

On 10 February 2004, a team of officers, at the direction of Major General Antonio Taguba, conducted the following interview. Major General Taguba was appointed as an Investigating Officer under the provisions of Army Regulation 15-6, by Lieutenant General David D. McKiernan, Commanding General of the Coalition Forces Land Component Command (CFLCC), to look into allegations of maltreatment of detainees, detainee escapes and accountability lapses, at Abu Gharib, also known as the Baghdad Central Confinement Facility (BCCF). The panel also inquired into training, standards, employment, command policies, and internal policies, concerning the detainees held at Abu Gharib prison. Finally, the panel looked into the command climate and the command and supervisory presence

The following persons were present:

COL [REDACTED] MP, CFCC – PMO, Interviewer
LTC [REDACTED] JA, CFLCC – SJA, Interviewer
LTC [REDACTED] 705th MP Battalion, Interviewer
1LT [REDACTED] 229th MP Company, Respondent

The interview is summarized as follows:

My name is [REDACTED]. I'm a First Lieutenant with the 229th MP Company, Virginia Army National Guard, currently located at the Baghdad Central Confinement Facility at Abu Gharib. My social security number is [REDACTED]. I'm in charge of 3rd Platoon, and we've been tasked to organize at Abu Gharib. Our mission is to run the Internal Reaction Force, and to provide escort guards within the confines of the facility. I enlisted in 1985. I was infantry active duty for 3 years. After an 11-year break in service, I went to the National Guard, and to OCS. I've been with the 229th MP Company, since 2001.

My commander is CPT [REDACTED]. We've been at the BCCF, since August 2003. I was TDY in Saudi Arabia, prior to that. The rest of my company was at Camp Doha, Kuwait.

We did some confinement training, at the MOB Station. It was anticipated, that we would have that mission when we arrived. We did customs when we arrived, but our mission at the prison is pretty much a no-brainer.

It seems, being a National Guard Company, we do a lot of things on our own, when we should have more help from the battalions. A lot of questions we've had, pertaining to movement, I've had to go outside the chain.

Our living conditions aren't that bad. We have a hard roof, over our heads, MRE's, and water, so I can't complain.

ANNEX 74

We are way short of personnel. When we're short, we suck it up, and work longer hours. I'm in charge of the Internal Reaction Force. I've got 10 guys that are on call 24 hours a day. Since I have 2 missions, I've been able to sacrifice my escort mission. Anytime I lose somebody due to REFRAD, or injury, I'll pull them to my mission. My numbers are okay, but the other 2 platoons are steady losing people, and have to put support personnel to work in the towers.

As far as equipment's concerned, we have just got a brand new conex full of stuff that came with the 16th Brigade, less than lethal capabilities, and we're in the process of digging through that. We hadn't had that. We deployed with clear face shields and some clear riot shields. I'm a SWAT Team Leader on a civilian police department, so I've been on raids, and I know the clothing and tools that we need to do the job. I've asked for those things, when we first got there. We didn't get them, so we've made do with what we've had. For instance, collapsible batons are great for that environment, because you don't have to stand there with a stick in your hand. To me, standing there with a stick in your hand, automatically escalating to force. It's unnecessary, if we go in there to hold the prisoners, while they're going in there to do a compound search. We can stand there with our shields, and, quite often, we stand at rest, but we don't even have baton holders. So, we took our riot batons, and sawed them in half, now they're our short batons. Little things like that we've had to improvise.

Talking from my slice of the pie... The new Brigade Sergeant Major came out, last week, and actually spent time with the troops in the towers. He came out and talked to me, and went through our living areas. He seemed like he had a genuine concern for a lot of the things that soldiers brought up. I wasn't at the NCO meeting, but I know a lot of the stuff that was brought up, like uniforms, haircuts, and Army standards. The soldiers told him, "We would love to do those things, Sergeant Major, but we don't have a barbershop or alterations out here," little things like that, and he took a genuine concern to that, and he seemed like he will make something happen.

I never met the Brigade Commander. I've never worked in a brigade setting. I was a grunt, when I was on active duty, and I never met my Brigade Commander, then either.

Sir, the truth of the matter is, I write SOP, and send it up to them. They asked me, when I came back off leave. They said, "We need an IRF SOP," for the oncoming battalion, so I did an SOP. This isn't unique to this battalion. It happened in Kuwait, as well, and at MOB Station. They ask for us to do these SOP's, which I don't know if that's protocol, or not. They do not provide the commander's intent.

