

1 [Command Sergeant Major [REDACTED], U.S. Army, was  
2 interviewed on 9 February 2004, as follows:]

3 Q: MG Taguba

4 A: CSM [REDACTED]

5 Q. I'm Major General Taguba, I'm the Deputy Commanding General  
6 for CFFLIC, and of course, you probably understand the extent of  
7 my presence here with regards to the 15-6 Investigation that's  
8 currently underway. I also understand that you have invoked  
9 your rights and have sought legal counsel in that regard, so  
10 this matter of proceeding here is a matter of formality that it  
11 is stipulated that I have been advised of your invoking of your  
12 rights and seeking of legal counsel that you understand that I  
13 know remand you back to your legal counsel subject to a call  
14 from your legal counsel or from the investigating team with  
15 regards to the continued process of this investigation. Do you  
16 understand?

17 A. Sir, I understand all that. I'm not sure what the  
18 scope of the investigation is.

19 CPT Ray: You can go over that with him, sir.

20 Q. I can go over that. The appointment that I was given  
21 is I have been appointed by Lieutenant General McKiernan, the  
22 Commanding General of Coalition Land Forces Component Command,  
3 headquartered at Camp Doha, Kuwait, under the direction of

1 General John Abizaid, the Commander of CENTCOM. This  
2 investigation is asked to gather all relevant facts and  
3 circumstances surrounding the recent allegations of maltreatment  
4 of detainees at the Abu Ghraib Prison, also known as the Baghdad  
5 Central Confinement Facility, as well as detainee escapes and  
6 accountability lapses as reported through CJTF-7. My inquiry is  
7 to further investigate any standards, employment, command  
8 policies--internal policies concerning the detainees held at Abu  
9 Ghraib Prison. And finally, the inquiry is to assess the  
10 command climate and the supervisory presence of the leadership  
11 of the 800th Military Police Chain of command. That is the  
12 extent and the scope of the investigation into which I've been  
13 appointed to----

14 A. Yes, sir, thank you.

15 Q. Does that answer your question?

16 A. Yes, sir.

17 CPT [REDACTED] Sir, is there any part of the scope of the  
18 investigation, which you feel comfortable with discussing with  
19 the General today?

20 A. No.

21 CPT [REDACTED] Thank you.

1 Q. And again, since you have invoked your rights, sought  
2 legal counsel, I have been further instructed that I will remand  
3 you to your legal counsel for further instructions. All right?

4 A. Thank you.

5 Q. Command Sergeant Major [REDACTED], you're probably  
6 wondering why you're here, right?

7 A. Yes, sir.

8 Q. Well, if I were in your position, I'd be, too, the  
9 sensitivity of this.... So before we start any proceedings at  
10 all, could you, for the record, state your full name, rank,  
11 social security number, and unit of assignment?

12 A. Sure. It's [REDACTED],  
13 Command Sergeant Major, 320th Military Police Battalion, [REDACTED]  
14 [REDACTED]

15 Q. All right, thank you. I will now introduce you to the  
16 rationale or the purpose of your presence here today. I'm Major  
17 General Taguba, the Deputy Commanding General of the Coalition  
18 Land Forces Component Command, commanded by Lieutenant General  
19 McKierney, David McKierney, stationed at Camp Doha, Kuwait. And  
20 he has appointed me as the Investigating Officer under the  
21 provisions of AR 15-6 under the direction of General John  
22 Abazaaid, the Commander of CENTCOM. Of course this  
3 investigation, the purpose of it is to gather all relevant facts

1 and circumstances surrounding recent allegations of maltreatment  
2 of detainees at the Abu Ghraib Prison, also known as the Baghdad  
3 Central Confinement Facility, as well as detainee escapes and  
4 accountability lapses as reported to CJTF-7. The investigation  
5 will also look into the training, the standards, the employment,  
6 the command policies and internal policies concerning the  
7 detainees held at Abu. And finally, we will ask to look at the  
8 command climate and the supervisory presence of the 800th MP  
9 Police Brigade's chain of command. I also want to mention that  
10 in the course of our interview, all of our questions and answers  
11 will be recorded, tape recorded, as shown to you in front. So  
12 before I begin, I want to ask if you have any questions about  
13 the scope and nature of this inquiry.

14 A. No, sir.

15 Q. Other than the Doctor opening up his Coke can there,  
16 we'll proceed with some questions that I want to ask of you with  
17 regards to the scope of the investigation.

18 How long have you been the Sergeant Major there, the  
19 Command Sergeant Major there?

20 A. Out at Abu?

21 Q. Yes.

22 A. About 2 months.

1 Q. About 2 months. So you actually got there end of  
2 December....

3 A. December 5th, sir.

4 Q. December 5th. When you arrived, did you get any kind  
5 of specific guidance or direction from the Battalion Commander  
6 or from the 800's chain of command with regards to your role and  
7 responsibility as the Command Sergeant Major?

8 A. Nothing written, sir. I would assume that being the  
9 Command Sergeant Major and I had been the Command Sergeant Major  
10 of the 320th Battalion for nearly 4 years. I was unable to  
'1 deploy with the Battalion when we were mobilized due to the fact  
12 that I was [REDACTED], which precluded me from  
13 getting on an airplane with my soldiers. And I subsequently  
14 stayed 8 1/2 months at Fort Dix until an MEB and a PEB board met  
15 and finally found me fit for duty and deployable, at which time  
16 I finally cleared Fort Dix and joined the Battalion at Abu. As  
17 far as written policies or guidance as to duties and  
18 responsibilities as a CSM, sir, it's pretty much that I know  
19 what my duties and responsibilities are and that I was to  
20 continue with them, except just in a different environment.

21 Q. So Lieutenant Colonel [REDACTED] had been your  
22 Battalion Commander throughout your tenure as a Battalion  
3 Command Sergeant Major?

1           A.   Not my whole tenure, no, sir. Tenure for a CSM on the  
2 Reserve side is 4 years. My 4 years will be up in March.  
3 Colonel [REDACTED] was my second Battalion Commander at the  
4 320th MP Battalion. The previous Battalion Commander is now  
5 Colonel [REDACTED], and then in his absence, Major [REDACTED] had  
6 filled in on a temporary basis until Colonel [REDACTED] came on  
7 board.

8           Q.   When you were mobilized through Fort Dix, you said...

9           A.   Yes, sir.

10          Q.   Was Lieutenant Colonel [REDACTED] was your Battalion  
'1 Commander?

12          A.   Yes, sir, he was.

13          Q.   And since you were not able to deploy with him, did  
14 you go through your mobilization and training at Fort Dix?

15          A.   Yes, sir.

16          Q.   And then at the time, you were not able to deploy  
17 because...

18          A.   Less than 48 hours, sir, is when they decided they  
19 weren't going to let me go before the plane lifted off.

20          Q.   Could you describe what sorts of training that you  
21 received at Fort Dix prior to your deployment?

22          A.   The mandatory training, sir, in regards to deployment  
3 issues...just pretty much the mandatory training we went through,

1 rifle training, pistol training, weapons certification, maybe  
2 rules of engagement, tactical side of the house...different  
3 mandatory classes, anthrax shots....

4 Q. Things of that nature.

5 A. Roger, sir.

6 Q. The general stuff.

7 A. Yes, sir.

8 Q. Was there anything specific to the tasks that you had  
9 to get the refresher training on or had to be validated or  
10 certified on?

11 A. We weren't afforded an MRE, sir, Mission Readiness  
12 Exercise due to the time constraint. We had been allocated, I  
13 believe, in the first week of March to the Fuda Exercise, and  
14 that exercise was waived as a requirement due to the time  
15 constraints to get us on the plane to get us over here.

16 Q. How long were you there at Fort Dix?

17 A. I'd like to say we got to Fort Dix February 19th or  
18 the 20th, because I ran into my daughter. She was mobilized,  
19 and she was staying in the barracks right behind us and she  
20 showed us pretty much where we had to go. I went in the Advance  
21 Party. I'm pretty sure it was the 19th or the 20th, sir. I  
22 think we moved out around March 12th or 13th, sir, I think.

3 Q. So you were there about a month.

1       A.    Less than that, sir, I'd say closer to a good solid 3  
2 weeks.

3       Q.    Given the circumstances then, even though you were  
4 unable to deploy with the battalion, you were intimately  
5 involved with the personnel, command, situation, that sort of  
6 thing, how would you describe then the training and readiness  
7 status at the time prior to and during preparation for  
8 deployment?

9       A.    We really didn't know what we were going to get, sir,  
10 in the line of the companies that were going to be attached to  
11 us for the operation. We heard we were going to be getting a  
12 company here, a company there that would be joining us. In the  
13 beginning, we heard we were only going to get two companies.

14       Q.    Which companies were those?

15       A.    I don't recall, sir. One I think was from the Florida  
16 area, another one from possibly California, and I believe one  
17 might have been closer around the Midwest. We mobilized with  
18 146 soldiers, we put 140 on the plane. So those were the only  
19 personalities that I was familiar with were those soldiers.

20       Q.    They were a headquarters company----

21       A.    Yes, sir. The other soldiers that were at Abu when I  
22 arrived were the 372d, the 670th, the 870th, the 229 and also



1 the 320th companies, that was my first introduction to those  
2 soldiers when I hit the ground here.

3 Q. In December, the 5th of December.

4 A. Yes, sir.

5 Q. When you did arrive on the 5th of December, did you  
6 get any additional guidance from the Brigade leadership or the  
7 Battalion leadership with regards to the missions set that they  
8 are conducting at Abu at all?

9 A. Not per se as far as handwritten policies or things of  
10 that nature. I mostly went about reacquainting myself with my  
11 soldiers and making visits to their locations, pretty much  
12 everywhere. I just briefly exposed myself, just to let them  
13 know that I'm still on the ground, kids that I hadn't seen in a  
14 while, introduced myself to their new First Sergeant, new  
15 companies, briefly got an oversight of their operation and how  
16 they blended with my battalion's overall concept of the  
17 operation. And then as time progressed, you're able to go in  
18 and really get to understand the whole operation, and see the  
19 individual soldier, you put a face with a nametag because of the  
20 ability to be there with them for that period of time. You get  
21 to know their personalities. You're able to--and you try to get  
22 a good feel there, sir, and it's tough. I had three National  
3 Guard companies, two Reserve companies in my Battalion, but the

1 concept in those five companies are working pretty well together  
2 despite the difference in missions. And some of those guys were  
3 able to come in and augment the shortage of personnel that I had  
4 in regards to I&R duties, guard tower duties and things of that  
5 nature, especially in the Ganci compound where I'm really short  
6 31 Bravos, critically short, sir.

