

OFFICE OF THE SECRETARY OF DEFENSE
COPY NUMBER ONE

~~SECRET~~

[REDACTED]

[REDACTED]

(b)1

• [REDACTED]

• [REDACTED]

• [REDACTED]

• [REDACTED]

• [REDACTED]

• [REDACTED]

• [REDACTED]

~~SECRET~~ • Other Reports

OFFICE OF THE SECRETARY OF DEFENSE
COPY NUMBER ONE

OFFICE OF THE SECRETARY OF DEFENSE COPY NUMBER ONE

~~SECRET~~

(U) Church Review

(U) In the wake of revelations of prisoner abuse at Abu Ghraib, the Secretary of Defense commissioned this brief "review" of detainee operations at GTMO (and the Naval Consolidated Brig in Charleston, SC). The review culminated in a series of slides briefed to Secretary Rumsfeld on May 11, 2004, and was not accompanied by a separate, written report.

(U) The Church Review described itself as a "snapshot" of existing conditions at GTMO, and not a comprehensive historical review. The review found that detainees at GTMO were being treated properly and humanely. The review found "no evidence, or even suspicion, of serious or systemic problems," and no evidence of non-compliance with DoD orders. More specifically, there was no indication that unauthorized interrogation techniques were being used on the detainees.

(U) The Church Review concluded that appropriate procedures were in place at GTMO to detain, interrogate and report information, supported by effective SOPs and a strong chain of command. GTMO also had an effective training program, including instruction on the principles of the Geneva Conventions, and a positive command climate in which personnel appeared willing to report any concerns. In addition, the review noted that the roles of military police and military intelligence were separate and well-defined, yet still coordinated.

~~SECRET~~ Other Reports

OFFICE OF THE SECRETARY OF DEFENSE
COPY NUMBER ONE

OFFICE OF THE SECRETARY OF DEFENSE

COPY NUMBER ONE

~~SECRET~~

(U) While the Church Review was primarily a snapshot of current conditions, it also summarized the reported instances of detainee abuse, whether as a result of inappropriate interrogation techniques or otherwise, since the initiation of intelligence operations at GTMO in January 2002. The review cited three instances of inappropriate interrogation techniques that led to abuse.

- (U) First, a female interrogator sexually assaulted a detainee on April 17, 2003, by running her fingers through a detainee's hair, and made sexually suggestive comments and body movements, including sitting on the detainee's lap, during an interrogation. The female interrogator was given a written admonishment for her actions.
- (U) Second, on April 22, 2003, an interrogator, using the fear-up harsh technique, assaulted a detainee by having MPs repeatedly bring the detainee from standing to a prone position and back. A review of medical records indicated superficial bruising to the detainee's knees. The interrogator was issued a letter of reprimand; furthermore, MG Miller, the Commander of JTF-GTMO, prohibited further use of the fear-up harsh technique, and also specifically prohibited MPs from direct involvement in interrogations.
- (U) Third, a female interrogator at an

unknown date, in response to being spat upon by a detainee, assaulted the detainee by wiping dye from a red magic marker on the detainee's shirt and telling the detainee that the red stain was blood. The female interrogator received a verbal reprimand for her actions.

(U) The Church Review also summarized three incidents of alleged misconduct by MPs, two of which resulted in substantiated abuse.

- (U) First, an MP assaulted a detainee on September 17, 2002, by attempting to spray him with a hose after the detainee had thrown an unidentified, foul-smelling liquid on the MP. The MP received non-judicial punishment in the form of seven days restriction and reduction in rate from E-4 to E-3.
- (U) Second, on March 23, 2003, an MP sprayed pepper spray on a detainee who was preparing to throw an unidentified liquid on another MP. The MP who had used the pepper spray requested a court martial in lieu of non-judicial punishment and was acquitted at a special court martial.
- (U) Finally, on April 10, 2003, after a detainee had struck an MP in the face (causing the MP to lose a tooth) and bitten another MP, the MP who was bitten had struck the detainee with a handheld radio. This

55

~~SECRET~~ • Other Reports

OFFICE OF THE SECRETARY OF DEFENSE

COPY NUMBER ONE

OFFICE OF THE SECRETARY OF DEFENSE COPY NUMBER ONE

~~SECRET~~

MP was given non-judicial punishment in the form of 45 days extra duty and reduced in rate from E-4 to E-3.

