

4. (FOUO) The Alpha Block guards set up an informal watch bill for walking their tier after lights out on 9 June 2006.

5. (FOUO) MA3 (b)(3):10 stated that during his 2200-2230 stint on the tier, he "did not take note of anything out of place in cells A5, A8 or A12. But, he knew he conducted a thorough walk-through, because he remembered specifics about detainees in other cells." 175

6. (FOUO) MASN (b)(3):10 had the 2230-2300 tier watch and failed to check cells (b)(2) 176

7. (FOUO) MA3 (b)(3):10 USC stated that while she was walking tier watch from 2300 to 2330, "I looked in all the cells as I walked by. I always start on the left side walking from (b)(2) and come back on the right side from (b)(2). One if not both of the detainees in A-5 and A-12 were on the floor covered with a sheet." MA3 (b)(3):10 USC further stated "I looked in cell A-8 and saw what I believed to be him sleeping in his bed under a blanket." 177

8. (FOUO) MA1 (b)(3) stated that "I walked another shift on the tier between either 2330-0000 or 0000-0030. I really can't remember which." [It was the former.] He further stated that "I do remember that the detainee in cell A-8 had a (b)(2) (b)(2) looking in from the tier to the cell. It appeared as I walked by that he was in his bunk. I saw some form under a blanket, but I could not see his head because the view was blocked, (b)(2) I don't know for sure if any of the three deceased detainees were alive when I was walking the tier at this time, because I didn't (b)(2) hat time." 178

9. (FOUO) In a separate statement, MA1 (b)(3):10 said that "Guards had to see (b)(2) during their rounds, but some detainees would [position] themselves in such a way that it was very difficult to tell and this issue was brought to the attention of the chain of command. We were told not to wake detainees because it could be construed as harassment. The PLs and SOGs said this was coming from the upper chain of command OIC/AOIC. 179

10. (FOUO) MA3 (b)(3):10 USC stated that "MA1 (b)(3):10 was walking the tier between 0000-0030, 10 Jun 06. At 0030 MA2 (b)(3) took over the next shift 0030-0100." 180

175	(b)(3):10 USC	16/2006 reinterview (TAB B5)
176	§130b,(b)(6),(5/14/2006 (TAB B6.a)
177	b)(7)(C)	15/2006 (TAB B4.a)
178		/2006 (TAB B2.a)
179		8/9/2006 (TAB B2.c)
180		4/2006 (TAB B3.a)

~~SECRET//NOFORN~~

11. (FOUO) As is discussed in Section VII above, MA3 (b)(3):1 USC is mistaken as to the time; MA1 (b)(3):10 walked the tier from 2330 to 2400, when he was relieved by MA2 (b)(3):10

12. (FOUO) MA2 (b)(3):10 stated that "I relieved MA1 (b)(3):10 at 0000, and began my rounds of the cellblock. I didn't complete my rounds because MA3 (b)(3):10 USC stopped me and asked if I would trade shifts with him."¹⁸¹

13. (FOUO) In the same statement, MA2 (b)(3):10 stated that "I had walked only a few cells down before MA3 (b)(3):10 came up behind me and asked to switch shifts."¹⁸²

14. (FOUO) MA3 (b)(3):10 stated that shortly before he switched times with MA2 (b)(3):10 he "got word from the Sergeant of the Guard (SOG) to come talk to him after 0100 about my leave chit. I went to MA2 (b)(3):10 and switched with him on the shift at approximately 0036. [MA3 (b)(3):10 USC is mistaken; he started his turn on tier watch several minutes after midnight.] I started at cell (b)(2) and proceeded down one side of the tier. My normal practice is to go down one side then back up the other. I do not like to go back and forth across the tier. I stopped at cell (b)(2) because he had a sheet over his head. I tapped lightly on his bean hole and asked him to take down his sheet so I could see his head. He complied with my request. I also stopped at cell A-20 because he was lying on his stomach. I stayed there for about 45-60 seconds until I could be sure he was moving."¹⁸³

XVII. (U) Failure of Guards to (b)(2) 9 June 2006

1. (FOUO) Per SOP (b)(2) (b)(2)

2. (FOUO) Per SOP (b)(2) (b)(2)

3. (FOUO) One Alpha Block guard stated that on the night of 9/10 June, he did not check all cells during his 2200--2230 turn on the tier. Two cells he did not check-- A5 and A8--held detainees who committed suicide.

