

SWORN STATEMENT

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

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 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
 Radwaniyah Palace Complex, Baghdad, Iraq
 2. DATE (YYYYMMDD)
 2004/07/09
 3. TIME
 1100L
 4. FILE NUMBER
 5. LAST NAME, FIRST NAME, MIDDLE NAME
 6. SEN
 7. GRADE/STATUS
 O-3/Active
 8. ORGANIZATION OR ADDRESS
 Co B, 2nd Bn, 5th SFG(A)

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

My name is [REDACTED] and I am the commander for [REDACTED]. We arrived at the [REDACTED] Compound in the second week of Feb 04 and immediately began offensive operations. We replaced [REDACTED] at the APC. Our missions are based on actionable intelligence.

The only place we questioned detainees prior to April was on the OBJ or at 2-3 FA THP. The first thing we do after detaining a target would be to deliver them to this facility.

Another factor was the 1 AD did not want to take any SOP detainees during this time - they were full. The 554 THP was set up in room that were previously used by [REDACTED] as a living space. Our team has detained a lot of AIF, I'm not sure of the exact number without looking at our records. All detainees would get a medical screening when they arrived. If anything was wrong with a detainee it would be noted on the CPA detention form. After medical screening the detainee would be walked downstairs and secured to the floor by a 3ft chain linked to handcuffs. They got water, a blanket, and a pillow. Detainees were never mistreated in this facility. We never used our guard force as interpreters or interrogators.

[REDACTED] was a known IED maker and AIF operative in Adhamiyah. He was a former ADA officer in the Iraqi army and had knowledge of rockets. [REDACTED] was full of IEDs and our reliable sources reported his cell was responsible. The night prior to his arrest, an improvised rocket launcher was used to attack the Coalition at Martyrs Monument. We found this launcher 300m from [REDACTED]'s home and when we detained him on 3 April 04 his hands swabbed hot for explosive residue. We were authorized to keep detainees for 72 hrs, and up to 14 days on an approved intel hold. These intel holds were approved in message traffic by my AOB commander, [REDACTED]. These holds were so we could conduct positive identification of follow-on targets or PID. We held [REDACTED] for 17 days due to heavy combat in the area at the time. It was too dangerous to transport him, and he was held longer for his safety and ours. At the time there was a lot of AIF activity, fake IP check points, and daily ambushes on the roads to Taji. I later found out that my team had transported [REDACTED] to Taji in the trunk of a civilian car. This was a force protection decision for his safety and ours. The ride to Taji is about 25 to 30 minutes from Adhamiyah. One of my NCOs made the decision to transport [REDACTED] this way in case the lightly armed, civilian clothed USSF detail was stopped by fake IP. This was happening in Baghdad at the time and numerous Westerners were being killed by the AIF at these phony "checkpoints." I would have preferred to send him up there another way, regardless I support the decision to transport him this way given the enemy threat.

[REDACTED] is an interpreter that works for us. He never interrogated, he only interprets for USSF. All interrogations are done with 3 personnel - a USSF interrogator, the USSF recorder, and the interpreter. The usual method used by USSF was the direct approach or the "we know everything approach." We have never abused or tortured detainees at the 554 THP or anywhere else. The wires and sticks that [REDACTED] found outside the THP, outside a locked door that was never opened to my knowledge, were never used on detainees. These are all kinds of wires and sticks all over that building, and the SF compound for that matter. A lot of electrical work is being done constantly and the sticks are generally squeegees - a very common method of cleaning floors here. During interrogations the detainee would sit in a chair. We never used dogs in interrogations. I have read the Task Force 7 memo and understand what the policy is regarding dogs - we don't use them. We do have a dog at the team house named [REDACTED] is a pet only. He was a gift from [REDACTED] and [REDACTED].

[REDACTED] is a hero and Iraqi patriot - he is personally responsible for the detainment of over 50 known AIF operatives in Adhamiyah. The AIF, and

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 RPC, Baghdad, IZ DATED 2004/07/09

9. STATEMENT (Continued)

much of the Adhamiyah population (pro-AIF) hates him. The AIF has tried to kill him several times, tried to kill his family, and burned his house down. Based on his reputation I am not surprised that someone is making false accusations against him. I believe [REDACTED] is an AIF killer, personally responsible for the deaths of American soldiers and innocent Iraqis alike. He is lying about these abuse allegations and should be prosecuted not only for his AIF crimes but also for making a false accusation under oath.

[REDACTED] one of my teammates. He is the junior ISC on the team and he leads a ASO cell. He is a qualified interrogator, as his old MOS was CI prior to going SF. I have witnessed multiple interrogations conducted by [REDACTED] and he is always very professional. He has never abused detainees to my knowledge, nor do I believe he ever would.

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.

(Signature of Person Making Statement)

WIT:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9 day of July, 2004 at RPC, Baghdad, Iraq

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ICF TA
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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