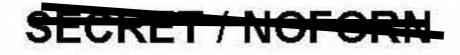
		<b>Church Report - Positive Points</b>	
Positive	p. 144	(U) <i>Five</i> : The unifying theme among all participants in the debate surrounding interrogation policy for GTMO – from the SECDEF, to the Joint Staff, to the various military service lawyers, to the Working Group, to the leaders at SOUTHCOM and GTMO – was the sincere desire to do what was right for the United States under exceedingly difficult circumstances.	me among all participants in errogation policy for GTMO – loint Staff, to the various the Working Group, to the d GTMO – was the sincere to for the United States under istances.       Positive         at GTMO are conducted in a iplined environment that is ollection. This is partially due a remote and secure location, [M]uch of the credit for the GTMO is due to specific ed at GTMO over time, or what is the GTMO "model."       Positive         24,000 interrogation sessions ing of interrogation operations, e been only 3 cases of closed, -related abuse. In addition, ses of substantiated abuse substantiated case in which a minor infraction. All are       Positive
Positive	p. 145	(U) Intelligence operations at GTMO are conducted in a highly-structured, well-disciplined environment that is conducive to intelligence collection. This is partially due to the fact that GTMO is in a remote and secure location, far from any battlefield [M]uch of the credit for the structure and discipline at GTMO is due to specific policies that have developed at GTMO over time, or what we refer to in shorthand as the GTMO "model."	Positive
Positive	p. 153- 154	₹b)(1),(b)(5)	Positive
Positive	p. 175	(U) There have been over 24,000 interrogation sessions at GTMO since the beginning of interrogation operations, and in this time, there have been only 3 cases of closed, substantiated interrogation-related abuse. In addition, there have been only 4 cases of substantiated abuse committed by MPs, and 1 substantiated case in which a camp barber committed a minor infraction. All are relatively minor in nature, and none bears any resem- blance to abuses depicted in the Abu Ghraib photos.	Positive

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# CHURCHSECHOSTIDOCS 402

		CHURCH REPORT - POSITIVE POINTS	
Positive	p. 177- 178	<ul> <li>(U) We can confidently state that we found nothing that would in any way substantiate detainee allegations of torture or violent physical abuse at GTMO.</li> <li>(Nevertheless, we found that such allegations are thoroughly investigated) <u>First</u>, interrogation and detention policies at GTMO have not in any way directed, encouraged, or conducted torture or violent physical abuse of detainees, and the amount of command oversight makes it highly unlikely that such abuse could go unchecked. <u>Second</u>, even minor detainee abuse at GTMO is punished and thus it would be incongruous for violent physical abuse to exist and go unpunished. <u>Third</u>, our review of medical records found no evidence to support allegations of torture or violent physical abuse of detainees. <u>Finally</u>, many allegations of violent physical abuse GTMO's Immediate Reaction Force (IRF), a disciplinary squad employed only as a last resort to compel non-compliant detainees to follow guards' orders using the minimum necessary force, [Which] sometimes entails a physical confrontation</li> </ul>	Positive
Positive	p. 233	(U) We found no evidence to suggest that senior personnel applied unusual pressure to operational units to obtain intelligence; nor did we find evidence suggesting that any units believed they were under pressure beyond that inherent in combat and stability operations.	Positive

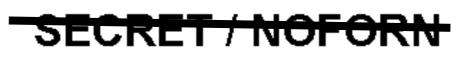
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# CHURCHSECHOSTIDOCS 403

		CHURCH REPORT - POSITIVE POINTS	
Positive	p. 233	(U) Based on CENTCOM's figure of roughly 2,000 detainees held between October 2001 and August 2004, this means that abuse was alleged to have been perpetrated against less than three percent of all detainees in Afghanistan, by less than a quarter of one percent of the over 30,000 troops who have served in Afghanistan since the beginning of OEF [T]he vast majority of detainees in Afghanistan appear to have been treated humanely, often receiving better food and medical care than they would in their everyday lives; and that the vast majority of U.S. troops are serving honorably in a dangerous environment.	Positive
Positive	p. 251	(U) We agree with LTG Jone's conclusion that "the CJTF- 7 Commander [LTG Sanchez] and staff performed above expectations, in the overall scheme of OIF."	Positive
Positive	p. 274	(U) We found no evidence of any policy or directive that might be interpreted as ordering or permitting the Abu Ghraib abuse	[Positive; however, some could ta Sanchez's claim that all the polici given the clear failure to dissemin evidence of non-compliance even available]
Positive	P. 287	With the exception of the abuses at Abu Ghraib and several other isolated incidents that are described below and in the section covering abuse cases, we found no evidence of the use of interrogation techniques that are prohibited by law or by policies above the CJTF-7 level.	Positive - [but, the several except that there is a section devoted to the phrase "no evidence" stretche in this context]
Positive	p. 293	(U) In reviewing these [274] cases, we found no evidence that approved interrogation policies contributed to abuse; furthermore, as of September 30, 2004, there were no closed, substantiated cases of death resulting from interrogation-related abuse.	Positive



