

ARTICLE 15-6 INVESTIGATION INTERVIEW

At Camp Doha, Kuwait, on 15 February 2004:

MAJOR GENERAL ANTONIO M. TAGUBA, U.S. Army, CFLCC Deputy Commanding General deposing.

MASTER SERGEANT [REDACTED] U.S. Army, CFLCC-SJA, Senior Court Reporter, has been detailed reporter for this interview and has been previously sworn.

BRIGADIER GENERAL JANIS L. KARPINSKI, U.S. Army, was sworn, and interviewed as follows:

Q. Has anybody mentioned to you the context of the investigation, or scope of anything in that nature?

A. No. As a matter of fact I was kind of frustrated because I tried to get something from General Diamond and General Kratzer, and nobody would tell me.

Q. Okay. Well, rightly so, I think because of the sensitivity of the investigation----

A. Yes, sir.

Q. ----and based on some allegations that were made, but let me go ahead then and start off and go to the proceedings here, some administrative requirements. I'm Major General Taguba. I'm The Deputy Commanding General of the Coalition Land Forces Component Command, as you know headquartered here at Camp Doha. The Commanding

1 General, Lieutenant General David McKiernan, has appointed me as the
2 Investigating Officer under the provisions of AR 15-6. Also, at the
3 direction of General John Abizaid who is the Commander of CENTCOM.
4 Our investigation is to gather all facts-- relevant facts and
5 circumstances surrounding recent allegations of maltreatment of
6 detainees at the Abu Ghraib Prison also known as the Baghdad Central
7 Confinement [sic] Facility. As well as detainee escapes and
8 accountability lapses as reported by CJTF-7. Our investigation is to
9 further look into the training, the standards, employment, command
10 policies, and internal policies concerning the detainees held at the
11 Abu Ghraib Prison. And finally, we were directed to assess the
12 command climate, the supervisory presence of the 800th Military Police
13 Brigade chain of command. That includes everybody that's organic to
14 you, to your unit, and those that were tasked organized to you-- your
15 Brigade during the period of time when you were in command. You've
16 already met the members of the investigation team. I want to advise
17 you that you have been sworn in by Lieutenant Colonel [REDACTED] All of
18 our comments and your responses will be recorded for accuracy. Of
19 course you'll get a chance to look at them before once again that you
20 sign any of the statements. So before we begin I ask you if you have
21 any questions on the scope or nature of this inquiry?

22 A. An aggressive undertaking and-- but I don't have any
23 questions, sir.

1 Q. Okay, wonderful. For the record would you please state
2 your name, your rank, social security number, and duty position?

3 A. My name is Janis Lee Karpinski. I'm a Brigadier General,
4 and the Commander of the 800th MP Brigade, and my social security
5 number is: [REDACTED]

6 Q. Thank you. And you're currently the Commanding General of
7 the 800th MP Brigade?

8 A. Yes, sir.

9 Q. Okay, good. The allegations were-- related to events that
10 happened roughly between October, December timeframe, since that's
11 still under investigation by the CID, when would-- when were you
12 first made aware of those circumstances and the events that happened
13 there at Tier 1A at the hard site at Abu Ghraib?

14 A. I was up at Ashraf at the MEK compound and I received an
15 email from [REDACTED] the commander of the CID, and he said, "I
16 just want you to be aware I'm getting ready to go in and brief
17 General Sanchez. I want you to be aware that there have been-- that
18 we're doing an investigation at Abu Ghraib Prison for detainee abuse
19 involved," uh-- I don't even remember if there was two or three
20 sentences. And that was about January 24th, 23rd----

21 Q. Thereabouts?

22 A. Thereabouts.

1 Q. What action did you take after that, upon that
2 notification?

3 A. I sent an email back to him, I said, "I don't know what to
4 say." There wasn't enough specifics in that statement. I called
5 him. I left a message for him. I was down in-- the next morning I
6 was down in-- at Victory, and two days later [REDACTED] came
7 over to see me, and told me that he was briefing General Wojdakowski
8 in an-- I think it was an interim briefing, and he wanted me to see
9 what they had accumulated thus far.

10 Q. Sure.

11 A. Showed me some of the pictures.

12 Q. Sure.

13 Q. And I still didn't know what to say to him. It was I
14 called out to-- it was worse than I had-- could ever imagine. It's
15 still too difficult for me to think that soldiers would have done
16 some of things that were photographed.

17 Q. Okay.

18 A. I called out to [REDACTED] He'd been over the
19 same day that I got the email from [REDACTED]
20 [REDACTED] called me up at Ashraf and he said----

21 Q. Your XO?

22 A. My XO. And he said, "I have Colonel [REDACTED] and Colonel
23 [REDACTED] in the office, I'm afraid this isn't good news. There's been

1 some-- there's an investigation going on at Baghdad Central." I
2 said, "I'm aware of it, and it's an investigation so I don't want you
3 to talk about it on the phone, but what's [REDACTED] say?
4 So, he said he didn't know anything about it. It wasn't that he was
5 not giving you information, but it's-- as far as what he could tell
6 me it's really bad and I said okay I got an email from [REDACTED]
7 [REDACTED] the CID commander so I know that it's still an open
8 investigation."

9 Q. Did General Sanchez call you, or did you call him?

10 A. He did not.

11 Q. He did not. Did you inform General Diamond of this events?

12 A. I did not.

13 Q. You did not?

14 A. And I did not because [REDACTED] made it very clear
15 that it was an open investigation and that General Sanchez was
16 briefed about it and General Wojdakowski was briefed about it.

17 Q. Who directed you or if you took the initiative of
18 suspending [REDACTED] and [REDACTED]?

19 A. General Sanchez called me into his office that afternoon.
20 I saw [REDACTED] outside and he said General Sanchez is really
21 upset about the investigation. And he said, "I don't really know
22 what action he's going to take." And I said, "Well I was scheduled
23 to go out there, so I'll just hold off until he tells me what he

1 wants me to do." So, when I went in to see him he said, "I want you
2 to do an assessment of their leadership abilities and make a
3 determination if they're able to hold leadership positions." And and
4 I-- I said, "I can go out to Baghdad Central first thing in the
5 morning. I can spend the day out there, or three days out there. As
6 you know sir, you're FRAGO sent my up to Ashraf and I don't know if
7 General Surgeon has any plans for any kind of activities up there I
8 don't' want to throw anything off track inadvertently." And he said,
9 "Do you want me to tell you what your priorities are?" And I said,
10 "No, sir. I understand priorities, but I didn't want to disrupt any
11 of those-- since that-- that direction is coming from the SECDEF's
12 office, I didn't want to disrupt any of those plans."

13 Q. Sure.

14 A. So he said, "No, there's nothing scheduled. Just go out to
15 Baghdad Central." So, I did. Spent the day out there and the next
16 morning out there, and spoke to the people that were running the
17 cellblock then-- and I've been out there many times and we discussed
18 some of our concerns. Sat down and discussed with Colonel Pappas in
19 November and about some of the concerns and the procedures and the
20 manpower drain of running the interrogation cells the way he wanted
21 them run.

22 Q. Sure.

1 A. And the reason I remember it very specifically was because
2 we sat down and spoke. It was [REDACTED] his deputy; one of the
3 captains, [REDACTED] - there was two Captains, Colonel Pappas, and
4 I had maybe my Operations Officer with me and two are three people.
5 And he wanted to speak to me about the four people that the MI
6 Brigade was being tasked to provide to cover a tower for force
7 protection.

8 Q. Okay.

9 A. And he said, "Those four people will have a tremendous
10 impact on the interrogation operation." And I said, "Well, it's not
11 like you're running through this thing rapid speed anyway, so-- I
12 mean slowing it down you're gonna stop it." He said, "Exactly," and
13 I said, "This is a tower that affects your soldiers. It's for
14 soldiers. I mean I've got more than 85 that are involved in internal
15 security." He said, "It's very difficult to provide those four
16 soldiers," and I said, "I'll think about it." But----

17 Q. Those were four MI soldiers?

18 A. Four-- it didn't have to be MI soldiers, no sir.

19 Q. Okay.

20 A. It could be four soldiers. Could be clerks, cooks,
21 drivers, whatever.

22 Q. Anybody, okay.

1 A. So, umm, and I-- I actually said that to him, you know,
2 "Give us your cooks," and he said, "Well then the mess hall won't
3 operate as well." So, I left and when I came back not only was
4 Colonel Pappas the FOB Commander, but somehow all of these assets for
5 him to operate Abu Ghraib prison as an FOB fell from the sky. He had
6 a LRS Battalion, he had two Infantry Platoons, he had an Engineer
7 Company minus one platoon, and I saw him out there maybe four days
8 after I came back and he said and I said, "Gee it seems like those
9 four weren't a problem after all." And I said, "But you're going to
10 get a request from us to be exempted from the internal taskings,
11 because I counted and I got 83." And he said, "Ma'am, I counted and
12 I got a 121." And I said, "That's a whole MP company doing nothing
13 but force protection, and escorting contractors around so, we're
14 gonna have to get out of the business of doing some of the other
15 things for your interrogation operation specifically."

16 And he wrote a memo up in December that said, "I'm very
17 concerned about the security posture out here the MP's have-- are no
18 longer escorting detainees going through the interrogation process.
19 We've had to take that on. We tried to implement all the measures to
20 make cellblock 1A, and 1B specifically an MI operation." Those kind
21 of things. And it really was a memorandum for record as much as it
22 was a request for additional help out there at Abu Ghraib. So when--
23 when this whole situation came to light consistently out at Baghdad

1 Central I was hearing, "Well we couldn't by and check that cellblock
2 anymore because the MI people said that it wasn't "our" operation."
3 [REDACTED] had exclusive rights of escorting us if we wanted to
4 go in. We had to take permission from [REDACTED] And it was
5 consistent with an incident that occurred in November, I believe when
6 a handgun found its way into the cellblock, and as soon as it
7 happened and we heard about it I called out to [REDACTED] out at
8 the 320th and I said, "Get us an SIR. Get us one immediately while
9 the information is fresh." And he said, "Ma'am, [REDACTED] has
10 issued a "gag" order for the MP's. They can't even give me a
11 statement." And I said, "Bullcrap that's not-- I mean there still my
12 MP's. Get a statement so we can publish an SIR. This is a serious
13 infraction." So [REDACTED] called me back and said, "Ma'am, I
14 just want to make sure." I said, "MP's don't operate that way. I
15 want the information. I want the facts, and you don't have any right
16 to impose a "gag" order." And he said to me, "Well they're-- they're
17 TACON to us so, we really own the MP's." And I said, "I'm not
18 debating now but I'm going to get the SIR if I have to come out there
19 and get it myself." So they sent an SIR shortly after that, but it
20 gave very broad statements. Very generic because they weren't
21 certain on actually how it happened. And then when I was out there
22 the next day [REDACTED] specifically looked for me and told me
23 his version of what happened. And I'm not questioning [REDACTED]

1 [REDACTED] honestly or validity or anything. I'm sure what he was
2 doing at that time was something that he was either being told to do,
3 or thought was the right thing to do. But the version that he gave
4 me was when he said, "I was there when it happened, so I know this,
5 this, and this took place," was not exactly what the CID
6 investigation eventually showed. So, there was disparity between the
7 two reports.

8 Q. Now that-- that happened sometime in November, and I
9 believe Colonel Pappas had received a FRAGO appointing him as the
10 Forward Operating Base Commander.

11 A. Right.

12 Q. And I believe the specific instruction was that all tenant
13 units would be TACON to him for security detainees and force
14 protection. Was that conveyed to you previously, or did you----

15 A. No, sir.

16 Q. Your S-3 mentions that to you-- so you had no knowledge of
17 that particular directive or fragmentary order from CJTF-7?

18 A. No, sir.

19 Q. Had no warning.

20 Q. Okay. So when you found that out did you go back to
21 General Wojdakowski or General Miller to question that FRAGO?

22 A. I did, and General Wojdakowski was on Emergency Leave at
23 the time. I believe his father was either in the hospital, or had

1 passed away at that point, and I went to General Miller. General
2 Miller was not there for two days, and I don't know why I don't
3 really recall, but somebody said, "General Fast is the one who had
4 that FRAGO cut. You might want to go and talk to her." So I did.
5 And I said, "Ma'am you have a second? I just want to know about
6 the-- Colonel Pappas being appointed as the FOB Commander." She
7 said, "It's done." And that was as far as the conversation went.

8 Q. Did you go back to General Sanchez to seek clarification on
9 anything that constrained-- or limits of TACON, because as you know
10 TACON doctrinally says that the gaining unit, being that of the 205th
11 MI Brigade, will establish priorities over all of the tenet units
12 that associated with that?

13 A. I went to Colonel Pappas first to get clarification. I
14 still at that point had not seen the FRAGO.

15 Q. Okay.

16 A. That is what I asked for when I went to General Miller's
17 office.

18 Q. Okay.

19 A. And they didn't have a copy of it. Wasn't that they were
20 unaware of it they heard something about. I don't know if its been
21 published yet. It still might be in draft, and they had it. I
22 believe that [REDACTED] picked it up off of her desk. She picked a
23 piece of paper up and I don't know if it was the FRAGO or not.

1 Q. Do you have any knowledge of what might have precipitated
2 that?

3 A. Have no idea.

4 Q. Okay. Could have been that when General Sanchez had
5 visited the facility; I think with you back October sometime that he
6 might have discussed with you about the force protection posture at
7 the facility?

8 A. No sir, he did not. He-- what he said to me then during
9 the briefing he said, "Where's the Civil Affairs in this?" And I
10 said, "Sir, the Civil Affairs commander told me himself that his guys
11 where not going outside the wall." "Why not?" He said, "It's to
12 dangerous." He said, "Who's the Civil Affairs commander?" I said,
13 "That's [REDACTED]." And he said to his aide, "Get him on the
14 phone." And he left the briefing when [REDACTED] was on the
15 phone and he walked out of the room went to the phone and we could
16 hear him. And he was saying, "Do you understand? You have this-- is
17 this clear? You get your Civil Affairs out-- you're supposed to be
18 working in the community this is a Civil Affairs function." And we
19 all heard his side of the conversation. But I saw [REDACTED]
20 that night at the CJTF-7 Headquarters and he said, "We're not going."

21 Q. Okay.

22 A. And he-- he-- he had made-- had his aide make two-phone
23 calls. One was to the Civil Affairs commander, and the other one was

1 to General West who was the C-4. And he said, "What the hell is
2 going on out here? Why haven't you given any support? Why aren't
3 you-- have you been out here? I want you to get out here as soon as
4 you can." And I saw General West either that night, or very early
5 the next day, and he said that they were going to go out there and
6 that they were going-- and that was delayed because General
7 Wojdakowski formed that-- like a "Task Force."

8 Q. Okay.

9 A. And had the Engineer-- the C-4, the C-3, everybody in there
10 from the staff and said, and he told me-- and he said in front of
11 them, "As I've told you before we can't give you anything because
12 you're TACON."

13 Q. Okay.

14 A. "But we're going to change all that. We're going to make
15 Abu Ghraib an enduring camp, and we're going-- that'll open up the
16 doors." So after that meeting General West said to me, "We'll be
17 able to do-- I mean there's going to be more activity out there than
18 you can imagine. There's going to be contractors who are going to
19 do-- get a DFAC out there. We're going to go out there-- if your S-4
20 can give me a call, we'll set up a time when we can go out there, and
21 we'll walk the ground." And they did.

22 Q. Prior to-- prior to that-- that mission was given to the
23 800th MP then relegated to the 320th MP Battalion to conduct operations

1 I believe after you assumed command of the Brigade on or about July.
2 What was the intent then that you understood of why you were provided
3 that mission set at the Abu Ghraib prison site?

4 A. We needed a location to build another internment facility,
5 a north internment facility because at that time it was no longer an
6 EPW, Third Country National, IR mission, Internment Resettlement
7 Operation. It was a Iraqi Civilian Criminal Confinement mission.
8 So, the original idea was that they would relocate the remaining
9 several hundred prisoners up to Baghdad because they were General
10 Officers, and Freedom-- Foreign Fighters, and Third Country
11 Nationals, and there was really only about 300 of them. And the idea
12 was that they would relocated north because that was the focus of the
13 operation at the time. And Bucca was 12 hours away at its earliest.
14 We were using Bucca almost at that point almost primarily as a place
15 to push detainees from Cropper because Cropper was overcrowded, but
16 Baghdad Central was intended and discussed and approved as an interim
17 facility only for many reasons. It was extremely controversial
18 because of the hanging, and the torture chambers that were there. It
19 was well known for its horrible procedures for its overcrowding
20 conditions, and of course for, you know, reports of----

21 Q. Sure.

1 A. ----60,000 people being hung there. It was very heavily
2 looted. The only place that really was untouched unfortunately was
3 the hanging chamber, and the torture facilities. The rest of it
4 was--the infrastructure was pulled out. There was rubble that was
5 literally knee deep. Concrete, glass, wire, rubble, re-barb,
6 everything. And the 72nd MP Company, which is a Las Vegas National
7 Guard Company, moved into that facility at the direction of the 18th
8 MP Brigade who was their headquarters at the time. When we got there
9 in July, I saw a Company Commander and his First Sergeant who
10 relieved to see somebody come to visit them. Come to tell them,
11 "We're going to take care of you." Because up until that time they
12 hadn't seen the 18th MP Brigade Commander, and there only recollection
13 of seeing the Command Sergeant Major was when he stopped by and
14 managed to tell a soldier that his sleeves were too short on his
15 uniform.

16 Q. Okay.

17 A. And we walked through that facility and I said, "There's no
18 way that you can make this into a prison. And he said, "Ma'am, if
19 you'll give us support, come back in two weeks and you'll see what
20 the soldiers have done. We already have a plan." So I said, "I'll
21 give you all the support you need, but I'm not even sure we're going
22 to be able to use this facility." And I think at that time they were
23 holding a few of the Division 1st AD, or-- I think it was 1st AD that

1 was there at the time, or maybe 3rd ID, a few of their soldiers, not
2 more than 20-- uh prisoners, not more than 20. So, what they did was
3 clean up a couple of the cells, and they were holding them there. I
4 went down to CPA, met with the subject matter experts down there at
5 CPA, and I said, "What is the plan?" And [REDACTED]
6 was the senior guy there at the time, [REDACTED] was one American,
7 and [REDACTED] was the other one. And they said, "Well, we're
8 probably not going to be able to use it because of that "Hanging
9 Chamber," and the reputation." And I said, "Well who's going to make
10 a decision because I have an MP Company out there and another
11 battalion coming up.

12 Q. Was the 72nd assigned to you at that time? They were still-
13 - they were assigned to the 18th?

14 A. They were assigned to the 18th, yes sir, and so was the 400th
15 MP Battalion.

16 Q. Okay.

17 A. And then at the TOA when we moved up to Baghdad they were
18 reassigned under the 18th-- 800th MP Brigade. So, we worked through
19 this process through this CPA and it was like I said it was extremely
20 controversial, and at one point the Deputy Secretary of Defense,
21 Wolfowitz, said, "I can't be convinced," and Secretary Rumsfeld said
22 the same thing, "Find another place. And this isn't going to work."
23 And what [REDACTED] did was go to Ambassador Bremer and I was in the

1 briefing when he provided it to Ambassador Bremer and he said, "It's
2 only an interim facility. It is the only maximum security facility
3 we have in Iraq, and really we can't even consider it a maximum
4 security prison, but it's the only place we have to hold large number
5 of people until we get the new building built." And he said--
6 Ambassador Bremer said, "When do you plan to build a new one?" And
7 he said, "We already have the location it's Kenbodesatt and we might
8 be able to save some of that building that's over there on those
9 grounds, but there's squatters there now huma, huma, we have to take
10 care of that." And he said, "Well [REDACTED] was from the MOJ
11 wasn't-- he was on board but he wasn't-- he was still kind of sitting
12 on the fence because he wasn't sure how the-- the tide of approval
13 was going to go. So, they-- [REDACTED] and I believe [REDACTED]
14 [REDACTED] and [REDACTED], or [REDACTED]
15 from-- USAID. Actually she works for State Department, but she does
16 humane programs and things. They went out there because a press
17 conference was scheduled for whatever day it was-- and it was
18 scheduled for Wednesday. They went out there on-- they were planning
19 to go out there Tuesday afternoon because she was never convinced--
20 she was adamantly opposed to it, and she was holding a key vote. So,
21 they said, "The last time you saw it it really looked horrible. It
22 looked like everything you would imagine a torture chamber to look
23 like, but it's better now. And there's an MP unit out there, and

1 just come back out and take a look." And we-- one of the
2 requirements that they, she and here group of people had was that it
3 would somehow be isolated from the rest of the prison before they
4 would even go out there and discuss using Abu Ghraib as a facility.
5 So, we had this wall constructed that was cinderblock and it was 20
6 feet it covered the other sides of this torture chamber location and
7 sectioned it off. It is almost like a small museum area. The didn't
8 go out on Tuesday afternoon, they went out on the morning of the
9 press conference, and she took one look at it and she said,
10 "Absolutely not. I do not want to be painted with the same brush as
11 all you." And she left, so they all left. So [REDACTED] came
12 back and he said, "We're going to have the press conference, and
13 we're going to go ahead and use the facility, but it is an interim
14 facility. Not more than three years. We've got to get-- we've go to
15 break ground, and we have to get under way with the new facility at
16 Kenbodesatt, or wherever else it's going to be." So I said, "What
17 happened?" and he told me that story. So, he said, "But we're still
18 going to have the press conference and I don't think Sandy is going
19 to come, but you're going to sit next to me." And I mean-- and-- and
20 there was a-- an Australian SJA that was there also because he
21 understood the circumstances. They did this-- he-- [REDACTED]
22 did most of the talking. They-- he said, "We're going to use it as
23 an interim facility. We have the approval from Ambassador Bremer,

1 and you know, all the way up to the State Department." And that was
2 the end of the press conference. So-- and [REDACTED]
3 [REDACTED], and [REDACTED] anytime they talked about Baghdad Central-
4 - Abu Ghraib, because it was still Abu Ghraib at the time, it was the
5 interim facility at Abu Ghraib.

6 Q. With that-- based on that circumstances then, fast
7 forwarding here, did you receive and order then from CJTF-7 to
8 establish your presence at Baghdad Central by tasking the 320th MP
9 Battalion to assume command and control of that facility?

10 A. No, sir. What we got was a TOA Order that said the 800th MP
11 Brigade will come to Baghdad and relocate to Baghdad and be
12 responsible for confinement and corrections operations for Iraq.

13 Q. How did-- how did the 320th come about assuming the mission
14 there at Baghdad Central?

15 A. They were-- that was a decision that was made before I even
16 took command when they were talking because General Hill knew that
17 the unit-- the 800th was going to become responsible for the
18 corrections mission.

19 Q. Okay.

20 A. So they put a plan together on which battalions would move
21 north; one to secure the MEK, one to go up to Mosul, one to go up to
22 Baghdad, etcetera. At the facilities that we knew existed at the
23 time.

1 Q. Those were already determined prior to your arrival to take
2 command?

3 A. Yes, sir.

4 Q. Okay. Then given that-- those circumstances again, were
5 there any specific instructions given to you by CJTF-7 to assume
6 command and control, and start building that into a an interim, as
7 you say, facility that would-- could handle additional detainees?

