

# SWORN STATEMENT

For use of this form, see AR 150-45; the proponent agency is OOC SOP8

## PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 8297 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  
Fort Carson, Colorado  
2. DATE (YYYYMMDD)  
2004/06/30  
3. TIME  
4. FILE NUMBER  
5. LAST NAME, FIRST NAME, MIDDLE NAME  
6. SSN  
7. GRADE/STATUS  
8. ORGANIZATION OR ADDRESS  
Fort Carson, Colorado 80913

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I was deployed to Iraq for about 4 months from February until the end of May of 2004. I was based in Tikrit, Iraq. The [redacted] had a separate team house in Tikrit from the conventional forces. It was located adjacent to [redacted] separated by Highway 1. I was in the [redacted] area and area of operation that was used generally by the CJISOTF-AP for the performance and occupation by ODA 185 for operations in our area of operation.

Additionally, we had 12 man Kurdish Peshmerga Security Force and an infantry squad, initially from the 10th Mountain Division and then the 1st Infantry Division. Our interpreters included an American named [redacted] and two Kurdish Iraqis named [redacted] was in his 30s, about 5'2" or 3" with dark hair, sometimes he had a mustache and or a beard and a fair, almost Caucasian, complexion. [redacted] was in his mid to late 40s had a dark complexion and some facial hair.

The Kurdish Guards were used to only secure the outer door of the holding area. The holding cells were monitored by cameras as well. The interpreters and others who were not authorized to interrogate the detainees did not have access to the detainees.

While deployed to Iraq, we detained and interrogated Iraqis. The interrogations were performed either on the target location or in the team house. We seldom conducted interrogations at FOB Danger. We would capture the detainees, do the initial interrogation on the target site, then return to the team house for further interrogation. The only personnel at any ODA authorized to do interrogations were: myself, [redacted] During the 4 months of our operations, we interrogated about 30 detainees in our team house. At any given time, we did not have more than about 8 to 10 detainees in our team house being interrogated.

Our interrogation room was a plain room with 10 to 15 foot high ceilings, a small box that was used as a table or desk, one or two chairs, it was well lit and then there was only a single door for entry and exit. The holding facility was separate from the other areas by a small open-air walkway.

When a detainee was brought into the team house, we did an initial interview with medical screening, photograph, and spot intelligence report. This detainee file would include the date of retention and of release or transfer. The detainee file would be kept with the detainee when they were transported out of the detention facility and would remain with the detainee through the entire detention time. There may have been some form of backup or copy file that was maintained in the team house.

I recall detaining [redacted] He was a fedayeen cell leader that we spent close to 60 days building a case on and conducted operations w [redacted] that resulted in the detention of himself and his entire cell of about 20 personnel. This was done in April 2004. [redacted] was interrogated [redacted] He could have been interrogated by [redacted] for any combination of the three at different times. I never conducted interrogations in the team house during our deployment to Iraq. I only did immediate tactical interrogations on the objective. [redacted] would have plenty of reasons to make false allegations because he is an enemy combatant fighting, what he believes, is a war against American Forces, as such he would do whatever he could to weaken U.S. efforts or seek an advantage. I would question his basic credibility based my knowledge of him, his emotional state and his psychological state. I do not believe him

10. EXHIBIT  
11. INITIALS OF PERSON MAKING STATEMENT  
PAGE 1 OF 3 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 1996

DA FORM 2823, JUL 72, IS OBSOLETE

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STATEMENT OF

A. STATEMENT (Continued)

He was combative and evasive during his capture and his return to the team house. I am not aware of any actions once he was detained at the house or to be physically restrained, but I would not rule it out.

14(a) [redacted] stated the interrogation techniques approved by CJSOTF-AP. These techniques included baseline, direct, fulfillment, and knowledge. Additionally, there were other techniques that had to be approved by a higher headquarters, level. Some of the other techniques include Mutt/Jeff, incentive, fear up, pride down, loud music, working dogs; about in all. We initially asked for authorization to use the higher-level interrogation tactics and were given blanket approval to use them, to the best of my knowledge. This approval was given by AOB Commander, or at least that is who it was requested through for approval. That is why I believe we had a standing authority to use the elevated techniques and thus I did not feel a need to request it in each individual case.