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### ptions, with the fact o them, juxtaposed with nes credibility – at least

take issue with LTG cies were in place, inate them and en when they were

		<b>CHURCH REPORT - POSITIVE POINTS</b>	
Positive	p. 304	(U) There was no evidence of explicit pressure for intelligence other than that conveyed from CJTF-7 (and subsequently MNF-I) headquarters to interrogators via the chain of command	Positive
Positive	p. 304	(U) Interrogation-related abuse, and the non-interrogation abuses at Abu Ghraib, appear unrelated to any approved interrogation policies. In particular the promulgation of the September and October 2003 CJTF-7 interrogation policies did not appear to play any role in the abuses at Abu Ghraib or any of the closed, substantiated abuse cases in Iraq: In fact, had the policies been adhered to, some of the abuses might have been prevented.	Positive
Positive	p. 315	(U) We found, nevertheless, that contractor compliance with DoD policies, government command and control of contractors, and the level of contractor experience were generally good, thanks in large part to the diligence of contracting officers and local commanders.	Positive
Positive	p. 315	(U) Contractors made a significant contribution to U.S. intelligence efforts. Contractor personnel were typically former military intelligence or law enforcement personnel, and were on average older and more experienced than military interrogators In addition, contract personnel often served longer tours than DoD personnel, creating continuity and enhancing corporate knowledge at their commands.	Positive

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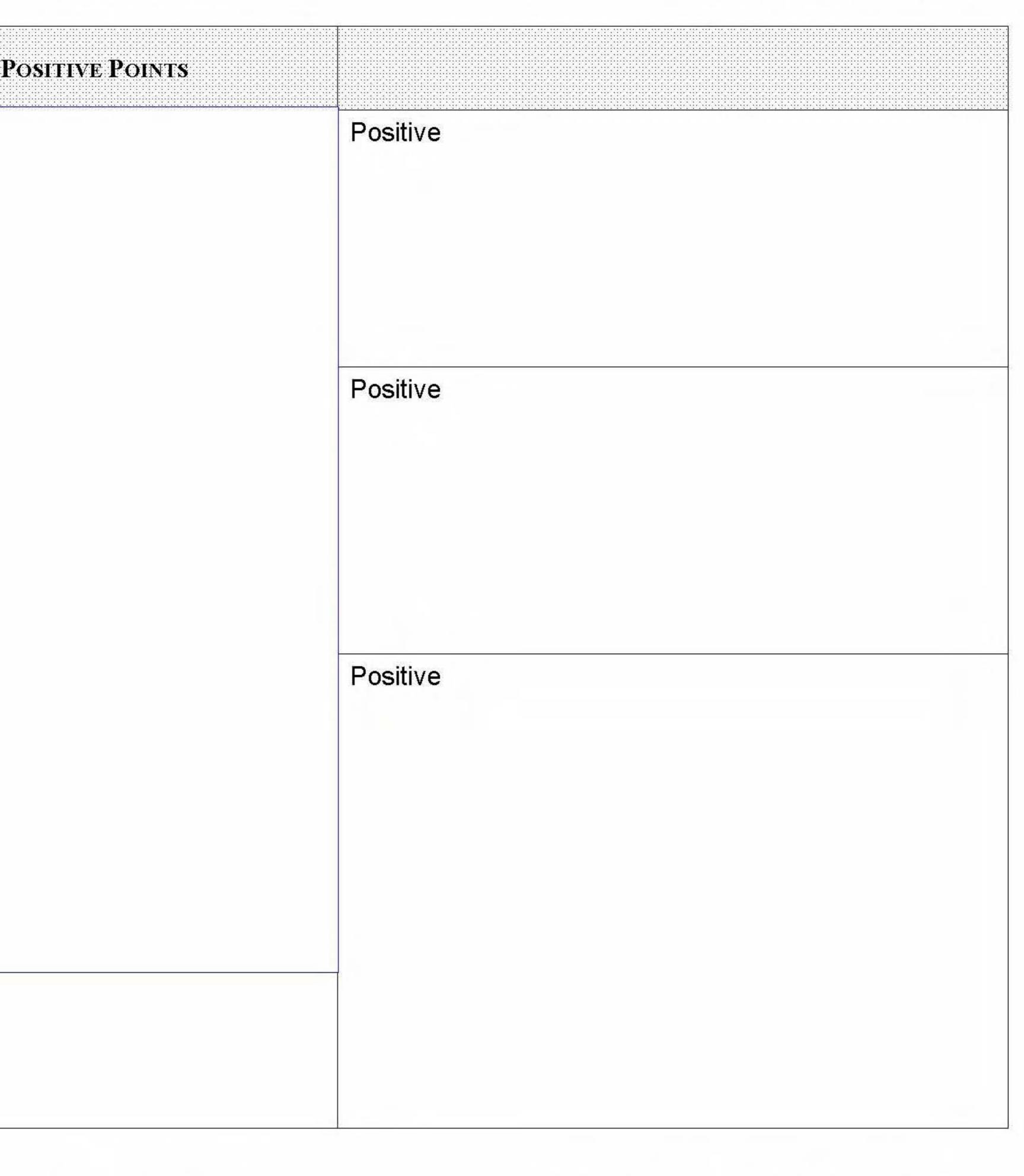
# CHURCHSECHOSTIDOCS 405

			Church Report - P
Positive	p. 322	(b)(1),(b)(5)	
Positive	p. 324, 326-327		
Positive	p. 331		

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# CHURCHSEGEROSTIDOCS 406

		CHURCH REPORT - PO
Positive	p.333	(b)(1),(b)(5)
Positive	p. 352	GTMO- ( <del>FOUO)-</del> In May 2004, N personnel interviewed] saw or s [at GTMO]. Our own examination supported these impressions. H virtually no evidence of detained
Positive	p. 354- 355	AFG- (EQUO) None of interview had seen or suspected detained they would report it to their chain suspected it.
Positive	p. 366	(U) We found no cases of detain suspected direct involvement of detainee abuse.

