

ARTICLE 15-6 INVESTIGATION INTERVIEW

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3 At Camp Doha, Kuwait, at 0924 15 February 2004:

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

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 MAJOR [REDACTED], U.S. Army, 800th MP Brigade was duly sworn
10 and interviewed as follows:

11 Q Before we start, has anyone told you the context of this
12 interview of this investigation?

13 A No, sir

14 Q Has anybody spoken to you about anything that's regarding
15 this investigation?

16 A Umm-- [Pause] When we were up in Baghdad, I--I knew that
17 there was an investigation coming So, uh--I'm trying to remember
18 who we heard from and so we assembled some documents and prepared
19 some things and sure enough, I believe you asked for those last week
20 Uh--last night when the crew came back from their day of interviews,
21 we just talked about the--if anybody was able to leave. But we did
not discuss anything about the investigation.

1 Q Alright, well let me go ahead and inform you that--the
2 nature of this investigation. So you get informed. I'm Major
3 General Taguba, I'm the Deputy Commanding General for the Coalition
4 Land Forces Component Command as headquartered here, which you are
5 familiar with. General McKiernan, the Commanding General, has
6 appointed me as the Investigating Officer, under the provisions of
7 Army Regulation 15-6, at the direction of General John Abizaid, the
8 Commanding General of CENTCOM Our investigation is to gather all
9 relevant facts and circumstances regarding the recent allegations of
10 maltreatment of detainees of the Abu Ghraib prison and also known as
11 the Baghdad Central Confinement [sic] Facility. As well as detainee
12 escapes and accountability lapses as reported by CJTF-7. We will
13 also investigate training, standards, employment, command policies,
14 internal policies, concerning the detainees held at Abu Ghraib And
15 finally, we'll be assessing the command climate and the supervisory
16 presence of the 800th MP Brigade chain of command. You've met the
17 interview members Sergeant--Master Sergeant [REDACTED] is a court
18 reporter We're tape--taping your responses and the questions that I
19 will ask of you So, before we begin, you have any questions?

20 A No, sir.

1 Q. Alright. So, for the record, would you please state your
2 name, your rank, your social security number, and duty position, and
3 unit of assignment?

4 A My name is Major [REDACTED] Social Security
5 Number. [REDACTED] My duty position is the Brigade S-3 for the
6 800th Military Police Brigade.

7 Q Okay, that's good How long have you been the Brigade S-3?

8 A I believe I started this position in June of 2002.

9 Q June of 2002. What was your unit of assignment before then?

10 A I was the Inspector General for the 800th MP Brigade, sir.

11 Q Wonderful.

12 A And, that position ended in February of '02 and at that
13 time, the S-3 was deployed forward here to do pre-planning for
14 Operation Iraqi Freedom So, from February to June, I kind of filled
15 in as the rear S-3 because by IG tenure was up And I believe the
16 colonel who had the position retired. Then, so I took over the
17 position about June.

18 Q June of zero-two

9 A 02, right sir.

1 Q Did you deploy with the Brigade Headquarters?

2 A Yes, sir.

3 Q When did you deploy?

4 A. We arrived at the mobilization station, I believe on
5 January 16th.

6 Q Where was that?

7 A Fort Dix, New Jersey.

8 Q Okay

9 A And we arrived in theater--I believe it was the 25th of
10 February We had a lot of delays along the way because we were on a
11 C-5 and the Det. we left in actually came in two different planes and
12 one I believe arrived on the 22nd and mine arrived on the 25th of
13 February

14 Q What preparation did the Brigade Headquarters conducted
15 prior to moving out to the mob station?

16 A Umm--what we did was we actually have been involved with
17 detainee operations since--I believe it was, November of 2001. And
18 we had a cell over here working with CFLCC, Colonel [REDACTED] and
19 I believe Colonel [REDACTED] came in towards the end--or--or around

1 August 2002. And so the Brigade did preparations with respect to
2 detainee operations and they wrote SOPs in conjunction with CFLCC.
3 What we did back at home station, we uh--once the plan was in place
4 and we knew that we were going to deploy and that many of our
5 battalions when we had a conference in Uniondale, I believe it was in
6 January of 02 Yeah, the first or second week of January before we
7 deployed and we got all our battalions, commanders and I think uh--
8 their S-3's or their XO's.

9 Q Who were those battalions?

'0 A I'd say it was all of them. I can go down the list, it's
11 the 115th MP Battalion, the 310th MP Battalion, 306th MP Battalion, the
12 304th MP Battalion, uh--530th MP Battalion, 320th MP Battalion, the
13 744th MP Battalion, you had the 381st BLD, and I think we had--yeah,
14 the 494th BLD was at that conference

15 Q Was the plan was--since those were organic to you, those
16 battalions were organic to your brigade or task organized?

17 A The--in the Reserves there's the p- I think you know the
18 structure--there were peace-traced battalions, the 310th and the 306th
19 who didn't deploy but those are our two peace-traced. The other
20 battalions were all war-traced and since we had been working on the
1 war plan, we knew which battalions would be in what--would be working

1 with us But, at that point, I believe the plan was restricted to a
2 certain number of people and I think we were able to get the
3 Battalion Commanders at that time read into the plan. So the reason
4 why we invited all these battalions was because we knew that
5 eventually they would deploy with us

6 Q Was there any discussion, whatsoever, of a post-mob
7 training plan that would be applicable at Fort Dix and applicable to
8 all these other battalions who are going to be deploying to other mob
9 stations?

10 A I don't--I don't remember if I discussed it at that
11 conference Many things that I discussed at the conference had to do
12 with the war plan itself and what the mission was going to be and
13 what the Commander's intent was.

14 Q Was there any discussion, whatsoever, of the Battalion
15 Commander's presenting to the Brigade Commander their overall combat
16 readiness in preparation for their deployment? Personnel shortages,
17 equipment shortages, cross-leveling, things of that nature?

18 A I don't remember, sir I--I don't remember if General Hill
19 had a meeting with those battalion commanders afterwards Uh--I
20 don't remember if he required them to bring their USR's and be able
1 to talk USR, I don't remember.

1 Q. Well, as the S-3, don't you think that's important?

2 A Yes, sir

3 Q As the S-3, don't you think that you would want to know the
4 unit's overall readiness status? Personnel, equipment, training,
5 that sort of thing before you start heading out the door?

6 A Absolutely sir. But--and that's why I think we would have
7 discussed those things, but I just don't remember.

8 Q None of that was discussed, that you recall, you can
9 recall, okay?

10 A And I do remember units discussing or e-mailing us from mob
11 stations what their particular shortages were with respect to
12 equipment and some of the things they would be doing.

13 Q Does it surprise some--that some of those battalions or
14 some of the companies that they're assigned to was neither validated
15 nor certified and some of those units were doing their own training
16 at the mob stations?

17 A That wouldn't surprise me because uh--I didn't have
18 visibility on what all these units were doing at the mob stations
19 since I had left them much earlier than they did.

1 Q Would that be a command objective to insure as the training
2 officer, as the Operations Officer for the brigade, to insure that
3 that objective is met. That all units that are either going to
4 detach, organize to you, potentially be assigned to you, if that's
5 the objective that that unit before they deploy from the mob station
6 that they be certified and validated on their training tasks, knowing
7 full well that you're going to be conducting internment and
8 resettlement operations?

9 A Yes sir, but--but--uh, in my own personal experiences, when
10 our brigade left, we couldn't leave the mob station once we were
11 validated and I had made the assumption that all these units were
12 trained at the mob stations and went through the MREs and were all
13 validated before they left

14 Q Did umm--we were informed that your Brigade Headquarters
15 Command Group, Headquarters, Headquarters Company, did not--was not
16 complete when you went to the mob station, that there were some
17 segments of it that went ahead and some segments of it that were
18 segmented?

19 A Yes, sir

20 Q Was that the commander's intent?

1 A I'm certain it was, and I think it was also CFLCC's intent
2 Because CFLCC wanted the 800th presence here earlier, and we couldn't
3 get the whole brigade in at one time because it was too large. So
4 what they had done was they split it up into different Det's. So we
5 had Colonel [REDACTED] here who's the Deputy Brigade Commander here earlier
6 with Captain [REDACTED] And then we had another--Colonel [REDACTED] came
7 with Captain [REDACTED] and then they stayed and this is--this is
8 during the planning stage, and six people came from the brigade.
9 Then everybody came back in, I believe it was June or July of 02.
10 Yes, 02 And then in December, Colonel [REDACTED] came back earlier with
11 uh--and we went to a bunch of conferences at the 377th between June
12 and uh--December And then Colonel [REDACTED] came back, I believe with
13 Captain [REDACTED] that was in December and then uh--Colonel [REDACTED] who
14 is our XO came over. I think he came by himself. And then General
15 Hill came And then----

16 Q He came back, General Hill had already gone forward?

17 A Uh I mean--he--he came to theater, uh--I don't--think he
18 might have come to theater and came back just for a couple of days,
19 but he came permanently, I believe around December because, uh--at
20 that point I was at a conference in Virginia, I remember talking to
21 him on the cell phone about it And then we have a--we had a Det of
2 12 people come I believe they got here at the end of January. And

1 then three more came a week after them. And then the remaining--
2 actually there were two Dets left. One came, the one I was on, at
3 the end of February and then we had another Det with 23 people umm--
4 they got here around June.

5 Q. Was that the early entry command module that went forward?

6 A No, sir. That was uh--the one that came in June?

7 Q The one that went in December.

8 A Yes, the early entry module came here in January.

9 Q So they were all with your deployment cycle was such that
10 you had a--a command planning group, you might want to call that a
11 planning group led by Colonel [REDACTED] or General Hill who went forward?

12 A Colonel [REDACTED] sir.

13 Q Okay And uh, in--when you deployed to Fort Dix, was the
14 Brigade Commander there?

15 A No, sir

16 Q He was forward?

17 A Yes, sir.

1 Q Okay So in essence, who was in charge of post-mob
2 training at Fort Dix?

3 A Uh--I would have been in charge of the post-mob training at
4 Fort Dix for the 42 individuals. The--we did have an O-5 there by
5 the name of Colonel [REDACTED] who was at Fort Dix, but he had a
6 smaller Det And the other Det of the--Det 8, which had 23 people in
7 it, they--they arrived at the mob station while we had already, I
8 think we were on the runway getting ready to leave, or were just
9 about to leave

10 Q So you had detachments--so in other words, your whole
11 staff, the whole Brigade staff was not necessarily integrated,
12 because you're segmented into little detachments.

13 A Right--right, we didn't have uh--I believe our S-2 wasn't
14 there, we didn't have our S-4, we didn't have our Deputy Commander,
15 we didn't have our Commander, and we didn't have some people from the
16 S-3 shop, and all different areas

17 Q So--is it fair--fair to say then, that your validation was
18 somewhat fragmented as well?

19 A Absolutely Umm--and uh----

20 Q Who uh--who validated your deployment [inaudible]?

1 A That was uh--the MAT team at Fort Dix. I don't remember
2 the name of the--of the--of the evaluator. But you're correct, it
3 was fragmented, and--and without the presence of the brigade staff it
4 was a little bit difficult to conduct staff training, but----

5 Q Okay, but you did have a set of training objectives you
6 needed to accomplish?

7 A. Right sir.

8 Q Okay. And was it fair to say that because of the
9 fragmentation of your brigade staff in the HHC that that was not
10 comprehensive enough, that questionable validation?

11 A Yes, sir. But--I don't know if I can go on, but we did
12 what we could. Umm--we conducted our own CPX with our Brigade
13 Headquarters. Umm--what we had--and we did umm----

14 Q Who played your higher headquarters?

15 A We--we created our own cell. Uh--I think it was Lieutenant
16 [REDACTED] who was our a--the General's Aide, but since the General wasn't
17 there and I think we had our HHC, Commander play and kinda did it
18 along SIMEX line where we had different INJEX and we kept each staff
19 section busy and I think we did this for about two days. Umm- but,

1 you--you can't--we couldn't get the whole staff involved because not
2 everybody was there.

3 Q. That's fair. Umm--then you had deployed to--when did you
4 arrive in Kuwait?

5 A. Around the--I think--I think I arrived around the tw--I
6 arrived the 27th of February because it was my birthday, so I remember
7 that

8 Q. Twenty-seven February, okay, and of course you had about a
9 month before the ground combat ensued

10 A. Right, sir

11 Q. Umm--how were you task organized at that time knowing that
12 you received a mission--let me back up. What was the mission that
13 was given to the Brigade during the planning stages of Phase I?

14 A. The mission was to create or establish uh--an internment
15 facility in the south. Umm--and to--and to prepare and to plan for
16 that and get the logistics ready and then move all that stuff and
17 pre-position it in Kuwait and then be able to move it up to Iraq
18 within two days of combat operations. So that was the mission, it
19 was also additional missions of being prepared to establish
20 additional internment facilities south of--a little bit south of

1 Baghdad I think they called it [inaudible], and an additional
2 mission of internment facilities north of Baghdad in the 4th ID AO
3 under task force Ironhorse. But that was going to be a--an operation
4 run by 4th ID and we were going to give a slice to be attached to them
5 and they would run the entire operation up there.

6 Q Was there any tasking that you would be supporting the
7 Marines as well?

8 A There was a umm--we would support the Marines in the sense
9 that we would take their detainees. But when I got here there was
10 umm--a lot of discussion about when we would in fact take their
11 detainees The Marines in V Corps wanted us to take them right away.
12 But there's no way--there was no way we were going to be able to set
13 up our internment facility--I think they wanted it to be umm--on C+20
14 and we weren't able to do it on that day 'cause there was no way we
15 could have gotten the internment facility built.

16 Q Mission analysis you all conducted at the Brigade, how did
17 that go about?

18 A A lot of that mission analysis was done by Colonel [REDACTED] and
19 the advance party that was here working on that with the CFLCC staff,
20 the PMO staff, and umm----

1 Q So the Brigade XO directed the staff mission analysis, the
2 staff's mission analysis

3 A Right, sir

4 Q Who was the S-3 at the time?

5 A The staff that was here, that was Lieutenant Colonel, I
6 forget his name, sir.

7 Q So, all that done--was done prior to your arrival or at
8 least subsequent to your arrival was already being planned at this
9 time?

10 A Yes By the time we got here the mission was already set
11 and the plan was already set

12 Q So, basically, did you take over as the S-3 then, or was
13 this Lieutenant Colonel still there?

14 A No--uh umm--I had taken over in June of 02

15 Q Okay, so in June 02, since you were not available at the
16 time for the planning because you were still doing your IG whatever
17 you were doing, [REDACTED] was doing all the planning here, led the
18 planning team here, conducted all the planning, and upon your arrival
the planning was set, the mission was uh--ready to be executed, umm-

1 and uh--and what was your objective; what was the mission at that
2 time? Where were you going to put the first facility?

