

1 [REDACTED] civilian, was interviewed on 12 February  
2 2004, as follows:]

3 Q. Has anybody informed you as to the nature of your  
4 presence here with us this morning?

5 A. No.

6 Q. I'm amazed. Okay, so you were basically told to just  
7 show up?

8 A. It's the extension of a 15-6 and I'm not Army, so I'm  
9 not familiar with the extent of what a 15-6 is.

10 Q. That's fair. Let me go ahead then and inform you of  
11 the nature of this interview. I'm Major General Taguba, the  
12 Deputy Commanding General of the Coalition Land Forces Component  
13 Command, headquartered at Camp Doha, Kuwait. My Commanding  
14 General, Lieutenant General David McKiernan, appointed me as the  
15 investigating officer under the provisions of Army Regulation  
16 15-6, which gives us the authority to conduct the investigation,  
17 and also the direction of General John Abizaid, the Commander of  
18 CENTCOM, Central Command. This investigation is to gather all  
19 relevant facts and circumstances surrounding the recent  
20 allegations of maltreatment of detainees at the Abu Ghurayb,  
21 also known as the Baghdad Central Confinement Facility, as well  
22 as detainee escapes and accountability lapses as reported to  
23 CJTF-7. Now, we were also directed to investigate the training

1 standards, employment, command policies and internal policies  
2 concerning the detainees held at Abu Ghurayb Prison. And we're  
3 also to assess the command climate and the supervisory presence  
4 of the 800th Military Police Brigade Chain of command.

5 I also want to advise you that the course of our  
6 interview will be recorded so we can capture the accuracy of the  
7 questions and the responses for the record. So, do you have any  
8 questions before we continue?

9 A. [Negative response.]

10 Q. Sir, for the record, would you please state your full  
11 name, your social security number, your job position and of  
12 course your unit of assignment.

13 A. Sure. My name is [REDACTED]

14 [REDACTED] I am [REDACTED],  
15 as well an interrogator, who is employed by CJTF-7, to support  
16 operations, KMI operations throughout theater, specifically, Abu  
17 Ghurayb.

18 Q. Thank you. When were you assigned to conduct your  
19 present duty assignment?

20 A. I arrived in country, in Iraq, on 5 October 2003, and  
21 on 5 October, we arrived at the prison, as well.

1 Q. Prior to that, were you informed of the--I would  
2 assume, back in the United States, as to the nature of your duty  
3 assignment?

4 A. To the extent of....

5 Q. What you were going to be----

6 A. Yes, I was informed that I was going to be an  
7 interrogator, possibly at Abu Ghurayb or other facilities in  
8 country.

9 Q. What was your job position back in the United States  
10 prior to being informed that you were coming to Iraq?

11 A. For 6 months, I was off, roughly 6 months, prior to  
12 that, I was off. And prior to that, I was mobilized from  
13 November '01 until March of '03.

14 Q. Doing what?

15 A. I'm a Navy intelligence specialist. I was working  
16 with DIA, Defense Attaché System.

17 Q. But you're no longer associated with the Navy, or are  
18 you still on----

19 A. I'm on Inactive Ready Reserve status, so I could come  
20 out here on this deployment.

21 Q. Was your background pretty much on Navy intelligence,  
22 HUMINT?

1           A.    My last, basically 2 years, have been involved on the  
2 HUMINT side.  And prior to that, between intel analyst, as well  
3 as imagery.

4           Q.    Now, did you have a previous assignment that's  
5 coincidental, even relative to what you're conducting today,  
6 like a GTMO or Bagram or anyplace else?

7           A.    You mean interrogation assignment?

8           Q.    Yes.

9           A.    In a military setting, no, but my commercial training,  
10 if that's what you're alluding to, has come from what I've done,  
11 International Recruitment, similar training from my DIA  
12 counterpart, I was a case officer, running sources, do business  
13 development is the same thing as dividing and gathering your  
14 networks, interviewing your possible staff that you might hire  
15 or hire for other companies.  It's the same hiring and  
16 questioning process that you would through, an interrogation,  
17 questioning or screening series.

18          Q.    Training, that sort of thing?

19          A.    Yes.

20          Q.    Did you have any experience whatsoever being directly  
21 involved with interrogation of a detainee?

22          A.    When I was operational, or provided operations and  
23 supervision support out of the USDA [inaudible].

1 Q. So you're out here on the 5th of October, on or about,  
2 there about, and you were directly assigned to the Abu Ghurayb  
3 confinement facility.

4 A. Yes.

5 Q. Who was your supervisor at that time, if you recall?

6 A. Within the JDIC Ice operations?

7 Q. Sure.

8 A. The...who was the NCOIC...I can't recall the NCOIC's  
9 name. They were part of the--when we were arriving, there was a  
10 turnover there. So he was only there for about a week. From  
11 that point, Chief [REDACTED] was the secondary OIC, and  
12 then Captain Carolyn [REDACTED] was the OIC.

13 Q. Now, the JDIC did not exist at that time, or did it  
14 exist when you arrived?

15 A. From my understanding, it did exist.

16 Q. All right, to your understanding. Did you receive any  
17 in-briefs or set of instructions on the operating environment  
18 and what the nature of the, specific nature of your duties would  
19 be?

20 A. Yes, sir.

21 Q. Who gave you that instruction?

22 A. Captain [REDACTED]

1 Q. Captain █████ did? Did that set of instructions  
2 include any familiarity at all or refresher training on the  
3 Geneva Convention?

4 A. No.

5 Q. No? Did you, since you were in that particular set of  
6 experiences previously as a Naval officer in the Reserves, in  
7 the context of other training that you conducted prior to your  
8 assignment here, did you have any knowledge whatsoever or  
9 training, interaction with detainees or through interrogative  
10 means or detention include some knowledge or familiarity with  
11 the Geneva Convention?

12 A. Yes, I have. In fact, I read up on that on my own, as  
13 well as provided the--recently, I've used them again to refresh  
14 and provide guidance for a friend of mine.

15 Q. But when you arrived here, there was nothing....

16 A. There was nothing formal in place pertaining to the  
17 Geneva Convention, that's correct.

18 Q. But you were informed or at least had knowledge of the  
19 contents of the provisions of....

20 A. Yeah.

21 Q. Did you have any assumption at all or any knowledge  
22 that you, being a civilian contractor, also could be held liable

1 for any violations that might be consistent with the Geneva  
2 Convention?

3 A. Absolutely. That was one of the first questions prior  
4 to my arrival. And once I did arrive in country within our  
5 organization, as well as within the military setting what  
6 statutes the civilians fall under versus military members, which  
7 are punishable by the UCMJ. Civilians are punishable, from my  
8 understanding, under the Federal court system.

9 Q. Did you inquire as to what your status would be while  
10 you're in a combat operating area, that your status, if you were  
11 ever captured by anti-coalition forces, did you inquire into the  
12 nature of what your status will be if you were captured or  
13 detained?

14 A. From my understanding, since we are contracted, I just  
15 assumed, because on my CAC card, it says we're covered under the  
16 Geneva Conventions.

