

On 13 February 2004, SGT [REDACTED] returned for a follow-up interview.

The following persons were present:

COL [REDACTED] MP, CFLCC – PMO, Interviewer
CPT [REDACTED], CFLCC – SJA, Interviewer
SFC [REDACTED], U.S. Army MP School, Interviewer
SGT [REDACTED] CFLCC-PMO, Respondent

To questions posed by the panel, SGT [REDACTED] answered, as follows:

I patrol the compounds; go out with QRF (the 82nd). CPT [REDACTED], Sir, makes the SOP. I fall under SFC [REDACTED], and we work for MAJ [REDACTED]. They let us work on our own. There is a DA-6 done, to make sure we are always on a compound. We don't go out a set times. We go out randomly.

Dogs are used at the last level, before deadly force, to prevent escape. I've never had to use my dog in my uses of force. It's not by influence from me; the prisoner antagonizes it. The dog reacts to the prisoners, because, whether you believe me or not, the dog mostly does that on his own, because they are fearful of a trained working dog, and they become animated.

They don't like us to use dogs for crowd control, unless the commander responsible permits it, because dogs can incite riots. They will have working dogs out of site of the crowd, and then if they have to extract somebody from the crowd, then they bring the dogs back, and they will search the person, and the dogs can pull security for them.

A short leash is preferred, if you don't know if the dog is going to break away from you. It's not a type of leash, but a way you carry your leash. Most handlers will have their thumb through the eyelet hole, and over grasp the lease with the right hand. The dog is always on the left, that's a training leash. A short leash is when you take near the clasp, and wrap it around your hand, that way you can control your dog, if it gets agitated. Or, if there are a lot of people around, you can keep your dog by your side. The only time we allow our dogs free reign is when they're taking a break.

I've been in the Army 4 ½ years. I'm stationed at Fort Riley, Kansas, with the 523rd MP Detachment. We have a new Battalion Commander. I don't know who that is. Our Command Sergeant Major is CSM [REDACTED]s. I've been here almost 10 months with my dog. Before Abu Gharib, I was a week, at Camp Arifjan, preparing to go to Abu Gharib. Before that, I was at a month at Bucca. Before that I was 2 ½ months at Wolf. And prior to that, I spent the whole time at Camp Arifjan.

We did scouting training. For instance, if a prisoner escapes, which we've had at Abu Gharib and Bucca, we'll scout a field. Building search, if they escape into a building we can also search for that. They are trained in controlled aggression. They're trained to

ANNEX 38

attack on command, or by any sudden or aggressive movements that a person might make toward our dog, or us or any other person. As far as EPW training, I did not receive any.

My tour has been extended. They're looking at getting us out of here in about 3 weeks.

I remember receiving Geneva Convention training in AIT, but not here. I don't know the classification of the personnel locked up at Abu Gharib. I know that I'm supposed to check in with the NCOIC, when I enter the hard site. I didn't read the part of the SOP, which says I'm supposed to have an escort. CSM [REDACTED] has come through our living area, and he's seen how we live.

I know AR 190-12. I do know how regulate my dog's diet. Military working dogs are fed Science Diet. My dog, specifically, is on Active or Adult Active, whatever we have, Science Diet. A Vet last saw my dog in January. We're required to conduct training with our dogs 4 hours a week patrol training, and 4 hours a week detection training. I don't do detector training. We are not certified as detector dogs. We do get our training, as far as on-leash obedience and off-leash obedience. If we don't get 4 hours in a week, we normally make our 16 hours through the month. I don't maintain a DA Form 2807-R, so I maintain my records in a green notebook.

If a prisoner were escaping, I would release my dog on that person, if he didn't stop, after I commanded him to stop 3 times. Other than that, I would not release my dog, unless there was immediate danger to my life or another soldier's life.

The guards have asked me to walk through the cells, to perform narcotics searches. I informed them that I am de-certified. I've walked through the cells, just to humor them, because, a dog will still recognize an order. 30 days off an odor will de-certify a narcotics dog, or detection dog.

I've never searched a detainee with my dog. Searching personnel with a patrol working dog is not authorized.

I don't believe my dog is certified with DEA. I'm not aware that they are required to be certified with the DEA.

I was a narcotics custodian stateside, but from what I am told, overseas you need a host nation agreement, to actually receive narcotics. I understand that some was ordered, but I have not seen it. I don't remember his name, but there was a Sergeant First Class, who came through and said that all narcotics dogs are no longer certified to do searches.

I can successfully find a prisoner that has escaped, using scout, but not man-tracking, because I don't know how to do that. Since being here, through trial and error, I would like to learn.

Someone from MI gave me a list of cells, for me to go see, and pretty much have my dog bark at them. He said that they were getting good results when we patrolled the prison.

They do react to skin color, hair, and odor, also. He leaves the list at the hard site. He's the tall gentleman that was here yesterday. He has black hair, goatee, and moustache.