8 A. No sir, but what they said was they wanted-- General
9 Wojdakowski said what he wanted was a confinement and internment
10 facility. Concertina wire. And if Baghdad Central provided a "wall"
11 and a place where we could do that that was fine. "How much can you
12 get?" So, [REDACTED] who was my Deputy at the time, he went
13 out there and uh, you know, said that we could probably get about
14 4000, and it would require----

15 Q. Four thousand what-- 4000 detainees?

16 A. Four thousand detainees, in the regular blueprint if you
17 will, of a design for an internment resettlement camp. So, that
18 meant we had to get engineer support. We had to get building
19 equipment. We had to get all those things. And it was originally--
20 I wasn't here for this, but I heard all of the stories of how long it
21 took to get those building materials to Bucca. So, now we were going
22 even farther north and rails were-- CONEX's on rail were being
23 looted. Transportation was a problem. All of those things, as

1 you're well aware. So, [REDACTED] was at Abu Ghraib and managing
2 that project, but I had a different opinion on what [REDACTED]
3 should be doing at an internment resettlement operation. He was
4 running Camp Bucca, and he-- he was going-- it was doctrine according
5 to [REDACTED] So the processing line, which should have been part
6 of the battalion's responsibility, was not. They-- I mean he was the
7 Battalion Commander because that was a comfort zone apparently for
8 him. So, when he came up to Baghdad Central-- when he came up to
9 Baghdad, I sat down with him and I told him, "You're going to be the
10 Deputy. That means you do logistics. You do coordination. I want
11 you involved with the staff. I do not want you to camp out at
12 Baghdad Central because the 320th MP Battalion is going to be in
13 charge." But-- but-- I mean I heard all of the arguments from him
14 and he continued. And every time I saw him trying to drift back to
15 taking control of that operation I'd pull him back into the TOC and
16 remind him again what his responsibilities were. Then he said he
17 thought that he could do a lot of good down at CPA working with
18 reconstruction of the jails and the prisons. So I said, "We can talk
19 about that because that's a good idea." And I said, "Because
20 Tasferat Rusafa nobody has power. Nobody has plumbing. Nobody has
21 the logistical supplies, and you do all of those things well. So,
22 occasionally you can go by and check on how progress is coming along
23 at Baghdad Central." So, that worked out well, and [REDACTED] if I

1 was going to fault him for anything during that time it was that he
2 probably campaigning for a civilian job with the Prisons Department
3 down there, but not the distraction of what he doing. So, I'd have
4 to say that he was out on the road at 7:30 every morning, and he
5 usually didn't come back until 1700 or so, and they were full days.
6 And I made him give me a status report. And I made him give me an
7 update, so I knew that he was out there doing the things that he was
8 supposed to be doing or at least he was reporting the things that he
9 was doing that he was supposed to be doing. And-- and-- and [REDACTED]
10 [REDACTED] I had too-- I really had to kind of keep him in a narrow
11 corridor because soldiers were-- their morale was not effective
12 positively by him. Early on he told everybody that-- you know he was
13 going to stay as long as he could and so they might as well get used
14 to fact that they might be here longer than a year. And "I been at
15 this for a year already, and this is my second year and if I can turn
16 in." You know, those are the kind of things are the kind of things
17 he said and it scared soldiers, and I know that because everywhere I
18 went, soldiers told me they were scared by that prospect.

19 Q. But did you understand though that there was that potential
20 that they were going to be extended anyway?

21 A. At that time we did not. Because I went to General Kratzer
22 and I said-- the first thing I said to General Kratzer after I said,
23 "I'm glad to be here," and everything else, but right after the

1 change of command ceremony I went into him and I said, "This is not
2 what the battalion's are set up to do. I mean this is a confinement
3 operation so we're gonna need help." And he said, "I know that this
4 is not what your mission is. It's not your doctrine, but it's closer
5 than anybody else, and the 18th MP Brigade doesn't want anything to do
6 with it, so you guys got it. And we'll give you all the help that we
7 can, but CJTF-7 is gonna-- you know, kinda carry the ball for you."
8 And we talked about a couple of other things. About the length of
9 the deployment, and I heard at that time that the-- the "mark on the
10 wall" was 10 months and 8 days. And it was repeated again you know
11 in so many different locations that, "10 months and 8 days. What's
12 the 8 days? The 8 days is the out processing once you get down--
13 back to your mobilization station." So, I went to all of the
14 locations and took-- talked to all of the units and told them. Again
15 I heard from the soldiers, "We were briefed at the mob station it was
16 gonna be six months or less. We didn't come prepared." And I said,
17 "What are-- what do your orders say?" And there was a variety of
18 orders. Some said, "Not to exceed 179 days." Some said, "Not to
19 exceed 365 days." Some said, "Until relieved till-- to come back."
20 Some of the units had been deployed already to Bosnia, or Afghanistan
21 with that count, and I mean my Command Sergeant Major at the time was
22 [REDACTED] We were making lots of notes with full intentions of getting
23 answers. And we went to CJTF-7, and [REDACTED]

1 came back to Arifjan to get answers to those questions and others,
2 but for clarification on this move to Baghdad. And people kept
3 repeating 10 months, 8 days, 10 months 8 days. No, it will be more
4 than that. And then we heard 365 days, "Boots on the ground. Plan
5 for a year. Will some units have to stay longer? Absolutely." And
6 I would say to them, "There is no unit listed right now to stay past
7 365 days; however, let me make you aware, and case you are not, there
8 is a shortage of military police units in the system. With the
9 deployments to Afghanistan and Bosnia, and over here, they are
10 critically short. So, if units are going to be selected there is a
11 chance, equal to every other unit over here, that you'll be extended
12 past 365 days." People-- soldiers cried. They weren't prepared for
13 this. They-- and-- and I had a-- an NCO at Bucca who stood up and he
14 said, "Ma'am don't worry because it's really only 2 more months than
15 the 10 months we were planning to stay so, if everybody here just
16 keeps that in perspective." And I really wanted to hug him because I
17 said-- and I told him, "You know what, that's a great perspective,
18 and I appreciate that and I'm going to use that when I talk to
19 soldiers because you're right 60 more days is a small chunk compared
20 to what you've already been here for." And I said, "That's really a
21 brilliant perspective." So, what the objective was to talk to all of
22 them. To tell them to put their fears to rest as much as we could.
23 Well, unfortunately the inevitable happened and people discovered the

1 medical channels. They discovered that they could go report a back
2 pain and get medivaced to Lungsthul and from there they fell into a
3 black hole. And I remember the report it was on 9 September my
4 surgeon at the time asked for the printout of how many soldiers we
5 had in all of our units that had been-- were removed from the theatre
6 for medical reasons and it was 2 and ½ pages long on lines that look
7 like one of those messages. I mean there were so many lines on each
8 page and I said, "You have-- I looked at him and I said you have got
9 to be kidding me." And he said, "Well if you go down the whole list
10 you'll find out that three of them came back, but the rest of them
11 are losses. And I said, "This is September I don't know if we can
12 keep doing this."

13 Q. Well I think it's understood though General Karpinski, that
14 there's a war that's going on and I know there's major concerns, but
15 then at the same time the concerns of your soldiers was no-- any
16 different from the concerns of the other soldiers who were here
17 longer.

18 A. Yes, sir.

19 Q. Let me kind of focus a little bit. What instructions did
20 you give [REDACTED] with regards to his mission at Abu
21 Ghraib, Detention Operations, improving quality of life facilities,
22 things of that nature, his rights and left limits, did you give him
23 any specific instructions in that regard, and you've also got MI

1 units there. This is all prior to Colonel Pappus taking over and how
2 that seemed to be accomplished?

3 Q. The MI units that were there at the time were really teams.
4 They were interrogation teams and we had the 72nd MP Company out there
5 and they were living in the warehouse and the 320th MP Battalion. And
6 [REDACTED] was-- he was a reluctant participant. He didn't
7 want to move up from Bucca. They were still in the throws of the
8 investigation with the prisoner abuse down there. And I said, "Time
9 is past for that discussion. That is when you were notified that
10 your Battalion was going to move north, so this is what we need to
11 talk about, and when you get there establish the LSA. There's a
12 couple of opportunities there's a room where the warehouse is.
13 There's a separate building. You walked the ground up there do you
14 recall any of this?" And he said, "Well, I'm going to wait until I
15 get up there with the Sergeant Major." And I said, "I'll meet you
16 out there give me a call." He met [REDACTED]----

17 Q. He was still at Camp Bucca at the time?

18 A. He was at Bucca.

19 Q. So, there was no members of the 220th MP Battalion up at Abu
20 Ghraib?

21 A. There was an advance party, and I don't really know who
22 they were sir, but there was about six of them and they went up there

1 as an advance party. And [REDACTED] met with them. Walked to
2 grounds with them.

3 Q. Okay.

4 A. The 72nd MP Company Commander took them around. Got them
5 inside the warehouse. They were setup, and [REDACTED] was working
6 on getting not only the building materials, but everything setup for
7 them supply of MRE's, the water, whatever they needed that they could
8 provide. Then the MP Battalion moved north in July, or maybe the
9 first week of August timeframe, and setup at Abu Ghraib, went out
10 there two days after they arrived, [REDACTED] came into the
11 TOC as soon as he arrived, and he said----

12 Q. Your TOC?

13 A. Into my TOC. He said----

14 Q. At Camp Victory?

15 A. At Victory. At Gotham Island. I don't believe we're going
16 to move into the warehouse. We're going to use one of those other
17 LSA's. And I said, "You might want to move into the warehouse, and
18 clean up the LSA's." He said, "Soldiers want to be separate and
19 apart from 72nd MP Company." I said, "You know there's no running
20 water anywhere up there for latrines. "We've got it under control.
21 [REDACTED] is going to get latrines on a the leading edge of the
22 ones we're going to need for the compounds anyway." And I said, "I'd
23 like a back brief on where you're gonna put soldiers, where you're

1 gonna setup your TOC," and-- and he did that. I went out to Baghdad
2 Central and he had some chairs setup in the other warehouse, the
3 adjacent warehouse. Have you been up there, sir?

4 Q. Yes, several times.

5 A. So, you know where the 320th is now and the other warehouse
6 for the 82nd, and it now has the partitions up, that's where the 72nd
7 was at the time. So, in this warehouse just inside the door, he had
8 some chairs setup there, and he did the briefing. And the schematic
9 that he had of how he was going to lay out the TOC looked really
10 good-- looked-- I mean it looked certainly acceptable. I asked him--
11 you know-- did they prefer to be inside as opposed to outside,
12 because at that time it was about 140 degrees just in that warehouse.
13 Said he did because of the mortars and the RPG's, and small arms
14 fire. I said, "Okay." And then actually when they got setup, it was
15 different from how they had originally planned. And several times
16 subsequent to that I said to [REDACTED] "You're sitting in
17 the middle of your orderly room. You need a separate office." And
18 he said, "Well, they're working on the area over here and I don't
19 want to disrupt the progress." And I said, "Well the MI folks look
20 like they're making progress over there." And he said, "Well they
21 decided you know-- we were pushing all the re-barb and everything and
22 they decided to clear it all out so, they had really done all the
23 work, that's going to be their area."

1 Q. So, there are two separate elements building up there own--
2 and-- and you reasonably assume that really nobody was in charge of
3 setting up the base operations there and that your-- the
4 responsibility was just to create a detention facility compound and
5 to include that in the hard site as well?

6 A. The hard site was not open at the time.

7 Q. Okay.

8 A. it was----

9 Q. That was later?

10 A. It was much later, sir.

11 Q. Okay.

12 A. There-- there was-- those detainees that they had, the 72nd
13 had a few detainees from the division there weren't even detainees
14 there at this time.

15 Q. Okay.

16 A. So, they were getting setup to be able to execute
17 confinement operations when they started. And there was nobody--
18 there was no work-- I think they may have started cell block 1A, and
19 1B, under contract at the time, but there was no other work going on
20 there. And [REDACTED] was really working focusing on the LSA
21 and getting these "huge" mounds of rubble at least pushed out. And
22 practically daily having to escort people that wanted to come out

1 there and see the facility and wanted to see that Hanging Chamber
2 and----

3 Q. But-- but he was doing detention operations?

4 A. There was no detention operations being conducted.

5 Q. Just cleaning up the mess, okay. When did he assume on or
6 about, detainee operations?

7 A. Well, he was going to be responsible for detainee
8 operations, but they had to build the internment facility so there
9 focus was, "Let's get the building equipment up here so we can build
10 the interment camp.

11 Q. Okay.

12 A. So the engineers got there. They brought all their
13 equipment. They did all the grading and everything, and I think it
14 was the 94th Engineers, and they came out and they had three weeks to
15 do it. We visited the grounds with [REDACTED] who's the-- the
16 gentleman in the United Nations who lost his life when that was
17 bombed originally, Ambassador Bremer, General Haun, who is the Chief
18 of Staff at the time, Ambassador Slocumb, and we walked the grounds
19 and they saw what the engineers were doing. They saw what the plan
20 was, and [REDACTED] asked when we were going to take the first
21 prisoner, and we told him probably the beginning of October. So, he
22 said, "Fine." He understood how difficult this was out there and
23 everything, and how controversial, but it really was the only

1 facility that we could use. Had they started building Kenbodesatt?
2 And I said, "No sir, they haven't because it's really a CPA mission,
3 and they haven't removed the squatters yet." "You still have
4 squatters there?" And I said, "Well they had 300 originally and now
5 I understand there's more than that." So, he said, "Let me see if we
6 can help."

7 Q. Did you understand the mission at Abu Ghraib to be a
8 priority mission for CJTF-7 as directed by CPA? Was that understood
9 by General Sanchez?

10 A. Mister----

11 Q. Because what I'm trying to get is you were getting either
12 some direction from CPA, or some direction for CJTF-7, so I'm trying
13 to discern your relation whether you were reporting to CPA, or you
14 were reporting to CJTF-7?

15 A. We were getting no instructions from CJTF-7 at that time.

16 Q. Okay.

17 A. We were down at CPA because [REDACTED],
18 from the 18th MP Brigade on regular MP patrols, because they were
19 responsible for Baghdad and to 1st AD, so when they were out doing MP
20 patrols, they would see a building that used to be a prison or a
21 jail, and they would get [REDACTED]
22 out there to look at it and they'd say, "This is another facility

1 we've found." And I-- we-- we sat down and prepared " a road ahead,"
2 because I said----

3 Q. For CPA?

4 A. For the civilian prisons that we were----

5 Q. Okay.

6 A. ----jails, and the confinement operations that we were
7 opening, because the internment facility we still didn't have the
8 building materials out there and that was going to be the military
9 facility.

10 Q. See I'm trying-- again-- maybe I didn't phrase the
11 question. Somehow you were directed to go up to----

12 A. Baghdad.

13 Q. The direction was to go up to Baghdad to establish
14 internment facilities, or correct facilities, or whatever the case
15 may be, as directed by whom?

16 A. It was not directed by CPA. It was----

17 Q. Okay, so that's a command directive from CJT----

18 A. ----CFLCC.

19 Q. ----CFLCC okay. So, when you got up to Abu Ghraib to
20 establish that as an interim facility, where you given any specific
21 guidance either by General McKiernan, or General Sanchez at the time,
22 but that time it would have been July, of where your priorities lie,
23 and who you would report those developments to whom; because your--

1 is your-- is your-- had remarked that you've got all these CPA
2 officials there, and not one member of the Command Group or CJTF-7.
3 So, how did-- we're you able to discern at least where your
4 priorities lie, I mean I know it's prison. I know it's detention
5 facility and all that stuff, but who were you getting your directions
6 from?

7 A. Before the change of command ceremony, General Hill went up to
8 Baghdad. And he went to CPA and said, "Where are the facilities
9 we're going to be able to start with; because right now we have the
10 HVD Facility at Cropper, and we have a Corp Holding Area." And they
11 said, they being the prisons experts, [REDACTED] and the Chief of
12 Staff, [REDACTED] at the CPA, said, "Do you have any room out at
13 Baghdad Central to hold prisoners, yet?" And the answer to that
14 question was, "No." I wasn't there, but the answer to that question
15 would be "No." So, he said then, "Take your-- use the time to
16 rebuild the jails, or to supervise this-- so, we at least have
17 capacity to hold some of the "bad guys." So, General Hill came back,
18 that must have been in early June because he came back, and I arrived
19 in Kuwait and the next day we were out on the road. We were going to
20 Bucca. We were going to Talil. We were moving up and the change of
21 command ceremony hadn't even taken place yet. So, we got to Baghdad
22 and we-- General Hill said that he had not met General Wojdakowski,
23 or General Sanchez, so we would do that. And then we would go down

1 to the CPA and I could meet the prisons experts down there. Umm, the
2 schedule reversed itself and we went down to CPA first, and [REDACTED]
3 [REDACTED] and [REDACTED] said, "We're so glad you're here. We need
4 the MP's in our facilities. They have to be running the corrections
5 operations. Ambassador Bremer is depending on you guys to----

6 Q. Up until that time you had not gotten any instructions?

7 A. No.

8 Q. Don't you think that was rather strange that somebody is
9 welcoming you knowing full well that you've got a command
10 responsibility someplace else as opposed to being either directed or
11 being influenced by prison officials from CPA?

12 A. Umm----

13 Q. Because remember you belong to a military outfit.

14 A. Correct.

15 Q. And there was an assumption, based on what you mentioned
16 with General Hill meeting with these people, but I'm trying to see if
17 there's any comment that basically says, "Thank you, but I've got to
18 go report to my boss first to see what he want me to do."

19 A. I-- I believe General Hill said to [REDACTED], and to
20 [REDACTED] that we were scheduled to see General Wojdakowski,
21 and General Sanchez before we came to see them.

22 Q. Okay.

1 A. We were going to see them in the afternoon and then we
2 would be able to sort it out, you know, what steps we were taking.

3 Q. Okay.

4 A. We went to see General Sanchez. We went to see General--
5 Sanchez first, I think, and I introduced myself and he said, "So, you
6 guys are going to start rebuilding the Baghdad prisons." And he
7 didn't say anything about Abu Ghraib or about the internment
8 operations.

9 Q. Just to hear your system.

10 A. Just he said, "You're going to start rebuilding the
11 prisons, and you're going to be taking some of the criminals off of--
12 out of Cropper."

13 Q. Right.

14 A. And General Hill said, "That was the plan. We still need
15 to find a place to live." You know, just the basics. He said
16 General Wojdakowski would give us specific instructions, which he
17 didn't, but he did say, "You're gonna move that location from Umm
18 Qasar, or from "Bucca", is that what you call it? And he said,
19 "You're gonna move that up to Baghdad because this the focus of the
20 fight," and he said, "Tell me what the problems are, what the
21 limitations are, and I think I've already met your guy [REDACTED] and he's
22 already out at Baghdad Central-- at Abu Ghraib rebuilding or waiting
23 for building materials or something. Is that correct?"

1 A. And I said, "Yes, sir." And he said, "Are you in command
2 yet." And I said, "No, sir, about another week." And he said,
3 "We'll I don't want the answers from you, I want them from him." So,
4 that was, "Okay, I've got it. And there's another five days that we
5 have to go through this process."

6 Q. Okay.

7 A. So after the change of command ceremony the next morning we
8 left and went up to Baghdad and I went over to CJTF-7, and we had a
9 list of the facilities, and I said to General Wojdakowski, "Sir,
10 there's about 30 locations on here, and I don't have the MP's to
11 cover these facilities. Some of them are isolated locations or
12 they're not-- there's no force protection available, and I can't
13 cover force protection." He said, "How many can you cover?" And I
14 said, "I don't know because I haven't been to all of them, but about
15 15 if we take it, an average size." He said----

16 Q. Would your staff at that time know of this list? Would
17 they make any kind-- any kind of staff estimates between Hill's
18 presence and your presence? Was there any concerted effort that--
19 you know you're going to get overwhelmed it's just a matter of
20 prioritizing all of that. Was that-- did your staff give you any
21 indication of what your priorities and what your capabilities were?

22 A. Well we hadn't been to the facilities. Nobody had except
23 for Ecke.

1 Q. But-- but certainly there was kind of a warning order----

2 A. There was and as a matter of fact [REDACTED] my 3
3 said, "Ma'am we're never going to be able to cover all these
4 facilities, and the force protection piece." And-- and I said, "I
5 understand. But first we have to go out and-- I mean we either have
6 to put them on a map or we have to see where they are and what kind
7 of coverage." And really ended up with 15 facilities that we would
8 be able to occupy and run that weren't out there on the edges of the
9 earth, or anywhere else. There were-- some of them were in close
10 proximity in Baghdad, but [REDACTED] would then-- one of the subject
11 matter experts down in CPA, he would say, "We found another facility
12 and it will hold about 60 people." And I said, "Which one do you
13 want me to close?" And he said, "We're not going to close any of
14 them." And I said, "I can't put MP's in each of those facilities."
15 So, I go back over to CJTF-7, I'd sit down with General Wojdakowski,
16 and I said, "I'm concerned about this because [REDACTED]
17 from the 18th MP Brigade is uncovering all these locations, and he's
18 putting them on my shoulders to man. I don't have the resources."

19 Q. I would have said, "Time out. I don't work for you. I
20 work for this guy." And it's a matter of the way you were describing
21 it now is that you now have a set of circumstances where this guy is
22 giving you information, and this guy is asking you for information
23 and your capabilities. At that point in time wouldn't you think that

1 you would have taken an action to establish your priorities since
2 you're the commander, to say, "I will get my priorities past that to
3 CJTF-7, and I'll get it from CJTF-7," as opposed to going back and
4 forth to this particular Sergeant Major that was giving you that
5 information?

6 A. Well [REDACTED] wasn't dealing with me. He was
7 giving me information to the prisons people and they were making this
8 determination and I said to [REDACTED] "I'm not going to cover
9 them. I don't have the MP recourses and nobody is going to give me
10 extra help. I'm not going to cover them." He goes, "Well then
11 you're never going to get out of here." So I said to General
12 Wojdakowski, he asked me point blank, "Did you say 15 facilities,
13 then cover 15 facilities. Figure it out!"

14 Q. This is General Wojdakowski?

15 A. General Wojdakowski.

16 Q. Okay.

17 A. So I said, "Yes, sir." And and he said, "How is the
18 construction coming out at Abu Ghraib?" And I said, "They are still
19 waiting on the basic building materials." He said, "I thought the
20 CONEXES were on their way up?" "They were, they got into BIAP and
21 they disappeared. Somebody broke into them, or stole them."

22 Q. Did you get the feeling that since you are one of two
23 Internment and Resettlement Theatre Brigade-- MP Brigade, the other

1 one being at GITMO, that they were relying on your command presence,
2 your command skills, your skill set so to speak, to give them that
3 since the command is in dire straits of building infrastructure to
4 detain and maintain a huge amount of civilian internees, or maybe
5 even EPW's, or all those other detainees. Did you feel overwhelmed
6 at that time?