3 A The first facility was going to be in southern Iraq, I
4 don't re--I don't think it was--it wasn't near a town or anything, so
5 I can't give you a reference location, but----

6 Q What happ--you know--let me fast forward. What was it
7 called after?

8 A Afterwards, Umm Qasr, which is Camp Bucca. But originally
9 Camp Bucca was supposed to be north of the Umm Qasr location. And it
10 was supposed to be near the Marines' holding area, which uh--I think
11 was just a couple of kilometers away from there. And the reason why
12 we put it there, so it would be easier to transfer the detainees that
13 the Marines had to our internment facility. And then what had
14 happened was when combat operations started, and we were trying to
15 move all the equipment up on C+2, that area was still a hot area, and
16 the Marines built their internment facility, but they never used it.
17 So--

18 Q Consequently--trying to fast forward here. Consequently,
19 the plan that was um--that was included in the--in your planning
20 factors was to build an internment and resettlement facility
somewhere around the Umm Qasr area thereabouts?

1 A The original plan?

2 Q The original plan

3 A. Not near Umm Qasr, sir, it was----

4 Q Okay----

5 A. ----it was further north, umm--probably about a half hour,
6 forty minute drive further north and the reason why we moved it to
7 Umm Qasar was because the Brits had a holding area there, a holding--
8 --

9 Q ----so already, something was already established there?

10 A ----something was there, we built right next door, because
11 the Brits at that time had uh--I think they had almost 3,000
12 detainees in there.

13 Q Let me--let me move a little ahead here. Umm--task
14 organization set--had already been set when you arrived that
15 consisted of the 744th, 530th _____, and 320th, is that right?

16 A The original task organization when we first got here was
17 the 724th MP Battalion

18 Q 724th

1 A They were actually on the ground already, before I had
2 gotten here.

3 Q But the ones that was task organized for the Bucca mission,
4 was who?

5 A The 724th, the 320th, and then the 530th MP Battalion came
6 in

7 Q Where was the 310th? What was their mission?

8 A The 310th uh--they didn't get here until about April, and I
9 believe before they got here--okay now I remember now. There was a
10 point where I tried to stop units from coming in, because the
11 detainee numbers were down and I wanted to stop units from coming in
12 'cause we had no mission for them. And so, my concern was that--what
13 are we going to do with the next rotation, 'cause there aren't that
14 many I&R battalions to go around. So we briefed General Kratzer, I
15 put together a briefing on here's the number of detainees, here's the
16 projections, these units are at their mob stations. Cause if I
17 remember, the 310th was part of task force Ironhorse. So even though
18 they were at the mob station in February, umm--they didn't get in
19 theater until I think about April

20 Q Okay, just hold that for a moment.

1 A Yep.

2 Q So, the Bucca mission was underway, I'll fast-forward you
3 Umm--and umm--I believe prior to that there was a command estimate or
4 at least command--what I'm saying is CFLCC has conveyed to you that
5 potentially you could gather upwards to 80,000 detainees, prisoners
6 of war, whatever have you, were you aware of that?

7 A Yes, sir

8 Q Okay, but then----

9 A I don't remember if it was 80 or 60, but it was in--it was
10 around that number

11 Q What was then--was it conveyed to anybody from your
12 experience, or your, uh--on the ground experience here, of what was
13 your estimate of what your capabilities can handle?

14 A With those number of detainees and the battalions coming
15 in, uh--for EPWs, we--I believe we would have been able to handle
16 that number of detainees and that's why the plan was built with those
17 battalions coming in and phased in. The only problem was the
18 logistical issue of getting all the stuff, and I think what they had
19 done, was they had contracted with Brown & Root to build the second

1 internment facility at Camp Bucca if that was required and then more
2 up north in the Dogwood area.

3 Q. Alright, I'm just trying to gain some knowledge here.
4 There was a command estimate that you can get upwards of 60 or 80
5 thousand detainees, umm--somehow the planning stipulated that you'll
6 use three battalions for the Camp Bucca, and yet you were trying to
7 stop other--or slow down other battalions from coming in, in that
8 regard because of logistical issues

9 A Well, no I wasn't trying to slow them down because of
10 logistical issues, I was trying to slow them down because the war had
11 already started and--and the detainee capture rates that were
12 projected earlier didn't turn out to be anywhere near that number.
13 So----

14 Q Was there any estimates given to you with civilian or
15 displaced individuals on that?

16 A No No, sir

17 Q Did you ask? Did the command ask?

18 A Well, when we submitted this presentation up to uh--CFLCC,
19 then that's when I--I believe I spoke with Major [REDACTED] and Major
20 [REDACTED] who worked in the PMO shop at the time, and that's when they

1 said, "No we want all the battalions to come, because what we're
2 going to do with those battalions is, we're going to attach them to V
3 Corps, and we're going to attach them to umm--the Marines. And
4 they're gonna--and we're going to attach another one to--we're going
5 to be two to V Corps, one to handle the HPD mission and one to do
6 criminal--a criminal facility and one to the Marines to do a criminal
7 facility

8 Q Alright

9 A And that's why they let them come in.

10 Q Umm--let's move a little different now. How is your
11 Brigade Headquarters organized?

12 A We have a uh--General, and we have a Deputy Commander. We
13 have an Executive Officer and we have an S-1, 2, 3 and 4, and uh--S-6
14 and we have a--an S-5 We have a medical officer and we have a PAO
15 Do you need the ranks?

16 Q Do you have a Staff Judge Advocate?

17 A. Yes, sir An SJA

18 Q Alright Do you feel-----

19 A And I'm sorry sir, we had an IG also.-----

1 Q ----Do you feel that your Headquarters Command Group were
2 experienced to conduct I&R operations in theater?

3 A [Pause] That's a--that's a very tough question. My answer
4 is no Umm--

5 Q Why not?

6 A Because a number of these people had never done this
7 before

8 Q Well, nobody's been gone to war before.

9 A No, but--but--uh

10 Q But you've trained for it before.

11 A We've trained for it, but [pause]

12 Q So you didn't feel confident that they were prepared?

13 A [Pause] I never had any doubts that we can do the mission.
14 But, over time, umm--and not at day one, but over time, and certainly
15 when we got up to Baghdad, I got involved in more stuff than I
16 should've gotten involved as the S-3 because some of these sections
17 just didn't know what to do, didn't feel comfortable knowing what to
18 do So I had to get involved in all aspects of the brigade other
19 than the S-3 I would deal with the S-6, I would deal with the umm--

1 medical officers all the time because medical officers were always
2 rotated out after 90 days, so you constantly had somebody new in
3 there that--that never worked in the brigade before, didn't know the
4 detainee business, and usually took them a little while to get up to
5 speed. It--in a couple of instances, umm--there was actually an
6 under lap where we didn't have a medical officer, so the captains in
7 the section would come to me. The--I don't think our XOs did what
8 they should have done with respect to staff coordination and getting
9 the staff together

10 Q Meaning your XO--I mean you were having these--this
11 assessment and identification of problems, was that conveyed to
12 Colonel [REDACTED] or General Hill at that time?

13 A I--I conveyed them to Colonel [REDACTED] who was the XO. I
14 would tell him, "You need to--you need to tell the S-4 he needs to do
15 this, you gotta get the S-1 to do this, and you gotta get on these
16 guys," and--and uh----

17 Q Was the XO the proponent for staff coordination?

18 A Yes, sir

19 Q Staff supervision?

1 A Yes, sir

1 Q Was he your rater?

2 A Yes, sir

3 Q. Okay. So those have been identified and over time things
4 got a little bit more voluminous in terms of mission sets and----

5 A. Right, sir ----

6 Q ----and as you know, as the S-3, the S-3 shop is where
7 everything gravitates to. Operations, training, requirements.
8 Requirements, requirements, requirements, right?

9 A Right, sir.

10 Q You've experienced that? Okay, so that was conveyed to the
11 Brigade Commander, uh--but are you stipulating, or at least
12 insinuating that no help was being given to you? Or staff
13 supervision--those other staff functions were not being supervised by
14 the XO?

15 A I--I'm not--I don't want to say that, that no help was
16 given and that they weren't being supervised, I--I just thought it
17 could have been done better And--and when I did complain and--at
18 times it did get better But----

19 Q How many folks were in your S-3 shop?

1 A. I had a uh--a major, who redeployed in beginning of
2 January I had two captains, one who redeployed in uh--the end of
3 August I had another captain who was the NBC officer who worked
4 back in Arifjan I had a uh--sergeant major who redeployed in May,
5 and then we got a new sergeant major, I believe it was in July.

6 Q Who was that?

7 A That's Sergeant Major [REDACTED] And then November
8 Sergeant Major [REDACTED] was--because we lost our CSM [REDACTED] he was
9 made acting Brigade CSM.

10 Q Lost in the sense of?

11 A He wasn't working in the S-3 section any more.

12 Q At the time of--prior to LD, do you recall what
13 preparations was made by the Brigade Headquarters as conveyed to the
14 battalions and subordinate units with regards to mission, pre-combat
15 checks, pre-combat inspections, refresher training, that sort of
16 thing?

17 A Yeah, I--we had--we had briefed every battalion when they
18 came in on--we had a--we call it new Battalion in-brief. And so all
19 the staff sections would--would uh--we all got together at Arifjan
20 when the Battalions came in, we brought in the Battalion staffs and

1 if there was a company there at the same time, we brought them in and
2 we did about a two hour presentation where each staff section got up
3 there and talked about the mission.

4 Q What umm--okay, so you got to talk about the mission. What
5 other specific items that was addressed umm--with regards to your
6 mission?

7 A Umm--we talked about--each--each staff section went up
8 there, so we gave an intelligence overview. Umm----

9 Q It's like an operations brief?

10 A Right, sir. But we also included in it, uh--the JAG gave a
11 JAG overview with the Rules of Engagement Uh--I believe I--we also
12 went over the weapons procedures, green, amber, and red and the hold
13 and umm--the IG went over some--the IG issues; issues dealing with--I
14 believe at that time there was some--there were a few rapes that
15 happened at Camp Arifjan, so he talked about those types of issues.
16 Our medical officer talked about medical conditions and what--what
17 they would expect up there

18 Q Up until that time you were OPCON I believe to 377th, so you
19 were still under CFLCC's control?

1 A We were attached uh--attached to 377th, sir.

1 Q You were attached to 377th, okay. With regards to the ROE,
2 what kind of ROE was emphasized to the battalions? Different kinds
3 of ROE's, how many ROE's, or 1, 2, 3?

4 A Well there was always one, but we had made changes along
5 the way for different reasons, and so there was the original ROE that
6 was developed with CFLCC, umm--and we handed that out to all the
7 battalions and----

8 Q In what form?

9 A We gave it in a--a regular piece of paper, that--you know
10 8-1/2 by 11, but what we also did is we had a PSYOP unit attached to
11 us that had printing capability So we printed up thousands of cards
12 that we gave out to all the battalions that they were just able to
13 cut up and give out to the soldiers, so--so we did that. And then,
14 along the line we made different changes to the ROE as--as it was
15 required You want to know----

16 Q Were those approved? How did you make changes to those
17 ROEs? Did you request your command, since there was one ROE which is
18 a CFLCC ROE or did you have a somewhat indistinct ROE that you all
19 developed in the Brigade?

1 A We--it was basically the CFLCC ROE; but if I remember, the
2 CFLCC ROE didn't really discuss the detainee piece and how you should
3 handle detainees inside a wire compound So we took the CFLCC ROE up
4 top and then we added detainee operations at the bottom and uh--I
5 worked--I worked Colonel [REDACTED] on that and so the way we get--we
6 always get that approved through CFLCC. And he would send the ROE to
7 the CFLCC SJA and say, "Do you have any problems with this?" And so,
8 matter of fact you asked me--I think you asked them for some copies
9 yesterday

10 [MAJ [REDACTED] responds and hands copies to MG Taguba.]

11 Q Is this the final one?

12 A Well, I can go over them right now, if you'd like

13 Q Sure

14 A This one marked on the bottom that says "Original ROE" this
15 is the one that we first had

16 Q Okay

17 A Then we redid the ROE----

18 Q Do you remember the date umm--this is prior to LD?

19 A Yes, sir.

1 Q Okay

2 A. And that would've--yeah, exactly--that's what we would have
3 briefed at the new commander in-brief and then we redid the ROE in
4 about May.

5 Q So that was the second one?

6 A This was the second one And the difference on this one is
7 we asked to be able to fire a warning shot in the compounds.

8 Q In the compounds?

9 A Yes, sir

10 Q Alright Okay

11 A And then we did another ROE at the end of June, and what
12 happened there was, there was an escape from Camp Bucca, and the
13 Commander, who was Lieutenant Colonel [REDACTED] said one of the
14 problems is the soldiers were confused, so we--with the ROE on when
15 you can shoot and not shoot So we--we developed this one, which
16 basically, uh--paragraph number six on the bottom--we added the word
17 compound because it wasn't clear on when they can fire because the
18 way a EPW camp is set up. You've got the compound and then you got
19 the outside wire So we made it clear that once they crossed that

1 compound--see you still have the compound then the outside wire that

2 they would be able to shoot.

3 Q Just out of curiosity, during your training at home station

4 or AT or anything like that, was ROEs ever discussed at training?

5 A. I know we received some training at the mob station on the

6 use of force.

7 Q But not during a home station or annual training, none of

8 that?

9 A No, sir

10 Q Okay Does it kind of raise your curiosity that you're in

11 an I&R Brigade that should be included in your [inaudible] task?

12 A It probably should be, sir

13 Q Probably should be? Okay, based on your experience----

14 A Oh, certainly now, yes sir

15 Q This is the last ROE that was changed?

16 A Then we changed it in--at the end of November, when----

17 Q You had that riot----

1 A ----we had the riot in the compound. General Sanchez
2 wanted to use force first and not an escalating force, so they redid
3 this and came up with a bunch of vignettes.

4 Q Okay. Thank you So there's the changes.

5 A. Right sir.

6 Q Let me move ahead a little bit with regards to Camp Bucca
7 and the incidents at Camp Bucca Could you tell me how that was
8 reported to the chain?

9 A Which incident, sir?

10 Q The shooting, escapes, things of that nature That was
11 then the only detention site that you had being operated by the 800th
12 at that time?

13 A Well, we had also the trans-shipment point, Whitford, which
14 was able to hold about 500----

15 Q That's the transfer point?

16 A Right But----

17 Q I'm talking about Camp Bucca, which is more of a semi-
18 established----

1 A Right, sir.

2 Q Okay

3 A The uh--incidents would be reported via telephone or via e-
4 mail followed up by an SIR of the incident.

5 Q How many incidents of escapes, umm--anything unusual,
6 shootings, at Camp Bucca that was reported that was during the April
7 - May timeframe, if I'm not mistaken.

8 A There was nothing unusual But there was some instances
9 when we had holding area Freddy which we inherited from the Brits.
10 And holding area Freddy was a mess to begin with The compounds were
11 too close together, they didn't have the support structure that was
12 needed They had dig-out latrines where a detainee would go to the
13 end of the compound and squat in a hole on a box and every couple
14 days they would fill in some dirt and throw some lime on it and it
15 would be back new again So, there were some instances there, I
16 believe where one that comes to mind where a detainee was shot
17 because he tried--he was swinging a tent pole at one of the MPs so
18 they shot that detainee and I believe they killed that detainee.