COL [REDACTED] reads a sworn statement made by SGT [REDACTED] and MAJ [REDACTED] responds as follows:

[REDACTED] was there at the site, but I can't answer to whether he saw the abuse or not. It was dark out there. When this happened, and the MI soldier said, "I'm a professional," and they started to get out of hand, in my view, I went over to MAJ [REDACTED] and said,

"Sir, you gonna let this happen," and he looked at me. I don't know whether or not he knew what I was talking about. I was mad, maybe a little unprofessional, and said, "I'll do something about it, then." I walked over to where the MI people were. They had already dragged the guy back there. I didn't witness the abuse in the back of the truck. My platoon sergeant did. I asked who was in charge, and everything kinda de-escalated from there. So, whether he saw what was going on, I don't know. I don't remember the MI person's name, but he was an E6. I think I asked him what his rank was. When I asked, "Who's in charge of this crew here," he said, "I am," and I asked, "What's your rank?" But, whether I asked him or his 1SG, later, I know he was an E6.

That was my only dealing with MI. My opinion is - they just had a couple of their friends killed by a mortar. They were really emotionally amped up, and to bring these guys over here, whether they were guilty or not, it was a bad call. I can say that my escort team escorts prisoners from the various camps, to the MI interrogation cell. They say it gets loud in there, but according to the rules they have posted, there was no abuse going on. They have their rules posted in their TOC, not in the interview area. As I lost people, I pulled my people off that duty, so they're now doing their own escort. The rules state that you can yell at a person...

COL [REDACTED] presents 1LT [REDACTED] with the 205th MI's Interrogation Rules of Engagement, asking, "Like this?" 1LT [REDACTED] responds as follows:

That's the same thing. We're not given that. That was one of my only dealings with MI, but I don't believe they behave that way all the time. That's the first time I saw those rules. You have to understand, Sir - My LSA is probably about 200 - 300 meters from their LSA, and I never had any reason to go over there, until my guys started doing escorts for them. I was very apprehensive about my soldiers working with their soldiers in such a short time span, after this incident had happened. It was made clear, that if we saw anything like that again, then we were to report it.

I can't remember putting out information about Geneva Hague. We've gone over General Order 1A, and the Rules of Engagement, but specifically reading the Geneva Convention rules of mistreatment... We went over that in MP School. Recently, there was a memorandum put out about things you're not supposed to do. I don't know if that was a knee-jerk reaction to something that happened, but it specifically says things in there about mistreatment, photography, and contraband, stuff like that. My platoon, they know me, and they know my platoon sergeant and me won't stand for that, and we try to set a good example. I know they would report anything to me.

I was there when the abuse happened, and my soldiers looked at me. Well, the first thing that happened was a guy walked up to the prisoner, and shoved his face toward the ground. A couple of my guys said they hit him, but it look like they shoved his head toward the ground. Right there, the flags went off, like this wasn't going to go well - the cursing and the yelling, tempers and everything. That's when I tried to diffuse it by saying, "Hey, that's not professional." That's when the guy fired back at me, that he was

a professional. So, I went ahead and tried to nip it in the bud. I didn't know who the person was, but I felt like it was my responsibility, since I was the ranking person. The prisoner posed no threat to anybody there, and that's just basic rules of engagement. I think the person was bound, and he had a shirt over his head. I don't have a problem with that, but when you start shoving someone around, and screaming and cursing at them in English, I got a problem with that.

I know the chain of command through battalion, but within the last couple of months, COL [REDACTED] who was the MI Commander, was the FOB Commander, but I don't think the MI had any control over the 320th. The 320th answered straight to the 800th.

I know the mission comes first, but you really got to look out for your troops. You got to be willing to go into conflict to enforce the standard. You can't be afraid to do that. Right now, the way the prison is run it's dangerous. They've been working soldiers on 12- hour shifts, since August. I think somebody needs to put their foot down, and say, "We need to staff that." It's not good for the soldiers to be working in that environment, taking fire, and working 12 hours a day. I'm blessed. We're working 24 hours, but we may only get called twice a day for only an hour at a time. It's not bad for my guys, but when they start pulling cooks to do MP duties... You know.

When you don't have tools to do the job, you got to be willing to push it farther than the person that told you no. If I'm a battalion commander, and you're my brigade commander, and I need X number of troops, to do a mission, and I know they're out there, and you say well we haven't got time, but we've got a week in advance, I'm gonna keep coming at you with that question. I'll say, "Hey, my guys are working 12 hours a day. We're supposed to have X number of soldiers to work all of these camps. What do you mean, 'No.'?" This can't happen. Soldiers are gonna start dying. They're gonna start sleeping on the job. Prisoners are gonna start escaping. We're gonna look like a bunch a idiots out there.

The panel stopped, to discuss 1LT [REDACTED] statements.

