

1 ARTICLE 15-6 INVESTIGATION INTERVIEW

2
3 At Camp Doha, Kuwait, on 15 February 2004:

4 MAJOR GENERAL ANTONIO M. TAGUBA, U.S. Army, CFLCC Deputy Commanding
5 General deposing.

6 MASTER SERGEANT JOHN E. DAVIS, U.S. Army, CFLCC-SJA, Senior Court
7 Reporter, has been detailed reporter for this interview and has been
8 previously sworn.

9 BRIGADIER GENERAL JANIS L. KARPINSKI, U.S. Army, was sworn, and
10 interviewed as follows:

11 Q. Has anybody mentioned to you the context of the
12 investigation, or scope of anything in that nature?

13 A. No. As a matter of fact I was kind of frustrated because I
14 tried to get something from General Diamond and General Kratzer, and
15 nobody would tell me.

16 Q. Okay. Well, rightly so, I think because of the sensitivity
17 of the investigation----

18 A. Yes, sir.

19 Q. ----and based on some allegations that were made, but let
20 me go ahead then and start off and go to the proceedings here, some
21 administrative requirements. I'm Major General Taguba. I'm The
22 Deputy Commanding General of the Coalition Land Forces Component
23 Command, as you know headquartered here at Camp Doha. The Commanding

1 General, Lieutenant General David McKiernan, has appointed me as the
2 Investigating Officer under the provisions of AR 15-6. Also, at the
3 direction of General John Abizaid who is the Commander of CENTCOM.
4 Our investigation is to gather all facts-- relevant facts and
5 circumstances surrounding recent allegations of maltreatment of
6 detainees at the Abu Ghraib Prison also known as the Baghdad Central
7 Confinement [sic] Facility. As well as detainee escapes and
8 accountability lapses as reported by CJTF-7. Our investigation is to
9 further look into the training, the standards, employment, command
10 policies, and internal policies concerning the detainees held at the
11 Abu Ghraib Prison. And finally, we were directed to assess the
12 command climate, the supervisory presence of the 800th Military Police
13 Brigade chain of command. That includes everybody that's organic to
14 you, to your unit, and those that were tasked organized to you-- your
15 Brigade during the period of time when you were in command. You've
16 already met the members of the investigation team. I want to advise
17 you that you have been sworn in by Lieutenant Colonel Kluka. All of
18 our comments and your responses will be recorded for accuracy. Of
19 course you'll get a chance to look at them before once again that you
20 sign any of the statements. So before we begin I ask you if you have
21 any questions on the scope or nature of this inquiry?

22 A. An aggressive undertaking and-- but I don't have any
23 questions, sir.

1 Q. Okay, wonderful. For the record would you please state
2 your name, your rank, social security number, and duty position?

3 A. My name is Janis Lee Karpinski. I'm a Brigadier General,
4 and the Commander of the 800th MP Brigade, and my social security
5 number is: [REDACTED]

6 Q. Thank you. And you're currently the Commanding General of
7 the 800th MP Brigade?

8 A. Yes, sir.

9 Q. Okay, good. The allegations were-- related to events that
10 happened roughly between October, December timeframe, since that's
11 still under investigation by the CID, when would-- when were you
12 first made aware of those circumstances and the events that happened
13 there at Tier 1A at the hard site at Abu Ghraib?

14 A. I was up at Ashraf at the MEK compound and I received an
15 email from Colonel Marcello the commander of the CID, and he said, "I
16 just want you to be aware I'm getting ready to go in and brief
17 General Sanchez. I want you to be aware that there have been-- that
18 we're doing an investigation at Abu Ghraib Prison for detainee abuse
19 involved," uh-- I don't even remember if there was two or three
20 sentences. And that was about January 24th, 23rd----

21 Q. Thereabouts?

22 A. Thereabouts.

1 Q. What action did you take after that, upon that
2 notification?

3 A. I sent an email back to him, I said, "I don't know what to
4 say." There wasn't enough specifics in that statement. I called
5 him. I left a message for him. I was down in-- the next morning I
6 was down in-- at Victory, and two days later Colonel Marcello came
7 over to see me, and told me that he was briefing General Wojdakowski
8 in an-- I think it was an interim briefing, and he wanted me to see
9 what they had accumulated thus far.

10 Q. Sure.

11 A. Showed me some of the pictures.

12 Q. Sure.

13 Q. And I still didn't know what to say to him. It was I
14 called out to-- it was worse than I had-- could ever imagine. It's
15 still too difficult for me to think that soldiers would have done
16 some of things that were photographed.