Iraq Reports (U)

(U) Miller Report

(U) The Church Review noted that the MP force generally operated under significant stress, as assaults against MPs were common, averaging fourteen per week. Detainees, for example, routinely physically assaulted MPs, spat upon them, and threw liquid, foods, or bodily fluids.

(U) In addition to the above incidents, the Church Review also identified two minor infractions.

- (U) First, on February 10, 2004, an MP inappropriately joked with a detainee, dared the detainee to throw water on him, and engaged in inappropriate casual conversations with the detainee. The MP was removed from duty.
- (U) Second, on February 15, 2004, a barber intentionally gave two detainees unusual haircuts, including an "inverse Mohawk," in an effort to frustrate the detainees' requests for similar haircuts as a sign of unity. The barber and his company commander were both counseled as a result of this incident.

(U) From August 31 to September 9, 2003, the JTF GTMO commander, MG Geoffrey Miller, led a team to assess interrogation and detention operations in Iraq. (MG Miller's visit was the result of an August 18, 2003 message from the Joint Staff's Director for Operations [J-3], requesting that the SOUTHCOM commander provide a team of experts in detention and interrogation operations to provide advice on relevant facilities and operations in Iraq. The need for such assistance in light of the growing insurgency had originally been expressed by CJTF-7 and CENTCOM, and the Joint Staff tasking message was generated following discussions with both CENTCOM and SOUTHCOM.)

(U) The overarching theme of the Miller Report was that "[t]actical interrogation operations differ greatly from strategic interrogation operations." While CJTF-7 had proven itself effective in accomplishing the tactical mission, it was now necessary to transition to strategic interrogation operations as CJTF-7 entered a new, counter-insurgency phase in the conflict in Iraq. This new phase involved a different "category of internees to interrogate," and required new "analytical back-stopping," as well as a "clear strategy for implementing a long-term approach and clearly defined interrogation policies and authorities." In this regard, the report observed that CJTF-7 had not

~~SECRET~~ → Other Reports

OFFICE OF THE SECRETARY OF DEFENSE
COPY NUMBER ONE

OFFICE OF THE SECRETARY OF DEFENSE COPY NUMBER ONE

~~SECRET~~

disseminated to its units any "written guidance specifically addressing interrogation policies and authorities." The Miller Report cautioned that such guidance should be accompanied by a legal review, as the "application of emerging strategic interrogation strategies and techniques contain new approaches and operational art." Therefore, "[l]egal review and recommendations of internee interrogation operations by a dedicated command staff judge advocate is required to maximize interrogation effectiveness."

(U) The Miller Report's most significant recommendation for making the transition from tactical to strategic interrogation was that "the detention operations function must act as an enabler for interrogation," by helping to "set conditions for successful interrogations." Significantly, the report did not offer any specifics on what MPs should or should not do in their role as "enablers," but it did state that "[i]t is essential that the guard force be actively engaged in setting the conditions for successful exploitation of the internees," and that "[j]oint strategic interrogation operations are hampered by lack of active control of the internees within the detention environment" (emphasis added). In sum, the report observed, "[d]etention operations must be structured to ensure [the] detention environment focuses the internee's confidence and attention on their interrogators," and the "MP detention staff should be an integrated element supporting the interrogation functions."

(U) The Miller Report made several other recommendations that drew upon lessons learned at GTMO. For example, the report recommended that CJTF-7 establish and train "Interrogation Tiger Teams comprised of [sic] one interrogator and one analyst, both with SCI access." The report also recommended the establishment of a Behavioral Science Consultation Team (BSCT), composed of behavioral psychologists and psychiatrists who could help develop "integrated interrogation strategies and assess interrogation intelligence production." In addition, MG Miller recommended the interrogation mission be consolidated at "one Joint Interrogation Debriefing Center (JIDC)/strategic interrogation facility under CJTF-7 command," and noted that "[t]his action has been initiated." Finally, the report offered a number of training recommendations, to include training the "MP detention staff [on] training programs utilized by JTF-GTMO."

