

AFFIDAVIT

AFFIANT, being first duly sworn, deposes and says of her own personal knowledge:

My name is Sergeant Heather N. Cerveney, U.S. Marine Corps. I am on active duty, currently stationed at Camp Pendleton, California. From 20-27 September 2006, I traveled to U.S. Naval Station, Guantanamo Bay, Cuba for official duties. I am currently assigned as the Regional Defense Counsel Chief for the Marine Corps' Western Region. I have also been assigned to serve as the paralegal for the Guantanamo Bay commissions case of *United States v. Omar Khadr*.

While at the Guantanamo Bay Naval Station, I often go to the fitness center on Marine Hill, where the Marine Barracks is located. While exercising at the fitness center, I met some of the Marines stationed there and they invited me to join them at the club on Saturday night to socialize.

On Saturday 23 September, I went to the All Hands Club/Windjammers Club on GTMO to join the Marines I met earlier at the fitness center. I arrived at the club just after 2200. I did not see any of the Marines I spoke with earlier. However, a group of Sailors invited over to their table around 2245. I spent the next hour speaking with this group of people who were in the Navy. There were at least 15 people in this group. I do not recall all of their names but they worked for the Joint Task Force at the detention camps. As far as I could tell, everyone in the group, except one senior noncommissioned officer and one female named Nicole, worked as guards or escorts inside the different prison camps. The one exception worked in the mailroom that handled mail for the detainees. I believe he was a 1st class petty officer. I sat and talked with this group for about one hour.

During my conversations with these people, one Sailor who called himself Bo (rank and last name unknown) told the group about stories involving detainees. Bo was 19 years old and had been working at Guantanamo Bay for almost one year. He was about 5'10" and 180 pounds. He was Caucasian, with blond hair and blue eyes. Bo told the other guards and me about him beating different detainees being held in the prison. One such story Bo told involved him taking a detainee by the head and hitting the detainee's head into the cell door. Bo said that his actions were known by others. I asked him if he had been charged with an offense for beating and abusing this detainee. He told me nothing happened to him. He received neither nonjudicial punishment nor court-martial. And he never even received formal counseling. He was eventually moved to the maintenance section but this did not occur until some time after the incident where he slammed the detainee's head into the cell door.

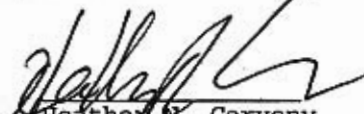
After Bo finished telling his stories of beating detainees, some of the other guards also told their own stories of abuse towards the detainees. Examples of this abuse including hitting detainees, denying them water, and removal of privileges for no reason. I recall speaking with a guard named Steven. Steven was a Caucasian male, about 5'8", 170 pounds, with brown hair and brown eyes. He stated that he used to work in Camp 5 but now works in Camp 6. He works on one of the "blocks" as a guard. He told me that even when a detainee is being good, they will take their personal items away. He said they do this to anger the detainees so that they can punish them when they object or complain. I asked Steven why he treats the detainees this way. He said it is because he hates the detainees and that they are bad people. And he stated that he

doesn't like having to take care of them or be nice to them. Steven also added that his "only job was to keep the detainees alive." I understood this to mean that as long as the detainees were kept alive, he didn't care what happened to them.

I then started talking to a Sailor named Shawn. Shawn was the petty officer who worked in the mailroom for the detainees. Shawn is African-American, about 6'4", 210 pounds, with black hair and brown eyes. He said that his job included looking through and screening the detainees' mail. He was just finishing a year of service in Guantanamo Bay. I asked Shawn why it often takes 6 months or so for them to get their mail. Shawn replied that there is often a delay because the mailroom personnel have to look through everything and get it translated prior to the mail being forwarded to the detainees. I then asked why it would possibly still take 6 months if the mail matter was printed in English. Shawn said there wouldn't really be a reason and it was not uncommon for them to withhold the mail of detainees until they, the mailroom clerks, decided to forward the mail.

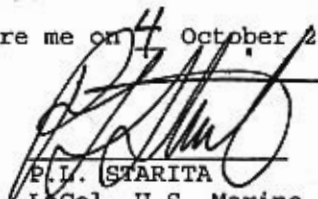
In addition to the above incidents, about 5 others in the group admitted hitting detainees, to include "punching in the face." From the whole conversation, I understood that striking detainees was a common practice. Everyone in the group laughed at the others stories of beating detainees. Most in group were in early 20's. Shawn was oldest. All except Shawn and Nicole were guards or escorts. Nicole was in intelligence.

While at the club, everyone, including me, was wearing civilian clothes. Everyone was drinking alcohol but no one showed signs of being intoxicated at all. I had one drink. After I had been with that group for about one hour, someone asked me about my job. I then told them that I worked for the defense on the Khadr case. Everyone in the group became very quiet after they learned of my job and stopped talking about their own jobs.


Heather N. Cerveny
Sgt, USMC

4 OCT 06
date

Subscribed and sworn to before me on 4 October 2006 at Camp Pendleton, California.


P. L. STARITA
LtCol, U.S. Marine Corps Reserve
Judge Advocate
Authorized to administer oaths
and act as notary by 10 USC 936
and 10 USC 1044a. No seal required.