

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. 8397 dated November 22, 1943 (SSA).

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.

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|---|----------------------------------|-------------------------------|----------------|
| 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 [REDACTED] | 6. SSN [REDACTED] | 7. GRADE/STATUS E-6/Active | |

I. ORGANIZATION OR ADDRESS
Co B, 2nd Bn, 5th SFG(A)

b. [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

My name is [REDACTED] and I am the junior [REDACTED], for [REDACTED]. My supervisors are [REDACTED]
[REDACTED]. I also have a close working relationship with
the team's JAF Intelligence Sergeant. I arrived at the [REDACTED] Compound (APC) in the second week of Feb
04 and immediately began participating in offensive operations and intelligence collection as per [REDACTED] relation statement.
My role on the team is as a member.

Our missions are based on actionable intelligence. Individuals were developed into targets through various intelligence collection means and then detained when enough intelligence was gathered to proceed with the prosecution of them as targets and information on their whereabouts was established. Also in my responsibilities here, are to report any information which better portrays an accurate picture of the battlefield which includes, but is not limited to, atmospherics.

Once a target has been prosecuted and detained, I am also one of the team members who conducts interrogations of the detainees. These interrogations are conducted [REDACTED] I also conducted interrogations of detainees when they were arrived at and during their stay at the THF [REDACTED]

they were taken to the THF located at the APC which was run by 2/3 FA until they closed it around the beginning of April. When that THF was operational, all detainees were downloaded immediately into the D-Cell and processed by representatives of 2/3 FA. While detainees were being held at that THF, I would conduct interrogations at that location. In early April the 2/3 FA facility closed.

Once our THF was operational, we began holding the detainees there. There are two rooms in the basement used for questioning the detainees. In my interrogations, there was always at least one other ODA member as a note taker and observer, as well as an interpreter. This was the "file and

I also have never used stress positions during interrogations, and I've never seen a need for them. In my interrogations of detainees I used a few different interpreters. One of the interpreters used was a man known to me as [redacted]. After my conversation with BG Formica, I learned that [redacted] I had always known him as either [redacted] (a nickname given to him by CF). [redacted] is an interpreter that works for us. He never interrogated any detainee, he only interpreted for me during my interrogations. I also have used two other Titan Class II interpreters during interrogations. Their names are [redacted]

We employ another man, by the name of [redacted] as an informant and a force protection specialist. [redacted] was passed off to us as a contact from 2/3 FA. He is not an interpreter or an interrogator. [redacted] does not speak English and therefore is not used in the role of an interpreter at any time. [redacted] was never used in any of my interrogations nor was he present for any of my interrogations at the THP. He had never gone down into the basement next door. [redacted] is truly a noble man. He is a man with great character, extreme devotion to the freedom and liberty of his country, sincere loyalty to CF and their cause, and a true hero. [redacted] is truly hated by the evil personalities of the AIF because of his tireless

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

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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.

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USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [REDACTED]

TAKEN AT RPC, Baghdad, IZ DATED 2004/07/09

9. STATEMENT (Continued)

efforts and numerous successes in preventing their terrorist activities and being responsible for multiple resistance personnel being detained and taken off the streets. His house has been burned down, his children have been threatened, his family members have been killed, his name has been slandered, and the AIF have shot him in an assassination attempt. It is obvious that he is a well known enemy to the resistance forces.

At no time did I mistreat, abuse, strike, torture, or torment any detainees. I have never witnessed any detainee be treated in a manner that would be deemed unacceptable or abusive. I also never let any interpreters or indigenous personnel have access to a detainee without my being present. All detainees would get a medical screening when they arrived. If anything appeared to be wrong with a detainee it would be noted on the CPA detention form. After medical screening the detainees would be walked downstairs and his handcuffs would be attached to chains on the floor. The chains allowed them enough movement to stand up, lie down, sit against the wall, or stretch out. They got water, a blanket, and a pillow. Many detainees were even given cigarettes or other comfort items upon their arrival if I felt that a soft-cell or friendly approach to interrogation was in order. Detainees were fed 3 times a day and always had a supply of bottled water available to them. Detainees would be allowed to use the bathroom located in the THF which had running water and operational plumbing as well as bar soap to wash with. Inside the THF there were three rooms that had chains on the floors. During my interview with [REDACTED], I believed that all of the chains had been removed since we had ceased to operate our THF. I had not been down there for approximately 3-5 weeks from the time of my interview with [REDACTED]. In one of the rooms used for interrogations, there was a steel door. We never used that door so I did not know what that door led to. I had always known that door to be locked, but judging by the architecture of the house and the positioning of the room in the basement I guessed that the door led out to the back of the house. I interrogated approximately 15 detainees in our THF. I couldn't give an accurate estimate on how many interrogations that [REDACTED] had conducted because we operate in different intelligence collection cells on the team. We do share pertinent information and intelligence, but we follow different sources and collect on different targets.