7 A. No, sir. I didn't feel overwhelmed, but I knew that they
8 were taking their instructions from [REDACTED]

9 Q. Okay. Who's [REDACTED]

10 A. He was the 18th MP Brigade Commander.

11 Q. Okay.

12 A. And he told me in July, "He didn't want anything to do with
13 confinement operations. As a matter of fact it was time for the 18th
14 MP Brigade to leave because the 800th and the 220th was here and we
15 could take over since we were Reserve and National Guard. We could
16 take over all police operations so they could come back in February."
17 And I said, "[REDACTED]", it's the come back part that concerns me,
18 because we can't do the confinement mission and your mission." And
19 he said, "How's school?" And that was at the MP Summit. So, he had
20 the weigh in. He's the Corp. He was the 5th Corp Provost Marshal,
21 and he had the weigh in. And I told [REDACTED]
22 down at CPA, and I told [REDACTED], because they kept firing off
23 this you know, "We found another facility, we found another

1 facility." And I said, "Well unless you found some additional MP's,
2 I'm not covering it, and I don't work for [REDACTED]
3 [REDACTED] does not work for me, and [REDACTED] has no
4 business being in the detention operations unless he's coming to work
5 for me as well. So, I can appreciate him locating all of these
6 places, but let him run them, because we've settled on 15. General
7 Wojdakowski has settled on 15 and that's what we're doing.

8 Q. Okay. Can we move quick-- October thereabouts there was an
9 incident that had caused you to either advise [REDACTED] to
10 take leave or to take some sort of time off for whatever reason.
11 Could you explain the circumstances of that?

12 A. There was a-- there was an incident. There was several
13 incidents at Baghdad Central. One was-- one was an escape and it--
14 it may have been followed immediately by another escape.

15 Q. That was reported through channels to you?

16 A. Right. Right. I mean he reported. It was an SIR. And
17 there-- there was an accidental discharge of a firearm I think. A
18 negligent discharge of a firearm, and my policy was that if-- if
19 there was a negligent discharge, or soldiers were seen or stopped in
20 their vehicles without their Kevlar's or their vests or their shirts
21 on, I mean there was several things, that the entire chain of command
22 was going to get a letter of concern. So, I had [REDACTED]
23 and [REDACTED] and I believe [REDACTED] came over with

1 them. And I said to [REDACTED] - I talked to all of them,
2 told them, "This was unacceptable. How do you let people walk out of
3 a jail?" They tried to give excuses. I said, "I'm going to do a
4 commanders inquiry. Somebody is going to be out there and walk
5 through the process. When I'm out there everybody seems to be in the
6 right uniform, in the towers, I don't-- I don't get it." So, I just
7 kept [REDACTED] with me and I said, "Are you okay? I'm
8 concerned about you. Now we talked about your reluctance to come up
9 here to Baghdad several months ago. We got over it, didn't we?
10 You're up here." He said, "I'm okay." And I said, "It doesn't look
11 like you're okay." And uh----

12 Q. Was there any kind of indications that he didn't look right
13 to you?

14 A. He-- he-- he didn't look-- I mean I was talking to him and
15 he didn't look like it was registering. I mean I got a kind of a
16 like a, "Yes, ma'am." I just felt like he was sleep deprived, or
17 overwhelmed, or afraid, or all of those things, and I asked him that.
18 And I told him there was nothing wrong if he was, but we could help
19 him. He said, "He was okay. We know the soldiers were willing to
20 do this. They were working really hard. The internment facility was
21 okay, but there was still some confusion about the MI people we were
22 holding now, you know this is changing to quickly." Okay. And then
23 there was another incident and I-- it may have been-- it may have

1 been when the MP's were out with the 82nd and the vehicle went into
2 the canal and one of the MP's, and one of the NCO's from the 82nd lost
3 their lives, and I saw him the next day and I knew he was in trouble
4 emotionally and mentally. And I told him, "I want to take you out of
5 your position. I'm going to send somebody else over here. The
6 battalion will be in good hands, but if you won't take leave then I'm
7 gonna do this for you." And he said, "I don't have leave to take, I
8 went home for my son's graduation. I'm okay." And I said, "No, your
9 not. Look, this is more for-- then one person can handle if you
10 don't have a support network, and your [REDACTED] is not
11 doing you any favors. You don't need to worry about him right now;
12 you need to worry about you. I'm worried about you, so I want you to
13 pick up your stuff and come over to the TOC tomorrow morning and
14 you'll spend a couple of days there and I'm going to send you down to
15 Arifjan, but you need-- you need a break."

16 Q. Did you notify General Wojdakowski, or Sanchez, or Diamond,
17 or Kratzer that you were doing this?

18 A. I-- well General Kratzer I think by that time was gone. I
19 told General Diamond that, "I was sending [REDACTED] down. [REDACTED]
20 [REDACTED] was the Battalion Commander that had the problem at Bucca,
21 and I was you know sending him down for a break. That if he didn't
22 get to go into see the mental hygiene office in Baghdad, then you

1 know I'd-- [REDACTED] would be making arrangements for him to
2 see somebody down there at Arifjan."

3 Q. Sure.

4 A. Okay. I tell General Wojdakowski at the SUU, the Separate
5 Unit Update, that I took [REDACTED] out of his
6 position and he said, "Did you relieve him?" And I said, "No sir, I
7 didn't relieve him, but he needs a break. He needs to be away from
8 that. Now, that might be an eventual outcome, but his not-- he has
9 not been relieved." And the Rider Team was there at the time
10 visiting, assisting us, and the next day, or two days later,
11 somewhere when they were still there, I believe it was their SJA on
12 the team said to me, "Who you gonna replace [REDACTED] with? You
13 have any plans?" And I said, "I don't have to replace [REDACTED]
14 He said, "Well you relieved him." I said, "I didn't relieve him."
15 And he said, "Well that's not what the rumor is out there."

16 Q. Did you tell the Battalion chain of command that a lot of
17 things had happened?

18 A. Absolutely. I-- I talked to [REDACTED] and I put uh-- [REDACTED]
19 [REDACTED] from the 115th, and he was aware. And I said, "Do you want me to
20 come out and talk to the Battalion?" And he said, "I can take care
21 of it." And when I went out there, I asked soldiers, "You understand
22 about [REDACTED] Do you understand that..." and they did,
23 because [REDACTED] went around and talked to each one of the

1 Companies or talked to them in the towers and got the word out that
2 [REDACTED] was just on a break and I had some special work
3 for him to be doing, I think is how he addressed it.

4 Q. Is it common policy or practice or your leadership style to
5 a serving Battalion Commander from one Battalion to assume some level
6 of responsibility to another Battalion without any orders?

7 A. Sir, I didn't have any other options. I had-- I went to
8 CJTF-7 so many times and I asked them for a deputy, I asked them for
9 a replacement command sergeant major. I asked General Diamond, I
10 asked General Speaks. I couldn't get help from anybody.

11 Q. Did you consider putting a senior major in command of that
12 Battalion?

13 A. I did not because it was-- they were troubled.

14 Q. Okay. Troubled in a sense for what?

15 A. The soldiers were still reeling from the death of one of
16 their soldiers, umm-- there was a lot of activity going on. The
17 whole facility was becoming bigger and overwhelming. They saw an
18 extension of their one-year tour looming on the horizon. They were
19 being pushed around. Their LSA that they had built and cleaned up
20 themselves was being affected. What little they had they were being
21 asked all of a sudden to share with uh-- for each soldier to share it
22 with three others. And they felt like every bad mission was going to
23 them.

1 Q. So you had no confidence whatsoever in the stable of
2 available lieutenant colonels or even senior majors in you command,
3 whether to be S-3's or XO's or whatever the case may be to put
4 somebody in command of a troubled battalion. To put a battalion
5 commander who was not in your initial assessment was either not fit
6 to continue to command or in that particular sense?

7 A. No sir. I had tremendous confidence in my majors.

8 Q. Then why did you not put one in there?

9 A. What I did was take a major out of the 324, [REDACTED] and
10 I put him in the 400th.

11 Q. To command?

12 A. To command, the Battalion. I took the 400th Commander and
13 put him in as my Deputy.

14 Q. Who was that?

15 A. [REDACTED] promotable, [REDACTED].

16 Q. And how long did you have him as your Deputy?

17 A. Uh-- probably two and a half months.

18 Q. Okay.

19 A. I had [REDACTED] who was the Battalion Commander over at
20 the HVD facility and Cropper, and Cropper portion closed, so it was
21 the HVD facility. And I had a very strong XO over there, and uh--
22 [REDACTED] was there, who is an active component guy, uh-- and
23 [REDACTED] was there, who was a strong operations officer and--

1 and-- and-- he had a deputy. So I took [REDACTED] and I put him out
2 at Baghdad Central because I-- I, like I said, I needed somebody that
3 knew the process of commanding a battalion that could get in there
4 and keep that battalion functioning. And-- and he did. He did from
5 the minute he hit the ground, and----

6 Q. That was for a temporary process?

7 A. It was a temporary process, because [REDACTED] at that
8 time, my plan was for him to come back.

9 Q. You say you still had confidence in [REDACTED] ability to
10 command, predicted on some background with having to reel back from
11 Bucca, and the fact of the matter was that all these incidents that
12 were building up, escapes, two deaths, things of that nature, an
13 overwhelming mission. So, based on your assessment that-- giving him
14 some time off would in fact restore his motivation?

15 A. It wasn't just the time off. We reorganized his staff, his
16 operations sergeant major, which was a big problem, was----

17 Q. This [REDACTED] ----

18 A. ----That's [REDACTED] And-- and he was given very specific
19 instructions to remain in his lane; and that his lane was very
20 specific and limited.

21 Q. Was there a command sergeant major at the time?

22 A. At the 320th? No sir, there wasn't.

23 Q. Then, who was the acting command sergeant major?

1 A. They didn't have one. And----

2 Q. So they operated without an XO, they operated without a

3 command sergeant major. They were put in a position of great

4 important to get something done, you've asked for assistance, you've

5 recognized that there are some problems associated with either

6 discipline or lack of uh-- you had some leadership problem. And so,

7 you took the option of placing a Battalion Commander who you thought

8 was not well and putting a temporary Battalion Commander there, and

9 giving him the same mission even though he was a serving Battalion

10 Commander somewhere else.

11 A. But his mission had been reduced.

12 Q. Why didn't you just put him in there and say, "You're now

13 the Commander." and you got a strong XO as you said. Take over 115th

14 and I'll take care of [REDACTED] later?

15 A. I could have, but I did not. I brought on----

16 Q. In retrospect now, would you have?

17 A. Perhaps. But, [REDACTED] was----

18 Q. Perhaps?

19 A. ----perhaps because [REDACTED] was leaving, he was the

20 first Battalion out.

21 Q. Alright. But did you have any indication now with all

22 these allegations that you would have relieved him and perhaps it

23 would have prevented the incidents?

1 A. No sir.

2 Q. None of that would have mattered anyway?

3 A. I don't know.

4 Q. Okay.

5 A. I can't speculate, but I do know that [pause] I do know now
6 that one of the main people in this situation with the detainee abuse
7 has a history of this in his civilian job.

8 Q. That's not [REDACTED] -- was not-- you did not put those
9 people on there.

10 A. He did not know, those Companies, he never worked with
11 those Companies before. He didn't know them.

12 Q. But he's the commander.

13 A. He is.

14 Q. I mean, you've never worked with any of these Battalions
15 before either.

16 A. That's correct.

17 Q. Correct? But you take it upon yourself to get to know
18 them.

19 A. Yes sir.

20 Q. Take charge. And the fact of the matter is that you're the
21 senior trainer, with your experience as a Commander for all these
22 Battalion Commanders. So, in retrospect, would you have just simply
23 ask that he not command anymore and put somebody else strong in

1 there. Given the gravity of the mission set that was placed on your
2 at Abu Ghraib?

3 A. If I had had a lieutenant colonel available to me to take
4 over that Battalion. I would have taken [REDACTED] out of
5 command and put a replacement commander in there.

6 Q. But you just said you had one, cause you put Chu in there.

7 A. But [REDACTED] was temporary, sir. He was leaving in December.

8 Q. Alright.

9 A. And, actually he left in November-- and I knew that. I
10 came down here to 377th. I spoke to General Gagin about [REDACTED]
11 [REDACTED] and uh-- about putting him in the Battalion command position.

12 Q. Sure.

13 A. He said that he would talk to him about it and [REDACTED]
14 [REDACTED] said that he was the Article 32 Officer, so it was probably
15 not a good thing.

16 Q. Okay.

17 A. I asked if there was another lieutenant colonel. I asked
18 General Diamond if there was another lieutenant colonel. And he said
19 he had so many people that were removed from positions that he just
20 didn't have a lieutenant colonel that he could give me.

21 Q. None available. You said-- mentioned General Speaks was
22 also notified? This was in October?

1 A. In October. I went back up to CJTF-7. I went over
2 General Wodjakowski and he was not there for that SUA. I talked to
3 the PMO and I said I need a lieutenant colonel; I need a strong
4 lieutenant colonel. And-- to take command. Of Abu Ghraib? Yes.
5 Not a chance. Umm-- and it was consistent with everything I had
6 tried to get before and we got no support.

7 Q. Did you consider [REDACTED] in that
8 equation?

9 A. I did not. I-- I did because he was a lieutenant colonel,
10 but he was not a good fit. He was not.

11 Q. What about [REDACTED]?

12 A. [REDACTED] was down at CPA and uh-- I said to him-- he
13 was an LNO down there and like everything else that [REDACTED]
14 did, you know, in fine style. He had the experience and I said to
15 him, "I'd like to put you out at Baghdad Central because there's no
16 XO and you might have to serve as the Commander." And he said, "I
17 serve at the pleasure of the President, tell me where you need me to
18 go. But I'm taking leave." And he said, "My kids are expecting me
19 home for leave. I came in with the early entry module." I said,
20 "You know that the Battalion is struggling out there. I mean,
21 [REDACTED] hasn't done anybody any favors. [REDACTED] is, you know, in bed
22 with [REDACTED] And he said, "As soon as I get back I'll----

1 Q. So you had no confidence in [REDACTED] either, the S-3?
2 Essentially you had a troubled Battalion.

3 A. I did. I talked to Colonel Pappas. I said, "Do you have a
4 lieutenant colonel that you can give me to run the Battalion that's
5 under-- you know, the security detainee operation is in MI.

6 Q. Did you have anybody at the rear detachment beside [REDACTED]
7 A. I had [REDACTED] That was the only lieutenant
8 colonel I had.

9 Q. Okay. So all those troubles seemed to percolate----
10 A. I told [REDACTED], I said to him, "This is not my
11 first choice, but you are ready to do this." And-- and he said, "You
12 know, if you ask me to go out there, I'll go and take command of the
13 Battalion, but the operations piece will suffer."

14 Q. From what I understand, General Karpinski, you were in a
15 dilemma here, but, in other words, are you indicating at least
16 insinuating that you have a bunch of officers that are either not
17 competent, or incompetent, or not qualified, or unwilling to take
18 command?

19 A. In the----
20 Q. In support of the mission----
21 A. In the Battalion----
22 Q. ----for the Battalion.
23 A. ----or overall?

1 Q. Overall. You have all these Battalions, and obviously
2 you're-- you are in dire straits here and you mentioned that nobody
3 was hearing your plea----

4 A. Nobody was.

5 Q. ----for assistance. So that was the last great measure was
6 to put [REDACTED] in temporary command while [REDACTED]
7 [REDACTED] was recovering from whatever he was struggling
8 with.

9 A. The stress, whatever, but it was. And it was clear.

10 Q. So, you put him back in command after he came back. Not
11 really-- nothing out of the ordinary. Did you talk to him, or at
12 least give him further guidance?

13 A. Yes, sir, I did.

14 Q. And in what respect?

15 A. When he came back up, because I had not made a decision,
16 when he came back up from Arifjan. He was like a different person.
17 He spoke with confidence, he-- we talked about [REDACTED] we talked
18 about him taking control of his staff, we talked about-- I told him I
19 would get him a CSM, and I did. We talked about using the people in
20 the Brigade to help him when he was in trouble, like my Sergeant
21 Major. And-- and

22 Q. Who was also in trouble at the time.

23 A. At that time, I think he was down at Arifjan,----

1 Q. Was it [REDACTED] that was gone?

2 A. It was [REDACTED] right.

3 Q. Who had another circumstance, of course, which placed

4 [REDACTED] ---

5 A. As the Brigade Command Sergeant Major.

6 Q. It would appear-- didn't it appear to you then, General

7 Karpinski, that you got all these other tidbits of your command, that

8 you had people that had either a troubled past or didn't know how to

9 lead. And as a Brigade Commander, I would think that identifying all

10 those troubled spots was whether you would have taken the risk of

11 instantaneously removing them, and operating without them, or

12 operating with them, and continue for them to be turbulent. You

13 mentioned [REDACTED] What was his problem?

14 A. He's uh-- operating as if he were in the Army 20 years ago.

15 [Pause] He wanted to be a gunslinger. He wanted to be a specialist

16 or a private again. And I used those words to him. And, uh, I

17 wasn't here, but there were incidents down at Bucca with him, and

18 they were reported and nobody did anything. He got up to Baghdad

19 Central and I was out there once the internment camp was set up and

20 it was operational and we couldn't get force protection from anybody.

21 I was out there in the afternoon and here's [REDACTED] up in the tower.

22 And I said, "What are you doing up in the tower?" And he said, "Well

23 it means a soldier doesn't have to be up here." I said, "Sergeant

1 Major, you're the Battalion Senior NCO. You're supposed to be
2 checking on the other soliders." And when I got back down to the
3 ground I said to [REDACTED] "Why is your Sergeant Major up in the
4 tower?" That's how the conversations went. And I walked with him, I
5 sat with him, I talked with him.

6 Q. This is [REDACTED].

7 A. With [REDACTED] I-- I spoke to him with [REDACTED] there.
8 And [REDACTED] told me, "We're going to take care of it,
9 we're going to keep in his-- I'm gonna keep him under control." And
10 every time I went out there, I would get another indication that he
11 was out of control.

12 Q. Did you sense he was not following your instructions, did
13 it cross your mind perhaps that disciplinary action was called for at
14 that time, that you were going to take, would you?

15 A. And he got a letter of----

16 Q. Was that about the extent of his disciplinary action?

17 A. [REDACTED] said he did not want to take him out of
18 the position.

19 Q. Okay.

20 A. He had confidence in him. He----

21 Q. Except he can't accept-- he's not accepting your authority
22 based on your instructions to stay in his lane.

1 A. Yes, sir. And he wasn't accepting [REDACTED]
2 authority either, because [REDACTED] was-- told me that he
3 was giving him instructions and we had a conversation along those
4 lines that he is putting you on the line by disobeying your
5 instructions because those are my instructions. And he said, [REDACTED]
6 [REDACTED], he said that [REDACTED] was the full-time
7 support in the unit. The soldiers responded to him. And I said,
8 "But they don't respond in a disciplined fashion. They-- they
9 respond to him because they think this is the wild, wild, west. And
10 uh-- and he said, "If I took him out it would hurt the Battalion."
11 And I said, "Look, I can give him another letter of reprimand, I can
12 take on this responsibility of commanding your Battalion if you want
13 me to. And if you don't want me to. But you need to start getting
14 him under control." And then there was about 30 days, a month, or 45
15 days where he actually was under control. He was in the right
16 uniform.

17 Q. He was out of uniform?

18 A. He was in the BDU, but he wasn't in the DCU. And somebody
19 said to me, and again I wasn't there, but when they were down at
20 Bucca, they said he gave his DCUs to a couple of the EPWs when they
21 were uh-- paroled. And, of course, I asked was there any truth to
22 that. Of course not, he sent them to the laundry and they never came

1 back. So he had his BDUs. BDUs were acceptable, but he-- he was a
2 standout from his Battalion.

3 Q. He was one of the individuals, I believe, that was
4 suspended from their positions?

5 A. That's correct. That's correct.

6 Q. Was there a written suspension?

7 A. Suspension? Absolutely, yes sir.

8 Q. So you removed him. Who else was suspended out of there,
9 besides [REDACTED]

10 A. [REDACTED]
11 [REDACTED]

12 Q. Who's [REDACTED]

13 A. [REDACTED] is the First Sergeant for the uh-- the 372nd MP
14 Company.

15 Q. Why not the S-3? Since he's got daily operational
16 oversight of all the Battalion operations.

17 A. I don't know, sir.

18 Q. Okay. So those were your choices?

19 A. They were not. [REDACTED]
20 were General Sanchez's choices.

21 Q. Okay. So basically----

22 A. I added [REDACTED].

1 Q. Your prerogative. Okay. There were other incidents that
2 happened in the time when, it was November I believe it was. The
3 205th MI Brigade Commander has already assumed TACON and had moved in
4 to the facility. And there was a riot, I believe at Camp Ganci, one
5 of the compounds there resulting in injury to both detainees and MPs.
6 And there were the death of six detainees if I'm not mistaken.

7 A. Three.

8 Q. Three, okay. And there was also, coincidentally enough, an
9 escape attempt somewhere in the hard site. It was either during the
10 same timeframe or the same night, whatever the case may be. What
11 actions did you take immediately after those incidents, and could you
12 described at least if you were present during that time or reports
13 that were being conveyed to you?

14 A. There was a riot, [REDACTED] called after it was
15 under control.

16 Q. After it was under control?

17 A. After it was under control.

18 Q. Not during?

19 A. No it was not.

20 Q. There was no report radio wise, nothing?

21 A. No, sir.

22 Q. So you had no knowledge of it----

23 A. No, sir.

1 Q. ----until after it was under control.

2 A. Until after it was under control.

3 Q. Okay. Did you kind of find that rather strange?

4 A. I did. And they told me that Colonel Pappas said that he
5 wanted the reports coming to him and he would inform me.

6 Q. Okay.

7 A. And they followed those instructions.

8 Q. Alright. So you-- the reports went to Pappas. Pappas was
9 supposed to pass it-- pass it to you. Did you hear anything from
10 Colonel Pappas at all?

11 A. I did not.

12 Q. Alright.

13 A. I called Colonel [REDACTED] It was about 2200. No, it
14 was not that late, it was dark, it was probably 2000, 2100, it was
15 late and I said, "Tell me what's going." He said, "Did Colonel
16 Pappas call you?" "No he did not." And before he told me what
17 happened he said Colonel Pappas said that he wanted the report and he
18 would get in touch with you. And I said, "Tell me what happened."
19 He said, "It started in one compound. One compound started throwing
20 rocks," you know the whole story, so. And I said, "When did you--
21 tell me what actions you took." And he said, "I went down to the
22 facility when it started, uh-- they were using, gave the order to use
23 non-lethal----

1 Q. Who gave the order?

2 A. He did.

3 Q. [REDACTED]

4 A. He did, yes. That's what he told me. And uh-- and it made

5 sense that he was in the TOC, went down to the compound, gave the

6 order use non-lethal, engaged. The prisoners since it was the winter

7 time had taken their blankets and put them inside their jackets, and

8 the non-lethal had little effect on them. One compound when it

9 started, and that compound responded and there was only one compound

10 that stayed out of it.

11 Q. It was a domino effect.

12 A. It was. And then when it-- according to [REDACTED]

13 they would get it under control then it would start again. They'd

14 get it under control then it would start again. He said we did that

15 three times and then I gave the order to go to lethal.

16 Q. Was the Rules of Engagement done indicated as such to--

17 what did the Rules of Engagement at that point in time, because they

18 were subsequently changed after that?

