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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

_____	)	
ASSOCIATED PRESS,	)	
	)	
Plaintiff,	)	06 Civ. 1939 (JSR)
	)	<b>ECF Case</b>
v.	)	
	)	
UNITED STATES DEPARTMENT	)	SUPPLEMENTAL DECLARATION
OF DEFENSE,	)	OF RICHARD B. JACKSON
	)	
Defendant.	)	
_____	)	

Richard B. Jackson, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am the same Richard B. Jackson that provided a previous declaration in this case.
2. The statements contained in this declaration are based upon my personal knowledge and expertise, upon information provided to me in my official capacity, and upon determinations reached and made in accordance therewith.
3. Due to the nature of my official duties, I am familiar with the policy and practice of the U.S. Armed Forces as they pertain to release of information on prisoners of war (POWs) and detainees, including their photographs, or other public depictions and displays.

4. The purpose of this declaration is to supplement my earlier declaration with information regarding the release of the photographs referred to in Paragraph 13 and Exhibit C of the Selsky Declaration and adverse actions taken against U.S. military personnel for the unauthorized release of photographs of Saddam Hussein and John Walker Lindh.

5. DoD Public Affairs authorized the release of photographs of Saddam Hussein taken shortly after his capture. This was an extraordinary case. Saddam Hussein was the head of state and the photographs were released to confirm his identity and to show the proper treatment he received while detained. Pictures taken of Saddam Hussein by soldiers responsible for his care and custody, released at a later date, were unauthorized and contrary to U.S. policy, as articulated in Army Regulation (AR) 190-8. Nine U.S. soldiers are currently undergoing disciplinary proceedings for taking pictures of Saddam Hussein in confinement and the unauthorized release of those photographs.

6. The image of John Walker Lindh, attached at Exhibit C to the Selsky Declaration, was taken from video footage shot by an independent news organization. At the time the footage was shot, John Walker Lindh was not in U.S. government custody. In addition, to my knowledge, this footage was not released by DoD. I am aware of other photographs taken by a U.S. soldier depicting Mr. Lindh and later published. DoD did not authorize the taking and publication of these photos. U.S. military personnel were investigated and the individual involved was disciplined for photographing Mr. Lindh in contravention of U.S. policy and AR 190-8.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2<sup>nd</sup> day of June 2006.



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RICHARD B. JACKSON  
Chief, Law of War Branch  
Office of The Judge Advocate General  
Headquarters, Department of the Army  
Rosslyn, VA