19 Q This was inside the compound?

1 A. Right, sir. The soldier was going in to feed the
2 detainees, and uh--so he was shot inside the compound.

3 Q Which Company, which Battalion was that?

4 A That was the 320th MP Battalion ran holding area Freddy,
5 while the 724th MP Battalion was building the internment facility.

6 Q Okay So they were the guard. Those were the ones that
7 were conducting detainee operations, 320th?

8 A Well, they were conducting detainee operations at the
9 holding--at that holding area Freddy. The 724 then conducted--they
10 were building the internment facility And then once that was
11 finished we moved everybody over, 724 conducted detainee operations
12 and then we destroyed--

13 Q That was the mission set--the mission set was 320th conduct
14 detainee operation to guard that whole thing. The mission for the
15 724th was build the facility

16 A And then when they build it, they would run that facility.

17 Q Right What was 530th?

18 A The 530th, I believe got here later, I think they got here
19 at the end of March or beginning of April and their mission was force

1 protection, because there was such a large area there and there
2 wasn't really any divisions in the back to protect it, and CFLCC--
3 somebody from uh--they had a team go out and do an inspection and it
4 came up red. So we worked that team and we got it to a green status
5 and I think the 530th was just coming in at that time.

6 Q. When these battalions were to conduct their mission,
7 knowing full well that you're going to be holding detainees, whatever
8 category they may be. Were there any established command and
9 control, command and signal, and your operations or coordinating
10 instructions on how these detainees were to be accounted for? How to
11 be reported to? What system was to be done, that sort of thing, in
12 your operations order?

13 A The--yes, the detainees were supposed to be reported on the
14 NDRS system

15 Q On the NDRS system?

16 A Yes, sir.

17 Q How was that to be done?

18 A Umm--the detainees would be processed in, into the
19 compound, we had a processing area set up

1 Q Is that done automated? Is that done handwriting? Because
2 NDRS is a separate reporting system.

3 A The process is automated. It's a--they would go through a-
4 -we had a tent set up and the detainees would go in, there would be a
5 bunch of laptop computers and they'd be processed in, give the name
6 and uh--fill out the database on the NDRS. Then that's how it would
7 be reported. Then Major [REDACTED] rolled up all those numbers and we
8 reported that daily to CFLCC.

9 Q Okay Then the battalions are to do that daily?

10 A Yes, sir.

11 Q Accountability?

12 A Yes, sir.

13 Q How many times daily and what was the procedures for that?

14 A The battalions were to report daily to the brigade the
15 number of detainees they had within their--their compound. I think
16 it was at the end of the day they would report those numbers up.

17 Q Okay How many times a day did they report, once a day,
18 twice a day?

19 A Once a day

1 Q Once a day.

2 A Yes, sir.

3 Q Just once a day?

4 A. [Pause] From what I recall, the Battalion just reported
5 once a day to us because we were only required to submit that report
6 once a day to CFLCC Right, sir.

7 Q But those reports were not going to you, they were going to
8 the S-1, were they not?

9 A The reports were going to [pause] the S-1 but I received a
10 copy of the report every day

11 Q Okay

12 A I received a copy of the report every day because we posted
13 the report every day and it was a way for me to estimate if we were
14 reaching the capacity limits and where detainees were on the
15 battlefield

16 Q So essentially, the battalions reported to you once a day,
17 actually to the Brigade S-1 once a day, and that's where it's managed
18 and she gives you a copy of that report which then you forward to
19 CFLCC?

1 A I believe the S-1 forwarded that up and I just got a cc of
2 that

3 Q Okay. Was that the preferred method of reporting
4 detainees or was that in the SOP or was that just happenstance?

5 A That was the preferred way to report it because I wanted--
6 since I got a copy of it every day I knew the numbers that were being
7 report and it was easier if one section reported it as to--as opposed
8 to the Battalion sending the same information to two different staff
9 sections

10 Q Those were just number though?

11 A Right, sir

12 Q But how did the S-1 manage all of that? Did she manage by
13 numbers, did she manage by name, did she manage through Excel
14 spreadsheets?

15 A I think she did all of those She managed it by number,
16 and she was required to manage it by name And then over time, the
17 report came to about 14 pages because everybody wanted the report in
18 a different format So we added different Excel spreadsheets to
19 accommodate what everybody wanted.

1 Q So there's no standard format, per se? Not in your TAC
2 OPS?

3 A Well, there was a format. CFLCC established the format and
4 required us to report a certain way, but then they changed the
5 format, what the reporting--what the report was, and then--so we
6 changed ours. And then when we got up to CJTF-7, there really wasn't
7 any standard that CJTF-7 wanted, so we reported with the EPW report
8 that came out daily

9 Q So essentially, you had three different formats CFLCC's
'0 format, you created your own format, and CJTF didn't have a format
11 so, you know There's no commonality is what I'm saying.

12 A Right, but it wasn't--it wouldn't have been three different
13 formats at the same time There was--before the war, uh--CJ--CFLCC
14 PMC said, "Here's how we want things reported, and here's the numbers
15 we want them reported "

16 Q Okay

17 A Then, once the war started, they changed the format and how
18 it was supposed to be reported And so, we changed our format, and
19 then once we reporting on a daily basis, then when we went up to
20 CJTF-7, we just kept that format.

1 Q But, all of those formats: management, database,
2 accounting, analysis, all that stuff, resided in the Brigade S-1?
3 You did not manage anything regarding detainee rosters or anything of
4 that sort

5 A No.

6 Q Okay. You just received the reports. How were the escapes
7 reported?

8 A The escapes were reported uh--via phone call, via an e-
9 mail, and followed up by an SIR

10 Q Was there a format that----

11 A The SIR format, sir

12 Q And, then how was that handled?

13 A Well, umm--what we required the units to do was to conduct
14 a review of what happened, and we never had that many escapes So it
15 wasn't like----

16 Q How many is not having--how many is that at Camp Bucca?
17 You had a total population of X who escaped?

18 A We had a total of--from June through January we had 34
9 escapes from all of our facilities

1 Q. At Camp Bucca?

2 A At Camp Bucca, we had four on the 19th of June. We had 11
3 on the 30th of July. And then, that's the one where I told the
4 Commander--because what happening was, the Battalion's--I wasn't
5 certain they were taking this--we always got called to task for it.
6 So the Brigade suffered the heat when detainees escaped. So, I told
7 General Karpinski, I said, "I think it's time for us to start----

8 Q She wasn't in command during Bucca

9 A This is 30 July

10 Q Okay

11 A So I believe General Karpinski took over at the end of
12 June

13 Q What did you convey to General Hill with regards to
14 escapes? Since you're his Operations Officer.

15 A There--I don't remember there being that many escapes when
16 General Hill was there.

17 Q Was the objective not to have anybody escape?

18 A Always, sir That was the objective Umm--and then----

1 Q. If there is an escape, then you investigate and you're
2 supposed to provide some sort of recommendation for prevention?

3 A Right, and those recommendations always were to add
4 additional wire. The units would put additional trip-flares out,
5 they'd move towers to umm--get a better view of the compound. So we
6 would go over what had happened and then the battalion would make the
7 changes to make sure it didn't happen again.

8 Q Was that conveyed to the Battalion or was that conveyed
9 Brigade-wide?

10 A That was conveyed to the Battalion.

11 Q Okay Don't you think it should have been conveyed
12 Brigade-wide, because units in the Brigade will be conducting I&R, in
13 terms of improvement

14 A Well, see one--the issue we had was each of our facilities
15 was different So----

16 Q But you still had the objective of preventing detainees
17 from escaping?

1 A Right. But, if a guard tower at Camp Bucca needed to be
2 moved, it wasn't that we needed to do the same thing at Baghdad
3 Central

4 Q Fair enough. However, the stipulations that I'm trying to
5 lead to is that the objective is accountability, and the objective
6 was prevention. It's a matter of having--it's a matter of attention
7 to detail, don't you think?

8 A Yes, sir. But I never thought we got to the point where
9 the number of escapes was out of control, or anything----

10 Q that significant----

11 A ----that significant. We had from June to January we had
12 34 escapes, umm--we detained in our facilities, almost 34,000 people
13 So, if you add those numbers up, it's probably less than one-tenth of
14 one percent. So----

15 Q I heard that one before. So--okay.----

16 A ----So whenever--whenever we had these issues and we seemed
17 to have a number at Camp Bucca during January, and so what we
18 required the Battalion to do--we even sent Colonel ██████████ up to do a
19 15-6 on the escapes, umm--but what we required the Battalion to do
20) was to provide to us what they were going to do to fix the problem.

1 Q The umm--Bucca was being operated--where was the Brigade
2 Headquarters at?

3 A. The Brigade Headquarters--what timeframe we talking about,
4 sir? In the beginning?

5 Q May.

6 A In May, uh--well--in March the Brigade Headquarters was at
7 Arifjan, but when Camp Bucca was opened, the Deputy Commander was the
8 Camp Commander at Camp Bucca That's Colonel [REDACTED]

9 Q Who was that?

10 A Colonel [REDACTED] And he also had with him a staff of probably
11 about 12 to 15 from the Brigade staff that were there.

12 Q So you displaced--what would you call that?

13 A That was the--they called themselves the Brigade Forward.

14 Q The Brigade Forward, okay

15 A So, since we had----

16 Q Was that directed by General Hill?----

17 A ----Yes, sir. Since we had umm--three lieutenant colonel's
8 on the ground then we had a fourth from the BLD, and the other issue

1 was we had so many other people there, we had uh--signal units, we
2 had the Brits there, we had a medical unit, we had a postal unit, we
3 had engineers there. So Colonel [REDACTED] went up there as an O-6 to
4 provide the oversight

5 Q So he was the Camp Commander, so to speak?

6 A He--right sir, that was his title.

7 Q He was the command--the Brigade Forward Okay, if that was
8 the intent, that's fine How many shootings occurred at Camp Bucca?

9 A [Pause]

10 Q There was at least that one you said.

11 A Yeah, I know there was the one I think there were two or
12 three I don't remember, sir

13 Q Two or three? How were they reported?

14 A They would report--they were reported up via NSIR.

15 Q Were they investigated?

16 A I believe if--if uh--I believe they were all investigated
17 by a 15-6 officer, Colonel----

8 Q ----And the conclusion was, they followed the ROE?

1 A. I don't remember what the conclusion was, sir.

2 Q Okay, cause, you recall there were several changes to the
3 ROE.

4 A Right

5 Q At that time there were shootings in there. One inside the
6 wire, there were other shootings that you estimated cannot recall.
7 Was the ROE adjusted at that time? You mentioned they were
8 investigated, or how was that handled?

9 A Think we adjusted the ROE and we put in the firing of the
10 warning shot, because uh--General Hill wanted that put in there He
11 didn't want anybody else killed, umm--so we adjusted the ROE to be
12 able to fire a warning shot Because our location, we were able to
13 do that

14 Q Okay But do you recall if--you don't specifically recall
15 whether they were investigated or not?

16 A I don't recall, but I'm almost certain there were
17 Because, certainly if it ended up--if it ended in the death of a
18 detainee, it would have been investigated

1 Q Alright. Give me a brief--your assessment, then, umm--each
2 of the Battalion Commanders. How did you assess their capability,
3 leadership style, command climate, that sort of thing? Who do you
4 think was the strongest and who do you think was probably not so
5 strong?

6 A I'm gonna write 'em all down so I don't forget any. [Pause]
7 There are eight battalions Umm--the 530th Battalion, uh--Colonel
8 Novotny, was a very good commander, and they are continuing to do a
9 very difficult mission at the MEK Compound. The----

10 Q Have you been up there?

11 A Yes, sir. Um--the 324, Lieutenant Colonel [REDACTED] was
12 uh--probably one of our best commanders And he had a very difficult
13 mission, because he assumed the MEK mission early on, and that was a
14 mission that I think we did an excellent job doing and the Battalions
15 handled it real well. The 744th MP Battalion, Lieutenant Colonel
16 [REDACTED] was a decent commander He had a good staff, so he--that was
17 a pretty good Battalion. The 310th and the 400th MP Battalions,
18 Lieutenant Colonel [REDACTED], the 310th and the 400th was Lieutenant
19 Colonel [REDACTED] They were uh--I would say middle block battalion
20 commanders, but they also--they had very good staff and the 310th has
21 a good S-3 by the name of Captain [REDACTED], and the 400th had an

1 excellent S-3, umm--whose name escapes me right now--but we [pause]
2 no I'm sorry, the 400th--the 400th was taken over by the S-3 at the
3 324, but the 400th Commander was middle-of-the-road commander, and he--
4 -he basically was running the Baghdad jails. The 724 Commander, uh--
5 Colonel [REDACTED] was also a mediocre Battalion Commander and--but she
6 had a good staff--Captain [REDACTED] And the 115th Battalion
7 Commander, Lieutenant Colonel [REDACTED] was an excellent Battalion
8 Commander, he ran the HVD facility in Camp Cropper. The 320th
9 Battalion Commander, Lieutenant Colonel [REDACTED], I thought was a
10 weak Battalion Commander, and [pause] was probably the reason for
11 some of the problems that they had down there is his inability to
12 motivate the troops and to provide that command presence. I think
13 that's all the battalions

14 Q Okay What we're going to do now, Major [REDACTED], we'll
15 take a five minute break session, refresh the reporting here,
16 equipment, and reconfigure some of our issues, and I will call you
17 right back Please don't discuss anything--any of the contents of
18 the interview. Just have you wait outside. Thank you.

19 [Interview recessed at 1023]

20 [Interview reconvened at 1033]

1 Q Okay, we're going to shift a little bit to----

1 A I remembered the two names.

2 Q Sure, sure.

3 A. The S-3 prior to my tenure is Lieutenant Colonel [REDACTED]

4 Q [REDACTED] okay.

5 A And the S-3 from the 324th that took over the 400th was Major

6 [REDACTED]

7 Q [REDACTED]

8 A. [REDACTED]

9 Q [REDACTED] ---

10 A [REDACTED]

11 Q With regards to internment and resettlement operations,
12 Major [REDACTED] what--did you refer to any kind of references,
13 guides, or guidelines or doctrine?

14 A AR 190-7 is a regulation dealing with detainees, and uh--FM
15 3-14 is the regulation dealing with IR operations.

16 Q Okay Do you know the contents of those documents, I've
17 heard that this is a non-doctrinal approach with regards to I&R, but
18 you still have to refer to the basic principles with regarding to

1 conduct and operations of an I&R mission, being that the United
2 States Army is the executive agent for all internment and
3 resettlement missions

4 A Right, sir

5 Q Umm--do you recall what it stipulates or is stated in those
6 references that you mentioned, requirements that are guiding
7 principles of sorts in the performance of your mission?

8 A The biggest guiding principles is [sic] that detainees are
9 to be treated in accordance with the Geneva Convention, and be treated
10 humanely and fairly.

11 Q Was there other requirements stipulated in those Army
12 Regulations and those Field Manuals of how the components of or the
13 provisions of the Geneva Convention are conveyed to both the
14 detainees and also the military policemen that are handling them?

