indicated that the interviewers doubted the truth of these claims. The OSC
told us he did not recall hearing about this allegation, but that he probably
did and would not have believed it, based on the OSC’s own experiences in
Afghanistan. We concluded that this allegation was not elevated further
because the agents at GTMO (including the OSC) did not find it credible.

We believe that the OIG did not receive an FD-302 summary for every
claim of mistreatment that a detainee made to an FBI agent. There were
several reasons that some allegations were not reported contemporaneously
in the interview summaries. Some agents told us they did not recall getting
instructions about what steps to take if a detainee made a claim of
mistreatment. In other cases, the agent believed that the alleged conduct
was consistent with military policy and therefore did not need to be
reported. Further, some agents reported that their OSC specifically
instructed them not to include allegations of abuse in their FD-302 reports.

D. Referral Back to the Military

The FBI and DOJ generally did not consider themselves to have
jurisdiction over detainee claims of abuse by interrogators from other
agencies in the military zones. Although some FBI agents understood that
they should report incidents of detainee mistreatment to their supervisors or
record detainee allegations of abuse in their FD-302 interview summaries,
we found no indication that there was any formal procedure for
communicating the incidents or detainee claims of abuse back to the
military or of otherwise following up on such claims until after the Abu
Ghraib scandal became public.¹⁵⁹

On July 14, 2004, the FBI referred three particular incidents to the
military for “appropriate action”: the thumb-bending incident witness by
SSA Brett (described in Section II. A of this chapter), the duct tape incident
witnessed by SA Lyle (described in Section II.J of this chapter), and the use
of a dog during the interrogation of Al-Qahtani witnessed by SAs Lyle and
Foy (described in Section II.E of this chapter).¹⁶⁰ These incidents were
referred by means of a letter from DAD Harrington to Major General Donald
J. Ryder of the Army Criminal Investigation Command. The incidents
reported in this letter involved matters personally observed by FBI agents in
the fall of 2002, nearly 2 years before the letter was sent. In selecting which

¹⁵⁹ Military personnel had access to the FD-302 interview summaries, some of
which were prepared jointly by FBI and military interrogators. However, such access was
primarily for the purpose of developing intelligence or evidence rather than for seeking out
or tracking allegations of detainee mistreatment.

¹⁶⁰ The FBI also referred several allegations of detainee mistreatment by FBI agents
at GTMO to the OIG for investigation. These are addressed in Chapter Eleven.
incidents to refer, the FBI excluded incidents involving techniques such as stress positions that the FBI believed were approved under military policy. Harrington told the OIG that although there had been prior discussions of these incidents with the military, the FBI was concerned that the incidents had not been formally reported to the proper personnel.

As detailed in Chapter Six, during July 2004 the FBI surveyed approximately 500 employees who served at GTMO to determine the extent of the FBI’s knowledge of aggressive interviews of detainees. In September of that year the FBI conducted several follow-up interviews. FBI General Counsel Valerie Caproni forwarded the results of the survey and the interviews to John H. Smith, Deputy General Counsel for the DOD. Caproni’s letter stated:

Our initial evaluation [of the results of the GTMO inquiry] was that no employee reported conduct appropriate for referral (either because the conduct appeared to be within the techniques authorized for Department of Defense employees or because the employee had insufficient factual detail on the reported incident). Nonetheless, all affirmative responses to the survey are attached for any follow-up investigation the Department of Defense deems appropriate.

We did not attempt to ascertain what action the DOD took in response to Caproni’s letter.

In August 2004, the FBI Assistant General Counsel assigned to GTMO reviewed FBI interview summaries (FD-302 Forms) and relayed any allegations of abuse contained in them to FBI Headquarters and to the legal and command elements of the military at GTMO. As discussed in Chapter Six, in February 2005 the FBI established a formal process for reporting any such allegations to the military and, in the case of allegations against FBI agents, to the OIG or the FBI Office of Professional Responsibility.

IV. Conclusion

The most commonly reported technique used by non-FBI interrogators on detainees at GTMO was sleep deprivation or disruption. Numerous FBI agents told the OIG that they witnessed the military’s use of a regimen known as the “frequent flyer program” to undermine cell block relationships among detainees and to disrupt detainees’ sleep in an effort to lessen their resistance to questioning. A few FBI agents participated in this program by requesting military officials to subject particular detainees to these frequent cell relocations. Other FBI agents described observing military interrogators use bright lights, loud music, and extreme
temperatures to keep detainees awake or otherwise wear down their resistance.

Prolonged short-shackling, in which a detainee’s hands were shackled close to his feet to prevent him from standing or sitting comfortably, was another of the most frequently reported techniques observed by FBI agents at GTMO. This technique was sometimes used in conjunction with holding detainees in rooms where the temperature was very cold or very hot in order to break the detainees’ resolve. “Stress positions” were prohibited at GTMO under DOD policy beginning in January 2003. FBI agents’ observations confirm that prolonged short-shackling continued at GTMO for at least a year after the DOD policy prohibiting stress positions took effect.

FBI agents also observed the use of isolation at GTMO, both to prevent detainees from coordinating their responses to interrogators and, in its most extreme form, to deprive detainees of human contact as a means of reducing their resistance to interrogation. We found that, in several cases, FBI agents participated in interrogations of detainees who were subjected to prolonged isolation by the military.

In addition, FBI agents reported a number of other harsh or unusual interrogation techniques used by the military at GTMO. These incidents tended to be small in number but became notorious because of their extreme nature. They included using a growling military dog to intimidate a detainee during interrogation; twisting a detainee’s thumbs back; using a female interrogator to touch or provoke a detainee in a sexual manner; wrapping a detainee’s head in duct tape; exposing a detainee to pornography; and wrapping a detainee in the flag of Israel.

We examined how reports from agents regarding detainee treatment at GTMO were handled by the FBI. In addition to the reports addressed in Chapter Five, we found that early FBI concerns about detainee short-shackling were raised with JTF-GTMO in June 2002. However, FBI agents continued to observe the use of short-shackling as a military interrogation technique as late as February 2004. Some reports to FBI Headquarters led to instructions that FBI agents should stand clear of non-FBI techniques. As time passed, other reports from FBI agents to their OSCs regarding military conduct were not elevated within the FBI chain of command because the OSCs understood that the conduct in question was permitted under DOD policy.

Detainees sometimes told FBI agents they had previously been abused or mistreated. FBI practices in dealing with such allegations varied over time. Some agents were told to record such allegations for inclusion in a “war crimes” file; others were told to include the allegations in their regular FD-302 interview summaries; and others told us they were instructed not to
record such allegations at all. No formal FBI procedure for reporting incidents or allegations of mistreatment to the military was established until after the Abu Ghraib prison abuses became public in 2004.
CHAPTER NINE
FBI OBSERVATIONS REGARDING
DETAINEE TREATMENT IN AFGHANISTAN

I. Introduction

Most of the FBI employees we contacted reported that they never observed or heard about any potentially abusive treatment of detainees in Afghanistan. Overall, of the 172 FBI agents who responded to our survey and who served in Afghanistan between late 2001 and the end of 2004, 118 stated that they neither observed nor heard about any of the kinds of detainee treatment described in the survey. We received similar reports during our interviews with agents who had served in Afghanistan.

Several of the FBI agents sent to Afghanistan reported that they observed or heard about various rough or aggressive treatment of detainees by military interrogators, including harsh or prolonged use of shackles or restraints, coercive use of stress positions, deprivation of clothing, and sleep deprivation by means of frequent awakenings, loud music, or lights. Table 9.1 summarizes the survey responses to our questions regarding the use of particular interrogation techniques in Afghanistan.\(^{161}\)

\[\text{TABLE 9.1} \]
Survey Results Concerning
Interrogation Techniques Observed in Afghanistan

<table>
<thead>
<tr>
<th>Interrogation Technique</th>
<th>Personally Observed</th>
<th>Observations Led Me to Believe</th>
<th>Detainee Told Me</th>
<th>Others Described To Me</th>
<th>None of the Above</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Depriving a detainee of food or water</td>
<td></td>
<td></td>
<td>1</td>
<td>1</td>
<td>185</td>
</tr>
<tr>
<td>2 Depriving a detainee of clothing</td>
<td>2</td>
<td></td>
<td>1</td>
<td>1</td>
<td>180</td>
</tr>
<tr>
<td>3 Depriving a detainee of sleep, or interrupting sleep by frequent cell relocations or other methods</td>
<td>8</td>
<td>5</td>
<td>2</td>
<td>14</td>
<td>153</td>
</tr>
<tr>
<td>4 Beating a detainee</td>
<td></td>
<td></td>
<td>2</td>
<td>3</td>
<td>178</td>
</tr>
</tbody>
</table>

\(^{161}\) For a discussion of the limitations to the interpretation of this data, see Chapter Eight, Section I.
## Interrogation Technique

<table>
<thead>
<tr>
<th>Number</th>
<th>Description</th>
<th>Personally Observed</th>
<th>Observations Led Me to Believe</th>
<th>Detainee Told Me</th>
<th>Others Described To Me</th>
<th>None of the Above</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Using water to prevent breathing by a detainee or to create the sensation of drowning</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>187</td>
</tr>
<tr>
<td>6</td>
<td>Using hands, rope, or anything else to choke or strangle a detainee</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>185</td>
</tr>
<tr>
<td>7</td>
<td>Threatening other action to cause physical pain, injury, disfigurement, or death</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td>185</td>
</tr>
<tr>
<td>8</td>
<td>Other treatment or action causing significant physical pain or injury, or causing disfigurement or death</td>
<td></td>
<td></td>
<td>1</td>
<td></td>
<td>184</td>
</tr>
<tr>
<td>9</td>
<td>Placing a detainee on a hot surface or burning a detainee</td>
<td>1</td>
<td>1</td>
<td></td>
<td></td>
<td>185</td>
</tr>
<tr>
<td>10</td>
<td>Using shackles or other restraints in a prolonged manner</td>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td>183</td>
</tr>
<tr>
<td>11</td>
<td>Requiring a detainee to maintain, or restraining a detainee in, a stressful or painful position</td>
<td>1</td>
<td></td>
<td>5</td>
<td></td>
<td>179</td>
</tr>
<tr>
<td>12</td>
<td>Forcing a detainee to perform demanding physical exercise</td>
<td></td>
<td></td>
<td></td>
<td>1</td>
<td>182</td>
</tr>
<tr>
<td>13</td>
<td>Using electrical shock on a detainee</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>184</td>
</tr>
<tr>
<td>14</td>
<td>Threatening to use electrical shock on a detainee</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>183</td>
</tr>
<tr>
<td>15</td>
<td>Intentionally delaying or denying detainee medical care</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>186</td>
</tr>
<tr>
<td>16</td>
<td>Hooding or blindfolding a detainee other than during transportation</td>
<td>5</td>
<td>1</td>
<td>2</td>
<td></td>
<td>177</td>
</tr>
<tr>
<td>17</td>
<td>Subjecting a detainee to extremely cold or hot room temperatures for extended periods</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>185</td>
</tr>
<tr>
<td>18</td>
<td>Subjecting a detainee to loud music</td>
<td>13</td>
<td>5</td>
<td>1</td>
<td></td>
<td>165</td>
</tr>
<tr>
<td>19</td>
<td>Subjecting a detainee to bright flashing lights or darkness</td>
<td>2</td>
<td>1</td>
<td>4</td>
<td></td>
<td>177</td>
</tr>
<tr>
<td>20</td>
<td>Isolating a detainee for an extended period</td>
<td>5</td>
<td>1</td>
<td>2</td>
<td>5</td>
<td>177</td>
</tr>
<tr>
<td>21</td>
<td>Using duct tape to restrain, gag, or punish a detainee</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td>185</td>
</tr>
<tr>
<td>22</td>
<td>Using rapid response teams and/or forced cell extractions</td>
<td>3</td>
<td>2</td>
<td>4</td>
<td></td>
<td>175</td>
</tr>
<tr>
<td>23</td>
<td>Using a military working dog on or near a detainee other than during detainee transportation</td>
<td>1</td>
<td></td>
<td>2</td>
<td></td>
<td>181</td>
</tr>
<tr>
<td>24</td>
<td>Threatening to use military working dogs on or near a detainee</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td>183</td>
</tr>
<tr>
<td>25</td>
<td>Using spiders, scorpions, snakes, or other animals on or near a detainee</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>184</td>
</tr>
<tr>
<td>26</td>
<td>Threatening to use spiders, scorpions, snakes, or other animals on a detainee</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>185</td>
</tr>
</tbody>
</table>
In Part II of this chapter, we describe the FBI agents’ specific observations regarding particular interrogation techniques. In Part III, we examine the handling of reports by FBI agents to their superiors or to military personnel regarding their concerns about detainee treatment in Afghanistan.