17 Q. But nothing beyond that.

18 A. No.

19 Q. So in a case where you may be held or detained or  
20 killed or wounded in a combat area, it was never stipulated to  
21 you in any clear terms?

22 A. No, not at all.

1 Q. Okay, all right. Let me move forward. You've been  
2 there since the 5th of October.

3 A. Yes.

4 Q. And conducting interrogations or whatever you're being  
5 directed to do, I'm not asking you--let me preface this, not  
6 asking you the contents of any interrogation, but could you  
7 elaborate a little bit on the typical operation of an  
8 interrogation? I mean, when do you--is there a plan of sorts  
9 that you discuss previously with a translator? Is there a plan  
10 of sorts that you discuss with anybody from the MPs that are  
' holding the detainee, time, that sort of thing?

12 A. All the interrogators are assigned to teams, Alpha  
13 through Charlie, through Echo. We're given--we'll just start  
14 with a new case file.

15 Q. Sure.

16 A. Find the assessment, let's see where the detained has  
17 derived from, what the circumstances of capture are. As the  
18 interrogator, you sit down with your analyst. You go through,  
19 find out as much information about the detainee as possible, the  
20 capturing unit, check with the magistrate's office, review what  
21 they have on file, collect whatever you need from to put in your  
22 file to build up the foundation. At that point in time, you  
23 schedule with your section chief as to the time of



1 interrogation. In most of the cases I work in, I usually have  
2 an analyst there with me, so I brief the analyst prior to going  
3 into the interrogation. To what depth and what extent, that  
4 will vary with what the interpreter will receive. And also,  
5 it's a matter of comfort and level of trust with the  
6 interpreter, as well. Some, we use specifically as just--if you  
7 want an umbilical cord of the interrogator. Others can become  
8 more in depth who are assigned to more of your high value  
9 targets who will become more actively involved and read up on  
10 reports, etceteras.

1 Q. Basically, do you typically work with the same  
12 interpreter, or do you change around based on the nature of----

13 A. Recently, I've worked with the same interpreter due to  
14 the significance of the case and the level of his expertise.  
15 But prior to that, I had used a reasonable amount of the  
16 interpreters.

17 Q. Is there an established or a set schedule, written or  
18 otherwise, that says, "These are the detainees I want to  
19 interview today?"

20 A. Depending on your case load, you work with your  
21 section chief and you're organizing your schedule throughout the  
22 time period.

1 Q. Let me be a little bit more specific. The detainees  
2 that are held at Tier 1 A, they're held there for a specific  
3 purpose that you're familiar with. In your interaction with the  
4 MPs that are holding, or at least a company or a unit that is  
5 holding that particular detainee, when you have a set schedule,  
6 is that schedule articulated to them verbally or is it  
7 articulated to them in a written form?

8 A. It's not articulated to them at all.

9 Q. So how does that happen?

10 A. In terms--you do your prep and planning. Depending on  
11 the reaction and the information received or not received from  
12 the previous interrogation is how you'll schedule and time your  
13 next interrogation. In some cases, it could be late at night  
14 due to the fact that the detainee is less alert and is apt to  
15 get more information because all they want to do is go back to  
16 bed.

17 Q. Sure.

18 A. Versus a midday one when they're nice and relaxed and  
19 had a good night's sleep. They're more responsive and are able  
20 to countermeasure us and etceteras. So, in terms of putting  
21 those efforts, they're done within the operations section. I'm  
22 not outside with the MPs.

1 Q. And is that an established or a standard operating  
2 procedure that's provided and approved by----

3 A. That has been the operating procedure that's been  
4 presented to us upon my arrival and I've assumed to be the norm  
5 since then.

6 Q. And that was briefed to you by whom?

7 A. It wasn't briefed, that's just what was.

8 Q. What was, so that was your understanding. Was that in  
9 a written form or common practice?

10 A. Common practice, nothing written.

11 Q. Nothing written; so that was basically left to your  
12 approach or a common approach within----

13 A. As well as the coordination with your section chief.

14 Q. So that was an approved process. So there's no  
15 question on your mind that that was the approved process?

16 A. For setting a time period for coordinating  
17 interrogations in isolation--or segregation, as it's referred to  
18 now?

19 Q. Sure.

20 A. [Affirmative response.]

21 Q. Was there ever a requirement in the unit or the  
22 battalion that you belonged to, that you were associated with,  
23 which is I believe at that time, the 165th MI Battalion.

1 A. Prior to that, it was the 519th.

2 Q. Was it the 519th MI Detachment?

3 A. Right.

4 Q. Was there a requirement to put an interrogation plan  
5 in writing?

6 A. Yes, you have to have a double-sided interrogation  
7 plan, what your approach is, whether or not the detainee's  
8 information has been researched, whether it needs national  
9 agency check and background check etceteras, exploitation, any  
10 type of requirements that are outstanding for collection against  
11 HCRs, things along that nature. Then you turn it over and you  
12 write out an interrogation plan. The one currently being used  
13 now is an evolutionist one that was being used previously. So  
14 it's been an ongoing living document. That's how they've been  
15 documenting the process.

16 Q. Who approved that plan?

17 A. Section chief reviews it. Then it goes to either the  
18 NCOIC or the OIC.

19 Q. What governs that interrogation plan?

20 A. The rules of engagement.

21 Q. The rules of engagement. How long has that rules of  
22 engagement been published?

23 A. As far as I know, since the time I've arrived.

1 Q. It's been posted?

2 A. Yes.

3 Q. Do you recall that being briefed to you when you first  
4 arrived?

5 A. We were given a--everybody, from a Khaki perspective,  
6 and any people we bring in on board are given the rules of  
7 engagement brief. We have to sign that. Now, we've signed  
8 multiple variations since we've arrived, but everybody has had  
9 to read them and re-sign them.

10 Q. Does that interrogation plan look anything--I'm sorry,  
11 rules of engagement, look something similar to that [while  
12 showing document to Mr. ██████████

13 A. This is the copy that was posted in the ISO.

14 Q. Okay. It was posted in October when you first  
15 arrived?

16 A. No, this was posted--I'm not quite sure when they  
17 posted it. They've had an 8 1/2 by 11 piece of paper up on a  
18 bulletin board. And then recently, I think it was in December,  
19 I can't remember the actual time, it was early December, end of  
20 February--November, when you go out through the doorway, there's  
21 a bunch of pieces of....

22 Q. This particular interrogation rules of engagement was  
23 posted, I believe, after Colonel Tom Pappas assumed command of

1 the Forward Operating Base Abu Ghurayb. And this particular  
2 interrogation rules of engagement was approved by General  
3 Sanchez because of differing and inconsistent practices done  
4 during interrogation. Was that explained to you?

5 A. No.

6 Q. So you just took it at face value that this was  
7 revised due to other things that had occurred. Have you had any  
8 knowledge of interrogators being disciplined for going beyond  
9 the bounds of their authority?

