

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
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: ABU GHRAIB PRISON, ABU GHRAIB, IRAQ
2. DATE (YYYYMMDD): 2004/01/20
3. TIME: 1048
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS: SPC
8. ORGANIZATION OR ADDRESS: 229TH Military Police Company, Virginia Beach, VA (deployed to Abu Ghraib, Iraq)

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

On the day in which the Abu Ghraib Prison saw the prisoners not for the first time, I, as a member of the Internal Reaction Force for the prison, was on stand-by for any future incidents. On that night we were called and instructed to go to the hard site and assist the unit running it. No other information was known until we arrived and were briefed by a senior enlisted soldier. We were told that a prisoner had gained access to a handgun and had fired at an American guard. We were instructed that the unit responsible for the hard site wanted our unit to conduct a search of every cell. We entered through the north entrance of the hard site and went to the first bay on the left. We went immediately upstairs and began to search the cells. I was on the top deck with other members of my team when I heard a man screaming from the first deck. I was on the south side of the bay and I looked back to the northwest corner of the bay through the open center, and observed two soldiers and a prisoner. The prisoner was lying prone on his stomach, dressed in an orange jumpsuit, flex-cuffed behind his back with a sandbag over his head. The prisoner was not resisting in any way. One soldier was standing next to the left side of the prisoner's head with the barrel of his rifle pressed against the prisoner's head. I observed the other soldier kneeling next to the right side of the prisoner at approximately waist level. I observed this soldier begin to strike the prisoner in the small of the back with a closed fist. The soldier struck the prisoner approximately ten times. The soldier then stood up and struck the prisoner in the right hip and right side approximately three times. I observed that this soldier was a white male with blond hair, cut very close on the sides with a flat-top style on top. This soldier was wearing a solid, olive-green vest with two pouches on the left and right sides at the rear, at the bottom of the vest. I am unable to identify this soldier until I observed him several days later in the dining facility and saw that he was a Captain. I am unable to give this Captain's name. The other members of my team that were present during this incident were [redacted] and [redacted] have since returned to the [redacted]. All others are still assigned to the Internal Reaction Force, 229th MP Company.

- Q: Do you know the date of the incident?
A: No, sir. I do not believe it was in Nov 03.
Q: When were you assigned to the IRF?
A: Aug 03.
Q: Did you observe the detainee resisting at any time before, during or after the incident in question?
A: No, sir.
Q: Do you know who the soldier was with the weapon?
A: No, sir. He never looked up. I could not see his face.
Q: Can you describe the soldier with the weapon?
A: Other than white male, no sir.
Q: Was there any other soldiers observing this incident?
A: From my location I could not tell if anyone was observing what I saw.
Q: Did anyone from your team observe the incident?
A: I am not sure, sir.
Q: How long did the incident last?
A: No more than five minutes.
Q: What were you doing when this was going on?
A: Searching the south side of the second deck. I heard the screaming while conducting the searches. I looked down at the incident. I continued with the searches glancing down at the incident and at some point they had stripped the prisoner and moved him from the view.
Q: Did anyone say anything to this CPT?
A: Not that I saw.
Q: Did you report this to anyone other than this office?

EXHIBIT 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 INDICATED

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exhibit 2 J

Statement of [REDACTED] taken on 20 Jan 04, at the Abu Ghraib Prison, Abu Ghraib, Iraq

- A. Not officially. I discussed it with certain members of the IRF as a whole.
- Q. Was the CPT striking the detainee with an open or closed fist?
- A. Closed fist.
- Q. Did you see what led up to this incident?
- A. No, sir.
- Q. Could you hear what was being said to the detainee?
- A. No, sir.
- Q. Could you describe the detainee?
- A. Male, dark hair and an orange jumpsuit.
- Q. Where exactly was the detainee struck?
- A. The detainee was struck in the small of the back by the CPT. He was using his right hand.
- Q. After you finished your search did you see the detainee again?
- A. No, sir.
- Q. Did you see the CPT in the isolation area again?
- A. No, sir.
- Q. Have you witnessed any other incidents of concern?
- A. In September of 2003, when we first arrived at the prison complex, I observed that the prisoners at the compounds were receiving punishment in the way of being forced to kneel on gravel until their knees were bleeding. I stopped this punishment whenever I observed it and brought it to the attention of [REDACTED] the IRF commander. This type of punishment stopped. Also in September of 2003, I observed an MI soldier choke and strike a prisoner in the presence of [REDACTED]. This incident was reported to my chain of command. Sworn statements were written and presented to [REDACTED]. I heard nothing more from this incident.
- Q. Do you know what action was taken on the second incident?
- A. I was not present when it was discussed. I heard that MI personnel came over and apologized for their actions.
- Q. Have you heard of any other incidents of maltreatment towards the detainees?
- A. The same night the CPT struck the detainee, I heard one of the navy dogs had bitten a prisoner that was flex-i-cuffed and was not resisting.
- Q. Do you know who witnessed this incident?
- A. [REDACTED] was the dog handler whose dogs bit the detainee.
- Q. Do you know the details of this incident?
- A. No, sir.
- Q. Do you have anything else to add to your statement?
- A. No, sir.///END OF STATEMENT///

Initials [REDACTED]

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STATEMENT OF



TAKEN AT

Abu Ghraib Prison

DATED

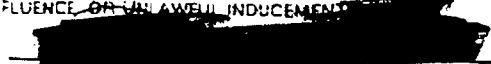
20 JAN 04

9. STATEMENT (Continued)

[Large redacted area]

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 20 day of Jan 2004

at Abu Ghraib Prison, Abu Ghraib, Iraq

ORGANIZATION OR ADDRESS



(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS



(Typed Name of Person Administering Oath)

ABT 136 UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT



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