

CAPTURED ON TAPE

INTERROGATION AND VIDEOTAPING OF DETAINEES IN GUANTÁNAMO

By

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EXECUTIVE SUMMARY

This report—the first in a series of reports that will focus on interrogation at Guantánamo—is, like all Seton Hall Law Center for Policy and Research reports, based upon documents prepared and released by the United States Government. A significant majority of the relied-upon documents were released to the public through Freedom of Information Act lawsuits brought by the American Civil Liberties Union; others were released voluntarily by the Department of Justice or the Department of Defense. In either case, the documents are often heavily redacted: names, dates, and other facts (including descriptions of “interrogation techniques”) are, in many cases, completely obscured.

Despite these limitations, publicly available Government documents demonstrate the following:

More than 24,000 interrogations have been conducted at Guantánamo since 2002.

Every interrogation conducted at Guantánamo was videotaped.

The Central Intelligence Agency is just one of many entities that interrogated detainees at Guantánamo.

The agencies or bureaus that interrogated at Guantánamo include: the Central Intelligence Agency and its Counterterrorism Center; the Criminal Investigation Task Force (CITF); the Federal Bureau of Investigation (FBI); the Behavioral Analysis Unit (BAU) of the FBI; Defense Intelligence Analysis (DIA); Defense Human Intelligence (HUMINT); Army Criminal Investigative Division (ACID); the Air Force Office of Special Investigations (OSI); and the Naval Criminal Investigative Service (NCIS). Private contractors also interrogated detainees.

Each of these entities has identical motives to destroy taped investigations as has the Central Intelligence Agency. As one former senior Central Intelligence Agency official put it: “It’s a qualitatively different thing—seeing it versus reading about it.”

One Government document, for instance, reports *detainee treatment so violent as to “shake the camera in the interrogation room” and “cause severe internal injury.”* Another describes an interrogator positioning herself between a detainee and the camera, in order to block her actions from view.

The Government kept meticulous logs of information related to interrogations. Thus, it is ascertainable which videotapes documenting interrogations still exist, and which videotapes have been destroyed.

INTRODUCTION

United States District Court Judge Henry Kennedy issued an order to the Government in June 2005 mandating that “all evidence and information regarding the torture, mistreatment, and abuse of detainees now at the United States Naval Base at Guantánamo Bay” be preserved. Other United States District Court judges issued similar orders as early as March 2005. In November 2005, however, Central Intelligence Agency officials destroyed at least two videotapes documenting the interrogations of two Guantánamo detainees.¹ The destruction of these two tapes occurred not only after the order’s were issued but also after the United States Supreme Court ruled that individuals detained at Guantánamo could pursue *habeas corpus* actions.² Attempting to ward off judicial inquiry into the destruction of the tapes, the Government argued that inquiry by the courts would compromise the Justice Department’s investigation of the matter. On January 24, 2008, however, United States District Court Judge Richard W. Roberts issued an order which became the first to require that the Government provide information regarding the tapes’ destruction.³

The Roberts order does not, however, require the Government to provide any information regarding tapes *other* than the two tapes to which the Government admits destroying. Indeed, while judicial inquiry into the destruction of these two tapes is under way, there has not yet been any inquiry by the courts into the existence or destruction of other tapes documenting interrogations conducted at Guantánamo by the Central Intelligence Agency; nor have the courts yet inquired into the existence or destruction of taped interrogations conducted by entities other than the Central Intelligence Agency that interrogated detainees at Guantánamo.

This report reveals the following:

- I. A report issued by a Lieutenant General of the United States Army indicates that more than 24,000 interrogations have been conducted at Guantánamo since 2002.
- II. A second report, produced almost simultaneously by the Surgeon General of the United States Army, reveals that all interrogations conducted at Guantánamo were videotaped. Thus, many videotapes documenting Guantánamo interrogations do or did exist.
- III. An infrastructure for videotaping exists at Guantánamo.
- IV. The Central Intelligence Agency is just one of many entities that interrogated detainees in Guantánamo.

¹ Scott Shane, “Court Inquiry on Tape Case is Opposed” *New York Times* (Dec. 6, 2007). Retrieved January 26, 2008 at <http://www.nytimes.com/2007/12/16/washington/16intel.html?scp=28&sq=guantanamo&st=nyt>.

² *Rasul v. Bush*, 124 S. Ct. 2686, 159 L. Ed. 2d 548 (U.S. 2004).

³ Scott Shane, “Judge Demands a Report on Destroyed C.I.A. Tapes” *New York Times* (Jan. 25, 2008). Retrieved January 26, 2008 at <http://www.nytimes.com/2008/01/25/washington/25gitmo.html?ref=us>.

- V. Each of these entities has identical motives to destroy taped investigations as has the Central Intelligence Agency, and each can apply to its destruction of tapes an identical justification: its interest in “protecting” the interrogators. Any videotapes that may still exist are vulnerable to destruction if they have not already been destroyed.
- VI. Because the Government kept detailed logs of interrogations, it is readily ascertainable which videotapes still exist and which tapes have been destroyed. Such an inquiry is crucial to the evaluation—as required by Combatant Status Review Tribunal procedures, the Military Commission Act, and the Detainee Treatment Act—of the reliability of hearsay evidence against a detainee.

I.

Many Videotapes Documenting Guantánamo Interrogations Do or Did Exist.

On May 24, 2005, Lieutenant General Kevin C. Kiley, M.D.—the Surgeon General of the United States Army—issued a report reviewing medical policies at Guantánamo Bay, Operation Enduring Freedom and Operation Iraqi Freedom. The report was created because of “concerns regarding the appropriate treatment of detainees, including during interrogation and access to medical care[.]”⁴ Specifically, the report examined “whether detainee medical records were properly maintained; whether medical personnel were aware of detainee abuse and failed to report abuse; and to determine whether medical personnel received and/or are currently receiving appropriate training so that they are fully prepared to perform the mission of caring for detainees.”⁵

As the Surgeon General’s report acknowledged, the “revelations of detainee abuse in the Abu Ghraib Detention Facility in Iraq...[and] reports in the press [that] have alleged wrongdoing by military medical personnel,” created an increased awareness of the military’s interrogation procedures.⁶ Indeed, the *New England Journal of Medicine*⁷ reported concerns regarding military doctors’ treatment of prisoners. And in 2004, the American Medical Association “support[ed] calls for a new investigation into whether doctors were complicit in the torture of prisoners held by US military forces in Iraq and Afghanistan.”⁸

Lieutenant General Kiley’s report arose out of the medical community’s concerns, and was released in May 2005. Chapter 18 of the report contains a section labeled “Overview of Site Visits to Afghanistan (OEF), Cuba (GTMO), and Iraq (OIF)”; Subsection 18-2 addresses specifically the site visits to Guantánamo Bay. Within Section 18-2, the report notes that

⁴ See Appendix 1-4 § 2-1(a).

⁵ See Appendix 1-4 § 2-1(d).

⁶ See Appendix 1-4 § 2-1(a).

⁷ *New England Journal of Medicine, Doctors and Torture*, Robert Jay Lifton, M.D., Volume 351:415-416, Number 5, available at: <http://content.nejm.org/cgi/content/full/351/5/415>, retrieved February 3, 2008.

⁸ <http://www.bmj.com/cgi/content/full/329/7473/993>

“[m]edics randomly observe interrogations and have the ability to halt an interrogation at any point they deem necessary.”⁹

The same section of the report assures that: “*All interrogations are videotaped.*”¹⁰

On June 9, 2005, within weeks of the release of Lieutenant General Kiley’s report, Lieutenant General Randall Schmidt produced an amended report which reviewed FBI allegations of detainee abuse at Guantánamo Bay.¹¹ According to Lieutenant General Schmidt’s report, more than 24,000 interrogations had been completed at Guantánamo Bay since 2002.

Together, these two reports—which were released almost simultaneously—indicate that the Government conducted and videotaped more than 24,000 interrogations at Guantánamo Bay.

II.

Videotaping Infrastructure and Policies

Records indicate that an infrastructure for videotaping exists at Guantánamo. Cameras are positioned in every interrogation room, and each room is monitored from elsewhere, as illustrated by the following:

[REDACTED] and I were in monitoring room 5 in gold building observing the approach of [REDACTED] a fellow interrogator. [REDACTED] was interrogating in interrogation room 4. Monitoring room 5 overlooks both interrogation room 4 and interrogation room 6.¹²

Many other documents reference the Closed Circuit Television (“CCTV”) system at Guantánamo Bay. As just one more example, a Special Agent for the Federal Bureau of Investigation documented the following:

Got called out the other night for [REDACTED]. He called the guards and said he wanted to talk to somebody now. We watched him groom himself and prayer-up for his “meeting.” [An Agent, REDACTED] and a linguist went over and E & I *watched on the video monitor*.... We continue to review the files, consult with the teams and continue the work at Delta.¹³

In fact, the Defense Department’s Standard Operating Procedures for Guantánamo’s Camp Delta *mandate* that “monitors will observe all interrogations” and that monitors “will be

⁹ See Appendix 1-6 § 18-2(d).

¹⁰ *Id.* (emphasis added).

¹¹ Available at: <http://www.dod.gov/news/Jul2005/d20050714report.pdf>, retrieved: February 3, 2008.

¹² See Appendix 2

¹³ See Appendix 3-1 (emphasis added).

located either in a monitor room that is equipped with two way mirrors and CCTV, or in a CCTV only room.”¹⁴ Thus, an infrastructure for taping exists at Guantánamo.

Additionally, agencies that interrogated detainees at Guantánamo have policies encouraging if not requiring videotaping of interrogations. The policy of the Department of Defense’s Criminal Investigation Task Force (“CITF”), for instance, states the Department’s strong preference for videotaping final interviews with detainees who are being transferred and who are potential witnesses. Exceptions to this policy, in fact, require special approval. This policy is stated in a lengthy document identified as the “CITF MEMORANDUM FOR ALL PERSONNEL ASSIGNED TO THE DOD CRIMINAL TASK FORCE” dated October 3, 2003, and signed Brittain P. Mallow, COL. MP Commanding:

2. (U) The purpose of this memorandum is to reiterate my previous guidance to Criminal Investigation Task Force (CITF) personnel, related to the conduct of interrogations of detainees or persons under custody. For the purposes of this memorandum all references to detainees will also apply to persons under custody.