7 Q. You said when you deployed or when the Battalion  
8 deployed the Headquarters Company, you deployed with 114, 140?

9 A. 146.

10 Q. What is their status today?

11 A. We're down to about 118 boots on the ground, sir, and  
12 we were hit the hardest...with my Battalion, when we deployed,  
13 sir, we had a lot of what we call "involuntary transfers,"  
14 soldiers that are in the Reserve system within our Regional  
15 Support Command with a lower density MOS. And what I mean by  
16 that, sir, is like my 71L's, my 63 Charlies, I had a hard time  
17 filling those slots. The big emphasis, we always had a--back at  
18 home station, we always had a good number of, in this case, 31  
19 Bravos, which are no longer 95 Bravos, 31 Bravos, military  
20 policemen, we were able to get real good numbers there,  
21 especially at the lower levels. When it comes time to move the  
22 Battalion and we're short, in this case, physician's assistant,  
3 surgeon, chaplain, and having to just get a phone call and a set

1 of orders in the mail and tell you where to report.... So once  
2 again, that was the first time I met most of those people, to  
3 include some of the staff members, the S4, the chaplain,  
4 chaplain's assistant and a whole host of others, sir.

5 Q. When you were back in the rear, were you keeping in  
6 touch with the Battalion at all or were there any words given to  
7 you or a phone call of sorts or----

8 A. I received a letter from Colonel [REDACTED] There  
9 were six of us that were left back, sir. Major [REDACTED] was the  
10 Physician's Assistant; he was left back [REDACTED],  
11 [REDACTED] Specialist [REDACTED] big fellow, he's about  
12 6'8, sir, 6'9, he was left back because they couldn't fit him  
13 properly with a JSLIST suit, so therefore he couldn't deploy  
14 because it was one of the requirements. Sergeant [REDACTED] was left  
15 back because of [REDACTED] that they felt, I believe, the dust  
16 storms and stuff would have really [REDACTED] an  
17 [REDACTED]. I believe she's been chaptered out of the Army  
18 now since then. Sergeant [REDACTED] was--had been left back because  
19 [REDACTED] and I believe he's been chaptered out of the  
20 Army, as well, sir, for medical. And Sergeant [REDACTED] was left  
21 back, sir, because he had a [REDACTED] lem. They took  
22 most of his teeth, and the Army had to [REDACTED]  
3 [REDACTED] So,

1 [REDACTED] and myself eventually rejoined the Battalion.

2 Those guys much sooner than me, sir.

3 Q. When you arrived on the 5th of December, you assumed  
4 your position as the Command Sergeant Major, in the first few  
5 weeks or so, how would you describe the condition of the  
6 Battalion, the context of their performance there at Abu?

7 A. With what they had to do it with, sir, my soldiers'  
8 morale was high. Conditions were--now I've been around, sir,  
9 where very deplorable as far as sanitary conditions in an  
10 environment which they had to work. And I felt the same way  
11 about the prisoners, sir, I mean, to see some of the way that  
12 these people were living, and you had to look at what we had to  
13 do it with out there. We can't have--we have no control of the  
14 rain, and when it rains out there, it just turns to mud. You  
15 can't basically teach them our standards of personal hygiene in  
16 regards to utilizing the bathroom the way we normally utilize  
17 the bathroom and the way we normally utilize the bathroom is  
18 something they don't, and therefore, the first one in just  
19 destroys it for the second one and so on and so forth.

20 The meals that were being fed by the Iraqi caterers I  
21 found to be substandard in regards to the amount. Therefore, I  
22 had no problem saying, "Feed these people MREs." In fact, on  
3 one visit down to the compound, I saw where, because of the

1   Iraqis strict forbiddance of pork products, they were throwing  
2   the whole MRE--open a case of MREs, and take the jambalaya, and  
3   I guess one other one there, pork chop, the Jamaican pork chop  
4   and they would just throw that out. And I mean, there was  
5   literally a dumpster full of MREs. I made a suggestion to pull  
6   them out and take the crackers out, the cheese, the peanut  
7   butter, things of that nature, because when you run into a  
8   shortage, you can supplement it. It worked real well. I mean,  
9   sometimes these guys, I saw one night they had two hard-boiled  
10   eggs, a piece of cheese about this big, a cup of tea and a piece  
11   of pita bread. I said, "That's not going to make it." You have  
12   to wonder about them, sometimes you feel sorry for them because  
13   not all of them are inside that wire, sir, for that same reason  
14   the guilty ones are.

15       Q.   Did you see any, in the context of your involvement  
16   with the daily operations, be it with meals or just walking  
17   around and being at guard positions and things of that nature,  
18   did you have any knowledge whatsoever that there should be or  
19   must be established SOPs that the MPs must follow with regards  
20   to operations or handling of detainees or guard actions, for  
21   example, monitoring the facilities, things of that nature that  
22   you're aware of or should be aware of?

1           A.    We had a 320th SOP, sir, in effect in regards with IR  
2   operation and things of that nature, pretty much covered  
3   everything from what every individual soldier responsibilities  
4   are in regards to the IR operation.

5           Q.    Were they posted or were they in a folder somewhere at  
6   each guard position or the Battalion or each Company had a copy  
7   of such SOPs?

8           A.    I wouldn't say that every SOP, sir, is posted.  I  
9   would say that in the towers you have certain items that pertain  
10   to that particular position, i.e. rules of engagement.  As a  
11   standard, you would walk into a company area, you would find  
12   letters on sexual harassment posted on company bulletin boards.  
13   Certain things pertain in certain areas.  We were--you leave a  
14   paper trail, I guess, you would have to put some many things up  
15   there in the towers.  A lot of the towers that I visited had  
16   your range cards set up for your weapons systems, and then there  
17   were some who didn't.  Some that...on the range cards, that were  
18   in place I found substandard and talked to the gunners up there,  
19   made the on-the-spot corrections.  A couple, I actually  
20   implemented weapons systems up there for force protection.  We  
21   had two towers out there, and they were just bare air, just bare  
22   metal towers, couldn't really control from the ground.  You  
3   needed something up above, for force protection, especially

1 around, I think it was the 1st or 2d of January, we were  
2 expecting a threat to come through in the form of a vehicle with  
3 explosives in it. So the force protection level was stepped up,  
4 but we needed certain things to go in and increase that level.  
5 Elevated towers with a 50-cal were up there. So we sandbagged  
6 it, as matter of fact, we did that with the help of the  
7 prisoners, we were able to sandbag it.

8 Q. With regards to specifically detainee operations, were  
9 you aware that there were other folks that are involved in  
10 detainee operations, interrogators, the MI----

11 A. Yes, sir, we have my side of the house, I have the  
12 interrogation portion of the operation. 372d Company had the  
13 hard site and Camp Vigilant operation there. My Battalion  
14 augmented with certain soldiers from the other companies because  
15 of the shortage at the Camp Ganci operation.

16 Q. Was there any awareness on your part that there should  
17 be established procedures or SOPs or guidelines associated with  
18 the interaction between the MP guards and the MI interrogators?

19 A. I have never known of an SOP that would dictate that  
20 policy, sir. I thought that pretty much your job description  
21 would dictate what your functions of daily responsibility and  
22 scope are

1           Q.    When you're conducting any operations, or even I and R  
2   for that matter, you having been associated with this battalion  
3   for the past almost 4 years. Are you aware that the posting of  
4   the Geneva Convention must be in the language of the nation to  
5   which the detainees are from?

6           A.    We have notices to that effect, sir, with regards to  
7   the ICRC, in regards to the languages. We also had conducted  
8   operations on the training side of the house in Korea, two  
9   operations, Operation Foal Eagle, so we would see how that was  
10   run, as well. We do post things in Arabic. I would assume that  
11   what I see in Arabic is what is written and translated in  
12   English next to it.

13          Q.    But in the context of the Geneva Convention, which is  
14   the responsibility of the company that's conducting--or  
15   battalion that's conduction I and R as required by AR 190-8, did  
16   you see any of that posted or being enforced since your arrival?

17          A.    No, sir, not that I'm aware of.

18          Q.    Should there be?

19          A.    I would say that what I see posted, sir, pertains to  
20   that particular post. I would say that the things that I'm  
21   looking at pertain to that certain--once again, I'd like to use  
22   the position, for example, for the guard tower or for the  
3   compound at Camp Ganci, whether it be Compound One, Compound



1 Two, and also the operation building at the hard site at Camp  
2 Vigilant. Being inside the compound, you'll see a great deal of  
3 things posted on various sections of the camp, itself, and you  
4 would glance at it. I mean, I've glanced at some of it. I've  
5 seen Arabic writing, but the exact content of what it says, sir,  
6 I....

7 Q. It could be, "Don't stand here."

8 A. It could, sir, or "Don't come up close to the wire,"  
9 or "Deadly force area." I've seen some of those signs in the  
10 area.

11 Q. Let me shift a little bit to command climate. You  
12 said you had to basically reintroduce yourself with some of the  
13 folks you hadn't seen since deployment.

14 A. Yes, sir.

15 Q. ...reacquaint yourself with some those folks you were  
16 not familiar with, the rest of the companies that make up the  
17 battalion, and you've already elaborated that the command  
18 climate seems to be pretty great. In that context, how often  
19 did you interact with your NCOs and how often do you feel that  
20 there's a climate in there where they would come up to you and  
21 talk to you freely without any apprehension?

22 A. It didn't happen right off the bat, sir. I'm going to  
3 say that quite frankly. It's... not from my kids in the 320th,

1 when I say "my kids," those that came from my unit up in Ashley.  
2 We've always had that rapport that I have an open door policy.  
3 And what I mean is, if I'm at my desk and the chair is empty,  
4 it's yours. Come on in and tell me about yourself, and these  
5 kids know that. Here at Abu Ghraib, with the five additional  
6 companies that I picked up, just making the general  
7 introductions of yourself and let them know a little bit about  
8 yourself has taken some time. The first sergeants I'm working  
9 with now, I hold a first sergeant's call every Tuesday morning  
10 after the staff call. We air pretty much the quality of life  
11 issues here at Abu Ghraib, which are basically none. We have no  
12 PX. We have no Haaaji shops like some installations have.  
13 There's nothing there for these soldiers. There's no  
14 barbershop. There's no place to sew on nametags. So if you're  
15 going to make an on-the-spot correction for a soldier who's in  
16 violation of the uniform, you've got to take into consideration  
17 that, what's he in violation of the uniform for? If it's a  
18 sterile uniform, it's probably because there's no way to sew  
19 these nametags, etceteras, to keep the soldier up to AR 670-1  
20 standards. There's nothing there.  
21 Q. Did you bring this up to the attention of the five  
22 brigades?