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<b>Church Report - Positive Points</b>	
(5)	Positive
D- ( <del>FOUO)-</del> In May 2004, None [of 25 medical nnel interviewed] saw or suspected detainee abuse TMO]. Our own examination of medical records orted these impressions. Health records revealed ly no evidence of detainee abuse or injury.	Positive
(FOUO) None of interviewed medical personnel een or suspected detainee abuse. Each indicated yould report it to their chain of command if they octed it.	Positive
e found no cases of detainee death where we cted direct involvement of medical personnel in ee abuse.	Positive

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# CHURCHSECHOSTIDOCS 407

# (3RD) CHURCH REPORT - POLICY MIGRATION NOTES

		CHURCH REPORT - POLICY MIGRATION NOTES	
Migrate	p. 201	v(1),(b)(5)	
Migrate	p. 229, 231, 232		

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		CHURCH REPORT - POLICY MIGRATION NOTES
Migrate	p. 238	₹b)(1),(b)(5)
Migrate	p. 286	
Migrate	p. 289- 290	
Migrate	p. 290	(U) In sum, we found that migration of interrogation techniques into Iraq was largely through official processes, including through the staffing of the September 2003 CJTF-7 interrogation policy (which included legal reviews by both CHTF-7 and CENTCO and that unofficial migration likely occurred when interrogators believed that techniques they had learn elsewhere were permissible under the Geneva Conventions and FM 34-52. We found no evidence interrogators consciously imported techniques that the believed to exceed the laws and policies applicable in Iraq. Finally, we found no evidence that copies of the Detainee Interrogation Working Group report on interrogation techniques were ever circulated in Iraq.

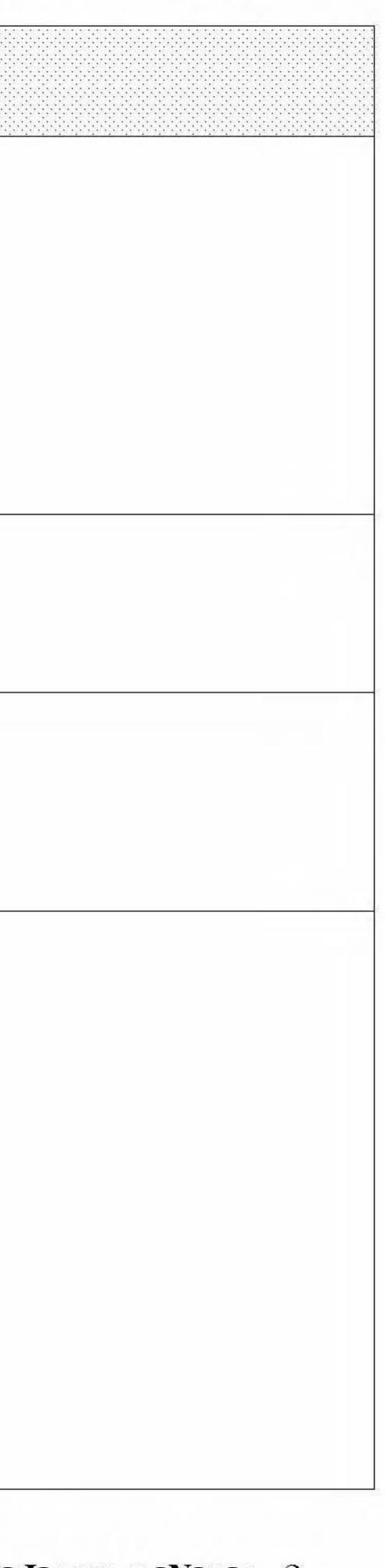
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ation of interrogation y through official ne staffing of the ogation policy (which CHTF-7 and CENTCOM); ely occurred when nniques they had learned nder the Geneva /e found no evidence that rted techniques that they nd policies applicable in ence that copies of the Group report on ever circulated in Iraq.

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# CHURGESPERIOSETIDOCS 409

		CHURCH REPORT - POLICY MIGRATION NOTES	
Migrate	P. 289	(b)(1),(b)(5)	
Migrate	p. 303- 304		

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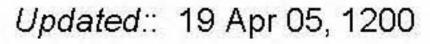
# (3RD) CHURCH REPORT- ADDITIONAL ITEMS OF NOTE