4. Interrogation:

f. (U) Photographs and or video recordings of interrogations are not required as a matter of policy; however, they may be generated at the discretion of the agent conducting the interview with the concurrence of the RAC. ["Resident Agent in Charge"] CITF personnel may consider videotaping the final interview with detainees who are to be released/transferred and will *strongly consider videotaping a final interview of any detainee who is being transferred who has possible value as a witness. Exceptions to this policy must be approved by CITF-HQ at the Commander (CDR) or Deputy Commander (DCO) level. The DCO is also the Senior Agent in Charge (SAC).*¹⁵

Thus, the videotaping of interrogations was clearly authorized by the CITF, and in some very important cases (that is, when a transferred detainee was perceived as a potential witness), disallowed only with permission.

There were, of course, many different agencies each with their own procedures and policies with regard to videotaping. As an example of another agency’s policies, the Army field manual for Human Intelligence Collection Operations (“HUMINT”)¹⁶ interrogators states HUMINT’s preference for videotaping as a means of recording interrogations:

Video recording is possibly the most accurate method of recording a questioning session since it records not only the voices but also can be examined for details of body language and source and collector interaction.¹⁷

¹⁴ See Appendix 4-2.

¹⁵ See Appendix 5-2 (*emphasis added*).

¹⁶ HUMINT was one of multiple agencies that interrogated detainees at Guantánamo. See Part II of this report.

¹⁷ See Appendix 6-4.

Interestingly, the two potential drawbacks of videotaping—that filming requires equipment, and that cameras might inhibit a source—do not apply to Guantánamo because (a) the detainees were already being “monitored” by cameras, and (b) the detainees already *believed* they were being filmed. One Agent for the Federal Bureau of Investigation, for instance, reported the following:

During a prior interview (FD-302 dated 10/26/2002) [REDACTED] made the comment: “I got out of the circle and now I am in chains.” He was asked about the meaning of the comment. He said he did not remember the reason he said it and asked to be told what the comment was in relation to. When told that it concerned [REDACTED, REDACTED, REDACTED] became defensive and stared at the ground. He told the interviewers to “*check the tapes,*” referring to *his belief that all interviews are videotaped.*¹⁸

Thus, the policies as well as the infrastructure in place at Guantánamo support the videotaping of interrogations.

III.

The Central Intelligence Agency Is Just One of Many Intelligence-Gathering Agencies To Have Interrogated Detainees on Camera.

The following federal agencies or bureaus interrogated at Guantánamo: the Central Intelligence Agency and its Counterterrorism Center; the Criminal Investigation Task Force (CITF); the Federal Bureau of Investigation (FBI); the Behavioral Analysis Unit (BAU) of the FBI; Defense Intelligence Analysis (DIA); Defense Human Intelligence (HUMINT); Army Criminal Investigative Division (ACID); the Air Force Office of Special Investigations (OSI); and the Naval Criminal Investigative Service (NCIS).¹⁹ In addition, private contractors interrogated detainees.²⁰ As just one example of the number of entities engaged in interrogations of Guantánamo detainees, the following is excerpted from an incident report filed on April 26, 2003 by an analyst for a private contractor hired by the Defense Department, in which the analyst reported abuse of a prisoner—not by a Central Intelligence Agent, but by Army and Navy analysts—in a video-monitored interrogation room:

When we walked into a monitoring room, we saw another interrogation in room 7 was going on. In the monitoring room was a female Army analyst and a male Navy analyst. The Army analyst was controlling a monitor and had a speaker so that both parties could hear the interrogation. The speaker was loud enough that I could hear it muffled even though I had headsets on. In the interrogation room

¹⁸ See Appendix 7-2 (*emphasis added*).

¹⁹ See Appendix 8-2 – 8-8. [Most cites to agencies’ participations are found in Responses.]

²⁰ See Griff Witte and Renae Merle, “Contractors Are Cited in Abuses at Guantánamo” *Washington Post*, (Jan. 4, 2007), at D01. The first private contractors hired to interrogate detainees was Affiliated Computer Systems (ACS). ACS was later replaced by Chenega.

was the interrogator [REDACTED], a male Navy interpreter, two male MPs and the detainee.²¹

This Guantánamo Bay interrogation was not by the Central Intelligence Agency, but by the Army and the Navy, reported by a Department of Defense private contractor who was also an interrogator.

Additionally, on September 14, 2004, an FBI Agent from the Counterterrorism Division issued a report to FBI Headquarters in response to a query as to whether he had witnessed any abuse toward prisoners during interrogations. In his response, he described incidents involving the Army Criminal Investigative Division (ACID), the Air Force Office of Special Investigations (OSI) and the Naval Criminal Investigative Service (NCIS), all of which he indicated were involved in interrogations at Guantánamo.²² In the same report, the FBI Agent indicated that the employees of the NICS checked with the agency's attorneys to determine whether harsh or aggressive interrogation techniques were permitted to be used on the prisoners.²³ While the Agent was unclear as to whether he witnessed the NCIS engage in abuse, he stated in the report that harsh techniques *were* used by "DIA/DHS."²⁴

Notwithstanding the diverse entities involved in interrogation at Guantánamo, the Government has not acknowledged that the Department of Defense, the Federal Bureau of Investigation, or *any* entity other than the Central Intelligence Agency taped interrogations of detainees. Tapes produced by any of these other entities—and indeed, tapes produced anywhere at Guantánamo Bay—*do not* fall within the scope of the Justice Department's narrow investigation into the matter of the two videotapes destroyed by the Central Intelligence Agency.

IV.

Any Videotapes That Still Exist are Vulnerable to Destruction If They Have Not Already Been Destroyed.

That the Government has not provided any videotaped interrogations for evaluation is unsurprising, given what is (or was) the content of some of the videotapes. In fact, one interrogator, aware that her interrogation of a detainee was on camera, attempted to shield her actions from view:

She directed a marine to duct tape a curtain over the two-way mirror between the interrogation room and the observation room.... Through the surveillance monitor, [Special Agent, REDACTED] then observed [REDACTED] position herself between the detainee and the surveillance camera [.]²⁵

²¹ See Appendix 8-1 – 8-8.

²² See Appendix 8-3.

²³ See Appendix 8-8.

²⁴ "DIA" stands for Defense Intelligence Agency. "DHS" stands for Defense HUMINT Services.

²⁵ See Appendix 8-1 – 8-8.

One can only guess at the interrogation techniques the agent was trying to hide from the cameras.

Leaving less to the imagination is the following record of another interrogation, documented by an ex-military civilian contractor (and interrogator) for the Department of Defense:

They [the detainee, the Navy interpreter, the interrogator, and the two military policemen] were all standing in the center of the floor. The MPs held the detainee by the upper arms. The interpreter was standing to the rear of the detainee and [REDACTED] was standing directly in front of the detainee. [REDACTED] was yelling questions at the detainee very rapidly, [REDACTED] yelled “DOWN.” *The MPs then pushed the detainee to the floor with enough force to not only shake the camera in the interrogation room, but also in the room that [REDACTED] was conducting his interrogation.* He would then yell “GET UP,” and the MPs would jerk the detainee up. Each time the female analyst first heard the word “DOWN” [REDACTED] the analyst stood up to watch this as it was happening and was laughing about it.

[REDACTED] then shouted “DOWN” and the two detainee escorts pushed the detainee to the floor. When I say pushed to the floor I mean they pushed in the back of the detainee’s knees with their knees, taking the detainee to his knees. Then holding the detainee by the upper arms they slammed his upper body to the floor. This series of motions was all done in one swift movement, so that the detainee went from the standing position to a prone position all at once. The force with which the detainee’s body hit the floor was such that [REDACTED, REDACTED, REDACTED, REDACTED, REDACTED, REDACTED, REDACTED, REDACTED, REDACTED, REDACTED, REDACTED] was interrogating. Immediately before the detainee was pushed to the floor, [REDACTED, REDACTED, REDACTED, REDACTED, REDACTED, REDACTED, REDACTED, REDACTED, REDACTED] and the Navy analyst were laughing about the treatment of the detainee.... The force with which the detainee hit the floor was, in my estimation, *adequate to cause severe internal injury.* I left the monitoring room.²⁶

Clearly, descriptions of the physical trauma exacted upon the prisoner by Department of Defense officials were redacted not because of concern for national security, but rather because of concern for the Department’s potential liability. A natural corollary to that concern is an even greater desire to destroy any filmed evidence of whatever was redacted—for, in the words of a former senior Central Intelligence Agency official: “It’s a qualitatively different thing—seeing it versus reading about it.”²⁷

²⁶ See Appendix 9-3 (*emphasis added*).

²⁷ Kevin Whitelaw, “The New CIA Acts a Bit Like the Old CIA” *U.S. News & World Report* (Dec. 24, 2007), at 26.

V.

The Government Kept Meticulous Records of All Interrogations.

The name of each detainee, the identity of each interrogator, and the date, the time, and the place of each interrogation were meticulously recorded in logs. One FBI Special Agent stated, in response to an FBI Special Inquiry, that, while he did not know the identity of a particular “bleeding detainee” or the personnel that interrogated him, the agent believed that:

[D]etermining their identities would be possible by querying logs maintained by the military at GITMO. According to SA [REDACTED], the date, interviewing room, and the identities of the interviewers and detainees for each interview were maintained by the military at GITMO.²⁸

Predictably, identifying details pertinent to interrogations were logged in detail by the FBI and by the Department of Defense. Department of Defense employees could even “request and obtain transcripts, reports and after-action interviews of any and all interviews conducted by other agencies and entities to determine the law enforcement value of the information and the effectiveness of the interrogation strategies being employed.”²⁹ Thus, to determine what was videotaped and which tapes were destroyed would not be burdensome for the Government.

