

**SWORN STATEMENT**

For use of this form, see AR 190-45; the proponent agency is PMG.

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

**PRINCIPAL PURPOSE:** To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

**ROUTINE USES:** Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

**DISCLOSURE:** Disclosure of your SSN and other information is voluntary.

1. LOCATION Camp Sabalu-Harrison/Bagram	2. DATE (YYYYMMDD) 2012/02/25	3. TIME 1809 hours	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME Petrarca, Charles	6. SSN	7. GRADE/STATUS BG/Reserve	
8. ORGANIZATION OR ADDRESS 43rd MP Brigade, Brigade Commander			

9. I, BG Charles Petrarca, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

At 1809 hours, BG Watson read BG Petrarca his rights, which he waived and swore him to his statement.

Question: In any operation, someone has to authorize the mission. There were suspicions raised about the librarian. How did we get to the library, who planned, who approved? Please explain what you know. Answer: First of all, very simply, I don't know. I did not approve the operation inside the library. During this time we were planning for Senator Codel visit and COMISAF visit and RIP/TOA. We were busy and focused on transfer of authority plus moving 160 prisoners. There were a lot of operations going on.

Question: Who would approve this type of investigation. Answer: It should have been me, through my G3 and at least a CONOP done.

Question: Was that done? Answer: No.

Question: During the transfer of authority, there should have been extensive conversations going on. Answer: Yes.

Question: How long did that take? Answer: 7 weeks or so.

Question: There was a 10 day RIP/TOA, overlap? Was operation in the library ever briefed? Answer: Not to my knowledge.

Question: Did you and (b)(3), (b)(6), (b)(7)c ever discuss one on one? Answer: No.

Question: Who gave authority for the search? Answer: I don't know.

Question: You had no idea that this was going on? Answer: No.

Question: Were you aware of the suspicion on the librarian. Answer: Yes.

Question: How did you hear about this incident? Answer: I heard about it Tuesday morning by my deputy.

Question: Who on your staff had visibility? Answer: I don't know that anyone had visibility.

Question: Your guard force commander, wouldn't this go through him? Answer: Not necessarily his approval but his knowledge. Should have been approved by my headquarters.

Question: Any Intel operations should have visibility of 535th Battalion Commander? Answer: Yes

Question: CI team does not belong to you? Answer: No, they belong to the TIG - theater intelligence group.

Question: How many teams in your battle space? Answer: 1 team, headed by (b)(6), (b)(7)c

Question: Please explain the counter insurgency team? Answer: Headed by my G2, purpose is force protection of guard force, segregation and breaking up of network in facility.

Question: TIG team doing search aimed at internal threat, who is responsible? Answer: I don't know, this is the first time that this has ever happened. BG Watson says "COIN not approval authority, I'm amazed"

Question: When operations made the plan, they should have notified the Brigade Commander, who is responsible for this? Answer: I don't know.

BG Watson - I think that BN Commander did not approve, Bde Cdr did not approve...I think that junior leaders decided to execute on their own. CONTINUED ON NEXT PAGE -

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT *(Continued)*

INITIALS OF PERSON MAKING STATEMENT

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9. STATEMENT (Continued)

Question: There are three groups involved, CI, S2 and guards. Who decided to go forward: That is what we need to find out.

Answer: My only thought was, oh my God, how could this happen?

Question: What authority does (b)(3), (b)(6), (b)(7) have inside your facility. Answer: None

Question: Who would control keys to the library? Answer: Guard force.

END 1841 hours on 25 February 2012.

