

On 9 February 2004, a team of officers, directed by Major General Antonio Taguba, conducted the following interview. Major General Taguba was appointed as an Investigating Officer under the provisions of Army Regulation 15-6, by Lieutenant General David D. McKiernan, Commanding General of the Coalition Forces Land Component Command (CFLCC), to look into allegations of maltreatment of detainees, detainee escapes and accountability lapses, at Abu Ghraib, also known as the Baghdad Central Confinement Facility (BCCF). The panel also inquired into training, standards, employment, command policies, and internal policies, concerning the detainees held at Abu Ghraib prison. Finally, the panel looked into the command climate and the command and supervisory presence.

The following persons were present:

COL [REDACTED], MP, CFLCC – PMO, **Interviewer**
LTC [REDACTED] JA, CFLCC – SJA, **Interviewer**
LTC [REDACTED] 705th MP Battalion, **Interviewer**
1LT [REDACTED], HHC, 320th MP Battalion, **Respondent**
SSG [REDACTED], 27D30, CFLCC – SJA, **Recorder**

The interview is summarized as follows:

My name is [REDACTED]. My social security number is [REDACTED]. I am currently the Headquarters Company Commander of 320th Military Police Battalion, at Abu Ghraib BCCF. I am Reserve. I was involuntarily transferred from the 305th Military Police Company. There, I was company commander for a short time, platoon leader, and a squad leader prior to that. For us unfortunate Reservists, they force you from the unit you're in, to a unit that has a vacancy that's deploying.

My orders to the 320th are dated 27 November 2002. My role is basically to train for the unit's mission, prepare for deployment, manage supply motors. But, as far as mission, I don't have any operational responsibility for the confinement piece. The operation aspect falls to the S3, once we become operational. I maintain supply motors, and support of headquarters company personnel. After that, when it comes time to re-deploy, then I put together the re-deployment piece.

My orders are dated November, but we conducted the change of command inventory in January. The first time I came to the unit was in January. I finished up and drilled with my old unit in December, to wrap up administrative matters and duties that I had with the 305th, before reporting to the 320th in January. We call it "drilling on a 1310." Basically, you drill with another unit for that month, if your command approves you to drill with another unit.

When we got over here, we were at Camp Bucca, first. Then, we moved to Abu at the end of July - the 23rd. Our duties remained the same.

It's tough for me to address a lot of the training – any training that occurred prior to us leaving. I was there for one drill. The drill that I was there, was geared primarily toward equipment maintenance, licensing, and DRS training for S1 and inprocessing personnel. The training that was conducted prior to that, I can't comment on, because I wasn't there. I have to assume that the unit was trained on Internment/Resettlement Operations, because that's the unit's mission. As part of the 305th, we did our annual training normally with the 320th, which always involved IR Operations.

Training was ongoing, because we constantly had to adapt to the mission. When we first arrived, very little of what we did involved U.S. Army doctrine, because we took over a British established facility. We had to fall into their program, which was a good bit different from what we had trained on. So, we constantly upgraded and adapted to what we were doing.

Specific training, as far as mission goes, I can't address, because I'm not at those shift change briefs, guard mount briefs, when they have that kind of ongoing training. My role is more in the company area, than in the confinement area. I do occasionally go down there, only to talk to soldiers, to see how soldiers are going. I never have any input to the soldiers on ground in the facilities, as far as the operational mission, here, because that's not my role, and I don't want to step into something that runs counter to what they've been told by the S3 or the Operations Sergeant Major. Because, it's very confusing for soldiers as it is to have a Company Commander, and an S3 and an Operations Sergeant Major, because it's like they have two masters. They work for me, when they go home, when they go to work, they work for someone else. So, when I go into those areas, I deliberately stay away from talking operations. After we got on the ground here, that training piece belonged to Operations, because they're the ones with their ear to the ground. They identify training needs, and address those needs as they go along. Of course, we conduct EO, Sexual Harassment training, and Rules of Engagement training. I do those pieces.

We did have a couple of escapes. Assaults? No, I didn't hear anything. After our situation at Bucca, my guys are gun-shy about doing anything that would be considered abuse. If I heard anything, I would immediately report that to the Battalion Commander. It is the Battalion Commander's responsibility to take actions, but if he didn't, I would go to the next higher commander or the IG, to make sure the issue is brought forth.

