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17 *Attorneys for Plaintiffs*

18 UNITED STATES DISTRICT COURT
19 FOR THE EASTERN DISTRICT OF WASHINGTON

20 SULEIMAN ABDULLAH SALIM,
21 MOHAMED AHMED BEN SOUD, OBAID
22 ULLAH (AS PERSONAL
23 REPRESENTATIVE OF GUL RAHMAN),

24 Plaintiffs,

25 v.

26 JAMES ELMER MITCHELL and JOHN
"BRUCE" JESSEN

Defendants.

2:15-CV-286-JLQ

DECLARATION OF
STEVEN WATT IN
SUPPORT OF PLAINTIFFS'
OPPOSITION TO
DEFENDANTS' MOTION
FOR SUMMARY
JUDGMENT

Oral Argument Requested
NOTE ON MOTION
CALENDAR:

JULY 28, 2017,
9:30 A.M.,
SPOKANE, WASHINGTON

1 I, Steven Watt, a member of the Bar of the State of New York and
2 admitted *pro hac vice* to the Bar of this Court, declare under penalty of perjury
3 as follows:
4

5 1. I am an attorney with the American Civil Liberties Union Foundation,
6 and represent Plaintiffs in this matter. I submit this declaration in support of
7 Plaintiffs' Response to Defendants' Motion for Summary Judgment.
8

9 2. Attached hereto as **Exhibit A** is a true and correct copy of excerpts of
10 the deposition transcript of Jose Rodriguez, dated March 7, 2017.
11

12 3. Attached hereto as **Exhibit B** is a true and correct copy of excerpts of
13 the deposition transcript of James Elmer Mitchell, dated March 7, 2017.
14

15 4. Attached hereto as **Exhibit C** is a true and correct copy of excerpts of a
16 draft manuscript produced by Defendant Mitchell pursuant to Plaintiffs'
17 discovery request, titled "Interrogating the Enemy".
18

19 5. Attached hereto as **Exhibit D** is a true and correct copy of excerpts of
20 the deposition transcript of John Rizzo, dated March 20, 2017.
21

22 6. Attached hereto as **Exhibit E** is a true and correct copy of a document
23 produced by the CIA pursuant to Defendants' subpoena, titled "Subject:
24 Qualifications to provide special mission interrogation consultation" and
25 labelled with U.S. Bates numbers 001616-001618.
26

1 7. Attached hereto as **Exhibit F** is a true and correct copy of excerpts of
2 the deposition transcript of John Bruce Jessen, dated January 20, 2017.
3

4 8. Attached hereto as **Exhibit G** is a true and correct copy of a document
5 produced by the CIA pursuant to Defendants' subpoena, titled "NEXT PHASE
6 OF ABU ZUBAYDAH INTERROGATION" and labelled with U.S. Bates
7 numbers 001839-001840.
8

9 9. Attached hereto as **Exhibit H** is a true and correct copy of a document
10 produced by the CIA pursuant to Defendants' subpoena, titled "EYES ONLY –
11 LESSONS FOR THE FUTURE" and labelled with U.S. Bates numbers 001610-
12 001615.
13

14 10. Attached hereto as **Exhibit I** is a true and correct copy of a document
15 produced by the CIA pursuant to Defendants' subpoena, titled "EYES ONLY –
16 INTERROGATION SUPPORT" and labelled with U.S. Bates numbers 001891-
17 001892.
18

19 11. Attached hereto as **Exhibit J** are true and correct copies of Defendant
20 Jessen's contracts with the U.S. Government produced by the CIA pursuant to
21 Defendants' subpoena and labelled with U.S. Bates numbers 000086-000127.
22

23 12. Attached hereto as **Exhibit K** is a true and correct copy of a document
24 produced by the CIA pursuant to Defendants' subpoena, titled "Central
25
26

1 Intelligence Agency Inspector General: REPORT OF INVESTIGATION:
2 DEATH OF A DETAINEE IN _____” and labelled with U.S. Bates numbers
3
4 001267-001334.

5 13. Attached hereto as **Exhibit L** is a true and correct copy of a document
6 produced by the CIA pursuant to Defendants’ subpoena, titled “DCI’s
7 Counterterrorist Center (CTC) Elicitation and Training for CTC” dated June 15,
8 2005 and labelled with U.S. Bates numbers 001583-001594.