17 Q. Okay.

18 A. I called out to Colonel Phillabaum. He'd been over the
19 same day that I got the email from Colonel Marcello. Colonel
20 Maddocks called me up at Ashraf and he said----

21 Q. Your XO?

22 A. My XO. And he said, "I have Colonel Phillabaum and Colonel
23 O'Hare in the office, I'm afraid this isn't good news. There's been

1 some-- there's an investigation going on at Baghdad Central." I
2 said, "I'm aware of it, and it's an investigation so I don't want you
3 to talk about it on the phone, but what's Colonel Phillabaum say?
4 So, he said he didn't know anything about it. It wasn't that he was
5 not giving you information, but it's-- as far as what he could tell
6 me it's really bad and I said okay I got an email from Colonel
7 Marcello the CID commander so I know that it's still an open
8 investigation."

9 Q. Did General Sanchez call you, or did you call him?

10 A. He did not.

11 Q. He did not. Did you inform General Diamond of this events?

12 A. I did not.

13 Q. You did not?

14 A. And I did not because Colonel Marcello made it very clear
15 that it was an open investigation and that General Sanchez was
16 briefed about it and General Wojdakowski was briefed about it.

17 Q. Who directed you or if you took the initiative of
18 suspending Lieutenant Colonel Phillabaum and Captain Reese?

19 A. General Sanchez called me into his office that afternoon.
20 I saw Colonel Warren outside and he said General Sanchez is really
21 upset about the investigation. And he said, "I don't really know
22 what action he's going to take." And I said, "Well I was scheduled
23 to go out there, so I'll just hold off until he tells me what he

1 wants me to do." So, when I went in to see him he said, "I want you
2 to do an assessment of their leadership abilities and make a
3 determination if they're able to hold leadership positions." And and
4 I-- I said, "I can go out to Baghdad Central first thing in the
5 morning. I can spend the day out there, or three days out there. As
6 you know sir, you're FRAGO sent my up to Ashraf and I don't know if
7 General Surgeon has any plans for any kind of activities up there I
8 don't' want to throw anything off track inadvertently." And he said,
9 "Do you want me to tell you what your priorities are?" And I said,
10 "No, sir. I understand priorities, but I didn't want to disrupt any
11 of those-- since that-- that direction is coming from the SECDEF's
12 office, I didn't want to disrupt any of those plans."

13 Q. Sure.

14 A. So he said, "No, there's nothing scheduled. Just go out to
15 Baghdad Central." So, I did. Spent the day out there and the next
16 morning out there, and spoke to the people that were running the
17 cellblock then-- and I've been out there many times and we discussed
18 some of our concerns. Sat down and discussed with Colonel Pappas in
19 November and about some of the concerns and the procedures and the
20 manpower drain of running the interrogation cells the way he wanted
21 them run.

22 Q. Sure.

1 A. And the reason I remember it very specifically was because
2 we sat down and spoke. It was Major Williams, his deputy; one of the
3 captains, Captain Wood-- there was two Captains, Colonel Pappas, and
4 I had maybe my Operations Officer with me and two are three people.
5 And he wanted to speak to me about the four people that the MI
6 Brigade was being tasked to provide to cover a tower for force
7 protection.

8 Q. Okay.

9 A. And he said, "Those four people will have a tremendous
10 impact on the interrogation operation." And I said, "Well, it's not
11 like you're running through this thing rapid speed anyway, so-- I
12 mean slowing it down you're gonna stop it." He said, "Exactly," and
13 I said, "This is a tower that affects your soldiers. It's for
14 soldiers. I mean I've got more than 85 that are involved in internal
15 security." He said, "It's very difficult to provide those four
16 soldiers," and I said, "I'll think about it." But----

17 Q. Those were four MI soldiers?

18 A. Four-- it didn't have to be MI soldiers, no sir.

19 Q. Okay.

20 A. It could be four soldiers. Could be clerks, cooks,
21 drivers, whatever.

22 Q. Anybody, okay.

1 A. So, umm, and I-- I actually said that to him, you know,
2 "Give us your cooks," and he said, "Well then the mess hall won't
3 operate as well." So, I left and when I came back not only was
4 Colonel Pappas the FOB Commander, but somehow all of these assets for
5 him to operate Abu Ghraib prison as an FOB fell from the sky. He had
6 a LRS Battalion, he had two Infantry Platoons, he had an Engineer
7 Company minus one platoon, and I saw him out there maybe four days
8 after I came back and he said and I said, "Gee it seems like those
9 four weren't a problem after all." And I said, "But you're going to
10 get a request from us to be exempted from the internal taskings,
11 because I counted and I got 83." And he said, "Ma'am, I counted and
12 I got a 121." And I said, "That's a whole MP company doing nothing
13 but force protection, and escorting contractors around so, we're
14 gonna have to get out of the business of doing some of the other
15 things for your interrogation operation specifically."

