



JOINT TASK FORCE - 160
Commander
Headquarters, Joint Task Force -160
Guantanamo Bay, Cuba
APO AE 09360

REF ID:
A7777777


JTF-CG

29 May 2002

MEMORANDUM FOR [REDACTED] Commander, 115th Military Police
Battalion, Joint Detention Operations Group, Guantanamo Bay, Cuba.

SUBJECT: Commander's Inquiry Regarding Incidents at Fleet Hospital 20

1. I have reviewed your results of the commander's inquiry regarding the events at the Fleet Hospital on 10 May and 13 May 2002.
2. You failed to address what I consider to be a significant security issue. [REDACTED] was made aware of a situation involving [REDACTED] 1100 hours on 13 May 2002. [REDACTED] admitted to [REDACTED] that [REDACTED] had acted inappropriately towards a detainee. Yet at 1330 hours [REDACTED] was armed with a loaded weapon and involved in a second incident with the same detainee. It is clear to me that [REDACTED] failed to discharge his duties as a non-commissioned officer and potentially put both a soldier and detainee at risk for use of lethal force.
3. You were directed on 14 May 2002 to remove all military police belonging to the 115th M.P. Battalion from the Field Hospital 20 security detail and to remove lethal weapons from that location permanently.
4. You failed to establish a positive leadership climate among your non-commissioned officer corps. You are directed to take positive steps to correct this situation immediately. Failure to correct this deficiency will cause me to take more drastic actions.


Brigadier General, USNG
Joint Task Force 160, Commander

CF: LTC-Ciba; JDOG CDR

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DEPARTMENT OF DEFENSE

JOINT TASK FORCE 160
Joint Detention Operations Group
115 Military Police Battalion (MPB/CJ)
Guantanamo Bay, Cuba
APO AE 96386

REPLY TO
ATTENTION OF

JTF JDOG - 115 HQ

28 May 2002

MEMORANDUM THRU [REDACTED] Commander, JDOG, Guantanamo Bay, Cuba

28 May 02

FOR BG Rick Saccus, Commander, JTF-160, Guantanamo Bay, Cuba

SUBJECT: Commander's Inquiry Regarding 10 May and 13 May 2002 Incidents at Fleet Hospital 20

1. Enclosed are statements from individuals concerning the events of 10 May and 13 May 2002, Fleet Hospital 20, Guantanamo Bay, Cuba. I have also conducted several oral interviews with regard to this inquiry.

2. My investigation has revealed the following facts: On 13 May 2002 at approximately 1330 hours detainee [REDACTED] threw his urine bottle in the direction of [REDACTED] who was walking behind detainee [REDACTED]'s bed at that time on his way to throw some trash into a nearby trash can. [REDACTED] threw the bottle back in the direction of detainee [REDACTED]. The detainee then became even more agitated - he lifted himself up on his bed, began screaming, and then grabbed and swung a metal chair at the guards as they approached (because [REDACTED] was armed, [REDACTED] sat down and did not participate in subduing the detainee). The chair deflected off of one guard and hit Detainee [REDACTED] who had an external fixation device on his arm. Detainee [REDACTED] was ultimately subdued, restrained by the guards, and immediately interviewed. He suffered a small laceration to a finger and an abrasion on his ankle. Detainee [REDACTED] was medicated for pain and sent for orthopedic evaluation, which proved negative.

3. Statements from several witnesses to the 1330 incident revealed no provocation of Detainee [REDACTED] on the part of [REDACTED] or any other military personnel. Detainee [REDACTED] did state to [REDACTED] (the ward NCOIC) that another guard had kicked his bed prior to the 1330 incident, but no witness corroborated this account. In fact, none of the witnesses that I interviewed saw [REDACTED] take any offensive action towards Detainee [REDACTED] as he walked by the bed.