10 A. Just recently.

11 Q. Which one was that?

12 A. Just seen members, I'm not sure from where--I was told  
13 right when we arrived, there was an incident in the segregation  
14 section where a soldier was----

15 Q. Segregation in the hard site?

16 A. Yeah, alpha section. It used to be isolation, but now  
17 the new term is "segregation," the hard site. And they came in  
18 for their final, I guess, I wasn't sure if it's Article 15 or  
19 what the procedure was, and people I had seen when I first  
20 arrived were coming back in and reintroducing....

21 Q. Based on those infractions, do you recall the  
22 Battalion Commander, Detachment Commander, the Brigade Commander

1 gathering all the interrogators and amplifying any kind of  
2 corrective actions to be taken?

3 A. You mean right after this----

4 Q. Right.

5 A. I mean, nothing strikes the mind. We've had recent  
6 refreshers on rules of engagement. But citing, "Hey, this, X, Y  
7 and Z happened. Do not do this. Do not repeat the behaviors,"  
8 and lessons learned from it? No.

9 Q. So you don't recall any of that. Moving a little  
10 faster here. You made a statement that was dated the 22d of  
11 January of the events on the 20th of December. It was you,  
12 Sergeant Eckron, you also mentioned John Israel in there, of  
13 remanding or returning a prisoner back to the custody of the  
14 MPs. I believe you mentioned Sergeant [REDACTED] and Staff  
15 Sergeant [REDACTED] if I'm not mistaken. Can you describe for us  
16 the events, what was going on?

17 A. After conducting our interrogation that evening, which  
18 at that point in time, common practice was, we were afforded the  
19 option to interrogate in the upstairs shower facilities or a  
20 rear stairwell down in the far left corner of the isolation,  
21 Alpha wing. When we had concluded our interrogation, we had  
22 handed off the detainee to the MPs who came back to the  
23 stairwell to receive the detainee. We proceeded forward. The

1 MP and the detainee were behind us, handcuffed, restrained,  
2 walked him back to what we call the hole, which is a complete  
3 segregation cell, no walls, there's no wires. The MPs placed  
4 the detainee in the room. As we were getting ready to walk up  
5 the steps, heard suspicious sounds. They were suspicious. I  
6 didn't see anything. We heard something suspicious enough that  
7 we confronted the MPs.

8 Q. What kind of sounds? Yelling? Choking?

9 A. Not a yelling, not a choking sound, an "Umph." You  
10 know, say if--the only way I can equate it to is if you're--and  
11 you're getting in you're getting in a fist fight and somebody  
12 hits you in the stomach, and "Umph," and they knock the wind out  
13 of you.

14 Q. Now, the MPs would not have weapons on them at any  
15 time, a baton or firearms or anything that you observed?

16 A. Batons, no, I've never seen an MP with a baton in that  
17 wing at all. The MPs, it was common practice for an MP to carry  
18 a weapon. They would have weapons in there in their staging  
19 area.

20 Q. Although firearms are not included [inaudible] SOP on  
21 allowing firearms in there while they're handling a detainee,  
22 but there are other items that could be construed as a weapon.

23 A. Yes.



1 Q. A knife....

2 A. Everybody--my rules are, meaning MI, no knives, no  
3 Gerbers, nothing.

4 Q. None of that.

5 A. So we are sanitized. And that's strictly enforced on  
6 a regular basis. Everybody's checked. I've gotten to the point  
7 I don't even carry a Gerber anymore because it's not worth the  
8 problem of taking it on and off throughout the day. So if they  
9 were wearing one, you actually couldn't see if they were or not.  
10 At the finish, when we had walked, went upstairs and we signed  
11 the detainee in the log, from that point, when the MPs were  
12 standing around waiting for them to come back up, we confronted  
13 them, "What was that all about?" They weren't happy or  
14 comfortable with the fact that we questioned them on that. Once  
15 that was done, we presented that to them, we went back into the  
16 operations area. I spoke directly to Chief [REDACTED] and  
17 then we also----

18 Q. [REDACTED] was your ICE there?

19 A. Yes, he was the OIC at the time. Captain [REDACTED] was  
20 gone. She has been redeployed. Chief [REDACTED] was the OIC for  
21 the evening, and presented it to him, as well as we went with  
22 that to Chief [REDACTED] who was in operations, and we presented it  
23 to both of them.

1 Q. That was a verbal report to them.

2 A. Yes.

3 Q. Do you have any knowledge, whatsoever, of the use of  
4 dogs in interrogation or in the detainees' cells?

5 A. In the detainees--for interrogation purposes?

6 Q. Right, to intimidate the detainee or other than for  
7 what the purpose is to search?

8 A. I know, just the searching aspect, I have not used  
9 them as part of--using dogs to intimidate----

10 Q. Not you, per se, but rumors or anything of that sort,  
11 but the use of military working dogs----

12 A. The only thing I've been a part of is walking down and  
13 seeing the dogs doing the searches and in that capacity.

14 Q. Did you physically observe that, or did you just have  
15 knowledge of it?

16 A. Had knowledge of it and one instance where I did  
17 observe, was in one of my written statements, which I indicated  
18 when I came down, my detainee was on three sessions of a managed  
19 program. So given that, he was then under medical supervision,  
20 trying to determine if the doc was in yet for the psychological  
21 supervision. It was right around the time when then the  
22 psychologist came on board. So we had been monitoring all the  
23 different facets, mental, physical well-being. And he had

1 problems with his feet swelling up, so I went down to check on  
2 him, check his condition. And at that instance is when they  
3 were doing the cell checks, the detainee was not in his cell.  
4 The detainee was still in the hole at that point. He was in  
5 between the sleep management program in which he was put into  
6 his isolation cell, or I should say, in the hole. And from  
7 there, the MPs were going to check him, the hole, and that's  
8 where I seen the dogs. They were barking at him; they went in  
9 and checked his area. The dog continued to bark. And given a  
10 normal operating environment, seeing--since he was my detainee,  
11 I did go ask the detainee two or three questions pertaining  
12 particularly to the operation as to why we were checking the  
13 detainee. And from that point, walked out, the MPs, the dog was  
14 still working, barking and going through. So I don't know--I've  
15 never gone through and seen what they do when they search his  
16 cell and what have not. And once that pretty much finished, sit  
17 around and watch for a little while longer, and then I went up  
18 to my area.

19 Q. Just for clarification, where in that hole then, the  
20 detainee was in his cell with the dogs in his cell?

21 A. The only time that the detainee was in the hole with  
22 the dog was for about a brief 8 to 10 seconds. The detainee was

1 on the back side of the wall. The dog was being held on a short  
2 leash.

3 Q. But then, in other words, you assumed or at least were  
4 informed that a search was being conducted?

5 A. Yes.

6 Q. Did you know that when they do a search of a  
7 particular cell or particular area that the detainee is not  
8 supposed to be in his cell with the dog present?

9 A. That I did not know.

10 Q. Because that could be construed as using a military  
11 dog as part of the search, or could be construed as part of the  
12 interrogation process.

13 The night there was some shooting incidents in there,  
14 riots that you may have known about or have direct or indirect  
15 knowledge about, were you asked to at least participate or react  
16 to that particular shooting incident that happened on or about  
17 the 24th of November?

