

On 15 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], 705<sup>th</sup> MP Battalion, Member  
CPT [REDACTED], 265<sup>th</sup> Engineer Group – SJA, Member  
MAJ [REDACTED] 800<sup>th</sup> MP Brigade, Respondent

The interview is summarized as follows:

My name is [REDACTED] I am a Major, U.S. Army Reserve. I am assigned HHC, 800<sup>th</sup> Military Police Brigade at Camp Arifjan, Kuwait. I work for COL [REDACTED]

I am the Deputy Staff Judge Advocate. My duties during wartime operations consisted of supervising and organizing the Article 5 screenings and tribunals and after major combat operations I was assigned to assist the Article 32 process for the Camp Bucca incident. I help the accused soldiers administratively, help them make phone calls to their counsel in Germany, make sure their were no legal issues, and I also help gather evidence in support of the Article 32. Once that was over I would handle different issues for COL [REDACTED] at different stops in Kuwait and Iraq.

I have been in the region for a year and 2 weeks. I was due to rotate a few weeks ago.

I was assisting with the whole legal process for the Camp Bucca incident. All four accused made deals to get out on chapters. Two of the accused took Other than Honorable discharges, and two took general discharges.

I couldn't tell you how the numbers of disciplinary actions in the unit compares to other units because this was the first time I worked Criminal Law.

I am aware of some inappropriate relationships in the command. I don't remember the details but a lot of them happened at Camp Bucca. There was a Captain who resigned his commission, and there was also SGM [REDACTED]

I am not familiar with an incident with a 1SG [REDACTED]. It is possible COL [REDACTED] knows; he didn't fill me in on every action.

I looked over a couple of 15-6's and COL [REDACTED] looked at the rest. From my standpoint all of the 15-6's that I reviewed were complete, I can't say what happened once they left my desk.

I was at Abu Graib twice. I was there once in December and once for an ICRC briefing by CJTF-7.

At Camp Bucca I didn't see any wild undisciplined behavior, just the normal grumbling about having to be there. Other than that I didn't see any wild parties or anything like that.

I once advised a Battalion Commander on a custody situation with one of his soldiers. I advised the commander if the soldier was telling the truth, the soldier should be allowed to go home. I later found out the soldier wasn't allowed to go home to take care of his custody issue. That was my only experience here with a commander not taking my advice.

I arrived at Camp Bucca on April 5<sup>th</sup>. The British was still in control of the facility and they told us if flairs went up in the air that would be a sign of detainees escaping. There must have been 2 or 3 times a night that I would see flairs going up. When we took over the facility, the escapes continued, I couldn't tell you a number though. There were investigations done and recommendations made, but I don't know what was done to remedy it.

My only knowledge of detainee shootings are from the 15-6's, from what I read it appeared that the ROE was followed. Gen Sanchez passed a directive that he wanted us to reinforce to the guards if the situation could call for lethal force, to not hesitate to use lethal force to protect them.

I wasn't aware that soldiers were wearing arms inside the compound, and as far as I know there was no policy change to allow guards to wear arms inside the facility. We have some new active duty units that are taking over for rotating units; it could be possible that they were not trained on the procedures that we follow.

I believe that Geneva Conventions is MP Doctrine that MP's receive throughout their career. Back in the reserves system we give that briefing once a year. I believe it to be a command directed function, so the commander directs when that training is given. We did do ROE briefings throughout the gear that some what covered Geneva Convention.

I don't know if Geneva Conventions is posted at Camp Bucca. I feel that the soldiers know the general points, but I feel that they wouldn't all the detailed areas that the Geneva Convention covers.

I am not aware of any retraining at the Brigade level for soldiers after the incident at Camp Bucca, there could have been retraining at the Battalion and Company levels.

I have been assigned to the 800<sup>th</sup> Military Police Brigade since July 2000.

The soldiers were discharged and reduced in grade. The command did not agree with the decision, BG Karpinski refused to give the soldiers Article 15, because she wanted them to go to courts-martial. CFLCC made the decision to discharge the 4 accused soldiers. Charges were preferred on the soldiers; 1LT [REDACTED] signed the charge sheet. BG Karpinski, LTC [REDACTED] and 1LT [REDACTED] all recommended General Courts-Martial. From what I understand the charges were set to go to courts-martial when a COL [REDACTED] was involved in the shooting incident with an EPW that was in the news. Then suddenly they made the decision to go with OTH discharges, I feel like it was political. I don't know who made the decision to pull the court-martials.

