

On 10 February 2004, a panel of officers, directed by 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**
1SG [REDACTED], 372nd MP Company, **Respondent**
SSG [REDACTED], 27D30, CFLCC – SJA, **Recorder**

The interview is summarized as follows:

My full name is [REDACTED], social security number [REDACTED] 372nd Military Police Company, U.S. Army Reserve, Cumberland Maryland. The company is currently located at Abu Gharib Prison. Myself, along with a few other individuals, since 19 January, have been here at Camp Victory. Pending further investigation, I've been suspended from First Sergeant duties at the 372nd Military Police Company. I don't really know the full circumstances behind it, Sir. I just know, whether it's a political issue or not, based on the individual actions of some soldiers, they felt that the leadership should be removed, pending the investigation.

My role as 1SG is nothing very complex. Really, it's looking after the morale, the health, safety, and welfare of the soldiers in the company. Taking care of the soldiers is the bottom line to it.

Company level, CPT [REDACTED] and I shared the same room at our former assignment, but here we have 2 different rooms. We see each other everyday. On a battalion level, I do attend the battalion briefs in the morning. I had very little contact with the Brigade. If they were to happen to come by the facility, and just happen to be in the neighborhood, I might bump into one of them. I had a CSM [REDACTED] come by once or twice. The only time I really interacted with them with some work was when a water pump at the prison facility needed to be replaced. We worked pretty aggressively to get try and get some money to replace the water pump. I got most of my support from the battalion level. I don't interact directly with the Brigade. This was an exception.

My chain of command consists of CPT [REDACTED], the Company Commander, LTC [REDACTED] at the battalion level, General Karpinski was the Brigade Commander, and

ANNEX 81

CSM Clements, the Command Sergeant Major, at the time. CSM ██████████ took his place after he left. COL Pappus? I never really had a whole lot of interaction with him.

The 205th were the head. They were above the battalion, but our leadership chain did not fall under them, because they were the MI crowd. I did not see a whole lot of policies or directives coming from the 205th, when they were in charge. We went by the guidelines that were already presented, the Rules of Engagement from the 800th, the one back and July, and then in November, the update. I don't know whether our specific units had any relationship.

The first half of our element came up to Abu Gharib October 1st. Our mission was a law enforcement mission in Al Hillah, Iraq. We had an Iraqi Police School. Our soldiers trained Iraqi security guards. The entire city was broken up into 3 sectors. Each one of our platoons had a sector, and we had one as a standby backup QRF type platoon. The Commander was very close to the Chief of Police. We had dual roles. We integrated into 3 of their sub-stations. We had soldiers there 24/7, going out on raids, going out on arrests, going out on warrants, going to and from local courts, and assisting in operating the local jail.

We're a CS Company. We felt that we were more prepared for that mission, in that many of the raids that we did were similar to the mount training that we often did. Certainly the highway miles up and down the road, getting around in cities and things lends us more to what we knew how to do. Being a Military Police Company, we have a lot of law enforcement people, who have a little more expertise than someone just going through a Military Police School.

We trained the Iraqis on search procedures, weapons handling procedures, how to properly handle AK-47's, Code of Ethics, getting them to understand that there is some type of ethical system out there. A police officer making \$30 a month might supplement his income, by taking bribes and grafts from family members wanting to come in and feed the prisoners, or buying their family members out. It was a very rudimentary school.

We fell under the 310th, when we came into country. We were very uncertain what our role was going to be. Again, we're a combat support element. Combat support typically does not do Internment/Resettlement, Escort Guard, things like that. During our Pre-mobilization and mobilization, we did not train on any kind of I/R mission.

We organized the company. We targeted those who had experience in the correctional field, and put them into key leadership positions, because they've operated prisons, they've operated lock downs, they've operated cells. Cumberland, Maryland has a facility right next to it. We also contacted the 320th, making sure we attended the mandatory training on the Rules of Engagement, as laid out by the 800th, on the riot control stuff, on non-lethal training. I think there was a mandatory feeding observation. We found out the requirement, to make sure we could run things as effectively as we could. There was also a "right seat ride" with the 72nd MP Company. That was more of an OJT type of training.

Our unit's been under strength. We were supposed to mobilize with 180 soldiers. We only took 177 to the MOB site. We came to country with 163, with the medical holds at Fort Lee. Through the exercise we lost soldiers to medical issues. We had 2 with kidney issues, there was a knee, another with a headache type of a thing... One of our platoons was tasked with a protective service mission with the CPA, in and around Hillah and the four cities I guess. So that drops out 28 soldiers right there.