(U) Ryder Report

(S) LTG Sanchez commissioned the Ryder Report in August 2003, to assess detention and corrections operations in Iraq. The Ryder Report, like the Miller Report, was an outgrowth of LTG Sanchez' interest in identifying and implementing improvements in detention and interrogation operations in August 2003, when these operations were taking on increased importance in light of the insurgency in Iraq and the need to rebuild Iraq's prison system. The Ryder Report, which was com-

57

~~SECRET~~ Other Reports

OFFICE OF THE SECRETARY OF DEFENSE
COPY NUMBER ONE

OFFICE OF THE SECRETARY OF DEFENSE COPY NUMBER ONE

~~SECRET~~

pleted on November 6, 2003, just two months after the Miller Report, was a detailed review of detention and corrections operations in Iraq. A key objective of the report was "developing recommendations on how to bridge from current operations to an Iraqi-run prison system," and thus much of the information in the report was not directly relevant to interrogation operations. Nevertheless, the report did address several detention issues that bear at least indirectly on interrogations or potential detainee abuse, which are summarized below.

(S) One of the most significant, and certainly the most surprising, aspects of this report is that the assessment team members did not identify any military police units purposely applying inappropriate confinement practices. The Ryder team conducted its assessment from October 13 to November 6, 2003, and as MG Taguba pointed out in his report on military police operations at Abu Ghraib, the most serious abuses at Abu Ghraib occurred in late October and early November 2003. It should be noted, however, that the team's visit to Abu Ghraib was an announced, escorted walk-through.

(S) The Ryder Report did, however, identify several problem areas within detention operations in Iraq. For example, the 800th MP Brigade - which was tasked to secure the detainee population throughout Iraq, and was at that time supporting 15 separate detention facilities, including Abu

Ghraib - was struggling to adapt its organizational structure, training and equipment resources from a unit designed to conduct standard EPW operations, to its current mission of essentially running an entire country's prison system. Making matters worse was that the Brigade did not receive Internment/Resettlement (I/R) and corrections specific training during its mobilization period. This problem was further exacerbated by the fact that the Battalions within the Brigade were generally undermanned. Moreover, the report observed, "[s]everal Division/Brigade collection points and US monitored Iraqi prisons had flawed or insufficiently detailed use of force and other standing operating procedures or policies."

(S) The Ryder Report also weighed in on the debate about the proper relationship between military intelligence and military police units, concluding that military police should not be subordinate to military intelligence. The report explained that according to Army doctrine, "AR 190-8 requires military police to provide an area for intelligence collection efforts within EPW facilities. Military police, though adept at passive collection of intelligence within a facility, do not participate in Military Intelligence supervised interrogation sessions." While not mentioning the Miller Report by name, the Ryder Report nonetheless rejected the Miller Report's central recommendation, stating that "[r]ecent intelligence collection in support of Operation

~~SECRET~~ • Other Reports

OFFICE OF THE SECRETARY OF DEFENSE

COPY NUMBER ONE

OFFICE OF THE SECRETARY OF DEFENSE

COPY NUMBER ONE

~~SECRET~~

ENDURING FREEDOM has posited a template whereby military police actively set favorable conditions for subsequent interviews. Such actions generally run counter to the smooth operation of a detention facility, attempting to maintain its population in a compliant and docile state." MG Ryder therefore recommended that procedures be established "that define the role of military police soldiers securing the compound, *clearly separating the actions of the guards from those of the military intelligence personnel*" (emphasis added). Significantly, the report concluded that the 800th MP Brigade had not been asked to change its procedures "to set the conditions for MI interviews, nor participate in those interviews."

(S) An additional, interrogation-related problem that the report identified was that Iraqi criminal detainees were sometimes co-located with other types of detainees, including security internees and EPWs. This was generally due to the lack of prison facilities and ongoing consolidation efforts at Abu Ghraib. The report noted that this was in violation of the Geneva Convention, and as a practical matter, "the management of multiple disparate groups of detained persons in a single location by members of the same unit invites confusion about handling, processing, and treatment, and typically facilitates the transfer of information between different categories of detainees." The report stated flatly that "[d]etainees must be segregated and managed by their designation," and

pointed out that doing so would establish "better control over the [detainees] environment," which should "increase their intelligence yield."