1           A.    Yes, sir. The Five Brigade ?? is the one that threw  
2 the Haaji vendor off, sir. That was a serious morale deterrent  
3 right there. They have nothing, sir. Some of these kids go and  
4 buy a blanket for \$25. That will keep them and get them through  
5 the cold nights and it made them happy. The PX that we had out  
6 there at Abu Ghraib is one that my company stood up itself. We  
7 went over and signed for a \$20,000 account and we got it up and  
8 running and sold the basic soldier needs, sodas, shaving cream,  
9 toiletries, out of the PX for the soldiers. We had to close it  
10 up on February 1st because we're in the process of clearing. I  
'1 brought up the fact that every time I meet with a senior Command  
12 Sergeant Major, and I met with another one yesterday, Brigade  
13 CSM from the 16th was out for 3 days prior to that, I'd bring  
14 up the quality of life issues about the PX, the Haaji vendors,  
15 things that everybody has here on Camp Victory that we don't  
16 have out at Abu Ghraib.

17           Q.    But you came in on the 5th of December to assume the  
18 position of CSM, what happened to your predecessor?

19           A.    I couldn't tell you who the predecessor was, sir.  
20 I've heard rumors that it was Sergeant Major [REDACTED] who's the  
21 Operations Sergeant Major, was put in my place. I heard that it  
22 was a Command Sergeant Major by the name of [REDACTED] was the  
3 Acting Battalion CSM in my absence for a brief period of time.

1 Q. Who was the Sergeant Major when they deployed and you  
2 stayed behind?

3 A. That would have to be Sergeant Major [REDACTED], sir. I  
4 would assume he assumed the dual responsibility of CSM and  
5 Operations Sergeant Major.

6 Q. Sergeant Major [REDACTED] was the "acting," I guess.

7 A. Roger, I guess you would say that, sir. He was  
8 probably wearing both hats.

9 CPT [REDACTED] Command Sergeant Major [REDACTED] was from the  
10 800th, the Command Sergeant Major at the Brigade-level, sir.

11 Q. Understand, but I just want to make clear that you  
12 arrived on the 5th of December to assume the position as the  
13 Battalion Command Sergeant Major.

14 A. Yes, sir, Battalion CSM.

15 Q. The question that I have is, who was your predecessor  
16 before?

17 A. I wouldn't know, sir.

18 Q. You wouldn't know. You know it was Sergeant Major  
19 [REDACTED] at the time that the time the battalion deployed to Iraq  
20 at that point, when they left Fort Dix.

21 A. Yes, sir.

1 Q. So, just for the record, to make that clear, I want to  
2 make sure that you were assuming the position, not necessarily  
3 replacing someone.

4 A. That's right.

5 Q. So you were replacing somebody.

6 A. Well, I wouldn't--I'm not sure, you got me here.

7 You've gotta explain that one to me as far as----

8 Q. Let me back up. You were not deployed at the time.

9 A. No, sir.

10 Q. Because you had a [REDACTED]

11 A. Roger, sir.

12 Q. So somebody assumed the position as the Acting  
13 Sergeant Major. You were not necessarily relieved of your  
14 position, you were not deployed. But you were not exactly also  
15 DEMOB'd. At the time, you were still MOB'd, is that correct?

16 A. That's correct, sir.

17 Q. So you were basically in a holding pattern at Fort  
18 Dix.

19 A. Yes, sir, that's correct.

20 Q. So, at that time, there must have been some condition  
21 that precipitated your deployment to assume the position or  
22 relieve somebody from the position of the Command Sergeant  
Major.

1           A.    They just cut me a set of orders and said, "Rejoin  
2 your battalion," sir.

3           Q.    They said, "Rejoin your battalion."

4           A.    Yes, sir.

5           Q.    So you were actually reassuming your position as the  
6 Command Sergeant Major.

7           A.    Yes, sir.

8           Q.    Because those people that you mentioned, to include  
9 Emerson, were actually in an acting capacity.

10          A.    Yes, sir.

11          Q.    They were not appointed as the Command Sergeant Major,  
12 because you are the Command Sergeant Major.

13          A.    Roger, sir.

14          Q.    Okay, got it, just to make sure that we're not mixing  
15 apples and oranges for the sergeant major's position of the  
16 800th MP Brigade.

17                All right, obviously, when you arrived, again, you  
18 kind of got acquainted. Was there any mention to you of any  
19 reported or alleged detainee abuses or escape incidents prior to  
20 or during your arrival, at the time of your arrival?

21          A.    Yes, sir, I was briefed on certain things that had  
22 transpired.

3           Q.    Who briefed you on that?

1           A.   Everybody I talked to, sir, pretty much.

2           Q.   So you weren't really briefed, you were informed.

3           A.   Right, sir. I knew about the incident at Camp Bucca  
4 involving the Battalion, I mean, that's something that bad news  
5 travels fast, even back at Fort Dix. So I knew about that one.  
6 It involved 10 of my soldiers that had been originally cleared,  
7 and the others were eventually prosecuted. The battalion never  
8 really recovered from that as far as I'm concerned, sir. My  
9 soldiers have done magnificent work with what they've had to do  
10 it with, little or no support, little or no sleep. They  
11 literally built that camp. And for them to take it on their  
12 chin like they did and still soldier on, that says a lot for the  
13 caliber of those kids from the 320th, but we never really  
14 recovered from it. Formal certain instances had transpired, I  
15 was informed about the riot that took place. I was informed  
16 about the mortars that fell on top of the prisoners one night in  
17 Compound Two. I was informed of the body parts and the brains  
18 hanging out and things of that nature, how well my medics did.  
19 I was informed of the escape that night.

20          Q.   Was it an escape or attempted escape?

21          A.   I believe one of them got out, sir. Okay, I believe  
22 he got out from under the wire.

3           Q.   At Bucca?

1           A.    No, sir, not at Bucca, up at Abu Ghraib.

2           Q.    Okay.

3           A.    Just trying to stay up on the events that had  
4   transpired and get the overall OPTEMPO and the climate of what  
5   the conditions were, what things could get done maybe better or  
6   what happened that facilitated that. It's tough to be  
7   everywhere. I found myself torn. The hard site yesterday, I  
8   got caught up in a riot when we were just inside there, just  
9   trying to get a walkthrough of how the guy escaped from the day  
10   before. He didn't get out of the compound--he got out of the  
11   compound, he just didn't get out of the overall LSA or the guard  
12   tower. They were able to chase him down. They found him trying  
13   to get out of the orange jumpsuit under a bus. So he was taken  
14   back into custody and placed in confinement.

15                But then we had an incident where we--and it could  
16   have been part of the diversion, there was a fight in Tier--or  
17   Wing Five, and the whole block was put on a lockdown, certain  
18   privileges taken away. And so yesterday, they started  
19   rebellious. So while I was getting a tour of the facility with  
20   the First Sergeant, Sergeant of the Guard, Sergeant Ward, we got  
21   pressed in a service, the three of us, basically. About 2 1/2  
22   hours later, he was put down.

3           Q.    This was yesterday?



1 A. Yes, sir.

2 Q. In the context of the investigation that's currently  
3 underway, that accused some of the guards there that were  
4 operating in Tier One A, are you familiar with that particular  
5 case?

6 A. I've heard rumors, sir. It allegedly occurred before  
7 my arrival there.

8 Q. This case is a suspension of the battalion commander  
9 and certain elements of the company was done these past 2 weeks.

10 A. Yes, sir, I'm aware of that.

11 Q. You're of that. And certainly you know the suspension  
12 would arise to the awareness that certain things are happening  
13 in that particular site, the hard site, that constituted the  
14 suspension of the Battalion Commander and the Company Commander  
15 and the Operations Sergeant. Was that the first time you were  
16 aware that the whole thing was happening?

17 A. Yes, sir. The Battalion Commander, Colonel  
18 [REDACTED] my Operations Sergeant Major, Sergeant Major  
19 [REDACTED] the company First Sergeant, First Sergeant [REDACTED]  
20 the Company Commander, Captain [REDACTED] and the Platoon Sergeant,  
21 Sergeant First Class [REDACTED] All five were suspended, sir.

22 Q. Now giving the circumstances, had there been any type  
3 of corrective action that was taken by the leadership of the

1 battalion, the Acting Battalion commander, yourself, or the  
2 chain of command with regards to corrective actions to prevent  
3 such reoccurrences that you know of?

4 A. Yes, sir. First off, at my first convenience, I got  
5 rid of the seven individuals, there was eight originally that I  
6 saw. Since one soldier's complaints were unfounded by CID, he  
7 was returned to duty, but not at that location where the alleged  
8 crimes occurred. The other seven, I had transferred over here  
9 to Camp Victory and are now working at 16th Brigade, various  
10 capacities relating to their MOS's.

11 Q. And they were just from that one company that's....

12 A. 372d----

13 Q. ....conducting this mission, 372d.

14 A. Yes, sir. Those were the seven soldiers--I believe  
15 there were 10, sir, all tolled from the report that I read. The  
16 two are from the MI, I think, the other eight were from the  
17 372d. Like I say, the charges against the one were unfounded,  
18 he was returned to duty. Colonel [REDACTED] made the call on that  
19 one and said, "Well, we got nothing to hammer this guy on.  
20 Let's put him back to work."

21 Q. So these are the seven individuals of the 10 or so  
22 that were involved in the abuse case?

3 A. Yes, sir, we moved them here to Camp Victory.

1 Q. So they're not performing any more duties----

2 A. No, sir.

3 Q. And how were you able to replace those guys?

4 A. We just work a little harder, sir, with what I had.

5 Some of the soldiers that were involved in that incident were

6 non-MP-type soldiers. Therefore, they weren't really in the

7 hard site, they were pulling administrative duties, along the

8 lines of, I think one might have been a mechanic. One might

9 have been a clerk. I think, sir, four may have been MPs, five,

10 maybe. I know two were MI. So we just go ahead and suck it up,

11 sir.

12 Q. Sergeant Major [REDACTED], who was suspended, he was, at

13 the time, I believe, was the acting Command Sergeant Major prior

14 to your arrival.

15 A. Him and Command Sergeant Major [REDACTED] I believe

16 were, sir.