15 A Well, the--the requirements are you're supposed to post
16 signs in the facilities for the detainees to be able to read 'em to
17 provide Geneva Convention to the detainees so that they can review it
18 to see, ya know, if they have any issues or questions with the Geneva
19 Convention To allow uh--the ICRC to come in and conduct visits to
20 see how detainees are being treated, are required to segregate

1 detainees so you don't have obviously males or females or criminal
2 detainees with EPWs or civilian internees with EPWs.

3 Q Were those requirements posted on the operations order a la
4 coordinating instructions or emphasized during the mission briefs at
5 the battalion, did you know? From the brigade?

6 A I don't recall, they were specifically put in the
7 operations order, but in each of the battalions was given a CD-rom
8 that had all of the manuals in there, the Ars, the FMs, that dealt
9 with detainee operations. The uh--and we gave that to them in
10 January when we met even before we got to theater. And, uh--each of
11 the battalions was--were given copies of the Geneva Convention both
12 in Arabic and in English and I also prepared for each of the
13 battalions a CD-rom that had on it the--I think it's FM 27-1 which is
14 the Law of--which had in it the Geneva Convention and uh--the
15 different ARs that pertained.

16 Q Did anybody supervise whether these were being properly
17 employed, or properly followed either by the Brigade leadership or
18 the Battalion leadership?

19 A We had uh--a unit--the 346th MP Det that went out to the
20 facilities and did a review of the facilities and those are the
1 things that they looked at. Umm--the ICRC also came in and did

1 reviews of the--of all of our facilities, so when I read those
2 reports, there were nothing in those reports that were glaring that
3 we weren't following what the guidelines were. Obviously, there is
4 always stuff that we can do better, but there was nothing that came
5 to my attention. We also had uh--reviews by uh--General Miller, who
6 came from GITMO and looked at some of the facilities. And General
7 Rider came with his team and looked at all of our facilities So, I
8 was comfortable that we were following those rules

9 Q Alright, would it surprise you that since the beginning, or
10 at least at the onset of our investigation that none of those are
11 being followed?

12 A It would surprise me, sir.

13 Q It would surprise you?

14 A Yes, sir

15 Q Did you physically go out to each of those facilities and
16 check to see if the Geneva Convention was posted somewhere in the
17 facility, both English and Arabic where the detainees and the guards
18 could see them?

19 A I didn't go out there and physically see if they were
20 posted, but----

1 Q. Did you emphasize that to the battalions to prevent
2 maltreatment and abuses, because you already cases of maltreatment of
3 detainees?

4 A I--

5 Q Would that surprise you that you need to emphasize that to
6 the Brigades, to the Battalions, to cover that--to prevent that from
7 ever occurring again?

8 A It--it certainly did surprise me, sir. And one of the
9 things after we found out about what happened at BCF, umm--I asked
10 the Commander to send out some policy letters, which she had Colonel
11 [REDACTED] write, and they were sent out. And I got with the IG and I
12 had the IG write a letter that we posted in all of our facilities and
13 we also created a flyer that said if anyone is aware of any detainee
14 abuse, you should report that immediately, and we not only gave the
15 800th MP Brigade IG's number and we also gave the CJTF-7 IG, in case
16 somebody did not want to report it directly to the Brigade

17 Q Was that the proper procedure, report abuses to the IG for
18 investigation or report it to the command?

19 A Well they can report it to the command also, but my feeling
20 was that I--being an IG and that certainly one of the things in a

1 wartime situation can look at. I felt that what bothered me about
2 what happened at Baghdad Central was that no soldier came forward and
3 said this is wrong.

4 Q Except for one.

5 A Except for the one, but it was a little bit--way after the
6 fact. Even when we had the abuse in May, umm--what a lot of people
7 didn't focus on in the beginning was that that was reported by an MP,
8 at or about the time it happened So----

9 Q How would you characterize that--why did that happen?

10 A At Baghdad Central?

11 Q Yeah Cause you had sergeants and corporals doing that.
12 What were the contributing factors, do you think? Based on what you
13 discussed that everybody's supposed to have ROEs. Based on the fact
14 that you said they're supposed to understand the provisions of the
15 Geneva Convention

16 A I--I think there were a number of things that contributed
17 to that

18 Q Sure

1 A. I mean, the Army values are very basic, and every soldier
2 knows those values. So----

3 Q ----You think?

4 A They should. Umm--and we certainly more so on active duty
5 instill those values in soldiers.

6 Q Okay.

7 A So, those soldiers there, obviously, were lacking the
8 values, and so they let that happen. The other contributing factors
9 was that one facility was always--wasn't clear who was in charge of
10 that facility Be it the MI or the MP, because when General Miller
11 came, General Miller said specifically that we weren't supporting the
12 MI in their interrogation role And that detainees needed to be
13 woken up at a certain time, be brought to the latrine in a certain
14 way, to be brought to the interrogation facility in a certain way
15 And that we needed to have our MPs comport to that and to help them
16 out And, so--umm--you've been out to that facility, I take it?

17 Q Sure, several times

18 A That front pod there, those isolation cells, they were the
19 first ones constructed by CPA and MI took that when they built their
20 MI interrogation facility off the back--that trailer that's back

1 there So use that to put in that facility whoever they wanted to be
2 put in that facility. And, one of the things MI did was to have
3 detainees strip down and I believe the ICRC actually came across that
4 when they were doing their review. And this is just me looking back,
5 I--I wasn't aware this was happening at the time it was happening.
6 And so I think that by allowing those things to happen, umm--the
7 soldiers took it a little bit further, you know----

8 Q ----So you're blaming the soldier themselves or are you
9 blaming the unit that was responsible for performing that mission, or
10 are you blaming lack of clear guidance or a lack of clear standards,
11 with regards to that?

12 A Well, I don't think we can blame any one individual for
13 what happened Uh----

14 Q ----Not even those soldiers that----

15 A ----Well, obviously, those were criminal acts, so--I mean,
16 I doubt there'd be guidance out there that said--that--that they
17 would have followed anyway I mean, you just don't do those things
18 to people, those--those are criminal acts and they should be held
19 accountable for that, so I blame the soldiers for that Umm--but I
20 can't blame any one reason, MI didn't do this, the MPs didn't do
1 that, or the 320th should have done this, the 800th should have done

1 that. Umm--we probably could have been all been a little bit more
2 vigilant uh--as to what was going on in that facility.

3 Q But the MI soldiers were not involved in those--that events
4 in that facility

5 A. Yes they were sir They were umm----

6 Q Physically involved?

7 A I--I----

8 Q Have you read the CID investigation on that Major
9 Cavallaro?

10 A I did not, sir. I read it--part of it and saw that there
11 were two MI names mentioned in there, but I didn't read the whole CID
12 investigation----

13 Q Do you know for a fact whether they participated in that or
14 not?

15 A I don't know, sir, but I know that the MI soldiers were
16 around---

17 Q Were around?----

8 A ----in the facility.

1 Q Okay.

2 A. ----and there were certain----

3 Q. Were you given information of who exactly was involved in
4 that event?

5 A From MI or from the soldiers?

6 Q From anybody Who were the preponderant people who
7 participated in that?

8 A I don't know who they were, I--I----

9 Q Do you know what Company they belonged to?

10 A Yes, they belonged to the 372nd MP Company.

11 Q Okay So, could you reasonably assume that they were MP
12 soldiers?

13 A Oh, yes, sir I'm not trying to say that this is an MI
14 issue or that the MPs didn't do what the MPs should have done. What
15 I'm trying to say is that I think there were a lot of contributing
16 factors to this And that we just can't----

17 Q Okay What would you think would be the single
8 contributing factor of why that happened?

1 A [Pause] Lack of supervision on the part of the Company
2 Commander.

3 Q. Just the Company Commander?

4 A And--and the Battalion on the ground.

5 Q Okay. Would you say that there was no clear comprehensive
6 set of standards for which that Company Commander, that Battalion
7 Commander could comply or not comply?

8 A The ROE was out there and the ROE said treat everybody with
9 dignity and respect.

10 Q But you just mentioned that the Geneva Convention was
11 supposed to be posted somewhere, did you not?

12 A Right, sir

13 Q So, if that was not enforced, do you assume that those
14 soldiers would memorize that?

15 A I would----

16 Q ----Commit that to memory?

17 A I would uh--hope that they all had a copy of the Rules of
8 Engagement ----

1 Q. ----You would hope. The reason why I'm asking that from
2 you is you were the Operations Officer. You develop operations
3 orders, you provide instructions, you're supposed to refresh
4 everybody's memory on the standards and the mission intent. And the
5 Brigade Commander is supposed to reinforce that. So if you're giving
6 me those references, but yet none of those references were ever
7 applied to the operation, nor ever enforced because you said lack of
8 supervision, perhaps that could have been prevented, if leadership
9 was visible That clear, unambiguous guidance; clear, unambiguous
10 standards was understood all the way down to the lowest private
11 Would you reasonably assume?

12 A Oh, absolutely sir

13 Q Okay

14 A But we did reinforce----

15 Q In what sense did you reinforce that?----

16 A When----

17 Q ----Was that reinforced after the Bucca incident? Was that
18 reinforced after the lighting incident?

19 A After the Bucca incident

1 Q Okay

2 A. We went out and did the FRAGO that moved everybody around
3 when we did the TOA and moved up specifically in that FRAGO, I tasked
4 each battalion to ensure that uh--detainees were treated in
5 accordance with the Geneva Convention, umm--and other regulations.

6 Q Okay.

7 A And reminded them that the current Rules of Engagement were
8 in effect

9 Q Okay.

10 A Could we have done more, looking back on it? Absolutely,
11 sir

12 Q Did you go back to any references? Did you refer back to
13 any of the provisions of the ROE? Did you go back to the FM? Did
14 you go back to the AR? Did you go back to anything that says,
15 perhaps we were remiss of something? Was any of that attempt made?
16 Was that an AAR made based on each incident there was some sort of a-
17 -a team huddle of sorts that says we gotta quit doing this sort of
18 thing

1 A A--after the Bucca abuse incident, General Hill went around
2 to each unit and reminded them of their obligations to treat all
3 detainees-----

4 Q Was that carried over to General Karpinski?

5 A No, sir.

6 Q No? When she took command, did she ever provide or
7 amplified or emphasize her command philosophy?

8 A We--in the--in the Commander's intent she amplified how
9 detainees were supposed to be treated.-----

10 Q ----Did she say anything about "This is how I want to run
11 my command " Was that ever amplified? Detainee operations is just a
12 segment of all this

13 A Not that I can recall, sir

14 Q None? None was ever posted?

15 A Nothing was ever posted No, sir

16 Q Nothing was ever posted?

17 A Other than the--the Commander's intent distributed out to
8 each of the units Truthful accountability and the humane treatment

1 of captured enemy forces consistent with the Geneva Convention and
2 established regulations

3 Q. Okay That was the Commander's intent?

4 A Yes, sir. Well, that was part of it, but that was in the
5 Commander's intent.

6 Q Part of it? Okay. And you reasonably assume it was
7 understood by those who received that order?

8 A Yes, sir

9 Q And then there were cases in investigations of escapes, and
10 suspected maltreatment of detainees, whether reported or not. Let me
11 ask you, did you know that there were dogs being employed up there?

12 A Where sir?

13 Q At Abu Ghraib

14 A I knew there were dogs there, yes.

15 Q Did uh--when were you made aware of the dogs being up
16 there? Was that a request made from the 320th, or did you all request
17 that?

1 A. The--there was a request made not only from the 320th, but I
2 believe the MI also got dogs for their own use and they re--they did
3 a uh--I think they did a Request for Forces, so they got some dogs
4 and then what we did was, once the Bucca population--cause we were
5 gonna close Camp Bucca--once it was reduced to a manageable number, I
6 think around 800, we moved the dogs from Camp Bucca to Baghdad
7 Central

8 Q Okay. Uh--those dogs were not under the control of the MI
9 Brigade Those dogs were under the command and control of the 315--
10 20th MP Battalion.

11 A The dogs from Bucca were But the dogs from the MI, they
12 were the MI dogs And I specifically spoke to Major ██████████ about
13 that because he--they wanted those dogs to be used in the MI areas of
14 Camp Vigilant

15 Q So you thought that the MI had command and control of the
16 working dogs there?

17 A Well----

18 Q ----Do you even know the composition of the working dogs
19 there?

20 A I believe there were five working dogs.

1 Q. Okay. All Army or Air Force or----

2 A ----uh--the ones we had were Army. I don't remember the
3 ones the MI guys had, I think they might have been Navy or Air Force.

4 Q. Okay I want to make clear to you that the MI never had
5 any military working dogs

6 A Those dogs came--some of those dogs came at the request
7 from the MI Battalion.

8 Q At the request of the MI Battalion, or the MI Brigade?

9 A Right, the MI Brigade, I'm sorry.

10 Q But did you check to see if they were physically under the
11 command and control or they were under the command and control of the
12 320th?

13 A I knew that since the 320th was operating those facilities
14 that they were--they would use those dogs as--as they saw fit And I
15 never expected that the MI guys were using the dogs because they
16 don't have any handlers and they wouldn't know how to use the dogs
17 anyway But--so----

18 Q I want to tell you one more time, those dogs were never
9 under the command and control of the MI Brigade or the MI Battalion.

1 Uh--which leads me to my next question of--were you ever aware that
2 there were military working dogs that were being utilized in Abu
3 Ghraib from the period October until now?

4 A Yes, sir.

5 Q Okay Do you have any knowledge as to the purpose of the
6 utilization of those dogs?

7 A The dogs were basically used as a--to prevent riots and uh-
8 -to control the detainee population within Camp Ganci and uh--Camp
9 Vigilant Kinda like a show of force.

10 Q Show of force? Okay Was there anybody in your staff that
11 had any knowledge, whatsoever on the employment of those military
12 working dogs?

13 A The Brigade staff? No sir

14 Q Did that RFF come through you?

15 A The request for the--us to move the dogs from Bucca came
16 through us, yes sir.

17 Q Okay Back in November a FRAGO was issued umm--I believe
18 it was FRAGO 1108 that appointed the 205th MI Brigade Commander as the
19 Forward Operating Base Commander for the Bucca Complex--I'm sorry,

1 the Abu Ghraib Complex, the BCCF. Could you--do you recall what the
2 command relationship was between the MI Brigade and all the tenant
3 units in Abu Ghraib?

4 A The--I believe that there were have a--a TACOM to--yeah,
5 they were TACOM to the 205th MI Brigade for security detainees and FOB
6 protection

7 Q What does that mean to you?

8 A Well, to me it means that they were responsible for the
9 force protection of the facility itself of the entire complex. Umm--
10 and for the security of detain--the detainees themselves.

11 Q Who sets the priorities for the tenant units?

12 A [Pause] I don't know sir I--I would----

13 Q The gaining Commander So the gaining Commander then would
14 be?

15 A 205th

16 Q 205th Was there some sort of a collaboration between you
17 as a Brigade S-3 and the 205th MI Brigade S-3 as to the stipulation of
18 that command relationship if there were any constraints, limitations
19 of that sort of what that command relationship actually meant?

