



DEFENSE
ATTENTION

JOINT TASK FORCE GUANTANAMO
Guantanamo Bay, Cuba
APO AE 09360

JTF GTMO-CS

08 April 2004

MEMORANDUM FOR Command General, Joint Task Force Guantanamo, Guantanamo Bay,
Cuba APO AE 09360

SUBJECT: Endorsement to AR 15-6 investigation - Allegations of JDOG Misconduct

1. I have reviewed the AR 15-6 investigation completed by [REDACTED]
2. The investigating officer (IO) concluded that JDOG personnel did not mistreat [REDACTED]. The IO also found that although there were general allegations of mistreatment made, those allegations were unsupported by evidence. The evidence supports the IO's findings, and his recommendations are consistent with the findings.
3. The IO makes several recommendations. Although consistent with the findings and based on the evidence ascertained during this investigation, any further investigation into related matters should be handled under a separate action. I note my specific recommendations below:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(b)(5)

4. POC is the undersigned, at [REDACTED]

[REDACTED]

COL, USA
Chief of Staff



DEPARTMENT OF DEFENSE
JOINT TASK FORCE GUANTANAMO
GUANTANAMO BAY, CUBA
APO AE 09360

REPORT TO
ATTENTION OF

JTF GTMO - SJA

31 March 2004

MEMORANDUM FOR Chief of Staff, Joint Task Force Guantanamo, Guantanamo Bay, Cuba
APO AE 09360

SUBJECT: Legal Review, AR 15-6 Investigation - Allegations of JDOG Misconduct

1. I have reviewed the AR 15-6 investigation initiated by you on 26 March 2004.
2. The Investigating Officer (IO) has concluded that JDOG personnel did not mistreat [REDACTED]. The IO also found that although there were general allegations of mistreatment made, these allegations were unsupported by evidence. The evidence supports the IO's findings, and his recommendations are consistent with the findings. The proceedings complied with all legal requirements of AR 15-6.
3. The IO makes the several recommendations, and although consistent with the findings, some more specificity is warranted.

[REDACTED]

b. [REDACTED]

(b)(5)

4. POC is the undersigned, as [REDACTED]

[REDACTED]

Staff Judge Advocate

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REPLY TO
ATTENTION OF

DEPARTMENT OF DEFENSE
JOINT TASK FORCE GUANTANAMO
GUANTANAMO BAY, CUBA
APO AE 09380

JTF GTMO - CS

26 March 2004

MEMORANDUM FOR [REDACTED] J2, Joint Task Force Guantanamo, Guantanamo Bay, Cuba, APO AE 09360

SUBJECT: Appointment as Investigating Officer

1. You are hereby appointed as an investigating officer pursuant to Army Regulation (AR) 15-6, to investigate allegations of detainee misconduct by members of the Joint Detention Operations Group (JDOG). Specifically, I want you to investigate whether [REDACTED] has been subject to maltreatment by JDOG personnel. Additionally, I want you to investigate whether this alleged maltreatment was reported to any members of the Joint Intelligence Group (JIG), and what, if any action, was taken by those personnel.

2. Complete your investigation in accordance with the procedures set forth in AR 15-6. You may compel JTF military personnel to provide sworn statements, however they are not required to incriminate themselves. If, during the course of your investigation, you suspect that any individuals may have committed misconduct or criminal activity, you must advise them of their rights under Article 31, UCMJ, or the Fifth Amendment. Utilize DA Form 3881 as appropriate. In addition, you must administer a Privacy Act statement before you solicit any personal information.

3. If in the course of your investigation you discover misconduct not covered by the guidance above you will notify me in writing of such misconduct.

4. This investigation takes precedence over your normal duty assignment.

5. Consult with the Staff Judge Advocate prior to commencing your investigation, and at any point during the investigation you feel is necessary.

6. Submit your findings and recommendations on DA Form 1574 to the Staff Judge Advocate for legal review no later than 30 March 2004.

7. POC is the Staff Judge Advocate at ext. [REDACTED]

[REDACTED]

Chief of Staff

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REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-6; the proponent agency is GTJAG.

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

SECTION I - APPOINTMENT

Appointed by [REDACTED] Chief of Staff, Joint Task Force GTMO
(Appointing authority)

on 26 March 2004 (Date) (Attach Inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)

SECTION II - SESSIONS

The (investigation) (board) commenced at Camp Delta, Guantanamo Bay Naval Base, Cuba at 1400 (Time)

on 27 March 2004 (Date) (If a formal board met for more than one session, check here . Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.) The following persons (members, respondents, counsel) were present: (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)

The following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence.) (See paras 5-2 and 5-8a, AR 15-6.)

The (investigating officer) (board) finished gathering/hearing evidence at 1800 (Time) on 29 March 2004 (Date) and completed findings and recommendations at 1030 (Time) on 31 March 2004 (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES

- 1. Inclosures (para 3-15, AR 15-6)
- Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)
 - a. The letter of appointment or a summary of oral appointment data?
 - b. Copy of notice to respondent, if any? (See item 9, below)
 - c. Other correspondence with respondent or counsel, if any?
 - d. All other written communications to or from the appointing authority?
 - e. Privacy Act Statements (Certify, if statement provided orally)?
- Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?
- Information as to sessions of a formal board not included on page 1 of this report?
- f. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?

YES	NO	NA
X		
		X
		X
X		
		X
		X
		X

FOOTNOTES: 1 Explain all negative answers on an attached sheet.
2 Use of the NA column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

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Does the inclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?

2 Exhibits (para 5-16, AR 15-6)

a. Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?

b. Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit? Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?

c. Are copies, descriptions, or depictions (if submitted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?

d. Are descriptions or diagrams included of locations visited by the investigating officer or board (para 5-6b, AR 15-6)?

e. Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?

f. If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 5-16d, AR 15-6)?

3 Was a quorum present when the board voted on findings and recommendations (para 4-1 and 5-2b, AR 15-6)?

B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)

4 At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-2b, AR 15-6)?

5 Was a quorum present at every session of the board (para 5-2b, AR 15-6)?

6 Was each member of any member properly excused (para 5-2a, AR 15-6)?

7 Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?

C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)

9 Notice to respondents (para 5-3, AR 15-6):

a. Is the method and date of delivery to the respondent indicated on each letter of notification?

b. Was the date of delivery at least five working days prior to the first session of the board?

c. Does each letter of notification indicate --

- (1) the date, hour, and place of the first session of the board concerning that respondent?
- (2) the matter to be investigated, including specific allegations against the respondent, if any?
- (3) the respondent's rights with regard to counsel?
- (4) the name and address of each witness expected to be called by the recorder?
- (5) the respondent's rights to be present, present evidence, and call witnesses?

Was the respondent provided a copy of all unclassified documents in the case file?

e. If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?

10 If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings):

a. Was he properly notified (para 5-5, AR 15-6)?

b. Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-4c, AR 15-6)?

11 Counsel (para 5-6, AR 15-6):

a. Was each respondent represented by counsel?

Name and business address of counsel:

(If counsel is a lawyer, check here)

b. Was respondent's counsel present at all open sessions of the board relating to that respondent?

c. If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the action taken on it included in the report (para 5-6b, AR 15-6)?

12 If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6):

a. Was the challenge properly denied and by the appropriate officer?

b. Did each member successfully challenged cease to participate in the proceedings?

13 Was the respondent given an opportunity to (para 5-8a, AR 15-6):

a. Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?

b. Examine and object to the introduction of real and documentary evidence, including written statements?

c. Object to the testimony of witnesses and cross-examine witnesses other than his own?

d. Call witnesses and otherwise introduce evidence?

e. Testify as a witness?

f. Make or have his counsel make a final statement or argument (para 5-8, AR 15-6)?

14 If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in bringing for the presence of witnesses (para 5-8b, AR 15-6)?

a. All of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (para 5-11, AR 15-6)?

FOOTNOTES:

1 Explain all negative answers on an attached sheet.

2 Use of the NA column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

YES | NO | NA

X
X
X

X
X
X
X
X

[REDACTED]

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SECTION IV - FINDINGS (para 3-10, AR 15-6)

The *(investigating officer) (board)*, having carefully considered the evidence, finds:

Attached.

SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

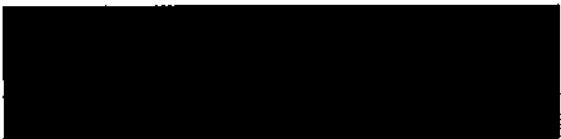
In view of the above findings, the *(investigating officer) (board)* recommends:

See Attached.

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SECTION VI - AUTHENTICATION (para 3-17, AR 15-6)

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. (If any voting member or the recorder fails to sign here or in Section VII indicate the reason in the space where his signature should appear.)



(Recorder)

(Investigating Officer) (President)

(Member)

(Member)

(Member)

(Member)

SECTION VII - MINORITY REPORT (para 3-17, AR 15-6)

To the extent indicated in Inclosure _____, the undersigned do(es) not concur in the findings and recommendations of the board. (In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substantive findings and/or recommendations may be included in the inclosure.)

(Member)

(Member)

SECTION VIII - ACTION BY APPOINTING AUTHORITY (para 2-3, AR 15-6)

Findings and recommendations of the (investigating officer) (board) are (approved) (disapproved) (approved with following exceptional submissions). (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence for a summary, if oral) as a numbered inclosure.)

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DIRECTED FINDINGS

1. That there was no mistreatment of [REDACTED] by the MPs before, during or after the interrogation by [REDACTED] and [REDACTED] on 23 March 2004. (See Findings of Fact).
2. That [REDACTED] verbally reported his allegations to [REDACTED] on the evening of 23 March and to [REDACTED] on the morning of 24 March. Both senior officers instructed [REDACTED] to put his complaint in writing and [REDACTED] the deputy JDOG commander, would act it upon immediately. (See Findings of Fact).
3. That [REDACTED] never complied with the orders given him. He has never submitted a written report of his allegations, as ordered by his superiors. (See Findings of Fact).
4. That [REDACTED] verbally reported his allegations to BG (P) Hood on 26 March. (See Findings of Fact).
5. That [REDACTED] wrote up his S/NF interrogation report on 27 March. (See Findings of Fact).
6. That no action was taken by the responsible officers/commands because the chain of command never received a written report of the allegations. (See Findings of Fact).

FINDINGS OF FACT

1. That a conversation took place on 29 Mar 04 between the investigating officer and [REDACTED] to establish [REDACTED] education and professional military background. After [REDACTED] was told what the topic of the interview was, he started out with his place of birth. When I reminded him that I was only interested in his college education and military experience, he began again by starting to tell me where he went to grade school.

a. He does not display a strong and grasping the topic at hand and enjoys talking.

b. [REDACTED]

c. The Navy has no active duty HUMINT elements. The board was comprised of USNR officers from his unit and the "scenario-based" technique was used to conduct the vetting [REDACTED] SE training was conducted on [REDACTED] at his unit and was a [REDACTED] Army correspondence courses and on-site training conducted by a USNR LCDR that had some active duty time (non-specific) and a law enforcement background.

d. [REDACTED]

c. [REDACTED] and deployed to JTF OTMO in [REDACTED] When he checked aboard he was assigned by [REDACTED] as a Regional Team Chief, responsible for the interrogators of a specific geographic area. When asked what qualified him to be a team chief he related that all the ONI officers that reported to the JTF were assigned team chiefs by virtue of their rank.

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- f. Lack of experience is not a disqualifier to be a regional team chief. [REDACTED] acknowledged that he was informed by his predecessor prior to arrival that he would be designated a team chief. When asked what the responsibilities were, he indicated he did not know prior to arrival and could not give a clear definitive answer when asked during this interview after having been in the assignment since early Jan 04. (29 Mar interview).
2. That [REDACTED] and [REDACTED] conducted an interrogation of [REDACTED] on 23 Mar between 1500 and 2000 [REDACTED] (Encl 2, sworn statement of [REDACTED]).
 3. That [REDACTED] entered the interrogation booth with [REDACTED] and knew nothing of [REDACTED] operational combat experience or his relationship to key leaders in Afghanistan. When asked to recount what he knew of [REDACTED] operational history, he stated that [REDACTED] worked in a Starbucks in KY and that he spoke fluent English and had spent a lot of time in the US and UK. When given clarifying guidance to help in answering the question and asked whom [REDACTED] worked for, [REDACTED] said that he worked for AQ and was related to some activities in UK. When I asked him where [REDACTED] as rolled up he hesitated and then said, "I think Afghanistan". I told him he was on the map sheet and then asked him what he knew of [REDACTED] operational experience in the war in Afg. [REDACTED] stated that he knew nothing. (Interview of 29 Mar)
 4. That upon the conclusion of the interrogation, [REDACTED] informed [REDACTED] that he had to use the bathroom when she went in to shackle him in preparation for his return to [REDACTED], his cell. (Encls 3/4; sworn statement of [REDACTED] JIIF Interview Report for 03/23/2004).
 5. That it is a 'small victory' for the detainees to use a latrine out of the one in their cell blocks in the interrogation buildings. They will often request to use the bathroom at the conclusion of their interviews to attempt to gain access to the latrines in the interrogation buildings. These latrines consist of a stall for the MPs and a stall for the detainees, separated by a stall wall. If taken to the interrogation facility latrines, they will attempt to gain access to the MP latrine in order to 'shit on the MPs', thereby achieving their victory. Because of this common knowledge among the MPs and because [REDACTED] was variously estimated to be 20-50 yards and a short walk from [REDACTED], the decision was made by [REDACTED] to take [REDACTED] to the latrine on his block. (Doctrine of High Risk of Capture Level C SERE, Camp Mackall, US Army JFK Special Warfare Center and Schools, Ft Bragg, NC; Encls 3/5/6; sworn statements and interviews of [REDACTED])
 6. That [REDACTED] did create a confrontational situation with his escorts to get into the MP latrine upon being taken to the [REDACTED] latrine by his escorts. [REDACTED] (Encls 5/6, sworn statements and interviews of [REDACTED])
 7. That the interrogators, [REDACTED] remained in an observation booth after the completion of the interrogation waiting to remove various pysop products used during the interrogation of [REDACTED] had been escorted out. At some point, [REDACTED] became aware that [REDACTED] had requested to use the bathroom and informed the MPs of the request. When the escort MPs did not respond in what [REDACTED] considered a timely manner, [REDACTED] got involved in the escort of [REDACTED] to the latrine. [REDACTED] states that he told 'JDOG' that the interrogation was complete and that [REDACTED]

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needed to use the bathroom. (Assumption here is that 'JDOG' refers to the MPs in the [REDACTED] JIF [REDACTED] overrule [REDACTED] on his decision that [REDACTED] would wait until he was returned to his block. [REDACTED] recounts the exchange he had with [REDACTED] in which they discuss which of them would return to the JIF to speak to the MPs. [REDACTED] states "I pointed to my collar devices and said, 'sometimes you just have to be a dick.' [REDACTED] told them, 'Hey, this guy needs to go to the bathroom!' When asked during an interview on 29 Mar why he felt compelled to make such a graphic, unprofessional and derogatory statement to [REDACTED], [REDACTED] could neither comprehend the scope of the question being asked, nor did he ever grasp the negative leadership connotations of his comments and actions toward the MPs. (Encl 2/5/6, sworn statements and interviews of [REDACTED])

8. That at no time did any of the MPs involved in the escort or monitoring of [REDACTED] consider that an excessive amount of time had passed in attending to [REDACTED]. None of them considered that causing [REDACTED] to wait to use the latrine on his cellblock after he was escorted back was maltreatment. All MPs cited the short distance from [REDACTED] and the regular insistence of the majority of detainees on using the latrine in the interrogation buildings as consistent with returning [REDACTED] to his cellblock before granting his request to use the bathroom. In their tours of duty at JDOG, all said that the procedures followed during the escort and monitoring of [REDACTED] was in accordance with the commonly practiced procedures of detainee escort and monitoring. (Encl 3/6/6/9, sworn statements and interviews of [REDACTED])
9. That on 23 Mar at approx 2050, [REDACTED] came in contact with [REDACTED], the OIC of the Behavior Science Consultation Team (BSCT) and engaged her in conversation about his interrogation of [REDACTED]. She states that he was excited because he got [REDACTED] to engage in a five-hour interrogation. He recounted the incident of [REDACTED] request to use the bathroom and what he considered abuse or mistreatment of a detainee by the MPs (which [REDACTED] generically refers to in several interviews and his statement as 'JDOG'). [REDACTED] stated that [REDACTED] had a desire to believe and please [REDACTED] reciting the Koran consumed four of the five hours of the interrogation. The other hour was a mix of babble, psychotic gyrations and some constructive conversation. [REDACTED] as observed [REDACTED] and made a comment that he may be a victim of 'Reverse Stockholm Syndrome'. She cited [REDACTED] approach at relating the incident as rambling and hard to follow. (Encl 9; sworn statement and interviews of [REDACTED])
10. That [REDACTED] specifically instructed [REDACTED] to submit a write up to her of the events surrounding his interrogation of [REDACTED] and his allegations. She instructed him to include as many details as possible to help in identifying the responsible MPs. She also told him that if he failed to document and submit the incident that nothing could or would be done. During an interview, [REDACTED] could not recall that he had seen or spoken to [REDACTED]. (Encl 9; sworn statement of [REDACTED])
11. That [REDACTED] disobeyed L [REDACTED] order to submit a written report of the incident to her. (Encl 9; sworn statement of L [REDACTED] interview of 29 Mar with L [REDACTED])

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12. That on the morning of 24 Mar, [redacted] reported the incident of the previous day's interrogation of [redacted] to [redacted] the deputy commander of the Interrogation Control Element (ICE). He reported "that he personally witnessed his detainee being mistreated in regards to MPs by not taking his detainee to the bathroom after being told to do so and not moving his detainee back his cell in a timely manner." [redacted] makes a blanket statement that he believed [redacted] complaint to be credible, yet provides no justification for his belief. [redacted] directed [redacted] to put his complaints in writing so that the JDOG deputy commander, [redacted] could act upon them. (Encl 10; sworn statement of [redacted])
13. That [redacted] stated "There are legitimate problems in regards to improper communications with the detainees and mistreatment by the MPs." When asked during an interview following the writing of his statement to cite specific instances, to include identification of MPs who were responsible for mistreating detainees and specific details of mistreatment, [redacted] could not cite any. (28 Mar interview with [redacted])
14. That [redacted] did not write his report until 27 Mar, three days after the incident and after he reported his concerns to BG Hood. (29 Mar interview with [redacted])
15. That [redacted] without allowing his chain of command to work and before he did as he was twice ordered by [redacted] and [redacted] and submit his written report of the incident, told the Commander of JTF Gtmo, BG Hood, about this and other incidents, following a brief on Fri 26 Mar at approximately 1515. Additionally, [redacted] handed BG Hood an email from [redacted] written on 25 Mar at "6:03 PM". The email was entitled 'MP issues' and detailed several incidents that [redacted] had observed after interrogating a detainee. There was no mention of a specific detainee. [redacted] seized the opportunity to make his comments to BG Hood as the briefing was concluding and BG Hood was soliciting additional comments from the assemblage. In addition to the bathroom incident on 23 Mar, the email referred to setting the thermostat in a booth to 52 degrees and denial of food. Because [redacted] was the only ISN identified, the thinking of those in attendance was that [redacted] was inferring that all of the allegations pertained to [redacted] (Encl 11/12/14; [redacted] email and sworn statements of [redacted] various interviews).
16. That [redacted] wrote a subsequent email on 26 Mar at "3:52 PM", identifying the detainee in his email as [redacted]. During an interview, [redacted] was asked for details of his interrogation of [redacted]. He was extremely uncomfortable and evasive to the point that [redacted] was reminded that he was not being interrogated. When [redacted] responded that it felt like an interrogation, he was admonished that the interview was not a game, as well as being reminded of the seriousness of the allegations that had been made by [redacted]. [redacted] was excused from the interview in order to obtain the information that he needed to answer specific questions about his interview of [redacted]'s [redacted] regional team chief. [redacted] workspace is in the same office as [redacted]. It is conceivable that [redacted] spoke to each other about the interview during [redacted] absence. When [redacted] returned with interrogation log sheet, he informed that the interrogation of [redacted] occurred on 23 Mar. (Encl 11; sworn statement and interview of [redacted])

17. That when asked why there was a two day gap between the incidents that [redacted] cited in his email of 25 Mar to [redacted] [redacted] replied, "I didn't think it (the incidents) was worth reporting", that he did not consider the incidents as mistreatment of [redacted]. When asked why he wrote the email on the 25th if it was not a big deal on the 23d when the incidents occurred, [redacted] said that during a team meeting,

a. [redacted] instructed his team to submit written reports of anything that they had witnessed that could be construed as detainee mistreatment by the MPs. After [redacted] told [redacted] that he was considering bringing these issues up to BG Hood at his briefing, [redacted] counseled [redacted] that it would not be the 'best idea'. [redacted] was insistent that if the opportunity presented itself, he was going ahead with his plan to tell BG Hood.

b. [redacted] Although he is a neophyte interrogator, his service and training as a tabbed Ranger gives him credibility as a leader. During his training, he has experienced the 'small victory' phenomenon, similar to what the detainees strive for on a daily basis, as Ranger students fight the psychological battle with their Ranger Instructors (RI). (Encl 2/11; sworn statements and interviews of [redacted] and [redacted] personal experience of IO from Class [redacted] pre-Ranger and Ranger training; Level C SERE).

