

## Critical Praise for *Honor Bound*



“*Honor Bound* is an engrossing, first-hand account of military justice in an age of terrorism and what it takes to defend liberty as a JAG officer today. U.S. Army Captain (now Major) Kyndra Rotunda was at the center of the most important and controversial legal issues in the war, including the difficulties of detaining and prosecuting terrorists while traditional war is being redefined. Her fascinating and lucid story chronicles her journey from a Wyoming law school, through the shock of September 11th, to interrogation cells at Guantanamo Bay, terror trials, and to Walter Reed Army Medical Center deficiencies. And though she pulls no punches where criticism is due, she (and we) can be justly proud of the underlying integrity of our military services and the honor-bound system of our men and women in uniform.”

—Edwin Meese, Former U.S. Attorney General



“The detention and prosecution of unlawful enemy combatants captured in the global war on terrorism will be the topic of debate for many years to come. A critical component of the debate will be the firsthand observations of those who were involved. Kyndra Rotunda provides a unique perspective, having served in three different capacities. She was the legal advisor in Guantanamo Bay to the detention camp commander in 2002–2003, where she provided legal advice to the Commander and worked with the International Committee of the Red Cross. Later, as a member of the Criminal Investigations Task Force, she was legal counsel to the military law enforcement agents who interviewed detainees and developed cases for possible prosecution. Finally, as a member of the Office of the Chief Prosecutor, she prepared war crimes charges against alleged Al Qaida and Taliban members designated for trial at Guantanamo Bay. No one else saw things unfold from these three distinct vantage points.”

—Morris Davis, Former Chief Prosecutor for the Military Commissions at Guantanamo Bay



“This eye-opening inside account must be read by everyone who cares about balancing national security and human dignity.”

—Alan M. Dershowitz, Professor of Law, Harvard University,  
and author of *Finding Jefferson*



“Major Rotunda has written an immensely readable and stunningly valuable book about terrorism, terrorists and the extraordinarily difficult and demanding task our military faces in dealing with captured enemy combatants. I have twice visited Guantanamo, and participated in our government’s defense against some of the legal challenges to our nation’s efforts to protect us from another—possibly vastly more dreadful—September 11. Nevertheless, this book was a page-turning eye-opener for me. No American should miss the opportunity—and responsibility—to read it. Bravo!”

—**Theodore B. Olson**, Former Solicitor General of the United States, Former Assistant Attorney General, Office of Legal Counsel, Department of Justice, and partner at Gibson, Dunn & Crutcher



“Kyndra Rotunda’s book, *Honor Bound*, not only is an interesting and well-written account of her experiences as a military lawyer, but reveals the surprising facts behind the Guantanamo Bay detainee stories, the problems with recent War Crimes prosecution trials and a host of other facets of the War on Terror.”

—**Joyce Malcolm**, Professor of Law, George Mason University, well known legal historian and Constitutional scholar and member of the Royal Historical Society



“While much has been written about the America’s War on Terror, *Honor Bound* is the first work to approach the conflict from the unique perspective of the men and women who fight on a little-known battlefield: the uniformed lawyers charged with detaining unlawful enemy combatants and prosecuting terrorists for war crimes. Not only does Major Kyndra Rotunda’s book introduce to general readers the relevant legal issues in a thorough, but engaging, manner, she invites the reader to share her own fascinating journey through the military justice system, including her service as a legal advisor to the camp commander at Guantanamo and a prosecutor preparing cases against our enemies.... While not everyone will agree with this well-argued book’s conclusions, anyone wishing to understand the upcoming detainee trials will want to read this fine account.”

—**Professor J. Peter Pham**, James Madison University, Senior Fellow, Foundation for the Defense of Democracies



“I quickly became an instant admirer of this spunky, feisty young woman and was super glad that she is a fellow American and on our side.... Kyndra Rotunda is a very independent, highly intelligent, exceptionally patriotic, truly dedicated advocate of the rule of law and equally devoted to ensuring that it pertains not only to detainees but also to our American military personnel and their right to defend themselves in a combat or life-threatening situation.... I feel we are all fortunate that Captain Rotunda has taken the time to write *Honor Bound* so that her firsthand experiences can be shared with all who read these words, both to set the record straight and to make it clear to all that our American fighting men and women do conduct themselves in combat with honor and within the law and the Geneva Conventions.”