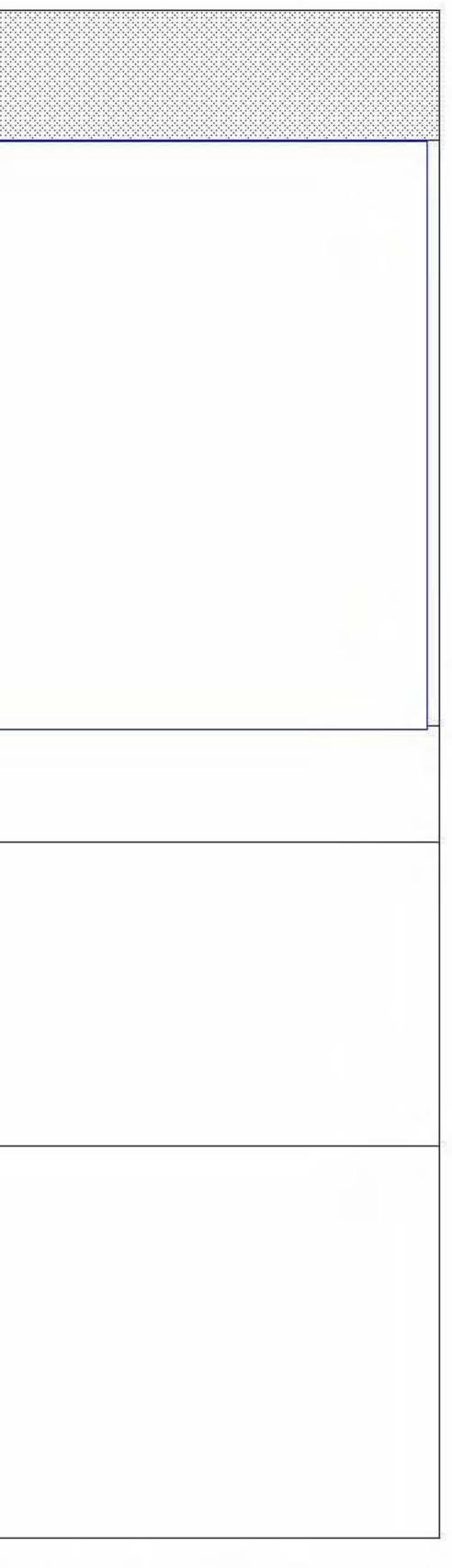
Item of Note	p. 223	₹b)(1),(b)(5)	
Item of Note	p. 233- 237	Discussion of specific cases of interrogation-related abuse	
Item of Note	p. 238	(U) "Missed Opportunity" (did not [itself] contribute to or cause abuse; unlikely that they could have prevented the interrogation-related abuse that did occur. However, had they been pursued, U.S. forces might have been better prepared for detention and interrogation operations in Afghanistan)	(U) VADM Church's Definition?
Item of Note	p. 253	(U) We generally concur with [MG Fay's] findings regarding the conduct of detention operations in general prior to the assignment of MG Miller as [MNF-I] Deputy Commanding General for Detainee Operations [and Commander, TF-134]	

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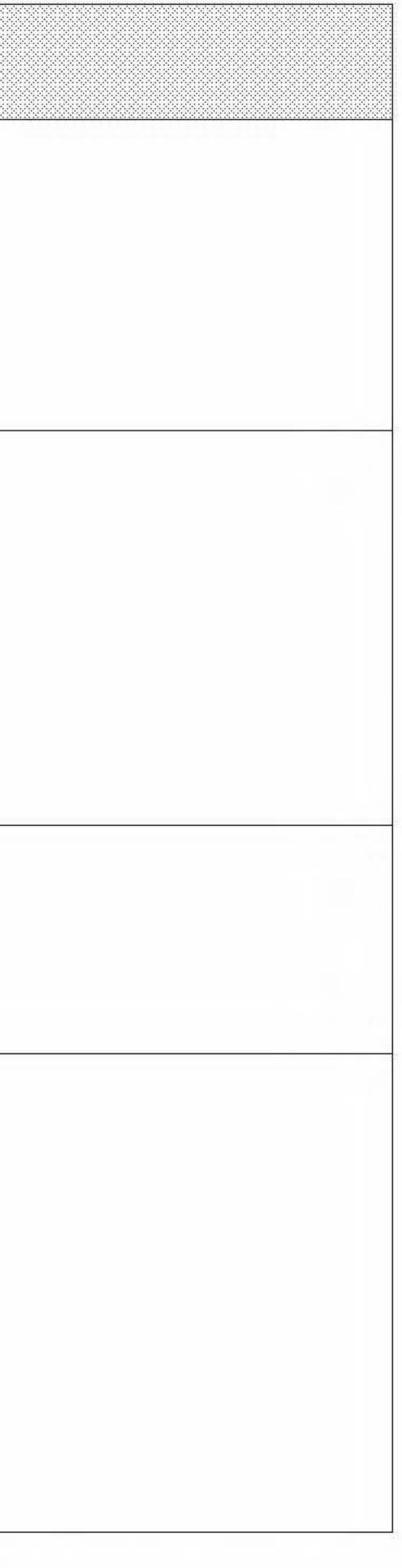
Item of Note	p. 270	氡b)(1),(b)(5)	
Item of Note	p. 275	(U) [W]e must note one key observation regarding Abu Ghraib: the vast majority of abuses at Abu Ghraib (e.g., the "human pyramid") are completely unrelated to any doctrinal or otherwise approved interrogation techniques or policies, and did not occur during actual interrogations. Because the abuses there indicated a complete disregard for approved policies, they should not be considered representative of other issues pertaining to compliance with approved policies in Iraq."	
ltem of Note	p. 302	(U) There is no discernable pattern in these interrogation- related abuse investigations. However, by far the most common method of abuse was punching and kicking, which is simple assault and clearly unrelated to any interrogation policy	
Item of Note	p. 305	<pre>\$</pre> (1),(b)(5) <pre>(b)(1),(b)(5)</pre>	

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		CHURCH REPORT – ADDITIONAL ITEMS OF NOTE	
Item of Note	p. 288	(b)(1),(b)(5)	

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# (3RD) CHURCH REPORT – RECOMMENDATIONS OVERVIEW

DSLOC Ref No.	CHURCH REPORT NOTATION	PROBLEM IN DETAIL (FINDING)	REPORT RECOMMENDATIONS
C-001P	p. 3, 7, 196-197, 214, 201- 203, 237, 268-269	(U) Lack of specific guidance, clarity, and consistency on interrogation techniques among Afghanistan, Iraq, and GTMO interrogation operations	(U) <u>Inferred</u> : Standardize interrogation guidance un a single policy that provides for specific and unambiguous guidance applicable to all areas of operation. Decisions on the applicability of specific techniques should be reserved for the policy source and not left for interpretation by implementing levels
C-002P	p. 3, 239, 304	(U) Interrogation Operations Planning Missed Opportunity: No evidence that specific detention or interrogation <u>lessons learned</u> from previous conflicts were incorporated into planning for operations in support of the GWOT.	(U) Future planning for detention and interrogation operations in the GWOT should take full advantage prior and ongoing experience in these areas.
C-003P	p. 10, 11, 47, 92, 237, 303	(U) Ineffective Policy Dissemination	Inferred: Need improved processes for dissemination of policy guidance, ensuring compliance, and obtain feedback on implementation down through the unit- level [Issue closely related to C-030, Compliance]

