

# PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2851; 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 2. DATE (YYYYMMDD) 3. TIME 4. FILE NUMBER  
 94th RRC, Devens, MA 2004/06/05 1445  
 5. LAST NAME, FIRST NAME, MIDDLE NAME 6. SSN 7. GRADE/STATUS  
 SGTVE-5

8. ORGANIZATION OR ADDRESS  
 6th Battalion, 98th Division (MIIT), Devens, MA

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

I have been asked to provide further information to clarify statements I made to investigator on 28 May 2004, regarding two incidents involving detainees at Abu Ghuraib (AG) Detention Facility, Iraq. As I previously stated, I witnessed two incidents and reported both those incidents to my supervisor. [REDACTED] was part of a Tiger Team from Guantanamo Bay (GTMO) Facility with the mission to identify systemic problems at AG and recommend corrections and solutions based on the GTMO experience. The GTMO Tiger Team consisted of [REDACTED] Team Leader and MOS 351E) [REDACTED] US Marine Corps [REDACTED] (analyst, equivalent to 96B1, and myself. I witnessed the first incident during my first interrogation at AG in early Oct 03. It took place in one of the wooded booths and I observed from behind the glass [REDACTED] was the lead interrogator, [REDACTED] was there as an analyst, and there was an interpreter/translator (I/T) whose name I can't recall, but he was known to be as the "crabby old bastard". During the interrogation, [REDACTED] had the detainee roll his orange jumpsuit down to his waist and insinuated that the detainee would be stripped further if the detainee did not cooperate. Shortly after this happened, the interpreter put up his hand, looked away, and said that he was not comfortable with the situation, and then exited the booth. [REDACTED] then stopped the interrogation. I brought the situation to [REDACTED] attention, but she responded with words to the effect that SPC [REDACTED] knew what he was doing. After my shift, I met with the other members for our "daily" After Action Review meetings in the Operations area. Although they were intended to be daily, they were not, but we did have one this particular night. I did not bring up the issue during the meeting because I am not an interrogator and I wasn't sure how to handle reporting it. I thought it would be best to bring it to [REDACTED] attention and let him handle it. After the meeting, we drove back to the Living Support Area (LSA). [REDACTED] bunk was right next to mine and they were next to the door. I asked him if he could step outside with me because I had something sensitive to tell him. We both stepped out into the stairway to the barracks, and I reported to him what I had seen, as I have stated above. At the time, the fact that the interpreter walked out bothered me because we had had problems at GTMO with interpreters disrupting interrogations by attempting to dictate the pace and method of interrogation approaches, so we talked about that. I did not present the incident in general or generic terms. I never used the term "cultural difference", and neither did [REDACTED]. I specifically told him what [REDACTED] had done and that that was the reason why the interpreter walked out. I didn't get much feedback from [REDACTED]. During this conversation, other than he discussed the problem with an interpreter walking out of an interrogation. He did not ask clarifying questions about SPC [REDACTED] rolling down the detainee's jumpsuit and never addressed that aspect of the incident specifically. He said he would "take care of it". By it, I took it to mean that he would report both the rolling of the jumpsuit and the interpreter walking out. Essentially that "it" referred to the whole incident, not just the interpreter. [REDACTED] and I never spoke about this incident again, and he never provided any feedback to me as to the what happened, or what would happen as a result of the report. As I mentioned in my first statement, [REDACTED] did come back to me sometime later and asked why I had reported the interrogator for walking out on the interrogation, saying that the interpreter was one of the better ones. However, he never asked or confronted me about why I had reported him for the incident. The second incident also occurred in early Oct 03. It occurred sometime before we were briefed on the new IROE that [REDACTED] had signed, which, I have been informed, was dated 12 Oct 03. I participated in what would have been my third or fourth interrogation. I would like to clarify a statement I made in my 28 May 2004 Sworn Statement, when I stated that "we were interviewing a detainee for the first time". To clarify, this was the first time that I had participated in an interrogation with this detainee [REDACTED]. However, to my knowledge, [REDACTED] had interrogated him previously. About two hours into this interrogation, it became evident that [REDACTED] was getting frustrated with the detainee because he wasn't cooperative and was not answering questions. About an hour and 45 minutes into the interrogation, [REDACTED] leaned over to me and asked if I thought we should put the detainee in solitary. I told him that I did not think it was a very effective tactic and would harm any rapport with the detainee, but that he was the interrogator and it was his call. About 15 minutes later, [REDACTED] stopped the interrogation, departed the booth, and returned about five minutes later with a Military Policeman (MP). The MP was either [REDACTED] (he did not wear glasses). It was the same MP that later stated in