18. That once [redacted] heard that the opportunity was going to present itself for [redacted] to bring his concerns directly to the attention of BG Hood during or after the briefing on 26 Mar, [redacted] never intended to allow the chain of command to act, which is why he failed to do as he was ordered by [redacted] and [redacted] and submit written reports of his concerns. He cited a lack of confidence in his chain of command to act upon such reports, yet could cite no specific instances where the chain of command failed to act on a report of detainee mistreatment.

a. In fact there are several examples of coordination, cooperation and action between the ICE and the JDOG on related incidents. This was further confirmed when BG Hood asked [redacted] on the 26th if [redacted] had been in attendance the previous Thurs evening at the BG Hood's leadership/commander's call at the Windjammer. [redacted] replied that he had not.

b. [redacted] is on a crusade. He is driven by ego. He sees himself as a hero to the detainees and his subordinates and peers. He is further encouraged in his self-emulation by comments from subordinates and peers such as, "It's about time someone has the balls to stand up and say what's been going on all this time". Immediately following [redacted] comments to BG Hood, [redacted] came in contact with [redacted] and observed his demeanor as upset and defiant and quotes [redacted] saying words to the effect, "What. Do they want me to keep my mouth shut?" [redacted] states that to him, [redacted] comment and demeanor highlighted [redacted] lack and grasp of the issue of circumventing his chain of command.

c. [redacted] demeanor and comment to [redacted] also lends credibility that [redacted] sees himself as a hero for the detainees, and against the MPs, on a crusade in the battle of the

MPs against the detainees. During the course of several interviews it became readily apparent that [REDACTED] is one who thrives on the sound of his own voice. At the initial interview on 27 Mar when he was being instructed on making his statement, it took no less than five different approaches to get him to understand that he was to deal with the three elements of what this investigation was about. After the third explanation, he said that [REDACTED] who was with him, was not at the interrogation and [REDACTED] was excused, but not before it became apparent that he and [REDACTED] had a grander presentation to make in anticipation that the fantasy that [REDACTED] believed about riding to the rescue of the detainees from the mistreatment by the "JDOG" was being facilitated by the opening of a formal investigation. On the fifth explanation, when he finally understood the limited scope of the investigation, he was clearly disheartened. I instructed him that his comments should address the three points in as great detail as possible and that neatness counted and that if he had additional comments he wished to make, that he should do so below a tear line. [REDACTED] statement is 10 percent substance and 90 percent rhetoric. He does not address the three points of the investigation in any sequence and his comments above the tear line are in disarray. (Encl 2/10/13/14; sworn statements and interviews with [REDACTED])

19. That [REDACTED] makes a blanket indictment of the entire JDOG, accusing the entire organization of complicity in giving information to the detainees. In his statement he alludes to telling BG Hood that 'we don't have much control over the flow of information, since it gets out to the camp via JDOG'. When I asked him to cite specific examples he could give me none.
- a. It is common knowledge that the detainees have an excellent communication net in place. When I asked [REDACTED] how long [REDACTED] had been detained, he said about two years. He did not know that [REDACTED] was detained on 13 Feb 02. Throughout various interviews, [REDACTED] has been summarily described as a manipulator, maniac, disruptor, charismatic. What was never accredited to him are his combat leadership skills, his organizational abilities, his devotion to his religion, the units he led and that he is an extremely intelligent warrior and able adversary, as well as being extremely adept at psychological warfare and manipulation. In the two plus years that he has been detained there have been four rotations of MPs which include five to six companies for a conservative total of 5200, plus or minus, MPs. Because of the way the guards are rotated daily in fours, [REDACTED] has come in contact with all 5200, plus or minus, MPs. The vernacular 'that he has come in contact with' is important because he is assessing and cataloguing each one.
 - b. In the two plus years that [REDACTED] has been detained, there are three agencies that have been interested in interrogating him with 39 different interrogators. A technique of interrogation is the giving of a piece of information to the detainee in the hopes getting some useful information in return from the detainee. Given these statistics, and that [REDACTED] has at his disposal the information that has been gleaned from his fellow detainees over hundreds of interviews and contacts with JTF Gtmo personnel, it is totally incredulous that an ICE regional team chief such as [REDACTED] would think for a moment that this group of MPs that is here now, is responsible for everything that [REDACTED] knows. Through

several interviews, it is readily apparent that he has never considered the foregoing facts. When I asked [redacted] if he had ever witnessed the detainees turning the interrogators or MPs against the other, he said, "No". When I asked him if he thought it was possible, he said that it might be possible. (Encl 14/16; Sworn statement and interviews of [redacted])

20. That on 29 Mar when [redacted] was asked why he failed to write his report as ordered by [redacted] and [redacted] on 23 and 24 Mar, why he failed to allow his chain of command to act on his concerns, why he reported directly to BG Hood following the ICE/JDOG command brief on 26 Mar, why he decided to take the matter in his own hands and handle the situation as he did, he fumbled with an answer that could best be synopsised as a crisis of confidence in his leadership and chain of command which starts with the ICE commander, [redacted]. Indeed, when asked whom he was referring to, [redacted] pointed across his chest in the direction of the wall or next office space. When asked whom he was referring to, he said [redacted] cites his commander's abrasive, confrontational style as intimidating to work under. He further stated [redacted] has been mentioned in several interviews as having a deleterious, destructive impact on his command. Comments such as horrible unit morale, no people skills, highly threatened by educated females and other descriptive phrases have been attributed to [redacted]. Additionally, [redacted] ideas and opinions and techniques toward the JDOG are strongly influenced by [redacted] constant potshots and sniping at the JDOG. The JDOG deputy commander alluded to the difficulty of working with the ICE due to the difficult climate that [redacted] fosters. It is no small wonder that the educated astute among the detainee population has picked up on the strife and seeks to exploit it. (Interviews with [redacted])
21. That on 29 Mar at the conclusion of a final interview, [redacted] was told that he was not to discuss the ongoing investigation with anyone and asked if he understood. He answered in the affirmative. [redacted] have been observed 'huddling' and in the constant company of each other during the course of this investigation, more than what one would reasonably expect of a regional team chief and one of his interrogators. That they entered into the initial meeting with the investigating officer together and had prepared for the interview with a host of vague accusations and accounts of various acts of what they considered to be abuse of the detainees by the MPs that vastly exceeded the scope of this investigation and that [redacted] had difficulty in comprehending what he was being asked to provide and then vastly exceeded in content of his statements and interviews, it can reasonably be inferred that there has been constant collusion on the part of [redacted] [redacted]
22. That on the morning of 30 Mar, [redacted] ICE Operations officer, approached the Investigating Officer with reports that although [redacted] had previously admonished [redacted] not to discuss the ongoing investigation with anyone, it had become common knowledge among the interrogators and other members of ICE that after the interview of 29 Mar, [redacted] was speaking freely about details of the ongoing investigation. (30 Mar conversation with [redacted])
23. That the MPs are petrified that Privacy Act information, to include their name, rank and SSN, is being provided to the detainees by the interrogators. During the course of interviews with

██████████ and ██████████ they were instructed to fill out Privacy Act Statements. They both pushed away from the table with a look of horror on their faces and told the Investigating Officer that this information was provided to the detainees by the interrogators. When asked why they thought that, they both cited Operation Clean Sweep, when personal effects were returned to several detainees along with a packet containing the privacy act statements of the MPs that had handled the detainee's effects. The detainees had told the MPs that the interrogators had given the detainees that information. The detainees were able to give examples, as repeated by ██████████ and ██████████ and their NCOIC, ██████████. All expressed concerns for the secrecy of their personal information and the safety of their families. (Encls 6/7/15; sworn statements and interviews of ██████████)

24. That ██████████ is in violation of lawful orders when he did not write up his concerns as directed by ██████████ and ██████████ and, after being directed not to discuss the details of an ongoing investigation, did so discuss the investigation with others in various conversations and emails.
25. That no mistreatment was incurred by detainee ██████████ at the hands of the MPs before, during or after the interrogation on 23 Mar conducted by ██████████ and ██████████

RECOMMENDATIONS

1. That due to the circumstances surrounding [REDACTED] reporting of his concerns of detainee abuse by the MPs, he be immediately relieved of his duties as a regional team chief.
2. That [REDACTED] be relieved of his duties as an interrogator due to the noted possibility that he suffers from Reverse Stockholm Syndrome, his immaturity and limited life experience commensurate with the job of an interrogator, his noted failure to know his enemy, his lack of regard for the MPs and the JDOG, and his unfounded indictments and allegations of detainee mistreatment at the hands of the MPs.
3. That [REDACTED] receive a General Officer Letter of Reprimand for his failure to follow the chain of command, repeatedly failing to obey the lawful orders of [REDACTED] and [REDACTED], and acting in a manner inconsistent with that expected of an officer and in a way that undermines the good order and discipline of JTF GTMO.
4. That the investigation continue into the allegedly destructive tactics and techniques of the ICE Commander, [REDACTED] that are adversely affecting the people and mission of the ICE. [REDACTED] blames his conduct and approach in this whole situation on [REDACTED] negative leadership and failure to respond to reports, but fails to recognize his own misconduct. [REDACTED] leadership style has been variously described as threatening, confrontational and intimidating. Further, that it appears endemic within the ICE to launch broad accusations against the JDOG that are without specificity or merit. [REDACTED] apparently compiled a document with various allegations against the JDOG that was described as a cut and paste email. Many of the allegations proved baseless or had previously been resolved and were old. Attempts to obtain the document from [REDACTED] or [REDACTED] were fruitless. The level of despair is such that many of the people and much of the expertise and experience will seek to leave the JTF at the earliest opportunity.
5. That an inquiry be conducted into the passing of personal information of the MPs to the detainees.
6. That a command climate survey be conducted at the ICE.

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From: [redacted]
Sent: [redacted]
To: [redacted]
Subject: [redacted]
Classification: [redacted]
Caveats: [redacted]

For your enjoyment and enlightenment, [redacted] on his thoughts of [redacted]

On August 1, 2003, [redacted] Internment Serial Number (ISN) [redacted] was interviewed at [redacted] by [redacted]

[redacted] Arabic/English translation was provided by contract linguist [redacted] voluntarily provided the following information:

[redacted] stated he was doing well and was willing to talk about [redacted] [redacted] identified as [redacted] revealed [redacted] also went by the [redacted] when he was living in Afghanistan (AF). [redacted] when [redacted] first [redacted] in AF in the middle of 2001. [redacted] was in Kandahar at a house owned by [redacted] when he and [redacted] struck up a conversation about [redacted] travel in [redacted] [redacted] he was with his cousin [redacted] [redacted] [redacted] teaching Arab [redacted] how to fight the jihad during the [redacted] [redacted] spent a week in the house in Kandahar before going to Al Farouq training camp for three weeks. He did not see [redacted] but knew [redacted] was connected with it.

[redacted] had seen [redacted] in Kabul right after [redacted] finished his three weeks of training at [redacted] [redacted] was staying at [redacted] guesthouse, where he saw [redacted] again. [redacted] had his own villa in Kabul for his family along with a minibus. [redacted] had an 82mm mortar with him at the guesthouse, as he was on his way to the front line to fight. According to [redacted] [redacted] would go to the front line and fight for two or three days at a time, then return home to see his family. The second time [redacted] saw [redacted] was at the guesthouse, when [redacted] arrived to retrieve an M43 120mm mortar to take to the front line with him. [redacted] said the mortar was [redacted] weapon of choice.

[redacted] said [redacted] would have mujahedin fighters from the front line to his home for meals. He would also host people from Saudi Arabia and other countries that were coming through Kabul. According to [redacted] wife was British. [redacted] said Usama Bin Laden (UBL) was sending \$100 to each family of the mujahedin fighters to help pay for expenses. [redacted] was receiving money from UBL and others. [redacted] and other fighter's families were also helped by Al-Wafa, which provided food, clothing, appliances.

[redacted] stated that the members of Al-Wafa knew they were providing aid to people who were fighting the jihad. Al-Wafa was part of UBL's Al Qaeda organization, and rich people from the Gulf region were sending money through Al-Wafa. Al-Wafa had a branch in Pakistan that bought medicine and supplies and brought them to AF for the fighters. Al-Wafa was the largest aid organization in AF, according to [redacted]

[redacted] state [redacted] was friends with [redacted] who was in charge of all the Arab guesthouses in Kabul. [redacted] was in charge of sending all people to the front line, a responsibility sometimes shared by [redacted]

[redacted] was in Kabul again for three weeks after returning from the North when he saw [redacted] again. [redacted] gave him a ride to his guesthouse one time when [redacted] ran across [redacted] standing outside a building in Kabul.

When the bombing of AF started, [redacted] said [redacted] moved his family to a house that he had

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rented in Jalalabad. [redacted] and his family stayed there for one month, until Jalalabad fell. [redacted] sent his family to Pakistan, and he went to Tora Bora with his brother-in-law.

[redacted] had already been in Tora Bora for three months. [redacted] had tried to go back to Jalalabad immediately prior to its fall to retrieve a car. [redacted] saw families fleeing Jalalabad, and judged that it was too dangerous to get the car. He returned to Tora Bora. He was in the small camp of Mercas Al Qureshi, which meant "market of Al Qureshi". According to [redacted] all the small camps in the mountains of Tora Bora were named for the person who was in charge of them. [redacted] camp was run by [redacted] the same man [redacted] fought with in [redacted] arrived shortly after the fall of Jalalabad and stayed in the Qureshi camp for one month.

[redacted] said he was fighting to defend the mountain region against the American, French and Northern Alliance troops. He was fighting alongside [redacted] the cousin of [redacted] and another man named [redacted]. They were fighting on line around the mountain, at the center of which was an administrative center where UBL and others were located. This control office was in charge of all the satellite camps, of which the Qureshi camp was one. [redacted] said the fighters had Klashnikovs, F1 anti-personnel grenades, DahK-38/Model 35/46 12.7mm anti-aircraft weapons, a tank in the valley, and an M43 120mm mortar. [redacted] said Apache helicopters would come at night, sense the heat of their bodies, and kill a lot of fighters.

[redacted] related that UBL would come to the front line and sit with the fighters for hours at a time. During one of these meetings, UBL and [redacted] walked away to have an important conference for a few hours. [redacted] said [redacted] was very close to UBL, and would ask UBL for advice on how to deal with certain military situations and where to stage weapons. According to [redacted] UBL put [redacted] in charge of ten people on the mountain and organizing fighters on the mountain, due to [redacted] experience in [redacted].

[redacted] said [redacted] met UBL before coming to Tora Bora, but [redacted] only saw the two of them together in Tora Bora. [redacted] also saw [redacted] and UBL. [redacted] UBL's Kuwaiti right-hand man, [redacted] and [redacted] in addition to his role as the head of the Kabul guesthouses, [redacted] was also in charge of finances for Al Qaeda and UBL. They spent a lot of money defending the mountain, according to [redacted].

[redacted] revealed that on the 15th day of Ramadan, UBL, UBL's son, [redacted], [redacted], and [redacted] pulled out of the area to save their lives. [redacted] said UBL told his bodyguards to flee to Pakistan and surrender to the embassies who would protect them. [redacted] said 8-10 of them ended up being arrested.

[redacted] stated [redacted] was not a bodyguard for UBL. He spoke English fluently and was respected by everyone on the mountain. [redacted] also worked with [redacted], AKA [redacted].

[redacted]

[redacted]

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SWORN STATEMENT

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

LOCATION
CAMP DELTA, GUANTANAMO BAY, CUBA

DATE
29 MAR 04
TIME
17:19

FILE NUMBER

LAST NAME, FIRST NAME, MIDDLE NAME

SOCIAL SECURITY NUMBER

GRADE/STATUS

ORGANIZATION OR ADDRESS

JTF-6140

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

*This serves as a coversheet for my computer generated statement
that was generated on 27 MAR 04 at approx. 1630.*

EXHIBIT

INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 4 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 88, WHICH WILL BE USED.

USAPPC V2.00

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SWORN STATEMENT

On 23MAR04 at the ICE briefing for the incoming Command General (Brigadier General Hood), I mentioned a counter-intelligence (CI) problem we were having in the camp. The question was in response to a question by the General regarding how we would exploit the possible death or capture of UBL. I stated that we don't have that much control over the flow of information, since it gets out to the camp via JDOG. I explained that during a recent interrogation of [REDACTED] we found out a number of CI issues in the camp, and alleged abuse by JDOG. I stated that the detainee knew more about the camp than most of the uniformed personnel in the room. And, stated that despite what the LCDR had said earlier, the detainee was aware of Camp Echo, and it's relative location. He told us how they pass messages, and the ingress and egress of personnel. I stated that I took what he said with a grain of salt, until I witnessed an incident regarding him after the interrogation. This is after I read an e-mail from my NCOIC about an incident that was brought to my attention on 25MAR with who was later determined to be [REDACTED] I read the statement (see attached), what I said encapsulated the problem we were having. I then illustrated the situation that occurred with [REDACTED] which will follow in more detail.

After the briefing, the General called for the JAG to come down immediately. I was shell-shocked. I returned to my office in a daze. I took a walk outside with a colleague, and then returned to the office. I was told to report to Bldg. 8 for an inquiry. When I arrived I was told that I did not need to be seen. The Command General asked if I had come to his Commander's call, I said I hadn't. But, later understood that he had said to bring-up issues with him (just like this situation). I eventually, went back to the office to finish my work and write-up a report on the incident with [REDACTED] (which I am still completing).

The incident itself took place on 23MAR04 at between 1900 and 2000 in Gold 14. [REDACTED] and I arrived a little before 1500 to set-up the room. After doing so, we went into the observation booth to await the detainee. At this time we were joined by interrogator [REDACTED] from my team, and a Specialist for the BSCT, who [REDACTED] as asked to be allowed to observe. The details of the interrogation are available in the SIR (which is in production - and should be finished today), and the notes from notes from [REDACTED] (see attached - which deal with some of the CI allegations). The interrogation concluded at 1900. Both [REDACTED] and the Specialist from the BSCT had left. I told JDOG that we were done, and that he needed to go to the bathroom. I rejoined [REDACTED] in the observation booth, since we had to collect the Psy Ops products we placed. The MP's came in and talked with the detainee. He asked to go to the bathroom. One of the guards said, "Oh, he doesn't speak English," and walked off with the other MP's. [REDACTED] said to me, "did you hear that." We waited for about ten minutes waiting for the MP's to return. They didn't. [REDACTED] and I talked about who should go to talk to the MP's. I pointed to my collar devices and said, "Sometimes this means I have to be a dick." I told them, "Hey this guy needs to go to the bathroom!" One of the MP's affirmed. Then they took him to the bathroom. We went back in and he said that happens all the time. He articulated a time he had to squat in the corner once, and one time he used a chair to hit the light switch on and off until someone came for him.

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[redacted] and I returned to the observation booth, and wondered where the escorts were, it was about 1930, and I called Escort Control at x3505. to ask how long it would take to move [redacted] back to the cells. The answer I got was 10 mins. So, [redacted] and I waited. At 1945, [redacted] suggested I call Escort Control to see if anyone had been dispatched. I did, and they stated that the escort team was enroute. At approximately 1950, the detainee was taken from interrogation. [redacted] and I removed the Psy Ops products, and returned back to Bldg. 5. He left, and I returned to the office.

The next morning (24MAR04) I told [redacted] what had happened (it might have been after I saw an e-mail from the Saudi Team regarding an OPSEC issue with JDOG).. He told me to write it up, and send it to [redacted] I put it off in order to deal with a number of other pressing issues. However, I mentioned the incident at my team meeting. I told my team that I needed them to send me examples of other incidents they had knowledge about, so I could send it up the chain for action. That evening I received the e-mail from [redacted] my NCOIC about [redacted] I told him I might bring the issue up at the CG brief, since it was undermining the mission. He replied via e-mail that it might not be the best idea. I said if the opportunity presented itself, I would bring the issue up, which I did. And, which is why I'm writing this statement now.

-----Tearline-----

After the incident occurred, during that evening and the next morning I discussed the interrogation with my teammates. First because [redacted] talked, which was of significance since he is a pretty hard case, and because of the CI and other information he discussed. But, most importantly regarding what I witnessed regarding the behavior of the MP's. During the course of these conversations, I spoke to Specialist [redacted] who is one of my interrogators. She usually rides the bus with the MP's to and from camp, and is currently dating an MP. She stated that the MP's openly talk about "doing things" to detainees, mostly harassment, etc. This continued to bolster my contention that we had a problem. However, this was nothing new, many of the team chiefs had brought similar incidents up in a number of meetings. The teams had begun to try to address the issue by doing briefings for JDOG regarding the importance of their role to the intelligence mission. However, problems continued to occur. This week seemed to be the high point for mediocrity, with two MP's having what seemed to be a lover's quarrel in front of the detainees (see e-mail from Saudi Team).

To further substantiate my position on the general tenor regarding the MP situation in the camp, I asked the MP's. This morning, I was preparing to go into the booth, I spoke to [redacted] who came in to ask about coordination for the upcoming DMO. He's with JDOG, and I asked him about MP behavior. It seems he was aware of some of the "Pespi Patch" antics, and told me to try and touch base with him later for more details (he's with one of the artillery units - the one's with the Half Rainbow patch). After I called in two of my detainees to tell them that they would be leaving for the DMO next week, I spoke to some of the MP's in the Yellow Building. They told me additional stories of unprofessionalism in the wire, mostly by the active duty component. [redacted] (another Half Rainbow Patch artillery guy) told me that there was an

[redacted]

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unauthorized cell search last week around midnight (which might corroborate [REDACTED] story). He heard about it, but didn't witness it, so he'd didn't write it up. I said he should, just for the record. The entire team on duty gave me additional incidents and stories. I don't know if they are all hearsay, or if they actually witnessed any of this, but they seem as distressed about it as I do.

In fact, they gave me some solutions that could rectify fifty percent of the problem. They suggested a pamphlet that articulates some basic tenets that they should follow in the camp. They stated that they have an SOP, but it changes every week, so it's hard to figure out what they are supposed to do. They also suggested that direction be given regularly via the guard mount messages. That way, those on leave or in training would be able to see them when they return.

The majority of the JDOG personnel, especially the reservists, are consummate professionals. I believe everyone in the ICE, appreciates what they do. However, those few that dispense information (even inadvertently), who harass detainees, and act in an all together unprofessional manner, undermine the mission of the JTF, and do a disservice to those who work hard to do a good job.

[REDACTED]

[REDACTED]

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DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)

AUTHORITY: Title 5 USC Section 301 and Title 10 USC Section 3013.

PURPOSE: To be used in an investigation on behalf of the Chief of Staff, Joint Task Force Guantanamo in accordance with Army Regulation 15-6.

ROUTINE USES: Any information you provide may be disclosed to members of the Department of Defense who have a need for the information in the performance of their duties.

DISCLOSURE: Disclosure is mandatory. Failure to provide information could result in disciplinary action under the UCMJ. Information provided assists the Commander for his decision in this matter. You do not have to incriminate yourself. Article 31 rights advisement and the Fifth Amendment of the US Constitution supercedes this portion of the Privacy Act statement.

CERTIFICATION: I, [REDACTED], have read and understand the above Privacy Act statement, and /or signed a rights advisement.

Name: [REDACTED]
Rank/Branch: [REDACTED]
Title: [REDACTED]

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SWORN STATEMENT

For use of this form, see AR 180-48; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 8387 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
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

2. DATE (YYYYMMDD) 2004/03

3. TIME 14

4. FILE NUMBER

5. LAST NAME, FIRST NAME, MIDDLE NAME

7. GRADE/STATUS

6. ORGANIZATION OR ADDRESS

8.

