

United States Senate

WASHINGTON, DC 20510

May 20, 2004

The Honorable John Ashcroft
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue N.W.
Washington, DC 20530-0001

Dear Attorney General Ashcroft:

I write to express my profound concern that the Department of Justice is not aggressively investigating civilian contractors for their roles in prison abuses in Iraq.

In light of new evidence I have uncovered showing that another civilian contractor overseeing the redevelopment of Iraq's prison system has a checkered record when it comes to prisoners rights, I ask that you immediately undertake a full investigation of the role civilian contractors have played in all crimes against Iraqi prisoners and prosecute those responsible to the full extent of the law. If DOJ does not investigate and prosecute the civilians who may have committed crimes, no one will.

Last week I wrote you about a civilian contractor working under a contract with the Department of Justice. Lane McCotter, a former corrections official with a history of support for abusive treatment of inmates and disregard for their basic rights, was chosen by you to assist in redeveloping Iraq's prison system and ultimately was posted at Abu Ghraib. I am still awaiting your answers to my questions regarding how, given his background, Mr. McCotter could have been picked for such a sensitive role and whether the Department is investigating any part he may have played in the Abu Ghraib crimes.

Now there are questions about another civilian contractor overseeing the redevelopment of Iraq's prison system who has a checkered record when it comes to prisoners rights.

Like Mr. McCotter, John Armstrong, was forced from his post as the head of a state corrections department for defending abuses of prisoners. While running Connecticut's prison system, Mr. Armstrong made a practice of shipping even low-level offenders to a supermax facility in Virginia which was notorious for its use of excessive force - ranging from unjustified use of stun guns shooting 50,000 volts through prisoners to locking inmates in five-point restraints for such lengthy periods that they were routinely forced to defecate on themselves. Furthermore, Mr. Armstrong resigned under a cloud of credible allegations that he tolerated and personally engaged in the sexual harassment of female employees under his command.

Mr. Armstrong subsequently was appointed by the State Department to be the deputy director of operations for the Iraqi prison system both before and during the time frame during which abuses

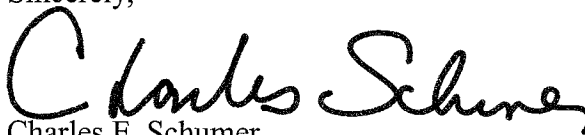
occurred.

The Department of Justice has indicated that it is investigating the deaths of two Iraqi prisoners, but you have said nothing about your intent to investigate and prosecute all civilian contractors who may have committed felony crimes in the Iraqi prison system. We have an obligation to ensure that all those responsible are brought to justice and we have duty to guarantee that a handful of privates do not take the fall if they were directed by others.

I am deeply concerned that civilian contractors, who are not subject to the military justice system, are closely scrutinized for their roles in the Iraqi prison abuses. All those responsible for crimes must be prosecuted and punished to the full extent of the law.

I look forward to your prompt response to these questions and the questions I posed in my letter of last week.

Sincerely,

A handwritten signature in black ink that reads "Charles E. Schumer". The signature is written in a cursive, flowing style with a large initial "C".

Charles E. Schumer
United States Senator