

1 AR 15-6 INVESTIGATION INTERVIEW

2

3 At Camp Doha, Kuwait, on 21 February 2004:

4 MAJOR GENERAL ANTONIO M. TAGUBA, U.S. Army, CFLCC Deputy Commanding
5 General deposing.

6 MASTER SERGEANT [REDACTED], U.S. Army, CFLCC-SJA, Senior Court
7 Reporter, has been detailed reporter for this interview and has been
8 previously sworn.

9 LIEUTENANT COLONEL [REDACTED] U.S. Army, was sworn, and
10 testified as follows:

11 Q Has anyone in your chain of command, or chain of
12 supervision informed you of the nature of this interview?

13 A Not really, sir

14 Q Okay With that in mind, let me go ahead and give you the
15 background I'm Major General Taguba I'm The Deputy Commanding
16 General of the Coalition Land Forces Component Command, as
17 headquartered here at Camp Doha, Kuwait Lieutenant General David
18 McKiernan, the Commanding General of CFLCC, has appointed me as the
19 Investigating Officer under the provisions of Army Regulation 15-6,
20 under the direction of General John Abizaid Commander of CENTCOM.
21 This investigation will gather all relevant facts and circumstances
22 surrounding recent allegations of maltreatment of detainees at the
23 Abu Ghraib Prison also known as the Baghdad Central Confinement [sic]

1 Facility. As well as detainee escapes and accountability lapses as
2 reported by CJTF-7. Our investigation will further investigate
3 training, standards, employment, command policies, and internal
4 policies concerning the detainees held at the Abu Ghraib Prison. And
5 finally, we will be assessing the command climate and the supervisory
6 presence of the 800th Military Police Brigade chain of command.
7 You've already met the members of the investigation team. We will
8 record your responses as well as my inquiry to you verbatim to ensure
9 that we have accurate information with regards to the completion of
10 the investigation. Do you have any questions at all?

11 A No, sir

12 Q Alright. For the record would you please state your name,
13 your rank, your social security number, your unit of assignment, and
14 your current duty position?

15 A. Alright, sir [REDACTED], Lieutenant
16 Colonel, Civil Affairs, I'm currently assigned to the Combined Joint
17 Task Force-7, C2 Staff Liaison Officer for Brigadier General
18 promotable, Barbara Fast

19 Q Please state the nature of your duty position at Abu Ghraib
20 and when was that-- when was the effective date of that assignment?

21 A Sir, I arrived at Abu Ghraib on 17 September 2003 in
22 liaison role for CJTF-7 C-2. Had a title at times as Director of the

1 Joint Interrogation Debriefing Center, and or Chief of the Joint
2 Interrogation Debriefing Center.

3 Q. So, your supervisory chain was immediately towards to
4 Brigadier General Fast?

5 A Umm-- initially sir it was to Colonel [REDACTED] the
6 Deputy CJ2, umm- the C2 there, and then to General Fast and
7 eventually it changed over to a new Deputy, a British Colonel, [REDACTED]
8 [REDACTED] with evaluation input comments by the 205th MI Brigade
9 Commander, Colonel Tom Pappas, sir

10 Q State again when you started your mission there at Abu
11 Ghraib?

12 A Sir, I arrived at Abu Ghraib on the late afternoon of 17
13 September 2003.

14 Q Okay And when Colonel Pappas arrived on or about, I
15 believe, 19 or the 20th of November, were you then assigned to him, or
16 attached to him?

17 A No, sir.

18 Q Not at all?

19 A No, sir.

20 Q Would you please describe your duty position as a Liaison
21 Officer?

22 A Sir, my direction on going out, because there was not a
23 defined duty description, just to back track slightly, I was brought

1 on orders from a one year recall to INSCOM, Fort Belvoir, to CENTCOM,
2 to come to CJTF-7, to be the Deputy C-2. During that transition,
3 orders being cut what have you, Colonel [REDACTED] being the C-2, they
4 brought in Flag Officers to be the 1, 2, 3, 4, 5, what have you, they
5 just moved all the O-6's down to the Deputy. So, on the books, I
6 think I'm still probably carried as the Deputy C-2 while Colonel
7 [REDACTED] was carried excess. But-- and when I arrived this was
8 explained to me, they said they had a new facility They were
9 combining the interrogation facilities from Camp Cropper another
10 facility, Bucca, all out at Abu Ghraib, would like me to go out and
11 assist based on some of my civilian skills working with the
12 Immigration Service Doing intelligence operations, target forward
13 production, as well as what I do, intelligence operations for the Air
14 Marshal Program I said, "Fine " Came out, again, it was more of a
15 liaison role, assisting Understood that there was a Active Duty
16 component, a Reserve Component, and found out later there was an
17 additional Guard Component Any number of civilian employees, both
18 linguists, and folks with the Khaki Corporation, that provide
19 screening personnel, analytical personnel, interrogation personnel,
20 and basically try to assist and get things up and running, because
21 they had just brought this together I believe somewhere about early
22 to mid August with the 519th MI Battalion, and had just moved out
23 other folks I believe from 325, and 323 MI. Somewhere either late

1 August, or early September, but they were already on the ground when
2 I got there, sir.

3 Q So, you were a Liaison Officer from whom, to whom?

4 A. From the C2 Staff to the 205th MI Brigade.

5 Q The 205th MI Brigade?

6 A. Yes, sir.

7 Q From September on, but your duty location was at Abu Ghraib?

8 A Correct, sir

9 Q Okay So you were from the CJ2, which is Brigadier General
10 promotable Fast?

11 A Yes, sir

12 Q Liaison to the 205th MI Brigade?

13 A Yes, sir

14 Q Reporting to Colonel Pappas?

15 A Roger that, sir

16 Q Okay. So, that was the chain, in your capacity as an MI
17 Officer, or in your capacity as a Civil Affairs Officer?

18 A Sir, I'm Civil Affairs, but I have an MI background on
19 Active Duty

20 Q Okay, but what was the nature of your liaison duties?

21 A Well, sir it was MI related.

22 Q Collection?

23 A Yes, sir. Yes, sir.

1 Q Okay. Was that also understood prior to Colonel Pappas
2 being located at Abu Ghraib since you've got MI units there, 519th
3 you've mentioned, and the 320th MP Battalion, of your specific role
4 and the extent of your responsibility?

5 A Umm----

6 Q. Did you know Lieutenant Colonel [REDACTED]

7 A Yes, sir I do know Lieutenant Colonel [REDACTED]

8 Q Did he understand what your mission requirements were?

9 A Sir, I can't speak on behalf of a conversation between him
10 and Colonel Pappas, but I know that he and I spoke and I highlighted
11 things that Colonel Pappas had indicated that he would like to be put
12 together I also spoke with the Battalion Commander, Lieutenant
13 Colonel [REDACTED] for the 519th, to kind of get guidance because they
14 had already been on the ground, exactly how they had organized and
15 how they were evolving They didn't have the entire battalion there,
16 they had one Company, Alpha 519th that was kind of orchestrating or
17 serving as the headquarters element for that entire JIDC
18 organization, for lack of a better term.

19 Q Principally though, doctrinally, a liaison officer works
20 under the direction of the commander

21 A Roger that, sir

22 Q Okay, but in this particular case was that how you
23 understood your liaison duty was, as a staff officer?

1 A. Oh, yes, sir. Colonel [REDACTED] ---

2 Q. Specifically working with MP's and also engaging in
3 interrogation operations?

4 A Umm-- I'm not sure of the nature of the question, sir Uh--
5 --

6 Q Well sir, the nature of the question is that the all-- all
7 the interviewees have-- have substantiated the fact that you were
8 engaged in being present at the hard site----

9 A Oh, yes sir

10 Q ----tier 1A, which is by nature an MP operation.

11 A Yes, sir

12 Q And you was also umm-- discussed with us at least for
13 information was provided to us, but that your mission was purely
14 collection and interrogation, which will confine you to the "ICE" or
15 confine your duties to the JIDC, but then your presence at the Tier 1
16 site on numerous occasions would somehow place you over that
17 particular role as an intelligence officer

18 A Yes, sir Part of my role defined of me by Colonel Pappas
19 was to, attend at the time, when the MP Battalion was the host unit,
20 the morning host unit staff call that everybody attended whether it
21 was an Intel Unit, Engineering Staff, Medical Staff, what have you,
22 to consolidate and take a look at that. Operations, anything that
23 had to do that affected soldiers there. Operation on the Intel side,

1 things that we needed to conduct operations, supplies, billeting,
2 things of this nature.

3 Q. So, was it rather broad?

4 A Yes, sir, it was very broad.

5 Q. Very broad that included being present or supervising those
6 who are guarding detainees in the Tier 1, and 1B-- Tier a-- Tier 1 at
7 the hard site?

8 A Sir, I never supervised anybody guarding and or doing
9 interrogations in that facility. As far as I understood all the
10 interrogations-- all the interrogations that I witnessed were either
11 initially in the tents before we built what we refer to as site wood
12 and site steel

13 Q Okay Colonel [REDACTED] several statements were made that you
14 were present at-- during interrogations in locations inside the hard
15 site, the shower room, cellblocks, another facility inside Tier 1A,
16 and 1B----

17 A Sir----

18 Q ----to include several MI interrogators that we have
19 interviewed this past week

20 A Sir I'm going to tell you that I never witnessed any
21 interrogations in any of the shower facilities.

22 Q Okay

1 A. I've never witnessed any interrogations, quote unquote,
2 anywhere within the Isolation Arena. I've witnessed folks being
3 taken from the Isolation Area to the interrogation facilities. I've
4 witnessed folks being brought in by the MP's, being housed in the
5 Isolation Area of which the Intelligence side of the house the JUDIC
6 had 50 cells allocated to put in the more high value detainees that
7 were going for the initial strong interrogations for intelligence
8 value. And to this point, I can never remember ever seeing an actual
9 interrogation go on within that site.

10 Q I want to remind you sir, that you're under oath.

11 A Sir, I'm telling you I can not remember at this time ever
12 witnessing----

13 Q Again, I want to remind you that under oath

14 A Yes, sir

15 Q Okay. Do you know of any of the MP's that operated as
16 guards in Tier 1A, and 1B?

17 A Sir, I know quite a few of the MP's that operated----

18 Q Would you tell me who they are that you know?

19 A Sir, are we looking at a specific unit, because there's been
20 a cross level. Originally it was the 72nd MP Company that was there--
21 --

22 Q Well sir, you spent a lot of time over there since
23 September----

1 A. Yes, sir.

2 Q. ----and then your duties was that to be engaged with
3 facilities, interacting with people inside the facilities----

4 A. Yes, sir

5 Q. ----our inside the camp so, I would imagine that with your
6 experience as an interrogator-- military intelligence person, that
7 you would recall some of these people----

8 A. Yes, sir.

9 Q ----and the units to who they belonged to.

10 A Okay, sir. Well we'll start off with when we were first
11 there The 72nd MP Company was the unit that had the initial
12 assignment there, I believe at Abu Ghraib, entirely for the 320th.
13 They were the unit that provided the, what do I want to say, the
14 initial-- when I was there, MP's that supported the isolation cell as
15 well as working with the Iraqi correctional personnel. Company
16 Commander was Captain [REDACTED] First Sergeant----

17 Q This is for the 72nd MP?

18 A Roger that, sir

19 Q Okay, in September?

20 A Yes, sir.

21 Q Okay

22 A And they left, sir I want to say somewhere late October
23 possibly, somewhere in that timeframe

1 Q Who then replaced him?

2 A. The 372nd MP Company, sir.

3 Q. Okay.

4 A But back to the 72nd MP Company, there was uh-- I want to
5 say-- I can't think of names right now, if I see the faces uh--
6 Sergeant um-- it began with a "C", an Hispanic last name, I can't
7 remember it right now, and there was another specialist that were the
8 two primary folks that I was aware of that I would deal with if there
9 had been some issues or anything that would come up on the intake, or
10 numbers, or how many folks did we anticipate coming over from the
11 Camp Vigilant area or something along those lines. I dealt
12 specifically with Captain [REDACTED] in early October when he brought
13 it to my attention that there were statements made by MP's on his
14 staff That there were members of the MI community couldn't
15 designate a unit just yet, that had come over and had done a late
16 night interrogation of two female detainees. One turned out to be a
17 MP detainee hold, I believe an 18 year old, and I brought the
18 statement of the SIR I submitted, sir, and the other was a 17-year-
19 old MI security detainee Initially I believe being held for
20 information about Fedahdeen [sic] members in the Baghdad area where
21 she had been recruited or something of this nature.

22 Q You mean Fedahyeen?

1 A. Fedahyeen, yes sir. I'm not good with the pronunciation
2 Thank you sir They had reportedly come in late at night with a Titan
3 translator, taken the females off to a NCELL in the upper deck of the
4 Tier there to supposedly interview them. Umm-- when the statements
5 were provided to me I immediately contacted Colonel Pappas uh-- told
6 him that we had a very sen-- serious sen-- uh situation, because it
7 was kinda landline, kinda went around what it was. We got the legal
8 officer Captain [REDACTED] on the line They asked me to go check with
9 the magistrate cell that was there at Abu Ghraib. Colonel Pappas
10 authorized me to read the Article 31 rights to the soldiers, and to
11 provide all that information to Captain Fitch the following day,
12 which we did Long story short sir, the Criminal Investigation Unit
13 came out and did a thorough investigation. For some reason, I guess
14 they could not find reason enough to take the folks to trial, it
15 dragged on for a couple of months, and I believe some time in mid to
16 late November Colonel Pappas wound up doing Field Grade UCMJ I've
17 never read the Article 15's, but it was based on unauthorized
18 interrogation, not at the appointed place of duty in time, breaking
19 force pro rules, things of that nature, sir

20 Q So, this particular interrogator was remanded to you because
21 you were her supervisor?

22 A Sir, it was uh-- three interrogators.

23 Q That was under your supervision?

1 A. No, sir. They were at the JIDC the actually----

2 Q. Who was-- who was-- who was supervising the JIDC?

3 A. There-- there line of chain of command was the JIDC ICE OIC,
4 Captain Carolyn Wood, and they had a section sergeant from the 519th,
5 can't remember her name at this point in time.

6 Q So, you were not supervising any of those folks?

7 A No, sir

8 Q. Not at all? Who was the OIC of the JIDC?

9 A Sir, if you want to say the overall JIDC?

10 Q. Yes

11 A The timeframes depending how Colonel Pappas put it, at times
12 I was the OIC of the JIDC, at times I was the Commander of the JIDC,
13 as a matter of fact I got numerous invitations to attend various
14 briefings held by the 320th MP as Commander JIDC, and numerous times
15 I'd have to correct them and say, "I'm not the commander, I'm a
16 Liaison Officer. I'm out here I work for Colonel Pappas, as
17 everybody does I take his guidance, pass it back and forth."
18 Anytime we had a issue of anything that would come up with the MP's,
19 or what have you, Major [REDACTED] the OPS Officer who was actually
20 assigned to the 205th couldn't get in touch with either Major [REDACTED]
21 or Colonel Pappas then I would contact Colonel Pappas and ask for
22 guidance and kind of serve as a liaison, a bridge back and forth
23 between him and the 320th MP Battalion.

1 Q So, you're telling me that nobody was in charge of the JIDC,
2 the Joint Interrogation and Debriefing Center?

3 A. Well sir, I'm telling you in my opinion, since I rated
4 nobody, since I had no input or evaluations, had no responsibility,
5 had no-- had no resources, Colonel Pappas was the Commander of the
6 JIDC

7 Q So, you were using-- being used as a liaison, kind of
8 strikes me that your liaison duties goes beyond what is a liaison.

9 A Okay, sir.

10 Q A liaison is just kind of a throughput Basically has no
11 responsibility but passing information, or collecting information not
12 necessarily involving interrogation, and not necessarily involved in
13 intelligence collection

14 A First of all sir, I was never involved in any
15 interrogations

16 Q Okay Are you absolutely sure?

17 A Yes sir, I'm absolutely sure.

18 Q Witnesses have remarked that you have been placed in there,
19 but we'll go on with this whole process

20 A Roger that, sir

21 Q Since you had some intelligence background----

22 A Yes, sir.

1 Q. ----then you must know some of the provisions of
2 intelligence gathering?

3 A Yes, sir.

4 Q Have you had any specific training in your military side of
5 what constitutes interrogation operations with regards to detention
6 operations?

7 A No sir, I'm not a CI HUMIT Officer.

8 Q I'm not saying you're a CI HUMIT Officer----

9 A All right sir

10 Q ----but telling them----

11 A Other than MI Officer Basic, MI Officer Advanced Course.

12 Q Okay You've got an extensive resume here. Imagery
13 Exploitation, 35 Charlie, Electronics Warfare, that sort of thing
14 Civil Affairs Advance Course, you've had an extensive assignments
15 throughout the world, that sort of thing, so surely you must know
16 something about doctrine and regulations and the sort?

17 A Passing familiarity, yes sir.

18 Q Could you give me some indications of your familiarity, or
19 at least some knowledge with regards to things that have something to
20 do with intelligence gathering or interrogation or whatever have you,
21 because you just indicated to me that you were there specifically at
22 Abu Ghraib not to do any kind of facilities things, but there was a
23 purpose of why there's an Abu Ghraib Confinement Facility.

1 A. Yes, sir.

2 Q. All right, so----

3 A. My direction when it came to the Joint Interrogation
4 Debriefing Center, was to setup a structure target folders on
5 individuals----

6 Q That's not what I'm asking you----

7 A. All right, sir

8 Q ----I'm asking you about your familiarity with doctrine or
9 policy, things of that nature

10 A Sir, other than whatever the "One over the world," pieces
11 that you get at the MI Basic Course, MI Officer Advance, things of
12 this nature, I have not gone to a Interrogation Course, Debriefing
13 Course, things of that nature But I am aware of the CI HUMIT role
14 and of some of the operations that they do More specifically for
15 the JIDC, I was very much aware of the Rules of Engagement for
16 interrogation that General Sanchez----

17 Q What are some of those?

18 A Well, they been modified one time that I'm aware of sir, but
19 initially when I was there um-- there was use of various methods,
20 Fear Up, Fear Down, Love of Family, Love of Country, there were
21 restrictions placed on the amount of hours of Sleep Deprivation,
22 modified food sources, i.e , MRE's versus regular hot meals things of
23 that nature. I understood that interrogators depending on how well,

1 or how cooperative a person being interrogated would be especially in
2 the isolation arena, would maybe allow them to have a mattress,
3 cigarettes, a cold soda, something of this nature, based on
4 cooperation going with specific questioning that they wanted----

5 Q So, you're saying there's an Interrogation Plan?

6 A. Yes, sir there is an Interrogation Plan. There was not an
7 Interrogation Plan sir, however, when I first arrived. There was not
8 a designated Interrogation Plan at the time when I arrived on 17
9 September

10 Q All right, who-- who then initiated an Interrogation Plan,
11 who directed that Interrogation Plan be----

12 A Colonel Pappas directed that we sit down and we-- being
13 myself at the time the OPS Officer there, Major [REDACTED],
14 Captain [REDACTED]----

15 Q Okay, backup for a second

16 A All right, sir.

17 Q You said there was a 519th MI----

18 A Company, sir

19 Q MI Company?

20 A Yes, sir

21 Q So, in your-- in your estimation who was then in charge of
22 all of the MI assets at Abu Ghraib at that time?

23 A. Colonel Pappas, sir.

1 Q. No, no, Colonel Pappas was not there at the time. He was
2 not there. At Abu Ghraib Confinement Facility there's a unit.

3 A. Yes, sir.

4 Q And that unit has a Unit Commander. Who was in charge?

5 A Sir, there's not a Unit Commander at Abu Ghraib.

6 Q. Not at all?

7 A No, sir. There was a Company Commander-----.

8 Q Who was that Company Commander?

9 A. ----for the 519th-- changed over just after I got there, it
10 was Captain [REDACTED], and First Sergeant [REDACTED], but they were
11 according to Colonel Pappas, only there in a Headquarters role as far
12 as providing vehicles, fuel, things of that nature.

13 Q So you were actually, as a Liaison Officer, working for
14 Colonel Pappas as the Senior Officer, non MP Civil Affairs, MI, that
15 sort of thing at that site?

16 A In the MI arena there, yes sir, I was the MI 0-5 that was
17 there, so by merely being the 0-5, and other 0-4's, yes sir, I was
18 the senior.

19 Q. You were the senior man there?

20 A Yes, sir

21 Q Okay. Did you interact-- well let me backup. Back to the
22 references, based on your background I would assume that you'd at
23 least have some basic knowledge with some Field Manuals or things of

1 that nature that has anything to do with intelligence collection,
2 since that's your job?

3 A Yes, sir. But, sir there's a distinction between
4 intelligence collection, and intelligence interrogation, imagery
5 intelligence----

6 Q I'm very familiar with that.

7 A Okay sir, I'm just trying not to lump the two together,
8 because there's a distinction between the two.

9 Q Okay.

10 A Intelligence collection, being a Collection Manager, I've
11 done that kind of work sir, before.

12 Q Sure

13 A I fully understand tasking out commanders RFI's, getting
14 information back, handling those kind of things.

15 Q So you're familiar with treatment of detainees that are
16 being interrogated since you were involved at least that's what
17 you're saying with the JIDC whether you were observing or Liaison?

18 A Sir, when I first got there, because I'm not a trained
19 interrogator, not a CI HUMIT, I actually asked at the time the OPS
20 Officer, Major [REDACTED] if I could attend a couple of the
21 interrogations and kind of see what they all entailed, and I'm going
22 to correct a statement I made earlier sir. I did go in with a
23 Sergeant [REDACTED] from the 519th, who did an interrogation inside the

1 site, or the Isolation Area, with an MI detainee, because he took me
2 in there because I believe the booths were not yet being built or
3 finished off, or something like that, and they were going to do the
4 interrogation, and I went and stood outside the area as they did a
5 30-45 minute, and I want to say it was more of a background update.
6 I think this was only the second time-- third time that Sergeant
7 Eckroff had spoken with this detainee, and quite frankly sir it was
8 kind of tough to get permission to do that. The -- I got the
9 impression they----

10 Q Pretty tough?

11 A ----felt that I was an outsider. I was not part of the
12 519th and they were the only Active Duty Component there, and there
13 was----

14 Q Everybody should be on Active Duty right? If you're
15 mobilized?

16 A Sir, I'm going to tell you, I'm going to look you in tell
17 you sir, that's not the environment that's out there, sir. There's
18 and Active Duty environment and there's the Guard, Reserve
19 environment that came in, especially with the 519th Command element
20 that permeated that. I can tell you that Colonel Pappas tried to
21 massage that, make that work between all the units that were there,
22 and to-- at some point he actually had the 519th remove [REDACTED] and
23 First Sergeant of the 519th Headquarter-- Alpha Element, that he had

1 kind of made a Headquarters Element, I believe, and brought up folks
2 from the 323rd MI in Kuwait that were cross leveled 141 National Guard
3 folks out of Utah, to try to come in an facilitate common soldiers
4 skills, you know, FU Funds for equipment, and all those kinds of
5 things So, sir there was a----

6 Q You're a reservist yourself?

7 A. Yes, sir, but I also have a strong Active Duty background.
8 I've got about even experience in both.

9 Q But most of those folks were also-- had some even experience
10 in both So, profiling-- at least understanding the profile, but
11 that's not the issue right now.

12 A All right, sir But-- sir, I'm just telling you that when I
13 came on board I had the impression that the 519th felt that we had
14 all-- we all, people that were not 519th, had come in and taken over
15 what there mission was and what they were doing There were numerous
16 comments about how professional they were, how they'd all gone to
17 Afghanistan Done this for a year, and then had gone to Fort Bragg
18 for just a few days and had come back and had been doing this mission
19 since April, May, what have you, things of this nature. There was
20 very, very, tough acceptance of anybody that was not with the 519th.
21 I believe that over a period of time that that resistance of trying
22 to make it a team effort and work together as all part of the 205th MI
23 Brigade, eventually came to play, but there was significant

1 resistance. And sir, I can look you in the eye and tell you that if
2 you were sitting there as the Brigade Commander, and I can't
3 pronounce the good Colonel's name there, [REDACTED]-

4 LTC [REDACTED]

5 A [REDACTED] was sitting there as the 519th MI Battalion Commander
6 sir, they wouldn't speak to one another, they wouldn't look at one
7 another, and he had been his Battalion XO in Korea in another
8 command, but sir, I don't know what that was about but that's just
9 the situation that I came into at that point.

10 Q Let me go back then What specific guidance did General
11 Fast give you when she directed you to be the Liaison Officer of the
12 205th MI Brigade?

13 A She just asked me to go out there and assist getting a
14 reporting structure going Helping that in to----

15 Q A reporting structure?

16 A Right In to the----

17 Q Did she know your background?

18 A Oh yes sir

19 Q There was a reason why you were assigned that section right?

20 A I believe so, sir

21 Q Did she----

22 A She didn't tell me that in particular, but Colonel [REDACTED]

23 did

1 Q. What did Colonel [REDACTED] tell you?

2 A He said that umm-- again, the reporting requirements that
3 they were looking to put this together had serious implications, in
4 fact the white house staff, to pull the intelligence out----

5 Q What kind-- what kind of reporting?

6 A From the interrogations for any of the anti coalition
7 issues, foreign fighters, terrorist issues----

8 Q Sensitive stuff?

9 A Very sensitive, yes sir

10 Q Yes

11 A And that they wanted to get it into some sort of a
12 structured format that wasn't there yet. And that a lot of the CI
13 reporting throughout the theatre needed to have some sort of a common
14 pull and focus being brought in. And before I came over in the arena
15 to do this, my boss back at INSCOM pulled me in, who had been down as
16 a J-2 at CENTCOM and highlighted----

17 Q You mean General Kemmins?

18 A Yes, sir, General Kemmins, had highlighted how the structure
19 of intel kind of was in the theatre, the short falls in his
20 estimation on CI HUMINT, how the ISG was structured, how some of these
21 other different intel organizations were over there. And the fact
22 that some of the units like Task Force 121, were somewhat cowboyish,
23 out running around, maybe getting good stuff but not sharing it in,

1 not being part of the overall intel effort His direction to me was,
2 "I hope when you get out there if you get to meet these folks, that
3 with your experience and what you do in civilian life, that maybe you
4 can bridge that gap and get more information coming into the CJ2X,
5 and or support the C2, General Fast.

6 Q And that was the context of your Liaison duties was to
7 assemble reports and put them in a context where it is formalized,
8 structured so because of the sensitive nature. Um-- wouldn't that be
9 kind of strange that that goes outside the bounds of being a Liaison
10 Officer?

11 A Well sir, there was no truly designated information in
12 there I sat down before I was going out, Colonel [REDACTED] introduced
13 me to Colonel Pappas, said, "Here's what we'd like him to do, get
14 things going for C-2 " Colonel Pappas said, "Good, I would like to
15 use him in other aspects "

16 Q. So, you're really in a specific mission requirement couched
17 under the Liaison duty title

18 A Sir, it was a large couch Liaison title to tell you the
19 truth

20 Q. All right, I got it So, again, you were more-- your mission
21 requirements were specialized in such a manner that you were going to
22 act as a Liaison Officer, some C-2 to 205 MI Brigade----

23 A Roger that.

1 Q. ----specifically reporting to Colonel Pappas to ensure that
2 the requirements sent to you by General Fast and Colonel [REDACTED] was
3 clearly understood?

