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Harsh Methods Came with More Liberal Instructions at Abu Ghraib

DAVID DISHNEAU
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FORT MEADE, Md. (AP) - As the Iraqi insurgency grew in the fall of 2003, the Army loosened its reins on a special team of interrogators at Abu Ghraib prison, where some high-value detainees were being held, a witness at a court-martial said.

Steven J. Pescatore, who worked for contractor CACI International Inc., said he and at least six other civilian and military interrogators were given more liberal instructions on the use of harsh techniques, including dogs.

Pescatore, testifying for the prosecution Tuesday at an Army dog handler's abuse trial, said the instructions came from Col. Thomas M. Pappas, then commander of military intelligence at the prison. The interrogators were told in a meeting that while they still had to write memos seeking permission to lean harder on a subject, they could assume that such requests would be approved, Pescatore said.

"What does that mean, you could assume?" asked the trial judge, Marine Lt. Col. Paul H. McConnell. "If you didn't hear anything back, silence was consent?"

"Yes, sir," Pescatore said.

The defendant, Sgt. Michael J. Smith, is accused of using his dog to harass, threaten and assault detainees from mid-November 2003 to mid-January 2004. The 24-year-old military policeman from Fort Lauderdale, Fla., faces up to 24 1/2 years in prison if convicted on all 13 counts.

During that period, guards at Abu Ghraib were on edge after a detainee acquired and fired a gun around Thanksgiving. And interrogators were under pressure to extract information from three prisoners captured along with Saddam Hussein in mid-December, according to testimony.

Smith's military defense lawyers contend that he was following his training and his instructions to help soften up subjects for interrogation.

But prosecutors have portrayed Smith and another Army dog handler, Sgt. Santos A. Cardona, as rogue soldiers who, together with some of the reservists who guarded the prison, tormented prisoners for their own amusement during night shifts at Abu Ghraib. Another witness testified Tuesday that Smith had told him he was competing with Cardona to frighten detainees into soiling themselves.

Cardona, 31, of Fullerton, Calif., is set to stand trial May 22.

How dogs were supposed to be used and who gave the authorizations are key questions in the case and the still-unfolding investigation of detainee abuse.

On Monday, Pvt. Ivan L. "Chip" Frederick II, a convicted reservist who had supervised night shifts at the prison, testified that Smith and Cardona had told him that Pappas had approved the use of muzzled dogs for interrogations. But prosecutors say Pappas wasn't authorized to give such an order.

Pescatore testified that Pappas' supervisor, Lt. Gen. Ricardo Sanchez, had authorized the use of muzzled dogs inside interrogation booths.

Pappas has been reprimanded and fined for his role in the scandal. He has been granted immunity from prosecution and is on the defense team's witness list.

Five canine teams -- two from the Army and three from the Navy -- arrived at the prison in November 2003 after visits to Abu Ghraib from Maj. Gen. Geoffrey Miller, then supervisor of the U.S. detention facility in Guantanamo Bay, Cuba.

Miller also sent trainers from Guantanamo. One of them, Sgt. J.J. Lucas, told an Abu Ghraib interrogator, Sgt. John H. Ketzer, that dogs could legally be used during interrogations, but he didn't say how, Ketzer testified.

"He said he had used dogs at Guantanamo and they were effective because of a cultural phobia or something like that," Ketzer said.

Pescatore said Ketzer was a member of the special interrogation team. Both testified they didn't use dogs for interrogations.