

STATEMENT OF

TAKEN AT Balad, IraqDATED 2004/06/26

## B. STATEMENT (Continued)

I know that they're showered when they initially come here, or some time after. When each procedure occurs is somewhat situational. The general concept is, detainees are received, screened, their biometrics are done, and we tried to give them a shower. Initially, we're going to get their biographic information. Some guys are going to go in their cells first. Some guys are going to do it in different sequences. They would be interrogated at different times, depending on what's going on with the operations in the unit, so that staff also situational. I've been in the room, but I've never interrogated. It's not my job. The most aggressive technique that I've ever observed in an interrogation here is talking. When I come in here the guy will be un-manacled or have his hands manacled, it just depends on what level they're at. Most of the time they've got them on. When I look into the cells the first thing I do, is my eyes go directly to the manacles and see if there is movement room there in the manacle, for proper circulation. When I come in here and these guys will be sitting at the table talking. There'll always be the interpreter, an interrogator, and then the guy, and that's how it's going on, and I've seen probably 15 of them. I think in the past they had used stress positions. I'm sure they have and the reason I know this is we've had guys who've had resistance training, and if you put a guy in a stress position, and the guy's been trained, he immediately collapses, that way he maintains his strength and stamina. I've never observed that. When I talk to the interrogators, they'll basically say, "hey, we've got a professional here, he's exhibiting the resistance training techniques. We put him in stress position and he'll immediately collapse". A stress position may be a standing position or something like that. It's a standing position normally, having to do, maybe with the wall. That's all I know. I think somebody made an allegation not too long ago that he was kicked when the lights went out. We immediately discussed that with the old man, and we said let's investigate at this level, get witness statements. Basically what came out of it was standard stuff, not abuse. We have witness statements somewhere. That something like that happened recently? A detainee claimed he got kicked. My job is to get information to the old man, so we have these conversations. The detainee claimed that he was kicked, and we basically did an investigation, and what came out of it was, I'm not sure what came out of it, other than it was determined not to be abuse. I do know they went back and said "hey guys, bottom line is, make sure we don't abuse these guys", something like that. I have not heard of any indication of sexual abuse, and I pay attention for indicators. I'm not saying it didn't happen, but I haven't heard that. We are sensitive to that. The bottom line is I haven't heard anything and the old man hasn't mentioned anything to me about that. I haven't been south because just as we were going, everything blew up down there, but I've been everywhere west and north. I've been to about half of Baghdad. I can't remember if I've been to ~~Adamiya~~ No, I haven't been to Adamiya Palace. I've heard allegations, nothing like you're saying there. The things I've heard are the ~~3000~~ being investigated for a detainee that was turned over to Coalition forces who died later. There's one who died up in the 103 area under the Task Unit. That was the one in Mosul. Then there were two others. I think there were a total of four things that were investigated, but I can only recall the two, but the one that sticks out is the one where we turned a detainee over to Coalition Forces and he died later in their custody and was found with a sock in his mouth. The other one had to do with kicking. The other ones I can't remember, it was some thing minor. I've been over to the 626 DIF about four times checking out how they're running, looking at their S.O.P.s.

NOTHING FOLLOWS

## AFFIDAVIT

NAME READ OR HAVE IONS 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.

WITNESSES:

CJSOTF-AP

ORGANIZATION OR ADDRESS

CJSOTF-AP

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF FORM 2002, DEC 1999

Signature of Person Making Statement

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 26th day of June, 2004, at Balad, Iraq

Signature of Person Administering Oath

Typed Name of Person Administering Oath

Art. 136, UCMJ

Authority To Administer Oath

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~~SECRET/NOFORN~~

Formion Report - Annex 50

# **SWORN STATEMENT**

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

## **PRIVACY ACT STATEMENT**

### **AUTHORITY:**

This is USC Section 307; Title 5 USC Section 552; I.S. 6367 dated November 22, 1943 /SSM.

### **PRINCIPAL PURPOSE:**

To provide commanders and law enforcement officials with means by which information may be reasonably identified.

### **ROUTINE USES:**

Your social security number is used as an additional means of identification to facilitate filing and retrieval.

### **CLASSIFICATION:**

Disclosure of your social security number is voluntary.