4 A. That sir, to tie in the requirements of CJ2X, as well as the
5 interrogation requirements that have been sent down by General
6 Sanchez on specific guidance to do those.

7 Q All right. Back to specific guidance with regards to
8 handling of detainees that either you observed or you have first hand
9 knowledge of Did you receive any kind of training or reminder of
10 sorts with the contents of the Geneva Convention?

11 A Oh yes sir, I did

12 Q When did you get that?

13 A I got it from the Magistrate Cell. I went personally----

14 Q Which Magistrate Cell?

15 A. At Abu Ghraib, I'm sorry sir

16 Q. Who was that?

17 A [pause]

18 Q. And when was that?

19 A. It would have been in the September timeframe sir, when I
20 first got there because I was curious about the difference between a
21 detainee, and a prisoner And I understood that there was a
22 significant distinction between the two. And I went and I spoke with

1 Captain, I believe at the time it was Captain Avery, Captain Shaunty,
2 were the folks at the Magistrate Cell.

3 Q. Okay.

4 A. And they highlighted what the requirements were under the
5 Geneva Convention

6 Q. Did he also amplify to you, since you were there until the
7 17th of September, of a memorandum that was signed by General Sanchez
8 on the proper treatment of Iraqi people during combat operations?

9 A Umm----

10 Q Were you familiar with that memo?

11 A ----sir, I'm familiar with that memo. I don't believe that
12 they mentioned it at that time, but I've seen the memo.

13 Q In your capacity as a senior leader, in your capacity having
14 to work with the MI Unit at Abu Ghraib, were you ever-- seen or
15 remember the context of that memo, the content of that memo?

16 A Sir, I want to say that we had that memo posted like we did
17 General Order Number 1 and a few others, but I could not look you in
18 the eye and tell you 100% that I saw it posted on the board.

19 Q In your dealing with folks at the hard site or any of those
20 internment facilities in your, as you say, "Your limited interactions
21 with the MP's," do you know if they have any knowledge or that thing
22 ever existed?

1 A. Sir, the MP's directly-- in either 72nd, or 372nd MP Company,
2 that were working in the detention facility, I would have to say,
3 "No," but I do know that Colonel Pappas-- I'm sorry, sir, Colonel
4 [REDACTED] the Battalion Commander, specifically addressed this
5 memorandum to the International Red Cross who had come out, and sir
6 I'm going to pull a SWAG on the timeframe, I'm going to say October,
7 and had gone into Camp Vigilant and I'm sure you aware of the
8 difference between Ganci and Vigilant, I'm not going to bore you with
9 that, and to the isolation area of the prison area So, based on
10 that I would guess that he provided that to his Company Commanders on
11 down the chain of command, but I don't know for sure.

12 Q Do you recall ever seeing a memorandum that was also signed
13 by I believe General Sanchez with regards to interrogation and
14 counter resistance policy?

15 A Sir, I know that there had been specific guidance put out by
16 Colonel Pappas about that as well as the Rules of Engagement for
17 interrogations, and I think those two combined, I think they both
18 came out together, and if I remember correctly sir, we had everybody
19 assigned to the unit, per Colonel Pappas, sign off on the Rules of
20 Engagement for Interrogations, and as I said later on I want to say,
21 maybe mid November, maybe late November somewhere, those Rules for
22 Engagement for interrogations were modified where you had to go in
23 for specific permission for things like, the 72 hour sleep

1 deprivation, I believe some of the physical activities, some of those
2 other things that were specific things that you had to go in, were
3 still authorized, but you had to go in and request permission to get-
4 - before you could implement them in.

5 Q Who do you request permission from?

6 A. Sir, everybody there that requested permission went up the
7 chain of command to Colonel Pappas to go in. I believe it was in to
8 General Sanchez to get the approval for the modification-- or the--
9 those rules that were authorized but-- needed authorization to do, to
10 include things like staying-- being housed in isolation for more than
11 30 days.

12 Q Did you notice, or at least have any knowledge of detainees
13 being segregated or being placed in that special treatment plan as
14 part of the interrogation plan?

15 A Sir, I-- I don't follow you Could you repeat that, sir?

16 Q Okay, do you-- let me rephrase that Do you have any of any
17 of the detainees following interrogation, as part of their
18 interrogation plan, as a treatment plan----

19 A Oh, to be put into isolation?

20 Q Sure

21 A Yes, sir.

22 Q Good enough, okay Do you know who would approve such a
23 plan?

1 A. Again when the screening process-- when the detainees first
2 came in, they were screened to see-- first of all they were put into
3 the MP BAT system, they were screened to see if they had any
4 intelligence value and or if they were of-- what they called "High
5 Intelligence Value "

6 Q "High intelligence value?"

7 A "High Intelligence Value."

8 Q Okay.

9 A Syrian terrorists-- alleged Syrian terrorists. Somebody
10 caught with explosives and mortar tubes Things of that nature as
11 maybe as a group and they end up in a pickup. And when that case
12 came in those cases were referred to Colonel Pappas to say, "yea or
13 nay," if they were to be put into isolation. I believe the ICE
14 Chief, Captain ██████████ and in her absence, Chief ██████████ who worked the
15 night shift, would monitor the 30 day window and then they would send
16 up information if they needed a extension beyond 30 days, based I
17 believe on how responsive or unresponsive the individual may have
18 been into the interrogation process and or getting him out of
19 isolation as maybe a reward for being more forthcoming.

20 Q Okay Several of those I interviewed to include those that
21 we've read statements from, those who were accused of detainee abuse
22 mentioned you several times as having been in the site itself, Tier
23 1A, and 1B Let me be a bit more specific.

1 A. Okay, sir.

2 Q. On the evening of the 24th of November there was a shooting
3 incident.

4 A. Yes, sir.

5 Q But prior to that there was an informant who supposedly had
6 knowledge that weapons were smuggled into the prison compound. What
7 was your involvement in that?

8 A Sir, there's been a big 15-6, but I can tell you
9 specifically how it came into----

10 Q The 15-6 is completed right?

11 A Yes, sir. I've never seen the results so the----

12 Q The 15-6 also places you there.

13 A Yes, sir and I wrote up the Serious Incident Report on what
14 happened I've got a copy here if you'd it sir, for the record.

15 Q No

16 A Umm----

17 Q We'll go back to the SIR too.

18 A Okay sir, Hooah Umm-- actually because of the holidays,
19 those kind of things, we had some people folk that were getting ready
20 to leave some MP's that I had known I had just come by with----

21 Q You'd had just gone by there

22 A. Had-- was walking by from the LSA coming back through that
23 site----

1 Q. But you stated that you needed permission to get by there?

2 A Yes, sir, and I did cut through----

3 Q. So, where did you the information-- permission from?

4 A. The--the--because it was evening after chow, and I had swung
5 by to make sure because there was a pre-thanksgiving thing or
6 something going on Make sure the MP's were aware of it, if not we'd
7 send people over with tray packs what have you, and it was either
8 Sergeant [REDACTED] of Sergeant [REDACTED] that was the NCOIC on shift.

9 A Was that the SOP that those sergeants could give you task
10 that approval or should you get that permission from their Company
11 Commander, or from their Battalion Commander?

12 A Sir----

13 Q. Was that common knowledge that you could just ask a sergeant
14 and say 'Let me go by and get you, or "Come by and see you?"

15 A Well sir, I stood outside a secure gate, identified who I
16 was, asked if I could enter, brought in and actually went into the MP
17 OPS area, not down in the isolation area but they had like a separate
18 OPS area And at that point, I believe it was Sergeant [REDACTED]
19 said, "Sir, one of the translators, and it was on of the translators
20 that had worked for JIDC and I believe had been transferred because--
21 a CAT II due to security clearance, over to the MP's But I knew the
22 individual, [REDACTED] as saying that we may have some information about

1 weapons within the facility. Prior to this, and that was the same
2 day that they had a riot over at Camp Ganci and----

3 Q. That morning-- that afternoon, right?

4 A. That afternoon, yes sir. And if I remember correctly 12 or
5 13 injuries with 3 initial deaths and I believe the 4th one died at a
6 later timeframe

7 Q So, you were in this site and you were talking to some
8 people and somebody brings you this information that we may have
9 somebody that might have smuggled a weapon?

10 A Exactly-- and sir, I want to say it was Sergeant Fredrick
11 that brought it.

12 Q Okay

13 A And at that point he came in----

14 Q Do you know Sergeant [REDACTED]

15 A Yes sir, I'd seen him there since he had arrived----

16 Q Did you know where he worked?

17 A Uh-- sir, he-- they kind of had like a split shift, day
18 shift, night shift. The Company Commander, Captain [REDACTED] First
19 Sergeant [REDACTED] normally from my impression, ran other issues for
20 the entire company, which included Vigilant and that area. They had
21 a-- for lack of a better turn, Deputy XO Liaison Officer by the name
22 of Captain [REDACTED] who kinda was like OIC or in that area pretty much
23 during the daytime early evening, what have you.

1 Q. Okay

2 A. Sergeant [REDACTED] and some other folks that I normally would
3 see occasionally coming in or out or seeing them when I would go in
4 during the day for taking tours through or with highly uh-- uh--
5 visiting dignitaries what have you. And then somewhere and I don't
6 know what the shift change was 1600, 1800, but basically I believe
7 they did 12 hour shifts. The night shift was headed up by I believe
8 by Sergeant [REDACTED], Sergeant [REDACTED] depending on who had a day off
9 or a day on, and Sergeant [REDACTED] At that point I said, "Who you
10 talking about?" and they said, "Well we've got--" and one of the
11 things that would happen out there in screening when people would
12 come in as a group sometimes they would give them a name just to
13 identify who they were This group happened to be four Syrian's and
14 an Iraqi taxi driver so I just remembered it was like----

15 Q How did you know they were Syrian's or Iraqis?

16 A Because of their information folder and target files that
17 we'd put together and things of this nature And when the name gave
18 to me I said, " Isn't that the taxi driver related to the four
19 Syrian's?" Sergeant [REDACTED] said, "I believe so," and I said,
20 "Well, we've got some INTEL that has been coming back and forth about
21 potential riots in Ganci and Vigilant " There's some specific Iraqi
22 General Officers that were in Vigilant that were supposedly scheming

1 to put Port to Potties over the wire. Take MP's captive inside the
2 Sally Port things of this nature.

3 Q. Go back again to what-- the question that I asked you. How
4 did the information get passed to you when you were visiting that
5 evening that there was an informant or such that was passing
6 information to weapons being smuggled in there?

7 A From the-- from I believe it was Sergeant [REDACTED] sir. It
8 said that the informant was chatting with the translator [REDACTED] Would
9 I be willing? Could I come help pull the information out further
10 what was going on? I said, "Sure, I'm fully aware of this specific
11 detainee Haven't spoken with him that much, but I'm aware of he and
12 of his group " Specifically, what was unique about this group was
13 how they had come across the Syrian border, the information that they
14 had provided on safe houses, how they got to Baghdad, how they had
15 setup attacks for Coalition Forces, how they were setting up the
16 IED's, how they're doing their ambushes There was very, very, well
17 thought out and trained which was one of the first instances where we
18 actually saw----

19 Q Did you see detainees in the-- Tier 1A, or were they in the
20 other general populations?

21 A These were in Tier 1A, sir

22 Q Okay So, what action did you take?

1 A. At that point I came in said, "Let me talk to the Taxi
2 driver, and to [REDACTED] and see what we have going on here to make sure."
3 Q The taxi driver is the informant?
4 A. Yes, sir.
5 Q Okay.
6 A. He's the Iraqi.
7 Q And he's at the hard site?
8 A Yes sir, he's at the hard site.
9 Q He's inside the Tier 1A?
10 A Yes, sir Took me in and they had [REDACTED] and the taxi driver I
11 guess for security. They didn't want anybody else in the Tier to
12 know They were in a old shower area with a bed sheets on or
13 something The guy seemed very nervous and [REDACTED] was explaining to me
14 saying, "Sir, here's what he's saying He's saying that the
15 individual has a handgun, couple of knives----
16 Q Okay, stop-- stop right there
17 A Yes, sir.
18 Q. This [REDACTED] guy is a translator?
19 A Yes sir, he's a Titian----
20 Q Sure.
21 A ----linguist.
22 Q And he was there by himself?

1 A. He was there with other MP's that were working the Tier's,
2 sir.

3 Q Okay, so there was an interrogation ongoing in that
4 particular site then?

5 A Sir, I don't know if it's an interrogation or if he was just
6 giving information. He was translating.

7 Q Sir, that's interrogation

8 A Alright sir, I'm telling you sir, there were no MI folks----

9 Q Now----

10 A ----doing an interrogation----

11 Q ----let's try not----

12 A ----sir

13 Q ----let's be precise----

14 A Alright

15 Q ----because you're a trained MI guy----

16 A Yes, sir.

17 Q ----and so just specify because you're under oath

18 A Yes, sir Sir I'm going to tell you to me an interrogation-
19 ---

20 Q Hang on. Hang on Let me just go back and you've got a
21 translator already there

22 A Yes, sir.

23 Q Other MP's were already there inside the site.

1 A. Yes, sir.

2 Q. Whereby you just told me previously that interrogations
3 should not be done inside that site, that they were done outside the
4 confines of Tier 1A, and 1B


5 A Yes, sir

6 Q But you are-- there's an interrogation that going on in
7 there whatever you want to call it----

8 A. Sir, I'm telling you sir, it's not an interrogation they way
9 I would call interrogation

10 Q Okay

11 A Again, I'm not a police officer, I'm not a corrections
12 officer, but I would say if somebody is providing information and an
13 informant, is providing information to me that's totally different
14 then somebody coming in with an interrogation plan saying, "I want to
15 ask you specific questions I want specific answers. I have a
16 specific theme " Somebody's coming in reporting something to this
17 and ----

18 Q Was the company commander or anybody above Sergeant
19  up there at the time?

20 A No, sir

21 Q None?

22 A Not that I'm aware of that point in time.

1 Q. Did you seem-- kind of notice that that was-- if you say
2 that that was kind of an MP kind of-- part of the operation because
3 they're trying to get information from this particular informant by
4 the use of the translator?

5 A. Yes, sir.

6 Q Wouldn't strike you that your presence there in kind of
7 broke the authority line? That you were being invited to participate
8 in an MP operation in your capacity as an MI Officer?

9 A Sir, I didn't look at it that way.

10 Q You didn't look at it that way?

11 A No sir, I didn't

12 Q Would you have asked as an experienced officer with active
13 duty experience that that is exclusive to an MP operation thereby
14 perhaps providing guidance to the senior NCO's that were present
15 there, that they ought to get their company commander at least report
16 that to their company, or to the battalion commander, or even the S-
17 3?

18 A Well sir, I did ask them if Captain [REDACTED] was around
19 Captain [REDACTED] Had they called anybody, they said they couldn't
20 reach anybody on the hand held At that point didn't know who else
21 was calling They said, "We're trying to call." At that point I was
22 just listening to what [REDACTED] was telling me the individual was saying
23 that was reported in there

1 Q. Who does [REDACTED] work for, Titan----

2 A Titan Corporation, and I believe he had moved over to work
3 for the 320th MP Battalion as one of their CAT II linguists.

4 Q. Okay.

5 A. And sir, I'm saying I believe him.

6 Q. Okay

7 A Okay

8 Q Then what happened after-----

9 A At this point, he came in he identified-- he the taxi
10 driver, had identified a specific individual in a specific cell and
11 told he had a weapon And I caught the name, and I said, "I think
12 that's one of the Syrian's that I've seen being interviewed in Site
13 Wood, Site Steele, because you have a entryway where you can watch
14 and see what' going on Who has a very anti coalition presence, a
15 very anti American presence, "I want to kill folks, I'm on a Jihad,"
16 what have you So, I asked the MP's, "Excuse me, do you still have,
17 you know the little baseball card photo's with all the file things
18 that we put with everybody that-- when they come in here that they--
19 that the interrogators provide for me?" He said, "Yeah." I said,
20 "Can we pull that?" We pulled that and looked at the individual and
21 I said, "I know this guy " I've seen him very, very many times on
22 interrogations because they were-- going after him, and he was very,
23 very, forthcoming with the routing and what they did and how they

1 planned attacks, and he couldn't wait to-- to-- to-- to kill us all,
2 sir.

3 Q Okay.

4 A And----

5 Q. So, in your estimation you were getting this information,
6 what happened next?

7 A. Well sir, this kind of tied into Intel reporting that had
8 been coming out of interrogations that there was going to be a
9 possible either a attack on the Abu Ghraib facility to cause a
10 disruption for possibly corrections officers from the Iraqi Ministry
11 of Justice, I think is how they reported it.

12 Q So, did you notify Colonel Pappas at that time, or Colonel
13 [REDACTED] with based on your estimation of the tie in?

14 A Sir, I asked for the MP's to contact the Battalion 3,
15 because it was like, I want to say, 1830, 1900, somewhere in there---
16 -

17 Q Did you get-- did you notify Colonel Pappas?

18 A No, sir.

19 Q Why not?

20 A Because I was still gathering what the information was being
21 as far as the threat at the time, sir

1 Q. Okay. So, your judgment was notifying at least piliminarily
2 that you were gaining some information, at least give him an initial
3 SITREP?

4 A Sir, with Colonel Pappas being at Camp Victory, my not
5 having comms on me at the time, with the intel that I heard about
6 possible threat and I'm going to expand on that, were the coalition--
7 or not the coalition, the Iraqi corrections officers were going to
8 have weapons already hidden in the facility, they were going to take
9 over and try to breakout high value detainees. Nobody designated,
10 identified at that point in time

11 Q With that notification, based on that basic knowledge, would
12 have at least notified the battalion commander or Colonel Pappas that
13 perhaps put the IRF on alert?

14 A Well I-- I did ask Sergeant [REDACTED] to request-- I didn't
15 call it IRF, I called it ORF, to come----

16 Q But Sergeant [REDACTED] never notified anybody because he was
17 engaged with you

18 A Not when I asked him to make the call sir Because I went
19 back and asked [REDACTED] specifically, "Is he sure Has he seen the
20 weapon? Does he know?"

21 Q Right.

1 A. Said, he hadn't seen the weapon, but had been told as of
2 Thursday, I want to say, sir, that he was going to get weapons, was
3 this guy going to be with him? Later on----

4 Q. Let me move forward-- let me move forward.

5 A All right sir.

6 Q So, the discoveries were made, and there was information
7 that was passed, names were given, that sort of thing, indication
8 that somebody did smuggle a weapon in there, or weapons, whatever the
9 case may be

10 A Yes, sir

11 Q What-- what subsequently happened?

12 A At that point one of the other NCO's came in, Sergeant
13 [REDACTED], they were putting on their battle rattle, their vest
14 plates, everything like this I asked what the procedures were that
15 they were doing They said, "We're going to lock down the cells.
16 We're going to do a cell search Sir, we could use the assistance."

17 Q They're doing a cell search and you were still in there?

18 A Sir, I was up in the Sally port right next to where the
19 informant the taxi driver had been talking to----

20 Q. But you were still in that particular area----

21 A Yes, sir

22 Q ----Tier 1A, and 1B?

23 A. Yes, sir

1 Q. At that time none of the company chain of command, none of
2 the battalion chain of command had-- were present at the time?

3 A No, sir.

4 Q. Okay.

5 A Were not present at the time.

6 Q And Colonel Pappas was still-- still has not been notified?

7 A. No sir, and you're talking about this all happening in a
8 period of about three, four, five minutes, sir.

9 Q Sure, okay. That's pretty quick when your trying to
10 interview and interrogate a detainee and trying to get information.
11 That's pretty darn impressive all in the span of three or four
12 minutes. Okay so what was the plan of action?

13 A They were going to go-- they being the MP's were going to do
14 a cursory sweep of some of the cells to have the folks step forward
15 secure, when they do that I guess on a normal basis they said.

16 Q But they already knew----

17 A Where they were going

18 Q ----you said you already knew who had those weapons and who-
19 ---

20 A Who they thought had the weapons

21 Q Okay.

22 A. And at that point I said, "Let me stop you all here for just
23 a second before you go take this action." I said, "You know that

1 this taxi driver and this Syrian terrorist, there are three other
2 Syrian terrorists, are they still here in the Isolation Facility?"
3 And they said, "Believe so." "Where are they at?" One was across the
4 Tier, there were a couple down below. I said, "You may be getting
5 yourself set up for ambush, or somebody maybe saying, "Hey, somebody
6 has a Tier they want you to go-- or a weapon, go down the Tier." You
7 do that and you get shot from behind, or maybe it's a setup and there
8 is going to be a crossfire kind of situation

9 Q So you led that effort supervising those folks in a search
10 process?

11 A To go down to do a cell search I said I will assist and
12 provide----

13 Q Okay, who's job was that supposed to be, yours or the
14 company commander or their battalion commander, or the S-3?

15 A Well sir, and I don't want to sound flipped to you, but I
16 would say if you had extremely adequate notice, something along those
17 lines obviously, Battalion Commander, Sergeant Major, Company
18 Commander, Company Commander, First Sergeant, QRF, to do that. But
19 at that time, I felt strongly that there was something serious that
20 was likely to occur just because this taxi driver had nothing to
21 lose He was----

1 Q Sure, but then General-- Colonel Pappas will still have not
2 been notified, so conceivably the whole camp would have been placed
3 on alert don't you think?

4 A Umm----

5 Q Because of the incident that happened that afternoon?

6 A Well sir, that incident that happened was very much in my
7 mind as well as like I say the intel of the fact of corrections
8 officers looking to do some sort of diversion and break out who they
9 felt were high value detainees, some of the black list folks, but
10 sir, they weren't even there, but that's kind of beside the point. I
11 think the intel structure that they had made them believe that there
12 were people there that were not----

13 Q Well what my point is Colonel [REDACTED] is you're the senior
14 officer on the site

15 A Yes, sir I was the senior officer on the site

16 Q So you're basically directing traffic----

17 A Yes, sir

18 Q ----and directing those MP's and you've mentioned earlier
19 that you don't do MP stuff, and the limit of your duties and
20 responsibility was just coach in the boundaries of collecting
21 information and not interrogation or things of that sort So, on
22 your best judgment, you were giving instructions to those MP's absent
23 any presence of or notification of those MP's chain of command,

1 [REDACTED] all those folks, and absence the presence of and
2 notification of your brigade commander in your capacity as a liaison
3 officer?

4 A Sir I would say it's my capacity as an officer to ensure
5 health and welfare of all soldiers at that point in time. Yes sir, I
6 was the senior guy there sir, and sir I was there when they went to
7 do that cell search and I was there to provide covering fire if
8 necessary, and sir----

9 Q Did you have a weapon on you?

10 A. Oh yes sir, I did have a weapon on me sir, I had two weapons
11 on me

12 Q You carry a weapon inside the hard site?

13 A Yes, sir

14 Q All the time?

15 A Not all the time, sir

16 Q. Did you brandish it?

17 A Did I brandish it?

18 Q I mean did you-- was it present-- was there an SOP that says
19 weapons are not allowed in Tier 1A until such time as it's authorized
20 to do so?

21 A Sir, when I was asked to come in there by Sergeant [REDACTED]
22 I did ask about the weapons policy because normally when we did go in

1 there weapons were kept out and he said, "We believe we've got an
2 incident, sir, bring your weapons with you."

3 Q. Okay----

4 A So-- sir, I brought my weapons with me.

5 Q. So you were getting information from Sergeant Fredrick and
6 even then you know you did not give them any kind of information or
7 any direction that at the time you received that initial information
8 to let's wait until your battalion commander or your S-3 shows up
9 before we proceed down there because then it's not your
10 responsibility as an MI officer to be proceeding down there because
11 that was a search and searches are done by MP's.

12 A Sir, given all the time in the world, yes sir, I would agree
13 with you

14 Q Okay

15 A I would say that at that point in time and place sir----

16 Q Yep, don't you think it was kind of hasty at the time
17 because you didn't exactly know what your role and responsibility
18 was?

19 A Sir, I thought my role and responsibility was care for any
20 soldier at that point in time.

21 Q That's everybody's responsibility.

22 A. Check sir

1 Q. Okay, but those people belong to somebody else. They have a
2 chain of command, colonel.

3 A. All right, sir. Check. I hear what you're saying sir. I
4 wasn't trying to usurp anybody chain of command I was trying to
5 make sure the soldier was safe sir.

6 Q Okay.

7 A And sir I'm going to tell you on the night of 20 September
8 myself and 14 other soldiers were wounded at Abu Ghraib I had 2
9 soldiers die----

10 Q Hold that thought----

11 A All right, sir

12 Q We will cover that for that matter. I just want to ensure
13 that we focus on your responsibility sir----

14 A Check sir

15 Q ----and your involvement with a shooting incident that has a
16 serious implication because your name was mentioned on the
17 investigation at that point in time.

18 A Yes, sir.

19 Q So, you proceeded to take action, directed the MP's, give
20 them instruction on how to proceed to this particular cell?

21 A No sir, I did not

22 Q Okay so who was the leader of sorts of that search team?

1 A. Sergeant [REDACTED] was the one who was directing, "Sergeant
2 [REDACTED] when we get there I want you to use the keys. Sergeant
3 Elliot I want you to instruct the individual to place his hands
4 through the cell, step forward, etcetera, etcetera "

5 Q All right, then what happened?

6 A He said, "Sir, I'd like you to provide covering fire across
7 the Tier " I said, "Check, we'll do that." "Sergeant Synder will
8 come down the other side as well just in case there is a crossfire "
9 And at that point----

10 Q Did you have a protective vest on at the time?

11 A Sir, I had a protective vest on at the time, but sir I did
12 not have plates on at the time.

13 Q Okay

14 A Because I did not have plates issued at the time sir.

15 Q. Did you have-- well none of them were issued plates I don't
16 think

17 A Sir, all the MP's had plates sir.

18 Q Did they have their helmets on?

19 A Yes, sir they had their helmets on.

20 Q Did you have yours also?

21 A. Sir, I'm trying to remember, I can't tell you. I can't tell
22 you sir, I can't remember

23 Q Okay. So, the shooting starts?

1 A. Yes, sir.

2 Q. What happened next?

3 A Quite frankly the individual [REDACTED] I believe was given
4 the command four or five times by Sergeant [REDACTED] Sergeant [REDACTED]
5 "Step forward, show your hands " "No." "Step forward, show your
6 hands." "Why?" "Step forward, show your hands." "No." At that
7 time I believe Sergeant [REDACTED] had told Sergeant [REDACTED] to be
8 prepared to fire. I said, "Sergeant [REDACTED] what do you have
9 chambered?" Because Colonel Pappas had been very, very adamant about
10 use of non-lethal rounds to make sure that they didn't misplace a
11 lethal round with a non-lethal round what have you. Said, "Non-
12 lethal " Somewhere a few seconds after that, "There's movement.
13 He's got a gun," and [REDACTED] fired one to two rounds initially.
14 Sergeant Elliot fired back, I believe the first two rounds which were
15 non-lethal I believe he hit him with one of those two rounds
16 Stepped away from the door I stepped up to look to see. He
17 continued to fire Sergeant [REDACTED] fired three more rounds, I'm
18 guessing that were 12 gauge lethal rounds, things stopped for a
19 minute or two, individual went and fired. Again movement you could
20 just out of the corner of your eye just kind of things fired,
21 Sergeant [REDACTED] yelled, "I got hit." I believe he'd gotten a
22 ricochet and hit him in the vest Sergeant [REDACTED] was handed another

1 shotgun by Sergeant [REDACTED] who again fired a couple of more non-
2 lethal rounds.

