

DID THE PENTAGON MISINFORM OBAMA WHEN IT SAID BRADLEY MANNING'S TREATMENT MET OUR STANDARDS?

Back on March 11, in response to Jake Tapper's question whether he agreed with PJ Crowley's judgment that Bradley Manning's treatment was "ridiculous and counterproductive and stupid," President Obama said the Pentagon had assured him that the treatment met DOD standards.

Tapper: The State Department Spokesman PJ Crowley said the treatment of Bradley Manning by the Pentagon is "ridiculous and counterproductive and stupid," and I'm wondering if you agree with that. Thank you sir.

Obama: With respect to Private Manning, I have actually asked the Pentagon whether or not the procedures that have been taken in terms of his confinement are appropriate and are meeting our basic standards. They assure me that they are. I can't go into details about some of their concerns, but some of this has to do with Private Manning's safety as well.

Tapper: Do you disagree with PJ Crowley?

Obama: I think I gave you an answer to the substantive issue.

But yesterday's press conference appears to present problems for this story.

First of all, according to DOD General Counsel Jeh Johnson, the Pentagon review of whether Quantico was the appropriate facility for Manning began just a few weeks ago—so

presumably, it started sometime after Obama was asked about Manning's treatment over five weeks ago.

MR. JOHNSON: Well, again, it was a combination of reasons. We began to take a look at this a couple of weeks ago. You know, is there an alternative facility that might be better for him given the length of time he's been in pre-trial confinement, given the length of time – in the future it looks – it looks as if he'll be in pre-trial confinement. And we have this 706 interview of him coming up. And we decided, well, why don't we let that happen first and then he should be transferred, so that – so that the group that interviews him, who as I understand are in the Washington area, don't need to go out to Kansas. So we'll do that, and then we'll move him after that.

Q: You said – I think you said that that – I think a couple of weeks ago that (inaudible) –

MR. JOHNSON: Yes.

Q: – what triggered that?

MR. JOHNSON: Well, you know, this issue has been obviously in the media.

Under normal circumstances, I'd like to believe that we – if there were issues about whether another facility is more suitable for one of our pre-trial confinees, we would – we would take a look at that in a comprehensive joint fashion. Because this has been in the newspapers, people at our level have been involved in taking a look at that as well. And so that's the process that began several weeks ago.

Q: So it is fair to say that media criticism about his treatment did play some role in his transfer here.

MR. JOHNSON: I wouldn't characterize it that way. I think it is fair to say that because this case has been in the media, people at Dr. Westphal's level and my level have been involved in this process, and that's fair to say.

And while Johnson claims that Manning's Quantico treatment was legal, both he and Under Secretary of the Army Joseph Westphal admit that Quantico is not appropriate for long-term pre-trial detention.

Johnson: We remain satisfied that Private Manning's pre-trial confinement at Quantico was in compliance with legal and regulatory standards in all respects, and we salute the military personnel there for the job they did in difficult circumstances.

[snip]

MR. WESTPHAL: Let me just add to that.

I think the issue there is, we began discussing the fact that Private Manning had been at this facility now at Quantico for – at this time, over eight months, and that this is a facility really designed for – and the average stay for pre-trial is maybe two months. I don't have all the details, but it's a short stay. It's not designed for these long-term situations.

Indeed, Johnson even admits it is "rare if not unprecedented" that someone would be held there for nine or ten months.

Q: What was no longer suitable at Quantico?

MR. JOHNSON: As Dr. Westphal said, Quantico is a place where pre-trial confinees reside for one month, two months, three months. It is rare if not unprecedented that somebody is there for

as long as nine or 10 months.

When Obama was asked whether Manning's treatment was appropriate, Manning had been in Quantico for almost eight months, several times longer—according to Johnson and Westphal—than appropriate for someone to be held in pre-trial detention at Quantico.

So how is it that the President of the United States stated he had been assured by DOD that Manning's treatment was appropriate? Did the Pentagon misinform Obama? Or did the Pentagon not even review Manning's treatment until after Obama got asked such questions and answered as if such a review had already taken place?