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## Rumsfeld Won't Be Called in Prison Case

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WASHINGTON - A military judge Tuesday allowed defense lawyers to call a general to testify at a court martial in the Abu Ghraib prisoner abuse scandal, but the judge barred the defense from summoning Defense Secretary Donald H. Rumsfeld.

Maj. Gen. Geoffrey Miller, the former commander of the detention center at Guantanamo Bay, Cuba, would become the highest-ranking military officer to testify in the cases stemming from mistreatment of inmates at Abu Ghraib in Iraq.

At a pretrial hearing in the case of Army Sgt. Santos A. Cardona, a defense lawyer said Rumsfeld personally dispatched Miller to Abu Ghraib to review interrogation procedures as the U.S. military sought better intelligence from prisoners amid a growing insurgency in Iraq.

The lawyer, Harvey Volzer, said Rumsfeld took a personal interest in individual interrogations of prisoners at Abu Ghraib, including the ones in which Cardona, a dog handler, is implicated.

The secretary of defense had video teleconferences with civilian contractors who were conducting questioning of prisoners at Abu Ghraib, Volzer added.

One of the prosecutors, Maj. Christopher Graveline, said Volzer is making "accusation after accusation" about the role of military higher-ups and asked, "Where is the evidence?"

"I just told you," snapped Volzer, a civilian lawyer.

The judge, Marine Lt. Col. Paul McConnell, said Miller's testimony was potentially important to the defense but that Rumsfeld's testimony would be cumulative, tending to prove the same point as other witnesses in the case.

The judge allowed the defense to call one of the civilian contractors who Volzer identified as having been in teleconferences with Rumsfeld. But it is unclear whether that potential witness will invoke his right not to testify, Volzer said during a break in the proceedings.

Early this year, Miller invoked his right not to answer questions, but Volzer told the court he is now willing to testify.

Many of the 10 low-ranking soldiers convicted in the Abu Ghraib scandal have claimed they were following orders aimed at preparing prisoners for interrogation.

In August 2004, a military review panel found that Miller's call at Abu Ghraib for strong, command-wide interrogation policies contributed to a decision authorizing a dozen aggressive interrogation techniques beyond the traditional ones specified in the Army Field Manual.

Cardona, 31, of Fullerton, Calif., is scheduled to go on trial next month and faces charges of maltreatment of detainees and dereliction of duty.

Punishments for the 10 convicted in the scandal have ranged from no prison time to 10 years.

Prisoners were beaten, sexually humiliated and forced to assume painful positions while being photographed. The scandal broke during the 2004 presidential campaign when the pictures were leaked to the news media.