(U) Herrington Iraq Report

(U) The highest ranking intelligence officer in Iraq at the time, then-BG Barbara Fast, the C2 for CJTF-7, requested COL Herrington's assistance via the Army G-2 to evaluate human intelligence operations in Iraq. In his 14-page report, COL Herrington, the author of the first GTMO report, provided a summary of his site-specific impressions gained from a week-long visit to Iraq in December 2003. The most significant aspect of the report was the observations about the lack of resources and poor conditions at Abu Ghraib. The prison overcrowding and lack of MP personnel sometimes forced "MI soldiers with inadequate training and equipment" to assume the MP mission. Adding to the tension at the prison complex were "dangerous and difficult conditions," including frequent mortar attacks. Security at the facility was also compromised by the presence of Iraqi police, some of whom were apparently inadequately vetted and had on one occasion smuggled a weapon to a detainee. The situation was so dire that COL Thomas Pappas, the 205th MI Brigade Commander (and forward operating base commander for Abu Ghraib), LTC Steven Jordan, the Deputy Director of the Joint Interrogation and Debriefing Center (JIDC), and MAJ Michael Sheridan of the 800th MP Brigade expressed the

59

~~SECRET~~ • Other Reports

OFFICE OF THE SECRETARY OF DEFENSE

COPY NUMBER ONE

OFFICE OF THE SECRETARY OF DEFENSE COPY NUMBER ONE

~~SECRET~~

view that if the overcrowding - which they referred to as a "pressure cooker" that could lead to a prisoner uprising - was not alleviated, "bad things" were likely to result, to include death, injury, or hostage situations involving U.S. personnel. COL Herrington recommended that CJTF-7 "urgently devote more resources to the Abu Ghraib challenge."

(U) The report credited JIDC personnel with doing the best they could under difficult conditions, and obtaining and reporting "significant information from detainees." And despite the conditions at Abu Ghraib, COL Herrington nonetheless stated that, "we neither saw nor learned of any evidence that detainees are being illegally or improperly treated at Abu Ghraib." The report acknowledged, however, that "on occasion," JIDC personnel had at the request of OGA personnel held "ghost detainees" (those without any ISN number assigned to them) at Abu Ghraib. COL Herrington warned that this practice "carries with it certain risks, not the least of which is that it may be technically illegal or in violation of C2 policy," and recommended that C2 staff address the issue.

(U) The report commented on the relationship between MP and MI units at various facilities, and consistent with his observations in his GTMO report, COL Herrington argued that military intelligence should be directing military police. For example, he complimented the "organized, clean,

well-run, and impressive" Division Interrogation Facility of the 1st Armor Division, where the "MP/MI interface was as it should be, with the MI people in the lead." In contrast, he was unimpressed with the Iraq Survey Group (ISG) JIDC, which "fell far short of what we expected to see," and where the MPs were "the visible masters (versus the interrogators)" and the detainees were permitted too much communication with one another.

(S) The report referenced allegations that prisoners arriving at the [REDACTED] who had been captured by [REDACTED] showed signs of being beaten by their captors. Medical personnel had documented these signs of abuse, and the Officer-in-Charge of the [REDACTED] at Camp Cropper stated that he had not reported the alleged abuse up the chain of command because "[e]verybody knows about it." [REDACTED] (b)(1)

(U) Finally, the report made two recommendations of note. First, high-ranking and senior Iraqi detainees held by the ISG (such as general officers, or ministerial-level officers) should be housed in better facilities, commensurate with their status. This was not only required by the Geneva Convention, but also made sense from an intelligence exploitation perspective. Second, the

~~SECRET~~ Other Reports

OFFICE OF THE SECRETARY OF DEFENSE
COPY NUMBER ONE

OFFICE OF THE SECRETARY OF DEFENSE

COPY NUMBER ONE

~~SECRET~~

report suggested that the Army "build a corps of strategic interrogators/debriefers who are officers or senior civilians." This would help to eliminate the incongruity of capturing enemy leadership and archives, and then relying for intelligence on "tactical interrogator [non-commissioned officers] who are too young and inexperienced" for such a mission.

