

# Exhibit MM

SECRET [ ] NOFORN//MR

*Central Intelligence Agency  
Inspector General*

# REPORT OF INVESTIGATION



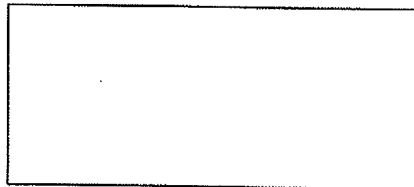
**(S//NF) DEATH OF A DETAINEE IN [ ]  
(2003-7402-IG)**

**27 April 2005**

***John L. Helgerson  
Inspector General***

[ ]  
***Acting Assistant Inspector General  
for Investigations***

[ ] ***Supervisory  
Special Agent***



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COBALT

[ ] to a detention and interrogation facility, [ ]  
[ ] in [ ] [ ] security guards reportedly found  
Rahman dead in his cell on the morning of [ ] November 2002.

CIA Staff  
Officer

COBALT

3. (S//NF) Between [ ] and [ ] November 2002, Rahman  
underwent at least six interrogation sessions by Agency personnel.  
The interrogation team included the [ ] Site Manager,

CIA Staff  
Officer

[ ] an independent contractor (IC)  
psychologist/interrogator, (C) Bruce Jessen; the Station's [ ]  
[ ] and an IC [ ] linguist,

[ ] had no interrogation experience or relevant training  
before his arrival in [ ] in July 2002. However, he acquired  
some on-the-job training and experience during the four months he  
had been [ ] prior to Rahman's death.

4. (S/[ ]) Rahman was subjected to sleep deprivation  
sessions of up to 48 hours, at least one cold shower, and a "hard  
takedown" termed "rough treatment" as reported in pre-death cables  
addressing the progress of the interrogation. In addition, Rahman  
reportedly was without clothing for much of his time at [ ]  
Despite these measures, Rahman remained uncooperative and  
provided no intelligence. His only concession was to acknowledge  
his identity on [ ] November 2002 and, subsequently, to explain what  
village he came from; otherwise, Rahman retained his resistance  
posture, and demeanor. The cable from [ ] on [ ] November 2002  
reporting that Rahman had admitted his identity stated, "Rahman  
spent the days since his last session with Station officers in cold  
conditions with minimal food and sleep." A psychological  
assessment of Rahman, prepared by Jessen and reported in a cable on  
[ ] November 2002, noted Rahman's remarkable physical and  
psychological resilience and recommended, in part, "continued  
environmental deprivations."

COBALT

<sup>2</sup> (U//FOUO) Not all members of the interrogation team were involved in every interrogation session.

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5. (S//NF) On the afternoon of [ ] November 2002, when [ ] guards delivered food to Rahman, he reportedly threw his food, water bottle, and defecation bucket at the guards. In addition, he reportedly threatened the guards and told them he had seen their faces and would kill them upon his release. When [ ] was [ ] CIA Staff Officer informed of this incident, he approved or directed the guards to shackle Rahman's hands and feet and connect the shackles with a short chain. This position forced Rahman, who was naked below the waist, to sit on a cold concrete floor and prevented him from standing up.

6. (S//NF) The following morning, the guards reported that Rahman was slumped over in his cell. The ambient temperature was recorded at a low of [ ] degrees Fahrenheit. Rahman was still in the "short chain position," wearing only a sweatshirt.

7. (S//NF) [ ] Station reported Rahman's death that day in an [ ] cable to the DDO. The DDO dispatched an investigative team [the Directorate of Operations (DO) Investigative Team] consisting of a senior security officer assigned to the [ ] an Office of General Counsel (OGC) [ ] attorney, and an Agency pathologist to [ ]. The DO Investigative Team conducted interviews, and the pathologist performed an autopsy of Rahman. The autopsy indicated, by a diagnosis of exclusion, that the death was caused by hypothermia.<sup>3</sup>

8. (S//NF) On 22 January 2003, the General Counsel informed the Inspector General (IG) that Rahman died as a result of the conditions at a facility substantially controlled by Agency officers. OIG initiated an investigation into the circumstances surrounding this incident and reported the death to the Department of Justice

<sup>3</sup> (U) Hypothermia is subnormal temperature within the central body. The term hypothermia is used when an individual's body temperature is below 95 degrees Fahrenheit. This will occur when the loss of body heat exceeds heat production.

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CIA Staff Officer

6 days prior to  
Rahman's  
death

57. (S//NF) According to [redacted] a second independent contractor psychologist/interrogator, (C) James Mitchell, came to [redacted] to work with another detainee during November. Mitchell participated in one of Jessen's sessions with Rahman.<sup>31</sup> Both psychologists left [redacted] on [redacted] November 2002.

