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Abuse led Navy to consider pulling Cuba interrogators

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WASHINGTON -- Top US Navy officials were so outraged at abusive interrogation techniques being used at the Guantanamo Bay prison in late 2002 that they considered removing Navy interrogators from the operation, according to a portion of a recent Pentagon report that has not been made public.

A top Navy psychologist reported to his supervisor in December 2002 that interrogators at Guantanamo were starting to use "abusive techniques." In a separate incident that same month, the Defense Department's joint investigative service, which includes Navy investigators, formally "disassociated" itself from the interrogation of a detainee, after learning that he had been subjected to particularly abusive and degrading treatment.

The two events prompted Navy law enforcement officials to debate pulling out of the Guantanamo operation entirely unless the interrogation techniques were restricted. The Navy's general counsel, Alberto Mora, told colleagues that the techniques were "unlawful and unworthy of the military services."

The previously undisclosed events were disclosed at a hearing of the Senate Armed Forces Committee yesterday. The disclosures shed new light on the military services' objections to the Bush administration's policies on how to interrogate prisoners from the Afghanistan war.

Senator Carl Levin, Democrat of Michigan, said the events are outlined in the largely classified report on military detention and interrogation operations delivered last week by Navy Vice Admiral Albert T. Church. Levin did not disclose which techniques were used on prisoners that triggered the Navy's unusual concerns.

Levin said the Navy's expressions of outrage prompted Defense Secretary Donald H. Rumsfeld's decision in January 2003 to revoke an aggressive interrogation policy for Guantanamo detainees, according to the Church report. Rumsfeld then convened a Pentagon working group to examine interrogation issues more thoroughly. It came up with a more restricted interrogation policy in April 2003.

Specifically, the chain of events began when Dr. Michael Gelles, the chief psychologist of the Navy Criminal Investigative Service, or NCIS, completed a study of Guantanamo interrogations in December 2003 that included extracts of interrogation logs. Gelles reported to the service director, David Brant, that interrogators were using "abusive techniques and coercive psychological procedures."

The news prompted Brant to argue that if those aggressive practices continued, the agency would have to "consider whether to remain" at Guantanamo. At the same time, Mora, the Navy's general counsel, told colleagues that the techniques were "unlawful and unworthy of the military services," according to Levin's account.

That same month, Brant told Mora about a specific detainee who was "being subjected to physical abuse and degrading treatment." Mora took those concerns to the Defense Department's criminal investigative task force, which took the extraordinary step of deciding to disassociate itself from that detainee's interrogation.

Calling the Navy officials' concerns "very serious," Levin yesterday asked the commander of the US Southern Command, General Bantz Craddock, whether he could shed any further light on the matter at yesterday's hearing. Craddock has overseen Guantanamo since last year and was previously Rumsfeld's top uniformed military aide.

Craddock said he was unaware of the extent of the Navy's objections and had not read the full Church report, but the account matched the timeline of events as he recalled them. Guantanamo interrogators asked permission to use more aggressive techniques in the fall of 2002, he noted. Rumsfeld approved a list of techniques around December 2002, and then rescinded it in January 2003.

"I do recall the Navy general counsel advising the secretary that there were concerns with regards to interrogation techniques," Craddock said. "It was [at] a point thereafter that the approval of those techniques was rescinded in January and the working group was formed."

A former member of the Pentagon's detainee working group noted in an interview yesterday that the NCIS trains its agents to gather information that can be used to prosecute criminal defendants. He argued that it was appropriate for Guantanamo interrogations to use more aggressive methods because their purpose was to gather information for fighting terrorism, but he said NCIS officials may not have accepted that distinction.

The major source of Church's findings, Levin said at the hearing, is a memo Mora wrote in July 2004. At about the same time, FBI agents wrote a series of e-mails, recently made public, about abusive interrogations they said they witnessed.

The FBI memos described "torture techniques" that it said included shackling detainees into painful positions, forced nakedness, deafening music, temperature extremes, and sexual humiliation by female interrogators.

Southcom is investigating the FBI reports. This week, Newsweek reported that Southcom has recalled to active duty four reservists who had served as interrogators because they may have to face courts-martial for their handling of prisoners. Craddock yesterday said only that the investigation was "ongoing" and that the Newsweek report was "news to me."

Rumsfeld tapped Church to review the military's detention-and-interrogation operations after the disclosure of the Abu Ghraib photographs in May 2004. Church concluded there was no policy, "written or otherwise," by which top officials sanctioned abuses. He attributed abuses to battlefield stress and insufficient oversight.

Democrats have criticized his inquiry as insufficiently thorough.