I have never been in the interrogation room during the interviews and thus I cannot state anything about the actions in the interview room. However, I would state that no member of the team ever abused detainees.

We used music to segregate detainees and for force protection. The music was to reduce communication between detainees and to eliminate any ability for them to communicate to those outside. The music was all types but generally it was American rock music. Most of the detainees ignored the music and would sleep.

Sleep management was an authorized technique that we used. We could reduce the sleep to the minimum requirement of 4 hours of sleep per every 24 hours but this could not be continued for more than 72 hours. When we would use sleep management techniques, we would bang on the cell door until we received a response.

Our interpreters were vital part of the investigations but they never interrogated, they interpreted our questions and the detainee's answer. The Kurdish Guards were used to guard the external door to the holding area, but not the internal holding area. I am not sure if any guards or interpreter were ever used to assist in restraining any detainee, but it is possible if they became combative.

We fed the detainees dry goods, like bread and cereal, as well as MREs. Detainees were never denied or restricted food or limited to bread and water. In fact, there were times that the detainees refused the food. To the best of my knowledge, Hydam never refused food and I know that he was not denied food. I don't know the exact times the detainees were given their meals or the number of times that they were given food, but it was several times a day.

The clothing that was provided to the detainees during their detention time was what they had with them at the time of their apprehension. The detainees were never stripped of their clothing and detained naked. There was a time that a detainee either defecated or threw up on himself and then we had to remove the clothing to wash it. At that time, the detainee was provided additional clothing to wear while his clothes were being washed.

The holding area was outside of the interrogation room. It consisted of a low building with 3 separate rooms and an external holding area. It was removed from the main area by a walkway.

There were 5 or 6 individual holding cells in the holding area and then there was a larger holding area in front of the holding cells. These cells were about 4 feet high, almost 2 feet wide, and about 4 or 5 feet in depth. They were not deep enough to lay down in the cell. There was no furniture or other items in the cells. The entire cell was concrete and the doors slid open. The detainees were rotated in and out of the cells as they were interviewed and for latrine and shower times. Most of the detainees slept on the floor on the main holding area. The detainees were not detained in the cells for a 72-hour period straight or for the entire duration of their detention. There would be latrine breaks and shower breaks, as needed. The time in the cell was based on the detainee. The cells were secured primarily for security and segregation of dangerous personnel or segregation of detainees when we needed to restrict the communication with other detainees. Securing detainees in the cells for two days was a reasonable time since they were given plenty of drink, food, and latrine breaks.

When [redacted] was in the cell area, there was an incident where the group of detainees discussed escaping. At that time, we placed the group in the individual cells and detained them in the cells for the better part of two days with the exception of the time for showers and latrine breaks. [redacted] was detained in a cell during that time. [redacted] may not have been detained in the cell area. I believe that he was detained in late April 2004. He was considered to be a low threat. [redacted] not likely was detained in a cell for some period of time.

INITIALS OF PERSON MAKING STATEMENT

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STATEMENT OF [REDACTED]

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9. STATEMENT (Continued)

We could hold a detainee for [REDACTED] For an extension past the 72-hour authorized detention time, I would have to contact my AOB via voice or digital over the SATCOM. I would send the request to either CWA [REDACTED] or the Operations Sergeant at that level. The detainee would be taken to the 1st Infantry Division Detention Facility and in-process the detainee into the facility and then returned for further interrogation. I notified the 1st Infantry Division because I was operating in their battle area and I wanted to ensure that they were aware of my operations. I only recall detaining two persons past the 72-hour mark. I requested the extension on Halthem for further interrogation and then the other one was detained for transport to Abu Garib, so I did not request an extension on him. The request for extension was very informal. I am not sure who was the authorizing level, our AOB would report back to us with our authorization. I consider a multiple request being more than one and I think we only requested it two times or so via email or verbal request. If a detainee was retained more than 72 hours, then they continued to receive food, water, and medical care. NOTHING FOLLOWS [REDACTED]

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 INDUCEMENT.

(Signature of [REDACTED])

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30th day of June, 2004 at Fort Carson, Colorado

ORGANIZATION OR ADDRESS [REDACTED]

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

Article 136, UCMJ  
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS [REDACTED]

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

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