

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 Camp Victory, Iraq (Baghdad)	2. DATE (YYYYMMDD) 2004/11/03	3. TIME 1100	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS LTC/03	
8. ORGANIZATION OR ADDRESS			
9.			

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I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

This statement is intended to address how [REDACTED] received the 14 September 2003 Interrogation Policy from CJTF-7, OSJA.

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At the outset, I want to make clear that I accept full responsibility for providing the CJTF-7, 14 September 2003, Interrogation Policy to [REDACTED].

On or about 13 February 2004, I was cc'ed on an email sent to Maj [REDACTED] (SMC) by MAJ [REDACTED] Judge Advocate for [REDACTED] requesting a signed copy of the 10 September 2003, CJTF-7 interrogation policy or a copy of the policy that was in effect (MAJ [REDACTED] apparently had an unsigned copy of the September interrogation policy (dated 10 September 2003) and was unsure whether that copy had subsequently been signed (email attached). The signed September interrogation policy was actually dated 14 September 2003). Maj [REDACTED] is the Chief of Operational Law for V Corps and was still in theater at the time MAJ [REDACTED] requested his email request. Several days before receiving the email from MAJ [REDACTED] I was asked by the CJTF-7 Staff Judge Advocate (SJA), COL [REDACTED] to locate a copy of the September interrogation policy. I provided an unsigned copy of the September 2003 interrogation policy to the SJA. The following day, the SJA indicated that there was a signed copy of the September 2003 interrogation policy (the SJA indicated he thought the policy was dated 14 September 2003) and that he needed the signed copy of the policy. I spoke with Maj [REDACTED] about the policy at that time and where I could find it. Upon receiving the email from MAJ [REDACTED] I rechecked the issue again with Maj [REDACTED] and asked if 14 September 2003 was the right policy. Maj [REDACTED] informed me the signed 14 September 2003 interrogation policy was the right policy.

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I am unsure, however, whether my communication with Maj [REDACTED] was clear. In retrospect, I now believe that he did not understand my question nor did I appreciate his response. My intent in asking the question was to ensure I was providing MAJ [REDACTED] the most current policy (believing, as I did that the 14 September 2003 policy was the most current policy) and making sure our advice was providing MAJ [REDACTED] what he requested. I believe Maj [REDACTED] thought that when I asked "is this the right policy," he thought I was asking whether it was the 14 September 2003 policy that the SJA asked me to locate.

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I was unaware at the time that MAJ [REDACTED] sent his email to me and Maj [REDACTED] that the October 2003 Interrogation Policy was the most current policy. As a result, I provided MAJ [REDACTED] with an outdated policy. Had I known of the existence of the October 2003 interrogation policy, I would have provided that policy to MAJ [REDACTED] instead of the 14 September 2003 interrogation policy. I believe the mistake occurred in part because of the reference to the September policy in MAJ [REDACTED] email to me and Maj [REDACTED]. Although Maj [REDACTED] was aware that the October 2003 interrogation policy existed, I believe that if he had understood my request for the current interrogation policy so that I could provide that policy to MAJ [REDACTED] Maj [REDACTED] would have retrieved the October 2003 policy and provided that interrogation policy to MAJ [REDACTED] instead.

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The mistake in providing the 14 September 2003 interrogation policy to MAJ [REDACTED] a result of miscommunication within CJTF-7, OSJA rather than with CJTF-AP. Nothing follows.

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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 INDICATED.

DA FORM 2823, DEC 1998

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STATEMENT OF [REDACTED]

TAKEN AT Camp Victory, Iraq DATED

3 Nov 2004

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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 1. 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]

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WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 3rd day of November, 2004 at [REDACTED]

ORGANIZATION OR ADDRESS

[REDACTED SIGNATURE]

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ORGANIZATION OR ADDRESS

[REDACTED SIGNATURE]

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

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