My dog has not bitten anyone, since I've been here. SFC [REDACTED] dog has. My dog has never been inside a cell with a prisoner. My dog has never been in a room with an interrogator. Someone has taken a picture of my dog working. I don't know who took the picture. There is a picture on the computer of one of the females, there. It's in the office between 1A and 1B.

I've been asked to search for an escaped prisoner, once. I didn't find him, but I found where he went out. We found his footprints in the mud, in the tower, and sliding tracks on the wall.

We have muzzles. I use them, when we go out with 82nd, or to the Vet. My dogs are aggressive towards gunfire, and I don't want them biting the 82nd guys, who are trying to protect us. I don't regularly use the muzzles inside the compound.

I haven't seen the CJTF-7 policy, regarding the utilization of dogs in conjunction with interrogation procedures.

SFC [REDACTED] presents the policy to SGT [REDACTED] and asks him to read aloud the following:

"Should military working dogs be present, during interrogations, they will be muzzled and under control of the handler at all times, to ensure safety."

I was aware of that. I was briefed by COL Pappas of that. From what I was told, we weren't doing interrogations. Having the dogs bark at detainees was psychologically breaking them down for their interrogation purposes. SFC [REDACTED] dog does the same thing. We were asked. I don't know if we had authority. I didn't have training to do that. I was told that the dog had to be muzzled, if he was in a room with a detainee, and I did clear that with COL Pappas.

From what I was told, weapons are allowed in the hard site. I was told that, when we first went into the hard site. I was last at the hard site on 14 January.

Finished with their questioning, COL [REDACTED] advises SGT [REDACTED] to be mindful of the Creed of the Noncommissioned Officer, and to be mindful of the example he sets for others to follow.

In departing, SGT [REDACTED] states that he had his dog bark at the detainees, at the request of the interrogators, and that this was producing good results.

SGT [REDACTED] was then dismissed.

On 12 February 2004, a team 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 Ghraib prison. Finally, the panel looked into the command climate and the command and supervisory presence

The following persons were present:

COL [REDACTED] MP, CFLCC – PMO, **Interviewer**
LTC [REDACTED] JA, CFLCC – SJA, **Interviewer**
LTC [REDACTED] 705th MP Battalion, **Interviewer**
SGT [REDACTED], CFLCC-PMO, **Interviewee**
SSG [REDACTED] 27D30, CFLCC – SJA, **Recorder**

The interview is summarized as follows:

My name is [REDACTED] My social security number is [REDACTED] I am a Sergeant. I am currently with the CFLCC Provost Marshall's Office, at Abu Ghraib BCCF. I am Active Duty.

I work at the Abu Ghraib prison. I patrol the facilities, I got outside the wire with the 82nd Airborne and QRF, and I do either house raids or TCP's.

The use of military police dogs is governed by AR 190-12, the utilization of military working dogs, training, general purpose, and requiring of. The kennel master is SSG [REDACTED] he is the senior member for army dogs.

The use of force is governed under AR 190-12, the use of force is the last force used with either escape or before death of force. Tier 1A and 1B are our patrol areas; the policies are the same throughout the prison. When we are in Tier 1A and 1B we fall under SSG [REDACTED] we MI needs something done, they talk to me, then I take it to SSG [REDACTED] Sometimes we patrol the halls in teams, or we patrol the halls separately.

When we patrol separately and have to make split decisions, every dog handler has a certain responsibility to comprehend the situation and make the necessary decision. No one tells me how to use my dog when I am in Tier 1A and 1B, I control the area. I can't talk about the requests by MI, because it is currently under a CID investigation.

I have worked with MI before with interrogation, but I cannot state any specific times or dates. I've been told there is a policy besides AR 190-12 governing dog handling, but

I've been told it's classified by MI, I don't know which policy it is. I haven't seen the policy; I didn't know I had to see anything in writing.

I have seen no maltreatment on unsafe acts toward prisoners since I've been here. I use common sense to determine limitations on the employment of my dog. I've never had any training or seen anything in writing regarding employment of my dog when working with MI. I received a briefing before I came here on the Geneva Convention. The Geneva Convention covers legal laws of land and warfare, what to do and what not to do.

The treatment of prisoner is covered in AR 190-8. I didn't get too much into how you treat prisoners, when I get called in it is pretty much a last resort, usually a riot or something grotesque is about to happen. If someone asks me to execute an unsafe act or perform a violation, it would depend on if I knew the act was a violation, but if it seemed wrong I wouldn't do it. If I knew it was violation I would come straight out and tell that NCO or Officer that I'm not going to do it. I would report the violation to SSG [REDACTED] and he would take care of it.

We have dog handlers out of BIAP who are the kennel masters up here, a new E-6 just took over for SSG [REDACTED], his name is SSG [REDACTED]. I've seen my chain of command three times in two and a half months. I don't know where they reside, but their number is [REDACTED]. I knew they lived in this area, but exactly where I didn't know.

