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DATE 07-23-2009 BY 65179 DMH/MS

SWORN STATEMENT

For use of this form, see AR 190-45: The proponent agency of the Deputy Chief of Staff for Personnel.

LOCATION Abu Ghraib, Baghdad Iraq	DATE 27 Jan 04	TIME 1719	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME	SOCIAL SECURITY NUMBER	GRADE/STATUS SGT	
ORGANIZATION OR ADDRESS 320 MPBN, deployed with duty at Abu Ghraib, Iraq			

b6 per CIC

b7C per CIC

I, [REDACTED] want to make the following statement under oath:

Q. Explain the incident with your dog when SSG [REDACTED] asked you to be present?

A. We were in one of the tiers at the hard site that was not being used, for controlled aggression training, when SSG [REDACTED] approached me about using my dog for an interview. It just so happened that I saw COL [REDACTED] in the parking lot right after he asked about using my dog for the interview and he had stated that it was allowed. So myself and SGT [REDACTED] took our dogs over to the interrogation house they have. SSG [REDACTED] briefed me on how he wanted the dog used. He wanted me to have the dog go and bark by the door, so I told him I would conduct a building search and the dog would sniff the door and sense there was someone there and then the dog would start barking. So at that point I took my dog over to the room where the detainee was and he did sniff under door and started barking. I took my dog out of the area. A little while later they came back to us and asked this time for us to bring both dogs over to the site of the interrogation. They explained the detainee would be sitting by the door and the door open. We had both of our dogs at a 45-degree to him and they proceeded to bark. Prior to us bringing the dogs over to the room this time they said that we could not take the dogs into the room without a muzzle. When we got to the room the detainee was sitting in the doorway, with his feet in the doorway and the door was open. My dog and SGT [REDACTED] dog were both barking at the detainee and we never got closer then 18 inches. Neither dog had a muzzle on.

Did you ever see a written permission slip that a dog could be used for this interview?

No.

Q. Did you know at this time that a written memo was needed to use the dogs?

A. I did not know you needed a memo, COL [REDACTED] had not told me anything about a memo when I had talked with him.

Q. Did it appear the detainee was afraid of the dogs?

A. I could not tell, because all of my concentration was on controlling my dog.

Q. Was your dog barking and growling at the detainee?

A. Yes.

Q. Did anyone ever ask you to muzzle your dog?

A. No.

Q. Were there any other events when you used your dog during an interview of a detainee?

A. Yes.

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Q. Explain that incident?

A. SGT [REDACTED] and I were at the hard site doing patrol. SSG [REDACTED] asked us if we could come by with the dogs because they SSG [REDACTED] wanted to question a detainee about a window. We waited out side while they pulled the detainee outside into the hallway. Someone said OK, bring them in, when went in. I was the first one in, the detainee was lying down flat on the floor and he was nude. As I entered the room the detainee rose to his feet, took a 90-degree turn and went against the wall. I took a 45 degree angle on the inside of the building and SGT [REDACTED] was at the other 45 angle with an exit, CPL [REDACTED] was directly in front of him, telling him to get down, get down. The man went to his knees for a couple of seconds

then [REDACTED]

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Got up and went at CPI [redacted] The prisoner kicked [redacted] one t[redacted] in the chin. I peeled my dog off and [redacted] peeled his dog [redacted] first. Since the prisoner was attacking MP, he allowed his dog to go in and bite the detainee. [redacted] then called his dog off the detainee and pulled the dog back. [redacted] told the man again to get down, and the prisoner continues to be combative and went back at [redacted] [redacted] let his dog go again on the detainee and the dog bit the detainee again. [redacted] called the dog off and by that point there was 5 to 6 MP's who took the prisoner to the floor and cuffed him.

Q. Was the detainee combative when you first walked into the area?

A. Not when he was lying on the ground. Once he saw the dogs he was not combative he was just not listening.

Q. Do you know if the detainee understood English?

A. No.

Q. Did the detainee show any emotion that you can recall?

A. He showed fear.

Q. Was the detainee crying?

A. I do not recall.

Q. Why do you think the detainee charged at [redacted]

A. I have no idea.

Q. Do you recall how many MP's were present when you first got there?

A. No.

Q. Were you present when they gave the detainee medical attention?

A. Yes.

Q. DO you know who stitched up his wounds?

A. No.

Q. DO you know if anyone took any pictures during this event?

Yes.

Who took the pictures?

I do not know, but I have seen the pictures. SGT [redacted] needed the pictures for his documentation.

Q. Do you have anything to add to this statement?

A. No.///End of Statement/// [redacted]

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 OR PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

b6 per CIC
b7C per CIC

[redacted]
(Signature of Person Making Statement)
SUBSCRIBED AND SWORN BEFORE ME, A PERSON BY LAW
TO ADMINISTER OATHS, THIS 27th DAY OF Jan 04
AT Abu Ghari Prison, Iraq

[redacted]
(Signature of Person Administering Oath)

Warren D. Worth
(Name of Person Administering Oath)

Article 136, UCMJ
(Authority to Administer Oath)

ALS OF PERSON MAKING STATEMENT [redacted]

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