CONCLUSION

Combatant Status Review Tribunal procedures, the Military Commission Act and the Detainee Treatment Act all require that the reliability of the evidence against a detainee be evaluated. The reliability of hearsay evidence, in particular, *must* be evaluated.³⁰ The taped interrogations recorded at Guantánamo Bay are equally as important to evaluating the reliability of the evidence against a detainee as were the two videotapes destroyed by the Central Intelligence Agency. Judge Roberts’s recent order represents an important shift from the court’s reliance upon the Government’s self-investigation, but—like the investigation itself—it applies only narrowly. Judicial and perhaps congressional inquiry is necessary—not only into the publicized destruction of two videotapes, but with respect to the *many other* taped interrogations which either still exist or were destroyed.

²⁸ See Appendix 8-5.

²⁹ See Appendix 8-1 – 8-8.

³⁰ This rule was not followed the first time around, however. See Declaration of Lieutenant Stephen Abraham, certifying that Combatant Status Review Tribunals did not review all evidence, and that exculpatory evidence was withheld.

APPENDIX



MEMO TO
C. 100.100.100

DEPARTMENT OF THE ARMY
OFFICE OF THE SURGEON GENERAL
5100 LIESBURN PIKE
FALLS CHURCH, VA 22041-0200

MGJA

MAY 24 2005

MEMORANDUM FOR RECORD

SUBJECT: Approval of Findings and Recommendations of Functional Assessment Team Concerning Detainee Medical Operations for OEF, OTMO, and OIF

1. I have reviewed the findings and recommendations of the assessment team concerning detainee medical operations for OEF, OTMO, and OIF and the legal review of that report.
2. I hereby approve all the findings and recommendations except the recommendation that psychiatrists/physicians not be used as members of a Behavioral Science Consultation Team (BSCT) and that all detained individuals be treated to the same care standards as U.S. patients in the theater of operation. I direct that these recommendations be further reviewed to determine whether these recommendations should be approved.
3. I also direct the MEDCOM Staff Judge Advocate to make appropriate coordination with the Army Inspector General's Office concerning the alleged misconduct of two senior officers pursuant to paragraph 9-3, AR 20-1.
4. Lastly, I direct that the MEDCOM Staff Judge Advocate coordinate with the appropriate Command/Investigative Organization to determine the final disposition of the other three incidents that were previously referred by the assessment team for appropriate action.


KEVIN C. KILEY, M.D.
Lieutenant General
The Surgeon General



OFFICE OF
ATTENTION

DEPARTMENT OF THE ARMY
105 ARMY MEDICAL RESEARCH AND MATERIEL COMMAND
5430077 STREET
FORT DETRICK, MD 21722-5012

MCMR-2A

19 April 2005

MEMORANDUM FOR: The Army Surgeon General, 5109 Leeburg Pike,
Ft. Belvoir, VA 22041-3248

SUBJECT: Assessment of Detainee Medical Operations for OEF, OTMC, and OIF

1. Reference Memorandum, TSC, Army, Subject: Appointment as Board and/or Functional Assessment Team, dated 12 November 2004.
2. The attached report documents the assessment of detainee medical operations for the OEF, OTMC, and OIF completed during the period 23 November 2004 to 13 April 2005.
3. The report includes the background and methodology utilized by the Team and addresses each area of interest specified in the appointment memorandum with findings, discussion and recommendations. The report highlights other key observations pertinent to detainee medical operations, and includes a table of reported incidents and allegations related to medical records, medical practice, interrogation, supplies, staffing, and potential abuse.
4. The team appreciated the courtesies and cooperation provided throughout the visits by all headquarters and staff elements and their personnel, particularly the 30th Medical Brigade and European Regional Medical Command which provided outstanding support for our extensive travels. In traveling to more than 22 states and five foreign countries, an extensive logistical effort was required to arrange interviews and provide work space for the interviews. The team was continually impressed by the dedication and devotion of the Soldiers interviewed. Their commitment to providing quality healthcare for detainees as well as U.S. and Coalition Forces was clearly evident.
5. POC for the attached report is CGL ⁰⁴⁰⁰⁰⁷

page 2

Lester Martinez-Lopez
LESTER MARTINEZ-LOPEZ
Major General, Medical Corps
Commanding

ENCL

1-3

FINAL REPORT
ASSESSMENT OF
DETAINEE MEDICAL OPERATIONS
FOR
OEF, GTMO, AND OIF

OFFICE OF THE
SURGEON GENERAL
ARMY

13 April 2005

**Chapter 2
Background**

2-1. Synopsis

a. With the current hostilities in Afghanistan (OEF) and Iraq (OIF), and the confinement by U.S. military personnel of detainees in Afghanistan (GTMO) and Iraq, concerns regarding the appropriate treatment of detainees, including during interrogation and access to medical care, have arisen. Increased concern arose with revelations of detainee abuse in the Abu Ghraib Detention Facility in Iraq. Additionally, reports in the press have alleged wrongdoing by military medical personnel.

b. A series of investigations have alleged wrongdoings and have recommended reforms, including actions of Army medical personnel. Some of these reports looked at medical issues; however, to date, there has not been a medical specific assessment of detainee operations in OEF, GTMO or OIF.

c. The Army Surgeon General (TSG), LTG Kevin C. Kiley, reviewed the Fay/Jones report (Cit. 25) with the Army's senior leadership, including recommendations that further inquiry was necessary to determine (i) if detainee medical records were properly maintained; and (ii) if medical personnel were aware of detainee abuse and failed to report the abuse.

d. On 12 November 2004, LTG Kiley directed MG Lester Martinez-Lopez, Commander of the U.S. Army Medical Research and Materiel Command, to lead a Functional Assessment Team (the Team) to determine whether detainee medical records were properly maintained; whether medical personnel were aware of detainee abuse and failed to report abuse; and to determine whether medical personnel received and/or are currently receiving appropriate training so that they are fully prepared to perform the mission of caring for detainees.

2-2. Chronology of Important Events

Date	Event
7 Oct 01	OEF begins in Afghanistan
11 Nov 01	First detainees secured at Mazar-e-Sharif
Dec 01	Bagram Holding Area (BHA) and Kandahar Holding Area (KHA) open
Jan 02	ICRC conducts first visit to Bagram detention facility
1 Jan 02	First detainees arrive at GTMO
Jan 02	ICRC conducts first visit to GTMO detention facility
19 Mar 03	Invasion of Iraq begins (OIF)
4 Aug 03	Abu Ghraib prison reopened by the Coalition Provisional Authority (CPA)

**Chapter 18
Other Issues**

**Section I
Overview of Site Visits to Afghanistan (OEF), Cuba (GTMO), and Iraq (OIF)**

18-1. Operation Enduring Freedom

- a. The overall level of outpatient and inpatient detainee medical care is extremely high.
- b. Living conditions are very good and detainees are treated respectfully.
- c. During a walk-through of the ^{ICW} the Team reviewed the care of a detainee in the Intermediate Care Ward (ICW). Some entries in his record were not signed by an attending physician. Although this was apparently not a common practice at the hospital, others were also hesitant to put their names on entries, as these documents might eventually be given to detainees upon their release from the facility.
- d. The Bagram/Kandahar (BHA/KHA) SOP, dated 3 March 2005 (S), states that medical records will be destroyed after three years from the time of any detainee's release. This does not specifically follow the provisions of AR 40-400, paragraphs 15-2 and 15-9, which require fixed and deployed MTFs to transmit/provide PASBA with the medical records and workload reports. Additionally, PASBA has been designated the interim inpatient record holding/processing facility for records from the deployed level III MTFs, memorandum dated 12 Mar 2004, unsigned (Cit. 32).
- e. Policies and procedures were often hard to obtain prior to a unit's arrival in theater. Mobilizing units should have access to these well in advance of arrival.
- f. Medical care and initial screening procedures at BHA were streamlined and well-conceived.

18-2. Guantanamo Bay Detention Facility

- a. The overall level of outpatient and inpatient detainee medical care is extremely high. Staff has the ability to utilize four beds at the Naval Hospital for detainees as well, which can include Intensive Care Unit (ICU) care. According to the Hospital's Commander the GTMO Naval Hospital recently received full Joint Commission Accreditation for Healthcare Organizations (JCAHO) with no findings.
- b. Detainee medical records are extremely complete, and mirror U.S. medical records. Outpatient records examined had complete master problem lists. Inpatient discharge summaries are also translated into native languages for those patients being sent home.

- c. Detainee living conditions overall appeared very good.
- d. All interrogations are videotaped. Medics randomly observe interrogations and have the ability to halt an interrogation at any point they deem necessary.