It appeared that the commanders in the 800<sup>th</sup> gave serious consideration to the legal advice that they received from COL [REDACTED] and myself.

I couldn't say to what degree disciplined was handled in the unit. I lot of issues I was not aware of. A lot of Article 15's were given out and the command wanted to courts-martial people, but we were told by the 377<sup>th</sup> and CFLCC basically they didn't have the staff to do a lot of courts-martial. I would say from August onward Field Grade Article 15's were the vehicle of choice for discipline. I lot of the commanders would come and tell me that their soldiers were turning down Article 15's. We went back to 377<sup>th</sup> and CFLCC for support but I didn't get a comfortable feeling back that they were able to support us in this way. So I went back to the commander's and told them if you have a problem soldier to go ahead and chapter the soldier on a Chapter 14. We were not able to do special courts-martial either because CFLCC held that jurisdiction also.

The Soldier and Sailor's Civil Relief Act did not cover the soldier with the custody issue. The reason that is because of the welfare of the child, you can't put the child status on hold because the soldier is away.

During the first half of the year COL [REDACTED] and myself were busy interviewing over 5,000 detainees. COL [REDACTED] had active duty experience so he was always doing Criminal Law work. I can't speak much about the second half because I was back and forth between Kuwait and Iraq.

I don't recall the Geneva Conventions being posted in any of the compounds. When we relocated I know that we had some books containing detainees rights transcribed to Arabic so they could be sent to the different compounds.

When a detainee was killed BG Karpinski always ordered an investigation into the circumstances surrounding the incident or it was reported to CID and they would conduct an investigation.

I don't keep personal logs of individuals that I see. I can't speak for LTC [REDACTED]. If a commander wanted to relieve someone you would tell him what his options are, and is up to that commander to make the call. I believe a relief for cause NCOER handles it; I know it is an administrative action to get someone relieved. No one came to me about that subject and if they did I would take it to LTC [REDACTED] for guidance.

I know that there was a period of time that BG Karpinski saying LTC [REDACTED] " was given a break for a few days." LTC [REDACTED] had replaced LTC [REDACTED] during this period of time. I don't know about LTC [REDACTED] signing and assumption of command orders, I just knew that it was something informal. I believe it had something to do with the briefing LTC [REDACTED] gave Gen Sanchez. I believe that Gen Sanchez wasn't happy with the presentation that was given, but it is only speculation.

I wasn't there for the briefing, but I heard that when LTC [REDACTED] has to do public speaking starts to stutter, and my guess is that what happened. I think the break was a few days to a week. BG Karpinski probably explained to COL [REDACTED] the reason for the suspension but I wouldn't know who knew. I heard a rumor that COL [REDACTED] went to the IG and made a complaint about him not being officially relieved, so soon after the meeting with the IG he was back in command. It is possible he went to the IG for CJTF-7.

Early on I we had a problem with the British holding area, they would just pile inmates into one cell. I didn't particularly see any problems with the way we ran the compounds. I don't of any British areas that were holdovers that we continue to use.

The only homosexual case I am aware of was someone had seen an e-mail that eluded to improper homosexual relationship. BG Hill had to order an informal investigation, and he assigned LTC [REDACTED] as the investigating officer. I hadn't heard anything else about that incident. The accused were LTC [REDACTED] and CPT [REDACTED]. It was an informal inquiry; I don't believe it to be a 15-6. It was BG Hill's policy to do the informal investigation, as far as Army policy I don't feel that it was done to the fullest extent that it should have been done. LTC [REDACTED] findings were that it was not enough evidence. I never saw the e-mails I heard that it pertained to sexual acts to sexual acts between the two.

COL [REDACTED] was involved with the lost M-16; that was an investigation initiated by CFLCC. The findings were that COL [REDACTED] was not negligent, and he did not have to pay for the weapon.