Our soldiers have 3 primary missions. We had the hard site, which has Iraqi criminals, pre-trial and post-trial. We had Camp Vigilant, which has security detainees living in tents, somewhere in the neighborhood of 500. We also did convoy escorts.

Initially, we didn't have to use support personnel, with the numbers we had on the ground. We had enough MP's to cover the mission requirements. Our low-density staff would do their normal activities. To meet force protection requirements we would pull from our low density MOS's. As we integrated the soldiers into the prison, we made sure they had the same mandatory training we had early on.

The commander was involved in the management of stuff. He participated in some of the training, but training function does not necessarily rest on his shoulders. SFC [REDACTED] was our Force Protection NCO, so he designated what training, and we coordinated through him. Former Corrections Officers were integrated as trainers. Sergeant [REDACTED] he works at a correctional facility. He directed the riot control training. We have several individuals, Sergeant [REDACTED], Sergeant [REDACTED], Sergeant [REDACTED], who we tried to plug into key positions at the site, even before we hit boots on the ground.

Yes, Sir. It is alleged that some of my people were involved in prisoner abuse. From second-hand information, I know there were photographs, possibly a video, of some of the things that were going on. Firsthand, I did not observe, or witness anything they are being accused of. They were trusted individuals.

Right now, Sir, morale is in the toilet. I personally felt cheated, exploited, and stabbed in the back. People that have served many years in this unit, feel that there's been a lot of good years, and a lot of good people have come through this unit, and now the unit history's gone down the toilet. We will be remembered as this event, not the history had in World War II, Desert Storm, and the Bosnia rotation. We have a very colorful, very active reserve history. One "Aw shit" eliminates a lot of "Atta boys."

I wasn't aware of the specific tactics that MI used, or what their ROE was for that. I really can't speak toward that one. I don't think our soldiers were aware of the MI ROE. We didn't train our soldiers on that. MI was in charge, and maybe gave direction and guidance to our soldiers, as needed, but I don't think our soldiers had a list of what was going on.

Speaking to that, I don't think that anyone would prescribe or write that on any piece of paper for their Rules of Engagement or "softening up," because it would not hold up. It

doesn't pass the common sense test or any kind of correctional test for treatment of a human being.

Each shift had a shift supervisor, who coordinated activities with the soldiers who were working within the hard site or Vigilant.

I don't know what the MI instructed them on, specifically. At the company level, we did not know of separate rules of engagement for the prisoners. The soldiers may or may not have. They had more of a daily interaction with the MI's, the interrogators that would actually give them instruction on how to prepare a prisoner for an interrogation.

I think the program we set up, when we first hit the prison, was an excellent program. We put key individuals in place, and those key individual soldiers, at some point in time, maybe took it beyond what the MI softening program was. The MI may have given them very liberal instructions, as to what to do, and they took the ball a little further. To prevent that, I think it's getting to where it's gotten to now – individual contracts with individual soldiers: You will read the Rules of Engagement, you will read the 3 pages on how to wear the Army uniform, you will not think outside the box, you will sit in that chair. If someone wants a glass of water, they will ask you for a glass of water. I think that's going to defeat any kind of motivation, any kind of initiative. What to do different? I think we had a very good plan in place. I think that the problem with the plan in place is that there were individual soldiers, who had warped, demented initiatives, and took advantage of an opportunity, when the opportunity presented itself, a small block of window in the middle of the night. I carried myself through there a number of times. SFC [REDACTED] was there 18 hours a day. They had their own opportunity.

SFC [REDACTED] was the NCOIC of the hard site. The shift change at the hard site was at 4 in the morning. So he would roll in there at 10 - 11 o'clock in the morning, and stay there until 11 - 12 o'clock at night, to try and cover the 2 shifts. SGT [REDACTED] was the correctional officer, daytime, SSG [REDACTED] who was a correctional officer in Virginia, nighttime shift. We had SSG [REDACTED], who was law enforcement. Again, we really stacked correctional people in the facility. There didn't seem to be a whole lot of need to micro-manage what was going on there. The briefs we received from LTC [REDACTED] spoke very highly of our soldiers, the work that they were doing, the accomplishments and success that they were having. There were no indicators that anything outside the outstanding job our soldiers were doing was happening. We had 24-hour coverage with the soldiers we had in place.

I don't think having an FOB made a bit of difference. When I talked to my soldiers, they were short things. They need clothes; they needed food at the confinement facility. All that stuff was handled through the S4. I don't know whether they were handling that stuff through the 205th, or if they were handling it through the 800th. It was a challenge.