18-3. Operation Iraqi Freedom

a. *BSCT and Camp Bucca*

- (1) Overall the level of medical care was felt to be exceptional.
- (2) Entire staff takes responsibilities seriously; mottos include: "Restoring America's Honor," and "Detention Healthcare is a Globally Visible, Strategic-level Mission."
- (3) Initial intake assessments are very comprehensive and are appropriately recorded. This includes history and physical, dental, nutritional, chest x-ray, immunizations, and retinal scanning. Master problem lists are very complete. Comprehensive care is also available for more complicated chronic diseases, including a multi-disciplinary team for diabetic patients, prosthesis clinic with physical therapy/occupational therapy, and 24 hour in-patient and out-patient psychiatric care.
- (4) Daily sick call is well-organized (average up to 10% of the population on any given day) and ranges from on-site in the camp to the emergency room.
- (5) Records security is excellent. The staff is well-versed on keeping medical information separate from MI personnel.
- (6) Living conditions appeared very good; all detainees were treated respectfully. Detainee rights and patient rights are clearly posted. All staff are directed to report even minimally-suspected abuses.
- (7) BSCT staff is appropriately utilized with carefully-defined roles. They do not provide any clinical care.
- (8) There is comprehensive development of policies and medical forms, with generally widespread dissemination and education of all staff. Hospital committees are well-organized, including: executive, credentials, pharmacy and therapeutics, and bioethics.
- (9) Strong recommendations from the staff to the Team were to widen detention medical training, e.g., incorporate at JRTC, etc.

b. *DIF Visits at Tikrit and Baghdad*

b6 -1
b7C 1

b6 -1
b7C -1

From: [redacted]
To: [redacted]
Date: Wed, Aug 28, 2002 12:23 PM
Subject: GTMO Gazette

b6 -1
b7C -1

Some more info re what we are doing. This can serve as our weekly report, if you like. I know [redacted] is forwarding you the Sit Repts.

b6 -1
b7C -1

We have heard (read) from [redacted] re the approval to get re-imbursed for our "living" expenses. We have the receipts and will submit to her the itemized list.

b2 -3
b6 -1,3,4
b7C -1,3,4
b7D 1
b7E -1
b7F -1

1) We are continuing our assistance to the FBI/CITF and secondly the DHS interview teams. We are following up with the progress (yes, these folks ARE making progress) and keep notes of that here. They are chipping away and getting some results. I will not report on too many specifics here. Got called out the other night for [redacted] He called the guards and said he wanted to talk to somebody now. We watched him groom himself and prayer-up for his "meeting". [redacted] and a linguist went over and ES I watched on the video monitor. The good news is, he is really getting tired of this, the bad news is, he still has strength to endure. He complained to [redacted] said he had told the truth [redacted] He would not. (By the way, that has been an effective technique here with certain detainees. We have actually seen some who have done it) He said he was going on a hunger strike and [redacted] informed him that although others have tried, it has not been effective, as they are eating again. That was that and we shall see what happens. We continue to review the files, consult with the teams and continue the work at Delta.

2) There is a release package for about 20 detainees now up at Belvoir for authority to release. That will be a big boost here for the cooperation of others.

b6 -1
b7C -1

3) [redacted] and I met with the Joint Chief of Staff Review Board re who we are, what we do and our recommendations. (Their request) They were very impressed with this kind of resource offered by the FBI and expressed how needed and appropriate it is (their words, not ours) Our recommendations were [redacted]

b2 -3
b5 -1
b7E -1

4) We got drafted into a PsyOps meeting by Col [redacted] our new best friend. He is in charge of like everything and digs our stuff. The BSCT [redacted] are involved with this more than we are. We attended the briefing and our suggestions were focused on the relationship of the plan with the interview process. Col [redacted] told us later that he wanted our involvement to make sure that the plan remains practical and realistic. (You can imagine some of the ideas that these folks are floating) I will not go into details, as it is just too lengthy and classified.

b6 -2
b7C -2

5) Col [redacted] also asked us to review some DIA Behavioral Ops plan. We are looking at that now and will give you details later. There is no request for us to actually do anything, but [redacted] has taken on the attitude that he wants us (BAU) to be aware of all the behavioral Ops and have us review them. It is also classified, so we will give you more on that later.

b6 -2
b7C -2

b6 -1
b7C -1

6) Providing on-going training to the new folks coming in on the interview teams. [redacted] that is an on-going thing here. The DHS command has asked for our program (disc) on this, but have been informed that this is our creation and we will be happy to continue our training for them. I am still re-tooling the presentation to fit the needs here. I will e-mail it to you later.

7) We met with the medical staff re the detainees and interview process. They gave us an insight into the outpatient clinic and the fleet hospital. They were very agreeable to working directly with the interviewers and the MPs on getting treatment to the detainees. We had a situation with a detainee that told the interviewers that he would talk and tell them whatever they needed if ONLY they would help him get some relief from his constipation. Ah, mother nature works in beautiful ways.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 01-05-2004 BY 60322/UC/STP/STP

DETAINEES-3293

DOJFBI-002523

b6 -1
b7c -1

b6 -1
b7c -1
8) [redacted] has arranged for us to meet with the JFT-160 personnel (guards) re what kinds of information our interview teams would want to know. We are having sessions with some of them tomorrow and more on Friday.

b6 -1
b7c -1
9) We are still searching for all of the resources available to these teams that they are not aware of. [redacted] is leading this effort and has really come up with a lot of stuff out there that is helpful. We are sharing that with the group today at the OPS meeting. She attends the daily Scheduling meetings and has networked beautifully with these folks.

10) All of the above is being facilitated and coordinated with the appropriate command and interview team folks, so that we are in sync.

b6 -1
b7c -1
[redacted]...I will plug you into all of this when you get here.

There is probably more, but I have to take off now for the OPS meeting.

b6 -1
b7c -1
[redacted] we eagerly await your arrival. I repeat, we eagerly await your arrival.

We would really appreciate someone looking through our mail and fed-oxing some stuff to us.

We have a half-day on Sat, and off days are Sun. & Mon. By the way, do we get holiday pay for Monday, since we are TDY? We appreciate any 'bennies' we can get.

b6 -1
b7c -1
There is a library here, with minimal resource info for this stuff. [redacted] and I have procured some resource material that we will leave here for you. I am currently trying to learn the Caxid. [redacted]

Later, Geters,
E&M

CC: [redacted] b6 -1
b7c -1

DETAINÉES-3294

DOJFBI-002524

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**Camp Delta Standard
Operating Procedures (SOP)**

Headquarters,
Joint Task Force - Guantanamo (JTF-GTMO)
Guantanamo Bay, Cuba
28 March 2003

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mail section will process it. In the event unsuitable material is found the following actions will be taken in accordance with the relevant mail SOP: Identify unsuitable material, remove mail from distribution, redact individual lines of text or hold the entire letter as appropriate. The processing of detainee mail will be coordinated with J2 OOC mail section. In some instances, screened mail will contain information of intelligence or force protection value. A summary of these letters and the pertinent information will be included in the daily INTRIP. See Chapter 15 for more information.

14-9. Operational Intelligence Information collected that falls under the purview of the JIG will be transmitted through separate channels. On occasion, the JIG or J2 may have cause to request information from the J2OC S-2 CI section. Types of the type of information provided by the CI section to the JIG include, but are not limited to: source coordination reports, CI observation reports, and CI Information Reports. Information will be reported back to the requesting authority in a timely and professional manner.

14-10. Source Operations And Reports

a. Source operations will be conducted in conjunction with and under the direction of the JIG CI element.

b. *CI Observation Reports*. The observations of the J2OC S-2 CI section will be recorded in the Agent's Notes section of the daily INTRIP. The need may arise to report specific observations to be reported to other intelligence sections. The SOP report format will be used on these occasions (AW FM 3-1.1 Appendix B).

c. *CI Information Reports*. In an effort to supplement current CI intelligence and provide updated relevant information regarding detainees, a CIR will be produced upon request. The CIR is to include CI pertinent biographical information, cross reference, and analysis of all CI section notices, summation of detainee mail files, current observations of the detainee, and CI notes and recommendations. The notes and recommendations section is a free format section where the reporting agent can comment on the intangible aspects of the detainee and make suggestions for possible interrogation approaches.

14-11. Duties

- a. Duty Day
 - (1) First Shift: 0600-1300
 - (2) Second Shift: 1300-2200
 - (3) Working Hours are subject to mission requirements.

- b. Uniform
 - (1) BDU is the normal working uniform.
 - (2) Civilian clothing is authorized for certain organizational missions.
 - (3) Exception to AW 37C-1: nametapes and insignia may be covered when working on blocks.
- c. Daily Operations
 - (1) First Shift
 - (a) Collect and screen Significant Activity reports.
 - (b) Input data into appropriate utilities.
 - (c) Compile information for overview chart below and incorporate entries on Significant Activities report.
 - (d) Monitor blocks on a recurring basis.
 - (e) Screen detainee mail.
 - (f) Screen SMO.
 - (g) Input data into appropriate utilities.
 - (h) Compile information for overview chart.
 - (i) Follow up on all incomplete entries on Significant Activities Report.
 - (j) Monitor blocks on a recurring basis.
 - (k) Screen detainee mail.
 - (2) Production of day-to-day products.
- d. Monthly Operations
 - (1) Compilations, matrices and diagrams.
 - (2) Briefings for appropriate intelligence sections and commanders.
 - (3) All other products listed above will be done on an as-needed basis.

11-12. JIG/MIP Personnel

a. The JIG will acquire personnel to monitor and to assist in the event of an increased mission demand and later release.

b. A JIG monitor will be seated either in a monitor room that is equipped with two-way mirrors and CCTV or in a CCTV control room.

c. A roving MIP will be present in the hallway of all buildings that have interrogations being conducted. The MIP will respond to any problems in an interrogation room.

d. Detainees will be located to the ground in the floor of the interrogation room. Detainees may be unshackled at the request of the interrogators.

e. JIG monitors will observe all interrogations. They will NOT listen to any interrogations. They will NOT discuss any events that occur inside an interrogation room. If a JIG monitor observes a personnel security breach or clearance, the JIG monitor will alert the roving MIP. The roving MIP will enter the room and alert the interrogators if appropriate.