A specific detainee that I have been questioned about is [REDACTED] was a known IED maker and AIF operative in [REDACTED]. [REDACTED] was a known IED maker and AIF operative in [REDACTED]. There was a lack of collection on [REDACTED] for approximately 3 months, which overlapped the previous ODA's operations and our initial operations.

[REDACTED] He was a former ADA officer in [REDACTED] army and had extensive knowledge of rockets as well as electronics and wiring applications. [REDACTED] was full of IEDs and one of my reliable sources reported his cell was responsible. The previous ODA had even received approximately 4 IED firing devices and components along with blasting caps from a source that received them from [REDACTED] and [REDACTED] (the cell leader for which [REDACTED] was working with until Laitha was detained). The night prior to his arrest, an improvised rocket launcher was used to attack the Coalition at Martyrs Monument. CF found this launcher 300m from [REDACTED] house and when we detained him on 3 April 04 his hands tested positive for extremely high levels of explosive residues. The main explosive found on [REDACTED] using the Vapor Trace II system was RDX, which is a high explosive found in many improvised rockets like the one found right beside his house.

We, as [REDACTED], were authorized to keep detainees for 72 hrs. and up to 14 days on an approved intel hold. These holds were so we could conduct positive identification of follow-on targets. If we felt that an intel hold was in order, then CPT [REDACTED] (my commander) would submit the request via message traffic and inform me whether or not the hold was approved. A 14-day intel hold was requested for and approved for [REDACTED]. However, [REDACTED] was held a total of 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 did not transfer [REDACTED] to Taji, but I did attempt to hand over [REDACTED] to 2/3 FA on approximately the 12th or 13th day of his stay at our THF, but I was unable to transfer custody of him. 2/3 FA was no longer able to hold or transport detainees at that time due to the fact that they were being reassigned to a different area of operations and their detainee system had been shut down.

I am aware that [REDACTED] has made some false claims of abuse that he says he received while in the APC. Some of these claims, as told to me, are that he was beaten, sodomized, electrocuted, burnt, and attacked by a dog belonging to us named [REDACTED]. I never used [REDACTED] in any interrogations. I have never brought [REDACTED] anywhere near the interrogation room or the basement for that matter. I know that [REDACTED] or any dog, is not allowed down there. None of [REDACTED] claims are true and [REDACTED] was never abused or mistreated while in my custody. [REDACTED] actually confessed to his AIF involvement during interrogations with me. He claimed that he did not make the IED's, but that he did transfer IED components and conducted AIF activity in order to make some money since he lost his position in the former Iraqi Army upon the collapse of Baghdad and business for him had been slow. [REDACTED] was originally under the impression that if he came clean about his involvement and knowledge of AIF activities, he could then work for me as an indigenous contact. Also, he thought that by providing me with information and intelligence and that if he confessed to partial guilt then I could help him with his sentencing. I never promised [REDACTED] freedom or immunity or anything else for that matter, but presented him with evidence we had against him and used both direct and indirect questioning in conjunction with a "you-help-me-I'll-help-you" attitude. I conducted a few different interrogations with [REDACTED].

I don't remember an exact number of times I spoke with him or which interpreters I used in which interrogation. What I do know is that [REDACTED] is a known terrorist, AIF operative, and I believe him to be a killer responsible for the deaths of U.S. Soldiers, CF, and innocent Iraqi people. That being said, I firmly believe that mistreatment of prisoners is not acceptable and that is why [REDACTED] was never mistreated. I feel he would say anything to get himself out of trouble, and just as many other detainees in Iraq are doing, he is claiming abuse as he sees that as a possible get out of jail free card. I was also told that [REDACTED] did not even mention these claims of abuse until his 4th or 5th interrogation at the [REDACTED] detainment facility. Until that time, [REDACTED] had many

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STATEMENT OF [REDACTED]

TAKEN AT RPC, Baghdad, IZ DATED 2004/07/09

9. STATEMENT (Continued)
chances to converse with other detainees both at [REDACTED] and RIAP and learn about the mistreatment of detainees in [REDACTED] and the possibility of release. He is lying about these false allegations and should be prosecuted not only for his AIP crimes but also for making false accusations under oath. [REDACTED] has taken lives through the production and emplacement of IED's, expended CP resources, and is now expending even more resources and generating a great deal of upheaval with these outlandish accusations.

NOTHING FOLLOWS

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 INDEMNIFICATION.

(Signature of Person Making Statement)

WITNESSES:

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

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

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