

# CIA ACHIEVES A WHOLE NEW SCALE OF TORTURE EVIDENCE DESTRUCTION

I once made a list of all the evidence of torture the CIA or others in the Executive Branch destroyed.

I thought it time to start cataloging them, to keep them all straight.

- *Before May 2003: 15 of 92 torture tapes erased or damaged*
- *Early 2003: Dunlavey's paper trail "lost"*
- *Before August 2004: John Yoo and Patrick Philbin's torture memo emails deleted*
- *June 2005: most copies of Philip Zelikow's dissent to the May 2005 CAT memo destroyed*
- *November 8-9, 2005: 92 torture tapes destroyed*
- *July 2007 (probably): 10 documents from OLC SCIF disappear*
- *December 19, 2007: Fire breaks out in Cheney's office*

(I put in the Cheney fire because it happened right after DOJ started investigating the torture tape destruction.)

Since that time, there have been at least two

more:

- CIA stealing back copies of cables implicating the President from SSCI servers
- Someone modifying one of the black sites at which the 9/11 defendants were tortured, with Gitmo approval

But apparently, last summer, CIA's Inspector General destroyed something else: both his disk-based and server based copies of the Torture Report.

But last August, a chagrined Christopher R. Sharpley, the CIA's acting inspector general, alerted the Senate intelligence panel that his office's copy of the report had vanished. According to sources familiar with Sharpley's account, he explained it this way: When it received its disk, the inspector general's office uploaded the contents onto its internal classified computer system and destroyed the disk in what Sharpley described as "the normal course of business." Meanwhile someone in the IG office interpreted the Justice Department's instructions not to open the file to mean it should be deleted from the server – so that both the original and the copy were gone.

At some point, it is not clear when, after being informed by CIA general counsel Caroline Krass that the Justice Department wanted all copies of the document preserved, officials in the inspector general's office undertook a search to find its copy of the report. They discovered, "S\*\*\*, we don't have one," said one of the sources briefed on Sharpley's account.

Sharpley was apologetic about the destruction and promised to ask CIA director Brennan for another copy. But as of last week, he seems not to have received it; after Yahoo News began asking about the matter, he called intelligence committee staffers to ask if he could get a new copy from them.

Sharpley also told Senate committee aides he had reported the destruction of the disk to the CIA's general counsel's office, and Krass passed that information along to the Justice Department. But there is no record in court filings that department lawyers ever informed the judge overseeing the case that the inspector general's office had destroyed its copy of the report.

Two key parts of this story: Sharpley appears to have no idea who decided to nuke the report off the IG server. Hmmm.

And DOJ has been suppressing this detail in filings in the FOIAs for the Torture Report itself (which may be what led Dianne Feinstein to make an issue of it last week).

Click through if you want a really depressing list of all the ways Richard Burr is trying to disappear the report.

I guess I shouldn't be surprised that the entire report got disappeared. But destroying the whole thing is rather impressive.

Update: Katherine Hawkins reminds of of another one: the hood Manadel al-Jamadi wore when he suffocated to death while being tortured disappeared under circumstances the CIA IG considered non-credible.