9
10 14. Attached hereto as **Exhibit M** is a true and correct copy of a letter
11 from the CIA dated June 27, 2013 and titled “CIA Comments on the Senate
12 Select Committee on Intelligence Report on the Rendition, Detention and
13 Interrogation Program” (“CIA Response”).
14

15
16 15. Attached hereto as **Exhibit N** are true and correct copies of Defendant
17 Jessen’s contracts with the U.S. Government produced by the CIA pursuant to
18 Defendants’ subpoena labelled with U.S. Bates numbers 000025-000085.
19

20 16. Attached hereto as **Exhibit O** is a true and correct copy of a document
21 produced by the CIA pursuant to Defendants’ subpoena, titled “DCI’s
22 Counterterrorist Center (CTC) Elicitation and Training for CTC” dated October
23 20, 2005 and labelled with U.S. Bates numbers 001595-001609.
24

25 17. Attached hereto as **Exhibit P** are true and correct copies of
26

1 Defendants' (redacted) invoices with the U.S. government, labelled with U.S.
2 Bates numbers MJ00023539-MJ00023563.
3

4 18. Attached hereto as **Exhibit Q** is a true and correct copy of a document
5 produced by the CIA pursuant to Defendants' subpoena, titled "MJA (Mitchell,
6 Jessen & Associates)" and labelled with U.S. Bates numbers 001908-001910.
7

8 19. Attached hereto as **Exhibit R** is a true and correct copy of a document
9 produced by the CIA pursuant to Defendants' subpoena, titled "Interrogation
10 and Coercive Physical Pressures: A Quick Overview" dated February 2005 and
11 labelled with U.S. Bates numbers 002285-002291.
12

13 20. Attached hereto as **Exhibit S** is a true and correct copy of a document
14 produced by the CIA pursuant to Defendants' subpoena, titled "CIA OIG Report
15 of Investigation – Death of Detainee in _____" dated April 27, 2005 and
16 labelled with U.S. Bates numbers 001267-001334.
17

18 21. Attached hereto as **Exhibit T** is true and correct copy of excerpts from
19 the Senate Select Committee on Intelligence report titled "Committee Study of
20 the Central Intelligence Agency's Detention and Interrogation Program" ("SSCI
21 Report").
22

23 22. Attached hereto as **Exhibit U** is a true and correct copy of excerpts
24 from the Department of the Army Field Manual, FM 34-52 "Intelligence
25
26

1 Interrogation,” available at [http://www.loc.gov/rr/frd/Military_Law/pdf/intel](http://www.loc.gov/rr/frd/Military_Law/pdf/intel_interrogation_sept-1992.pdf)
2 [interrogation_sept-1992.pdf](http://www.loc.gov/rr/frd/Military_Law/pdf/intel_interrogation_sept-1992.pdf)
3

4 23. Attached hereto as **Exhibit V** is a true and correct copy of excerpts
5 from the Declaration of Jose Rodriguez dated January 24, 2017.

6 24. Attached hereto as **Exhibit W** is a true and correct copy of a
7 document produced by the CIA pursuant to Defendants’ subpoena labelled with
8 U.S. Bates numbers 001162-001166.
9

10 25. Attached hereto as **Exhibit X** is a true and correct copy of excerpts of
11 the deposition transcript of Charles Morgan, dated April 27, 2017.
12

13 26. Attached hereto as **Exhibit Y** is a true and correct copy of excerpts
14 from the Report of the Committee on Armed Services titled “Inquiry into the
15 Treatment of Detainees in U.S. Custody” (“SASC Report”) dated November 20,
16 2008.
17

18 27. Attached hereto as **Exhibit Z** is a true and correct copy of excerpts of
19 the deposition transcript of Suleiman Abdullah Salim, dated March 14, 2017.
20

21 28. Attached hereto as **Exhibit AA** is a true and correct copy of excerpts
22 of the deposition transcript of Mohamed Ahmed Ben Soud, dated January 31,
23 2017.
24

25 29. Attached hereto as **Exhibit BB** is a true and correct copy of excerpts
26

1 of the deposition transcript of Obaidullah, dated January 31, 2017

2 * * *

3
4 I declare under penalty of perjury that the foregoing is true and correct.

5
6 s/ Steven Watt
7 Steven Watt

8 Dated: June 12, 2017
9 New York, New York