162 Many of the incidents described below have previously been discussed in press accounts of FBI documents that were released to the American Civil Liberties Union pursuant to a Freedom of Information Act request.

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<table>
<thead>
<tr>
<th>Interrogation Technique</th>
<th>Personally Observed</th>
<th>Observations Led Me to Believe</th>
<th>Detainee Told Me</th>
<th>Others Described To Me</th>
<th>None of the Above</th>
</tr>
</thead>
<tbody>
<tr>
<td>27 Disrespectful statements, handling, or actions involving the Koran</td>
<td></td>
<td></td>
<td>1</td>
<td>185</td>
<td></td>
</tr>
<tr>
<td>28 Shaving a detainee’s facial or other hair to embarrass or humiliate a detainee</td>
<td></td>
<td></td>
<td>3</td>
<td>182</td>
<td></td>
</tr>
<tr>
<td>29 Placing a woman’s clothing on a detainee</td>
<td></td>
<td></td>
<td></td>
<td>185</td>
<td></td>
</tr>
<tr>
<td>30 Touching a detainee or acting toward a detainee in a sexual manner</td>
<td></td>
<td></td>
<td>1</td>
<td>186</td>
<td></td>
</tr>
<tr>
<td>31 Holding detainee(s) who were not officially acknowledged or registered as such by the agency detaining the person</td>
<td></td>
<td></td>
<td>2</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>32 Sending a detainee to another country for more aggressive interrogation</td>
<td></td>
<td></td>
<td>2</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>33 Threatening to send a detainee to another country for detention or more aggressive interrogation</td>
<td></td>
<td></td>
<td>2</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>34 Threatening to take action against a detainee’s family</td>
<td></td>
<td></td>
<td>3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>35 Other treatment or action causing severe emotional or psychological trauma to a detainee</td>
<td></td>
<td></td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36 Other religious or sexual harassment or humiliation of a detainee</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37 Other treatment of a detainee that in your opinion was unprofessional, unduly harsh or aggressive, coercive, abusive, or unlawful</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Observation Totals: 58 13 14 56 6,701
II. Observations Regarding Particular Techniques

A. FBI Knowledge of Detainee Beating Deaths

None of the FBI employees reported that they ever personally witnessed any beating or other treatment which caused physical injury to a detainee in Afghanistan.

Four FBI agents stated in their survey responses or interviews that while they were in Afghanistan they heard about two detainee deaths at the military facility in Bagram. These agents were referring to two incidents in December 2002 at Bagram that have been described in the Church Report and news reports. The two detainees died at the Bagram facility following interrogations in which the detainees were shackled in standing positions to prevent them from sleeping and were kicked and beaten by military interrogators and military police. 163 Church Report at 235-236; 2/13/2006 www.NYTimes.com; New York Times, 9/14/05.

None of the FBI agents who referred to these deaths said that they had personal knowledge of the incidents or were aware of any of the details, and none indicated that any FBI personnel had contact with either of these detainees. One of the FBI agents told the OIG that he and his FBI partner discussed the matter and called back to FBI Headquarters about it. He said they were told that U.S. Army Criminal Investigation Command was investigating the deaths.

164 However, no FBI agent provided any information to us relating to these incidents.

163 The Army’s Criminal Investigative Division recommended charges against 28 soldiers in connection with these deaths. Church Report at 235-6. At least 15 of these soldiers have been prosecuted by the Army. At least 6 have pleaded guilty or been convicted of assault and other crimes, but several have been acquitted. New York Times, 2/13/06 “The Bagram File.”

164 The Department of Justice decided that there was inadequate evidence to support criminal prosecution of any individual in connection with this incident. In June 2003 a military detainee died at Asadabad Base after being assaulted by a CIA contractor. David Passaro, a civilian CIA contractor, was found guilty on several counts of assault in that case, and his conviction is on appeal as of August 2007. 8/17/2006 Washington Post, at A17; USAToday.com (Aug. 17, 2006); PACER Docket Summary (4th Cir.). According to the Church Report, Afghan lawyers have also alleged that Church Report at 237.
B. Beating, Choking, Strangling, or Other Abusive Handling of Detainees

The OIG survey asked FBI agents to provide information concerning physical violence against detainees, including beatings, the use of hands, rope, or anything else to choke or strangle a detainee, or other treatment causing significant physical pain, injury, disfigurement, or death. Nothing in the Church Report suggests that techniques involving the infliction of pain, injury, or death were ever officially approved for use in military interrogations in Afghanistan. According to the Church Report, “mild, non-injurious physical contact” that did not cause pain was approved for use in Afghanistan for at least part of the relevant period, but this would not encompass beating, choking, or other treatment causing pain, disfigurement, or death. Church Report at 221. The Church Report described allegations of detainee beatings by military personnel that were either confirmed by military investigators or still under investigation by the Army Criminal Investigation Command. Id. at 234-35, 237.

No FBI agents reported to us that they ever saw a detainee whom they suspected had been injured other than during battle or capture, or reported that they observed any injuries which by their nature or appearance suggested post-capture mistreatment. Two agents stated in their survey responses that they witnessed incidents involving rough treatment of detainees by military personnel. One agent who served at Kandahar during January and February 2002 reported that, on occasion, he observed MPs at Kandahar “man-handling” or roughly handling detainees. For example, the agent told us that on one or two occasions MPs brought a detainee to an interview tent with his arms restrained behind his back, and that the MPs raised his arms, causing him to wince in apparent pain as they brought him in. The agent said he became angry when the MPs laughed about it because this started the interview badly. He told us that when he spoke to the Sergeant in charge about it, the Sergeant agreed this should not happen, and the agent said he “did not see this again from the same people.” The agent indicated that in general, “[t]he Army chain of command was supportive” in response to FBI concerns about detainee treatment and in correcting the problems. The agent stated he also raised his concerns orally with his OSC, but that he did not know if any FBI action was taken as a result of his report.

Another FBI agent told us that in July 2003, during his processing of detainees at Bagram, he observed two military personnel escorting a shackled detainee. He said that one of the soldiers started yelling at the detainee, and then gave him a two-handed push which “bounced him off a wall.” This agent said that he immediately brought this to the attention of a Master Sergeant who was present, and that she reprimanded the soldier.
When the FBI agent also described the incident to a military Captain, the soldier was removed from the operation.

FBI documents, including FD-302 detainee interview summaries prepared in 2003 and a timeline prepared by the FBI Office of General Counsel, describe other claims by detainees that they had been physically abused in Afghanistan. For example, detainee Naqibullah Shawali Zair Mohammed (#834) told FBI interviewers that after his arrest by U.S. forces in October 2002, he was taken to Bagram and hung from the rafters by his handcuffs for five to seven days and had his head smashed against the wall. Detainee Bashir Nasir Ali Al Marwalah (#837) told FBI agents at GTMO that after being arrested in Pakistan he was beaten by unidentified captors in Bagram. In another interview, Marwalah stated the beatings occurred at a prison run by Pakistanis before he was transferred to Bagram. Detainee Zahir Shah (#1010) told the FBI that he was beaten by guards while in detention in Bagram or in transit to GTMO.165

As noted in Chapter Six, the FBI eventually implemented a procedure for recording and tracking detainee claims of abuse at GTMO and referring them to the military for possible investigation. We found no indication that any similar procedure was adopted for Afghanistan.

The FBI OSC in Afghanistan during February to April 2005 told the OIG that shortly before he left Afghanistan, he was advised by the Provost Marshal at the Bagram Airbase that a detainee had alleged that he had suffered physical abuse in Kabul by an unnamed FBI agent many months earlier. The OSC said he was not aware of any holding facility in Kabul at which any FBI personnel worked during his tour and so advised the Provost Marshal. The OSC sought further information from the Army Criminal Investigation Command on the base in an effort to collect information regarding the detainee making the allegation, in order to begin an appropriate investigation. However, the OSC stated that no further information was provided to him prior to his departure on April 26, 2005.

C. Using Shackles or Other Restraints in a Harsh or Prolonged Manner

Five FBI agents provided information in their survey responses and follow-up interviews regarding the use of shackles or other restraints in a harsh, painful, or prolonged manner in Afghanistan. These agents generally

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165 The FBI also learned about allegations that CIA agents physically assaulted detainees in Afghanistan in August and September 2002. This information was provided by the CIA OIG in connection with a request that the FBI conduct a criminal investigation.
described the use of restraints as a military security measure for U.S. personnel and operations.

The *Church Report* did not specifically describe the use of prolonged shackling by the military as an interrogation technique in Afghanistan. Such a technique could be considered a form of a "safety position" or "stress position," which the *Church Report* generally described as requiring a detainee to maintain an awkward or uncomfortable position in order to control his movement during interrogation, both for purposes of interrogator safety and as an incentive to cooperate. *Church Report* at 216-18. According to the *Church Report*, military policies governing this technique were not always clear and changed several times during the relevant period.166 The *Church Report* found that military interrogators used stress positions in Afghanistan as an interrogation tool at least until February 2003 and again between March and June 2004. *Id.* at 217-18.

Two FBI agents told us that they observed the prolonged use of shackles or restraints by military personnel at Bagram in March and April 2002 on several detainees whom they understood posed a significant danger to U.S. personnel. They said that while outside of the holding enclosures, all detainees were handcuffed and usually shackled at the feet. Depending on the threat level of a detainee, the handcuffs would be removed in the interview room and the leg shackles left on, but for the few dangerous "hard-core" detainees, the handcuffs were left on as well. Neither of these agents believed that the restraints were used to coerce information or cooperation from detainees. One agent said that if the FBI agent felt that he was developing a rapport with the detainee, he would ask to have the restraints removed, but the military guards usually refused.

Similarly, an FBI agent at Bagram and Kabul in the first few months of 2003 reported that "detainees were often handcuffed during entire interrogations for security purposes," and that he was told that "sometimes violent detainees remained handcuffed in [their] cells" as well.

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166 This method was not specifically discussed in Field Manual 34-52, which governed interrogations in Afghanistan during the early part of that war. *Church Report* at 196-204. According to the military documents described in the *Church Report*, the practice was a "frequent occurrence" in Afghanistan. *Id.* at 217. In February 2003, CJTF-180 directed that safety positions be limited to safety considerations and not "to increase discomfort or as a means of interrogation." *Id.* at 203. In March 2004, however, the use of uncomfortable "safety positions" as an incentive for cooperation was reinstated as an approved interrogation technique as part of an interrogation plan approved by an officer-in-charge or an interrogation team leader. *Id.* at 217. In June 2004, following the Abu Ghraib disclosures, "stress positions" were specifically prohibited in Afghanistan. *Id.* at 211, 217-18.
Another agent reported in his survey response that in January and February 2002 detainees were often brought to the interview tent in shackles or cuffs that were too tight. The agent said that once when he complained a soldier laughed and said the agents were being “too soft.” However, after the agents took their complaint up the military chain of command, they did not see the soldier in that capacity again. The agent said incidents like this occurred several times. The agent stated that when he raised this issue with different soldiers, the reaction depended on the individual MP -- some said they would use some other kind of restraints to help the FBI establish more rapport with the detainee, and others said they were too busy to give the detainee special treatment.