The dogs are trained for the mission here. Our dogs are narcotic patrol dogs. I keep a utilization log to track when the dogs are used. It's hard to do training out here because when we go out in an open field area we get pop shots taken at us, it's more of a safety/life or death situation. I have used empty parts of the jail before to conduct training.

We haven't received any support from the unit that is suppose to be taking care of us, that unit is 320th MP Battalion. We eventually after a few weeks received most of the things we need after arrival here, but we have been requesting an SUV. The reason we need an SUV is as the weather gets hotter, the dogs will not be able to survive the heat riding around in a Humvee. For the first five days after we arrived here we had no electricity, after the first week we got electricity, after two weeks we got heat. We have four lights, all of them are broken except one, and one of our air conditions has been down and it is still broken. We have submitted request to R&U and ISG [REDACTED] of HHC, 320TH MP Battalion. They said that they lost the contract for the air condition and light repairmen, and they are waiting for the new contractors to take over.

We are properly staffed to do our required work. We are utilized properly. We have other dogs to compliment our mission; we have naval dogs to compliment us. We didn't know that they already had naval dogs working at the compound. We originally planned to bring three dogs up but we told the other dog handler he didn't have to come up because the navy already had three dogs at the compound. The navy works the ECP because they have explosive dogs. SSG [REDACTED] and myself work the compound because our dogs aren't ECP trained.

We tried working the compound together with the navy, but it didn't work because our training and policies are too different. Even though we train at the same school, the navy babies tends to baby their dogs, as we use our dogs more as equipment. Navy regulation doesn't allow pinch collars on navy dogs whereas the army allows pinch collars as a correction tool for the dog. The navy dogs aren't combat trained for missions, they sometimes go out on missions but they shouldn't. I think things run fine the way they do with us working the compound and the navy working the ECP. The naval dogs are assigned to MI but they work with the MP's.

I was advised of my rights on 23 January 2004. I am not sure of the Articles, but CID advised me that I was being charged with, failure to obey a lawful order and cruelty and maltreatment of detainees.

I am stationed at Fort Riley, Kansas. My unit is 523rd Military Police Detachment. I don't have nametags on any of my uniforms because I rather not have the prisoners no my name. I know that my uniform is out of regulation.

My dog is a Belgium Shepard. We were decertified by the program manager that came of a took over for the outgoing program manager I believe in September 2003. Control certification we are good on because we were making our training hours every month, however, being that it's a deployment my certification ended in September 2003. I have been a dog handler almost two years. This is my fifth do in almost two years.

My role in regard to detainees was to be a psychological and physical deterrent. I fulfilled that role by patrolling, that patrolling consisted of walking the tiers. My dog was on a short safety when I walked the tier. We normally don't use short safeties outside of the schoolhouse.

The 320th Military Police Battalion is in charge of the hard site. The Battalion Commander is LTC [REDACTED]

The panel stopped, to discuss SGT [REDACTED]'s statements.

The panel called SGT [REDACTED] back in.

The military working dog SOP established the hard site as a patrolling area, to include 1A and 1B. The SOP was put out in December. To the best of my knowledge we did not patrol the hard site prior to December.

I was not trained on AR 190-8, but I seen it laying in our hooch yesterday so I picked it up and looked at it. It belonged to SSG [REDACTED]

No one talked to me about the process of this interview.

CID informed me that I am no longer considered to be a suspect in the charges I stated earlier as of now.

I would rather not discuss how MI at the hard site used us.

We helped MI get their interrogations done. After working at the prison for so long the dogs came not to like the Iraqi detainees. They didn't like the Iraqi culture, smell, sound, skin tone, hair color, or anything about them. So, naturally the dogs became aggressive. It's a learned behavior, a learned behavior from working around the prisoners. If a prisoner is always antagonizing a dog, the dog is going to learn not to like them. The dog notices shapes, different shades of gray; they know when they are being antagonized.

A normal day for me would consist of me letting the NCOIC know that I was here. I would walk the tiers. I would have to get someone to let me in the hard site. I walk the hard site. My dogs never went in the cells. Sometimes if prisoners are outside their cells, I would walk near to them with my dog.

I would recommend that when we walk the tiers that they keep the prisoners out of the way. Also that there be different times set to clean the floors. Seems like every time we patrol 1A and 1B they are cleaning the floors, it is bad for the dog's legs because the chemicals can get absorbed through their feet.

MI would ask me to use my dog as a psychological and physical deterrent. It would consist of a dog walking up to a prisoner and the dog barking at a prisoner. The dogs would bark at prisoners unprovoked.

If I were given an order I would carry it out, depending on the order. I wouldn't carry out any order or regulations that would get me in trouble or anyone else in trouble.

When I would assist in interrogating a prisoner sometimes the cells would be open, but the dog or myself never went into the cell. Sometimes they would pull the detainee out of the cell and depending on the situation I would come within less than two feet of the prisoner. I always felt comfortable that I had positive control of the dog.

The panel stopped, to discuss [REDACTED]'s statements.

The panel called [REDACTED] back in. The panel addressed some issues with [REDACTED]