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DEPARTMENT OF DEFENSE
CRIMINAL INVESTIGATION TASK FORCE
6020 6TH STREET
FORT BELVOIR, VIRGINIA 22060

160
(1024)

REPLY TO
ATTENTION OF

CITF-CDR

3 October 2003

MEMORANDUM FOR ALL PERSONNEL ASSIGNED TO THE DOD CRIMINAL
INVESTIGATION TASK FORCE

Subject: Interrogation Procedures Guidance (S//U)

1. (U)(S) References:

- a. (U) Presidential Order Concerning Detention, Treatment and Trial of Certain Non-Citizens in the War Against Terrorism, 13 Nov 01.
- b. SECDEF Memo, 18 Apr 03, Counter-Resistance Techniques in the War on Terrorism (S//U)

2. (U) The purpose of this memorandum is to reiterate my previous guidance to Criminal Investigation Task Force (CITF) personnel, related to the conduct of interrogations of detainees or persons under custody. For the purpose of this memorandum all references to detainees will also apply to persons under custody

3. (U)(S//NF) The President's order of 13 Nov 01 sets forth certain policy guidelines regarding the treatment of persons detained by DoD who are subject to the order. Specifically, the order states that detainees will be treated humanely, without any adverse distinction based on race, color, religion, gender, birth, wealth, or similar criteria. The general guidelines provided are consistent with the criminal investigator's objectives in eliciting information from the detained persons during interrogation and the Secretary of Defense Guidance, dated 18 April 2003, concerning Counter-Resistance Techniques in the War on Terrorism (S//U)

4. (U)(S//NF) Interrogation:

a. (U)(S//NF) Detainees will be treated humanely. Physical torture, corporal punishment and mental torture are not acceptable interrogation tactics and are not allowed under any circumstances. Basic human needs, such as food and water, will not be withheld as a means to obtain information. CITF will not arbitrarily limit the duration of the interrogation as a matter of policy. The interrogator may discontinue interrogation when he deems that continued efforts would be unproductive.

DRV-FH: SECDEF MEMO X01310
Dated: April 16, 2003
DECL-ON: 2 April 2013

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CITF-CBR

Subject: Interrogation Procedures Guidance (S//U)

b. (U) CITF personnel will not participate in any interrogation that violates this policy. When CITF personnel are conducting a joint interrogation with another U.S. government organization, and a member of that other organization employs tactics that are, or appear to the investigator to be, inhumane or cruel and unusual, the CITF personnel will immediately disengage from the interrogation, report the incident to their CITF chain of command, and document the incident in a memorandum for record to the CITF Resident Agent in Charge (RAC), who will then forward a memorandum for record to the CITF Deputy Special Agent in Charge (DSAC).

c. (U) ~~(S//NF)~~ The use of isolation facilities will not be employed as an interrogation tactic; however, on a case-by-case basis it can be used as an incentive. The use of isolation as an incentive must be approved by the DSAC, and will only be used with the consent of the detainee.

d. (U) ~~(S//NF)~~ The use of deception or ruse may be employed as an interrogation tactic. Examples of deception tactics include but are not limited to the use of false intelligence, false information attributed to other detainees, false identification of physical or forensic evidence and false representations as to the identity of the interrogator. The interrogator may not employ a deception or ruse in any manner that would constitute inhumane treatment of the detainee.

e. (U) All interrogations will be documented on a CITF Form 40 that will include the ISN of the detainee, time and date of the interrogation, duration of the interrogation and either the identities or organizations of all persons present for the interrogation. All CITF personnel participating in the interrogation must be documented appropriately in the case file, either in the investigative notes or on the Form 40.

f. (U) Photographs and or video recordings of interrogations are not required as a matter of policy; however, they may be generated at the discretion of the agent conducting the interview with the concurrence of the RAC. CITF personnel may consider videotaping the final interview with detainees who are to be released/transferred and will strongly consider videotaping a final interview of any detainee who is being transferred who has possible value as a witness. Exceptions to this policy must be approved by CITF-HQ at the Commander (COR) or Deputy Commander (DCO) level. The DCO is also the Senior Agent in Charge (SAC).

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DOD-345122

FM 2-22.3 (FM 34-52)
HUMAN INTELLIGENCE
COLLECTOR OPERATIONS

HEADQUARTERS, DEPARTMENT OF THE ARMY

September 2006

DISTRIBUTION RESTRICTION: Approved for public release; distribution is unlimited.

NOTE: All previous versions of this manual are obsolete. This document is identical in content to the version dated 6 September 2006. All previous versions of this manual should be destroyed in accordance with appropriate Army policies and regulations.

HUMINT COLLECTION AIDS

9-28. There are numerous procedural and recording aids that can assist the HUMINT collector in conducting rapid, accurate, yet systematic questioning. They include—

- **HUMINT Collector's Guide.** This guide is a pamphlet or notebook designed to guide the HUMINT collector through the questioning. The HUMINT team leader should ensure that team members prepare a HUMINT collector's guide, which could be included in the unit's SOP. The guide is made based on the AO and supported command intelligence requirements. The HUMINT collector and available intelligence analysts should jointly prepare the guide. Appendix G provides the basic topics and example questions that can be adapted to construct a HUMINT collector's guide. The guide must be updated for each interrogation as part of planning and preparation. The guide should contain information such as—
 - Intelligence requirements and ISR tasks.
 - Topical questioning sequence format.
 - Actual prepared questions to be used during questioning.
 - Guidelines for employing the various approach techniques.
 - Formats or samples of completed reports used by HUMINT collectors.
- **Time Event Chart.** A timeline, or event chart, is a graphic display upon which the HUMINT collector enters chronological information as it is collected. This facilitates the HUMINT collector in understanding and organizing the collected information. It also enables the HUMINT collector to identify gaps in information, to sequence events properly to facilitate follow-up questions, and to identify deception. The HUMINT collector can develop a basic timeline prior to questioning. The source should not be able to observe the timeline since doing so will help a deceptive source "keep his story straight." See Chapter 12 for how to create and use a time event chart.
- **Organizational Chart.** An organizational chart is a graphic representation of an organization. It is the equivalent of a military line-and-block chart. This is used to facilitate the questioning of organizations and in establishing their hierarchical and lateral linkages. A basic chart can be developed prior to the questioning based on the expected organizational questioning.

RECORDING TECHNIQUES

9-29. Accuracy and completeness are vital principles to reporting. However, it is usually not possible to completely record all information in a questioning session. Recording techniques may involve memory, handwritten or typed notes, tape recordings, and video recordings. Each has its advantage and corresponding disadvantage.

- **Memory:** Relying on one's memory has certain advantages. It does not require any equipment or extra time, and is the least intrusive method of recording information. It allows maximum interaction with the source and projects sincerity. An individual can train himself to

remember highly detailed information. Often in elicitation, memory is the only viable recording method. However, in general, using the memory exclusively to record information is the most inaccurate methodology. Particularly in a long questioning session, details are forgotten and information tends to be generalized.

- **Handwritten notes:** Handwritten notes require minimal equipment (a pad and pencil), are not intimidating to most sources, and can be as detailed as the HUMINT collector desires. If an analyst or second interrogator is present, he should also take notes. This second set of notes can aid in report writing. The interrogator should not rely solely on an analyst's notes unless absolutely necessary. However, writing notes while questioning an individual often interferes with the rapport between the collector and the source. The collector loses eye contact and can easily miss subtle body language that might indicate lying. Detailed note taking can be extremely time consuming and many sources will, over time, begin to limit their responses so they do not have to repeat information or wait for the collector to write it down. It is somewhat intrusive and inhibiting to the source and is totally inappropriate in certain situations such as liaison and most casual source contacts. Handwritten notes can also be inaccurate, have limited details, and can be hard to read after the fact.
- **Computer notes:** With the proliferation of computer equipment, particularly laptops and handheld devices, note taking on computers is increasingly commonplace. A computer can provide access to data-based information that may support questioning such as foreign language dictionaries or technical support manuals, either through the Internet (if connected) or on its harddrive. If the computer is linked to a communications system, it also allows the HUMINT collector to transmit data, including SALUTE reports, during the course of the questioning. Notes taken on a computer, however, have many of the same disadvantages as handwritten notes. In addition, computer notetaking requires more equipment and technological support and access to either electricity or a plentiful supply of batteries. Computers may be intimidating to some sources and the fact that what the source says is being entered into a computer may cause the source to alter the information he is providing. Computers tend to isolate the collector from the source by dividing the collector's attention between the computer and the source, and again may cause the collector to miss critical body language clues. Finally, the computer is even more inappropriate to casual and controlled source operations than are handwritten notes.
- **Audiotapes:** If recording equipment is discrete and functioning properly, audiotapes can be extremely accurate. Use of tapes also allows the HUMINT collector to place his entire attention on the source. This not only enhances rapport but also allows the HUMINT collector to observe the source's body language. Taping a questioning session, if done overtly though, tends to be extremely inhibiting to the source and may seriously curtail the information obtained. Surreptitious taping can be illegal in some situations and dangerous in some situations as well. Consult your legal advisor to determine if

taping is legal. Taped information can also be seriously affected by ambient noise and the relative positioning of the source and collector to the microphone. Writing a report based on a taped session can be extremely time consuming, since it takes as long to listen to a tape as it took to record it. This drawback can be reduced somewhat through the use of voice activated recording devices. Exclusive dependence on audiotapes tends to make the collector less attentive and more likely to miss follow-up questions. Also, if the tape is lost or damaged or does not function properly, the collector has no backup.

- **Video recording:** Video recording is possibly the most accurate method of recording a questioning session since it records not only the voices but also can be examined for details of body language and source and collector interaction. It is also the most resource intensive requiring proper lighting, cameras, viewing equipment, and possibly trained operators. If done overtly, video recording can be by far the most inhibiting to the source. Even if the source is willing to be videotaped, there is a tendency for both the source and the collector to "play to the camera," creating an artificiality to the questioning. Consult your legal advisor to determine the legality of overt or covert videotaping.

QUESTIONING WITH AN ANALYST OR A TECHNICAL EXPERT

9-30. The HUMINT collector may often find himself in the position where he needs to use an analyst or a technical expert, or both, in order to conduct questioning. Many of the techniques involved in using an analyst or technical expert are the same as those with using an interpreter (see Chapter 11). The HUMINT collector must pre-brief these supporting personnel. The degree to which the analyst or technical expert is involved in the actual questioning is dependent on the established relationship between the analyst or technical expert and the HUMINT collector. The HUMINT collector will always remain in charge of the questioning, be present throughout the questioning, and ensure that the questioning follows his questioning plan. He must ensure that the supporting analyst or technical expert has the proper security clearance.