1 A. I spoke to Major [REDACTED], but I don't recall specifically
2 what I spoke about. Umm--I don't remember there being any particular
3 issues with this FRAGO, and one of the issues we always had was the
4 whole force protection piece, cause we simply just didn't have enough
5 MPs to secure the detainees and to take care of the force protection.
6 And we asked MI community on a number of occasions to help us out
7 with that, to--ya know, man some of the towers, and they didn't want
8 to do that, so when this--when this FRAGO came in umm--I actually
9 felt it was actually better for our soldiers because Colonel [REDACTED]
10 was on the ground and he had some soldiers there that could help out
11 with the force protection and now that he--he was responsible for it,
12 I thought they would get a little bit--little more assistance.

13 Q What gave guidance or any rationale that you can think of
14 on the task organization of the--re-task organization of the Brigade
15 following the Bucca mission where everybody was pretty much told to
16 move up north? Umm--was there any consideration given in your
17 mission analysis for that particular operation of--of weighing the
18 importance of all those camps that you're supposed to establish:
19 HVD, Cropper, back up north, Abu Ghraib, was there something that
20 kinda weighed which--which mission is more important than the other?

1 A. Well, yeah, when we did the mission analysis, the Abu
2 Ghraib piece was certainly one of the more important ones at that
3 time and we hadn't had----

4 Q ----How did you all prioritize that?

5 A [Pause] Bucca would have been the priority because we had^k
6 some detainees in there. Umm--

7 Q Thee priority.

8 A I'm sorry sir?

9 Q Thee priority, after Bucca?

10 A The main effort would have been Baghdad Central because
11 that's what CJTF-7 wanted us to do to get that facility operational.

12 Q Right

13 A So, that would have taken most of the effort to build a--
14 four thers--four thousand person internment facility basically from
15 scratch, so----

16 Q Sure ----

17 A ----that was the priority at the time.

3 Q Which is considered--what was your supporting effort?

1 A. Supporting effort would have been CPA and the establishment
2 of the--all the jails cause we also got the mission to do all of the
3 criminal confinement facilities throughout Iraq.

4 Q. So you--Brigade staff you would lead as a 3, task organized
5 the Brigade, per se, and then chose Battalions to be missioned for a
6 specific mission set or site And you chose or the Brigade
7 Commander, based on your recommendation, somebody else's
8 recommendation to put the 320th there. And uh--what was the rationale
9 selecting the 320th, based on their previous performance of the 3 at
10 Bucca and based on your assessment that Colonel [REDACTED] is a weak
11 Commander?

12 A Well, my assessment of Colonel [REDACTED] comes during the
13 whole operation, from the beginning til January And so, when--when
14 I made that recommendation in around--I guess it would have been
15 around the June timeframe, umm--some of the instances didn't happen
16 that would make me make that statement now that he was a weak
17 commander Umm----

18 Q Let me focus it though Colonel [REDACTED] was in charge
19 of the 320th conducting the Bucca mission up until around October;
20 whereby, incidents of shootings and escapes and whatever have you to
21 include the four that were punished for detainee maltreatment was

1 under his command. But yet, he was selected to--to be missions for
2 what you consider to be a priority mission called Abu Ghraib.

3 A Umm--Colonel [REDACTED] actually--in--he was not in charge
4 of Camp Bucca. The person responsible for the Camp Bucca internment
5 facility was uh--Colonel [REDACTED]

6 Q ----I understand.

7 A Right, but he was there.

8 Q People that were punished for mistreatment of detainees
9 belonged to him

10 A I--I understand sir

11 Q Okay

12 A And, I believe you said until October it would have been
13 til June he was at or--beginning of July he was at Camp Bucca then we
14 moved--

15 Q ----Then he moved out

16 A Right

1 Q. Okay. So you weighed all of that effort, important
2 mission, task organized, how did that all--what was the rationale
3 behind that decision?

4 A The rationale behind it was um--

5 Q Because you had other battalions out there somewhere.

6 A Right. The other battalions we had were already committed
7 to missions. The 310th was already in the Marine area. They were
8 running one facility down there and building another facility. The
9 324th was already up in the MEK area, up in Ashraf. The 400th already
10 had uh--the facilities in Baghdad, they were already operating that.
11 The 744th was already at--at TSP Whitford and that was still
12 operational And they were working on a couple of prisons and jails
13 in that area The 115th had the HVD mission and they all already had
14 Camp Cropper So that left me with three battalions. The 724 who
15 was operating Camp Bucca, the internment facility and we always
16 thought that the way the redeployments were going to work was that
17 they would be one of the first units to leave because they got here
18 much earlier than everybody else The reason why I--I selected the
19 320th umm--was because they had a very strong engineer A guy by the
20 name of Captain [REDACTED] who basically had a big hand in building Camp
21 Bucca uh--and helping out the Brigade staff get all the requirements

1 and the resources for Camp Bucca. So, that was one of the decisions
2 why we picked the 320th. And also, umm--the 530th had been conducting
3 a force protection operation at--at Camp Bucca, so the 320th at that
4 point really didn't have a mission. Because the 724th had the Bucca
5 piece by that time holding area Freddy was already gone, that was the
6 320th's mission and the 530th had the force protection piece. So, that
7 was the other deciding fact that went into it.

8 Q Did you umm--assess their capability or did the Battalion
9 Commander or their Battalion S-3, Major [REDACTED] come up to you and
10 confer with you whether they were short portions of their capability,
11 short of people, things of that nature, or whether they can
12 accomplish that mission set or not?

13 A Everybody was short people, umm----

14 Q Yeah, but you could--everybody's short people.

15 A Right

16 Q But then, you had the ability, based on your assessment to
17 re-task or organize within your Brigade, not necessarily the Battalion,
18 but reallocate assets, based on your analysis

19 A Major uh-[REDACTED] initially wanted that mission and he told
20 me that, they want the mission because he wanted to prove to everyone

1 that they can do it. And that, after what happened with Sergeant
2 [REDACTED] they wanted another mission to be able to do it, to do it
3 well. Then, once we issued the FRAGO, Major [REDACTED] said, "Why don't
4 you pick somebody else, because we don't really want to come to
5 Baghdad." But, at that point, he never, I don't recall him
6 expressing any concern about any shortages of people at that time.

7 Q Did they have a Battalion XO?

8 A They did not have a Battalion XO.

9 Q Was that--did the Brigade Commander know that?

10 A Yes, sir.

11 Q Was there any attempt to give him a Battalion XO given the
12 gravity and importance of the mission?

13 A We--That Battalion XO pretty much stayed at Arifjan anyway.
14 He did not--he spent a lot of time in the rear and I believe he--he
15 redeployed somewhat quickly by the time he got here. Umm--there was
16 a point where we sent Major [REDACTED] over there from the Brigade
17 staff.

18 Q That was after the riots?

9 A Right, sir.

1 Q Okay This is at the time of the employment to Abu Ghraib.

2 A No

3 Q No. Where there any attempt by anybody to volunteer to be
4 the Battalion XO, or just waited around to be picked?

5 A We didn't really have--the battalions, I didn't really have
6 a lot of people to choose from or to recommend that this person go
7 over there and be the Battalion XO.

8 Q There was nobody back at Arifjan, the rear detachment back
9 there that could help out?

10 A Not as Battalion XO, sir

11 Q Not as Battalion XO So, in your assessment, there were
12 nobody qualified, skilled, competent enough to be selected as a
13 Battalion XO for the 320th Given the fact that they were going to a
14 very important mission, where you could actually reallocate people
15 within the Brigade, and there was no attempt to do that?

16 A At that point, I wasn't aware that it was an issue, sir.
17 So----

18 Q ----Did you make it aware to your Brigade Commander?

1 A. The Brigade Commander would have known that there was no XO
2 at that particular unit.

3 Q But you would have known the capability of that Battalion.
4 Cause you selected it for that mission.

5 A. Right but I--I didn't think that there was an issue the
6 fact that they were short an executive officer

7 Q So that wasn't an issue?

8 A No, sir.

9 Q Okay. Did you also know that each of those Companies do
10 not have a Company XO?

11 A That I know, sir

12 Q So in your assessment, on your best judgment that they
13 could--that they were capable of doing it, given the fact that the
14 Battalion S-3 came back to you and said, "Pick somebody else
15 Mission too large, I'm not capable enough as a unit to accomplish
16 that mission " Given the fact that they got about nine, seven, or
17 eight, or whatever Company Detachments that were task organized to
18 that Battalion.

1 A. It wasn't that Major [REDACTED] said he couldn't do the
2 mission. My impression of that conversation was they didn't want to
3 do the mission; that they didn't want to move.

4 Q Okay.

5 A And I had discussed that with Colonel [REDACTED] And we really
6 didn't have any other options then to send that unit up to Baghdad
7 Central

8 Q Absolutely, you're given a mission, and you salute the flag
9 and you move out

10 A Right, and so when they went up there, Colonel [REDACTED] spent a
11 lot of time up at Baghdad Central to help out with the construction.

12 Q Help out with the construction?

13 A With the coordination with the engineers and getting the
14 assets to -to build it and working with the CJTF-7 C-4, umm--in
15 coming up with the site locations

16 Q This is all before the 205th showed up So, what were the--
17 what would you think was then the priority task of that Battalion
18 when they assumed the mission of BCCF?

19 A To build that internment facility.

1 Q To build an internment facility. In preparation for what?

2 A Up to 4,000 detainees.

3 Q. Up to 4,000 detainees. But in preparation for what?

4 A The--the uh--it was in preparation for the anticipation of
5 additional captures by 4th ID, umm--1st Armored Division and 101st and
6 so we wouldn't have to send people down from--because Camp Cropper
7 was a holding area that--that was never built the right way from the
8 start. So, our intent was to--to reduce the number of detainees in
9 that particular facility I think when we got up here there were
10 about 800 detainees at Camp Cropper, which was originally built for
11 about 250 So one of the things we kept doing was sending people
12 down to Camp Bucca via buses And, so, the priority was to get
13 Baghdad Central completed and opened and then--so we wouldn't have to
14 send these detainees all the way down to Bucca, we could just send
15 them right to Baghdad Central

16 Q Let me fast forward a little bit Were you aware that
17 Colonel [REDACTED] was--either took leave or took some time off
18 ordered by the Brigade Commander sometime in October?

19 A Yes, sir

0 Q Did you inquire as to the--that particular decision?

1 A You mean why she did that?

2 Q Yeah.

3 A Umm--what happened was, General Sanchez had come out to
4 Baghdad Central to do a uh--a review. And General Sanchez wasn't
5 comfortable with I think he even told her that, "I'm not comfortable
6 with this Battalion Commander " And so she asked him to go down
7 Arifjan and take a break And then she put in charge uh--I'm not
8 sure if it was Colonel [REDACTED]. I think she put Colonel [REDACTED] in charge
9 there and brought down Colonel [REDACTED] to be the base major. To
10 take some of that off of Colonel [REDACTED] because the whole force
11 protection piece there was just--it was--they were getting a lot of
12 mortar attacks and small arms fire and we had asked CJTF-7 for
13 assistance with the force protection And, umm- to relieve that
14 whole force protection piece, she put the major in there because not
15 only did we have the whole force protection issue, but when General
16 Sanchez came out they made that an Enduring Base. So, because it was
17 an Enduring Base, now it got all this additional funds. And then we
18 started to have construction projects, so it really became more than
19 she thought Colonel [REDACTED] could handle

20 Q So she put a major there, Colonel [REDACTED] Where was he
21 from?

1 A The 324th MP Battalion.

2 Q Okay. So, was he still the Battalion Commander of the
3 324th?

4 A I don't know if Major [REDACTED] assumed the Battalion Command.
5 I don't--I don't recall--I don't think--no, I'm sorry, he was
6 probably still the Battalion Commander but he had an XO up there,
7 Major [REDACTED] who ran the Battalion while he was down at Baghdad
8 Central

9 Q Did you--was it odd or was it a common practice in the
10 Brigade to tell a Battalion Commander to take some time off, then
11 take another serving Battalion Commander to go take over or whatever,
12 another Battalion--but another Battalion Commander who was conducting
13 a mission to assist in there Was that common practice in the
14 Brigade?

15 A No, sir

16 Q No?

17 A Wasn't--wasn't common practice.

18 Q Did you ever been--did you ever experience that before?

3 A No, sir.

1 Q Do you think that's standard or doctrinal, or whatever have
2 you?

3 A I don't think it's doctrinal, but, I know that Colonel
4 [REDACTED] umm--needed to probably take a little break and I think
5 the staff needed somebody else there to provide some guidance and
6 some leadership.

7 Q Different if the Brigade Commander was off and another MP
8 Brigade Commander was told to take over the Brigade? Knowing full
9 well that he is also a Commander of another Brigade? Is that pretty
10 common?

11 A No, sir

12 Q No? Alright Well I find it hard to believe, Major
13 [REDACTED] that we're doing something like that in our Army Because
14 in that particular hierarchy of a unit there's always a second in
15 command and I find it hard to believe that that's being practiced in
16 your Brigade Because then it's ad hoc. You move a Command Sergeant
17 Major here over here and this and that, this and that. Don't you
18 think that would be cause of turbulence in that outfit? People are
19 being borrowed from one unit to the other?

20 A Yes, sir.

1 Q. That you had maybe different command philosophies? You
2 think that was appropriate?

3 A I think it was-----

4 Q -----Did they teach you that at Command and General Staff
5 College?

6 A No No, sir But, what the Commander was trying to do
7 was--was try to fix an issue and I believe she went to General
8 Wodjakowski and asked if he had an O-5 available that could take over
9 at Baghdad Central, and there wasn't any in CJTF-7, so she tried to
0 fix it from within.

11 Q Alright Umm--so he was given some time off to kind of
12 refresh himself And Colonel [REDACTED] from the 115th out of Cropper, umm--
13 took over for a couple weeks, per se Which meant that he probably
14 got some other priorities, which meant that he got to divide his time
15 in-between One Battalion, he's got a mission set over there, now
16 he's gotta go over here, another important mission, which means
17 you're piling on, you know, and nobody was assisting. There's no
18 other assets to be had. Uh--I find that hard to understand, umm--in
19 the context of what you just described In any case-----

20 A -----Are you talking about piling on for Colonel [REDACTED]

1 Q. No Why?

2 A Colonel ██████ at that point, we had closed Camp Cropper.

3 Q Ah.

4 A. And Camp Cropper, Colonel ██████ had told me this took up most
5 of his time. The HVD facility pretty much ran itself.

6 Q Okay

7 A Umm--so to move Colonel ██████ at that point when he closed
8 Camp Cropper, which was basically a thorn in his side from the day it
9 opened, and then----

10 Q ----You get a mission, you get a mission.

11 A Right, sir

12 Q You know. And, uh--there's no room to complain, it's a
13 combat operation. But then if you're stipulating that it ran by
14 itself, automatically, could you have re-allocated some assets from
15 his Battalion to assist the 320th?

16 A We----

17 Q Because 320th was short personnel with regards to force
18 protection

1 A. I believe we sent over-- [pause] we sent a Platoon up from
2 the 223rd MP Company to help out, umm--at--at Baghdad Central. So we
3 re-allocated.