—Rear Admiral [Ret.] James J. Carey, National  
Co-Chairman, The Flag & General Officers’ Network



“Kyndra Rotunda has written a fascinating and important book that is both an enjoyable read and a source of valuable insider insight on a range of issues in the struggle against Al Qaeda. As a bright young Army Reserve JAG Captain, she served at Guantanamo during a key period as interrogation techniques were debated and changed, and was later recalled to serve in a top secret anti-terrorism unit. Her observations may surprise both critics and supporters of aggressive interrogation techniques. With accounts of espionage and heroism, this book is must reading for anyone interested in understanding what really happened in the treatment of detainees at Guantanamo.”

—Professor Robert F. Turner, Co-Founder, Center for  
National Security Law, University of Virginia School  
of Law



“A thrilling account by a young American woman—an Army officer and a lawyer—who finds herself sent to Guantanamo Bay to confront America’s enemies: prisoners from the war on terror. Kyndra Rotunda has written a must-read insider’s account of what it was like to come face to face with Al Qaeda fighters in captivity. *Honor Bound: Inside the Guantanamo Trials* is an invaluable contribution to the literature on the war, and a compelling eyewitness account that shatters many myths about the controversial prison.”

—James L. Swanson, *New York Times* bestselling author of  
*Manhunt: The 12-Day Chase for Lincoln’s Killer*



# HONOR BOUND





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*Inside the Guantanamo Trials*

Kyndra Miller Rotunda

CAROLINA ACADEMIC PRESS

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*To Ron*



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## Foreword

HONOR BOUND came to life for me from the moment I opened the book. I was drawn into the scene “inside the compound” of the terrorist detention camp in Gitmo. Then U. S. Army JAG Corps Captain (lawyer) Kyndra Rotunda takes us from her law school days to her Army JAG Corps training through her pre-deployment training at Fort Benning, Georgia to her arrival in Cuba and her total involvement in the entire terrorist detainee operation there. I could see immediately that through this book, I was going to learn and sense and feel what was actually the situation with these prisoners in Gitmo, and not the standard assertions that our military treats horribly these people (who have made it clear they are committed to killing all Americans). The service men and women I know are honorable and honest and lawful military men and women. And that is exactly what this book demonstrates.

It was truly fascinating to learn that the circumstances and the adherence to the Geneva Convention that, with my military background, I was certain was the situation in Gitmo was, *in fact*, the situation in Gitmo and that the terrorists there were being treated and handled and managed with privileges well beyond what is required by the Geneva Convention. Captain Rotunda’s on-the-scene experience with these terrorists finally gave me the facts and the situation and the truth of what was going on in these detainee facilities rather than the slanted versions of the situation that are propagandized daily by Al Qaeda. And how incredibly refreshing it was to finally learn the truth.

Captain (whom the Army recently promoted to Major as soon as she became eligible) Kyndra Rotunda, I learned, began life as a freckled-face girl from Wyoming who earned her law degree at the University of Wyoming and rather than choosing a life as a country lawyer joined the Army JAG Corps. She transitioned from peace to war on September 11, 2001 when Islamic terrorists murdered over 3,000 of our fellow Americans, and eventually found herself on duty in Guantanamo Bay, Cuba, where lawyers and Army commanders find themselves in the daily arm-wrestle as to whether the terrorists there are terrorist detainees or prisoners of war. When I met Kyndra, I quickly became an instant admirer of this spunky, feisty young woman and was super

glad that she is a fellow American and on our side. Perhaps it's from some of the frontier history of Wyoming and her ancestral genes, but Kyndra Rotunda is a very independent, highly intelligent, exceptionally patriotic, truly dedicated advocate of the rule of law and equally devoted to ensuring that it pertains not only to detainees but also to our American military personnel and their right to defend themselves in a combat or life-threatening situation.

HONOR BOUND is an outstanding firsthand experience report of prisoner life behind the Gitmo prison wires and inside the interrogation booths, and from there to the inner workings of the first War Crimes prosecution team since World War II, and learning what went wrong with that effort. Through Captain Rotunda and her "been there, done that" experience, I was fascinated with her interactions with Private Jessica Lynch, World War II hero Senator Bob Dole, and Major General Miller. Just as I was stunned to learn that the USA hires translators (who have access to classified information) who are both vocal and obvious about their preference that the USA live under Sharia (Islamic) law. I am impressed with her commitment to fight for our American military combat troops' right to defend themselves when attacked—a situation that, at times, I have felt was perhaps being stood on its head as I read reports where it seemed clear to me that our troops were being forced into situations where they stood to lose their lives, and yet if they engaged the enemy or shot back or harmed them, they could be the subjects of investigation and possible courts-martial. I could not envision our country sending our sons and daughters into combat and life-threatening situations and then giving so much deference to our enemy. Kyndra Rotunda has taken on this issue, and thank God we have an American lawyer with her background, experience, and intellect to advocate for our troops.