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**NDATIONS** ogation guidance under specific and ble to all areas of blicability of specific for the policy source implementing levels. n and interrogation take full advantage of these areas. sses for dissemination npliance, and obtaining wn through the unit-

DSLOC Ref No.	CHURCH REPORT NOTATION	Problem In Detail (Finding)	REPORT RECOMMENDATIONS
C-004P	p. 10, 41, 42, 44, 148, 150, 151, 153, 217-218, 256-257	(U) Compatibility and sufficiency of MP and MI Doctrine for detention and interrogation operations	Inferred: Clarify and reconcile doctrine for I detention and interrogation operations
C-005P	p. 16, 92- 94, 97, 236, 274	(U) Failure to anticipate, detect, and react to warning signs of abuse	(U) Inferred: Put in place more specific pro- and direct guidance to prevent further abus Emphasize stronger leadership, greater ove enforcement of good military discipline to le likelihood of abuse.
C-006P	p. 18, 46, 332-333, 334-335, 337	(U) Lack of Interagency policy governing the involvement of OGAs in the interrogation of DoD detainees	氡b)(1),(b)(5)
			(U) We therefore recommend the establish wide promulgation of interagency policies g the involvement of OGAs in the interrogatio detainees.
C-007P	p. 19, 354, 357, 365	(U) Limited/Non-Standard Training of Medical Personnel in the screening/treatment of detainees led to inconsistent field-level implementation of specific requirements.	(U) There is a need for [a] focused training this area so that our medical personnel are and comply with detainee screening and me treatment requirements. One obvious need clear and concise training curriculum in a st format amenable to use in diverse settings

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sed training program in rsonnel are aware of ening and medical bvious need is for a culum in a standardized rse settings

e establishment and cy policies governing interrogation of DoD

specific procedures further abuse. greater oversight, and scipline to lessen the

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CHURCH REPORT NOTATION	<b>Problem In Detail (Finding)</b>	REPORT RECOMMENDATIONS
p. 19-20, 353, 359, 362-363, 367	(U) Assess whether medical personnel have adequately discharged their obligation to report (and where possible, prevent) detainee abuse.	(U) Our insights, taken together, suggest the clarify and reinforce the special responsibility medical personnel in preventing and report suspected detainee abuse. <u>Inferred</u> : Stand practice for medical personnel to report sus incidents of detainee abuse
p. 20, 286, 343, 355, 359, 366	(U) Participation of medical personnel in interrogation support roles (non-care giving duties)	(U) DoD policy-level review is needed to en this practice is performed with proper safeg well as to clarify the status of medical perso as behavioral scientists supporting interroga do not participate in patient care.
p. 20, 344, 366	Interrogator access to detainee medical information	(U) DoD policy-level review is necessary in balance properly competing concerns
p. 33, 34, 44, 45, 46, 153, 232, 255- 256, 290	(U) Lack of master, DoD-level interrogation doctrine	(U) Inferred: Develop master DoD-level definiterrogation policy and doctrine, including a interrogation techniques.
p. 46	(U) There are not enough interrogators and linguists to meet the demands of the GWOT	(U) Significant efforts are underway to address of the shortfall.
p. 21, 161, 162,- 163, 174,	(U) Difficulty of precisely defining the boundaries of humane treatment, particularly under extraordinary circumstances.	(b)(1),(b)(5)
	REPORT         NOTATION         p. 19-20,         353, 359,         362-363,         367         p. 20,         286, 343,         355, 359,         366         p. 20,         344, 366         p. 33, 34,         44, 45,         46, 153,         232, 255-         256, 290         p. 46         p. 21,         161, 162,-	REPORT NOTATIONPROBLEM IN DETAIL (FINDING)p. 19-20, 353, 359, 362-363, 367(U) Assess whether medical personnel have adequately discharged their obligation to report (and where possible, prevent) detainee abuse.p. 20, 286, 343, 355, 359, 366(U) Participation of medical personnel in interrogation support roles (non-care giving duties)p. 20, 286, 343, 355, 359, 366(U) Participation of medical personnel in interrogation support roles (non-care giving duties)p. 20, 386(U) Lack of master, DoD-level interrogation doctrinep. 33, 34, 44, 45, 46, 153, 232, 255- 256, 290(U) There are not enough interrogators and linguists to meet the demands of the GWOTp. 21, 161, 162,-(U) Difficulty of precisely defining the boundaries of humane treatment, particularly under extraordinary

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DSLOC REF NO.	REPORT NOTATION	PROBLEM IN DETA
C-014P	p. 160- 161, 174	
C-015P	p. 168	
C-016P	p. 171, 174	