4 Q Re-allocated them Uh----

5 A ----We also--when there was a mortar attack at Baghdad
6 Central, we sent a Platoon up from the 744th to help out for about a
7 week over at the 320th til things calmed down and cause uh--and
8 soldiers we had to stress--combat stress team come in there and talk
9 to the soldiers so we brought up a Platoon from the 744th at Whitford
10 to help them out at Baghdad Central

11 Q Uh--relationship with the 205th MI Brigade. Umm--since
12 there was no clear understanding of what TACON meant, doctrinally
13 though, according to FM 101-5, the gaining unit takes control if
14 under tactical control and sets the priorities for that unit Was
15 there any complaints or calls or did you know if the 205--205th
16 Brigade Commander was coordinating General Karpinski was just--you
17 know there was an understanding between those two Brigade Commanders
18 of what exactly TACON entailed with reference to the 320th?

19 A I'm not aware of any calls, sir

1 Q Oh well. Okay Umm--given the shortages of the personnel
2 and the state of mind at that time, this is October now, given the
3 observations and assessment by the Commanding General, CJTF-7, was
4 there besides Colonel--another Colonel taking over the Battalion and
5 another Colonel coming down, another serving Battalion Commander
6 coming down, was there any long-range plan to help ameliorate that
7 problem instead of Band-Aiding it in-between?

8 A We had moved a number of Companies up to help out Baghdad
9 Central

10 Q Which ones were they?

11 A Umm--I believe the 372nd was one, because there were two
12 Companies that worked for the Marines when the Marines left. And we
13 took those units and we moved them up to Baghdad Central. And
14 [pause] so that gave him additional manpower.

15 Q How many Companies did he have at that time?

16 A I think he had five

17 Q Okay Was that sufficient?

18 A [Pause]

19 Q He had five to include Headquarters Company 320th?

1 A The uh--it would have been five Companies in addition to
2 the Headquarters Company itself. So, Major [REDACTED] always asked for
3 more MPs. Whenever he asked, I always tried to get him more MPs when
4 I could and where I could get 'em from. If I could move a unit
5 around, I'd move a unit around and get him the MPs. Umm--when uh--
6 744th--when we closed Whitford, we moved one of those Companies from
7 Whitford, the 320th up to Baghdad Central so they got another unit to
8 help out, that would have been the fifth unit that they received up
9 there. But the problem is as we're given these units, soldiers are
10 reaching their two year boots on the ground, so we're losing soldiers
11 from--so as quick as I can get the soldiers up there, there's another
12 busload of soldiers who are leaving. And so we tried to cut the gap
13 down on when soldiers would leave theater. CJ--I think CFLCC had a
14 21-day window, and CJTF-7 was around 17, so we tried to stick to the
15 17-day window just to give him more soldiers on the ground. Umm--we
16 requested force protection assistance from the MI to help out in some
17 of the towers to give Major Dinenna's guys some relief so we wouldn't
18 have MPs in the towers and so everybody could share the burden, but
19 we never got anyone--any--any assistance from the MI, until the MI
20 became the FOB Commander, then they brought an entire Battalion in to
21 help out with the force protection. So that helped out Major
22 Dinenna. We had a Platoon that CJTF-7 had us cut to--from the 372nd
.3 to provide a PSD support in Multinational Division Central South.

1 So, we battled from day one on that one not to let that happen, cause
2 A, it wasn't our mission; and B, we needed the MPs So we lost that
3 battle And the MPs were taken And I spoke to General Miller or
4 General Karpinski spoke to General Miller----

5 Q The C-3?----

6 A Yes, sir. And he agreed that, "Okay, we'll take this
7 Platoon, but we will review it after 30 days." And this was in
8 October So every 30 days I'd send an e-mail up or make a phone call
9 up to the CHOPS and say, "Hey, we gotta review this " And also to
10 Multinational Division Central South, so they can get their own
11 people to take over that mission

12 Q So the 800th MP Brigade, the entire Brigade, with all of
13 your organic and task organized outfits were TACON to CJTF-7 by that
14 time?

15 A Right, sir.

16 Q Okay. Who did General Karpinski report to?

17 A She reported to uh--I believe General Wodjakowski was her
18 rater, but I don't know if there was a rating scheme or anything like
19 that but--actually, I'm sorry, I don't--she reported to General

1 Wodjakowski, that was clear, but I don't know if there was a rating
2 scheme or anything like that, or if he even rated her.

3 Q. Who did--speaking of rating scheme--umm, how did--how did
4 General Karpinski rate commanders? What was her scheme? Just senior
5 rated Battalion Commanders, or senior rated Company Commanders, or
6 obviously senior rated you, but--what was the--do you have any
7 knowledge of that?

8 A I--I think she senior rated Company Commanders and I
9 believe she senior rated the Battalion Commanders--umm--and I know
10 that she probably----

11 Q She rated the Battalion Commanders?

12 A Rated them, yes sir I'm not sure who the senior rater was
13 for Battalion Commanders The loss of our Deputy in August--uh--
14 required her to do a lot more OERs rating and senior rating and I
15 think----

16 Q Then nobody replaced Colonel [REDACTED] is what you're saying?

17 A Right, sir We used--uh--Colonel [REDACTED] from the 400th MP
18 Battalion as a replacement for Colonel [REDACTED] but he's a--he is an O-

19 5

1 Q. Okay. Then [REDACTED] took over as the Deputy as an O-5--
2 senior O-5 at that, he was no longer commanding that Battalion?

3 A. Right, sir.

4 Q. Okay.

5 A And that's when Major Poth took over the 400th MP Battalion

6 Q How would you characterize the command climate in the
7 Brigade during the extent of your experience with them?

8 A. [Pause] I think the command climate was fine. I went out
9 to a lot of different locations and every time I went out there,
10 soldiers were always doing what soldiers should do. Umm--it was
11 refreshing to go on the road and see all the accomplishments that--
12 that the soldiers had done Umm--we worked from Um Qasr up to Mosul,
13 up--from Ashraf to Baghdad, to Baghdad Central, and everywhere you
14 went--um--soldiers--soldiers were fine, and their morale was good
15 Even during the time when we weren't sure if we were going to do one
16 year boots on the ground, we were going to be on the ground for ten
17 months, umm--the morale was good. And General Karpinski always had
18 an open door policy, so you know, anybody was free to come in at any
19 time And she did spend a lot of time out on the road talking to
20 soldiers and looking at units, so I--I think the command climate was

1 pretty good. I'm sure there were some soldiers who were not happy
2 that--that they were deployed and, ya know, being at Baghdad Central
3 and having mortars tossed over--it's tough, but I always gave them
4 credit for getting up the next day and going to work.

5 Q One question before we take a break here for a moment. You
6 mentioned Sergeant Major [REDACTED] was lost or had gone. Do you
7 remember what the circumstances why--why he departed the Command?

8 A Yes, sir. Umm--Sergeant Major [REDACTED] --uh--I've known him
9 for awhile. He was in the reserve structure, so I know who he is
10 Always had a problem with being touchy-feely. Patting people on the
11 back and doing shoulder rubs and umm--whether there was anything more
12 than that. I--I was never aware of anything like that. But, General
13 Hill was aware of it and I know he spoke to CSM [REDACTED] and then
14 General Karpinski, he told her before--when they did their change, I
15 think he--he gave her a heads up as to Sergeant Major [REDACTED]. Then
16 something -I don't know what happened, but she went to General Speaks
17 and said that there was a problem with CSM [REDACTED]. I don't--I don't
18 know what it was, I think she might have gotten a call from Arifjan
19 cause she would spend some time down in Arifjan. Umm--and then
20 General Speaks appointed a--a Major to do a 15-6 investigation on--I
21 don't know if--I think it was related to sexual misconduct, but I
2 don't know what they called it. And then after that, during the

1 period of the 15-6, I think General Karpinski asked him to remain at
2 Arifjan, I'm not sure if that was at anyone else's direction. And
3 then once the allegations--I guess they were founded, she uh--she
4 released him and--and appointed CSM----

5 Q Did you see that kind of odd since you were TACON to CJTF-7
6 and eight MP Brigades parent unit with the 377th? Did she inform
7 General Wodjakowski or General Diamond at that time?

8 A I'm sorry, I don't understand the question, sir.

9 Q The reporting

10 A Right

11 Q You said she went to General Speaks, who is the Deputy
12 Commanding General for CFLCC, while in fact the Command is TACON'd to
13 CJTF-7 and you mentioned she reported to Major General Wodjakowski---
14 -

15 A Right----

16 Q ----and the only unit is the 377th Theater Support Command
17 whereby General Diamond is reportedly her chain of command, yet she
18 went to a two-star

1 A. I think--I'm not sure what her conversations were with
2 General Wodjakowski. I--I'm not sure if she made him aware of it or
3 not, I think she did, but I wasn't there. I think she made General
4 Diamond aware of it, cause I know General Diamond was, because I
5 think he received some complaints through his sergeant major and he
6 might have even have told General Karpinski about, "Hey, your CSM is
7 doing this " So I think General Diamond was aware of it. I don't
8 know whose idea it was to go speak to General Speaks.

9 Q I got it Okay. Here's what we'll do. Uh--we'll break--
10 uh--uh--I need for you to come back at 1300.

11 A 1300

12 Q Okay And in the meantime, cause I have to brief the CG
13 here on another matter, I'd like to remind you not to discuss the
14 matters by which we have just covered during the course of your
15 interview session Uh--I would also advise you or direct you not to
16 call or even infer to anybody the contents of this investigation.
17 Failure to do that would be a disobedience of a General Order which
18 will subject you to the UCMJ Uh--and if there should be any
19 inclination on subsequent interviewees that the matters were being
20 discussed and they could be potentially be traced back to you or

1 other folks that I interviewed, so I'll I remind you of that, umm--
2 and I will see you back at on or about 1300----

3 A ----Right, sir.

4 Q ----when we will reconvene. Alright. Any questions?

5 A No, sir. Clear.

6 Q Thanks Carry on.

7 [Interview recessed at 1131.]

8 [Interview reconvened at 1327]

9 Q We're going to try to wrap this up here

10 A Sir, if possible, I wanted to just clarify a couple of
11 things I was thinking about over lunch

12 Q Okay, sure. Alright

13 A Umm--we talked about the selection of what Battalion would
14 go forward to uh--Baghdad Central and--and during that discussion we
15 talked about the strengths and weaknesses of different Battalions.
16 At that point when I made that recommendation, I hadn't worked with
17 the 310th, the 115th, the 324 or the 400th, because they were already
9 working for 1st MEF and uh--V Corps. So I didn't know what they were

1 capable of doing or not. And my assessments were based on after we
2 had already started to work with them.

3 Q Okay

4 A The other point was, umm--I believe you mentioned that
5 Companies working for Major [REDACTED] did not have Xos. And the way
6 the IR Guard Companies are structured, none of those Companies have
7 executive officers

8 Q Okay

9 A The other things is uh--we discussed uh--the support to the
10 320th and--and uh--Major [REDACTED] request for--for additional
11 soldiers Major [REDACTED] uh--was put out at Baghdad Central at the
12 beginning of November. I also gave a captain, by the name of Captain
13 [REDACTED] to the 320th who works in the S-3 shop and Major Dinenna was
14 the only Battalion to have two offices in the S-3 shop. I also gave
15 up my uh--NBC NCO who worked in my TOC with me, Master Sergeant
16 [REDACTED] to replace their first sergeant who left. And we provided a
17 uh--S-4 assistance--we gave a Captain [REDACTED] who worked in the
18 Brigade S-4 shop Throughout the--the course of time, we also gave
19 additional units as those units became available. And as Major
20 [REDACTED]--or the 320th as units started to redeploy. I believe in
1 the October timeframe we gave the 372nd and the 870th to Baghdad

1 Central In November we gave the 670th and the 320th MP Companies. I
2 also uh--spoke to Major [REDACTED] about ways to maximize his soldiers.
3 One of them was to allow the Iraqi guards who work in there to do the
4 family visitation program So we discussed that and--and that freed
5 up some of his MPs. I worked with CPA and uh--Major [REDACTED], Major
6 [REDACTED] to allow the Iraqis to do court escorts Because Major
7 [REDACTED] uh--or--or the 320th soldiers were doing that, and that
8 freed up an additional 40 soldiers at that time. We uh--got
9 contractor support for the feeding and the water distribution at at--
10 Baghdad Central So that feed up--freed up some of his cooks and
11 some of his logistical personnel to help out with the force
12 protection We also requested a--a RAYOC be assigned out to Baghdad
13 Central and we received a RAYOC that actually went out there sometime
14 in the beginning of October to free up the Battalion from some of the
15 force protection responsibilities and plannings--base defense plan.
16 We also had an element of the 998 Quartermaster Company, which was
17 stationed at Camp Bucca and we moved some of those assets up to
18 Baghdad Central to help out the 320th with fuel distribution and water
19 distribution So, over the course of uh--the existence of Baghdad
20 Central, we provided a number of assets and even uh--in January we
21 got that PSD Platoon back, which was 30 additional soldiers and we
22 uh--returned the Platoon from the 320th MP Company, which was probably
23 about another 20 MPs, they went back--they should have gone back on

1 the 1st of February. And we worked with uh--from--from the beginning
2 when we got here, we were--we were encouraging CPA to hire additional
3 civilians to help out with the prison piece and in uh--the middle of
4 January, 21 civilians arrived in Baghdad to help out CPA. And they
5 put four of those civilians at the hard site at Baghdad Central to
6 help with the operation of the uh--of the prison itself. And they
7 will be living out there and--and--uh they got out there probably
8 about the 20th of January and uh--at first they were going to commute,
9 and uh--now they're gonna actually live out there and--and spend days
10 and nights out there to help train the Iraqi guards in running the
11 hard site

12 Q Given all those assets at 320th, prior to the TACON, umm--
13 obviously--umm--that added or relieved some pressure. What was the
14 understanding that you know of, of the mission set that was given to
15 the 320th? Was it a competing requirement of detention operations and
16 building up a facility?

17 A The [pause]

18 Q What was the principle--what was their principle mission?

19 A To--to care for the detainees in their control That was
20 the principle mission The building up of the facility, umm--that's

1 why Colonel [REDACTED] was put out there as the base major to take over
2 that--that part of the----

3 Q. How long did he have that job?

4 A I think Colonel [REDACTED] was there until he redeployed uh--
5 I think in--towards the end of November, I think he had that job for
6 about 435 days.

7 Q So you had a Camp Major, [REDACTED] and you had a Battalion
8 Commander, [REDACTED]

9 A Mm-hmm

10 Q Umm--did--did they work for General Karpinski at the time,
11 or was [REDACTED] supporting [REDACTED], or was [REDACTED] supporting
12 [REDACTED]

13 A They both worked for General Karpinski.

14 Q Okay

15 A And, when the 205th became the FOB Commander, that's
16 actually when Colonel [REDACTED] was no longer----

17 Q What assets did [REDACTED] have?

1 A. Colonel [REDACTED] I believe, umm--he brought his Sergeant
2 Major down, Sergeant Major [REDACTED] umm--I'm sorry, not [REDACTED]
3 Sergeant Major [REDACTED] came down from the 530th to help out Colonel
4 [REDACTED]

5 Q Okay.

6 A. Umm--Colonel [REDACTED] also utilized Captain [REDACTED] who the
7 Brigade sent out there to help out in the logistical area because it
8 was really a logistical issue of building the rest of the facility.