The same FBI agent also noted that on several occasions MPs used an “almost medieval-looking,” rigid, wrought iron shackle system he had never seen before. The clamps on the wrists were connected by a stiff metal rod, and the rod was joined by a chain to shackles around the detainees’ ankles. The devices were not adjustable for the size of the detainees’ wrists or ankles or height, and he saw that the detainees were uncomfortable as they shuffled into the interview tent. The agent said that these shackles did not look like anything the U.S. government would have provided, and he believed that they may have been locally obtained.

D. Sexually Abusive or Humiliating Contact

One FBI agent provided information concerning a detainee’s allegation that U.S. personnel engaged in sexually abusive conduct toward him in Afghanistan. The agent stated that in July 2003 a detainee in GTMO alleged that a white female CIA agent had raped the detainee while he was a prisoner at Bagram. Because this allegation was reported at GTMO, we address it in Section III of Chapter Eight.

E. Abusive Body Cavity Searches

According to two April 2004 DOD Inspector General memoranda, two military attorneys reported to military investigators that they learned of potential detainee abuses during a dinner with two FBI agents in January 2004 in Florida. We determined that one of the agents was an FBI Special Agent and the other was a New York City Police Department employee assigned to the FBI’s Joint Terrorism Task Force (the “NYPD detective”). These agents were deployed to Afghanistan and later to GTMO.

According to the DOD memoranda, during the dinner the NYPD detective told the attorneys that he had been in Bagram sometime in December 2001 or early 2002 “and was involved in photographing detainees during the in-take process.” The NYPD detective also said that he observed several detainees coming out of an area where they were being processed.
and searched. He said he saw feces running down their legs and that they were in apparent pain. The NYPD detective said he went into the area and noticed that the detainees were being given what appeared to be anal cavity searches, and that an unknown individual involved in the process asked the agent to photograph him while he performed such a search, but the NYPD detective refused. In addition, the second military attorney told DOD investigators that the NYPD detective stated that the individual performing these searches “was not changing gloves” after each search, because the NYPD detective “observed feces and blood inside a bottle of Vaseline that he observed in the area.” The attorney stated that while both agents were intoxicated at the dinner, he “believed the [NYPD detective] was telling the truth . . . .”

We confirmed that the NYPD detective was serving in Afghanistan at the time of the alleged events described. The FBI agent told us that he was deployed to Afghanistan from the end of April 2002 through the beginning of June 2002. The NYPD detective declined our request for an interview.

We interviewed the FBI agent, who stated that he disagreed with the way the military attorneys had characterized in their memoranda what the NYPD detective had described at the dinner. The FBI agent said that he had not been in Afghanistan when the January 2002 cavity searches described by the NYPD detective occurred, but had served in Afghanistan with the NYPD detective later in 2002. The FBI agent believed that the young military lawyers, who had no combat or law enforcement experience, misunderstood or misconstrued the veteran NYPD detective’s “locker room” or “battlefield” humor relating to an unpleasant but standard aspect of detainee in-processing in that military theater. The FBI agent said he was not made uncomfortable by the NYPD detective’s description, nor did he believe as a result that something inappropriate or abusive had occurred. He also said he did not believe that anyone at the dinner was intoxicated.

The conduct described in the DOD Inspector General memoranda does not appear to have been related to interrogations, but rather to military in-processing of newly captured detainees. Nothing in the materials made available to us suggests that abusive body cavity searches were approved as a military interrogation technique. No similar information regarding abusive cavity searches in Afghanistan was described in the Church Report.

**F. Stressful or Painful Positions or Calisthenics**

The OIG investigation determined that several FBI agents observed or heard about the use of stressful or painful positions by the military in
According to their survey responses, one FBI agent observed and five other FBI agents heard about the use of stress positions in Afghanistan. One agent reported that he observed that some detainees were restrained with their hands together above their head, behind their back, or to the wall for long periods of time. Several agents told us that military personnel told them that stress or uncomfortable positions were authorized military interrogation or disciplinary techniques.

An FBI Intelligence Analyst reported in his survey response that he was told that in both Afghanistan and Iraq, "[d]etainees who wouldn’t talk were told to do push-ups and other forms of exercise[.] [T]hey weren’t forced to do it but they would do it anyway, probably out of fear. They exercised until they talked or for no longer than 1 hour every twenty-four hours[;] water was always on hand and medics readily available.”

Other agents told the OIG that detainees alleged during interviews at GTMO that stress positions had been used on detainees in Afghanistan. One agent stated that he heard that a detainee had claimed that he was hung by his heels in Afghanistan, but the agent could not remember which detainee made the claim. Another agent reported in an FD-302 and told the OIG that a detainee in GTMO claimed that in Afghanistan a U.S. interrogator had forced him to admit to being a member of al-Qaeda by requiring him to stand or kneel with his arms over his head for 3-hour intervals.

G. Deprivation of Clothing

The OIG investigated allegations about the removal of clothes as an interrogation technique in Afghanistan. Use of this tactic as an interrogation technique was never expressly approved or prohibited under military policies in Afghanistan. The Church investigators did not report any instances of nudity being employed by the military as an interrogation technique in Afghanistan. Church Report at 226-7.

Four FBI agents reported to the OIG that detainees were stripped prior to being issued standard jumpsuits during routine intake procedures in late 2001 and early 2002 in Kandahar, but the agents did not indicate that forced nudity was used as an interrogation technique. The agents told the OIG that after detainees were brought in from the battlefield, military personnel conducted medical exams, strip searches, and body cavity searches. The detainees had their clothing removed or cut off so that they were completely naked and had empty sand bags placed over their

167 The evolution of the military’s policies regarding stress positions in Afghanistan is addressed above in Section II.C of this chapter, footnote 169.
heads. They were then led through a processing tent in which FBI agents were working. The detainees were given jump suits, sandals, blankets, and water, after which FBI personnel fingerprinted, photographed, collected DNA swabs, and asked a few questions to obtain basic biographical information from the detainees. These agents stated that while in the tent, the detainees were naked for usually less than one-half hour, and were unclothed outside of the tent for only a few minutes. These agents did not consider these intervals unduly long or inappropriate.

The agents also told us they understood that the detainee strip and cavity searches were done for safety and security reasons rather than to humiliate the detainees. They further understood that the sandbags helped prevent the detainees from getting a sense of the layout of the camp. None of these agents were aware of any other situation where detainees were deprived of clothing or had hoods placed on their heads, or where either was done in order to coerce information from the detainees. The agents said they believed these actions were reasonable and necessary detention procedures used by the military.

H. Hooding or Blindfolding

Several FBI agents told the OIG that they observed or heard about the use of hoods or blindfolds on detainees in Afghanistan, primarily for security purposes. According to the Church Report, between February 2003 and March 2004 the use of hoods during interrogations was prohibited in Afghanistan, although the use of blacked-out goggles was allowed. Church Report at 220. The military’s prohibition was changed in March 2004. The Church investigation determined that the military in Afghanistan routinely hooded detainees for security during movement and transportation, and sometimes also used hoods or blackout goggles as an interrogation technique. Id. Beginning in June 2004, military policy required prior legal review and Combined Joint Task Force (CJTF) Commander approval for hooding or blindfolding, and the Church investigation found no evidence that this technique was used by the military after that date. Id.

Five FBI agents responded to the OIG survey said that they observed hooding or blindfolding in Afghanistan, and two said that they heard about it from detainees or others. Several of the agents indicated, however, that the hoods were used for military safety and security purposes only. For example, one of the agents we interviewed said that he saw the military use green sandbags placed loosely over the heads of detainees to prevent them from observing their surroundings. Another agent told us that he often observed hoods on detainees, usually during transportation, but that he did not see this done during interrogations. One agent described a high-profile detainee in military custody – Paracha (#593) – whom she interviewed in July 2003 at Bagram. She observed Paracha “in his cell, . . . sitting on the
ground, blindfolded with ear coverings on . . . .” It was not clear to the FBI agent whether these sensory deprivation measures were to make the detainee more cooperative in interrogations or for safety reasons.

I. Sleep Deprivation or Interruption

We sought information from FBI agents about the use of sleep deprivation or disruption on detainees in Afghanistan. According to the Church Report, “sleep adjustment” (defined as limiting a detainee to as little as 4 hours of sleep, not necessarily consecutive, per 24-hour period) was an approved military interrogation technique in Afghanistan for much of the relevant time period until it was prohibited in June 2004. Church Report at 221-22. The Church investigators found that military interrogators employed this technique throughout this period. However, according to the Church Report, “sleep deprivation” (anything less than 4 total hours of sleep per 24-hour period) was prohibited by law or policy at all times in Afghanistan. Id. at 213. The only instances of “sleep deprivation” described in the Church Report occurred in connection with the incidents leading to the deaths of two detainees at Bagram in December 2002, discussed above. Id. at 228.

Numerous FBI agents told the OIG in their survey responses and interviews that they observed or heard about the use of sleep deprivation or interrupted sleep cycles on detainees in Afghanistan. Twenty-seven survey respondents said that they observed or heard about detainee sleep management or deprivation practices in Afghanistan throughout the period covered by our investigation. Many agents also described the use of loud music or bright or flashing lights to interfere with detainees’ sleep or with communications among prisoners.

For example, one agent told us that in early 2002 the military would awaken high value detainees at Kandahar at frequent intervals during their rest period, after which the detainees would be interrogated. The same agent said that he and the other FBI agents often disagreed with the military’s use of this technique and did not want to interview detainees who had recently been subjected to a sleep interruption or deprivation regimen because it would not be productive. This agent also told us that FBI agents expressed their opinions to the military commanders. He stated that “[o]nce the military obtained info to their satisfaction, we could generally lay out our conditions and requests for the interview setting and request that the detainees could sleep in advance and/or feed them during the interviews.” This agent also stated that agents elected not to participate or attend interrogations of detainees who had been subjected to such treatment.

Other FBI personnel reported similar military practices at Bagram, but they did not describe the specific means used to interfere with detainee
sleep. Some of the reports were from FBI personnel who obtained their information while serving as members of the military. For example, an FBI agent who served as an Air Force intelligence officer at Bagram in April through June 2002 told us that he “had heard . . . that they altered the sleep times of the detainees to keep them off balance and increase their susceptibility to our interrogation techniques.” Another agent reported that in July 2002, while he served in the Army, military intelligence personnel at Bagram described interrogation techniques, including sleep deprivation, generally as a way “to ‘set the conditions’ for an interrogation.” An agent at Bagram in March 2003 said in his survey response that he observed detainee sleep deprivation by military police during an introductory tour of the Bagram detainee facility, which he was told was a disciplinary procedure for detainees who were not cooperating with detention procedures, rather than as an interrogation technique.

An FBI communications support technician at Bagram told us that he learned in daily prison briefings that “Sleep deprivation was a common practice with High Value Targets. The military said that the prisoner did get 8 hours of sleep a day, just not all in one shot.” An FBI electronics technician stated that during various conversations throughout 2003 and 2004 at Bagram and Kandahar, he was told that the “more difficult detainees would be awakened every 15 minutes during their rest period by the military police in an effort to wear down their resistance.” None of these agents or support personnel reported the use of sleep deprivation to their supervisors or to military personnel.

In one case, an FBI agent acknowledged his own participation in a regimen of sleep deprivation. The agent was deployed primarily to Bagram in July and August 2003. He told the OIG that he and a military interrogator “agreed on a course of sleep deprivation” for a detainee who they believed had information about a recent attack. The lights were left on in the detainee’s cell and the detainee was awakened periodically. The agent told us he believed that sleep deprivation was appropriate in that situation. He further stated that he did not know if FBI agents are permitted to use sleep deprivation in the United States, although he “would not think so.” The agent stated that he had no discussions about this with anyone at FBI Headquarters.