[REDACTED] is recently promoted, [REDACTED]-year-old Army Reservist who is on his first tour of active-duty. He is a member of the 455th MP Detachment, commanded by [REDACTED]

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JTF IDOC - 115 HQ
SUBJECT: Commander's Inquiry Regarding 10 May and 13 May 2002 Incidents at
Fleet Hospital 20

4. [REDACTED] was wearing a sideman at the time of this incident, and should not have walked so close to a detainee's bed while wearing it. This fact, however, does not appear to have significantly contributed to the detainee's conduct. [REDACTED] sideman was on his right hip, which was opposite the detainee's bed, and he did not draw or feel drawing his weapon at any time.

5. [REDACTED] did report, however, that [REDACTED] admitted to purposefully kicking the leg of Detainee [REDACTED] bed earlier that day (at approximately 1100 hours). [REDACTED] stated that [REDACTED] admitted to kicking the leg "out of frustration." [REDACTED] is not aware of any other occasion where such an indication took place, nor have any of the guards working in the ward reported any similar behavior occurring that day or on any previous occasion (one guard states that he has seen [REDACTED] lightly "kick" other detainees' beds on some prior occasions, but not in a deliberate manner. That guard explained that it appeared accidental, as if [REDACTED] were sitting another chair and stepped into the bed leg). [REDACTED] connected [REDACTED] on his improper conduct at 1100 hours and instructed him to speak to the remainder of the day. It is possible that Detainee [REDACTED] knew that [REDACTED] was compelled to get away from him, and that this fact contributed to his becoming angry when [REDACTED] walked close by his bed at 1330. It should be noted that [REDACTED] was not armed at 1100 hours.

6. [REDACTED] has been removed from the ward since 13 May.

7. With regard to the reports concerning 10 May 2002 I have found nothing to corroborate the allegations of abusive conduct. I interviewed the NCOIC for the overnight shift on 10 May [REDACTED] and directed that I interview each of the soldiers on duty with him that evening, which I did. Nevertheless, I have taken measures to ensure that the detainees in the ward are permitted to use their blankets throughout the night and that televisions are not playing while the detainees are sleeping.

8. Recommend the following: additional corrective counseling and training for [REDACTED] taking into account his professional experience. Corrective counseling for [REDACTED] and each of the Ward NCO's, with a view towards improving supervision of guard staff and sharpening awareness of, and professionalism within, the tense environment existing in the hospital ward.

[REDACTED]
LTC, MP
Commanding

00008

Commander, Joint Task Force-160
BG, USA

~~XXXXXXXXXX~~

4. POC: [REDACTED] JTF-160 Staff Judge Advocate, ext. 5284

- 1. I direct you to initiate an informal commander's inquiry into events occurring at Fleet Hospital 20 on 10 May 2002, during the evening guard shift hours, and on 13 May 2002 at approximately 1330 hours. The purpose of your inquiry is to ascertain all facts and circumstances related to possible offenses of the UCMJ committed during these times.
- 2. Specifically, you are directed to initiate an inquiry into whether any members of the Military Police guard force on duty at the Fleet Hospital during these time periods, or any other individuals, took any action or engaged in any conduct towards detainees that would constitute a UCMJ offense. I have annexed to this memorandum several preliminary statements taken with regard to these incidents - I further direct you to consider these statements in your inquiry.
- 3. Report to me when you have concluded your inquiry and when you are in a position to recommend an appropriate course of action. You may consult with the JTF Staff Judge Advocate for assistance with this matter.

MEMORANDUM FOR [REDACTED] Commander, 115th Military Police Battalion, Joint Detention Operations Group, Guantanamo Bay, Cuba

SUBJECT: Initiation of Commander's Inquiry, 10 May and 13 May 2002 Incidents at Fleet Hospital 20

16 May 2002

CJTF

DEPARTMENT OF DEFENSE
US SOUTHERN COMMAND
JOINT TASK FORCE 160
Guantanamo Bay, Cuba

REPLY TO
ATTENTION OF



[REDACTED] 13MAY02

Approximately 1330 on 13MAY02

I WITNESSED PATIENT [REDACTED]

THROW HIS PARTIALLY FULL URINAL

AT ONE OF THE MP'S AT THAT TIME

I HAD NOT WITNESSED ANY PROVOCATIONS

BY ANY OF THE MP'S FOR THE PATIENT'S

ACTIONS. AFTER TOSSING THE URINAL,

PATIENT [REDACTED] BECAME ANGRY, THEN

ONCE THE MP'S SAW WHAT HAPPENED

THEY WENT TO RESTRAIN THE PATIENT.