17 Q. And who was Command Sergeant Major [REDACTED]

18 A. I met him on one occasion, sir, briefly. In fact, he

19 came back off leave back to the battalion shortly after I

20 arrived there. Once they found out that I was in place, there

21 was no need for two CSMs, Sergeant Major [REDACTED] rejoined I

22 think, I'd like to say, sir, the 530th MP Battalion or the 510th

3 MP Battalion. He also came under the 800th.

1 Q. The same brigade.

2 A. Yes, sir, the 800th. But I don't know which facility  
3 he went back to, sir, but he did rejoin that battalion.

4 Q. Upon your arrival, once again, was there anything  
5 given to you, provided to you by the MP Brigade chain of  
6 command, namely General Karpinski or the Brigade Sergeant Major  
7 on the topic of your performance and how you're supposed to  
8 interact in with regards to your new mission at Abu Ghraib?

9 A. No, sir. The first time I met General Karpinski and  
10 Sergeant Major [REDACTED] who was the interim Sergeant Major, the  
11 Command Sergeant Major of the Brigade at that time, or  
12 previously, had been a guy named [REDACTED], I think. He wasn't  
13 there when I first arrived, and Sergeant Major [REDACTED] again  
14 was the interim CSM for the Brigade. I met them here at Camp  
15 Victory when I came over with Major DiNenna for a conference.  
16 Other than formal introductions and apologies on my part for  
17 conduct of one of my NCOs who emailed the General directly  
18 without going through the chain of command, I would conclude  
19 that's a heck of a way to start business.

20 Q. With regards to the conduct of the guards on the daily  
21 operations, both day and night, was there any effort that you  
22 know of or established policy that the leadership presence was

1 either an implied mission task given the nature of the business  
2 that you were conducting there at Abu Ghraib?

3 A. I wouldn't say implied, sir. We would--a lot of us  
4 would do it, I mean, upon my arrival, I would tour the facility  
5 sometimes at different hours of the night, especially with the  
6 jetlag. I just couldn't get a sleep pattern down, so it  
7 wouldn't be uncommon for me to be moving through the compounds  
8 at 2 or 3 in the morning, or as far up as 5 or 6. Pretty much  
9 later on in the day, I suffered. But in the beginning, it  
10 wasn't a problem. It wasn't uncommon to see some of the first  
11 sergeants transporting coffee and tea and things of this nature  
12 out to various guard posts to the soldiers on watch. Various  
13 elements of the leadership on the 3-side could be seen roaming  
14 the compounds at different hours. The commander, Colonel  
15 [REDACTED] would be seen doing the same thing, sir. Some of  
16 the company commanders that I can recall were doing pretty much  
17 just checking on their men, per se, not an overall view, except  
18 for that one first sergeant, First Sergeant [REDACTED] He pretty  
19 much visited all the kids on all the towers. He was with the  
20 229th Company and his towers responsibilities were usually  
21 supporting Ganci One and Two compounds. He'd make it a point,  
22 sir, to go and hit all the towers.

1 Q. 372d was not assigned or attached until they arrived  
2 in country, if I'm not mistaken. Had you ever trained with the  
3 372d before?

4 A. No, sir, not as a company.

5 Q. So basically, the first introduction with the 372d was  
6 when you arrived in country?

7 A. Yes, sir.

8 Q. So did you know their reputation or training readiness  
9 or things of that nature?

10 A. No, sir.

11 Q. You had no knowledge, whatsoever.

12 A. No, sir.

13 Q. And the point where you mentioned the incident down at  
14 Bucca which pretty much degraded the morale of the battalion,  
15 the headquarters, primarily, did you get an inclination of who  
16 were involved with the incidents down there, whether it involved  
17 directly the 320th MP Battalion or the 372d?

18 A. Yes, sir, the 320th. Yes, sir, I read the newspapers.  
19 Sir, the bad news travels fast, even back at Fort Dix. Every  
20 one of the soldiers named, I knew.

21 Q. But they were not assigned to the 320th, I don't  
22 think, were they?

3 A. Yes, sir, every one of them was.

1 Q. The 320th MP Company?

2 A. MP Battalion, sir, the HHC out of Ashley,

3 Pennsylvania. In fact, Master Sergeant [REDACTED] she was an E7

4 originally, and I got--heard she was promoted, promoted in the

5 Battalion. She had been with the 424 and had been with the

6 Battalion previous to my arrival. Sergeant First Class

7 [REDACTED], I got him years ago when he was an E5, and made it up

8 to E7. Specialist [REDACTED] and Sergeant [REDACTED], I knew him as an

9 E3 in the Battalion, sir. So those four soldiers were mine.

10 Q. Assigned to the 320th.

11 A. Yes, sir.

12 Q. Headquarters and Headquarters....

13 A. Ashley, Pennsylvania, yes, sir.

14 Q. So there was no undisputable fact that they were not

15 assigned to anybody else but----

16 A. No, sir, they were mine, sir.

17 Q. And the incidents that had been made knowledge to you

18 with regards to the current investigation that's being conducted

19 now, based on what has been recorded so far, those people that

20 you reassigned somewhere or were suspended, what corrective

21 actions within the context of that one facility or one tier, can

22 you describe any type of corrective actions that were taken?

1       A.    Yes, sir. As soon as it happened, and the leadership  
2 was put on the spot, per se, the S3, Major [REDACTED], decided to  
3 develop a DA 6 on E7s and above from the headquarters element,  
4 itself, that would pull unscheduled visits of the hard sites in  
5 Ganci compounds of the towers during the hours of probably 2300  
6 to 0600 every night. So that if we went by alphabetical order,  
7 Sergeant [REDACTED], I'm just using an example, sir, Sergeant [REDACTED]  
8 might pull it one night, Chief [REDACTED] might pull it the next  
9 night. Lieutenant [REDACTED] might pull it the next night. That's  
10 what we've been going with, sir.

11       Q.    So those are the actions that have been taken to  
12 ensure there's a new set of eyes that are looking or overseeing  
13 the operations of that particular site, which is also considered  
14 the security detainee tier, if I'm not mistaken.

15       A.    Yes, sir, that site and the other sites, as well. The  
16 instructions aren't just clearly directed towards that hard site  
17 or Camp Vigilant. It's instructed to look at the whole  
18 operation, to include the towers and the TOC.

19       Q.    Have you inquired on the interaction of the  
20 interrogators with other MPs?

21       A.    No, sir.



1 Q. Are you aware that there is an active interaction  
2 between interrogators and the MPs with regards to an  
3 interrogation plan, punishment plan, things of that nature?

4 A. Yes, sir. I wouldn't want to say--a Regular Army-type  
5 thing, but there seems to be that break right there, sir, where  
6 it's MI on the Regular Army side of the house and the IR  
7 settlement on the Reserve and Guard side of the house. I  
8 wouldn't say there's a job description breakdown, but it seemed  
9 that they would do what their job requirements are and nothing  
10 more. And my soldiers would do their requirements and nothing  
11 more. There seemed to be a break there. I had good interaction  
12 with the Command Sergeant Major that was on the ground for the  
13 165th. In fact, he helped me quite a bit out there in regards  
14 to getting soldiers back into uniform standards and things of  
15 this nature, Command Sergeant Major [REDACTED] He was the 165th MI  
16 Battalion CSM.

17 Q. You had interaction with him.

18 A. Yes, sir. He was--if I'd say over all my years of  
19 working with various CSMs in the active side of the house and  
20 Reserves, he'd be like the best friend I had, good man, sir.

21 Q. How often did you meet with your senior NCOs with  
22 regards to conduct of detainee operations, soldier quality of  
3 life, soldier discipline, things of that nature?

1           A.    Like I say, sir, every Tuesday morning, after we had  
2   staff call, was my normal call with the first sergeants.  
3   However, the open door policy that I've got, sir, I can be  
4   stopped anywhere. Last night, I had a first sergeant come to my  
5   room, caught me at 2100 and wanted to talk, first sergeant from  
6   the 670th Company having an issue with his company commander.  
7   He asked for some guidance and things of this nature. That's  
8   not uncommon. I think that's good. They were trying to work  
9   something out. He's got about 62 days left. He's a pretty good  
10   man, sir.

11           Q.    Do you often interact with Sergeant Major [REDACTED]  
12   from 800th MP?

13           A.    I would say, sir, on the trips I would have to make to  
14   Camp Victory to the Brigade Headquarters. I think he came out  
15   to Abu Ghraib on two occasions, maybe three, maximum. He came  
16   out with Command Sergeant Major [REDACTED] to introduce his 16th  
17   Brigade CSM. He had one NCO call with my senior NCOs, and then  
18   he came out with the General on Christmas Day. We would take  
19   pretty much quality of life issues, standard of uniform and  
20   appearance, which greatly increased there at Abu Ghraib.

21           Q.    When the incident was finally put out into the open in  
22   regards to detainee abuses, was there any concerted effort by  
3   the battalion or the companies to do an all-hands call to let

1   them know what was going on, why their leadership was being  
2   suspended at Abu Ghraib?

3       A.   I went over to the 372d Company, sir, and I talked to  
4   all the soldiers involved, the same day that I brought the five  
5   soldiers up here. I escorted [REDACTED] all the way down  
6   to Sergeant [REDACTED] up here to Camp Victory. When I got back, I  
7   called for a meeting with the 372d company members, told them  
8   what had transpired, what the alleged actions of certain  
9   individuals in our company. There was no doubt that some of  
10   those individuals were present in that meeting on the night with  
11   the company. Because at that time, I didn't have any names. In  
12   fact, I hadn't even seen an investigation report. Colonel  
13   [REDACTED] was the one that showed me the report, and I don't know  
14   whether that's due to Colonel [REDACTED] with the  
15   confidentiality portion of it; I'd like to think that that's the  
16   case. Colonel [REDACTED] showed it to me and said, "Sergeant Major,  
17   this is what you're dealing with here. These are the seven  
18   individuals, or eight individuals." That's when I finally found  
19   out who the names were. But getting back to my meeting with the  
20   company, I told them that the actions of a certain few have  
21   caused a great many to suffer from it. I said, "Two individuals  
22   from my side of the house, being my colonel and my Sergeant  
1   Major," who I had a great deal of (inaudible) for. I took the

1 hurt very, very hard...their first sergeant, First Sergeant  
2 [REDACTED]. When you're with a Reserve unit, sir, a lot of times  
3 you think you'll be with a unit for a great unit of time, so you  
4 build the friendships there, as well. And I asked them, I said,  
5 "I don't know how close these soldiers were to these  
6 individuals, but if any of these were with them for a long  
7 period of time and considered them a friend," I said, "You've  
8 hurt that friendship by your actions." It took about a half  
9 hour for me to talk to most of the soldiers. I tried to  
10 reinforce the good things that they've done in the past, that  
11 because of the actions of a few, and I told them about my  
12 soldiers bearing that scorn, as well, the incident at Camp  
13 Bucca, that my Battalion had gone through, that it's something  
14 we've got to overcome and we've got to continue on with the  
15 mission because you can't walk off your post.