CIA Staff Officer

58. (S//NF) Mitchell stated that he observed [redacted] interrogate Rahman on one occasion for about 10 minutes; Rahman was uncooperative. Mitchell stated Rahman appeared healthy; however, he had scratches on his face, bruises on his ankles, and his wrists were black and blue. Mitchell requested that the PA examine Rahman's hands.<sup>32</sup>

COBALT

59. (S//NF) [redacted] described Rahman as a significant figure at [redacted] [redacted] did not have an opportunity to interrogate Rahman and did not see him when he was alive. [redacted] was informed that Rahman was someone else's case, possibly [redacted]

CIA Staff Officer

CIA Staff Officer

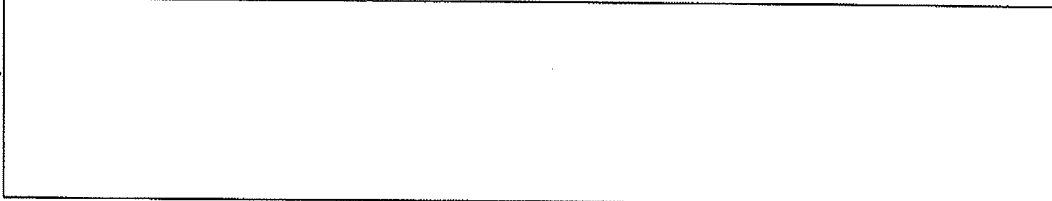
60. (S//NF) [redacted] [redacted] advised that she was in [redacted] when Rahman was detained there.<sup>33</sup> She participated in his initial interrogation [redacted] and traveled to [redacted] after he was rendered there.<sup>34</sup> [redacted] said she participated in an undetermined number of interrogations of Rahman but estimates it was fewer than 10. She participated with [redacted] and Jessen on two occasions. She estimated she participated in five interrogations of Rahman after Jessen left

CIA Staff  
Officer

CIA Staff  
Officer

31 (S//NF) Cable records indicate Mitchell arrived [redacted] on [redacted] November 2002. Mitchell had a background with the SERE program similar to Jessen's. He became a CIA IC in September 2001 following retirement from the U.S. Air Force. Like Jessen, Mitchell had been involved in the interrogation of the Agency's first high value detainee.

32 (S//NF) According to [redacted] the Station PA, no one ever requested that he examine Rahman, his hands, or any other detainee.



~~SECRET~~ / [redacted] ~~NOFORN~~ // MR

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CIA Staff Officer [ ] November 2002. When asked who had the interrogation responsibility for Rahman, [ ] responded, "no one in particular—so I guess [ ] and me."

CIA Staff Officer

**(S//NF) RAHMAN'S TREATMENT DURING DETENTION AND INTERROGATION**

CIA Staff Officer

COBALT 61. (S//NF) [ ] said he did not specifically recall Rahman's treatment upon arrival at [ ] [ ] stated that Rahman's clothes would have been removed early in his detention, and most of the time Rahman was naked or would have been wearing only a diaper.

CIA Staff Officer

CIA Staff Officer

CIA Staff Officer 62. (S//NF) [ ] said that Rahman was either in his cell or in a sleep deprivation cell when he was not being interrogated.<sup>35</sup> [ ] did not know exactly how much time Rahman spent in the sleep deprivation cell but estimated it was about 50 percent of the time. [ ] contended that no sleep deprivation was conducted on Rahman after Jessen departed [on [ ] November] and added there would have been no point in continuing it then because Rahman was not being interrogated.<sup>36</sup> According to [ ] Rahman arrived at [ ] in a diaper and it was removed at some point. He was probably put back in a diaper when he was put in a sleep deprivation cell.<sup>37</sup> However [ ] said there would have been no reason to use a diaper when Rahman was not in a sleep deprivation cell.

Six days prior to Rahman's death

CIA Staff Officer

63. (S//NF) [ ] characterized Rahman as stoic and very stubborn, unlike the other detainees. He was the most stubborn individual they detained at the facility.<sup>38</sup> Although most of the other detainees were "compliant" almost immediately, Rahman was hard-

COBALT

CIA Staff Officer 35 (S//NF) As mentioned earlier, four of the 20 cells at [ ] were constructed with an iron bar across the top of the cell and secured to two walls. These cells could be used to force the detainee to stand during sleep deprivation sessions. CIA Staff Officer

COBALT 36 (S//NF) Despite [ ] contention, [ ] recalled that Rahman was in a sleep deprivation cell on [ ] November 2002 when she checked on the detainees.

37 (S//NF) During the OIG visit to [ ] on [ ] and [ ] May 2003, two detainees were undergoing standing sleep deprivation in these cells. Both were naked.

38 (S//NF) At the time of Rahman's death, [ ] had been in operation for 69 days.

COBALT

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core Pashtun. He had been a combatant all his life and had been wounded many times. Rahman did not complain and simply said, "Thanks to God, all is well." When reminded that in his videotaped 19 December 2002 interview with the DO Investigative Team, [redacted] stated that Rahman complained incessantly, [redacted] said he just recalled Rahman being stoic.

CIA Staff Officer

CIA Staff Officer

64. (S// [redacted]) According to cables reporting Rahman's interrogations, he did complain about conditions. After the first two days of interrogation, [redacted] reported that Rahman "complained about poor treatment, complained about the violation of his human rights, and claimed inability to think due to conditions (cold)." The subsequent cable reporting Rahman's interrogation sessions described Jessen's impression that Rahman "continues to use 'health and welfare' behaviors and complaints as a major part of his resistance posture."