This incident occurred in 2003, prior to the issuance of the FBI’s May 2004 Detainee Policy stating that agents in the military zones should continue to comply with FBI guidelines for custodial interviews applicable inside the United States. The FBI has frequently stated that the 2004 Policy merely reiterated existing policies with respect to FBI conduct during interrogations. We believe that under existing policy it is unlikely that an FBI agent would have been permitted to use sleep deprivation as an interview tool in the United States.
J. Undocumented "Ghost" Detainees

We also attempted to determine whether any FBI employees observed or heard about incidents in which U.S. personnel held detainees who had not been officially acknowledged or registered as detainees by the U.S. agency responsible for their detention, a practice known as holding "ghost detainees."

K. Actual or Threatened Transfer to a Third Country

Thirteen survey respondents who were deployed to Afghanistan reported that they had information concerning [REDACTED]. Four respondents said that they had information that [REDACTED] had occurred, four said that detainees alleged that this had occurred to them, and one said he heard such allegations from someone other than a detainee. Eight agents said they were aware of threats to detainees that they would be [REDACTED] for interrogation.
When we sought further information. One agent said that a detainee claimed that he had been where the interrogators "yelled at him," and another agent stated that a detainee making an allegation about appeared mentally unstable and not credible.

L. Isolation of Detainees

We sought information regarding the prolonged isolation of detainees in Afghanistan.

Twelve survey respondents reported that they had information regarding the isolation of detainees in Afghanistan for extended periods. Five of these respondents said that they observed the isolation of detainees, and six of them said that they heard about such isolation from detainees or others. However, none of the FBI employees were referring to the use of extended isolation as a coercive interrogation technique, such as a punishment for failure to provide requested information or as a means to manipulate the mental state of the detainee. The FBI agents described several purposes for the isolation of detainees by military personnel within locations such as Kandahar and Bagram, such as prevention of detainee coordination of stories for investigative integrity, rewards for cooperative detainees, and disciplinary measures for disruptive detainees. For example, one agent said that during January and February 2002, he was aware of the isolation of detainees at Kandahar for an extended period to prevent them from telling other detainees what questions were being asked and how to respond, to keep high value detainees from being exposed to the general detainee population, and in some cases as a reward for cooperative detainees. He was not aware of isolation being used as a way of coercing any detainees.

Another FBI agent deployed to Afghanistan in early 2002 stated that "the Marines would isolate" detainees who were disciplinary problems, "just like we put prisoners in the U.S. in isolation if they are causing problems," and stated that he "saw no issue with this." Another agent deployed to Afghanistan later in 2002 also noted the use of isolation as a reward for cooperative detainees.
The agent who served as Deputy OSC in Afghanistan during the last quarter of 2004 said he observed the isolation of detainees by the military at Bagram. However, he stated that the isolation he observed was warranted by safety, security, and tactical considerations, and was not abusive. He likened it to separating suspects in a conspiracy and questioning them individually to get their separate versions of events as a truth verification tool.

M. Impersonation of FBI Agents

We sought information regarding the impersonation of FBI agents by non-FBI personnel in Afghanistan. The Church Report did not specifically discuss the practice of impersonating an FBI agent in Afghanistan. It stated, however, that deception was common to many doctrinal techniques approved for use in Afghanistan, and that deception had been employed in detainee interrogations throughout the war in Afghanistan. Church Report at 216.

Some FBI agents reported to the OIG that they either observed or heard that military or CIA personnel had falsely represented themselves as FBI agents in Afghanistan. One OIG survey respondent stated that he observed the impersonation of FBI personnel by others, and five agents reported that they heard about such conduct from others.

For example, one FBI agent stated in his survey response that in January or February 2002 an Army specialist told him that he was going to wear an FBI hat in a detainee interrogation. The agent characterized the Army specialist as “an aggressive interviewer” who played the “bad cop.” The agent stated he told the specialist “that there was no need for him to pose as an FBI agent when we had agents there. . . .” The agent also indicated he saw the soldier on another occasion with the same hat and that he therefore raised the issue with the soldier’s sergeant, who agreed that it was unacceptable and unprofessional for the soldier to act in this way. The FBI agent said he had no knowledge of any subsequent problems of this kind at Kandahar. The agent told the OIG that he may have casually mentioned the impersonation incident to his OSC, who told him that if it happened again the OSC would, if needed, take it up with more senior military personnel.

Several agents told the OIG that they inferred that someone had impersonated an FBI agent from the statements of detainees who claimed they had already been interviewed by the FBI. For example, one agent stated in his survey response that a detainee in either March or April 2002 told him at the outset of an interview that he had already talked to the FBI, which the agent said was impossible because there were only two FBI agents there. The agent suspected that CIA personnel had claimed to be
FBI personnel. Another agent reported that in October or November 2002 two detainees told him they had been interviewed by FBI agents just days before the agent interviewed them. This agent determined that CIA officers had “tricked the detainees into believing they were FBI agents,” and that this problem was handled locally in Afghanistan.

Similarly, the agent who served as the OSC in Afghanistan during February through April 2002 told us that when FBI agents identified themselves, some detainees at Kandahar told them that they had already been interviewed by the FBI, and the agents drew the conclusion that military personnel had said so to the detainees. The OSC believed that this hampered detainees’ cooperation with genuine FBI agents. He said he raised this two or three times at the daily joint U.S. personnel meetings at Bagram, and his military contact said that he would bring this up with the commander at Kandahar.

The most notorious instance of someone impersonating a U.S. official in Afghanistan was the Idema matter, although this incident apparently did not involve impersonation of an FBI agent. In mid-2004, Jonathan Idema and two other private U.S. citizens were detained by Afghan authorities for allegedly impersonating U.S. government personnel while detaining, interrogating, and torturing Afghan citizens in an illegal prison in Kabul. An FBI document stated that Idema had impersonated an Army Major and later a CIA agent, but had apparently not impersonated an FBI agent. According to FBI documents, witnesses and videotapes indicated that Idema and a second U.S. citizen interrogated prisoners by dunking their heads into buckets of water and striking their bodies and heads with rifles. The documents also indicate that prior to being arrested, Idema had repeatedly contacted the FBI and other U.S. government agencies claiming to have information about planned future terrorist attacks in the United States and abroad, but that Idema failed one or two polygraph tests and the FBI was skeptical of his credibility. The documents do not reflect any FBI involvement with Idema’s activities. The documents indicate that Idema traveled to Afghanistan on his own accord and against FBI direction in April 2004.

N. Other Techniques

The OIG survey sought information regarding other interrogation techniques in addition to those discussed above. In several cases, respondents stated that they had seen or heard of additional techniques, but follow-up investigation revealed that the agents were reporting about measures undertaken for security or hygiene purposes and not as part of an interrogation plan.
For example, we sought information regarding the use of military working dogs to intimidate detainees, a technique that was publicized in connection with the Abu Ghraib disclosures. Several survey respondents reported the use of dogs as a security measure in Afghanistan, such as during the movement of prisoners or to gain compliance with military police instructions to a detainee. No FBI witness reported the use of dogs during interviews or interrogations in Afghanistan.

We also sought information regarding the shaving of detainees' facial or other hair to embarrass or humiliate them. Although several agents reported that detainees were shaved in Afghanistan, they indicated that this was a hygiene or identification measure undertaken during initial processing rather than for punishment or humiliation.

We sought information concerning threats to detainees by U.S. personnel to take action against members of a detainee's family. Two survey respondents stated that they told a detainee that the agents themselves would have to question detainee family members on certain matters. The agents explained that the sons of one detainee and the wife of another were themselves implicated by other information in terrorist or insurgent activities and were in fact interviewed by the FBI as a result.

One agent reported in a survey response that during his deployment to Kandahar in early 2002 he was told by a detainee that the detainee was "not receiving regular meals." Another agent said that a detainee at GTMO had claimed to him that U.S. personnel in Afghanistan had subjected the detainee to extremely cold or hot room temperatures for extended periods, but this agent provided no specifics.

None of the FBI employees who responded to the survey or whom we interviewed stated that they observed or heard about any the following specific kinds of conduct: (a) placing a detainee on a hot surface or burning him; (b) using water to prevent breathing by a detainee or to create the sensation of drowning, including the practice known as "water-boarding"; (c) using electrical shock on detainees; (d) intentionally delaying or depriving a detainee of medical care; (e) using spiders, scorpions, snakes, or other animals on or near a detainee; or (f) forcibly removing detainees from their cells. In addition, none of the survey respondents or interview witnesses told us that they had observed, heard about, or had other information concerning any instances in Afghanistan when U.S. personnel made disrespectful statements about the Koran, handled the Koran in a disrespectful manner, or placed women's clothing on male detainees.

The OIG survey also asked respondents to report any information they had concerning any "sham" or "staged" detainee interviews or interrogations.
conducted for Members of Congress or their staff. None of the respondents who were deployed to Afghanistan reported any information on this subject.

III. Disposition of FBI Agent Reports Regarding Detainee Treatment in Afghanistan

We found few contemporaneous reports by FBI agents in Afghanistan regarding concerns about the potential mistreatment of detainees. Of the roughly 200 FBI agents who served in Afghanistan and responded to our survey, only 10 agents stated that they made such reports to FBI supervisors, military personnel, or both. When we interviewed FBI agents about particular techniques they observed or heard about in Afghanistan, most indicated that they did not report what they saw or heard about to anyone.

We believe that several factors contributed to the small number of reports made by FBI agents to FBI or military supervisors. As indicated above, the vast majority of FBI agents who served in Afghanistan reported that they never saw or heard about any incidents of detainee treatment that caused them discomfort or that fell into any of the specific categories of potential mistreatment that were listed in the OIG survey. Further, there was no formal requirement to report suspected abuse prior to May 19, 2004, when the FBI issued a policy requiring agents to alert their OSCs about any known or suspected abuse or mistreatment of detainees by non-FBI personnel.

Some agents believed, sometimes incorrectly, that the conduct they saw or heard about was authorized for use by military interrogators and therefore did not need to be reported, even though it was not a technique that was approved for use by the FBI. As a related matter, many agents told us they were never trained regarding what techniques military interrogators were permitted to use. Therefore, some agents assumed that conduct that they saw was consistent with military policy and did not need to be reported.

In addition, unlike the situation at GTMO, many FBI agents in Afghanistan were operating in a war zone in which they were dependent on the military for their protection and material support. They said they understood their role in Afghanistan as seeking information about terrorist

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168 This Section addresses only the disposition of contemporaneous reports of potential detainee mistreatment in Afghanistan. After the Abu Ghraib prison abuses were publicized in April 2004, FBI Headquarters conducted an informal survey of the four OSCs who had served in Afghanistan to determine if the FBI had additional information about detainee abuses in Afghanistan. This survey is discussed in Section IV.C of Chapter Six.
threats to the United States or its personnel or interests overseas, not as policing or overseeing the conduct of the military. These circumstances made some agents reluctant to elevate their concerns about the military’s treatment of detainees.

Despite these factors, several agents told us that they did make reports regarding particular incidents or allegations of detainee mistreatment to their supervisors. The report that received the greatest attention was the one made by SSA Horton, which is addressed in detail in Section II of Chapter Six. As detailed there, Horton did not actually witness any detainee abuse, and several of his supervisors and CTD personnel in FBI Headquarters said they concluded that he had overreacted. However, the FBI supervisors did not specifically address his larger concern that the FBI could be deemed to have participated in detainee abuse simply by interviewing detainees at a location where rougher military techniques were being used on the same detainees.

As noted in Section II.A of this chapter, FBI Headquarters also received a report from FBI agents regarding detainee deaths at Bagram. One of the agents told the OIG that he and his partner were told that the Army Criminal Investigation Command was investigating the deaths, and that the FBI was not in Afghanistan to investigate such matters.