THE NEXT THING I SAW WAS

THE METAL CHAIR THAT WAS

PLACED NEXT TO [REDACTED] BED FLY AND

HIT PATIENT [REDACTED] THEN AN

MP PICKED UP THE CHAIR

AND REMOVED IT FROM THE SCENE.

THAT IS ALL I WITNESSED.

00009

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is OCSOPS

LOCATION
FLEET HOSPITAL
LAST NAME FIRST NAME MIDDLE NAME
[REDACTED]
ORGANIZATION OR ADDRESS
[REDACTED]

DATE
13 MAY 02
TIME
1400
SOCIAL SECURITY NUMBER
[REDACTED]

FILE NUMBER
[REDACTED]
GRADE/STATUS
[REDACTED]

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

MAY 13, 2002 Detainee [REDACTED] at 1025 Complaint of back being kicked after I had passed down the walk way, without having contact with him. At 1100 hours, Detainee [REDACTED] tells the NCOIC [REDACTED] that people having been harassing him and that was responsible for kicking his back. I was addressed by [REDACTED] at 1100, and told to avoid the Detainee in question.

The Detainee [REDACTED] at 1330 felt I was too close to him, as I walked by him and ~~threw~~ urine at me, which I knocked back in his direction.

Then the detainee, became extremely upset and picked a near by chair, as the MP's approached to stop the situation. [REDACTED] had to be held back from going after me by other MP's, meanwhile I went back to my seat composed. The chair was pulled from [REDACTED] hand, after he took a swing with it. He put a struggle in which his finger stretched, mildly bleeding.

The detainee was treated by medical staff after he calmed down and put in four point restraints by MP's.

13 MAY 02

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF _____ PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED."
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2623, JUL 72

SUPERSEDES DA FORM 2623, 1 JAN 66, WHICH WILL BE USED

UNFORMED 12-88

00010

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION
Fleet Hospital 20 6TMD
LAST NAME, FIRST NAME, MIDDLE NAME
[REDACTED]
ORGANIZATION OR ADDRESS
[REDACTED]

DATE
13 May 2002
TIME
1931
FILE NUMBER
[REDACTED]
SOCIAL SECURITY NUMBER
[REDACTED]
GRADE/STATUS
[REDACTED]

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

On Monday 13th of May at approx 1930 I, [REDACTED] while performing routine duties on security force at Fleet Hospital 20 6TMD, I observed and participated in the following events. 10' away from me, detainee [REDACTED] yelled in an aggressive manner, I turned to see [REDACTED] throw his urinal and contents in the direction of [REDACTED] who was positioned behind [REDACTED] bed and approx 4' away. As I approached, [REDACTED] retrieved the urinal and threw the remainder of its contents back at [REDACTED] then left off the bed he was partially restrained toward took an an aggressive stance all the while yelling unintelligibly. I, [REDACTED], and [REDACTED] converged on [REDACTED] grabbed a metal chair from beside his bed and swung it at the guards. The chair was deflected off of [REDACTED] and struck detainee [REDACTED] on his left hip external tibia. I grabbed the chair and tossed it behind us. [REDACTED] grabbed [REDACTED] restraining him in a bear hug. [REDACTED] struggled some and continued to yell. [REDACTED] continuously ordered [REDACTED] to calm down. [REDACTED] was then restrained in a chair while the medical staff checked the area and checked everyone for wounds. [REDACTED] was treated for minor cuts at his right hand and left foot. [REDACTED] was allowed to wash his face and hands and change his clothes. He was then placed in two point restraints back on his bed.

!!! Nothing Killua!!!

