at Abu Ghraib did not have an appropriate standard of living. There was no dedicated PX facilities, no weight room/gym/cardio facilities, minimal internet connectivity, almost no telephone lines, no dedicated mail service, no dedicated dining facility other than the field kitchen, no hot showers, no washing facilities for clothes, etc. I spoke with COL PAPPAS about several problems with Abu Ghraib. I cited how civilian employees were being deployed without the appropriate force protection equipment, soldiers without weapons and/or ammunition, lack of basic office equipment and supplies, etc.

Following the memorial service, I believe on 26 September for two soldiers killed in mortar attack, COL PAPPAS offered me the JIDC Commander position. I initially accepted the role pending discussion with my rater who was on leave. However after a week or so, I discovered that there was no Command and Control (C2) associated with the position over soldiers, civilians, or policy. As I did not have any C2, I declined the JIDC Commander role. COL PAPPAS stated that he would have one of his Battalion Commanders assigned with their unit to run the JIDC. I agreed to stay and continue assisting COL PAPPAS. After declining the position, COL PAPPAS referred to himself as the JIDC Commander/Director. I decided I would best serve as some sort of executive officer performing a mayoral support role for life sustainment issues. I started serving in a Mayoral capacity at that point, around 20-25 October, about the time COL PAPPAS moved out to Abu Ghraib fulltime.

I advised [REDACTED] that I declined the JIDC Commander position. [REDACTED] stated that COL PAPPAS would not have input on my OER and I continued supporting soldiers.

THE FIRST INCIDENT OF UNAUTHORIZED INTERROGATIONS:

Around 6 or 7 October 2003, I learned that three interrogators and a translator went into Tier 1B to interrogate two female detainees and possibly had been drinking alcohol. [REDACTED] and I reviewed the MPs written statements. I learned that the interrogators and one civilian linguist had the MPs release a female juvenile detainee (17) under the guise of an interrogation and moved her to an isolated cell area and purportedly asked her to remove her top and kissed her. They then asked to interrogate another female detainee that was an MP hold for criminal activity. They moved this detainee as well to an isolated area and spoke with her and one held her hand. Both detainees separately identified all four individuals.

COL PAPPAS asked me investigate the matter more fully. When questioned, all three soldiers invoked their rights and requested an attorney. The civilian linguist indicated that they had gone for an interrogation and he just did translation as he was directed by the soldiers and denied any use of alcohol. I forwarded the statements to [REDACTED] 05th MI Bde legal officer, and later spoke with CID. I do not know what happened with the matter after that.

The next day, [REDACTED] went over the Interrogation Rules of Engagement (IROE) with all military and civilian personnel.

OTHER INTERROGATOR MISCONDUCT

The only other incident of detainee misconduct I was aware of is that [REDACTED] informed me that [REDACTED] an interrogator, and [REDACTED] an analyst, had a detainee disrobe during an interrogation one evening and walked back to his area. [REDACTED] stated that [REDACTED] had already reassigned both soldiers to other duties.

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B. STATEMENT (Continued)

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

A. No

End of Statement

AFFIDAVIT

[REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 7. 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 27 day of May 2004

at Baghdad, Iraq

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED]
(Typed Name of Person Administering Oath)

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(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

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