4. (FOUO) MASN (b)(3):10 USC stated that during his 2230-2300 tier watch, "I walked the entire block. From (b)(2) [i.e., the right-hand side of the tier, seen from the guard shack, and the opposite side of the tier from the suicides' cells], I made sure that I saw every detainee's (b)(2) From (b)(2) I did see each of the detainee's (b)(7)(C). When I arrived at A12, I saw a blue blanket

¹⁸¹ (b)(3):10 USC 15/2006 (TAB B3.a)
¹⁸² USC 8/8/2006 (TAB B3.b)
¹⁸³ §130b,(b)(6) 5/14/2006 (TAB B5.a)
(b)(7)(C)

on the floor. The blanket appeared to have something or someone under it so I proceeded on. I interpreted this to be the detainee lying underneath it. I did not visually scan the cell to see if anything or anyone was hanging inside. I proceeded past (b)(2) but I didn't look in any of the cells because I was thinking about the blanket on the floor in (b)(2). I continued to walk the block until my shift was over but I didn't look in each individual cell each time I passed them." 184

5. (FOUO) Two additional Alpha Block guards reported that during their tier (b)(2) (b)(2)

6. (FOUO) MA3 (b)(3):1 DISC responded to the question "During your 2300---2330 shift, were you able to see (b)(2) on all detainees?" by stating "No, I cannot say I was able to see (b)(2) on all detainees." 185

7. (FOUO) MA1 (b)(3) "I don't know for sure if any of the three deceased detainees were alive when I was walking the tier at this time [2330---2400], because I didn't see (b)(2) at that time." 186

XVII. (U) What to Do when Guards Could Not See (b)(2)

1. (FOUO) The SOP (b)(2) (b)(2)

2. (FOUO) I found no directives (b)(2) (b)(2)

3. (FOUO) CDR (b)(3):10 the JDG Deputy Commander, stated that "If the order for a headcount came during the time detainees were sleeping, the guards would check for (b)(2) (b)(2) (b)(2)

4. (FOUO) (b)(2) (b)(2)

184 (b)(3):10 USC 5/14/2006 (TAB B6.a)
185 §130b,(b)(6),(15/2006 (TAB B4.a)
186 (b)(7)(C) /2006 (TAB B2.a)
187 (Tab D-3)

5. (FOUO) The JDG Commander and some Camp 1 guard team supervisors and guards believed that the SOP directed (b)(2) guards could not see (b)(2)

6. (FOUO) The Commander Joint Detention Group at the time of the suicides, (b)(3):10 USC stated that "ICRC [International Commission of the Red Cross] has just recently raised the issue of the (b)(2) detainees during the night when the standard (b)(2) met. In my discussions with them I left the issue with them saying I would not (b)(2) unless ordered by higher officials."¹⁸⁸

7. (FOUO) A Platoon Leader in Camp 1, MA1 (b)(3):10 USC stated that when he toured Camp 1 cell blocks at night, he always waited to see (b)(2) If he couldn't see (b)(2) he would question the guard, a (b)(2) detainee.¹⁸⁹

8. (FOUO) MA1 (b)(3):10 USC stated to me that "At night, you needed to make the rounds and look for (b)(2) MA1 (b)(3):10 USC also stated that "if you can't see (b)(2) wake up the detainee."

9. (FOUO) MA1 (b)(3):10 USC statement to me is contradicted by a report that he passed the word at a Camp 1 guard mount not to wake detainees; see MA3 (b)(3):10 USC statement below for the full report.