16 And he wrote a memo up in December that said, "I'm very
17 concerned about the security posture out here the MP's have-- are no
18 longer escorting detainees going through the interrogation process.
19 We've had to take that on. We tried to implement all the measures to
20 make cellblock 1A, and 1B specifically an MI operation." Those kind
21 of things. And it really was a memorandum for record as much as it
22 was a request for additional help out there at Abu Ghraib. So when--
23 when this whole situation came to light consistently out at Baghdad

1 Central I was hearing, "Well we couldn't by and check that cellblock
2 anymore because the MI people said that it wasn't "our" operation."
3 Colonel Jordan had exclusive rights of escorting us if we wanted to
4 go in. We had to take permission from Colonel Jordan. And it was
5 consistent with an incident that occurred in November, I believe when
6 a handgun found its way into the cellblock, and as soon as it
7 happened and we heard about it I called out to Major Dinenna out at
8 the 320th and I said, "Get us an SIR. Get us one immediately while
9 the information is fresh." And he said, "Ma'am, Colonel Jordan has
10 issued a "gag" order for the MP's. They can't even give me a
11 statement." And I said, "Bullcrap that's not-- I mean there still my
12 MP's. Get a statement so we can publish an SIR. This is a serious
13 infraction." So Colonel Jordan called me back and said, "Ma'am, I
14 just want to make sure." I said, "MP's don't operate that way. I
15 want the information. I want the facts, and you don't have any right
16 to impose a "gag" order." And he said to me, "Well they're-- they're
17 TACON to us so, we really own the MP's." And I said, "I'm not
18 debating now but I'm going to get the SIR if I have to come out there
19 and get it myself." So they sent an SIR shortly after that, but it
20 gave very broad statements. Very generic because they weren't
21 certain on actually how it happened. And then when I was out there
22 the next day Colonel Jordan specifically looked for me and told me
23 his version of what happened. And I'm not questioning Colonel

1 Jordan's honestly or validity or anything. I'm sure what he was
2 doing at that time was something that he was either being told to do,
3 or thought was the right thing to do. But the version that he gave
4 me was when he said, "I was there when it happened, so I know this,
5 this, and this took place," was not exactly what the CID
6 investigation eventually showed. So, there was disparity between the
7 two reports.

8 Q. Now that-- that happened sometime in November, and I
9 believe Colonel Pappas had received a FRAGO appointing him as the
10 Forward Operating Base Commander.

11 A. Right.

12 Q. And I believe the specific instruction was that all tenant
13 units would be TACON to him for security detainees and force
14 protection. Was that conveyed to you previously, or did you----

15 A. No, sir.

16 Q. Your S-3 mentions that to you-- so you had no knowledge of
17 that particular directive or fragmentary order from CJTF-7?

18 A. No, sir.

19 Q. Had no warning.

20 Q. Okay. So when you found that out did you go back to
21 General Wojdakowski or General Miller to question that FRAGO?

22 A. I did, and General Wojdakowski was on Emergency Leave at
23 the time. I believe his father was either in the hospital, or had

1 passed away at that point, and I went to General Miller. General
2 Miller was not there for two days, and I don't know why I don't
3 really recall, but somebody said, "General Fast is the one who had
4 that FRAGO cut. You might want to go and talk to her." So I did.
5 And I said, "Ma'am you have a second? I just want to know about
6 the-- Colonel Pappas being appointed as the FOB Commander." She
7 said, "It's done." And that was as far as the conversation went.

8 Q. Did you go back to General Sanchez to seek clarification on
9 anything that constrained-- or limits of TACON, because as you know
10 TACON doctrinally says that the gaining unit, being that of the 205th
11 MI Brigade, will establish priorities over all of the tenet units
12 that associated with that?

13 A. I went to Colonel Pappas first to get clarification. I
14 still at that point had not seen the FRAGO.

15 Q. Okay.

16 A. That is what I asked for when I went to General Miller's
17 office.

18 Q. Okay.

19 A. And they didn't have a copy of it. Wasn't that they were
20 unaware of it they heard something about. I don't know if its been
21 published yet. It still might be in draft, and they had it. I
22 believe that General Fast picked it up off of her desk. She picked a
23 piece of paper up and I don't know if it was the FRAGO or not.

1 Q. Do you have any knowledge of what might have precipitated
2 that?

3 A. Have no idea.

4 Q. Okay. Could have been that when General Sanchez had
5 visited the facility; I think with you back October sometime that he
6 might have discussed with you about the force protection posture at
7 the facility?

8 A. No sir, he did not. He-- what he said to me then during
9 the briefing he said, "Where's the Civil Affairs in this?" And I
10 said, "Sir, the Civil Affairs commander told me himself that his guys
11 where not going outside the wall." "Why not?" He said, "It's to
12 dangerous." He said, "Who's the Civil Affairs commander?" I said,
13 "That's Colonel Reagan." And he said to his aide, "Get him on the
14 phone." And he left the briefing when Colonel Reagan was on the
15 phone and he walked out of the room went to the phone and we could
16 hear him. And he was saying, "Do you understand? You have this-- is
17 this clear? You get your Civil Affairs out-- you're supposed to be
18 working in the community this is a Civil Affairs function." And we
19 all heard his side of the conversation. But I saw Colonel Reagan
20 that night at the CJTF-7 Headquarters and he said, "We're not going."