18 A. I was down there for a brief time, a short time span.  
19 The night of the shooting, I wasn't there for the shooting. I  
20 was working in the JDIC, the ICE. They called the majority of  
21 the interrogators down, with "they," meaning the command, that  
22 was Colonel [REDACTED] and Chief [REDACTED]. They requested a large  
23 number of interrogators to go down because they just did a

1 shakedown of the Iraqi police and they were suspected of  
2 arresting seven, eight Saddam Fedayeen members, and they were  
3 doing on-the-spot interrogations in the passageway that leads  
4 down toward the segregation section.

5 Q. There is a gate there that separates the rest of the  
6 hard site, I believe, with the tier. Was the inspection being  
7 done there?

8 A. Yes, from that section all the way up to the--you come  
9 in from the Alpha, Bravo section, that tier, from where that  
10 gate is up until the Iraqi police, first tier there.

11 Q. So they mobilized all the interrogators. Were you  
12 inside Tier 1?

13 A. No.

14 Q. Not at all.

15 A. The only time I went in was, shoot, I don't know if it  
16 was the next day or that night, because I wanted to see where  
17 the shooting was.

18 Q. Sure.

19 A. That's also a detainee that I had been working on from  
20 the time in which he was brought in.

21 Q. The guy who got shot.

22 A. Yes. And actually, I was supposed to go in and  
23 interrogate that night with that person.

1 Q. But somebody else interrogated him.

2 A. No, not from my understanding.

3 Q. Comments were made by MPs that there were two civilian  
4 interrogators who were inside his cell, that one was a female  
5 translator, along with a military working dog detachment. Were  
6 you aware of that?

7 A. No, I'm not.

8 Q. Were you ever informed that that existed during that  
9 period of time?

10 A. [Negative response.]

11 Q. Were you aware that Colonel [REDACTED] was there at the  
12 time, as well?

13 A. For that interrogation? No.

14 Q. Let me go back to locations of interrogations. Where  
15 are the authorized sites for interrogations normally conducted?

16 A. As of today?

17 Q. As of then.

18 A. As of then? I believe we had the steel site, which  
19 was located right outside Camp Vigilant; the wood site, which is  
20 behind the isolation--segregation section. And then three  
21 locations within segregation, itself, two showers on the upper  
22 floors, and then the stairwell in the back corner of the first  
23 floor.

1 Q. Those sites are outside, those are separate and  
2 distinct from the cell area, themselves.

3 A. Well, separate in what way? Separate in they're not--  
4 --

5 Q. Separate from the immediate location----

6 A. Yeah, separate from the cell, itself, yes.

7 Q. Is it common practice or a practice as far as a matter  
8 of expediency to do any kind of interrogation immediately in  
9 their cell?

10 A. From my understanding--oh, actually, yeah, that's the  
' other one. It's been common practice to go in and question a  
12 detainee in his cell, yes.

13 Q. In his cell.

14 A. Yeah.

15 Q. Typically, who is present in the cell?

16 A. Your interpreter, interrogator, analyst.

17 Q. That's a standard operating procedure in the absence  
18 of other guidance? Well, let me rephrase that. Those times  
19 when they were being interrogated, the detainees were being  
20 interrogated in those sites you just described, I believe the  
21 facility at Abu Ghurayb just experienced mortar shelling. And  
22 those that I interviewed, was the reason why those sites were

1 being used, utilized for interrogation was both to protect the  
2 interrogators, and this is for safety requirements.

3 A. Right.

4 Q. But let me understand then, but is it an approved,  
5 established procedure in your experience as an interrogator that  
6 interrogations are done in the cells, themselves. There's no  
7 prohibition, whatsoever----

8 A. No, it wasn't prohibited. It wasn't in writing  
9 saying, "Do not go in there and do that." That was presented  
10 from when I arrived as, that's an area in which you could go in  
' and interrogate the detainee.

12 Q. In terms of training though, were you experiencing  
13 that or at least folks knew it was common practice of doing an  
14 interrogation immediately in the cell?

15 A. We reviewed our plan as to where the detainee would  
16 sit or stand. So in terms of other than like personal knowledge  
17 of self defense and knowing that my number one protection of the  
18 team that goes in with me is the protection of my interpreter,  
19 which is always closest to the doorway for safety reasons,  
20 followed by the analyst, if you have a supporting analyst there,  
21 and then myself, or the interrogator last. In that term, when I  
22 have utilized doing an interrogation in the cell, the detainee  
23 would sit down and you would be standing, so to make it not a--



1 at least you have a partial advantage if there were something to  
2 go awry.

3 Q. Well, it's pretty confining in that particular area.

4 A. Yes.

5 Q. Are the doors typically closed when the interrogations  
6 are being conducted?

7 A. When the segregation section was full and you had say,  
8 for an example, four people brought in, you know, suspicious or  
9 caught in the act of placing IEDs. They have personnel that had  
10 been in segregation that were customarily in the same general  
11 area. So, you would close the door to try and muffle some of  
12 the sounds of the interrogation because once it goes out,  
13 everybody talks and there's so much cross-chatter as far as the  
14 environment of the interrogation. Because at that point in  
15 time, we didn't have a hard site so----

16 Q. Exactly, that's my point.

17 A. Yeah.

18 Q. You were pretty much in a common area, regardless of  
19 the situation.

20 A. Yes.

21 Q. And we visited the JDIC, the interrogation room is  
22 rather confined there, as well. In other words, contents and  
23 other individuals are viewable on the other side of the tier are

1 pretty much held in strict conference. So I'm rather curious as  
2 to why the practice, whether common or not, of doing the  
3 interrogation in the site themselves, where exchanges, questions  
4 and answers could potentially be heard by the other detainees,  
5 in that regard.

6 A. My feeling was, it was a push for operations, keep  
7 operations going.

8 Q. But at the same time though, it's also safeguarding  
9 information. So I convey that to you because the contents of  
10 your interrogation and the contents of the information that you  
11 gather are of a sensitive nature. Is that right?

12 A. Yes.

13 Q. Is there a practice today about conducting  
14 interrogations in the cell?

15 A. I would say short of going up and asking questions,  
16 not for interrogations as previous. Like it's not uncommon for  
17 me to go in and visit my detainee. I would report to the  
18 detainee. I'd go in and ask common questions. I don't ask  
19 tactical or strategic questions. So, once we've been afforded  
20 the opportunity to expand our interrogation setting, the  
21 sensitive questions are dealt with in that environment, the  
22 general familiarities and rapport building are what the focus  
23 is, and only the focus.

1           Q.    Post-interrogation, you've concluded the interrogation  
2 of a particular detainee, and then the additional information is  
3 conveyed to the MPs in terms of a sleep management, meal plan or  
4 terms of isolation, segregation, that sort of thing. How is  
5 that conveyed and to whom is that conveyed to?

6           A.    Post-interrogation, you conclude, you go back, you  
7 return the detainee to the possession of the MPs. Regardless if  
8 things went well or unwell, say, a lot of times the MPs will--  
9 you don't discuss the details of the interrogation.