3 Q. Sergeant [REDACTED] was shooting then?

4 A No, sir Handed another shotgun over to Sergeant [REDACTED]
5 because Sergeant [REDACTED] had expended all the rounds in the shotgun
6 that he had had Two, three, four, rounds in that weapon, he fired
7 those waited a second continued to tell the detainee, "Throw out our
8 weapon, throw out your weapon, cease fire " Wait a second take a
9 look with the mirror fire a couple of more rounds. Sergeant [REDACTED]
10 --

11 Q Who was doing the mirror thing?

12 A I believe it was Sergeant [REDACTED], sir, and then Sergeant
13 [REDACTED] fired a couple of 9 mill rounds and then the detainee at this
14 point, didn't know that for sure, but was out of ammunition, and
15 through the weapon outside the cell door block. He was made to put
16 his hands out by Sergeant [REDACTED] He was cuffed by Sergeant
17 [REDACTED], swung out immediately called for medics, medical staff had
18 actually been there because they normally did a daytime, nighttime
19 check from what I understood of the detainee's and he had wounds in
20 his legs and he had an indentation in his chest which I thought might
21 have been a 9 mill round that had come in from an angle that turned
22 out to be one of the less than lethal rounds that had hit him and he
23 was medivaced out At that point went back and contacted Colonel

1 Pappas the Battalion 3, and initiated an SIR report. Colonel Pappas
2 was there on the premise. Gave him the information best I had it. He
3 typed up what he could. I said, "Sir, another detainee was wanting
4 to speak." He said go back and pull whatever information you can. I
5 went back to speak with this detainee. Don't remember his real name
6 but his name was thumbee because he had blown his fingers in a
7 coalition attack with a hand grenade. He came and spoke with me as
8 well as a couple of other folks that were present there and I don't
9 remember right now off the top of my head

10 Q Was Colonel [REDACTED] and Captain [REDACTED] there at that time?

11 A I don't think Captain [REDACTED] was there yet I think he was
12 enroute, but I believe First Sergeant [REDACTED] had gotten there.
13 Sergeant Centers, Platoon Sergeant I'm not sure if Captain [REDACTED]
14 had made it in there yet or not

15 Q Was there an understanding from your experience there since
16 September up until you were assigned to the 205th, actually you were
17 already assigned but you then operated with the 205th who was then the
18 FOB Commander, what was the understanding of who was in charge of
19 Tier 1A, and 1B, MI or MP's?

20 A Well sir it was always understood that the MP's ran that
21 Tier, and there were a number of incidences where non MI folks non MP
22 folks would come in that tier and I'm going to be specific on an
23 occasion of Task Force 121 who had come in and portrayed themselves as

1 being OGA, Other Government Agency, and I'm not sure what everybody's
2 clearance level is in here, but we can all kind of understand who OGA
3 is. They came in supposedly said, "We're with OGA to drop off a
4 couple of detainees And I'd gotten a phone call from Chief Rebus on
5 one of those little hand helds that they had finally gotten out there
6 to say, "Sir, there's seems to be and issue here."

7 Q This during-- after the shooting or before the shooting?

8 A This was after the shooting sir. I'm feeling it was after.
9 I want to say late November, early December Anyways, they had come
10 inside when they went to drop off the detainees to the MP's and
11 beyond making sure that all their belongings had already been turned
12 over to the MP's to be processed I guess they started running the
13 Tier to check and see who the different folks that were being held in
14 isolation I understood that one of the MP's, and I wasn't given a
15 name, had said, "What are you doing?" "We're with OGA. We're
16 checking this out We're authorized," whatever the case may be.
17 Kind of a very cowboy kind of affair Chief [REDACTED] for some reason
18 happened to be coming up in that area maybe back from and
19 interrogation I didn't ask him what he was doing there sir Called
20 me, said, "Hey we've got this incidence I said, "Can you still
21 track him down because we need to stop this and we need to stop this
22 now because we're having problems with 121 bringing folks to the gate
23 and just dropping them off and leaving. Not into the facility where

1 detainees are kept like out front at the entry control point and then
2 just bailing. An actually a lot of times it wasn't even the 121
3 folks it was a armor unit or something that was just transporting
4 folks. We had and incidence were 121 came back that same night
5 because Chief [REDACTED] had caught them at the gate and said, "Listen,
6 nobody is authorized just to go trailing in there. There is an MP
7 set of rules there You have go through the MP's to get permission.
8 There are specific things that you have to do to do that. We don't
9 appreciate you doing this " They came back in that evening and I
10 want to say it was about 2200, 2215, and came in and said, "We're
11 signing out a prisoner that they had dropped off on a quote of quote
12 un-OGA hold But, sir it wasn't a OG hold-- OGA hold, but they said
13 we've talked to Lieutenant Jordan Well sir, there was a Lieutenant
14 Colonel [REDACTED] at 121 All the MP's knew is they heard Lieutenant
15 Colonel [REDACTED], they thought it had been an authorized MI thing
16 because it wasn't an MP hold They allowed an E-5 from this unit to
17 sign a female wife out, and I forget which black list it was. I
18 think it might have been six, it might have been [REDACTED], I don't
19 remember, took her off Sir, she came back 72 hours later, or just
20 less than 72 hours later When they landed the chopper they came up
21 with these people and they came out there and they said, "Hi, are you
22 the MP that's going to accept the detainee?" I said, "No I'm not the
23 MP I'm not going to accept the detainee " And we've got into quite

1 a battle, sir on-- I said, "Do you have a file folder on the
2 detainee?" "Well no, we're just the transportation." "Were did you
3 come from?" "Well, Tikrit."

4 Q. In that particular sense, Colonel [REDACTED] it appears that
5 your MI folks were involved with transfers of detainees just based on
6 what you've described to me.

7 A Sir, 121 is not MI from what I understand they're----

8 Q I understand. OGA-- there's----

9 A ----out there

10 Q ----all sorts of detainee----

11 A Yes, sir.

12 Q ----operations over there

13 A Yes, sir Okay

14 Q So, but in any case what we're going to do right now is take
15 a ten minute break. I need to refresh the recording machines----

16 A. Roger that sir

17 Q. ----and give you some time to go to the bathroom and we'll
18 resume the interview here at about 15 after.

19 A. Roger that sir.

20 Q. And please don't disclose anything. Don't make any phone
21 calls or whatever have you. Just wait outside, and if you need to go
22 to the restroom, please convey it as to where your presence is going
23 to be.

1 A. We talked about a copy of the SIR-----

2 Q. We can discuss this when-----

3 A Later, all right sir.

4 Q. Okay. Good thank you very much.

5 [The session recessed at 1603 hours, 21 February 2004.]

6 [The session resumed at 1620 hours, 21 February 2004.]

7 MG Taguba Have a seat there Colonel [REDACTED].

8 LTC Jordan Yes, sir

9 Q All right, we'll continue with our interview here. Let me
10 remind you again please that we are being recorded.

11 A Yes, sir

12 Q And that you are still under oath. Several of those who
13 are-- have been accused of detainee abuses, some of them horrible as
14 you can imagine, and those that I've interviewed had the
15 understanding that and I quote from one interviewee, "That Wing 1 was
16 supervised mostly by Lieutenant Colonel [REDACTED] Lieutenant Colonel
17 [REDACTED] was very involved with the interrogation process and the day
18 to day activity that occurred " Which is just one of several who
19 have had the understanding that your presence there, even though you
20 indicated that you were there infrequent and had to ask permission
21 for access, understood that your duty was to supervise or at least
22 have control of Tier 1A, and 1B

1 A. Sir, all I know is that anytime that we went on-- anybody
2 ever went over there you always had to request permission to come in.
3 Always had to leave your weapon if you had a weapon with you if the
4 MP's----

5 Q Did you have an understanding with the battalion commander
6 that your access was authorized or was necessary in regards to your
7 liaison duty with the 205th MI Brigade?

8 A Sir, quite frankly when I first got there I sat down with
9 Colonel [REDACTED] because I know Colonel [REDACTED] from a prior
10 Reserve assignment, he was the G-1 of a CA Unit I was in Philly, so I
11 know him friendly, not hunting buddies or anything like that, but
12 knew him, "I remember you, how are you doing?" He, I, his S-3, the
13 OPS Officer for Colonel Pappas, [REDACTED] Chief [REDACTED] all of us
14 at one point in time would set and discuss the movement, and it was
15 more movement of detainees in regards to military police than it was
16 interrogation only

17 Q What kind of movement?

18 A Movement from either Camp Ganci or Vigilant to the
19 interrogation booths, the interrogation tents, or to and from
20 isolation area

21 Q Why would you be concerned with that?

22 A Well sir, because there weren't enough MP's to do the escort
23 duties and we had to tap into MI soldiers to do that.

1 Q. But I thought that was the responsibility of Colonel Pappas
2 and an MI Battalion Commander who was subsequently assigned there?

3 A. Sir, the only MI Battalion Commander I know that was ever
4 assigned out there was Lieutenant Colonel [REDACTED] somewhere
5 December-- in December somewhere around that, so up----

6 Q It's earlier than that, November.

7 A It could have been sir, I'm trying to guess.

8 Q I mean if you're concerned with movements in your capacity
9 as a liaison officer, because there was a shortage of MP's, why would
10 you take it upon yourself to be involved in that while in essence
11 that was the responsibility of the MP's to ask for reinforcements in
12 that regard

13 A Sir, just per guidance from Colonel Pappas, "Please check
14 with the Battalion 3. Please check with Colonel [REDACTED] Please
15 have them understand my intent is to conduct the interrogation
16 operations not to have MI soldiers moving detainees Not to have----

17 Q So you're checking whether MI soldiers were being used as
18 guards?

19 A Uh---

20 Q Or augmenting the MP's?

21 A Augmenting the MP force and at one point sir, there had an
22 issue where the 320th is a Host Command Wanted to utilize MI
23 soldiers, either supporting the entry control guard force, and at one

1 point there was a FRAGO that was cut putting MI supposedly in charge
2 of two towers 24 7 in essence pulling 12 MI soldiers out away from
3 interrogation operations and again Colonel Pappas and his 3 said,
4 We'll handle this. We'll let them know that. They can't come over
5 and task the soldiers to go do non-interrogation operations. This is
6 our focus This is what I want you to do. Make sure they understand
7 that So sir, I was-- basically relaying information between. Like
8 Colonel Pappas wanted back in forth with the 320th.

9 Q Did that include-- did that include people in the hard site,
10 because according to your brigade commander his responsibility, if
11 that, was placing guards of the ECP and also manning the tower, but
12 nothing in the capacity of putting MI soldiers guarding the compounds
13 meaning Vigilant and Ganci nor the hard site, so what you're
14 intimating to me that you were in the hard site checking something
15 that is outside the bounds of your responsibility and duties and
16 roles as a Liaison Officer?

17 A Sir, I think we've crossed paths here.

18 Q Yeah.

19 A. When I was saying that I talked to Colonel [REDACTED] and
20 them about MI soldiers being utilized it was what you were just
21 discussing Entry Control Point guard towers, things of this nature.
22 We never from my understood had ever seen MI soldiers being tasked to
23 perform security functions in the isolation arena, but they did have

1 to move folks from isolation because of a shortage of MP's from the
2 isolation area to the Site Wood, Site Steel, for interrogations.

3 Q. So using MI soldiers to move from one site to another site?

4 A. From one site back to interrogation-- back to the isolation
5 cell----

6 Q Who did you interact with that?

7 A. Say again, sir?

8 Q Who did you interact with that?

9 A Umm----

10 Q Colonel [REDACTED] the guards directly, the company
11 commander, I find it kind of strange that a Lieutenant Colonel is
12 acting directly with soldiers Does that tell me that there is no
13 one underneath you that could interact that Colonel----

14 A Sir, I'm saying that inter-- I interacted with Colonel
15 [REDACTED] Major [REDACTED] the S-3 in concert with our OPS Officer, so
16 there was a full understanding of our concern conveyed by Colonel
17 Pappas of pulling MI soldiers away to go do these kind of operations.
18 "One, we're really not trained to move detainees, they didn't have
19 the equipment to move the detainees, and the issue came down is we
20 have x amount of MP's, we're losing MP's, we're not getting any more
21 MP's, we're getting more detainees, we can't do it. Colonel Pappas
22 what do you want us to do?" "Get with [REDACTED], get with other
23 folks, get some of these folks trained up, MI soldiers trained up by

1 the MP's so they can at least do it in a protective manner as much as
2 possible." We didn't have plates We didn't have the new vests.
3 Signed for some of those from the MP Company, I think it was from the
4 372nd MP Company, and I believe that Sergeant First Class [REDACTED] the
5 OPS ICE NCOIC went and signed for those to give them to the soldiers
6 so they could move detainees And a lot I think were moving them
7 that were also conducting the interrogations, so added to the length
8 of time spent on interrogations.

9 Q All right So, that was the understanding, but your
10 understanding was that you had limited access by asking permission to
11 be present in the Tier 1A, and Tier 1B?

12 A Sir, every time that I was there and every time I saw
13 anybody else go into that facility whether it was somebody coming for
14 a visit or to interview or what have you

15 Q Were you on an access roster?

16 A I believe I was sir

17 Q You believe? Did you have a copy of that access roster?

18 A No sir, I believe we provided a access roster of folks
19 assigned to the JIDC to the MP's to say, "These are the folks."

20 Q There was an NCOIC of the hard site and there was an OIC of
21 the hard site and you mentioned Captain [REDACTED] and the other person
22 you mentioned was Sergeant [REDACTED] was there anybody else between

1 Sergeant [REDACTED] and Captain [REDACTED] that you interact with with
2 access?

3 A. I would say that the list probably initially went to the
4 Battalion 3, to Major [REDACTED] to say these were the folks, I believe
5 we included Colonel Pappas and the Sergeant Major and anybody else
6 who'd be coming in

7 Q Who was anybody else, I mean that's-- that's-- you just
8 mentioned that those are high valued detainees?

9 A Yes, sir

10 Q And not anybody else would have access to those unless they
11 were authorized or had any business with that.

12 A Sir, I'm saying Colonel Pappas, Colonel [REDACTED] because he
13 was Battalion Commander if he happened to come by to see where his
14 soldiers were working his Sergeant Major.

15 Q What was the nature of your access there, I mean what kind
16 of business as a liaison officer, not as an interrogator, would you
17 have with access to those detainees?

18 A Umm-- kind of checking to make sure that we weren't
19 violating the 30-day rule That we had an updated roster as far as
20 the identification cards. Those kinds of things to make sure that
21 everybody had the proper information That we knew who was where.

22 Q. Okay, but you just mentioned to me that you were limited in
23 your capacity as a liaison officer, collecting reports, formatting

1 reports, and sending that up to the C-2. But all of a sudden as a
2 liaison officer you were given additional guidance by Colonel Pappas
3 check on the conditions of the detainees?

4 A. Sir, that was never----

5 Q. You took that as your own initiative?

6 A Sir, I never checked on the condition of the detainees as a
7 primary duty.

8 Q But you just said that whether they were being-- the
9 interrogation plan or post treatment was being carried out whether
10 their-- not have exceeded 30 days of that, that sort of thing.

11 A Yes sir, because there was a roster on-- when somebody came
12 in or something like that just-- and we kept one in the JIDC OPS area
13 too just to take a look, "Hey we're getting close. Someone has been
14 in there 24, 25 days Captain [REDACTED] have you sent up a request to
15 Brigade to make sure that we don't violate the 30 day policy," things
16 of that nature. So, ----

17 Q So, you were helping out, so to speak, there's nobody else--
18 I'm still trying to make a determination Colonel [REDACTED] of your
19 specific duties as an Liaison Officer, but every time you say
20 something it kind of expands beyond what you described was your
21 specific duties

22 A Sir, whatever guidance I would get from Colonel Pappas if I
23 didn't think it was an illegal order or something, and it would be,

1 "Steve can you do?" "Check sir, I can do that for you, or Sir, are
2 you aware this, this, and this, because this came up in a nine
3 o'clock meeting?"

4 Q Sure.

5 A. "Or this came up at 1600 FORCEPRO, Sir you weren't here
6 today, you're coming in tonight," what have you.

7 Q So basically you weren't receiving any kind of guidance from
8 your Brigade Commander That is clearly understood that it could be
9 outside the bounds of their responsibility as MI Intelligence
10 Officer, or as MI Interrogation Officers?

11 A Oh yes sir, because I wound up doing things such as
12 assisting in the MWR development, and procuring a weight system and
13 getting the DFAC up and running and getting showers and finding out
14 who the ACS Contractor was for living support type items and things
15 of that nature

16 Q Okay, so that was-- again outside the bounds of the
17 specifics duties, because you were just helping out. There's nobody
18 else there to do but----

19 A Sir, that's what I----

20 Q And your Brigade Commander relied on your capacity to do
21 that?

22 A Sir, that would be his taskings, "Where do we stand with
23 this? How come the DFAC is not up? How come we don't have shower

1 points for these soldiers yet?" "Hey sir, here is statements of work
2 by, you know, ASC, you know. Here is what the engineering board said
3 what the status is " So I was kind of like-- like I say his liaison
4 to attend the meetings that was being hosted by the 320th, but it
5 wasn't all just MP functions, sir there was all the other issues that
6 were involved and at the time he had like I say, removed the
7 headquarters support role from the 519th and there was nothing there.
8 He had given a requirement to the 323rd MI Battalion at BIAP, but sir
9 I want to say I probably saw that Battalion Commander and Sergeant
10 Major twice in four and a half months out there.

11 Q So you might say you're Colonel Pappas' trusted agent?

12 A Sir, can I be frank with you I want to say that I respect
13 Colonel Pappas but Colonel Pappas and I never hit our stride. I
14 don't think we're ever going to send Christmas cards to one another,
15 but sir I can look you in the eye and tell you, that Colonel Tom
16 Pappas would ever tell a soldier to do something illegal or do
17 anything immoral or would he cover up anything had he been made aware
18 of anything that had gone on And so, I respect Colonel Pappas for
19 his position and his rank I can tell you quite frankly that there
20 were times that we disagreed when I'd bring up issues, sir Are you
21 aware, I'm trying to protect you on-- sir, and it had nothing to do
22 with detainee operations I'm talking, you know awards, or possible
23 congressional issues and I'm hearing being brought to me because I

1 actually lived in the same little environment where all the soldiers
2 lived. And I'm saying from E-5 to O-5, we all had a very small
3 environment. And-- so-- whatever he would come back and say, "Steve
4 this is what I want, this is how I feel about it." All right, again,
5 back to the incident with the three interrogators from the 519th that
6 did the unauthorized interrogation of two females, etcetera,
7 etcetera He's the one who said, "Let me get Captain [REDACTED] I'll
8 give you a call back " Got Captain [REDACTED] on the line. "Want you to
9 go to the Magistrate Cell, want you to do the Article 31 rights
10 warning " "You've done these before?" "Yes, sir, I've done them
11 before " "All right here's what I want you to do. I want you to get
12 all the statements, things of this nature " So, sir, that's way
13 outside the line, I think, of any liaison officer role. But, I think
14 he felt confident-- safe in me doing that or he wouldn't have told me
15 to do it, sir

16 Q You're not supposed to ask, do you feel like you are his
17 trusted agent?

18 A Sir, you know when you say trusted agent, you know,
19 there's-- there's trust and maybe there's friendship and maybe I'm
20 running the two in there But I think, sir, that he trusted my
21 judgment, I think he trusted me with the soldiers out there. I think
22 the soldiers respected me and I think I could get the soldiers to
23 soldier up in a very austere, tight environment.

1 Q So, based on that trust, [REDACTED] they
2 would follow your instructions?

3 A Sir, I don't know about MPs, sir, you know I----

4 Q. But you interacted with them frequently.

5 A. Sir, I didn't-- I-- I have to disagree. Sir, I didn't
6 interact with them frequently. I knew who worked what shifts; I knew
7 who was in what company, just because it's a very small environment,
8 you're there 24-7 Matter of fact, the 72nd MP Company, and then
9 eventually the 680th provided mess facilities on MKT with us. So, I
10 never gave any direction to MPs on anything other than on the night
11 of 24 November when the shooting came down, and, sir, I still feel
12 confident that that was a soldier safety issue based on the other
13 intel reporting that even I don't believe the MPs had at that time.
14 Where the information had come in with-- and it had been coming in
15 for two or three weeks about outside attacks, inside attacks all
16 combined, things of this nature

17 Q When Colonel Pappas showed up there on or about the 19th of
18 November, 19-20th of November, in what capacity was he moving his
19 Brigade down there, do you remember?

20 A He was moving in to be designated as the FOB Commander, FOB
21 Abu Ghraib

22 Q Abu Ghraib. What was the command relations then, of the
23 subordinate units that were already there?

1 A Sir, you asking me, between 205th and 800th? Or are you
2 asking me 205th and all the subordinate units?

3 Q. And the subordinate units. 320th, 519 if they were still
4 there, any units that were there already. Then you got the 205th that
5 shows up, what was then the command relations? It was either
6 expressed to you or you had knowledge of?

7 A Sir, I would have to say that there was significant
8 resentment towards Colonel Tom Pappas. The 205th MI, no, sir, let me--
9 -----

10 Q You say resentment, I mean, leave the emotions-----

11 A -----sir, I'm gonna say resentment to the point where we
12 all-- we all, in the element were lumped into MI and everybody else
13 at Abu Ghraib. To the point where the 680th MP Company, there were
14 signs because we shared an LSA and I'll give you some examples of
15 that later sir, if you want. Where it was like, no MI allowed spray
16 painted on a wall in a joint LSA.

17 Q What was the command relations there, Colonel?

18 A Sir, I never saw any-----

19 Q Did you see any FRAGO?

20 A. I saw a FRAGO, yes sir, of the 205th-----

21 Q Do you recall what the command relationship was on that?

22 A That everybody responded to Colonel Pappas as the FOB
23 commander

1 Q. You didn't see anything like ADCON, OPCON, attached,
2 assigned, TACON?

3 A. Sir, I've read so many FRAGOs, I don't wanna say, cause I--
4 I, but the concept was everybody there was under the guidance of
5 Colonel Pappas, and specifically I remember a conversation being held
6 after one of these 0900, 1600 type----

7 Q Sure. Well, because you were a liaison from General Fast
8 down to him, liaisoning works both ways.

9 A Oh, yes, sir

10 Q So, obviously you were getting some information from that
11 particular side of the house, and----

12 A Well, sir, sir, I'm going to get there to it for you, sir -
13 ---

14 Q ----you were probably reporting But I'm just trying to
15 clarify, based on your experience, your educational background,
16 military experience, that surely you had some knowledge of what the
17 command relationship would be

18 A Oh, yes, sir. Sir, I knew-- I worked for Colonel Tom
19 Pappas I understood when he came out as the FOB Commander,
20 everybody there worked for Colonel Tom Pappas

21 Q Okay

22 A Explicit What I'm saying is that there was a specific
23 conversation where he had to take the Battalion S-3 from the 320th

1 aside, Major ████████, and highlight, say, "I am in charge." And I
2 believe----

3 Q. You were there when that happened?

4 A. Sir, I was within earshot. Now I'm gonna----

5 Q. Did he talk to Colonel ████████ about it?

6 A. No, sir

7 Q. No. Did he talk to General Karpinski about it?

8 A. Did who talk to General Karpinski, Colonel Pappas?

9 Q. Colonel Pappas

10 A. Sir, he indicated that he had sent her significant e-mails
11 about it. But before I go to General Karpinski, can I go back to
12 what I was saying about the three in that conversation, sir? Just
13 because I remember this distinctly, Major Dinenna then said something
14 about, "Sir, we know you're in charge, you're a Brigade Commander,
15 you're a Colonel." Or something like that "But you're causing a
16 division, a diversity between yourself and everybody else out here.
17 And Colonel Pappas said, "No I'm not, I'm bringing everybody back
18 under one strict regime command "

19 Q. Did you ever ask General Fast why that was occurring that
20 you have an MI Brigade Commander there that was appointed by the
21 CJTF-7 Commanding General to be the FOB Commander?

22 A. No, sir, I never----

1 Q Never Did she ever say anything to you why that was
2 occurring?

3 A. Oh, yes, sir, she did, she had come out on a visit and she
4 had actually taken me aside and had asked, you know, how is
5 everything going, how'd the relationship working? And I said, "Ma'am
6 there is some resentments, some hesitation, whatever you want to call
7 it from the 320th, engineer, everybody that had kinda been there
8 before, of falling under an MI-type command " And she said, "All
9 right, thank you, and how's it working?" I said, "You know, Colonel
10 Pappas is driving on He's got a sergeant major helping out He's
11 bringing Colonel [REDACTED] and the 165th down to enhance the force pro."
12 There had been issues of detainees escaping or the potential for more
13 detainees to escape Colonel Pappas and myself at times, at his
14 direction, went inside the compounds to take a look at the physical
15 security aspects, force pro aspects, things of this nature. And,
16 sir, I'm gonna tell you, a couple times, I said, "Sir, you don't need
17 to be going down in there by yourself or even with me, you know you
18 can have other people go do that for you." But he wanted a hands-on
19 approach

20 Q Did you go down there by yourself?

21 A No, sir. I never went into Camp Ganca by myself, or
22 Vigilant

23 Q What about the hard site?

1 A. Sir, I could never say that I was in the hard site on my
2 own. I either went in with other of my soldiers, or I went in with

3 Q Who are some of those that accompanied you, you know?

4 A Major [REDACTED], Chief [REDACTED], Major [REDACTED], Colonel
5 Pappas,-----

6 Q Chief [REDACTED] is out there right now?

7 A Yes, sir, he is

8 Q Okay, we'll call him afterwards.

9 A. Check, sir.

10 Q So you were always there with somebody?

11 A Sir, there's always some JIDIC person-----

12 Q Except for the night of the 24th?

13 A Actually, sir, there was an interrogation team that was
14 waiting, I believe to take out somebody for an interrogation. There
15 was a Staff Sergeant [REDACTED] and a Sergeant [REDACTED] as well.

16 Q Were they in civilian clothes?

17 A. No sir, they were in DCUs or they may have had their
18 blouses off, but November I'm thinking it was probably cool enough
19 they probably had their blouses on, sir

20 Q. So the two there waiting, but were you both together as you
21 were entering or just coincidentally they were there?

22 A Just coincidentally and, like I said-----

23 Q. Did they participate in the shooting action?

1 A. No sir. No sir, they were off to a separate area based on
2 going down to do a cell sweep.

3 Q. Okay.

4 A But, yes, sir

5 Q Who is Specialist [REDACTED] do you know?

6 A Specialist?

7 Q [REDACTED]

8 A Specialist [REDACTED], I know Specialist [REDACTED] yes sir.

9 She was one of the interrogators on one of the Tiger Teams And, I'm
10 sure you've been told what a Tiger Team is, so I'm not going to bore
11 you with that All right, sir.

