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Shocking new details have emerged about how the CIA tortured a former resident of Baltimore, Maryland, who has been in U.S. detention since 2003, first at a CIA

black site, then at Guantánamo. Majid Khan is the only known legal resident of the United States to be held at Guantánamo. Over the years, Khan has detailed U.S. torture practices to his attorneys at the Center for Constitutional Rights, but until recently much of the information remained classified. According to the declassified notes, Khan was waterboarded on two separate occasions, he was hung on a wooden beam for days on end, he spent much of 2003 in total darkness, and he experienced repeated beatings and threats to beat him with tools, including a hammer. Khan also faced rectal feeding, which his lawyers described as a form of rape. Part of Khan's torture was outlined in last year's Senate torture report, but the declassified information provides new details on the abuse. We are joined by Majid Khan's lawyer, J. Wells Dixon, a senior staff attorney with the Center for Constitutional Rights.

NERMEEN SHAIKH: Shocking new details have emerged about how the CIA tortured a former resident of Baltimore, Maryland, who has been in U.S. detention since 2003, first at a CIA

black site, then at Guantánamo. Majid Khan is the only known legal resident of the United States to be held at Guantánamo. Over the years, Khan has detailed U.S. torture practices to his attorneys at the Center for Constitutional Rights, but until recently much of the information remained classified. According to the declassified notes, Khan was waterboarded on two separate occasions, he was hung on a wooden beam for days on end, he spent much of 2003 in total darkness, and he experienced repeated beatings and threats to beat him with tools, including a hammer. Majid Khan also faced rectal feeding, which his lawyers described as a form of rape. Part of Khan's torture was outlined in last year's Senate torture report, but the declassified information provides new details on the abuse.

AMY GOODMAN: Majid Khan is a 35-year-old Pakistani citizen who graduated from Owings Mills High School in Baltimore. He was captured in Pakistan in 2003, then reportedly held at an unidentified CIA black site from 2003 to 2006. In the newly released documents about his interrogations at the CIA black site, Khan says agents told him, quote, "Son, we are going to take care of you. ... We are going to

send you to a place you cannot imagine." He later confessed to delivering \$50,000 to al-Qaeda operatives in Indonesia and to plotting with 9/11 mastermind Khalid Sheikh Mohammed to serve as a sleeper agent for al-Qaeda in the United States.

NERMEEN SHAIKH: In 2012, Khan pleaded guilty to conspiracy, material support, murder and spying charges in exchange for serving as a government witness.

Well, for more, we're joined by Majid Khan's lawyer, Wells Dixon. He's a senior staff attorney with the Center for Constitutional Rights.

Welcome to *Democracy Now!*, Wells Dixon. Could you talk about how you came to represent Majid Khan?

J. WELLS DIXON: Sure. So, in March of 2003, Majid Khan disappeared. His family had no idea where he was, and he wasn't heard from until he appeared in Guantánamo in September of 2006. But shortly before he arrived in Guantánamo, during the course of a criminal case that was being tried here in New York, his name came up. And the government introduced at that trial a stipulation, a written document that acknowledged that they had him in custody. And the document purported to describe things that he would say about what was going on in the trial. So that was the first time that his family knew that he was in U.S. custody. And after that, we were in contact with his family, and they asked us to file a case to challenge the legality of his detention.

NERMEEN SHAIKH: And it was in 2012 that Khan signed a plea agreement? Could you explain what it means to sign a plea agreement and what the impact of that has been on his case?

J. WELLS DIXON: Sure. So, for many years, we represented—that we were representing Majid, he was challenging the legality of his detention. But in early 2012, he was charged by a military commission with various offenses. And he ultimately signed an agreement in which he agreed to plead guilty and to cooperate with the government. He became a cooperating witness for the government. And he did that for—really, for one central reason, and that is that he was sorry for the things that he had done, and he really wanted to make up for the things that he had done. And this was a way for him to accept responsibility, to really move forward

with his life and to hopefully have some chance at a life after Guantánamo. You know, he didn't want his CIA torture and his time at Guantánamo to be the last chapter written in his life.

NERMEEN SHAIKH: Well, and can you talk about this—the information now that's been declassified, what Majid Khan alleges was done to him by CIA interrogators? I mean, some of this material is quite stunning.

J. WELLS DIXON: Well, it's horrifying. As you mentioned earlier, he was waterboarded twice in 2003. He was subjected to sexual abuse. He was subjected to extreme sensory deprivation. And he suffered tremendously as a result of this. I mean, it's absolutely horrifying what was done to him.

NERMEEN SHAIKH: Well, I want to turn to a comment by former U.S. Justice Department attorney John Yoo, who played a key role in drafting the Bush administration torture memos. In December, he appeared on CNN after the release of the Senate committee report on the CIA's use of torture. He was asked about the allegations of torture, which include—about Majid Khan, such as forced rectal feeding. This was Yoo's response.