Finished with their discussion, the panel gave 1LT [REDACTED] a list of items, to be addressed, and brought back on a Sworn Statement.

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION Camp Victory, Iraq	2. DATE (YYYYMMDD) 2004/02/10 <i>DCS</i>	3. TIME 2208 <i>DCS</i>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS O-2 / 1LT	
8. ORGANIZATION OR ADDRESS 229th Military Police Company, Baghdad, Iraq, APO AE 09335			

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

On February 10, 2004 at approximately 1500 hours I was questioned at Camp Victory, Iraq. In regards to specific incidents and leadership at the Baghdad Central Confinement Facility. Upon summarizing the interview I was asked to expound, in writing, on three key questions.

I was asked if I had to pass on any thing I had learned during my tour of duty in Iraq to soldiers or leaders who were about to be deployed here what would it be. My answer was to not be afraid of conflict to enforce the standard. This applies to leaders dealing with subordinates as well as superior officers and NCO's. I have heard too many times during this deployment from my commander that he didn't want to do anything that would jeopardize his career. While I applaud anyone who wishes to serve on a full time basis, I feel this attitude has led some officers to seek approval for decisions which should be handled at the company level. One example is MSG [REDACTED]. He was deployed as a E-7 Squad Leader in my platoon. He was promoted to E-8 in November with a promotion date of August. I had requested he be moved to a position within the company commensurate with his rank and it was agreed that he would be moved to HQ to assist the acting First Sergeant. I was assuming he could be rated in that position. Around the 1st of February, I learned that he could not be rated in that position because there was no spot on the UMR. In addition, a platoon sergeant could not be moved without cause to open a spot on the UMR, even though he is senior to every enlisted soldier in the company, except for the acting First Sergeant, MSG Uter. CPT [REDACTED] has repeatedly emailed and called the state of Virginia seeking guidance in this matter. Last week it was clear to me that there were only one of two options. MSG [REDACTED] could complete his tour and be rated as a squad leader through his promotion date in August, or he could be REFRAD. I brought this up to CPT [REDACTED] attention and he said he would seek further guidance from the state. I feel this attitude of not wanting to rock the boat has caused us to work understaffed and ill-equipped at times not only at the company level, but battalion and brigade as well.

I point the finger at myself as well. During IDT weekends and AT events, Guard and Reserve soldiers form working relationships, which eventually breed friendships. While this is rarely a conflict during peacetime duty, during this deployment I have caught myself overlooking simple standards, i.e., haircuts and military bearing, in order to keep peace within the platoon as long as the mission was accomplished. While I may have avoided conflict with my subordinates, this could have compromised good order and discipline within my platoon. Fortunately I have been blessed with mature, knowledgeable soldiers and they have excelled in every mission assigned. These are a couple of examples of what I have learned as a platoon leader in Iraq.

I was also asked to compare leadership styles of the 800th MP BDE versus the 16th MP BDE as it relates to the conduct of our duties at the prison. While I had very little interaction with the leadership of the 800th MP BDE, I have had an opportunity to interact with LTC [REDACTED] our interim Battalion Commander, and the Brigade Command Sergeant Major of the 16th MP BDE. The BDE CSM did a site visit at the prison and stayed there for a couple of days. While he was there he visited the soldiers in their work and living areas. He conducted some NCODP with the senior enlisted and let them voice their concerns. He seemed genuinely concerned for the welfare of the troops. Our Battalion Commander LTC [REDACTED] was present during a riot at the hard prison 8 Feb 2004 on wing number five. I (the Internal Reaction Force of which I am the OIC) was tasked with quelling the riot and apprehending the instigators after the Iraqi ICS guards were unsuccessful. LTC [REDACTED] allowed me to execute my plan without interference and conducted a thorough AAR when the incident was over. He is very visible at the facility and seems open minded and proactive. In summary the 16th MP BDE leadership seems to be more proactive than reactive.

Finally I was asked about any Hague or Geneva Convention training I had received during this deployment. I cannot recall any specific instance where we formally studied either treaty other than my initial entry training and OCS / OBC. General guidelines are in General Order 1A which we have reviewed. To recognize mistreatment of a prisoner is every soldiers responsibility and it should be reported immediately.

DCS End of Statement
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XXXXXX XXXX XX

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT. AND PAGE NUMBER MUST BE INDICATED.

9. STATEMENT (Continued)

NOT USED

AFFIDAVIT

I, _____, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 1. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 11 day of February, 2004 at CJTF-7 MAC Baghdad, Iraq

CJTF-7 PMO
Baghdad, Iraq
ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)
ACF 136 (5) (4) 604.5
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT _____

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