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT
[REDACTED]

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2521, JUL 72

SUPERSEDES DA FORM 2521, 1 JAN 64, WHICH WILL BE USED

USAFG USE

00011

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION GTMO-NAVY FLEET HOSPITAL	DATE 13 MAY 09	TIME 1330	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS [REDACTED]	
ORGANIZATION OR ADDRESS AHC, 115TH Military Police Battalion			

[REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

WHILE PROVIDING SECURITY FOR [REDACTED] (NAVY NURSE) WHO WAS ATTENDING DETAINEE [REDACTED] OBSERVED DETAINEE [REDACTED] PICK UP A METAL FOLDING CHAIR AND ATTEMPT TO STRIKE [REDACTED] (MP), WHO WAS TRYING TO RESTRAIN HIM. [REDACTED] ASSISTED IN TRYING TO RESTRAIN THE DETAINEE [REDACTED] AND REQUESTED THAT I GET MORE RESTRAINTS. IN THE PROCESS OF GETTING MORE RESTRAINTS, I WAS CALLED BY [REDACTED] WHO WAS ESCORTED DETAINEE [REDACTED] TO THE LATRINE, AND REPLACED HIM SO THAT HE COULD ATTEND THE SITUATION INVOLVING DETAINEE [REDACTED] AND THE MPs.

/// END OF STATEMENT ///

EXHIBIT [REDACTED] INITIALS OF PERSON MAKING STATEMENT [REDACTED] PAGE 1 OF 1 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED" THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823, JUL 72 SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED

00012

SWORN STATEMENT

For use of this form, see AR 150-45; the proponent agency is ODCSOPS

LOCATION ICU/ACU ACW 05

DATE 13 MAY 62 TIME 1330

FILE NUMBER

LAST NAME, FIRST NAME, MIDDLE NAME
[REDACTED]

SOCIAL SECURITY NUMBER
[REDACTED]

GRADE/STATUS
[REDACTED]

ORGANIZATION OR ADDRESS
Plast Hospital 20

[REDACTED] 27

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OAT

I witnessed guard throw urine at patient from patient's
urinal. Patient became combative and threw chair hitting patient
[REDACTED]. Patient was restrained by guards. Patient received small
abrasions to right index finger and opening a wound on top of left
foot.

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT
[REDACTED]

PAGE 1 OF 1 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED"
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DA FORM 2821, JUL 72

SUPERSEDES DA FORM 2821, 1 JAN 66, WHICH WILL BE USED

USAFPC 16-88

00013

SWORN STATEMENT

For use of this form, see AR 190-46; the proponent agency is ODCSOPS

LOCATION

Fleet Chap 21

DATE

13-05-2002

TIME

1410hrs

FILE NUMBER

LAST NAME FIRST NAME MIDDLE NAME

[REDACTED]

SOCIAL SECURITY NUMBER

[REDACTED]

GRADE/STATUS

[REDACTED]

ORGANIZATION OR ADDRESS

10th Air Bn

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OAT

as 12 may 2002 at approx. 1330 hrs. I [REDACTED] was seated at the middle of the Chap ward, I looked to my left and observed [REDACTED] rushing downword [REDACTED]; I also observed [REDACTED] jumping down his bunk and grab a folding chair and begin to swing it. At that time I rushed over and duck the chair from [REDACTED] hand and restrained him advising him to stop fighting and to sit down there was no further action taken by myself

At End of Statement

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 1 OF 1 PAGES

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DA FORM 2823, JUL 72

SUPERSEDES DA FORM 2823, JAN 68, WHICH WILL BE USED

UNPFC 0010

00014

SWORN STATEMENT

For use of this form, see AR 120-45; the proponent agency is CDCSOPS

LOCATION

Fleet Hospital

DATE

13 May 72

TIME

1412

FILE NUMBER

LAST NAME, FIRST NAME, MIDDLE NAME

SOCIAL SECURITY NUMBER

GRADE/STATUS

ORGANIZATION OR ADDRESS

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

*ON 13 May 72 around the time of 1340, [redacted] was on the far
in of the ward. [redacted] walk to the other end, where I think
he bump [redacted] Bumped in to Detainee [redacted] Bed. Detainee [redacted] jump up
and throw his wine bottle at [redacted] At that time [redacted]
[redacted] and myself run over to restrain Detainee [redacted] The
Detainee pick-up a chair and throw it at [redacted] which [redacted]
black it causing it to hit Detainee [redacted] when we [redacted]
and myself) finally got Detainee [redacted] to calm down, we got him clean
and put him in 3 point restrain.*