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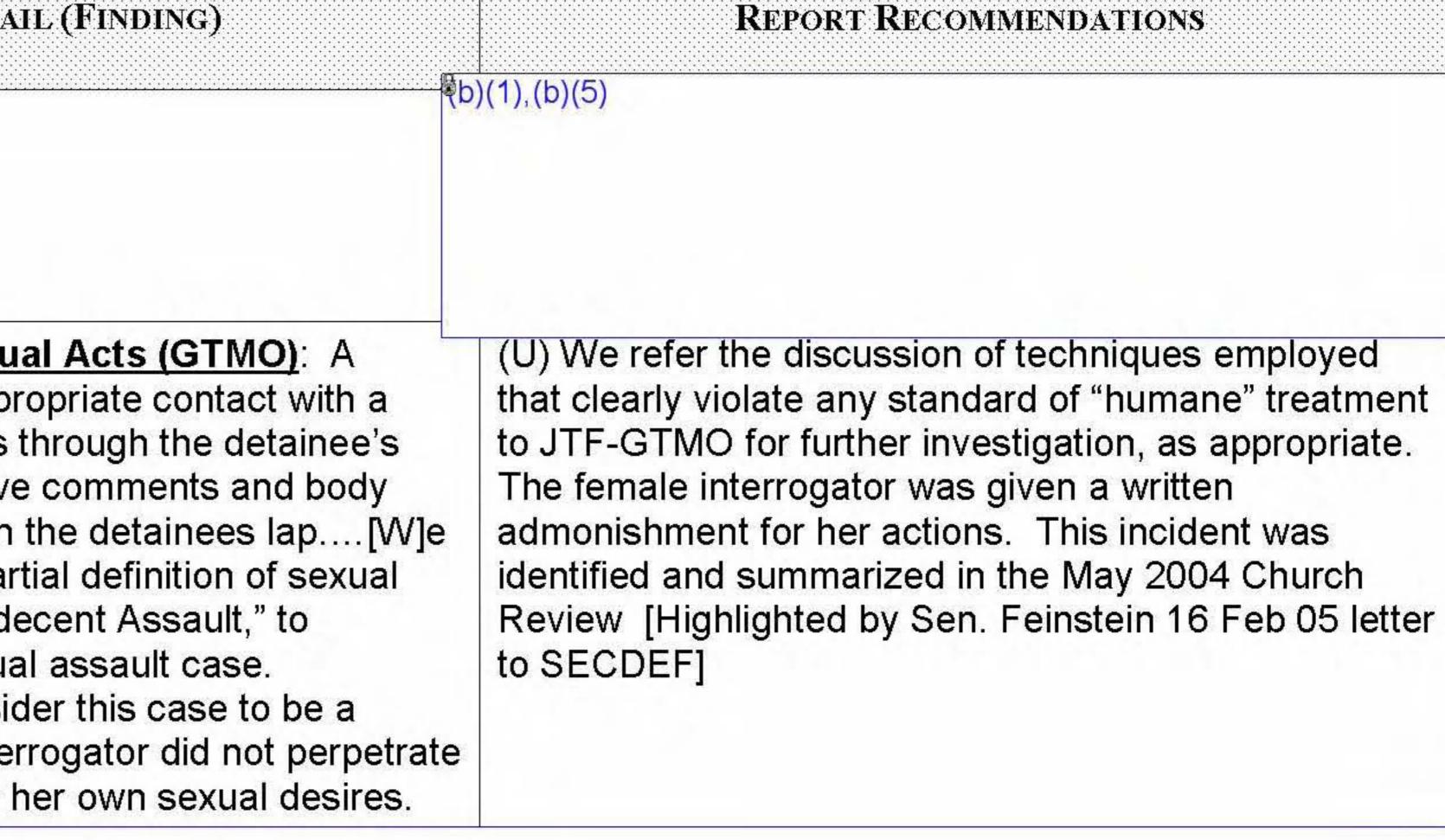
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CHURCH REPORT NOTATION	PROBLEM IN DETA
p. 174	(U) <u>Sexual Acts or Mock Sexual</u> female interrogator made inapp detainee by running her fingers hair, making sexually suggestive movements, including sitting on used the Manual for Courts-Man assault, referred therein as "Ind characterize any potential sexual
p. 280, 288	Consequently, we did not considered assault because the intert the act with the intent to gratify (b)(1),(b)(5)
p. 283	
	REPORT NOTATION

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DSLOC REF NO.	CHURCH REPORT NOTATION		<b>PROBLEM IN DET</b>
C-020P	p. 285	<sup>−</sup> <b>₹b)(1),(b)(5)</b>	
C-021P	p. 285		
C-022P	p. 287		

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#### Updated:: 19 Apr 05, 1200

# FAIL (FINDING)

**REPORT RECOMMEN** 

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CHURCH REPORT RECONSIGNADS DOCES-419

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DSLOC REF NO.	CHURCH REPORT NOTATION	PROBLEM IN DETAIL (FINDING)	REPORT RECOMMEN
C-023P	289	ξb)(1),(b)(5)	
C-024P	p. 359	(FOUO) Suspected abuse reported by medical personnel (Iraq): Note from VADM Church Memo Enclosure, 17 March 2005: Unclear whether suspected abuse reported by medical personnel (four cases) was properly investigated.	(FOUO) Note from VADM Church March 2005: Recommend NCIS/ investigations as appropriate.
C-025P	p. 171, 209, 213, 222, 228,	<pre>\$b)(1),(b)(5)</pre>	
C-026P	p. 236	(U) We were not able to determine why military personnel involved or potentially implicated in this investigation were reassigned to other units (e.g., Abu Ghraib) before the investigation was completed.	Inferred: Review service and CO processes to ensure that military investigation but eligible for reass pending investigator's determination