Obviously, we could address it at my level from a UCMJ standpoint. But, in my personal opinion, any issue that deals with abuse of detainees is not appropriately handled at company level.

There is no policy, withholding jurisdiction to the Battalion level for certain cases. I know where Tier 1A and Tier 1B are at. I'm not aware of any of the policies at the prison. I've been at the hard site one time.

I'm also responsible for motors, promotions, administration, food, clothes, water – everything but operations. I don't make up operations training. If the S3 asks me to train on something, I'll do that training. But, as far as creating operational training, that would be outside my lane.

We just finished training the CJTF-7 Rules of Engagement, which were published in December, I believe. We follow the standard theatre rules of engagement, which now include detainee pieces, because of some issues that happened during some riots several months ago. We don't publish or post a ROE different from the existing CJTF-7 ROE. We print it off directly as it is published, and post that at all the towers, guard posts, in the tents, etc.. There is no separate or alternate set of rules that we have within the facility.

I think the latest Rules of Engagement more than adequately addresses what actions should be taken with escaping prisoners, prisoners that are endangering the lives or safety of MP's or Coalition personnel. And, we have a Battalion SOP, which addresses rules of interaction, as far as dealing with detainees in general. I can't think of anything that is not covered in those two documents.

We are void of military police personnel. Each compound should have, I believe, 8 MP's. Most of our compounds have two, augmented by a clerk, a cook, and a supply soldier. We've lost 27 personnel to REFRAD, since we've come in theatre, and we don't get replacements for those folks. We need E1 – E4 military police personnel!

Non-MP personnel stand at the gate with a shotgun, they escort detainees on work details, they conduct headcounts, go through the feeding procedures. A lot of the paperwork is handled by the cooks, supply folk, MP's, because we're short clerks. So, everyone on the ground is doing everything.

These cooks, clerks, supply personnel work side by side with the MP's since this started. Essentially, they've been on a "right seat ride" from day one. So, they know exactly what MP's do, because they've been there seen it, and watched it for months. Before we plug them into a position. Now, they're locked into those positions, because of their knowledge and the time that they've spent with MP's in that role. There are always MP's at the compound with them. I don't believe any of them work in Tier 1A or Tier 1B. They only work at Camp Gancy with Security detainees. I've been to the hard stand, once. My soldiers don't work with the MI at all, so I can't address what their mission is.

My Battalion Commander is LTC [REDACTED]. I see LTC [REDACTED] several times a day. He lives right across the courtyard from my CP. It's not uncommon for me to go to lunch or dinner with him, and I see him at daily staff call.

At staff call we discuss staffing. The Operations goes through a rundown of the previous day's events – any riots, searches, contraband that was discovered, supply shortages, feeding problems. It's like sitting in on a mayor's meeting at a village.

Issues that I've brought up are always handled within very short order. We had a Sergeant First Class (Promotable) that had an EO complaint, and he stepped outside of what was outlined in the reprisal plan, and I recommended to LTC Phillabaum, that UCMJ action be taken, and it was. A female soldier felt she was sexually harassed, and the case was expeditiously handled, by the Battalion Commander.

The only issues we've had at BCCF were a couple of escapes that happened early on. In those instances things were identified that we need to do differently, and were addressed. None of the escapes were the fault of my soldiers, specifically, but we did go back and re-train.

The panel stopped, to discuss 1LT [REDACTED] statements.

Finished with their discussion, the panel gave 1LT [REDACTED] a list of items, to be addressed, and brought back on a Sworn Statement.

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY Title 10 USC Section 301 Title 5 USC Section 2951 E.O. 9397 dated November 22, 1943 (SSN)
PRINCIPAL PURPOSE To provide commanders and law enforcement officials with means by which information may be accurately identified
ROUTINE USES The social security number is used as an additional/alternate means of identification to facilitate filing and retrieval
DISCLOSURE Disclosure of your social security number is voluntary

1 LOCATION BCF Abu Ghraib Iraq APO AE 09335	2 DATE (YYYYMMDD) 2004/02/09	3 TIME 2030	4 FILE NUMBER
5 LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6 SSN [REDACTED]	7 GRADE/STATUS O2/USAR	
8 ORGANIZATION OR ADDRESS HHC 320th Military Police Battalion BCF Abu Ghraib Iraq APO AE 09335			