171 [redacted] 111

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 1 PAGES

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DA FORM 2823, JUL 72

SUPersedes DA FORM 2823, 1 JAN 68, WHICH WILL BE USED

168790 06-68

00015

13 May 02

From: [redacted]
To: CO
Subj: DISTURBANCE ON WARD AT FH INVOLVING DETAINEE [redacted]

1. I was called by [redacted] that [redacted] needed assistance on the ward. I immediately went to the ward and found 4 MPs restraining [redacted] and heard yelling. [redacted] was restraining [redacted] and told him to sit down. Urine was on the floor. According to [redacted] he told me he had walked too close to [redacted] bed and [redacted] stated that [redacted] was going to hurt him or kick his bed. [redacted] was wearing the sidemarm today and should not have been in such close proximity to the detainees. [redacted] admitted to [redacted] that [redacted] had earlier in the morning intentionally kicked [redacted] from behind. According to [redacted] MP [redacted] stated [redacted] did this out of frustration.
2. It was reported to me that [redacted] threw the urine from his urinal on [redacted] as [redacted] came up behind his [redacted] bed again and that this is what started the incident.
3. [redacted] came on the ward and tried to ascertain what had occurred and while [redacted] was doing so I observed [redacted] being very defiant to [redacted] in front of all staff and detainees. This added to an already difficult [redacted] was [redacted] unable to gain control of the situation and began to have [redacted] written statements. [redacted] while contacted [redacted] by [redacted] information of the situation.
4. During the event a chair was thrown and hit [redacted] (leg; Ex-fir). He has been medicated for pain and will be evaluated by Ortho. [redacted] sustained a small [redacted] laceration to his 4th finger right hand and an abrasion to his left ankle.
5. Several days ago (5/10) it was reported by [redacted] and [redacted] that the following occurred during the night shift: some of the night shift duty guards had been coming up behind these detainees pretending they were going to hit them from behind and then at the last minute they would no do so and they would all laugh, they reported that their blankets were taken and thrown on the floor, and that the guards were watching. TV [redacted] reported this to the chain of command and to [redacted] and [redacted] who then contacted [redacted] I reported this to [redacted] 5/12.

[redacted]

00016

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION
Fleet Hospital #20
LAST NAME, FIRST NAME, MIDDLE NAME
[REDACTED]
ORGANIZATION OR ADDRESS
HHC 115th MP BN

DATE
17 May 02
TIME
1725
SOCIAL SECURITY NUMBER
[REDACTED]

FILE NUMBER
[REDACTED]
GRADE/STATUS
[REDACTED]

[REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OAT
On 13 May 02, I was working as an escort at Fleet Hospital 20. At approx. 1315 I was providing security in the latrine for a detainee that was showering. At approx. 1330 I overheard Naval officer [REDACTED] near the entrance of the latrine. She said when is [REDACTED] we have an incident. At that time I was unaware of what happened, but saw [REDACTED] jogging up the ward and stop at our extra shackles box. At that time I asked a Corporal to get [REDACTED] who relieved me in the latrine. When I arrived on the ward [REDACTED] [REDACTED] were all in the vicinity of detainee [REDACTED]. Detainee [REDACTED] was seated in a chair next to his bed. He was completely shackled and receiving medical treatment on a small cut on the outside of his finger on his right arm. I was informed he had thrown a urinal at an MP and swung a metal chain at another. I instructed that he be four pointed once medical had cleaned him and contacted the shift NCOIC for that day, [REDACTED]. At that point I spoke to each MP involved in the incident and asked [REDACTED] collect statements from all that witnessed the incident. I called [REDACTED] and reported the incident at that time. Detainee was four pointed and incident was briefed to incoming shift. [REDACTED] collected all statements [REDACTED]

EXHIBIT
[REDACTED]

INITIALS OF PERSON MAKING STATEMENT
[REDACTED]

PAGE 1 OF 1 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED" THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823, JUL 72

SUPERSEDES DA FORM 2823, 1 JAN 66, WHICH WILL BE USED

USGPO G2

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DA FORM 2023, JUL 72 SUPERSEDES DA FORM 2022, 1 JAN 68, WHICH WILL BE USED.