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 23 March 2004 between 1900 and 2000hrs I was a [redacted] in gold building. During the interrogation of Detainee [redacted] we [redacted] for the couple hours that he was in [redacted]. After his interrogations were done with him [redacted] the interrogator said they were finished my self and [redacted] went in [redacted] to shakel him back up. Detainee [redacted] said he needed to use the bathroom and we said ok. As soon as we got back into the monitor room we called for a escort team to pick him up. I figured since the escorts were on there way [redacted] and he was just going to [redacted] block that it was not that important. So we continued to watch the monitors a [redacted] couple of [redacted] mins later his interrogator came in to the monitor room and said that [redacted] needs to use the bathroom and we needed to take care of it immediately so two of the male monitors got up and escorted him to the bathroom. I was standing in the hallway and I could hear [redacted] trying to use the MP latrine and the other monitors told him no he had to use the Detainee latrine. They escorted him back to [redacted] after he was finished and soon after that the escort team came to pick him up.

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10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF [redacted] PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT [redacted] TAKEN AT [redacted] DATED [redacted]"

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

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USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF

TAKEN AT

DATED

B. STATEMENT (Continued)

USE US224



INITIALS OF PERSON MAKING STATEMENT



PAGE 2, DA FORM 3823, DEC 1988

PAGE

OF

PAGES

GROUP 01.00

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STATEMENT OF

TAKEN AT

DATED

B. STATEMENT (Continued)

NOT USED

AFFIDAVIT

WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT BY [REDACTED] TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BEING THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL

WITNESSES:

[REDACTED]

TIP-G7700 7d
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

ST
1270

DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)

AUTHORITY: Title 5 USC Section 301 and Title 10 USC Section 3013.

PURPOSE: To be used in an investigation on behalf of the Chief of Staff, Joint Task Force Guantanamo in accordance with Army Regulation 15-6.

ROUTINE USES: Any information you provide may be disclosed to members of the Department of Defense who have a need for the information in the performance of their duties.

DISCLOSURE: Disclosure is mandatory. Failure to provide information could result in disciplinary action under the UCMJ. Information provided assists the Commander for his decision in this matter. You do not have to incriminate yourself. Article 31 rights advisement and the Fifth Amendment of the US Constitution supersedes this portion of the Privacy Act statement.

CERTIFICATION: I, [REDACTED], have read and understand the above Privacy Act statement, and /or signed a rights advisement.

Name:
Rank/Branch:
Title:

[REDACTED]

Serial	Category	Priority	Assigned	Completed	Reviewed	Approved
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

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(b)(4)
+
(b)(6)

(4)

SWORN STATEMENT

For use of this form, see AR 190-45; the preparing agency is OOC30FS

PRIVACY ACT STATEMENT

AUTHORITY:

Title 10 USC Section 301; Title 5 USC Section 2851; E.O. 9397 dated November 22, 1943 (SSM).

PRINCIPAL PURPOSE:

To provide commanders and law enforcement officials with means by which information may be accurately

ROUTINE USES:

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

DISCLOSURE:

Disclosure of your social security number is voluntary.

1. LOCATION

Camp Delta, Guantanamo Bay, Cuba
LAST NAME, FIRST NAME, MIDDLE NAME

2. DATE (YYYYMMDD)

3. TIME

4. FILE NUMBER

5. ORGANIZATION OR ADDRESS

25th Military Police Company

7. GRADE/STATUS

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: On

23 March 2004 at Gold building in Camp Delta. I was working as the XOIC of Gold Building for swing shift 1400-2200 hours. At 1444 hours [redacted] brought detainee [redacted] to Gold 14. I met [redacted] in the hallway to supervise then placing [redacted] in the room. When [redacted] (he smiled) and chuckled and said something in arabic, because me and [redacted] have dealt with each other on the blocks before. We placed [redacted] in the chair and I unshackled one of his legs and placed that shackle on the eye bolt on the floor [redacted] stated to me that [redacted] gave them problems on the block before they came over. [redacted] stated that [redacted] accused him of calling [redacted] stupid and [redacted] refused to wear his flip flops to reservation and I said [redacted] As we were leaving the room [redacted] interrogator asked me to unshackle [redacted] hands, which I did and then I left the room and went to the monitor room. Also while we were unshackling [redacted] he looked at the pictures on the wall and smiled and said kids. [redacted] or one of my guards asked [redacted] if they were his kids and [redacted] said yes and then [redacted] asked how old and [redacted] pointed at them and [redacted] was with his interrogators from that time until approximately 1930 hours. I was out of the building from 1930 hours to 1900 hours for chow. Around 1930 hours [redacted] interrogator came to the monitor room and stated that he was done with the detainee and to send him back to his block. I said okay sir and immediately called escort control to send an escort team to pick him up. After I got off the radio with escort control I heard them call a team in to their office and I assumed it was the team that would escort [redacted] back. We sat and monitored [redacted] on the camera for about 5 minutes and he was looking at himself in (the mirror.)

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 5 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT [redacted] TAKEN AT [redacted] DATED [redacted]"

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

(5)

1273

STATEMENT OF

TAKEN AT

DATED 28 March 2004

B. STATEMENT (Continued)

Window. [redacted] took off his shirt and started flexing and then he was pinching at his love handles. I have been told by other MP's that [redacted] has lost alot of weight since he has been at Camp Delta. After looking at himself for a couple minutes he put his shirt back on and I instructed [redacted] and [redacted] to go out the shackles back on [redacted] and they did. When they returned [redacted] told me that [redacted] did not like me he said something to her about the big guy which was me and also he said he needed to use the latrine. I said okay and made the decision that he could wait till he got back to the block. We sat there for approximately 10 minutes talking about boards because [redacted] and [redacted] were going to [redacted] any board on Friday. I was explaining to [redacted] how the [redacted] board and club work, when [redacted] interrogator came in and said [redacted] needs to use the latrine and I said okay sir and he left. I then continued to tell my story about Audie Murphy and after about 5 more minutes the interrogator came in and said that [redacted] needs to use the latrine now. I said okay sir and myself and [redacted] escorted [redacted] to the latrine. While in the latrine I unshackled [redacted] right hand and he went into the detainee's stall and then came right back out and started walking toward the MP stall. I instructed [redacted] to stop and he did, I told him he had to use the detainee latrine and he stared at me for a couple seconds and then mumbled something in arabic and laughed. [redacted] then used the detainee latrine for about a minute, then came out, washed his hands and then we [redacted] escorted [redacted] back to his room. About 3 to 5 minutes after that the escort team picked [redacted] up and escorted him out of gold building. [redacted] interrogator that night was a [redacted] from the [redacted] with darker colored skin and glasses, but I do not know his name.

INITIALS OF PERSON MAKING STATEMENT

1274

STATEMENT OF [REDACTED] TAKEN AT [REDACTED]

DATED 27 March 64

9. STATEMENT (Continued)

[REDACTED]

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THE STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 5. 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)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27th day of March, 1964, at Camp Delta, Guantanamo Bay, Cuba.

[REDACTED]
(Signature of Person Administering Oath)

[REDACTED]
(Typed Name of Person Administering Oath)

[REDACTED]
(Authority To Administer Oath)

[REDACTED]
77F 6700 T2
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

1275

DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)

AUTHORITY: Title 5 USC Section 301 and Title 10 USC Section 3013.

PURPOSE: To be used in an investigation on behalf of the Chief of Staff, Joint Task Force Guantanamo in accordance with Army Regulation 15-6.

ROUTINE USES: Any information you provide may be disclosed to members of the Department of Defense who have a need for the information in the performance of their duties.

DISCLOSURE: Disclosure is mandatory. Failure to provide information could result in disciplinary action under the UCMJ. Information provided assists the Commander for his decision in this matter. You do not have to incriminate yourself. Article 31 rights advisement and the Fifth Amendment of the US Constitution supersedes this portion of the Privacy Act statement.

CERTIFICATION: I, [REDACTED], have read and understand the above Privacy Act statement, and /or signed a rights advisement.

Name:
Rank/Branch:
Title:

[REDACTED]

SWORN STATEMENT

For use of this form, see AR 190-48; the proponent agency is COCSOPF

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2881; E.O. 8387 dated November 22, 1949 (LSM).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/burnrate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION

GOLD BLDG

2. LAST NAME, FIRST NAME, MIDDLE NAME

2. DATE (YYYYMMDD)
20040328

3. TIME
2020

4. FILE NUMBER

7. GRADE/RANK

3. ORGANIZATION OR ADDRESS

258th MILITARY POLICE COMPANY

8.

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 23 MARCH, AT APPROXIMATELY 2000, WHILE WORKING AS A MONITOR IN GOLD BLDG, I WAS INFORMED THAT THE DETAINEE IN GOLD 14 WAS FINISHED. MYSELF AND [REDACTED] ENTERED GOLD 14 AND RESTRICKLED THE DETAINEE [REDACTED]. WE THEN WENT BACK INTO THE MONITOR ROOM TO AWAIT THE ESCORT TEAM TO PICK HIM UP AND TO CONTINUE OUR DUTIES AS MONITORS. THERE WAS THEN A KNOCK ON OUR DOOR. [REDACTED] ENTERED THE ROOM AND INFORMED US THAT THE DETAINEE IN GOLD 14 HAD TO USE THE RESTROOM. THE [REDACTED] WAS TOLD ORAY SIR. HE [REDACTED] RETURNED A COUPLE OF MINUTES LATER AND TOLD US THAT THE DETAINEE, "HAD TO GO NOW." AT THAT TIME MYSELF AND [REDACTED] WENT TO GOLD 14 AND ESCORTED HIM TO THE LATRINE. WHILE IN THE LATRINE THE DETAINEE'S HAND WAS UNWILLING TO ALLOW HIM TO GO TO THE BATHROOM. THE BATHROOM HAS (2) TWO STALLS, ONE FOR MP'S AND ONE FOR DETAINEE'S. THE DETAINEE WALKED INTO THE STALL FOR THE DETAINEE'S AFTER GETTING SOME TOILET PAPER OFF THE LIAK AND THEN PROMPTLY WALKED BACK OUT. HE THEN TRIED TO WALK INTO THE MP STALL. HE WAS THEN TOLD NO, THAT HE HAD TO USE THE DETAINEE STALL. THE DETAINEE MADE A FACE AT US AND THEN USED THE DETAINEE STALL. WHEN HE WAS FINISHED HE ESCORTED HIM BACK TO GOLD 14. //END OF STATEMENT//

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT _____ DATED _____"

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

(10)

1277

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF

TAKEN AT

DATED

9. STATEMENT (Continued)

NOT USED

INITIALS OF PERSON MAKING STATEMENT

PAGE 2, DA FORM 2033, DEC 1968

PAGE 2 OF 3 PAGES

USDA VLSB

1278

STATEMENT OF

TAKEN AT


DATED

3. STATEMENT (Continued)

NOT USED



AFFIDAVIT

I, , HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. 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.


Signature of Person Making Statement

WITNESSES:



Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____

TIF GYNN TA
ORGANIZATION OR ADDRESS

Signature of Person Administering Oath

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT



PAGE 3 OF 3 PAGES

1279

DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)

AUTHORITY: Title 5 USC Section 301 and Title 10 USC Section 3013.

PURPOSE: To be used in an investigation on behalf of the Chief of Staff, Joint Task Force Guantanamo in accordance with Army Regulation 15-6.

ROUTINE USES: Any information you provide may be disclosed to members of the Department of Defense who have a need for the information in the performance of their duties.

DISCLOSURE: Disclosure is mandatory. Failure to provide information could result in disciplinary action under the UCMJ. Information provided assists the Commander for his decision in this matter. You do not have to incriminate yourself. Article 31 rights advisement and the Fifth Amendment of the US Constitution supersedes this portion of the Privacy Act statement.

CERTIFICATION: I, [REDACTED], have read and understand the above Privacy Act statement, and /or signed a rights advisement.

Name
Rank/Branch:
Title:

[REDACTED]

SWORN STATEMENT

For use of this form, see AR 190-46; the proposed agency is ODCSOPB

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 201; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
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
Gold Bldg.
2. DATE (MM/YY/HHMMSS) 3. TIME [redacted] 4. FILE NUMBER
[redacted] 04/08/26 [redacted] [redacted]
5. LAST NAME FIRST NAME MIDDLE NAME 6. GRADE/STATE
[redacted] [redacted] [redacted]
7. ORGANIZATION OR ADDRESS
258th Military Police Company
8. [redacted]

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

On 23 March 2001 approx between the hours of 1900 to 0000 detainee [redacted] was brought to Gold Building for interrogation. Myself and two other people went in the room to Shackle the detainee to the floor. While in the room I noticed the detainee getting excited about the pictures on the wall. In which I asked [redacted] if that was his family and he shook his head yes. I then pointed to each picture and he told us how old they were. After completing the shackling to the floor we then returned to the observation room. Some time later the interrogator came in and told us that [redacted] had to use the latrine our NCO [redacted] told him OK. We then finished our conduct and went 2 more minutes waiting on the escort team to arrive. The interrogator then came back in and told us that the detainee need to go read. Then [redacted] proceeded and took [redacted] latrine and then returned him to the interrogation room to wait for the escort team.

[redacted]

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF _____ PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"

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 1999

DA FORM 2823, JUL 72, IS OBSOLETE

USAPA 01-00

(7)

FORM Approved

1281

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF .

TAKEN AT

DATED

B. STATEMENT (Continued)



INITIALS OF PERSON MAKING STATEMENT

PAGE 2, DA FORM 3823, DEC 1996

PAGE

OF

PAGES

USDA/AFS

1282

STATEMENT OF

TAKEN AT

DATED

B. STATEMENT (Continued)



AFFIDAVIT

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

(Signature of Person Making Statement)

WITNESSES:



Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28th day of March, 1968 at

(Signature of Person Administering Oath)

TIF GTMO TA
ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE OF PAGES

1283

DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)

AUTHORITY: Title 5 USC Section 301 and Title 10 USC Section 3013.

PURPOSE: To be used in an investigation on behalf of the Chief of Staff, Joint Task Force Guantanamo in accordance with Army Regulation 15-6.

ROUTINE USES: Any information you provide may be disclosed to members of the Department of Defense who have a need for the information in the performance of their duties.

DISCLOSURE: Disclosure is mandatory. Failure to provide information could result in disciplinary action under the UCMJ. Information provided assists the Commander for his decision in this matter. You do not have to incriminate yourself. Article 31 rights advisement and the Fifth Amendment of the US Constitution supersedes this portion of the Privacy Act statement.

CERTIFICATION: I, [REDACTED], have read and understand the above Privacy Act statement, and /or signed a rights advisement.

Name:
Rank/Branch:
Title:



SWORN STATEMENT

For use of this form, see AR 190-48; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2081; E.O. 13526 dated November 22, 1943 (ESAO).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USER: Your social security number is used as an additional means of identification for facilities filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: Camp Delta / Guantanamo Bay, Cuba
2. DATE: 03/23/2004
3. TIME: 1200
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME:
6. GRADE/STATUS:
8. ORGANIZATION OR ADDRESS: 250th Mo Co

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 23 March 2004, while performing my duties as an escort team (G-16) with my partner [redacted] we were called by escort control to escort [redacted] to Gold building for reservation. My partner and I applied the restraints to the detainee. While we were escorting the detainee out of the cell the detainee told a black guard that my partner [redacted] said he was 'stupid' being his back. My partner did not say what the detainee had told the black guard. My partner [redacted] after finishing the frisk search of the detainee, asked him to get on his flip flops that were at the detainee's feet on the tier. The detainee replied that he was a thirty nine year old man and he was not wearing them. My partner and I notified the black NCO who in turn notified SOG 2 about the refusal to wear flip flops. The SOG 2 came to the black speaker with the detainee and the issue was resolved by authorizing the detainee not to wear the flip flops to Gold building. The detainee was then escorted to Gold building making an effort to step in a puddle of water with me rather than stepping over it or asking the escort team to shift to the right or left of the puddle. I observed the detainee singing a song by Bob Marley, Redemption Song, while escorting him to Gold building. My partner and I escorted him into a room in Gold building where the JTF monitors [redacted] assisted in shackling the leg irons to the key hole in the door.

14. INITIALS OF PERSON MAKING STATEMENT: [redacted] PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT [redacted] DATED [redacted]
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 1998 DA FORM 2823, JUL 72, IS OBSOLETE

(S)

1285

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [REDACTED]

TAKEN AT

DATED 70049328

B. STATEMENT (Continued)

This was a routine move except for the refusal to wear flipflops by the detainee [REDACTED] //End of Statement// [REDACTED]

[REDACTED]

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 2 OF 3 PAGES

FAIR 2, DA FORM 3823, DEC 1999

USDA 97-00

1286

DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)

AUTHORITY: Title 5 USC Section 301 and Title 10 USC Section 3013.

PURPOSE: To be used in an investigation on behalf of the Chief of Staff, Joint Task Force Guantanamo in accordance with Army Regulation 15-6.

ROUTINE USES: Any information you provide may be disclosed to members of the Department of Defense who have a need for the information in the performance of their duties.

DISCLOSURE: Disclosure is mandatory. Failure to provide information could result in disciplinary action under the UCMJ. Information provided assists the Commander for his decision in this matter. You do not have to incriminate yourself. Article 31 rights advisement and the Fifth Amendment of the US Constitution supersedes this portion of the Privacy Act statement.

CERTIFICATION: I, [REDACTED], have read and understand the above Privacy Act statement, and /or signed a rights advisement.

Name:
Rank/Branch:
Title:

[REDACTED]

SWORN STATEMENT

For use of this form, see AR 100-48; the preparing agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2065; E.O. 12957 dated November 22, 1943 (SSM).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
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 **ALP** 2. DATE (YYYYMMDD) **20040827** 3. TIME **1657** 4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME 6. SSN 7. GRADE/STATUS

8. ORGANIZATION OR ADDRESS
ICF J16 JTF A7MD

9. I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On Tues, 23 Aug 04 I returned to Camp Delta at approx 2050 hrs in order to observe an interrogation at 2100 hrs. That interrogation was delayed, and while waiting, I ran into [redacted] outside between Bldgs 5+6 on G Delta. [redacted] was excited about having gotten [redacted] to talk during a 5 hr interrogation. I do not recall the exact time of my conversation with [redacted] but I would estimate it to have been 2100-2130. During the discussion [redacted] explained about behavior that his detainee had described to him that was conducted by the "Pepsi Patch" MPs. I do not recall the details, but [redacted] in his desire to believe the detainee (in my opinion) said he tested the MPs. He told the MPs the session was over, the detainee was ready to go back, and please take him to the bathroom first. He told me in a manner that was a little hard for me to follow; that the MPs took 20-30 mins to take [redacted] to the bathroom. [redacted] went to question the MPs to get them to follow

10. EXHIBIT

11. SIGNATURE OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT _____ DATED _____

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

(9)

1288

DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)

AUTHORITY: Title 5 USC Section 301 and Title 10 USC Section 3013.

PURPOSE: To be used in an investigation on behalf of the Chief of Staff, Joint Task Force Guantanamo in accordance with Army Regulation 15-6.

ROUTINE USES: Any information you provide may be disclosed to members of the Department of Defense who have a need for the information in the performance of their duties.

DISCLOSURE: Disclosure is mandatory. Failure to provide information could result in disciplinary action under the UCMJ. Information provided assists the Commander for his decision in this matter. You do not have to incriminate yourself. Article 31 rights advisement and the Fifth Amendment of the US Constitution supersedes this portion of the Privacy Act statement.

CERTIFICATION: I [REDACTED] have read and understand the above Privacy Act statement, and /or signed a rights advisement.

Name: [REDACTED]
Rank/Branch: [REDACTED]
Title: [REDACTED]

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2961; E.O. 8387 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/showers means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION
Camp Delta, Guantanamo Bay, Cuba

2. DATE (YYYYMMDD) 27 March 2004	3. TIME 1547	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS

8. ORGANIZATION OR ADDRESS
Interrogation Control Element, Joint Intelligence Group, Joint Task Force GTMO

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the morning of 24 March 2004, [redacted] came to my office concerning a series of incidents that he witnessed in regards to one of his detainees that he was working. He told me that [redacted] had collected a great deal of information about the Camp as well as other information about GTMO in general. Additionally, he told me that he personally witnessed his detainee being mistreated in regards to MPs not taking his detainee to the bathroom after being told to do so and no moving the detainee back to his cell in a timely manner. I believed [redacted] complaint to be credible. He also spoke of other complaints that some of his team members had in regards to treatment of their detainees. At that time, I told him to put the complaints in writing so that I could in turn send them to [redacted] the Deputy JDOG commander and my main point of contact for such issues. Shortly thereafter, I received an email from [redacted] in regards to a complaint about improper communication at Camp 4 that was emailed from [redacted] an contract interpreter on the Saudi Arabia country team. [redacted] email went out at 2323 hours on the evening of the 23rd of March. [redacted] forwarded her email to me at 1013 hours in the morning of the next day. I spoke to [redacted] earlier that morning and in the email that I sent to [redacted] at 1026, I mentioned my conversation with [redacted] when I forwarded [redacted] concerns. [redacted] responded to my email at 1047 the same morning. I responded to [redacted] concerning her complaint at 1034 hours that morning and informed her of my intention collect additional information concerning [redacted] complaint. From the time that [redacted] first sent her email to the time that [redacted] responded back to me was just over half an hour. This is important because during the course of the emails, I notified [redacted] that there was an additional complaint by [redacted] regarding [redacted] and that it would be forwarded when the details were put in writing. (Unknown to me at the time of my email, [redacted] complaint was received by [redacted] my senior operations NCO, [redacted] did not know of the complaint but this is a closely related example showing that the ICE as an organization was addressing the allegations to the JDOG chain of command and that the JDOG chain of command affirmed that appropriate action would be taken. At the time of the CG's briefing on 26 March 2004, I had not received anything further from [redacted] in regards to his verbal complaint so I had not taken any further action. I was caught completely off guard by his remarks to the CG during the meeting. After the meeting, I spoke to [redacted] who informed me that he had already initiated an AR 15-6 investigation in regards to the email that I sent him on the morning of the 24th. My take on the whole thing is that one of my junior officers elected to air his legitimate concerns to the new CG in a forum that was not appropriate given the fact that much of the operation is still very new to the CG. There are legitimate problems in regards to improper communications with the detainees and mistreatment of the detainees by the MPs. I believe that these problems are constantly being addressed by the JDOG chain of command. I speculate that the breakdown may be at some of junior levels of leadership and at the level of some individual MPs. The dynamics of the camp and the intelligence collection mission are extremely complicated. The ICE has a close working relationship with JDOG senior leadership and we work together to accomplish the mission.///////END OF STATEMENT////////

9. EXHIBIT _____ 11. INITIALS OF PERSON MAKING STATEMENT _____ PAGE 1 OF 1 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"

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

(10)

1290

STATEMENT OF [REDACTED]

TAKEN AT Camp Delta

DATED 2004/03/27

STATEMENT (Continued)

Not Used

AFFIDAVIT

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

[REDACTED]

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27TH day of MARCH, 2004 at Camp Delta, Guantanamo Bay, Cuba

TIF 6700 JA
ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 2 OF 2 PAGES

1291

DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)

AUTHORITY: Title 5 USC Section 301 and Title 10 USC Section 3013.

