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FBI letter complains of aggressive interrogation techniques at Guantanamo

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SAN JUAN, Puerto Rico — FBI agents witnessed "highly aggressive" interrogations and mistreatment of terror suspects at the U.S. prison camp in Cuba starting in 2002 — more than a year before the prison abuse scandal broke in Iraq — according to a letter a senior Justice Department official sent to the Army's top criminal investigator.

In the letter obtained by The Associated Press, the FBI official suggested the Pentagon didn't act on FBI complaints about the incidents, including a female interrogator grabbing a detainee's genitals and bending back his thumbs, another where a prisoner was gagged with duct tape and a third where a dog was used to intimidate a detainee who later was thrown into isolation and showed signs of "extreme psychological trauma."

One Marine told an FBI observer that some interrogations led to prisoners "curling into a fetal position on the floor and crying in pain," according to the letter dated July 14, 2004.

Thomas Harrington, an FBI counterterrorism expert who led a team of investigators at Guantanamo Bay, wrote the letter to Maj. Gen. Donald J. Ryder, the Army's chief law enforcement officer who's investigating abuses at U.S.-run prisons in Afghanistan, Iraq and at Guantanamo.

Harrington said FBI officials complained about the pattern of abusive techniques to top Defense Department attorneys in January 2003, and it appeared that nothing was done.

Although a senior FBI attorney "was assured that the general concerns expressed, and the debate between the FBI and DoD regarding the treatment of detainees was known to officials in the Pentagon, I have no record that our specific concerns regarding these three situations were communicated to the Department of Defense for appropriate action," Harrington wrote.

Harrington told Ryder he was writing to follow up a meeting he had with the general the week before about detainee treatment, saying the three cases demonstrate the "highly aggressive interrogation techniques being used against detainees in Guantanamo."

"I refer them to you for appropriate action," Harrington wrote.

Brig. Gen. Jay Hood, the current commander of the mission in Guantanamo, said allegations of mistreatment and abuse are taken seriously and investigated.

"The appropriate actions were taken. Some allegations are still under investigation," Hood told the AP. "Once investigations are completed, we report them immediately."

None of the people named in the letter are still at the base, a Guantanamo spokesman said, but it wasn't clear if any disciplinary action had been taken. The letter identified the military interrogators only by last name and rank, and mentioned a civilian contractor.

Lt. Col. Gerard Healy, an Army spokesman, confirmed the authenticity of the FBI letter, as did the FBI. Healy said the female interrogator — identified only as Sgt. Lacey in the letter — is being investigated, but the Army would not comment further or fully identify her.

The U.S. military says prisoners are treated in accordance with the Geneva Conventions, which prohibit violence, torture and humiliating treatment of combatants. Still, at least 10 incidents of abuse have been substantiated at Guantanamo, all from 2003 or this year. They range from a guard hitting a detainee to a female interrogator climbing on a prisoner's lap.

Those incidents pale in comparison to alleged abuse at the Abu Ghraib prison in Iraq, a scandal that erupted when photographs surfaced of U.S. troops forcing Iraqi prisoners to strip and pose in sexually humiliating positions. Some prisoners were bound and hooded.

At Guantanamo, some detainees have been held without charge and without access to attorneys since the camp opened in January 2002 at the remote U.S. Naval base on Cuba's eastern tip. The United States has imprisoned some 550 men accused of links to Afghanistan's ousted Taliban regime or the al-Qaida terror network; only four have been charged.

No detailed incidents of abuse from 2002 have publicly surfaced until this FBI letter.

None of the three 2002 cases cited were detailed in any of 5,000 documents received by the New York-based American Civil Liberties Union under two Freedom of Information Act requests, said Anthony Romero, the union's executive director.

"Despite the government's statements, there seems to be increasingly little doubt that torture is occurring at Guantanamo," said Romero.

He said the information in the FBI letter "raises questions about the government's willingness to be forthcoming in these legal proceedings and shows that even the FBI has been uncomfortable with some of the tactics used at Guantanamo."

One of the documents the ACLU received was a letter from an FBI agent to Harrington and dated May 10. It underscored the friction between the FBI and the military, mentioning conversations that were "somewhat heated" over interrogation methods.

"In my weekly meetings with the Department of Justice we often discussed techniques and how they were not effective or producing intelligence that was reliable," according to the exchange, which was heavily redacted to remove references to dates and names.

"I finally voiced my opinion ...," the FBI agent says. "It still did not prevent them from continuing the ... methods."

Three of the four incidents mentioned in the letter obtained by the AP occurred under the watch of Gen. Geoffrey D. Miller, who ran the Guantanamo camp from October 2002 to March 2004, and left to run Abu Ghraib prison. Last month, Miller was reassigned to the Pentagon, with responsibility for housing and other support operations.

According to the letter, in late 2002 an FBI agent observed an interrogation where Sgt. Lacey whispered in the ear of a handcuffed and shackled detainee, caressed him and applied lotion to his arms. This occurred during Ramadan, Islam's holy month when contact with females is considered particularly offensive to a Muslim man.

Later, the detainee appeared to grimace in pain, and the FBI agent asked a Marine who was present why. "The Marine said (the interrogator) had grabbed the detainee's thumbs and bent them backward and indicated that she also grabbed his genitals. The Marine also implied that her treatment of that detainee was less harsh than her treatment of others by indicating that he had seen her treatment of other detainees result in detainees curling into a fetal position on the floor and crying in pain," Harrington wrote.

In September or October of 2002, FBI agents saw a dog used "in an aggressive manner to intimidate a detainee," the letter said.

About a month later, agents saw the same detainee "after he had been subjected to intense isolation for over three months ... totally isolated in a cell that was always flooded with light. By late November, the detainee was evidencing behavior consistent with extreme psychological trauma ... talking to nonexistent people, reported hearing voices (and) crouching in a corner of the cell covered with a sheet," the letter said.

In October 2002, another FBI agent saw a detainee "gagged with duct tape that covered much of his head" because he would not stop chanting from the Quran.