ADDITIONAL PAGES MUST CONTAIN THE HEADING STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED. THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS PAGE [REDACTED] OF [REDACTED] PAGES. WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

INITIALS OF PERSON MAKING STATEMENT [REDACTED] EXHIBIT [REDACTED] PAGE 1 OF 1 PAGES

ON 19 MAY 02 APP 1330 HRS I WAS SUMMONED BY [REDACTED] CONCERNING AN INCIDENT THAT HAD TAKEN PLACE ON THE ACUTE CARE UNIT, PATIENT [REDACTED] AND [REDACTED] WERE INVOLVED WITH THIS INCIDENT. IMMEDIATELY MY INVESTIGATION STARTED IN THE CORRIDOR OF THE INCIDENT ROOM AND I FOUND THAT WHILE STRUCK TO HIS BED. [REDACTED] HAD HAD A MEDICAL CALL WITH US AND AT THE INCIDENT AND BEING ATTEMPTED TO BE CALLED BY A CORPUS FOR ABOUT TEN MINUTES AND THE CHAIR IS ABOUT THEY ARE SWAYED TO BE OUT OF BED. I ASKED [REDACTED] WHAT HAPPENED I ASKED IN ENGLISH AS HE POINTED TO [REDACTED] SAYING HE HAD KICKED HIS BED [REDACTED] (WITH EXPLANATIONS) I MENTIONED [REDACTED] HE THOUGHT HE KICKED HIS BED (WITH EXPLANATIONS) I MENTIONED [REDACTED] TO WATCH HIS LANGUAGE. THEN [REDACTED] WAITS AND ALSO POINTS TO [REDACTED] SAYING TO THE CORPUS WHO AT THAT TIME WAS WORKING TECHNICAL MANS.

I TOLD [REDACTED] THAT I HAD TAKEN OF THE ISSUE OF HIS BED ALLEGEDLY BEING KICKED THAT MORNING, THINKING THAT THIS WAS SOME REASON HE WAS CARRYING OUT ALL THAT TIME FROM THAT MORNING. [REDACTED] STATED HIS BED HAD BEEN KICKED 3-4 TIMES. THAT MORNING WHEN I WAS MADE AWARE OF THIS INCIDENT I IMMEDIATELY SPOKE WITH [REDACTED] AND TOLD [REDACTED] THAT WHEN THINGS SUCH AS THIS HAPPEN THEY CAUSE PROBLEMS. I ASKED [REDACTED] WHAT WAS HAPPENING WITH [REDACTED] AND [REDACTED] THAT I WAS NEEDED TO TALK WITH [REDACTED] TO GET THE KNOW. I TOLD [REDACTED] THAT I WAS PHYSICALLY DISTRACTED AND THAT HE HAD THAT CAUSE ANY MORE PROBLEMS. WHILE CONTINUING [REDACTED] ASKING [REDACTED] QUESTIONS I REVERSE POSITION HIS FINGER AT [REDACTED] WITH [REDACTED] I STOP BETWEEN THEM ASKING [REDACTED] TO LET IT GO, BECAUSE AT THIS POINT I DID NOT WANT THIS INCIDENT TO BE ESCALATED FURTHER THAT IT HAD ALREADY BEEN. AFTER GIVING CONTROL OVER [REDACTED] I INSISTED EVERYONE WHO SAW OR DID NOT SEE ANYTHING TO GIVE ME A WRITTEN STATEMENT BEFORE WE LEFT EAST HOSPITAL. I ASKED [REDACTED] WHO HAD BEEN THERE NEXT TO [REDACTED] AT HIS POSITION IN THE CORPUS STAFF. [REDACTED] KNOWS WHY [REDACTED] WAS UPSET WITH [REDACTED].