There were several other cases in which FBI agents reported their concerns about detainee mistreatment.

One agent said he alerted his OSC in early 2002 to the fact that military interrogators had treated detainees roughly. But this agent also discussed his concerns with military supervisors, as discussed in more detail below, and he told the OIG that they resolved his concerns. Therefore, there was no need for the OSC to take further action on these reports.

One agent told the OIG that before he arrived in Afghanistan in April 2004, he heard general, second-hand rumors about mistreatment of detainees from other agents who had been deployed to GTMO. In Afghanistan he asked his OSC about detainee treatment and the OSC told him that on his visits to detention facilities in Afghanistan he had witnessed no evidence of improper treatment of detainees.169 Since the agent had not reported a particular incident or allegation about detainee mistreatment to the OSC, the OSC did not report up the chain of command.

169 The agent said he also discussed the rumors with [REDACTED], who informed the agent that the rules of the Geneva Convention did not apply in this conflict, but that prisoners were not being mistreated.
One agent told us that he reported concerns about detainee treatment in Afghanistan to the MLDU Unit Chief at FBI Headquarters. The agent reported in his survey response that during a tour of there unless we wanted to be part of a congressional hearing at some later date.” The agent wrote in his survey response that: “This info was reported up to [the Unit Chief]” in writing “without any response or guidance.” When we interviewed this agent, he explained that he and another agent sent the Unit Chief multiple e-mails and became frustrated that they could not get any guidance relating to detainees and . The Unit Chief told us that he may have received a call from this agent but he did not recall his response or what instructions he might have given. He said that he generally told agents to .

We interviewed all but one of the 14 former OSCs and all of the 6 Deputy OSCs who served in Afghanistan between late December 2001 and the end of 2004. None of these OSCs or Deputy OSCs said that they received any report from an agent in Afghanistan concerning potential mistreatment of any detainees. Given the nature of the reports that were described to the OIG by the agents who made them, it is not surprising that the OSCs did not recall these reports. Some of the reports were actually questions about rumors rather than reports of witnessed incidents. Others involved matters that were resolved cooperatively with the military and did not require further elevation.

Several agents told the OIG that they spoke to military supervisors in Afghanistan about the treatment of detainees by military personnel. One of the agents deployed to Afghanistan in late 2001 told us he felt the military was ill-equipped to deal with interrogating detainees. He stated:

Many of the interviewers were young and inexperienced and yelled and screamed at the detainees, but had no knowledge of al-Qaeda. Any concerns we as the FBI raised were dismissed because the military needed intelligence immediately. We (FBI) were also told in no uncertain terms we were not in charge and the military were running the show.

Another agent reported in her survey response that during her service in Afghanistan in July 2003 she raised concerns about military interrogators at the Bagram Collection Point who wanted to interrogate a detainee in “a different way.” She stated that she informed the Major that there would be no disrespectful or potentially harmful things done to the detainee. Three other agents told us that they elevated concerns about detainee treatment with military supervisors, and that these concerns were
resolved as a result. For example, one FBI agent who served in Bagram and Kandahar told us he complained to military supervisors about military personnel who hurt a detainee whose arms were restrained behind his back, by lifting his arms in a painful manner. The same agent said he also complained to military supervisors about MPs who shackled detainees too tightly and about military interrogators who posed as FBI agents. The agent told us that the military chain of command was supportive and that after these complaints he did not see a repeat of this conduct.

Another FBI agent deployed to Bagram reported to military supervisors his objection to military police shoving a shackled detainee against a wall. The agent told us that the soldier was removed from detainee escort duty as a result.

IV. Conclusion

FBI employees in Afghanistan conducted detainee interviews at the major military collection points in Bagram and Kandahar and at other smaller facilities. The most frequently reported techniques used by military interrogators in Afghanistan were sleep deprivation or disruption, prolonged shackling, stress positions, loud music, and isolation. Several FBI employees also told us they had heard about two detainee deaths at the military facility in Bagram, but none of the FBI employees said they had personal knowledge of these deaths, which were investigated by the DOD.

We found few contemporaneous reports by FBI agents in Afghanistan regarding concerns about the potential mistreatment of detainees. In many cases the agents believed, sometimes incorrectly, that the conduct they saw or heard about was authorized for use by military interrogators and therefore did not need to be reported. The desire of the FBI agents to establish their role in Afghanistan and their dependence on the military for their protection and material support may have contributed to a reluctance to elevate their concerns about the military's treatment of detainees. In addition, several agents told the OIG that they were able to resolve concerns about the mistreatment of individual detainees by speaking directly to military supervisors in Afghanistan.
CHAPTER TEN
FBI OBSERVATIONS IN IRAQ

I. Introduction

Ira}{ was the location of the Abu Ghraib prison, the site of many notorious incidents of {t}ainee abuse that were widely publicized in April 2004. Although FBI agents served at Abu Ghraib and other detention facilities in Iraq, most of the FBI employees reported to the OIG that they never observed potentially abusive treatment of detainees in Iraq or heard about it from detainees or other witnesses. Overall, of the 267 survey respondents who served in Iraq between March 2003 and the end of 2004, 188 stated that they neither observed nor heard about any of the kinds of detainee treatment described in the survey.

However, some of the FBI agents sent to Iraq reported that they observed or heard about the use of various rough or aggressive treatment of detainees by military personnel. With a few exceptions, the FBI agents did not report seeing detainee abuse in Iraq that was similar to the most notorious abuses reported in connection with the Abu Ghraib scandal. The most frequently reported techniques were deprivation of clothing, sleep deprivation or interruption, and ho{
\footnote{170 For a discussion regarding the limitations to the appropriate interpretation of this data, see Chapter Eight, Section I.}
### TABLE 10.1
Survey Results Concerning Interrogation Techniques Observed in Iraq

<table>
<thead>
<tr>
<th>Interrogation Technique</th>
<th>Personally Observed</th>
<th>Observations Led Me to Believe</th>
<th>Detainee Told Me</th>
<th>Others Described To Me</th>
<th>None of the Above</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Depriving a detainee of food or water</td>
<td>1</td>
<td>2</td>
<td>284</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Depriving a detainee of clothing</td>
<td>5</td>
<td>3</td>
<td>3</td>
<td>5</td>
<td>273</td>
</tr>
<tr>
<td>3 Depriving a detainee of sleep, or interrupting sleep by frequent cell relocations or other methods</td>
<td>10</td>
<td>6</td>
<td>7</td>
<td>28</td>
<td>234</td>
</tr>
<tr>
<td>4 Beating a detainee</td>
<td>3</td>
<td>7</td>
<td>4</td>
<td>274</td>
<td></td>
</tr>
<tr>
<td>5 Using water to prevent breathing by a detainee or to create the sensation of drowning</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td>287</td>
</tr>
<tr>
<td>6 Using hands, rope, or anything else to choke or strangle a detainee</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>287</td>
</tr>
<tr>
<td>7 Threatening other action to cause physical pain, injury, disfigurement, or death</td>
<td>1</td>
<td>2</td>
<td></td>
<td></td>
<td>281</td>
</tr>
<tr>
<td>8 Other treatment or action causing significant physical pain or injury, or causing disfigurement or death</td>
<td>1</td>
<td>2</td>
<td></td>
<td></td>
<td>287</td>
</tr>
<tr>
<td>9 Placing a detainee on a hot surface or burning a detainee</td>
<td>3</td>
<td>4</td>
<td></td>
<td></td>
<td>281</td>
</tr>
<tr>
<td>10 Using shackles or other restraints in a prolonged manner</td>
<td>6</td>
<td>1</td>
<td>5</td>
<td></td>
<td>277</td>
</tr>
<tr>
<td>11 Requiring a detainee to maintain, or restraining a detainee in, a stressful or painful position</td>
<td>6</td>
<td>1</td>
<td>2</td>
<td>5</td>
<td>274</td>
</tr>
<tr>
<td>12 Forcing a detainee to perform demanding physical exercise</td>
<td>1</td>
<td>1</td>
<td>4</td>
<td></td>
<td>277</td>
</tr>
<tr>
<td>13 Using electrical shock on a detainee</td>
<td>1</td>
<td>2</td>
<td></td>
<td></td>
<td>283</td>
</tr>
<tr>
<td>14 Threatening to use electrical shock on a detainee</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>289</td>
</tr>
<tr>
<td>15 Intentionally delaying or denying detainee medical care</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>289</td>
</tr>
<tr>
<td>16 Hooding or blindfolding a detainee other than during transportation</td>
<td>22</td>
<td>3</td>
<td>1</td>
<td></td>
<td>260</td>
</tr>
<tr>
<td>17 Subjecting a detainee to extremely cold or hot room temperatures for extended periods</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>285</td>
</tr>
<tr>
<td>18 Subjecting a detainee to loud music</td>
<td>11</td>
<td>1</td>
<td>3</td>
<td>19</td>
<td>252</td>
</tr>
<tr>
<td>19 Subjecting a detainee to bright flashing lights or darkness</td>
<td>6</td>
<td>1</td>
<td>2</td>
<td>7</td>
<td>268</td>
</tr>
<tr>
<td>20 Isolating a detainee for an extended period</td>
<td>20</td>
<td>1</td>
<td>1</td>
<td>6</td>
<td>257</td>
</tr>
<tr>
<td>21 Using duct tape to restrain, gag, or punish a detainee</td>
<td>1</td>
<td></td>
<td>1</td>
<td></td>
<td>286</td>
</tr>
<tr>
<td>Interrogation Technique</td>
<td>Personally Observed</td>
<td>Observations Led Me to Believe</td>
<td>Detainee Told Me To Me</td>
<td>Others Described</td>
<td>None of the Above</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------------------</td>
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<td>------------------------</td>
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<td>------------------</td>
</tr>
<tr>
<td>22 Using rapid response teams and/or forced cell extractions</td>
<td>2</td>
<td>3</td>
<td>1</td>
<td>9</td>
<td>275</td>
</tr>
<tr>
<td>23 Using a military working dog on or near a detainee other than during detainee</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>285</td>
</tr>
<tr>
<td>transportation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>24 Threatening to use military working dogs on or near a detainee</td>
<td>2</td>
<td></td>
<td>1</td>
<td></td>
<td>284</td>
</tr>
<tr>
<td>25 Using spiders, scorpions, snakes, or other animals on or near a detainee</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>288</td>
</tr>
<tr>
<td>26 Threatening to use spiders, scorpions, snakes, or other animals on a detainee</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>287</td>
</tr>
<tr>
<td>27 Disrespectful statements, handling, or actions involving the Koran</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>287</td>
</tr>
<tr>
<td>28 Shaving a detainee's facial or other hair to embarrass or humiliate a detainee</td>
<td>2</td>
<td></td>
<td>1</td>
<td>1</td>
<td>285</td>
</tr>
<tr>
<td>29 Placing a woman's clothing on a detainee</td>
<td></td>
<td></td>
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<td></td>
<td>286</td>
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<tr>
<td>30 Touching a detainee or acting toward a detainee in a sexual manner</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>290</td>
</tr>
<tr>
<td>31 Holding detainee(s) who were not officially acknowledged or registered as such by</td>
<td>1</td>
<td>2</td>
<td>4</td>
<td></td>
<td>280</td>
</tr>
<tr>
<td>the agency detaining the person.</td>
<td></td>
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<td></td>
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<tr>
<td>32 Sending a detainee to another country for more aggressive interrogation</td>
<td>2</td>
<td>2</td>
<td>5</td>
<td></td>
<td>279</td>
</tr>
<tr>
<td>33 Threatening to send a detainee to another country for detention or more aggressive</td>
<td>6</td>
<td></td>
<td>2</td>
<td></td>
<td>278</td>
</tr>
<tr>
<td>interrogation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>34 Threatening to take action against a detainee’s family</td>
<td>3</td>
<td>2</td>
<td>1</td>
<td></td>
<td>283</td>
</tr>
<tr>
<td>35 Other treatment or action causing severe emotional or psychological trauma to a</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>290</td>
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<tr>
<td>detainee</td>
<td></td>
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</tr>
<tr>
<td>36 Other religious or sexual harassment or humiliation of a detainee</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>287</td>
</tr>
<tr>
<td>37 Other treatment of a detainee that in your opinion was unprofessional, unduly harsh</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>284</td>
</tr>
<tr>
<td>or aggressive, coercive, abusive, or unlawful</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Observation Totals 112 30 46 117 10,333
II. Observations Regarding Particular Techniques

A. FBI Knowledge Regarding Detainee Deaths

Several detainees died while in military or CIA custody in Iraq under circumstances raising questions about detainee abuse. For example, news reports stated that a former Iraqi Major General, Abed Hamed Mowhoush, died of asphyxia in November 2003 while being interrogated by U.S. and/or Iraqi personnel, and that his chest and legs bore “evidence of blunt force trauma.” Other news reports described the November 2003 death of another detainee, Manadei al-Jamadi, at Abu Ghraib. According to these public reports, al-Jamadi was captured by Special Forces personnel and died while being interrogated at Abu Ghraib by the CIA.