19 A. Yes, sir. The Rules of Engagement at that time were that

20 you would use escalating means up to and including, at the command of

21 the Camp Commander, [REDACTED] non-lethal. And then, if you

22 were still not able to bring it under control, on order from the Camp

23 Commander, you would go to lethal. And-- and they followed those

1 procedures. They-- they tried to get it under control, uh-- it was
2 getting out of control very rapidly. They went to non-lethal, the
3 non-lethal was ineffective, and then they went to lethal. And they
4 were the Rules of Engagement. Uh-- when I spoke to General Sanchez
5 that night, I told him that they used the established Rules of
6 Engagements.

7 Q. Whose Rules of Engagement were those?

8 A. They were CJTF-7 Rules of Engagement, they were theater-
9 wide Rules of Engagement, and they were the 800th MP Brigade Rules of
10 Engagement and they were all a duplication republished. And in their
11 SOP, it was the 320th MP Battalion Rules of Engagement, which was just
12 their repetition of all of the Rules of Engagement that were
13 published. And I had in my hand, the copy of the CJTF-7 Rules of
14 Engagement and the 800th MP Brigade Rules of Engagement. And General
15 Sanchez told me that he didn't care what the Rules of Engagement
16 said, that he wanted them to use lethal first and then go to non-
17 lethal when it was under control.

18 Q. Okay.

19 A. And I said, "Sir that's a violation of the Rules of
20 Engagement." And he said, "I don't care about your Rules of
21 Engagement." I said, "Sir, these are your Rules of Engagement." And
22 the JAG was sitting there and he said, "Then change them." He turned
23 to me and said, "Don't make any changes until you get the new Rules

1 of Engagement, but you're going to get new Rules of Engagement. Do
2 you understand?" I said, "Yes, sir, I understand." "These are
3 unarmed combatants." He said, "I don't care. They're armed
4 somehow." And General Miller was in there with me, and he said to me
5 out in the hall, "It doesn't make any difference if they're rocks or
6 MREs, just----

7 Q. They're armed, somehow.

8 A. That's his interpretation. Let the SJA people handle it
9 now.

10 Q. This is the C-3 Miller?

11 A. The C-3, General Miller.

12 Q. Of course, the Rules of Engagement were changed after that.

13 A. Right.

14 Q. Because-- let me go back to the TACON relationship that you
15 had. Uh-- TACON happened on the 19th of November. This happened on
16 sometime around-- before Ramadan ended 24, 25th of November. During
17 the span of about five, six days there was still no clarity with
18 regards to your concerns of what TACON meant?

19 A. No-- no clarification at all. Several attempts I went to
20 Major Williams, who was Colonel Pappas' Deputy, he said uh-- that
21 their-- the interpretation from General Wodjakowski was that TACON
22 meant that Colonel Pappas was in charge of those units. And I said
23 to Major Williams, "If Colonel Pappas is going to take charge of the

1 MP Battalion, I still want them to send me SIRs, I still want them to
2 send me information, I want to know what's going on with my MPs.
3 Because I'm the one that's going to be asked the questions." And he
4 said, "Ma'am I don't think so, I think Colonel Pappas is ready to do
5 this." And-- and I said, "Colonel Pappas and I need to go see
6 General Wodjakowski."

7 Q. Did you all see General Wodjakowski?

8 A. We did not.

9 Q. Would the issue have been more resolved if in fact you
10 relinquished TACON to Colonel Pappas?

11 A. No sir, I don't believe so.

12 Q. You still were-- your Battalion there was still in charge
13 of detention operations?

14 A. They were. And they were running all the facility, the
15 hard facility was open at the time. We were housing-- we had two,
16 three, cell block two, three and four open, and five partly open, and
17 one, cell block 1A was the isolation cells and that was an MI
18 operation. And then they asked for more capacity because they had
19 females and juveniles that they still needed to put in isolation, so
20 CPA gave them cell block 1B and they said that they would run those
21 facilities. Except for the MPs who would be guarding the prisoners.

22 Q. So, the instructions you gave, or if any that you gave to
23 [REDACTED] was, though you are TACON to Colonel Pappas, that

1 you were still responsible to report to me with regards to detention
2 operations?

3 A. He still had to give us numbers, we're still entering the
4 data on our----

5 Q. So was that your expectation then, was that they were going
6 to do TACON-- I'm sorry, they were going to do detention operations?

7 A. In response to Colonel Pappas, yes sir.

8 Q. Alright. But did you know that-- or did it trouble you at
9 all-- or had any concerns that the gaining unit could establish
10 priorities to that unit as TACON to him?

11 A. That may have been a concern, but Colonel Pappas told me
12 that uh-- that he didn't know anything about detention operations so
13 he was going to be relying very heavily on, you know if he had a
14 question or if he had-- and I told him that I wanted [REDACTED]
15 [REDACTED] to still-- we still needed to report the numbers, and if
16 there was any issues with the soldiers I had asked [REDACTED]
17 to make me aware of them. I was still going to be signing REFRADs
18 and those kind of orders. Colonel Pappas said, fine, that was-- I
19 mean, the administrative responsibilities would still rest with the
20 800th MP Brigade.

21 Q. Do you think a memorandum of agreement of understanding
22 would have resolved that and put clarity to that relationship?

23 A. Yes, sir. I think it would have given great clarity.

1 Q. Was there any thought given to that?

2 A. There was thought given to it, and we didn't do one.

3 Q. Okay. Alright.

4 A. We were-- it's not an excuse, it certainly is not an
5 excuse, but we were running detention operations all over Iraq. And
6 I was moving personnel around to be able to meet these requirements
7 and these missions and it was a piece of paperwork that in hindsight,
8 certainly could have given clarify, but we didn't do it.

9 Q. Let me go back to when you assumed command. Upon
10 assumption of command, when was that?

11 A. The 29th or the 30th of June.

12 Q. 29th, 30th of June. Did you establish clear command
13 philosophy guidelines that you wanted each of the Battalions, all the
14 way down to the lowest ranking individual in your Brigade to
15 understand what your objectives were to be and how you want to
16 command and what you wanted to accomplish?

17 A. Yes, sir. I had all the Commanders, after the change of
18 command ceremony, I spoke to all of them at the same time. They all
19 had their command sergeant major with them. And-- uh-- I told them
20 that I knew that they were-- the number one question that they were
21 being confronted with by their soldiers was, were we going to be here
22 for, ya know, two years? I told them that I expected to be informed
23 if they were-- I didn't know if there were company grade disciplinary

1 actions taking place, but for serious incidents, I wanted to know
2 about them with a phone call immediately. I used the example of the
3 detention. I expected the officers within their Battalions to behave
4 appropriately, and I used the example of the violation of General
5 Order Number One that had already taken place at Bucca.

6 Q. [REDACTED]

7 A. Yes sir. And-- uh-- I-- I did give them my philosophy,
8 that command was a responsibility, a tremendous responsibility. This
9 was a nation at war; we were a nation at war. This was the
10 battlefield and we were moving up to Baghdad, but we still had lines
11 of responsibility to Bucca, we were going to leave a rear detachment.
12 That we would always be reachable and commanders could pick up the
13 phone and call me at any time. Of course I had to modify that because
14 we didn't have effective coms in Baghdad for the first month and a
15 half that we were there.

16 Q. Did you follow this up in writing?

17 A. Yes, sir. As a matter of fact, I think they were given my
18 command philosophy the day of my change of command.

19 Q. Would it surprise you that several of those leaders and
20 commanders that I interviewed said they had never seen your written
21 command philosophy?

22 A. That would surprise me. But, I would say that if their
23 confusing my written philosophy with my support form, then I would

1 understand that. Because I told them that day, they asked me--
2 several of them asked me, "Do you have your support form?" And I
3 said, "No, I don't."

4 Q. This-- what I asked them was not in the context of a
5 support form. I said, basically, a memo that stipulated what your
6 command philosophy was. They do remember you speaking following the
7 change of command. They did not recall at least a preponderance of
8 the-those that I interviewed, ever remember or even recalling, or
9 even providing me with a copy of your command philosophy.

10 A. I-- I uh-- believe that for a long time that command
11 philosophy was attached to the other documents that were from that
12 day. The program from the change of command ceremony, the couple of
13 photographs. So I didn't write it for myself.

14 Q. A portion of other documents.

15 A. It was-- we were sitting in the conference room at Arifjan
16 and they were each given a-- I don't think----

17 Q. Handouts----

18 A. Yes sir. I don't think the memo said philosophy of
19 command, it said, maybe my-- my-- my direction or my leadership style
20 and there was attached a list of 10 or 12 bullets uh-- that was uh--
21 may have been Karpinski's Philosophy.

22 Q. Sure.

23 A. And they were all provided those things.

1 Q. Okay. Fair enough. Given the magnitude of your detention
2 operations or others that was associated with it, to include building
3 facilities. What were the fundamental, since you've been in this--
4 you've been a military policeman now for the past 15, 20 years,
5 prisoners association. What are some of the basic tenets that you
6 would harp on, or provide emphasis to, when you're visiting the
7 facilities of your commanders? And in concert with all of those
8 incidents of suspected or either reported detainee abuses what are
9 some of the basic fundamental things that governs your mission
10 requirements?

11 A. Sir, each one of the facilities were a little bit
12 different. But, when I went to each of the facilities, I talked to
13 the commanders about their soldiers. I talked to them about the
14 stress associated with being around prisoners all day long. I talked
15 about how the facilities offered challenges and that civilian
16 criminals, their mindset was different than EPWs, and so you have to
17 keep reminding your MPs that this is not internment resettlement
18 operations, that this is criminal detention operations. Asked the
19 commanders and the command sergeant majors at each location, how many
20 soldiers do you have who have criminal-- their either wardens or
21 they're in criminal corrections on the outside. A lot of them have
22 police officers. A lot of them had warden experience. The
23 facilities were built for one purpose, like for example, Cropper.

1 Not held more than 72 hours capacity of 250. The were held there
2 sometimes for weeks, and the capacity was well over 700 at its
3 highest point. The MEK mission, although we were securing the MEK,
4 they were not criminals, they were not-- or they weren't being called
5 criminals. The downtown jails, you could literally kick out the bars
6 of the windows or the doors. They were really meant and used for the
7 training grounds for the new Iraqi corrections officers that were
8 coming out of the training courses that we were conducting. Mosul
9 was a division holding area while they were rebuilding the
10 corrections facility up there. Uh-- so it was different at each
11 location. But we focused generally, I would focus when I visited all
12 those locations, safety, the health, the welfare, how they were
13 handling the detainees, were the detainees getting food, were they
14 getting clothes, what were the logistical supplies. And every one of
15 those, and every one of the-- we handled and my S-4 insured that we
16 handled and equipped and supplied Cropper, Talil, Bucca, Baghdad
17 Central. CPA was responsible for funding and supplying all of the
18 other facilities.

19 Q. Outside of your--

20 A. Outside of the military internment operations. And they
21 didn't do it. They, [REDACTED] and [REDACTED] were, [REDACTED]
22 [REDACTED] especially was reckless and he was more interested in how many
23 AK-47s he could keep in the bathroom, than he was about prisoners

1 eating or how they were being transported or their safety or
2 security, or anything else. So, I instructed my S-4 to, for 30 days,
3 to supply the prisoners in our facilities, because they were under my
4 MPs control. So we were responsible for them. And I went to CJTF-7
5 and I asked General Wodjakowski if I could have an increase in my SIR
6 funds because I was going through them 200 thousand dollars every
7 other day. And he said, "Give me the requirements and I'll contract
8 it." And we sent the requirements up there and he turned it back,
9 and said see me. And I went to see him and he said, "We don't do
10 this for the soldiers." And I said, "Sir, there's different
11 requirements for prisoners." "But their prisoners, [REDACTED] So I
12 talked about with the commanders and the staff, the company
13 commanders, I talked about their frustrations and ways to resolve
14 them. I talked about, did they understand the Geneva-Hague
15 Conventions. Did they understand how stress could have an impact on
16 the MPs, to rotate them around between tower guards and compound
17 guards and-- and they did all of those things. And they did them
18 very well.

19 [Interview recessed at 1734.]

20 [Interview reconvened at 1748.]

21 Q. We talked a little bit about your expectations when you
22 visited. Were there any set standards that you established or you

1 reinforced that were not negotiable and had to be carried out that
2 you expected your commanders and your soldiers to carry-- to follow?

3 A. I expected them to be honest; I expected them to represent
4 the-- the 800th MP Brigade. I expected them to be-- to set the
5 example all the way down the chain of command. I expected them to
6 get information that I gave to them out to the soldiers. And I
7 expected them to treat the detainees appropriately, be in compliance
8 with Geneva-Hague Conventions, to be cooperative and honest with the
9 ICRC. Along those lines; I mean there was a-- there was a high
10 standard established for the Brigade and I saw it in the MPs
11 everywhere I went.

12 Q. For example, did your staff or yourself were aware that the
13 provisions, not the entire Convention, the provisions of the Geneva
14 Convention had to be written in the language of which the detainees--
15 nationality was from, in this case, Arabic and posted where they
16 could be visible to both the detainees and the MP guards?

17 A. Yes, sir. And those copies in both languages were
18 provided. And in fact we had copies of the Geneva-Hague Conventions
19 available in Farsi as well because of the MEK.

20 Q. The MEK, okay.

21 A. I think it was Arabic, Farsi, English, and somebody told me
22 there was some available down at Bucca in Urdu.

1 Q. Would it surprise you that when I visited these facilities
2 last week and the week previous that none of those were posted?

3 A. That surprises me. Sir, I'll tell you, when I was out
4 there, after I got the information from the CID-- [REDACTED]
5 when I was out there, I looked for all of those things. I looked
6 for-- for blue crystals-- to see if there were-- I mean, the flies
7 were under control. I-- I was-- I can't say I left no stone
8 unturned, but I was looking for the details. And I saw them. I saw
9 Korans, I saw Geneva-Hague Conventions in at least Arabic and
10 English. I-- I don't think I could tell you it was available in
11 Farsi there, because I saw that up at the MEK and I don't remember if
12 I saw it in both locations. But I was-- at Abu Ghraib, I looked for
13 those things, and they were not only posted on the wall, but they
14 were available, along with an ample supply of Korans and Bibles for
15 the outside facility and the inside facility.

16 Q. Would it surprise to tell you that on my personal visit, I
17 personally visit each of those facilities. And the tier 1A were
18 those incidents happened, as of Wednesday I believe it was, this past
19 Wednesday, that the only sign I saw in those two tier, was a notice
20 form your IG that basically said that if you have any complaints or
21 see any signs of detainees abuse that you report it to the IG. And
22 none of the other things.

23 A. That would surprise me, yes sir.

1 Q. Also at the MEK, when I talked to the Command Group there;
2 one, they were not aware that you had to post them on the facilities
3 itself, or anywhere in the Command Group Headquarters, until I told
4 them that they had a requirements under the provisions of 190-8, that
5 that was a directive since the Army is the executive agent for
6 detainee operations.

7 A. Sir, in the hallway, in their TOC, as soon as you come in
8 the door, where the 530th is, it was posted on the wall. It was
9 posted in the latrine facility. It was posted in the-- and the MEK
10 leaders had copies of the Geneva-Hague Conventions.

11 Q. Okay.

12 A. So-- and it was posted in the mess hall, in the DFAC. So,
13 I am surprised.

14 Q. Okay. Well, I even had to recommend almost to the point of
15 directing a Battalion Commander, in fact it was [REDACTED]
16 [REDACTED] that he had to post that at the HVD, twice. So----

17 A. Sir, at the HVD facility, in Baghdad, each one of those
18 detainees had a copy of the Geneva-Hague Convention in their language
19 and some of them asked for English. And around Ramadan, when I was
20 at the HVD facility, I spoke to a large number of those HVD detainees
21 and I asked them if they had any questions, they asked very good
22 questions about-- in compliance with Geneva-Hague Conventions I'm

1 supposed to see an attorney, I'm supposed to have access to my
2 attorney. They know all of those things, sir.

3 Q. Okay. I'm only conferring to you what I personally
4 observed with the two recommendation I gave to Lieutenant [REDACTED]
5 [REDACTED] to post in English and in Arabic, the fundamental provisions
6 of that as I walked around the rooms I did not see any of that. But
7 they did have-- the admin office did have a copy of the Geneva
8 Convention in Arabic and it was loaned out, one copy. And if you
9 want the name of the specialist who told me that in the presence of
10 his Battalion Commander, [REDACTED]. That he had one copy, it
11 was loaned out.

12 A. When did you see them?

13 Q. I saw them, I believe it was either Wednesday or Thursday
14 of last week. I went to visit them twice, in fact. The only
15 facility I've only seen once is Camp Bucca and I had to tell [REDACTED]
16 [REDACTED] down there that that was a requirement. And at the MEK
17 facility, I told then, I believe Lieutenant Colonel-- I'm sorry,
18 [REDACTED]-----

19 A. [REDACTED]

20 Q. ----who was on duty. But, they may know it, they might
21 have posted it, but I didn't see it at least in that command
22 facility, nor did I see it in any of the bathrooms. I did go to the
23 bathroom. So I commend that to you, that if that was a requirement

1 that was an understood requirement, and you made that as a non-
2 negotiable standard, then I would imagine that either your Battalion
3 Commanders, or any of that for the matter, were not following your
4 policy, nor your direction.

5 A. Sir, I-- I don't want to try and second guess anybody. If-
6 - I had several of my Battalions and I will say, my strongest
7 Battalion Commanders, leave already, [REDACTED]
8 [REDACTED] and each one of them performed a RIP with the
9 Battalion Commanders who came in. [REDACTED] whines and if he received
10 his OER before you got there, this may be intentional. [REDACTED]
11 wanted to go home four months ago and this-- I-- I don't know. I
12 can't answer for them when [REDACTED] and [REDACTED] were
13 down at Bucca, those items were available and posted.

14 Q. Okay.

15 A. I-- I-- I don't even-- I can't even guess.

16 Q. Well, I only mention that to you because it's not you, per
17 se, just you alone, that has to enforce standards. Your Commanders
18 have to at least comply to that and you've got a staff that has to
19 remind them.

20 A. Yes, sir.

21 Q. So I just want to mention that to you.

22 A. Well, let me use the Rules of Engagement because that's
23 another one that when they-- when the new Rules of Engagement came

1 out, we had training vignettes already prepared with changes so they
2 could make comparisons. [REDACTED]
3 [REDACTED] went to every one of the units and sometimes several times to
4 the units to make sure the soldiers understood. They had copies of
5 it. They-- it was all there. The tower guards have copies of the
6 Geneva-Hague Conventions. And to me when a soldier goes on duty and
7 [REDACTED] and I talked about this. When they go on
8 duty, it's not like there's a fight going on every day that they go
9 on duty. Take out the SOP book, read from cover to cover and refresh
10 your minds-- I'm not saying you have to read the Geneva-Hague
11 Conventions every day. But, take the book out and read it. The
12 books were there in the tower. They were in the facilities. The
13 cell block 1A and B, those-- some of those items were removed because
14 in isolation or when soldiers-- when detainees are going through
15 interrogation, they're not entitled to have those things.

16 Q. Is that the rules?

17 A. Apparently the rules change.

18 Q. Whose rules were they?

19 A. They were the MI rules.

20 Q. Okay. Let's talk about-- a little bit about the Rules of
21 Engagement. Did [REDACTED], or anybody
22 else for that matter, confer with you about a specific line in the
23 Rules of Engagement that stipulated, this is all following the riots,

1 that stipulated that they could carry, that you authorized for them
2 to carry their weapons, their sidearms, inside the compound?

3 A. Absolutely not.

4 Q. Were you aware that there were comments or allegations that
5 those MPs were indeed wearing their sidearms, but were concealing
6 them in their cargo pockets?

7 A. I-- I----

8 Q. Were you aware that a member of your Command Group knew of
9 that?

10 A. I-- I am not. That they were carrying sidearms----

11 Q. Sidearms, concealed in their cargo pockets----

12 A. ----inside the compound?

13 Q. Absolutely.

14 A. They never shared it with me.

15 Q. They never asked you for permission of that, because of the
16 dangers that were imposed to them during the riots?

17 A. No, sir. What they got permission from me to do was-- the
18 weapons racks were removed from anywhere near the compounds. And
19 they were given permission instead of keeping them inside in the TOC,
20 they were moved to the tent, still outside the compound, but where
21 the QRF was, in a weapons rack. They got permission for that. They
22 were storing non-lethal and lethal ammunition in the same shotgun.
23 That was changed.

1 Q. Was that put in a written form, or a verbal directive?

2 A. No, it was-- that's part of their-- I mean you never store

3 lethal and non-lethal-- except if you're regulation according to

4 [REDACTED]

5 Q. So that was already established is what you're saying?

6 A. Yes, sir.

7 Q. Just a matter of reinforcing?

8 A. Yes, sir.

9 Q. Okay.

10 A. And I-- on Christmas Day when I was out there and I was up

11 in the towers, I spoke to the MPs. And I said, "What do you have in

12 your shotgun?" "Non-lethal and lethal." And, I said, "In the same

13 shotgun?" "We don't have enough shotguns." "When you came on duty

14 today did you check?" "No ma'am, I didn't." "So if somebody fired

15 non-lethal last night, you wouldn't know." "No ma'am I wouldn't." I

16 said, "Do you check when you come on duty?" "No ma'am I don't."

17 Q. Did you discuss that with Colonel----

18 A. I spoke about that with [REDACTED] I-- [REDACTED]

19 [REDACTED] was on his way back because his

20 mother-in-law or father-in-law passed away and he had to go home on

21 emergency leave.

22 Q. That was-- [REDACTED] was still in command at that time?

23 A. He was not.

1 Q. So when he left for the second time, who was in command of
2 the Battalion?

3 A. [REDACTED] was out there.

4 Q. So [REDACTED] was the acting Commander.

5 A. I also brought [REDACTED] down from the MEK compound.

6 Q. And he was doing the mayoral stuff?

7 A. He was doing the base defense plan.

8 Q. With relative-- with regards to policy memos, command
9 policies, are you aware, have knowledge of two command policies that
10 were signed by General Sanchez with regards to respect and dignity
11 and treatment towards detainees or Iraqi people?

12 A. Right. I saw that. It was widely published.

13 Q. How was that articulated to you and what actions were you
14 supposed to take when you received those memos?

15 A. It was-- we made sure it was distributed. The Commanders
16 all had it and in most cases it was delivered and when I made a visit
17 to the compound or whatever facility it was, we talked about it. And
18 I will tell you, sir, that at Abu Ghraib the soldiers in the mess
19 hall-- or in the dining facility inside the hard facility that's
20 really a cafeteria that's not being used yet. They were the ones who
21 sat there, or I should say, stood up and said, "How can anybody talk
22 about dignity and respect out here when the detainees, all of their
23 rights are being violated. They're living in mud, we can't give them

1 a hot shower. The food sucks. You know, we don't give them answers
2 to the questions that they have. The contractor that is coming out
3 here is smuggling in beer and taking out notes and we can't answer
4 anything that the prisoners are asking us about. They have compound
5 representatives, we're just lucky." Those are the things we heard.
6 And when you have soldiers who recognize that the person, who signed
7 that policy letter about dignity and respect, has about as much
8 interest in dignity and respect for prisoners as he does about the
9 cleanliness of bathrooms. It wasn't consistent. And when I spoke to
10 them, I said, "Don't worry about the piece of paper, as long as
11 you're doing the right thing. Don't worry about if the person who
12 signed that piece of paper has been out here to visit you or has seen
13 the conditions of the camp, you know the right things to do. And I
14 understand the stress and I understand the pressures." We went-- I
15 wasn't out to all of the facilities nearly as often as I should have
16 been to be able to respond to those kind of questions. But I made
17 certain, my sergeant major made certain, we always gathered them
18 together and addressed those concerns. Nobody said [pause] well
19 we're going to treat them the same way that the divisions are
20 treating them when they bring them into their holding areas. My MPs
21 take the handling and the care of prisoners very seriously.