JOHN YOO: I agree with you. If these things happened as they're described in the report, as you describe them, those were not authorized by the Justice Department. They were not supposed to be done, and those people who did those are at risk legally because they were acting outside their orders.

NERMEEN SHAIKH: That was John Yoo speaking on CNN. Could you comment on what he said?

J. WELLS DIXON: Yeah, so there you have it. I mean, in the Senate report, there was a disclosure, the fact that Majid had been raped. And you have there the legal architect of the CIA torture program, the lawyer who literally wrote the memos that allowed the torture to occur, saying that's not something that he authorized and that that's something that would violate the anti-torture statute.

NERMEEN SHAIKH: And what about the fact that he—you said earlier that he regretted, he wanted to compensate for what he had done. How do we take his claims of admission, given the fact that they claim—for whatever it is that he's admitted to, they all came after he was subjected to this torture, is that correct?

J. WELLS DIXON: Yes, he agreed to plead guilty and to cooperate after being tortured. And what's important to understand about that is that he agreed to plead guilty despite what had happened to him, not because of what had happened to him. You know, as you might imagine, the decision to trust the government, to take a leap of faith, to use the words that he used at his guilty plea, was very difficult, given the fact that he had been waterboarded and raped and subjected to all of these other horrors. But he really, truly believes that that was—that that's something that's necessary for him to do to put his prior life behind him and to move on with his life.

AMY GOODMAN: Wells Dixon, can you talk about how you, as an attorney representing him, knowing what has happened to him over the years, how you work these deals with the government about what you can and cannot reveal or say?

J. WELLS DIXON: Right, well, the Center for Constitutional Rights has long been on record opposing Guantánamo, opposing the CIA torture program and raising serious objections to the military commissions system. Having said that, our first interest always is the best interest of our clients. And so I, as counsel for Majid Khan, have to do what's in his best legal interest, and ultimately what he directs me to do. And he made a decision that he wanted to plead guilty and cooperate, that he really wanted to try to atone for what he had done. And this is the way that he can do that. He is committed to fulfilling—to his obligation to cooperate in the commissions system. But, you know, if the government were to decide, for example, that it wanted to transfer his cooperation here to a criminal court in the United States, he would certainly be receptive to that. And, you know, I, as his counsel, think that there are policy reasons why that might be a good thing to do, notwithstanding the flaws, you know, even in our criminal justice system. But it's up to the government. It's really up to the government whether that happens.

AMY GOODMAN: I want to read from a Reuters [report](#) about the newly released details of Majid Khan's treatment in a CIA black site: quote, "In a July 2003 session, Khan said, CIA

guards hooded and hung him from a metal pole for several days and repeatedly poured ice water on his mouth, nose and genitals. At one point, he said, they forced him to sit naked on a wooden box during a 15-minute videotaped interrogation. After that, Khan said, he was shackled to a wall, which prevented him from sleeping.

"When a doctor arrived to check his condition, [Majid] Khan begged for help, he said. Instead, Khan said, the doctor instructed the guards to again hang him from the metal bar. After hanging from the pole for 24 hours, Khan was forced to write a 'confession' while being videotaped naked."

That's an excerpt from a report by Reuters. Can you comment on this, overall, Wells, but also talk about the role of doctors, the role of psychologists, or what you heard about what happened in this CIA black site?

J. WELLS DIXON: Well, one of the things that we got declassified was Majid's commentary on what had happened to him, how it felt and what he was experiencing as these things occurred. And one of the things that he has said is that doctors were among the worst torturers that he had. And I think, you know, you've given that one example as a perfect illustration, where you have a medical professional who is not only monitoring him, but monitoring him for the purpose of deciding when he can go back and be tortured even more. It's horrifying. It's a betrayal of the medical profession. And it's unlawful. I mean, I think that's the bottom line here, is that what happened to Majid Khan was unlawful. If you accept the notion that the United States is at war, which is of course debatable, if you accept that notion, these are very clear war crimes. Torture, rape, these are war crimes, and they need to be prosecuted. There needs to be a new DOJ investigation into this.

AMY GOODMAN: How did he know the person was a doctor?

J. WELLS DIXON: I don't know the answer to that question.

NERMEEN SHAIKH: And he's the only—Majid Khan is the only high-value detainee who has legal representation, is that right, in Guantánamo?

J. WELLS DIXON: No, actually, there are several who have legal representation. There are some, like Abu Zubaydah, for example, who has counsel. And then there are a number of men who have been charged by military commission—the alleged 9/11 plotters; the alleged *Cole* bomber, Nashiri. So there are several counsel who are representing these men.