12 Q Sure What was her function?

13 A She was a interrogator with one of the-- I think she was
14 in, again. I may be wrong on this possibly, the Foreign Fighter Cell.
15 We had different breakouts for different groups. She headed up a
16 team-- Tiger Team's made up of an interrogator, an analyst, and a
17 linguist Sometimes we were short analysts and sometimes you have
18 one analyst supporting two or three Tiger Teams We normally had
19 more interrogators than we did analysts.

20 Q Did you investigate any of her-- or look into her
21 interrogation practices and techniques?

22 A Oh, yes, sir, and I'm going to be very specific that on the
23 evening of 15 November at approximately 2200 hours, Specialist

1 [REDACTED] with a analyst by the name of Specialist [REDACTED] I forget the
2 linguists name at this point, had scheduled to do an interrogation
3 from a detainee in the Vigilant Facility and I believe they used the
4 site steel. It came to my attention the following morning that they
5 had used an unauthorized interrogation technique for that
6 interrogation. And the way we had set up and structured the
7 interrogation folders was first of all you had to have an
8 interrogation plan. And that included what you were going to use,
9 what kind of techniques and we kind of scripted out kinda like a
10 Coach Walsh from the old forty-niners side of the game. At least ten
11 questions, if you could, that you were going to go with. And that
12 might spin something else out. If somewhere along those lines the
13 interrogation that you decided this wasn't working, you want to do
14 something else. You stop the interrogation, either set them up for
15 another time to go back, talk to your chain of command, and try
16 another approach. Or you go talk to your chain of command at that
17 time. Cause you have a night shift under Chief [REDACTED] Sergeant
18 [REDACTED] d day shift under Captain [REDACTED]

19 Q. So you did have, you did provide some instructions to the
20 interrogators with regards to how to conduct an interrogation plan?

21 A. Yes, sir. And this was a planned process that, sir, I'm
22 telling you we sweated blood for, I don't know, a couple weeks.

1 Q. But you did not conduct interrogations, per se, but you
2 have knowledge of interrogation techniques and practices and how to
3 conduct an interrogation plan?

4 A. Yes, sir

5 Q. All right. How many MI interrogations----

6 A Let me finish what she did on it, sir, if you wanna know
7 what happened Somewhere along this process on her interrogation the
8 detainee, according to her statement, was not becoming compliant.
9 And she started using removal of clothing as a motivating factor.
10 Somewhere along, and I don't know how long the interrogation took, I
11 don't remember at this point Specialist ██████ sent a note over and
12 said, are you sure that this is authorized She wrote back to
13 Specialist ██████ cause I interviewed them both with their NCOIC there
14 and Captain ██████ the interrogation OIC and she said, "Yes, it's
15 authorized " The bottom line was they had the detainee remove all
16 his outer clothing and took him back to Camp Vigilant like that at
17 22, 2230 hours in the evening So, it was getting cold that time of
18 the year Was not an authorized interrogation I went to Colonel
19 Pappas after I read the statements and told him what happened. Told
20 him the immediate action was that I requested that they pull both
21 Specialist ██████ and Specialist ██████ from the Tiger Teams and
22 reassign them temporary duties pending Brigade Commander's decision
23 on it. I said, "Sir, here's some options we can do. Keep them out

1 like that and monitor them Give them a counseling statement. Sir,
2 you can give them UCMJ action, whatever case you want to do, take it
3 with." I believe he spoke to Chief [REDACTED] and Major [REDACTED] on it.
4 One of them went to work CMD, Collection Management Dissemination.
5 The other went to the Fusion Cell Both of them, I understand,
6 soldiered up, did very well in those arenas. I believe Specialist
7 Spencer has been put back on the Tiger Team.

8 Q All right, you don't think that was a violation of a
9 command directive, signed by General Ricardo Sanchez?

10 A Sir, that was my question to the Brigade Commander, was,
11 "Sir, removal of clothing, especially in cool evening hours and then
12 walking back kind of a slap in the face, so to speak. Matter of
13 fact, when I spoke to both soldiers, I gave them a reverse scenario
14 I said, "What if all of us coalition U.S. forces were inside Camp -
15 Vigilant, the Iraqi security forces were guarding us, and you,
16 Specialist [REDACTED] came back with your clothing removed or portions of
17 your clothing removed late at night How would you expect us as
18 American soldiers, or coalition forces to react?" And at that point,
19 I believe, the light bulb kinda came on there, sir.

20 Q So they-- she didn't get an Article 15?

21 A Colonel Pappas chose not to go Article 15, sir.

22 Q So you're saying that the Brigade Commander, somehow,
23 disregarded this thing called, the purpose of all interviews and

1 interrogations to get the most information from a security detainee
2 with the least intrusive method applied in the humane and lawful
3 manner with sufficient oversight by trained investigators or
4 interrogators?

5 A Sir, that's what I'm saying----

6 Q. Slap on the hand, wasn't it?

7 A Yes, sir.

8 Q Anybody else that were disciplined in a similar manner by
9 the Brigade Commander that you know of? Since you are an instructor
10 of sorts ----

11 A Sir, ----

12 Q ----Given in-- that sort of information that there's a
13 certain standard here that was issued

14 A Yes, sir Sir----

15 Q So you don't think you're responsible for that as well?

16 A Sir, I have no UCMJ authority My only alternative at that
17 point was to take it up to General Sanchez or to General Fast

18 Q And you didn't do that?

19 A Sir, I was told to stay in my lane

20 Q Who told you that?

21 A Colonel Pappas told me that

1 Q Colonel Pappas told you that. Seems to me that most of you
2 were kind of knocking heads with regards to compliance with
3 standards.

4 A. Well, sir, I'm gonna tell you that this is probably not the
5 first FRAGO that I was told to ignore by Colonel Pappas. And, sir,
6 there were times that I stood up to Colonel Pappas and refused to
7 execute what I felt was an unlawful order and asked for clarification
8 in writing. And, sir, I never got it. And I----

9 Q Let me read you something, Colonel Jordan. AR 190-8, which
10 is a joint regulation and it, states on here: the inhumane treatment
11 of EPW civilian internees and retained personnel is prohibited. It's
12 not justified by the stress of combat or with deep provocation.
13 Inhumane treatment is a serious and punishable violation of the
14 International Law and the Uniform Code of Military Justice So
15 you're telling me that your Brigade Commander somehow took it upon
16 himself, based on your recommendation, to remove this person from any
17 interrogation practices or mission and that she just was given
18 probably a verbal reprimand or admonition and is now being placed
19 back into interrogation?

20 A Sir, my recommendation was that he pursue UCMJ as was
21 Captain [REDACTED] as was Sergeant [REDACTED] recommendation And what he
22 asked me was, "What have I done at the time? Are they still on the
23 Tiger Team?" I said, "No sir, I pulled them off the Tiger Team and

1 have asked for them to be reassigned to other duties. Sir, this is
2 where they've been reassigned based on Major [REDACTED] and Chief [REDACTED]
3 recommendation "

4 Q. Were there any other interrogators that were accused of, or
5 suspected of, or punished for inhumane treatment of detainees by
6 virtue of their interrogation practices?

7 A Sir, we go back to the night, October 6th or 7th where the
8 three interrogators from the 519th ----

9 Q Those were the only ones?

10 A Sir, that's the only ones that I'm aware of.

11 Q What punishment did they get?

12 A Sir, they got Field Grade Article 15, I believe. According
13 to Colonel Pappas, sir, I never saw the documents, but I did see-- I
14 handled the statements that were provided to me by the 72nd MP Company
15 Commander based on two or three MPs And, quite frankly sir, I got
16 chastised for writing an eight-page SIR on exactly what occurred.----

17 Q Who chastised you?

18 A. Sir, Colonel Pappas

19 Q Boy, you guys are having such a great working relationship-
20 ---

21 A Sir, sir, we never had a great working relationship. And
22 you can ask General Fast that I even came to her late October, early
23 November timeframe, I believe, and asked if there's any way I could

1 be reassigned any other duties. Because I felt since I wasn't
2 assigned to the Brigade, I wasn't on the Brigade staff, that I was
3 constantly butting heads. Not only on issues like this, but issues
4 like a soldier coming in theater without a weapon and being at Abu
5 Ghraib for-- and Balad, being in theater for three weeks without a
6 weapon And this Company Commander didn't know about it, Battalion
7 Commander didn't know about it, Brigade Commander obviously didn't
8 know about it when I informed, they took action. Soldiers being sent
9 out without ammunition by the Brigade staff or Battalions. Civilians
10 being sent out without their protective gear. Abu Ghraib, sir, you
11 obviously know gets mortared, gets hit, missiles everything all the
12 time And, sir, I just couldn't understand that. The safety issue.
13 I was directed, matter of fact, on the evening of the incident of 20
14 September where we lost two soldiers and-- I get emotional about that
15 because if Sergeant-- Specialist [REDACTED] and Sergeant [REDACTED] hadn't
16 been where they were at, myself, Chief [REDACTED], Major [REDACTED] probably
17 wouldn't be here to day cause they took the brunt of the blow.

18 Q How do you feel about those detainees being inhumanely
19 treated?

20 A Sir, I----

21 Q They don't count?

22 A No, sir, I never said that, sir. And I've told everybody
23 and you can ask these soldiers in formation I talked to them and

1 highlighted what Colonel Pappas would say about how you treat folks
2 and that there are Rules of Engagement and I stressed that, and I
3 stressed, and I stressed that, sir. I never stressed that to the MPs
4 sir, because I never felt that was my lane. I understand that they
5 had their own rules of how they handle detainees, prisoners, what
6 have you, and there are two different categories out there.

7 Q But given the fact that you were involved with
8 interrogation operations for whatever reason,-----

9 A Yes, sir -----

10 Q -----in a liaison capacity, do you know that postings of the
11 Geneva Conventions have to be done in such a manner where everybody
12 could see it, to include both U S Military and detainees in both
13 English and Arabic so they understand the left and right limits?

14 A Sir, I do know that the Magistrate Cell at Abu Ghraib had
15 provided those, and I do know that there were times that they needed
16 additional linguist support for those that were illiterate to
17 understand and help sign their Geneva-- I think it's called a rights
18 waiver-- that the-- and I know that they had gone to the linguist
19 manager, I think Chief [REDACTED] to get those folks to go do that
20 and-- and-- and insure that I had seen it-----

21 Q Based on your presence-- based on your presence there, and
22 giving advice to the MPs, you didn't see any of that happen?

23 A. Any negative behavior on detainees?

1 Q. Well, detainees, of course, or the MPs as you said you had
2 limited access into Tier 1A and 1B that given the instructions by the
3 magistrate on the Geneva Convention that they would have at least
4 told you the provisions or highlighted the provisions of AR 190-8.

5 A Sir, I would hope that if they were aware of anything that
6 had gone against the rules of treating people humanely, I'd have
7 heard about it And, sir, if I had, I would have probably reacted
8 like I did the night that the shooting went down and Colonel Pappas
9 had instructed that a lock down of the correctional officers on duty
10 be held because of concern of weapons being smuggled and prior
11 intelligence

12 Q Colonel Pappas ordered the lock down of everybody?

13 A Of the correctional officers, yes, sir

14 Q Of the correctional officers

15 A Yes, sir And he went into----

16 Q So does that tell me then, that Colonel Pappas was then--
17 had control and didn't need to coordinate with the MP Battalion
18 Commander to lock down everybody in that prison? Why would an MI
19 Batt-- Brigade Commander order the lock down to which those people
20 were not under his command and control, which you just stipulated as--
21 --

22 A Sir, I believe they were under his command and control at
23 that point in time as the FOB Commander

1 Q. As the FOB Commander?

2 A. Yes, sir.

3 Q So, that would include then, Tier 1A and 1B?

4 A I'm not sure of the question on that, sir.

5 Q. Question is, you have a hard site.-----

6 A Yes, sir.-----

7 Q -----That hard site was shared by both Iraqi-----

8 A MP, MI, yes sir, and Iraqi prisoners-----

9 Q -----so you just said that he ordered the lockdown to

10 everybody there, to correctional officers and the whole thing. Who

11 did he order that lock down to? The MI personnel or to the MPs?

12 A Sir, I believe he ordered it to the MPs on duty at the

13 time Sergeant Fredrick

14 Q So, in other words, that would then imply then that he had

15 authority to order

16 A Oh, yes sir

17 Q Sure.

18 A And matter of fact, it continued on to-----

19 Q Tier 1A and 1B?-----

20 A Tier 1A, 1B-----

21 Q The whole complex, right?

22 A The whole complex and included the shifts two and three

23 that came on the subsequent days

1 Q. Yeah. I'm just trying to understand from what you just
2 said previously that MI had no control over those folks


3 A. Sir, we're talking a different time frame from when he came
4 in as the FOB Commander. At that point, everything fell under
5 Colonel Pappas whether certain folks wanted it to or not.

6 Q Okay.

7 A All right, sir I did question him about locking people
8 down Second group coming in, third group coming in and they work
9 24-hour shifts, kinda like firefighters, sir So they came in and we
10 were all ordered to meet them at the gate, screen them all, and any
11 of those that had contraband or suspect to take and lock them down,
12 and we act-- I think the final count, sir, was 47 or 48 of which I
13 believe 18 are facing prosecution to include 4 for smuggling a weapon
14 and things of that nature Some got fired, some got fined, but there
15 was a bad presence

16 Q So then that placed in the custody of whom?

17 A The MPs, sir

18 Q The MPs Do you know a Master of Arms First Class 

19 A. I can't place the name, sir

20 Q He's a dog handler

21 A. Okay, sir Navy petty officer or something like that, I'm
22 guessing? Okay There were three canine teams that had come out to
23 Abu Ghraib, yes sir

1 Q Just three?

2 A As far as I know there were only three canine units there,
3 sir

4 Q. There was five

5 A. Okay sir.

6 Q All right So how do you know MA1 [REDACTED]

7 A Just, when you say dog handler, I'm just assuming I saw
8 there were a couple Navy folks in DCUs that had dogs.

9 Q How did you know he was Navy?

10 A You said Master Chief, sir, so I'm assuming Navy.

11 Q Did you ever see him in the hard site?

12 A Sir, I couldn't pick him out of a lineup, but I'm gonna
13 say----

14 Q Did you see him during the evening of the shooting at the
15 hard site? Was he there?

16 A If he was part of the QRF that had been called in to go in
17 because the subsequent information was that there might be
18 explosives, there might be hand grenades, things like that, I believe
19 at that point in time, and I don't know who authorized-- they just
20 showed up because I was chatting with Colonel Pappas and he was
21 putting together an SIR interim report to send up to the JOC. He
22 asked me to go back and check on what the status, who was there and
23 whatever and the QRF was doing a shake down of the lower tier cells

1 with dogs looking for explosives and I believe there were two dog
2 handler teams in there ----

3 Q Okay.-----

4 A ----And I just remember the dogs because----

5 Q On the night of the shooting you said you notified Colonel
6 Pappas following the shooting

7 A Yes, sir. Yes, sir.

8 Q According to interviews, he was never notified by you. He
9 was notified by somebody else. Cause you mentioned there was no way
10 for you to contact him inside the hard site.

11 A I may have called-- I may have called Captain [REDACTED] and
12 asked her to go down and tell Colonel Pappas at that point.

13 Q Why would you do that if you were-- were there telephones
14 in the hard site?

15 A I had to go down to one of the other offices there and pick
16 up a DVNT line to make a call over.

17 Q All right I just want to, for the record, he denies you
18 ever reporting to him that incident

19 A Okay, sir.

20 Q That he was notified after the shooting by General
21 Karpinski So----

22 A Sir, he was there at the-- living there at night.

1 Q. I mean during chronologically there was a shooting that you
2 said you never saw the Battalion Commander or the Company Commander
3 during the entire time prior to going into the cell to do whatever
4 interviews you did with the taxicab driving which is a search on that
5 particular side of the house. Or a search of a suspect that may have
6 subsequently did have the weapon, which is another search. And then
7 you were in fact had control of those guards taking action that
8 resulted in the shooting of a guard and then you mentioned that you
9 then reported that incident to Colonel Pappas to which he denies on
10 his sworn-- since he was under oath yesterday-- he said he never
11 received any report from you and that he in fact received the report
12 from General Karpinski because General Karpinski was notified
13 afterwards

14 A Sir, I totally disagree Here's a copy of an e-mail that
15 says, quote "From Colonel Pappas at 2023, it says 8:23 AM here, says
16 we've got the weapon here, can't tell anything about it except that
17 the Chinese star on the handle means that it wasn't a U.S. 9mm for
18 which I am grateful Am getting details from Lieutenant Colonel
19 [REDACTED] today Frankly this is pretty straightforward. enemy shoots,
20 we shoot back, no Rules of Engagement or training issues whatsoever.
21 I am very concerned about the incident at Ganci because the
22 circumstances are much less clear cut One are the staff needs to
23 get involved in my assessment, as long as IP guards have the run of

1 the facility and we don't have MPs to supervise them full time, which
2 we should, but somehow don't, especially at the access point to the
3 High Value Detainee area One thing I'm looking at doing is cutting
4 off access to all iso cells blocks and making U.S. only. More to
5 follow "

6 Q Okay What do you think is the implication of that, at
7 least the intent that he had already taken control or wants to take
8 control of the facility?

9 A Sir, my basis is that I informed Colonel Pappas immediately
10 after the shooting, I want to say it went through Captain [REDACTED] back
11 and forth because I would get a couple of calls back, please come and
12 help get the interim report going while the dog teams were back and
13 forth And then I would be sent back and forth to update Colonel
14 Pappas Matter of fact, Colonel Pappas came into and asked me to
15 escort him down to the hard site cell and handled the 9 mil and
16 pulled off the Chinese star and all these kind of things, off it,
17 sir

18 Q Is it your understanding that up until the 19th of November,
19 that's the date that he received the FRAGO stipulating that he was--
20 or appointing him to be the FOB Commander, that-- that nobody was in
21 charge of the hard site? MPs were in charge of the hard site at that
22 time But on the 19th and subsequently after that that the MI Brigade

1 Commander had control of all the facilities, to include the camps,
2 the detention camps and as such----

3 A Sir, there's no doubt in my mind it was readily discussed
4 with me at great length sometimes by Colonel Pappas to go relay
5 information from him to the battalion three, to Colonel Phillabaum---
6 -

7 Q Why relayed through you? Why didn't you just tell him?

8 A Sir, my impression of Colonel Pappas is a very smart
9 individual, very bright, does not like confrontations, and therefore,
10 uses someone else to send his message.

11 Q So, in your capacity as liaison officer, you conveyed that
12 to whom?

13 A If he asked me to go see Major [REDACTED] or he asked me to go
14 see Colonel [REDACTED]----

15 Q Regards to stating that I am now the FOB Commander, I'm now
16 in charge of that facility, or I'm now in charge of detention
17 operations You said that he just used you or he utilized you to
18 convey that particular order----

19 A Sir, back to the conversation I mentioned where he and
20 Major [REDACTED] after-- and I want to say normally he had a 0900
21 morning meeting, he came in one afternoon, I believe Colonel--
22 Lieutenant Colonel [REDACTED] was there as well, he introduced who
23 Lieutenant Colonel [REDACTED] was, Sergeant Major [REDACTED] few of the

1 other folks, what his focus was now as the FOB Commander, few other
2 things There was some rolling of the eyes by Dinenna, some other
3 comments, and that's when he took him outside and highlighted that he
4 was in charge of everything there at Abu Ghraib as the FOB Commander,
5 to include----

6 Q To include the confinement facility?

7 A Everything, sir.

8 Q Okay And that was your understanding?

9 A Yes, sir

10 Q Was that conveyed verbally to everybody in that meeting?

11 A Oh, yes sir And I'm talking engineers, quartermaster,
12 everybody that would come to those normal, base camp-type meetings.

13 Q This is after he had been appointed as the FOB Commander?

14 A Yes, sir Now, I can't tell you if it was the 19th or the
15 29th or whenever it was, but it was right in the timeframe and just
16 prior to that, he had pulled myself in, Major ██████--and I want to
17 say it was after 15 November, because Major ██████ wasn't there,
18 that's when he departed--Chief ██████ Captain ██████ whoever else was
19 there, Colonel ██████ I think maybe his Brigade legal officer, and
20 indicated, showed the FRAGO, I've now been appointed the FOB
21 Commander Abu Ghraib in charge of everything that is running here. I
22 understand, not firsthand knowledge, but through other folks that

1 there was a major falling out between him and the sergeant major
2 about that issue----

3 Q. Who was this again?

4 A Sergeant Major [REDACTED]

5 Q And the Brigade Commander And that for some reason
6 Sergeant Major [REDACTED] felt that he-- the Brigade Commander had made a
7 mistake in pursuing or accepting FOB Command and from what I
8 understand, they didn't speak for about 30 or 45 days. Matter of
9 fact, Sergeant Major [REDACTED] stayed at Camp Victory. Colonel Pappas
10 pulled his ops sergeant major, Sergeant Major [REDACTED] out to be his
11 acting FOB Sergeant Major, for lack of a better, and that's the role
12 that Sergeant Major Harris played out there was as the FOB Sergeant
13 Major

14 Q Let me shift gears a little bit Colonel [REDACTED], did you
15 ever give any of the MP guards in Tier 1A and 1B any instructions
16 with regards to detainee treatment More specifically, how to treat
17 them to prepare them for interrogation the next day or during that
18 day with such comments as "give him the special treatment, or give
19 her a special treatment, make it easy for us when we interrogate him
20 the next day?"

21 A No sir, I would never do anything like that If I said
22 anything to anybody, it would be, "You let me know if anything has
23 gone awry on any interrogations " I would talk to even doc [REDACTED]

1 who kind of headed up the medical team that would go in, I guess once
2 in the morning and once in the afternoon to give prescriptions and
3 things of this nature, and said----

4 Q. Who's this person?

5 A Lieutenant Colonel [REDACTED] They were with-- I think a
6 109th Medical unit-- they provided all the medical care for us, but
7 also for the detainees. ----and said, "Please let me know if you're
8 aware of anybody that appears to have been mistreated and any of
9 these kind of natures I need to know immediately, very sensitive "
10 I had a good relationship with doc [REDACTED] to a point where he would
11 come to me and say, "Hey, [REDACTED] out in Camp Vigilant we have a 73
12 year old man who has brain cancer I don't know what intelligence
13 value he has Can you check and see if we can get him released
14 because he's going to die And he's going to die soon " And we had
15 a couple of those kind of instances where, again, there was a
16 procedure Colonel Pappas had in place on any released detainees.
17 We'd have to go get time, say sir, "Pulled the file, I've looked at
18 it, I've talked to the interrogations folks I've talked to either
19 Matt [REDACTED] Major P [REDACTED] Major [REDACTED], Chief [REDACTED] There's no
20 real intelligence value, we're just kind of holding him. This person
21 is a security detainee Sir, if this was my dad, I'd like to have
22 him go home and die at home " In most all those cases, Colonel
23 Pappas went with the recommendation of releasing the individual out

1 and do that And I appreciate-- quite frankly, sometimes I got tired
2 of doc [REDACTED] coming by and saying, "Hey, we really need to check
3 on this guy for dental care," or something like that, you know But
4 I would pursue it, "Thanks doc Let me take this up and go do it "
5 And he had a very caring heart that went out beyond Iraq, American,
6 what have you His whole team did a great job. Never once did he
7 come and tell me of a detainee in either Ganci, Vigilant, or in the
8 hard cell site showing any signs of abuse, or anything along those
9 lines

10 Q You've never seen anybody walking around naked or at least
11 raise any curiosity of-- in your infrequent checks of seeing a
12 detainee naked in his or her cell You never saw any of that?

13 A Sir, I never saw any female detainees unclothed.

14 Q What about male?

15 A Sir, I had seen, at times, male detainees that didn't have
16 all their clothing-- you know, had shorts on, or what have you. I
17 never saw any detainee totally naked

18 Q When was that? I mean, you see folks without their
19 clothing in the dead of winter----

20 A No, sir, I'm not saying-- I'm talking September, October
21 timeframe

22 Q I'm talking about after----

23 A Sir, I never saw anybody----

1 Q Not at all?

2 A Never, never. I did get report from the International Red

3 Cross that [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]

19 Q You had reports of that nature?

20 A Sir, I was told by Colonel Pappas that the International
21 Red Cross finding [REDACTED]
22 [REDACTED]

1

2

3 Q Well, given the fact that you wanted to go inside the hard
4 site, the Tier 1 and-- Tier 1A and 1B to check whether there was
5 compliance of sorts You mentioned that based on these reports or
6 allegations from ICRC or anybody else for that matter. None of that
7 sort was occurring?

8 A Sir, not to my knowledge I'm telling you sir, I'm looking
9 you in the eye, if I was made aware of it, I would have stopped it
10 You'd probably do a 15-6 on me for putting a boot in a soldier's
11 butt All right, sir, I'm telling you I was never made aware of
12 that And matter of fact, when the International Red Cross came from
13 their visit, Colonel [REDACTED] specifically asked me to take them
14 over to the iso area and escort them over and help them out in any
15 area that they had-- if they had any questions about security
16 detainees

17 Q Let's talk about that, in the iso area You said there was
18 a roster of who was in there and who was not

19 A Yes, sir

20 Q Okay Were there specific instructions to put somebody in
21 segregation? And how was that conveyed? Verbal or written?

22 A I'd say it was probably provided verbally and then there
23 should have been some sort of written annotation----

1 Q Some sort.-----

2 A -----in the detainees-- why they were in segregation What
3 was the specific goal to have this person in segregation?

4 Q Who should sign those? Who should sign those?

5 A [Pause]

6 Q Interrogator or somebody.

7 A I would say probably the ICE chief for day shift or night
8 shift because they were the ones monitoring and scheduling the
9 interrogations, they were the ones that were kinda held accountable
10 to make sure that the interrogation folders were up-to-date and
11 current So if any time anybody came to review them and they were
12 briefed off of, and sir, I spent more time running around, being an
13 aide-de-camp, no offense, to visit general officers and folks from
14 the White House, and explaining what a Tiger Team is, and walking
15 them through the ICE and things like this, than I can shake a stick
16 at But there was a lot of those

17 Q Well, I will tell you that those have to be as-- based on
18 the interrogation Rules of Engagement that was approved by General
19 Sanchez, that they either have to be signed by him or signed by
20 Colonel Pappas, nothing less

21 A All right sir, I never, ever saw anything signed by General
22 Sanchez in anybody's interrogation folder that I saw

1 Q Right, but you're familiar with interrogation plans and
2 things of that nature, based on what you just said about Specialist
3 [REDACTED] because she wasn't following her interrogation plan.

