

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 18 USC Section 301; Title 5 USC Section 2051; E.O. 8387 dated November 22, 1943 (SSAR).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
FOY USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
SECURE: Disclosure of your social security number is voluntary.

LOCATION: Balad, Iraq
2. DATE (YYYYMMDD): 2004/06/27
3. TIME: 0650
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME:
6. ORGANIZATION OR ADDRESS: CJSTOF-AP, [REDACTED]
7. GRADE/STATUS: O-3/DCO

1. CDR [REDACTED] WANTS TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

My name is [REDACTED], Commander, U.S. Navy. I am the [REDACTED]. This statement is prepared in support of the AR 15-6 investigation being conducted by BG [REDACTED] on alleged detainee abuse and operating procedures at CJSTOF-AP [REDACTED].

1. I arrived into theater at the end of April and I actually assumed duties at the beginning of May 2004. I do not recall the exact date that I fully assumed duties.
2. As DCO, I have approved requests to keep detainees longer than 72 hours. I would approve these requests if we believed the individual had more information [REDACTED] we could obtain. For most detainees we would get all the information within 72 hours, but some people would take a little longer. There were a couple of circumstances in which we wanted to keep people off the street longer than 72 hours because [REDACTED]. What they wanted to do was preclude compromise of that knowledge that would occur by having the person released. So I would approve extending their detention for a matter of days.
3. I didn't approve any extension prior to 1 May 2004 due to fact that I was neither at CJSTOF-AP. Realistically I'd have to say that I've approved between 18 and 20 cases of extension since May at the time that my oral statement was taken by BG [REDACTED]. The only ones I've approved, to my recollection, were for the temporary holding facility at RPC and I did one for [REDACTED]. The same CJSTOF policy concerning approval for extensions applied to all CJSTOF-AP [REDACTED].
4. The facilities we maintained for detainee exploitation are austere but more than adequate. Of course we'd like better facilities, but I know of no significant problems with ours in regard to safety or operations oversight. I did make some changes, because I have some experience, though not a lot, with detainee operations. When I got here there were some things I revealed a little. Head of a hole I put a proper seat out there for defecation, for the guys to sit on, for safety's sake. While most Iraqi's just use a hole in the ground, I didn't want to have a blindfolded detainee slip and fall into the hole. It was a simple construction out of very crude materials but it was effective nonetheless. It's an evolutionary process in a combat environment. We have a quest to make it better for the safety of the people detained here, as well as the guards.
5. I have been present during detainee interrogations and I have witnessed them first hand. The most aggressive interrogation technique that I've seen used is the good cop/bad cop, between two different interrogators in the room. [REDACTED] never seen anybody physically touch a detainee in any manner than only to positively control them during movements. I've never seen anyone kicked, beat, or anything dealing with sticks or bottles. I've never seen stress positions used. I do know what stress positions are. I have not heard a conversation about a stress position. A standard interrogation as I've seen it, is: the detainee is standing, principle interrogator is across the table from him, an interpreter is to the side, and at times there may be a second interrogator in the room, and it's a series of asking questions, back and forth, trying to catch them in a lie. I've never been in an interrogation from the minute it starts to the time it stops. I think I've lasted about 35, 40 minutes, because what I don't want to do is become a regular fixture in there. I want to come in unannounced and stand, and try to do a random screening versus being a fixture in there for every interrogation. I believe it depends on the individual, concerning how often a detainee is in handcuffs, because there are some people who are more cooperative, and you'll see that they don't have handcuffs or zip ties on the whole time they're in their cell at all. I've seen the interrogator move somebody who's very cooperative to one of the side rooms where they can smoke, where they can be free. This is a technique that they use as a reward. We're very "carrot" driven, not "stick" drive. You're very limited with your "stick", rightly so, so what we have is the ability to give guys enhancements. Whether it's a cigarette, or time to stand by themselves, to walk around without a blindfold on, or something like that. I've never seen a guy get beaten or kicked, and I wouldn't put up with it. I have no tolerance for that.

NOTHING FOLLOWS

10. EXHIBIT: [REDACTED]
11. INITIALS AND SIGNATURE: [REDACTED]
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF"

TAKEN AT [REDACTED] DATED [REDACTED]

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 1988

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86 STATEMENT OF CDR [REDACTED]

TAKEN AT Balad, Iraq DATED 2004/06/27

8. STATEMENT (Continued)

NOT USED

86 I, CDR [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, 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 27th day of June 2004 at Balad, Iraq

86 CJSOTF-AP
ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

MAJ [REDACTED]
(Type Name of Person Administering Oath)

CJSOTF-AP
ORGANIZATION OR ADDRESS

Art. 136, UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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