22 Q. Okay. Did you follow those two memos up with a command
23 policy of your own?

1 A. Not that I remember specifically.

2 Q. Was there a requirement on those two policies that it be
3 read to everybody.

4 A. That is be disseminated to the lowest level. And it was.

5 Q. And it was?

6 A. It was.

7 Q. Did you get an acknowledgement from each of the Battalion
8 Commanders that that happened?

9 A. I did not.

10 Q. Was that a requirement?

11 A. I don't recall without seeing the memo, it might be. I
12 don't know what the other memorandum was though.

13 Q. There were two memorandums. There was a memorandum on the
14 5th, I believe, of October that stipulated respect and dignity towards
15 Iraqi people. And there was a memorandum on the 13th of December, I
16 believe it was, that re-stipulated, or at least re-emphasized dignity
17 and respect for-- during detainee detention operations.

18 A. Sir, I'll tell you that when we were talking about the memo
19 of December 13th, that the Provost Marshal for CJTF-7 at that time was
20 a guy by the name of [REDACTED] who learned a lot about detention
21 operations, by force, by hook or by crook, not willingly. But when
22 we were over capacity at Baghdad Central, his solution, and with full
23 ops and General Wodjakowski's solution was cram more tents into the

1 compounds. And I said-- I said, "It doesn't sound like dignity and
2 respect to me." "These are prisoners." I heard that a hundred
3 times, sir. "These are prisoners." The soldiers don't have those
4 kinds of things. In the middle of the summertime when we were still
5 rationing water up in Baghdad, I understand. I understand how you
6 could be in conflict when you have to give three bottles of water to
7 prisoners and you only have to give two to each soldier. But, then
8 you're in compliance with Geneva-Hague, with the road ahead, the plan
9 for the road ahead. And----

10 Q. But that was a directive, General Karpinski, it was a
11 directive not to be questioned, that it was to be followed.

12 A. It was followed. But soldiers have the right to question
13 it. Not whether it will be implemented or not, but they have a right
14 to their opinions.

15 Q. Absolutely, but I think it is your responsibility to insure
16 that one, that there's an understanding for them to be able to
17 ameliorate themselves of a particular situation that they would be in
18 compliance with, as you said, the Geneva Convention, treatment for
19 them as opposed to treatment for all others.

20 A. Sir, I said to General Wodjakowski many times, I can't say
21 if it was six or sixty, many times. I said it to General Fast, I
22 said it to Hitwell, who was the previous Provost Marshal. We have
23 responsibilities, we have to treat these prisoners-- when I submitted

1 the first contract request for food, for feeding just at one
2 facility, I thought General Wodjakowski was going to take my head off
3 because it was for \$25 million.

4 Q. That's rather voluminous I would think, 25-- to feed how
5 many? Your soldiers, the MIs that were there----

6 A. No, sir, these were the prisoners that were there. Three
7 meals a day from a DOD approved facility and we had almost 7,000
8 prisoners there at the time.

9 Q. So there was some either appropriate supported, non-
10 supported means. Did you know that there were dogs in the facility?

11 A. Working dogs?

12 Q. Working dogs.

13 A. Yes, sir.

14 Q. Did you know why they were there?

15 A. Yes, sir, we requested them.

16 Q. Was that a formal request----

17 A. Yes, sir.

18 Q. ----from you? Did you know how they were being utilized or
19 employed?

20 A. They were being used at the entry control points and they
21 were explosive bomb dogs, I believe, and patrol dogs.

22 Q. Patrol dogs.

23 A. They had them down at Bucca and then they moved them----

1 Q. Do you know the composition of those? All Army? All Navy
2 or?

3 A. I-- I do not, but I think we got one Navy dog handling team
4 in. I-- I-- I don't know. But I know that they were Army primarily.

5 Q. Would it surprise for you to hear that those dogs were used
6 for unauthorized use either for interrogation or for photo
7 opportunities that were done by soldiers and members of your command?

8 A. Yes, it would surprise me to hear that.

9 Q. Were any of those reported to you?

10 A. They were not. The first I heard of them getting a
11 military working dog-- I read it in the CID report. Uh-- because I
12 saw them at the ECPs, I saw them at the entry control points. I saw
13 the dog handlers when they were-- and it was a-- it was a force
14 multiplier, if you will. They were walking around the compounds, on
15 the outsides of the compounds. The prisoners could see the dogs.
16 The dogs were serious business. I never saw them by 1A or 1B. The
17 first time I heard of it was when I saw the report that they'd called
18 the dog over there to be used in an interrogation and they had the
19 dog biting the detainees legs.

20 Q. Okay. Were there any reports given to you that those
21 detainees that were being held in tier 1A, or for that matter, tier
22 1B were being stripped of their clothing?

23 A. Yes, sir.

1 Q. When was that made aware to you?

2 A. The ICRC team went out to Baghdad Central to-- because they

3 really have unrestricted access, they give us the courtesy of letting

4 us know that they are going to come around a certain time. But-- and

5 we always open the doors for them. They said that they wanted to--

6 and they talked to a couple of prisoners, they looked at the cells,

7 they noted improvements, they turned the water on to see if it was

8 running, if it was clean, those kinds of things. They looked at the

9 food, they talked to the compound detainee representatives and they

10 asked to go in to the interrogation cells. And they did. And they

11 opened one of the facilities and there was a naked prisoner in there.

12 So, they did not want to appear-- they didn't want to overreact to

13 it, I think is the words that they used. And they interviewed the

14 detainee and the detainee reported that not only was he made to sit

15 there without his clothes on when he was taken in for interrogation

16 they took his clothes away from him and then made him walk back to

17 the cell naked. And [REDACTED] confirmed it for me and he said

18 that they were no longer-- and he had talked to Colonel Pappas about

19 it and he was no longer going to be in the business of escorting the

20 detainees once they were through interrogation, because that was not

21 something that the MPs were trained to do, nor did they agree with

22 it. And the ICRC report was rendered and it mentioned that there was

23 a naked person in a cell with no means of cover. I believe in--

1 after sometime they go a blanket or some kind of covering for the
2 guy. And there was a report-- in that same ICRC report it was also
3 told to the ICRC representative that the prisoner was made to wear
4 women's underwear on his head and parade around in front of the other
5 detainees, that they often paraded up and down in front of the other
6 prisoners. And I talked to [REDACTED] to Colonel Pappas, to
7 [REDACTED] and to [REDACTED]. They were all together over at
8 CJTF-7 headquarters. I spoke to them, and I said, "I saw the
9 report." And they made a joke of it. And the joke was, I told
10 Colonel Pappas to stop sending those prisoners Victoria Secret's
11 catalogs. And I said, "Are you going to respond that way in the ICRC
12 report, this isn't funny. And [REDACTED] looked me in the face
13 and said, "They're just joking." And I said, "I don't think the ICRC
14 is joking." And he said, "These are detainees." You know, they're
15 not always the most honest people on the street. And, all of that
16 has come true. I didn't make a joke of it. The intel people made a
17 joke of it, joined by [REDACTED] who was generally pretty
18 reliable.

19 Q. Did you bring that-- did you bring it to the attention of
20 General Wodjakowski?

21 A. I did.

22 Q. Or General Sanchez as well?

23 A. I brought it to General Wodjakowski's attention.

1 Q. And his guidance was?

2 A. We'll see what the ICRC report-- the response is. I said,
3 "Colonel Pappas is preparing the response, sir."

4 Q. Are you aware of an interrogation ROE?

5 A. I am not.

6 Q. Have you seen one like this, since the interrogation
7 operations have been conducted in conjunction with your detention
8 operations?

9 [MG Taguba passes document to BG Karpinski.]

10 A. I have never seen this Interrogation Rules of Engagement
11 before.

12 Q. But you were aware that interrogations were being done of
13 the detainees that is under the detention operations of the 320th.

14 A. No, sir. The detainees under the control of the MPs were
15 escorted to an interrogation booth, or room, and it was under the
16 complete control of the MI people.

17 Q. But then policy was explained to me that somebody picks a
18 detainees by ISN either from Ganci or Vigilant for the hard site and
19 escorted by your personnel to the interrogation. Was that often?

20 A. Originally that's true-- that was true. They were
21 escorted.

22 Q. When did that stop?

1 A. That stopped, in mid-November or later because it was
2 actually stopped when [REDACTED] got out there to Abu Ghraib.
3 because it fell in line with the internal taskings. And it stopped
4 because a female and a male MP were tasked to escort a detainee back
5 from interrogation and he was naked. And I said, "I agree." [REDACTED]
6 [REDACTED] called me, he said this is what took place, I said, "Stop.
7 We're not going to do it."

8 Q. Okay.

9 A. I have never seen this.

10 Q. You've never seen that. Okay, thank you. So from then on
11 in, did you ask [REDACTED] at the time to report to you, or
12 record for you, any incidents of detainees being escorted back to
13 their cells in the nude?

14 A. I did.

15 Q. How many reports?

16 A. There were no reports because the MPs were no longer
17 involved in it.

18 Q. Okay. Since they were no longer involved in that, none of
19 the MPs when they were remanded back to their custody, those
20 detainees were fully clothed?

21 A. The reports would indicate that they were fully clothed.

1 Q. Because, let me understand this. When a detainee is asked
2 or been directed to be interrogated, they are taken out of the
3 compound. You don't allow the MI personnel inside the compound?

4 A. That's correct. They are----

5 Q. Escorted to a gate of some sort, and then they are
6 transferred, the custody is transferred to whoever is interrogating--
7 --

8 A. The MI or the ISG or whoever----

9 Q. How is that done? Is that done with a piece of paper, here
10 you are?

11 A. There's a sign out sheet, put their signature there, they
12 put the ISN number of the detainee, it's a printed form. They sign
13 for them, they take them into custody. If they are going to leave
14 Abu Ghraib it requires basically a hand receipt, a prisoners hand
15 receipt.

16 Q. And following interrogation, they're returned back to MP
17 custody.

18 A. Right.

19 Q. Okay. And there's a special set of instructions for a
20 detainee that had to have some sort of a special treatment. Special
21 treatment like sleep deprivation, meal plan, that sort of things,
22 segregation. How, under your knowledge, how was that communicated or
23 articulated to the MP?

1 A. The-- I asked that question specifically, specifically sir
2 And it was different. We had a visit earlier on last year, I mean,
3 probably around August or something from General Miller, Major
4 General Miller from GITMO. And his direction was that he was going
5 to GITMOize the confinement operation. And he was going to use Abu
6 Ghraib. And when he made that decision, I said to him, "Abu Ghraib is
7 not mine to give to you. It belongs-- it is a CPA facility. I own
8 the wire and those aren't the people that you----

9 Q. You're talking about the prison complex itself?

10 A. The hard facility. And he said that was what he was going
11 to take. And I said, "It is not mine to give to you. That has been
12 CPA funded. That belongs to the CPA." "They're your MPs inside." I
13 said, "Yes, sir, they are. But we don't own the facility." "Are you
14 supplying it." I mean, I kept emphasizing to him that I didn't own
15 the facility and it was only an interim facility and so he had
16 everybody leave the room and he said, "Look, we're going to do this
17 my way, or we're going to do this the hard way. I have permission
18 from General Sanchez to take any facility I want. And we're going to
19 put MI procedures in place in that facility because the MI isn't
20 getting the information from these detainees like they should be."
21 And I said, "Sir, if I am directed to give you that facility, I will
22 give you that facility." And he said, "We're going to send MPs in
23 here who know how to handle interrogation. We're going to leave a CD

1 and a POI with the MI people and they're going to conduct training so
2 your MPs know how to handle certain requirements." And I said, "Sir,
3 if the decision is made to handle it that way and that cell block is
4 going to be given to the MI people." They never conducted training
5 sir. They never left a CD, they never left a printed POI, they never
6 gave my MPs any specific training.

7 Q. Were you out-briefed after his visit?

8 A. Yes, sir, I was, by him.

9 Q. Individually, or as-- in a group setting?

10 A. Both.

11 Q. Okay.

12 A. And he told me specifically that he left that POI with
13 [REDACTED] and with Colonel Pappas. That they were going to
14 conduct classes, that they were going to bring a team of MPs that
15 worked-- had experience down in GITMO that knew his procedures and he
16 was going to use the hard facilities out at Abu Ghraib. I didn't get
17 any of that from CPA-- as a matter of fact, they were adamantly
18 opposed to it. And the one cell block that they had given to the
19 MIs, at that point they wanted to take back. And [REDACTED] was
20 the intermediate between me saying we're going to take it, and you
21 know, like 99 percent of the law is possession and we're in
22 possession of it right now. And he said, "Let me talk to them." So
23 he was the go-between. Nonetheless, I think in answer to your

1 question, the-- the interrogation people, the MI would sign them out
2 they would bring them back and they would tell them, I'll be back in
3 an hour, and they're not going to get any food, don't give them a
4 meal. We're going to be back in an hour, we're going to, ya know,
5 talk to them for another 15 minutes; you won't have to take them out
6 of the interrogation cell. I might come back at two o'clock in the
7 morning and take them out. That was the sleep deprivation. They--
8 they didn't-- Colonel-- [REDACTED], who was the, I think she was
9 the ops for the MI brigade, said to me, "The reason we don't want the
10 ICRC to go in there anymore is because it interrupts the isolation
11 process. If we have them in isolation for a week, if they have a
12 chance to interface with a person who is speaking their language,
13 that interrupts the isolation process and we have to start all over
14 again in order to put the pressure on them. So, if we can just have
15 the cooperation of not letting the ICRC." I said, "We need to put it
16 in writing and explain to them, this is why."

17 Q. This is the reason why I showed you this. On the right
18 hand column on there are specific rules that General Sanchez had
19 approved.

20 A. He most likely approved this for the MI people to apply,
21 but I have never seen this.

22 Q. None of your staff had seen it?

1 A. I can't speak for them, but if they had seen it, I think
2 they would have told me, you know there is a rules of engagement for
3 interrogation, but----

4 Q. None of that.-----

5 A. ----when I was out there at cell block 1A specifically, I
6 took their notebooks off the shelf and I looked for anything. I
7 looked for a history of the sign out sheets or anything. Now the NCO
8 that was there at the time told me that the CID had taken most of
9 their books. But, there was no evidence of anything except the
10 Geneva-Hague Conventions, the ICRC rules and my rules about treatment
11 of detainees.

12 Q. Okay.

13 A. And we have yet to GITMOize the operation.

14 Q. I'm sure. I've read the report. So, I don't know when
15 they're going to implement that. Detainee accountability. What is
16 the Brigade's standard in accounting for every detainee that enters a
17 compound or a facility?

18 A. They-- when it was down at Bucca, of course, they used the
19 NDRS. And at Ad Diwaniyah and Hilal the Marines were there, that was
20 the 1st MEF region, and they were using the BAT system, the Biometric
21 Automated Tracking system.

22 Q. Sure.

1 A. And in those facilities down there, they allowed the MPs to
2 the BAT system to maintain accountability and pictures and-- we're
3 actually testing it out and their plan was that we would buy those
4 systems off of them when they left because they were fielding it for
5 Lockheed-Martin, I think owns it. And, we liked the BAT system.
6 There were-- the NDRS system, down at Bucca, when it was just EPWs,
7 third country nationals and displaced civilians it worked. Because
8 it was one location, they were being processed, then they started to
9 come out with new, like change one, change six, I think they're on
10 change nine or eleven right now. But every patch that they sent out
11 sometimes it would corrupt what was already there, sometimes it would
12 freeze the database from functioning. And we had no means of
13 communication, so we couldn't network the system. So each facility
14 became responsible for accounting for their own prisoners. And if we
15 looked-- if we knew the ISN number we could go into the database and
16 locate the prisoner. The problem was, they didn't often have the ISN
17 number. So----

18 Q. Why is that?

19 A. Well, because in a lot of cases, the family members didn't
20 know that the prisoner was even being held. So, they would use the
21 name: Janis Karpinski. Well there's lots of different spellings for
22 Janis; there's certainly a lot of different spellings for Karpinski,
23 and depending on who input the data, you-- if you didn't get an exact

1 match, you didn't find the person. So you'd have to go down the list
2 looking for anybody that was a Janis, or a J-A-N or whatever they--
3 they-- we got them eventually, but we couldn't get them instantly,
4 and that's what people were expecting. It was an unrealistic
5 expectation. I told Ambassador Bremer that, I told General Sanchez
6 that.

7 Q. How was the database from the BATS, the Biometric Automated
8 Tracking System integrated into the National Database Recording
9 System?

10 A. It wasn't. It was a separate system because they weren't
11 compatible.

12 Q. So there's a matter of manually inputting everything back
13 into the NDRS?

14 A. Yes, sir.

15 Q. So they were not talking to, or not interconnected?

16 A. No, sir. But it was my understanding now they've worked
17 the link out. And the other problem is that its BATS because they--
18 I mean that was another issue, when we got it up in Baghdad the
19 people that-- the C-6 who was supposed to be responsible for it at
20 General Sanchez's instruction, transferred it to the C-2. They
21 linked it to CHIMS which was a classified system, so that broke the
22 firewall on BATS, so it was no longer an unclassified system. So,
23 they couldn't link the data from BATS to the NDRS until they worked

1 out this connectivity or this patch or this firewall, whatever it
2 was.

3 Q. Was there a common policy across the Brigade or was it
4 decentralized for how and when each of the detainees would be
5 accounted for on a daily basis? Besides BATS and----

6 A. They were in-processed----

7 Q. Understand.-----

8 A. -----and they were BATd then and they NDRS. So every day
9 the compound NCOs would count the prisoners, account for them, record
10 it-----

11 Q. How was this supposed to be?-----

12 A. -----and I will say, consistently, and the easiest means to
13 do accountability checks during the daylight hours was when-- at
14 mealtime. And that worked very effectively. Naturally, in an
15 outside facility, most of our escapes occurred during the hours of
16 darkness. So you have to, on the night shift you have fewer people,
17 but you have to develop----

18 Q. Why is that?-----

19 A. It was a matter of resources, sir. So, there's most of the
20 activity with the prisoners during the day or the problems will come
21 up during the day; and at night, the majority of them are sleeping.
22 So, if you have to make adjustments-----

23 Q. But the escapes were being done during the night.

1 A. Correct, but with light sets, with the power on and the
2 light sets turned in, I mean, you adjust because then you take the
3 steps necessary to-- to limit those opportunities that you can
4 exploit. So, yes, most of the escapes occurred at night. But, when
5 the light sets were operational, you have good light sources and
6 everything. The problem was, at Abu Ghraib, the light sets, which
7 they were depending on, would often fail at night, of course, that's
8 when the lights are on. So, the prisoners had a plan, when the
9 lights fail the next time, we're out of here, and two of them would
10 be, or three of them would be. When the lights fail, you know, if it
11 happens that often because they kept looting the power lines for the
12 copper, so then you have to have a fallback plan. You have to be
13 able to come down out of the towers, or go up in the towers, or have
14 an alternate light set-- alternate light source, a generator,
15 whatever it was. Sir, we couldn't get generators-- when we got
16 generators out there, they didn't work. They contracted it and the
17 contractors brought the generators and then they left and they didn't
18 come back and the generators didn't work. I didn't have engineers
19 to-- except building construction engineers. I mean, it was just one
20 challenge after another.

21 Q. How many-- how many reported escapes were you made aware
22 of?

23 A. For the whole duration?

1 Q. Yes, from the time you took command.

2 A. I think there was about 32 total.

3 Q. Reported?

4 A. Reported. Actual.

5 Q. And how many detainees, of those 32, how many total

6 detainees escaped?

7 A. Completely escaped?

8 Q. Yes.

9 A. I don't know, I would guess about 15 because there was 11

10 from Bucca at one shot.

11 Q. This past January before the 310th TOA'd with the 724th, they

12 told us there were two recorded cases of escapes prior to the 310th

13 and there was one after the 310th, so that's three. They did say that

14 those escapes happened during periods of limited visibility.

15 Typically it happens when the fog rolled in. And, of course, from

16 the same location predominantly, the same pattern, and I basically

17 asked them how would you improve on that and typically what kind of

18 guidance they would get from Brigade to improve based on the report.

19 Would it surprise you that they never got any response from Brigade?

20 A. That's not true, sir. I spoke to [REDACTED] within

21 hours of the first escape. That was when one----

22 Q. This is the previous Battalion Commander?

1 A. He is previous to [REDACTED] That's just simply not true.
2 Because I spoke to [REDACTED] myself within hours of it
3 happening and it was one individual who was in a compound and the
4 guards were not on the money, and he escaped. And they immediately
5 sent a QRF, they saw footprints, they tried to track him. They were
6 tracking him all day long until about, when it was no longer
7 practical, until about noontime, the rain started and then they lost
8 the trail and everything else. But I spoke to [REDACTED] all
9 day long about it.

10 Q. So what instructions did you give him?

11 A. I gave him, I-- I said, "Tell me what happened." He sent
12 the report, then he sent a more substantial report. I told him that,
13 "You can't prevent the fog from coming in." He understood, he was--
14 they were implemen-- they were developing the fog plan, they were
15 going to implement it because the fog was typical for that time of
16 year and they did. And you-- the fog is thick down there, it's not
17 that far from the port, there's no visibility, these prisoners are in
18 a wire outside, and they take advantage of it. But, that case, the
19 subsequent case and the one escape under the 310th, I spoke to the
20 commanders. Now Colonel [REDACTED] wasn't there when that escape took
21 place. He did this RIP and the TOA and I did not speak to him.

22 Q. Was it your policy that every time there was an escape that
23 a staff assessment, either led by you or your S-3 would go down and

1 make a quick determination on how it happened and what procedures to
2 be done?

3 A. Yes, sir.

4 Q. Each and every case?

5 A. Every case, with the exception of the case by [REDACTED]
6 [REDACTED] because the investigation was so thorough by him, that the
7 report was concise. I sent [REDACTED] over to Bucca and she did
8 the assessment for me.

9 Q. Okay. Your staff basically said there were about 34, 32,
10 34 reported escapes and also indicated there's roughly around 34, 35
11 that actually escaped. This is a matter of record. How would you---
12 -

13 A. That can't be correct because they captured some of them
14 and brought them back, and those were the escapes that were reported.

15 Q. Okay, I'm just mentioning to you what your staff mentioned
16 to me. These are folks that I interviewed and they told me with a
17 degree of accuracy, they even quoted to me the percentage of that,
18 based on the number of detainees that were either held or transported
19 by your command.

20 A. Yes, sir.

21 Q. So----

22 A. I'm-- I'm not questioning them.

23 Q. Okay.

1 A. They must be focused on-- on other things now.

2 Q. How would you assess, based on your experience, when you
3 took command of the Brigade. What was your assessment of command
4 climate, your assessment of the operational readiness of your outfit,
5 and your leadership assessment of those leaders that are commanding
6 those major subordinate commands?