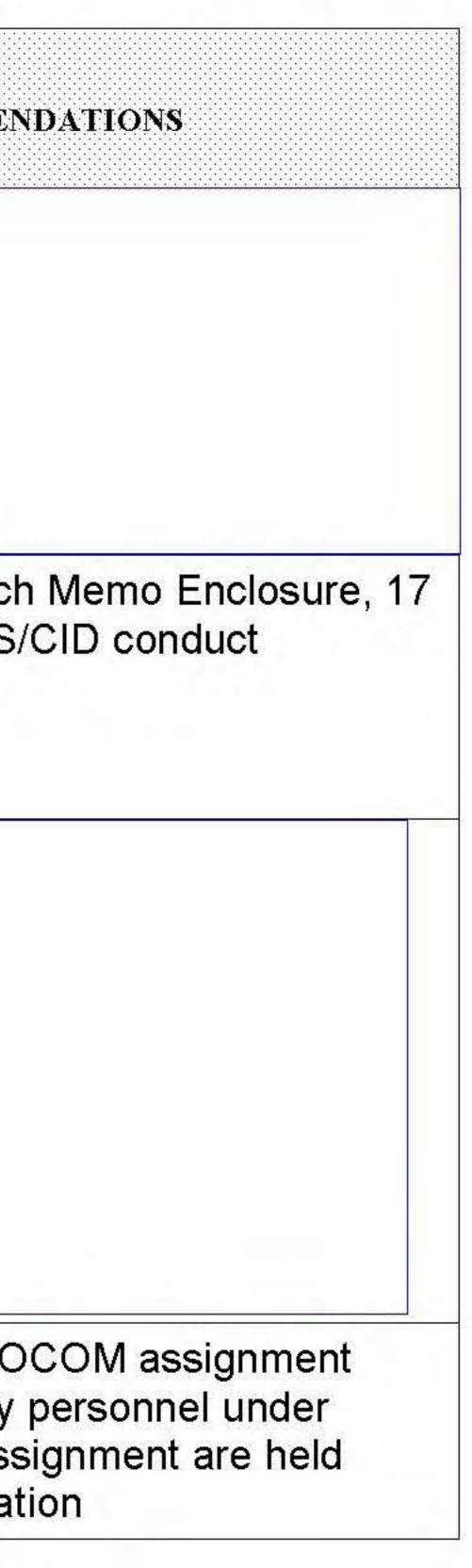
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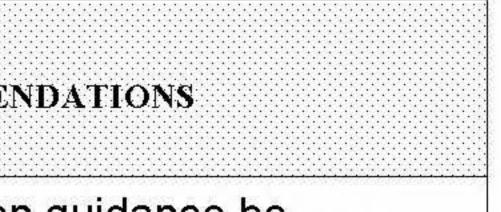
DSLOC Ref No.	CHURCH REPORT NOTATION	PROBLEM IN DETAIL (FINDING)	REPORT RECOMMEN
C-027P	p. 238	(U) <b>[N]o specific guidance was given to CENTCOM</b> <b>with regard to the practical effects of [the President's</b> <b>February 7, 2002] determination</b> , in particular with regard to interrogation techniques and the concept of "military necessity" as a justification for exceeding the guidelines of GPW. We found no evidence that the determination was employed to justify techniques beyond the boundaries of GPW.	(U) We recommend that common provided to all of the military depa agencies
C-028P	P. 239, 304-305	(U) Though all personnel were aware that abuse must be reported, there were no standard procedures for identifying or reporting detainee abuse or for determining whether abuse allegations were legitimate.	(U) <u>Inferred</u> : Establish standard r investigating procedures
C-029P	p. 275- 276, 277	(b)(1),(b)(5)	
C-030P	p. 10, 166, 168- 169, 192, 215, 303, 276-277		
C-031P	p. 279		

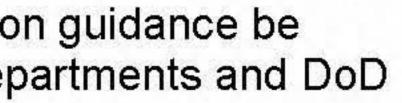
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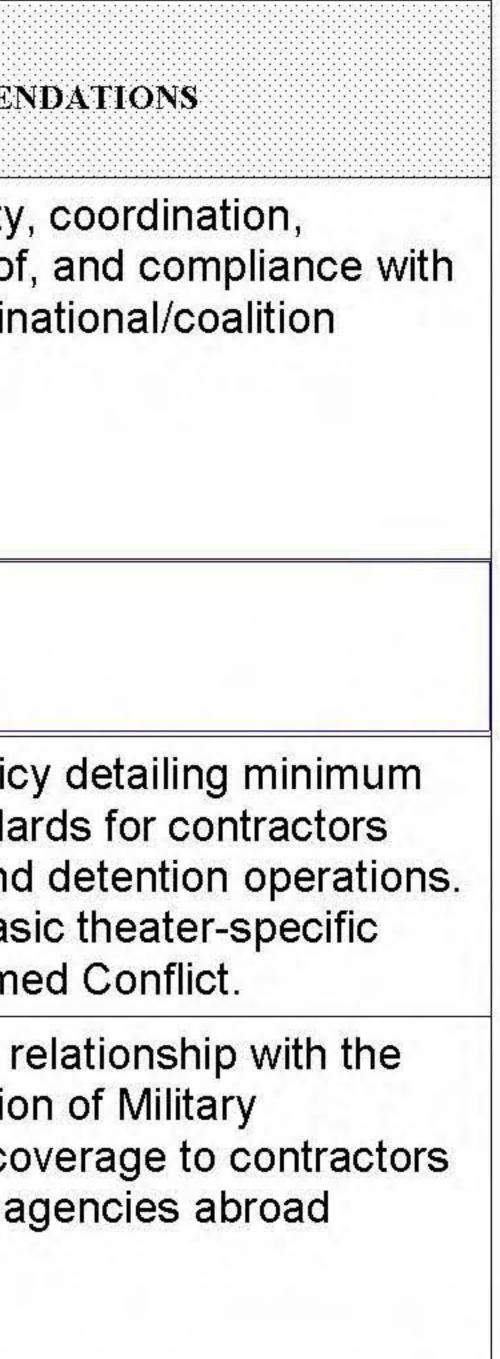
DSLOC Ref No.	•	PROBLEM IN DETAIL (FINDING)	REPORT RECOMMEN
C-032P	p. 306	(U) [Dissemination and Applicability of US guidance to Coalition units:] [I]t is not clear whether the CJTF-7 interrogation policy memoranda were distributed to coalition units, or indeed whether U.S. policy explicitly requires coalition units to adhere to interrogation policies promulgated by a commander without multinational coordination.	(U) <u>Inferred</u> : Clarify applicability, dissemination, implementation of, U.S. interrogation policy in multina operations.
C-033P	p. 306	氡b)(1),(b)(5)	
C-034P	p. 312, 313	(U) Lack of DoD Policy regarding Training for contractors supporting DoD interrogation & detention operations	(U) Inferred: Establish DoD policy training requirements and standar supporting DoD interrogation and Training should include, e.g., basis knowledge, GC, and Law of Arme
C-035P	p. 314	(U) [Loophole #1]: The summary suggests two "loopholes" which, while not applicable to DoD contractors, warrant further review. First, foreign contractors (e.g., local interpreters) employed by non-DoD agencies do not appear to fall under <u>U.S.</u> jurisdiction under any of these statutes even if an alleged crime were committed within a DoD facility	(U) [T]he existence of a contact re U.S. might argue for the extension Extraterritorial Jurisdiction-like cor supporting all U.S. government ag