None of the FBI employees contacted by the OIG reported that they ever personally witnessed, or heard about from those who witnessed, any beating or other treatment which caused the death of a detainee in Iraq, including the two detainee deaths described above.

B. Beating, Choking, Strangling, or Other Abusive Handling of Detainees

The OIG survey asked respondents to provide information concerning detainee beatings, the use of hands, rope, or anything else to
choke or strangle a detainee, or other actual or threatened kinds of
treatment causing significant physical pain, injury, disfigurement, or
death. These techniques do not appear to have been approved in Iraq
under any military policy. *Church Report* at 257-273. Other than the
widely publicized incidents at Abu Ghraib, the Church investigators
stated there were only “rare reports” of beatings. The *Church Report*
described 16 cases in which interrogation-related abuse of detainees was
substantiated, including several closed military investigations concluding
that interrogators struck detainees, as well as other incidents of
detainees being slapped, punched, kicked, or struck with objects.
Additional cases remained open as of the time the *Church Report* was
issued.

None of the approximately 267 FBI agents who served in Iraq
through the end of 2004 and who responded to the OIG survey reported
that they ever observed any beating or other physical abuse that caused
physical harm or injury to a detainee. However, 14 agents responded
either that their observations led them to believe that such physical
abuse had occurred or that they had heard about it from others. For
example, one agent told us that a detainee alleged he had been
mistreated by the Iraqi police, and another detainee claimed that U.S.
military personnel had mistreated him. The agent said that the first
detainee looked like he had been beaten. Another agent stated in his
survey that a detainee claimed he was beaten at “Camp Babylon” by
Polish soldiers before being transferred to U.S. custody at Abu Ghraib.
The agent said the detainee’s face was bruised and swollen and that it
was requested he be given medical treatment. Another FBI agent stated
that he recalled one or two detainees at a particular facility who claimed
to have been beaten when they were first taken into custody by the
military, but that these detainees showed no signs of bruising or
mistreatment.

In addition, most agents told us that they had no information that
any detainee injuries that they observed were sustained as a result of the
conduct of U.S. personnel other than in battle or during capture. Other
agents stated that detainee claims of such abuse were not corroborated.

On March 14, 2004, CENTCOM Major General Taguba completed
the investigation and report concerning the Abu Ghraib abuses. *Church
Report* at 257. The *Taguba Report* stated that between October and
December 2003, the “numerous incidents of sadistic, blatant, and
wanton criminal abuses of detainees intentionally perpetrated” by
military personnel at Abu Ghraib included “punching, slapping and
kicking detainees and jumping on their naked feet.” *Taguba Report* at
16-17. We found no evidence that FBI personnel were aware of the
conduct described in the *Taguba Report* at the time it occurred.
One FBI agent reported in his survey responses that he had seen a detainee in early 2004 that appeared to have been beaten by a member of the U.S. military or by Iraqi personnel. During his interview, however, the agent clarified his response by stating that the detainee looked disheveled and as though he had been “slapped around” or “roughed up.” The agent reported that he and three other FBI agents observed the detainee being treated roughly during a joint FBI-DOD interrogation. We address this allegation separately in Part VII of Chapter Eleven.

The FBI received at least one report in the United States from a returning serviceman regarding detainee abuse in Iraq. On June 24, 2004, a former National Guardsman who had served in Iraq came into the FBI’s Sacramento Field Office and told the FBI that he had observed detainee abuses at an Iraqi police station in Samara, Iraq, including strangulation, beatings, and burning with lit cigarettes, and that U.S. military personnel had conspired to cover up these abuses by means of threats to witnesses. According to an FBI agent from the Sacramento Division who interviewed the former Guardsman, the Guardsman claimed that he had to resuscitate some of the detainees after this abuse. The Guardsman identified several U.S. Army personnel who perpetrated these alleged abuses. The FBI agent stated that the FBI forwarded the information to the DOD Inspector General.

Also, as discussed in Chapter Six, in late January 2004 an FBI agent serving as an interview team leader in Iraq sent an e-mail to her OSC alerting him that there was substance to allegations of prisoner mistreatment at Abu Ghraib, including videotape evidence of the mistreatment which included beatings and rape. The OSC forwarded this information to senior CTD officials at FBI Headquarters, including then-Deputy Assistant Director Gary Bald, CTORS Section Chief Frankie Battle, and DAD T.J. Harrington, together with the OSC’s recommendation that the FBI not conduct an abuse investigation but rather let the Army CID handle it. Bald concurred with this recommendation, and we found no evidence that the FBI took any further action with respect to the agent’s report.174

Another agent stated that in approximately June or July 2004 he had learned that Defense Intelligence Agency (DIA) personnel

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174 We determined for various reasons that other allegations described in survey responses to this question did not merit further investigation. For example, one agent reported that while she was interviewing detainees at GTMO in July and August 2002, a detainee alleged to her that he had previously been beaten by U.S. military personnel in Iraq, an obvious fabrication or mistake by the detainee, since U.S. forces did not invade Iraq until March 2003.
We address allegations about detainee abuse at this facility in Part VIII of Chapter Eleven.

C. Causing Burns by Placing Detainees on Hot Surfaces

Several agents told the OIG in interviews or survey responses that they were aware of incidents involving the placement of detainees on hot surfaces or otherwise inflicting burns on detainees in Iraq. At least four of these witnesses were apparently referring to the same detainee.

Burning detainees was never an approved military technique in any military theater. Burning was not specifically reported as a category of interrogation technique in the Church Report, and no substantiated incidents of burning detainees were described in the report.

Two FBI employees (a Special Agent and a linguist) told us that in an interview of detainee Ibrahim Khalid Samir Al-Ani in the fall of 2003, Al-Ani told them that U.S. military personnel came to his home late at night, hooded him, restrained his hands, put him the back of a vehicle, and drove for a very long time. Al-Ani said he was face down and squirming on the rear bed of the vehicle. He told the agent and the linguist that he thought the military personnel believed he was being uncooperative because they held him down without realizing he was burning. The agent noted that in a Humvee, the engine heat conducts all the way back through the bed of the vehicle. The soldiers were sitting on the sides in the rear, and the agent said he concluded that the soldiers apparently did not feel the heat in the bed through the soles of their boots. The agent and linguist also told us that the agent photographed Al-Ani's burn scars.175

Three other agents, including two former OSCs, told the OIG about an incident that we concluded also related to detainee Al-Ani. One former OSC told us that in the summer of 2003 the FBI wanted to interview a detainee, but the military said that because of injuries the detainee had sustained during capture, he was hospitalized in a military medical camp. The OSC stated that an FBI agent could not interview the detainee because of the detainee's serious burn injuries and sedation. The OSC recalled hearing from the agent that the military may have said

175 The agent and the linguist told us that they included the photographs with the interview ECs. The FBI was unable to find copies of these photographs, however, and neither the agent nor the linguist knew what became of them.
that the detainee was burned in the back of a hot Humvee. He also said that this was one of the matters he handed off to the incoming OSC who replaced him. We also learned that during mid-July 2003, another agent tried to interview Al-Ani in the hospital, but also could not do so because of the severity of the detainee's injuries.

The second OSC, who served in Iraq from September to November 2003, told us that he understood that [redacted] had captured a prisoner during a [redacted] had transported him for a long period on the hot hood of a jeep, and as a result, the detainee “got fried.” The FBI interviewed the detainee when his medical condition improved, but his burns were still apparent. This OSC said that his recollection was uncertain, but he thought the military told him that they had no other way to transport the detainee, that they had to leave the scene of the [redacted] hastily, or that they did not know the detainee was being burned because he was unconscious.

Another survey respondent described what appears to have been a second burning incident in July 2003. This agent stated that he learned that Walid Nayif Mohammed Al-Jabburi, a former Lieutenant Colonel in the Iraqi Intelligence Service, had suffered a 2-inch burn on his upper left arm after being taken into custody [redacted] and transported back to the [redacted]. The agent stated that he saw the injury, and that the detainee told him that “while lying in the back bed of a HUMVEE, he suffered the burn to his arm from being in contact with a hot portion of the metal on the HUMVEE.” The agent added:

This injury did not appear to have occurred during the course of an[ ] interrogation from what Al-Jabburi said and because to our knowledge, we were the first people to interrogate him. It is not known whether this injury was accidental or whether Al-Jabburi was negligently or purposely placed against the hot metal of the vehicle. We informed the MP guard to have a medic look at the wound. In a later interview, Al-Jabburi showed us the burn and said that a medic had looked at it and treated him. I could see there was some type of salve on the wound.

An FBI agent who interviewed detainees at [redacted] and Abu Ghraib in late 2004 stated in his survey responses that a detainee at [redacted], whose name he did not recall, told the agent that “when he was taken into custody by military personnel . . . he was handcuffed and placed on [a] truck bed which caused severe burning to his arms, legs, and chest.” According to the agent, the detainee had scars and his Army ‘handler’ had documented the allegations and injuries in the detainee’s dossier. We did not determine whether this was a fourth
D. Use of Electric Shock

We sought information concerning the use by U.S. personnel of electric shock or the threat of it to coerce information from detainees. According to the Church Report, use of electric shock was never an approved technique at any time in any military theater. Church Report at 29-34. The only incident of actual or mock electric shock described in the Church Report was the infamous Abu Ghraib photograph showing a hooded detainee balancing on a box while wired with mock electrodes. Id. at 287. The Taguba Report likewise stated that between October and December 2003, the abuse of detainees included positioning a naked detainee on a box with a sandbag on his head, and attaching wires to his fingers, toes, and penis to simulate electric torture. Taguba Report at 16-17.

Six FBI agents told the OIG in survey responses or interviews that they heard about the use of electric shock, although five apparently described the same incident.

This information was relayed to the military chain of command and eventually briefed to all individuals (FBI and non-FBI) assigned to the...” Other agents stated that the... commanding officer promptly began a military investigation.
an internal DOD investigation found “improper use of a Tazer that resulted in burn marks on a detainee.”

E. **Harsh or Prolonged Shackling**

The OIG sought information regarding the use of shackles or other restraints in an abusive or harsh manner. The *Church Report* did not specifically describe the use of prolonged shackling by the military as an interrogation technique in Iraq. As noted in connection with Afghanistan, such a technique might be considered a form of a “safety position” or “stress position,” which the *Church Report* generally described as requiring a detainee to maintain an awkward or uncomfortable position in order to control his movement during interrogation, both for purposes of interrogator safety and as an incentive to cooperate. *Church Report* at 216-18. According to the *Church Report*, use of stress positions not exceeding four hours was specifically approved in Iraq under a DOD policy issued in September 2003. *Id.* at 265-70. It was removed from the list of pre-approved techniques in October 2003, but permitted to be used with prior approval from the CJTF-7 Commander. *Id.* The DOD May 13, 2004, Policy stated that “under no circumstances” would approval for stress positions be given. *Id.* The Church investigators found that stress positions were frequently used by the military in Iraq, and that some interrogators reported using them even after this technique was explicitly prohibited. *Id.* at 276-77, 281-82.