9-31. An analyst or technical expert can participate in the questioning to various degrees listed below from least intrusive to most intrusive. As the degree of participation by the analyst or technical expert increases, the technical fidelity of the information collected usually increases but the rapport between the HUMINT collector and the source decreases as does the HUMINT collector's ability to control the content and judge the truthfulness of the information. The analyst or technical expert may provide—

- **Advice Only:** The HUMINT collector does the questioning. The expert provides information prior to the meeting and may review the collected information after the meeting. The technical expert is not present at the actual questioning.
- **Remote Support:** The HUMINT collector does the questioning. In addition to the above, the expert monitors the questioning and provides input to the HUMINT collector after the questioning as required. Based on the technological support, this can involve the expert sitting in on, but not participating in the questioning (which

b1 23
Cont'd
Page

[Redacted]

b6 -3,4
b7C -3,4
b7D -1
b7E -1

[Redacted]

b6 -3,4,5
b7C -3,4,5
b7D -1
b7E -1

During a prior interview (FD 302 dated 10/26/2002) [Redacted] made the comment: "I got out of the circle and now I am in chains." He was asked about the meaning of this comment. He said he did not remember the reason he said it and asked to be told what the comment was in relation to. When told that it concerned [Redacted]

b6 -3,4
b7C -1,4
b7D -1
b7E -1

[Redacted] looked dejected and stared at the ground. He told the interviewers to "check the tapes", referring to his belief that all interviews are video taped. [Redacted] also pointed out that he believes [Redacted] has been hired by the United States and is being paid to provide information to authorities. [Redacted] was told that information regarding his involvement in a terrorist training camp came from multiple sources, not just [Redacted]. [Redacted] said that if [Redacted] provided the information, he was also being paid. [Redacted] was reminded of an earlier statement he made indicating his hate for [Redacted] and was told that [Redacted] was only disappointed with [Redacted]. At this point, [Redacted] looked up and asked if [Redacted] was in custody.

[Redacted] was asked if he had ever made any mistakes. His response was to ask whether interviewers meant general or specific mistakes. [Redacted] was then confronted with the fact that the government believes that he was in a terrorist training camp in Afghanistan.

b6 -3,4
b7C -3,4
b7D -1
b7E -1

[Redacted] was told that he is beginning to believe his own lies about where he was during this time period. He was asked to realize and admit his mistakes and move ahead with his life as he had done with [Redacted] and as the interviewers had done with [Redacted]. [Redacted] said that the supposed inconsistency in his statements are not his problem and not his. He said that [Redacted] will confirm his whereabouts for this time period. [Redacted] repeated many times "It's not my problem".

b6 -3,4
b7C -3,4
b7D -1
b7E -1

In an FD-302 dated 10/26/2002, [Redacted] The interviewers asked [Redacted] what he would [Redacted]

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DETAINCES-3940

Detainees Positive Responses

Message

Page 1 of 5

[redacted] (INSD) (FBI)

From: [redacted] (HO) (FBI) b6 -1
Sent: Wednesday, August 18, 2004 12:33 PM b7C -1
To: [redacted] (INSD) (FBI)
Subject: RE: GTMO

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

A military interrogator and I were interviewing a new arrival at GTMO during the evening hours when we heard what sounded like thunder. After hearing several "thunderclaps" we stepped outside the interview room to take a break and see if the weather had made a drastic change from the clear skies we had witnessed prior to the start of our interview. As we walked down the hallway of the temporary building where the interview rooms were located, I glanced in an open doorway where I saw at least two individuals dressed in BDU's standing and an inmate kneeling on the floor with his forehead on the ground. The inmate was holding his nose and crying. There was a small amount of blood on the floor near the inmate's face. I asked the BDU-clad personnel what had happened. They explained that the inmate had become upset with them and threw himself to the floor. (I had heard previously that one of the female military personnel would wet her hands and touch the inmates as part of their psych-ops to make the inmates feel "unclean" and upset them.) The inmate's nose appeared to be bleeding. One of the military personnel left the room to retrieve a medical kit for the inmate. I saw nothing else to contradict the military personnel's explanation of events.

SA [redacted] b6 -1
Houston Division - Corpus Christi RA b7C -1

b2 -1

-----Original Message-----

From: [redacted] (INSD) (FBI)
Sent: Thursday, July 29, 2004 9:59 AM
To: [redacted] (HO) (FBI)
Subject: RE: GTMO

b6 -1

b7C -1

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Could you please provide a short summary of what you observed. Thanks.

-----Original Message-----

From: [redacted] (HO) (FBI)
Sent: Friday, July 09, 2004 5:50 PM
To: [redacted] (INSD) (FBI)
Subject: RE: GTMO

b6 1
b7C -1

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

I observed what may have been aggressive techniques used by non-FBI interrogators. Does this still fall into what you are looking into?

SA [redacted]
Houston Division - Corpus Christi RA

b6 1
b7C -1

b2 -1

RESPONSES-69

FEDERAL BUREAU OF INVESTIGATION

Date of transcription: 09/07/2004

Special Agent (SA) [redacted] Federal Bureau of Investigation (FBI), who entered on duty with the FBI on [redacted] and arrived at the Houston Division of the FBI, Corpus Christi Resident Agency (CCRA), on or about 01/22/1998, and whose telephone number is [redacted] was advised of the identity of the interviewing Assistant Inspector (AI) and the purpose of the interview. SA [redacted] then provided the following information telephonically:

b2 -1
b6 -1,2
b7C -1,2

SA [redacted] was assigned to an interviewing team at the detention facility at Guantanamo Bay, Cuba (GITMO), from about September until late November 2002. The interviewing team consisted of three people, including SA [redacted]. Besides himself, SA [redacted]'s interviewing team included a contract linguist, whom SA [redacted] believes was contracted through the military and whose identity SA [redacted] could not recall, and an Army representative whose name SA [redacted] could not recall, either. The Army representative was from an organization similar to the Air Force's Office of Special Investigations (AFOSI); an investigative entity; however, SA [redacted] could not recall the name of the organization. He was certain it was not a military intelligence entity since the activities of his interviewing team, deemed by officials at GITMO to be low enforcement activities, were separated from intelligence-gathering interviews that military intelligence personnel and representatives from other government agencies performed. For most of his stay at GITMO, SA [redacted] and his team performed interviews in the morning. The afternoons and evenings were reserved for interviews conducted by those who were gathering intelligence. SA [redacted] did not know of the specific activities that occurred during the afternoon and evening interviews.

b6 -1
b7C -1

Near the end of SA [redacted]'s tour of duty at GITMO, about two to three weeks before Thanksgiving, SA [redacted] was partnered with a female military intelligence enlisted person whose identity SA [redacted] could not recall, but who may have been a military reservist since she indicated to SA [redacted] that she was a probation officer in Los Angeles, California. SA [redacted] and the military intelligence soldier were detailed to an interviewing effort that focused on a recent group of detainee arrivals at GITMO. These interviews, unlike those he had

b6 -1
b7C -1

Investigation on 09/07/2004 at Washington, DC (telephonically)
File # 297-UQ-A1327669-A 365 Date dictated N/A
by SSA/AI [redacted] [signature] b6 -1 RESPONSES-70
b7C -1

FD-302a (Rev. 10-6-95)

297-HQ-A1327669-A

b6 1
b7C -1

Continuation of FD-302 of [REDACTED]

On 03/07/2004 , Page 2

performed with the other interviewing team, occurred in the evenings. The purpose of the interviews was to gain as much information as possible from the detainees before they were exposed to the general detainee population.

b6 -1
b7C -1

SA [REDACTED] heard through the person placed in charge of law enforcement agency personnel at GITMO that other government agencies were using female military intelligence personnel in psychological operations-type activities against the detainees. The person in charge, whose identity SA [REDACTED] could not recall, told SA [REDACTED] that in an effort to disrupt detainees who were praying during interrogations, female military intelligence personnel would wet their hands then touch the detainee's face, causing the detainee to stop praying because he considered himself unclean. The person responsible for law enforcement agency personnel emphasized to SA [REDACTED] that law enforcement agency personnel were not allowed to use this type of practice when interviewing detainees. SA [REDACTED] did not witness this technique, or anything similar to it, performed on a detainee.

b6 1
b7C -1

SA [REDACTED] did not have knowledge of interviewing tactics or techniques addressed in any type of Department of Defense policy since he never received a briefing or written materials describing such a policy. SA [REDACTED] was only aware of the technique of wetting of the hands from his conversation with the person placed in charge of law enforcement agency personnel.

b6 -1
b7C -1

Sometime near the end of his tour at GITMO, when he was partnered with the military intelligence soldier, SA [REDACTED] and the soldier were conducting an evening interview of an Iraqi detainee who had been apprehended in Afghanistan. During the interview, SA [REDACTED] and the soldier heard banging sounds similar to claps of thunder, but were perplexed by the sounds since there had not been any indication of rain when they entered the interviewing facility. They decided to exit the facility to investigate the sounds.

b6 -1
b7C -1

As SA [REDACTED] and the soldier were exiting the interviewing facility, they noticed a detainee on the floor in another interviewing room, "trampled over," and crying. SA [REDACTED] asked the personnel in the interviewing room, all of whom appeared to be military personnel based on their uniforms, what had happened. SA [REDACTED] recalled that the military personnel may have responded that the detainee had thrown himself to the floor. SA [REDACTED] observed that the detainee's nose appeared to

RESPONSES-71

297-HQ-A1327569-A

b6 -1
b7C -1

Continuation of FD-302 of [REDACTED]

On 09/07/2004 Page 3

be bleeding. SA [REDACTED] did not see or hear anything else about the incident that disputed the account offered by the military personnel present in the room. SA [REDACTED] did note that when he exited the facility, there was no indication of thunder outside. The lack of thunder caused him to wonder about the noises he had heard. However, since he did not observe the events that transpired in the other interviewing room, and he did not receive other information contradicting the account of events provided by those in the room where he found the detainee bleeding, apparently from the nose, SA [REDACTED] could not say that what transpired in that interview room fell outside U.S. Department of Justice (DOJ) policy. However, SA [REDACTED] stated that there was potential for the events occurring in that interview room to not fall in line with either FBI or DOJ policy. SA [REDACTED] emphasized that he did not observe any FBI or DOJ personnel present in the interviewing room where he observed the bleeding detainee.