4 A She wasn't following her directed interrogation plan, yes,
5 sir

6 Q So, that's part of the interrogation plan is if I want to
7 have this particular detainee was non-compliant, or we sense he
8 doesn't want to comply or answer the questions, he or she is given
9 some sort of a treatment that would either be segregation or some
10 sort of a sleep management plan or meal management plan, and that was
11 either conveyed to somebody, to the MPs, you said either in writing
12 or verbal followed and signed by somebody else

13 A Yes, sir Sir, I would say for isolation, but I know on
14 that case with Specialist [REDACTED] that the person had come out of
15 Camp Vigilant

16 Q Right

17 A So that it was not a----

18 Q But everybody's being interrogated----

19 A ----sleep management or something like that, there was not
20 a----

21 Q Everybody's getting interrogated, whether they liked it or
22 not That's the whole purpose of having a detention operation

1 A. Yes, sir. And at this point I can't understand, sir, if
2 this was just an initial interrogation, first time, second time, I--
3 I can't tell you at this point

4 Q. So, you're not-- are you familiar with Interrogation Rules
5 of Engagement?

6 A Yes, sir

7 Q Which one?

8 A As far as Rules of Engagement for Interrogation?

9 Q The Rules of Engagement before Colonel Pappas arrived or
10 was there a subsequent one after he arrived?

11 A Sir, there were two sets There was a first set and I
12 remember specifically Colonel Pappas directed me to make sure that
13 everybody read it and signed it immediately on my arrival, so I want
14 to say 18th or 19th, somewhere around there, September----

15 Q Do you recall any of the contents of that?

16 A Yes, sir It was like, you know, what was authorized as
17 far as sleep management, meal modification, things of that nature.

18 Q Who gets to approve? Does it stipulate on there who gets
19 to approve and disapprove, that sort of thing?

20 A The way that, if I remember correctly, the way that
21 everything was set down to us from the Brigade was read the Rules of
22 Engagement, make sure everybody's aware of them, down to the very

1 lowest soldier. Any questions sign the document and make sure they
2 understand it At this point I----

3 Q. Do you recall seeing that in the Brigade TOC?

4 A Sir, I was never in the Brigade TOC, unless you're talking
5 about a Brigade TOC at Abu Ghraib.

6 Q Brigade Headquarters at Abu Ghraib?

7 A No, sir. Cause I would call the Brigade Headquarters at
8 the time, the small office that Colonel Pappas maintained and I never
9 saw that posted.

10 Q So you never ventured in the admin area of the Brigade
11 Headquarters? I would imagine that since you're the liaison officer
12 you would have kind of free reign in that particular area

13 A Sir, he never had his 1, 2, 3, 4, 6, nobody out there.

14 Q When he went down to the FOB?

15 A No, sir, never did

16 Q Never been in there?

17 A Sir, I've been in there, but he didn't have his Brigade
18 staff, that's what I'm telling you, sir

19 Q But he had an office in there?

20 A He had an office, yes, sir, and I was in there, yes, sir

21 Q Would you venture in his office? I went to his office.

22 A Only invited, sir

23 Q Only invited

1 A Yes, sir, I never went in unaccompanied.

2 Q That's kind of strange, I mean, you were working for him as
3 his liaison officer, and you had to be invited?

4 A Sir, I would knock on your door out of common courtesy,
5 like anybody else, cause a lot of times he would take a power nap or
6 something He had a Brigade legal officer with him, he had an
7 Assistant 3, Captain ██████████ that lived there, and occasionally a
8 Sergeant First Class ██████████ So, a lot of times there were notes
9 on the door, do not disturb, whatever A lot of times that was the
10 only DSN line we had, if the Brigade Commander----

11 Q So it was kind of-- it wasn't kind of an open setting?

12 A Oh no, sir, there was nothing open about it, it was very---
13 -

14 Q It's kind of hard to imagine there, Colonel ██████████ but let
15 me now show you this, have you seen that?

16 [MG Taguba hands LTC ██████████ a document]

17 A Sir, I saw this sometime in early January

18 Q In early January?

19 A Yes, sir

20 Q When in early January

21 A When I happened to venture out to the facility, sir. I left
22 Abu Ghraib to do a separate mission on 22 December,-----

23 Q Right -----

1 A. ----came back and picked up some gear----

2 Q. Right ----

3 A. ----and that was posted----

4 Q. Okay.----

5 A. ----inside the JIDIC when you walked into the main door.---

6 -

7 Q. Okay ----

8 A. ----But I had never seen it posted prior to that time, sir,

9 and I never saw it----

10 Q. None?----

11 A. ----in his-- in his office, no sir

12 Q. So, based on the memo from General Sanchez, dated 12

13 October 2003, you're stipulating that Colonel Pappas never did do

14 anything to update the Interrogation Rules of Engagement until early

15 January?

16 A. No, sir, I'm saying I never saw this physical sign

17 However, when the modification of the Rules of Engagement came down,

18 Colonel Pappas again directed that an entire formation be held,

19 everybody be read the Rules of Engagement,----

20 Q. And you sign a piece of document?----

21 A. ----and then you read them again yourself, and you sign

22 them and it's maintained by, at the time I believe Sergeant First

23 Class [REDACTED]

1 Q Did you sign it? Sign your portion of it?

2 A. Yes, sir Yes, sir

3 Q I think we have records of that, but we'll take a look.----

4 A Yes, sir And I signed it also, like I say, 18 or 19, the
5 original one.

6 Q Would it surprise you that it has been prominently
7 displayed in the Brigade office area that you mentioned that you had
8 no free reign in since early December? But you did not, since you
9 were not inside there all the time, you never noticed it

10 A Sir, you'd have to show me where it was displayed because
11 there was never any large display----

12 Q Okay Well, we have pictures of where it was displayed----

13 A Okay, sir ----

14 Q ----and it was in the front entrance to the right, you make
15 a left to go to another office, I think, and it was right there, as
16 big as the moon

17 A Check, sir

18 Q So one would not be surprised as to miss it

19 A Sir, all I'm telling you is, that I only remember seeing
20 that when you first walked in the door in the JIDIC in early January.

21 Q Okay

1 A. But I'm saying, sir, that Colonel Pappas was very adamant
2 when the modification came down from General Sanchez that everybody
3 read it and signed off on it.

4 Q So, nobody-- did you have any knowledge of any allegations,
5 suspicion or recorded detainee abuses?

6 A No, sir

7 Q None whatsoever?

8 A Other than what the International Red Cross supposedly came
9 down that Colonel Pappas shared with us

10 Q Okay

11 A I never imagined anything going on other than normal
12 operations

13 Q Since you were involved in interrogation and detention
14 operations, with your presence as the liaison officer from C-2, and
15 the fact of the matter is that you said you were familiar with
16 certain regulations and formats and based on your own experience as
17 an MI officer and your assignments here, looking at your experience
18 factor, Hawaii you were with JITPAC, you were IPAC, you were with
19 732nd MI Battalion at Scofield Barracks, Civil Affairs Brigade, that
20 sort of thing, and all that kind of background Never heard of AR
21 190-8?

22 A The title is?

23 Q Title is, oh glad you asked that question

1 A Thanks, ARs can run together, sir.

2 Q. Title is. Enemy or Prisoners of War, Retained Personnel,
3 Civilian Internees and other Detainees, dated 1 October 1997. Army
4 Regulation 190-8, OPNAV Instruction 3461 6, AFJ131-304 of Marine
5 Corps order 3461.1

6 A Check, sir

7 Q Never heard of that? Not in any of the schooling that you
8 had with-- at the Defense Intelligence College?

9 A No, sir

10 Q Not at Leavenworth, not being as a intel analyst, chief
11 special operations LIC branch at IPAC, company commander, none of
12 that?

13 A No, sir The only time that I've even discussed EPW type
14 issues versus detainees was at Abu Ghraib with the Magistrate Cell
15 when it came down to Geneva Convention and then it was pointed out
16 that there's a difference between the rights for EPWs and detainees
17 The only time that I've----

18 Q None of that, ever been associated with that?

19 A Roger that, sir

20 Q So you never really worked with detainees until you arrived
21 in theater?

22 A On the military side of the house?

23 Q Yeah

1 A Correct, sir.

2 Q. Not at all?

3 A. Correct, sir.

4 Q So there you did not-- what you're stipulating here is you
5 never received any training whatsoever with either interacting or
6 being involved with detainee operations or interrogations operations?

7 A Sir, the closest I even came would be in a division where
8 you run an exercise and you might have EPWs sent back to the RACKO
9 area-- guarded by MPs

10 Q So, nobody ever gave you any kind of special instructions
11 of what your presence was there as an LNO officer?

12 A No, sir

13 Q So, did you take it upon yourself at all to try to do some
14 self-paced instructions on that?

15 A Well, sir, that's why I said I went to the Magistrate Cell
16 to ask differences on that That's why I asked the folks----

17 Q I meant to ask you, who's the Magistrate Cell? Who did you
18 talk to, a lawyer, or captain?

19 A Yes, sir There's JAG officers that run that Magistrate
20 Cell My bad, my bad Captain [REDACTED] forget the other officer
21 that was there

22 Q So, they didn't give you anything specific?

23 A Just highlighted under the Geneva Accord the differences.

1 Q That's kind of strange, let me read you something here

2 A All right, sir.

3 Q Paragraph, I mean, Section 2.6, says, "To protect the
4 persons from acts of violence, bodily injury and threats of reprisals
5 at the hands of fellow detainees, for that matter, a copy of the
6 following notice in the detainee's language will be posted in every
7 compound EPWRP who fear for their lives, who fear that their lives
8 are in danger or that they may suffer physical injury at the hands of
9 EPWRP will immediately report the fact personally to U.S. armed
10 forces personnel at this camp without consulting any representative "
11 You'd never heard of that? That it should be posted somewhere? That
12 anybody who felt threatened by other detainees or for that matter
13 being threatened by guards

14 A Well, sir, if I was aware of that, I would obviously report
15 it To look you in the eye and tell you am I specifically aware of
16 that verbiage and that regulation,-----

17 Q Right.-----

18 A -----no, sir, I'm not Do I have common sense enough to
19 know that you don't mistreat prisoners? Yes, sir And sir, if I was
20 aware of any prisoners being mistreated, other than the serious
21 incident report that we had with the interrogation-----

22 Q When would you typically visit the site? I mean if you had
23 permission to visit the site Daytime, nighttime?

1 A I would say probably-----

2 Q After midnight?

3 A. -----after 10 PM because we normally had a 08 meeting, 0830,
4 09, so 10, 1030, somewhere around there to maybe early afternoon if I
5 happen to come in----

6 Q So you go after like, 2200?

7 A Oh no, sir I was too busy involved in the Brigade
8 Commander's update putting together slides for the next day Doing
9 PowerPoint-- how many interrogations have been done, how many are
10 pre-planned, how many Tiger Teams, how many personnel losses were
11 gone, what the status of the showers were

12 Q So you typically did your visits during the day?

13 A Sir, I was normally not even in there after 1600, if that
14 And normally that was because mortar time normally began about 1930
15 to 2000 hours and I wanted to make sure that everybody, not just MI
16 soldiers-- that everybody had their gear on, they were protected.
17 Matter of fact, I was chastised at one point in time, by Colonel
18 Pappas by not having nighttime interrogations going on Having folks
19 being removed from the ISC area to just the one timeframe, the wood
20 interrogation area because I felt, due to force pro issues and
21 limited computer support that we could hopefully get everybody get
22 their work done as far as interrogations during the daylight hours

1 and then use the computers at night to get the reports in and get
2 them taken care of.

3 Q Okay Listen, we're going to have to take another ten
4 minute break here

5 [The session recessed at 1735 hours, 21 February 2004.]

6 [The session resumed at 1746 hours, 21 February 2004.]

7 Q All right, we'll continue, and hopefully finish up here I
8 just need to ask you several more questions for clarification
9 Again, reminder that we're being recorded

10 A Yes, sir

11 Q In your day to day involvement with Colonel Pappas or
12 elements of this Brigade, or for that matter, was there pressures
13 from higher headquarters that was conveyed to Colonel Pappas or to
14 you that we need to operate 24-7 and we need to get going on
15 intelligence collection?

16 A Yes, sir Very much so

17 Q Who conveyed that then?

18 A I don't know who conveyed that to Colonel Pappas, but
19 Colonel Pappas conveyed that to me and other folks that worked there,
20 Major ██████████, Chief ██████████, Major ██████████, Captain ██████████ the worker
21 element there

22 Q Sure

1 A. Many, many, many times, sir. I think I told you before I
2 was chastised after we lost soldiers and I wasn't comfortable with
3 having them move detainees out at night that we could still get the
4 work done to do that

5 Q Who do you think was giving him-- who did he work for?

6 A Sir, he works for General Wodjakowski and General Sanchez
7 We all know----

8 Q Who was he giving emails to or conveying intelligence
9 information to-- directly to? General Fast, or conveying it to you
10 to give it to somebody?

11 A Sir, he never conveyed-- he took what we produced, or what
12 the team produced A lot of it went into this reporting thing called
13 the HOC, that I believe----

14 Q Human Operations Center, right?----

15 A Yes, sir.

16 Q It was all given to the HOC? Who operated the HOC?

17 A The HOC actually belongs to Colonel Pappas and the-- as far
18 as the development and the worker bees, I think the 165th kind of
19 headed up for the entire time that I was out there----

20 Q Tactical Exploitation Unit, right?

21 A Yes, sir. I believe he also sent a lot of the reporting
22 into the CJ2X, Colonel ██████████, who's on General Fast's staff. How
23 much he sent directly to her, I'm not sure. A lot of the products

1 also went to the intel fusion cell at Camp Victory, which is, again--

2 --

3 Q Sure Did he attend those meetings, did he carry this
4 information with him personally, or was that conveyed, or was that
5 given to you to carry to the HOC or the intel fusion cell?

6 A It was electronic setup where you kinda dump it into a
7 portal----

8 Q Got it Then it goes, it gets flashed.

9 A Yes, sir

10 Q Okay So you felt that there was a pressure to get
11 information going and get this suckers going and----

12 A Sir, I'm gonna give you a couple instances where I feel
13 that there was additional pressure

14 Q Yeah

15 A One is that we had a White House staff visit from a
16 representative on Condolessa Rice's staff purely on detainee
17 operations and reporting And we also had a fact-finding visit by a
18 retired colonel by the name of [REDACTED] and a couple folks from
19 UCOM and I think CENTCOM that came down----

20 Q Did somebody include-- did that somebody else also include
21 Major General Miller from task force GITMO?

22 A Sir, I think he was there before my time

23 Q Do you remember Major General Rider who came there?

1 A Oh yes, sir I remember his visit distinctly, yes sir.

2 Q All right, so there was pressure to get-- were you involved
3 in any of the discussions?

4 A Sir, I was just told a couple times by Colonel Pappas that
5 some of the reporting was getting read by Rumsfeld, folks out at
6 Langley, some very senior folks There was some pressure at the very
7 beginning supposedly, again according to Colonel Pappas, that he was
8 getting pressure that the JIDIC was not producing. Eventually it was
9 discovered that the reports were going into a portal to DIA and
10 somebody was stripping off the 205th or the JIDIC label and putting it
11 out as DIA products This was discovered actually by a team from
12 GITMO, a six man team that had come out to assist the structure and
13 organization and who does what and getting a behavioral science team
14 and things of that nature, ongoing So. I would say it is a true
15 statement, sir, that Colonel Pappas was under a lot of pressure to
16 produce, sir, and to produce quality reporting

17 Q Are you familiar with FM 34-52?

18 A Title, sir?

19 Q Intelligence Interrogation

20 A No, sir

21 Q None?

22 A I've seen----

23 Q The unit was conducting intelligence interrogations

1 A Yes, sir. The unit had the FM, I've seen some excerpts out
2 of it. Have I been trained on it, did I read through the whole
3 thing, no, sir, did not

4 Q Never referred to it? Never opened it?

5 A Sir, I looked at it for some guidance on maybe creating
6 target folders because I was going off of civilian experience on
7 doing target folders and what I thought Colonel Pappas was looking
8 for and we eventually, like I said before, got there to it.

9 Q Are you familiar with one of the annexes in the back?

10 A Sir, if it really didn't talk about target folders and----

11 Q Didn't talk about target folders, you weren't interested in
12 it? You're not interested in Appendix J, Geneva Conventions?

13 A Sir, I did review the Geneva Convention with the-- with the
14 legal side there at the magistrate cell

15 Q Okay. Prohibition against use of force?

16 A Sir, that was stated repeatedly in various FRAGOs and
17 discussions with Brigade Commander, yes, sir

18 Q If this was stated repeatedly, how come those four
19 individuals, at least three got an Article 15, you got one that you
20 had to recommend disciplinary action for, was repeatedly emphasized?

21 A Sir, again, your question?

1 Q If this is repeatedly emphasized throughout the Brigade,
2 then why Luciana [REDACTED] or the three others that were disciplined
3 for violations of it-- those particular----

4 A Well, sir, the first three interrogators from the 519th, and
5 I wanna say that happened very shortly after us closing-- 519th was
6 there about a month before everybody else got there sir.

7 Q Well, let's talk about October and beyond

8 A All right, sir What I'm saying, sir, is the 519th had
9 already been there I understand from the investigation that one of
10 the individuals, or two individuals were involved with the death of a
11 detainee in Afghanistan previously, so sir I think there was a couple
12 bad eggs there, and again, CID could not prosecute Colonel Pappas
13 did go with UCMJ That is the only instance that I'm aware of, other
14 than the [REDACTED] interrogation which he chose not to use UCMJ on

15 Q In the chapter 8, joint interrogation facilities, you're
16 familiar with that? Whereby you JIDIC the principals of the JIDIC is
17 related to the formation or establishment of a joint interrogation
18 facility No?

19 A Not especially, no, sir But I did look at the FM that the
20 MPs had on running a detention facility and what their FM
21 responsibilities were versus the MI----

22 Q Ah, 3-1940? So you're familiar with that one?

1 A If that's the correct FM, yes, sir. I went and looked at
2 that one.

3 Q. This one, 3452, establishment of not just EPW facilities,
4 which doesn't talk too much about that. But it does talk about joint
5 interrogation facility to which you are very familiar with, the
6 JIDIC And in the context of responsibilities, it says, "JIF is
7 responsible for the following functions," and there's about a dozen
8 and one on here ----

9 A Okay, sir

10 Q ----And it says, "Coordinate with the provost marshal for
11 all site operations "

12 A Okay, sir

13 Q So, you're not familiar with this particular?

14 A No, sir, but I'm----

15 Q You are now

16 A Yes, sir And I would say that the Brigade coordinated
17 significantly with the MPs-- provost marshal MPs

18 Q Okay

19 A And, again sir, I would have to say it wasn't overly well
20 received

21 Q Well, it doesn't matter if it was overly received or not.
22 There are rules you gotta apply You just don't start making things
23 up on your own I mean, ----

1 A Yes, sir.-----

2 Q. -----you're somewhat familiar with intelligence collection
3 You're somewhat familiar with-- based on your own experience in which
4 you've experienced up there at Abu Ghraib.

5 A. Yes, sir.

6 Q Okay You mentioned that you had to-- you and Colonel
7 Pappas had crossed wires a couple of times-- a few times, with
8 regards to illegal orders or guidance that you received from him.
9 What were some of those illegal guidance? Things that you believed
10 in to be illegal and you wanted clarity on it and he gave you
11 guidance on it What were some of those?

12 A Sir, I got a phone call one afternoon from the Brigade S-3,
13 Major [REDACTED] who said that they were looking to do an operation on
14 black list one, Saddam And that they wanted to have at a ready
15 call, four interrogators and four civilian linguists. And that they
16 would provide two gunship support because the requirement by Brigade
17 Commander and his FRAGO was minimum three vehicles per convoy, one
18 crew-served weapon And sir, there were no crew-served weapons at
19 Abu Ghraib until sometime towards mid-November, something like that.
20 Said, okay, that's great, got gunships, Major [REDACTED] got a call,
21 you were out, here's the mission Tell you what, why don't you get
22 with Chief [REDACTED] pick the best four interrogators you think, get
23 with Chief [REDACTED] maybe pick the four best linguists, whatever you

1 want Get back with Major [REDACTED], be prepared to go, let them know
2 what's going on. So they went through this drill, came back later in
3 the afternoon, Major [REDACTED] was gone somewhere, Major [REDACTED]
4 called and said, "Hey, the gunships fell out," I want to say it was
5 about 1430 that we got the initial call, so the gunship issue fell
6 out around 1730, no about 1430 And said, "Tell you what, can you
7 get us," and it was supposed to be MP gunships from, I don't know
8 which Brigade, which Battalion, didn't ask. "Can you get us two
9 gunships from Camp Victory to come pick the folks up. Major [REDACTED]
10 get them staged at the ECP, they can go in there and be ready beck-
11 an-call if they have to go Or bring choppers in, vehicles are
12 already 100 meters staged off with all the gear, troops just gotta go
13 in and get " About two and a half hours later, Major [REDACTED],
14 called back, spoke with Major [REDACTED] said, "No gunships, no air
15 support, as of 2200 hours, be prepared to go outside the wire and
16 come into Camp Victory " Major [REDACTED] brought this to me and said,
17 "Sir, I said, that can't be the clarification Because we have no
18 crew-serve, we have no nods, we have no tactical communications, and
19 basically thin-skinned HMVEEs So he's asking basically for another
20 transportation company from Fort Bliss to happen " I said, "Let me
21 call and verify with Major [REDACTED] " So I called down and asked
22 Major [REDACTED] said, and I used his first name, "[REDACTED], are you
23 sure that this is the old man's intent?" And the response I got was,

1 in front of witnesses "We all know that there's bad guys out there,
2 this is a war zone, be prepared to execute." I said, "That's a
3 violation of the FRAGO by the Brigade Commander who says minimum
4 three vehicles and a crew-served There's not even a crew-served in
5 Abu Ghraib that we can go sign for." I said, "There's also a Sanchez
6 FRAGO out there that iterates this same type thing. And I said, "I'm
7 not comfortable with this, I'm not going to authorize this, I don't
8 believe Major Thompson's going to authorize this. Would you please
9 get us an e-mail, get us a phone call by the old man, fax us
10 something that approves this " Major ██████████ said, "Roger, out "
11 Never heard back that night Sir, the unusual thing is that that
12 frickin' phone rang and rang and rang from early morning 'til two,
13 three in the morning on questions

14 Q So, what was the guidance? What lead you to believe that
15 was not correct?

16 A Sir, it was in violation of the Brigade FRAGO of minimum
17 three vehicles and crew-served cause we had no-- had no crew-served,
18 we didn't even have the three vehicles

19 Q You went up to Colonel Pappas and confronted him with that?

20 A Sir, I went to Major ██████████ and asked to speak to Colonel
21 Pappas and he said he'd relay it out and never got a call back.
22 Called in to speak to Colonel Pappas, was intercepted by the Deputy

1 Commander, Major [REDACTED] said, "Colonel Pappas doesn't want to speak
2 to you "

3 Q Okay, so what else was there?

4 A That was-- that was the key one because I felt very bad
5 doing this without having some guidance and if they were strongly--
6 they'd have signed off and we would have done it. And, basically,
7 sir----

8 Q Were there others?

9 A I was----

10 Q You mentioned already about----

11 A A 15-6, sir on the death of Sergeant [REDACTED] and
12 Specialist [REDACTED]

13 Q The death of Sergeant [REDACTED]

14 A A different Sergeant [REDACTED]--

15 Q [REDACTED]

16 A ----yes, sir, the two MI soldiers that were killed the
17 night we were injured The 15-6 officer came down to interview
18 everybody, and I had highlighted that the evening I arrived on 17
19 September, there was a mortar attack And again, sir, you see I'm
20 not a ranger, I'm not a Delta guy, I'm not a Group guy, but I do got
21 some training and I wasn't born last night Came out the next
22 morning and said, "Well, we've got a work area here in tents, the
23 Trojan, the communications systems over here. We're all living 50

1 feet over in a hardened old laundry area. There's a very viable open
2 building that's part of the correctional facility but not being
3 utilized. Why can't we just move soldiers in here? Because we got
4 hit last night 200 meters away, and I understand, according to
5 somebody else that Camp Vigilant, where they were outside working in
6 August, had had six detainees killed and sixty-one wounded." And I
7 was told, Brigade says no, I guess it belongs to CPA. So I went to
8 Brigade and asked permission to move the soldiers in there
9 temporarily set, you know, up the communication, just move everybody
10 inside, something hardened other than a tent, and or could I please
11 get sandbags so we can build sandbags up and harden the facility. At
12 this same time I had also gone to the MPs and said, "Why don't we
13 have sandbags maybe out by the tents where the detainees live because
14 of mortar attacks, obviously And I was told that they refused to
15 have them,-----

16 Q Who's they?-----

17 A They, the detainees ----that they feel that whatever God
18 will happen, and-- and that's that I said, "Well, I think I would
19 still put up some sort of minimal protection from the 8260-----

20 Q So the detainees did not want that to happen, but-----

21 A That's what I was told, sir I didn't-----

22 Q You were told that -----

23 A -----speak to detainees and ask them.

1 Q Did you talk to Colonel Pappas about this?

2 A Yes, sir. And he said at that time it was an MP function
3 type thing to do that. So, like I say, sir, that's my second day out
4 there. I called back to Brigade, I said, "Well who owns this
5 facility and why can't we move in?" And I was told by----

6 Q Colonel Pappas was not there yet as the FOB?----

7 A No, sir, this was all the 320th MP, this is early-- late,
8 late September ----

9 Q All right, got it

10 A ----September 17, 18

11 Q Where was the Brigade stationed at? At Victory?

12 A I think they were split between Balad and Victory, sir

13 Q Okay

14 A Okay But Colonel Pappas probably spent on a average three
15 nights a week out at Abu Ghraib A lot of times coming in after
16 dark, sir, you know you got an SUV you stick out out here, you know
17 these kinds of things But, back to the facility, they said, "Well
18 it belongs to CPA, Ministry of Justice, or whoever owns corrections
19 We can't have it " I said, "Well don't they have a representative
20 out here we can go talk to? I'm just asking to occupy space We'll
21 move when they want to put detainees or prisoners or whatever "

22 Q So what happened? I'm just trying to move you along.

1 A All right, sir. Was denied that, unfortunately, sir, I
2 wasn't bright enough to figure I should have knocked the lock off the
3 door and moved soldiers in and asked permission later. And like I
4 say, two nights later, two soldiers died and I carry that because,
5 had they been inside, sir, they-- they wouldn't have been out in the
6 open and they wouldn't have died.

7 Q Was there a----

8 A When the 15-6 was done on that, I highlighted who I'd gone
9 to I'd been told that they had done a risk assessment, that the
10 Brigade felt that it was acceptable risk to-- how they had everybody
11 positioned out there and I said, "Well, then why do you have people
12 sleeping under and other people out working? Shouldn't you have
13 everybody under or everybody out if it is an acceptable risk?"
14 During the 15-6 and before that I asked for copies of that risk
15 assessment repeatedly from Major [REDACTED] and Major [REDACTED] and, sir,
16 never got it, and I look you in the eye and tell you sir, I don't
17 think one existed. And when I made my 15-6 statement by the MI major
18 that was doing it, I was told command had looked at the statement
19 That I needed modify my statement because this 15-6 was only for the
20 families and we didn't want to rub any additional wounds into the
21 family because I did highlight that I'd never seen the risk
22 assessment, that I'd asked for sandbags, that I asked for permission
23 to move into a hardened site. After this, General Karpinski came out

1 and actually gave us the hardened site, and from what I understand,
2 worked with CPA to give us the whole facility. But after the fact,
3 sir.