Six FBI agents responded to the OIG survey that they observed prolonged shackling of detainees, and five said they had heard about such treatment from others who had observed it. In general, these FBI agents described two ways in which detainees were restrained: handcuffing them in various ways and shackling them to floors or other structures in uncomfortable or stressful positions.

Several agents provided information regarding potentially harsh practices at the

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176 Adair is a pseudonym. The OIG’s investigation of additional allegations regarding Adair’s conduct at this facility is described in Part VIII of Chapter Eleven.
We found that FBI agents working at this facility participated in the use of the military's detainee restraint category system by informing guards of the level of the detainee's cooperation and recommending the degree of in-cell restraint to be imposed as a result.\textsuperscript{177} In mid-2004, at least one FBI agent at [redacted] was also involved in deciding whether a detainee would receive a blanket or mattress in his cell, again based on whether he was cooperative in interviews.

The agent told the OIG she believed she discussed this incident with an FBI supervisory special agent, who in essence told her that because the

\textsuperscript{177} We address whether the agents' participation in this system violated FBI policy in Chapter Eleven. We note also that, as described in Section III.D. of Chapter Six, in May 2006 the FBI Office of General Counsel issued an Electronic Communication addressing this practice.
FBI did not intend to interview the detainee at issue, the military’s treatment of the detainee would not be an issue for the FBI.

Another agent described an incident in which a military detainee at was handcuffed in his cell in a standing position for several hours as punishment for making noise and inciting other prisoners.

F. Using Military Working Dogs

Public images of detainees at Abu Ghraib depicted military working dogs with frightened detainees. Use of muzzled dogs to exploit the detainees’ fear of dogs was approved in Iraq under the DOD’s September 2003 Policy for Iraq. *Church Report* at 265. This technique was removed from the list of approved techniques in October 2003, but its use was still permitted with specific prior approval from the CJTF-7 Commander. *Id.* at 268. The use of unmuzzled dogs was never approved under military policy. *Id.* at 281. Several different military investigations found that dogs were used to intimidate and attack detainees at Abu Ghraib, including after October 2003. E.g. *Taguba Report* at 15-17; *Church Report* at 280-81.

We asked FBI agents in Iraq about the use of military working dogs on or near detainees other than for security or safety during detainee transport. In 2003, FBI supervisors and field agents had considerable contact with ☆, who provided assistance to FBI personnel working at Abu Ghraib. However, none of the agents we interviewed said that they knew of the conduct for which ☆ was punished. Most of the FBI agents told us that in 2003 and 2004 they never saw or heard about any military working dogs used at Abu Ghraib or at the ☆ during detainee interrogations, or to menace, intimidate, or physically harm detainees at any location in Iraq.

The FBI’s OSC in Iraq in May 2004 told us that he learned about the use of military working dogs at a particular facility from a set of military e-mails that the resident FBI supervisor there had brought back to the FBI’s Baghdad Operations Center (BOC).☆ The OSC sent an e-mail to senior CTD personnel at FBI Headquarters on May 22, 2004, describing an “e-mail stream I have seen”. The OSC told us that even if the use of dogs was allowed by military rules, the fear of dogs made such actions troubling in environments in which FBI agents were also working.

☆ We were unable to obtain a copy of these e-mails during our investigation.
G. Sexually Abusive or Humiliating Contact

The widely publicized Abu Ghraib disclosures included sexually humiliating photographs of detainees and other sexually abusive conduct. The March 2004 Taguba Report stated that between October and December 2003, the abuses of detainees at Abu Ghraib included: (1) videotaping and photographing naked male and female detainees; (2) forcibly arranging detainees in various sexually explicit positions for photographs; (3) forcing male detainees to wear women's underwear; (4) forcing groups of male detainees to masturbate while being photographed and videotaped; (5) arranging naked male detainees in a pile and then jumping on them; (6) placing a dog chain around the neck of a naked detainee and having a female soldier pose with him in a picture; and (7) a male guard having sex with a female detainee. Taguba Report at 16-18.

According to the Church Report, sexual acts or mock sexual acts were never an approved interrogation technique in Iraq. Church Report at 273. The Church Report described a sexual assault of a female detainee by military intelligence personnel at Abu Ghraib in October 2003. Id. at 296-97. In addition to the other widely publicized incidents at Abu Ghraib, the Church investigators found one anecdotal report of stripping and photographing female detainees. Id. at 289.

None of the 267 FBI employees who were deployed to Iraq and who responded to the OIG survey reported any information of this nature. However, during our investigation we received documents describing an allegation that at

However, we examined this allegation because FBI agents were stationed at this facility in 2004. We determined that this alleged incident took place before any FBI agents were deployed at this facility. No FBI agent had personal knowledge of this incident.

H. Using Water To Prevent Breathing by a Detainee or To Create the Sensation of Drowning

The OIG survey also asked respondents to provide information regarding the use of water to prevent breathing by detainees or to create the sensation and fear of drowning. This question was intended to include and capture information about a practice known as “waterboarding.” We found no evidence that waterboarding or similar techniques were approved for use under military policies for Iraq or any other theater.

One FBI agent deployed to Iraq during January through March 2004 told the OIG that he personally observed a non-FBI interrogator
give a shackled detainee a drink of water in a rough manner that caused the detainee to cough or choke at an unidentified building. He added that three other FBI agents also observed this incident. This matter is discussed in Part II of Chapter Eleven.

[Redacted], and that the military considered this a “harsh-up” technique. Because an FBI agent was allegedly involved in this practice, we address this matter further in Part VIII of Chapter Eleven.

I. Stressful or Painful Positions or Calisthenics

We determined that several FBI agents observed or heard about the use of stressful or painful positions by the military in Iraq. As previously noted, under military policies stress positions were permitted in Iraq at least from September to October 2003, and thereafter until May 2004 with prior approval of the CJTF-7 Commander. Church Report at 265. The May 13, 2004, DOD policy for Iraq stated that “under no circumstances” would approval for stress positions be given. Id. at 270. The Church Report found that stress positions were frequently used by the military in Iraq. Id. at 281-82. According to the Church Report, physical exercise was not explicitly addressed in any Iraq policy. Id. at 283-87. The Church investigators discovered several incidents in which detainees in Iraq were made to engage in physical exercise to overcome their resistance to questioning, and that some interrogators considered this to be part of a stress position regimen. Id. at 286-87.

Several FBI agents described the use of stress positions or forced exercise in Iraq. Most of these reports pertained to conduct that took place [Redacted]. FBI agents reported that they personally observed only a limited number of instances in which detainees were subjected to “harsh-up” techniques. Agents deployed [Redacted] in mid-2004 told us that they believed this was not a common occurrence and that only two or three “harsh-ups” were approved during each of the two 3-month rotations they were deployed there. Other agents stated that
they observed or heard about one or two such interrogations during their deployments from July through October 2004. Most of the information we gathered related to what agents were told by others, because FBI agents said they sought to avoid participating in or observing such interrogations. FBI agents typically learned during shift change meetings at the facility, for example, that the military had decided to engage in such an interrogation and therefore knew in advance to avoid that interrogation. One agent said that the military personnel with whom he dealt at the facility did not want FBI agents to witness interviews in which the military employed “harsh-up” techniques. He also said that the Deputy OSC ordered him not to observe or take part in any such practices.

However, FBI agents told us that they observed or were told by others about the military’s use of several stressful positions at the [redacted]. These included ordering one or more detainees to stand on one leg, to stand for long periods of time, sometimes with bags over their heads, in order to “soften” them up for interrogations, or to “hold their hands above their heads for long periods of time.” Other FBI agents told us that detainees were told to squat in order to simulate sitting in an invisible chair.

FBI employees also described the use of stressful or prolonged exercises for uncooperative detainees by military and intelligence service personnel. One FBI intelligence analyst said that he was told by those who had observed such techniques that uncooperative detainees in both Afghanistan and Iraq were “told to do push-ups and other forms of exercise.” He was also told that “they weren’t forced to do it but they would do it anyway, probably out of fear. They exercised until they talked or for no longer than 1 hour [out of] every twenty-four hours.” This analyst also noted that “water was always on hand and medics readily available.” An FBI agent reported that during February or March 2004 he was walking [redacted] when he observed Army personnel “direct[ing a detainee] to do squats while holding two or three cases of MREs.” Another agent told us that sometime in March or April 2004 at an unnamed location, he saw a detainee walking and doing calisthenics while holding a case of MREs.

Several agents at [redacted] in 2004 reported that they observed or heard about the use of calisthenics during military interrogations, such as push-ups, deep knee bends, or sit-ups, in order to induce detainee fatigue and cooperation. One agent told us that other agents told him in early 2004 that military “interrogators would occasionally have a detainee pace back and forth along a wall for hours in order to induce fatigue” and thereby lessen his resistance to answering their questions. While this witness heard about some
detainees refusing to comply with instructions to continue the calisthenics or walking, he said he had no information about what the military did in such cases.

J. Deprivation of Food and Water

The OIG survey asked respondents to provide any information they had about any intentional deprivation of food or water for detainees by any U.S. personnel. According to the Church Report, denial of basic human needs such as food was always prohibited in every theater. Church Report at 155, 213, 273. The Church Report stated that one interrogator reported that his unit nevertheless tried food deprivation as an interrogation technique in Iraq. Id. at 35, 273, 288.

One FBI agent told the OIG that a group of detainees one day were yelling and screaming that they were not being fed. However, the agent said that he “observed water and food being provided daily” to the detainees.”

We received several reports that the had a policy or practice of denying food or water to detainees for the first 24 hours of their detention. Because these allegations relate to the conduct of an FBI agent, we address them in detail in Part VIII of Chapter Eleven.

K. Depriving Detainees of Clothing

In Section II.G. of this chapter we discussed FBI observations of sexual abuse of detainees involving nudity. A related form of reported detainee abuse involved the humiliation of detainees by forcibly removing their clothing with no related sexual assault. Taguba Report at 16-17. Some of the most infamous photographs of the abuses at the Abu Ghraib prison depicted the humiliation of naked or almost-naked detainees by U.S. military personnel. The March 2004 Taguba Report stated that between October and December 2003, military personnel at Abu Ghraib forcibly removed detainees’ clothing and kept them unclothed for days at a time. Id.

According to the Church Report, removal of clothing was not explicitly addressed in the military interrogation policies for Iraq. Church Report at 283-85. This technique could have been considered to be encompassed by one of the Field Manual 34-52 techniques, such as “pride and ego down” or “incentive.” The Church Report stated that in addition to the highly publicized nudity incidents at Abu Ghraib, there were two reports of military interrogators using this technique in Iraq but no evidence of the “systematic use” of this technique. Id. at 285.
Deprivation of clothing was one of the frequently reported techniques in Iraq described by FBI agents. Five survey respondents said that they personally observed this conduct and eight stated that they heard about it from others. Almost all of the observations reported to us related to incidents at the Abu Ghraib prison or the

1. Abu Ghraib Prison

One FBI agent told the OIG that sometime in November 2003 he saw that “[u]nknown detainees in Abu Gh[ra]ib prison were being held naked in isolated cells, [and] others were being asked to rol[l] naked on the floor from one end of the cell block to the other.” He added that on another occasion, he and a second agent saw a naked detainee being told to roll on the corridor floor between two rows of cells at Abu Ghraib. He said that a military guard told him the detainee was being disciplined for being disruptive or uncooperative. He also said that military personnel told him that detainees were also held naked in cells if they were disruptive or uncooperative by yelling or screaming in their cells, and that taking away their clothes had the effect of quieting them.