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

LOCATION: Fleet Hospital #20
 LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
 ORGANIZATION OR ADDRESS: [REDACTED]

DATE: 17 May 02 1125
 TIME: [REDACTED]
 SOCIAL SECURITY NUMBER: [REDACTED]

FILE NUMBER: [REDACTED]
 GRADE/STATUS: [REDACTED]

SWORN STATEMENT
 For use of this form, see AF 100-42, the proposed agency to ODCDOP.

STATEMENT (Continued)

Personally, I believe [redacted] to be a good and honest
Soldier. I think he was trying to fit in and just influenced
by negative elements among us. I remember when he came
to us he did not very confident, so we nicknamed him [redacted]
Dog to boost his confidence. To look and talk with [redacted]
would not lead you to believe [redacted] review minutely is
capable of initiating such an act.

/// END ///

AFFIDAVIT

I, [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT
WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. 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
administer oaths, this _____ day of _____, 19____
at _____

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

00019

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

LOCATION

Camp American Bld 2501
LAST NAME, FIRST NAME, MIDDLE NAME

DATE

23 May 02

TIME

0927

FILE NUMBER

SOCIAL SECURITY NUMBER

GRADE/STATUS

ORGANIZATION OR ADDRESS

2501 American Bld

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

1) ON 13 May 02 I didn't see [redacted] kick Detainee [redacted] bed, but from the angle I was sitting it ^{look} like [redacted] bump his bed. On other date or any time I have not seen [redacted] kick Detainee [redacted] bed.

2) I have no knowledge of anyone kick or bumping Detainee [redacted] bed.

!!! end of statement !!!

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 1 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823, JUL 72

SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

UNOFFICIAL

00020

SWORN STATEMENT

For use of this form, see AR 180-46; the proposed agency is ODCSOPS

LOCATION

A 2300

DATE

05-23-02

TIME

0930

FILE NUMBER

LAST NAME, FIRST NAME, MIDDLE NAME

[REDACTED]

SOCIAL SECURITY NUMBER

[REDACTED]

GRADE/STATUS

[REDACTED]

ORGANIZATION OR ADDRESS

115th ...

[REDACTED]

, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

*I have no knowledge of anyone kicking detainees [REDACTED] out on 13 May 02.
I have no knowledge of anyone kicking detainees [REDACTED] out before 13 May 02.
-11 End of Statement [REDACTED]*

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 1 OF 1 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE _____ OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823, JUL 72

SUPERSEDES DA FORM 2823, 1 JAN 88, WHICH WILL BE USED.

USAFFC VLSB

00021

SWORN STATEMENT

For use of this form, see AR 190-48; the proponent agency is GDCSOP3

LOCATION

Block A2300 Gov Annis GTMO

LAST NAME, FIRST NAME, MIDDLE NAME

ORGANIZATION OR ADDRESS

US to NAP

DATE

23 May 72

TIME

0957

FILE NUMBER

SOCIAL SECURITY NUMBER

GRADE/STATUS

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

In reference to the events that occurred on May 10 at Fleet ReFuel 20 at approx. 1330, I did not witness [redacted] kick detainee [redacted] bank, nor have I ever seen [redacted] kick [redacted] bank. I have, on 3 or 4 prior occasions, seen [redacted] kick the bank leg of other detainees. On those occasions the kick was light and seemed accidental as if [redacted] had intended to take another stride and had accidentally stepped into the bank leg. End statement.
id Nothing follows!!!

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [redacted] TAKEN AT [redacted] DATED [redacted] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [redacted] OF [redacted] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823, JUL 72

SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

DA FORM 12-72

00022

26 May 2002

Additional questions asked by [redacted] to [redacted] relating to events of 13 May 2002, Fleet Hospital, Guantanamo Bay, Cuba:

[redacted] (questions)
[redacted] (answers)

Q: Were you the NCOIC for MP Security at the Fleet Hospital during the incident on 13 May 2002?

