

The Abusive Detention of Bradley Manning

The Appeal of His Virtual Solitary Confinement Makes the Case of Inhuman Treatment by the Quantico Brig

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Bradley Manning's appeal of the refusal to relax his conditions of confinement makes a strong case that he has been a model prisoner who is being unjustly abused. His inhumane treatment violates his due process rights and is cruel and unusual punishment.

After providing detailed descriptions of his excellent behavior and the positive reports he has received while detained at Quantico since July 29, 2010, he contradicts the military's claim that he is being treated just like any other prisoner.

I am being treated differently from any other detainee at the Quantico Brig. While the PCF Commander follows the recommendation of the Brig Psychiatrist in dealing with other detainees, this does not happen in my case. Other detainees usually remain on MAX custody or in POI Status for about two weeks before they are downgraded. I, however, have been left to languish under the unduly harsh conditions of MAX Custody and POI Status since my arrival on 29 July 2010. In fact, I am currently the only detainee being held under MAX Custody and the only detainee being held in POI status by the Brig. Any objective person looking at the above facts would have to conclude that this treatment is unjustified. The determination to retain me in MAX Custody and under POI Status after 27 August 2010 was improper and constitutes unlawful pretrial punishment.

There are two incidents that stand out above the daily abuse Manning has received while being held in virtual solitary confinement for ten months in pre-trial detention: being put on suicide watch and having his clothes taken away from him.

On January 18, 2010 the Brig commander, James Averhart, who has since been replaced, put Manning on suicide watch. As Manning describes it: "Suicide Risk assignment resulted in me being required to remain in my cell for 24 hours a day. I was stripped of all clothing with the exception of my underwear. My prescription eyeglasses were taken away from me and I was forced to sit in essential blindness." Here is what occurred that led to him being placed in this even more abusive condition.

(2) The basis for the above treatment was due to my alleged erratic behavior on 18 January 2011. On that date, I was pulled out of my cell for my one hour of recreation call. When the guards came to my cell, I noticed a change in their usual demeanor. Instead of being calm and respectful, they seemed agitated and confrontational. Also, instead of the usual two to three guards, there were four guards. Almost immediately, the guards started harassing me. The first guard told me to "turn left." When I complied, the second guard yelled "don't turn left." When I attempted to comply with the demands of the second guard, I was told by the first, "I said turn left." I responded "yes, Corporal" to the first guard. At this point, the third

guard chimed in by telling me that “in the Marines we reply with ‘aye’ and not ‘yes.’” He then asked me if I understood. I made the mistake of replying “yes, Sergeant.” At this point the fourth guard yelled, “you mean ‘aye,’ Sergeant.”

(3) The harassment by the guards continued as I was escorted to my one hour of recreation. When I arrived at the recreation room, I was told to stand still so they could remove my leg restraints. As I stood still, one of the guards yelled “I told you to stand still.” I replied “yes Corporal, I am standing still.” Another guard then said, “you mean ‘aye’ Corporal.” Next, the same guard said “I thought we covered this, you say ‘aye’ and not ‘yes,’ do you understand?” I responded ‘aye Sergeant.’ Right after I replied, I was once again yelled at to “stand still.” Due to being yelled at and the intensity of the guards, I mistakenly replied, “yes Corporal, I am standing still.” As soon as I said this, I attempted to correct myself by saying ‘aye’ instead of ‘yes,’ but it was too late. One of the guards started yelling at me again, “what don’t you understand” and “are we going to have a problem?”

(4) Once the leg restraints were taken off of me, I took a step back from the guards. My heart was pounding in my chest, and I could feel myself getting dizzy. I sat down to avoid falling. When I did this, the guards took a step towards me. I instinctively backed away from them. As soon as I backed away, I could tell by their faces that they were getting ready to restrain me. I immediately put my hands up in the air, and said “I am not doing anything, I am just trying to follow your orders.” The guards then told me to start walking. I complied with their order by saying “aye” instead of “yes.”