The agent told us that he did not report or discuss this incident with anyone in Iraq, including the OSC or Deputy OSC, because he did not know whether or not this was allowed under military rules, and because this occurred before the Abu Ghraib photos became public. However, he did not report these incidents during the May 2004 OGC-Inspection Division special inquiry, which was conducted within the FBI after the Abu Ghraib photos became public.\textsuperscript{179}

A second agent told the OIG that while he was deployed in Iraq in November 2003 through January 2004, he saw a detainee at Abu Ghraib lying on the floor either naked or in boxer shorts with a military guard and possibly an interrogator nearby. The agent thought this was a disciplinary measure rather than an effort to coerce information from the detainee. This agent said that the incident appeared to him to be similar to common disciplinary procedure in a U.S. jail when a prisoner is being disruptive. This agent did not report this incident to his chain of command in Iraq at the time, but he did report it during the May 2004 OGC-Inspection Division special inquiry.

\textsuperscript{179} This agent said he did not report this incident to the FBI Inspection Division interviewers who interviewed him in 2004 because he did not believe it was within the scope of the questions asked.
Another agent who worked at Abu Ghraib told the OIG that on one occasion in December 2003 while he was walking through part of the prison, he saw several detainees “in their cells with only underwear on.” He said that the Army sergeant escorting him through the prison said that this “was an approved technique.” The agent said he understood that this was meant to soften the detainees up and make them more cooperative in interrogations. He told us that he did not discuss his observations of the detainees in their underwear with the OSC or Deputy OSC because he assumed it was an approved technique and thought there was no controversy about it. He said that the sergeant volunteered that the deprivation of clothing was authorized, and the agent received the impression that this practice was not uncommon at Abu Ghraib at the time for detainees who were being difficult.

2. One FBI agent described an incident that occurred at the between November 2003 and January 2004. This agent said he observed detainees stripped naked or nearly naked and marched around a room in that facility. He stated that the same room was often in use with the door closed while he was at the facility. The agent told us he was not sure he described to his OSC or Deputy OSC what he had observed, and he did not believe it was necessary to report it to anyone.

In addition, SA Adair, reported that he was told that before he arrived there the military interrogators would strip a detainee naked in order to humiliate him. He said that his understanding was that the military had stopped using this technique by the time he arrived there in February 2004.

Another agent who served at the told us that he observed on one occasion during April or May 2004 a “detainee shackled to [the] floor, naked and blindfolded.” The agent did not know how long the detainee had been in that position. The agent said that a second agent was with him at the time, but neither of them questioned military personnel about this or reported it to the OSC or Deputy OSC. The agent said he had no information as to whether or not

180 Adair is a pseudonym.
this had been authorized by military commanders, or why the detainee was being held in that condition.\textsuperscript{181}

Several agents reported to us that they had heard that the deprivation of detainee clothing was a standard procedure, but never saw it themselves. One of these agents stated that at least in some cases, military personnel may have done so for purposes of discipline rather than to coerce information from detainees.

\textbf{L.  Hooding or Blindfolding Detainees}

The OIG survey also asked respondents to provide information concerning the use of hoods or blindfolds on detainees other than during detainee transportation. According to the \textit{Church Report}, hooding was not explicitly addressed as an interrogation technique in military interrogation policies for Iraq. \textit{Church Report} at 283. The \textit{Church Report} stated that there were no reports that hooding had been used as an interrogation technique, as distinct from a force protection measure during the transport of detainees. \textit{Id.} As detailed below, this finding was not consistent with the accounts given to the OIG by some FBI agents.

Twenty-two FBI employees responded to the survey that they had observed detainee hooding and blindfolding and three stated that they had heard about it from others. However, many of the responses indicated that the blindfolding occurred during detainee transportation or for purposes of safety, security, or discipline. However, other agents reported the use of blindfolding or hooding as an interrogation technique.

Several of these other agents told the OIG that the U.S. military in Iraq routinely used blindfolds to prevent detainees from seeing their detention surroundings and for the protection and security of U.S. and Iraqi personnel. Agents reported to us that the common practices they observed during the movement of detainees within or outside of the detention facilities were the use of either (1) hoods or sandbags over the heads of detainees, left loose or secured loosely with tape on the outside of the bags, or (2) large goggles with the lenses blacked out with duct tape or spray paint.

Other agents described the use of blindfolds, blackened goggles, or hoods, together with other efforts to disorient and confuse detainees during the period shortly after their capture. For example, a former OSC told us that when a group of captured insurgents was brought in to a

\begin{footnote}
\textsuperscript{181} The second agent reported in his survey responses that sometime in May 2004 he observed a detainee who was blindfolded and naked, but his recollection was that he saw this at a different facility.
\end{footnote}
during the fall of 2003 at around 3:00 a.m., military personnel yelled in Arabic and English through bull horns while loud rock music was played. The OSC stated that the detainees were told to stand up and squat down in the middle of the compound with hoods on their heads.

Several agents told us that in the period of May through October 2004, the military required that detainees be blindfolded for as much as the first 24 hours after arrival at the . One agent said that the purpose was to disorient the detainees and to persuade them to cooperate with interrogators.

Agents also described the use of hoods or blindfolds during interrogations. Although detainees were often blindfolded during their initial interrogations at the military’s request, the FBI agents said it was not the general practice to blindfold detainees during subsequent interrogations or interviews. Removing the handcuffs and blindfold depended on the interviewer’s assessment of how cooperative and candid the detainee was. In some cases, detainees who were considered dangerous were blindfolded during interrogations or interviews. Another agent told us that some detainees were interrogated by the military with hoods on, possibly as part of “harsh-up” interrogations.

One agent who served at in early 2004 stated that some detainees were left in their cells with hoods on for extended periods of unknown duration. Detainees who removed their hoods were directed to put them back on by guards who checked through the cell door “peep holes.” Another agent told us that he observed that some detainees wore blacked-out goggles while in their cells, but he did not know why or for how long.

Two FBI personnel also told us about what they viewed as inappropriate military humor using drawings of “smiley faces” on the outside of bags over the heads of detainees at Abu Ghraib. An agent in Iraq in the fall of 2003 told us that an MP brought a detainee for an FBI interview with a hood marked in this way, and the agent “told the soldier it was unprofessional.” The MP “apologized and came back with a clean hood at the end of the interview.” The agent told us he believed he reported this incident to an SSA in his FBI Division when he returned to the United States. An intelligence analyst likewise stated that in the fall of 2004 she saw a seated prisoner at Abu Ghraib, hands bound behind his back, wearing a burlap sack on his head with the face drawn on the sack. She “felt [this] was unprofessional, humiliating and a sick joke,” but when she said so to a military officer, “he seemed to think it was an acceptable MP practice.”
We also received reports that FBI agents observed and may have participated in the use of duct tape to blindfold detainees in Iraq. These reports are addressed in Part II of Chapter Eleven.

M. Sleep Deprivation or Interruption

Sleep deprivation or interruption was one of the most frequently reported forms of detainee treatment reported by FBI agents who served in Iraq. Most agents who described this conduct stated that detainees had their sleep interrupted by frequent awakenings or through the use of loud music and lights.

The military’s September 2003 Iraq Interrogation Policy explicitly authorized the use of sleep adjustment, including adjusting sleep cycles from night to day and limiting total sleep to as little as 4 hours per day. Church Report at 265, 283. The October 2003 Policy removed sleep adjustment from the pre-approved list but authorized its use with prior approval from CJTF-7 Command. Id. at 268. The May 2004 Policy stated that henceforth this technique would not be approved under any circumstances. Id. at 270. According to the Church Report, military interrogators continued to use this technique in Iraq even after it was explicitly prohibited, and although interrogators apparently adhered to the 4-hour minimum, they did not always require that the 4 hours be consecutive. Id. at 282.

Altogether, 15 survey respondents said they observed and 32 said that detainees or others told them about sleep deprivation being used as early as June 2003 at various detention facilities in Iraq, especially at the [REDACTED]. FBI agents reported that they heard that this was a standard, approved military procedure.

Similarly, 9 FBI employees stated that they observed the interference with detainee sleep by loud music or in some cases the broadcast sound of a baby crying, and 16 stated that they heard about such actions from others. However, they suggested that the purpose of such actions could have been sleep deprivation, interference with communication among detainees, or to create additional stress for uncooperative detainees as part of a “harsh-up” interrogation.

One FBI agent deployed to Iraq between the fall of 2003 and early 2004 told us that based on what he had heard, “[i]t was commonly known that the military made detainees stand for long periods with bags on their heads” in order to interfere with their sleep. Another agent who worked at [REDACTED] also told us that in February or March 2004 he observed a detainee who was forced to stand in his cell for an unknown period of time in order to keep the detainee awake. The
agent said that a military guard told him that the guard had been instructed to keep the detainee awake.

According to FBI agents, the purpose of sleep disruption or deprivation was to

The OSC said that he told agents in Iraq that the FBI was aware of this practice and that agents need not report it further. He did not consider the conduct abusive.

Another agent deployed to told us that detainees were interviewed several times over the course of 24 hours in a deliberate effort to disrupt their sleep patterns. Further, the detainees were prevented from knowing what time of day it was. They were held in a building with no windows and in completely dark cells, except when they were taken out to go to the bathroom or to be interrogated. There were also set times at which they were awakened to be moved from cell to cell, fed, or taken to the bathroom, and the times for these events changed periodically.

N. Unregistered “Ghost” Detainees

Ten FBI agents told the OIG that they had personal knowledge of or had heard about the detention of individuals by the United States in Iraq without official acknowledgment of the detainee. The incidents reported by the FBI agents occurred during September through
December 2003, and high value detainees were the focus of the practice. Although the agents usually learned of this practice from military personnel, in each case they were told that the detainees were being held in undocumented status at the behest of the CIA.

According to the Church Report, Lt. Gen. Sanchez (the CJTF-7 Commander) stated in July 2004 that CJTF-7 staff officers and the CIA reached an unwritten agreement to provide a number of cells at Abu Ghraib for the CIA's exclusive use in holding "ghost" detainees. Church Report at 317. Under this agreement, there was no requirement for the CIA to register the prisoner with the military when the CIA used those cells. Id. The Army investigation led by Lt. Gen. Anthony Jones in 2004 also concluded that "ghost detainees" occurred at Abu Ghraib because detainees were accepted from other agencies and services without proper in-processing, accountability, and documentation. The Jones investigation concluded that "[t]he number of ghost detainees temporarily held at Abu Ghraib, and the audit trail of personnel responsible for capturing, medically screening, safeguarding and properly interrogating the 'ghost detainees,' cannot be determined." 2004 US Army, LTG Anthony R. Jones, Investigation of Intelligence Activities at Abu Ghraib, AR 15-6 ("Jones Report") at 23.

A former FBI OSC in Iraq stated in his survey responses that military intelligence personnel described to him in general terms the existence of ghost detainees at Abu Ghraib. Two other agents told us that during the period of September through December 2003, the CIA refused to allow the FBI to interview certain high value detainees held at Abu Ghraib. One of these agents told us that he learned about the "ghost" detainee practice when some detainees scheduled for FBI interviews at Abu Ghraib could not be located, and military personnel told him that the detainees were likely on a CIA "ghost" list because the facility had no records or identifying information for the detainees. The agent said that he thought there were at most three or four such "ghost detainees" while he served in Iraq.

Another agent reported to us that during the fall of 2003 he was told that a particular high value detainee had been interrogated by the CIA at Abu Ghraib for some time before this agent was given access to him. The detainee remained unregistered during part of the period in which this agent interviewed him. During that period, the agent told us the International Committee of the Red Cross was making a very public effort to get access to all detainees. The agent said he and a military officer obtained a prisoner number for the detainee, who subsequently was reported to the Red Cross. The agent also told us that he did not know whether the detainee's "ghost" status was legal. In addition, according to another FBI agent, an officer at Abu Ghraib told him in