

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON
AT SPOKANE

- - -

SULEIMAN ABDULLAH :
SALIM, MOHOMED AHMED : DOCKET NO.
BEN SOUD, OBAID ULLAH :
(as personal : 2:15-CV-286-JLQ
representative of GUL :
RAHMAN), :
: :
Plaintiffs, :
: :
v. :
: :
JAMES ELMER MITCHELL :
and JOHN "BRUCE" :
JESSEN, :
: :
Defendants. :

- - -
Friday, January 20, 2017
- - -

Videotaped deposition of JOHN
BRUCE JESSEN, taken pursuant to notice,
was held at the law offices of Blank
Rome, 130 N. 18th Street, Philadelphia,
Pennsylvania 19103, beginning at 10:07
AM, on the above date, before Constance
S. Kent, a Registered Professional
Reporter and Notary Public in and for the
Commonwealth of Pennsylvania.

* * *

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1 battle fatigue?

2 A. I don't remember.

3 Q. Was there -- was there a
4 point where that diagnosis, if you would
5 have seen it, would shift over to
6 posttraumatic stress disorder?

7 A. Obviously the name changed.
8 I don't know when.

9 Q. And you -- you became aware
10 of that at some point?

11 A. Yes.

12 Q. Did you receive any kind of
13 training in diagnosing that condition?

14 A. I don't recall going to a
15 specific course, but the diagnosis is in
16 the DSM manual, so I was familiar with
17 what --

18 Q. And as a military
19 psychologist, it's conceivable that you
20 would be called upon at some point to
21 treat someone with that condition?

22 A. It is conceivable.

23 Q. Did you, in fact, ever treat
24 someone who you diagnosed with

1 posttraumatic stress disorder?

2 A. Very briefly.

3 Q. Do you remember roughly when
4 that was?

5 A. Yes, I do, but I probably
6 will need to consult with the Department
7 of Defense.

8 Q. So I'm not going to ask you
9 to get into any specifics about it, but
10 you should definitely consult whenever --
11 whenever you're concerned?

12 A. Well, in order to --

13 MR. SMITH: I think you've
14 answered the question that's
15 pending. Let's wait for the next
16 question.

17 THE WITNESS: Okay.

18 BY MR. LAVIN:

19 Q. Yeah. So -- so just to
20 clarify, if you think a question does
21 call for classified information, please
22 feel free to stop the question or stop
23 your answer rather.

24 A. That's what I was attempting

1 whoops. It that okay?

2 MR. WARDEN: Yeah. Jose
3 Rodriguez is fine.

4 THE WITNESS: Okay. Jose
5 Rodriguez, who already had a
6 relationship with Jim, they had a
7 discussion about the tactics that
8 are used at the SERE school to
9 train, not just the standard
10 folks, but the special operators
11 in particular, and I was told that
12 Jim asserted to him that these
13 techniques had been used for
14 decades without ill effect, and
15 even though the students knew they
16 were in training, they still
17 tended to give up information they
18 were supposed to protect and that
19 that might be something that they
20 could use that would provide more
21 effectiveness and predictable
22 safety.

23 I was told that -- by Jim
24 that he didn't know they wanted

1 him to do it, and later Jose asked
2 him to do it. And he initially
3 demurred and did not want to do
4 it. And then he was leveraged, I
5 think in a reasonable way by staff
6 at the CIA, that he was the one
7 that they wanted, he was the one
8 that was -- that had the
9 qualifications that they wanted
10 and wouldn't he go do it. If he
11 wouldn't do it, who were they
12 going to get to do it I think
13 those were the words. So he had
14 said he would.

15 And Jose told me that he
16 asked Jim what he needed and Jim
17 said that he would like me to help
18 him. And that's what initiated me
19 being called.

20 So I'm there, and we had
21 these initial meetings, and at
22 some point, I don't remember
23 exactly when, Jim explained to me
24 what I just told you. Jim and I

1 went into a cubicle, sat down at
2 a -- he sat down at a typewriter
3 and together we wrote out a list
4 that I've seen in the documents
5 here that was submitted as
6 techniques that we thought had
7 worked well in the SERE school and
8 we were comfortable with what had
9 happened there, and so they were
10 given to the CIA. I don't know
11 who they went to.

12 At that time, they told --
13 the CIA told us that they were
14 going to do their own due
15 diligence with the DOD and the
16 Justice Department before a
17 decision was made to use them. If
18 they weren't going to use them,
19 they still wanted Jim and I to
20 question Abu Zubaydah using just
21 social influence techniques.

22 They again reiterated -- we
23 had a discussion with them about
24 what our qualifications were