21 Q. Okay.

22 A. And he-- he-- he had made-- had his aide make two-phone
23 calls. One was to the Civil Affairs commander, and the other one was

1 to General West who was the C-4. And he said, "What the hell is
2 going on out here? Why haven't you given any support? Why aren't
3 you-- have you been out here? I want you to get out here as soon as
4 you can." And I saw General West either that night, or very early
5 the next day, and he said that they were going to go out there and
6 that they were going-- and that was delayed because General
7 Wojdakowski formed that-- like a "Task Force."

8 Q. Okay.

9 A. And had the Engineer-- the C-4, the C-3, everybody in there
10 from the staff and said, and he told me-- and he said in front of
11 them, "As I've told you before we can't give you anything because
12 you're TACON."

13 Q. Okay.

14 A. "But we're going to change all that. We're going to make
15 Abu Ghraib an enduring camp, and we're going-- that'll open up the
16 doors." So after that meeting General West said to me, "We'll be
17 able to do-- I mean there's going to be more activity out there than
18 you can imagine. There's going to be contractors who are going to
19 do-- get a DFAC out there. We're going to go out there-- if your S-4
20 can give me a call, we'll set up a time when we can go out there, and
21 we'll walk the ground." And they did.

22 Q. Prior to-- prior to that-- that mission was given to the
23 800th MP then relegated to the 320th MP Battalion to conduct operations

1 I believe after you assumed command of the Brigade on or about July.
2 What was the intent then that you understood of why you were provided
3 that mission set at the Abu Ghraib prison site?

4 A. We needed a location to build another internment facility,
5 a north internment facility because at that time it was no longer an
6 EPW, Third Country National, IR mission, Internment Resettlement
7 Operation. It was a Iraqi Civilian Criminal Confinement mission.
8 So, the original idea was that they would relocate the remaining
9 several hundred prisoners up to Baghdad because they were General
10 Officers, and Freedom-- Foreign Fighters, and Third Country
11 Nationals, and there was really only about 300 of them. And the idea
12 was that they would relocated north because that was the focus of the
13 operation at the time. And Bucca was 12 hours away at its earliest.
14 We were using Bucca almost at that point almost primarily as a place
15 to push detainees from Cropper because Cropper was overcrowded, but
16 Baghdad Central was intended and discussed and approved as an interim
17 facility only for many reasons. It was extremely controversial
18 because of the hanging, and the torture chambers that were there. It
19 was well known for its horrible procedures for its overcrowding
20 conditions, and of course for, you know, reports of----

21 Q. Sure.

1 A. ----60,000 people being hung there. It was very heavily
2 looted. The only place that really was untouched unfortunately was
3 the hanging chamber, and the torture facilities. The rest of it
4 was--the infrastructure was pulled out. There was rubble that was
5 literally knee deep. Concrete, glass, wire, rubble, re-barb,
6 everything. And the 72nd MP Company, which is a Las Vegas National
7 Guard Company, moved into that facility at the direction of the 18th
8 MP Brigade who was their headquarters at the time. When we got there
9 in July, I saw a Company Commander and his First Sergeant who
10 relieved to see somebody come to visit them. Come to tell them,
11 "We're going to take care of you." Because up until that time they
12 hadn't seen the 18th MP Brigade Commander, and there only recollection
13 of seeing the Command Sergeant Major was when he stopped by and
14 managed to tell a soldier that his sleeves were too short on his
15 uniform.

16 Q. Okay.

17 A. And we walked through that facility and I said, "There's no
18 way that you can make this into a prison. And he said, "Ma'am, if
19 you'll give us support, come back in two weeks and you'll see what
20 the soldiers have done. We already have a plan." So I said, "I'll
21 give you all the support you need, but I'm not even sure we're going
22 to be able to use this facility." And I think at that time they were
23 holding a few of the Division 1st AD, or-- I think it was 1st AD that

1 was there at the time, or maybe 3rd ID, a few of their soldiers, not
2 more than 20-- uh prisoners, not more than 20. So, what they did was
3 clean up a couple of the cells, and they were holding them there. I
4 went down to CPA, met with the subject matter experts down there at
5 CPA, and I said, "What is the plan?" And Lane McCotter, Bill Irvine
6 was the senior guy there at the time, Lane McCotter was one American,
7 and Gary Deland was the other one. And they said, "Well, we're
8 probably not going to be able to use it because of that "Hanging
9 Chamber," and the reputation." And I said, "Well who's going to make
10 a decision because I have an MP Company out there and another
11 battalion coming up.