PURPOSE: To be used in an investigation on behalf of the Chief of Staff, Joint Task Force Guantanamo in accordance with Army Regulation 15-6.

ROUTINE USES: Any information you provide may be disclosed to members of the Department of Defense who have a need for the information in the performance of their duties.

DISCLOSURE: Disclosure is mandatory. Failure to provide information could result in disciplinary action under the UCMJ. Information provided assists the Commander for his decision in this matter. You do not have to incriminate yourself. Article 31 rights advisement and the Fifth Amendment of the US Constitution supersedes this portion of the Privacy Act statement.

CERTIFICATION: I, [REDACTED], have read and understand the above Privacy Act statement, and /or signed a rights advisement.

Name:
Rank/Branch:
Title:

[REDACTED]

[REDACTED]
From:
Sent:
To:
Cc:
Subject:

Classification: ~~SECRET~~
Caveats: NONE

Sir,
The ISN referred to here was [REDACTED]

-----Original Message-----

From:
Sent:
To:
Subject:

Classification: UNCLASSIFIED
Caveats: FOUO

Sir,
I had a detainee for most of a day this week. When I got done with him for the morning the MPs asked what I wanted done with him. I told them that he would be sitting there a while until I came back after lunch. They suggested that he would "refuse his meal" and that they could turn down the temperature to cool him off. I didn't think they were serious. However, when I returned in the afternoon, there was a new shift of MPs and they were told by the former set that my detainee had used his meal. When I went in to the booth it was 52 degrees in there. I then turned the temperature up and asked him why he refused to eat, to which he said that he hadn't. That's just a verified example of possible misconduct or abuse. The detainees talk about it all the time. That MPs make fun of them while they pray, or provoke them to anger and spit at the MPs so they can be punished. I'm sure that some the stories are lies, but I also know that power is easy to abuse.

Classification: UNCLASSIFIED
Caveats: FOUO

Classification: ~~SECRET~~
Caveats: NONE

(11)

1293

DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)

AUTHORITY: Title 5 USC Section 301 and Title 10 USC Section 3013.

PURPOSE: To be used in an investigation on behalf of the Chief of Staff, Joint Task Force Guantanamo in accordance with Army Regulation 15-6.

ROUTINE USES: Any information you provide may be disclosed to members of the Department of Defense who have a need for the information in the performance of their duties.

DISCLOSURE: Disclosure is mandatory. Failure to provide information could result in disciplinary action under the UCMJ. Information provided assists the Commander for his decision in this matter. You do not have to incriminate yourself. Article 31 rights advisement and the Fifth Amendment of the US Constitution supersedes this portion of the Privacy Act statement.

CERTIFICATION: I, [REDACTED], have read and understand the above Privacy Act statement, and for signed a rights advisement.

Name:
Rank/Branch:
Title: A

[REDACTED]

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 16 USC Section 201; Title 8 USC Section 2061; E.O. 9397 dated November 22, 1943 (E3M).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
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
2. DATE (YYYYMMDD) 3. TIME 4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME 6. SSN 7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS

9. [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 26 March 2007 at approximately 1515 Hrs I was in attendance at a briefing for O5(P) Hood by the Interrogation Team Chiefs. The briefing had concluded and O5(P) Hood posed a hypothetical question. He asked "If we were to capture or kill Usama Bin Laden, how would we use that information in the interrogation process?" Most answered that we would not divulge the information right away. I stated that eventually the detainees would learn about it since they have a rather sophisticated communications network. [REDACTED] commented that the FIPs will occasionally provide information to the detainees. At this, O5(P) Hood became quite agitated and said that he would deal severely with anyone that violated the policy regarding conversing with the detainees. I stated that information is sometimes acquired by the detainees by eavesdropping conversations amongst the guards. [REDACTED] said he had proof of guards abusing detainees and produced an email message that discussed turning down the temperature in the cell block and not delivering a meal to a detainee. When the author of the email went into the cell block he stated that the temperature was 52°F and he asked the detainee why he had refused the meal. The detainee said he didn't refuse the meal. I understood that the detainee in

10. EXHIBIT 11. INITIALS OF PERSON MAKING STATEMENT PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT DATED

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

1295

STATEMENT OF

TAKEN AT

DATED

3. STATEMENT *Continued*

question was [redacted]. [redacted] also discussed an incident involving [redacted] in the interrogation booth. He stated that the detainee wanted to use the latrine. When the MPs came into the booth they decided they would not bring him to the latrine. BSA (P) had asked if these incidents had been reported. [redacted] said it was reported two days ago. BSA had asked for the Chief of Staff and the Judge Advocate to report to him so that he could initiate an investigation.

[redacted]

AFFIDAVIT

I, [redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE [redacted]. 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 GAIN 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 _____ day of _____ at _____

TTT GTMD Jrt
ORGANIZATION OR ADDRESS

[redacted]
(Signature of Person Administering Oath)

[redacted]
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

[redacted]
(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

1296

DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)

AUTHORITY: Title 5 USC Section 301 and Title 10 USC Section 3013.

PURPOSE: To be used in an investigation on behalf of the Chief of Staff, Joint Task Force Guantanamo in accordance with Army Regulation 15-6.

ROUTINE USES: Any information you provide may be disclosed to members of the Department of Defense who have a need for the information in the performance of their duties.

DISCLOSURE: Disclosure is mandatory. Failure to provide information could result in disciplinary action under the UCMJ. Information provided assists the Commander for his decision in this matter. You do not have to incriminate yourself. Article 31 rights advisement and the Fifth Amendment of the US Constitution supersedes this portion of the Privacy Act statement.

CERTIFICATION: I, , have read and understand the above Privacy Act statement, and /or signed a rights advisement.

Name:
Rank/Branch:
Title:



1297

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 3061; E.O. 9397 dated November 22, 1943 /SSM.
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
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 JDOG M R	2. DATE (YYYYMMDD) 20040327	3. TIME 19:19	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS [REDACTED]	
8. ORGANIZATION OR ADDRESS JDOG			

1. [REDACTED] WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 26 Mar, sometime in the afternoon, I received a call from the JDOG 52 asking me to meet up with the CG near Comp 3. I asked what the urgent meeting was all about. [REDACTED] informed me that [REDACTED] had informed the CG that unidentified MPs were abusing [REDACTED].

I met up with [REDACTED] and [REDACTED] immediately. [REDACTED] confirmed the issue in a telephone conversation with someone from the NTC Team. I asked for details. All they could give me were allegations of: ① not allowing the detainee to use the toilet [REDACTED] ② Lowering his cell temperature to 52° and ③ Refusing to feed him.

To this date, the JDOG has no detailed information on who was involved and when this took place. We have no names of any MPs involved. In other words, this incident was never reported to the JDOG to the best of my knowledge.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT _____ DATED _____

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

(13)

1298

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF

TAKEN AT

DATED

B. STATEMENT (Continued)

Consequently, no action was taken because we did not know about it. As [REDACTED] I take all such reports extremely seriously. We have an MPD section that is good with such investigations. Although rare, MP infractions have occurred in the past. When they do, we act appropriately.

MPs are never in a position to act independently or unilaterally. There are always other MPs present. It is difficult to believe that section leaders would condone any acts of abuse.

[REDACTED] End of Statement
Nothing Follows

INITIALS OF PERSON MAKING STATEMENT

PAGE 2

PAGE 1 OF 3 PAGES

FORM 11.00

1299

STATEMENT OF

TAKEN AT

DATED

B. STATEMENT (Continued)



[Redacted]

AFFIDAVIT

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. 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 area]

Subscribed and sworn to before me, a notary authorized by law to administer oaths, this ____ day of _____ at _____

WITNESSES:

[Redacted witness names]

T.F. GARDNER
ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3. DA FORM 5522, DEC 1961

PAGE 1 OF 3 PAGES

USDA 01-28

[Redacted area]

1300

DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)

AUTHORITY: Title 5 USC Section 301 and Title 10 USC Section 3013.

PURPOSE: To be used in an investigation on behalf of the Chief of Staff, Joint Task Force Guantanamo in accordance with Army Regulation 15-6.

ROUTINE USES: Any information you provide may be disclosed to members of the Department of Defense who have a need for the information in the performance of their duties.

DISCLOSURE: Disclosure is mandatory. Failure to provide information could result in disciplinary action under the UCMJ. Information provided assists the Commander for his decision in this matter. You do not have to incriminate yourself. Article 31 rights advisement and the Fifth Amendment of the US Constitution supersedes this portion of the Privacy Act statement.

CERTIFICATION: I,  have read and understand the above Privacy Act statement, and for signed a rights advisement.

Name:
Rank/Branch:
Title:



SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSAC).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
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: Building 8 Camp Delta 2. DATE (YYYYMMDD): 20040927 3. TIME: 1501 4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME 6. SSN 7. GRADE/TITLE

8. ORGANIZATION OR ADDRESS: Joint Detention Operations Group, MPOAE 09360

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

On 3-26-04, I received a phone call from [redacted] operations officer from the Interrogation Control Center. My Senior Analyst, [redacted] was present when I took the phone call. [redacted] called to give me a heads-up that [redacted] had made some statements to BG Hood that [redacted] had mistreated his detainee. [redacted] told me that he was coming over to my office in Building 8, Camp Delta. [redacted] arrived with [redacted] Deputy JIG Commander. [redacted] said that he witnessed [redacted] make the statements to BG Hood that his detainee, [redacted] had been mistreated by us. According to [redacted] "he said he witnessed his detainee being mistreated in 3 ways: 1) detainee was denied access to use bathroom, 2) detainee was deprived of food, 3) Air conditioning was turned down to 52° in the interrogation cell." [redacted] and myself walked over to the CG's entourage in Gold JIF. We met with [redacted] to discuss what had happened. Shortly thereafter, the CG and his entourage, Chief of Staff, STJ, and the JIG Director came to my office so that we could discuss the statement as to the [redacted]

10. EXHIBIT 11. INITIALS OF PERSON MAKING STATEMENT PAGE 1 OF 4 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADINGS "STATEMENT TAKEN AT DATED
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 GPO 91-00

(14)

1302

STATEMENT OF [REDACTED] AT 1501

DATED 3-27-04

STATEMENT (Continued)

[REDACTED] AND RECEIVE FURTHER GUIDANCE FROM THE C6. THE C6, [REDACTED] J16 DIRECTOR, CHIEF OF STAFF, SJA, DCJDOG, [REDACTED] AND [REDACTED] WERE PRESENT IN MY OFFICE. THE C6 WANTED TO MAKE SURE THAT [REDACTED] CONCERNS WERE ADDRESSED AND TO GET TO THE BOTTOM OF ALLEGATIONS MADE BY [REDACTED] WITH THE NEW C6 AND SHARED KEY DATA WITH HIM ON [REDACTED] VOLA AS A LEADER IN THE CAMP. I ALSO SHARED WITH C6 THAT [REDACTED] WAS A LONG HISTORY OF HIJACKING INTERVIEWS AND IS HIGHLY SOPHISTICATED. [REDACTED] IS AN ENORMOUSLY DECEPTIVE AND CLEVER DETAINEE IS A CHARMATIC LEADER WITHIN THE CAMP. PREVIOUSLY, I RAN INTO [REDACTED] WHO WAS GOING IN TO INTERROGATE [REDACTED] AND I WORRIED THAT [REDACTED] WOULD TRY TO "PULL A JEDI MIND-TRICK" ON [REDACTED] IN THE BOOTH. HIS CHARMATIC WAY MAKES MANY INTERROGATORS FEEL SORRY FOR HIM AT TIMES AND KEY INTELLIGENCE ISN'T COLLECTED BECAUSE [REDACTED] DOMINATES THE SESSIONS WITH PHILOSOPHICAL SERMONS. I WAS ABLE TO LEAVE THE ROOM WHILE THE C6 AND KEY FIELD OFFICERS DISCUSSED MATTERS. I SAW [REDACTED] WHEN I LEFT MY OFFICE. HE LOOKED UPSET AND DEFIANT AT THE SAME TIME. I JOKED WITH HIM THAT THE NEXT TIME HE SHOULD WARN ME IN ADVANCE. IN A MINUTE LATER AND SPOKE [REDACTED]. I TOLD THAT WE HANDLE INVESTIGATIONS AND TAKE THE ALLEGATIONS IF ANY WERE UNSUBSTANTIATED SERIOUS. I ALSO TOLD HIM HE SHOULD HAVE USED THE [REDACTED] OF [REDACTED].

INITIALS OF FBI ON MA NO STATEMENT

1303

STATEMENT OF

IN AT 1501

DATED 3-27-04

STATEMENT CONTAINS He had an upset, defiant look on his face and he said "What... Do they want me to keep my mouth shut." That statement highlights [redacted] lack / grasp of the issue at hand. The issue is that he jumped the Chew or comment entirely. I explained to [redacted] that we get quite a bit accomplished at our level and that he's not needed to be brought up to the new [redacted] in that form / time and place. I saw an email that was sent from [redacted] to [redacted] It was being passed around between the SJA, COS [redacted] and the [redacted] generals. It was my impression that these were allegations / complaints from [redacted] to [redacted]. I was also informed that [redacted] had expressed concerns to [redacted] 48 hours previously and that [redacted] had not replied to [redacted]

AFFIDAVIT

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

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27 day of March, 2004 at 1524 Hours

(Signature of Person Administering Oath)

TIF STMP T2
ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 4 PAGES

1304

Statement of 3-27-04

PAGE 4 OF 4 PAGES

[REDACTED] email yet. [REDACTED]

and [REDACTED] work in the same building.
~~In addition, [REDACTED] was brought in to discuss the issues at hand with the CG.~~
Since their offices are in such close proximity, I found it strange why no visits, phone calls, etc. were made to utilize the existing chain of command [REDACTED]

[REDACTED] 4 of 4 pages [REDACTED]

NOTHING FOLLOWS 3-27-04

[REDACTED] 1305

DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)

AUTHORITY: Title 5 USC Section 301 and Title 10 USC Section 3013.

PURPOSE: To be used in an investigation on behalf of the Chief of Staff, Joint Task Force Guantanamo in accordance with Army Regulation 15-6.

ROUTINE USES: Any information you provide may be disclosed to members of the Department of Defense who have a need for the information in the performance of their duties.

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CERTIFICATION: I, , have read and understand the above Privacy Act statement, and /or signed a rights advisement.

Name
Rank/Branch
Title:



1306

SWORN STATEMENT

For use of this form, see AR 190-45; the proposing agency is ODC&ODS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 302; Title 5 USC Section 552E EO. 12958 dated November 22, 1993 48482

DISCERNIBLE PURPOSE: To provide commanders and law enforcement officials with names by which detainees may be accurately identified.

ROUTINE USE: 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 **2. DATE** 07/22/02/29 **3. TIME** **4. FILE NUMBER**

1. LOCATION Camp Delta, Guantanamo Bay, Cuba APO AE 09360 **2. DATE** 2004/03/29

1. LAST NAME, FIRST NAME, INITIALS **2. GRADE** **3. COMMAND/STATION**

A. OCCASIONS OR ADDRESSES

258th Military Police Company, Guantanamo Bay, Cuba APO AE 09360

WANT TO HAVE THE FOLLOWING STATEMENT INDEXED DATE:

On 28 March 2004 I was instructed by [redacted] to write this statement on why I believe that 2 of my soldiers were hesitant to put their personal information on the Privacy Act Statement.

In my opinion the soldiers are concerned and so am I about giving up personal information to anyone because the detainees in the past have been given MP's information. I know that the 3 United Kingdom detainees that are gone now know the name of our Company Commander and one of our NCO's. If you ask the detainees how they got this information and they stated that their interrogators told them or let them read the sworn statements that we write against them and it has our name and social security number on it. Also our company was involved in Operation Clean Sweep and we went through and confiscated a lot of papers and books from the detainees. During that operation we were instructed to put our names on the outside of the packets and also fill out 4137's Evidence forms with each one. Then a couple of months after the operation we found the packets and 4137's in the detainees' possession with MP's names still on it. I know that the intelligence gathering is the primary mission here at JTF GTMO and I believe that some of the interrogators would do whatever it takes to gather that information including giving out some MP's personal information. I am told by many detainees that I am a bad MP because I do not want to take the chance of them getting my information and getting revenge on me by hurting my wife and children. That is why I think that my soldiers would question if their information would be given to the detainees. ---End of Statement---

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADLINE WORDS IDENTIFY

TAKEN AT DATED

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

DA FORM 2823, DEC 1998

DA FORM 2823, JUL 22, 16 OBSOLETE

FORM 100

(15)

1307

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF [REDACTED]

TAKEN AT [REDACTED]

DATED 2004/03/29

STATEMENT Continued

[REDACTED]

[REDACTED]

1308

STATEMENT OF

TAKEN AT

DATE 20

STATEMENT Continued

AFFIDAVIT

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ABOVE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE SIGNED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONCERNING 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:
[REDACTED]

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29TH day of MARCH, 2004 at Camp Delta, Guantanamo Bay, Cuba 09360

TTF (PMD) [Signature]
OCCASION OR ADDRESS

Signature of Person Administering Oath

OCCASION OR ADDRESS

(Typed Name of Person Administering Oath)

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 3 OF 3 PAGES

PAGE 3, DA FORM 3023, DEC 1998

5010A71-00

1309

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
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: BLDP 8, CAMP DELTA
2. DATE: 7001203
3. TIME
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. GRADE/STATUS
7. ORGANIZATION OR ADDRESS

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH IN REGARDS TO [REDACTED], KNOWLEDGE I HAVE OF THIS DETAINEE INCLUDES: 1) HE WAS THE SUBJECT [REDACTED]

RESULT OF THIS JDDG EVALUATION OBSTRUCTED [REDACTED] ABILITY TO NEGATIVELY INFLUENCE DETAINEES AROUND HIM.

2) [REDACTED] HAS BEEN KNOWN AS A CHARISMATIC INDIVIDUAL WHO COERCES DETAINEES AND MPS AHEAD. [REDACTED] WAS PERFORMING DILIGENT ABOUT KEEPING IDENTIFIED [REDACTED] UNDER CONTROL IN AN EFFORT TO MAXIMIZE EXPLOITATION EFFORTS IN THE INTERROGATION BROTHER. 3) DURING THE RUNNING CGS BRIF YESTERDAY (202603), [REDACTED] BRIDGED BG HOOD ABOUT ALLEGATIONS CONCERNING JDDG MPS AND [REDACTED] HE STATED THAT HE WAS IN PROCESS OF OBTAINING INFORMATION ABOUT SUSPECTED INCIDENTS IN WHICH DETAINEES WERE BEING MISTREATED BY JDDG MPS. [REDACTED] PROVIDED A PAPER COPY OF AN EMAIL AND READ FROM IT TO BG HOOD. AT THAT POINT, BG HOOD TOOK THE PAPER AND STATED THAT HE WAS OPENING AN INVESTIGATION INTO MISTREATMENT OF DETAINEES BY JDDG MPS. 4) IMMEDIATELY FOLLOWING THE CGS BRIF I CONTACTED [REDACTED] AND APPRISED HIM OF THE DETAILS ABOUT [REDACTED] ALLEGATIONS TO BG HOOD.

10. EXHIBT
11. SERIAL NUMBER OF STATEMENT
PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING 'STATEMENT TAKEN AT DATED
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

(16)

(b)(1)

1310

STATEMENT OF [REDACTED] TAKEN AT Bldg 8/1535 DATED 7-00977 03

STATEMENT (Continued) [REDACTED] PROCEEDED TO OBTAIN DETAILS FOR B6 HOOD WHO WOULD BE COMING TO S-2 STARTUP. I CALLED [REDACTED] ON THE TELEPHONE AND PROCEEDED TO INQUIRE IF HE HAD COMPILED A REPORT FOR THE ICE CHAIN OF COMMANDS PRIOR TO PRESENTING SUCH ALLEGATIONS TO B6 HOOD. HE ACKNOWLEDGED THAT HE DID NOT COMPLETE HIS FACT FINDING AND HAD NOT FINISHED THINKING UP HIS REPORT TO FORWARD TO [REDACTED] I THEN ASKED HIM WHY HE WOULD BRIEF THE CG ON SUCH AN ISSUE WITHOUT GOING THROUGH THE CHAIN OF COMMAND FIRST.

5) HE BEGAN TO POINT IN A WAY THAT INDICATED HE FEARED HE HAD MADE A MISTAKE IN IPTDCOL. I ASSURED HIM IT WAS A SIMPLE MISTAKE AND THAT FOR TOTAL PERFORMANCE, WE HAVE A SYSTEM: LET ICE OPS KNOW ABOUT PROBLEMS SUCH AS [REDACTED] ICE CHAIN OF COMMAND WILL SPEAK IT WITH JDOG [REDACTED] AND APPROPRIATE ACTION WILL BE TAKEN.

J. FATHER EXPLAINED TO [REDACTED] THAT HE SHOULD COME WITH ME TO BUILDING 8 TO EXPLAIN EVERYTHING TO [REDACTED] AND [REDACTED]. [REDACTED] CAME WITH ME AND SOON B6 HOOD APPROACHED [REDACTED] AND TOLD HIM HE HAD DONE THE RIGHT THING.

6) FOLLOWING THE [REDACTED] DEPARTURE, I HAD A CONVERSATION WITH [REDACTED] CONCERNING THE SITUATION. HE INFORMED ME THAT HE WAS APPASED OF SOME DETAILS ABOUT [REDACTED] ALLEGATIONS, BUT [REDACTED] HAD YET TO GIVE HIM THE FOLLOW-ON DETAILS HE HAD REQUESTED FROM HIM. [REDACTED] INFORMED ME HE WAS ALREADY TALKING WITH [REDACTED] ON THIS ISSUE AND THAT IT WAS GOING TO BE INVESTIGATED AS IT ALWAYS HAD - THROUGH ICE, THE BU JDOG, AND THAT [REDACTED] WAS CONSISTENT IN ADDRESSING THESE TYPE CONCERNS.