10. (FOUO) MA3 (b)(3):10 USC stated that on the night of 9/10 June, "I stopped at cell (b)(2) because he had a sheet over his head. I tapped lightly on his bean hole and asked him to take down his sheet so I could see his head. He complied with my request."¹⁹⁰

11. (FOUO) MA3 (b)(3):10 USC stated that "According to the SOP (b)(2) (b)(2)"¹⁹¹

12. (FOUO) Other Camp 1 personnel thought that they were prohibited from waking a detainee at night.

13. (FOUO) A former Platoon Leader in Camp 1, ETSC (b)(3):10 USC responded to the question "Did guards have to sight (b)(2) (b)(2) with the following statement: "No. (b)(2) (b)(2)"

188 (b)(3):10 USC
189 §130b,(b)(6),(b)(7)(C)
190
191
192 6/17/2006 (TAB D-1)
/14/06 (TAB E1)
2006 (TAB B3.a)
006 (TAB B4.b)
14/2006 (TAB E2)

14. (FOUO) In the week preceding the suicides, BM1/SW (b)(3):10 A Camp (b)(3):10 Block NCO from Second Platoon, counseled MA2 (b)(3):1 one of his guards, for not waiting until detainees were awake to confiscate contraband concealed in bean holes.¹⁹³

15. (FOUO) MA1 (b)(3):1 stated (b)(2) (b)(2)

16. (FOUO) Subsequently, MA1 (b)(3):1 stated “(b)(2) (b)(2) The PLs and SOGs said this was coming from the upper chain of command OIC/AOIC.”¹⁹⁵

17. (FOUO) Notwithstanding MA3 (b)(3):1’s belief that the SOP required (b)(2)

18. (FOUO) In a subsequent statement, MA3 (b)(3):1 said that “The work week before the suicides, MA2 (b)(3):1 (b)(2) (b)(2) She continued to do so and received more counseling chits from Chief (b)(3):10 USC (b)(3):10 USC for taking contraband out of the bottom bean holes of cells while the detainees were sleeping. We were told at the next guard mount by [Sergeant of the Guard] MA1 (b)(3):1 (b)(3):1 ‘Do not be bothering the detainees, don’t give them a reason to riot, don’t poke at them with sticks in the middle of the night,’ actually meaning not to (b)(2) (b)(2)”¹⁹⁷

19. (FOUO) MA3 (b)(3):1 stated (b)(2) (b)(2)

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

6/3/2006, (TAB F4.b)

(U) Findings of Fact: Detainee Preparations for Suicide

Your second charge to me was to investigate whether failure to follow the Camp Delta SOP contributed to the ability of the detainees to commit suicide on the night of 9/10 June.

XIX. (b)(2)

1. (FOUO) MA3 (b)(3):1 stated that "We guards have complained to our chain of command that the detainees should not be allowed to have anything hanging in their cells but we were only allowed to instruct them to remove items from the door. In March 2006, ENS (b)(3):1 Camp 1 AOIC, told us at evening Guard Mount that "The SOP is only a guideline and to use common sense and to not take anything from the detainees that wasn't necessary like extra sheets, blankets, linen and food and to not disturb them [i.e., do not disturb the detainees]."¹⁹⁹

2. (FOUO) Camp 1 log entries reveal a lenient attitude about giving sheets to detainees, even in self-harm cases.