4 Q To your knowledge, was Colonel Pappas directly involved in
5 detainee operations?

6 A Sir, I would say, selectively. There would be certain high
7 value detainee operations that he seemed to take an interest in.
8 That he would either go into the booth or be right outside monitoring
9 what was going on----

10 Q Besides interro-- that's interrogation, but was he ever
11 directly involved with Colonel Pappas giving him direction on how to
12 treat, feed----

13 A Oh, did Colonel [REDACTED] sir?

14 Q Yep

15 A Pappas to [REDACTED]

16 Q Pappas to [REDACTED]

17 A Sir, I know that there was numerous discussions about food,
18 the bad source of food by the contracting element, this is also
19 highlighted by the Battalion S-4----

20 Q What about guards? Guard mounts, things of that nature?

21 A Oh, yes, sir, he and Sergeant Major [REDACTED] routinely went
22 and did----

23 Q Would go over there----

1 A ----guard mounts

2 Q He was giving instructions to Colonel [REDACTED]

3 A Yes, sir.

4 Q Or was giving instructions to members of the Battalion?

5 A Of the MP Battalion He would find soldiers up in the
6 tower with Gameboys, things of this nature. And when I say soldiers,
7 MP soldiers, they were the only ones that were up there, sir
8 Highlight that, sergeant major would bring it back into the NCO
9 chain, but then he would come back, call me in and be all fired up
10 and I-- I would, "Sir, what do you want me to do to help you out?
11 You want me to go check towers at night?"----

12 Q So he wasn't really-- when he found deficiencies or
13 shortcomings, he would not go directly to Colonel [REDACTED] he
14 would go to you?

15 A Actually, go to his sergeant major, tell sergeant major to
16 go get with the MP sergeant major and work it out and then he'd come
17 back and he'd vent to me I say, "Sir, I'll go talk to the Battalion
18 3 and----

19 Q He just doesn't like talking to Colonel [REDACTED] the
20 Battalion Commander?

21 A Sir, I just don't think he likes confrontations I'm
22 serious sir, I just don't think he's at ease with-- with doing that
23 And I don't think he likes to lose his temper, I've seen him do it a

1 couple of times, and then he'll come back and apologize when, sir, he
2 was right to lose his temper, and-- and-- and chew somebody out.

3 Q. So, he used you-- what specific-- give me a couple of
4 instances of what specific guidance that he asked you or directed you
5 to convey to Colonel [REDACTED]

6 A Sir, about the-- the quality of chow, professionalism of
7 soldiers One of the things the MPs had was that inside the LSA or
8 outside the LSA, they didn't have to wear full battle rattle until
9 after like 1700 in the afternoon. Colonel Pappas came to me and
10 said, "What do you", I said, "Sir I think we should have our battle
11 rattle on anytime we're outside the LSA " "All right, that's what I
12 want, implement that, put that out " So, Colonel Pappas' standard,
13 which I executed, was we go to this, no matter what the MPs do, this
14 is what we want I got chastised by the MP element of, ya know, MI
15 guys doing this, MI guys doing that I said, "We're one team "

16 Q What's kind of interesting-- let me stop you for that.
17 Pappas used you quite a bit----

18 A Yes, sir, he did ----

19 Q convey something, but he had a Deputy Commander named

20 [REDACTED] ---

21 A She was never out there, sir She never spent one night at
22 Abu Ghraib

23 Q Okay, you had an S-3, okay, that chain of command

1 A. Yes, sir.

2 Q But he referred to you as his deputy.

3 A I've never heard that sir.

4 Q Cause I asked him directly.

5 A All right, sir

6 Q He said, "He was my deputy."

7 A Well, sir, I take that as a complement, I guess never
8 thought that he thought that highly of me, sir

9 Q All right, so with that particular reference to you--
10 besides chow, what about direct operations with those guards in Tier
11 1A and 1B?

12 A Nobody had any real handle on anything in there, sir. I
13 mean, occasionally Colonel Pappas would even take a stroll, with
14 Sergeant Major [REDACTED] or somebody, he never found anything in there
15 that I'm aware of, sir ----

16 Q Was it an understanding that that particular operation with
17 the detainees in there on both sides, with MP guards there, dual
18 shift, daytime, nighttime----

19 A Yes, sir ----

20 Q ----was it a common understanding, to your knowledge, that
21 that was under the command and control of the MI Brigade?

22 A I would say as of 17 November, yes sir, before then, I
23 would say it was under the MPs and basically [REDACTED] I

1 believe it was Captain [REDACTED] deputy or XO just for that, he had no
2 other role that I understand in that unit, other than that
3 corrections-type role.

4 Q Did you ever meet General Karpinski

5 A Sir, I saw her out there probably three, four times----

6 Q Did you have any direct contact with her?----

7 A ----and in a couple briefings Sir, just asked her one
8 time what she did in real life, cause I was curious what a-- quite
9 frankly a female, MP Brigade Commander Reserve does because I'd heard
10 a statement she made one time that, it's not that detainees don't
11 have rights, it's just that they don't have as many rights

12 Q Okay

13 A And she said-- I believe she's from South Carolina and
14 she's some sort of business consultant So she wasn't in law
15 enforcement or corrections or something that I would assume that a
16 Reserve MP officer to be in

17 Q Sure Okay, so, again I just want to reiterate that it was
18 common understanding, yourself included, that Tier 1A and 1B because
19 of the high value of those detainees when they're under the command
20 and control of the 205th MI Brigade, under the context of being the
21 Forward Operating Base Commander

22 A As of 17 November----

23 Q As of the 17th of November----

1 A. Check, sir, if that's the right day, sir----

2 Q Yes, it was about the 19th of November

3 A Check.

4 Q. Okay. Who are you assigned to now?

5 A Sir, I'm on a two-year recall to Intelligence Security

6 Command, Fort Belvoir. I was attached for a six-month, one of those

7 179 CENTCOM day tours to CJTF-7 Been extended out, I volunteered to

8 extend out an extra three months, based on a request from General

9 Fast, I'm doing a couple other issues.

10 Q Who's your rater?

11 A My rater right now, sir, is a new colonel, just came on,

12 [REDACTED] He's a British Colonel, the deputy C-2 and General

13 Fast is my senior rater

14 Q Up until that time when you reported mid-September, you

15 were an Individual Augmentee? You were here by yourself?

16 A Oh yes, sir Attached to CENTCOM and then further against

17 a specific paragraph and line number

18 Q I understand you're on a special mission, so I'm not going

19 to dwell on that

20 A Sir, I can talk with that, if you like It's not a great

21 secret----

22 Q It's not relevant to this, so I prefer not to so we don't

23 get lost Once again, you have no knowledge of or anything that was

1 conveyed to you with regards to detainee abuses that you either
2 observed or have personal knowledge of?

3 A. No sir, and sir I'm gonna tell ya, I'd like to go back one
4 other time you had talked about a instance with things with Colonel
5 Pappas and some of the issues with. Sir, we butted heads but I
6 executed what he told me to do, I'm a soldier, sir, ya know. And he
7 did----

8 Q Did he ever give you specific instructions to convey to the
9 guards or to the 372nd chain of command on-- with specific
10 instructions on how to set the conditions for the detainees to be
11 prepared for their interrogation?

12 A No, sir But, like I say, there are some times that
13 Colonel Pappas took a specific interest, one case I know that he took
14 an E-5 female, Sergeant [REDACTED] and gave her his O-6 regalia His
15 Kevlar, his soft cap, his blouse for her to go in and portray from I
16 guess a psychological standpoint female senior in charge to a male
17 detainee, or I think there was a couple on the specific group----

18 Q And it was done?

19 A Oh, yes, sir

20 Q Inside the hard site?

21 A Oh, yes, sir

22 Q Just as a demonstration or something?

1 A. The fact that he thought it was a technique to possibly get
2 the detainees----

3 Q Intimidate somebody?----

4 A ----to, not so much intimidate, but to make them maybe feel
5 uncomfortable having-- in an Iraqi or Arabic culture, speak with a
6 female as in charge ----

7 Q Technique----

8 A ----There was a couple times where-- there that I can tell
9 you that I know General Sanchez was in our knickers-- I'll take a
10 proverbial our knickers to get more information from the detainees.
11 He'd come out on a couple of visits and on one visit, sir, first time
12 I ever briefed General Sanchez, Colonel Pappas had me get up and
13 brief in my force pro what we had done following the mortar attack to
14 do that to include I had developed an LSA fire plan, I had rehearsed
15 troops, sir, there's nothing in my job description as LNO to do that.
16 But I saw a need, I took it to him, "Sir, would you like me to
17 develop an LSA fire plan for troops, sandbags, put things here
18 Would you like me to rehearse and this is what I'm gonna do "
19 "Check, say, hey I like this, this is good, go with it " "All right,
20 sir what do we do with civilians " These kind of issues And-- and
21 again, I spent a lot of my time doing those kind of things to make
22 that happen The night that ██████████ had that interrogation
23 on 15 November, it sticks out because that's the night I moved up to

1 the LSA with the rest of the MI folks that were sharing it with the
2 680th MP Company And, sir, within 18 hours, I had a female that was
3 propositioned. An MI specialist propositioned for sexual favors by
4 an MP NCO Turns out this MP NCO had provided alcohol to this
5 soldier and another MI E-4 who had gotten sick and was vomiting in
6 her room, that's why I got woke up. Went to the Battalion Executive
7 Officer, Major [REDACTED] because Colonel [REDACTED] was unavailable
8 He was out of country or somewhere They went to the Magistrate
9 Cell They went and did a search of that area. They found alcohol,
10 sir, there were troops with illegal pets. All these things in
11 violation of General Order One Looked like there were apparent
12 hookers there living with couple of the MPs There were five Iraqis
13 that actually hit-- they had brought up with them at Karbala that
14 were living inside their LSA, like had rooms in the-- in the
15 barracks I-- I mean every time I turned left, sir, there was all
16 this stuff coming up, and, ya know, "Colonel Pappas, you're not going
17 to believe this, here's another indication of what is going on."
18 Turned out that the company commander had been suspended, relieved
19 under belief of possible taking nude pictures of female troops in the
20 showers and someone came by and handed a note to one of my NCOs there
21 who said, "Hey if you're looking for alcohol, there's a case of gin
22 in the company commander's SUV " Now, sir, out in the box, I don't
23 know too many company commanders who got SUVs So I found that kind

1 of-- they brought an SUV up with them from Karbala. So, sir, I'm
2 just telling you, that was that kind of environment there that I was
3 handling for Colonel Pappas.-----

4 Q Did-- okay.-----

5 A -----And I have to say that I didn't get all that much more
6 interrogation operations cause I was doing more solider, company
7 commander, first sergeant kind of things.

8 Q Okay Did Colonel [REDACTED] ever talk to you?

9 A Sir, he's not very vocacious [sic] I guess is the right
10 word

11 Q Okay, that's good Captain [REDACTED] had mentioned during his
12 interview that based on-- he said that you were there all the time,
13 so he saw you all the time inside the hard site But you said you
14 had limited access because you had to be authorized access

15 A Sir, can I modify that a little bit?

16 Q Yep

17 A I had limited access when it came to interrogations and
18 monitoring detainees But I was Colonel Pappas' liaison, Deputy if
19 want, in this case with OGA there was a 'agreement' between Colonel
20 Pappas and the OGA folks that ran their detainees-----

21 Q Yeah, but was that agreement conveyed to 320th MP Battalion?

22 A Yes, sir, and I'll explain the consternation, if you just
23 give me a minute I know we're getting short on time. The deal was

1 that they could bring detainees in, they would not put them in the
2 regular screening process or the BATS where you get fingerprinted
3 Cause once a detainee did that, you're kinda in there three to six to
4 eight months. The OGA folks wanted to be able to pull somebody in
5 24, 48, 72 hours if they had to get 'em to GITMO, do what have you.

6 Q Was that agreement in writing?

7 A No sir, it wasn't And again----

8 Q Boy, isn't that kind of strange?----

9 A Sir, I asked for an MOU or something like that, because
10 what I said sir-- sir, I'm telling you, Chief [REDACTED], Captain [REDACTED]
11 Chief [REDACTED] everybody that was there initially when this came up,
12 said, "Sir we need an MOU because even the MPs," Major [REDACTED] said,
13 "Hey, we can't be responsible for them if they don't exist " And the
14 'term' that was used for these kind of detainees was ghost detainees
15 because they hadn't been brought in All right, sir So because of
16 my clearance level back at Langley and some of the folks that I've
17 worked with in civilian life Colonel Pappas said, "I want you to
18 work with these guys, but here's the rules They gotta leave
19 somebody there, they're going to conduct interrogations If they
20 want to use linguists, these kind of things,"----

21 Q So that portends then the thought that Colonel Pappas was
22 indeed directly involved with detainee operations.

1 A. Especially when it came to the OGA ones. That one, sir, I
2 will say is a true statement.

3 Q. Okay.

4 A On top of that, sir, what happened was we had a detainee
5 death out there under the OGA You may have been aware of it

6 Q Yeah, a little bit.

7 A All right, sir And, again, I highlighted the fact, sir,
8 had we had an MOU, we would be protected. At this Colonel Pappas
9 said, "Well if I go down, I'm not going down alone The guys from
10 Langley are going with me "

11 Q. Okay I guess that was the process by which MI and MP had
12 to at least convey some sort of an interaction But as you know, MPs
13 are not skilled in interrogation operations and----

14 A Just like MI aren't good in MP operations, sir.-----

15 Q But then at the same time Okay I think we've got enough--
16 a portion of it

17 A Sir, can I just add one other thing----

18 Q Sure -----

19 A ----you were talking about the focus, and just hit me when
20 I was sitting out there collecting my thoughts General Sanchez had
21 come through on another one of his things, I'm sure you've probably
22 dealt with him, sir, and he's probably not the easiest briefer in the
23 world. And he had asked for specific guidance that Colonel Pappas

1 had provided to the JIDIC element, i.e., taken the commander's
2 intent, putting on paper and saying, "[REDACTED], Chief [REDACTED]
3 Chief [REDACTED], Captain [REDACTED] Major [REDACTED] whoever. This is what I
4 want done " And Colonel Pappas-- and sir, if you ask the folks that
5 were there at this meeting, General Fast is off to the side, said,
6 "Well I do these on," I was about ready to say Friday, sir, cause the
7 intent was you could do them, but we never received one, he said.
8 "Monday" so I'm glad I didn't offer up anything. General Sanchez
9 turned and said, "Let me see last weeks guidance " He looked at me
10 and said, "[REDACTED] can you go get last week's guidance " "Sir, I
11 can't give you what I don't have " But I didn't say that So I
12 looked at Major [REDACTED] as I think we most would, sir, "Can you see if
13 you can pull up last week's guidance " "Sergeant [REDACTED] do you
14 think," and General Sanchez actually went on the computer and we're
15 trying to pull up CJ2X guidance which is not Colonel Pappas----

16 Q So there was no guidance?

17 A Sir there was no-- sir there was no written guidance ever
18 on that aspect Later on, it was forced to come down But, sir, I
19 stood there and I don't know if Colonel Pappas was overwhelmed by
20 stress but I know that at the end of this he took me outside and
21 says, "It's not good when my senior rater puts his thumb in me and
22 says we need to correct things and he's not happy with the management
23 out here " I said, "Sir I thought he was very happy with what the

1 soldiers were producing. He's just not happy that we're not
2 producing what he wanted." And----

3 Q Okay.-----

4 A ----at another time in this same meeting General Sanchez
5 had taken a couple of Tiger Teams apart-- aside and had said, "Hey
6 have you ever thought about this kind of approach?" So he actually
7 took an interest. He told me that he read the target folders, that
8 he had kind of an idea of what-- how that was to be done And then I
9 know that he and-- he being General Sanchez and General Karpinski and
10 Colonel Pappas always had little side sessions out of ear shot of
11 everybody else But----

12 Q Did-- let me ask you one last question

13 A Yes, sir

14 Q You knew [REDACTED] and you knew [REDACTED] and [REDACTED]

15 A Yes, sir

16 Q As you made your frequent visits that you say.

17 A Well, sir I'd see them in the gym, I mean----

18 Q. So, they know who you are-----

19 A Yes, sir.-----

20 Q Okay And the fact of the matter is, you were mentioned in
21 several of their statements, [REDACTED] and some of those other
22 folks Did they ever convey to you any of their concerns about other

1 MI people that may be conveying illegal instructions or you conveying
2 any kind of special instructions on how to handle detainees?

3 A No, sir. And I'm gonna tell you that, I probably took a
4 special more interest in Sergeant [REDACTED] cause he's a cop from

5 [REDACTED] -

6 Q You didn't know anybody-- you didn't know the background of
7 [REDACTED] or those other folks?

8 A I didn't know [REDACTED]. There's an NCO during the day,
9 Sergeant [REDACTED] who lives in [REDACTED] --

10 Q But Frederick, did you know his background?

11 A He's a [REDACTED] but I didn't know
12 it until afterwards

13 Q I see So [REDACTED]

14 A He's a [REDACTED] sir. So----

15 Q So, all right So you know those, cause I'm referring back
16 to the statement what I said if you knew any of the guards and it is
17 coming to some revelation that you were there

18 A Yes, sir I mean-- just basic-- Reservists Like I knew
19 some of the guys from the [REDACTED] ---

20 Q Sure ----

21 A ----Did we associate or hang out? No ----

1 Q So there's no trade-- trading of secrets on how to go about
2 doing detention operations or interrogation operations? They were
3 not even a bit curious of what comes out of the interrogation?

4 A Sir, they never asked me.

5 Q No interest whatsoever?

6 A No, sir The only thing that I can tell you that we worked
7 on a joint venture together----

8 Q What kind of joint venture?----

9 A ----was the International Red Cross had come out for a
10 second visit and there were five or six brand new OGA folks that had
11 come on board----

12 Q Right ----

13 A ----and had not been processed because they hadn't gone
14 through the BAT system and the MOU hadn't been set together And
15 talked to Colonel Pappas, and he said, "You need to move the OGA
16 folks out of the isolation arena and put them somewhere else " And I
17 did come down and I believe Sergeant [REDACTED] and Sergeant [REDACTED]
18 were on shift and they moved them to another area within the facility
19 above where the MP operations area was at

20 Q Did the MI personnel ever give the MPs any kind of a
21 specialized training on the handling of detainees?

22 A Sir, I know for a fact that Captain [REDACTED] Chief [REDACTED]
23 Chief [REDACTED] would talk at length----

1 Q. Not talk, but instructions. Actual training.-----
2 A. Exactly, here's what you do,-----
3 Q Right-----
4 A. ----don't do this-----
5 Q. Right-----
6 A ----don't do this-----
7 Q. Right-----
8 A ----don't say this Don't handle them this way.
9 Q Who were they giving instructions to? Just the guards at
10 Tier 1A and 1B or just the 372nd in general?
11 A Primarily folks in-- in isolation.
12 Q Primarily folks in isolation
13 A Sir, I never saw them give any instruction-----
14 Q Isolation means-----
15 A Tier 1-- 1 bravo, yes, sir
16 Q Okay Are you familiar with the hole? A cell called the
17 hole?
18 A No, sir, I'm familiar with a darkened room that they--
19 Sergeant ██████ called the time out room----
20 Q Okay.-----
21 A But I've never heard it called the hole
22 Q Were you familiar with the fact that there was a partition
23 there somewhere-----

1 A Yes, sir ----

2 Q ----why they placed that partition?

3 A Actually, sir, that was a partition that we provided based
4 on the MPs request.

5 Q Based on the MPs request.

6 A. Yes, sir

7 Q Okay, for what purpose?

8 A I believe, at the time it had something to do with if they
9 brought somebody out that was doing a clothing change or they were
10 taking a garment from or something like that, they didn't want
11 females walking by observing----

12 Q A garment change?----

13 A ----males Yes, sir And were removing-- removing a
14 clothing--for I guess an interrogation technique or whatever the case
15 may be, but they didn't----

16 Q Was this common, I mean, it was okay to remove clothing
17 from people so they can interrogate?

18 A I think, not having----

19 Q Isn't that so?----

20 A ----clothing Sir, I don't think they took clothing and
21 went and interrogated them I think the thing was, they removed
22 their clothing when they put them in the cell and then a reward was
23 if you came back later in interrogation, you got----

1 Q Was that an approved technique to take clothing off from
2 some detainees so-- to modify their behavior?----

3 A. ----clothing back or food. Sir, at the initial point, I
4 was understood that----

5 Q Who said that? Who gave that approval?----

6 A. ----clothing removed. Sir, that was a Colonel Pappas
7 approved approach to take clothing off----

8 Q There's a lot of Colonel Pappas here, Colonel Jordan, did
9 you ever assume any responsibility in your role as a liaison officer?

10 A Sir, if I had told somebody, "Hey take their clothing off,"
11 sir I would have done that Had I told somebody to beat somebody,
12 sir, I'd look you in the eye and say, "Hey I said go beat somebody "-
13 ---

14 Q Sure Okay ----

15 A ----Sir, I've never done that

16 Q I'm a little concerned about your responses, sir

17 A Okay, sir

18 Q Based on your background and your know-how with INS,
19 Langley, things of that nature, that it would appear to me that if
20 there was anything that you would recommend that you were always
21 confronting with Colonel Pappas, but you never ever say in any of
22 your remarks that you submitted any of these violations up to your
23 chain of command, namely, General Fast or even General Sanchez.

1 A. Sir, I had maybe one discussion with General Fast----

2 Q One discussion over the series of-- I've been interviewing
3 you now for the last three hours and I'm kind of gathering some of
4 the remarks you were making on any of the statements and it would
5 appear to me that you were either not taking on your responsibilities
6 as liaison officer to convey some of that stuff.

7 A. Sir, I did highlight solidier safety issues, sir. I did
8 highlight my concern with the push for interrogations and wanting to
9 have quality reporting, not quantity----

10 Q But typically quality gathering-- gathering quality
11 information pressures----

12 A Oh, yes, sir, and one of my big roles was to actually take
13 the reports at night, screen them, and edit them and those kind of
14 things as well, sir

15 Q All right, well, you're going to be subject to another re-
16 interview

17 A All right, sir

18 Q We will notify you, hopefully we can get that done
19 tomorrow

20 A All right, sir

21 Q So, I want to schedule you for a re-interview tomorrow.

22 A Roger that, sir

1 Q Because we're not finished. I want to at least pause here
2 for a moment

3 A. Roger that, sir

4 [Witness was duly warned, subject to recall and excused.]

5 [The session recessed at 1831 hours, 21 February 2004.]

6 [The Article 15-6 session was called to order at 1121 hours, 22
7 February 2004.]

8 [LIEUTENANT COLONEL STEPHEN L. JORDAN, U.S. Army, was recalled as a
9 witness for the Article 15-6 Investigation, was reminded of his
10 previous oath, and testified as follows:]

11 A Sir, sir I provided to Major [REDACTED] earlier

12 Q Okay, you have a question, sir?

13 A Yes, sir, I do Retrospect last night after meeting with
14 you and the board, there are some things I'd like to clear up or
15 expound on if I'm able to, sir, but I'm not sure if I have that right
16 to do that, so I----

17 Q Okay, what is it in reference to?

18 A Sir, one thing that you had mentioned was how often I'd
19 seen General Karpinski or any interaction with General Karpinski kind
20 of And I said I'd seen her there at the prison probably four or
21 five times, and that is accurate, sir On one occasion, she had come
22 to me and had asked if there was any way that MI folks could do a
23 polygraph of unique folks working at the Abu Ghraib facility. One

1 was a linguist she had concerns about on the MP Brigade and another
2 was a senior medical officer there for the Iraqi detention facility
3 for medical concerns.

4 Q Was she asking that because she didn't have the capability
5 to conduct a polygraph herself?

6 A. Sir, I-- I didn't ask her, I just asked, "Ma'am are you
7 asking them to be vetted to make sure they're not a security risk?"
8 And she said, "Yes " I said, "Alright ma'am, I'll take it to Colonel
9 Pappas," which I did He said check with OGA, the FBI folks who had
10 come out there Both agencies said they could do that, but it would
11 take some time for the FBI folks to do it The folks from OGA came
12 out, coordinated and did a polygraph just for a security type issue
13 for the doctor at the prison facility and came up a vetting of no
14 security concerns whatever

15 Q What doctor was it? Was it an Iraqi doctor?

16 A Yes, sir The senior Iraqi doctor that they had an Iraqi
17 facility there that provided additional medical care for the folks
18 from Camp Ganca The security detainees, not the MI hold folks, so
19 to speak, unless there was like some significant thing like they
20 provided dental care because they had a dentist, those kind of
21 things So that was done at her behalf, and again with Colonel
22 Pappas' knowledge saying ask if they can do that, let us know what
23 comes from that I don't believe they ever did the CAT1 linguist

1 concerned, and I don't know why, at this point, sir, I don't remember
2 why that was never followed up on. But that was a case that she had
3 come to me at one time. Another issue, sir, I want to highlight,
4 that when the ICRC came out on their first visit, [REDACTED]

5 [REDACTED]
6 [REDACTED]

7 Colonel [REDACTED] had asked me to accompany the team over there
8 because he had something else going on I believe. I didn't feel
9 comfortable with that, due to security concern. Took the senior team
10 members back over to Colonel [REDACTED] and indicated what their
11 concerns were, what they wanted to do. They did ask Colonel
12 [REDACTED] that they felt they had the need to enter and that they
13 would take responsibility for their own security Colonel

14 [REDACTED] ---

15 Q Was that the ICRC folks?-----

16 A Yes, sir

17 Q Did they know that ICRC has access to all those facilities?

18 A Oh, yes, sir Sir, I underscored that to Colonel

19 [REDACTED] -----

20 Q To include your interrogation sites?

21 A Yes, sir Yes, sir I underscored that for Colonel

22 [REDACTED] because I made sure with the Magistrate Cell. And at that
23 point, Colonel [REDACTED] authorized them to go in there and

1 authorized them to go into the detention detainee cell where they
2 lived to be locked in there with the detainee. And, sir, myself, my
3 ops officer at the time, Major [REDACTED] who's a [REDACTED]
4 [REDACTED], sir, had serious misgivings about
5 that The next time that the International Red Cross came by and
6 wanted to do that, [REDACTED]

7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]

18 So, I can tell you sir, I did have serious misgivings about Colonel
19 [REDACTED] authorized and had them put in and he called down and had
20 the MPs open up the cell door and put them inside, sir

21 Q But, yesterday you mentioned that there was-- that was
22 under the control of the MI Brigade

1 A No, sir. This was before Colonel Pappas became the FOE
2 Commander.

3 Q. Okay So this was before the 19th of November?

4 A Yes, sir I don't know----

5 Q How many times was the ICRC visited that facility?

6 A Sir, that I'm aware of, that I actually talked to ICRC
7 folks, they had a first visit that was a two day visit, first part of
8 October, something like that, maybe mid-October And then they came
9 back They were going to come back two weeks later, but they came
10 back a week later. So, they came back a bit early and I understand
11 they may have come back another time after that, but I don't remember
12 being there when they had come back a third time So, I was aware of
13 one two-day visit, one one-day visit

14 Q Well, given the notoriety of the Abu Ghraib Prison complex,
15 built under Saddam Hussein, and the fact of the matter that we're
16 occupying that I would that assume ICRC would focus on the conditions
17 of those facilities, let alone the condition of the detainees and the
18 treatment by U S military forces

19 A Oh, yes, sir

20 Q So, that's a great assumption, given the fact that that's a
21 very important complex,----

22 A Oh, yes, sir ----

1 Q ----one that would have been perhaps a point of failure for
2 U.S military coalition forces?

3 A. Yes, sir, and I was very, like I say, forthcoming with
4 whoever you want to see, what do you wanna see. Whatever you have,
5 so to do that The other thing too, sir, kinda caught my memory when
6 you were talking with me yesterday and you kept using the word
7 infrequently and sir, I was out there 24/7, seven days a week, and I-
8 --

9 Q Inside the hard site?

10 A No, sir. Inside Abu Ghraib but basically-- and real quick
11 I just wanna kinda highlight I kinda put down just a normal battle
12 rhythm for me Six o'clock PT, what have you, coffee, cereal. Eight
13 o'clock to nine o'clock we had an ops update in the JIDIC Also----

14 Q Who attended those updates?

15 A Normally the interrogation control element, Captain [REDACTED]
16 Chief [REDACTED] the ops officer would conduct it, Major [REDACTED]
17 initially, then Major [REDACTED] when he replaced him I would sit in
18 just to see what was going on as far as information flow, the
19 screening personnel would come in, the senior screening on how many
20 folks were coming in, have we seen any trends, things of that nature.
21 Possibly, if they were available, some of the senior team leaders for
22 the Tiger Teams and eventually it got expanded to include
23 representatives from the 322nd MP Company to come in in case there had

1 been any issues as far as what was going on as far as detainee hold
2 And either Camp Vigilant, Camp Ganci, or in the isolation area, and
3 the MP representatives normally for that were Captain [REDACTED]
4 occasionally Captain [REDACTED]. Sometimes Sergeant----

5 Q Occasionally Captain [REDACTED] occasionally Captain [REDACTED]
6 you say?

7 A Normally one or the other would come. Normally it was
8 Captain [REDACTED] that would attend, but occasionally Captain [REDACTED]
9 would come in his stead if he was----

10 Q What was discussed, what was the format and what was the
11 agenda?

12 A The agenda pretty much, sir, was what was going on as far
13 as the information flow, what was coming in, the number of detainees
14 being brought into the prison. Is there anyway that we could
15 expedite getting some detainees out because there seemed to be an
16 extended period of time that we had a number of detainees that either
17 had no additional interrogation value or had no security status to be
18 there and it was taking an ungodly amount of time to get these folks
19 out. The procedure initially for a release panel was chaired by
20 General Karpinski, General Fast, and Colonel Warren. And I believe
21 it was on Saturdays, I'm guessing on day-- but I believe it was
22 Saturdays in the afternoon for about two hours. And, sir, I was told
23 that average-- average maybe 15, 20 file they'd get through. Sir,

1 there were probably two, three thousand folks there that probably
2 didn't need to be there, and we were very adamant at trying to
3 getting another expedited type release process in place and we did do
4 that But that's why the screening folks would come to say "Hey
5 we've got some folks that came in that we need to catch now to get
6 released so they don't get caught into this three month, four month--
7 --

8 Q Was Colonel Pappas there after-- even before since he had
9 command of the elements that were at Abu Ghraib, not necessarily
10 control of the facility.