I TOLD MAJ POWERS THAT IT WAS MY OPINION THAT [REDACTED] HAD CHANGED THE GUN AND [REDACTED] AS PER [REDACTED].

1311

STATEMENT OF

TAKEN AT

DATED

9. STATEMENT (Continued)



Marshall Edwards

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 WORDS OF BRIBERY OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR

[REDACTED]
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____, 19____ at _____



TIF 6700 Jd
ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES
USA 97-10

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DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)

AUTHORITY: Title 5 USC Section 301 and Title 10 USC Section 3013.

PURPOSE: To be used in an investigation on behalf of the Chief of Staff, Joint Task Force Guantanamo in accordance with Army Regulation 15-6.

ROUTINE USES: Any information you provide may be disclosed to members of the Department of Defense who have a need for the information in the performance of their duties.

DISCLOSURE: Disclosure is mandatory. Failure to provide information could result in disciplinary action under the UCMJ. Information provided assists the Commander for his decision in this matter. You do not have to incriminate yourself. Article 31 rights advisement and the Fifth Amendment of the US Constitution supersedes this portion of the Privacy Act statement.

CERTIFICATION: I [REDACTED], have read and understand the above Privacy Act statement, and /or signed a rights advisement.

Name
Rank/Branch
Title

[REDACTED]

~~SECRET//NOFORN~~



DEPARTMENT OF DEFENSE
JOINT TASK FORCE GTMO
GUANTANAMO BAY, CUBA
APO AE 09360

JTF GTMO-CG

3 May 2003

MEMORANDUM FOR Commander, United States Southern Command, 3511 NW 91st Avenue, Miami, FL 33172.

SUBJECT: ~~(S//NF)~~ Commander's Inquiry, allegation of Inhumane Treatment of [REDACTED]

1. (U) On 2 May 03, I directed the Director of the Joint Intelligence Group to address and correct the following areas of concern, as identified by a recently completed commander's inquiry:
 - a. (U) Counsel and provide re-training to the team involved in this interrogation to ensure they understand the approved interrogation techniques and practices and their limitations. Additionally, provide training to all members of the JIG on approved interrogation techniques and approval levels no later than 9 May 03.
 - b. (U) Immediately cease the use of the "Fear Up Harsh" interrogation technique.
 - c. (U) Contractor personnel may review but not approve interrogation plans. Effective immediately, only Department of Defense personnel may review and approve interrogation plans.
 - d. (U) Military Police personnel may not participate in interrogations. Their role is strictly for security and safety of all involved. Coordinate With CJDOG to establish a standard operating procedure for military police personnel in the interrogation facilities. This SOP must be completed no later than 9 May 2003.
 - e. (U) It became evident during the inquiry that a sense of mistrust exists between the contractors and military personnel in your organization. You will take the appropriate measures necessary to ensure that all JIG personnel understand the one-team concept and the importance of maintaining professional working relationships. You will also establish and ensure that all members understand appropriate chain-of-command reporting requirements. This must be done no later than 9 May 2003.
2. (U) I found that the action involved in this commander's inquiry was a single incident. A thorough review of our current procedures has not uncovered a systematic problem. The above-

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JTF GTMO-CG

SUBJECT: Commander's Inquiry, allegation of Inhumane Treatment of [REDACTED]
[REDACTED]

directed policy changes and re-training will ensure that this type of incident will not occur in the future.

3. (U) My point of contact for this memorandum is the Staff Judge Advocate, DSN [REDACTED]


GEORGE D. MILLER
Major General, US Army
Commanding

~~SECRET//NOFORN//OC~~

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DEPARTMENT OF DEFENSE
JOINT TASK FORCE GUANTANAMO
U.S. NAVAL BASE, GUANTANAMO BAY, CUBA
APO AE 09360

JTF-GTMO-CG

2 May 2003

MEMORANDUM FOR Mr. John Ammons, Director, Joint Intelligence Group (JIG), Joint Task Force Guantanamo, Guantanamo Bay, Cuba, APO AE 09360

SUBJECT: Commander's Inquiry, Allegation of Inhumane Treatment

1. During a recently completed commander's inquiry, several areas in the intelligence collection process were identified as requiring training and/or corrective action. All these areas of concern, as noted below, must be addressed and corrected immediately.

a. Counsel and provide re-training to the team involved in this interrogation to ensure they understand the approved interrogation techniques and practices and their limitations. Additionally, you will provide training to all members of the JIG on approved interrogation techniques and approval levels within 7 days of receipt of this memorandum.

b. Immediately cease the use of the "Fear Up Harsh" interrogation technique.

c. Contractor personnel may not review and approve interrogation plans. Effective immediately, only Department of Defense personnel may review and approve interrogation plans.

d. Military Police personnel may not participate in interrogations. Their role is strictly for security and safety of all involved. Coordinate with [REDACTED] to establish a standard operating procedure for military police personnel in the interrogation facilities. This SOP must be completed no later than 9 May 2003.

e. It became evident during the inquiry that a sense of mistrust exists between the contractors and military personnel in your organization. You will take the appropriate measures necessary to ensure that all JIG personnel understand the one-team concept and the importance of maintaining professional working relationships. You will also establish and ensure that all members understand appropriate chain-of-command reporting requirements.

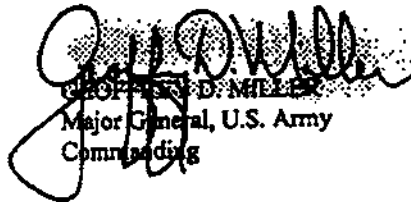
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SUBJECT: Commander's Inquiry, Allegation of Inhumane Treatment.

2. You will notify me, in writing, not later than 14 May 2003 of all actions taken and training completed in order to comply with the concerns addressed in this memorandum.


JOSEPH D. MILLER
Major General, U.S. Army
Commanding

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~~SECRET//NOFORN~~



REPLY TO
ATTENTION OF

DEPARTMENT OF DEFENSE
JOINT TASK FORCE GUANTANAMO
GUANTANAMO BAY, CUBA
APO AE 09368

JTF GTMO-SJA

30 April 2003

MEMORANDUM FOR Major General Geoffrey D. Miller, Commander, Joint Task Force
Guantanamo, Guantanamo Bay, Cuba

SUBJECT: (U) Results of Commander's Inquiry, re: Allegation of Inhumane Treatment of
[REDACTED]

1. (U) On 29 April 2003, you directed me to conduct an inquiry into allegations of inhumane treatment on 22 April 2003, against [REDACTED]. The inquiry was based upon a complaint filed by [REDACTED] an ACS interrogator. The allegation purported that two members of the Military Police, Sergeant [REDACTED] and [REDACTED] were physically abusing the above-mentioned detainee at the direction of interrogator, [REDACTED].

2. (U) The following individuals were interviewed: [REDACTED]

[REDACTED] was on leave and not available for interview.

3. ~~(S//NF)~~ Synopsis of Interviews:

a. ~~(S//NF)~~ The allegation by [REDACTED] states, "...they [MPs] pushed in the back of the detainee's knees with their knees, taking the detainee to his knees. Then holding the detainee by his upper arms they slammed his upper body to the floor." During his interview, he stated this procedure was repeated 25 - 30 times. He also stated, in both his written and verbal statements that the floor was shaking with such force that [REDACTED] as well as the next booth over were shaking. [REDACTED] stated that as the detainee was forced to the floor, he turned his head so the side of his face was hitting the floor. He further stated that the force being used on the detainee caused [REDACTED] great concern for the detainee's safety. [REDACTED] soon exited the building to call his supervisor. [REDACTED] verbal and written statements corroborate [REDACTED] allegation that the MPs pushed the detainee to the floor, by applying force to the back of his knees, in a violent manner. She estimated this activity happened approximately 18 times, but was unsure of precise count. She corroborated

(b)(1)

~~SECRET//NOFORN~~

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JTF GTMO - SJA

SUBJECT: (U) Results of Commander's Inquiry, re: Allegation of Inhumane Treatment of

(b)(1) the intensity of the shaking of the (b)(1) reported that she saw (b)(1) of the detainee each time he was forced to the ground. She further stated that she witnessed (b)(1) and (b)(1) laughing while this activity was taking place. There is no doubt that both (b)(1) and (b)(1) believe that the interrogator was frustrated and took his frustrations out on the detainee and that this was not a professional interrogation.

b. (S//NF) (b)(1) was interviewed about his role in reviewing and approving the interrogation plan. (b)(1) was the acting team chief in the absence of (b)(1). He stated that he reviewed and approved the plan but did not talk with the team about any aspect of it. He indicated that unless he saw something out of the ordinary it was not his role to speak to the teams about their plans. When asked about what was involved with the technique "fear up harsh" he stated that it was normally yelling, perhaps flicking the lights off and on but did not involve physical force or exercises. He stated that he was unaware of any policy that authorized the assistance of military police in the interrogation booth.

(b)(1) c. (S//NF) Interviews with (b)(1) all provided similar testimony. This testimony starkly contrasted the statements of (b)(1) and (b)(1). This testimony, in summarized terms is as follows. (b)(1) was the "guest" interrogator on 22 April 2003, assisting the (b)(1) Team and was brought in strictly to use Fear Up Harsh techniques in an effort to collect intelligence information from (b)(1). According to team members, (b)(1) was not successful in obtaining information and they believed a male interrogator would be more successful. This was the second time (b)(1) interrogated (b)(1) using fear up harsh techniques. This interrogation involved confrontational direction and yelling at the detainee. When the detainee did not comply with request for information, it was later decided that he should use "up and down" PT exercises during the course of his interrogation in an effort to induce compliance and try to make him answer questions. At this time, the military police (MPs) (b)(1) and (b)(1) were positioned on either side of the detainee with (b)(1) directly in front of the detainee. The MPs were not briefed on how to conduct the technique or if there were any limitations other than the safety of all concerned. Each MP secured a two-point contact with the detainee placing their hands below his elbow and on his tricep for control. (b)(1) then began to yell "Down" and "Up" at which time the detainee was expected to kneel and then stand up. The MPs assisted the detainee with the movements, maintaining constant control at all times. According to the team members, the exercises occurred 10-15 times over a period of 45 minutes. (b)(1) stated that he stopped because the MPs were tired and use of the technique did not produce the desired result. The interrogation was then stopped and the detainee returned to his cell. (b)(1)

(b)(1) All concerned believed that the technique was appropriate, approved, applied properly and was common practice in the teams.

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SUBJECT: (U) Results of Commander's Inquiry, re: Allegation of Inhumane Treatment of [REDACTED]

d. (S//NF) According to the testimony of [REDACTED] they were called in by the interrogator and asked to assist with exercises. They were not briefed but indicated that they understood what was needed. They had positive control of the detainee and then the interrogator yelled for the detainee to drop. The detainee voluntarily dropped to his knees very rapidly and they assisted him with standing up. They did not control the detainee's descent but did assist when the interrogator yelled for the detainee to stand up. They deny using any force to put him to his knees. According to testimony, at no time did the MPs lose control of the detainee. All parties deny that the detainee's head even came close to hitting the floor. All members stated that the loud noise and potential shaking of the floor was a result of [REDACTED] stomping his foot each time the detainee knelt on the floor. [REDACTED] stated this was done to create an effect, and to startle the detainee. Although the MPs were not sure of the limitations on techniques, they believe that they acted properly and ensured that the detainee was not injured during the exercises.

e. (U) [REDACTED] stated that he was [REDACTED] observing the interrogation. He stated that he could not watch the interrogation at all times [REDACTED]. He did not observe anything that he thought was wrong or inappropriate. (b)(1)

f. (S//NF) [REDACTED] was interviewed about her participation in the interrogation planning and the actual interrogation. She stated that she had been interrogating [REDACTED] for over one month and had not been successful obtaining information. She was asked who's idea it was to use MPs to assist detainee with exercise during an interrogation and she stated everyone talked about it but wasn't sure whether this was in the SOP or not. She stated that the team believed that this technique (fear up harsh and compulsive exercises) would "shake up" the detainee and make him provide information. She left the interrogation before [REDACTED] started interrogating the detainee and so does not know what happened. (b)(1)

g. (S//NF) [REDACTED] were interviewed about the interrogation process and the use of the fear up harsh technique. They were not aware that this technique (compulsive physical exercise) was being used. [REDACTED] indicated that [REDACTED] (previous JIG commander) had approved the use of MPs to assist interrogators but this practice consisted of MPs assisting detainees up and down from a seated position to keep them awake during interrogations or to take detainees out to walk around. He stated that using force to seek compliance from the detainee had never been approved. [REDACTED] was also aware that compliant detainees were asked to stand and sit but this did not involve any force or assistance from MPs and was done by the detainee at the request of the interrogator. They addressed their concerns that the contractor personnel did not inform [REDACTED] of their concerns but instead reported this incident through contractor channels.

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JTF GTMO - SJA

SUBJECT: (U) Results of Commander's Inquiry, re: Allegation of Inhumane Treatment of [REDACTED]

4. ~~(S//NF)~~ A medical examination of the detainee was made and superficial bruising was found on his forearms and biceps, a right knee abrasion, a small abrasion on his left ankle from what appears to be a shackle, and some swelling of his kneecaps. These injuries appear to be consistent with the compulsory exercises that were conducted on 22 April 2003 but there is no way to know when these injuries occurred other than recently.

5. ~~(S//NF)~~ Throughout the course of the inquiry, areas were identified as requiring training and/or corrective action. These items and recommendations are as follows:

a. ~~(S//NF)~~ The interrogator did direct the MPs to use force on [REDACTED] for the purpose of obtaining compliance and the detainee appears to have received superficial injuries as a result. The command has not approved this technique and the leadership was unaware that it was being used. The personnel involved believed they had approval to use this particular technique. Although no serious harm resulted, this incident requires the command to review procedures, approval levels, and training. [REDACTED]

(b)(5)

b. ~~(S//NF)~~ There seems to be confusion by interrogators and analysts as to whether the fear up harsh technique was approved verbally or was in the SOP but they stated that "everyone" knew about this technique and they thought it was approved. [REDACTED]

(b)(5)

c. (U) Contractors cannot review and approve interrogation plans, as this requires discretionary decisions on behalf of the government. Recommend [REDACTED]

(b)(5)

d. (U) Military Police stated that they have SOPs for Camp Delta but no guide lines for the interrogation areas. They stated that they do not know what the limitations or and whether they should participate in any aspect of the interrogation process. Recommend that [REDACTED]

(b)(5)

e. (U) Tensions, hard feelings and mistrust between the contractors and military personnel became evident during the interviews. [REDACTED]

(b)(5)

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~~SECRET//NOFORN~~

JTF GTMO - SIA

SUBJECT: (U) Results of Commander's Inquiry, re: Allegation of Inhumane Treatment of

6. (U) The point of contact for this memorandum is the undersigned at



Staff Judge Advocate

~~SECRET//NOFORN~~

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Classification: SECRET

Caveats: NONE

INTERROGATION PLAN

ISN:

Source Name:

Languages Spoken:

Team:

DoD Team Chief:

DoD Team Chief Phone #:

Interrogator:

LEA: NA

Analyst:

Language Requested:

Linguist Requested:

NONE

Date/Time of Interrogation:

22 APR 03/1630

Estimated Duration:

6 HOURS

Date of Last Interrogation:

21 APR 03

Previous Reports-

Number

VARIOUS IIRs

SO2s

MFRs

KB

Subject

VARIOUS SUBJECTS

VARIOUS SUBJECTS

VARIOUS SUBJECTS

BACKGROUND, ROUTE OF TRAVEL

Past Reliability:

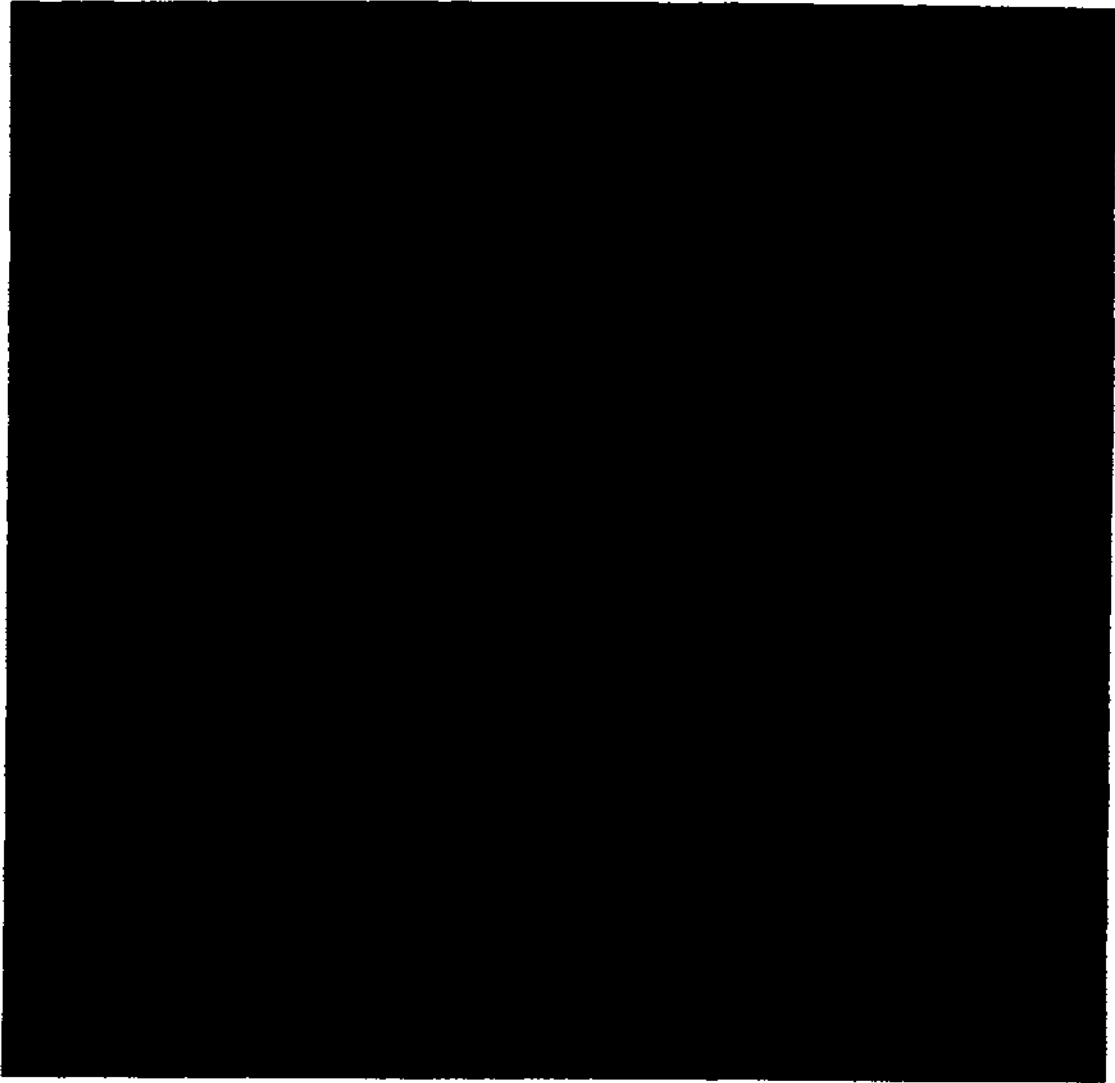
UNDETERMINED

Behavioral Analysis Assessment: YES FROM BSCT

Correspondence To/From Detainee: TO/FROM FAMILY IN

Purpose of Interrogation/Requirements:

(b)(6)



(b)(1)

Maps/Graphics/Photos/Interrogation Aides Required: PICTURE OF ISN



(b)(1)

Translation Method: N/A

Recording Method: NONE

Approach/Rapport-
Previous Approaches/Incentives Used/Detainee Concerns:



(b)(1)

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INCENTIVES.

Tentative Approaches/Incentives:

[REDACTED]

(b)(1)

Physical Layout of Interrogation Room/Location of Personnel:

[REDACTED]
[REDACTED]

(b)(1)

Sequential Questioning Plan

Topic

Controllable Material

Questioner

[REDACTED]

1. [REDACTED]

(b)(1)

2. [REDACTED]

3. [REDACTED]

4. [REDACTED]

5. [REDACTED]

6. [REDACTED]

[REDACTED]

(b)(1)

7. [REDACTED]

8. [REDACTED]

Classification: ~~SECRET~~
Caveats: None

JTF GTMO -- BSCT

15 April 2003

MEMORANDUM FOR RECORD

SUBJECT: [REDACTED]

ID: [REDACTED]

Intelligence summary [REDACTED] has admitted to being in an Al-Qaida training camp at Al-Farouq. He stated that he did not train there but admitted his association with Al-Qaida. [REDACTED] has successfully identified several personnel from photographs associated with the attack on the USS Cole in Yemen. [REDACTED] stated that he worked for a [REDACTED] organization. [REDACTED] has been identified as a [REDACTED] for [REDACTED] by numerous detainees at GTMO and also has ties to many [REDACTED] to include suspects from the attack on the USS Cole. He was arrested in [REDACTED] on the Afghanistan/Pakistan border traveling with [REDACTED]

Psychiatric Hx: [REDACTED] is not currently under Mental Health Treatment.

Medical Hx: [REDACTED] is seen regularly at the Detainee Fleet Hospital for minor aches and pains. He has been evaluated by medical staff since he refuses food every other day (Verified by L-Block DAR). He was treated for Hemorrhoids in 2002 and has no current medical conditions to be aware of.

Medications: Motrin PRN. No standing prescriptions.

Impressions: Detainee responded very well at first to the interrogator when he expressed concern and willingness to listen. [REDACTED] began providing information on his whereabouts [REDACTED] This is the first time in Months that this detainee has provided any information relevant to his intelligence requirements. As with previous interrogations detainee refused to name individuals that he worked or traveled with. Detainee closed his eyes and stated that he was going to refuse to answer. Detainee appeared to be calm and in control of the situation at that time. The interrogator's attempts to ease the situation and offer to "talk" were ignored by [REDACTED] During breaks, while the interrogator was out of the room, [REDACTED] began praying and exhibited signs of distress. The interrogator continued to talk to [REDACTED] with the aid of a US Navy linguist but Detainee refused to answer. As discussed with the assigned TIGER TEAM interrogator switched to a [REDACTED] The interrogator removed chairs from the vicinity of the detainee and told him to sit down and stand up in order to "wake him up" since [REDACTED] had stated that he was too tired and sleepy to talk to him [REDACTED]. Two Military Policemen were called into the booth to assist the detainee both on the way up and the way down. The MP's maintained positive control of the detainee throughout the 35-45 min session during which [REDACTED] was made to sit down and stand up for about 15 times. At no time did the Military police allowed [REDACTED] head to come near the floor. Since [REDACTED] provided information earlier in

Classification: ~~SECRET~~
Caveats: None

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Classification: ~~SECRET~~

Caveats: None

the interrogator, a decision was made the TIGER TEAM and the BSCT member to send [REDACTED] back to was sent back to his cell in order to allow him time to eat and pray.