### **LOCATION:**

Balad, Iraq

### **1. DATE**

7/7/77/10/26

### **2. TIME**

10:13

### **4. FILE NUMBER**

7. GRADE/STATUS

E-9/CSM

### **3. LAST NAME, FIRST NAME, MIDDLE NAME**

CISOTT-AP, Balad, Iraq

### **5. ORGANIZATION OR ADDRESS**

CISOTT-AP, Balad, Iraq

### **6. CSM**

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

My name is CSM [redacted] Basically, [redacted] That was the main idea that generated the facility at RJC, from my understanding. It was the crawl, walk, run version on how we did it. We had guys who went to Abu Ghraib to talk to the M.P.s. You had to find out things like, what's the proper guarding ratio? Are there different ratios for guarding guys who were put out in the open, versus guys in cells? How does the Law of Land Warfare plug into all that stuff? You manage that, not only the mechanics of it, but the interrogation part as well. We're learning as we're going. Basically you could detain up to three days and we found out that Anti-Confusion Forces knew that U.S. forces were detaining for only up to three days, and that reduced the effectiveness of the interrogation. So we got permission to hold for up to 14 days which enhanced our process. That's the purpose, those are the links, and we continue to hone the process on trying to make sure that we're getting timely tactical information, and [redacted] That's how we manage it, and we try to be appropriate and responsible with how we do it. I'm not at the holding facility every day but I'm there quite often. I'm very happy in how we're doing. I'm not bothered at all with the facility, and I'm pretty darn pleased with what we're doing. To be quite honest, I don't think that we have a problem down here. I think we're learning. We've integrated some type B personalities at the THF to off-set the type A's. We've got a, I call it a DIF, but it's not. It's a Temporary Holding Facility (THF). We've got detention cells, guards and one THF NCO on duty, one of three NCOs who work 8 hour shifts and are continuing to learn their job, but their primary function is to provide a safe environment for the detainees. Maybe because they're Type Bs, they're perfect for the job. Generally I think we're on track. Detainees, in the time they've been here, generally have been blindfolded, or hooded, or both. Initially they were hooded. Some guys would get privileges, but generally yes, they were hooded the entire time they were here. Until recently, hooded seemed to be the best way, it was less intrusive to their faces. Then we outlawed hooding. We started going to goggles and blindfolds when they were given privileges, because remember we're only trying to keep them three days. As far as I know there isn't a prohibition on blindfolds. Do I think it's cruel and unusual punishment? No, it doesn't bother me. I have an obligation to keep them warm, fed, watered, latrine'd, medicated, and that they're safe and secure. After that there's a certain point where we're responsible to get information. My point is, if the floor temperature were 53 degrees, if it were on a submarine in the North Atlantic, I'd have real heartburn with that. That's different; these floors are like 90 degrees, room temperature. We've had a detainee that didn't have a mat. So he just had the floor. When I see that I do nothing. I've have no problem with that. I see that the guys with the blankets and stuff will move around, some guys will have blankets, some guys won't. That's a true statement. The longest I've seen someone without a blanket or mat was probably 24 hours. I'm not really counting, because that's not sticking out in my mind. Honestly again if they have nothing, at that point I'm not thinking abuse. The funny part of it is, that I've been treated like that in my Army training. I've experienced that, so when I look at that I don't find it abnormal and I'm a citizen of the United States. If I heard about ice water submersion deals, that would have caught my attention. I'll tell you what I am paying attention to, I'll walk right down that cell line and make sure the guys have peed, watered, fed, washed. I'm looking at all of those things. I will tell you, that it wouldn't surprise that detainees sometimes pee in a bottle, because if a guy's got an empty bottle and he doesn't want to ask for anything, he may decide it's so much trouble, and he'll pee in the bottle. I've never seen that, but it wouldn't surprise me, since you've asked. I've never seen, or known of a detainee that was ever denied food or water. I don't know about those meals a day, but I do check in there for feedings. Those logs are starting to come around the last three weeks. It's a learning process on that, and basically the log started off covering the major muscle movements. A visitor came in, a visitor came out. If a guy went in for an interrogation, the guy didn't log how long he was in the interrogation, so that is what we're trying to do now. I came in and said when a guy goes in an interrogation, let's log when he went in, when he went out, and every time we had contact with a guy, we should be logging that. The purpose of this is to have a historical document of this guy, how he's handled. Other things that we're going to implement here are taking photographs of, before and after, front and back of the guy in shorts or a loia cloth.

### **10. COMMENT**

### **11. INITIALS**

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF"

TAKEN AT DATES

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

DA FORM 2823, DEC 1988

DA FORM 2823, JUL 72, IS OBSOLETE

ADP-11-12

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