10          Q.    Sure.

11          A.    What they will ask, you know, "Was he cooperative?  
12 Was he not?" "He was all right, so, so," whatever. And  
13 pertaining to the meal management, because, at least in my  
14 situation, I've been in the visibility of the detainees, I've  
15 had to continue to be diligent as to what we do. I brief the  
16 MPs as to, "Okay, what's the reaction been when you check on the  
17 detainee," as to the common characteristics. "Has he been  
18 responsive? Has he been staying awake? What's the response  
19 been to, you know, on an approved plan where he gets 20 minutes  
20 of sleep." A few hours later, he gets a 50-minute block of  
21 sleep. And we want to know how he's responding. Is he staying  
22 awake? Is he fighting, resisting? Trying to get feedback and

1 go either way. So that, in terms of debriefing, and that's what  
2 we're doing, we want to make sure.

3 Q. In your statement, you mentioned that, you described a  
4 sleep management, meal plan, that the instructions are given to  
5 the MPs, that this particular detainee would get only 4 hours of  
6 sleep over a 24-hour period.

7 A. That's correct.

8 Q. You stated that that's provided to them in written  
9 form----

10 A. That is provided--yes, that's provided to them in a  
11 written format that has to be approved. I write it up, it goes  
12 to the OIC . From there, it goes to Colonel Pappas. As long as  
13 everything is within the rules of engagement, which he's  
14 approved to sign off on, then signed back to me. They do look  
15 at the schedule of what the hours are, when it starts, when it  
16 finishes and when the detainee will get sleep. We calculate the  
17 minutes and make sure it's 240 minutes every 24-hour period of  
18 time.

19 Q. Total.

20 A. Total. And as well as, after 72 hours of the sleep  
21 management program, or sleep, meal management program, then they  
22 get 12 uninterrupted hours of sleep. And then they can resume  
\_3 the program again.

1 Q. One more time. And then it's given back to you, do  
2 you give that to the MP guard or do you give that to their  
3 supervisor?

4 A. From when I've joined him--when I first started doing  
5 it, it was handed to the Alpha/Bravo NCO who was located there.  
6 And that's just been a customary practice, is to give it to them  
7 and they verbally hand it over when the shift changes.

8 Q. And they execute it.

9 A. Right.

10 Q. The only reason why I say that is because, you give it  
11 to a guard, a guard during the day, let's just say for example,  
12 is that his understanding may not be conveyed to the next guard  
13 relieving him on the shift. And if it's understood that it's 4  
14 hours for every 24 hours and not counting for all the minutes to  
15 accumulate to 240 minutes, you know, don't you think--curiosity,  
16 or do you care whether that's being conducted properly or do you  
17 monitor that or do you leave that to the conveyance of the guard  
18 that's executing that set of instructions?

19 A. My experience has been when I've given it to the  
20 NCOIC, they've reflected that they are the one in charge and  
21 that it was their responsibility to hand it over to the next  
22 shift, except they do shift briefs. So when that's conveyed to

1 me, and that was the operating procedure from what I understood  
2 from a VOCCO, verbal, that's the language that I proceeded----

3 Q. Did they show you any kind of record of all that they  
4 are--10 minutes here, 20 minutes there? Did they show that to  
5 you?

6 A. Given that it's on the schedule, they have--you know,  
7 when I go down and ask, "How's everything going? How's the  
8 program going?" They say, "Yup, fine, things are going fine."  
9 Some MPs check off the times, making sure they go through and do  
10 it. Others, I've never seen a logbook of them monitoring and  
11 managing, that sort of thing.

12 Q. Provided it's conveyed to you that you've accomplished  
13 the mission. What about isolation and segregation? Two  
14 different things, is it isolation and segregation, or just  
15 isolation----

16 A. I've been informed that the new word for Alpha wing is  
17 "segregation." We don't use "isolation" in our terminology.

18 Q. When were you informed of that, the new terminology?

19 A. The last couple weeks.

20 Q. Just the last couple of weeks? But the distinction  
21 wasn't made then, it's just one terminology----

22 A. One terminology for Alpha Wing, Alpha/Bravo Wing;  
23 that's isolation.

1 Q. But in terms of isolation though, I'm sure you're  
2 involved with providing that type of a recommendation, approve,  
3 whatever the case may be, as part of the post-interrogation  
4 process. When you gave that sort of instruction, did you  
5 stipulate anything of a special treatment, especially in the  
6 sense of a negative as a matter of punishment?

7 A. In terms of a punishment in a special treatment, as I  
8 clarified in my written statement earlier, my definition of a  
9 special treatment was to--I have one particular detainee I've  
10 been working for a good reasonable amount of time. The detainee  
11 didn't like getting a shower. There was no reason why the  
12 detainee couldn't have a shower in a reasonable, timely fashion  
13 and made sure he had well grooming standards. The reason was  
14 for that was because the way in which the detainee was at the  
15 point of capture and significance of the facial hair, the hair,  
16 in and of itself on the being, and what that represented as part  
17 of the approached plan. So, to neutralize that in the setting  
18 of the interrogation was why that was recommended.

19 Q. To isolate him.

20 A. His special treatment was, I had quite often said,  
21 "Please make sure his beard is shaved. Please make sure his  
22 head is shaved. Please make sure he gets a shower. Please make  
23 sure he takes care and brushes his teeth, because he has really

1 bad oral hygiene." When you're close and interrogating in a  
2 small room, it's rather pungent. So, that is what my definition  
3 of special treatment is and was very well defined.

4 Q. In terms of isolation, have you ever given  
5 instructions to the MPs that isolation is required for a  
6 specific detainee or any detainee for that matter, to be  
7 interrogated?

8 A. You mean, throw him in the hole?

9 Q. Right.

10 A. Only if had that, you know, if it's part of my plan.

11 Q. If it's part of your plan.

12 A. Yeah.

13 Q. Let me ask you this, in your experience as both in the  
14 military and civilian. What is your understanding of isolation  
15 and for how long would you isolate----

16 A. A detainee, in terms of this environment, through my  
17 experience has been according to our rules of engagement, is 30  
18 consecutive days. After that, it needs a written statement,  
19 memorandum for the record. It needs to go up to General Sanchez  
20 asking for an extension for an additional 30 days.

21 Q. Is there any understanding whatsoever of the  
22 requirements of checking a detainee every so often within a  
23 period of 30 days?



1           A.    You mean have I ever left a detainee down there just  
2 for 30 days and not check on them?

3           Q.    Not you, per se, but the MPs.

4           A.    No----

5           Q.    Because you're the experience one and all the MPs are  
6 going to do is follow your instructions as approved by competent  
7 authority.  A detainee is placed in the hole, as you call it,  
8 for 30 days.  Is it common understanding or your assumption that  
9 the MP is supposed to check on them every 15 minutes----

10          A.    If you're talking about "the hole," the MPs are  
11 supposed to--the MPs have informed me verbally that they take  
12 the detainee out for regular bathroom breaks.  They make sure  
13 the detainee is fed, unless it's specifically requested by an  
14 interrogator as something, for an approach, that they have the  
15 appropriate amenities that go with them in the hole, such as  
16 water, food, they are fed.  They're not to remove that unless  
17 it's part of an approach where they're on bread and water or  
18 something along that line.  I've never seen--I've seen extreme  
19 cases, but I've never encountered that.