Recommendation:

Detainee responded very to the interrogator being willing to talk to him. He still refuses identify other people, possibly because he is still afraid of "being put to death" by US Courts". The interrogator should be able to gain further information if the TIGER TEAM can stress to him that his cooperation will influence the outcome of his trial

Classification: ~~SECRET~~
Caveats: None

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MEMORANDUM FOR RECORD

Date: 4/28/2003
To: [REDACTED]
From: [REDACTED]
RE: INCIDENT ON 22APR03

THE FOLLOWING INCIDENT TOOK PLACE ON 22 APRIL 2003 AT CAMP DELTA, GTMO. AT APPROXIMATELY 2030 HOURS [REDACTED] AND I WERE IN MONITORING ROOM 5 IN GOLD BUILDING OBSERVING THE APPROACH TECHNIQUE OF [REDACTED] A FELLOW INTERROGATOR. [REDACTED] WAS INTERROGATING IN INTERROGATION ROOM 4. MONITORING ROOM 5 OVERLOOKS BOTH INTERROGATION ROOM 4 AND INTERROGATION ROOM 6. AT THIS TIME THERE WAS AN INTERROGATION OF ANOTHER DETAINEE TAKING PLACE IN INTERROGATION ROOM 6. [REDACTED] AND A ~~GOING NAVE~~ NAVY ANALYST WHOSE NAME I DO NOT RECALL WERE ALSO IN MONITORING ROOM 5 OBSERVING THIS INTERROGATION. IN INTERROGATION ROOM 6 I SAW [REDACTED] A MILITARY LINGUIST, TWO DETAINEE ESCORTS, AND A DETAINEE. THE DETAINEE WAS STANDING A LITTLE BACK FROM CENTER OF THE ROOM. [REDACTED] WAS IN FRONT OF THE DETAINEE THE TWO EXCORTS WERE ON EITHER SIDE OF THE DETAINEE HOLDING THE DETAINEE BY HIS UPPER ARMS. THE LINGUIST WAS STANDING IN BACK OF THE DETAINEE. THE TWO ANALYSTS IN THE MONITORING ROOM HAD A SPEAKER PLUGGED INTO THE AUDIO OUTPUT FROM ROOM 6 AND [REDACTED]

[REDACTED] I HAD ONLY ONE EARPIECE IN SO THAT I COULD TRANSLATE THE ARABIC [REDACTED] WAS SPEAKING TO [REDACTED] WHO DOES NOT SPEAK ARABIC. OVER THE SPEAKER THAT [REDACTED] AND THE OTHER ANALYST WERE USING I COULD HEAR [REDACTED] BECOMING LOUDER AND LOUDER IN HIS INTERROGATION. [REDACTED] WAS REPEATING THE SAME QUESTION, "WHAT WERE YOU DOING IN PAKISTAN?" TO THE DETAINEE. THE DETAINEE IN MY OPINION SEEMED INCOHERENT. (NOTE: AS AN INTERROGATOR I HAVE SEEN DETAINEES FEIGN INCOHERENCE TO AVOID INTERROGATION, BUT SUCH WAS NOT THE CASE HERE IN MY ESTIMATION.) [REDACTED] WAS REPEATING THE QUESTION OVER AND OVER, IN RAPID FIRE FASHION, SO QUICKLY THAT THE INTERPRETER WAS NOT KEEPING UP WITH THE QUESTIONING AND THE DETAINEE WOULD NOT HAVE BEEN ABLE TO ANSWER WITHOUT INTERRUPTING [REDACTED]

[REDACTED] THEN SHOUTED "DOWN" AND THE TWO DETAINEE ESCORTS PUSHED THE DETAINEE TO THE FLOOR. WHEN I SAY PUSHED TO THE FLOOR I MEAN THEY PUSHED IN THE BACK OF THE DETAINEE'S KNEES WITH THEIR KNEES, TAKING THE DETAINEE TO HIS KNEES. THEN HOLDING THE DETAINEE BY HIS UPPER ARMS THEY SLAMMED HIS UPPER BODY TO THE FLOOR. THIS SERIES OF MOTIONS WAS ALL DONE IN ONE SWIFT MOVEMENT, SO THAT THE DETAINEE WENT FROM A STANDING POSITION TO A PRONE POSITION ALL AT ONCE. THE FORCE WITH WHICH THE DETAINEE'S BODY HIT THE FLOOR WAS SUCH THAT [REDACTED]

[REDACTED] IT WAS INTERROGATING. IMMEDIATELY BEFORE THE DETAINEE WAS PUSHED TO THE FLOOR, [REDACTED]

[REDACTED] AND THE NAVY ANALYST WERE LAUGHING ABOUT THE TREATMENT OF THE DETAINEE. THE DETAINEE WAS SLAMMED TO THE FLOOR IN THIS

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MEMORANDUM FOR RECORD: INCIDENT ON 22APR03

MANNER SEVEN TO EIGHT TIMES. [REDACTED] WOULD YELL "DOWN" IMMEDIATELY PRECEDING EACH TIME THE DETAINEE WAS SLAMMED TO THE FLOOR. AFTER THE FIRST TWO SLAMS I TOOK OUT MY EARPIECE AND OBSERVED THE HAPPENINGS IN ROOM 8. [REDACTED] WAS ONCE AGAIN ASKING THE DETAINEE, "WHAT WERE YOU DOING IN PAKISTAN?" WHEN, AFTER 5 TO 10 MINUTES OF THIS IMPOSSIBLE-TO-ANSWER, RAPID FIRE QUESTIONING THE DETAINEE WOULD NOT ANSWER, [REDACTED] SHOUTED "DOWN," AND THE SLAMMING PROCESS TOOK PLACE APPROXIMATELY TEN TO TWELVE MORE TIMES. THE DETAINEE WAS BEING SLAMMED TO THE FLOOR SO HARD THAT I WAS CONCERNED FOR HIS SAFETY. THE FORCE WITH WHICH THE DETAINEE HIT THE FLOOR WAS, IN MY ESTIMATION, ADEQUATE TO CAUSE SEVERE INTERNAL INJURY. I LEFT THE MONITORING ROOM, ALONG WITH [REDACTED] TO CALL MY SUPERVISOR AND REPORT THIS INCIDENT. AS WE LEFT I COULD HEAR [REDACTED] SHOUTING "DOWN" AND I ALSO HEARD IMMEDIATELY FOLLOWING EACH "DOWN" NOISES CONSISTENT WITH THE SOUND THAT WAS MADE WHEN THE DETAINEE WAS SLAMMED TO THE FLOOR. I HEARD THIS COMBINATION OF SHOUTS AND THUDS SIX TO SEVEN MORE TIMES AS I EXITED THE BUILDING. [REDACTED] AND [REDACTED] REMAINED AT GOLD BUILDING WHILE I WENT TO MAKE THE PHONE CALLS. WHEN I ARRIVED AT BUILDING 8, I ATTEMPTED TO CALL MY SUPERVISOR, [REDACTED] BUT GOT NO ANSWER. I THEN WALKED BACK DOWN TO GOLD BUILDING WHERE [REDACTED] GAVE ME THE NUMBER TO CALL. [REDACTED] I TOLD [REDACTED] THERE WERE THINGS GOING ON AT THE CAMP THAT COULD ADVERSELY AFFECT THE MISSION AND THAT I NEEDED HIS GUIDANCE ON HOW TO PROCEED. [REDACTED] TOLD ME HE WOULD COME TO CAMP DELTA, ALONG WITH [REDACTED] AND DISCUSS THE MATTER. WHILE WAITING FOR THEM TO ARRIVE I SPOKE WITH [REDACTED] WHO WAS NOW AT BUILDING 5. [REDACTED] HAD APPARENTLY BEEN TOLD THAT I WAS REPORTING HIS CONDUCT TO MY SUPERVISOR. I HAD A CONFERENCE WITH [REDACTED] WHICH LASTED APPROXIMATELY TEN MINUTES DURING WHICH [REDACTED] TRIED TO CONVINCE ME THAT WHAT HE HAD DONE WAS PROPER. HE TOLD ME THAT WHEN THE GUARDS WERE TAKING THE DETAINEE TO THE FLOOR THEY WERE, AT THE VERY LAST SECOND, PULLING UP ON HIS ARMS TO LESSEN THE IMPACT, AND THAT THE LOUD SOUNDS I HEARD WERE ONLY BOOTS BEING STOMPED ON THE FLOOR. I TOLD [REDACTED] THAT AS AN EXPERIENCED INTERROGATOR, WHO HAD BEEN TRAINED BY AND SERVED IN THE US ARMY, I HAD NEVER SEEN IN FM 34-52 ANY SECTION DESCRIBING OR PRESCRIBING WHAT HE HAD DONE TO THE DETAINEE. [REDACTED] TOLD ME THAT HE HAD BEEN CALLED IN TO RUN THIS APPROACH ON THIS DETAINEE BECAUSE THE INTERROGATOR RESPONSIBLE FOR THIS DETAINEE HAD RUN "EVRY APPROACH, A TO Z, AND HAS GOTTEN NOWHERE." I TOLD [REDACTED] THAT I THOUGHT HE HAD JEOPARDIZED THE MISSION AND THAT MOST LIKELY WHOEVER INTERROGATED THAT SOURCE WOULD HAVE TO UNDO THE DAMAGE HE HAD DONE. I LEFT THE OFFICE WHERE WE HAD BEEN TALKING AND WALKED OUTSIDE WHERE I FOUND [REDACTED] AND [REDACTED] TO WHOM I RECOUNTED WHAT I HAD SEEN.

THE PERSONNEL I COULD NOT IDENTIFY BY NAME, I WOULD BE ABLE TO IDENTIFY BY SIGHT.

[REDACTED]
INTERROGATOR, ACS DEFENSE

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MEMORANDUM FOR RECORD

Date: 4/28/2003

To: [REDACTED]

From: [REDACTED]

RE: INCIDENT ON 22APR03

On 22 April 2003, at approx 2030L [REDACTED] accompanied me to monitor an interrogation done by [REDACTED] speaks Arabic and would be able to translate the session for me; he also wanted to watch [REDACTED] techniques. We went to [REDACTED] building monitoring room 5; this monitoring room overlooks interrogation rooms 4 and 6. When we walked into a monitoring room we saw another interrogation in room 6 was going on. In the monitoring room was a female Army analyst and a male Navy analyst. The Army analyst was controlling the monitor and had a speaker so that both parties could hear the interrogation, the speaker was loud enough that I could hear it muffled even though I had headsets on. In the interrogation room was the interrogator [REDACTED] a male Army interpreter, two male MPs and the detainee. They were all standing in the center of the floor. The MPs held the detainee by the upper arms. The interpreter was standing to the rear of the detainee and [REDACTED] was standing directly in front of the detainee. [REDACTED] was yelling questions at the detainee very rapidly, [REDACTED] he yelled "DOWN" the MPs then pushed the detainee to the floor with enough force to not only shake the camera in their interrogation room but also in the room that [REDACTED] was conducting his interrogation. He would then yell "GET UP" and the MPs would jerk the detainee up. Each time the [REDACTED] analyst first heard the word "DOWN" [REDACTED]

[REDACTED] The analysts in the monitoring room stood up to watch this as it was happening and was laughing about it. (b)(1)

[REDACTED] and I left the monitoring room, as we got up to leave, we observed this happening again as we were walking down the hall of Gold building to exit we could feel the force of detainee being pushed to the floor. [REDACTED] said he was going to call [REDACTED] I returned to the monitoring room. The interrogation in room 6 had ended and the military personnel left the room. The detainee was still standing in the center of the room [REDACTED] (b)(1)

[REDACTED] returned to the monitoring room and told me [REDACTED] could not get a hold of [REDACTED] and asked me if I knew [REDACTED] telephone number. I gave him the number and [REDACTED] proceeded to call [REDACTED] left the monitoring room to meet with [REDACTED]. I remained there. At approximately 2145L the MPs came to take the detainee back to his cell. When they were shackling him for the move one of the MPs took his pulse. They left and I remained in the monitoring room until [REDACTED] was finished with his interrogation.

I am unaware of the names of the personnel involved with the exception of [REDACTED] however, I can identify the [REDACTED] analyst and one of the MPs.

Analyst, ACS Defense Inc.

4/28/2003

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~~SECRET~~

Memorandum

I was notified about the individuals that were identified as being in the monitoring booth when the incident occurred. The individuals were identified to me, pointed out to me afterwards, and I recognized 2 of them as being in the Gulf States Regional Team.

1. [REDACTED] ACS Team analyst
2. [REDACTED] Team Analyst
3. [REDACTED] the interrogator in the booth at the time, [REDACTED] Regional Team

The next day I contacted Escort Control at Camp Delta, under the auspices of a lost personal item, questioned the Escort Control as to which [REDACTED] team members had interrogations in Gold building. I was given a list of the detainees in Gold building, and specifically the ISN [REDACTED] was in Gold 6. [REDACTED] was the interrogator of record for this interrogation session, shown by the records of [REDACTED] team for that day.

During the time [REDACTED] and I were discussing the incident with [REDACTED] I saw [REDACTED] come into the area between Buildings 5 and 6. The time was approximately 2200 hours, and [REDACTED] was dressed in a t-shirt and casual shorts. [REDACTED] entered Bldg. 5, and very shortly afterwards walked to Bldg. 6 with [REDACTED]

The next day, [REDACTED] approached me and attempted to determine my opinion of the incident. He stated that he was concerned about the credibility of one of his interrogators being questioned. I stated it was not a matter of credibility; it was a case of an ACS employee seeing something that concerned him and wanted to advise his ACS boss of the matter.

[REDACTED] started describing the situation as one where no one could actually see what was occurring. [REDACTED]

[REDACTED] He also stated that the specific instance of the detainee hitting the floor only happened once or twice, and that the MPs had the detainee held at all times.

[REDACTED] expressed concern about a complaint being filed, and I advised him that, to the best of my knowledge, no one was filing anything at that time. [REDACTED] seemed to be relieved at that statement.

[REDACTED]
Senior Lead Interrogator
ACS Defense

~~SECRET~~

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MEMORANDUM FOR RECORD

26 April 2003

TO: [REDACTED] (ACS PM)

SUBJ: POSSIBLE INAPPROPRIATE ACTIVITIES

FM: [REDACTED]

1. I have been tasked to identify a possible inappropriate activities conducted during recent ICE sessions and document said activity.
2. On Wednesday, 22 April 2003, at approximately 2130 hours. I was approached by [REDACTED] (ACS employee) who related to me that he had just witnessed a session that was totally inappropriate and bordered on criminal. He related the details of the session and pleading "devil's advocate" I asked if he was sure what he witnessed was what he witnessed; that as a opinion the perspectives are different from the different areas during a session. He confirmed that there was no question of perspective with what he witnessed and felt that given the seriousness of the situation that it should be referred to a higher level. I inferred that as a professional courtesy he should ask the military personnel [REDACTED] to explain his actions and then if their was no reasonable explanation to by all means refer the situation up the chain. Upon completion of the session; [REDACTED] and myself departed to a separate room where the incident was discussed. [REDACTED] explained his reasoning for the activities which took place in the session. [REDACTED] was attentive and listened to said explanation at which time he thanked [REDACTED] for his inputs. [REDACTED] then referred the situation to the next level.
3. On Thursday, 17 April 2003, at approximately 2100 hours, Gold Building. I took part as a monitor in a session conducted by my Tiger Team partner. During this session, I heard a loud disturbance and investigated it. I determined it's origin as that of another session. I entered the monitor area and found it to be quite crowded with a minimum of eight personnel consisting of ICE personnel as well as MP personnel. I watched the session as it transpired. This part of the session involved having the individual perform PT. This was accomplished by having MP personnel at the direction of the ICE personnel [REDACTED] force the individuals knees to unlock whereupon the individual fell knee first directly onto the floor of the room. This was repeated numerous times. The individual showed signs of physical discomfort and pain. The session then progress with the assistance of another ICE personnel [REDACTED]. At this point in time the session advanced into what can only be described as the proverbial "strip club lap dance". The ICE personnel [REDACTED] removed her overblouse behind the individual and proceeded stroking his hair and neck while uttering sexual overtones and making comments about his religious affiliation. The session progressed to where he was seated on his lap making sexual affiliated

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movements with her chest and pelvis while again speaking sexual oriented sentences. This then progressed to the individual being placed on the floor with her straddling him, etc. Needless to say many inappropriate comments were made during this time concerning the session and the area had the atmosphere of a party. During this period I became very uncomfortable and departed the monitoring area. I went to the MP monitoring area where I found approximately 4-6 personnel watching the session as well. Again derogatory comments flourished. I witnessed [REDACTED] (b)(1)

[REDACTED] as well as a "guard" watching for any officer personnel. I questioned what I witnessed the next day and was informed that the activity per se was documented and produced results and as such was deemed appropriate/acceptable under the circumstances. I do not recall the individual names of the personnel in either the monitor area, the MP area, nor do I recall the name of the individual who informed that the activity was sanctioned.

4. On approximately Monday, 07 April 2003, during the mid evening hour I witnessed a session where ICE personnel [REDACTED] with assistance by MP personnel was forcing an individual to perform PT. Again this consisted of the MP forcefully unlocking the individuals legs and the individual falling to the floor onto his knees. Again, the individual showed visible signs of pain and discomfort. This lasted for approximately 15-20 minutes. Approximately, 20 minutes after this incident, I witnessed the same ICE personnel along with two MP's forcing individual to conduct PT by walking around the building. The individual showed signs of anger but no signs of pain or discomfort.
5. On approximately the latter part of March 2003, in the late evening, I again witnessed a session where the individual was forced to perform PT at the behest of ICE personnel and with the assistance of MP personnel. Again, this PT consisted of using force to bring the individual forcefully to his knees. I do not recall the names of the individuals involved during this session.

6. [REDACTED]

[REDACTED]

ACS Defense Analyst
Employee ID: [REDACTED]

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To [REDACTED]

On 22 April 2003, [REDACTED] Team had asked me if I would be able to assist in an interrogation involving a detainee who was not willing to cooperate with his interrogator. I went to my section chief and asked if it would be possible to assist them in this interrogation and upon receiving approval I then went ahead and told the [REDACTED] Team that I would be able to assist them. Once they told me what time they would go in and what approaches they would be doing I then met them at the interrogation booth located in Gold Bldg. Upon arrival they briefed me on the detainee as to who he was and what valuable intelligence he has. After we discussed the approach plan of what was to happen during this interview, I was told that I would be conducting a fear up harsh approach on the detainee provided he refused to answer any questions, which consisted of me yelling at the detainee and making him stand up and sit down.

Once I entered the booth, detainee acknowledged me and then continued praying. When I began asking him questions pertaining to his timeline and his activities in Bosnia detainee cooperated until asked about his associations with other personnel that traveled with him. Detainee stated he would not continue to cooperate of his own choosing, at which time he shut his eyes and refused to acknowledge both the interrogator and the linguist. At this time detainee stated he would only answer questions when he wanted to and would talk about things that only he wanted to talk about. As discussed with the TIGER TEAM OF [REDACTED] I began using the Fear Up Harsh with the detainee, which included, yelling at the detainee and telling him that he wasn't a good Muslim and that Allah only helped out those who helped themselves. Also detainee was instructed to stand up and sit down as a method of keeping him awake, this was accomplished by the two Military Police by lowering the detainee to the ground and assisting him both on the way up and the way down. Several safety measures were in place which include the following: All objects were removed from the vicinity of the detainee; Military Police were present in order to assist detainee with interrogator's requests; Military Police had positive control of the detainee at all times in order to avoid the possibilities of injury to both the interrogator and detainee. A member of the BSCT was present during the interrogation in the booth in order to observe detainee reactions to the approach. At no time was the detainee's head ever allowed to touch the floor and at no time was the detainee on the floor for more than 1-2 seconds. Detainee was asked to stand up and sit down for a total of ten to twelve times in a period of forty-five minutes. At that point it was decided to send the detainee back to cell by the [REDACTED] Tiger Team and the BSCT.

After the completion of the interrogation I returned to Bldg. 6, and was approached by a member of the [REDACTED] team [REDACTED] whom expressed his disagreement with the way the interrogation was held. [REDACTED] and I walked over to an empty office to discuss the interrogation in question. I began to explain as to why I approached the situation the way I did, in the presence of a third party. Despite my calm and rational demeanor [REDACTED] began to argue that the interrogator acted in an unprofessional manner and that my method was both unproductive and flat out "STUPID". [REDACTED] also mentioned to me that as an interrogator I acted both, "frustrated and had no other options than to use an approach that was so stupid." Needless to say, [REDACTED] didn't allow me to explain the situation before he made this judgment call on my

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person and credit as an interrogator. This statement from [REDACTED] was based wholly on his opinion both from his experience as an interrogator and never having worked in this type of situation and in the need for this type of approach. Despite the efforts of the interrogator to inform [REDACTED] of the events and planning that preceded tonight's interrogation he continued to state his discontent and informed that he would take this matter to higher authorities. I then contacted my immediate supervisor, which is [REDACTED] [REDACTED] to inform him of the situation and find a resolution to this matter.

At no time was I, the MP'S or BSCT or any other member that was assisting with the interrogation out of line with the regulations allowed for JTF-GTMO. Regulations as well as the detainee safety was taken into account during the interrogation session at all times.

Respectfully,

[REDACTED]

[REDACTED]
JTF- GTMO.
EXT. [REDACTED]

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To [REDACTED]

This is a statement in regards to the situation that took place on the evening of 22 April 2003. The detainee whose personal safety is in question is [REDACTED] is assigned to [REDACTED] 2, which consists of [REDACTED] (interrogator) and [REDACTED] (analyst) and has recently been combined with Gulf States 1 [REDACTED] (Interrogator) and [REDACTED] (analyst). The combining of the two teams is to put forth a greater effort at extracting the intelligence value that this detainee has and is not giving. [REDACTED] is a member of the Dirty Thirty and has been identified as one of UBL's bodyguards as well as having connections to the USS Cole bombing. Detainee has provided no information to interrogator prior to the combined efforts of [REDACTED] and [REDACTED], he has been speaking with [REDACTED] for four months but has been pulling his own approaches on interrogator with no avail.