(5) I was allowed to complete my hour of recreation. During the hour, the guards did not harass me further. The guards also did not harass me when I was escorted back to my cell. Only later did I learn that there had been a protest outside the gates of Quantico the previous day. (See <http://www.youtube.com/watch?v=x4eNzokgRlw>). The rally was intended to bring attention to the conditions of my confinement. It is my belief that my treatment on 18 January 2010 by the guards and later by the PCF Commander was related to this protest and my earlier complaints.

(6) After being returned to my cell, I started to read a book. About 30 minutes later, the PCF Commander, CWO4 James Averhart, came to my cell. He asked me what had happened during my recreation call. As I tried to explain to him what had occurred, CWO4 Averhart stopped me and said “I am the commander” and that “no one could tell him what to do.” He also said that he was, for all practical purposes, “God.” I responded by saying “you still have to follow Brig procedures.” I also said “everyone has a boss that they have to answer to.” As soon as I said this, CWO4 Averhart ordered that I be placed in Suicide Risk Status.

(7) Admittedly, once I heard that I would be placed under Suicide Risk, I became upset. Out of frustration, I placed my hands to my head and clenched my hair with my fingers. I did yell “why are you doing this to me?” I also yelled “why am I being punished?” and “I have done nothing wrong.” I then asked CWO4 Averhart “what have I done to deserve this type of treatment?”

(8) CWO4 Averhart did not answer any of my questions. He instructed the guards to enter my cell and take all my clothing. At first I tried to reason with CWO4 Averhart by telling him that I had been a model detainee and by asking him to just tell me what he wanted me to do and that I would do it. However, I gave up trying to reason with him once the guards entered my cell and ordered me to strip. Instead, I lowered my head and started taking off my

clothes.

(9) CWO4 Averhart placed me on Suicide Risk, over the recommendation of Capt. Hocter and the defense forensic psychiatrist, Capt. Moore. His decision was also in violation of Secretary of Navy Instruction ("SECNAVINST") 1649.9C Paragraph 4205.5d. As a result of being placed on Suicide Risk, I was confined to my cell for 24 hours a day. I was also stripped of all clothing with the exception of my underwear. Additionally, my prescription eyeglasses were taken away from me. Due to not having my glasses, I was forced to sit in essential blindness during the day. I remained on Suicide Risk until 21 January 2010. The determination to place me on Suicide Risk was without justification and therefore constitutes unlawful pretrial punishment.

The second abuse, beyond Manning's normally abusive 10 months of virtual solitary confinement, is an ongoing one. On March 2nd the Brig commander ordered that Manning's clothes be taken away from him every night. Each morning Manning is required to stand naked, hands at his side in order to get his clothes back. Manning describes the incident as follows:

(1) On March 2, I was informed of your decision regarding my Article 138 complaint. Understandably frustrated by this decision after enduring over seven months of unduly harsh confinement conditions, I asked the Brig Operations Officer, MSG Papakie, what I needed to do in order to be downgraded from Maximum Custody and POI Status. MSG Papakie responded by telling me that there was nothing I could do to downgrade my detainee status and that the Brig simply considered me a risk of self-harm. Out of frustration, I responded that the POI restrictions were absurd and sarcastically told him if I really wanted to harm myself, that I could conceivably do so with the elastic waistband of my underwear or with my flip-flops.

(2) Later that same day, I was approached by GYSGT Blenis. He asked me what I had done wrong. I told him that I did not know what he was talking about. He said that I would be stripped naked at night due to something that I had said to MSG Papakie. Shocked, I told him that I hadn't said anything. I told GYSGT Blenis that I just pointed out the absurdity of my current confinement conditions.