We have had complaints of CPT [REDACTED] taking naked pictures of his female soldiers. There was also a commander involved in an inappropriate relationship with a specialist, and the incident with SGM [REDACTED] COL [REDACTED] could give you more insight into these incidents.

I couldn't tell you if the misconduct of the 800<sup>th</sup> MP Brigade is high or low because this is my first experience in a situation like this. The 800<sup>th</sup> has its share of problems like any other unit, but in general I don't have a bad opinion about it. I had my issues with individual soldiers on a personality level, but you learn to get over it.

Compliance with the Geneva Convention was our main mission, so that would be something we would strive to comply with. Our basic manual AR 190-8 is based off of the Geneva Convention and that is what we train on.

I am not aware that our office has a Staff METL. I have seen the Brigade METL, but I haven't read it in detail. I would say the Brigade METL follows the guidelines of the Geneva Convention.

I heard that they would punish detainees by taking cigarettes away, and a confinement system. They would use a conex with chain links over the front to put suspected Al-Quida and troublemakers in. I believe the MI was in charge of it. I don't know what was done as far as hot days.

My observation of the command climate can be broken up into BG Hill's command and BG Karpinski's command. BG Hill was very laid back. I never saw him yell or get mad at anybody. He would locally file reprimands. BG Hill was a lot more laid back. BG Karpinski is not afraid to speak her mind. I have seen her chew out people before. I would say BG Karpinski was tougher.

I would say BG Karpinski was approachable. I never heard anyone say that they couldn't take a problem to her. COL [REDACTED] or myself never had an issue with her. She spent most of her time at Camp Victory.

The panel broke to discuss MAJ [REDACTED] statements.

Finished with their discussion, the panel gave MAJ [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  
**ROUTINE USES:** Your 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 Camp Doha, Kuwait	2. DATE (YYYYMMDD) 2004/02/14	3. TIME 1100	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS O-4	
8. ORGANIZATION OR ADDRESS 800th MP BDE, HHC			

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

1. Q. What are the details you know about LTC [REDACTED] replacement of LTC [REDACTED] in or around October of 2003 at BCCF?

A. The first I heard of this was at a Staff meeting when LTC [REDACTED] was present. BG Karpinski said that LTC [REDACTED] was "taking a break". I do not recall any other details. I think the length of this break was anywhere from a few days to a week or more, but am not entirely sure. I am not aware of anything in writing regarding this change. I was asked by COL [REDACTED] the SJA of CJTF-7 if he was relieved, and I told him that as far as I knew this was not a relief and that he was getting a "break" according to BG Karpinski. He expressed to me that he thought it might have been as a result of his alleged poor performance at a briefing.

2. Q. Issues with Camp Bucca?

A. We arrived at Camp Bucca in Early April of 2003. I complained about the overcrowding at Camp Freddy which was the British holding area to COL [REDACTED]. Our internment facility had not been built yet and COL [REDACTED] told me that the prisoners were being moved as soon as it was built.

3. Q. Inappropriate relationship between ISG [REDACTED] and lower enlisted of the 670th MP Company?

A. I do not recall this issue. I asked LTC [REDACTED] and he did not recall it either. In addition, we do not have any documentation that I am aware of.

4. Q. What were the command responses to detainee abuse issues, accountability and escape attempts?

A. I am aware of 15-6 investigations that were conducted during BG Hill and BG Karpinski's tenure about both escapes and abuse. I do not know what happened with the escape findings and recommendations at Camp Bucca. LTC [REDACTED] and [REDACTED] were the Battalion Commanders of the 724th MP BN at Bucca during the escape attempts. I am aware that in abuse cases, the Commanders had recommended General Court Martials, which in some cases were reduced to Field Grade Article 15s, as per the advice of 377th SJA and input from the GCMCA at CFLCC. In response to the photo incident, I am aware that BG Karpinski put out a policy letter emphasizing that detainee abuse would not be tolerated and that LTC [REDACTED] was suspended and recommended for relief for cause.

NOTHING FOLLOWS

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT \_\_\_\_\_ 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.

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)

[Large blank area for the statement content, crossed out with a diagonal line.]

AFFIDAVIT

I, [redacted], 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:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of FEB, 2007 at Camp Delta Panama

[redacted]  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

[redacted]  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Article 136 b(6)  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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