b6 -1
b7C -1

SA [REDACTED] did not know the identify of the personnel present in the interviewing room where he observed the bleeding detainee, or the identity of the detainee; however, SA [REDACTED] felt that determining their identities would be possible by querying logs maintained by the military at GITMO. According to SA [REDACTED], the date, interviewing room, and the identities of the interviewers and detainees for each interview were maintained by the military at GITMO. SA [REDACTED] produced an FD 302 of his interview of the Iraqi detainee that evening; however, he did not maintain a copy.

b6 -1
b7C -1

In addition to the military intelligence soldier on SA [REDACTED]'s interviewing team on the evening he observed the bleeding detainee, SA [REDACTED] received interviewing assistance from an Army psychologist or psychiatrist who was an officer. SA [REDACTED] stated that this individual was a major, but that he could not recall his name. SA [REDACTED] made a comment about what he had observed to this person.

b6 -1
b7C -1

SA [REDACTED] described the interviewing facilities at GITMO as temporary structures. The interviewing facility he used consisted of about 12 interviewing rooms on either side of a hallway. There were six rooms in a row on one side of the hallway and six rooms on the other side. Adjacent to each room were surveillance rooms that allowed other persons to observe interviews without entering an interviewing room. During the evening when SA [REDACTED] saw the bleeding detainee, SA [REDACTED] was

b6 -1
b7C -1

RESPONSES-72

FD-302a (Rev. 10-6-95)

297-HO-A1327669-A

b6 -1
b7C -1

Continuation of FD-302 of [REDACTED]

, On 09/27/2004, Page 4

occupying an interviewing room at one end of the facility, and he observed to detainee in an interviewing room two to three rooms from his, and on the same side of the hallway.

b6 -1
b7C -1 SA [REDACTED] received a tour of the detention facilities at GITMO; however, he did not talk about what went on at the facility with the military personnel he encountered during the tour. SA [REDACTED] did not consider any of these contacts substantive in nature.

b6 -1
b7C -1 SA [REDACTED] noted that during the course of at least one detainee interview, but possibly another as well, he documented information he received from the detainee about abuses that may have occurred in Afghanistan. SA [REDACTED] stated that the Iraqi he interviewed the evening he observed the bleeding detainee was one of the detainees whose information about possible abuses in Afghanistan was specific enough to document in an FD 302. SA [REDACTED] documented the information relating to possible detainee abuse in a separate case file; one that was being set up to address possible war crimes. SA [REDACTED] did not know the case file number and he did not maintain a copy of the FD 302. SA [REDACTED] believed that representatives from other law enforcement agencies at GITMO documented information regarding possible detainee abuse.

b6 -1
b7C -1 Based on the condition of the facilities, and having had the opportunity to walk through the cells where detainees were held, SA [REDACTED] had no indication of systemic detainee abuse at GITMO. SA [REDACTED] believed the detainees were well fed and provided with essential needs, such as medical treatment. He was made aware of one detainee who received medical treatment costing around \$100,000.00 for an eye injury he sustained while building an explosive device in Afghanistan intended for use against U.S. soldiers.

RESPONSES-73

(Rev. 10-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 07/12/2004

To: Counterterrorism

Attn: [REDACTED]

b6 -1
b7C -3From: Laboratory Division
Special Photographic Unit / [REDACTED] - b6 -1
Contact: [REDACTED]b6 -1
b7C -3

Approved By: [REDACTED] AM/ED

Drafted By: [REDACTED] jth

Case ID #: 297-FG-A1327669-A-047(Pending)

Title: Counterterrorism Division, GDMO, Inspection Special Inquiry

Synopsis: No observation of aggressive treatment of detainees but photographed one detainee who had blood shot eyes and what appears to be blood that congealed to his eyelashes.

b6 -1,4
b7C -1,4

Enclosure(s): One CD containing all images of [REDACTED] FBI number [REDACTED] ISN number [REDACTED] photographed on March 12, 2004 at 4:36 PM by (S&T) Photographer [REDACTED]. Fifteen 3 1/2 by 11 color prints of the detainee are also included in this enclosure. Photographs of [REDACTED] are available from the Special Photographic Unit, Quantico, Virginia.

b6 -1
b7C -1

Details: [REDACTED] Photographer (Scientific and Technical) of the Special Photographic Unit, Laboratory Division, was assigned to rephotograph the detainee's for new mug shots on several days and two travel assignments from March 11 to March 16, during 2004 and June 10 to 17, 2004.

b6 -4
b7C -4

During the first assignment, on March 12, 2004 detainee [REDACTED] - FBI number [REDACTED] ISN number [REDACTED] was photographed and Major Case printed at 4:36 PM. It was observed that [REDACTED] had blood shot eyes with slight swelling around his left eye. After reviewing the photographs what appears to be blood that congealed to his eyelashes was found. No observation was made as to how this condition came about, and no comments were heard from any Army personnel regarding aggressive treatment towards the detainee.

RESPONSES-176

Message

Page 1 of 3

[redacted] (INSD) (FBI)

b6 -1
b7C -1

From: [redacted] (INSD) (FBI)

Sent: Monday, July 12, 2004 8:31 AM

To: [redacted] (CG) (FBI)

Subject: RE: GTMO

No - consistent w/ DOD policy - not nice but not abusive - consistent w/ DOD policy

b6 -4
b7C -4

**UNCLASSIFIED
NON-RECORD**

I will put you down as a positive response, so no need to do an EC. I will print out the email and let OGC ascertain if the treatment is beyond the scope. Thank you for your response.

-----Original Message-----

b6 -1
b7C -1

From: [redacted] (CG) (FBI)

Sent: Friday, July 09, 2004 5:32 PM

To: [redacted] (INSD) (FBI)

Subject: RE: GTMO

Mr. [redacted], I am trying to err on the side of caution here, so these incidents may or may not fall within the parameters you are using. I have been repeatedly assured that, although some of the techniques utilized by some of the non-FBI interrogators here are well outside what would generally be considered standard procedure for a CONUS FBI interview, all of the techniques used have been approved by the SecDef. However, personally, I am not comfortable with these techniques, I have been assured that DOD had permission. I further do not believe anything akin to the activities at Abu Ghareb in Iraq have taken place here.

b6 -4
b7C -4

1) [redacted]
Situation: I was told on or about Thursday, 22 April 2004 by a member of DOD's North Africa-Europe (NAE) team that [redacted] whom he debriefed, had provided the following: Sometime in the second or third week of February of 2004, [redacted] was taken to reservation. [redacted] was on both FBI and NAE hold. He did not recognize the interviewers and when he told them he didn't want to speak to anyone unless they were introduced by his regular interrogators, he was yelled at for 25 minutes. [redacted] was short-shackled, the room temperature was significantly lowered, strobe lights were used, and possibly loud music. There were two male interrogators, one stood behind him and the other in front. They yelled at him and told him he was never leaving here. The interrogator tried to get [redacted] to identify photos. After the initial 25 minutes of yelling, [redacted] was left alone in the room in this condition for approximately 12 hours. At one point, the interrogator came back in the afternoon to make sure he was still there. During the 12 hours, [redacted] was not permitted to eat, pray, or use the bathroom. One of the interrogators was described as old/late 50's, grey and black hair, mustache with no beard, short, skinny, and wore a blue shirt.

My actions: I verbally informed my GTMO SSA when I received the information. I later informed the GTMO Cr. Scene Commander via e-mail on 05/05/2004.

Note: It is my understanding all of these techniques were, at that time, permitted per DOD. We believe the interviewers may have been with CTC based upon the physical description and the fact that [redacted] was taken to an interview room without appearing on the schedule... I believe they are the only entity here that can do that.

b6 -4
b7C -4

2) [redacted]
Situation: I observed the following in early April of 2004: [redacted] was being debriefed for several

RESPONSES-214

7/12/2004

MEMORANDUM FOR RECORD

Date: 4/22/03
To: [REDACTED]
From: [REDACTED]
Re: INCIDENT ON 22 APR 03

THE FOLLOWING INCIDENT TOOK PLACE ON 22 APRIL 2003 AT CAMP DELTA, GTMO. AT APPROXIMATELY 2030 HOURS [REDACTED] AND I WERE IN MONITORING ROOM 5 IN GOLD BUILDING OBSERVING THE APPROACH TECHNIQUE OF [REDACTED] A FELLOW INTERROGATOR [REDACTED] WAS INTERROGATING IN INTERROGATION ROOM 4. MONITORING ROOM 5 OVERLOOKS BOTH INTERROGATION ROOM 4 AND INTERROGATION ROOM 6. AT THIS TIME THERE WAS AN INTERROGATION OF ANOTHER DETAINEE TAKING PLACE IN INTERROGATION ROOM 6. [REDACTED] AND A [REDACTED] NAVY ANALYST WHOSE NAME I DO NOT RECALL WERE ALSO IN MONITORING ROOM 5 OBSERVING THIS INTERROGATION. IN INTERROGATION ROOM 6 I SAW [REDACTED] A MILITARY LINGUIST, TWO DETAINEE ESCORTS, AND A DETAINEE. THE DETAINEE WAS STANDING A LITTLE BACK FROM CENTER OF THE ROOM. [REDACTED] WAS IN FRONT OF THE DETAINEE THE TWO ESCORTS WERE ON EITHER SIDE OF THE DETAINEE HOLDING THE DETAINEE BY HIS UPPER ARMS. THE LINGUIST WAS STANDING IN BACK OF THE DETAINEE. THE TWO ANALYSTS IN THE MONITORING ROOM HAD A SPEAKER PLUGGED INTO THE AUDIO OUTPUT FROM ROOM 6 AND [REDACTED]

(b)(1)

[REDACTED] I HAD ONLY ONE EARPIECE IN SO THAT I COULD TRANSLATE THE ARABIC [REDACTED] WAS SPEAKING TO [REDACTED] WHO DOES NOT SPEAK ARABIC. OVER THE SPEAKER THAT [REDACTED] AND THE OTHER ANALYST WERE USING I COULD HEAR [REDACTED] BECOMING LOUDER AND LOUDER IN HIS INTERROGATION.