16 Now that the seven individuals were out of there, I'd  
17 like to go back and talk with the soldiers again and assess the  
18 climate. I spent a lot of time over there with them, and their  
19 First Sergeant because I have an acting First Sergeant in that  
20 position right now, Sergeant [REDACTED] And at the same time, we  
21 had the only officer left in the company, Lieutenant [REDACTED] who  
22 assumed the role as the company commander. So, we put those two  
3 in that position, it required a little closer mentorship and a

1 little more visibility, sir, than I would normally give a  
2 company that was operating at this normal tempo.

3 Q. A lot more closer attention, I'm sure.

4 The amount of time that's been given to detention  
5 operations, Sergeant Major, also would suggest that there are  
6 other folks that are involved in your operation because you're  
7 one of the tenant units in that forward operating base that's  
8 now under the command and control of the 501st MI Brigade. And  
9 previous to that, of course, you belonged to the 205th MI  
10 Brigade as a tenant unit.

11 A. Yes, sir.

12 Q. So you are under tactical control of the Brigade that  
13 is currently above you, but you are still assigned to the 800th  
14 MP Brigade. When things of that nature typically--and I'll be  
15 going back to your interaction with the 800th, with things of  
16 that nature, you were under further dual responsibility of  
17 reporting, one to the Brigade that you were currently under  
18 tactical control, and one to the Brigade that you were assigned  
19 to, the 800th. And I keep going, harping back at your  
20 interaction with both Command Sergeants Majors and that  
21 particular point, given the circumstances, did you ask for any  
22 assistance from either Brigade to help alleviate the problem  
3 that you were undergoing with one company that has a difficult

1 mission of guarding a hard site, let alone, a camp? Did you  
2 request any assistance from any assistance or were you doing  
3 things on your own in terms of what your capability----

4 A. I didn't know the 372d was under that type of trauma  
5 or anything, sir. I didn't know about the incident until after  
6 it surfaced on January the 13th. I didn't know anything had  
7 transpired. Once again, I didn't get in country until December  
8 the 3d, and didn't get to Abu Ghraib until December the 5th. I  
9 was unaware that any of this had ever occurred until this all  
10 came out, sir.

11 Q. So have you asked for any assistance from the two  
12 superiors that you have to give you further guidance so you can  
13 accomplish your mission in Abu Ghraib?

14 A. As to----

15 Q. Had you been given any assistance, whatsoever, or have  
16 you requested any assistance from either the 800th or the 504th  
17 or the 205th to give you additional personnel so you can  
18 accomplish the mission in Abu Ghraib?

19 A. I haven't asked for any, sir, no. In order for them  
20 to accomplish the mission, I would need exact replacements for  
21 the MOSS that are gone of those seven soldiers that have been  
22 transferred over here, in this case, I believe four MPs and  
3 three lower density MOSSs. The 504th, I just met their Command

1 Sergeant Major for the first time yesterday. The 202d MI  
2 Battalion just came in, Command Sergeant Major [REDACTED] I met him  
3 for the first time when Command Sergeant Major [REDACTED] came on  
4 the ground. That was a couple days ago, as well. In fact, I  
5 invited them to the NCO call we had with Command Sergeant Major  
6 [REDACTED] his first day on the ground out there. We are trying to  
7 work the 372d issue and keep them up to speed, sir, with the new  
8 First Sergeant. Word was that a new First Sergeant was inbound;  
9 I don't think that's a good call. These soldiers, once again,  
10 know nothing about this and it will come down to the trust  
11 factor. It took me almost 2 months to get this close to them.  
12 They're not going to open up to a brand new First Sergeant  
13 coming in on the ground.

14 Q. If you did not ask for any specific personnel  
15 replacements----

16 A. We've always been asking for replacements, sir. With  
17 the Reserve side of the house and the Guard side, it's not like  
18 Regular Army where you could go to a Replacement Battalion.  
19 It's just--this is issues and echelons above me, sir, it's just  
20 something that's gotta be worked out. Right from the get go,  
21 when we left out of Fort Dix, we were six people short. Now  
22 we're down to 118. Again, I've got MOS-trained soldiers that I

1 know are back at the Reserve Center just sitting there just  
2 doing----

3 Q. Well, I guess what I was looking for, Sergeant Major,  
4 is not exactly getting a replacement from the States, it's  
5 getting some reallocation of assets within the Brigade or even  
6 within the Battalion to help out with that issue. You said you  
7 took out seven NCOs or seven personnel out of a company that was  
8 guarding a site, and then reallocated within that company, per  
9 se, to cover that site.

10 A. Four were guarding the site, sir. The other three  
11 worked in the admin side of the house.

12 Q. So you were still out seven soldiers.

13 A. Yes, sir.

14 Q. Which means that company is still seven soldiers  
15 short.

16 A. Yes, sir.

17 Q. But then no movement whatsoever or whether the  
18 Battalion was either going to augment that company or whether  
19 the Brigade would take any action to reallocate within their own  
20 Brigades and give you the additional seven people that you are  
21 short of.



1       A.    That's a roger, sir, I haven't asked for seven  
2 additional people. We just go ahead and just work with what  
3 we've got here.

4       Q.    What is the personnel status of the 372d?

5

6       A.    They just got, which is one good thing, sir, they just  
7 got a platoon back that was on the Hallow ?? mission providing  
8 escort duty in that area. I believe 17 personnel came back up  
9 with that element, to include their acting company commander  
10 right now, Captain Steva. So the timing was good----

11       Q.    Are the 17 personnel up here now?

12       A.    Yes, sir, they're on the ground now.

13       Q.    What is that company doing now?

14       A.    They're still conducting the operation at the hard  
15 site at Camp Vigilant, sir.

16       Q.    That company has now has been given--but that's a  
17 platoon, I thought, or is it a company?

18       A.    That's a platoon--well, it's a designated company,  
19 sir, but when we just back the other day, it was a platoon, a  
20 platoon-strength element.

21       Q.    So that platoon was conducting hard site duty?

22       A.    Yes, sir, hard site at Camp Vigilant.

1 Q. Okay, that is under the command and control of the  
2 372d MP Company?  
3 A. Yes, sir.  
4 Q. Under the command of Lieutenant [REDACTED]  
5 A. Captain [REDACTED] now, sir, the acting company  
6 commander  
7 Q. Captain [REDACTED]  
8 A. [REDACTED] yes, sir.  
9 Q. When did that occur?  
10 A. When he hit the ground, sir, at Abu Ghraib.  
11 Q. When was that, this week?  
12 A. Yes, sir.  
13 Q. Because on the 2d of February, we met Lieutenant  
14 Raider.  
15 A. Yes, sir, I was there.  
16 [The session paused at 1533, 9 February 2004, and reconvened at  
17 1559, 9 February 2004.]  
18 Q. When you arrived back on the 5th of December and  
19 assumed the role as Command Sergeant Major, did you know that  
20 there was an MI Brigade that was operating as your higher  
21 headquarters for the Forward Operating Base?  
22 A. I know that there was an O6 on post, Colonel Pappas.  
3 I know they were basing the 5 commanders of Abu Ghraib and that

1 the Internment/Resettlement operation was pretty much a 320th  
2 task.

3 Q. Have you ever asked or inquired as to the command  
4 relationship between the 320th and 205th MI Brigade?

5 A. No, sir, I never asked about the command--I never  
6 asked what the climate was or anything like that between it was.

7 Q. In other words, you understood the 320th was the  
8 detention operations.

9 A. Yes, sir.

10 Q. But you never asked to what extent are you related  
11 somewhat to command and control to the 205th, other than being a  
12 tenant unit.

13 A. Roger, sir, that was our understanding. The 205th had  
14 a LRS company out there that conducted--or 165 had a LRS company  
15 on the ground out there with us that provided LRS operations  
16 outside the wire, as well as the 82d, and our own QRF as far as  
17 security forces there. The MI conducted military interrogations  
18 and things of that nature. And we reported basically to Colonel  
19 Pappas and his chain. I met the Brigade CSM on one occasion,  
20 Command Sergeant Major [REDACTED] I believe a lot of their elements  
21 were here at Victory, as well, and had only a small cell at the  
22 FOB, one out at Abu Ghraib.

1 Q. What do you think is the role of the Forward Operating  
2 Base?

3 A. My assumption would be, sir, that they would be in  
4 charge of the quality of life issues on post, the facilities,  
5 the overall operating facilities that they have there on post,  
6 coordination as--or the head element as far as the coordination  
7 between the sub-elements on post, the monitoring of the exact  
8 operation on the post, itself. A lot of times, I would find  
9 myself as the Battalion CSM looking for further guidance up  
10 there to the FOB because I understood the FOB ran the operation  
11 out there. But it wasn't somewhat in place. A lot of times, I  
12 would make an on-the-spot correction in regards to uniforms, and  
13 there would be two sets of standards. Some soldiers were  
14 allowed to--in fact, I grabbed a soldier in the mess hall before  
15 we came out. He had that Iraqi scarf-type thing in a tan and  
16 white check, per se, around his neck and he told me, he said,  
17 "That's accepted--," or he said, "That's authorized by my  
18 commander."

19 Q. Did you ask him who his commander was?

20 A. He said he's a LRS element, sir, and that's what I  
21 plan to take up when I go back to Abu Ghraib.

1 Q. Now, you've been in this business now as a Command  
2 Sergeant Major for the last 4 years with the same outfit, the  
3 320th.

4 A. Correct, sir.

5 Q. Now surely, in the context of conducting an I and R  
6 mission in a combat operation that holds detainees, that there's  
7 going to be some interaction with interrogators. Were you at  
8 all curious or aware of what interrogators do, interacting with  
9 your MPs with regards to, you got prisoners in there in a  
10 security area to secure the detainees, and you've got folks  
11 somewhat providing either instructions or interaction or  
12 coordination between the MP guards and the interrogation. Were  
13 you ever curious as to what are the established procedures?

14 A. Yes, sir. I've observed some of the procedures, sir.  
15 I've observed the interrogation block located over at Camp  
16 Vigilant there, just on the--it's the building on the outskirts  
17 of where Vigilant began, the building right there, and I've  
18 walked through it. I have not interrupted any of the sessions  
19 that I saw, but never observed anything out of the ordinary,  
20 other than talking to the prisoners.