9 Q Was there an engineer with him or----

10 A Captain [REDACTED] who is the 320th's engineer, was the engineer
11 on the ground And the engineer worked with uh--Colonel [REDACTED]

12 Q So you had this cell led by [REDACTED] Was the--all his
13 requirements for building up the facility--logistical requirements
14 was outside those required from the 320th. In other words, [REDACTED]
15 was not going through [REDACTED] per se, of getting supplies, that
16 sort of thing, but going directly to the Brigade

17 A I believe he was working through Captain [REDACTED] who would
18 have went right to the Brigade Captain [REDACTED] worked for the Brigade

19 S-4

1 Q. So that's--that's the arrangements that was done?

2 A Right, sir

3 Q. Now when the 205th showed up, [REDACTED] disappeared

4 A It--it happened at the same time his unit was redeploying.
5 So, what had happened was, General Karpinski had asked Colonel
6 [REDACTED] if he would extend past his unit, and he agreed to do that
7 So we were working the personnel piece to try to make that happen so
8 he could stay there. And then when the 205th took over, they brought
9 in a Battalion, umm----

10 Q ----The 165th

11 A I believe so, right sir Who took over the base
12 management

13 Q But, alright, we--we'll come back to that. Let me go back
14 to Bucca When you got the mission from--for to build up an I&R
15 facility, now called Bucca, did you receive a written order or FRAGO
16 from CFLCC tasking you to do that? Do you recall?

17 A I'm sure we did, sir.

18 Q Well, I hope you did, because----

19 A I--I don't know how we would do it any other way.

1 Q. Yeah, but I'm just asking----

2 A. ----Yes.

3 Q. I mean, you're the 3, so you must remember----

4 A Yes.

5 Q Okay.

6 A Actually it was a uh--the order would have come through the
7 377th TSC

8 Q Okay. Then subsequent it came down to you?

9 A Right, sir

10 Q Okay, uh----

11 A It was an Annex in their op plan

12 Q What was the command relationship between the 377th umm--
13 yourself and CJTF-7, CFLCC when you got the mission for Abu Ghraib?
14 Were you TACON to CJTF-7 then, or were you still OPCON or attached to
15 the 377th?

16 A We--we were attached to the 377th, so we worked----

17 Q You were still with 377th?----

1 A. Yes, sir

2 Q Okay. So you got that mission. And was that--how did that
3 order uh--disseminated to you?

4 A And then--then there was uh--the transfer of authority from
5 I guess it was CFLCC to CJTF-7. There was an order that came down
6 making us TACON to CJTF-7

7 Q Okay, but when you go the mission for Abu Ghraib, said,
8 "800th you're going to take charge and build me something at Abu
9 Ghraib " Who gave you those orders?

10 A That was CJTF-7

11 Q CJTF-7 gave you those orders.

12 A Right, sir

13 Q Did it come down in the form of a FRAGO or an op order, 5
14 paragraph op order, or what?

15 A I believe it came down in the form of a FRAGO.

16 Q Okay [Pause] Alright Okay Umm--can you describe for me
17 umm--General Karpinski's leadership style?

1 A. She had a--I don't want to say hands off approach to
2 leadership, because she was certainly always there, and uh--uh--we
3 always had staff meetings, and shift change and whenever she--she
4 could make those she would make the shift change briefings. Umm--but
5 I don't think she pushed the staff hard enough or asked questions
6 that needed to be asked of the different staff members when they did
7 their staff briefings. And uh--you know, sometimes a staff section
8 would get up there and say, "Nothing significant to report today."
9 And so I commented to her one day that we have over 2500 soldiers out
10 there, how could you not have anything significant to report in this-
11 -in the shift change? I mean, you gotta be doing something. Even if
12 you're the PAO and there's no news people at the door, then there's
13 gotta be a good story. So, I went and I told her that, and during
14 the staff meeting she started to ask more questions of the staff.

15 Q She--you might say she was passive or not a micro-manager
16 or that sort?

17 A She was not a micro-manager

18 Q Did she rely heavily on the staff?

19 A Yes, she relied on me a lot

1 Q Okay. Umm--how would you characterize relationship--
2 professional relationship as a Commander with the rest of the
3 Battalion Commanders?

4 A I thought she had a very professional relationship with the
5 Battalion Commanders. Umm--she certainly treated them all
6 professionally. And if anyone wanted to come in and talk to her, she
7 was always available to do that

8 Q Had you ever worked with her before?

9 A No, sir.

10 Q This the first time?

11 A Yes, sir

12 Q Okay Umm--with regards to shortcomings. You mentioned
13 that uh--there were some shortcomings there. Umm--besides personnel
14 and conditions and whatever have you, what--what would you s--what
15 would you sa--what would you as you would, you know you're doing this
16 now, based on retrospect experience Uh--would you have asked for
17 some sort of a guiding system, some sort of a process by which
18 perhaps your missions sets or your requirements would have been a bit
19 more clearer?

1 A. Looking-looking back umm--you know I was thinking about
2 that very question when I was outside. The problem with detainee
3 operations is every mission is important. Because if you have 50
4 detainees in a facility, you gotta guard those detainees and you
5 gotta protect them. Unlike if you are a unit doing convoy escorts
6 and you decide you're only going to do 25 escorts instead of 50.
7 Where you're going to focus on the point from Talil to Baghdad or
8 whatever, it's easy to take risks. Umm--I always felt that all of
9 our missions were equally important, and they certainly were.
10 Because if I was trying to draw down the number of MPs that were used
11 to staff the Baghdad facilities and a detainee broke through the
12 window and escaped, I was on the blame for that. And I had a report
13 and that, and you know, 15-6 investigations on how did this guy get
14 out. We accepted some risk by doing that. Umm--the MEK took over so
15 much of our time towards uh--the end of November that--that almost
16 became our main effort. And I pro--I would have asked for clearer
17 guidance from CJTF-7 what do you want us to do? We were doing
18 everything for the MEK from securing 3800 people in a 30 square
19 kilometer facility and it always seemed like everybody had a
20 recommendation or idea from the C-2 to the POLAD to the SJA on what
21 should and shouldn't be done there. And nobody really understood the
22 mission. Umm--we got missions up there to umm--move ammunition from
23 warehouses to Tatajil. And we became the commander and controller of

1 moving ammunition. We became the command and control of moving
2 equipment from Ashraf the MEK compound to essential equipment
3 location. So we were doing all these things outside of MP lane and
4 whenever we asked for relief, we never got it. You know, "Hey that's
5 your mission, guys." You know, have at it. And we, sir we
6 accomplished every mission, and we never said no.

7 Q Well there's in every mission analysis and you know this
8 for a fact. There are those that are specified and those that are
9 implied. And then there is a critical task, essential task, and
10 those that are all others. So, I can't dispute that anything within
11 the confines of your mission set, regardless of whether ammunition, --
12 moving ammunition, or transporting or whatever have you, was not
13 unusual. I mean, MPs just don't do MPs. Uh--because there are
14 basically five functions that you're supposed to be doing anyways
15 besides detention operations. At least have some capability to do
16 that whether it's combat support, law and order, that sort of thing,
17 law enforcement. So, uh--the reason why I say is cause I hear it
18 every day. It's not my job. Okay. Well, it is your job if you're
19 given that mission.

20 A Absolutely.

1 Q. Okay, so whether it's power or ECP, that sort of thing, or
2 building up a logistics support area, umm--I'll just make a comment
3 to you Now [REDACTED] was your ser--Ops Sergeant Major and then all
4 of a sudden, [REDACTED] gets relieved, gets sent home for having
5 illicit sex relationship with folks, and I think you know that,
6 afterward, you know that now

7 A I don't know if he was having sex or a sexual relationship,
8 I don't----

9 Q Which is kind of questionable in that regard. Then
10 [REDACTED] gets umm--picked by General Karpinski to be the acting, or
11 interim as you call it, he suggested it as the interim Command
12 Sergeant Major A Sergeant Major because you have other Command
13 Sergeant Majors out there, that was probably capable of doing, but
14 nobody attempted to take risk. Umm--but then his--his time was
15 divided because you didn't have a sergeant major.

16 A Right.

17 Q Did you understand his priorities, or did you care about
18 his priorities, or did you go to Colonel Karpins--General Karpinski
19 and said, "You shouldn't have taken him," or uh--or you were not able
20 to operate without an ops sergeant major?

1 A I--at the point that he was moved, I was on leave. Had I
2 have been there, I would have recommended he not be moved, but I also
3 understand that would be a great opportunity for him to be the
4 Brigade interim Command Sergeant Major. So, when I got back,
5 although I voiced some concern about it, I didn't voice a concern to
6 have him move back. And I did the same thing with Master Sergeant
7 [REDACTED]

8 Q. Yeah, but [REDACTED] came--kept coming back working for you.

9 A His priority was to be the CSM and that's basically what he
10 focused his time on, sir

11 Q But he came working back for you

12 A Not uh--when he wasn't visiting the troops, he would--he
13 didn't have a desk in the--in the TOC, so he would sit in that area
14 there, but I--he might have answered some phone calls or responded to
15 a couple e-mails but he didn't really work in my area

16 Q That's not what he suggested That's not what he commented
17 and that according to his statements was that you never addressed
18 that this priority should be the Brigade Command Sergeant Major, as
19 opposed to, "Okay, continue to work for me " Umm--that's why I keep
20 asking you whether all these ad hoc move-arounds were--were common in

1 your Brigade, which I feel difficult to understand, cause here's a
2 senior NCO who was appointed as the interim command sergeant major
3 but you still allowed him to operate in your section. Uh--which, as
4 far as I'm concerned, you either contravened or contradicted a
5 priority of ordering the command--the Sergeant Major not to work in
6 your area.

7 A I--I assumed he understood that his priority was to be the
8 interim CSM And so I never----

9 Q What about you?

10 A I'm sorry sir?

11 Q What about you? What was your assumption about his role?

12 A That he was going to be functioning as the interim CSM and
13 that he wouldn't be working in my section.

14 Q Did you order him not to work in your section?

15 A No, sir

16 Q Did you remind him not to work in your section?

17 A No, sir.

1 Q Did uh--you tell anybody else, that he ought not to be
2 working in your section?

3 A I didn't do that because he--if I remember, by the time I
4 got back, I don't--I don't think he spent that much time in the
5 section He was--he was on the road quite a bit, he had gone to the
6 PLDC graduation, I believe with General Karpinski, and uh--I don't
7 really remember him doing much S-3 work, but like I said, he didn't
8 have a physical location to sit, so we allowed him to sit in the
9 area, but I never gave him any particular task to do.

10 Q Umm--alright. I'm just surprised that a senior NCO cannot
11 find a place to work, besides in your section. Given the space, one
12 would certainly take the initiative and say, "This is my space now "

13 A Well, he--there was an area where he would go to to review
14 NCOERS Umm--but as far as having any type of SIPR connection or a
15 telephone, there was no physical location for him to do that But,
16 I--I did not use uh--when I got back from leave, I did not use
17 Sergeant Major [REDACTED] in the capacity that I used him for before I
18 went on leave I--it was my understanding he was the interim CSM

19 Q Are you familiar with interrogation operations and the
20 interaction with detention operations?

1 A Could you repeat that question, sir?

2 Q. Are you familiar with the interrogation interaction
3 relative to detainee operations? In other words, I'm sure where
4 you're holding prisoners or detainees at Camp Bucca there's some
5 interrogation that was going on, interaction with the MP. I'm sure
6 you're aware that at Abu Ghraib there were some interrogations being
7 conducted. I'm sure that you were at--HVD there was some
8 interrogation

9 A Right, sir.

10 Q Did you do any interaction at all with elements of that MI
11 interrogation?

12 A Uh--I would speak very often with Major Williams from the
13 205th MI who was the Brigade S-3 and uh----

14 Q Did you talk about delineation of responsibilities, you
15 know who's going to escort what to whom, to the interrogation booth
16 and then back to the----

17 A Right, they--they had wanted us to do the escorts, and we
18 did the escorts for them----

1 Q. Alright. Did you establish some sort of an agreement of
2 sorts that says this is going to happen as opposed to two distinct
3 responsibilities?

4 A No, we did not, we did not have an agreement, sir.

5 Q Were you aware of an interrogation ROE of sorts that was
6 established at that time?

7 A. No, sir.

8 Q Alright Was there any reason why you shouldn't be more
9 engaged with interrogation operations relative to detention
10 operations?

11 A The MI facilities were pretty much run by the MI
12 themselves So, even at Camp Bucca we had the JIF, but the JIF was
13 run by the MI Battalion that was there on the ground. Same thing at
14 Baghdad Central----

15 Q There in your AO.

16 A That's correct, sir

17 Q So who should be in charge?

18 A There was no command relationship between us and the MI
9 unit, so----

1 Q Did you ask?

2 A I did not ask.

3 Q. Same thing happened at Abu Ghraib, correct?

4 A Right, sir.

5 Q. Okay. Uh--did General Karpinski understand the command
6 relationship after the 205th was appointed as the FOB Commander
7 relative to his mission in interrogation and 320th's mission to
8 continue handling the 320--I'm sorry the Abu Ghraib Detention
9 facility?

10 A I don't know what she understood, sir.

11 Q Okay You're the S-3, so you're the Operations Officer,
12 should you have been interested in that?

13 A I--I should have umm--and as we discussed earlier, my
14 thoughts on that FRAGO that came out were that the MI was now
15 responsible for the force--the force protection issue, the base
16 management, and security of detainees while we still had the
17 obligation and duty to operate Ganci and Camp Vigilant.

18 Q Okay But you understood that TACON says security of
3 detainees and the force protection TACON Umm--in other words, I'll

1 ask you again, since they're TACON to the 205th MI Brigade Commander,
2 who establishes priorities for the tenant units?

3 A. Well, like you reminded me before, it's the gaining
4 commander

5 Q Right, it's the gaining commander. But then, somehow there
6 is a string that was still attached to the 320th from your Brigade?

7 A Right, sir.

8 Q In what context is that?

9 A The--I mean, my feeling always was that we're responsible
10 for detainee operations, so if Camp Ganci was not able to meet the
11 capacity, General Sanchez or General Wodjakowski didn't call up
12 Colonel [REDACTED] they called up General Karpinski. So, we made sure
13 that we had the capacity there I always understood it as-as my
14 responsibility to get the criminal detainees out of the tents in the
15 sand And so we worked with the contractors and CPA to get the rest
16 of that hard site opened I also understood it as our responsibility
17 to make sure that detainees were being cared for, that if they
18 weren't eating, that was our responsibility and not Colonel Pappas'
19 responsibility

1 Q So would you suggest then, that sets of instructions to
2 detention operations that was provided from your Headquarters to the
3 320th and the sets of priorities given by Colonel [REDACTED] to those he
4 owns as tenant units in the 205th would somehow either conflict or
5 somehow compete with the priorities of 320th?