11 A No, sir I----

12 Q After he arrived on the 19th of November, was he there?

13 A No, sir

14 Q He didn't attend any of that Who was the senior man?

15 A I was the senior

16 Q You were the senior man

17 A Yes, sir And of course we'd back brief him on anything
18 that was going on, but normally at eight o'clock he was otherwise
19 engaged with other brigade activities or whatever he was doing.

20 Q What reports were you giving CJTF-C-2 in your capacity as
21 the liaison officer?

22 A Just occasionally-- normally I would mention to Colonel
23 [REDACTED] or Colonel [REDACTED] status on, "Hey we got a lot more

1 detainees coming in." One of the things I had done for Colonel
2 Pappas based on the screening issues. The number of detainees coming
3 in was "How many detainees have we recently got from a certain
4 operation from a certain division that we feel had no reason to even
5 be sent up to Abu Ghraib and these kind of things." And those were
6 kinda things I highlighted into the C-2 Like I said, that special
7 committee came up by Retired Colonel [REDACTED] that highlighted
8 those as well And he did a very in-depth study and went and talked
9 with everybody and provided that back, I never got a copy of his
10 final report back, but I did get a letter of thanks for him on some
11 of the other things that we were doing that he thought were in the
12 right direction. So, after that meeting, then there was the normally
13 nine o'clock base update Originally that was chaired by the 320th MP
14 Battalion ----

15 Q This is before? Please couch before and after

16 A Yes, sir, okay, sir Before 17 November, if that's the
17 correct date that the FOB stood up under Colonel Pappas, chaired by
18 the 320th MP Battalion Commander, [REDACTED] He had all the
19 units that were available there attend Initially the 519th had a
20 representative who was the interrogation control officer, their
21 Captain [REDACTED] Eventually she asked me, "Sir, do you mind attending
22 these, because there's other stuff involved as far as engineering
23 support, life sustainment issues, all I really provide is a headcount

1 of MI soldiers here so they know how many MKT meals to get those
2 kinda things. So, basically provided the headcount----

3 Q You were doing that?----

4 A Yes, sir

5 Q. So, again, you had liaison duties, but since you're the
6 senior man on the spot, you're also doing admin/logistical duties?

7 A. Yes, sir

8 Q So, with that couched, would it be fair to day that the word
9 Deputy would have fitted the description of some of the things that
10 you're mentioning today?

11 A Sir, my whole thing on that, and I talked to Colonel Pappas
12 at great length because initially he called me the JIDIC Commander
13 I said, "Sir, I can't be a commander, I'm not even in your Brigade "
14 He said, "Okay, we'll change it to chief of the JIDIC " So, sir, the
15 first time I ever heard the term deputy is when you used it
16 yesterday So, I never ever heard that term before, but again, it
17 was providing information that we knew to the base ops I'd take
18 back any tasking issues that the MPs would have for like base support
19 or what have you, to Colonel Pappas. Eventually I wanna say late
20 October to maybe the first part of November, he interjected the 323
21 MI Battalion there at BIAP to kind of be the bridge between the
22 brigade and the JIDIC staff that was out there However, I only saw
23 the battalion commander or sergeant major out there probably two

1 times. And I had the feeling that before that when the 519th was
2 there that the ALPHA Company element plus was providing all that kind
3 of support that Colonel Pappas had removed. The 519th element--
4 command and control element, the first sergeant, company commander,
5 sergeant major, battalion commander, out of that area. So, there was
6 just a void at that time for somebody to make sure that troops were
7 taken care of

8 Q All right. What else were on the schedule?

9 A Then we had a 1600 afternoon would be a base force pro
10 meeting for QRF missions or the 82nd Airborne Company that was there
11 if they were going to be going out Kinda the areas that they were
12 going to be looking at----

13 Q Based on base force plan, was there a QRF, an IRF, or both?

14 A Yes, sir There was a QRF involved, there was----

15 Q Who was the QRF?

16 A It was an MP element under the 320th that they had pulled
17 together There was a Lieutenant Colonel [REDACTED], was an MP----

18 Q He was the major ----

19 A Say again sir?

20 Q He was used as a major He came down----

21 A Sir, I was told he came down to be the force protection
22 officer----

23 Q Before?----

1 A. Before 17 November, yes, sir.

2 Q. Right, okay.----

3 A There was a RAYCO person there, an engineer, a lieutenant
4 colonel----

5 Q. Rear area guy?----

6 A Yes, sir Who was supposedly doing force pro in concert
7 with Lieutenant Colonel [REDACTED] and these kind of things, and
8 somewhere in there QRF either responded to him or battalion commander
9 or the battalion three for the 320th, I'm not really sure.

10 Q Okay, all right

11 A After 17 November, they still had a QRF capability. They
12 still had-- and I believe that RAYCO was Lieutenant Colonel [REDACTED]
13 or something like that, responded to them, but normally at these
14 meetings, at this point, Lieutenant Colonel [REDACTED], the 165th
15 Battalion Commander kind of chaired him on behalf of Colonel Pappas
16 So same kind of format, they didn't even ever really change the
17 format of what was reported, or how it was report The medical staff
18 would report issues if there is anything that came up for the good of
19 the order, engineer where we stood on force pro barriers, were we
20 getting trailer showers, air conditioning, heating issues, all those
21 kind of things earlier in the day But the force pro thing would
22 kind of tie some of that thing together Part of that force pro

1 issue was a badging systems and how are we gonna do this, and things-

2 ---

3 Q. Okay. That's fine

4 A All right, sir. Then that would probably end about 1700
5 Normally would meet if the colonel happened to be out there before 17
6 November, and he'd average maybe three nights a week out in Abu
7 Ghraib around 1730 if it was any night other than Tuesday, Thursday
8 or Sunday because he did his Brigade update during that timeframe.
9 So then, normally after that he would meet with his ops guy, either
10 Major Thompson or later on Major [REDACTED], sometimes Chief [REDACTED]. And
11 then we would get together after that if there was any outstanding
12 issues that I felt he needed to be aware of, or that he was going to
13 give me guidance on "Hey, I want trailers or whatever " And that
14 might end at 2000, 2030, 2100 what have you Then I'd normally wind
15 up the evening by going through reviewing reports for the day for the
16 analytical content, make any notes, give it back to the ops, say "Hey
17 you may wanna go back try to get more information on this
18 organization, this person, here are some key things you want to take
19 a look at May want to do some link analysis," things like that.
20 And normally call it a night, midnight, 01, whatever the case may be.
21 Q In your role as an LNO, because you have multiple roles
22 then LNO, you were a deputy or whatever you want to call it, you
23 were coordinating for base ops support, that sort of thing. Looking

1 over reports in the JIDIC, interacting with interrogators, been given
2 all these additional duties as required type thing What were the
3 reasons why you would want to go into the hard site?

4 A Glad you asked sir, I made some notes. In some of those
5 cases, on the hard site, I was directed to go in there specifically
6 by Colonel Pappas to work issues of----

7 Q Was that directly to you or part of your additional
8 duties?----

9 A At times there was additional duties and there are other
10 times specifically Colonel Pappas would ask me, direct me to go do
11 something with a specific detainee

12 Q Such as?

13 A Such as we had a detainee named [REDACTED] I may
14 mispronounce it She was a MP hold charged of capital crime, she was
15 pregnant at the time I guess when she was brought in, long before I
16 ever arrived there sir, and gave birth inside prison. She had very
17 great concern over her two older children safety being cared for by
18 paternal grandparents, the Ministry of Justice and Colonel [REDACTED] and
19 his legal team worked on getting the children removed from her
20 husband's side of the family to her parents side as well as getting
21 the young child out of that detention camp facility to have
22 grandmother take care of. I felt confident, I believe the legal
23 folks at the Magistrate Cell felt confident, Colonel [REDACTED] that she

1 had not committed the crime and we were trying to hope to get her
2 released. She later approached Major [REDACTED] ---
3 Q She was a detainee----
4 A Yes, sir ----
5 Q. ----by U S military forces, not a criminal held by the
6 Iraqi police?
7 A No, she was a criminal held by the Iraqi police.
8 Q. But, she was already----
9 A She was awaiting prosecution, sir
10 Q Awaiting prosecution
11 A Yes, sir. And what happened was----
12 Q But for some reason, U S Military Intelligence folks were
13 interested on this particular prisoner, she was a prisoner
14 A Yes, sir After she had gone to Colonel [REDACTED] and the
15 Ministry of Justice folks to say she was----
16 Q Was she already a convicted criminal?
17 A No, sir She was awaiting prosecution
18 Q Okay But she is not part of the detainee-- she is not a
19 person holding an ISN number?
20 A No, sir Not-- not to my recollection
21 Q How did this information come about?
22 A She approached Colonel [REDACTED] ---
23 Q. Who's Colonel [REDACTED] ---

1 A. He was the folks from the Ministry of Justice who handled
2 issues for juvenile and females for incarceration.

3 Q. Okay.

4 A Colonel ██████ had approached initially Major ██████ and
5 just said, "Hey----

6 Q Please be brief on this----

7 A Okay, sir Anyways, long story short sir, she came up with
8 information that her family had some sort of ties, connection
9 knowledge of Black List One and where he was, and again sir, I don't
10 got the right dates on this, but I wanna say it was late September,
11 early October, she told Major ██████ and one of the interrogators
12 through translator some things, went back, had him ask some
13 additional questions on this, she came up with it He had a big
14 white beard that he was basically living in a hole that he was
15 driving a taxi and kind of gave a general location And, sir, when
16 Saddam was taken down, he had a big white beard, he was living in a
17 hole, and he had a taxi about a hundred meters from where he was at
18 And I understand that he would drive that taxi solo, which she told
19 me, told us, and quite frankly sir, I thought that was the most
20 lunatic thing I ever heard of in my life, but sir, we reported it,
21 put it in the system and you know what, there were some other
22 ticklers that came in from somewhere else, they consolidated that and
23 that's what they used to do that So, based on that belief that she

1 was trying to be truthful and stuff and that she hadn't committed the
2 murder and these kind of things, we worked hard with the Magistrate
3 Cell and the Ministry of Justice of getting her a pardon or parole as
4 the case could be. And, sir, I got to know her family because they
5 would come visit. Sir, I got kids, she's got young kids, we would
6 make sure that she was taken from the facility in a separate area to
7 meet with her parents and to see her children so they would not see
8 her in a prison environment, these kind of things. So just-- none of
9 my real duties sir, they asked me, "Hey could you help us out with
10 getting some jobs or something." I got one of the brothers a job as
11 a welder there at Abu Ghraib once he was vetted and he could work on
12 the facility. So, sir, I'm just saying-- and it really doesn't go to
13 these kind of things, but I just want to tell you that I thought we
14 tried to do the right thing when we had the information flow
15 available and ready on us, sir. Back to these morning meetings, I
16 want to highlight again, I talked about doc [REDACTED] on the medical
17 staff and he and I both, and I mentioned that I'd seen naked
18 prisoners there in the-- in the MP wing and there were two in
19 particular. Both had some sort of mental issues, both would tear off
20 clothing, one in particular would throw feces or blood at folks.----

21 Q We already know those ----

22 A All right sir ----One refused to eat and would have to be
23 taken to-- I guess given intravenous. I saw him a couple times in

1 there with the medical folks were doing that. He was-- he had a
2 blanket, he was covered, but coming in and out of the cell he
3 wouldn't keep his clothes on, whatever the case may be ----

4 Q All right ----

5 A. ----But, again I racked my brain sir, I never ever remember
6 seeing any naked female detainees on any given time. And those two
7 that I saw was always in the presence of medical folks or other----

8 Q Or male detainees----

9 A Say again, sir?

10 Q Or male detainees

11 A They were male detainees, those two, sir And, I believe
12 both of the were on an MP hold and they were trying-- I know we
13 mentioned, doc Anderson and myself in particular to Colonel
14 Phillabaum, "Sir you gotta do something to get these folks outta
15 there because they're mentally unstable " So----

16 Q We'll get to that because there were statements made that
17 some of the interrogators were complicit to some of that treatment.

18 A To those two people?

19 Q Not to those two people, but to other detainees who were
20 stripped of their clothing And you had firsthand knowledge about
21 Luciana Spencer doing that sort of thing

22 A Sir, I had knowledge after the fact that she did that.

1 Q. Well, at least knowledge that the interrogators were doing
2 that sort of thing.

3 A. Sir, that was, again the only time I had heard that
4 clothing had been----

5 Q Well, it's not how you had heard, it was actual fact. On
6 which you said you took action, or recommended to take action

7 A Yes, sir

8 Q That was indeed happening, not just with the MPs but with
9 the interrogators as well

10 A In that one instance that I was aware of? Yes, sir

11 Q Did you report that as part of your report to CJTF-7 C-2?

12 A Sir, I may have mentioned that to Colonel Tarrington, yes,
13 sir

14 Q What about to General Fast? That there were things unusual
15 that were occurring between interrogators and MPs And if you think
16 that that was unusual, Colonel [REDACTED] then in your capacity, because
17 you're telling me that you've been going to the Magistrate to what is
18 the left and right limits with regards to treatment of detainees,
19 then it would have been your moral responsibility as an officer in
20 the United States Army But your telling me that your right and
21 wrong that you should have reported that?

22 A Sir, I did take it to the brigade commander immediately
23 when I was made aware of it, so, I did mention it to Colonel

1 [REDACTED] somewhere along the lines, again I didn't see Colonel

2 [REDACTED] every day face to face unless I made a trip into----

3 Q Well I've got statements here, sir, that indicates that
4 there were some folks that were just doing the wrong thing, which
5 kind of leads me to believe that even though there were constant
6 reminders and notification, the brigade commander interrogators were
7 on their own, especially the ones who were either contractors or
8 whatever have you That would lead me to believe that between MPs
9 and MI, folks were doing their own thing And leaders were either
10 present when the suspicion was going on or even rumors were going on.

11 A Well, sir, I never had any rumors, I never had any
12 suspicions of any civilian contract employees doing anything wrong

13 Q Now, do you know one of your contractor linguist, anybody
14 check on their security, their background checks?

15 A Yes, sir, the CAT2 linguists are screened for security
16 reasons and given a Secret clearance access

17 Q Are you absolutely sure?

18 A Sir, I'm told that every----

19 Q Are you 100% sure?----

20 A That every linguist has gone through the INSCOM screening
21 and been----

22 Q Yes.

23 A Sir, since I don't do that, sir I couldn't tell you.

1 Q But they're dealing with interrogators with sensitive
2 information whether they're translating or not, I mean, these are
3 intelligent people.

4 A Oh, yes, sir

5 Q Yeah.

6 A But we have verifiable that they do have Secret security
7 clearances-----

8 Q I will tell you that you have at least one there today that
9 do not have a security clearance

10 A A CAT2 linguist?

11 Q I don't care what CAT he is, he's in there.

12 A Okay, sir

13 Q And he's doing interrogation of Tier 1 and Tier B, 1B
14 detainees

15 A Okay, sir

16 Q And doing a special mission that you are probably involved
17 in I have not notified anybody yet, but I will certainly do. And
18 some of these contractors, to include the ones with military
19 experience, sir, don't even know the friggin' Geneva Convention and
20 how would it affects them as a status should they be captured by
21 anti-coalition forces All right So you have some shortcomings in
22 even your system.

1 A. Okay, sir. All I'm going to tell you sir, as far as CAT2
2 linguists, I know that CAT2 linguists require a secret security
3 clearance to come in and that the----

4 Q Well I would think that just about every linguist that is
5 working with the JIDIC since they are working in the JIDIC.

6 A Sir, as far as I'm aware of, there has never been a non-
7 cleared linguist working.

8 Q There is one

9 A Okay, sir. I'm-- I'm not aware of that, sir, this is the
10 first news I've heard that we have a non-cleared linguist.

11 Q That's what I'm saying, it's the first time you've heard.
12 Somebody should be checking on these people

13 A Yes, sir

14 Q Okay

15 A And, sir, I agree with that And again, sir, I'm not an
16 interrogator I don't do interrogations I was never authorized to
17 do interrogations

18 Q But you're involved with interrogation operations, sir

19 A Sir, I'm involved with taking the information from
20 interrogation operations and answering----

21 Q Colonel ██████████, you are involved, you don't specifically
22 interrogate, but you are involved with interrogation operations.

1 A No, sir, I'm not. I am specifically taking the information
2 that comes in from the interrogation operations as we would from
3 signals intelligence, imagery intelligence, putting it together and
4 making it actionable intelligence to support the coalition forces,
5 JSOTIF what have you

6 Q All right.

7 A Okay, sir.

8 Q. Anything else you want to add before we proceed?

9 A Just sir, like I said-- talked about what my initial focus
10 was there And eventually that focus expanded based on Colonel
11 Pappas from just reporting, proper formatting, developing ad hoc
12 report connections, link analysis, those kind of things. Creating
13 target folders, worked with Colonel Pappas and his team to set up the
14 interrogation plans, those ten scripted issues of all those kind of
15 things that would go on And I'll go on record to say, sir, that I
16 also did observe screening processes and things coming in I
17 observed the MPs on how they did their in processing and things like
18 that But I never did screenings, I never did MP processing, but I
19 was aware where they were doing that or what their mission was. And
20 one of the things I'd like to add on that screening MP processing,
21 sir, day two, day three, when I was getting a tour of the layout of
22 the facility, I walked in and passed where the MP elements at, they
23 had these sandbags up that looked like they were being used for

1 hooded security on detainees and there were signs on them that said
2 things like, 'kick me', 'I'm stupid', 'I don't play well with
3 others.' And sir, I took offense at that and went and mentioned it
4 to the Battalion three and the next----

5 Q It appears that you're all over the place, Colonel [REDACTED]
6 except the Battalion Commander, the Brigade Commander, the S-3, who
7 seems to be seeing the same thing, or at least if were seeing the
8 same thing, were not taking corrective action But you're all aware
9 of all this stuff

10 A Sir, what I'm saying is I mentioned it to them to have them
11 taken down and the next day----

12 Q What would you have done, I mean, you knew it was wrong.---

13 -

14 A Sir, I don't know if it was wrong, it just didn't look
15 right ----

16 Q Okay, well if it didn't look right, if it didn't look
17 right, Colonel [REDACTED] then it ain't right I mean, you're an
18 educated person ----

19 A Yes, sir.----

20 Q ----You know about the Army values.----

21 A Sir, I know about the Army values ----

22 Q ----You know about the Geneva Convention.----

23 A I know about the Geneva Convention ----

1 Q. If it didn't look right, then it ain't right.

2 A Sir, I'm just telling you, I saw something when I came in
3 the first couple of days I was there, mentioned it, the next day I
4 went by, or next two days, they were down, sir. So, again, I didn't
5 think it was a on-the-spot correction Colonel [REDACTED] had to make and
6 maybe in retrospect I should have, sir

7 Q Well, you've been a company commander.

8 A Roger that, sir, four times, yes sir.

9 Q Four times, well daggonit, well, you know if it ain't
10 right, you correct it on the spot, sir.

11 A All right, sir

12 Q Couple of statements

13 A Yes, sir

14 Q Do you know a [REDACTED]

15 A Can you give me a unit sir, and that might--

16 Q Contractor

17 A Doesn't ring a bell, sir

18 Q Do you know a [REDACTED]

19 A I know Sergeant First Class [REDACTED] who's the ICE ops NCOIC
20 during the day shift

21 Q Okay. Do you know of an incident where both or either one
22 of them were involved with a detainee named [REDACTED] who was
23 supposedly thrown out of a vehicle while he was handcuffed?

1 A. No, sir

2 Q So you have no knowledge of that?

3 A. Sir, no sir, I do not.

4 Q All right Do you know an [REDACTED]

5 A Translator?

6 Q. I would imagine so, yes.

7 A. Yes, sir

8 Q Okay Do you know that he was involved in some of the

9 allegations?

10 A Sir, I've been told that, yes, sir.

11 Q You've been told? Given that he was involved, do you know

12 that there were any corrective actions done by the brigade to train,

13 retrain all these translators that their responsibility limits them

14 to translating and not being involved with handling or treatment or

15 even showing up at the access, or not have access-- limited access to

16 Tier 1-- 1B unless they are specifically directed to?

17 A Sir, yes sir And I specifically, specifically, with CW2

18 Rummager and with Major Mike [REDACTED], took all, all the translators

19 from TITAN and numerous occasions when I first came on board said,

20 "You're not authorized to be down in that facility--" where they were

21 getting very chummy, let's call it, with the corrections personnel

22 Smoking, joking, whatever, understand a few of them initially before

23 I even got there had spent the night. I said, "You're not authorized

1 to do that." And my concern was not only OPSEC but later on the FBI
2 came and said that one of the TITAN CAT2 linguists, and they didn't
3 know where in the country, or maybe two, was possibly providing
4 information leading to possible anti-coalition force type attacks.
5 So we kept a very tight hold, matter of fact Major Thompson, I
6 believe, briefed them one point that if they were seen in that area
7 unauthorized, that he would contact TITAN and have them removed if
8 not possibly fired. Additionally, there were female soldiers that'd
9 come up to say, "Hey I feel uncomfortable around this one or two
10 individuals. They're very friendly, hasn't gotten to sexual
11 harassment, but it's gotten to a point of I don't feel comfortable."
12 Again, I called them all in, I said, "Let me look you in the eye and
13 tell you, that if you want to touch somebody or if you want to say
14 something to somebody, pretend you're saying it or touching me and
15 how I would react, or more so how you would want somebody to touch or
16 say something to a female relative." And I also expanded that to
17 say, sir, on alcohol. I understand that CAT1 linguists over in the
18 MP site possibly were supplying the alcohol to the MPs.

19 Q So there were linguists from the MPs and linguists with the
20 MI?

21 A Oh, yes, sir.

22 Q How many linguists were, that you know of since you're--
23 seem to know or have familiarity, more than a familiarity up there?

1 A Sir, TITAN at one point when I was there I think the max we
2 had were 21 linguists that were CAT2----

3 Q. For?----

4 A ----for MI I believe the MPs had four or five But the
5 MP ones, with the exception of one or two were all CAT1s, i.e., they
6 don't have the Secret security clearance, they're not quite screened
7 and what have you So you always had to be careful of what kind of
8 information was shared In fact, I had asked the TITAN
9 representatives specifically what the rules were because the
10 linguists were always asking Chief ██████████, coming to me, going to
11 other folks, saying, "Hey we'd like to go visit our relatives in
12 Baghdad We'd like to go here, we'd like to go there." They brought
13 a statement to work and said they were not authorized any
14 unauthorized trips out, these kind of things Matter of fact, we
15 were advised one day that there were four linguists that had gone
16 outside the wire Colonel Pappas directed myself and Lieutenant
17 Colonel ██████████ to wait for them because supposedly they had gone out
18 the north area My concern, sir, was not so much they'd gone out,
19 but if they'd gone out and got back in and were unseen getting back
20 in, that meant that we were vulnerable to enemy penetration. Turns
21 out that they'd rode out, I guess, with a contractor through the MP
22 gate, flashed their white DOD ID cards and came back in and nobody
23 thought to ask what they were doing.

1 Q So, again, in that particular instance was Battalion
2 Commander-- MP Battalion Commander notified about that particular
3 incident?

4 A Of the linguists going out the gate?

5 Q Right

6 A Oh, yes, sir And matter of fact, Colonel [REDACTED] directed
7 that we contact TITAN, we contacted the CJTF-7 linguist manager,
8 Major [REDACTED] They pulled them back in, mentioned it into General
9 Fast, she called them in and there was a concern that we were so
10 short CAT2 linguists cleared that they would give them letters of
11 reprimand instead of removing them, sending them back home and
12 sending them out to other areas, such a Fallujah and Ramadi or give
13 them the opportunity to go home

14 Q Okay Do you know a detainee by the name of [REDACTED]
15 [REDACTED]

16 A Sir, I believe [REDACTED] the individual who tried to shoot
17 me on the night of 24----

18 Q Tried to shoot you or shot you?

19 A Tried to shoot me, sir He didn't shoot me, knock on wood,
20 sir, cause I didn't have plates on I'm very glad he didn't shoot
21 me, sir

22 Q Okay Who is an interrogator by the name of [REDACTED]

1 A Sir, I would need to know more last names because I believe
2 there were two [REDACTED] -- civilians, if you're saying civilians not
3 military, that were there

4 Q Which-- describe those two individuals please.

5 A One [REDACTED]
6 [REDACTED] n,

7 [REDACTED]

8 Q Who would have responsibility for this guy named [REDACTED]
9 [REDACTED]? Since you know of him

10 A Well, sir, I believe he was obviously an MI hold because he
11 was part of that Syrian team that came in----

12 Q Which one of those [REDACTED] was involved with his
13 interrogation?

14 A Sir, I-- I don't know because I didn't direct the
15 interrogations, I'd have to ask Captain [REDACTED] Chief [REDACTED] or one of
16 the team leaders----

17 Q Do you have any knowledge of [REDACTED] or his partner taking
18 him near the prison complex and putting a pistol to [REDACTED] head
19 and threatening to kill him?