21 Q. You never inquired about what should be the  
22 established SOP or any guidance written or otherwise that would  
3 establish why they're even coming into the cell and taking out

1 any of these detainees and taking them to the interrogation  
2 room, any practices whatsoever in regards to punishment or  
3 things of that nature?

4 A. No, sir. I would assume that that was part of the  
5 operational role and that they were doing it for the military  
6 side of the house in regards to the operations. I would never  
7 see them go into a cell and take them out because basically, the  
8 cells were down on the hard site there and they'd come down in  
9 cars and things of that nature. What I observed mostly with the  
10 MI is coming by Camp Ganci and taking the prisoners out, moving  
11 them up into the facility right there and conducting the  
12 interrogations there. Then I would tour into the interrogation  
13 area, and like I say, sir, I've never observed anything out of  
14 the ordinary. I observed basically two soldiers or two  
15 interrogators talking to an Iraqi prisoner. What the content  
16 was or what he was charged with, what they were asking him, I  
17 don't know, sir. It was pretty much soundproof.

18 Q. Have you ever asked your guards and say, "How do you  
19 guys do that?" Have you inquired on your guards or your  
20 leadership? What's our interaction with them since we're  
21 supposed to be doing detention operations?

22 A. The MI compound--or the MI guards would show up, sir,  
3 and say they want to see Prisoner such-and-such. They'd give my

1 compound guards an ISN number. A compound representative, who  
2 spoke English most of the time, would go in and summon that  
3 person that needed to be seen by the MI. The MI would then  
4 escort the prisoner from that area up into the interrogation  
5 area.

6 Q. Have you ever asked any questions just out of sheer  
7 curiosity of why those prisoners are being held in solitary  
8 confinement?

9 A. No, sir. The one yesterday in solitary that I  
10 observed with the handcuffs on was the one that tried to escape.

11 Q. Which one tried to escape?

12 A. I couldn't tell you his name, sir.

13 Q. When did he try to escape?

14 A. The day before, sir, out of Tier number five. He was  
15 the one that----

16 Q. He was the one that was crawling underneath the bus?

17 A. Roger, he went around the side, sir, with the barbed  
18 wire we had there, pushed his way through it, down to the left,  
19 got pinched--tried the one gate there that was locked, which I  
20 find amazing--that the Iraqi Guards, the ICOs, they don't lock  
21 anything, sir. They have to be constantly told. And has he  
22 kept going, the one guard in the tower tried to come down the  
3 stairs, but he couldn't get out in time. And then when the

1 alert went out, Sergeant [REDACTED] was coming out of Tier One A and  
2 fumbling around with the keys. He was finally able to get out  
3 of the guard tower and down to where he went under. [REDACTED] was  
4 able to come out and get him out from underneath the bus.

5 Q. Okay, you mentioned something about corrective actions  
6 that were made since the allegations have been made of multiple  
7 detainee abuses. Did you or your Battalion Commander, acting  
8 Battalion Commander, Colonel [REDACTED] discuss any kind of a plan  
9 or were you informed of any plan, written or otherwise, to  
10 conduct corrective actions to prevent reoccurrences of detainee  
11 abuses by the guards?

12 A. Yes, sir. Different flyers and notices have been  
13 posted. Rules of engagement were once again gone over.

14 Q. What I meant to say is, what I mean by a plan, it has  
15 to be a written plan, like an operations order of some sort, or  
16 an OPLAN or an SOP, and then bring people in and instruct them,  
17 as opposed to just arbitrarily posting SOPs and flyers and  
18 things of that nature. We're talking about a training plan of  
19 sorts that would correct the shortcomings that were perpetrated  
20 by the seven or ten other soldiers that did all these alleged  
21 abuses.

22 A. We AAR'd it and talked amongst ourselves, sir, what  
3 transpired. We can't really say at liberty, I guess, because



1 there's a confidentiality to report what the full content was.  
2 We talked with the staff. We hope that maybe this 15-6, once  
3 it's finalized, will help us formulate a training plan, I  
4 believe, find out where the shortcomings were, what we can do to  
5 implement a plan, that something like this won't happen.

6 Q. So even to this day, you are not aware of any  
7 specificity of what those soldiers did?

8 A. I've seen the charges, sir, but the exact--I've seen  
9 the wording of the charges. The exact elements of exactly what  
10 went into each of those charges that precipitated the next  
11 element, no, sir, I'm not aware of it.

12 Q. You were just shown, "indecent acts, cruelty," things  
13 of that nature, but you've not seen any film or photographs,  
14 things of that nature?

15 A. No, sir, no film, whatsoever.

16 Q. And your guards that you talk to every day have not  
17 told you anything of any degree of specificity of what those  
18 soldiers might or might not have done?

19 A. No, sir.

20 Q. Not at all.

21 A. No, sir. I know some soldiers have seen photos,  
22 allegedly. I know some members of the staff may have seen some  
3 of these photos. I haven't seen a photo, sir.

1 Q. So really, the corrective actions that you're talking  
2 about is not a comprehensive list of corrective actions, it was  
3 just kind of a response or a reaction to what is really  
4 transpiring, like more signs out there reminding people to not  
5 do this stuff, that sort of thing.

6 A. Yes, sir.

7 Q. That's the kind of corrective action you're talking  
8 about.

9 A. Yes, sir.

10 Q. And have you seen Colonel [REDACTED] at all, whatsoever?  
11 He gathered all these guys and you read everybody the full  
12 context of the allegations that are made against the Battalion?

13 A. Has he....

14 Q. Has he done any of that stuff? Since you were with  
15 him, at the time when people were getting suspended and being  
16 relieved from their particular job position and he was then, of  
17 course, subsequently appointed as the Acting Battalion  
18 Commander.

19 A. Yes, sir. Colonel [REDACTED] came in on the ground with  
20 Colonel [REDACTED] and Colonel [REDACTED] said he's going to be  
21 staying on as the Battalion Commander.

22 Q. But before then though, who did you think, since the  
3 Battalion Commander was suspended on or about the 13th of 14th

1 or 15th of January or something like that, who was then the  
2 Acting Battalion Commander at the time?

3 A. The XO, sir, Major [REDACTED]

4 Q. Major [REDACTED] was the XO. Did he then take immediate  
5 action to correct the problem?

6 A. Once again, sir, we implemented that plan of  
7 unscheduled checks and visits by staff personnel. The reading  
8 of once again, and posting of signs and things, encouraging  
9 soldiers to report violations of detainee abuse and to overall  
10 to make the command aware of--without going into certain details  
11 of the incident that had occurred with the 372d.

12 Q. But since you've been in this business for a long  
13 time, what do you consider as your bible, so to speak, when  
14 you're talking about detention operations? What are the  
15 regulatory and doctrinal field manuals, MTP that particularly  
16 would be associated with the conduct of detention operations or  
17 Internment and Resettlement?

18 A. It would be, sir, the Battalion SOP, which we have, or  
19 the MTP are the two books that I mostly look at.

20 Q. Are you familiar with AR 190-8?

21 A. If you give me the name of it, sir, I may.

22 Q. It has something to do with detention and  
3 resettlement.

1 COL NELSON: Which one, sir? I've got it.

2 MG TAGUBA: 190-8.

3 COL NELSON: Enemy POWs or retained personnel, civilian  
4 internees and other detainees.

5 Q. Are you familiar with FM 3-19-40?

6 A. No, sir.

7 COL NELSON: And that's MP internment, resettlement  
8 operations.

9 CSM ARRISON: The excerpts coming out of this, sir, and it  
10 would be in the MTP or anything. As far as sitting down and  
11 opening it up front to cover and know that that is the AR and  
12 that's the title, no, sir.

13 Q. These are things that should be somewhat relegated to  
14 you as the Battalion Command Sergeant Major. You should be the  
15 subject matter expert.

16 A. On the training, yes, sir.

17 Q. But you should also be very, very, very keenly  
18 familiar with the context of this AR, because it has something  
19 to do with the mission that you're conducting today.

20 A. If you're asking me, sir, if I can tell you about the  
21 size of the compounds, which come out of that, but to say that I  
22 know verbatim what that manual says, no, sir, I don't.

1 Q. Are you familiar with the context of the Geneva  
2 Convention?

3 A. Yes, sir, I've had Geneva Convention training.

4 Q. Do your soldiers have Geneva Convention training?

5 A. I believe that was one of the classes, sir, that we  
6 had before we mobilized--or deployed, rather.

7 Q. Are you able to articulate the context of the Geneva  
8 Convention that would make you culpable to war crimes if you  
9 violate such provisions of the Geneva Convention?

10 A. Yes, sir, and I know that there's crimes--a code as  
11 far as that goes.

12 Q. What is typically associated with the Geneva  
13 Convention and the handling of prisoners?

14 A. Abuse, from which is one kind, stealing of trophies,  
15 prisoner's belongings, the administering of punishment, things  
16 of that nature.

17 Q. It goes beyond that, as you know, cruel and inhumane  
18 treatment, what is allowed, is not allowed.

19 A. Yes, sir.

20 Q. Have you seen any of your guards parading any of our  
21 detainees without their jumpsuits or their clothing?

22 A. No, sir.

1 Q. Have you had any knowledge, whatsoever, that things  
2 like this----

3 A. Just what I read, sir.

4 Q. Just what you read? Have you heard any rumors  
5 associated with that?

6 A. No, sir.

7 Q. What about the use of force relative to the handling  
8 of a detainee getting prepared for interrogation?

9 A. The use of force as in applying handcuffs and moving  
10 them from one position to another? And again, your question  
11 again on that, sir, is am I aware of handcuffing the prisoner  
12 and moving him?

13 Q. This is all part of an interrogation plan.

14 A. Yes, sir.

15 Q. That basically stipulates what are those things that  
16 are contained in an interrogation plan as they relate to the  
17 removal of the detainee from his cell and taken to an  
18 interrogation room, being interrogated, returned back to his  
19 cell, is there anything associated with any kind of post-  
20 treatment? In other words, should that detainee be put on a  
21 special meal plan? Or should that detainee be deprived of  
22 sleep, for 4 hours every 24 hours to keep him awake? That he's  
3 only going to get 4 hours of sleep in a 24-hour period? Should

1 he be shackled? Should he be stripped of his clothing? Should  
2 there be other treatment? Are you familiar with that?

3 A. I'm not aware of what would authorize that, sir, or  
4 how it's perceived or who makes that determination of what that  
5 conduct--is implemented. I do know that certain prisoners are  
6 placed on lack of sleep schedules, per se, but who makes that  
7 determination is, I assume, the MI and what their focus is on  
8 that as far as what information they need to extract from a  
9 prisoner. I don't know about them being paraded around naked or  
10 things of this nature or abuse, other than as far as the sleep  
11 schedule, I do know that.