12 Q. Was the 72nd assigned to you at that time? They were still--
13 - they were assigned to the 18th?

14 A. They were assigned to the 18th, yes sir, and so was the 400th
15 MP Battalion.

16 Q. Okay.

17 A. And then at the TOA when we moved up to Baghdad they were
18 reassigned under the 18th-- 800th MP Brigade. So, we worked through
19 this process through this CPA and it was like I said it was extremely
20 controversial, and at one point the Deputy Secretary of Defense,
21 Wolfowitz, said, "I can't be convinced," and Secretary Rumsfeld said
22 the same thing, "Find another place. And this isn't going to work."
23 And what Bill Irvine did was go to Ambassador Bremer and I was in the

1 briefing when he provided it to Ambassador Bremer and he said, "It's
2 only an interim facility. It is the only maximum security facility
3 we have in Iraq, and really we can't even consider it a maximum
4 security prison, but it's the only place we have to hold large number
5 of people until we get the new building built." And he said--
6 Ambassador Bremer said, "When do you plan to build a new one?" And
7 he said, "We already have the location it's Kenbodesatt and we might
8 be able to save some of that building that's over there on those
9 grounds, but there's squatters there now huma, huma, we have to take
10 care of that." And he said, "Well Judge Campbell was from the MOJ
11 wasn't-- he was on board but he wasn't-- he was still kind of sitting
12 on the fence because he wasn't sure how the-- the tide of approval
13 was going to go. So, they-- Judge Campbell and I believe Colonel
14 Warren, and Sandy Hodch-- Hodchins, or Hod-- Hutchinson-- Hutchinson
15 from-- USAID. Actually she works for State Department, but she does
16 humane programs and things. They went out there because a press
17 conference was scheduled for whatever day it was-- and it was
18 scheduled for Wednesday. They went out there on-- they were planning
19 to go out there Tuesday afternoon because she was never convinced--
20 she was adamantly opposed to it, and she was holding a key vote. So,
21 they said, "The last time you saw it it really looked horrible. It
22 looked like everything you would imagine a torture chamber to look
23 like, but it's better now. And there's an MP unit out there, and

1 just come back out and take a look." And we-- one of the
2 requirements that they, she and here group of people had was that it
3 would somehow be isolated from the rest of the prison before they
4 would even go out there and discuss using Abu Ghraib as a facility.
5 So, we had this wall constructed that was cinderblock and it was 20
6 feet it covered the other sides of this torture chamber location and
7 sectioned it off. It is almost like a small museum area. The didn't
8 go out on Tuesday afternoon, they went out on the morning of the
9 press conference, and she took one look at it and she said,
10 "Absolutely not. I do not want to be painted with the same brush as
11 all you." And she left, so they all left. So Judge Campbell came
12 back and he said, "We're going to have the press conference, and
13 we're going to go ahead and use the facility, but it is an interim
14 facility. Not more than three years. We've got to get-- we've got to
15 break ground, and we have to get under way with the new facility at
16 Kenbodesatt, or wherever else it's going to be." So I said, "What
17 happened?" and he told me that story. So, he said, "But we're still
18 going to have the press conference and I don't think Sandy is going
19 to come, but you're going to sit next to me." And I mean-- and-- and
20 there was a-- an Australian SJA that was there also because he
21 understood the circumstances. They did this-- he-- Judge Campbell
22 did most of the talking. They-- he said, "We're going to use it as
23 an interim facility. We have the approval from Ambassador Bremer,

1 and you know, all the way up to the State Department." And that was
2 the end of the press conference. So-- and Judge Campbell and Lane
3 McCotter, and Bill Irvine, anytime they talked about Baghdad Central-
4 - Abu Ghraib, because it was still Abu Ghraib at the time, it was the
5 interim facility at Abu Ghraib.

6 Q. With that-- based on that circumstances then, fast
7 forwarding here, did you receive and order then from CJTF-7 to
8 establish your presence at Baghdad Central by tasking the 320th MP
9 Battalion to assume command and control of that facility?

10 A. No, sir. What we got was a TOA Order that said the 800th MP
11 Brigade will come to Baghdad and relocate to Baghdad and be
12 responsible for confinement and corrections operations for Iraq.

13 Q. How did-- how did the 320th come about assuming the mission
14 there at Baghdad Central?

15 A. They were-- that was a decision that was made before I even
16 took command when they were talking because General Hill knew that
17 the unit-- the 800th was going to become responsible for the
18 corrections mission.

19 Q. Okay.

20 A. So they put a plan together on which battalions would move
21 north; one to secure the MEK, one to go up to Mosul, one to go up to
22 Baghdad, etcetera. At the facilities that we knew existed at the
23 time.

1 Q. Those were already determined prior to your arrival to take
2 command?

3 A. Yes, sir.

4 Q. Okay. Then given that-- those circumstances again, were
5 there any specific instructions given to you by CJTF-7 to assume
6 command and control, and start building that into a an interim, as
7 you say, facility that would-- could handle additional detainees?