[REDACTED] WAS REPEATING THE SAME QUESTION, "WHAT WERE YOU DOING IN PAKISTAN?" TO THE DETAINEE. THE DETAINEE IN MY OPINION SEEMED INCOHERENT. (NOTE: AS AN INTERROGATOR I HAVE SEEN DETAINEES FEIGN INCOHERENCE TO AVOID INTERROGATION, BUT SUCH WAS NOT THE CASE HERE IN MY ESTIMATION.) [REDACTED] WAS REPEATING THE QUESTION OVER AND OVER, IN RAPID FIRE FASHION, SO QUICKLY THAT THE INTERPRETER WAS NOT KEEPING UP WITH THE QUESTIONING AND THE DETAINEE WOULD NOT HAVE BEEN ABLE TO ANSWER WITHOUT INTERRUPTING [REDACTED].

[REDACTED] THEN SHOUTED "DOWN" AND THE TWO DETAINEE ESCORTS PUSHED THE DETAINEE TO THE FLOOR. WHEN I SAY PUSHED TO THE FLOOR I MEAN THEY PUSHED IN THE BACK OF THE DETAINEE'S KNEES WITH THEIR KNEES, TAKING THE DETAINEE TO HIS KNEES. THEN HOLDING THE DETAINEE BY HIS UPPER ARMS THEY SLAMMED HIS UPPER BODY TO THE FLOOR. THIS SERIES OF MOTIONS WAS ALL DONE IN ONE SWIFT MOVEMENT, SO THAT THE DETAINEE WENT FROM A STANDING POSITION TO A PRONE POSITION ALL AT ONCE. THE FORCE WITH WHICH THE DETAINEE'S BODY HIT THE FLOOR WAS SUCH THAT [REDACTED]

(b)(1)

[REDACTED] IT WAS INTERROGATING. IMMEDIATELY BEFORE THE DETAINEE WAS PUSHED TO THE FLOOR, [REDACTED]

(b)(1)

[REDACTED] AND THE NAVY ANALYST WERE LAUGHING ABOUT THE TREATMENT OF THE DETAINEE. THE DETAINEE WAS SLAMMED TO THE FLOOR IN THIS

4/26

230

1329

MEMORANDUM FOR RECORD: INCIDENT ON 22 APR 03

MANNER SEVEN TO EIGHT TIMES. [REDACTED] WOULD YELL "DOWN" IMMEDIATELY PRECEDING EACH TIME THE DETAINEE WAS SLAMMED TO THE FLOOR. AFTER THE FIRST TWO SLAMS I TOOK OUT MY EARPIECE AND OBSERVED THE HAPPENINGS IN ROOM 8. [REDACTED] WAS ONCE AGAIN ASKING THE DETAINEE, "WHAT WERE YOU DOING IN PAKISTAN?" WHEN, AFTER 5 TO 10 MINUTES OF THIS IMPOSSIBLE-TO-ANSWER, RAPID FIRE QUESTIONING THE DETAINEE WOULD NOT ANSWER, [REDACTED] SHOUTED "DOWN," AND THE SLAMMING PROCESS TOOK PLACE APPROXIMATELY TEN TO TWELVE MORE TIMES. THE DETAINEE WAS BEING SLAMMED TO THE FLOOR SO HARD THAT I WAS CONCERNED FOR HIS SAFETY. THE FORCE WITH WHICH THE DETAINEE HIT THE FLOOR WAS, IN MY ESTIMATION, ADEQUATE TO CAUSE SEVERE INTERNAL INJURY. I LEFT THE MONITORING ROOM, ALONG WITH [REDACTED] TO CALL MY SUPERVISOR AND REPORT THIS INCIDENT. AS WE LEFT I COULD HEAR [REDACTED] SHOUTING "DOWN" AND I ALSO HEARD IMMEDIATELY FOLLOWING EACH "DOWN" NOISES CONSISTENT WITH THE SOUND THAT WAS MADE WHEN THE DETAINEE WAS SLAMMED TO THE FLOOR. I HEARD THIS COMBINATION OF SHOUTS AND THUDS SIX TO SEVEN MORE TIMES AS I EXITED THE BUILDING. [REDACTED] AND [REDACTED] REMAINED AT GOLD BUILDING WHILE I WENT TO MAKE THE PHONE CALLS. WHEN I ARRIVED AT BUILDING 3, I ATTEMPTED TO CALL MY SUPERVISOR, [REDACTED] BUT GOT NO ANSWER. I THEN WALKED BACK DOWN TO GOLD BUILDING WHERE [REDACTED] GAVE ME THE NUMBER TO CALL [REDACTED]. I TOLD [REDACTED] THERE WERE THINGS GOING ON AT THE CAMP THAT COULD ADVERSELY AFFECT THE MISSION AND THAT I NEEDED HIS GUIDANCE ON HOW TO PROCEED. [REDACTED] TOLD ME HE WOULD COME TO CAMP DELTA, ALONG WITH [REDACTED] AND DISCUSS THE MATTER. WHILE WAITING FOR THEM TO ARRIVE I SPOKE WITH [REDACTED] WHO WAS NOW AT BUILDING 3. [REDACTED] HAD APPARENTLY BEEN TOLD THAT I WAS REPORTING HIS CONDUCT TO MY SUPERVISOR. I HAD A CONFERENCE WITH [REDACTED] WHICH LASTED APPROXIMATELY TEN MINUTES DURING WHICH [REDACTED] TRIED TO CONVINCE ME THAT WHAT HE HAD DONE WAS PROPER. HE TOLD ME THAT WHEN THE GUARDS WERE TAKING THE DETAINEE TO THE FLOOR THEY WERE, AT THE VERY LAST SECOND, PULLING UP ON HIS ARMS TO LESSEN THE IMPACT, AND THAT THE LOUD SOUNDS I HEARD WERE ONLY BOOTS BEING STOMPED ON THE FLOOR. I TOLD [REDACTED] THAT AS AN EXPERIENCED INTERROGATOR, WHO HAD BEEN TRAINED BY AND SERVED IN THE US ARMY, I HAD NEVER SEEN IN FM 34-52 ANY SECTION DESCRIBING OR PRESCRIBING WHAT HE HAD DONE TO THE DETAINEE. [REDACTED] TOLD ME THAT HE HAD BEEN CALLED IN TO RUN THIS APPROACH ON THIS DETAINEE BECAUSE THE INTERROGATOR RESPONSIBLE FOR THIS DETAINEE HAD RUN "EVERY APPROACH, A TO Z, AND HAS GOTTEN NOWHERE." I TOLD [REDACTED] THAT I THOUGHT HE HAD JEOPARDIZED THE MISSION AND THAT MOST LIKELY WHOEVER INTERROGATED THAT SOURCE WOULD HAVE TO UNDO THE DAMAGE HE HAD DONE. I LEFT THE OFFICE WHERE WE HAD BEEN TALKING AND WALKED OUTSIDE WHERE I FOUND [REDACTED] AND [REDACTED] TO WHOM I RECOUNTED WHAT I HAD SEEN.

THE PERSONNEL I COULD NOT IDENTIFY BY NAME, I WOULD BE ABLE TO IDENTIFY BY SIGHT.

[REDACTED]
INTERROGATOR, ACS DEFENSE

4282003

233
1330

MEMORANDUM FOR RECORD

Date: 4/29/2003
To: [redacted]
From: [redacted]
RE: INCIDENT ON 22APR03

On 22 April 2003, at approx 2030L, [redacted] accompanied me to monitor an interrogation done by [redacted] speaks Arabic and would be able to translate the session for me; he also wanted to watch [redacted] techniques. We went to [redacted] building monitoring room 5; this monitoring room overlooks interrogation rooms 4 and 6. When we walked into a monitoring room we saw another interrogation in room 6 was going on. In the monitoring room was a [redacted] analyst and a [redacted] analyst. The [redacted] analyst was controlling the monitor and had a speaker so that both parties could hear the interrogation, the speaker was loud enough that I could hear it muted even though I had headphones on. In the interrogation room was the interrogator, [redacted] a [redacted] interpreter, two [redacted] MPs and the detainee. They were all standing in the center of the floor. The MPs held the detainee by the upper arms. The interpreter was standing to the rear of the detainee and [redacted] was standing directly in front of the detainee. [redacted] was yelling questions at the detainee very rapidly. [redacted] he yelled "DOWN" the MPs then pushed the detainee to the floor with enough force to not only shake the camera in their interrogation room but also in the room that [redacted] was conducting his interrogation. [redacted] they would then yell "GET UP" and the MPs would jerk the detainee up. Each time that [redacted] analyst first heard the word "DOWN" [redacted]

[redacted] The analysts in the monitoring room stood up to watch this as it was happening and was laughing about it.

[redacted] and I left the monitoring room, as we got up to leave, we observed this happening again as we were walking down the hall of Gold building to [redacted] we could feel the force of detainee being pushed to the floor. [redacted] said he was going to call [redacted] I returned to the monitoring room. The interrogation in room 6 had ended and the military personnel left the room. The detainee was still standing in the center of the room [redacted]

[redacted] returned to the monitoring room and told me that he could not get a hold of [redacted] and asked me if I knew [redacted] telephone number. I gave him the number and [redacted] proceeded to call [redacted] left the monitoring room to meet with [redacted] I remained there. At approximately 2145L the MPs came to take the detainee back to his cell. When they were checking him for his move one of the MPs took his pulse. They left and I remained in the monitoring room until [redacted] was finished with his interrogation.

I am unaware of the names of the personnel involved with the exception of [redacted] however, I can identify the [redacted] and one of the MPs.

Analyst, ACS Defense Inc

4/29/2003

234
1331