We are all fortunate that Major Rotunda has taken the time to write HONOR BOUND so that her firsthand experiences can be shared with all who read these words, both to set the record straight and to make it clear that our American fighting men and women do conduct themselves in combat with honor and within the law and the Geneva Conventions. I am honored to have been given the opportunity to read HONOR BOUND before its publication, and to be able to share these thoughts and my own observations by providing this Foreword as my small part of this magnificent effort. If this book provides the actual facts of what goes on in America's treatment of terrorist detainees to just one single person, then it will have been, in my opinion, both successful in stating the truth and ensuring the accurate history of these events is available for future all generations. And if it encourages hundreds or thousands to rise up to demand that our troops be absolutely given the right to defend themselves every time their

life is threatened, then it will have served a greater purpose that can make all Americans proud. I can say with certainty that HONOR BOUND has done these things for me, and that I will both now and forever be ever mindful that the need for eternal vigilance is perhaps as great as ever before as we are now forced to defend ourselves against this enemy without a country or a uniform, who publicly states that they intend to kill us all if we will but give them the opportunity to do so.

HONOR BOUND makes it clear to me that the words spoken long ago by another American Patriot are as true today as is this book which echoes them in this, the twenty-first century—“We must all hang together, or assuredly we shall all hang separately.”

Or be beheaded.

Rear Admiral [Ret.] James J. Carey  
*National Co-Chairman*  
*The Flag & General Officers' Network*  
[www.flagandgeneralofficersnetwork.org](http://www.flagandgeneralofficersnetwork.org)



## Preface

What follows is my personal story as a JAG Officer serving her country in the Global War on Terror. It begins on September 11th, 2001, when I worked at Walter Reed Army Medical Center in Washington, D.C. and watched out my office window in horror as helicopters hovered over the parking lot carrying Pentagon victims. In an instant, my world—our world—changed forever.

Through my eyes, you will see what I saw, hear what I heard, and learn what I learned. You will go through Marine Corps training in Quantico, Virginia and you'll learn a little bit about the fog of war. You'll also deploy with me to Guantanamo Bay, walk the prison blocks, and learn about radical Islamism. You'll go undercover to work with a team of elite terrorist hunters; and you'll see the inside story of the Guantanamo Trials where a team of prosecutors struggled against the odds to pursue justice, while facing ever-changing rules.

Through a series of intriguing vignettes, you'll meet interesting characters like Private Jessica Lynch, Chaplain James Yee, and General Miller. You will come to understand that we can't fight a war without lawyers.

You'll learn about the law of war, and in a few instances you'll see that America has over-lawyered this war. You'll learn the mistakes our government has made along the way, like paroling known terrorists back to the battlefield; changing the trial rules in the middle of trial; imposing rules that made it difficult for prosecutors to respond to defense counsel claims that deserved a response; and giving detainees more rights than the Geneva Conventions require.

I remain a JAG Officer (a Major) in the U.S. Army Reserves, and I hold a Top Secret Clearance. For this reason, I consulted with the Department of Defense to ensure that I could tell my story. It redacted classified information. What remains is a fairly intact telling of what happened.

Prosecutors, and other people I worked with, are legitimate terrorist targets. To protect their identity, I have not used their real names (except for those officials already in the public eye, like Private Lynch and Colonel Davis). I've identified a few people using just a random initial and I have blurred the faces of several photographs to protect the identity of the people involved. I hope

this is not too distracting. Further, there are quotations throughout my book. Not all quotations are verbatim. They are my best recollection of what the particular person told me at the time. Where I've used direct, verbatim quotations, I've also included the source where the quotation derived.

And finally, my views and opinions are my own. I do not speak for the Department of Defense. This information is not classified. But it is the *untold* truth. Rest assured that everything in my book is true. I am not sufficiently imaginative to make up these incredible stories.

# Acknowledgments

This book would never come to be without the gracious support and assistance of my family, friends and colleagues. I owe a particular debt of gratitude to my husband, best friend, and scholar, Ronald Rotunda for believing in me, and for encouraging me to pursue my book to the very end.

Thank you from the bottom of my heart to Irene Zion, Dr. John Peter Pham, and Professor Robert Turner, who read the book and offered helpful suggestions.

Thanks also to Bernadette Malone, John Thornton, and retired Rear Admiral James Carey.

Thank you especially to members of the army who reviewed my book for content and security classification. Colonel Swann, Colonel Davis, prosecutors at the Office of Military Prosecutions Team, and personnel at the Criminal Investigation Task Force were especially helpful.