8 A. No sir, but what they said was they wanted-- General
9 Wojdakowski said what he wanted was a confinement and internment
10 facility. Concertina wire. And if Baghdad Central provided a "wall"
11 and a place where we could do that that was fine. "How much can you
12 get?" So, Ecke-- Colonel Ecke who was my Deputy at the time, he went
13 out there and uh, you know, said that we could probably get about
14 4000, and it would require----

15 Q. Four thousand what-- 4000 detainees?

16 A. Four thousand detainees, in the regular blueprint if you
17 will, of a design for an internment resettlement camp. So, that
18 meant we had to get engineer support. We had to get building
19 equipment. We had to get all those things. And it was originally--
20 I wasn't here for this, but I heard all of the stories of how long it
21 took to get those building materials to Bucca. So, now we were going
22 even farther north and rails were-- CONEX's on rail were being
23 looted. Transportation was a problem. All of those things, as

1 you're well aware. So, Colonel Ecke was at Abu Ghraib and managing
2 that project, but I had a different opinion on what Colonel Ecke
3 should be doing at an internment resettlement operation. He was
4 running Camp Bucca, and he-- he was going-- it was doctrine according
5 to Colonel Ecke. So the processing line, which should have been part
6 of the battalion's responsibility, was not. They-- I mean he was the
7 Battalion Commander because that was a comfort zone apparently for
8 him. So, when he came up to Baghdad Central-- when he came up to
9 Baghdad, I sat down with him and I told him, "You're going to be the
10 Deputy. That means you do logistics. You do coordination. I want
11 you involved with the staff. I do not want you to camp out at
12 Baghdad Central because the 320th MP Battalion is going to be in
13 charge." But-- but-- I mean I heard all of the arguments from him
14 and he continued. And every time I saw him trying to drift back to
15 taking control of that operation I'd pull him back into the TOC and
16 remind him again what his responsibilities were. Then he said he
17 thought that he could do a lot of good down at CPA working with
18 reconstruction of the jails and the prisons. So I said, "We can talk
19 about that because that's a good idea." And I said, "Because
20 Tasferat Rusafa nobody has power. Nobody has plumbing. Nobody has
21 the logistical supplies, and you do all of those things well. So,
22 occasionally you can go by and check on how progress is coming along
23 at Baghdad Central." So, that worked out well, and Colonel Ecke if I

1 was going to fault him for anything during that time it was that he
2 probably campaigning for a civilian job with the Prisons Department
3 down there, but not the distraction of what he doing. So, I'd have
4 to say that he was out on the road at 7:30 every morning, and he
5 usually didn't' come back until 1700 or so, and they were full days.
6 And I made him give me a status report. And I made him give me an
7 update, so I knew that he was out there doing the things that he was
8 supposed to be doing or at least he was reporting the things that he
9 was doing that he was supposed to be doing. And-- and-- and Colonel
10 Ecke I had too-- I really had to kind of keep him in a narrow
11 corridor because soldiers were-- their morale was not effective
12 positively by him. Early on he told everybody that-- you know he was
13 going to stay as long as he could and so they might as well get used
14 to fact that they might be here longer than a year. And "I been at
15 this for a year already, and this is my second year and if I can turn
16 in." You know, those are the kind of things are the kind of things
17 he said and it scared soldiers, and I know that because everywhere I
18 went, soldiers told me they were scared by that prospect.

19 Q. But did you understand though that there was that potential
20 that they were going to be extended anyway?

21 A. At that time we did not. Because I went to General Kratzer
22 and I said-- the first thing I said to General Kratzer after I said,
23 "I'm glad to be here," and everything else, but right after the

1 change of command ceremony I went into him and I said, "This is not
2 what the battalion's are set up to do. I mean this is a confinement
3 operation so we're gonna need help." And he said, "I know that this
4 is not what your mission is. It's not your doctrine, but it's closer
5 than anybody else, and the 18th MP Brigade doesn't want anything to do
6 with it, so you guys got it. And we'll give you all the help that we
7 can, but CJTF-7 is gonna-- you know, kinda carry the ball for you."
8 And we talked about a couple of other things. About the length of
9 the deployment, and I heard at that time that the-- the "mark on the
10 wall" was 10 months and 8 days. And it was repeated again you know
11 in so many different locations that, "10 months and 8 days. What's
12 the 8 days? The 8 days is the out processing once you get down--
13 back to your mobilization station." So, I went to all of the
14 locations and took-- talked to all of the units and told them. Again
15 I heard from the soldiers, "We were briefed at the mob station it was
16 gonna be six months are less. We didn't come prepared." And I said,
17 "What are-- what do you orders say?" And there was a variety of
18 orders. Some said, "Not to exceed 179 days." Some said, " Not to
19 exceed 365 days." Some said, "Until relieved till-- to come back."
20 Some of the units had been deployed already to Bosnia, or Afghanistan
21 with that count, and I mean my Command Sergeant Major at the time was
22 Clement. We were making lots of notes with full intentions of getting
23 answers. And we went to CJTF-7, and Command Sergeant Major Clement