65. (S//NF) The DO Investigative Team interviewed [redacted] guard commander four days after Rahman's death. According to the guard commander, Rahman wore pants for approximately his first three days at [redacted] and then spent the remainder of his detention without pants.

COBALT

66. (S//NF) Jessen said that Rahman's diaper and clothes would have been removed at the interrogators' direction. The guards would not have removed them without direction. According to Jessen, Rahman was without his clothes more than he was with them. The interrogators gave Rahman some clothing after he admitted his identity on [redacted] November 2002.

67. (S//NF) The linguist, [redacted] explained that it was difficult for him to remember how often he assisted in Rahman's interrogation at [redacted] but estimated it was approximately five to seven times.<sup>39</sup> He assisted [redacted] in the interrogation of two detainees, including

COBALT

CIA Staff Officer

[redacted]

SECRET// [redacted] NOFORN//MR

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COBALT

Rahman. [redacted] stated that during the entire time he saw Rahman at [redacted] Rahman was either wearing a diaper or was naked below the waist. [redacted] said that he could not be precise about when Rahman wore a diaper as opposed to being naked, but his condition seemed to alternate from one to the other. The [redacted] shirt that Rahman wore was not sufficient to cover his genital area. Rahman was particularly concerned with being naked in front of [redacted] the guards. Every time Rahman came to the interrogation room, he asked to be covered. [redacted] did not observe a supply of diapers at the [redacted] but it was evident to him that Rahman had received a replacement diaper at some juncture.

CIA Staff Officer

68. (S//NF) According to [redacted] prior to the first interrogation session, [redacted] stated that Rahman was a "really bad guy." [redacted] was present when Rahman was rendered to [redacted] and was present when Rahman was first interrogated at [redacted]. That was either the night Rahman was rendered to [redacted] or the succeeding day. The first interrogation session included [redacted] Jessen, and possibly [redacted]. The only other person [redacted] remembered being present during one of Rahman's interrogations was Mitchell. The interrogation sessions with Rahman were normally brief because of his unwillingness to cooperate. They were mostly around 15 minutes in duration; the longest was one or two hours.

CIA Staff Officer

COBALT  
COBALT  
CIA Staff Officer

69. (S//NF) Jessen estimated that he interrogated Rahman two to four times.<sup>40</sup> He employed an "insult slap" with Rahman once but determined it was only a minor irritant to Rahman and worthless as a continuing technique. Jessen occasionally observed [redacted] encounters with Rahman and said he was the hardest case in captivity that Jessen had ever observed. Even when Rahman was depleted psychologically, he would routinely respond that he was

CIA Staff Officer

<sup>40</sup> (S//NF) A cable reported that Jessen was involved in six interrogation sessions with Rahman.

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SECRET [redacted] /NOFORN//MR

CIA Staff Officer

CIA Staff Officer

121. (S//NF) [redacted] stated that he drafted this cable. [redacted] stated that he is familiar with this cable. He does not remember much of the contents of the cable, but the necessary documentation of the circumstances of the death would be in the cable. It was drafted by [redacted] and released by [redacted]. [redacted] edited it for clarity, as was his custom for all cables he released from [redacted]. He had no recollection regarding the substance of the edits he made to the cable.

122. (S//NF) [redacted] November 2002. The [redacted] November 2002 [redacted] chronology cable reported:

The last time Rahman was seen by [redacted] officer prior to his death was on the afternoon of Monday [redacted] November 2002. At that time Rahman was assessed to be in good overall health. Station noted that Rahman had small abrasions on his wrists and ankles as a result of the restraints. His ankle restraints were loosened and his hand restraints were removed when Rahman was returned to his cell.<sup>74</sup>

CIA Staff Officer

CIA Staff Officer

123. (S//NF) [redacted] recalled that he had one brief session with Rahman on [redacted] November 2002, four days after Jessen left [redacted] COBALT [redacted] stated that this was based on Jessen's recommendation that Rahman be left alone and environmental deprivations continued.<sup>75</sup>

CIA Staff Officer

The purpose of the session in an interrogation room, according to [redacted] was just to check on Rahman to determine if he was more compliant. Rahman never went any further than admitting his identity. [redacted] did not recall if Rahman was wearing a diaper at that time but noted there would have been no reason to use a diaper because Rahman was not in a sleep deprivation cell.

CIA Staff Officer

CIA Staff Officer

124. (S//NF) [redacted] contended he has little specific recollection of the session on [redacted] November 2002. [redacted] also did not

CIA Staff Officer

CIA Staff Officer

<sup>74</sup> (S//NF) This is the only passage in the cable that addressed the events of [redacted] November 2002. [redacted] would have made this assessment of Rahman's health.

CIA Staff Officer

<sup>75</sup> (S//NF) [redacted] sent an e-mail message on [redacted] November 2002, to her supervisors at Headquarters [redacted]. She wrote, "I am the primary interrogator on six detainees . . . [redacted] is concentrating on Gul Rahman and other new detainees and already has a full plate." CIA Staff Officer

SECRET [redacted]<sup>42</sup> /NOFORN//MR