(U) Lee Report

(b)(1) (S) The Deputy Commanding General of CJTF-7, MG Wojdakowski, appointed LTC Lee on February 23, 2004 to investigate allegations of detainee abuse at Camp Cropper in Iraq. This extremely brief, three-page report found no evidence to substantiate allegations that [REDACTED] personnel had in the summer of 2003 abused detainees in its custody before bringing them to the [REDACTED] at Camp Cropper. These were essentially the same allegations that COL Herrington addressed in his report, which noted that medical personnel had documented the signs of abuse, and that the Officer-in-Charge of the [REDACTED] had considered the abuse common knowledge. The allegations were originally brought to light by [REDACTED] who worked in the [REDACTED] at Camp Cropper for approximately five weeks, beginning in June 2003. The [REDACTED] had not witnessed any abuse (or signs of abuse) first hand, but based his allegations on a handful of reports that he had heard from others working at Camp Cropper.

(U) The Lee Report "did not find information that would lead to a finding that there was a systematic problem." LTC Lee stated that she "was sure that there were isolated incidents where detainees arrived in less than pristine conditions," but she "would attribute some of these to the results of combative detentions at the time of capture." In any event, she could "find no proof to substantiate the allegations against the [special operations forces] or Army community." Nor could she find any evidence to suggest a "lack of knowledge of Geneva Convention requirements."

(S) The Lee Report itself was extremely brief and cursory, and there were obvious gaps in the investigation methodology. For example, LTC Lee noted that she had been unable to find contact information for certain key personnel (and in one case had not received responses to her questions), yet did not describe her efforts to procure the information. In fairness, the passage of time between the principal allegations (summer 2003) and the assignment of the investigation (January 23, 2004) made LTC Lee's work more difficult. This passage of time is unexplained, and represents a lost opportunity to address potential detainee abuse in Iraq early on.

(U) Taguba Report

(U) On January 31, 2004, the Commander of the Combined Forces Land Component

61

~~SECRET~~ • Other Reports

OFFICE OF THE SECRETARY OF DEFENSE

COPY NUMBER ONE

OFFICE OF THE SECRETARY OF DEFENSE COPY NUMBER ONE

~~SECRET~~

Command (CFLCC), LTG McKiernan, appointed MG Taguba, the CFLCC Deputy Commanding General for Support, to investigate the 800th Military Police Brigade's "detention and internment operations" since November 1, 2003. LTG Sanchez, the Commander, CJTF-7, requested the investigation based upon the accumulation of a wide range of incidents and prior investigations, culminating in an Army Criminal Investigation Command investigation "into specific allegations of detainee abuse committed by members of the 372d MP Company" at Abu Ghraib. The 372d MP Company was then a subordinate unit of the 320th Military Police Battalion and the 800th Military Police Brigade. While portions of the Taguba Report remain classified, the bulk of the report, and almost all of its annexes, have become available to the public through unauthorized disclosure to several major media organizations (as well as official release of a redacted version of the report and many of its annexes). MG Taguba and other officials associated with the investigation have also provided public testimony before Congress on the matters contained in the report.

(U) MG Taguba's overall conclusion was that "several U.S. Army Soldiers have committed egregious acts and grave breaches of international law at Abu Ghraib/BCCF [Baghdad Central Confinement Facility] and Camp Bucca, Iraq. Furthermore, key leaders in both the 800th MP Brigade and the 205th MI Brigade failed to comply

with established regulations, policies and command directives in preventing detainee abuses at Abu Ghraib (BCCF) and at Camp Bucca during the period August 2003 to February 2004." Although MG Taguba endorsed the team's psychiatrist's determination that "there was evidence that the horrific abuses suffered by the detainees at Abu Ghraib (BCCF) were wanton acts of select soldiers in an unsupervised and dangerous setting," and were from a behavioral perspective the product of "a complex interplay of many psychological factors and command insufficiencies," he also found that there was "sufficient credible information to warrant an inquiry" to "determine the extent of culpability" of military intelligence personnel.

(U) MG Taguba made a number of preliminary observations on the Miller Report and the Ryder Report, including the comment that "the recommendations of MG Miller's team that the 'guard force' be actively engaged in setting the conditions for successful exploitation of the internees would appear to be in conflict with the recommendations of MG Ryder's Team and AR 190-8 that the military police 'do not participate in military intelligence supervised interrogation sessions.'" MG Taguba cited with approval the Ryder Report's conclusion "that the OEF template whereby military police actively set the favorable conditions for subsequent interviews runs counter to the smooth operation of a detention facility."

(U) As a reflection of his tasking, MG

~~SECRET~~ Other Reports

OFFICE OF THE SECRETARY OF DEFENSE
COPY NUMBER ONE