1 came back to Arifjan to get answers to those questions and others,
2 but for clarification on this move to Baghdad. And people kept
3 repeating 10 months, 8 days, 10 months 8 days. No, it will be more
4 than that. And then we heard 365 days, "Boots on the ground. Plan
5 for a year. Will some units have to stay longer? Absolutely." And
6 I would say to them, "There is no unit listed right now to stay past
7 365 days; however, let me make you aware, and case you are not, there
8 is a shortage of military police units in the system. With the
9 deployments to Afghanistan and Bosnia, and over here, they are
10 critically short. So, if units are going to be selected there is a
11 chance, equal to every other unit over here, that you'll be extended
12 past 365 days." People-- soldiers cried. They weren't prepared for
13 this. They-- and-- and I had a-- an NCO at Bucca who stood up and he
14 said, "Ma'am don't worry because it's really only 2 more months than
15 the 10 months we were planning to stay so, if everybody here just
16 keeps that in perspective." And I really wanted to hug him because I
17 said-- and I told him, "You know what, that's a great perspective,
18 and I appreciate that and I'm going to use that when I talk to
19 soldiers because you're right 60 more days is a small chunk compared
20 to what you've already been here for." And I said, "That's really a
21 brilliant perspective." So, what the objective was to talk to all of
22 them. To tell them to put their fears to rest as much as we could.
23 Well, unfortunately the inevitable happened and people discovered the

1 medical channels. They discovered that they could go report a back
2 pain and get medivaced to Lungsthul and from there they fell into a
3 black hole. And I remember the report it was on 9 September my
4 surgeon at the time asked for the printout of how many soldiers we
5 had in all of our units that had been-- were removed from the theatre
6 for medical reasons and it was 2 and ½ pages long on lines that look
7 like one of those messages. I mean there were so many lines on each
8 page and I said, "You have-- I looked at him and I said you have got
9 to be kidding me." And he said, "Well if you go down the whole list
10 you'll find out that three of them came back, but the rest of them
11 are losses. And I said, "This is September I don't know if we can
12 keep doing this."

13 Q. Well I think it's understood though General Karpinski, that
14 there's a war that's going on and I know there's major concerns, but
15 then at the same time the concerns of your soldiers was no-- any
16 different from the concerns of the other soldiers who were here
17 longer.

18 A. Yes, sir.

19 Q. Let me kind of focus a little bit. What instructions did
20 you give Colonel Phillabaum with regards to his mission at Abu
21 Ghraib, Detention Operations, improving quality of life facilities,
22 things of that nature, his rights and left limits, did you give him
23 any specific instructions in that regard, and you've also got MI

1 units there. This is all prior to Colonel Pappus taking over and how
2 that seemed to be accomplished?

3 Q. The MI units that were there at the time were really teams.
4 They were interrogation teams and we had the 72nd MP Company out there
5 and they were living in the warehouse and the 320th MP Battalion. And
6 Colonel Phillabaum was-- he was a reluctant participant. He didn't
7 want to move up from Bucca. They were still in the throws of the
8 investigation with the prisoner abuse down there. And I said, "Time
9 is past for that discussion. That is when you were notified that
10 your Battalion was going to move north, so this is what we need to
11 talk about, and when you get there establish the LSA. There's a
12 couple of opportunities there's a room where the warehouse is.
13 There's a separate building. You walked the ground up there do you
14 recall any of this?" And he said, "Well, I'm going to wait until I
15 get up there with the Sergeant Major." And I said, "I'll meet you
16 out there give me a call." He met Colonel Ecke----

17 Q. He was still at Camp Bucca at the time?

18 A. He was at Bucca.

19 Q. So, there was no members of the 220th MP Battalion up at Abu
20 Ghraib?

21 A. There was an advance party, and I don't really know who
22 they were sir, but there was about six of them and they went up there

1 as an advance party. And Colonel Ecke met with them. Walked to
2 grounds with them.

3 Q. Okay.

4 A. The 72nd MP Company Commander took them around. Got them
5 inside the warehouse. They were setup, and Colonel Ecke was working
6 on getting not only the building materials, but everything setup for
7 them supply of MRE's, the water, whatever they needed that they could
8 provide. Then the MP Battalion moved north in July, or maybe the
9 first week of August timeframe, and setup at Abu Ghraib, went out
10 there two days after they arrived, Colonel Phillabaum came into the
11 TOC as soon as he arrived, and he said----

12 Q. Your TOC?

13 A. Into my TOC. He said----

14 Q. At Camp Victory?

15 A. At Victory. At Gotham Island. I don't believe we're going
16 to move into the warehouse. We're going to use one of those other
17 LSA's. And I said, "You might want to move into the warehouse, and
18 clean up the LSA's." He said, "Soldiers want to be separate and
19 apart from 72nd MP Company." I said, "You know there's no running
20 water anywhere up there for latrines. "We've got it under control.
21 Colonel Ecke is going to get latrines on a the leading edge of the
22 ones we're going to need for the compounds anyway." And I said, "I'd
23 like a back brief on where you're gonna put soldiers, where you're

1 gonna setup your TOC," and-- and he did that. I went out to Baghdad
2 Central and he had some chairs setup in the other warehouse, the
3 adjacent warehouse. Have you been up there, sir?