7 A. When I came into the Brigade, it was, and I'd come from the
8 largest RSC in the Reserves, in the United States, that was the 81st.
9 And I'd had several months to go through this process of, not only
10 mobilization and concerns from commanders in that command, but seeing
11 it on the ground, knowing full well what happens if a commander stays
12 in command for too long and how complacency sets in and all of those
13 things where a person's been in the same unit all of their career, I
14 mean, on and on and on. I sat on promotion boards and selection
15 boards, battalion command selection boards where they do a letter to
16 the president and they say this is the only battalion I want to
17 command because I'm the UA in this unit and so I don't have to travel
18 for drill. So I knew all of those signs, I knew all the signals and
19 I saw every one of them and more in the 800th. And I was very
20 concerned. I used a couple of examples with General Hill. And I did
21 not-- I was a Battalion Commander under the 800th under a different
22 Commander. I didn't know-- I knew [REDACTED] from years before and
23 I wanted him out of the position as the deputy because he hadn't

1 changed from when I knew him from years before. He was commander of
2 he was running his position and influencing the soldiers from-- as if
3 he were functioning from Desert Storm. He was at best, a warrant
4 officer. I use the example of the detainee abuse at Bucca and
5 General Hill kind of minimized it, not kind of, he minimized it and
6 he said, "These things happen." No they don't happen. They're
7 investigating it, these were MPs that reported other MPs, okay so
8 they did the right things, but it happened because there was a lot of
9 wrong things going on. [REDACTED] is a West Point graduate,
10 he's certainly intelligent and he's been in the MP community for
11 years and I said-- and he said, he wasn't there when it happened. We
12 really got it crossed-channels on the situation with the violation of
13 General Order Number One with [REDACTED] and [REDACTED]. And
14 we not only got it cross-hairs over that because I said I don't care
15 how you slice it, it's a violation of General Order Number One and
16 this is a major and a senior NCO. That's fraternization and
17 everything else that's cooking there. And he said, "They were
18 friends from a long time ago and this was a couple of drinks." And I
19 said, "A drink is a violation of General Order Number One." It was a
20 discussion that General Hill, I think, dug in his heels.

21 Q. Did you take action to that?

22 A. I-- I did not. It was a completed action and the only
23 reason it continued to be an item of interest was because [REDACTED]

1 [REDACTED] we moved [REDACTED] up to Baghdad with us. [REDACTED]
2 [REDACTED] continued to hinge every discussion on how she had made a
3 mistake and she was going to pay for it for the rest of her career.
4 I talked to her for more than an hour, sir, one-on-one up in Baghdad,
5 and I said, "Look, it's going to be an issue for the rest of your
6 career if you keep prefacing every conversation with a reference to
7 it. Okay? Get over it. You made a mistake, it was a serious
8 mistake, you paid the price, but you can get over it, if you stop
9 mentioning it as the reason for why you're not doing all the things
10 you're supposed to be doing." I said, [REDACTED] you're smart,
11 you're able, and you're doing all the of the things that people want
12 you to do because you're a female. Do you understand that? Do you
13 understand you come off as a silly, goofy woman, instead of an
14 intelligent major." And she said, "That's my personality. I'm in
15 marketing." And, I mean, it just goes contrary to everything I was
16 trying to say to her. But she never did get over it. As a matter of
17 fact, when she came in to see me in my office about four days ago,
18 it's the first thing she said to me, was that "I know you're still
19 angry about that violation of General Order Number One." "We've come
20 full circle now, a year later and you're still mentioning it to me.
21 I wasn't here when it happened. I have formed my opinion of you on
22 what you've done since then." And she said, "And what is it?" And I
23 said, "Be careful what you ask for. Because if you ask again, I'll

1 tell you." And she said, "I'd like to know." And I said, and I told
2 her what my opinion was. And besides that, I mentioned that [REDACTED]
3 [REDACTED] had come up to the TOC, had done a great job, moved on. He
4 had been so good that we moved him out to Baghdad Central to be the
5 HHC first sergeant when the first sergeant reached his expiration and
6 was going on. By that time, they got the command sergeant major, who
7 was part of the 320th into the 320th. He got cleared from the medical
8 station-- or the medical hold in the states. He knew the situation
9 with [REDACTED] so he kept him in his lane; worked out very
10 well. Sir, guess what happens, we move [REDACTED] up to Baghdad
11 Central to train the-- to give her skills to the people that are
12 gonna-- Sergeant-- [REDACTED] and another sergeant that were
13 gonna take on the NDRS and she's right back there linked to [REDACTED]
14 [REDACTED] I had to talk to [REDACTED] and I had to talk to her
15 about it, again. And I said, "You know you've come too far to undo
16 everything you did. Now I'm gonna tell you the same thing I've had
17 to tell several other people in this-- senior people in this six
18 months. If you don't stop, I'm gonna put it in writing, okay?"

19 Q. Who else were troublesome to you?

20 A. My command sergeant major.

21 Q. Understand.

22 A. [REDACTED] out at Abu Ghraib, who under-- when they were
23 at Bucca, she got, there was a detainee down there, an EPW by the

1 name of-- he took a Christian name, his name was [REDACTED] He was
2 detained because he was picked up during the war as a member of the
3 Iraqi Republican Guard and he was fighting us. He was detained as a
4 combatant, as an EPW, and [REDACTED] took a liking to him and to
5 another guy by the name of [REDACTED]. Now that was before
6 I took command, again. But it became a problem afterwards so I had
7 to track the history back and find out what the heck had happened
8 there. Well, anyway, to make a long story short, if it's possible,
9 Michael ends up at Baghdad Central as a translator. He was released
10 from-- he was paroled, didn't leave because they kept him around and
11 this Specialist-- at that time [REDACTED] and him were in love
12 and I said to [REDACTED] "And this makes sense to you?" She said, "I
13 had nothing to do with it." And I said, "Did you employ [REDACTED]"
14 And she said, "Well, I paid him once or twice because he was helping
15 around the mess hall." I had [REDACTED] the IG go out there and
16 check that out because I said, "This is moving into a different
17 area." And he went and checked it out and he came back and he said,
18 [REDACTED] is working there. he no longer is, because with
19 your authority, I told him. you know, you can't work here anymore,
20 you're not supposed to be in around-- once you've been an EPW you're
21 not supposed to be around." Okay, so now I go off to Baghdad Central
22 and I go out there one day and this translator comes up to me who is
23 speaking beautiful English and he says, "Oh, General Karpinski, I was

1 looking forward to meeting you. My name is [REDACTED] now. I am a
2 Christian, I was down at Bucca." I'm thinking that this guy was a
3 translator down at Bucca and he got transferred up to Baghdad Central
4 when the 320th moved. And [REDACTED] says to me afterwards,
5 "That's the guy that's involved with Specialist Duke." I said, "What
6 is he doing in DCU uniform?" And he says, "He's a translator here.
7 Titan hired him." I went back and I said to [REDACTED] "You
8 find out what he put on his application for Titan and I want to find
9 out what, if you listed that he was an EPW. He's not supposed to be
10 working out there. I mean, he's working the processing line, he's
11 allegedly involved with this female out there. This is out of
12 control, do you und--." He calls Titan and Titan doesn't have a file
13 on him.

14 Q. No background check?

15 A. No background check and I reported him, sir, to Colonel
16 Pappas, to [REDACTED] to Titan Corporation, to the ISG guy that
17 was out there working with the prisoners and putting them on the box
18 and everything else. I talked to Wodjakowski about it. I talked to
19 [REDACTED], who was the Deputy D, uh C-2 at the time. I talked to
20 General Fast about it several times. Nobody seemed to care that this
21 guy was out there and had full access to everywhere on the compound
22 which was, you know, at level two or something. Nobody knew if he
23 was a level one or a level thirteen or anything else. I-- when I

1 sent [REDACTED] out there, I said, "You put eyeballs on this
2 guy and you keep your eyeballs on this guy, because I don't trust
3 him." I was out there one time and the guy comes up to me this way,
4 walks straight up to me, I thought he was going to say hello and all
5 of a sudden he puts his arms around me to hug me. My PSD is pulling
6 him off and I said to my aide and the PSD afterwards, "You know that
7 wasn't a hug, that guy wanted to know if I had a weapon on me, he
8 wanted to know if I was wearing a vest under my shirt. You guys have
9 to stay between me and any of these infiltrators. I don't like that
10 guy, I don't trust him and I don't want him around any of the
11 detainees." And I told [REDACTED] that, I told [REDACTED]
12 [REDACTED] that, and it seemed like every time I went out there the guy
13 was somewhere else around that processing line. Now, as far as
14 anybody could tell me, he was never involved over in the cell block
15 1A and B. But, sir, that was just one of so many examples where it
16 was clear that there was people with the opportunity to come in and
17 leave that could make it dangerous for my MPs to operate out at Abu
18 Ghraib or up at the MEK compound or any of the other facilities.

19 Q. Those are examples where either you took control of the
20 situation and either referred them back to your Battalions, or
21 whatever. That's why I was asking before, standards. It would
22 appear to me that the examples you are giving me where even to the
23 point where these people are hugging you and whatever have you, it

1 appears to me that you were the only one that was taking action to do
2 any kind of correction. Did you do any delegation of anything at all
3 to any of the Battalion Commanders about that?

4 A. Absolutely, sir.

5 Q. How would you assess each of your Battalion Commanders that
6 were attached to you? Just give me a couple----

7 A. Snapshot?

8 Q. Yes.

9 A. 115th, [REDACTED] he had a horrible facility in Cropper
10 and a great facility in the HVD. He was-- he knew what the rules
11 were and he was a team player. A strong commander, had a good chain
12 of command and had a handle on it. Occasionally he would get out of
13 line, I mean with some kind of comment or something, but he knew the
14 rules and they followed them. [REDACTED] who was securing the
15 MEK was a great performer, great commander, knew the rules. Had an
16 opinion about what the MEK were, if they were really terrorists or a
17 threat. Had to kind of keep him under control of that sometimes in
18 conversations like, look this is the direction of the SECDEF, so
19 that's the direction we're taking, and he understood. Very strong,
20 had a great chain of command. [REDACTED] with the 400th had the
21 initial operation transferred to them by the 18th MP Brigade. They
22 were treated very badly when they were under their C-2 and he took
23 his resources, put them in the right place. He understood the rules

1 and he had a good command sergeant major, and also good supervision.
2 great chain of command. [REDACTED] had command of the Battalion.
3 for a long time and was the first one at Baghdad Central-- sorry,
4 Bucca and set it up. [REDACTED] got in there and was allowed to take
5 control of that operation, with General Hill's blessing. [REDACTED]
6 [REDACTED] was-- was probably-- not probably, [REDACTED] was
7 disgusted with the situation because she didn't feel like she had a
8 voice and General Hill wouldn't listen to her. When General Hill
9 left and I took over, that changed a little bit, but it really wasn't
10 enough time for her to get spun back up again. So I had the new
11 Battalion-- Lieutenant Colonel who was selected for battalion command
12 by a board, for that Battalion. And I talked to [REDACTED] and
13 I talked to General Stolte who was [REDACTED] boss in the 143rd and
14 I said this would be a great opportunity for him to take care of the
15 Battalion, have the experience with the Battalion in the field, in
16 this situation. Everybody agreed. That's how Colonel Coulter became
17 my rear detachment XO.

18 Q. Besides [REDACTED] who else?

19 A. I had [REDACTED], and I had [REDACTED] [REDACTED] was down at
20 Bucca originally, then moved up to the MEK compound and took on that
21 mission. [REDACTED] is a-- definitely a team player, has good control
22 of the chain of command. There probably was some discourse between
23 him and [REDACTED] because [REDACTED] was the new guy on the block and

1 [REDACTED] guys had done a lot of the work and he didn't think [REDACTED]
2 appreciated it. Thought that [REDACTED] was a prim Dona. But they
3 worked it, they sorted it out, recognized their own differences but
4 [REDACTED] was a good Battalion Commander. Strong, solid, knew the
5 direction he was taking. [REDACTED] a whiner and a complainer and he
6 had an easy mission down there in the MEF region with the multi-
7 nationals. They had a DFAC, they had at least electricity with
8 moving air and he continued to whine. He had more REFRADs than any
9 other Battalion because he thought that if he got down under sixty
10 percent strength, he would have to send-- we'd have to send the
11 Battalion home. And we stopped that drain when I told him, "We'll
12 break up the Battalion, and you will come up here to my staff and
13 your staff will either go out to fill vacancies, but I will break up
14 the Battalion." And suddenly, the REFRAD requirements dropped
15 considerably. And I said, "You have an easy mission there, you're
16 gonna establish a training facility." And they did, and they did it
17 well, but [REDACTED] is a whiner. [REDACTED] is something else. He's
18 somewhere in-between. He's conscientious, but he complains about a
19 lot of things. He doesn't have the resources to do the HVD mission,
20 he doesn't want to go downtown. He had the mission at Talil first.
21 And I-- I, sir, I said to him, "You whine about everything. Here you
22 are in Talil. Your average strength in your compound is three. And
23 you have all these MPs to do this mission. And yet, you're still

1 complaining you can't do the mission. You're going to run this jail
2 downtown. You're taking on more things, that's called mission creep
3 and you gotta stop it. Because if you don't stop it, I'm not gonna
4 listen to you anymore. Because I know what the mission is that I've
5 given you and you're doing these other things, which means you have
6 too much time on your hands." He still whines. He got the HVD
7 mission, he got the jail mission in downtown Baghdad, and he trusted
8 a few people that were probably not trustworthy, but he has a good
9 chain of command that kind of makes up for his whining. And then
10 there's [REDACTED]

11 Q. Do you think that your Brigade was a cohesive team? That
12 they were coalescing, were they segmented, fragmented? Do you think
13 that your Brigade exuded a lot of pride?

14 A. I think, let me answer that question first because that's
15 really easy. I think the Brigade did exude a lot of pride. I think
16 that the MPs were embarrassed when the situation took place in Bucca.
17 I know that they're embarrassed by what's happened up at Baghdad
18 Central. They take pride in their accomplishments and deservedly so.
19 Because, sir, I can tell you that they made the impossible possible.
20 And they ran those facilities, and they took care of those prisoners,
21 and they did more with less. Cohesive, no. I think the Battalions
22 in and of themselves were. When I gathered them all together on
23 several occasions for quasi commanders conferences or they all came

1 up for the MP summit or the out-brief from General Rider's team. They
2 talked to each other, they got along with each other. They had
3 differences, sure, but they exchanged ideas, we talked as Battalion
4 Commander and they talked about what their Company Commanders were
5 asking or saying. But they were so far spread, they were not-- they
6 didn't-- they hadn't worked together before. These weren't
7 battalions that knew each other; they weren't familiar with each
8 other. One from Florida, a company from Florida, company from Las
9 Vegas, a battalion from California, a battalion from-- a BLD from
10 Indiana, from Pennsylvania cross-leveled from the 220th, the companies
11 cross-leveled into the 320th that had never worked with the 800th
12 before or any of the people in the 800th. The only unit that we
13 deployed with that was familiar with the mission of the 800th was the
14 310th. And [REDACTED] to my understanding because I asked, was a
15 whiner before. He's been very focused on whether or not he's going
16 to be on the O-6 list because he wants to stay in the military, and
17 if not, then his mandatory retirement date is this summer. So they
18 all had different agendas. We moved so quickly to Baghdad and the
19 mission was so fast and furious then because, again, the 18th MP
20 Brigade and all the divisions were handing prisoners over to us and
21 we didn't have facilities to hold them. So we put them in Cropper.
22 Cropper became overcrowded. Renewing the interest and the
23 requirements out at Baghdad Central, we were shipping them down to

1 Bucca. We weren't a transportation unit, we didn't have
2 transportation assets available to us. CJTF-7 made a very slight
3 attempt to give us transportation assets and it didn't work. We went
4 back to doing it ourselves. I mean, it was just on and on and on.
5 And we were trying to stay ahead of an absolute failure.

6 Q. Did you try to address some of your logistical requirements
7 to your parent unit, which is way back down in Arifjan?

8 A. Yes, sir, I did.

9 Q. And you said none of that happened?

10 A. None of it happened. Because the supply lines were so long
11 and what does CJTF-7 doing for you? And talking to [REDACTED] he's
12 saying that they're going to do what they can. Sir, we couldn't even
13 get a spare part for a vehicle.

14 Q. Even though that there was core support command, and you
15 had no interaction with the core support command?

16 A. With-- at the COSCOM up at Anaconda? We did. We went up
17 there and they couldn't support us because we weren't on their list
18 of units that they were required to support.

19 Q. How did you utilized, since you didn't have a deputy
20 commander, he was doing something else? And your XO, met your XO
21 today. I'm getting kind of an inkling that a lot of this stuff you
22 either take it on yourself or you did not direct your staff, which
23 should not be your job, a XO or what have you to say, "Okay do this,

1 do that." Since everything seems to be gravitating to the
2 operational side, called your S-3.

3 A. Colonel [REDACTED] is a great guy. He's a civil affairs
4 officer. He thinks himself a leader, and he's not.

5 Q. So you had a failing there?

6 A. I-- I did, and I recognized it.

7 Q. How would you, did you direct your S-4 and say, "Get me the
8 tools that I need so I can resource this Battalion?

9 A. No, sir. What I did was get Colonel [REDACTED] in my office
10 and tell him the words to use to get the S-4 to do it. And if
11 Colonel [REDACTED] and went to the S-4 himself and said, you need to do
12 this or tell me what you're doing with this, most of the time Major
13 [REDACTED] would just kind of blow him off. I had dismal response from my
14 AGRs. They didn't want to be there, they didn't think that this was
15 in their equation, or whatever. The first thing that Major [REDACTED]
16 and Major [REDACTED] did when I took command was come in and tell me why
17 they needed to stay at Arifjan and not go to Baghdad. So I had to
18 clear through that. And [REDACTED] was more obviously angry with me than
19 [REDACTED] was. But they were both ticked off because I made them go to
20 Baghdad. And they dug in their heels, and I told them both
21 individually, "You know what, it's not gonna work, because I'm gonna
22 win. So, you're going to do the PERSTATS and you're gonna do the G-4

1 functions." And [REDACTED] got it, but it took coaching and choosing
2 words and telling him why.

3 Q. Why was he selected? Was he the only available one?

4 A. He was the XO at-- General Hill made him the XO down at
5 Arifjan----

6 Q. Did you ever-- I guess this goes back to, you didn't have
7 any of the other choices because there were no other?

8 A. I really didn't. I had no depth. I had a battalion
9 commander, by the way I forgot to mention him, Colonel-- Lieutenant
10 Colonel [REDACTED] who in the first week of July went back to the
11 states. He was medivac'd to Germany for a [REDACTED] and then
12 they sent him back to the states and he never came back. I had a
13 Captain, [REDACTED] who stepped up to the plate and took charge of that
14 BLD, and he did a great job.

15 Q. You had another Captain, a Captain [REDACTED]

16 A. Captain [REDACTED]

17 Q. Could you elaborate on his conduct?

18 A. Also out at Baghdad Central and I found out about the
19 incident after it had been investigated informally by [REDACTED] and---

20 -

21 Q. So none of these officer misconducts were reported to you
22 initially until after an investigation was conducted?

1 A. The only-- the only infraction that was reported to me was,
2 and I might think of another one, but I-- I-- the one on Lieutenant
3 Colonel by the name of [REDACTED] who was a BLD commander, and he was
4 out of Indiana and a Specialist was being harassed by him. And he
5 had exchanged emails or sent her emails of a very suggestive nature.
6 She provided them to me. I initiated an investigation. Colonel [REDACTED]
7 did the investigation and Colonel [REDACTED] was removed from the
8 position. I can't say he was relieved because it's not a command
9 position, although they call themselves commanders. And he was
10 reassigned to a different position and Major [REDACTED] who was the XO
11 of that BLD took charge of the BLD. He was very weak, but----

12 Q. What disciplinary action did you take on Colonel [REDACTED]?

13 A. I removed him from the position, gave him a letter of
14 reprimand, and OER that was appropriate for his behavior.

15 Q. You assigned him somewhere else?

16 A. We did. Sent him back here to 377th, General Stoltz put him
17 in the 143rd in a position that Colonel [REDACTED] was holding before he
18 gave him up to take command of the 724th. And Colonel [REDACTED] was
19 not responsible for supervising anyone. He's filling a position down
20 at the port and all reports say he's doing a good job.

21 Q. What's Captain [REDACTED] disposition now?

22 A. Now? He is assigned to the 377th.

23 Q. Has he been relieved?

1 A. He has been. He was relieved immediately.

2 Q. What was the allegation against him?

3 A. The allegation was taking photographs of a soldier while
4 she was in the shower facility.

5 Q. Seems to me that there's a tracking. All the stuff that
6 you've indicated so far. That you had serious disciplinary problem
7 with both enlisted and officer in your Brigade.

8 A. And especially in the 320th, yes, sir.

9 Q. And given those circumstances there, wouldn't that have
10 been, in retrospect, more palatable to induce new leadership if they
11 were available into that Battalion?

12 A. Yes, sir. But I didn't have anybody available.

13 Q. Despite the fact that you could have taken some risk and
14 moved some people outside of current positions, like the three or
15 somebody else. There's another major that was working in the three
16 shop at that time.

17 A. Major [REDACTED]

18 Q. Right. Because I believe one of your staff members
19 intimated that their infusion of sorts of support requirements into
20 the Brigade, especially for the 320th because they were short handed
21 because of their mission requirements. Let me ask you're assessment
22 here. What you indicated to me that you would highlight problems or

1 issues to Sanchez or Wodjakowski or Miller or anybody else at CJTF-7,
2 did you feel like they were blowing you off----

3 A. Yes, sir.----

4 Q. ----Or, you know, did you, based on that feeling, did you
5 convey to General Speaks or even General Diamond at that point?