**AFFIDAVIT**

I, BG Charles Petrarca, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_

ORGANIZATION OR ADDRESS

\_\_\_\_\_  
\_\_\_\_\_

ORGANIZATION OR ADDRESS

\_\_\_\_\_  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25th day of February, 2012 at Camp Sabalu-Harrison, Bagram

\_\_\_\_\_  
(Signature of Person Administering Oath)

BG Bryan G. Watson  
(Typed Name of Person Administering Oath)

Article 136  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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25 February 2012

Interview of  
**Brigadier General Charles Petrarca**

[BG Watson advised BG Petrarca of his UCMJ, Article 31 rights for possible violations of UCMJ Article 92, failure to obey order or regulation, and Article 134, dereliction of duty. BG Petrarca waived his right to counsel and agreed to make a statement. ]

[BG Watson administered the oath to BG Petrarca.]

**Brigadier General Charles Petrarca, U.S. Army, first being duly sworn, did testify in substance as follows:**

I will help you the best that I can, but I can answer your questions simply; I don't know. I don't know who authorized the operation. I don't know who did the planning or approved the plan. I don't know who said the conditions were right and we should go on this day. We were preparing for a Senate visit, COMISAF's visit, and the transfer-of-authority ceremony. We were busy and focused on the ceremony. We had just moved 161 detainees from Parwan to [inaudible due to background noise]. We were also in the middle of an occupation with new MDHU-3 [Modular Detention Housing Unit 3].

The G3 [operations] doing a CONOP [concept of operations] should have been in charge of the first inspection of the library for gathering intelligence. The G3 should have approved a CONOP, and there should have been an operations plan. There was not one approved for this operation.

We started RIP/TOA [relief in place/transfer of authority] with the 45th for seven weeks prior to the transition. Actual one-on-one transition time was 10 days on the ground. No, there was never a left seat/right seat transition brief about the library. No, (b)(3), (b)(6), (b)(7)c and I did not discuss a transition brief about the library.

I do not know who gave the go-ahead to complete the operation. I had no idea this operation was being conducted. Yes, I was aware of the suspicions of the librarian and the library. Yes, I was aware this person was under suspicion. I don't know of anyone on my staff that knew of this operation. My Battalion Commander would be briefed before he came to me with an operation of this nature. My Battalion Commander would not approve an operation of this nature but would have knowledge of it. An operation of this nature should have been approved by my headquarters. Yes, the 535th Commander would have visibility over an operation like this, but it would come to me for approval. No, the counterintelligence team does not belong to me. They belong to the Theater Intelligence Group Commander, also known as the TIG. This group does not report to me.

I was informed about this incident Tuesday morning by my deputy.

There are only five members that make one team operating within the DFIP [Detention Facility in Parwan]. The team is headed by ~~as~~ (b)(6), (b)(7)c (b)(3), (b)(6), (b)(7)c. Yes, the TIG has a headquarters here other than the group working out of the DFIP. They normally interface with the COIN [counterinsurgency] team, which is supervised by my G2 [intelligence]. The COIN team is a group headed up by my G2, whose primary responsibility is to protect the guard force, segregation of the population, and breaking up of networks inside the facility. Yes, they focus on internal threats. No, the guard force S2 [staff intelligence] is not on this COIN Team. The COIN Team consists of elements out of Task Force Empire, the training battalion, Task Group Trident, and the G2 shop. No, the TIG is not part of the COIN Team.

I don't have a good answer on who would have a good understanding of this operation because there has never been an operation like this before. Yes, before an operation like this is started, it should go to the General for approval. Yes, the commander should have let the General know about the operation.

I cannot answer who is to blame for this mess. It's not that I don't want to answer this questions; it's that I can't. That is the reason you are here. I don't know who created the problem. My only thought was, "Oh my God, how could something like this happen?"

By the time this incident occurred I had already changed out of command. Yes, I am told that the planning of this operation was conducted while I was still in command.

(b)(3), (b)(6), (b)(7)c does not have any authority inside the DFIP, inside his battle space.

The guard force would have to get the keys to the library.

[End of interview.]

[This is a summary transcript of an interview that was conducted between the witness and the joint commission. The witness has already signed a sworn statement that incorporates facets of that interview. This transcript was developed to capture as much of the interview as possible.]