4 Q. Yes, several times.

5 A. So, you know where the 320th is now and the other warehouse
6 for the 82nd, and it now has the partitions up, that's where the 72nd
7 was at the time. So, in this warehouse just inside the door, he had
8 some chairs setup there, and he did the briefing. And the schematic
9 that he had of how he was going to lay out the TOC looked really
10 good-- looked-- I mean it looked certainly acceptable. I asked him--
11 you know-- did they prefer to be inside as opposed to outside,
12 because at that time it was about 140 degrees just in that warehouse.
13 Said he did because of the mortars and the RPG's, and small arms
14 fire. I said, "Okay." And then actually when they got setup, it was
15 different from how they had originally planned. And several times
16 subsequent to that I said to Colonel Phillabaum, "You're sitting in
17 the middle of your orderly room. You need a separate office." And
18 he said, "Well, they're working on the area over here and I don't
19 want to disrupt the progress." And I said, "Well the MI folks look
20 like they're making progress over there." And he said, "Well they
21 decided you know-- we were pushing all the re-barb and everything and
22 they decided to clear it all out so, they had really done all the
23 work, that's going to be their area."

1 Q. So, there are two separate elements building up there own--
2 and-- and you reasonably assume that really nobody was in charge of
3 setting up the base operations there and that your-- the
4 responsibility was just to create a detention facility compound and
5 to include that in the hard site as well?

6 A. The hard site was not open at the time.

7 Q. Okay.

8 A. it was-----

9 Q. That was later?

10 A. It was much later, sir.

11 Q. Okay.

12 A. There-- there was-- those detainees that they had, the 72nd
13 had a few detainees from the division there weren't even detainees
14 there at this time.

15 Q. Okay.

16 A. So, they were getting setup to be able to execute
17 confinement operations when they started. And there was nobody--
18 there was no work-- I think they may have started cell block 1A, and
19 1B, under contract at the time, but there was no other work going on
20 there. And Colonel Phillabaum was really working focusing on the LSA
21 and getting these "huge" mounds of rubble at least pushed out. And
22 practically daily having to escort people that wanted to come out

1 there and see the facility and wanted to see that Hanging Chamber
2 and----

3 Q. But-- but he was doing detention operations?

4 A. There was no detention operations being conducted.

5 Q. Just cleaning up the mess, okay. When did he assume on or
6 about, detainee operations?

7 A. Well, he was going to be responsible for detainee
8 operations, but they had to build the internment facility so there
9 focus was, "Let's get the building equipment up here so we can build
10 the interment camp.

11 Q. Okay.

12 A. So the engineers got there. They brought all their
13 equipment. They did all the grading and everything, and I think it
14 was the 94th Engineers, and they came out and they had three weeks to
15 do it. We visited the grounds with Mr. Demillo who's the-- the
16 gentleman in the United Nations who lost his life when that was
17 bombed originally, Ambassador Bremer, General Haun, who is the Chief
18 of Staff at the time, Ambassador Slocumb, and we walked the grounds
19 and they saw what the engineers were doing. They saw what the plan
20 was, and Mr. Demillo asked when we were going to take the first
21 prisoner, and we told him probably the beginning of October. So, he
22 said, "Fine." He understood how difficult this was out there and
23 everything, and how controversial, but it really was the only

1 facility that we could use. Had they started building Kenbodesatt?
2 And I said, "No sir, they haven't because it's really a CPA mission,
3 and they haven't removed the squatters yet." "You still have
4 squatters there?" And I said, "Well they had 300 originally and now
5 I understand there's more than that." So, he said, "Let me see if we
6 can help."

7 Q. Did you understand the mission at Abu Ghraib to be a
8 priority mission for CJTF-7 as directed by CPA? Was that understood
9 by General Sanchez?

10 A. Mister-----

11 Q. Because what I'm trying to get is you were getting either
12 some direction from CPA, or some direction for CJTF-7, so I'm trying
13 to discern your relation whether you were reporting to CPA, or you
14 were reporting to CJTF-7?

15 A. We were getting no instructions from CJTF-7 at that time.

16 Q. Okay.

17 A. We were down at CPA because Command Sergeant Major Guyette,
18 from the 18th MP Brigade on regular MP patrols, because they were
19 responsible for Baghdad and to 1st AD, so when they were out doing MP
20 patrols, they would see a building that used to be a prison or a
21 jail, and they would get Mr. McCotter, Lane McCotter or Gary Deland
22 out there to look at it and they'd say, "This is another facility