6 A. I did. I-- several times I said to General Speaks when I
7 came down to talk to him about Command Sergeant Major [REDACTED] He
8 said,-----

9 Q. Did you tell-- did you tell General Diamond about it?

10 A. I did. And I not only told him about that, but I said,
11 several times when I was down at Arifjan and General Diamond was
12 there. I-- I may have had one conversation with General Kratzer
13 before he left, but it-- it happened fairly quickly after I took
14 command. I did talk to General Kratzer and Command Sergeant Major
15 [REDACTED] about Command Sergeant Major [REDACTED] and I did a letter of
16 reprimand--I talked to him verbally, counseled him and I told him
17 that it wasn't going to be a conversation next time and he just
18 completely disregarded that and uh----

19 Q. Who was this again?

20 A. Command Sergeant Major [REDACTED] I talked to General
21 Diamond about him, I talked to General Kratzer about him, I talked to
22 General Speaks about him. I talked to General Wodjakowski about him.
23 I told him I was coming down to see General Speaks about it because I

1 needed a command sergeant major before I could take him out of that
2 position. And he said, "What has he done?" And I said, "This is
3 what I-- the action I took thus far and he's continuing to do that."
4 And he said, "Well we're probably going to have to do an
5 investigation and if he's guilty and then we're going to have to fire
6 him." And I said, "Can you start to look now?" I talked to the
7 Command Sergeant Major at CJTF-7 and Command Sergeant Major [REDACTED]
8 said that uh--let him know and he would find a CSM for me. Sir, I--
9 the reason it seems and it was likely that I took a lot of the
10 actions that I did and took charge of situations myself was because
11 nobody was helping. I got Colonel, this Lieutenant Colonel [REDACTED]
12 came to see me and said, "I understand you're looking for a a Sheriff
13 out at Baghdad Central, an FOB-- or-- base defense planner." And I
14 said, "Well, where did you come from?" And he said, "Well I was on
15 179 day orders. I spent two months down at CFLCC, and now I'm up
16 here and I'm really looking for a job." And I said, "Well, what do
17 you bring to the table." And he said, "Well, ya don't have anybody,
18 Ma'am, so I might be all you get." And I said, "Well, I'll be in
19 touch with you." I just didn't need another problem, and there were
20 lots of people that were up there offering to help that were
21 straphangers. They didn't want to work they just wanted to stay in
22 Iraq. And I had radar detectors going off all over the place with
23 those people. I didn't need any more problems. The Battalions were

1 functioning and the MPs were doing a great job because they were
2 dedicated; because they were professional. And because they knew
3 they could do this job. But, sir I gotta tell ya, it was-- as
4 General Hahn said one time, he was asking me some questions, and he
5 said, "And how many battalions do you have, four or five." I said,
6 "Nine." And uh, "How are the prison rebuilding systems coming?" I
7 said, "Sir, there's a lot of problems with it, there's-- there's all
8 the obvious indicators of theft of those millions of dollars that
9 they were supposed to be putting into rebuilding the prison. And he
10 threw his pen down on the desk and he said, "We're running a prison
11 system for an entire country by the seat of our pants. What's CPA
12 doing?" And I said, "There's two experts there and they're leaving
13 in about 30 days." And the guy who was running the prisons
14 department was a budget officer.

15 Q. Let me go back to your sergeant major. Sergeant Major
16 [REDACTED] came out of your ops, okay. And obviously a trusted agent
17 because you picked an ops sergeant major as opposed to picking a
18 serving Battalion Command Sergeant Major to come up and given the
19 fact that it probably put him in a tenuous situation of being a
20 junior guy that's going-- now going to do that. Did you know he was
21 also dividing his time between what you had directed him to do and
22 the other time was that he was working in--as the Ops Sergeant Major?

23 A. He was in the TOC where I was. And he was----

1 Q. Understand, but then did he tell you that he was also
2 working to keep up in helping the S-3 shop?

3 A. The-- there may have been some projects that he had
4 initiated or was involved with, but we got a master sergeant
5 promotable from the 317th and we got a-- a sergeant, another senior
6 NCO that came in and they were taking that responsibility away from
7 the Ops Sergeant Major. I-- I know, sir, and I talked to Sergeant
8 Major [REDACTED] about putting him in that position. But, as opposed
9 to taking a Command Sergeant Major from one of the Battalions and
10 putting him in the Brigade because there was nobody after the Command
11 Sergeant Major, with the exception of First Sergeants in some cases,
12 I made that decision because I felt that the Battalions needed the
13 chain of command as it was. And sergeant-- Command Sergeant Major
14 [REDACTED] wanted to be the Brigade Command Sergeant Major. His
15 Battalion Commander, Colonel [REDACTED] said, "I really need him up here
16 at Ashraf." And I knew what that mission was and it was becoming
17 more intense and I made that decision. I-- I did an evaluation of
18 who would be hurt the most and I preferred that it be the Brigade uh-
19 -because I knew that Sergeant Major [REDACTED] was strong enough to
20 talk to the other CSMs and-- and it had been disruptive enough, sir.
21 Q. Well, in retrospect, given that you're not getting much of
22 an assistance from higher command, that your own staff was

1 overwhelmed in providing all sorts of assistance to the Battalions,
2 you still took that risk.

3 A. Yes, sir, I did.

4 Q. Okay. You didn't know that he was pulling double-time so
5 to speak.

6 A. I-- I didn't-- oh I wasn't aware that it was a problem.

7 Q. Okay. What did what priorities did you give him?

8 A. I wanted him to get out to the Battalions, each ones
9 separate locations to make sure that the soldiers were being taken
10 care of, that the Battalion Command Sergeant Majors understood the
11 direction we were taking. Any of the new changes of information,
12 that the rules were going to be standardized from facility to
13 facility to facility and they were. And that he had my authority to--
14 - I mean as the acting CSM-- I'll tell you the only thing I might
15 have done differently in retrospect was that the 310th had a Command
16 Sergeant Major [REDACTED] and a Master Sergeant [REDACTED] And Master
17 Sergeant [REDACTED] since then came out on the CSM list, the promotion
18 list. So, I could have taken one of them and probably been done
19 little disruption, but at the time, Sergeant Major [REDACTED] was
20 there and it was a fix. And he was strong.

21 Q. Would it surprise you that somehow it overwhelmed it?

22 A. It would surprise me. Cause----

1 Q. Would it surprise you to figure out that because he divided
2 his time, he lost-- lost focus of his priorities as your senior
3 enlisted advisor that could have assisted you in your quest to get
4 all sorts of things fixed in the whole Brigade?

5 A. It surprises me because he was out there doing that.

6 Q. That's what he told you? Did he travel with you?

7 A. Occasionally he did travel with me.

8 Q. How often did both of you share some of the information,
9 both in your travels and your observations down to the Battalions?

10 A. All the time. When I came back from any trip, or wherever
11 I was, if he wasn't with me, we sat down and talked about it.

12 Q. Okay.

13 A. Uh-this is when I saw these soldiers doing-- Sergeant Major
14 [REDACTED] is still trying to color outside the lines, is I-- the
15 expression I used. When I----

16 Q. Why didn't you just move [REDACTED] knowing full well that he
17 had--was a problem to you? Why didn't you just yank him off instead
18 of perpetrating all of that?

19 A. I did. I did, but it was too late.

20 Q. First time. I mean, you took charge. You keep telling me
21 you were taking charge.-----

22 A. Yes, sir.-----

1 Q. ----But if you were taking charge, you would have fixed the
2 problem with them.

3 A. Sir, when I went to CJTF-7 from whatever the first incident
4 was at Baghdad Central, and I believe it was when the mortars started
5 to come in and killed six of the prisoners and injured forty-seven.
6 We stepped up the campaign. It was several times a day then, as
7 opposed to just once a day asking for force protection and
8 emphasizing in the 3, in the CJTF-7, they didn't want to be bothered
9 with it. They did not want to be bothered by me. And-- were they
10 blowing me off because I was a Reservist? Yes. They used the excuse
11 that I was TACON? Yes. And for a lot of other reasons? Absolutely.
12 But, we asked, and we got nothing. We had to find a way to do it,
13 because they wouldn't help. Sanchez didn't care until two MI
14 soldiers were killed. When those prisoners were killed, General
15 Wodjakowski said to me, but they're prisoners Janis. Did you lose
16 any soldiers? And I said, "I could have." And my soldiers take the
17 care of those prisoners seriously. They didn't care. And I was
18 told, "I don't care if we're holding 15,000 innocent Iraqis, we're
19 winning the war." And you're making enemies out of everyone of those
20 people you're holding without a reason. I said, "I'm on the security
21 detainee release board and reviewed these records. Not a piece of
22 evidence in the file." Put him back in the booth because his name is
23 Omar, or because his name is something related to Al Queda. This

1 isn't a fair carriage of justice. This isn't dignity and respect.
2 This isn't the road ahead you are allegedly preaching all of the
3 time. This is corruption at its finest. This is smoke and mirrors,
4 a façade of security in Baghdad. There was no such thing. And the
5 Divisions kept giving us more prisoners. Well, increase capacity.
6 Where would you like me to increase capacity? Cram some more tents
7 into the compound. The guy who's in charge of the FOB, on Christmas
8 Day, the LRS team that fell from the sky when those four people were
9 more than he could handle. They're going to do a capabilities
10 demonstration that day. We went out to visit soldiers, to see them.
11 [REDACTED] wasn't there, he'd gone home on emergency leave and he was
12 trying to get back to Baghdad. I saw those guys getting ready to go
13 out on an operation, I said, "Where you guys going?" They said, "Oh
14 Ma'am, we're going to do a capabilities demonstration." I said,
15 "Really? What--what time?" They said, "Well you know these reports
16 about them trying to overrun the prison out here, we just want to
17 make sure that they understand that we're right here." Two
18 helicopters-- he gave me a real quick briefing on what they were
19 going to do. And I said, "What time?" And he said, "Around twelve
20 o'clock." "Okay. Where?" "In the big compound around Ganci, no
21 Vigilant." So I said, "Is it going to be over the security
22 detainees?" "It's going to be over the big compound." That's Ganci
23 actually and most of them are security detainees. But-- so we're out

1 visiting, we're in the-- we're in the towers talking to the MPs and
2 all of a sudden the helicopters come in and they had planned this and
3 orchestrated it. They had the marks on the ground, away from the
4 tents and one helicopter comes in and hovers right over one of the
5 tents--right over one of the compounds. And nobody's jumping out of
6 the airplane, nobody's repelling out of the helicopter. And all
7 these tents are blowing everywhere, and the clothes that they just
8 hung up to dry that they'd washed in wash basins and everything else,
9 and then they act as if this is a surprise and they go over to the
10 spot where the other helicopter is, which was right on the mark. And
11 I called Colonel [REDACTED] and I said, "Your guys did this
12 intentionally." "I can assure they didn't do this intentionally." I
13 said, "If they practiced, then how did they get it wrong, because my
14 MPs are the ones who have to bring that under control this afternoon
15 when they get pissed off about what just happened." And I said,
16 "Don't tell me it wasn't intentional. Don't screw with me. I don't
17 have any patience for this kind of stuff." And he said, "I can
18 assure you Ma'am, I talked to them already, it was a mistake." And I
19 said, "Tell me how you make a mistake." "There's no compounds."
20 "There is a compound. And you decide to hover over the compound?"
21 He said, "I'll take care of it." And--and we didn't have an issue
22 because the detainees knew that it was a holiday and chose not to
23 make an issue out of it. General----

1 Q. Did you report--did you report that to the General?

2 A. Yes, sir I did. Yes, sir I did. Nothing happened. Or-- I

3 mean-- not that General Wodjakowski has to come back and tell me what

4 he did, but he--he didn't. And nothing happened. General Sanchez

5 cut a FRAGO to send me up to the MEK because he was getting beat up

6 by Secretary Rumsfeld and he wanted a general officer up there that

7 could give 'em ground troops. So they cut a FRAGO to send me up to

8 Ashraf. I went to General Miller, I asked him twice. He said--I

9 went up as soon as I got the FRAGO. I think it was even in a draft.

10 And I went up to see General Miller and I said, "You know, I have a

11 Brigade to run, I just don't-- and Ashraf is not convenient." He

12 said, "If there's any opportunity to get him to change his mind, it

13 will be today. Let me see if there's a chance this afternoon." I

14 talked to him that night and he said, "You gotta go because this is

15 high visibility, it's gonna get more so and they want to close the

16 radio station. He just needs you up there." "Okay." I went to

17 Wodjakowski at the SUU and I said, "You know I'm moving up to Ashraf.

18 I have a Brigade to run, it's not running as smoothly as I'd like it

19 to be. Bucca's not closing, it's staying open, we have a new

20 contract for 48 million dollars. I mean, the last place I need to be

21 is up at the MEK compound. I can go up there, there's a Battalion

22 Commander up there that knows what he's doing." "You have to go." I

23 go up there and-- okay-- we made a couple of changes and everything,

1 they delivered this message and they closed the radio station down
2 and I never got a call from Secretary Rumsfeld and everything seemed
3 to be okay.

4 Q. Was that a-- a directive to move your TOC or just you?

5 A. Just me.

6 Q. Did you stay there for a period of time?

7 A. Yes, sir.

8 Q. How long?

9 A. Until relieved from that mission.

10 Q. So who did you turn the Brigade over to?

11 A. I didn't turn the Brigade over to anybody. I just
12 commanded the Brigade from up at Ashraf.

13 Q. Was that information conveyed to all your Battalion
14 Commanders that you'll be----

15 A. It was.

16 Q. Let me talk a little bit about what happened with the 372nd.
17 What do you think caused that to happen?

18 A. I think there were several important things that caused it
19 to happen. Because I don't have all the details of when or if it was
20 more than one time, but---

21 Q. Over a period of time----

1 A. ----I think there were some--I think there were some bad
2 people, bad MPs, bad soldiers, just bad people. And one of them,
3 unfortunately has a history of this in his civilian job.

4 Q. Did you know that before?

5 A. I did not. But General Gagin did, and didn't decide to
6 share the information with me until after this thing broke loose.

7 Q. Who's General Gagin?

8 A. He was the 220th MP Brigade Commander. And one of his NCOs
9 works with Grainer in his civilian job, and Grainer was apparently
10 suspended several times for prisoner abuse. And he told General
11 Gagin, "You know there's a guy in the 800, and that was back in
12 September or something," and he said, "Do you think I should tell
13 General Karpinski?" And-- well-- let's see what happens. I don't
14 know what he said, but he told me afterwards and he said he knew
15 before and unfortunately he didn't tell me. And we uh-- the MI said
16 that they-- at the time, since you're familiar with the cell block
17 there, there's a door on the end of the facility as soon as you come
18 in there's cell block 1A and 1B and then the hallway. The offices
19 outside of that cell block, there were separate offices, and they
20 were used by the Iraqi corrections officers, the--the warden and then
21 they used it for a break room and that's where the female Iraqi
22 corrections officers would be. So the MI wanted a privacy panel put
23 in place at the-- on the cell door----

1 Q. You mean a partition?-----

2 A. -----a partition to-- to prevent anybody from seeing into
3 the cell block and uh--he said, "What we really want are those
4 offices outside, and CPA said no." And--and I did talk to-- at that
5 time it was a guy by the name of uh-- [REDACTED] anyway he's in
6 charge, and they said no. You know, that was their facility, and as
7 a matter of fact, the MI was going to have to find a new place to use
8 for interrogation-- or for isolation cells. So, they didn't push it,
9 and-- and they put this-- they had the engineers put this plywood
10 panel partition so you couldn't see down the cell block. And they
11 implemented-- they being Colonel [REDACTED] they implemented procedures
12 where nobody from the Battalion, without permission----

13 Q. This is [REDACTED]

14 A. This is [REDACTED]--- could go into the cell block unescorted.
15 There was an MI operation, except for the MPs who were only taking
16 them out of the cells, putting them back in the cells, taking them to
17 showers or whatever and giving their meals, making sure the medical
18 piece was taken care of.

19 Q. Was that already cleared with you that MI would take
20 control of that tier, or did [REDACTED] take it upon himself to assume
21 control of that tier?

22 A. I actually helped them to procure or secure that facility.
23 I went to-----

1 Q. [inaudible]----

2 A. ----Yes it was. I went to the CPA and I said, "Some of
3 these are bad people, and they don't have an interrogation facility,
4 and if we could use that 1A, umm--that would be a great benefit."
5 And they agreed to it. Umm----

6 Q. Did you-- did that relinquish control of that tier to the
7 MI or did you?

8 A. I-- I-- I did. I mean, I----

9 Q. Because comments were made that there were never any MI
10 controls since there were still MPs guarding that.

11 A. There were MPs guarding it. But it was under MI control,
12 Lieutenant Colonel [REDACTED] who's no longer there, is the one who ran
13 cell block 1A. He would-- every time I was out there, he would
14 appear. And I said to him one time, "Do you ever sleep?" Uh. And
15 he said, "No, this is my responsibility." So, and it was-- no there
16 was MPs there because MI-- they don't do guard duty. So it was the
17 MPs who were doing the-- the guarding role, but it was MI-- the Mis
18 people were responsible for who went in there, when they came out,
19 how long they stayed in isolation, when they were interrogated,
20 everything.

21 Q. What was the established interaction between them and the
22 MPs that umm--that the MPs, you thought, understood that-- that the
23 MI would control access to those facilities?

1 A. Right. And the M-- the MPs up until the time that Pappas
2 took over as the FOB Commander, the MPs understood that the MI had
3 the authority to come in there, tell them who they needed to-- and at
4 that time the MPs were still escorting them, so they could say, we
5 need Prisoner Number 12345, we're going to take them to the
6 interrogation room and probably be out for an hour or two hours, or
7 we don't know how long. They occasionally somebody from the ISG
8 would come by with somebody from MI to get a prisoner out to
9 interrogate them. In most cases they didn't interrogate them there
10 on-site, they took them to the ISG facility. They signed a
11 handreceipt and----

12 Q. ISG or the JIDC?

13 A. The ISG. The Iraqi Survey Group.

14 Q. Okay. Were there other folks that were interrogating these
15 prisoners?

16 A. OGA. Other Government Agencies, they were a variety: CIA,
17 uh--Delta Force----

18 Q. So it was a multitude of other folks that were accessing
19 Abu Ghraib, tier 1A----

20 A. They could not access tier 1A without somebody from the MI
21 and it was usually--during the day it was usually Captain Wood and--
22 or somebody from the MI doing it.

23 Q. But umm----

1 A. But they weren't out there in the same force that they're
2 out there now. They weren't that organized. They had a couple of
3 tents----

4 Q. Was that before [REDACTED] or after [REDACTED]

5 A. That was before [REDACTED] and [REDACTED] was out there the night
6 that the mortars killed those two MI soldiers.

7 Q. But when [REDACTED] showed up, to take responsibility for the
8 FOB, did that continue?

9 A. Yes, and became it increased.

10 Q. Okay. Alright.

11 A. And-- and I really can't speak for how much took place over
12 at Vigilant because their interrogation booth was right there. The
13 MI people would go into the compounds, take somebody out, take them--
14 we didn't-- the MPs didn't even have to get involved in the process.

15 Q. Did [REDACTED] inform you of this particular setting, or was--
16 did [REDACTED] understand that particular arrangement, or was that
17 arrangement between you and Colonel [REDACTED]

18 A. I didn't have any arrangements with Colonel [REDACTED].

19 Q. How was that translated, in terms of who is going to take
20 control over what?

21 A. We--Colonel [REDACTED], Major [REDACTED], Colonel [REDACTED]
22 Captain [REDACTED] and I sat down out at Abu Ghraib----

23 Q. Without Colonel [REDACTED] just the MI?

1 A. No, Colonel [REDACTED] Captain [REDACTED] Colonel [REDACTED], Major
2 [REDACTED] and myself----

3 Q. When was that, do you know?----

4 A. Uh--that was before he took uh--command of the FOB. .

5 Q. That was prior to----

6 A. Much-- much before that. Because it was after--it was just
7 after General [REDACTED] left. And I-- I it was my impression that
8 Colonel [REDACTED] got beat up pretty badly by General Miller, I mean in
9 terms of his criticism. And-- and he was having a pretty difficult
10 time with General Fast. So, I wanted to support him, we all did.
11 And if made the interrogation operation go smoother, then it meant we
12 were going to be able to release prisoners faster and our population
13 would go down, so everybody felt the peace of the--derived some
14 benefit from it.

15 Q. Would it surprise you if I told you that that arrangement
16 never occurred?

17 A. What arrangement never occurred?

18 Q. The arrangement that the MI stipulated that they never had
19 control, absolute control, of that tier 1.

20 A. That's not true. I mean, the MPs were, like I said, they
21 were guarding it, and the MI would come and say I need prisoner so-
22 and-so, and the MPs would go and get them and come back. But they---
23 -

1 Q. In your mind----

2 A. Colonel [REDACTED] was in charge of that cell block, sir. And
3 Colonel [REDACTED] worked for Colonel [REDACTED]

4 Q. But, who replaced [REDACTED]

5 A. Nobody did. He-- I mean, you want my opinion? The timing
6 was very suspicious. He was gone just on the leading edge of when
7 the investigation opened up.

8 Q. Okay. Alright. So let me ask you again. So the
9 responsibility for the actions of those soldiers, that were charged
10 by CID for mistreating those detainees should fall on the MI as
11 opposed to the MPs?

12 A. The responsibility? No sir. I saw some of the pictures.
13 The--I think the MI gave the MPs the ideas. And I think----

14 Q. So there's some complicity to that?

15 A. Yes sir.

16 Q. You're suggesting that there is?

17 A. ----And I think that it became sport. And--and even saying
18 this makes me feel sick to my stomach, but, they were enjoying what
19 they were doing and the MPs who saw this opportunity-- seized the
20 opportunity. I don't know if they shared the ideas with the MIs or
21 whatever they did, but there was definitely agreement, and-- then
22 some of the procedures they were following, they just elaborated on.
23 And-- and I would imagine and I don't know this to be fact, but would

1 imagine it went something like this-- in the DFAC or when they were
2 sitting around the Internet Café. "Oh yeah, you should see what we
3 do to the prisoners sometime." "Can I come over and watch?" "Oh
4 yeah. How about Thursday." And because we had a clerk over there
5 who was thoroughly enjoying all of this sport, and the pictures
6 anyway, and she was the girlfriend of the guy who was one of the
7 kingpins in this. We had a guy from the maintenance who must have
8 been one of the invited participants and-- these are bad people.
9 That was the first time I knew that they would do such a thing as to
10 bring a dog handler in there to use for interrogation. I had never
11 heard of such a thing and I certainly didn't authorize it. And if I
12 had heard about it, I would have stopped it. I don't believe we've
13 ever had a dog in the hard facility.

14 Q. Speaking of dogs. Did you know that between the Army and
15 the Navy dog handlers that they were not placed in their one command
16 and control that they operated separately?

17 A. That was at the direction of-- I don't want to put anybody
18 on the hook, but I believe it was CFLCC. It's a-- it's a CENTCOM
19 asset.

20 Q. But, somebody requested for them.

21 A. We did. But there were already two dogs there. The MI
22 either brought them from Anaconda or-- and they said they were
23 strictly for their operation.

1 Q. Certainly, somebody requested for them. At least the three
2 Navy dogs. That they would be placed under one command and control
3 and be utilized properly without proper authority for employment.

4 A. Yes, sir.

5 Q. Did you check on them?

6 A. No sir, I didn't.

7 Q. Okay. Alright. Given the circumstances then, do you
8 believe that perhaps proper supervision at night since these events
9 happened between the periods of 2200 and 0400 and who would you place
10 that supervision responsibility to?

11 A. There is a and-- and it is precisely the reason that
12 Sergeant [REDACTED] is relieved from-- or suspended from his position
13 right now. Because he was responsible. He was the Sergeant of the
14 Guard, the NCOIC, whatever term they were using. He was all of those
15 things. And a platoon sergeant.

16 Q. Did you know what the Platoon Leader or the Company
17 Commander were doing?

18 A. I do not. And I talked to the Captain [REDACTED] myself. And
19 he said randomly he or the First Sergeant, or both of them would go
20 through all of the facilities.