I was present in the observation booth during the session in which we had asked for the assistance of [REDACTED]. [REDACTED] has had the opportunity to speak with multiple female interrogators, because we were in the belief that he would cooperate fully with a female interrogator. However due to the lack of intelligence value that we are getting from him, we thought that we should try to send in a male interrogator to see if the detainee would respond in a different manner. Therefore, we requested the assistance of [REDACTED]. Detainee did state that he would rather speak with [REDACTED] as opposed to the females that have been speaking with him in the past.

Prior to the session in which [REDACTED] was present I personally went down to the blocks to ensure that a dinner meal would be waiting for him at his cell when he returned back to the blocks. I was told by the block MPs (Lima) that his meal would be waiting until the end of their shift, which was at 2200. I made sure that [REDACTED] was returned to his block in time for his evening meal before the shift change occurred.

I was present in the observation booth both as assistance and observer for the session in which [REDACTED] was in the booth with [REDACTED]. As directed by the plan in which [REDACTED] Tiger Team and also with the assistance of the BSCT team [REDACTED] went into the booth on friendly terms with the detainee. At this time the detainee had the opportunity to discuss an agreement that we were working on with said detainee. Detainee took to having [REDACTED] in the booth and tried to speak with him (which has not happened in the last three weeks). At this time detainee was questioned on his timeline in Bosnia, and later questioned about his connection to UBL. (Which is a confirmed connection through identifications from other detainees who were also part of the Dirty Thirty). When the detainee reached a point in the questioning in which he felt like he didn't want to answer, as according to the plan (our plan which consisted of the "harsh up" approach which involved yelling and kneeling on the ground. At no time did this consist of putting the detainee in any stress positions) in which [REDACTED] Tiger Team and also with the assistance of the BSCT Team, we started to do the Harsh Up approach with detainee.

Detainee stated that he was willingly refusing to answer questions regarding his associations with other people in Bosnia and Pakistan. At this time we requested the assistance of two military policemen in order to ensure safety on both the interrogator and the detainee. They entered the booth and immediately moved all chairs out of the vicinity in which interrogator and detainee were present. Detainee stated that he was tired and was refusing to answer any questions so [REDACTED] requested for detainee to stand up

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and kneel at which he refused to do on his own, so we requested the assistance of the Military Police. At no time did the Military Police remove their hands from the detainee so he was at all times being under positive control. Upon the "kneeling" portion the detainee was accompanied by [REDACTED] who stomped on the ground as they went down. The Detainee at no time had his face near the ground nor was he on the ground for more than one or two seconds at a time. This went on for about 45 minutes for a total of 12 to 15 "up and kneeling". This was not done at a constant stretch of time as [REDACTED] took breaks every five minutes to converse with myself as to how it was progressing.

The session was terminated due to the analysis on my part and with conjunction with discussion with the BSCT team that we exhausted all intelligence value that the detainee would put forth this evening. I also wanted to get the detainee back to his cell for his evening meal. The session was productive in that we got the Bosnia section of his timeline with a little bit of clarification, which has not been possible in the past.

The civilian in question [REDACTED] was in the observation booth watching his own interrogation during the time that the session with [REDACTED]. During the session, [REDACTED] at NO time rose from his seat to become "observant" in the interrogation session, which involved [REDACTED]. About three times [REDACTED] raised his eyes and glanced in the direction of my booth. Again, he never got out of his seat to actually observe what was going on with the interrogation in the booth. The stomping noise that was heard in the observation booth came not from the detainee but from [REDACTED] stamping his foot on the ground to create the noise.

At no time was either the interrogator or the MPs out of line with the regulations allowed for JTF-GTMO. Along with [REDACTED] the two MPs, the BSCT, and myself, I also had [REDACTED] observing in the booth as well. Nothing was done out of regulation and the safety of the detainee was taking into account at all times.

POC for this statement is the undersigned X [REDACTED]

[REDACTED]

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[REDACTED]

This statement regards the situation that took place on the evening of 22 April 2003. The detainee in question is [REDACTED] a confirmed [REDACTED] who is assigned to DOD [REDACTED] which consists of [REDACTED] (interrogator) and [REDACTED]. My team, [REDACTED], which consists of [REDACTED] (interrogator) and myself (analyst), has recently been combined with [REDACTED] 2 to assist in exploiting [REDACTED] from the [REDACTED] Team was requested to assist in the interrogation as well, as we have had negative results with [REDACTED] when using female interrogators. In addition to myself, [REDACTED] of [REDACTED] 2 and [REDACTED] of the Behavioral Science Consultation (BSCC) were present in the observation booth during the mission. Initially, the detainee had the opportunity to discuss an "agreement" that we had prepared at the detainee's request, but he refused to sign said agreement, most likely due to the fact that he did not find the provisions reciprocal. At this point, [REDACTED] and myself requested [REDACTED] to use a [REDACTED] involving him yelling at the detainee in a harsh tone and making the detainee perform various physical tasks. Two MP's were brought into the interrogation room to assist [REDACTED] and for safety precautions. They entered the booth and removed all chairs from the vicinity of the detainee and the interrogator. [REDACTED] requested the detainee to kneel down and stand up, but the detainee refused to do this on his own, so the MP's assisted to assure his compliance. With hands firmly secured under the detainee's armpits and around his upper arms, the MP's guided the detainee to the standing and kneeling positions with the minimum force necessary. At no time did the MP's remove their hands from the detainee and he was under positive control throughout the mission. The detainee also never had his face or head near the ground, nor was he on the ground for more than one or two seconds at a time. This went on for about forty-five minutes with breaks every five minutes, during which [REDACTED] would come into the observation booth to consult with us on his progress. At one point during the "Up/Downs," the detainee began answering questions concerning his timeline in [REDACTED] but he immediately stopped revealing information when the questions began to focus on his associates, a course of action he has taken in previous interrogations. We terminated the session when we determined that we had exhausted all intelligence value that the detainee would put forth that evening. We also wanted to get the detainee back to his cell for his evening meal. The session was productive, though, in that we were able to acquire some clarification concerning the [REDACTED] portion of the detainee's timeline. [REDACTED] the ACS contractor who was in the observation booth during the mission watching an interrogation in the adjacent room, did not at any time voice any concern to or observe what was transpiring beyond a few fleeting glances. In conclusion, at no time was neither the interrogator nor the MP's out of line with the regulations allowed for JTF-GTMO and it is my reasoning that this situation has been blown entirely out of proportion and has been handled inappropriately by ACS personnel.

[REDACTED]

IS2, USN, [REDACTED]

[REDACTED]

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To: MG Miller

Additional Comments:

These memoranda were produced on an Unclassified ACS corporate owned laptop maintained in my residence (VL 41D). The files and temp files have been deleted from the drive. If you require that the hard drive be destroyed, please advise and I will either destroy the hard drive or provide it to the government for destruction and purchase a replacement and have the computer rebuilt. I instructed my employees to all use the same computer for this purpose so the information would not be accessible to other than whom intended. I currently have one floppy disk with these memoranda saved on it.

This issue has been widely discussed by military personnel at the camp beginning the evening of 22 April, 2003, and we are already realizing a rift between ACS employees and our government customers.



ACS Defense/Program Manager

X-7474

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SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USE: 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 Delta Gold Building
2. DATE: 24/03/04/22 3. TIME: Approx 2100 4. FILE NUMBER: [REDACTED]
5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED] 6. SSN: [REDACTED] 7. GRADE/STATUS: [REDACTED]

8. ORGANIZATION OR ADDRESS: Delta Inf Co

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 22 April 03 AT APPROXIMATELY 2100 HRS, while working AS A TIF monitor in Gold Building, myself and [REDACTED] were asked to assist on an interrogation conducted by Team [REDACTED] of the JIG. The detainee interrogated was [REDACTED]. During the interrogation, detainee [REDACTED] was refusing to cooperate with the JIG team questions. AS A RESPONSE TO his uncooperative behavior, the interrogator told him to do "up and down" exercises. The interrogator requested us to assist detainee [REDACTED] on the way up and on the way down, while maintaining positive control of him due to his uncooperative and prior aggressive behavior. [REDACTED] and myself assisted detainee [REDACTED] on this exercises for about 30 minutes with break in between. NO INJURIES or accidents happened while conducting this exercise. [REDACTED]

nothing follows

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED]

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT [REDACTED] DATED [REDACTED]

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

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STATEMENT OF [REDACTED]

TAKEN AT

DATED

9. STATEMENT (Continued)

[REDACTED]
Nothing follows

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 _____ day of _____ at _____

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)
ART 136(b)(4) UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

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JAN

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

Title 10 USC Section 301; Title 5 USC Section 2951, E.O. 9397 dated November 22, 1943 ISSM.

AUTHORITY:

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

PRINCIPAL PURPOSE:

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

ROUTINE USES:

Disclosure of your social security number is voluntary.

DISCLOSURE:

1. LOCATION

GOLD BUILDING - CAMP DETA (STMO)

2. DATE (YYYYMMDD)

20030422

3. TIME

22.50

4. FILE NUMBER

5. LAST NAME, FIRST NAME, MIDDLE NAME

[REDACTED]

6. SSN

[REDACTED]

7. GRADE/STATUS

[REDACTED]

8. ORGANIZATION OR ADDRESS

244TH MILITARY POLICE COMPANY, GUANTANAMO BAY PIRSA

9.

[REDACTED]

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 04APR03 AT APPROXIMATELY 2200HRS, WHILE WORKING AS A JIFF MONITOR IN GOLD BUILDING, MYSELF AND [REDACTED] WERE ASKED BY MEMBER'S OF THE INTERROGATION TEAM TO ASSIST IN THE INTERROGATION OF DETAINEE [REDACTED]. DURING THE INTERROGATION PROCESS, THE DETAINEE WAS STANDING AND ALL CHAIRS WERE REMOVED FROM AROUND HIM. THE DETAINEE [REDACTED] REFUSED TO ANSWER QUESTIONS AND THE INTERROGATOR TOLD HIM TO "GET UP AND DOWN" IN ORDER TO GET "HIS BLOOD MOVING". THE DETAINEE WAS UNCOOPERATIVE AND THE INTERROGATOR REQUESTED THAT WE ASSIST THE DETAINEE ON THE WAY UP AND DOWN. MYSELF AND [REDACTED] POSITIONED ON EACH SIDE OF DETAINEE [REDACTED] AND SUPPORTED HIS UPPER ARMS. WE MAINTAINED POSITIVE CONTROL OF THE DETAINEE AT ALL TIMES AND ESURED THAT HIS HEAD NEVER CAME CLOSE TO THE FLOOR. EVEN THOUGH THE DETAINEE FORCED HIMSELF DOWN, HIS UPPER BODY WAS KEPT OFF THE FLOOR. THIS PROCESS LASTED FOR ABOUT 30 MINUTES IN WHICH THE DETAINEE WAS GIVEN SEVERAL BREAKS. DURING. AFTER THIS, A DECISION WAS MADE TO SEND THE DETAINEE BACK TO HIS CELL. NO INJURIES HAVE BEEN REPORTED AS OF THIS TIME. END OF STATEMENT [REDACTED]

NOTHING FOLLOWS

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF

TAKEN AT DATED

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

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YDR

STATEMENT OF



TAKEN AT

2750

DATED

20030422

3. STATEMENT (Continued)

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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.



(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)
ACT 136 (B)(4) UCMJ
(Authority To Administer Oaths)

TITLE OF PERSON MAKING STATEMENT



PAGE 2 OF 2 PAGES

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SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 201; Title 5 USC Section 2061; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
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 Delta, (Type) Penitentiary Room 4 (P)
- 2. DATE (YYMMDD): 20050422
- 3. TIME: Approx 2100
- 4. FILE NUMBER: [REDACTED]
- 5. LAST NAME, FIRST NAME, MIDDLE NAME: [REDACTED]
- 6. SSN: [REDACTED]
- 7. GRADE/STATUS: [REDACTED]
- 8. ORGANIZATION OR ADDRESS: 314th MP CO
- 9. [REDACTED]

I WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

WHILE BEING ASSIGNED AS A JIF MONITOR IN G-04 BUILDING, ONE OF MY DUTIES ENTAILS WATCHING THE EVENTS BETWEEN DETAINEE ([REDACTED]) AND INTERVIEWER TEAM [REDACTED] OF JIG. FOR SAFETY REASONS AND PER THE TEAM'S REQUEST, WE HAD TWO MP'S IN THE ROOM FOR ASSISTANCE. [REDACTED] (b)(6)

[REDACTED] AT NO TIME DID THE INTERVIEWER STRIKE THE DETAINEE. THE MP'S PRESENT ASSISTED THE SESSION BY PERFORMING UP AND DOWN BALANCE AT THE REQUEST OF THE TEAM. AT NO TIME DID THE DETAINEE FACE CLOSE TO STRIKING THE GROUND AND EVERYONE'S SAFETY WAS FIRST AND FOREMOST. CONTROL WAS MAINTAINED BY TWO POINTS OF CONTACT FROM THE MP'S AND ALL CHAIRS AND OTHER FOREIGN MATTER WERE CLEARED FROM THE ROOM. ALL OPERATIONS FOR THIS SESSION WERE WITHIN THE CAMP'S SOP'S AND NOT DEVIATED FROM.

Nothing Follows

10. EXHIBIT

11. INITIAL OF PERSON MAKING STATEMENT

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT _____ DATED _____

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

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1345

STATEMENT OF

TAKEN AT

DATED

9. STATEMENT (Continued)

NOT USED

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 _____ day of _____, _____

AT

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)
ART 136(b)(4) 111 MAT
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

SJS

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1346

Narrative Medical Summary

Detainee [REDACTED]
[REDACTED]

Language: Arabic

26 April 2003

Medical Diagnoses

1. Latent TB, declined treatment
2. Hemorrhoids with anal fissure
3. Multiple hunger strikes
4. History of Depressive Disorder, NOS, in remission

Medications

1. None

Allergies - None

[REDACTED] year-old detainee was in-processed on 12 Jan 02. He has been seen 50 times by Medical and 27 times by Psychology since being in-processed; the last visit being on 11 Apr 03 for hyperventilation while in Reservation. No mention of these other issues made at that time and skin exam was not included in this evaluation. His in-processing weight was 178 lbs, his weight at the end of March was 169 lbs, and today's weight was 148 lbs. He has received two of three scheduled Tetanus-diphtheria immunizations, an MMR, a Hepatitis A vaccination and an influenza vaccination. He has had a positive PPD and a negative chest x-ray. He initiated treatment for Latent TB but stopped after completing 4 weeks of treatment.

He was followed extensively from 7 Mar 02 through 22 Jun 02 for 4 episodes of hunger striking. He was fed via feeding tube in April, but volunteered for refeeding in May and June of last year. He also did a hunger strike 06-17 Oct 02 which ended with his voluntary refeeding.

Today, I was requested to see him and address all of his medical complaints. An Arabic interpreter was available throughout the evaluation. He initially stated that I should ask Reservation as "they will tell you everything they have done". When I explained that I needed it from him so that I would get the full story, he agreed. He "doesn't want help" because he doesn't want 1 person to cause a problem to have another person fix it. He just wants us to "let me die from what they are doing to me". He states that he is on a hunger strike and has been without food for 16 days (per DOC he has taken intermittent meals to stay under the 9 consecutive meals for report). He states he is drinking water without a problem. He reports that Reservation has "dragged me across the floor" resulting in scrapes on his feet, jerked on the chains which have caused marks on his wrists, gripped the cuffs so that they tightened excessively causing marks on his wrists, lifted him up then "slammed" him down on his knees, made his mouth such that he was spitting up blood, made a tooth loose, bruised several areas of his upper arms and torso,

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1347

and created pain on his L lower ribs. He denies trauma to the rib area but does not know how that area is causing him so much pain. He felt so bad last night that he tried to "cut" the artery in his neck with his fingernails. All of these things occurred over the last 14 days.

Review of Systems

HEAD: occasional headaches which involve the frontal area, no radiation, no worsening with either bright lights or loud sounds, sleep improves the headache some

EARS: occasional ringing in the ears, decreased hearing, all less than 2 weeks duration

NOSE: no bruising, no congestion, no bloody discharge

MOUTH: occasionally spitting up blood but unsure from what, tooth in upper jaw on the R is loose, bitterness coming up from the back of the throat and filling his whole mouth—all less than 2 weeks duration

NECK: slightly sore, no other complaints

CHEST: tender point in L upper chest which does not change with deep inspiration but is able to be found by pressing on it.

HEART: beats fast sometimes and the painful spot in his chest gets worse when it is beating fast

BACK: L sided back/flank area pain, unable to put any pressure on that area due to the pain. States he was kicked repeatedly in that area while at Kandahar.

ABD: stomach hurts in the middle portion, has a history of hemorrhoids and fissure but has not had a BM due to not eating

GU: [REDACTED], no concerns otherwise, urinating without difficulty

EXT: states multiple areas of injury on arms, some old and some new. He received 3 injections as a child which gave him scars on the L upper arm (possible smallpox).

Physical Exam

BP 130/72 P 88 R 18 T 97.5 Wt 148 lbs

HEENT: well healed linear scar noted connecting eyebrows, no other injuries noted; TMs clear bilaterally; PERRL, EOML, fundi without gross lesions; nares without exudates or lesions; mouth with reasonable dentition, slight anterior-posterior shifting of 2nd molar upper R jaw noted (tooth indicated by patient to be involved), tongue midline, mucous membranes moist, no pharyngeal exudates or blood noted.

NECK: supple, shoddy adenopathy anteriorly and posteriorly, linear superficial scratches noted L lateral neck starting just inferior to ear and edge of mandible extending downward into a 2-3 cm erythematous area in the inferior aspect of the L neck, no hematoma noted

LUNGS: clear to auscultation bilaterally

CV: RRR no m/r/g

CHEST: stria noted extending from axilla to superior aspect of shoulders bilaterally, supraclavicular area with significant loss of subcutaneous tissue, tenderness to palpation over the L mid sternal border in area approximately 1 cm diameter—no bruising noted here. Scars: flat, oval scar approximately 2 x 1 cm on R chest wall lateral to nipple.

Eccymosis: 1) yellow, round, barely visible near stria on R, approximately 5 mm diameter; 2) L upper shoulder with round, approximately 5 mm diameter, bluish; 3) inferior aspect L ribs 2 areas; oval approximately 5 mm diameter each, bluish.

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BACK: full ROM without difficulty, normal skin contours noted, 3 pimples noted scattered over the back. Stria noted extending from axillary area over posterior aspect of shoulder. Marked tenderness noted in 5 mm diameter area over inferior aspect of L ribs just medial to L posterior axillary line. No pain on rib compression away from this area. Scars: 1) 5-6 cm diameter, flat, round well healed area at junction of scapula and L axilla; 2) multiple linear scars each 1-2 mm in length approximately 10 in a row with 5-7 rows along L flank/inferio-posterior ribs. Eccymosis: none noted.

ABD: soft, mildly tender over epigastric/mid abdominal area, NAAB, no HSM. Scars: none noted. Eccymosis: oval 4x6 mm diameter, bluish, barely visible through hair, in RUQ.

GU: declined evaluation

UPPER EXT: full ROM, normal skin color and tone, thin. Scars: L upper outer arm with three 5-6 mm diameter, well healed, round lesions. Eccymosis: 1) medial aspect L arm just proximal to antecubital area with 3-4 mm diameter; 2) extreme medial aspect of R upper arm approximately mid humeral shaft with oval, 4-5 mm diameter, bluish; 3) two round, bluish, 3 mm diameter just distal to antecubital area medial R lower arm; 4) linear erythematous marks bilaterally overlying extreme distal ulna/radius in circumferential pattern.

LOWER EXT: Bilateral knees with full ROM, slight swelling of the pre-patellar bursa R>L, L medial joint line tenderness and pain on stress of MCL, negative Lachman's bilaterally, negative Posterior Drawer. Scars: 1) web space between 1st/2nd toes R dorsal foot, linear, stitch marks evident across scar; 2) round, R ankle over lateral malleolus 1 cm diameter. Eccymosis: 1) R knee with mild erythema over the pre-patellar bursa with 1 mm diameter superficial abrasion; 2) R knee medial and proximal to erythema, 3 mm diameter, brown; 3) L knee with round, 3 mm diameter, brown, inferior aspect of patella; 4) L knee, lateral aspect of patella with 3-4 mm diameter, bluish; 5) erythema over L lateral malleolus with mild swelling. Abrasions: 1) R knee abrasion noted above; 2) anterior ankle with superficial, round abrasion approximately 5 mm diameter, serosanguinous scab noted; 3) 2nd digit L foot, dorsum with 1-2 mm linear abrasion mid digit, barely visible; 4) posterior L ankle with 7 x 10 mm diameter oval, serosanguinous scab noted.

Assessment/Plan:

1. **Hunger Strike**—reported by the patient as 16 days long. Notable for weight loss over the last month though not dehydrated at the current time. Have reported the stated Hunger Strike to DOC for passing on to the Chaplain as well as to Psychology. Will initiate Medical Hunger Strike protocol and daily follow-up. Detainee noted to have done this before both intermittently and for prolonged periods of time.

2. Multiple superficial injuries stated by the patient to have occurred over the last 2 weeks. Stated source of injury for the various areas is consistent with the injuries noted today. Due to extreme inaccuracy of dating bruises, unable to time any of these injuries. The abrasions on the L ankle are superficial and consistent with healing abrasions 1-2 days old. They also correspond to the areas affected by shackles. Injury to L neck consistent with story provided by detainee of self-inflicted scratches.

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3. Chronic constipation—as he is not currently eating, he does not have any constipation issues (by his report). May become a problem again when he resumes eating. Recommend observation for now.
4. Latent TB—refusing treatment at this time.