(3) Without consulting any Brig mental health provider, Chief Warrant Officer Denise Barnes used my sarcastic comment as justification to increase the restrictions imposed upon me under the guise of being concerned that I was a suicide risk. I was not, however, placed under the designation of Suicide Risk. This is because Suicide Risk would have required a Brig mental health provider's recommendation in order for the added restrictions to continue. While the PCF Commander needed the Brig Psychiatrist's recommendation to keep me under Suicide Risk, no such recommendation was needed in order to increase my restrictions under POI Status. The conditions of POI Status require only psychiatric input, but ultimately remain the decision of the PCF Commander.

(4) In response to this specific incident, the Brig Psychiatrist met with me. After speaking to me, he assessed me as a "low risk and requiring only routine outpatient follow-up [with] no need for ... closer clinical observation." In particular, he indicated that my statement about the waist band of my underwear was in no way prompted by "a psychiatric condition."

(5) Since 2 March 2011, I have been stripped of all my clothing at night. I have been told that the PCF Commander intends on continuing this practice indefinitely. Initially, after

surrendering my clothing to the Brig guards, I had no choice but to lay naked in my cold jail cell until the following morning. The next morning I was told to get out of my bed for the morning Duty Brig Supervisor (DBS) inspection. I was not given any of my clothing back. I got out of the bed and immediately started to shiver because of how cold it was in my cell. I walked towards the front of my cell with my hands covering my genitals. The guard told me to stand at parade rest, which required me to stand with my hands behind my back and my legs spaced shoulder width apart. I stood at “parade rest” for about three minutes until the DBS arrived. Once the DBS arrived, everyone was called to attention. The DBS and the other guards walked past my cell. The DBS looked at me, paused for a moment, and then continued to the next detainee’s cell. I was incredibly embarrassed at having all these people stare at me naked. After the DBS completed his inspection, I was told to go sit on my bed. About ten minutes later I was given my clothes and allowed to get dressed.

(6) After apparent outside pressure on the Brig due to my mistreatment, I was given a suicide prevention article of clothing called a “smock” by the guards. Although I am still required to strip naked in my cell at night, I am now given the “smock” to wear. At first, I did not want to wear this item of clothing due to how coarse it was and how uncomfortable it felt. However, the Brig now orders me to wear the “smock” at night.

(7) Given the above circumstances, the decision to strip me of my clothing every night for an indefinite period of time is clearly punitive in nature. There is no mental health justification for the decision. I am under 24 hour surveillance, with guards never being more than a few feet away from my cell. I am permitted to have my underwear and clothing during the day, with no apparent concern that I will harm myself during this time period. The determination to strip me of all my clothing every night since 2 March 2011 is without justification and therefore constitutes unlawful pretrial punishment.

The denial of Manning’s request to be removed from Prevention of Injury Watch and to have his custody classification reduced from Maximum to Medium Detention-In treatment [has been appealed](#) is now on its way to Secretary of the Navy, Ray Mabus, for his final review. If Secretary Mabus denies PFC Manning’s requested relief, Manning’s attorney David Coombs will file a Writ of Habeas Corpus to the Army Court of Criminal Appeals.

[State Department spokesman P.J. Crowley](#) recently speaking to a small audience at MIT on “The Benefits of New Media as it Relates to Foreign Policy” put it mildly when he said what’s being done to Bradley Manning by my colleagues at the Department of Defense “is ridiculous and counterproductive and stupid.” Let’s hope Secretary of the Navy Ray Mabus has more humanity and sense of justice than the Marines at the Quantico Brig.

Take Action:

Visit the [Bradley Manning Support Network](#) to support Manning and get involved.

If you are in the Washington, DC area, please join us for a [fundraiser this Sunday](#) at Busboys and Poets at 5th and K Streets NW, Washington, DC, 4p.m

There will [rally to support Bradley Manning](#) in the Quantico/Triangle area at 2p.m., Sunday the 20th. Among the speakers at the rally are Daniel Ellsberg, Col. Ann Wright, Jeff Patterson of the Bradley Manning Support Network, and David House who will join us immediately after visiting his friend Bradley at the brig. Invite your friends and family.

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