21 Q. During night or day?

22 A. Nighttime, daytime, afternoon, lunchtime, feeding time.

1 Q. Would you be surprised to hear that Captain [REDACTED]
2 priorities was not detain-- detention operations, it was improving
3 the facilities seventy percent of the time?
4 A. I would be surprised to hear that, yes sir, because that's
5 not what he told me.
6 Q. Alright.
7 A. And I don't-- what would he be improving? The LSA?
8 Q. I was just conveying to you what he put on his statement
9 and he conveyed to me.
10 A. Because the contract there was for Iraqi contractor work to
11 do the facility work, it was not for----
12 Q. That was what he conveyed and umm--as far as he was
13 concerned, his chain of command knew of his priorities. Thereby
14 depended and over-relied on personnel who had correctional facilities
15 experience. Did he tell you that?
16 A. He did not.
17 Q. Okay.
18 A. Him and the First Sergeant both talked about how they were
19 fully involved in the operation. He didn't say anything about
20 seventy percent of his time doing facilities management.
21 Q. He put that on the Sworn Statement. And that's exactly
22 what he intimated in the----

1 A. Well, he's had enough time to figure out what the best
2 avenue approach is, I guess.

3 Q. Well, let me put it this way. Knowing that the importance
4 of that particular facility, how often did you talk to the company
5 commanders?

6 A. I--

7 Q. Did you senior rate all the company commanders?

8 A. I did. Uh-- I saw all the company commanders. I-- I would
9 tell you that the-- unfortunately, that the largest gap of time uh--
10 between seeing a company commander and between seeing a company
11 commander and seeing him again was more than six weeks with Captain
12 [REDACTED]

13 Q. Would it surprise for you to know that there's at least one
14 Company, the 320th as we speak today, or then at that time, that was
15 assigned to that Battalion, 320th, and up until I believe two weeks
16 ago was being utilized as a filler company?

17 A. [Pause] Would it surprise me to know that?

18 Q. That they were not employing him in his capability as a
19 cohesive company with his capability, but yet he's being used as the-
20 -you fill here, you fill there. So, basically,----

21 A. his company was spread out.

22 Q. Right. And he doesn't have a function.

1 A. He-- if he's being used as filler, I mean, he's doing an MP
2 mission.

3 Q. He's doing an MP mission that----

4 A. The Company Commander doesn't have a----

5 Q. ----the Company Commander is not responsible for any
6 specific mission because his Company was being utilized as a filler
7 company. Individual----

8 A. I would tell you----

9 Q. ----fillers, not as a platoon, not as a squad, it was fill
10 this and fill that.

11 A. I will tell you, sir. It doesn't surprise me. Uh--I
12 didn't know about it, but like I said, I saw all those company
13 commanders out there whenever I visited----

14 Q. Sure, but nobody ever mentioned any problems of how things
15 are being----

16 A. No, because the personnel numbers were so serious and Major
17 Sheridan was really making the best effort to get those internal
18 taskings reduced. And it took a whole MP Company just to do the
19 taskings. It got better when we got-- when the 82nd put a Company on
20 the same compound.

21 Q. How many Companies did the 320th have?

22 A. Umm--

23 Q. Six, seven, eight?

1 A. No, no. The 372nd, the 670th, the 186th, and some of them
2 were guard companies and some of them were combat support.

3 Q. You had the 229th. 229th MP Company's also there. It's an I
4 and R Company.

5 A. Some of them come up-- some of them came up because we were
6 getting ready to--some of the other companies to leave.

7 Q. General Karpinski, what would you recommend for corrections
8 of detainee abuses?

9 A. Sir, I--I actually started to make some of the-- I think--
10 I started to implement for the rotational forces coming in. I called
11 the Battalion Commanders that were coming in behind the rotational
12 brigades when I could get in touch with them at their mob station. I
13 told them that they needed to, ya know, get the people involved, to
14 give briefings to their soldiers before they deployed over here about
15 the potential for detainee abuse. The indicators--the processes or
16 procedures to head off infractions, to continue to reinforce it.
17 Umm--and I think that soldiers need to be reminded. I-- I-- at the--
18 at the guard mount, at shift change, on duty. You take an example of
19 an MP company like the 320th MP Company, which is out at Abu Ghraib.
20 They were down at Talil, they're a combat support company, but their
21 First Sergeant and the Company Commander were very much involved in
22 the Company and the operations. Talked to soldiers all the time,
23 gathered them in small groups. The First Sergeant was fully engaged.

1 Q. Is that Captain [REDACTED]

2 A. It is.

3 Q. Would it surprise you that he was the one who is saying it
4 is not utilized as a Company up there today? That he is being used a
5 filler Company.

6 A. He's not being used as a filler Company, sir.

7 Q. How do you know that?

8 A. Well, I know what they're doing. They were the-- they
9 were-- they're not doing a combat support MP mission, because that's
10 how they-- they weren't deployed to do that mission. They-- couple
11 of the teams, the driving teams were tasked to the TOC to do my PSD.
12 My two vehicles were from the 320th MP Company. He had some MP units
13 that were doing the escort missions down to CPA or down to Bucca if
14 we were transporting prisoners. He would-- so he's got a variety of
15 missions, but they're not filler personnel. He may have used some of
16 his MPs to do some of the force protection towers. But there isn't a
17 Company that's doing only force protection. I wish I had the luxury,
18 I'm sure the battalions do too.

19 Q. His comment to me was, when I asked him, "What specifically
20 is your mission set?" And-- then he mentioned something about I have
21 compounds boom, boom, boom, boom. I don't recall those compounds,
22 and I said, "So you're directly responsible for those compounds
23 then?" He said, "No, that's relegated to Headquarters and

1 Headquarters Company 220th MP Battalion. So what is your extent of
2 your responsibility?" I said, "I just provide personnel." So in
3 essence----

4 A. Well that's not what his support form said, and that's not
5 how he was rated, and that was never my impression when we walked to
6 the different compounds that were under his control.

7 Q. Well, the support form-- the support form doesn't really,
8 and you mentioned that that everybody should have-- could have
9 mistaken your support form for that of command philosophy?
10 Basically----

11 A. Sir, I never focused on that.----

12 Q. Well, I'm just making a comment to the comment you made.

13 A. Yes, sir. But----

14 Q. -----And so, basically, the Company Commander is given a
15 mission and the Company Commander felt that he's got a capability to
16 provide. And the Company Commander felt that he's not-- his
17 capability's not being utilized. Cause I asked him directly, "What
18 is your mission?" And his response to me was, "I'm a filler Company,
19 sir." Today, I said, "How long has it been going on?" He says,
20 "From the time I arrived until last week."

21 A. Well, that's not true. He was down at Talil, they didn't
22 have a vigorous mission down at Talil, they went out and did the same

1 thing. They did law enforcement, patrols, down to the prisons in
2 Najaf.

3 Q. Do you know what the 229th MP Company's mission is?

4 A. They're responsible for the URF and for the compounds at
5 Ganci.

6 Q. So, basically they're being utilized as a guard company?

7 A. They are. All of our MP units are being utilized as an
8 escort guard or guard company for this confinement mission.

9 Q. Would it surprise you that Captain Jones trained himself
10 and nobody ever validated him prior to deployment?

11 A. That does not surprise me.

12 Q. Did you know that he had prior experience as an MP, prior
13 to taking command of that Company from the Virginia Army National
14 Guard?

15 A. I did not.

16 Q. Did you know that he had to provide support to the canine
17 unit, both Army and Navy, but he does not have command and control of
18 those canine units?

19 A. That's with the HHC or with the Headquarters of the 320th?

20 Q. Somehow, somebody's yet to find a house where those dogs
21 were. That's what I mean. It's knowing what each of those Companies
22 do, because it's their capability that you want to utilize. Okay,
23 what other recommendations would you make?

1 A. I think that the-- the span of control covering the whole
2 country of Iraq is too big without the additional assets, either
3 aviation assets, or transportation assets, engineer. General
4 Wodjakowski did tell me several times that they did not do a good job
5 of supporting us. We were running 15 civilian jails and 5 internment
6 facilities, and he said, "You're running three internment facilities,
7 how hard can that be?" He didn't know what we were doing.

8 Q. How often did-- you had the SUAs. I guess in the separate
9 unit updates provided it depicted at least number of detain--
10 detention centers you were-- you were operating; number of Iraqi
11 prisons that you were overseeing or providing training for; number of
12 other things that you were missioned for; number of detainees that
13 were accounted for, based on the last report; and personnel situation
14 and your operational revenues to accomplish that mission. Umm--when
15 those were posted, to include your maintenance capabilities, what was
16 the-- what was the percentage-- what would you-- what would you
17 consider as your C rating would be?

18 A. Overall?

19 Q. Overall.

20 A. C-3 at best.

21 Q. And that was amplified, you mentioned repeatedly to the
22 Battalion, to the CJTF-7?

1 A. It was. I-- I said to-- now when Colonel--General West
2 came in, he wasn't there originally, I don't remember who his
3 predecessor was who was the 4. But General West was-- and-- and
4 General Davis who was the Engineer Commander at the time, both of
5 them gave me tremendous support, but it was after we had found
6 another way, another mechanism to do it.

7 Q. Sure. Which was network with your fellow general officers.

8 A. General.

9 Q. Networking with your fellow general officers, you know.
10 Was that helpful to you?

11 A. They-- General West was very helpful. General Davis was
12 very helpful. The CA guy who is General Kern, and said several times
13 "I don't know anything about detention operations, but, ya know, tell
14 me what else is going on." We couldn't get CA support. We could not
15 get CA support. I spent time with General little bit of time with
16 General Hahn and uh--and really the only time General Sanchez or even
17 General Wodjakowski spent any time or showed any interest in anything
18 I was doing was when there was a problem.

19 Q. You--previously you appeared very critical of General
20 Sanchez or General Wodjakowski for their lack of concern or lack of
21 support on behalf of your mission and on behalf of your soldiers.
22 Would you kind of draw conclusions as to why that is? Your
23 perception why that is?

1 A. I think that General Sanchez is [pause] I think that his
2 ego will not allow him to accept a Reserve Brigade, a Reserve General
3 Officer and certainly not a female succeeding in a combat
4 environment. And I think he looked at the 800th MP Brigade as the
5 opportunity to find a scapegoat for anything that his active
6 component MI Brigade or his active component MP Brigade was failing
7 at. And if I was not capable, why didn't he tell me? Why didn't
8 somebody tell me sit down and let me give you some suggestions
9 because when DEPSECDEF Wolfowitz came into the theater, the first
10 time he came out to Baghdad Central he stayed an extra hour and
11 forty-five minutes because he was so proud of me and what the MPs
12 were doing. And he told General Sanchez that, and one night when he
13 got behind schedule on another visit, he asked specifically if he
14 could see General Karpinski before he left because he wanted to hear
15 how the prisons were coming. And on the headphones in the
16 helicopter, General Sanchez and General Fast, who was briefing him,
17 he said, "Am I going to have an opportunity to see General Karpinski?
18 Because she always does a good job for me." And I thought at that
19 time, this is not a good thing. It is never good to be more popular
20 than your boss. If I was not doing my job, I wasn't aware of it.
21 And I'm sorry, but I took care of those soldiers, I took care of
22 those detainees. We provided support beyond what anybody expected to
23 the CPA to keep Ambassador Bremer out of trouble. Because when Major

1 [REDACTED] and Colonel [REDACTED] were trying to push all the jails off on us
2 in a briefing to General Sanchez, Major [REDACTED] said, "Well we don't
3 care if they're eating or not, sir, that's the Iraqi's
4 responsibility." And he corrected them. And we made sure that they
5 were eating and that they did have water. They didn't. Because in
6 spite of what General Sanchez was telling them, they were doing the
7 easy thing. And I think General Sanchez has no use for Reserve
8 component or National Guard soldiers. And he has little use, would
9 not see it as time well spent, mentoring me. How dare I succeed as a
10 female, as a Reservist, as an MP, in his combat environment? How
11 dare I. And I became determined to show him that I would.

12 Q. Who would you pin the responsibility on the actions of
13 those individuals at Abu Ghraib?

14 A. The MPs that were involved. That's who I'd pin it on and
15 I'd pin it on [REDACTED], the Platoon Sergeant, and the First Sergeant,
16 Captain [REDACTED]

17 Q. You wouldn't pin it on anybody else but them?

18 A. I would--it was Colonel [REDACTED] domain but it was
19 Colonel [REDACTED] FOB. And he was the one who established the
20 limitation for those cell blocks. He was the one, and Colonel [REDACTED]
21 was the one, whether he's here to say it or not, he was the one who
22 set the rules. Major [REDACTED] limited them and influenced them to
23 the extent he could by taking the MPs out of unhealthy and

1 inappropriate settings. But they were still the guards in those cell
2 blocks. And they were still the ones who did those things that they
3 did to those detainees.

4 Q. Do you think proper training, supervision, and effective
5 leadership, not just for that Battalion, but throughout the entire
6 Brigade would have sufficed, could have prevented it?

7 A. No sir, no sir. Because it's not typical.

8 Q. Given the fact that that same Battalion was involved in the
9 Bucca incident back in May?

10 A. Sir, I talked to-- was a different Company-- no that's not
11 an excuse, I talked to [REDACTED] and I talked to [REDACTED] and I
12 talked to them----

13 Q. It's your Brigade.----

14 A. Yes sir, yes sir. ----I talked to them the next day when I
15 found out about it, when I was out there. I talked to all the
16 Company Commanders and the First Sergeants. And-- and they asked
17 good questions. And they raised the issues again about fair and
18 decent treatment and when were they going to see magistrates, and
19 when were they going to be able to give answers, and how can you say
20 dignity and respect and then not give them anything that they're--
21 even the basics that they're entitled to: clean clothes, decent
22 food, bed or a mat to sleep on. These are bad people and people who
23 were led by bad people in that situation. But, once again, it was a

1 good MP, a good soldier who turned them in. I talked to [REDACTED]
2 about the consistency in these events. And that isn't something you
3 would put in an attribute column when you say, what did I do right or
4 what did I do wrong in this situation. "Did you exploit the
5 opportunity?" I asked him. "Did you exploit the opportunity to talk
6 to soldiers if they were assigned to the Battalion and tell them,
7 'This is what happened at Bucca and this is not tolerated here.'?"
8 And, no he didn't. Did he use the lessons learned? No he didn't.
9 Did he know how to do it? I don't even know if he did.

10 Q. You think possibly a command policy memo from you or
11 General Hill would have stipulated lessons learned at Bucca that it
12 not be repeated?

13 A. I think that would have been extremely helpful. The other-
14 - the other----

15 Q. But none of those memos fell out and you didn't follow up
16 on that memo?

17 A. No sir. And when the incident down at Bucca was resolved,
18 we spent months working on it and-- and I don't wanna say me, because
19 I don't wanna-- I can't take credit for the hard work that was done.
20 The 32, the CID investigations, the supervision of them at Bag-- at--
21 down at Arifjan. I think it was the first time they were effectively
22 supervised when Colonel [REDACTED] got them under control. But the
23 system failed us. And it was because the tenure had changed. And at

1 about the same time when those incidents were taking place out of
2 Baghdad Central, the decisions were made to give the guilty people at
3 Bucca plea bargains. So, the system communicated to the soldiers,
4 the worst that's gonna happen is, you're gonna go home.

5 Q. Where would you place them if they were not going to be
6 remanded to go home?

7 A. It was supposed to go to a court martial, and it didn't.
8 And suggestion by a Company Commander out there at Baghdad Central,
9 was that-- in front of everybody else, was that "Ma'am, everybody
10 knows the reason it didn't go to a court martial was because they
11 were protecting that Lieutenant Colonel who took a prisoner out to
12 the clearing barrel and cleared his weapon into the clearing barrel
13 right next to his head. And they wanted to be able to forgive him."
14 So that was the change in attitude. And I said,----

15 Q. Do you think that was associated in that?

16 A. Yes, sir. He said it there in front of a group of people
17 and nobody turned around like they were shocked by this revelation.
18 So I knew that that was what was permeating. What I told them during
19 that meeting was, "Look, let me tell you something, the UCMJ system
20 in my opinion is fair and impartial. And people who make decisions
21 to go to court martials or take other actions, do so with extensive
22 advice and study and everything else, whether you believe that or
23 not, okay." This took seven months to complete. But, let's talk

1 about results, okay? There were four cases. One that was considered
2 a relatively weak case, was plea bargained out, and the individual
3 signed a statement saying that this was planned, it was orchestrated,
4 and there was definitely collusion or whatever that word is that they
5 use.

6 Q. But did you know that the events actually happened since
7 you were not there?

8 A. Alright, well, I only know it from the Article 32 from
9 reviewing that case and then for recommending it go to court martial.
10 But I do know the results and I know why they--they gave that plea
11 bargain, or the plea package to the first individual. And that
12 individual signed statements saying this was planned, it was by
13 design, Master Sergeant [REDACTED] orchestrated the plan. She told us
14 exactly what to do, etc. etc. So, she gets an other than honorable
15 and goes home, yes. And she understands her responsibility to come
16 back in case it goes to a court martial. I said, "Do you realize
17 that if we went to a court martial on any one of those cases, any of
18 them if there were four or ten or twelve whatever the original number
19 was, the were all going to be tried individually because that's your
20 right under UCMJ. And do you realize that if we went to a court
21 martial and the board said or the panel said, "Not guilty," those
22 individuals come back as MPs and maybe back to the same unit or the
23 same battalion. And is that a factor, considering your options?

1 Absolutely. And I got a lot of stares that time, because there's
2 another side to the story there, there's another perspective.

3 Q. I don't think unless they get a bar to re-enlistment that
4 they'll ever make it back to wear the uniform.

5 A. Well, they won't now because they are permanently barred
6 from coming back in. They are reduced. They are-- all of their
7 benefits and privileges from this deployment are suspended. So, we
8 get what we want from that action. And rather than take the risk-- I
9 mean, I-- I didn't like it at first, but I understood it, after
10 conversation with Captain [REDACTED] and Colonel [REDACTED] But, I wanted to
11 make sure that the leadership element out there at Baghdad Central
12 understood it because that seemed to be their concern that these guys
13 knew that all they would get would be a trip home.

14 Q. Well, put in that perspective, then General Karpinski, when
15 everything is put before the courts, and I have no reason why you
16 will not be placed before the military court system, and the
17 revelations of all these inhumane treatment of detainees. You think
18 for one moment that those MPs that were accused of those allegations
19 were not made complicit of those-- the unit that they served under,
20 the battalion that they served under, the brigade that they served
21 under, that they will reveal all sorts of things that will put your
22 entire command under the microscope.

23 A. Absolutely.

1 Q. The fact of the matter is that that will be the second
2 incident to which the 800th MP Brigade would be associated with
3 potentially war crimes?

4 A. Yes, sir.

5 Q. How would you deal with that?

6 A. The same way I've dealt with other situations in this
7 Theater of Operation. Tell the truth. And we were spread throughout
8 the theater of Iraq with a mission and the MPs have countless
9 examples of how well they performed and how professional they were
10 and are. And do you get, out of 3,400 people; do you get some bad
11 MPs? Yes. And do some of them have a history of this in their
12 civilian job? Yes. And does their civilian employer have a
13 responsibility to report these infractions to the military? No. Now
14 were there mistakes made? Yes. And are we taking actions to make
15 sure that they don't occur again? Yes. Can we guarantee they won't?
16 No. Because we've never forged this road before.

17 Q. Nobody has.

18 A. Yes, sir. So we have to rely on values and those people
19 have none, at least if the pictures tell the story. I don't care
20 what their specialty is; it's just more offensive because they're
21 MPs. What they did was vulgar and abusive. And I hope it-- it never
22 reaches the media's attention. I can't-- I can't-- I didn't get a
23 vote. Nobody said, "Okay, you're taking over command of the 800th MP

1 Brigade now, and what happened before doesn't count." Because it
2 does. And-- and all I can hope to do, is to make it better. Not on
3 the run, not on the fly, but with conscientious-- conscientious
4 effort and-- and leadership. I am a good leader. And taking all of
5 this out of context, and using this example of what the 800th MP
6 Brigade is capable of doing, is what is typical, I say, of what
7 Sanchez is all about. I told my soldiers this morning when they were
8 leaving, "You go home with your heads held high, because you did
9 everything and more that was asked of you, expected of you, and you
10 did it better than anybody else. You're all heroes to me, so no
11 matter what is said, nobody can take it away from you." And I
12 believe it, and I want those 19- and 20- and 35-year old soldiers to
13 believe it, because it's true. And Sanchez doesn't give a flip about
14 a soldier. And I never said that before. And he cares less about a
15 Reservist and a Guardsman.

16 Q. You think in your heart that that's true.

17 A. Yes, yes, sir I do.

18 Q. Did you spread any of these thoughts with any of your
19 civilians?

20 A. Never. Because what I said to them was, "General Sanchez
21 has an enormous job. He was a division commander before." I used
22 all the right expressions.

23 Q. Do you shift all this blame?

1 A. No I'm not. I'm not shifting all of anything. I'm taking
2 responsibility, but the situation accurately is a shared
3 responsibility. And they failed us and trying to cover their
4 failures it's going to cost the 800th MP Brigade or me? Okay.
5 Because it'll give me an opportunity to tell the truth. I know what
6 they were doing and we kept finding a way to succeed. So they'd give
7 us some more. When I took the-- when I briefed General Sanchez on
8 the condition of the civilian jails and why the progress was so slow.
9 He turns on me, and he says, "What's wrong with you Karpinski, you
10 were briefing me just a month ago or five weeks ago that, you know,
11 they were going to be on track and we were going to have capacity for
12 3,100 by now." And I said, "Sir, because the construction is not
13 taking place. And I've been to every one of the facilities and I see
14 no evidence of appropriate expenditure of funds; millions of
15 dollars." I said, "I'm not a contractor, but I know what \$25,000
16 worth of work should look like, and I know what \$2 million worth of
17 work should look like. And there's no evidence of it anywhere."
18 "And what have you done?" "I went to the finance office at CPA. I
19 looked for the IG's office at CPA. I looked for the GAO office at
20 CPA. I talked to finance officer at Arifjan at the 377th. I talked
21 to Colonel [REDACTED] I talked to General Wodjakowski." "Well what
22 happened to the money?" I said, "I don't know, sir. It was a cash
23 operation and I suspect that the two subject matter experts borrowed

1 some of it permanently." "Are you suggesting that they
2 misappropriated funds?" "Yes sir, I am. If the evidence of the
3 construction of the facilities is-- is what I have to go by, because
4 there is no GAO and there's no IG at CPA. And they wouldn't show me
5 the contracts that they let for all these places. But I do know that
6 the only place where construction is taking place is at Abu Ghraib,
7 because my MPs are there. They're not the contracting officer
8 representatives." And he turned to his SJA and said, "Since this has
9 been dumped in my lap, tell me the next step I take." He never came
10 back and asked for information. He never came back and asked for the
11 information I had, or the evidence I had accumulated. Nobody ever
12 came back to me and said this is what took place. As a matter of
13 fact, Colonel [REDACTED] said to me, "You want to steer clear of the
14 issue." I'm not blaming General Sanchez or General Wodjakowski. I
15 just want them to take responsibility for what they didn't do. And I
16 don't ever expect a person like General Sanchez to change his
17 personality or his way of thinking or his way of succeeding or
18 anything else. I have only ever asked for a fair chance. And, no
19 sir, he did not give it me or anybody in the 800th MP Brigade.

20 Q. Fair enough. Do you have any closing comments you want to
21 make?

22 A. No, sir.

23 Q. Thank you General Karpinski.

- 1 Witness was warned and excused.
- 2 [Session completed at 2035 15 February 2004.]