20 A No, sir, not at all Sir, the other question I would like
21 asked is how did a civilian interrogator get a weapon?

22 Q I'm just asking?

1 A. Sir, I'm-- I'm telling you, those guys repeatedly were
2 seeking weapons. They actually had a meeting one day where they felt
3 that they were going to have to quit and they were kind of hold up--
4 I called it extortion to Colonel Pappas-- trying to hold him up to
5 say, "We fear for our lives here, we need to be armed, and--" they
6 had a couple people quit.

7 Q Why would they fear for their lives when they are
8 surrounded by security people?

9 A Sir, I asked them that They just felt that they needed to
10 be armed within the compound----

11 Q Were they armed?

12 A No, sir, not at all And, sir, I'll tell you this, if I
13 saw them with weapons or anything like that, I'd have confiscated the
14 weapon and would have reported it Now Colonel Pappas says put in a
15 request, I believe through General Sanchez to General Abazaïd for
16 side arms for them to be authorized through their contract or what
17 have you, I don't know what the status of that memo is, but I do know
18 that he was going to submit that memo to see if that could be
19 supported

20 Q How many weapons did you have on you the night of the 24th
21 of November?

22 A Sir, I had two an M-16 and my 9mm

23 Q Were you authorized two or did you just like to carry two?

1 A Sir, I normally carried-- I signed for a 9mm when I came
2 over, sir, and when we had excess weapons available and I had an
3 opportunity to carry an M-16, I always carried an M-16, yes, sir.

4 Q So, when you entered after Sergeant [REDACTED] asked for
5 your assistance or your help to go search a cell that was suspected
6 to have weapons in there, you had those two with you at the outer
7 entrance, ----

8 A Yes, sir ----

9 Q ----not the inner entrance and you carried those two with
10 you?

11 A Yes, sir, I asked permission to enter with my weapons, yes,
12 sir

13 Q What was the SOP upon, not during that time, not during the
14 snooting, what is typically the SOP when you did access the Tier 1,
15 Tier 1B complex?

16 A At the time, if you had weapons, you checked your weapons,
17 there was a weapons holding area, the MPs would take your weapon and
18 secure it in there After 24 September, what have you, they started
19 ever sandbagging inside the Sally Port, everybody going in had to
20 have plates, Kevlars, things of that nature Before that timeframe,
21 when you entered, there was no requirement for vests and if you had
22 plates, plates and/or Kevlar And the unique thing about this Mr
23 [REDACTED] was that he was scheduled to have an interrogation that

1 evening at 2300 hours and I believe-- I believe [REDACTED] as one of the
2 MI folks that would have been scheduled to do that interrogation, I
3 believe, sir, I don't know-- I don't remember.

4 Q Which [REDACTED] would that have been, the short guy or the tall
5 guy?

6 A. The tall guy.

7 Q Okay

8 A And I'll tell you, sir, I think had [REDACTED] incident not
9 happened, he'd have pulled that Chinese 9mm and killed the MP and the
10 two or three MI folks that were on the deck, had the keys, and would
11 have released everybody else that he had access to on the cell block.
12 And, sir, I don't know what the outcome would have been-- it wouldn't
13 have been nice But--

14 Q You mentioned that you and Colonel Pappas did not always
15 see eye-to-eye When did you depart your duty at Abu Ghraib?

16 A 21, 22 December

17 Q 21, 22 December, let's just say 22 December

18 A Okay, sir

19 Q Then you got there the 17th of September, thereabouts

20 A Roger that, sir Afternoon of the 17th

21 Q Okay What was the reason why you were reassigned?

22 A Got a note from Lieutenant Colonel [REDACTED] who had said----

23 Q Who's [REDACTED] ----

1 A [REDACTED] was a C-2 personnel guy for General Fast. ----Said
2 General Fast wants you to come in handle party of five issues. If
3 you'd like to stay at [REDACTED] she understands, please respond, let me
4 know what you'd like to do Sir, as I said before, probably two,
5 three weeks before that I had gone to General Fast and say, "Ma'am,
6 Lieutenant Colonel [REDACTED] and the 165th is coming in. I see no need
7 for me to assist the brigade with force pro issues, engineering,
8 they've got a whole battalion of bodies here that they didn't have
9 before Again Ma'am, I'm not in the brigade, I'm on the outside
10 looking out I don't get the same connectivity, I don't get the same
11 email, I-- you know everything-- a lot of times I have to find out
12 second hand I have to be more reactive than proactive and it's hard
13 to support the brigade commander at times." And I said, "Ma'am, I
14 understand OGA has come to you and asked for me to be possibly their
15 military liaison officer pending my extension in Iraq." And she
16 said, "Well, it's not quite true " She said, "I told them I'd
17 consider it based on your extension I think I have a couple of
18 other things for you to do " A few days after that, Colonel [REDACTED]
19 had called me and said, "Hey, just give you heads up, we're looking
20 to set up this Iraqi Military Intelligence battalion and we may be
21 looking at having you come in and make that happen " Turns out that
22 that party of five is a baseline or template to get that going sir
23 and that's what that's related to

1 Q Okay. Who did you-- who was your-- who is now your
2 supervisor at CPA?

3 A. Colonel [REDACTED]. British colonel just came on
4 board

5 Q. Do you work directly for him?

6 A I work directly, sir, I'm gonna tell you, on paper I work
7 directly for him. But between you, me and the fencepost I work
8 directly for General Fast and keep Colonel [REDACTED] informed because
9 British versus American pecking order, LNO, whatever

10 Q I got it I understand Would you-- how would you
11 characterize your relationship with Colonel Pappas, notwithstanding
12 that there were some disagreements between you and he on occasion?

13 A Sir, sir, I'm-- our relationship, sir, he's my senior I'm
14 subordinate He wears an eagle i don't. I call him sir, even when I
15 disagree, "Sir I disagree with you and here's the reasons why." Lay
16 out courses of action Certain things that we disagreed about, sir,
17 would be admin kinda, law kinda things, or awards or things of this
18 natures But, sir, I don't think he's a individual who would cover
19 up anything I don't think he's an individual that would authorize
20 illegal activities I know that he's very, very career driven He's
21 a below-the-zone selectee, I believe, for both O-4 and O-5 I know,
22 sir that he and his staff have talked very much that he's looking
23 forward to possibly getting his star One of the biggest things he

1 talked about was commanding the largest MI brigade ever assembled in
2 a combat zone, these kind of things. I do know, sir that he tried to
3 buffer anything of any embarrassment, to include the incident of the
4 fake shake at Abu G, which I'm sure, is not full knowledge yet to
5 everybody. A few other things, but criminally wrong, morally wrong,
6 I don't think he would support anything sir. I don't dislike Colonel
7 Pappas, I just don't think we ever hit our stride sir, but
8 professionally, sir, I think he's a good officer. And actually
9 called me and gave me a brigade coin so I thought that was nice of
10 him. And again, sir, when you told me yesterday that he called me
11 his deputy, sir, I never thought I had that much trust, confidence
12 from him or even support. I just-- you know, he never been in there.
13 But I-- he has a fairly good sense of humor, he's not troop oriented.
14 You know he doesn't focus on troop issues, just make sure troops are
15 taken care of and those kind of things. I think he took it very
16 hard, sir, when Specialist [REDACTED] was killed. Specialist [REDACTED] was
17 his driver and I believe you know a driver and commander get very
18 close and I know he took it hard. So, I guess that's my relationship
19 with him sir.

20 Q Did you ever see or attend any meetings between he and
21 General Karpinski relative to detainee operations or conditions of
22 the Abu Ghraib complex?

1 A No, sir, but he told me what he had discussed with General
2 Karpinski, but basically that's hearsay, I never heard him tell her
3 directly

4 Q Did he ever discuss with you that he had specifically
5 requested to General Karpinski, not to anybody else, that he should
6 have control of Tier 1A and 1B, notwithstanding the fact that based
7 on your explanation that that was already covered on his
8 responsibility as the FOB commander?

9 A Sir, I know he had asked for that. I know he had asked for
10 additional MPs and other things from General Karpinski based on his
11 assessment, sir, and don't take this flippant, but Ray Charles, being
12 blind, could see there were not enough MPs out there around Ganca or
13 Vigilant if everybody decided to come out at the wire all at one time
14 and do something. It was going to be a major, major problem. And,
15 sir, I know that Colonel Pappas through me to Colonel [REDACTED]
16 addressed issues like cold weather clothing for the detainees, you
17 know, figuring out some way to sandbag up part of the tents and still
18 provide heating and if it was an OPSEC things with the flaps down to
19 make sure that they could see that there were like, not sexual rapes
20 going on between detainees on detainees or any of this kind of thing.
21 I know that he was in Colonel [REDACTED] knickers about the food
22 contract for the detainees and things of this nature.

1 Q. Who's responsible for the mess hall out there after the 19th
2 of November?

3 A Well, sir, I'm going to tell you we didn't even have a mess
4 hall "a DFAC" until the very last day or two in November. We
5 basically, we the MI contingency ate off an MKT that the 72nd MP
6 Company did and when they left, the joint LSA with the 680th MPs and
7 us, we had cooks assigned and we did MKT. When the DFAC came in,
8 that was under the FOB commander, obviously Colonel Pappas, but it
9 was ran by Major [REDACTED], the 320th MP Battalion S-4

10 Q Okay. You had mentioned that you know of [REDACTED],
11 [REDACTED] based on your visits there at the hard site, Tier
12 1A and 1B Do you know a Corporal [REDACTED]

13 A Sir, I'm sure I've heard the name and I'm sure if you
14 showed me a picture, I'd probably say yes I've seen that individual,
15 but I can't----

16 Q Do you know a Specialist [REDACTED]

17 A I know Specialist [REDACTED] yes, sir

18 Q Okay Do you know a Specialist [REDACTED]

19 A Can't say I do, sir, I'm sure if you showed me a picture---

20 -

21 Q Do you know a Private [REDACTED]

22 A No, sir

23 Q Do you know a Staff Sergeant [REDACTED]

1 A. No, sir

2 Q. Do you know a Staff Sergeant [REDACTED] or Sergeant [REDACTED]

3 A I know Sergeant [REDACTED] yes, sir.

4 Q Do you know a Sergeant First Class [REDACTED]

5 A I know a Sergeant First Class [REDACTED] yes, sir.

6 Q Okay Obviously you know Captain [REDACTED]

7 A [REDACTED] yes, sir.

8 Q [REDACTED] And you know Captain [REDACTED]

9 A Yes, sir I also know the First Sergeant there

10 Q All right. Now based on your frequent visit to the hard

11 site, whether you're observing or conducting a special mission for

12 Colonel Pappas and those are numerous times between the 17th of

13 September to the 22nd of December----

14 A Yes, sir ----

15 Q ----Has any of those NCOs [REDACTED],

16 Davis, or whoever else that you had a conversation with, ever

17 confided in you on whether they were doing the right things or not or

18 whether they were following the instructions of MI interrogators with

19 respect to setting up the conditions for their interrogation either

20 that day or the following day?

21 A No, sir

22 Q Not at all?

23 A No, sir

1 Q Did they ever confide in you that perhaps there were some
2 questionable things that a [REDACTED]
3 anything of-- any interrogators, whether they were questioning or
4 not?

5 A No, sir

6 Q Had they ever asked you whether they should be receiving
7 any training of sorts that could be additional or additive to their
8 duties as guard or even assisting the interrogators?

9 A No, sir

10 Q Have you provided any comments to them, or any corrective
11 action that you saw, that you thought were questionable or not right?

12 A No, sir. And had I had corrective action, advised whoever
13 they belonged to chain of command-wise to do that

14 Q Do you see anything wrong with regard to the way detainees
15 were being detained in their cell or any SOPs that might have been
16 absent in their little guard shack there in the second floor or
17 third, or anything of that nature that could have been cleaned up
18 because it didn't look right, given the fact that you understood that
19 that was already under MI control?

20 A Sir, there were issues with the specifically two mentally-
21 ill individuals were-- they would throw feces and things like that
22 out----

23 Q. The one that----

1 A. ----and, sir, the place stank. Sergeant [REDACTED] said, "Hey
2 sir, can you do me a favor? You got access to supply stuff, can you
3 get us some disinfectant, can you get us some Lysol spray, these kind
4 of things?" I said, "Well CPA is supposed to be providing that, I
5 thought through Ministry of Justice." I said, "Let me see what I can
6 do " And, sir, I went out on my own pocket cause I make a little
7 more money than an E-5 does and I bought things at the exchange or
8 had somebody pick them up bring them out and provided them in to the
9 folks in there to do that But, sir, I'm telling you, had I known,
10 and here you give me names and questions I'm assuming those are folks
11 that are probably under accusation for doing negative actions. I do
12 know that Colonel Pappas had even mentioned to me, due to the night
13 of the 24th, based on General Karpinski coming in and saying, "Hey
14 thanks very much for being there for the soldiers, whatever happened,
15 glad nobody was killed," things of that nature Colonel Pappas said,
16 "You know Steve, I can approve ARCOMs with V devices " I said,
17 "Well, sir you asking me to submit these soldiers for ARCOMs with--"

18 Q This is Pappas?-----

19 A Yes, sir ----and I said, "Well, okay sir, let me think
20 about it " I did go talk to the Battalion Commander, Colonel
21 [REDACTED] and said, "Sir, you know the majority of the people that
22 were there obviously were MPs, I don't know what the procedures are,
23 I'm not one to give awards easily," and these kind of things, and

1 Colonel [REDACTED] said, "It's your call if you want to write it up,
2 submit it, or give it to me to give to General Karpinski." And, sir,
3 I just kinda felt like we were doing our duty, nothing special above,
4 beyond, you know we didn't pull anybody out of a burning tank or, you
5 know, give somebody mouth-to-mouth, or nobody lost a life or
6 something like that And, sir, I never submitted anybody for those
7 awards

8 Q Okay The reason why I ask those questions, Colonel
9 [REDACTED], was on the statements that I've read so far, is that they--
10 because of your presence they didn't see [REDACTED] in there, commander
11 of 165th, they hardly saw Colonel [REDACTED] in there. Seldom saw
12 Colonel Pappas, but because your presence there, they regarded you as
13 a battalion commander They regarded you as a commander, so if you
14 did not explain to them your role, they were looking at you as the
15 senior officer present predominantly most of the time, asking were
16 these being present there that they looked upon you as the commander
17 of sorts, battalion commander or whatever, and that the absence of
18 their own chain of command would have lead them to that conclusion.
19 And I'm not sure you explained yourself to them in terms of what your
20 role was as a liaison officer, as whatever, to those MPs that you
21 always seem to see there all the time. Thereby, if your presence was
22 there and by all means things that they may do or may not do were
23 then either approved by you or you had knowledge of that I mention

1 that to you based on the interviews and the statements that we have
2 received to date.

3 A. Sir, I'm gonna tell you. I have no knowledge of any
4 maltreatment of anybody, whether it's detainees or soldiers I would
5 never authorize that, I never----

6 Q. You have no firsthand knowledge, but you did have knowledge
7 that some of the interrogators were indeed involved because there are
8 three Article 15's that were given by Colonel Pappas And there was
9 at least one reprimand that you know of. So, that's knowledge.

10 Q Sir, two incidents and when the information was provided to
11 me by the MP chain of command-- from the 72nd MP Company, so it was
12 the first company there, within a few days of my arrival. Sir, the
13 first person I called on the phone was the brigade commander And
14 then we went to CID the whole route So, sir when it was made aware,
15 action was taken I think-- I don't think enough action was taken, I
16 really think those folks were setting----

17 Q Was there a 325th MI battalion assigned to that brigade?

18 A To the brigade, yes, sir

19 Q Were they there at Abu Ghraib?

20 A A slice from one company

21 Q Okay Would it surprise you that two members of that
22 battalion or a slice of that battalion are also, are suspects in
23 detainee abuses?

1 A Yes, sir, it would

2 Q Okay. Well, I don't have any more questions to ask of you
3 at this time. We're going to do a verbatim transcription of your
4 statement

5 A All right, sir.

6 [Witness was duly warned, subject to recall and excused.]

7 [The session ended at 1310 hours, 22 February 2004.]

8

SECTION 1 - IDENTIFICATION DATA

1 NAME
2 SSN

SECTION II - CLASSIFICATION AND ASSIGNMENT DATA

MOSC	YR & MO	SCORE	YR & MO	SCORE	YR & MO	SCORE

ASSIGNMENT CONSIDERATIONS

SECTION II - CLASSIFICATION AND ASSIGNMENT DATA (Continued)

MOSC	TITLE	DATE
35D	Tactical Intel	810918
5U	Air Operations Officer	820520
5M	Electronics Warfare	820930
35B	Strategic Intel	880909
(FA) 41A	Bers Programs Mgmt	
35C	Imagery Exploitation	840723
(P) 38A	Civil Affairs/Off. Advance Course	930806

OVERSEA SERVICE

FROM	THRU	AREA AND COUNTRY	MO	TYPE	CONT	DEPN	ARR OS
830309	840224	FEPA-Korea	12	PCS	Yes		
890101	900131	FEPA-Korea	13	PCS	Yes		
900201	920827	FEPA-Hawaii	30	PCS	Yes		
970405	970417	Korea	2wk	AT	Yes		
961102	961116	Korea	2wk	AT	Yes		
960421	960507	Jamaica	2wk	AT	Yes		
931009	931023	Korea	2wk	AT	Yes		
940916	941105	Haiti	2	TAD	Yes		
970615	980114	Bosnia	8	TAD	Yes		
970405	970419	Korea	2wk	AT	Yes		
981010	981023	Korea	2wk	AT	Yes		
990903	990918	Germany	2wk	AT	Yes		
100612	000624	Germany	3wk	AT	Yes		

9 AWARDS, DECORATIONS & CAMPAIGNS

AWARD	DATE	PLACE
NSM-1/NSM-2/ARCM-1/ARCM-2/ARCM-3/		
AAN-1/NDSM-1/OSR-3/JSCM/GCMD-ARMY/		
ARMED-FCS-RES-MIL/ARMY-SVC RBV/		
ARCOIR/AEFM/ARCM-4/ARCM-5/ARCM-6/		
ARCOIR-2/ARCOIR-3/ARCOIR-4/		
DMSN/AEPM/AEPM W M/AEPM W 2/		
NATO/ARCOIR-5/ARCM-5/ARCM-2/		
ARCOIR-6/ARCOIR-7/ARCOIR-8/		

11 AMERICAN BOARD CERTIFICATION

CERTIFICATION	DATE
PISTOL 9MM (SHF) BADGE (0010)	267 0005

12 LANGUAGE PROFICIENCY

LANGUAGE	PROFICIENCY	DATE
DA FORM 390 SUBMITTED		

SECTION VII - CURRENT AND PREVIOUS ASSIGNMENTS

RECORD OF ASSIGNMENTS

EFFECTIVE DATE	DUTY MOSC	PRINCIPAL DUTY	ORGANIZATION AND STATION OR OVERSEA COUNTRY	NON-	NON-	TYPE REPORT
				DUTY DAYS EFFECT RATING	RATED DAYS CONDUCT RATING	
ENTL SVC	USAR 790127 -	790906 svc not on AD:RA 790907-810409	SP5-E5			
810410		Com Military Intelligence Branch USAR	(OCS)			
810410		Casual	Enroute to Ft. Huachuca, AZ			
810428	00A00	Duty Unassigned	Atch to Co G USAICS Ft. Huachuca AZ	00	00	NONE
810527	00E35	Student Officer (MIOBC 81-8)	Atch to Co G USAICS Ft. Huachuca AZ	00	00	ACAD
810801	00E35	Student Officer (TIOC 81-9)	Atch to Co G USAICS Ft. Huachuca AZ	00	00	ACAD
810919	00A00	Project Officer	CoA USAICS Ft. Huachuca AZ	00	00	ACAD
820919	35A37	Project Officer	CoG USAICS Ft. Huachuca AZ	00	00	67-8
830308	00A00	Casual	Enroute to Korea	03	00	NONE
830311	00A00	Duty Unassigned	HHD 728th MP Bn, Korea	00	03	NONE
830314	35A5M00	S-2	HHD 728th MP Bn, Korea	00	00	67-8
830613	35A5M00	S-2	HHD 728th MP Bn, Korea	00	00	67-8
840224	00A00	Casual	Enroute to CONUS	00	00	NONE
840224	00A00	Duty Unassigned	7thAGRepDel7thInfDivFtOrdCA	00	00	NONE
840224	00A00	Duty Unassigned	HHC7thInfDivFtOrdCA	01	00	NONE
840226	00E00	Casual	Enroute to Ft. Huachuca			
840724	00A00	Stu Off Imagery Exploitation Off Crs	Co G USAICS Ft. Huachuca AZ			ACAD
840725	35A00	G2 Operations Officer	Enroute to Ft. Ord/DA, A'			CD
850402	35A00	Divarty S2	HHC7thInf Light Ft Ord CA			67-8
860402	13A00	Battery Commander	HBB 7th Divarty Light Ft Ord CA			SR OPT
860905	13A00	Battery Commander	HBB 7th Divarty Light Ft Ord CA			CR
870918	00A00	Casual	Enroute to Ft. Huachuca AZ			
870917	00E00	Stu Off MI OAC	F Co USAICS Ft. Huachuca AZ			ACAD
871203	00A00	Casual	Enroute to Washington DC			
871203	00E00	Stu Off Pos Grad Intel Program (35B)	Defense Intel College			ACAD
880909	00A00	Casual	Enroute to Ft. Leavenworth KS			
880911	00E00	Stu Off CAS-3	Ft Leavenworth KS			ACAD
881231	00A00	Casual	Enroute to Korea			
890101	35G00	Deputy Chief Casic	A Co 532nd MI Bn			CR
890621	35G00	Deputy Chief Casic	A Co 532nd MI Bn			67-8
900201	00A00	Casual	Enroute to Hawaii			
900201	35B00	Strat Intel Analyst	USAE IPAC Camp Smith HI			67-8
910201	35B00	Chief Special Oper/Lias Branch	USAE IPAC Camp Smith HI			CR
910703	35B00	Strat Intel Analyst	USAE JICPAC Pearl Harbor HI			CR
911016	35G00	Co Commander	B Co 732nd MI Bn, Sch Bks			REPRAD
920828	00A00	Casual	Enroute to Co A 368th MI Bn			NONE
920828	35G00	Team Leader (USAR Ready)	Co A 368th MI Bn			NONE
921217	38A00	Asst/Pub Safety Officer	322nd Civil Affairs Brigade			67-8
930606	38A00	Asst/Pub Safety Leader	322nd Civil Affairs Brigade			67-8
940430	00A00	Casual	Enroute to Pennsylvania			

SECTION VII - CURRENT AND PREVIOUS ASSIGNMENTS

RECORD OF ASSIGNMENTS

CONT

EFFECTIVE DATE	DUTY MOSC	PRINCIPAL DUTY	ORGANIZATION AND STATION OR OVERSEA COUNTRY	NON DUTY DATE		TYPE REPORT
				via file	via file	
940501	38A00	ASST Labor Relations Officer/GS	358th Civil Affairs Bde			67-8
950206	38A00	ASST Labor Relations Officer/GS	358th Civil Affairs Bde			67-8
950714	38A00	Detachment Commander	HHD, 416th Civil Affairs Bn			COR
960714	38A00	Detachment Commander	HHD, 416th Civil Affairs Bn			67-8
961007	38A00	Gen Support Team Leader	GS, 425th Civil Affairs Bn			None
970126	38A00	Detachment Commander	GS, 425th Civil Affairs Bn			None
970529	38A00	Ordered Mil Act Fed Ser w/351st	CA Comd for a period of 7m			None
970529	38A00	ACOF5, J2, C1CMTF	351st Civil Military TP			67-8
971021	38A00	OIC, Prljedor CIMIC	351st Civil Military TP			67-8
980127	38A00	Gen Support Team Leader	GS, 425th Civil Affairs Bn			None
980407	38A00	Gen Support Team Leader	GS, 425th Civil Affairs Bn			None
980601	35D/38A	ACofS, G-2	HHC, 351st Civil Affairs Command			67-8
990204	38A00	Secretary of the General Staff	HHC, 304th Civil Affairs Bde			67-8
000204	01A00	CA(USAR-READY) Secy General Staff	304th CA Bde, Philadelphia, PA			67-8
000208	38A00	Price Control/Rations Officer	HHC, 304th Civil Affairs Bde			67-8

SECTION V - MISCELLANEOUS

27 REMARKS

2004 560407
OVER 40 PT QUALIFIED 9705

28

ITEM CONTINUATION

ITEM NO DATA

"CERTIFIED TRUE COPY"

SECTION IX - RESERVE COMPONENT DATA

12a READY RESERVE OBLIGATION EXPIRATION DATE

090507

b DA FORM 3126 OR 3126-1 AGREEMENT EXPIRATION DATE

c SERVICE OBLIGATION EXPIRATION DATE

d MANDATORY REMOVAL FROM ACTIVE STATUS

e RETIREMENT YEAR ENDING DATE

0127

SIGNATURE

850126
090507

DATE DA FORM 208 PREPARED		DATE DPLICATE DA FORM 2-1 SUBMITTED		REPORT OF CHANGES																		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	00	01	02	03	04	05	06
47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69
70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92

PREPARED DATE
950809 00009

REVIEWED DATE
0127



RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form see AR 180-30, the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

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

1 LOCATION CAMP DOHA KUWAIT	2 DATE 24 FEB 04	3 TIME 0933	4 FILE NO NA
5 NAME (Last, First, Middle) [REDACTED]	8 ORGANIZATION OR ADDRESS CJTF-7 (C2) WA. # 91400 APO AE 09342		
6 SSN [REDACTED]	7 GRADE/STATUS LTC / USAR		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A Rights

The investigator whose name appears below told me that he/she is with the United States Army, 15-6 INVESTIGATING OFFICER and wanted to question me about the following offense(s) of which I am suspected/accused: ARTICLE 107 FALSE STATEMENT AND ARTICLE 92 OBSTRUCTION OF JUSTICE

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

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

5 COMMENTS (Continue on reverse side)

Section B Waiver

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

WITNESSES (If available)		3 SIGNATURE OF INTERVIEWEE	
1a NAME (Type or Print)			
b ORGANIZATION OR ADDRESS AND PHONE		4 SIGNATURE OF INVESTIGATOR	
2a NAME (Type or Print)			
b ORGANIZATION OR ADDRESS AND PHONE		5 TYPED NAME OF INVESTIGATOR	
b ORGANIZATION OR ADDRESS AND PHONE		6 ORGANIZATION OF INVESTIGATOR	

Section C Non-waiver

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

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