NERMEEN SHAIKH: And what is it that you are calling for? What should be done now in his case?

J. WELLS DIXON: Well, we're calling for greater transparency and accountability for what happened in the torture program. You know, every time there is a public disclosure about what has happened, we see more and more evidence of the savagery that occurred and sort of the treachery that's occurred at the CIA. And it just gets worse. You know, once we get to—we think we've gotten to the bottom of it, there is a new and horrifying revelation. So there needs to be more accountability. We need to see the entire Senate report. And there need to be Justice Department prosecutions, as I said. That's the only way to get to the bottom of what really happened.

AMY GOODMAN: Speaking about the release of the Senate intelligence report, I wanted to ask you about an interesting interaction I had with the former CIA director, Porter Goss. It was in March. I was participating at Hofstra University in Long Island in a review of the George W. Bush presidency. It was called "The Bush Doctrine and Combating Terrorism." This is a clip of [my exchange with the former CIA director, Porter Goss](#), about the bipartisan Senate committee report on the CIA's use of torture.

PORTER GOSS: In the interests of fairness, would respond a little bit on the Senate Select Committee on Intelligence study on rendition, detention and interrogation—was a partisan political study. It was not two-sided. And there are further facts that need to come out from those who are able to, I think, correct some of the misstatements in the Senate study. That has not happened yet. I hope it will happen, because I do believe the American public needs to know the truth of all of this. The Senate study is not the full truth.

AMY GOODMAN: Was there any truth in it?

MODERATOR: Could you say again?

PORTER GOSS: What?

AMY GOODMAN: Was there any truth in it?

PORTER GOSS: Of course there was some truth in it. It was a cherry-picked, selective presentation of information to support a narrative that was made before this report actually even was started. The announced purpose of the report, of the study, if I'm correcting Chairman Feinstein—if I'm quoting Chairman Feinstein properly, was to make sure this never happens again. I'm not sure what the "this" was, or neither are a lot of people. But apparently, as you go through the report, as you go through this study, there are a series of observations that involved information that the decision makers could have provided to the people doing the report and would have given a fairer and more complete understanding of what happened and why. If you want to know why something happened, it's a good idea to go back to the people who made the decision and ask them. They calculatedly and determinedly avoided going back to anybody that they thought might spoil their narrative. So, consequently, yes, there is some information that is cherry-picked, some out of context and some actually factually correct, as far as I know. I have not read a word of the report. I have not read a word of any of this stuff, because, to me, it is purely partisan political. And a politicization of intelligence in this country is going to hurt only one person, and that's every citizen in the United States.

AMY GOODMAN: I just wanted to quote Senator McCain, who—

PORTER GOSS: I love Senator McCain, and I would certainly agree with you that Senator McCain is the icon of prisoner of war conduct. He has suffered greatly for our country and made great sacrifices and deserves to be listened to. But he does not have all of the information either.

AMY GOODMAN: He said, "It is a thorough and thoughtful study of practices that I believe not only failed their purpose—to secure actionable intelligence to prevent further attacks on the U.S. and our allies—but actually damaged our security interests, as well as our reputation as a force for good in the world."

PORTER GOSS: He is welcome to his opinion. I doubt he's read the report. And in any event, he has certainly not asked the people who were involved in this activity what they think, because they have all indicated that he has not asked them. So, even he is dealing with less than a full deck.

AMY GOODMAN: That was Porter Goss, the former director of the CIA. Wells Dixon, you're a senior staff attorney with the Center for Constitutional Rights. His response?

J. WELLS DIXON: Well, I also have a lot of questions I'd like to ask people who were involved in the torture program. One of those questions is: Why was Majid Khan raped? Now, in response to the Senate report, the CIA offers no justification. And we heard earlier that the legal architect of the torture program said that wasn't authorized. So, why did it happen? I do want to know the answer to that.

But, look, the notion that the report was incomplete or that it's a partisan hack job, that it wasn't well done, those are—those are talking points. And the only people who are making those talking points are people who are actually implicated by the report.

One of the really important aspects of the information that we got declassified concerning Majid Khan is that it corroborates a lot of what's in the report. Not only does it discuss his torture that exceeded what's disclosed in that report, but it also corroborates a lot of things in there—the sexual assault, for example, detainees being subjected to torture methods that are

indistinguishable from waterboarding. So, you know, I am all in favor of the public release of the entire report, as well as the CIA's own Panetta review. I think that's a starting point for accountability.

AMY GOODMAN: Leon Panetta.

J. WELLS DIXON: Correct, right.

AMY GOODMAN: I want to thank you very much for being with us, Wells Dixon, senior staff attorney for the Center for Constitutional Rights, where he represents Guantánamo prisoner Majid Khan. He specializes in challenging unlawful detentions.