12 Q. What did you hear when four members of the 320th were  
13 held accountable for detainee abuses way back in May? When did  
14 you first hear about that?

15 A. When I was at Fort Dix, sir.

16 Q. When was that?

17 A. In May, sir, I guess, I mean, it was--like I said, it  
18 was well known. It didn't take long for it to travel back. We  
19 had one of my soldiers, I think, come back to Fort Dix in the  
20 May timeframe for a back problem. He was the one that made me  
21 aware of it.

22 Q. How would you characterize your relationship with your  
3 Battalion Commander, Colonel [REDACTED]

1           A.    I have a good relationship with Colonel [REDACTED]  
2   sir.  It's professional, yes, sir.

3           Q.    When you were not deployed and you were sticking  
4   around at Fort Dix, were there any phone calls, whatsoever, or  
5   emails?"

6           A.    I received a letter from Colonel [REDACTED] sir,  
7   stating that he knew the predicament the six of us were in, that  
8   he wished he could do something about it, that his thoughts and  
9   prayers are with us, things of that nature, sir.  He knew that  
10   all of us wanted to deploy, but for certain reasons, we were  
11   unable--he didn't hold that against us.  He said that the  
12   soldiers know.

13          Q.    Ever since you've been in that Battalion for the last  
14   4 years, how long was Colonel [REDACTED] your Battalion  
15   Commander up until the deployment time?  How long was he in  
16   command and you being his Command Sergeant Major?  To what  
17   extent was your relationship with him, how long was that?

18          A.    Probably 7 months, maybe, sir.

19          Q.    Seven months; did you know him before?

20          A.    No, sir.

21          Q.    Was he assigned to the battalion before that?

22          A.    No, sir.

3           Q.    So basically, 7 months worth of relationship----



1           A.    I'd say that's probably right, about 7 months, sir. I  
2 think sometime in the May timeframe, April timeframe of the  
3 summer before that, we got mobilized.

4           Q.    So you really didn't establish a good solid  
5 relationship with him, per se?

6           A.    We never performed at AT together, no, sir.

7           Q.    So the first time you really performed together was at  
8 mobilization?

9           A.    No, sir, we drill weekends and conferences together  
10 and things of this nature, but as far as performing a mission  
11 together, no, sir.

12          Q.    Not in the collective sense.

13          A.    No, sir.

14          Q.    What about any other members of the Battalion?

15          A.    The S3, sir, I've been on board with him for the whole  
16 time.

17          Q.    Who's the S3?

18          A.    Major [REDACTED]

19          Q.    So he's been there the whole time you've been there  
20 for the past 4 years?

21          A.    He was in the group, sir, the MP group that was here  
22 in the same building when I was at 367th, a group when I  
3 originally came on board, and then came and moved into the

1 Battalion. Sergeant Major [REDACTED], which is also a fulltime, an  
2 AGR, he's always been as the Battalion Operations Sergeant Major  
3 for the whole time I've known him.

4 Q. What about the XO, Major [REDACTED]

5 A. The first time I laid eyes on Major [REDACTED] sir, was  
6 when I came here to Abu Ghraib.

7 Q. So you never knew him?

8 A. No, sir.

9 Q. Headquarters Company Commander?

10 A. Lieutenant [REDACTED] is one of my E6s, sir, back years  
11 ago. I was helpful in getting his direct commission to First  
12 Lieutenant--Second Lieutenant, and eventually, now he's a First  
13 Lieutenant.

14 Q. Reporting detainee abuses or inmate escapes, on your  
15 best knowledge, Sergeant Major, what are the established,  
16 through SOP or different doctrine, field manuals and MTP, is the  
17 procedure for reporting that, documenting that?

18 A. The alert notification, sir, to the TOC, the  
19 summoning of the IRF and the QRF, if it's a mass escape or if  
20 it's an individual escape, a quick assessment and  
21 accountability, the overall trying of the apprehension, the  
22 facts that go into it, that if he does get outside the wire, who  
3 is he? Is he going to go back to certain areas and things of

1 this nature? Was there weapons involved? Are there injuries?

2 It's pretty much along that line there, sir.

3 Q. When you first heard that the Bucca incident occurred  
4 and you said it somewhat demoralized the morale of the  
5 battalion, did you provide any advice, whatsoever, to the chain  
6 of command or perhaps even suggested or recommended to get the  
7 Battalion back on its feet?

8 A. Sir, I wasn't here when it happened.

9 Q. Well, through your intermittent contact with the  
10 Battalion?

11 A. I never had much contact with the battalion, sir,  
12 other than the soldiers that were coming back through Fort Dix.

13 Q. And what about the note, memo or contact with your  
14 Battalion Commander--other than the letter that you got----

15 A. No, sir. They pretty much had their--I wouldn't say  
16 the Battalion did, sir, but pretty much--mind was made up that I  
17 was going to be medically discharged from the Army.

18 Q. Are you still suffering from diabetes?

19 A. I feel fine, sir. I mean, it will eventually kill me,  
20 but that's not today or tomorrow. That will be somewhere down  
21 the road.

22 Q. Competent medical authority cleared you for  
3 deployment?

1 A. Yes, sir.

2 Q. Are you on medication now?

3 A. Yes, sir.

4 Q. And your leadership knows that?

5 A. Yes, sir.

6 Q. The 800th MP knows about it?

7 A. Well, I don't know if the 800th knows. I mean, they

8 knew that I was a medical hold due to diabetes, sir.

9 Q. But you're not aware whether they know....

10 A. What type of medication I'm on, no, sir.

11 Q. All of your medical conditions....

12 A. No, sir.

13 Q. Have you made that known or made any attempt to

14 contact-----

15 A. No, sir.

16 Q. When was the last time you saw General Karpinski?

17 A. The morning she came out to Abu Ghraib, sir--well, no,

18 sir, I'm sorry, I stand corrected, on the change of command

19 ceremony, sir, here on the 31st of January--the TOA, I'm sorry,

20 the transfer of authority.

21 Q. The first time since your deployment?

22 A. No, sir, that's the last time I saw the General, sir.

3 Q. When did you see her before that?

1       A.    She came out right after this incident occurred,  
2   talked to the leadership at their staff meeting that morning.  
3   The time before that was Christmas Day, I think, sir, she came  
4   out to visit the troops. And the time before that, I met the  
5   General here on Camp Victory.

6       Q.    Did you say something, converse, or was it just a  
7   matter of meetings and things of that nature.

8       A.    Yes, sir. I apologized for my Master Sergeant  
9   emailing the General directly with a matter, sir. That's when I  
10   first got on board, so I'm not sure whether that Master Sergeant  
11   knew I was on the ground, because she's stationed down at Camp  
12   Arifjan. I didn't come through Camp Arifjan on my way in, I  
13   came in through Camp Wolf up to here.

14       Q.    How would you characterize Colonel [REDACTED]  
15   leadership style?

16       A.    Very approachable, sir, very soldier-oriented, to the  
17   needs of the soldier, very hands-on, he leads by example. If  
18   the soldiers are stringing wire, he's stringing wire. If the  
19   soldiers are getting rained on, he's getting rained on. He  
20   leads from the front, sir. The soldiers love him. I know my  
21   kids do in the 320th. They're pretty well upset that their  
22   Colonel is over here and not back at Abu Ghraib.

1           Q.    When you arrived and he was the Battalion Commander  
2   and based on your observations up until the allegations were  
3   made, thus removing some of the soldiers from their position,  
4   how did you characterize the interaction between Colonel  
5   Phillabaum and the rest of the soldiers?

6           A.    Colonel [REDACTED] is always respected by his  
7   soldiers, sir. The soldiers, I guess, at the subordinate  
8   company levels didn't know him as well as we know him, just like  
9   I don't know their commanders or first sergeants as well as they  
10   do because of the different geographical areas. They're not  
11   organically assigned to us. That's one of the problems in the  
12   Reserves; we don't know what we're getting until we show up and  
13   get it. We had one escort Guard Company that was organic to us  
14   for a good number of years, the 305th Company out of West  
15   Virginia, and those kids were great and we had a great working  
16   relationship with them. They'd come to AT with us and do their  
17   portion of the mission, which was the towers, the escorts of the  
18   prisoners, and things of this nature. And for some geographical  
19   reason, where Ashley, Pennsylvania, and Wheeling, West Virginia,  
20   and Big Bend, West Virginia, are located, they decided that we  
21   couldn't provide the guidance that they needed and pulled the  
22   company from our control, which when they reassigned the  
3   company, there was only another hour difference, 4 hours as

1 opposed to 5 hours of travel time. And they assigned it to an  
2 Ordnance group, which makes no sense to me.

3 Q. Sergeant Major, what would be your recommendation to  
4 help obviate some of the situation that your Battalion is  
5 currently undergoing?

6 A. Well, sir, we have to realize that this incident right  
7 here was no reflection on my Battalion. This is not my  
8 Battalion of soldiers. These soldiers are from the 372d  
9 Company. My Battalion has taken the hit, sir, from that Bucca  
10 incident, which we brought on ourselves with the conduct of  
11 those four soldiers. These are not my soldiers. We inherited  
12 it because of this operation, and I'd like that to be known. I  
13 didn't see these soldiers before I got on the ground, therefore,  
14 I didn't know what type of soldier I'm getting. If this is an  
15 internal problem with the 372d that has been existent for a  
16 great period of time, I'm not aware of it. Once again, sir,  
17 this is echelons above us as far as who we get to do the job  
18 with. I think maybe perhaps a problem of this nature could be  
19 eliminated if somewhere in the future we knew what we were  
20 working with. As I mentioned in the case with the 305th  
21 Company, we knew what those kids were about. I knew who had  
22 heart problems. I knew who had these kind of problems and  
3 things of this nature. They would know me. They came from the

1 poorest part of the country and the poorest states, those kids  
2 down there. The biggest employer they had was the Army  
3 Reserves, and they get to know these kids. But you don't get to  
4 know them when you never meet them. So the leadership has to  
5 get down there. But if you don't know what you got until you  
6 get here on the ground, you're never going to meet the  
7 leadership and they're never going to get a chance to trust you  
8 until you get in there to interact with them, and that takes  
9 time, sir. It's not something that's developed from the first  
10 time these units get on the ground and say, a day later or 48  
11 hours later so you have to get to trust these guys. It doesn't  
12 happen that way, sir.

13 Q. So you are basically recommending that the 372d fix  
14 their own problem?

15 A. I'm not saying that they have to fix their own  
16 problem, sir. I'm saying that that problem they had with those  
17 individuals shouldn't be a reflection on my soldiers from the  
18 Battalion. Like I say, sir, we shot ourselves in the foot at  
19 Camp Bucca with the conduct of those soldiers, and we'll take  
20 the hit for that. But this here, we didn't do, sir.

21 Q. Was the 372d, just so I'm clear in my head, was the  
22 372d part of the 320th at Camp Bucca?

3 A. No, sir.



1 Q. They were not. Who were they assigned to?

2 A. I'd like to say, sir, the 530th, and I can't be sure

3 of that. I believe they came in country in the May timeframe,

4 which is right around the time the Bucca incident happened. But

5 who they were with down here, sir, I wouldn't know.

6 Q. So the 372d was assigned to another Battalion at Camp

7 Bucca.

8 A. I'm not sure if they were at Camp Bucca, the 372d,

9 sir.

10 Q. They were.

11 A. They were somewhere--oh, they were, okay. I wasn't

12 aware of that.

13 Q. And when everybody from the 800th got their mission,

14 I'm not sure to what extent the 372d was reattached or

15 reassigned to another outfit in the 800th, other than that the

16 800th assumed the mission here that was assigned to the 320th

17 that the 372d was then made part of. Okay?

18 A. Yes, sir.

19 Q. Do you have anything else you want to add?

20 A. No, sir.

21 [Command Sergeant Major [REDACTED] was duly warned and departed the

22 interview area. The interview terminated at 1630, 9 February

3 2004.]

| SWORN STATEMENT  |  |  |                     |
|--|--|--|---------------------|
| For use of this form see AR 190-45, the proponent agency is DDCSOPS  |  |  |                     |
| PRIVACY ACT STATEMENT  |  |  |                     |
| <b>AUTHORITY</b><br><small>AR 190-45, Section 20-1, Title 5 USC Section 2951, F.O. 9397 dated November 22, 1940 (SSA)</small>  | <small>provide commanders and law enforcement officials with means by which information may be accurately identified</small> |  |                     |
| <b>PRINCIPAL PURPOSE</b>   | <small>to identify individuals who are subject to investigation</small>  |  |                     |
| <b>ROUTINE USES</b>  | <small>to identify individuals who are subject to investigation</small>  |  |                     |
| <b>DISCLOSURE</b>  | <small>disclosure of your social security number is voluntary</small>  |  |                     |
| <b>1. LOCATION</b><br><u>ABU-GHRAIB, BELF, IRAQ</u>  | <b>2. DATE (YYYYMMDD)</b><br><u>16 FEB 04</u>  | <b>3. TIME</b><br><u>0700</u>          | <b>4. IF NOTED:</b> |
| <b>5. LAST NAME, FIRST NAME, MIDDLE NAME</b><br><div style="background-color: black; height: 1.2em; width: 100%;"></div>   | <b>6. SSN</b><br><div style="background-color: black; height: 1.2em; width: 100%;"></div>                                    | <b>GRADE/STATUS</b><br><u>E-9 USAR</u> |                     |
| <b>7. ORGANIZATION (If Applicable)</b><br><u>320TH MP BN. APO AE 09335</u>   |  |  |                     |
| <b>8. TO THE BEST OF MY RECOLLECTION</b><br><div style="background-color: black; height: 1.2em; width: 100%;"></div>   |  |  |                     |
| <b>9. I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH</b>  |  |  |                     |
| <p>THE 320TH MP BN. MOBILIZED ON 10 FEB. 2003 AT ITS HOME STATION, ASULEY, PA. ON 19 FEB. 2003 APOW ARRIVED AT FT. DIX, NJ. FOLLOWED BY THE MAIN BODY 1 DAY LATER. WHILE AT FT. DIX WE RECEIVED THE TRAINING REQUIRED FOR ALL MOBILIZING UNITS. THE MRE WHICH EVALUATES OUR COLLECTIVE TRAINING AND READINESS ASSESSMENT TO PERFORM OUR MISSION WAS WANTED AND THE BN. LEFT FT. DIX ON 02 ABOUT 12 MARCH. 2003. 140 PERS.</p> <p>I REMAINED AT FT. DIX AS A MEDICAL HOLD BECAUSE OF</p> <div style="background-color: black; height: 1.2em; width: 100%;"></div>   |  |  |                     |
| <p>SOP'S SEE ATTACHED LIST.</p> <p>THE PROCEDURE FOR MP'S IN REGARDS TO MI INTERROGATIONS IS ONLY TO APPLY THE REFERENCES MADE BY MI AND FOLLOW THE INSTRUCTIONS AS OUTLINED BY MI PERSONNEL IN REFERENCE TO SLEEP PLANS, FOOD PLANS, LIGHTING ETC. MP PERSONNEL DO NOT ASSIST IN THE INTERROGATION OF PRISONERS. THE PROCEDURE FOR CONDUCTING THIS IS DONE AT THE "HARDSITE" TIER #1 WITH THE 372ND MP CO. NOT THE 320TH</p> <p>I PERSONALLY HAD A GOOD WORKING RELATIONSHIP WITH THE 165TH MI BN CSM <div style="background-color: black; height: 1.2em; width: 100%;"></div> THE FOB COMMAND WAS THE 205TH MI BDE. I MET THEIR CSM (<div style="background-color: black; height: 1.2em; width: 100%;"></div>) ON ONE OCCASION AND NEVER SAW HIM AGAIN. THE FOB COMMANDER COL. PAPPAS WAS HERE AT ABU-GHRAIB VERY OFTEN. IN MY</p> |  |  |                     |
| <b>10. SIGNATURE OF PERSON MAKING STATEMENT</b><br><div style="background-color: black; height: 1.2em; width: 100%;"></div>  |  |  |                     |
| <b>11. PAGES</b><br><div style="background-color: black; height: 1.2em; width: 100%;"></div>   |  |  |                     |

STATEMENT OF

TAKEN AT

BCF, IMAQ

DATE

10 FEB 04

9. STATEMENT OF OPINION THE FOB DIDN'T TAKE AN ACTIVE PART IN BASE OPERATIONS. THE MAJORITY OF EXTERNAL FP TOWERS WERE MANNED BY MP'S AS WELL AS ALL INTERNAL TOWERS AND ECP'S. YOU DO NOT HAVE TO HAVE TO HAVE MP'S ON ECM + TOWERS, ANY SOLDIER CAN STAND THAT POST. WHEN THIS WAS ADDRESSED WE RELUCTANTLY RECEIVED SOLDIERS FROM THE MI FOR STAFFING THREE EXTERNAL TOWERS. OUR BN. S-4 OFFICER AND RTH OIC BASICALLY RAN THE WHOLE LOGISTICAL OPERATION FOR THE ENTIRE FACILITY.

320TH MISSION IS TO CONDUCT DETAINEE AND EPW OPERATIONS IN A DESIGNATED THEATER OF OPERATION (SEE ATTACHED) MISSIONS THE TRAINING RECEIVED IS FORMAL (MOS PRODUCING) (INDIVIDUAL, COLLECTIVE, SOP'S ANNUAL TRAINING EXERCISES, AT 8000 FT. DIX, AT 2001 AND 2002 - KOREA, OPERATION FOAL EAGLE, INTERNAL FTX'S ON DRILL WEEKENDS. STAFF (STAFF)

SERIOUS INCIDENTS ARE REPORTED IMMEDIATELY THROUGH CHANNELS, (IE TO C) CHAIN OF COMMAND, INTERNAL SOP'S

CORRECTIVE ACTION TAKEN SINCE THIS INCIDENT CAME TO LIGHT IS TO CONTINUE OPERATIONS AS THEY WERE. CRIMINAL BEHAVIOR IS GOING TO EXIST NO MATTER WHAT CONTROL OR PREVENTIVE MEASURES ARE IMPLEMENTED. THESE INDIVIDUALS CLEARLY INTENDED TO UTILIZE AND SEIZE AN OPPORTUNITY WHEN IT PRESENTED ITSELF WHICH WAS EVIDENT BY THE PRESENCE OF CAMERAS, AS THEY INTENDED TO PHOTOGRAPH THEIR SESSIONS. WE ARE QUICK TO ASSUME THAT THE LACK OF LEADERSHIP WAS THE PRIME PRESENCE WAS THE PRIME FACTOR WHICH AFFORDED THE 370TH DEGENERATES TO THRIVE. IF THESE ACTS OCCURRED OVER A 2 MONTH PERIOD PERHAPS IT WAS THE LEADERSHIP PRESENCE THAT PREVENTED THIS BEHAVIOR FROM HAPPENING MORE OFTEN. WHEN THIS INCIDENT WAS MADE KNOWN AND NAMES FURNISHED, ALL THOSE INVOLVED WERE REMOVED TO ADMINISTRATIVE DUTIES FROM THEIR PRESENT DUTIES. THEY WERE EVENTUALLY

STATEMENT OF

AT

BCLF IRAQ DATED 10 FEB 04

STATEMENT (Continued) MOVED TO CAMP VICTORY AWAY FROM THE REMAINING COMPANY MEMBERS. A MEETING WAS HELD BY MYSELF WITH ALL COMPANY MEMBERS OF THE 370<sup>TH</sup>. AMNESTY BOXES WERE ENPLACED IN THE LSA BY THE FOB COMMANDER. DA FORM 6 WAS CREATED TASKING SENIOR LEADERS TO CONDUCT UNSCHEDULED VISITS OF THE FACILITY. THIS WAS ALREADY BEING DONE ON AN UNDOCUMENTED BASIS. NOTIFICATIONS WERE POSTED REGARDING DETAINEE ABUSE THROUGHOUT THE COMPOUND.

320<sup>TH</sup> NEEDS: THE ABILITY TO DRAW FROM MANPOWER RESOURCES AS RA DOES. LOGISTICAL DRAW IN PLACE SO THAT WE'RE NOT SCROUNCING AND BEGGING FOR SUPPORT. A HIGHER HQ. THAT CARES ABOUT MISSION AND QUALITY OF LIFE ISSUES AND WILL SUPPORT SAME. THE ABILITY TO INTERACT WITH DESIGNATED SUPPORT UNITS PRIOR TO MOBILIZATION.

## AFFIDAVIT

WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE

3

I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT

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 UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

Subscribed and sworn to before me, a person authorized by law to

administer oaths, this

10<sup>TH</sup>

day of

FEB

2004

at VICTORY BASE

Jose A. Mendez

CFLC - CG - PSD Jose A. Mendez, Sgt.

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