Evaluation performed by [REDACTED]

Evaluation reviewed by [REDACTED]

253

1350

[redacted] - [redacted]

2 MPS

[redacted]

under ^{and} obs booth

[redacted]

[redacted]

- NE AR

Intel

[redacted]

lent to CST to assist

w/ "year-up" approach

- submit water plan ^{planned} → ③ reviews;

③'s w/

man-handling

↳ other teams? SA guys have

more resistant guys → ^{never observed, but} knows works folks longer → ③ → usually should

- int not supposed to push, pull, hit,

etc

[redacted]

reviewed int plan

from incident. [redacted] ③

522

254

(351)

"fear up"

mild - using sources own fears

to

harsh - int. creates environment of

yell scream kick furniture

↳ no threat of app to use force

↳ don't use phys force

board of

sexual touching/rubbing? hearsay only

curr plan stops @ team chief unless

it has questionable techniques...

know board of me, [redacted] called @

at home, @ came in + met w/

US m

described me; ^{in booth} don't like

don't uncap? fear up -> yelled
det doing exercises, removed furniture.

mt on back arm. had bit more

get down + up 12 times, said

bringing feet on ground, etc

1522

255

1352

thought head (not a floor), MBs
had complete control entire time,
head did not hit floor

↳ ② would have sent up chain
for approval

- [redacted] had mtg w/ CIST → talked
^{back to include}
of telling + doing PT

ew's [redacted] >

guidance by [redacted] → do
you understand limitations? Since
this, gotten very specific. Do
people think they can do this?

interr follow plans careful,
don't know who's in booth.

we own the night - maybe ^{is} people
reading into that?

256

256

1353

year up - 1 of 14 approaches
[redacted] - good record / NO ^{prior} problems.

⊙ tells to have mps who are trained
move detainees, doesn't believe det
was in danger

- NOT trained to use physical force

225

257

1354

[Redacted]

A.

[Redacted]

A Company 3-60 MI
Houston

[Redacted]

[Redacted]

- approved plan

~~to do~~

③ asked

[Redacted]

if could

help

[Redacted]

came up w/ plan, met

w/ team in booth; explained

mid - putting doubt in det mind

year up" harsh - yelling to make

cooperate

- ③ told MPs to bring booth - safety

→ can't put both foot shackles in E-bolt

in Cold booth

- ③ hands free, one leg bolted to

floor

- no contact w/ team ch -

on leave; acting team ch -

[Redacted]

- did not have det file

- only wanted ③ for year up harsh

- contract → to cooperate go up up; "used up all

chances

P25

258-1355

... Anything. At 130001 of Bosnia - Climmed
up, gave up one hand, stopped - closed
eyes

- ^{must} exhaust all avenues before ^(FEH) feed up hair
- "we did a sample of stand-up / sit-
downs"

- didn't want to
- told to kneel - 2 seconds, MPs

... Assisted getting up @ S direction
- started to say something then stopped
standup / kneel → 10-12 times "not
repulsive", every 7 or 8 minutes

① left room to talk to [redacted]
Rec'd several there

- used techniques before? - yes,
brought on by [redacted] (SOP out there
on LT)

^{Interim cannot touch}
Why ok for MPs to "kneel"
MPs trained, how to handle, that
MPs assisted in full to [redacted]
for safety.

826

259

1356

aware of abrasions / bruises? no
told det. likes to scratch / harm
himself (acc. to his health) ...

doesn't know what happened before
he came into booth.

stomped foot, did work little by
little

F.H. - ~~understanding~~ ^{understanding} that PT is
ok? where learn that? training
as inter through ~~course~~ course ...
who taught you to do that work?
~~course~~ ~~course~~ was a "sheet",
who told you to use this method?
- taught @ Az - Huachuca.
- app of MPs to help det up & down.
diff than compliance
- det sticking wanted to get to floor,
MPs left door + back up
- used before - @ on "my" detainees

125

260

1357

sugj to use method - [redacted]

③ punched ^{FULL} left tooth ^{heard complaint was filed}
[redacted] filed complaint (Nesbit
(Kaco))

④ - talked in [redacted] office
[redacted] said when an inter. app
is flat out stupidity"

CC
never with physical force, which
is what happened.

⑤ - Y. detail [redacted] step-enders of
something was wrong [redacted]

⑥ - 1st time using FULL

205

261

1358



- MP

may make stand for a bit to get
chain

assists getting up. from shackled
position to "stand up", not to
"exercise"

could stop any
questionable behavior:
any type
physical harm

not working that night

262

1359

[REDACTED] Psychiatry
(Behavioral ~~Psychology~~ Science)

[REDACTED] - original interr
- talked to a few times - no production
→ brought in male int. all

females prior to when months

① - 4 observations; no words, usually
doesn't even open eyes. ex. Whiteford →
"fascination"

② read file before going into booth
~~reads~~

~~get~~ get MFR on det

[REDACTED] - ③ says may work w/
male interr → told to use friendly
approach; started to respond

- det. always demand stuff → [REDACTED]
able to effectively stop ^{dem} & get some
info - shuts eyes & crouches
down

Full Approach - [REDACTED] (b)(1)

MDS

263

1360

between
1900-2200

↓
firm, dominant approach.

"too tired", going to go to sleep."

① tells to move chairs - safety of chair
hold to stand up; won't comply,
brings MPs to assist; MPs stand
up & move chair. [redacted] tells;
MPs put down & get up → 1 or 2 X
[redacted] leaves booth + asks ① for
help;

method has been used before

① told [redacted] try a couple more X;
[redacted] does, then lets sit, MPs hold
onto → (will fall down on purpose)
"passive aggressive"

10-12 X; asked ① what to do →
MPs exhausted
send home, try tomorrow

① secured chair

[redacted] cw arguing, [redacted] told ①
about later

305

264

1361

③ from
used before? - talking to interr;
90% of det. do up/down on own.

^{this} det. will go down face first but
not get up; MPs secured ^{by arms} for
safety reasons.

det
very manipulative

③ wrote support form → interr
summary

Y think method effective in ^{cont.} compliance?
- purposely non-compliant, this
instill interr. dominance in room;
no harm to either

③ says:
[redacted] - one of ^{the} most effective interr;
incredibly effective

spoke w [redacted] - ③ - Speckle
5 day prior + before going into booth

det

265

1362

who approves exercising of det?
Team chiefs

never saw IP with FHM details.

- MPs in books a lot

this method? ^o MPs → safety of det +
interrogation

→ leadership approval of that
technique - team chief; doesn't
know about [redacted]

② would have sent MPs in
based on previous behavior

~~MPs~~ ~~MPs~~
~~Approach?~~

under controls book; after 12. X;

② says not to continue → take
back to cell (near prayer time)

205

Udo

1363

stands by [redacted] judgement that
right.

⑤ has seen this method used on
non-compliant detainees

267

1364

[REDACTED]
418 MI Company
368 MI Battalion
California

- Analyst

[REDACTED] (b)(1)

"HUA or exercises"

- drafted deal; det didn't want → ^{moved to} exercises

→ done "exercises" 1 other time w/

Scapotto

↳ who's idea → could do PT? →

talking to other teams + Jer Z under

if he doesn't comply, MP's asset

- common knowledge

- MP's control detainee

→ while developing IP, have daily

mtg re; mt w/ BSCUIT

- very planned procedures

[REDACTED] app IP; exercises

told about ahead of time

(no [REDACTED])

- ~~Scapotto~~ Real, her +

MS

268

1365

Why this method helpful?

to get them on edge + to speak questions in ...

Who told MPs ^{to assist?} - do ^{they} you know how to assist in PT? they said "yes" - moved chairs out + held under armpits whole time...

exercises

controlled, under ^{MPs} armpits, opp do comply, showed what to do, ... nothing. violent or out of ordinary. $\approx 10-12 \times \approx 45 \text{ min}$, breaks in between - MPs let go, det standing search asking real what to do, go in + out

MPs left during breaks; left det standing, watched at all times ^{who} linguist? - not sure (make)

335

269

1366

Lingquist -
there for initial part, but left
before exercises.

^{when}
≈ 1600-2130; had meal secured
if missed meal, get MREs.

270

1367

IS²

(Analyst)

Threw off sleep schedule,
scare, shake-up

offered agreement - det denied

"FUEH" - not sure of latitude - yell,
assault, kneel down + stand up, walk
around to wake up

- if doesn't comply, MP assists
with minimal force necessary

That evening:

FUEH; det started to talk a
little; yell, kneel down/stand up;
left booth to ask what to do
next.

≈ 45 minutes, not going to get
anything else

other female
watching monitor, didn't
say anything during interr, or
show any concern

SJS

27H

1368

Shows MPs treating
controlled, didn't go beyond...
what [redacted] wanted → up & down.

Technique used before?

Several times w/ non-compliant
det's

- up & down - kneeling to standing
freq? → not sure of guideline

● Thinks effective &

shows whos boss & sense of
authority

155

272

1369

[REDACTED]
ACS contractor

[REDACTED] CST

reviewed IP
not in any mtgs
not familiar w/ det

"FUT" - lot of yelling, maybe
flips lights on/off, talk of snakes
spiders, etc → verbal only

↳ aware of compulsive exercises? → NOT

aware that was FUT

- aware of forced exercises? no
has seen

MP tells "sit/stand" - they comply

21 Jan 03 arrived GTMO

never heard [REDACTED]
techniques

approve
~~say~~

↳ never seen FUT w/ MP assisting

MTG

273

1370

w/ down or up
MDS from 1980.
no feedback on approaches used

553

274

1371

[REDACTED]

IRR

[REDACTED] interrogator / 5 yrs active

repair-building

FUT → yelling, up/down phys compl
exercises, walking around bldg

↳ whose idea? doesn't know;

~~was~~ talked about in school house.

↳ no control booth

↳ "just kinda happened"; team talked
about it; not ③' idea.

what would this accomplish?

shake him up a little

obs [REDACTED] do up/down? doesn't

remember; have done before

[REDACTED] yells "up/down", if not compliant,

MP assisted

4/55

275

1372

controlled movements by MPs.

• 1. other time before 22nd used
up/down.

552

276

1373

[redacted] - PCS - civ
H [redacted] W [redacted] (det)

4 Apr 03 arrived Gtmo
inter: [redacted]

[redacted] @ [redacted] (array)
in booth

MP on either side, [redacted] in front of det

tactical battlefield experience

→ getting louder, just inter; det looked
incoherent/overly fatigued

- [redacted] stepped back, [redacted] takes

camera off det; cameras rattling
^{det yield down} in other rooms

MPs push in back of knee, miss

knees on floor

slamming off floor very hard,

a lot of force on this body 6-7 X,

ling can't keep up w/ [redacted] → young

96

Guard @ gate asked "what the hell
was going on in there?"

855

277

1374

≈ 17-18 X for total of 25-30 X

- Left to go contact boss to stop
- tried to call for [redacted] - not home
- went back to bench + called [redacted]

det still standing, swaying a little,

...way beyond what should have happened!

[redacted] did not touch, but in control of booth

② + [redacted] talked

↳ explain what you were doing
^{com directed} the MPs & what you couldn't see is they pulled up on him at the last second so he didn't hit the ground hard.

I was stomping the floor

hands in front, ^{MPs} hit in back of knees, ^{det} head turned as it hit the floor ↓

SSS

278

- 1375

- didn't see blood, abrasions, etc
- very chaotic

≈ seconds in between up/down

[REDACTED] + [REDACTED] laughing

XFX → "oh shit" [REDACTED] (b)(1)

[REDACTED]

Wierd position - no authority over,
so called his supervisor to get
guidance

279

1376

Substantiated Cases of Misconduct at JTF-GTMO
(Response to Query Only)
July 19, 2005

QUESTION: Please provide a list of substantiated cases of misconduct at the Joint Task Force in Guantanamo Bay, Cuba

ANSWER: There are 11 cases of substantiated misconduct cases involving detainees at JTF-Guantanamo (8 of which were mentioned in Schlesinger and Church reports and one of which was first publicly-released in the Schmidt/Furlow report).

1) A guard was charged with assault against a detainee for actions during an incident in September 2002. During that incident, detainees in a detention block were protesting and one detainee threw food out of his cell window (the portal in the door through which food and books are passed). The window was closed by a guard, and during a later check on the detainee, the detainee threw what was believed to be water from the toilet on the guard. The guard then attempted to spray the detainee with a hose. The guard received non-judicial punishment pursuant to an Article 15, Uniform Code of Military Justice (UCMJ). He was reduced in rank to E-3 (suspended) and given 7 days restriction. He was reassigned to other duties at Guantanamo.

2) A guard was charged with dereliction of duty and assault on a detainee following an incident in April of 2003 that involved a disturbance in one of the detention blocks. One detainee who was already out of his cell assaulted another guard, and while the detainee was being subdued, the detainee bit the guard. After the detainee was subdued, the guard struck the detainee with his fist in which he held a handheld radio. He received non-judicial punishment pursuant to an Article 15 in May 2003. The guard was reduced in rank to E-3, given 45 days of extra duty and was reassigned.

3) In April 2003, during the approach phase of an interrogation, a female interrogator took off her uniform top (her brown T-shirt was still worn), ran her fingers through the detainee's hair and sat on his lap. A supervisor monitoring the interrogation immediately terminated the session. The interrogator was given a written reprimand for her conduct and she received additional training before being allowed to continue duties as an interrogator.

4) In early 2003 a female interrogator (different interrogator than incident 3) wiped dye from red magic marker on detainees' shirt after detainee spit on her. She told the detainee the stain was blood. The interrogator received a verbal reprimand for inappropriate contact/interrogation technique.

5) An interrogator in April 2003 used a "fear-up/harsh" technique by directing MPs to repeatedly bring the detainee from a standing to prone position and back. A review of medical records indicated superficial bruising to the detainee's knees. The interrogator was issued a written reprimand. Maj. Gen. Miller, JTF Commander at the time of this incident, prohibited further use of the "fear-up/harsh" technique and specifically prohibited MPs from involvement during interrogation.

6) In February 2004, an MP was joking with a detainee and dared the detainee to throw water on him. The detainee did so and the MP squirted the detainee with water from a water bottle. The MP also engaged in inappropriate casual conversation with detainee. The MP's behavior described above was in violation of JTF Guantanamo Standard Operating Procedures (SOP). The MP was reassigned to other duties at Guantanamo.

7) In March 2003, an MP sprayed pepper spray on a detainee who was preparing to throw unidentified liquid on another MP during an Initial Response Force response. The MP was alleged to have used the spray in violation of the JTF Guantanamo SOP. The MP turned down an Article 15 (non-judicial punishment) and instead requested a court-

martial proceeding. He was acquitted by members at a Special Court Martial in June 2003.

8) In February 2004, a Camp barber intentionally gave two unusual haircuts, in an effort to frustrate detainee requests for similar haircuts, as a sign of detainee unity. The barber and his company commander were counseled by their battalion commander, and the barber was required to re-cut the detainees' hair appropriately.

9) Another incident involved a guard throwing cleaning fluid on a detainee. He received non-judicial punishment pursuant to an Article 15 in June 2004. He was reduced in rank from E-3 to E-1 and forfeited \$150 per month for two months and was reassigned. The guard's company commander was given a letter of reprimand for failing to properly investigate the incident.

10) In the another incident, a guard struck a detainee after the detainee spit on the guard and tried to bite him. He received non-judicial punishment pursuant to an Article 15 in October 2004. He was reduced in grade from E-5 to E-4 and had to forfeit \$250 per month for two months and was reassigned.

11) In October 2002, an interrogator used duct tape to tape shut the mouth of a detainee who was being extremely disruptive during an interrogation. The tape did not harm the detainee and the interrogator received a verbal admonishment for his behavior.

Source:
AO/Telephone #:
Approved:

JTF-GTMO & SouthCom
LCDR Flex Plexico
DASD-AP, OGC, DASD-DA

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Alme & Swoods, Inc.	Repair Tanks 105 & 106	12-Jul-04	\$4,774,770.00
Burns & Roe Inc.	Misc Under Quantity Utilities Maint, Repair & Const for JTF and Station (FY02)	Oct '01 - Sep '02	\$3,143,487.00
Burns & Roe Inc.	Misc Under Quantity Utilities Maint, Repair & Const for JTF and Station (FY03)	Oct '02 - Sep '03	\$2,438,465.00
Burns & Roe Inc.	Misc Under Quantity Utilities Maint, Repair & Const for JTF and Station (FY04)	Oct '03 - Sep '04	\$1,531,084.00
Burns & Roe Inc.	Misc Under Quantity Utilities Maint, Repair & Const for JTF and Station (FY05)	Oct '04 - Present	\$454,682.00
Burns & Roe Inc.	Misc Under Quantity Minor Const & Repair for JTF & Station (FY02)	Oct '01 - Sep '02	\$7,415,682.80
Burns & Roe Inc.	Misc Under Quantity Minor Const & Repair for JTF & Station (FY03)	Oct '02 - Sep '03	\$6,656,268.00
Burns & Roe Inc.	Misc Under Quantity Minor Const & Repair for JTF & Station (FY04)	Oct '03 - Sep '04	\$207,082.00
Burns & Roe Inc.	Misc Under Quantity Minor Const & Repair for JTF & Station (FY05)	Oct '04 - Present	\$47,180.00
Burns & Roe/Dick Corp (JV)	Misc Under Quantity Minor Const & Repair for JTF & Station (FY03)	Oct '02 - Sep '03	\$1,933,450.00
Burns & Roe/Dick Corp (JV)	Misc Under Quantity Minor Const & Repair for JTF & Station (FY04)	Oct '03 - Sep '04	\$8,825,241.00
Burns & Roe/Dick Corp (JV)	Misc Under Quantity Minor Const & Repair for JTF & Station (FY05)	Oct '04 - Present	\$4,058,521.00
Dick Corp.	Multiple Award Contract for Const, Reno, Alteration, & Repair (FY04)	Oct '03 - Sep '04	\$1,347,972.00
Dick Corp.	JTF O&M Facility	8-Aug-03	\$16,630,244.00
Island Mechanical Corp.	Multiple Award Contract for Const, Reno, Alteration, & Repair (FY04)	Oct '03 - Sep '04	\$411,951.00
Island Mechanical Corp.	Repair/Replace Cross Bay Water Line	5-Sep-02	\$1,187,825.00
Island Mechanical Corp.	Replace Water Distribution System, Phases B & D	18-Sep-02	\$2,682,265.00
Island Mechanical Corp.	Repair HVAC @ W. T. Sampson Elementary and High School	2-Sep-02	\$2,538,694.00
Island Mechanical Corp.	Perimeter Road Lighting & Airfield Fence Lighting	30-Oct-03	\$2,475,112.00
Kallogg, Brown & Root	Painting, Remote Camps	7-Jan-02	\$400,000.00
Kallogg, Brown & Root	Detention Camp I	28-Feb-02	\$17,672,884.00
Kallogg, Brown & Root	Detention Camp II	3-Apr-02	\$11,902,296.00
Kallogg, Brown & Root	Detention Camp III	26-Jul-02	\$15,751,675.00
Kallogg, Brown & Root	Detention Camp IV	19-Sep-02	\$50,000.00
Kallogg, Brown & Root	SOQ Facility	22-Nov-02	\$5,196,304.00
Kallogg, Brown & Root	Planning Camp 5	26-Nov-02	\$1,634,519.00
Kallogg, Brown & Root	Camp 5 and Various Facilities	18-Mar-03	\$691,130.00
Kallogg, Brown & Root	JTF Projects, GTMO	4-Jun-03	\$31,316,354.00
Kallogg, Brown & Root	Migrant Operations Facilities	25-Jul-03	\$5,899,825.00
Kallogg, Brown & Root	Comms Facility	10-Sep-03	\$6,728,304.00
Kallogg, Brown & Root	JTF Project II, Radio Range	23-Sep-03	\$19,980,926.00
Kallogg, Brown & Root	Camp B Planning	29-Mar-04	\$6,280,458.00
Kallogg, Brown & Root	Camp 6 & Security Fence	9-Nov-04	\$125,000.00
Kallogg, Brown & Root	Psych Ward, Fleet Hospital	27-Jan-05	\$975,000.00
Kallogg, Brown & Root	Misc, Repairs & Improvements, JTF Facilities	9-Feb-05	\$2,818,121.00
Kallogg, Brown & Root	Construction of Camp 6 & Security Fence	8-Jun-05	\$1,410,299.00
Kvaerner Process Services, Inc.	Misc Under Quantity Maint, Repair & Const for JTF and Station (FY02)	16-Jun-05	\$30,000,000.00
Kvaerner Process Services, Inc.	Misc Under Quantity Maint, Repair & Const for JTF and Station (FY03)	Oct '01 - Sep '02	\$9,328,959.00
Kvaerner Process Services, Inc.	Misc Under Quantity Maint, Repair & Const for JTF and Station (FY04)	Oct '02 - Sep '03	\$15,187,183.00
Kvaerner Process Services, Inc.	Misc Under Quantity Maint, Repair & Const for JTF and Station (FY05)	Oct '03 - Sep '04	\$10,684,515.00
Kvaerner Process Services, Inc.	Multiple Award Contract for Const, Reno, Alteration, & Repair (FY04)	Oct '04 - Present	\$2,580,840.00
Kvaerner Process Services, Inc.	Repair Batchelor Enlisted Quarters, Bldg 1670	Oct '03 - Sep '04	\$2,420,008.00
Kvaerner Process Services, Inc.	Detention of Fuel Tanks & Piping	27-Sep-02	\$8,852,188.00
Kvaerner Process Services, Inc.	Repair Maintenance Hangar, Bldg AV 600	29-Jul-03	\$1,960,880.00
Millar Construction Corporation	Multiple Award Contract for Const, Reno, Alteration, & Repair (FY03)	25-Sep-03	\$7,302,682.00
Millar Construction Corporation	Multiple Award Contract for Const, Reno, Alteration, & Repair (FY03)	Oct '02 - Sep '03	\$474,367.00
Novaco	Install Energy Conservation Measures (Walkers & Light Fixtures)	28-Jun-02	\$8,654,994.00
Novaco	Provide Wind Turbines	30-Sep-03	\$11,666,221.00

Nyrusco	Provide New Diesel Generators	30-Sep-03	\$8,121,514.00
Overtreet Electric	Pilot Wire Relay System	29-Sep-03	\$1,019,468.00
Overtreet Electric Co., Inc.	Multiple Award Contract for Const, Repair, Alteration, & Repair (FY04)	Oct 03 - Sep 04	\$1,207,750.00
Raidiff Construction, Inc.	Multiple Award Contract for Const, Reno, Alteration, & Repair (FY04)	Oct 03 - Sep 04	\$984,471.00
Raidiff Construction, Inc.	Multiple Award Contract for Const, Reno, Alteration, & Repair (FY05)	Oct 04 - Present	\$280,000.00
Tahoe, Inc.	Repair Tank 154	6-Jan-05	\$1,999,236.00

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