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

1 Explain your role as company commander and your relationship with operations

My role as HHC commander once in the theater of operations can be compared to that of a parent. I am responsible for making sure that all battalion personnel have a place to live, water to drink, food to eat, clothes to wear, vehicles to drive, and that all of their administrative needs are met. When necessary, I counsel and punish. I have a small group of about 10 soldiers who report directly to me and help me to ensure that all of the above mentioned tasks are accomplished. I am not involved in direction of battalion personnel in accomplishment of the unit's defined mission. In this case, internment/resettlement operations. That job belongs to the S-3 section. I would liken the S-3 to one's boss. When the soldiers leave the living area and go to work, they belong to operations and I am not at all involved in what they do during that time. As soon as their shift ends, they belong to me again. They work for ops but they have to live with me. During peacetime operations, I am responsible for basically the same things mentioned above but I am also responsible for planning, conducting and documenting all training to support the unit's METL. However, operations is heavily involved. My relationship with the operations section is excellent. We communicate daily on unit/soldier needs and requirements and this almost completely eliminates getting into each other's lane. I am regularly asked my opinion but rarely sit in on decision making sessions that involve operational matters. I also regularly ask the S-3 for his opinions and guidance.

2 Further explain ROE and ROF. When were they approved, trained and distributed?

The rules of engagement define the inherent right to self-defense and the application and levels of force necessary to counter a threat. The unit has been trained on the rules of engagement several times during this operation. Training is conducted each time the rules change or are updated. The initial training on the CFLCC ROE (dated 31 Jan 03) was conducted at Camp Arifjan, Kuwait on 17 Mar 03. Training was conducted on the 800th MP BDE ROE on 18 May 03 (undated), 18 Aug 03 (undated), and 30 Nov 03 (dated 16 Nov 03). Training was conducted on the CJTF 7 ROE in January 04. It should be noted that the first part of the 300th MP BDE ROE closely follows the theater ROE. The second part of the 800th ROE pertains to detainee operations.

The rules of interaction relate to the conduct of soldiers when dealing with detainees in situations that do not involve hostile action or threats to US soldiers. The ROF refers to respectful treatment, prohibition against fraternization, respect for religious material, etc. It is a very basic guideline for standards of conduct in detainee operations. Our ROF is contained in the battalion SOP that was published on 2 Feb 03. It was trained during mobilization at Ft. Dix, NJ in March 03 and again at Camp Bucca, Iraq on 18 May 03. The ROF has not changed during the operation.

3 What was the rationale to support the methodology of placing cooks, clerks, and supply personnel in MP positions at Camp Ganji?

While I was involved in the decision making process, I am aware of why this decision was made. Simply, there were no MP to fill those positions. The unit has lost 19 MP for various reasons since deployment. The other units at BCF are in the same situation. There is no one to do the work.

4 How often do you and the Battalion Commander go into the compounds to interact with the soldiers? What time of day?

I only go into the compounds around once a week, normally in the morning after staff call or right after lunch when they change shifts. Most of the interaction with the soldiers occurs in the LSA. The Battalion Commander is at the compounds every day at all different times. He spends so much time there that some of the NCO's have complained. They feel that at times they get

10 EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT [Signature]	12 PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND PAGE NUMBER MUST BE INDICATED

9 STATEMENT *Complete*
by passed because I [REDACTED] is so approachable and accessible

5. Are you aware of methods for identifying logging or tracking reported problems?

I am not aware of the procedure or method for identifying logging or tracking reported problems

6. Have the units you have been trained on Geneva/Hague? Where is it posted?

All of the units I have been trained on Geneva/Hague during basic training. It was most recently trained at Ft Dix NJ during mobilization in February. To my knowledge it is not posted

AFFIDAVIT

Warren Edward Ford II HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2 I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD WITHOUT THREAT OF PUNISHMENT AND WITHOUT COERCION, UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT

[REDACTED]
(Signature of Person Making Statement)

WITNESSES

[REDACTED]
[REDACTED]
(FICL-250)

Subscribed and sworn to before me a person authorized by law to administer oaths this 10th day of FEB 2004 at VICTORY CAMP

[REDACTED]
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

EDWARD A RAY, CPT, JA
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT [REDACTED]