10. EXHIBIT 11. INITIALS OF PERSON MAKING STATEMENT  
 PAGE 1 OF 3 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

## STATEMENT (Continued)

the Hard Site "I want to thank you guys, because up until a week or two ago, I was a good Christian". [REDACTED] centered the booth with the MP right on his heels. The MP jammed a bag over the detainee's head, grabbed the handcuffs restraining him, and said some thing like "come with me piggy" and he lead the detainee to solitary confinement in the Hard Site, but we did not follow from the booth to the Hard Site. Sometime between approximately 1200 and 1300 hours [REDACTED] and I went to lunch and the incident continued to bother me. About half an hour later [REDACTED] and I returned to Hard Site after finishing lunch. As we were finishing up lunch, [REDACTED] stated that he wanted to go see our guy, referring to the detainee in isolation. He did not say why, and I did not ask. We did not have an interpreter with us, but we did have the same interpreter who had participated in the earlier interrogation, and he was scheduled and available for us if we needed him. When we arrived at the detainee's cell, we found him lying on the floor, completely naked except for a hood that covered his head from his upper lip, whimpering, but there were no bruises or marks on him. The same MP who had escorted the detainee from the booth to the Hard Site met us at the cell door. He started yelling at the detainee words to the effect "you've been moving little piggy, you know you shouldn't move" and yanked the hood all the way back down over the detainee's head. I was shocked by what I saw, and it appeared to me that [REDACTED] was as well. We instructed the MPs to clothe the detainee, which they did. I quickly whispered to [REDACTED] and asked if he knew the MPs were going to strip the detainee, and he said that he did not know. I didn't even think to ask the MPs why they had done it. The MP made the statement "I want to thank you guys, because up until a week or two ago, I was a good Christian". After the detainee was clothed, [REDACTED] and I escorted him to the general population and released him without interrogating him again. I never saw this detainee again. The "striping incident" or the isolation technique were never reported in any "interrogator notes" or "interrogation plan" to my knowledge. After dropping off the detainee in general population, I parted way with [REDACTED] and went back to work at the JDIC Ops area to catch up on work. I remember mentioning to a couple of other people out of distress, but I can not recall with certainty who those individuals were. I tried to find [REDACTED] to report what I had seen, but I could not locate him. I did think about telling [REDACTED] I don't know what her title was or what her role, but I know she was an officer in charge of something at the JDIC. However, not knowing her specific role and due to previous encounters with her where she did not appear responsive to my requests and questions, I did not feel she was the right person to tell. I was thinking that because the incident involved the MPs and a not GTMO MI soldier, that such a report from the GTMO team should come from the GTMO team chief and I didn't want to supercede my chain of command. After we returned to the LSA later in the evening, I again pulled [REDACTED] to the side to speak with him in private in the LSA courtyard. I began the conversation with a general diatribe about [REDACTED]'s performance, techniques, preparation skills, and commitment. I then related to him the incident in the Hard Site earlier in the day and he responded "that's not right", "that's a problem", or words to that effect. He then stated "I'll talk to COL PAPPAS about it". I don't believe COL PAPPAS was at AG at the time and I don't think he arrived until about three days after this. This conversation did take place at the end of a long, tiring day, and [REDACTED] was sick at the time. In fact, a short time later he received "quarters" and was sick for about a month. However, regardless of his state of mind, there was no doubt in my mind at the time that he understood what I had reporting to him and that he had said he would talk to COL PAPPAS by name. I never discussed the incident further with [REDACTED] or COL PAPPAS, or anyone else. I never heard any feedback and [REDACTED] and the MPs never mentioned anything to me. In response to the investigating officer's question regarding if [REDACTED] was aware if any of his GTMO team members had responded to Nov 03 shooting incident at the Hard site, I would like add the following. [REDACTED] and myself returned to the LSA on the second day of responding to the shooting incident. We had been up an extended period of time and I collapsed on my cot, I was so tired I did not remove any of my gear, including my nine millimeter. [REDACTED] made the comment, [REDACTED] is dead." [REDACTED] asked, "Why's [REDACTED] dead?" [REDACTED] responded, "We've been on duty for 48 hours Chief. There was some further discussion but I was not paying attention and was soon asleep. I have nothing further to add to this statement." [REDACTED]

END OF STATEMENT

Not  
used

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)

NOT

USED

AFFIDAVIT

[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.

[REDACTED]  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of June, 2004 at Devens

[REDACTED]  
ORGANIZATION OR ADDRESS

[REDACTED]  
(Signature of Person Administering Oath)

[REDACTED]  
(Typed Name of Person Administering Oath)

[REDACTED]  
ORGANIZATION OR ADDRESS

5 U.S.C. 303

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT  
[REDACTED]

PAGE 3 OF 3 PAGES

DA FORM 3023 DEC 1999

118APA V1.00