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CHURCH REPORT RECONSIECTIONS PDOES-422





DSLOC Ref No.	CHURCH REPORT NOTATION	PROBLEM IN DETAIL (FINDING)	REPORT RECOMMEN
C-036P	p. 314	(U) [Loophole #2]: The summary suggests two "loopholes" which, while not applicable to DoD contractors, warrant further review. Second, as noted in MG Fay's investigation of contract personnel at the Abu Ghraib detention facility, DoD contractors acquired through other agencies of the U.S. government (such as the CACI, Inc. contractors at Abu Ghraib, whose contract was part of a "blanket purchase agreement" maintained by the Interior Department) may not be subject to <u>Military Extraterritorial Jurisdiction</u> , based on a strict interpretation of the term "Department of Defense contractor." In many cases, however, such contractors could be prosecuted under Special Maritime and Territorial Jurisdiction or the war crimes statute.	(U) As a result of the Army's Abu this question has been referred to Justice.
C-037P	p. 315	(U) There were some, but not many instances of abuse involving contractors. Such behavior is a clear violation of law that is not protected by contract terms DoD's control of contract interrogators is exercised through the terms of their contracts, rather than through a military chain of command. A contractual clause specifying a similar degree of direct military control over a contractor would be specific to that contract, rather than universal, and is not mandated by any DoD regulation.	(U) Inferred: DoD-directed develo appropriate standard clause (or s detention related contracts. Addr widespread understanding of exa exercise control through contract military chain of command
C-038P	p. 318	v(1),(b)(5)	
C-039P	p. 319- 324		

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# NDATIONS u Ghraib investigations, to the Department of elopment of an set of clauses) for dress need for cactly how DoD must ct terms rather than

DSLOC Ref No.	CHURCH REPORT NOTATION	PROBLEM IN DETAIL (FINDING)	REPORT RECOMMEN
C-040P	p. 236, 345, 366, 367,	(U) [I]t is unclear if medical personnel properly examined or documented the physical condition of the deceased.	(U) SECDEF Memorandum, "Pro Investigation into Deaths of Detail of the Armed Forces of the United formalizes requirements to immed death of any detainee, establish having primary jurisdiction within cause and manner of death, a that autopsies will be performed undetermined by the Armed Forces
C-041P	p. 354	(FOUO)-AFG- [Medical personnel] were not equipped to fully comply with all doctrinal requirements for detainee medical care. For example, there was no mention of monthly medical assessments or weight recordings, as required by AR 190-8, and it seems unlikely these would be feasible under the broader conditions described.	(FOUO) Inferred: Review and me planning for detention operations training, issue]
C-042P	p. 354, 358	(FOUO) AFG- Documentation of medical care is not standardized or rigorous, although clearly some care is recorded. Separate detainee medical records are not maintained. Instead, medical records that do exist were kept in Person Under Control (PUC) files also used for other purposes. This practice makes it impossible to control or even monitor access to detainee medical information.	(FOUO) Inferred: Develop and in standardized and rigorous docum detainee medical care. [Records standardization. See also p. 358]
C-043P	p. 355- 356, 362, 366,	(FOUO) Concerns that medical personnel may have misrepresented detainee injuries	(FOUO) The appropriateness of r documentation in these cases de separate from the issue of abuse the possibility that medical persor to misrepresent circumstances.
C-044P	Memo 17 Mar 05	"In addition, though we have not specifically tracked the punishments of individuals charged with abuses, I have	(U) Therefore, I recommend that Department OGCs and JAGs be

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# CHURCH REPORT RECONSIGNADS PDOCS-424

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ENDATIONS

DSLOC REF NO.	CHURCH REPORT NOTATION	PROBLEM IN DETAIL (FINDING)	REPORT RECOMMEN
		noted that in some cases the punishments appear (at least on the surface) to be very light	and provide feedback on the puni abuses to date. Though sentence punishment are the prerogative of judicial and command authorities, enable DoD to more effectively re related to the release of investiga to FOIA Requests." [Joint UCMJ
		//////////////////////////////////////	

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