3. (FOUO) (b)(2) tied a noose out of his sheet, threatened to hang himself. Sheets taken away.²⁰⁰

4. (FOUO) (b)(2) Hung a sheet with intent to use it to hang himself. Talked him out of it. Took sheet. Given back as per BHS.201

5. (FOUO) (b)(2) Threatened to hang himself by 1200 if not seen by medical. Took sheet. Detainee stated that he only made threat to be seen by medical. Sheet given back as per BHS.²⁰²

XX. (U) Unauthorized Modification of Uniforms by Detainees

1. (FOUO) Per SOP (b)(2)
(b)(2)

2. (FOUO) SOP (b)(2)
(b)(2)

(b)(2)

¹⁹⁹ (b)(3):10 m 6/15/2006 (TAB B4 a)
²⁰⁰ USC 9/2006--5/18/2006, entry dated 4/17/2006 Day. (TAB J8)
²⁰¹ §130b,(b) /17/2006 Day (TAB J10)
²⁰² (6),(b)(7)(/17/2006 Day (TAB J10)
C)

(b)(2)

4. (FOUO) Detainees prepared their apparatus for suicide in a context of JDG toleration for detainee modification of clothing.

5. (FOUO) The practice of tolerating the alteration of clothes by detainees predated the first mention of the (b)(2) because it was taking place during MAC (b)(3):₁₀'s brief tenure as a Camp 1 Platoon Leader (six 12-hour tours on 17, 18, 21, 22, 23, and 24 April 2006).²⁰³

6. (FOUO) MAC (b)(3):₁₀ stated that "When I insisted to complete thorough cell searches a lot of contraband was confiscated. Guards would confiscate altered clothing and other contraband items that weren't (b)(2) [but the] OIC or AOIC would tell the next shift to give them back. Examples: 1.) one time guards found TU-061 with fourteen water bottles---how could he collect so many, especially if the rule was one-for-one exchange? 2.) (b)(2) (b)(2) (b)(2) This violated SOP, but guards weren't allowed to take the garment off that detainee; they were told it would cause too much trouble. 3.) Detainees transferred to Camp 1 from Camp (b) brought with them large prayer rugs, but only small rugs were authorized in Camp 1. I (b)(2) there was no authorization for them to have large rugs. On the next shift, the OIC or AOIC would have the rugs returned. 4.) Detainees are authorized one prayer cap. A detainee had a second one made from a re-sewn trouser leg. Guard said 'Which do you want?' Detainee indicted both, guard took the one off detainee's head, creating an assault on the guard and caused an uproar on the tier."²⁰⁴

7. (FOUO) Detainees intensified pressure on Camp 1 guards to relax rules about modified clothing in late April 2006.

8. (FOUO) Camp 1 Sergeants of the Guard noted numerous instances of detainees breaking rules about modified clothing over 27—29 April 2006. The annotation "508" indicates a report made for the purpose of disciplining a detainee.

²⁰³ (b)(3): statement 8/14/2006 (TAB E2); PL Log entries dated 17, 18, 21, 22, 23, 24 April 2006.
²⁰⁴ (b)(3): statement 8/14/2006 (TAB E2)

9. (FOUO) "If detainee is wearing altered clothes get it before show[er] / rec[reation]."²⁰⁵

10. (FOUO) (b)(2) sheet = robe 508"²⁰⁶

11. (FOUO) (b)(2) sheet = robe 508"²⁰⁷

12. (FOUO) (b)(2) altered pants = 508"²⁰⁸

13. (FOUO) "Do not take altered prayer beads."²⁰⁹

14. (FOUO) (b)(2) Altered pants"²¹⁰

15. (FOUO) (b)(2) Altered pants"²¹¹

16. (FOUO) "Altered pants."²¹² [No further information or context.]

17. (FOUO) In early May 2006, about a month before the suicides, a new JDG policy

(b)(2)

18. (FOUO) Camp 1 Platoon Leader MAC (b)(3):1 stated words to the effect that (b)(2) which violated SOP. Finally, despite guard opposition, policy was changed & a sewing cell was established, in which detainees were placed with one pair of trousers to hem. Guard then handed them (b)(2) with one length of thread, watched them while they sewed, recovered the needle before letting them out."²¹³

19. (FOUO) The first Guard Mount Message mentioning sewing is dated 8 May 2006; it states in full that "All Detainees placed in a sewing cell will have a maximum time limit of (b)(2) to sew clothing. After the maximum time limit of (b)(2) Detainee will be returned to his original cell."²¹⁴