20          Q.    You've never encountered that at all.

21          A.    No.

1 Q. Have you ever given a set of instructions to the MP to  
2 put anybody in isolation during the course of your employment  
3 here from the 5th of October until now?

4 A. Not without my approval plans, not that I can recall.

5 Q. Since you have access to Tier One A and Tier One B,  
6 are you familiar with the guards and their guarding those  
7 detainees in those cells? I'm not interested in----

8 A. No, I mean, when I go down there, I say "Hi," and see  
9 their faces and things along that level.

10 Q. Could you name some of those guards that were guarding  
11 those detainees in those cells?

12 A. Given the nature, I rarely use my name down there, and  
13 only probably four of the MPs, I only use their surname.  
14 Because of security reasons, I don't want anybody to know my  
15 name down there. So, I know Sergeant [REDACTED] he's one of the  
16 strong tier leaders, Sergeant [REDACTED] who works the other shift,  
17 excellent strong tier leader, Sergeant [REDACTED] and  
18 there's...I can't remember the name of the other one. Then I'm  
19 familiar with the faces of other people down there and I can  
20 point them out and say, "Yup, I know the guy may have worked  
21 this shift," or "I've seen him on this shift."

22 Q. Is it a common practice for you as approved by the  
23 chain of command not to reveal your identity?

1           A.    It's a common practice to use a pseudo name, if you  
2 need to, especially in that environment.  At least that's been  
3 verbally portrayed to me.

4           Q.    Portrayed to you as approved by the chain of command?

5           A.    If it's in writing, that I don't know.

6           Q.    Did you ever ask?

7           A.    No, I have not.

8           Q.    Have you used that technique before?

9           A.    I only go by my name in Arabic, is [REDACTED] and that's  
10 my proper name.

11          Q.    Well, you're a pretty imposing individual, large  
12 individual, could be construed as very intimidating and you have  
13 been named by some of the people as [REDACTED] and there are other  
14 [REDACTED], I believe, that are also interrogators in that regard.  
15 Was it to your self protection not to be identified?  I think  
16 you also wear civilian clothes.

17          A.    Yes, I do.

18          Q.    It's a common practice?

19          A.    Yes.

20          Q.    And you don't think, or you do not know whether that  
21 particular practice is approved by your chain of command.

22          A.    To use a pseudo name?

23          Q.    To use a name, to use your real name.

1           A.    It's something I've never addressed.  I've just known  
2 other people to use other names, other interrogators, military  
3 and civilian.  I like to use different names when I go in a  
4 booth.

5           Q.    But you're not CIA or DIA, you're a civilian  
6 contractor.

7           A.    That's correct.

8           Q.    The reason why I ask that is because I've asked  
9 commanders if that was common practice, and they said it was not  
10 a common practice.

11          A.    It's very different amongst the troops then.

12          Q.    This is going to be one of my recommendations, that  
13 there be a standard operating procedure because the MPs that you  
14 know that you're interacting with, you know them, or at least  
15 their rank because they're wearing----

16          A.    Their uniform.

17          Q.    Within the context of those MPs, in the performance of  
18 their duties, do not know who you are.  They commonly refer to  
19 you as an MI interrogator.  They think Mr. Israel, for that  
20 matter, is an interrogator, when in fact, he is not.  He is part  
21 of the interrogation team.  And for that matter, he's not  
22 involved with your plan other than what you brief him on.  So, I  
23 think it's rather unusual that it's commonly practiced here,

1 especially in the context of what we call "detainee operations,"  
2 Mr. [REDACTED] especially in the context of your understanding  
3 of the Geneva Convention, and without checking into the legal  
4 implications of that particular context, you could be held  
5 liable for anything as an employee of the United States  
6 Government. Protection, obviously, is okay, but this being a  
7 common practice, and my recommendation would be that it be made  
8 a common practice to govern and protect the interest of the  
9 United States Government inasmuch as we protect the interest of  
10 the detainee.

Have there been any changes--I'm sorry, let me go  
12 back. Are you aware of all the allegations that were made or at  
13 least the investigation that was conducted by the Criminal  
14 Investigation Division of allegations of detainee abuses by  
15 guards that you know of that were associated with performing  
16 their duties in Tier One A?

17 A. No, I'm not, only by rumor.

18 Q. Only by rumor.

19 A. Yes.

20 Q. So you don't know what Corporal [REDACTED] did or what  
21 Sergeant [REDACTED] did?

22 A. No.

23 Q. Or Sergeant [REDACTED] did, none of that?

1 A. No.

2 Q. What was those rumors? What did you hear?

3 A. The rumor I've heard is that videos and pictures were  
4 taken of detainees, some performing illicit sex acts, or some  
5 other type of act, and it was filmed.

6 Q. It was filmed?

7 A. Yes.

8 Q. Other than taking photographs of detainees for  
9 identification, have there been instances of detainees being  
10 photographed for other than identification purposes that you  
11 know of?

12 A. That I know of, no.

13 Q. Not any videotape or not in the conduct of an  
14 interrogation?

15 A. No, because at this point, we don't do--other than  
16 when they first come in screening, that's their only picture.

17 Q. Not at all.

18 A. No.

19 Q. Okay, based on what you heard through rumor of  
20 detainee allegations--I'm sorry, detainee abuses and  
21 maltreatment, was it conveyed throughout the command, 205th or  
22 whoever else that you were placed under, of any changes

1 whatsoever to be made with regards to detainee and interrogation  
2 operations?

3 A. From that, we were no longer would conduct  
4 interrogations in segregation, Alpha/Bravo. There was no formal  
5 command gathering and saying, "These are what the allegations  
6 are. These are the things that are happening." It felt like a  
7 type of non-discussion.

8 Q. Were those changes conveyed in a written form or a  
9 formation of sort or a briefing by the commander or chain of  
10 command?

11 A. The--I was told by the section sergeant that we are no  
12 longer doing interrogations in segregation.

13 Q. When you first were informed of that, were you in a  
14 meeting of some sort?

15 A. No, I was with my sergeant--my section chief.

16 Q. Provided you that information that you were no longer,  
17 as a matter of practice----

18 A. That's correct.

19 [The interview paused at 1217, 12 February 2004, and reconvened  
20 at 1225, 12 February 2004.]

21 Q. We just want to refer back to a previous question I  
22 asked you with regards to the implementation of the treatment  
23 plan, what I'll refer to as a treatment plan after an

1 interrogation, that would be in the context of a sleep  
2 management, meal plan, SMMP, or placing somebody in the hole, as  
3 you referred to. But before I do that, what exactly is "the  
4 hole"?

5 A. It's the--when you went into the Alpha wing, just  
6 say....

7 Q. Bottom floor, top floor?

8 A. Bottom floor, first cell on the right-hand side, steel  
9 door--or a metal door, and it's just a room in the wall, a  
10 concrete room.

11 Q. A concrete room, no light, it would be just a bare-  
12 sided wall with a steel door. Is there any other access to that  
13 like besides the door, itself, that you recall?