A: Yes.

Q: Did [redacted] kick the hospital bed of detainee [redacted]?

A: Yes, I never saw it happen, but [redacted] told me he did.

Q: Was it accidental or deliberate?

A: [redacted] told me it was deliberate, and he did it out of frustration.

Q: How often did this happen?

A: Once, as far as I know, and that was about 1100 hrs. That was according to detainee [redacted] and [redacted].

Q: Who was assigned lethal force, at that time, in the ward?

A: [redacted]

Q: Why was [redacted] so close to detainee [redacted] with deadly force?

A: He wasn't, at the time he kicked the bed, because he was coming off a break at approximately 1100 hrs. He turned the weapon, 9mm pistol, over to [redacted] before he went on break. This was standard procedure.

Q: What did you do, as shift supervisor/NCOIC to correct [redacted]?

A: Based on my assessment, I gave [redacted] verbal counseling at the time of the incident, about 1100 hrs, when he kicked the detainee's bed. I told him to avoid and stay away from detainee [redacted] about 1330 hrs, the incident occurred when detainee [redacted] threw his urine bottle at [redacted] who was sitting at his duty location.

[redacted]
LTC, MP
Commanding

00023

To: [REDACTED]
From: [REDACTED]

SUBJECT: Electronic Devices used during Ground Staff

As requested by yourself, this is an explanation of the use
of a DVD Player on the island of FORT. The first of the ground
2 1/2 to 3 weeks ago. Subjects of my shift requested and used
a portable DVD Player during the afternoon shift one evening
while I was the NCOIC. This incident was covered by myself
as is explained in an NCOIC. Subjects were advised that due to the
appearance of the incident by other subjects/leaders, that this was
not to return to Fort. The order was followed by
the entire shift. At the time, however, more soldiers than needed
to perform the required task and as I had been advised "I am at
fault", I covered the incident. Covered. No. Remarks of the ground
staff and were committed. No report of the incident was received.
Further investigation, in my opinion, would exceed my authority as an
NCO and would be that of the Fort. The NCO Corp by the
troop to advise their area zone.

[REDACTED]

115 [REDACTED] [REDACTED]

SWORN STATEMENT

For use of this form, see AR 150-62; the proponent agency is CDCSOPS

LOCATION

Guantanamo Bay, Cuba

LAST NAME, FIRST NAME, MIDDLE NAME

ORGANIZATION OR ADDRESS

HHC, 115th MP Bn, JTF-160

DATE

28 May 02

TIME

1400

FILE NUMBER

SOCIAL SECURITY NUMBER

GRADE/STATUS

E7/Active

[REDACTED]

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OAT

On 27 May 02 at approx. 1400 hrs, I was questioned by JAG at the JDOG Headquarters in ref to knowledge of detainee complaints. Specifically, whether or no I had any knowledge of Military Police officers running up behind detainee's quickly in an act of striking them, and then backing away laughing. I was also specifically asked in ref to knowledge of Military Police officers removing blankets from the detainee's beds and throwing them to the floor. In both instances, I related that this was information that I had not heard of, nor did I have any knowledge of any of the MPs assigned under my command committing these alleged events. I was directed by JAG and [REDACTED] to ascertain who was working the midnight shift of May 10th, 2002, make contact with those soldiers and ascertain their observations, knowledge or participation o the alleged events. A review of the shift's DR-6 revealed that myself, [REDACTED] [REDACTED] [REDACTED] were working the shift in question. Contact was made with these soldiers on a one on one basis and the question was posed specifically on each alleged incident. No soldier assigned indicated that they had any knowledge of the incidents occurring nor were they aware of any other MP committing these offenses.

[REDACTED]

HHC, 115th MP Bn

Nothing Follows

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 1 PAGES

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DA FORM 2823, JUL 72

SUPERSEDES DA FORM 2821, 1 JAN 68, WHICH WILL BE USED

USMPC V2.00

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