²⁰⁵ SOG Log 4/27/2006 Night. (TAB J10)

²⁰⁶ SOG Log 4/28/2006 Night. (TAB J10)

²⁰⁷ SOG Log 4/28/2006 Night. (TAB J10)

²⁰⁸ SOG Log 4/28/2006 Night. (TAB J10)

²⁰⁹ SOG Log 4/29/2006 Day (TAB J10)

²¹⁰ SOG Log 4/29/2006 Night (TAB J10)

²¹¹ SOG Log 4/29/2006 Night (TAB J10)

²¹² SOG Log 5/3/2006 (TAB J10)

²¹³ (b)(3):1 interview 8/14/2006 (TAB E1)

²¹⁴ DIMS Guard Mount Message 08MAY2006 1752L, subject "Detainee Sewing Cell." (TAB A3)

20. (FOUO) On 12 May 2006, the Camp 1 duty Platoon Leader noted that "Sewing kits given to A, F, F, G & H. Following cells were designated as sewing cell: (b)(7)(C)²¹⁵

21. (FOUO) No Guard Mount Message supersedes SOP prohibitions against detainee modification or destruction of bedding and clothing.

22. (FOUO) The destruction of bedding and clothing by detainees, to include the practice of allowing detainees to sew in special cells, was a violation of SOP ¶8-17b and ¶8-23e.

(b)(2)

(b)(2)

(b)(2)

(b)(2)

4. (FOUO) MA3 (b)(3):1 described his observations made in an ambulance with ISN 093, en route to Guantanamo Bay Naval Hospital. MA3 (b)(3):1 stated that "I know that the material [used (b)(2)

(b)(2)

5. (FOUO) MA2 (b)(3):1 stated that "I saw the detainee [ISN (b)(2)

6. (FOUO) MA3 (b)(3):1 stated that ISN 093 was hung by (b)(2)

²¹⁵ PL Log 060219-060518, entry dated 5/12/2006, Days. (TAB J8)

²¹⁶ NCIS Exhibit 115, Enclosure D24, D21 (TAB K5)

²¹⁷ NCIS (b)(3):1 5/14/2006 (TAB C4.a)

²¹⁸ NCIS 10 5/15/2006 (TAB B3 a)

7. (FOUO) The standing end of the cord was tied through the upper mesh of the wall shared by cell A8 and cell (b) ²²⁰
(2)

8. (FOUO) The cord was wrapped tightly around ISN 093's neck in three or four round turns.

9. (FOUO) MA3 (b)(3):1 ²²¹ stated that while administering CPR

(b)(2)

(b)(2)

11. (FOUO) The medical examiner further reported about ISN 093 that (b)(2)

(b)(2)

12. (FOUO) Relevant photographs taken in cell A8 by NCIS on 10 June 2006 are included in this report as Exhibits D25 and D32 in TAB K5.

13. (FOUO) On 9 June 2006, ISN 588 hung himself in cell A12 with a cord noose. ²²⁴

14. (FOUO) NCIS crime scene photographs indicate the cord of ISN 588's noose or ligature (b)(2) ²²⁵

(b)(2)

²¹⁹ NCIS (b)(3):10 USC §130b,(b)(6),(b)(7)(C)

²²⁰ NCIS (b)(2) K5)

²²¹ NCIS (b)(2)

²²² Final (b)(2) ISN 093), Office of the Armed Forces Medical Examiner, August 2006 (TAB H1).

Armed F (b)(2) ISN 093), Office of the Armed Forces Medical Examiner,

²²³ Final (b)(2) Armed Forces Institute of Pathology, dated 2 August 2006 (TAB H1).

²²⁴ NCIS Exhibit U15, Enclosure C10, C13, C17, C18, C19. (TAB K4)

²²⁵ NCIS Exhibit U15, Enclosure E10, E18, E19, E20, E21, E22 (TAB K6)