14 A. You can't--I don't think you can lift it up, because  
15 they've always opened it up to check in on the detainee. I  
16 don't know if----

17 Q. Is there a little peephole----

18 A. Yeah, I don't know if that works. I've never seen  
19 anybody use it. I actually think it's welded shut.

20 Q. Okay. So, it's welded shut today. Was it welded shut  
21 before?

22 A. As long as I know, that hasn't worked. A lot of the  
23 mechanical components in certain areas haven't worked.



1 Q. But it was typically referred as "the hole," or  
2 "thrown in the hole."

3 A. Right.

4 Q. Do you know if anybody else, any of your  
5 interrogators, associates referred to it as--or even intimated  
6 to an MP to place somebody in there?

7 A. I mean, it's commonly used. I mean, I've known, like  
8 the MPs, they've had a detainee who stuffed their toilet full of  
9 a whole mattress that they tear up into pieces, they will take  
10 the detainee out, and then as a form of punishment, will throw  
11 the detainee in the hole.

12 Q. All right, so it's not exclusively just the  
13 interrogators.

14 A. No, I mean, it's been for behavioral discipline,  
15 people from Ganci, detainees coming over from Ganci who--and  
16 things along that nature.

17 Q. Let me ensure, for a point of clarity here, that when  
18 you gave a set of instructions to an MP to implement the sleep  
19 management meal plan or whatever other set of instruction, you  
20 mentioned that you conveyed that to the guard once it's approved  
21 by the chain of command, typically a warrant officer or  
22 [inaudible], up until that time, it was only approved up to  
23 whom, Colonel Pappas?

1           A.    If it was within the--like the sleep--like staying in  
2 segregation for more than 30 days, everybody knows that goes to  
3 General Sanchez.

4           Q.    But before.

5           A.    That has been the whole case. Colonel Pappas, you get  
6 your--you fill out the request to put the detainee in  
7 segregation. You put the detainee in segregation--well, you'd  
8 send forward your request, give it to the chain of command. And  
9 when it came back, then you'd put the detainee in segregation.

10          Q.    But your understanding was that General Sanchez was to  
11 approve that.

12          A.    Right.

13          Q.    But before then, has it always been like that since  
14 you arrived----

15          A.    There's been circumstances where they've been able to  
16 put the--they said, "It's okay, go ahead and put the detainee  
17 in----"

18          Q.    Pending approval?

19          A.    Right. So that, I have seen in the past.

20          Q.    Because Colonel Pappas was not there until after the  
21 19th of November.

22          A.    Right.

1 Q. So typically, then, the--would approve such a  
2 practice, or at least give authority----

3 A. It would be Colonel [REDACTED]

4 Q. So, that's provided, given to the MPs, assuming it was  
5 done properly. Then you mentioned that then he would rely then,  
6 without your interaction on that being executed with the  
7 intention----

8 A. Uhm hum.

9 Q. And there's no checks by you whatsoever.

10 A. Other than on our own accord to go down and look after  
' our----

12 Q. Checks.

13 A. I mean, there are no other--no, there isn't a regular  
14 schedule to go down and make sure the detainee has received  
15 this. I mean, it's the initiative of the team or the operation,  
16 itself.

17 Q. So, that procedure is where a set of instructions  
18 identifying the term, provided to the MP for execution with  
19 a...how would you call it, precise supervision other than what  
20 the MP understood his instructions to be. In other words,  
21 everything is relegated to the MP to execute that term.

22 A. Yes.

1 Q. And that's common practice, I take it. But do you  
2 feel that kind of strange that I'm giving my own set of  
3 instructions for somebody else to execute, that in the case  
4 where something happened to that detainee and that MP is then  
5 held liable for that set of instructions?

6 A. I feel it strange that when I've asked for rules of  
7 engagement for the MPs and standard operating procedures for the  
8 MPs, that they requested one, the people who work the hard side  
9 requested one from the chain of command and they didn't have one  
10 to provide myself.

Q. The MPs.

12 A. Yes.

13 Q. You requested what their detention rules of engagement  
14 were?

15 A. Exactly. Yes, I find it curious, and I have asked.  
16 Have I written it up? No, but I have asked on numerous times as  
17 to the specifics in detail for the rules of engagement other  
18 than what is on the rules of engagement in the signature block  
19 that we go through.

20 Q. I would find it curious, as well.

21 A. As you should.

22 Q. You're providing a set of instructions to someone to  
23 execute, and if something ever happened to that detainee, you

1 would find it curious, as well, and interesting that you would  
2 be held liable for that. Of course, a lot of that could be  
3 either misinterpreted or misunderstood or just easily  
4 understood.

5 Now, the rules of engagement here today that you said  
6 were not the same, were somewhat revised based on things that  
7 have happened in the past. The improved interrogation  
8 operations and operation procedures, were those the same ones or  
9 somewhat adjusted to meet the current operating environment?

10 A. I guess these are the ones we use now or the ones we  
11 used back then.

12 Q. Before Colonel Pappas showed up.

13 A. I can't answer the question because we've had at least  
14 five iterations that I've signed on rules of engagement changes.

15 Q. Just your best....

16 A. I think they're pretty much the same. Actually no, I  
17 think those are the one--Colonel Pappas came on board, these  
18 came on. I mean, the intent was there, they're just written on  
19 a different format. This, like I said, this didn't come out  
20 until....

21 Q. After he showed up.

22 A. Right.

1 Q. Notice in the right-hand column there, there are two  
2 things that come to mind right now, the use of military working  
3 dogs, you made a statement that said basically that you  
4 commented on that you noticed dogs that were either conducting a  
5 search or just their presence, that indicate on here, the use of  
6 military dogs today must receive CG's approval. So your  
7 understanding was, the presence of military dogs was a common  
8 practice at that point in time, whether they're being held or  
9 being used for searches or for other purposes?

10 A. My interpretation was, if you were going to be in a  
11 formal interrogation setting in the booth with a planned  
12 interrogation procedure, that's where that approval needs to be  
13 met. In terms of, if you're in the environment of whether it's  
14 in Vigilant, Ganci, we used to be--in the civilian population  
15 until they modified our access for safety reasons. We're not  
16 allowed to go into Ganci or Vigilant, that presence of military  
17 working dogs was a normal occurrence. That was my  
18 understanding.

19 Q. That's your understanding. Relative to that, there  
20 was Ganci, Vigilant----

21 A. As well as isolation, meaning all the detention  
22 facilities.

1 Q. The process that which just the operating environment  
2 there today, Ganci is pretty much an open environment, even  
3 though you had Camp Vigilant exposed, so is Vigilant for that  
4 matter. So the only ones that are confined in the term of this  
5 particular environment was that at JDIC where you hold the  
6 interrogation, or even the hard site was exclusively separated,  
7 confined, and not exposed. Do you agree with that?

8 A. That it's an exclusively confined space?

9 Q. Right, you're not exposed to any observation  
10 whatsoever because you're not conducting, at least that we're  
11 aware of, including interrogation inside of Ganci or Vigilant,  
12 because any interrogations, the detainee is removed from that  
13 particular site to another site.