MAJ [REDACTED] worked the man to task type set up. We lost 11 soldiers in November, because of REFRAD's, due to 23 - 24 month deployments. Another company may have lost the same thing. So frequently, he would do task to manning standards. Our mission

collapsed in November. In November, we looked at our 3 missions, escort, Vigilant, and the hard site, and we said, we could no longer do the escort. We do not have the soldiers to do the escort mission. So, that collapsed our mission. I'm sure they were doing the same thing for others. We assumed other towers. Other units assumed other responsibilities, as well. As the 870th moved in, they picked up 2 compounds at Ganci. There was a continuous rotation of allocation of resources, as best as I think they could do.

I don't think one quick answer can make things right. Logistics has been the biggest letdown of anything we have. Why are begging for oil for light sets, to keep electric lights on? Why are we running vehicles that may very well be deadlined, because we can't get parts to fix them? Honest, this is a true story - If you have a bad CV boot on your front shafts of your HMWWV's, a corrective measure is to take an MRE bag, and wire tie it around it, to keep the dirt and debris out of it. That's a corrective measure to fix a CV boot? I'm sorry, but parts are falling way short. I think the military has contracted so much out. They can't function independently. We are so interdependent upon the local nationals to provide support, to provide parts or labor, or something in between. I work in the private industry for a profit organization, and I see the military leaning toward operating as a profit organization. Just in time inventory.

We took a mortar attack 3 weeks ago. We just lost our fuel truck. How do we replace it? What mechanisms is there, to DX that one, and get a fuel truck, now? We had a vehicle accident in early June. We lost a 998 truck. We stripped it for parts, because we couldn't get other parts coming in to service. Where is that truck, now? Has that truck been replaced? No it hasn't. Could we use that 998, to transport prisoners, rather than transport prisoners in the back of a Deuce, that you can't manipulate through some of the serpentine around? Sir, I'd just burn your tape up on that type of an answer. The bottom line is - I think the military should be independent for the soldier's health, safety, and welfare. We need to depend on the military serving us food, clothing, parts, and labor, to minimize the risks that we know are out there. We're allowing hundreds of dumpsters to come in a day. How effectively can we search those trucks? Do we know what's under those 17 tons of rock? It's all a pile.

The panel stopped, to discuss 1SG ██████'s statements.

The LTC ██████ has more questions for 1SG ██████, which he answers as follows:

I've been the 1SG since March of 2001. I've been with the company since June 1986.

Behavioral issues? I think more control is in corrective measures. I don't think you can change a person's behavior. Their life experiences have made them what they're going to be. You can control it by, maybe increased supervision, or whatever.

MI is responsible for 1A, 1B. Our soldiers monitor the care, welfare, and food of the detainees. I had no role at all at 1A, 1B. My concern is in the morale, safety, and welfare

of my soldiers. Wherever my soldiers were, my question to them is – Is there something I can do for you? Is there something you need? My function is to help support them in their job. Not necessarily to do their job, or monitor what they're doing, but to try and support them.

Working 12 on, 12 off 7 days a week, a lot of the soldier's training was OJT. We leaned on our NCO strength of corrections officers to train those soldiers. As far as the training role, I'm assets and resources.

My first opportunity to know SGT [REDACTED] was through this deployment. We've had our run-ins. He's always been a little more of an individual, but talking to his Platoon Sergeant and his Platoon Leader, he's always performed his mission well. Right now he's a Specialist. He was promoted to Sergeant. A month later he was demoted, not through any fault of his own. His security clearance ran out. His interim clearance ran out. He gained Corporal rank during Homeland Defense, so he went back to that rank.

I did walk through 1A, 1B, 2400 – 0030. Not every night, but at random times I would make my rounds. I would see SFC [REDACTED] in there, and he's a capable NCO. CPT [REDACTED] would come get me, we'd be trying to check out the generators, and he'd say come with me, so we'd walk through.

These things happened out of opportunity. There are rooms that have an outside metal door, and you can't see inside. Someone has to allow you access. I don't remember my access ever being significantly delayed.

With LTC [REDACTED] having no further questions, LTC [REDACTED] then gave 1SG [REDACTED] a list of items, to be addressed, and brought back on a Sworn Statement.

SWORN STATEMENT

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

LOCATION CAMP VICTORY, PALACE	DATE 2004/02/11	TIME 2:30	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]	GRADE/STATUS ISG	
ORGANIZATION OR ADDRESS 372ND MILITARY POLICE COMPANY, ABU GHURAYB PRISON, IRAQ, APO AE 09335-1322			

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

Q. What did your command do differently after the incident at Bucca? How did your Company operate differently?

A. The situation at Bucca did not affect our Company's mission when we became aware of the incident in August 2003. Our Unit was doing a Law and Order in the city of Al Hillah, Iraq, which was not any type of prison operations. One of the accused soldiers went to Bosnia in 2001 with our Unit. Some of us reflected on his character and agreed he was a good soldier in Bosnia. Our only information about Bucca came from the press. We were not very informed of the details of the incident.