6 A Yes, sir

7 Q If you were the Battalion Commander, giving two sets of
8 instructions, how would you do that?

9 A I would go to the Brigade Commander----

10 Q Which one?----

11 A ----General Karpinski, and say "You're my rater, or my
12 senior rater, so I need some guidance here as what--as to what you
13 want me to do

14 Q Yeah, but I just told you the guy who owns that, the 205th
15 provides priorities on that tenant units----

16 A Right, but, what I mean is if he--if he had any issues with
17 that, he raises it to her and she can talk to Colonel [REDACTED] about
18 that and then work it out

9 Q Why?

1 A. Because----

2 Q. I just told you that 205th MI Brigade Commander established
3 priorities for that Battalion. Why would he want to call to the
4 other Brigade Commander who then want to ask clarity of guidance,
5 it's just like saying, "Well, before I do this, let me talk to my--
6 the guy that rates me."

7 A My--what I mean is if-if a call--if--there was an issue
8 with respect to the priorities Let's say, Colonel ██████ said, "I
9 want you to put 50 MPs on the towers for force protection " And
10 Colonel ██████ or Major ██████ said, "If I give up 50 MPs I
11 can't work the inside of these compounds." And so now we have this
12 priority with the priority to--to maintain these compounds.

13 Q Right

14 A And so, that--that would be an example where I think he
15 would have to go to General Karpinski and say----

16 Q Why don't you just dump it on these--on the MI Brigade
17 Commander, "You've given me this mission, I'm asking you now for
18 assistance " If I go back outside that command chain which is TACON-
19 ---

1 A. I think they--I think they did go to Colonel ██████ for
2 assistance.

3 Q Okay I asked that question to you because you have to
4 understand tenants of doctrine because command as we do it today here
5 is not doctrinal Somebody--there's a purpose for that. And I think
6 you intimated the purpose was that, back in October, Sanchez went
7 over there, he was not happy with the situation there and the
8 predicament there was called force protection, correct?

9 A Right, sir

10 Q Okay. Thereby, you got an MI Brigade Commander who was
11 establishing responsibilities for force protection, but because that
12 was not clearly understood, then you were giving either conflicting
13 guidance or that Battalion Commander would have to compete with those
14 priorities

15 A That's correct.

16 Q That's called a train wreck, Major ██████. Okay And
17 the guy who referees at, I'm lookin' at him That's the extent of
18 your responsibility as the Operations Officer So, in that regard,
19 be sure you understand that in future operations, will you not?

1 A Yes, sir. Sir, there's a lot of things that will be done
2 differently in future operations.

3 Q. I certainly hope so. As complex as this mission is and the
4 limited capability that you bring to the theater, given the fact that
5 there's only two MP Brigade I&R, you being one of them, uh--I would
6 suggest that lessons learned through all of this stuff, is clearly
7 understood Okay Using the capabilities. What recommendations
8 would you provide?

9 A For future?

10 Q Any recommendation.

11 A I think that [pause] too many times when the work detainee
12 left somebody's mouth, they immediately thought of the 800th and
13 although that's our mission, when you look at the MP Corps in
14 general, every MP knows the detainee mission So, we got involved in
15 every aspect of moving detainees all over the battlefield because we
16 were the 800th The CJTF-7 PMO, uh--Colonel ██████████ was a very weak
17 PMO in the beginning, and he didn't want anything to do with detainee
18 operations So, the 800th had to answer directly for all detainee
19 operations Fourth ID AO, 101st AO, south, we had the whole country.
20 And that is too much battle space for one Brigade who's really not
1 designed to do that kind of mission. So, my recommendation would be,

1 and I think General Rider had the same recommendation, was the--I
2 mean very often I found myself in many different directions
3 Whenever I had to brief General Sanchez, General Sanchez was
4 primarily uh--concerned about the prisons and jail facilities
5 throughout the whole country. So, to me that became his priority.
6 "How do we get these jails operational?" So, the 18th MP Brigade, who
7 had the police station mission only had the police station mission in
8 Baghdad. The other police stations, it was the responsibility of the
9 divisions and division provost marshals. My recommendation would be
10 that these jails and prison facilities in the division AOs become the
11 responsibility of those divisions through the provost marshal.
12 Divisions have engineers, divisions have civil affairs, divisions
13 also have MPs. They can do that job just as well as I can do and
14 they have at their fingertips many more assets than I do. They don't
15 have to beggin' for it, they just task an engineer unit to help out.
16 And--and because we had all those missions, we found ourselves doing
17 just about everything. Umm--I'll never forget the time Colonel [REDACTED]
18 and I drove up to one of the facilities in Baghdad and the soldier
19 came running out that the electric is out and what are we going to do
20 about it. So, I said to Colonel [REDACTED] I said, "How could we run a
21 Brigade operation when we're getting involved in turning the
22 electricity on at this one facility," because there was no one else
23 to do it. The CPA was non-existent until we got these 21 people in

1 here Umm--let me just go back, so--so my recommendation number one
2 would be the divisions have the responsibilities for the prisons and
3 jails in their AOs. And whatever additional MP support we give the
4 divisions [inaudible] to handle in their AO. Umm--CPA wasn't staffed
5 adequately, umm--to conduct a refurbishment of the entire Iraqi
6 correctional system Umm--they had at one point one civilian working
7 in their section and so the MPs had to take up a lot of that slack.
8 So, my recommendation on that would be we need more CPA civilians
9 My soldiers, umm--their expertise is not operating a jail or prison.
10 I mean, it's a different type of operation.

1 Q But you did have personnel who had correctional
12 experiences, right?

13 A Absolutely And--and sir, that's why--that's why we were
14 successful in most of the areas we were in because we had civilian
15 expertise corrections officers who--who knew the procedures, and so--
16 so we made it work

17 Q Okay

18 A But there's these 21 civilians, and CPA had always been
19 promising up to 100 Hopefully there's more flowing in, but to put
20 forth civilian experts at the facility or five would make a world of
1 a difference in the training of the Iraqi guards. Umm--the other

1 recommendation would be to do more training on Rules of Engagement
2 and the Use of Force and the Geneva Convention. And send out mobile
3 training teams to each location Just keep going around and around
4 like Sergeant ████████ did I mean, that was some of the best
5 training we had when General Rider's team came in and we brought uh--
6 we brought people in from each facility and--and they conducted two
7 or three days of training out there And I would recommend that we
8 do more of that if--if I'm the Brigade S-3 next time or XO, wherever
9 I am, that's something that we--that--that I would recommend we take
10 experts from each Battalion and we send these teams out, and they go
11 to each different location and they do the training

12 Q Okay Good I agree with you.

13 A Umm, the uh--you know, it--we can go all the way back to
14 the mobilization station I think mobilization stations just want to
15 get people out and meet--meet the dates. Umm--but I'm not sure of
16 the--the meaningful training that--that's going on there The other
17 thing is, the 800th typically runs an exercise called Gold Sword,
18 which is an exercise that brings in a number of IR Battalions and we
19 do a large IR exercise The problem is, we can never get enough role
20 players, to play the detainees And so, I would suggest we do more
21 of those exercises and do our best to get role players who are really
22 playing the role Umm--on of the other things I would do is-is I

1 think we have too many detainees right now in custody longer than
2 they should be. And the detainees right now, there's probably about
3 3500 who have been confined for over 90 days. So, when you have
4 detainees in that type of situation, they're all trying to get out
5 because they don't know an EPW is different. Because an EPW is just
6 waiting for the war to end 'cause they think they're gonna be
7 released. Whereas, a criminal detainee or--or uh--or an asage,
8 security internee, they don't know where the end is, they don't know
9 when they're leaving. For all they know they're going to GITMO. So,
10 I--I would--I would focus more on that type of detainee, then--I mean
11 I think we all thought this was going to be Desert Storm and we had
12 50, 60 thousand detainees just waiting for the end of the war sitting
13 on their hand and then, you know, everybody left and nobody escaped
14 because they had no place to escape to. Whereas, here as a detainee,
15 when he's being brought in the bus back to a facility, some of them
16 know exactly where they are. And uh--so I think one of the things I
17 would do is make our soldiers more aware of the different types of
18 detainees. And also encourage the release of detainees who do not
19 need to be held anymore.

20 Q Okay Umm--any closing comments that you want to make?

21 A If you wouldn't mind, sir Uh--we've been doing this for
almost a--for over a year now and it's unfortunate what happened out

1 at Baghdad Central and--but I don't want to discredit the hard work
2 that all the other MPs did and the accomplishments that they did
3 And our mission was detainee operations and we never turned a
4 detainee away from any warfighter and we allowed V Corps and 1st MEF
5 to move forward and to fight the battle. We umm--handled a very
6 difficult situation up at the MEK. And uh--and I--I still don't
7 think that Secretary of Defense or State Department really knows what
8 they wanted to do with those detainees up there at the MEK and both
9 of our Battalions on the ground up there have done excellent work.
10 Umm--if you look at the number of detainees who escaped compared to
11 the number of detainees that we actually held in our facilities, it's
12 relatively low and not that I--I'm discounting any escapes, because
13 nobody should escape. But if you look at the GITMO model, which has
14 about 650 detainees and about 650 MPs, with additional support
15 personnel somewhere along the line somebody decided to take a little
16 risk. We had, I think at the end of January, almost 13,000 detainees
17 and about 2500 MPs. So, you know we were certainly doing more with
18 less. We probably transported over 14,000 detainees. Umm--one of
19 the--one of the missions--or in the FM is that detainees are--will be
20 brought via backhaul. Umm--but that--that's old doctrine now because
21 we used a PLS and we used CONEXs, so there's no more backhaul. So,
22 our MPs were required to drive buses--umm--from Baghdad all the way
3 down to Camp Bucca. MP drivers, sometimes we got drivers from the

1 APOD, but predominantly it was MPs. And we probably transported over
2 14,000 detainees throughout this theater, and uh--we've only had two
3 escapes during transport. We had no accidents during transport--umm--
4 -so I think that's--that's certainly an accomplishment that the
5 soldiers should be proud of. During all the--the visits by the ICRC,
6 uh--General Rider's team and General Miller's team, although there
7 were findings, we always made improvements. When we got up to
8 Baghdad, umm--Camp Cropper was a mess and I think the ICRC was about
9 to go public with it. You had detainees sleeping on the dirt; same
10 thing at Camp Vigilant. Then we came in, we did our best to fix
11 those facilities. We put carpeting, we put wooden floors, we got
12 feeding contracts, we got light sets, we got porta-potties. And so
13 we did all--all those things, umm--throughout the entire theater
14 while we kept Bucca going, we kept--we're building BCF, we also
15 improved the other facilities. We never had any escapes from our HVD
16 facility and we improved that dramatically over the last couple of
17 months, umm--to the point where when the ICRC came in last month they
18 noted the remarkable improvements. When the ICRC came into Baghdad
19 Central, I think they were finished up in--it was a recent
20 inspection, they--they noted the improvements that were made at
21 Baghdad Central. So, you know, in closing, it's unfortunate that
22 this event had to happen and uh--it--it puts a black mark on not only
3 the 800th MP Brigade but the entire Army, and I understand that. It's

1 a terrible thing that happened and when I read that CID report--makes
2 your stomach turn. How could a soldier do something like this? But,
3 there are other soldiers out there, who every day got up and--and did
4 soldier stuff and did the right thing. And so that's how I want to
5 end it

6 Q Two questions

7 A Yes, sir.

8 Q Who should be held directly responsible for the events that
9 happened at Abu Ghraib in tier 1A?

10 A Well, the soldiers should be held directly responsible for
11 what happened

12 Q Who should be held indirectly responsible for their
13 conduct?

14 A I would say the Battalion Commander should be held
15 responsible for their conduct

16 Q Does it stop there?

17 A I think it should

18 Q Okay Only because somebody's supposed to be supervising,
19 mentoring, coaching, training that Battalion

1 A I understand that, sir But, we had a facility within a
2 facility. If the entire facility was out of control, then I--I--I
3 would say that somebody should know what's going on But, we had
4 these two pods in a larger facility. We had another facility,
5 Vigilant, we had another facility, Camp Ganci, and----

6 Q. She had a Battalion Commander who was told to take a rest
7 and a Battalion Commander, for whatever assessment, medical or
8 whatever was reinstated A Battalion Commander you referred to as a
9 weak Battalion Commander So, you still think it should stop there?

10 A I think it should, sir

11 Q Okay

12 A Because, that Battalion also had a staff and that wasn't
13 too far from where their TOC was

14 Q Have you ever heard that anything that happens or failed to
15 happen in the unit is then relegated back to the Commander?

16 A Well--I agree with that, sir That Command is responsible,
17 so the Brigade should be responsible for what happens as it--at it's
18 facilities

1 Q One of these days you'll command, so I commend that thought
2 to you That somehow I'm hoping that nothing does every occur your
3 command tenure, but if it does down at the platoon, squad, company
4 level, your level, that uh--a very simple process goes through your
5 mind that [REDACTED] who gets held indirectly or directly
6 responsible for the acts of their soldiers?" It doesn't happen by
7 omission

8 A Right, sir.

9 Q Sometimes it happens by commission. So, I commend that to
10 you I also commend the fact that you need to brush up on your
11 doctrine You didn't answer the test I commend to you that you
12 need to study up on your--on your regulations. You didn't pass that
13 test either Umm--so you need to brush up on that. I think you'll
14 still be the Brigade S-3 for whatever reason. As the Operations
15 Officer, you are the repository of all operations knowledge,
16 experiences, for training, you are the repository for that. Huge
17 responsibility, and with that level of responsibility, as much is
18 expected Much is expected, because, again, it's commensurate with
19 your responsibility as the Operations Officer So I recommend you
20 brush up on those knowledge and those skills, uh--your ability to
21 conduct mission analysis, that sort of thing. Your ability to
22 conduct an assessment and evaluation and lastly to identify

1 requirements and bring to bear the support that is needed for those
2 requirements in the accomplishment of the overall mission. I
3 recommend that to you.

4 A. Thank you, sir.

5 Q. Okay. This completes our session. You're subject to
6 recall. Again, you're advised not to discuss, if I suspect any
7 collusion of any sort, uh--I have no choice but to prefer charges for
8 disobedience of a direct order Do you understand?

9 A Yes, sir

10 Q Alright Do you have any questions?

11 A Do you know when this will be finished?

12 Q I hope to finish sometime before the end of February Uh--
13 and I've put out the mission that up until such time as I complete my
14 investigation--our investigation, is everybody stays in place. So, I
15 don't want to hold anybody any longer than what's required, cause
16 there's families back there, but I think this an important mission
17 that you conveyed that we need to clear this up within the matter at
18 hand because you certainly don't want to be stigmatized by an event
19 of some people that they conducted Cause I will tell you, that once

1 this is revealed to the press, you pretty much know what the
2 cascading effect will be. Very important mission.

3 A Right, sir.

4 Q And following me is a DAIG investigation sometime next
5 month. I'll recommend to him that they followup my investigation
6 with interviews with members of the 800th MP. Understand?

7 A Yes, sir.

8 Q Alright. You're dismissed.

9 [Interview closed at 1500]