14 A. At one point, you could conduct an interrogation at  
15 Ganci.

16 Q. Is there a facility at Ganci to----

17 A. Each Ganci compound, I think, I don't know if there's  
18 more than eight now, I know it's grown a lot since it's been off  
19 limits---

20 Q. It's a big compound.

21 A. Each compound has its own command tent. And within  
22 the command tent, you could probably fit three or four, you  
23 know, in a living space. You know, a couple tables and you

1 could sit in there and ask the detainee questions and  
2 interrogate the detainee there.

3 Q. But in the same environment as that, you would find  
4 the JDIC. In other words, they're confined----

5 A. You can find---

6 Q. ----enclosed so nobody else could hear comments or  
7 answers or responses to the questioning associated with that  
8 particular interrogation?

9 A. I mean, let me make sure I didn't--yes, they're  
10 completely....

11 Q. Just so I understand, have you ever done any  
12 interrogation in Ganci or Vigilant?

13 A. Yes, I have.

14 Q. But not in a setting where people could hear the  
15 questioning and the responses.

16 A. In the back of the tents right there, it's right next  
17 to the compound and the detainees are walking around. I mean,  
18 they're only 10 feet away. You ask the MPs to keep the  
19 detainees away and they pretty much just go about their  
20 business.

21 Q. So that's kind of a common practice, an established  
22 practice.

23 A. Right.



1 Q. So in all of the guards now, based on your  
2 understanding today on these current rules of engagement, things  
3 like change of scenery, dietary manipulation, sleep adjustment,  
4 isolation for longer than 30 days, sleep management, 72 hours  
5 max, sensory deprivation, 72 hours max, must be approved by the  
6 Commanding General, as you know it today. This is how you  
7 understand it? Since it's posted in the common area----

8 A. Right, yeah. I mean, sleep management....

9 Q. In excess of----

10 A. In excess of 72 hours.

11 Q. Right.

12 A. And any of the ones I've done, they're never in excess  
13 of 72 hours. They've always mandated--I've always made sure  
14 they have actually had more time than the 12-hour minimum. And  
15 usually, it's been, on average, one day.

16 Q. During our tour of the facility, you mentioned that  
17 instructions are given to the guards. In one particular  
18 document that we saw that was signed by a warrant officer  
19 basically said, prisoner isolation, segregation, dated the 4th  
20 of February. You mention it is now, the terminology that is now  
21 used, "segregation." This particular memo, we saw "segregation"  
22 and "isolation" signed by the warrant officer. Now, you said  
23 that they might approved by the chain of command. In this

1 particular memo, it didn't stipulate how long for isolation or  
2 how long for segregation. Are you aware of maybe perhaps there  
3 is still a misunderstanding of sorts common to the chain of  
4 command that establish procedures when they have not been  
5 clearly understood?

6 A. Yes. And the reason--when that was clarified to me it  
7 was by the JAG officer, Captain [REDACTED] who specifically--  
8 when I worked with him. More recently, prior to his departure,  
9 was "No, the proper terminology is 'segregation'."

10 Q. Not both.

11 A. No, it was spelled out very clearly to me. We don't  
12 use that word; it doesn't exist. It is segregation. I've even--  
13 -the way in which I wrote my notes and everything, it comes out  
14 "segregation."

15 Q. All right, I just want to confirm the commonality of  
16 consistency.

17 Well, I don't have any more comments, sir. So, I'd  
18 like to ask you though, your recommendations to improve the  
19 environment with regards to detention operations. I mention to  
20 you that detention operations is not an isolated operation.  
21 There is a purpose to why those people are being detained, and  
22 that's, of course, your role in that matter of collecting  
23 information, collecting intelligence whereby it is a useful set

1 of circumstance for them.... So what will be your  
2 recommendation now that you've been here for 4 months?

3 A. The MP mission, whether that remains an MP mission or  
4 becomes commercialized, the MI operation, they need to  
5 amalgamate in one form or another.

6 Q. One centralized....

7 A. The MPs, if they're going to be running it, as far as  
8 I know today, there is not a JAG officer on site to advise the  
9 MPs. I asked, "Do you have a JAG officer? Where's your JAG  
10 officer?" Because we refer to ours, if needed. And she said,  
11 "We don't have one on-site." So, they didn't have access to  
12 their tools. Having them meet an operating procedure that works  
13 for both and everybody's clear on it, everybody's briefed on it.  
14 And a continuous, no verbal deviations of the rules of  
15 engagement. That's--why have the rules of engagement if you're  
16 going to verbally change something or approve something or to  
17 approve something verbally. It totally throws your rules of  
18 engagement off and makes them void, in my eyes. Having a  
19 liaison rep that works and dedicated if they're going to  
20 maintain a large presence of people in segregation, that they  
21 are coordinating with the MPs, they're coordinating with MI, and  
22 they are briefing the teams. If that thing does happen, that  
23 they brief the whole section. The International Red Cross just

1 came through not that long ago. Not one brief, and I've asked  
2 all the way up to the JAG, from the MI, "Please give us a brief  
3 so the troops and everybody else can learn what the value of the  
4 Red Cross visit was. They're not bad guys. They're good guys."  
5 And they're saying "Yes, yes, we'll do one." Well, they're  
6 gone. Nobody knows why the Red Cross was here. The 202d is in  
7 now. They will not gain any value from the Red Cross visit  
8 other than the command who, what was transferred over to them,  
9 but the troops won't. The information is not flowing down. You  
10 do a formation. They do them two, three times a week for the  
11 military members. They could do a better job of disseminating  
12 information from a strong command presence, not necessarily just  
13 from an NCOIC or OIC of the operation.

14 I think the training that, you know, techniques,  
15 things from Huachuca for interrogation, analyst skills, the  
16 development skills are coming along really well. There's a lot  
17 of self-initiated programs, so I give him hats off for that.  
18 But maintaining with what we are protecting our assets and  
19 protecting the detainees, we really, continuously need to  
20 reemphasize. And you know, I offered and have helped  
21 participate in providing that, you know, going into the  
22 direction. If you have a complaint, you need to muster up and  
23 have a solution if you're going to jump in and do it. So, I

1 think everybody who works in there needs to--it's the same  
2 attitude for everybody.

3 Q. A common understanding is what.... Were you aware--  
4 just one more question, please. Were you aware of a visit by  
5 Major General Miller, who is the Commanding General of GTMO? At  
6 least his presence or anything that was cascaded down to you.  
7 That happened in October or November.

8 A. I remember hearing of--I think that was right when we  
9 received a lot of DVs, and he--I heard that he was coming in. I  
10 don't know if he ever came in, because I never seen or met the  
11 person. I don't know.

12 Q. Nothing was conveyed as to the purpose of his visit  
13 or----

14 A. The purpose of his visit was not conveyed.

15 Q. What about General Ryder, who was the Provost Marshal  
16 of the Army, who has also visited the facility?

17 A. I am not aware of that.

18 Q. Okay, do you have any other closing comments that you  
19 want to convey?

20 A. No, sir.

21 [Mr. ██████████ was duly warned and the interview concluded at  
22 1245, 12 February 2004.] -