Q. Who was in supervision control of the MP's at 1A and 1B? (CPA, OJA(Other Government Agencies), MI, MPI)

A. I would say that "Supervision control" in 1A and 1B rested with the MP's. The Hard site mission was one of our 3 missions. The Hard site consisted of tiers 1 through 4 at that time. Working Manning to taskings were driven by MP guidance. Although "supervision control" was handled by the MP's, many of the specific detainee taskings and direction for 1A and 1B were directed by MI or OJA. Detainees in that tier did not fall under the same guidelines of the other Iraqi criminal population in tiers 2, 3, 4. I was told that MI or OJA verbally directed sleep activity, exercise, or isolation to prep for interrogation.

Q. What was the manner used by MI for prisoner instruction on MI holds?

A. MI and OJA used verbal instructions when we assumed responsibility of the mission from the 72nd MP Company in October. Written instructions began in late December. Our soldiers were requesting this information to eliminate confusion.

Q. Knowing what we know now, what would you recommend to your commander to do differently?

A. Recommend differently.... This mission stretched our field of expertise or experience. We are not 95C's, but we pulled on civilian correction assets. With the time and manpower resources OPS developed a plan to conduct successful mission operations. The plan called for using Civilian Correctional personnel in leadership positions at Vigilant and the Hard site. Additional general prison training was conducted for other MP personnel.
Unknown variables... CPA, MI, OJA, policies and procedures, working with limited experienced Iraqi Correctional staff and Iraq/CPA Operations.

Recommendations: In a perfect world, I would recommend more specific mission definition, requirement in order to develop specific training prior to start of mission. Time, energy, resources, necessity, and activity determine how much can be accomplished (Troop Leading Procedures). Gain more control of the unknown variables. Hold the variables to specifics, in writing, with accountability; without specifics, no intervention; basic life support operations to detainees, survival, support, stabilize, and security; initiate a detainee journal on activities sooner; accountability of procedures, accountability of detainees, accountability of soldiers.

Q. Describe Geneva/Hague rules training; when and where it occurred?

A. The Geneva/Hague briefing is mandatory annual training. Briefings were conducted in December 2002 and during mobilization at Ft Lee, March 2003. The Briefings were conducted in group settings, lecture style. The Briefings at Ft Lee were conducted by non unit, subject matter experts.

END OF STATEMENT

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 2 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ___ TAKEN AT ___ DATED ___ CONTINUED" THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE ___ OF ___ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.		

DA FORM 2823, JUL 72 SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED JSAPFC V. 10

STATEMENT (Continued)

NO USE

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. 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.

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me a person authorized by law to administer oaths, this 11th day of February, 2004

at Camp Victory Iraq
[REDACTED]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

[REDACTED]
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

USA 980 V1 10

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSDPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified
ROUTINE USES: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval
DISCLOSURE: Disclosure of your Social Security Number is voluntary

1. LOCATION Camp Victory	2. DATE 10 FEB 04	3. TIME 3:45	4. FILE NO.
5. NAME (Last, First, MI) [REDACTED]	6. ORGANIZATION OR ADDRESS 372nd MP Co APO AC 96324-722		
6. SSN [REDACTED]	7. GRADE/STATUS E-5		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army IS-6 INDEPENDENT and wanted to question me about the following offense(s) of which I am suspected: [REDACTED]

Before he/she asked me any questions (about the offense(s)), however, he/she made it clear to me that I have the following rights:

- I do not have to answer any question or say anything.
- Anything I say or do can be used as evidence against me in a criminal trial.
- personnel subject to the UCMJ have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me or to the Government.
- (For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.
- I am now willing to discuss the offense(s) under investigation, with or without a lawyer present. I have a right to stop answering questions at any time or to speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE [REDACTED]	
1a. NAME (Type or Print) [REDACTED]		4. SIGNATURE OF WITNESS [REDACTED]	
b. ORGANIZATION OR ADDRESS AND PHONE CPL-1 STA, CIVIL MILITARY LAW		5. TYPED NAME OF INVESTIGATOR	
2a. NAME (Type or Print)		6. ORGANIZATION OF INVESTIGATOR	

Section C. Non-waiver

1. I do not want to give up my rights.
 I want a lawyer. I do not want to be questioned or say anything.

2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED