

BATES PAGES 2559 -2581 WERE REFERRED TO:

**U.S. Army Special Operations Command, ATTN:
AOIM-ISM (Mary), Fort Bragg North Carolina 28310**

BN

945

[Redacted]

129 AM
(S)(6)-2

POINT OF CAPTURE-- CDR/1SG/PL/PS

62-10

Rank 1SG Branch 11Z AD Date: 29 MAR Unit [Redacted] 3N
Duty Position 1SG How Long in Job 23 months
How Long in Country/Current MOS 17 months
Interviewer _____

1. (ALL) How did you prepare yourself and your junior leaders to become familiar with and understand the applicable regulations, OPOD/FRAGOs directives, international laws and administrative procedures to operate a unit Collection Point? (1.1, 1.2, 1.4, 1.6, 4.1) (FM 3-19.40, paragraph 2-2, Commanders are familiar with applicable regulation, directives, international laws, and administrative procedures.)

Daily spend - PC-PSG, Battle drills, Review Graphic, detainee packet, 2062 - to track equipment.
Take photos of equip x D. have one Soldier transcribe the list. Fire support O responsible check papers.

2. (ALL) Did you and all of your Soldiers undergo Law of War training prior to deployment? Explain what training occurred. Did this training include the treatment of Detainees? Is there a plan to train new Soldiers (replacements) to the unit? Explain. (1.1, 1.2, 1.4, 4.1) (AR 350-1 para 4-14c.(2) and table G-1 Refresher training, dated 9 April 2003), Level B training is conducted in units for officers, warrant officers, NCOs and enlisted personnel commensurate with the missions of the unit. AR 190-8 para 1-5(4)(C DOD Directive 5100.77), All prisoners will receive humane treatment and that the following acts are prohibited murder, torture, corporal punishment, mutilation, taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. Prisoners will be protected against all acts of violence to include public curiosity. (DoD Directive 5100.77, para 5.5.1, The Secretaries of the Military Departments shall provide directives, publications, instructions, and training so that the principles and rules of law of war will be known to members of their respective Departments, the extent of such knowledge to be commensurate with each individual's duties and responsibilities.)

in Kuwait. + in Kuwait by Jag. Talked about draft ROE - CODE of Conduct. Can order it / CTRIC ROE - Law of War APPROVED ROE.
Go over ROE each morning prior mission. (5-5 females, Rear-D - will try new Soldiers. will provide R/C seat aids prior to first mission)

3. (ALL) What Home Station/Mob Site Training did your unit conduct prior to deployment to help your unit prepare for Detainee Operations? Describe it. How did the training prepare you to conduct Detainee Operations for this deployment? How did this training distinguish between the different categories of Detainees (EPWs, RPs, CIs, etc.)? (1.1, 1.2, 1.3, 1.4, 4.1) (DoDD 2310.1 (The U.S. Military Services shall be given the necessary training to ensure they have knowledge of their obligations under the Geneva Conventions (references (b) through (e)) and as required by DoD Directive 5100.77 (reference (f)) before an assignment to a foreign area where capture or detention of enemy personnel is possible.) AR 350-1 para 4-14 c (2) and table G-1 Refresher training, dated 9 April 2003), Level B training is conducted in units for officers, warrant officers, NCOs and enlisted personnel commensurate with the missions of the unit. AR 190-8 para 1-5 (4) (C), DOD Directive

Yes but not enough.

WITT - YES - NOT enough emphasis on dealing with those who don't speak eng. Dirty countries

5100.77, All prisoners will receive humane treatment and that the following acts are prohibited murder, torture, corporal punishment, mutilation, taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. Prisoners will be protected against all acts of violence to include public curiosity. (DoD Directive 5100.77, para 5.5.1, The Secretaries of the Military Departments shall provide directives, publications, instructions, and training so that the principles and rules of law of war will be known to members of their respective Departments, the extent of such knowledge to be commensurate with each individual's duties and responsibilities.)

4. (ALL) What training did you receive on the established Rules of Engagement (ROE)? How often does this occur? Does this training include Rules of Interaction (ROI)? (1.4, 4.1) (ROE from CJCS ISO Iraqi operations dated 251600Z Apr 03 para 10 (U) All commanders will ensure their personnel are familiar with the law of armed conflict and with these ROE." AR 190-8, paragraph 3-6 a, The following acts will not be permitted: (1) Fraternalization between EPW, RP and U.S. military or civilian personnel. Fraternalization is defined as improper or intimate communications or actions between U.S. Armed Forces personnel and EWP/RP) *did get cultural training.*

5. (ALL) Describe the training you received at the last Professional Military Education on handling/processing Detainees. How was it helpful in preparing you for Detainee Operations? How would you improve the training at the schoolhouse? (1.1, 1.4)

got informal class from one NCO who returned from ATG. give a start point to understand mission. new soldiers need to learn @ young age about culture. at NCO school, need to go back to basics on SIS may need to expand.

6. (ALL) Describe the training the guard force received to prepare them for their duties. How do you ensure your guards understand their orders? (1.1, 1.2, 1.4, 1.6, 4.1) (FM 3-19.40, para 2-49) FM 3-19.40, paragraph 2-23, The force has a commander of the guard, one or more sergeants of the guard, a relief commander for each shift, and necessary number of guards. There are two types of orders for guards: General orders. All guards are required to know, understand, and comply with the general orders outlined for sentinels in FM 22-6. Special orders. They apply to particular posts and duties. Special orders supplement general orders and are established by the commanders.)

*Guard mount, ROE, what to look for.
- DRF requirements.*

go out patrol TLP, PCI, ROE covered.

Be on the look out for.

7. (ALL) How does your unit conduct sustainment training for Detainee Operations? How often does this occur and please describe it? When did your unit last conduct this training? (1.1, 1.2, 1.4, 4.1) DoDD 2310.1 (The U.S. Military Services shall be given the necessary training to ensure they have knowledge of their obligations under the Geneva Conventions (references (b) through (e)) and as required by DoD Directive 5100.77 (reference (f)) before an assignment to a foreign area where capture or detention of enemy personnel is possible.) AR 350-1 para 4-14 c (2) and table G-1 Refresher training, dated 9 April 2003), Level B training is conducted in units for officers, warrant officers, NCOs and enlisted personnel commensurate with the missions of the unit. AR 190-8 para 1-5 (4) (C), DOD Directive 5100.77, All prisoners will receive humane treatment and that the following acts are prohibited murder, torture, corporal punishment, mutilation, taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. Prisoners will be protected against all acts of violence to include public curiosity.) (ROE from CJCS ISO Iraqi operations dated 251600Z Apr 03 para 10 (U) All commanders will ensure their personnel are familiar with the law of armed conflict and with these ROE."

Refusal of each mission, at least twice, what if.

1st ref for leaders 2nd is for all. AAR after each mission!

8. (CDR/1SG) What are your policies on the establishment of a unit holding area? How do you ensure that these areas operate IAW Law of War? (1.1, 1.2, 4.1) (AR 190-8, paragraph 3-2, Internment facilities will be established in the communications zone of each theater of operations for the purpose of receiving, accounting for, administering, and logistically supporting DO. The operation of all EPW internment facilities is governed. The Theater commander remains responsible for the location of EPW facilities; detainees may be interned only in premises located on land and affording proper health and hygiene standards. Except in extreme circumstances, in the best interests of the individual, detainees will not be interned in correctional facilities housing military or civilian prisoners. Prisoners will not normally be interned in unhealthy areas, or where the climate proves to be injurious to them, and will be removed as soon as possible to a more favorable climate. Transit camps or collecting points will receive the same treatment as in permanent detainee camps. The internment facility will be marked with the letters 'PW' (Prisoner of War camp) and will be placed so they will be clearly visible from the air during the daytime. Other markings may be used when agreed to by the combatant commanders and approved by HQDA.) (ROE from CJCS ISO Iraqi operations dated 251600Z Apr 03 para 10 (U) All commanders will ensure their personnel are familiar with the law of armed conflict and with these ROE." AR 350-1 para 4-14 c (2) and table G-1 Refresher training, dated 9 April 2003), Level B training is conducted in units for officers, warrant officers, NCOs and enlisted personnel commensurate with the missions of the unit. AR 190-8 para 1-5 (4) (C), DOD Directive 5100.77, All prisoners will receive humane treatment and that the following acts are prohibited murder, torture, corporal punishment, mutilation, taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. Prisoners will be protected against all acts of violence to include public curiosity.)

b2-3

est by with contain wire. have used
Guards. Radio PCO by Veh.
S. D.
each veh has wire, sandbags,
cash and a D G.P.

Exposure from Injuries

9. (PL/PS) What is the units' policy on the establishment of a unit holding area? How do you know that you are operating the holding areas IAW Law of War? ?- (1.1, 1.2, 4.1) (AR 190-8, paragraph 3-2, Internment facilities will be established in the communications zone of each theater of operations for the purpose of receiving, accounting for, administering, and logistically supporting DO. The operation of all EPW internment facilities is governed. The Theater commander remains responsible for the location of EPW facilities; detainees may be interned only in premises located on land and affording proper health and hygiene standards. Except in extreme circumstances, in the best interests of the individual, detainees will not be interned in correctional facilities housing military or civilian prisoners. Prisoners will not normally be interned in unhealthy areas, or where the climate proves to be injurious to them, and will be removed as soon as possible to a more favorable climate. Transit camps or collecting points will receive the same treatment as in permanent detainee camps. The internment facility will be marked with the letters 'PW' (Prisoner of War camp) and will be placed so they will be clearly visible from the air during the daytime. Other markings may be used when agreed to by the combatant commanders and approved by HQDA.) AR 350-1 para 4-14 c (2) and table G-1 Refresher training, dated 9 April 2003), Level B training is conducted in units for officers, warrant officers, NCOs and enlisted personnel commensurate with the missions of the unit. AR 190-8 para 1-5 (4) (C), DOD Directive 5100.77, All prisoners will receive humane treatment and that the following acts are prohibited murder, torture, corporal punishment, mutilation, taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. Prisoners will be protected against all acts of violence to include public curiosity.)

10. (ALL) How do you administratively process each detainee, (i.e., tagging pax and equipment, evidence, witness statements, etc.)? (1.1, 1.2, 1.6) (FM 3-19.40, paragraph 2-3, The commander is responsible for the administrative processing of each internee. When processing is complete, he submits a DA Form 2674-R to the servicing internment/resettlement information center (IRIC), which function as the field operations agency for the national IRIC located in CONUS.) (AR 190-8, para 2-1, a. (1) (b) (c), All equipment, documents, and personal property confiscation during the search must be tagged and administratively accounted for by the capturing unit. DD Form 2745, Part C is attached to the property confiscated from the Detainee, so that it may later be matched to that Detainee.)

Fire Support Off.

11. (ALL) How do you maintain good morale and discipline with Soldiers and leaders to enhance the security of the unit collection point? (1.1, 1.2, 1.6) (AR 600-20 para 4-1, Military discipline a. Military discipline is founded upon self-discipline, respect for properly constituted authority, and the embracing of the professional Army ethic with its supporting individual values. Military discipline will be developed by individual and group training to create a mental attitude resulting in proper conduct and prompt obedience to lawful military authority. b. While military discipline is the result of effective training, it is affected by every feature of military life. It is manifested in individuals and units by cohesion, bonding, and a spirit of teamwork; by smartness of appearance and action; by cleanliness and maintenance of dress,

Positive Lead back from soldiers.

equipment, and quarters; by deference to seniors and mutual respect between senior and subordinate personnel; by the prompt and willing execution of both the letter and the spirit of the legal orders of their lawful commanders; and by fairness, justice, and equity for all soldiers, regardless of race, religion, color, gender, and national origin. c. Commanders and other leaders will maintain discipline according to the policies of this chapter, applicable laws and regulations, and the orders of seniors.)

12. (ALL) What procedures do you have in place to ensure Soldiers and leaders understand the use of force and rules of engagement for the unit collection point? (ROE Card, sustainment tng, etc) (1.1, 1.2, 1.4, 1.6, 4.1) (FM 3-19.40, paragraph 2-29, An MP commander ensures that soldiers understand use-of-force guidelines and the ROE established by higher headquarters for each mission. Because the use of force and ROE vary depending on the category of housed personnel and the operational environment, the commander develops SOPs that follow the guidance provided. He balances the physical security of force with mission accomplishment and the protection of deployed forces. ROE from CJCS ISO Iraqi operations dated 251600Z Apr 03 para 10 (U) All commanders will ensure their personnel are familiar with the law of armed conflict and with these ROE.)

yes

13. (ALL) What procedures are in place to dispose of captured contraband (enemy supplies and equipment)? (1.1, 1.2, 4.1) (AR 190-8, paragraph 1-4g(3), (Commanders will collect and dispose of captured enemy supplies and equipment through theater logistics and EOD channels.)

all given to S-2.
156 collects all and given to

14. (CDR/1SG) What policies/procedures do you have in place to ensure that all Detainees are protected, safeguarded, and accounted for (5Ss & T)? What policies/procedures does your unit have to ensure the humane treatment of Detainees? (1.1, 1.2, 4.1) (AR 190-8, paragraph 2-1a(1), (The commanding officer of the capturing unit will ensure that all Detainees are protected, safeguarded, and accounted for IAW AR 190-8. This regulation applies from the time of capture until evacuation to designated internment facilities.) AR 190-8, paragraph 1-5 a-g, (All persons detained, captured, interned, or otherwise held in U S Armed Forces custody during the course of conflict will be given humanitarian care and treatment from the moment they fall into the hands of U S forces until final

Said this above

st ID flat ASS Rules

release and repatriation. All persons taken into custody by U S forces will be provided with the protection of the GPW until some other legal status is determined by competent authority.)

15. (ALL) What are your procedures for questioning Detainees? (Is interrogation taking place?) Who is interrogating the detainees? (1.1, 1.2, 4.1) AR 190-8, paragraph 2-1d, (The use of physical or mental torture or any coercion to compel prisoners to provide information is prohibited. Detainees may voluntarily cooperate with PSYOP personnel in the development, evaluation, or dissemination of PSYOP messages or products. Detainees may not be threatened, insulted, or exposed to unpleasant or disparate treatment of any kind because of their refusal to answer questions. Intelligence or counterintelligence personnel will normally perform Interrogations.)

PI question Doc → no standard name / ID document

16. (ALL) What are your procedures to evacuate a detainee from the point of capture to the Battalion/Brigade collection point? What transportation problems is the unit experiencing either to move troops or detainees during the operation? How do you process detainees too sick or wounded to be evacuated? (1.1, 1.2, 1.3, 1.5, 4.1) AR 190-8, paragraph 2-1(i) e, (Detainees will be humanely evacuated from the combat zone and into appropriate channels as quickly as possible. Instructions given to detainees during evacuation from the combat zone will be, if possible, in their own language and as brief as possible. When military necessity requires delay in evacuation beyond a reasonable period of time, health and comfort items will be issued, such as food, potable water, appropriate clothing shelter, and medical attention. Detainees will not be unnecessarily exposed to danger while awaiting evacuation. The capturing unit may keep detainees in the combat zone in cases where, due to wounds or sickness, prompt evacuation would be more dangerous to their survival than retention in the combat zone.) AR 190-8, paragraph 1-4g(5), (Commanders will establish guidance for the use, transport, and evacuation of detainees in logistical support channels.)

HHC 1st comes get them → ORT comes upon return to FOB - patrol goes to D fac to add to packet. Teams sent in Bld/113/ Hum vep w/ protection. after Doc/ searched / med checks Doc. needs evac ORT comes on call Hello.

17. What is the number of personnel that is needed to move prisoners within the holding area and then to higher? (i.e. for medical sick call, evacuation, etc.)? (1.1, 1.7, 2.1, 3.1) FM 3-19.40, para 4-34, A transfer may be a result of reclassification or another situation requiring the movement of an EPW. Transfer an EPW from one facility to another under conditions that are comparable to those for a member of the US armed forces when possible. Security measures are determined by MP and are influenced by the type of EPW being transferred, the mode of transportation used, and other pertinent conditions. AR 190-47, 11-3.b.(4), Guard requirements for prisoners being transported outside an ACS facility, by means

at least a [redacted] soldiers

of foot, motor vehicle, or aircraft (other than AIREVAC or U.S. Marshals Service aircraft) are as follows: (a) Trained correctional, military police or security personnel: Under maximum custody circumstances, there will be one guard per restrained prisoner and two unarmed guards or one armed guard per unrestrained prisoner. Under medium custody circumstances, there will be one guard per five prisoners. In minimum custody circumstances there will be one guard per ten prisoners. Trustee guards will be determined by the ACS facility commander. (b) Non-correctional personnel: It is required that at least one guard be a SGT or above who is equal or senior to prisoners in a pretrial status. Under maximum custody circumstances, prisoners will have two guards per prisoner. In medium custody circumstances, prisoners will have one guard per two prisoners, and in minimum custody circumstances there will be one guard per five prisoners.

18. (ALL) What medical personnel are available to support DO? (1.1, 1.2, 1.3, 2.1, 3.1, 4.1) AR 190-8, paragraph 1-4g(6) a-e, (Commanders will identify the requirements and allocations for Army Medical units ISO the EPW, CI and RP program, and ensure that the medical annex of OPLANS, OPORDs and contingency plans include procedures for treatment of Detainees; Medical support will specifically include: First aid and all sanitary aspects of food service including provisions for potable water, pest management, and entomological support, preventive medicine, professional medical services and medical supply; reviewing, recommending, and coordinating the use and assignment of medically trained EPW, CI, RP, and OD personnel and medical material; establishing policy for medical repatriation of EPW, CI, and RP and monitoring the actions of the mixed Medical commission.)

1x med w/ each pit, total 5

19. (ALL) What procedures are in place when a detainee in U S custody dies? (1.1, 1.2, 4.1) AR 190-8, paragraph 3-3a (20): Report allegations of criminal acts or war crimes committed by or against EPW/RP to the supporting element of the U.S. Army Criminal Investigation Command (USACIDC). Deaths resulting from other than natural causes will be investigated by USACIDC. Para 3-10 c: When an EPW or RP in US custody dies, the attending medical officer furnish the camp (or hospital) commander or other officer charged with their custody before death, the following information: (1) Full name of deceased. (2) ISN of deceased. (3) Date, place, and cause of death. (4) Statement that death was, or was not, the result of the deceased's own misconduct. (5) When the cause of death is undetermined, the attending medical officer will make a statement to that effect. When the cause of death is finally determined, a supplemental report will be made as soon as possible. e. The attending medical officer and the appropriate camp commander will complete a DA Form 2669-R (Certificate of Death). DA Form 2669-R will be reproduced locally on 8 1/2 by 11-inch paper. The form is located at the back of this regulation. This form is for the use of Army only. Enough copies of form will be made out to provide distribution as follows: (1) Original-information center. (2) Copy-information center (branch), if necessary. (3) Copy-The Surgeon General. (4) Copy-EPW or RP personal file. (5) The proper civil authorities responsible for recording deaths in the particular state if the EPW dies in the United States.

Notify BN PA or Doe comes to check.

20. (ALL) What equipment is the unit experiencing as a shortfall concerning detainee operations, (i.e., restraints, uniforms, CIF items, radios, weapons, etc.)? (CDR) Are any of these USR shortages and if so are you reporting them on your USR? (1.5)

equipment Bags, ^{b2-3} 2-Loock 1x gal bags would be good.

radio [redacted] not in accordance to MTOE - [redacted] radios

1 Brd Plt requires 8 Per have one sq has no radio.

21. (ALL) What types of supplies is greater in-demand for the unit during detainee operations? What about health and comfort items? And are these items regularly filled? (1.5)

Strong Clones. rather have no max G-lover good high power flash lights. Mag-Lites, 3-4 batteries

22. (ALL) What duties put the most stress on soldiers in terms of personnel resources? (1.1, 1.7)

force protection (Gural duty) going down town improves morale when they find stuff they feel being here is justified

23. (ALL) What is the most important factor that you would address in terms of personnel resources in regards to a successful detainee operation? (1.7)

They now have hands on time - but need to be the prior on a standard and packet to detain a person + procedure (standards)

24. (ALL) What AARs or lessons learned have you written or received regarding detainee operations? Can I get a copy? (preferably on disk) (2.1, 2.2)

got force protection SOP, have modified verbal A&L.

wounding or serious injury to a prisoner, and all prisoner deaths. C-2. Any other incident that the commander determines to be of concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-8, 5-1. General protection policy—civilian internee, a. Treatment. (1) No form of physical torture or moral coercion will be exercised against the CI. This provision does not constitute a prohibition against the use of minimum force necessary to effect compliance with measures authorized or directed by these regulations. (2) In all circumstances, the CI will be treated with respect for their person, their honor, their family rights, their religious convictions and practices, and their manners and customs. At all times the CI will be humanely treated and protected against all acts of violence or threats and insults and public curiosity. In all official cases they will be entitled to a fair and regular trial as prescribed by this regulation. (3) The CI will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attack such as rape, forced prostitution, or any form of indecent assault. (4) The CI will be treated with the same consideration and without adverse distinction based on race, religion, political opinion, sex, or age. AR 190-8, para 6-9, e. Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.)

28. What steps would you take if a subordinate reported to you an incident of alleged Detainee abuse? (1.2, 1.6, 4.1) (AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: b. War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-40, Appendix C, Category 2, Reportable Serious Incidents, C-1. Actual or alleged incidents involving the following: g. Incidents involving prisoners or detainees of Army confinement or correctional facilities to include escape from confinement or custody, disturbances which require the use of force, wounding or serious injury to a prisoner, and all prisoner deaths. C-2. Any other incident that the commander determines to be of concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-8, 5-1. General protection policy—civilian internee, a. Treatment. (1) No form of physical torture or moral coercion will be exercised against the CI. This provision does not constitute a prohibition against the use of minimum force necessary to effect compliance with measures authorized or directed by these regulations. (2) In all circumstances, the CI will be treated with respect for their person, their honor, their family rights, their religious convictions and practices, and their manners and customs. At all times the CI will be humanely treated and protected against all acts of violence or threats and insults and public curiosity. In all official cases they will be entitled to a fair and regular trial as prescribed by this regulation. (3) The CI will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attack such as rape, forced prostitution, or any form of indecent assault. (4) The CI will be treated with the same consideration and without adverse distinction based on race, religion, political opinion, sex, or age. AR 190-8, para 6-9, e. Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.)

find who involved.

1st Lieut he does not have enough guidance from higher

29. Do you feel you can freely report an incident of alleged Detainee abuse outside Command channels (**IG, CID**) (1.1, 1.2, 1.6, 4.1) (AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: *b.* War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-40, Appendix C. Category 2, Reportable Serious Incidents, C-1. Actual or alleged incidents involving the following: *g.* Incidents involving prisoners or detainees of Army confinement or correctional facilities to include escape from confinement or custody, disturbances which require the use of force, wounding or serious injury to a prisoner, and all prisoner deaths. C-2. Any other incident that the commander determines to be of concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-8, 5-1. General protection policy—civilian internee, a. Treatment. (1) No form of physical torture or moral coercion will be exercised against the CI. This provision does not constitute a prohibition against the use of minimum force necessary to effect compliance with measures authorized or directed by these regulations. (2) In all circumstances, the CI will be treated with respect for their person, their honor, their family rights, their religious convictions and practices, and their manners and customs. At all times the CI will be humanely treated and protected against all acts of violence or threats and insults and public curiosity. In all official cases they will be entitled to a fair and regular trial as prescribed by this regulation. (3) The CI will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attack such as rape, forced prostitution, or any form of indecent assault. (4) The CI will be treated with the same consideration and without adverse distinction based on race, religion, political opinion, sex, or age. AR 190-8, para 6-9, e. Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.)

no problem

30. What procedures do you have to report suspected detainee abuse (**IG, CID, Next Level Commander**) (1.1, 1.2, 1.6, 4.1) (AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: *b.* War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-40, Appendix C, Category 2, Reportable Serious Incidents, C-1. Actual or alleged incidents involving the following: *g.* Incidents involving prisoners or detainees of Army confinement or correctional facilities to include escape from confinement or custody, disturbances which require the use of force, wounding or serious injury to a prisoner, and all prisoner deaths. C-2. Any other incident that the commander determines to be of concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-8, 5-1. General protection policy—civilian internee, a. Treatment. (1) No form of physical torture or moral coercion will be exercised against the CI. This provision does not constitute a prohibition against the use of minimum force necessary to effect compliance with measures authorized or directed by these regulations. (2) In all circumstances, the CI will be treated with respect for their person, their honor, their family rights, their religious convictions and practices, and their manners and customs. At all times the CI will be humanely treated and protected against all acts of

not in writing

violence or threats and insults and public curiosity. In all official cases they will be entitled to a fair and regular trial as prescribed by this regulation. (3) The CI will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attack such as rape, forced prostitution, or any form of indecent assault. (4) The CI will be treated with the same consideration and without adverse distinction based on race, religion, political opinion, sex, or age. AR 190-8, para 6-9, e. Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.)

31. What systems are in place for detainees to report alleged abuse? (1.1, 1.2, 1.6, 4.1) AR 190-8, para 5-1, g. Appeals and periodic review of security internment cases. (1) Appeals. The CI who are interned for imperative security reasons will be accorded the right to appeal the order directing their internment. Such appeals will be decided with the least possible delay by a board of officers. Appeals will be decided only on the grounds of the existence or nonexistence of imperative security reasons requiring the internment of the protected person. 6-4. Internee Committee *a. Election.* At each camp and branch camp, CI will be elected by secret written ballot to the Internee Committee. This committee is empowered to represent the camp to the protecting powers, International Committee of the Red Cross, or other authorized relief or aid organizations and U.S. military authorities. *e. Duties. (3) (c)* The presentation and transmittal of petitions and complaints to the appropriate authorities in proportion to the kind of labor performed. 6-9. Complaints and requests to camp commanders and protecting power, *a.* Persons may make complaints or requests to the camp commander, who will try to resolve the complaints and answer the requests. If the CI are not satisfied with the way the commander handles a complaint or request, they may submit it in writing, through channels, to HQDA, ODCSOPS (DAMO - ODL) NPWIC, WASH DC 20310-0400. *b.* Persons exercising the right to complain to the protecting power about their treatment and camp may do so—(1) By mail. (2) In person to the visiting representatives of the protecting power. (3) Through their Internee Committee. *c.* Written complaints to the protecting power will be forwarded promptly through HQDA (DAMO - ODL) NPWIC, WASH DC 20310-0400. A separate letter with the comments of the camp commander will be included. Military endorsements will not be placed on any CI communications. *d.* If a protecting power communicates with a CI camp commander about any matter requiring an answer, the communication and commander's reply will be forwarded to HQDA (DAMO-ODL) NPWIC, WASH DC 20310-0400, for proper action. *e.* Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.

1st SRT would look into the S'it.

32. What do you perceive as the mission of your unit? Describe the importance of your role in that mission. (Insight to the Soldier's understanding and attitude concerning unit mission and their role) AR 600-20 Command Policy 2-1. Chain of Command *a.* The chain of command assists commanders at all levels to achieve their primary function of

accomplishing the unit's assigned mission while caring for personnel and property in their charge. A simple and direct chain of command facilitates the transmittal of orders from the highest to the lowest levels in a minimum of time and with the least chance of misinterpretation. b. Commanders delegate sufficient authority to soldiers in the chain of command to accomplish their assigned duties, and commanders may hold these soldiers responsible for their actions.

*provides stability for Iraq. Ensure Soldier
has cared for. mentorship.*

33. Describe your working environment and living conditions since being in Theater. (Identify physical and psychological impact on Soldier's attitude). (1.2, 1.3, 1.4, 1.5, 1.6, 1.7) FM 10-1, Ch. 7, para. 3, "Tactical Vision. A primary QMC focus at the tactical level will continue to be on sustainment of the soldier. Each company-sized unit will have two cooks and a small, state-of-the-art field kitchen. This provides a limited capability to prepare or heat meals and supplements. An improved containerized capability for providing responsive laundry and shower support well forward on the battlefield must be developed. Frontline soldiers require brief respites from the rigors associated with combat. A facility complex (Force Provider) will be available in which they can shower, clean their clothes, eat hot meals, and rest in an environmentally controlled shelter.

working in living quarters.

*living could be better. Soldiers in camp
no AIR/dome/window don't lock.
begin to fix what's broken.*

34. Describe the unit command climate and Soldier morale. Has it changed or evolved since you have been in Theater? (Identifies Soldier's perception of the chain of command and Soldier attitude. Does the Soldier feel supported? Do Soldiers feel the Command cares? Are they getting clear guidance?) 1 AR 600-20 • 13 May 2002 1-5. Command, b. Elements of command. c. The commander is responsible for establishing leadership climate of the unit and developing disciplined and cohesive units. This sets the parameters within which command will be exercised and, therefore, sets the tone for social and duty relationships within the command. (1) Commanders and other leaders committed to the professional Army ethic promote a positive environment. If leaders show loyalty to their soldiers, the Army, and the Nation, they earn the loyalty of their soldiers. If leaders consider their soldiers' needs and care for their well-being, and if they demonstrate genuine concern, these leaders build a positive command climate. (2) Duty is obedient and disciplined performance. Soldiers with a sense of duty accomplish tasks given them, seize opportunities for self-improvement, and accept responsibility from their superiors. Soldiers, leader and led alike, work together to accomplish the mission rather than feed their self-interest.

*new staff guidance not
as precise as needed. Do not come to
correct channels. Climate overall good.
IJA. Structure is good. I.SG need to ~~etc~~ daily
changes.*

*Soldier morale not too good but IJA
attempting to improve PX runs.*

35. Are you aware of any incidences of detainee or other abuse in your unit? AR. 190-8, 1-5. General protection policy a. U.S. policy, relative to the treatment of EPW, CI and RP in the custody of the U.S. Armed Forces, is as follows: (1) All persons captured, detained, interned, or otherwise held in U.S. Armed Forces custody during the course of conflict will be given humanitarian care and treatment from the moment they fall into the hands of U.S. forces until final release or repatriation. (2) All persons taken into custody by U.S. forces will be provided with the protections of the GPW until some other legal status is determined by competent authority. (3) The punishment of EPW, CI and RP known to have, or suspected of having, committed serious offenses will be administered IAW due process of law and under legally constituted authority per the GPW, GC, the Uniform Code of Military Justice and the Manual for Courts Martial. (4) The inhumane treatment of EPW, CI, RP is prohibited and is not justified by the stress of combat or with deep provocation. Inhumane treatment is a serious and punishable violation under international law and the Uniform Code of Military Justice (UCMJ). b. All prisoners will receive humane treatment without regard to race, nationality, religion, political opinion, sex, or other criteria. The following acts are prohibited: murder, torture, corporal punishment, mutilation, the taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. c. All persons will be respected as human beings. They will be protected against all acts of violence to include rape, forced prostitution, assault and theft, insults, public curiosity, bodily injury, and reprisals of any kind. They will not be subjected to medical or scientific experiments. This list is not exclusive. EPW/RP are to be protected from all threats or acts of violence. d. Photographing, filming, and video taping of individual EPW, CI and RP for other than internal Internment Facility administration or intelligence/counterintelligence purposes is strictly prohibited. No group, wide area or aerial photographs of EPW, CI and RP or facilities will be taken unless approved by the senior Military Police officer in the Internment Facility commander's chain of command. e. A neutral state or an international humanitarian organization, such as the ICRC, may be designated by the U.S. Government as a Protecting Power (PP) to monitor whether protected persons are receiving humane treatment as required by the Geneva Conventions. The text of the Geneva Convention, its annexes, and any special agreements, will be posted in each camp in the language of the EPW, CI and RP. NO!

ADVISEMENT OF RIGHTS (For military personnel)

The text of Article 31 provides as follows a. No person subject to this chapter may compel any person to incriminate himself or to answer any questions the answer to which may tend to incriminate him. b. No person subject to this chapter may interrogate or request any statement from an accused or a person suspected of an offense without first informing him of the nature of the accusation and advising him that he does not have to make any statement regarding the offense of which he is accused or suspected, and that any statement made by him may be used as evidence against him in a trial by court-martial. c. No person subject to this chapter may compel any person to make a statement or produce evidence before any military tribunal if the statement or evidence is not material to the issue and may tend to degrade him. d. No statement obtained from any person in violation of this article, or through the use of coercion, unlawful influence, or unlawful inducement, may be received in evidence against him in a trial by court-martial. (1.2, 1.6)

I am _____(grade, if any, and name), a member of the (DAIG). I am part of a team inspecting detainee operations, this is not a criminal investigation. I am reading you your rights because of a statement you made causes me to suspect that you may have committed _____. (specify offense, i.e. aggravated assault, assault, murder). Under Article 31, you have the right to remain silent, that is, say nothing at all. Any statement you make, oral or written, may be used as evidence against you in a trial by courts-martial or in other judicial or administrative proceedings. You have the right to consult a lawyer and to have a lawyer present during this interview. You have the right to military legal counsel free of charge. In addition to military counsel, you are entitled to civilian counsel of your own choosing, at your own expense. You may request a lawyer at any time during this interview. If you decide to answer questions, you may stop the questioning at any time. Do you understand your rights? Do you want a lawyer? (If the answer is yes, cease all questions at this point). Are you willing to answer questions?

36. Describe what you understand happened leading up to and during the incident(s) of abuse. (No applicable standard) _____

37. Describe Soldier morale, feelings and emotional state prior to and after these incidents? (Identifies unit and Soldier morale, atmosphere, mood, attitude, stress, retaliation, preemption, family crisis) _____

38. Was this incident reported to the chain of command? How, when & what was done? What would you have done? (Identifies compliance, procedure, timeliness, Soldier perception of action taken and effect on unit morale.) (1.2, 1.6) (AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: b. War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-40, Appendix C Category 2, Reportable Serious Incidents, C-1. Actual or alleged incidents involving the following: g. Incidents involving prisoners or detainees of Army confinement or correctional facilities to include escape from confinement or custody, disturbances which require the use of force, wounding or serious injury to a prisoner, and all prisoner deaths. C-2. Any other incident that the commander determines to be of concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-8, 5-1. General protection policy—civilian internee, a. Treatment. (1) No form of physical torture or moral coercion will be exercised against the CI. This provision does not

constitute a prohibition against the use of minimum force necessary to effect compliance with measures authorized or directed by these regulations. (2) In all circumstances, the CI will be treated with respect for their person, their honor, their family rights, their religious convictions and practices, and their manners and customs. At all times the CI will be humanely treated and protected against all acts of violence or threats and insults and public curiosity. In all official cases they will be entitled to a fair and regular trial as prescribed by this regulation. (3) The CI will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attack such as rape, forced prostitution, or any form of indecent assault. (4) The CI will be treated with the same consideration and with-out adverse distinction based on race, religion, political opinion, sex, or age. AR 190-8, para 6-9, e. Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.) _____

How could the incident have been prevented? (Identifies root cause and perceived solution) (No applicable standard) _____

39. Describe any unit training or other programs that you are aware of that teach leaders and Soldiers how to recognize and resolve combat stress. FM 22-51, para 11-5. Prevention of Misconduct Stress Behaviors. The measures which reduce battle fatigue and prevent battle fatigue casualties should also help reduce the incidence of misconduct stress behaviors. However, additional actions also need to be practiced consistently by leadership at all echelons and by buddies at the small unit level. FM 22-51, para 1-3, Stress control requires special involvement from direct (small unit) leaders. The responsibility extends up through the organizational leaders and their staffs (both officers and noncommissioned officers [NCOs]) at all echelons. Appendix A describes combat stress risk factors and prescribes leaders' actions to control them. Leaders, staffs, and individual soldiers all receive assistance from the supporting chaplains, the medical personnel, and combat stress control/mental health personnel (see Appendix B for information pertaining to combat stress control units). If any link in the chain of responsibility is weak, it is the responsibility of the other members of the chain to strengthen it. FM 8-51, para 1-1, b. Responsibility For Stress Control. Control of stress is the commander's responsibility (see FM 22-51) at all echelons. The commander is aided in this responsibility by the noncommissioned officer (NCO) chain of support; the chaplaincy; unit medical personnel; general, principal, and special staff, and by specialized Army CSC units and mental health personnel.) _____

40. What measures are in place to boost morale or to relieve stress? (Identifies perceived solution.) FM 22-51, para 11-5. Prevention of Misconduct Stress Behaviors. The measures which reduce battle fatigue and prevent battle fatigue casualties should also help reduce the incidence of misconduct stress behaviors. However, additional actions also need to be practiced consistently by leadership at all echelons and by buddies at the small unit level. FM 22-51, para 1-3, Stress control requires special involvement from direct (small unit) leaders. The responsibility extends up through the organizational leaders and their staffs (both officers and noncommissioned officers [NCOs]) at all echelons. Appendix A describes combat stress risk factors and prescribes leaders' actions to control them. Leaders, staffs, and individual soldiers all receive assistance from the supporting chaplains, the medical personnel, and combat stress control/mental health personnel (see Appendix B for information pertaining to combat stress control units). If any link in the chain of responsibility is weak, it is the responsibility of the other members of the chain to strengthen it. FM 8-51, para 1-1, b. Responsibility For Stress Control. Control of stress is the commander's responsibility (see FM 22-51) at all echelons. The commander is aided in this responsibility by the noncommissioned officer (NCO) chain of support; the chaplaincy; unit medical personnel; general, principal, and special staff, and by specialized Army CSC units and mental health personnel. _____

41. What measures could the command enact to improve the morale and command climate of your unit? (Identifies perceived solution.) FM 22-103, Leadership and Command at Senior Levels, 21 Jun 1987, p. 6, - "Leadership. The process of influencing others to accomplish the mission by providing purpose, direction, and motivation." AR 600-100, Army Leadership, 17 Sep 1993, p. 8, 1987- "Senior-level leadership is the art of direct and indirect influence and the skill of creating the conditions for sustained organizational success to achieve the desired result. But, above all, it is the art of taking a vision of what must be done, communicating it in a way that the intent is clearly understood, and then being tough enough to ensure its execution." _____

29 AM

2nd Cms Recon Troop

POINT OF CAPTURE - CDR/1SG/PL/PS

Rank CDR Branch 1st Date: 29 Mar Unit _____
Duty Position Co Cdr How Long in Job 6 weeks
How Long in Country/Current MOS 6 weeks 1
Interviewer [redacted] (b)(6)-2 *This in cmd prior to deployment*

1. (ALL) How did you prepare yourself and your junior leaders to become familiar with and understand the applicable regulations, OPORD/FRAGOs directives, international laws and administrative procedures to operate a unit Collection Point? (1.1, 1.2, 1.4, 1.6, 4.1) (FM 3-19.40, paragraph 2-2, Commanders are familiar with applicable regulation, directives, international laws, and administrative procedures.)

No,
- Fell in on ~~try~~ in Kuwait but he didn't have any input *COM, CQB, range*
- Missions every day.

2. (ALL) Did you and all of your Soldiers undergo Law of War training prior to deployment? Explain what training occurred. Did this training include the treatment of Detainees? Is there a plan to train new Soldiers (replacements) to the unit? Explain. (1.1, 1.2, 1.4, 4.1) (AR 350-1 para 4-14c.(2) and table G-1 Refresher training, dated 9 April 2003), Level B training is conducted in units for officers, warrant officers, NCOs and enlisted personnel commensurate with the missions of the unit. AR 190-8 para 1-5(4)(C DOD Directive 5100.77), All prisoners will receive humane treatment and that the following acts are prohibited murder, torture, corporal punishment, mutilation, taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. Prisoners will be protected against all acts of violence to include public curiosity. (DoD Directive 5100.77, para 5.5.1, The Secretaries of the Military Departments shall provide directives, publications, instructions, and training so that the principles and rules of law of war will be known to members of their respective Departments, the extent of such knowledge to be commensurate with each individual's duties and responsibilities.)

Low ~~try~~ in garrison + ROE but Cdr reiterates ROE.

3. (ALL) What Home Station/Mob Site Training did your unit conduct prior to deployment to help your unit prepare for Detainee Operations? Describe it. How did the training prepare you to conduct Detainee Operations for this deployment? How did this training distinguish between the different categories of Detainees (EPWs, RPs, CIs, etc.)? (1.1, 1.2, 1.3, 1.4, 4.1) (DoDD 2310.1 (The U.S. Military Services shall be given the necessary training to ensure they have knowledge of their obligations under the Geneva Conventions (references (b) through (e)) and as required by DoD Directive 5100.77 (reference (f)) before an assignment to a foreign area where capture or detention of enemy personnel is possible.) AR 350-1 para 4-14 c (2) and table G-1 Refresher training, dated 9 April 2003), Level B training is conducted in units for officers, warrant officers, NCOs and enlisted personnel commensurate with the missions of the unit. AR 190-8 para 1-5 (4) (C), DOD Directive

Sometimes
2 hot meals a day - sometimes a problem on night shift.

5100.77, All prisoners will receive humane treatment and that the following acts are prohibited murder, torture, corporal punishment, mutilation, taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. Prisoners will be protected against all acts of violence to include public curiosity. (DoD Directive 5100.77, para 5.5.1, The Secretaries of the Military Departments shall provide directives, publications, instructions, and training so that the principles and rules of law of war will be known to members of their respective Departments, the extent of such knowledge to be commensurate with each individual's duties and responsibilities.)

- 53s
- Classes of detainees, CPA form + hand-out of proc
- Has a detainee team to ensure paperwork is correct pictures, reviews pictures prior to leaving ITP, pictures for subordinates
- AAR process

4. (ALL) What training did you receive on the established Rules of Engagement (ROE)? How often does this occur? Does this training include Rules of Interaction (ROI)? (1.4, 4.1) (ROE from CJCS ISO Iraqi operations dated 251600Z Apr 03 para 10 (U) All commanders will ensure their personnel are familiar with the law of armed conflict and with these ROE." AR 190-8, paragraph 3-6 a, The following acts will not be permitted: (1) Fraternalization between EPW, RP and U.S. military or civilian personnel. Fraternalization is defined as improper or intimate communications or actions between U.S. Armed Forces personnel and EWP/RP)

5. (ALL) Describe the training you received at the last Professional Military Education on handling/processing Detainees. How was it helpful in preparing you for Detainee Operations? How would you improve the training at the schoolhouse? (1.1, 1.4)

6. (ALL) Describe the training the guard force received to prepare them for their duties. How do you ensure your guards understand their orders? (1.1, 1.2, 1.4, 1.6, 4.1) (FM 3-19.40, para 2-49) FM 3-19.40, paragraph 2-23, The force has a commander of the guard, one or more sergeants of the guard, a relief commander for each shift, and necessary number of guards. There are two types of orders for guards: General orders. All guards are required to know, understand, and comply with the general orders outlined for sentinels in FM 22-6. Special orders. They apply to particular posts and duties. Special orders supplement general orders and are established by the commanders.)

Said - CP w/ wine, flex cups, straight back to BCF.

normally don't bag. Try to put in Hammock seats, but not in trunk because it's not nice. Clean out the trunk in case of detainees.

-10 day night patrol / 10 day day / 7/

CDR goes on all patrols

Co level patrols

7. (ALL) How does your unit conduct sustainment training for Detainee Operations? How often does this occur and please describe it? When did your unit last conduct this training? (1.1, 1.2, 1.4, 4.1) DoDD 2310.1 (The U.S. Military Services shall be given the necessary training to ensure they have knowledge of their obligations under the Geneva Conventions (references (b) through (e)) and as required by DoD Directive 5100.77 (reference (f)) before an assignment to a foreign area where capture or detention of enemy personnel is possible.) AR 350-1 para 4-14 c (2) and table G-1 Refresher training, dated 9 April 2003), Level B training is conducted in units for officers, warrant officers, NCOs and enlisted personnel commensurate with the missions of the unit. AR 190-8 para 1-5 (4) (C), DOD Directive 5100.77, All prisoners will receive humane treatment and that the following acts are prohibited murder, torture, corporal punishment, mutilation, taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. Prisoners will be protected against all acts of violence to include public curiosity.) (ROE from CJCS ISO Iraqi operations dated 251600Z Apr 03 para 10 (U) All commanders will ensure their personnel are familiar with the law of armed conflict and with these ROE."

- No time, running the whole time.
- opportunity to train 8 S/Ms in Co area during FP.

8. (CDR/1SG) What are your policies on the establishment of a unit holding area? How do you ensure that these areas operate IAW Law of War? (1.1, 1.2, 4.1) (AR 190-8, paragraph 3-2, Internment facilities will be established in the communications zone of each theater of operations for the purpose of receiving, accounting for, administering, and logistically supporting DO. The operation of all EPW internment facilities is governed. The Theater commander remains responsible for the location of EPW facilities; detainees may be interned only in premises located on land and affording proper health and hygiene standards. Except in extreme circumstances, in the best interests of the individual, detainees will not be interned in correctional facilities housing military or civilian prisoners. Prisoners will not normally be interned in unhealthy areas, or where the climate proves to be injurious to them, and will be removed as soon as possible to a more favorable climate. Transit camps or collecting points will receive the same treatment as in permanent detainee camps. The internment facility will be marked with the letters 'PW' (Prisoner of War camp) and will be placed so they will be clearly visible from the air during the daytime. Other markings may be used when agreed to by the combatant commanders and approved by HQDA.) (ROE from CJCS ISO Iraqi operations dated 251600Z Apr 03 para 10 (U) All commanders will ensure their personnel are familiar with the law of armed conflict and with these ROE." AR 350-1 para 4-14 c (2) and table G-1 Refresher training, dated 9 April 2003), Level B training is conducted in units for officers, warrant officers, NCOs and enlisted personnel commensurate with the missions of the unit. AR 190-8 para 1-5 (4) (C), DOD Directive 5100.77, All prisoners will receive humane treatment and that the following acts are prohibited murder, torture, corporal punishment, mutilation, taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. Prisoners will be protected against all acts of violence to include public curiosity.)

9. **(PL/PS)** What is the units' policy on the establishment of a unit holding area? How do you know that you are operating the holding areas IAW Law of War? ?- (1.1, 1.2, 4.1) (AR 190-8, paragraph 3-2, Internment facilities will be established in the communications zone of each theater of operations for the purpose of receiving, accounting for, administering, and logistically supporting DO. The operation of all EPW internment facilities is governed. The Theater commander remains responsible for the location of EPW facilities; detainees may be interned only in premises located on land and affording proper health and hygiene standards. Except in extreme circumstances, in the best interests of the individual, detainees will not be interned in correctional facilities housing military or civilian prisoners. Prisoners will not normally be interned in unhealthy areas, or where the climate proves to be injurious to them, and will be removed as soon as possible to a more favorable climate. Transit camps or collecting points will receive the same treatment as in permanent detainee camps. The internment facility will be marked with the letters 'PW' (Prisoner of War camp) and will be placed so they will be clearly visible from the air during the daytime. Other markings may be used when agreed to by the combatant commanders and approved by HQDA.) AR 350-1 para 4-14 c (2) and table G-1 Refresher training, dated 9 April 2003), Level B training is conducted in units for officers, warrant officers, NCOs and enlisted personnel commensurate with the missions of the unit. AR 190-8 para 1-5 (4) (C), DOD Directive 5100.77, All prisoners will receive humane treatment and that the following acts are prohibited murder, torture, corporal punishment, mutilation, taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. Prisoners will be protected against all acts of violence to include public curiosity.)

10. **(ALL)** How do you administratively process each detainee, (i.e., tagging pax and equipment, evidence, witness statements, etc.)? (1.1, 1.2, 1.6) (FM 3-19.40, paragraph 2-3, The commander is responsible for the administrative processing of each internee. When processing is complete, he submits a DA Form 2674-R to the servicing internment/resettlement information center (IRIC), which function as the field operations agency for the national IERIC located in CONUS.) (AR 190-8, para 2-1, a. (1) (b) (c), All equipment, documents, and personal property confiscation during the search must be tagged and administratively accounted for by the capturing unit. DD Form 2745, Part C is attached to the property confiscated from the Detainee, so that it may later be matched to that Detainee.)

11. **(ALL)** How do you maintain good morale and discipline with Soldiers and leaders to enhance the security of the unit collection point? (1.1, 1.2, 1.6) (AR 600-20 para 4-1, Military discipline a. Military discipline is founded upon self-discipline, respect for properly constituted authority, and the embracing of the professional Army ethic with its supporting individual values. Military discipline will be developed by individual and group training to create a mental attitude resulting in proper conduct and prompt obedience to lawful military authority. b. While military discipline is the result of effective training, it is affected by every feature of military life. It is manifested in individuals and units by cohesion, bonding, and a spirit of teamwork; by smartness of appearance and action; by cleanliness and maintenance of dress,

equipment, and quarters; by deference to seniors and mutual respect between senior and subordinate personnel; by the prompt and willing execution of both the letter and the spirit of the legal orders of their lawful commanders; and by fairness, justice, and equity for all soldiers, regardless of race, religion, color, gender, and national origin. c. Commanders and other leaders will maintain discipline according to the policies of this chapter, applicable laws and regulations, and the orders of seniors.)

Morale is high

*- Cpt mental health team came in after a death.
↳ He asked the BN Cdr for mental health team.*

- mission & purpose

12. (ALL) What procedures do you have in place to ensure Soldiers and leaders understand the use of force and rules of engagement for the unit collection point? (ROE Card, sustainment tng, etc) (1.1, 1.2, 1.4, 1.6, 4.1) (FM 3-19.40, paragraph 2-29, An MP commander ensures that soldiers understand use-of-force guidelines and the ROE established by higher headquarters for each mission. Because the use of force and ROE vary depending on the category of housed personnel and the operational environment, the commander develops SOPs that follow the guidance provided. He balances the physical security of force with mission accomplishment and the protection of deployed forces. ROE from CJCS ISO Iraqi operations dated 251600Z Apr 03 para 10 (U) All commanders will ensure their personnel are familiar with the law of armed conflict and with these ROE.)

- ROE brief by our FP cycle

- ROE Card

13. (ALL) What procedures are in place to dispose of captured contraband (enemy supplies and equipment)? (1.1, 1.2, 4.1) (AR 190-8, paragraph 1-4g(3), (Commanders will collect and dispose of captured enemy supplies and equipment through theater logistics and EOD channels.)

- comes back to BN or destruction in place

*↳ called to higher & they
relay report to disposition*

14. (CDR/1SG) What policies/procedures do you have in place to ensure that all Detainees are protected, safeguarded, and accounted for (5Ss & T)? What policies/procedures does your unit have to ensure the humane treatment of Detainees? (1.1, 1.2, 4.1) (AR 190-8, paragraph 2-1a(1), (The commanding officer of the capturing unit will ensure that all Detainees are protected, safeguarded, and accounted for IAW AR 190-8. This regulation applies from the time of capture until evacuation to designated internment facilities.) AR 190-8, paragraph 1-5 a-g, (All persons detained, captured, interned, or otherwise held in U S Armed Forces custody during the course of conflict will be given humanitarian care and treatment from the moment they fall into the hands of U S forces until final

release and repatriation. All persons taken into custody by U S forces will be provided with the protection of the GPW until some other legal status is determined by competent authority.)

-Soldiers know - no real policy.

15. (ALL) What are your procedures for questioning Detainees? (Is interrogation taking place?) Who is interrogating the detainees? (1.1, 1.2, 4.1) AR 190-8, paragraph 2-1d, (The use of physical or mental torture or any coercion to compel prisoners to provide information is prohibited. Detainees may voluntarily cooperate with PSYOP personnel in the development, evaluation, or dissemination of PSYOP messages or products. Detainees may not be threatened, insulted, or exposed to unpleasant or disparate treatment of any kind because of their refusal to answer questions. Intelligence or counterintelligence personnel will normally perform Interrogations.)

-no interpreters for night shift

-semi-arabic

do talk to people on street.

16. (ALL) What are your procedures to evacuate a detainee from the point of capture to the Battalion/Brigade collection point? What transportation problems is the unit experiencing either to move troops or detainees during the operation? How do you process detainees too sick or wounded to be evacuated? (1.1, 1.2, 1.3, 1.5, 4.1) AR 190-8, paragraph 2-1(1) e, (Detainees will be humanely evacuated from the combat zone and into appropriate channels as quickly as possible. Instructions given to detainees during evacuation from the combat zone will be, if possible, in their own language and as brief as possible. When military necessity requires delay in evacuation beyond a reasonable period of time, health and comfort items will be issued, such as food, potable water, appropriate clothing shelter, and medical attention. Detainees will not be unnecessarily exposed to danger while awaiting evacuation. The capturing unit may keep detainees in the combat zone in cases where, due to wounds or sickness, prompt evacuation would be more dangerous to their survival than retention in the combat zone.) AR 190-8, paragraph 1-4g(5), (Commanders will establish guidance for the use, transport, and evacuation of detainees in logistical support channels.)

17. What is the number of personnel that is needed to move prisoners within the holding area and then to higher? (i.e. for medical sick call, evacuation, etc.)? (1.1, 1.7, 2.1, 3.1) FM 3-19.40, para 4-34, A transfer may be a result of reclassification or another situation requiring the movement of an EPW. Transfer an EPW from one facility to another under conditions that are comparable to those for a member of the US armed forces when possible. Security measures are determined by MP and are influenced by the type of EPW being transferred, the mode of transportation used, and other pertinent conditions. AR 190-47, 11-3.b.(4), Guard requirements for prisoners being transported outside an ACS facility, by means

of foot, motor vehicle, or aircraft (other than AIREVAC or U.S. Marshals Service aircraft) are as follows: (a) Trained correctional, military police or security personnel: Under maximum custody circumstances, there will be one guard per restrained prisoner and two unarmed guards or one armed guard per unrestrained prisoner. Under medium custody circumstances, there will be one guard per five prisoners. In minimum custody circumstances there will be one guard per ten prisoners. Trustee guards will be determined by the ACS facility commander. (b) Non-correctional personnel: It is required that at least one guard be a SGT or above who is equal or senior to prisoners in a pretrial status. Under maximum custody circumstances, prisoners will have two guards per prisoner. In medium custody circumstances, prisoners will have one guard per two prisoners, and in minimum custody circumstances there will be one guard per five prisoners.

(b)(2) 3

detainees total + POW
↳ only brought back one nine

18. (ALL) What medical personnel are available to support DO? (1.1, 1.2, 1.3, 2.1, 3.1, 4.1) AR 190-8, paragraph 1-4g(6) a-e, (Commanders will identify the requirements and allocations for Army Medical units ISO the EPW, CI and RP program, and ensure that the medical annex of OPLANS, OPORDs and contingency plans include procedures for treatment of Detainees; Medical support will specifically include: First aid and all sanitary aspects of food service including provisions for potable water, pest management, and entomological support, preventive medicine; professional medical services and medical supply; reviewing, recommending, and coordinating the use and assignment of medically trained EPW, CI, RP, and OD personnel and medical material; establishing policy for medical repatriation of EPW, CI, and RP and monitoring the actions of the mixed Medical commission.)

Every plt has medic & Co medic.
medics would treat

19. (ALL) What procedures are in place when a detainee in U S custody dies? (1.1, 1.2, 4.1) AR 190-8, paragraph 3-3a (20): Report allegations of criminal acts or war crimes committed by or against EPW/RP to the supporting element of the U.S. Army Criminal Investigation Command (USACIDC). Deaths resulting from other than natural causes will be investigated by USACIDC. Para 3-10 c: When an EPW or RP in US custody dies, the attending medical officer furnish the camp (or hospital) commander or other officer charged with their custody before death, the following information: (1) Full name of deceased. (2) ISN of deceased. (3) Date, place, and cause of death. (4) Statement that death was, or was not, the result of the deceased's own misconduct. (5) When the cause of death is undetermined, the attending medical officer will make a statement to that effect. When the cause of death is finally determined, a supplemental report will be made as soon as possible. e. The attending medical officer and the appropriate camp commander will complete a DA Form 2669-R (Certificate of Death). DA Form 2669-R will be reproduced locally on 8 1/2 by 11-inch paper. The form is located at the back of this regulation. This form is for the use of Army only. Enough copies of form will be made out to provide distribution as follows: (1) Original-information center. (2) Copy-information center (branch), if necessary. (3) Copy-The Surgeon General. (4) Copy-EPW or RP personal file. (5) The proper civil authorities responsible for recording deaths in the particular state if the EPW dies in the United States.

TTP - don't leave scene until paperwork done + photographed

Getref to higher + report on tot to higher

20. (ALL) What equipment is the unit experiencing as a shortfall concerning detainee operations, (i.e., restraints, uniforms, CIF items, radios, weapons, etc.)? (CDR) Are any of these USR shortages and if so are you reporting them on your USR? (1.5)

- flexcups are going to Sgd [redacted] ^{not MTOE enough for each} [redacted]
- Conducs aren't ~~even~~ in get b2-3 b2-3
- Not every SM has [redacted] → MTOE doesn't work b2-3
- Radios - given [redacted] who radios so had to strip [redacted]

21. (ALL) What types of supplies is greater in-demand for the unit during detainee operations? What about health and comfort items? And are these items regularly filled? (1.5)

flexcups

22. (ALL) What duties put the most stress on soldiers in terms of personnel resources? (1.1, 1.7)

- Information - word doesn't get out

23. (ALL) What is the most important factor that you would address in terms of personnel resources in regards to a successful detainee operation? (1.7)

~~no prob~~ give up a plt for PSD (F. Placet) for
 → augmented w a tank plt

24. (ALL) What AARs or lessons learned have you written or received regarding detainee operations? Can I get a copy? (preferably on disk) (2.1, 2.2)

- Detainee Team - Formy, camera, vehicle for report, concerning wire for hosting facility w guard force, knowledge of street to det fac → whole process to be

successful + bring all,

25. Do you know of the procedures to get stress counseling (**Psychiatrist, Chaplain, Medical**)? Do your Soldiers know of the procedures to get counseling (**Psychiatrist, Chaplain, Medical**)? (1.1, 1.2, 1.6, 2.1, 4.1) FM 3-19.40, paragraph 2-48: Personnel assigned or attached to I/R facilities are trained on the care and control of housed personnel. They are fully cognizant of the provisions of the Geneva and UN Conventions and applicable regulations as they apply to the treatment of housed personnel. A formal training program should include stress management techniques. FM 8-51, Appendix D, D-2 f (3): Combat stress control units should provide routine mental health consultation to EPW confinement facilities. This should include: stress control advice to the command regarding the stressors of US Army MP personnel and any allied or coalition personnel working at the confinement facility; individual evaluation and intervention for guards or prisoners when indicated. AR 190-8, Paragraph 1-5, (4) The inhumane treatment of EPW, CI, RP is prohibited and is not justified by the stress of combat or with deep provocation. Inhumane treatment is a serious and punishable violation under international law and the Uniform Code of Military Justice (UCMJ).

26. Are you aware of your requirement to report abuse or suspected abuse of detainees? (1.1, 1.2, 4.1) AR 190-40 para 2-1, Military and civilian personnel assigned to or accompanying a DoD Component know that they shall report reportable incidents through their chain of command and that such reports also may also be made through other channels, such as the military police, a judge advocate, or an Inspector General.) AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: *b.* War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident.

No but would report

~~27. Do your subordinates know the reporting procedures if they observe or become aware of a Detainee being abused? (1.1, 1.2, 1.6, 4.1) AR 190-40 para 2-1, Military and civilian personnel assigned to or accompanying a DoD Component know that they shall report reportable incidents through their chain of command and that such reports also may also be made through other channels, such as the military police, a judge advocate, or an Inspector General. AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: *b.* War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-40, Appendix C Category 2, Reportable Serious Incidents, C-1. Actual or alleged incidents involving the following: *g.* Incidents involving prisoners or detainees of Army confinement or correctional facilities to include escape from confinement or custody, disturbances which require the use of force,~~

wounding or serious injury to a prisoner, and all prisoner deaths. C-2. Any other incident that the commander determines to be of concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-8, 5-1. General protection policy—civilian internee, a. Treatment. (1) No form of physical torture or moral coercion will be exercised against the CI. This provision does not constitute a prohibition against the use of minimum force necessary to effect compliance with measures authorized or directed by these regulations. (2) In all circumstances, the CI will be treated with respect for their person, their honor, their family rights, their religious convictions and practices, and their manners and customs. At all times the CI will be humanely treated and protected against all acts of violence or threats and insults and public curiosity. In all official cases they will be entitled to a fair and regular trial as prescribed by this regulation. (3) The CI will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attack such as rape, forced prostitution, or any form of indecent assault. (4) The CI will be treated with the same consideration and without adverse distinction based on race, religion, political opinion, sex, or age. AR 190-8, para 6-9, e. Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.)

not sure

28. What steps would you take if a subordinate reported to you an incident of alleged Detainee abuse? (1.2, 1.6, 4.1) (AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: b. War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-40, Appendix C, Category 2, Reportable Serious Incidents, C-1. Actual or alleged incidents involving the following: g. Incidents involving prisoners or detainees of Army confinement or correctional facilities to include escape from confinement or custody, disturbances which require the use of force, wounding or serious injury to a prisoner, and all prisoner deaths. C-2. Any other incident that the commander determines to be of concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-8, 5-1. General protection policy—civilian internee, a. Treatment. (1) No form of physical torture or moral coercion will be exercised against the CI. This provision does not constitute a prohibition against the use of minimum force necessary to effect compliance with measures authorized or directed by these regulations. (2) In all circumstances, the CI will be treated with respect for their person, their honor, their family rights, their religious convictions and practices, and their manners and customs. At all times the CI will be humanely treated and protected against all acts of violence or threats and insults and public curiosity. In all official cases they will be entitled to a fair and regular trial as prescribed by this regulation. (3) The CI will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attack such as rape, forced prostitution, or any form of indecent assault. (4) The CI will be treated with the same consideration and without adverse distinction based on race, religion, political opinion, sex, or age. AR 190-8, para 6-9, e. Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.)

MD

29. Do you feel you can freely report an incident of alleged Detainee abuse outside Command channels (**IG, CID**) (1.1, 1.2, 1.6, 4.1) (AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: *b.* War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-40, Appendix C, Category 2, Reportable Serious Incidents, C-1. Actual or alleged incidents involving the following: *g.* Incidents involving prisoners or detainees of Army confinement or correctional facilities to include escape from confinement or custody, disturbances which require the use of force, wounding or serious injury to a prisoner, and all prisoner deaths. C-2. Any other incident that the commander determines to be of concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-8, 5-1. General protection policy—civilian internee, a. Treatment. (1) No form of physical torture or moral coercion will be exercised against the CI. This provision does not constitute a prohibition against the use of minimum force necessary to effect compliance with measures authorized or directed by these regulations. (2) In all circumstances, the CI will be treated with respect for their person, their honor, their family rights, their religious convictions and practices, and their manners and customs. At all times the CI will be humanely treated and protected against all acts of violence or threats and insults and public curiosity. In all official cases they will be entitled to a fair and regular trial as prescribed by this regulation. (3) The CI will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attack such as rape, forced prostitution, or any form of indecent assault. (4) The CI will be treated with the same consideration and without adverse distinction based on race, religion, political opinion, sex, or age. AR 190-8, para 6-9, e. Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.)

WJ

30. What procedures do you have to report suspected detainee abuse (**IG, CID, Next Level Commander**) (1.1, 1.2, 1.6, 4.1) (AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: *b.* War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-40, Appendix C, Category 2, Reportable Serious Incidents, C-1. Actual or alleged incidents involving the following: *g.* Incidents involving prisoners or detainees of Army confinement or correctional facilities to include escape from confinement or custody, disturbances which require the use of force, wounding or serious injury to a prisoner, and all prisoner deaths. C-2. Any other incident that the commander determines to be of concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-8, 5-1. General protection policy—civilian internee, a. Treatment. (1) No form of physical torture or moral coercion will be exercised against the CI. This provision does not constitute a prohibition against the use of minimum force necessary to effect compliance with measures authorized or directed by these regulations. (2) In all circumstances, the CI will be treated with respect for their person, their honor, their family rights, their religious convictions and practices, and their manners and customs. At all times the CI will be humanely treated and protected against all acts of

violence or threats and insults and public curiosity. In all official cases they will be entitled to a fair and regular trial as prescribed by this regulation. (3) The CI will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attack such as rape, forced prostitution, or any form of indecent assault. (4) The CI will be treated with the same consideration and without adverse distinction based on race, religion, political opinion, sex, or age. AR 190-8, para 6-9, e. Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.)

Cml

31. What systems are in place for detainees to report alleged abuse? (1.1, 1.2, 1.6, 4.1) AR 190-8, para 5-1, g. Appeals and periodic review of security internment cases. (1) Appeals. The CI who are interned for imperative security reasons will be accorded the right to appeal the order directing their internment. Such appeals will be decided with the least possible delay by a board of officers. Appeals will be decided only on the grounds of the existence or nonexistence of imperative security reasons requiring the internment of the protected person. 6-4. Internee Committee *a. Election.* At each camp and branch camp, CI will be elected by secret written ballot to the Internee Committee. This committee is empowered to represent the camp to the protecting powers, International Committee of the Red Cross, or other authorized relief or aid organizations and U.S. military authorities. *e. Duties.* (3) (c) The presentation and transmittal of petitions and complaints to the appropriate authorities in proportion to the kind of labor performed. 6-9. Complaints and requests to camp commanders and protecting power, *a.* Persons may make complaints or requests to the camp commander, who will try to resolve the complaints and answer the requests. If the CI are not satisfied with the way the commander handles a complaint or request, they may submit it in writing, through channels, to HQDA, ODCSOPS (DAMO - ODL) NPWIC, WASH DC 20310-0400. *b.* Persons exercising the right to complain to the protecting power about their treatment and camp may do so—(1) By mail. (2) In person to the visiting representatives of the protecting power. (3) Through their Internee Committee. *c.* Written complaints to the protecting power will be forwarded promptly through HQDA (DAMO - ODL) NPWIC, WASH DC 20310-0400. A separate letter with the comments of the camp commander will be included. Military endorsements will not be placed on any CI communications. *d.* If a protecting power communicates with a CI camp commander about any matter requiring an answer, the communication and commander's reply will be forwarded to HQDA (DAMO-ODL) NPWIC, WASH DC 20310-0400, for proper action. *e.* Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.

none

32. What do you perceive as the mission of your unit? Describe the importance of your role in that mission. (Insight to the Soldier's understanding and attitude concerning unit mission and their role) AR 600-20 Command Policy 2-1. Chain of Command *a.* The chain of command assists commanders at all levels to achieve their primary function of

accomplishing the unit's assigned mission while caring for personnel and property in their charge. A simple and direct chain of command facilitates the transmittal of orders from the highest to the lowest levels in a minimum of time and with the least chance of misinterpretation. *b.* Commanders delegate sufficient authority to soldiers in the chain of command to accomplish their assigned duties, and commanders may hold these soldiers responsible for their actions.

33. Describe your working environment and living conditions since being in Theater. (Identify physical and psychological impact on Soldier's attitude). (1.2, 1.3, 1.4, 1.5, 1.6, 1.7) FM 10-1, Ch. 7, para. 3, "Tactical Vision. A primary QMC focus at the tactical level will continue to be on sustainment of the soldier. Each company-sized unit will have two cooks and a small, state-of-the-art field kitchen. This provides a limited capability to prepare or heat meals and supplements. An improved containerized capability for providing responsive laundry and shower support well forward on the battlefield must be developed. Frontline soldiers require brief respites from the rigors associated with combat. A facility complex (Force Provider) will be available in which they can shower, clean their clothes, eat hot meals, and rest in an environmentally controlled shelter.

Spartan - containers, A/C sometimes don't work
- Sanitation problems, standing water, flies & mosquitoes,
- lack of clean water
- porta johns

↳ BN has a plan to get it fixed

34. Describe the unit command climate and Soldier morale. Has it changed or evolved since you have been in Theater? (Identifies Soldier's perception of the chain of command and Soldier attitude. Does the Soldier feel supported? Do Soldiers feel the Command cares? Are they getting clear guidance?) 1 AR 600-20 • 13 May 2002 1-5. Command, b. Elements of command. c. The commander is responsible for establishing leadership climate of the unit and developing disciplined and cohesive units. This sets the parameters within which command will be exercised and, therefore, sets the tone for social and duty relationships within the command. (1) Commanders and other leaders committed to the professional Army ethic promote a positive environment. If leaders show loyalty to their soldiers, the Army, and the Nation, they earn the loyalty of their soldiers. If leaders consider their soldiers' needs and care for their well-being, and if they demonstrate genuine concern, these leaders build a positive command climate. (2) Duty is obedient and disciplined performance. Soldiers with a sense of duty accomplish tasks given them, seize opportunities for self-improvement, and accept responsibility from their superiors. Soldiers, leader and led alike, work together to accomplish the mission rather than feed their self-interest.

High

CC - fine get along well.

*accepted NG as brothers
& as working hard*

*↳ NG AA unit - not enough equip to move &
conduct missions*

62631

35. Are you aware of any incidences of detainee or other abuse in your unit? AR 190-8, 1-5. General protection policy a. U.S. policy, relative to the treatment of EPW, CI and RP in the custody of the U.S. Armed Forces; is as follows: (1) All persons captured, detained, interned, or otherwise held in U.S. Armed Forces custody during the course of conflict will be given humanitarian care and treatment from the moment they fall into the hands of U.S. forces until final release or repatriation. (2) All persons taken into custody by U.S. forces will be provided with the protections of the GPW until some other legal status is determined by competent authority. (3) The punishment of EPW, CI and RP known to have, or suspected of having, committed serious offenses will be administered IAW due process of law and under legally constituted authority per the GPW, GC, the Uniform Code of Military Justice and the Manual for Courts Martial. (4) The inhumane treatment of EPW, CI, RP is prohibited and is not justified by the stress of combat or with deep provocation. Inhumane treatment is a serious and punishable violation under international law and the Uniform Code of Military Justice (UCMJ). b. All prisoners will receive humane treatment without regard to race, nationality, religion, political opinion, sex, or other criteria. The following acts are prohibited: murder, torture, corporal punishment, mutilation, the taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. c. All persons will be respected as human beings. They will be protected against all acts of violence to include rape, forced prostitution, assault and theft, insults, public curiosity, bodily injury, and reprisals of any kind. They will not be subjected to medical or scientific experiments. This list is not exclusive. EPW/RP are to be protected from all threats or acts of violence. d. Photographing, filming, and video taping of individual EPW, CI and RP for other than internal Internment Facility administration or intelligence/counterintelligence purposes is strictly prohibited. No group, wide area or aerial photographs of EPW, CI and RP or facilities will be taken unless approved by the senior Military Police officer in the Internment Facility commander's chain of command. e. A neutral state or an international humanitarian organization, such as the ICRC, may be designated by the U.S. Government as a Protecting Power (PP) to monitor whether protected persons are receiving humane treatment as required by the Geneva Conventions. The text of the Geneva Convention, its annexes, and any special agreements, will be posted in each camp in the language of the EPW, CI and RP.

AD

ADVISEMENT OF RIGHTS (For military personnel)

The text of Article 31 provides as follows a. No person subject to this chapter may compel any person to incriminate himself or to answer any questions the answer to which may tend to incriminate him. b. No person subject to this chapter may interrogate or request any statement from an accused or a person suspected of an offense without first informing him of the nature of the accusation and advising him that he does not have to make any statement regarding the offense of which he is accused or suspected, and that any statement made by him may be used as evidence against him in a trial by court-martial. c. No person subject to this chapter may compel any person to make a statement or produce evidence before any military tribunal if the statement or evidence is not material to the issue and may tend to degrade him. d. No statement obtained from any person in violation of this article, or through the use of coercion, unlawful influence, or unlawful inducement, may be received in evidence against him in a trial by court-martial. (1.2, 1.6)

I am _____(grade, if any, and name), a member of the (DAIG). I am part of a team inspecting detainee operations, this is not a criminal investigation. I am reading you your rights because of a statement you made causes me to suspect that you may have committed _____. (specify offense, i.e. aggravated assault, assault, murder). Under Article 31, you have the right to remain silent, that is, say nothing at all. Any statement you make, oral or written, may be used as evidence against you in a trial by courts-martial or in other judicial or administrative proceedings. You have the right to consult a lawyer and to have a lawyer present during this interview. You have the right to military legal counsel free of charge. In addition to military counsel, you are entitled to civilian counsel of your own choosing, at your own expense. You may request a lawyer at any time during this interview. If you decide to answer questions, you may stop the questioning at any time. Do you understand your rights? Do you want a lawyer? (If the answer is yes, cease all questions at this point). Are you willing to answer questions?

36. Describe what you understand happened leading up to and during the incident(s) of abuse. (No applicable standard) _____

37. Describe Soldier morale, feelings and emotional state prior to and after these incidents? (Identifies unit and Soldier morale, atmosphere, mood, attitude, stress, retaliation, preemption, family crisis) _____

38. Was this incident reported to the chain of command? How, when & what was done? What would you have done? (Identifies compliance, procedure, timeliness, Soldier perception of action taken and effect on unit morale.) (1.2, 1.6) (AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: b. War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-40, Appendix C Category 2, Reportable Serious Incidents, C-1. Actual or alleged incidents involving the following: g. Incidents involving prisoners or detainees of Army confinement or correctional facilities to include escape from confinement or custody, disturbances which require the use of force, wounding or serious injury to a prisoner, and all prisoner deaths. C-2. Any other incident that the commander determines to be of concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-8, 5-1. General protection policy—civilian internee, a. Treatment. (1) No form of physical torture or moral coercion will be exercised against the CI. This provision does not

constitute a prohibition against the use of minimum force necessary to effect compliance with measures authorized or directed by these regulations. (2) In all circumstances, the CI will be treated with respect for their person, their honor, their family rights, their religious convictions and practices, and their manners and customs. At all times the CI will be humanely treated and protected against all acts of violence or threats and insults and public curiosity. In all official cases they will be entitled to a fair and regular trial as prescribed by this regulation. (3) The CI will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attack such as rape, forced prostitution, or any form of indecent assault. (4) The CI will be treated with the same consideration and with-out adverse distinction based on race, religion, political opinion, sex, or age. AR 190-8, para 6-9, e. Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.)

How could the incident have been prevented? (Identifies root cause and perceived solution) (No applicable standard)

39. Describe any unit training or other programs that you are aware of that teach leaders and Soldiers how to recognize and resolve combat stress. FM 22-51, para 11-5. Prevention of Misconduct Stress Behaviors. The measures which reduce battle fatigue and prevent battle fatigue casualties should also help reduce the incidence of misconduct stress behaviors. However, additional actions also need to be practiced consistently by leadership at all echelons and by buddies at the small unit level. FM 22-51, para 1-3, Stress control requires special involvement from direct (small unit) leaders. The responsibility extends up through the organizational leaders and their staffs (both officers and noncommissioned officers [NCOs]) at all echelons. Appendix A describes combat stress risk factors and prescribes leaders' actions to control them. Leaders, staffs, and individual soldiers all receive assistance from the supporting chaplains, the medical personnel, and combat stress control/mental health personnel (see Appendix B for information pertaining to combat stress control units). If any link in the chain of responsibility is weak, it is the responsibility of the other members of the chain to strengthen it. FM 8-51, para 1-1, b. Responsibility For Stress Control. Control of stress is the commander's responsibility (see FM 22-51) at all echelons. The commander is aided in this responsibility by the noncommissioned officer (NCO) chain of support; the chaplaincy; unit medical personnel; general, principal, and special staff, and by specialized Army CSC units and mental health personnel.)

NO

40. What measures are in place to boost morale or to relieve stress? (Identifies perceived solution.) FM 22-51, para 11-5. Prevention of Misconduct Stress Behaviors. The measures which reduce battle fatigue and prevent battle fatigue casualties should also help reduce the incidence of misconduct stress behaviors. However, additional actions also need to be practiced consistently by leadership at all echelons and by buddies at the small unit level. FM 22-51, para 1-3, Stress control requires special involvement from direct (small unit) leaders. The responsibility extends up through the organizational leaders and their staffs (both officers and noncommissioned officers [NCOs]) at all echelons. Appendix A describes combat stress risk factors and prescribes leaders' actions to control them. Leaders, staffs, and individual soldiers all receive assistance from the supporting chaplains, the medical personnel, and combat stress control/mental health personnel (see Appendix B for information pertaining to combat stress control units). If any link in the chain of responsibility is weak, it is the responsibility of the other members of the chain to strengthen it. FM 8-51, para 1-1, b. Responsibility For Stress Control. Control of stress is the commander's responsibility (see FM 22-51) at all echelons. The commander is aided in this responsibility by the noncommissioned officer (NCO) chain of support; the chaplaincy; unit medical personnel; general, principal, and special staff, and by specialized Army CSC units and mental health personnel.

wt room, phones, internet exp, & state it

41. What measures could the command enact to improve the morale and command climate of your unit? (Identifies perceived solution.) FM 22-103, Leadership and Command at Senior Levels, 21 Jun 1987, p. 6, - "Leadership. The process of influencing others to accomplish the mission by providing purpose, direction, and motivation." AR 600-100, Army Leadership, 17 Sep 1993, p. 8, 1987- "Senior-level leadership is the art of direct and indirect influence and the skill of creating the conditions for sustained organizational success to achieve the desired result. But, above all, it is the art of taking a vision of what must be done, communicating it in a way that the intent is clearly understood, and then being tough enough to ensure its execution."

MWR, intramural events.

- work, sleep, mission prep & mission only things to do.
- expanded, will lead to stress no time off

- actionable intel is lacking - VERY stressed. feel like a victim
- don't speak the language
- picture database is a lacking - cant tell someone by name only.
- policy on what requires detaining or call the Iraqi policy & write a list of 1:0. 2 units or 20 units
- more help w/ depicting the enemy -> more pictures

28 JAN 04 (b)(6)-2

Chaplain
INTERVIEW QUESTIONS

Rank LC Branch _____ Date: _____ Unit bb-2
Duty Position _____ How Long in Job Chaplain Jan 04
How Long in Current MOS: _____ Interviewer _____
How long have you been in Country 5 weeks

1. Are Detainees allowed to practice their religion? Is there a chaplain available to minister to the detainees? Is the chaplain a Retained Personnel, US Forces chaplain, or a civilian? (1.1, 1.2, 2.1, 4.1) AR 190-8, paragraph 1-5, g (1) EPW, and RP will enjoy latitude in the exercise of their religious practices, including attendance at service of their faith, on condition that they comply with the disciplinary routine prescribed by the military authorities. Adequate space will be provided where religious service may held. (2) Military chaplains who fall into the hands of the U.S. and who remain or are retained to assist EPW, and RP, will be allowed to minister to EPW, RP, of the same religion... AR 190-8, paragraph 6-7d (1) CI will enjoy freedom of religion, including attendance at services of their respective faiths held within the interment camps. Wines used for religious purposes will be permitted. (2) CI who are clergy may minister freely to CI who voluntarily request their ministrations. Equitable allocation of CI clergy will be effected among the various camps. (3) If there is a shortage of CI clergy and the circumstances warrant, the camp commander will provide the CI clergy with the necessary means of transport for visiting the CI in branch camps and hospitals. (5) Ordained clergy or theological student who are not CI may be authorized to enter a camp and conduct religious services. Visits by such personnel will be in accordance with procedures prescribed by the theater commander. AR 190-8, paragraph 1-5g(2) Military chaplains who fall into the hands of the U.S. and remain or are retained to assist EPW, and RP, will be allowed to minister to EPW, RP, of the same religion. Chaplains will be allocated among various camps and labor detachments containing EPW, RP, belonging to the same forces, speaking the same language, or practicing the same religion. They will enjoy the necessary facilities, including the means of transport provided in the Geneva Convention, for visiting the EWP, RP, outside their camp....

yes, have a Imam in Det-25
Koran available

2. What are your unit ministry team's responsibilities as part of the cadre for the detainees at this collection point / internment facility? (Looking for contraband the detainee might have hidden in their Koran?) (1.1, 1.2, 2.1, 4.1) FM 3-19.40, Paragraph 2-36 Provides religious support for assigned soldiers and internees. Advise the commander on the impact of faiths and practices of indigenous religious groups in the AO and internees within the facility. Provides religious support to the command and the community, including confined and hospitalized personnel. Exercise supervision and control over internee religious leaders with the facility.

quiltance is there to treat

3. What are the procedures to bring local religious clergy members into the collection point or facility to help ministry to detainees? AR 190-8, paragraph 6-7d (1) CI will enjoy freedom of religion, including attendance at services of their respective faiths held within the interment camps. Wines used for religious purposes will be permitted. (2) CI who are clergy may minister freely to CI who voluntarily request their ministrations. Equitable allocation of CI clergy will be effected among the various camps. (3) If there is a shortage of CI clergy and the circumstances warrant, the camp commander will provide the CI clergy with the necessary means of transport for visiting the CI in branch camps and hospitals. (5) Ordained clergy or theological student who are not CI may be authorized to enter a camp and conduct religious services. Visits by such personnel will be in accordance with procedures prescribed by the theater commander. AR 190-8, paragraph 1-5g(2) Military chaplains who fall into the hands of the U.S. and remain or are retained to assist EPW, and RP, will be allowed to minister to EPW, RP, of the same religion. Chaplains will be allocated among various camps and labor detachments containing EPW, RP, belonging to the same forces, speaking the same language, or practicing the same religion. They will enjoy the necessary facilities, including the means of transport provided in the Geneva Convention, for visiting the EWP, RP, outside their camp.... AR 190-8, paragraph 3-15d EPW who are certified to be proficient medically or religiously continue to be considered and identified as EPW, as appropriate, but will be administered and treated in the same way prescribed for RP. Enemy personnel who are classified in these categories and are determined qualified by competent Army authority are eligible to be certified as proficient to perform medical or religious duties: (1) EPW who are ministers of religion; however, they have not officiated as chaplains to their own forces.

Don't know, not in jurisdiction yet

4. Are you aware of your requirement to report abuse or suspected abuse of detainees? (1.1, 1.2, 4.1) AR 190-40 para 2-1, Military and civilian personnel assigned to or accompanying a DoD Component know that they shall report reportable incidents through their chain of command and that such reports also may also be made through other channels, such as the military police, a judge advocate, or an Inspector General.) AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: b. War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident.

absolutely, yes

5. Has any service member spoken with you about abusing detainees or seeing detainees being abused? If yes, can you provide details without violating your privilege information / confidentially status between you and the service

member? (We do not want names). (1.1, 1.2, 2.1, 4.1) AR 190-8, paragraph 1-5 (1), (4), b, and c, (1) All persons captured, detained, interned, or otherwise held in U.S. Armed Forces custody during the course of the conflict will be given humanitarian care and treatment from the moment they fall into the hands of the U.S. forces until final release or repatriation. (4) The inhumane treatment of EPW, CI, RP is prohibited and is not justified by the stress of combat or with deep provocation. Inhumane treatment is a serious and punishable violation under international law and the Uniform Code of Military Justice (UCMJ). b. All prisoners will receive humane treatment without regard to race, nationality, religion, political opinion, sex, or other criteria. The following acts are prohibited: murder, torture, corporal punishment, mutilation, the taking of hostages, sensory deprivation, collective punishment, execution without trial by proper authority, and all cruel and degrading treatment. c. All persons will be respected as human beings. They will be protected against all acts of violence to include rape, forced prostitution, assault and theft, insults, public curiosity, bodily injury, and reprisals of any kind. They will not be subjected to medical or scientific experiments. This list is not exclusive. EPW/RP are to be protected from all threats or acts of violence.

6. How many times have you heard about detainees being abused or mistreated? What did you hear? (1.1, 1.2, 2.1, 4.1) AR 190-8, 1-5 General protection policy, (1) b, and c, (1) All persons captured, detained, interned, or otherwise held in U.S. Armed Forces custody during the course of the conflict will be given humanitarian care and treatment from the moment they fall into the hands of the U.S. forces until final release or repatriation. b. All prisoners will receive humane treatment without regard to race, nationality, religion, political opinion, sex, or other criteria. The following acts are prohibited: murder, torture, corporal punishment, mutilation, the taking of hostages, sensory deprivation, collective punishment, execution without trial by proper authority, and all cruel and degrading treatment. c. All persons will be respected as human beings. They will be protected against all acts of violence to include rape, forced prostitution, assault and theft, insults, public curiosity, bodily injury, and reprisals of any kind. They will not be subjected to medical or scientific experiments. This list is not exclusive. EPW/RP are to be protected from all threats or acts of violence.

7. Have you made the Chain of Command aware of these allegations of abuse and have you seen the Chain of Command do anything about correcting detainee abuse? (1.1, 1.2, 2.1, 4.1) ~~AR 190-8, paragraph 1-5 (4) The inhumane treatment of EPW, CI, RP is prohibited and is not justified by the stress of combat or with deep provocation. Inhumane treatment is a serious and punishable violation under international law and the Uniform Code of Military Justice (UCMJ).~~

8. What is your feeling on how Detainees are being treated? **No standard. Personnel observations and feelings. (1.1, 1.2, 2.1, 4.1)**

dignity & respect, yet being treated

9. What do you perceive as the mission of your unit? Describe the importance of your role in that mission. **(Insight to the Soldier's understanding and attitude concerning unit mission and their role)** AR 600-20 Command Policy 2-1. Chain of Command

a. The chain of command assists commanders at all levels to achieve their primary function of accomplishing the unit's assigned mission while caring for personnel and property in their charge. A simple and direct chain of command facilitates the transmittal of orders from the highest to the lowest levels in a minimum of time and with the least chance of misinterpretation. b. Commanders delegate sufficient authority to soldiers in the chain of command to accomplish their assigned duties, and commanders may hold these soldiers responsible for their actions.

comprehensive religious support to DAV

10. Describe your working environment and living conditions since being in Theater. **(Identify physical and psychological impact on Soldier's attitude).** (1.2, 1.3, 1.4, 1.5, 1.6, 1.7) FM 10-1, Ch. 7, para. 3, "Tactical Vision. A primary QMC focus at the tactical level will continue to be on sustainment of the soldier. Each company-sized unit will have two cooks and a small, state-of-the-art field kitchen. This provides a limited capability to prepare or heat meals and supplements. An improved containerized capability for providing responsive laundry and shower support well forward on the battlefield must be developed. Frontline soldiers require brief respites from the rigors associated with combat. A facility complex (Force Provider) will be available in which they can shower, clean their clothes, eat hot meals, and rest in an environmentally controlled shelter.

Some are better than others
commitment by Cg to morale

11. Describe the unit command climate and Soldier morale. Has it changed or evolved since you have been in Theater? (Identifies Soldier's perception of the chain of command and Soldier attitude. Does the Soldier feel supported? Do Soldiers feel the Command cares? Are they getting clear guidance?) 1 AR 600-20 • 13 May 2002 1-5. Command, b. Elements of command. c. The commander is responsible for establishing leadership climate of the unit and developing disciplined and cohesive units. This sets the parameters within which command will be exercised and, therefore, sets the tone for social and duty relationships within the command. (1) Commanders and other leaders committed to the professional Army ethic promote a positive environment. If leaders show loyalty to their soldiers, the Army, and the Nation, they earn the loyalty of their soldiers. If leaders consider their soldiers' needs and care for their well-being, and if they demonstrate genuine concern, these leaders build a positive command climate. (2) Duty is obedient and disciplined performance. Soldiers with a sense of duty accomplish tasks given them, seize opportunities for self-improvement, and accept responsibility from their superiors. Soldiers, leader and led alike, work together to accomplish the mission rather than feed their self-interest. .

12 dedicated Chapel space

Steady morale

12. Are you aware of any incidences of detainee or other abuse in your unit? AR 190-8, 1-5. General protection policy a. U.S. policy, relative to the treatment of EPW, CI and RP in the custody of the U.S. Armed Forces, is as follows: (1) All persons captured, detained, interned, or otherwise held in U.S. Armed Forces custody during the course of conflict will be given humanitarian care and treatment from the moment they fall into the hands of U.S. forces until final release or repatriation. (2) All persons taken into custody by U.S. forces will be provided with the protections of the GPW until some other legal status is determined by competent authority. (3) The punishment of EPW, CI and RP known to have, or suspected of having, committed serious offenses will be administered IAW due process of law and under legally constituted authority per the GPW, GC, the Uniform Code of Military Justice and the Manual for Courts Martial. (4) The inhumane treatment of EPW, CI, RP is prohibited and is not justified by the stress of combat or with deep provocation. Inhumane treatment is a serious and punishable violation under international law and the Uniform Code of Military Justice (UCMJ). b. All prisoners will receive humane treatment without regard to race, nationality, religion, political opinion, sex, or other criteria. The following acts are prohibited: murder, torture, corporal punishment, mutilation, the taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. c. All persons will be respected as human beings. They will be protected against all acts of violence to include rape, forced prostitution, assault and theft, insults, public curiosity, bodily injury, and reprisals of any kind. They will not be subjected to medical or scientific experiments. This list is not exclusive. EPW/RP are to be protected from all threats or acts of violence. d. Photographing, filming, and video taping of individual EPW, CI and RP for other than internal Internment Facility administration or intelligence/counterintelligence purposes is strictly prohibited. No group, wide area or aerial photographs of EPW, CI and RP or facilities will be taken unless approved by the senior Military Police officer in the Internment Facility commander's chain of command. e. A neutral state or an international humanitarian organization, such as the ICRC, may be designated by the U.S. Government as a Protecting Power (PP) to monitor whether protected persons are receiving humane treatment as required by the Geneva Conventions. The text of the Geneva Convention, its annexes, and any special agreements, will be posted in each camp in the language of the EPW, CI and RP.

ADVISEMENT OF RIGHTS (For military personnel)

The text of Article 31 provides as follows a. No person subject to this chapter may compel any person to incriminate himself or to answer any questions the answer to which may tend to incriminate him. b. No person subject to this chapter may interrogate or request any statement from an accused or a person suspected of an offense without first informing him of the nature of the accusation and advising him that he does not have to make any statement regarding the offense of which he is accused or suspected, and that any statement made by him may be used as evidence against him in a trial by court-martial. c. No person subject to this chapter may compel any person to make a statement or produce evidence before any military tribunal if the statement or evidence is not material to the issue and may tend to degrade him. d. No statement obtained from any person in violation of this article, or through the use of coercion, unlawful influence, or unlawful inducement, may be received in evidence against him in a trial by court-martial. (1.2, 1.6)

I am _____(grade, if any, and name), a member of the (DAIG). I am part of a team inspecting detainee operations, this is not a criminal investigation. I am reading you your rights because of a statement you made causes me to suspect that you may have committed _____. (specify offense, i.e. aggravated assault, assault, murder). Under Article 31, you have the right to remain silent, that is, say nothing at all. Any statement you make, oral or written, may be used as evidence against you in a trial by courts-martial or in other judicial or administrative proceedings. You have the right to consult a lawyer and to have a lawyer present during this interview. You have the right to military legal counsel free of charge. In addition to military counsel, you are entitled to civilian counsel of your own choosing, at your own expense. You may request a lawyer at any time during this interview. If you decide to answer questions, you may stop the questioning at any time. Do you understand your rights? Do you want a lawyer? (If the answer is yes, cease all questions at this point). Are you willing to answer questions?

13. Describe what you understand happened leading up to and during the incident(s) of abuse. (No applicable standard) _____

14. Describe Soldier morale, feelings and emotional state prior to and after these incidents? (Identifies unit and Soldier morale, atmosphere, mood, attitude, stress, retaliation, preemption, family crisis) _____

15. Was this incident reported to the chain of command? How, when & what was done? What would you have done? (Identifies compliance, procedure, timeliness, Soldier perception of action taken and effect on unit morale.) (1.2, 1.6) (AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: *b.* War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-40, Appendix C Category 2, Reportable Serious Incidents, C-1. Actual or alleged incidents involving the following: *g.* Incidents involving prisoners or detainees of Army confinement or correctional facilities to include escape from confinement or custody, disturbances which require the use of force, wounding or serious injury to a prisoner, and all prisoner deaths. C-2. Any other incident that the commander determines to be of concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-8, 5-1. General protection policy—civilian internee, *a.* Treatment. (1) No form of physical torture or moral coercion will be exercised against the CI. This provision does not constitute a prohibition against the use of minimum force necessary to effect compliance with measures authorized or directed by these regulations. (2) In all circumstances, the CI will be treated with respect for their person, their honor, their family rights, their religious convictions and practices, and their manners and customs. At all times the CI will be humanely treated and protected against all acts of violence or threats and insults and public curiosity. In all official cases they will be entitled to a fair and regular trial as prescribed by this regulation. (3) The CI will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attack such as rape, forced prostitution, or any form of indecent assault. (4) The CI will be treated with the same consideration and with-out adverse distinction based on race, religion, political opinion, sex, or age. AR 190-8, para 6-9, *e.* Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.)

16. How could the incident have been prevented? (Identifies root cause and perceived solution) (No applicable standard)

17. Describe any unit training or other programs that you are aware of that teach leaders and Soldiers how to recognize and resolve combat stress. FM 22-51, para 11-5. Prevention of Misconduct Stress Behaviors. The measures which reduce battle fatigue and

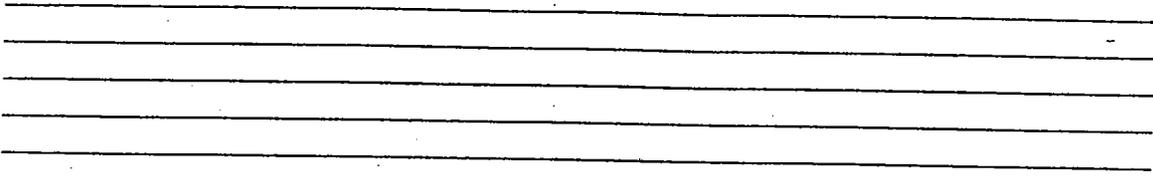
prevent battle fatigue casualties should also help reduce the incidence of misconduct stress behaviors. However, additional actions also need to be practiced consistently by leadership at all echelons and by buddies at the small unit level. FM 22-51, para 1-3, Stress control requires special involvement from direct (small unit) leaders. The responsibility extends up through the organizational leaders and their staffs (both officers and noncommissioned officers [NCOs]) at all echelons. Appendix A describes combat stress risk factors and prescribes leaders' actions to control them. Leaders, staffs, and individual soldiers all receive assistance from the supporting chaplains, the medical personnel, and combat stress control/mental health personnel (see Appendix B for information pertaining to combat stress control units). If any link in the chain of responsibility is weak, it is the responsibility of the other members of the chain to strengthen it. FM 8-51, para 1-1, b. Responsibility For Stress Control. Control of stress is the commander's responsibility (see FM 22-51) at all echelons. The commander is aided in this responsibility by the noncommissioned officer (NCO) chain of support; the chaplaincy; unit medical personnel; general, principal, and special staff, and by specialized Army CSC units and mental health personnel.)

18. What measures are in place to boost morale or to relieve stress? (Identifies perceived solution.) FM 22-51, para 11-5. Prevention of Misconduct Stress Behaviors. The measures which reduce battle fatigue and prevent battle fatigue casualties should also help reduce the incidence of misconduct stress behaviors. However, additional actions also need to be practiced consistently by leadership at all echelons and by buddies at the small unit level. FM 22-51, para 1-3, Stress control requires special involvement from direct (small unit) leaders. The responsibility extends up through the organizational leaders and their staffs (both officers and noncommissioned officers [NCOs]) at all echelons. Appendix A describes combat stress risk factors and prescribes leaders' actions to control them. Leaders, staffs, and individual soldiers all receive assistance from the supporting chaplains, the medical personnel, and combat stress control/mental health personnel (see Appendix B for information pertaining to combat stress control units). If any link in the chain of responsibility is weak, it is the responsibility of the other members of the chain to strengthen it. FM 8-51, para 1-1, b. Responsibility For Stress Control. Control of stress is the commander's responsibility (see FM 22-51) at all echelons. The commander is aided in this responsibility by the noncommissioned officer (NCO) chain of support; the chaplaincy; unit medical personnel; general, principal, and special staff, and by specialized Army CSC units and mental health personnel.

Stress - training Combat stress team at Bn/Co level

guest operators in staff sections

19. What measures could the command enact to improve the morale and command climate of your unit? (Identifies perceived solution.) FM 22-103, Leadership and Command at Senior Levels, 21 Jun 1987, p. 6, - "Leadership. The process of influencing others to accomplish the mission by providing purpose, direction, and motivation." AR 600-100, Army Leadership, 17 Sep 1993, p. 8, 1987- "Senior-level leadership is the art of direct and indirect influence and the skill of creating the conditions for sustained organizational success to achieve the desired result. But, above all, it is the art of taking a vision of what must be done, communicating it in a way that the intent is clearly understood, and then being tough enough to ensure its execution."



AR Ramadi

CPT, [REDACTED] 11th Mar. FA.
S-4, FA Branch Since Sep 03
Since Feb 04

1. Logistics Officer for BN - for operations & D.O. He supports the MP Co with Use Seebees to help improve.

Conflicting role on what the Army's role. Some Army personnel questioned the Marines about improvements to facility. There is some red tape with working logistics with the Army.

Provided shade for guards out front. Really made big security improvement -

Contracts made thru BDE - BDE Contracting Officer CPT [REDACTED] (b)(6)-2

FM 3-19.40, if there is a det pub, you

Prevent Med - sprayed for Sandflies
Fly traps - will inspect regularly

1
Bottle Water for drinking (same water as troops - Gray water is pumped in a 250 gal tank. 3 or 4 takes

2 outdoor Shower facilities - ea w/ 4 heads & sinks.

9. DIF MPs do all the inventories & paperwork - Det brought in 1 at a time, assigned to number, Det # & Property Bags or boxes are matched (never use the same number twice, currency included. Evidence is locked up & only Evidence NCO has access. 2 gates at Dif - many people over see the inventory. They use a standard Army form. Explosives woi't be brought in. Ammo will,

10. Had to build the whole facility - built four separate except 1 permanent bldg.

12. Doctrine - no guidance on breaking down MREs. Needs to be @ detainee standard for meals.

13 Yes

IAD - CofS

28 May 04 - Assumed Baghdad from
3ID. Treat Detainees humanely.
They didn't have Division Interrogation
Facility - The Engineers built one
IAW 501st MI guidance. Sent IGS
out immediately & assessed IAD sites.
CG is indirectly involved w/ D.O.

No training @ H5, but many have security type training. Very security conscious.

The MP Co has mission to transfer transfer.

Food - Fed the same thing the soldiers eat. They maintain stockpiles of MRE.

Bottle water for drinking - no shortages.

Maintainis enough for 675 personnel & using Gray water for Sanator - Shower.

Generator for power - unsure of capacity & Fuel is provided by 54.

For detainees - they have acquired 2 washers - Will try & acquire 2 dryers.

~~Water~~ Waiting deliveries of 2 500 gal water tanks.



MI BN CDR/ BN S-3/ CO CDR/ 1SG

Rank _____ Branch _____ Date: _____ Unit _____
Duty Position _____ How Long in Job _____
Interviewer _____ How Long in Country _____

1. (All) What is your overall role in detainee operation process? What involvement do you have in the interrogation process of detainee operations? Do you provide a means to validate detainee's information? Do you provide input as to the disposition of the ~~NO~~ detainee? (1.1, 1.2, 4.1)

*Staff management of DO in CJTF-7 CRX Prago
Collection management operation for all DOD CI/Humint
in Iraq. Involve dispo with INTC.
Target Board each morning, to find requirement
CIA OGA ISF come to Board, provide based on CG PIR,
interpr by staff, Wednesday CIA Intel fusion center val, data intel
screening station*

2. (All) What references/standards/publications/SOPs do you use to conduct interrogation Operations? (1.1, 1.2, 2.1, 4.1)

Prago a D ops, being revised.

3. (All) Did your soldiers undergo Level B Law of War training prior to deployment? Explain what training occurred. Is there a plan to train new Soldiers (replacements) to the unit? Did this training include the treatment of Detainees? Explain. (1.1, 1.2, 1.4, 4.1)

(All) What training have you received to ensure your knowledge of DO is IAW the provisions under the Geneva Convention? (1.1, 1.2, 1.3, 4.1)

NO, Lost Trng 1979,

4. (All) What Home Station/Mob Site Training did your unit conduct prior to deployment to help your unit prepare for Detainee/interrogation Operations? Describe it. How did the training prepare you to conduct Detainee/interrogation Operations for this deployment? How did this training distinguish between the different categories of Detainees (EPWs, RPs, CIs, etc.)? (1.1, 1.2, 1.4, 4.1)

5. (All) What training did your unit receive on the established Rules of Engagement (ROE)? How often does this occur? Does this training include Rules of Interaction (ROI)? (1.4, 4.1)

Written Brief all intgs sign off on, restriction on type of approaches.

6. (All) What procedures are in place to ensure your Soldiers do not violate the rules of engagement for the interment facility/collection point? (1.1, 1.2, 1.4, 1.6, 4.1)

(1) (All) What guidance or policies are there to ensure fraternization is not taking place between U.S military personnel and the detainees? (1.1, 1.2, 1.4, 1.6, 4.1)

7. (All) How does the command ensure that interrogation Operations is conducted in compliance with the international Law of war? (OPORD/FRAGO, ROE, Interrogation Techniques, general orders, humane treatment, etc) (1.1, 1.2, 4.1)

8. (All) Have you personally visited each of the interrogation Facilities to determine if your unit has the necessary support and supplies to run their facilities? If so, what did you find? (1.1, 1.2, 1.5, 4.1).

depressing, Do up some clothes when they were captured in jail.

9. (All) What control measures are you using to maintain discipline and security within the interrogation facility? (1.1, 1.2, 4.1)

10. (BN/CO Cdr) Are you receiving sufficient information from the capture paperwork to properly conduct screenings and interrogations? Are the current requirements for documentation of a captured person sufficient or excessive? Did the changes in procedures as far as documenting captured person improve your ability to gather intelligence? (1.1, 1.2, 2.2, 4.1) (No standard)

No enough info from capture units. Capture photos are staged. CO operation cards not filled out properly. Flood system w/ D by not properly screening at lower level.

11. (BN/CO Cdr) What are the procedures for the transfer of custody of Detainees from the MP/Guard personnel to Military Intelligence personnel? When the detainee is returned to the guard force, what procedures occur? (what info is passed on to the Guard Force (type of reward?)...observation report, paper trail audit) (1.1, 1.2, 4.1)

12. (CO Cdr/Bn S3) Describe the screening/background checks required prior to hiring interpreters. Are they trusted by U.S. Soldiers? (1.3, 1.7, 4.1)

13. (All) Do counterintelligence agents conduct interrogations of detainees? What training have they received for conducting interrogations? What is their understanding of the laws of war as it pertains to interrogating detainees? (1.1, 1.2, 1.5)

14. (All) What do you perceive to be doctrinal shortcomings pertaining to Interrogation Operations? How would you fix/incorporate into updated doctrine/accomplish differently? How about Force Structure to ensure Interrogation Operations can be successfully accomplished? What are the shortcomings and how do we fix the problem at the Army-level? (1.1, 1.3, 1.5, 1.7, 4.1)

*all MI officers create tags on operations. No enough qualified Off's. b2-3
Talk w/ Gen [redacted] to fix problem.*

US is the only country able to access the system. coalition forces should also be fully engage.

15. (All) What are the procedures if a detainee in U.S. custody dies? (1.1, 1.2, 4.1)

16. Do you know of the procedures to get stress counseling (Psychiatrist, Chaplain, Medical)? Do your Soldiers know of the procedures to get counseling (Psychiatrist, Chaplain, Medical)? (1.1, 1.2, 1.6, 2.1, 4.1)

17. (All) Are you aware of your requirement to report abuse or suspected abuse of detainees? (1.1, 1.2, 4.1)

18. (All) Do your subordinates know the reporting procedures if they observe or become aware of a Detainee being abused? (1.2, 1.6, 4.1)

19. (All) What steps would you take if a subordinate reported to you an incident of alleged Detainee abuse? (1.2, 4.1)

20. (All) Do you feel you can freely report an incident of alleged Detainee abuse outside Command channels (IG, CID) (1.6, 4.1)

21. (All) What procedures do you have to report suspected detainee abuse (IG, CID, Next Level Commander) (1.2, 1.6, 4.1)

22. (All) What procedures are in place for Detainees to report alleged abuse? (1.2, 1.6, 4.1)

25. What do you perceive as the mission of your unit? Describe the importance of your role in that mission. (Insight to the Soldier's understanding and attitude concerning unit mission and their role).

26. Describe your working environment and living conditions since being in Theater. (Identify physical and psychological impact on Soldier's attitude). (1.2, 1.3, 1.4, 1.5, 1.6, 1.7)

27. Describe the unit command climate and Soldier morale. Has it changed or evolved since you have been in Theater? (Identifies Soldier's perception of the chain of command and Soldier attitude. Does the Soldier feel supported? Do Soldiers feel the Command cares? Are they getting clear guidance?)

Soldiers are doing a great job.

28. Are you aware of any incidences of detainee or other abuse in your unit?

ADVISEMENT OF RIGHTS (For military personnel)

The text of Article 31 provides as follows a. No person subject to this chapter may compel any person to incriminate himself or to answer any questions the answer to which may tend to incriminate him. b. No person subject to this chapter may interrogate or request any statement from an accused or a person suspected of an offense without first informing him of the nature of the accusation and advising him that he does not have to make any statement regarding the offense of which he is accused or suspected, and that any statement made by him may be used as evidence against him in a trial by court-martial. c. No person subject to this chapter may compel any person to make a statement or produce evidence before any military tribunal if the statement or evidence is not material to the issue and may tend to degrade him. d. No statement obtained from any person in violation of this article, or through the use of coercion, unlawful influence, or unlawful inducement, may be received in evidence against him in a trial by court-martial. (1.2, 1.6)

I am _____ (grade, if any, and name), a member of the (DAIG). I am part of a team inspecting detainee operations, this is not a criminal investigation. I am reading you your rights because of a statement you made causes me to suspect that you may have committed _____. (specify offense, i.e. aggravated assault, assault, murder). Under Article 31, you have the right to remain silent, that is, say nothing at all. Any statement you make, oral or written, may be used as evidence against you in a trial by courts-martial or in other judicial or administrative proceedings. You have the right to consult a lawyer and to have a lawyer present during this interview. You have the right to military legal counsel free of charge. In addition to military counsel, you are entitled to civilian counsel of your own choosing, at your own expense. You may request a lawyer at any time during this interview. If you decide to answer questions, you may stop the questioning at any time. Do you understand your rights? Do you want a lawyer? (If the answer is yes, cease all questions at this point). Are you willing to answer questions?

29. Describe what you understand happened leading up to and during the incident(s) of abuse. (No applicable standard) _____

30. Describe Soldier morale, feelings and emotional state prior to and after these incidents? (Identifies unit and Soldier morale, atmosphere, mood, attitude, stress, retaliation, preemption, family crisis) _____

31. Was this incident reported to the chain of command? How, when & what was done? What would you have done? (Identifies compliance, procedure, timeliness, Soldier perception of action taken and effect on unit morale.) (1.2, 1.6)

32. How could the incident have been prevented? (Identifies root cause and perceived solution) (No applicable standard)

33. Describe any unit training or other programs that you are aware of that teach leaders and Soldiers how to recognize and resolve combat stress.)

34. What measures are in place to boost morale or to relieve stress? (Identifies perceived solution.)

35. What measures could the command enact to improve the morale and command climate of your unit? (Identifies perceived solution.)

Treatment - policy conform to GC as
spirit of convention

MAJ [redacted]
(b)(6)-2

CF, CRIMINALS, Security Interest

- CPT [redacted] (2nd LSO) 12915. 1992 G-Tam
- CPT [redacted] (USMC) 1999
- CPT [redacted] (2nd LSO) 1998
- CPT [redacted] (USMC)
- 1LT [redacted] (16th LSO)

CIVILIAN
CRIMINAL Security Interest
Loose approval conditions

MAA BOARD

- 80% data urgent - Track Process where is the interest @
- 20% classifying detainees

800-1000 per wk intake

MAA Board

ART 78 Appeal & Review Bd. (UTG [redacted])
400-500 wk released (b)(6)-2

Dismissals

DC must sign list of detainees

STANDARDS FOR Release: "Reasonable Basis" for further internment
"Logical connection"

UTG [redacted] - Absent with
(b)(6)-2 749

Assume by Jul 1 7CI population 2500

80% should not be here
4th ID - look for grey list pers.

14 days

72 hrs Review classification

Band -
MVP KARPINSKI

MAJ [redacted] (b)(6)-2

Large INFLUX no output

TRG package 2636

New BOARD MAJ, MVP, MAJ
DAIG 06

Interim

Release

Slow
Case
- Admin

100 files
Pv den

EVENTS MADE BY
1st AD & 4th ID
problem to be dealt w/ later

* LTO handbook

29 AM (b)(6)-2

NR x4 NYNR

1/2 AAX total -

NCO (Point of Capture) SENSING SESSION QUESTIONS

E-5, - E-6

Rank _____ Branch _____ State/Component _____ Date 29 MAR 04
Unit _____ Duty Position _____ How Long in Job _____
Interviewer (b)(6)-2

1. What regulations, directives, policies, are you aware of that deal with detainee operations? (1.1, 1.2, 1.4, 1.6, 4.1) -

Yes - ITO handbook - ops & detainees - BN

2. Did you and all of your Soldiers undergo Law of War/Geneva Convention training prior to deployment? Explain what training occurred. Did this training include the treatment of Detainees? What is your plan to train new Soldiers (replacements) to the unit? Explain. (1.1, 1.2, 1.4, 4.1)

Yes - 1 hr - lecture on POW - 1 hr each time - several times -
DOW unit - Base for POE -

3. What training did your unit receive on the established Rules of Engagement (ROE)? How often does this occur? Does this training include Rules of Interaction (ROI) (How can you interact with the detainees)? (1.4, 4.1)

- PCI's - reviewed & - previous prep - high priority - training -

4. Does your unit conduct sustainment training for Detainee Operations? How often does this occur and please describe it? When did your unit last conduct this training? (1.1, 1.2, 1.4, 4.1) No standard for sustainment training

- No sustainment - ITO

5. What Home Station/Mob Site Training did your unit conduct prior to deployment to help your unit prepare for Detainee Operations? Describe it. How did the training prepare you to conduct Detainee Operations for this deployment? What are your unit's strengths and weaknesses? How did this training distinguish between the different categories of Detainees (EPWs, RPs, CIs, etc.)? (1.1, 1.2, 1.4, 4.1)

N/A

6. Describe the training you received During PLDC/BNCOC/ANCOC in handling/processing Detainees. How was it helpful in preparing you for Detainee Operations? How would you improve the training at the schoolhouse? (1.1, 1.4)

1.4 None

7. What procedures are in place to ensure Soldiers understand the use of force and rules of engagement? (ROE Card? Etc) (1.1, 1.2, 1.4, 1.6, 4.1)

8. How do you maintain discipline and security until the detainees are handed off to higher? Describe the training/GUIDANCE the guard force received to prepare them for their duties (1.1, 1.2, 4.1)

GC - Do - regulation - you can't abuse them - 5 SF - 360° security - be some rule, but not abusive - give the food, (1.2), 2x MREs - abuse = keep the shit out of them - verbal abuse -

9. What is the minimum standard of treatment US Soldiers must provide detainees? What policies/procedures does your unit have to ensure the humane treatment of Detainees? What procedures does your unit have in place to ensure that Detainees are protected, safeguarded, and accounted for? (1.1, 1.2, 4.1)

- "use level of force before they are" - verbal → physical force
- minimal level of force if you feel threatened - can grab their head -
- 1 soldier had h-2-h combat training
- they will not shoot a unarmy detainee -

10. How do you tag detainees for processing? (CPA Forces Apprehension Form, two sworn statements, EPW tag) What procedures do you go through? How do you tag equipment? (are they tagged with DD Form 2745)? What about evidence? What procedures do you use to process equipment/evidence? What about confiscated personal affects? Where do you store Detainees' confiscated personal affects (if any) (1.1, 1.2, 1.8)

Digital Camera 2 take pictures - video cards in Nerve, guard, pictures -

11. What is your ratio of guards to detainees? Is this ratio the proper mix for you to perform your mission? If not, what are the shortfalls? Why are their shortfalls? How do these shortfalls impact your mission? (1.1, 1.2, 1.3, 2.1, 3.1, 4.1r)

(a) What is the number of personnel needed to maintain security for the detainees until they are processed to a higher collection point? (1.1, 1.7)

12. What is the number of personnel needed to move prisoners within the holding area (i.e. from one point to another, for medical, evacuation, etc.)? (1.1, 1.7)

Form must be filled out properly prior to turn-over to the facility

13. How long do you keep detainees at the unit collection point? In relation to the Collection Point, how far away are your ammunition and fuel storage sites? Where is your Tactical Operation Center (TOC)? Where is your screening site where MI Soldiers interrogate Detainees? (1.1, 1.2, 1.8)

14. Do you maintain a separate site for sick or wounded Detainees? If so where is it and how does your unit maintain the security and safeguarding of Detainees there? How about female Detainees? How and where do you house them? (1.1, 1.2, 1.8, 2.1, 3.1) AR 190-8 para 3-4.b ...females will be separated from males.

15. What are the procedures for transporting and evacuating detainees? What procedures are in place to account for or dispose of captured enemy supplies and equipment? (1.1, 1.2, 1.5, 4.1)

16. What transportation problems is the unit experiencing either to move troops or detainees during the operation? (1.5)

17. What is the most important factor that you would address in terms of personnel resources in regards to a successful detainee operation? (1.7) - *video camera*

*Most Iraqis here do not have IDs -
good interpreters -*

18. What equipment is the unit experiencing as a shortfall concerning detainee operations, (i.e., restraints, uniforms, CIF items, weapons, etc.)? (1.5) -

Need to bring an empty vehicle for detainees -
concerned about health -
flexicult - not enough -
need more medical supplies - we always are short on it.

19. How do the Detainees receive fresh water (Bottled water or Lister bag)? (1.1, 1.2, 1.8) AR 190-8, paragraph 3-4 f(3) Sufficient drinking water will be supplied to EPW/RP.

20. What types of supplies is greater in-demand for the unit during detainee operations? And are these items regularly filled? (1.5)

21. What procedures are in place when a detainee in U S custody dies? (1.1, 1.2, 4.1)

- TIP's - class in Guantanamo -

22. Do you know of the procedures to get stress counseling (Psychiatrist, Chaplain, Medical)? Do your Soldiers know of the procedures to get counseling (Psychiatrist, Chaplain, Medical)? (1.1, 1.2, 1.6, 2.1, 4.1) - chaplain -

CST - ~~but~~ various - teachers - some like, some don't -

23. Are you aware of your requirement to report abuse or suspected abuse of detainees? (1.1, 1.2, 4.1) -

~~do~~ Yes -

24. Do your subordinates know the reporting procedures if they observe or become aware of a Detainee being abused? (1.1, 1.2, 4.1)

Reported straight 2 the top -

25. What steps would you take if a subordinate reported to you an incident of alleged Detainee abuse? (1.2, 4.1)

- try to handle it locally first -

26. Do you feel you can freely report an incident of alleged Detainee abuse outside Command channels (IG, CID) (1.1, 1.2, 1.6, 4.1)

yes just thru CoC - seemed OK & prevented reactivity -

27. What procedures do you have to report suspected detainee abuse (IG, CID, Next Level Commander) (1.1, 1.2, 1.6, 4.1)

28. What procedures are in place for detainees to report alleged abuse? (1.1, 1.2, 1.6, 4.1)

OK at the trial?

COMS + that difference

30. What do you perceive as the mission of your unit? Describe the importance of your role in that mission. (Insight to the Soldier's understanding and attitude concerning unit mission and their role)

— provide a safe & secure env — so they can get the job done in it's field — stop the drought at the in summer — maintain the peace

31. Describe your working environment and living conditions since being in Theater. (Identify physical and psychological impact on Soldier's attitude). (1.2, 1.3, 1.4, 1.5, 1.6, 1.7).

We need a uni-PX — not qb has a c st, some sleep with the
New mission — back-y work for the AAPES — promised vehicles in Kuwait, but did not materialize —

They have had jobs in theater TNG — cold showers — were here, & it's error the TNG in GER — no AAPES facility. food is getting better — living conditions OK, getting better — can't get \$ —

32. Describe the unit command climate and Soldier morale. Has it changed or evolved since you have been in Theater? (Identifies Soldier's perception of the chain of command and Soldier attitude. Does the Soldier feel supported? Do Soldiers feel the Command cares? Are they getting clear guidance?)

— pretty good — Alright — pretty busy — successful — it makes them feel good they're accomplishing the mission — some coordination issues — s. thing is needed —

33. Please provide by show of hands if you aware of any incidences of detainee or other abuse in your unit? (Those that raise their hands, need to be noted and interviewed individually afterwards using the ABUSE QUESTIONNAIRE)

— TWA at Graf needs to be more accurate — turn in T by det card, 5 can batteries etc.
DATE TWA was "the best we had"
— we're just looking for the 9 grants — s.B. is coordinating & funding 2643
— consistent paper-work requirements & needed —

(b)(6)-2

GUARD FORCE (ENLISTED)
COLLECTION POINT & INTERNMENT FACILITY
SENSING SESSION QUESTIONS

Rank _____ Branch ^{Res} Guard State/Component CA Date _____
Unit _____ Duty Position _____ How Long in Job _____
Interviewer _____ (b)(6)-2

1. Did all of you undergo Law of War training prior to deployment? Explain what training occurred. Is there a plan to train new Soldiers (replacements) to the unit? Did this training include the treatment of Detainees? Explain. (1.1, 1.2, 1.4, 4.1) (AR 350-1 para 4-14c.(2) and table G-1 Refresher training, dated 9 April 2003), Level B training is conducted in units for officers, warrant officers, NCOs and enlisted personnel commensurate with the missions of the unit. AR 190-8 para 1-5(4)(C DOD Directive 5100.77), All prisoners will receive humane treatment and that the following acts are prohibited murder, torture, corporal punishment, mutilation, taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. Prisoners will be protected against all acts of violence to include public curiosity. (DoD Directive 5100.77, para 5.5.1, The Secretaries of the Military Departments shall provide directives, publications, instructions, and training so that the principles and rules of law of war will be known to members of their respective Departments, the extent of such knowledge to be commensurate with each individual's duties and responsibilities.)

1 hour block of instruction

2. What training have you received to ensure your knowledge of DO is IAW the provisions under the Geneva Convention? (5Ss & T)(1.1, 1.2, 1.3, 4.1) DoDD 2310.1 para 3-3.2 (The U.S. Military Services shall be given the necessary training to ensure they have knowledge of their obligations under the Geneva Conventions (references (b) through (e)) and as required by DoD enemy personnel is possible.) AR 190-8, paragraph 4(b-c) The inhumane treatment of EPW, CI, RP is prohibited and is not justified by the stress of combat or with deep provocation. Inhumane treatment is a serious and punishable violation under international law and the Uniform Code of Military Justice (UCMJ). All prisoners will receive humane treatment without regard to race, nationality, religion, political opinion, sex, or other criteria. The following acts are prohibited: murder, torture, corporal punishment, mutilation, the taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. All persons will be respected as human beings. They will be protected against all acts of violence to include rape, forced prostitution, assault and theft, insults, public curiosity, bodily injury, and reprisals of any kind. They will not be subjected to medical or scientific experiments. This list is not exclusive. EPW/RP are to be protected from all threats or acts of violence

NO.

ROE was card and quiz.

SOME TRAINED BY MEF.

3. What training did your unit receive on the established Rules of Engagement (ROE)? How often does this occur? Does this training include Rules of Interaction (ROI)? (1.4, 4.1) (DoD Directive 5100.77, para 5.5.1, The Secretaries of the Military Departments shall provide directives, publications, instructions, and training so that the principles and rules of law of war will be known to members of their respective Departments, the extent of such knowledge to be commensurate with each individual's duties and responsibilities.) ROE from CJCS ISO Iraqi operations dated 251600Z Apr 03 para 10 (U) All commanders will ensure their personnel are familiar with the law of armed conflict and with these ROE." AR 190-8, paragraph 3-6 a, The following acts will not be permitted: (1) Fraternalization between EPW, RP and U.S. military or civilian personnel. Fraternalization is defined as improper or intimate communications or actions between U.S. Armed Forces personnel and EWP/RP.

care

4. Describe the training the guard force received to prepare them for their duties. (1.1, 1.2, 1.4, 4.1) (FM 3-19.40, para 2-48. Personnel assigned or attached to I/R facilities are trained on the care and control of housed personnel. They are fully cognizant of the provisions of the Geneva and UN Conventions and applicable regulations as they apply to the treatment of housed personnel. A formal training program should include— * Principles and laws of land warfare, specifically provisions of Geneva and UN Conventions and HN laws and customs. * Supervisory and human relations techniques. * Methods of self-defense. *The use of force, the ROE, and the ROI. *Firearms qualification and familiarization. *Public relations, particularly CONUS operations. *First aid. *Stress management techniques. *Facility regulations and SOPs. *Intelligence and counterintelligence techniques. * Cultural customs and habits of internees. *The basic language of internees. FM 3-19.40 para 2-49. The guard force should receive additional training in— *Riot control measures, control agents, and dispersers. *QRF actions. *Searching techniques, including the use of electronic detection devices. *Nonlethal equipment and weapons.

OST —
learn as they went.
limited instruction.
no training —

5. How does your unit conduct sustainment training for Detainee Operations here in Theater? How often does this occur and please describe it? When did your unit last conduct this training? (1.1, 1.2, 1.4, 4.1) No standard.

MOB DID NOT Prep.

DID NOT have training on S'S & T'S not extensive.

6. **(For Permanent Internment Facilities only)** Does your unit have a formal training program for the care and control of Detainees? Describe what it includes. (1.1, 1.2, 1.4) (FM 3-19.40, para 2-48, Personnel assigned or attached to I/R facilities are trained on the care and control of housed personnel. They are fully cognizant of the provisions of the Geneva and UN Conventions and applicable regulations as they apply to the treatment of housed personnel. A formal training program should include— • Principles and laws of land warfare, specifically provisions of Geneva and UN Conventions and HN laws and customs. • Supervisory and human relations techniques. • Methods of self-defense. • The use of force, the ROE, and the ROI. • Firearms qualification and familiarization. • Public relations, particularly CONUS operations. • First aid. • Stress management techniques. • Facility regulations and SOPs. • Intelligence and counterintelligence techniques. • Cultural customs and habits of internees. • The basic language of internees.

7. What Home Station/Mob Site Training did your unit conduct prior to deployment to help your unit prepare for Detainee Operations? Describe it. How did the training prepare you to conduct Detainee Operations for this deployment? How did this training distinguish between the different categories of Detainees (EPWs, RPs, CIs, etc.)? (1.1, 1.2, 1.4, 4.1) (AR 350-1 para 4-14c.(2) and table G-1 Refresher training, dated 9 April 2003), Level B training is conducted in units for officers, warrant officers, NCOs and enlisted personnel commensurate with the missions of the unit. AR 190-8 para 1-5(4)(C DOD Directive 5100.77), All prisoners will receive humane treatment and that the following acts are prohibited murder, torture, corporal punishment, mutilation, taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. Prisoners will be protected against all acts of violence to include public curiosity

8. What are some of the basic operations of the collection point/facility? **Is there a copy of the Geneva Convention posted in the detainee's home language within these camps? Are camps segregating Detainees by nationality, language, rank, and sex? What provisions are in place for the receipt and distribution of Detainee correspondence/mail? Are personal hygiene items and needed clothing being supplied to the Detainees? Are the conditions within the camp sanitary enough to ensure a clean and healthy environment free from disease and epidemics? Is there an infirmary located within the camp?** (1.1, 1.2, 4.1) AR 190-8, paragraph 1-5 a-g, (All persons detained, captured, interned, or otherwise held in U S Armed Forces custody during the course of conflict will be given humanitarian care and treatment from the moment they fall into the hands of U S forces until final release and repatriation. All persons taken into custody by U S forces will be provided with the protection of the GPW until some other legal status is determined by competent authority.) AR 190-8, paragraph 3-4. AR 190-8 para 3-4.b ...females will be separated from males. AR 190-8, 1-5, g (1) EPW, and RP will enjoy latitude in the exercise of their religious practices, including attendance at service of their faith, on condition that

they comply with the disciplinary routine prescribed by the military authorities. (2) Military chaplains who fall into the hands of the U.S. and who remain or are retained to assist EPW, and RP, will be allowed to minister to EPW, RP, of the same religion Para 6-6, g: (1) Hygiene and sanitation measures will conform to those prescribed in AR 40-5 and related regulations. (2) A detailed sanitary order meeting the specific needs of each CI camp or branch camp will be published by the CI camp commander. Copies will be reproduced in a language that the CI understands and will be posted in each compound. (3) Each CI will be provided with sanitary supplies, service, and facilities necessary for their personal cleanliness and sanitation. Separate sanitary facilities will be provided for each sex. (4) All CI will have at their disposal, day and night, latrine facilities conforming to sanitary rules of the Army.

9. What is the maximum capacity for this particular collection point/facility? What is the current Detainee population? What is your ratio of guards to detainees in the collection point/facility? Is this ratio the proper mix for you to perform your mission? If not, what are the shortfalls? Why are their shortfalls? How do these shortfalls impact your mission? (1.1, 1.2, 1.3, 2.1, 3.1, 4.1 FM 3-19.40, paragraphs 3-38 thru 3-39. . . A brigade without an MP platoon in DS sets up and operates its own forward CPs The number of MP teams needed to operate a forward CP is based on the **number of captives expected and METT-TC**. The projected number of captives is based on mission analysis and intelligence estimates conducted by the brigade Intelligence Officer (US Army) (S2). Division forward CPs are mobile; they can be set up, expanded, and relocated quickly as the tactical situation warrants. AR 190-47, paragraph 11-3(4)(a), Guard requirements for prisoners being transported outside an ACS facility, by means of foot, motor vehicle, or aircraft (other than AIREVAC or U.S. Marshals Service aircraft) are as follows:

- (a) Trained correctional, military police or security personnel: Under maximum custody circumstances, there will be one guard per restrained prisoner and two unarmed guards or one armed guard per unrestrained prisoner. Under medium custody circumstances, there will be one guard per five prisoners. In minimum custody circumstances there will be one guard per ten prisoners. Trustee guards will be determined by the ACS facility commander.
- (b) Non-correctional personnel: It is required that at least one guard be a SGT or above who is equal or senior to prisoners in a pretrial status. Under maximum custody circumstances, prisoners will have two guards per prisoner. In medium custody

5-7 cap.

Specialized training not trained persons interacting w/ Detainees.

10. What control measures are units using to maintain discipline and security in each collection point/facility? (1.1, 1.2, 4.1) AR 190-8, paragraph 3-6 (Measures needed to maintain discipline and security will be established in each camp/collection point and rigidly enforced. The camp commander will maintain records of disciplinary punishments. These records will be open to inspection by the protecting power. The following acts will not be permitted; Fraternalization between EPW, RP and U.S. military or civilian personnel. Fraternalization is defined as improper or intimate communications or actions between U.S. Armed Forces personnel and EPW/RP. Donating or receiving gifts or engaging in any commercial activity between persons in U.S. custody and U.S.

Segregation - MP's end cap in gravel if problem or disruptive is full.

personnel. Setting up of courts by detainees. Disciplinary powers will not be delegated to or exercised by EPW/RP. Punishment will not be administered by EPW/RP.)

enforced rules. [redacted] guards to [redacted] + towers.

(b)(2)-3

Compound Keys. Each compound is run differently.
Painting numbers

11. Describe how this unit is able to maintain the security and safeguarding of Detainees at this collection point/interment facility. Describe your security requirements. (What are your clear zones)? How do your Guard Towers permit an unobstructed view of the clear zone and how do they allow for overlapping fields of fire? Describe your perimeter security. (1.1, 1.2, 1.8, 2.1) AR 190-8, paragraph 3-6, Measures need to maintain discipline and security will be established in each camp and rigidly enforced. FM 3-19.40, paragraph 2-1, An MP battalion commander tasked with operating an I/R facility is also the facility commander. As such, he is responsible for the safety and well being of all personnel housed within the facility. Since an MP unit may be tasked to handle different categories of personnel (EPW, CI, OD refugees, and US military prisoner), the commander, the cadre, and support personnel must be aware of the requirements for each category.

Compound Keys
Integration of ethnic groups.
Segregation & management.

Blind spots no ability to respond.
Missing commo stuff.

12. What MP units (guards, escort, detachments) do you have at your disposal to operate and maintain this collection point/facility? What non-MP units are you using to help operate this collection point/facility? (1.1, 1.2, 1.3, 2.1)

Trained some FFA crews.

13. What is the number of personnel that is needed to move prisoners internally and externally, (i.e. for medical, evacuation, etc.)? (1.1, 1.7) FM 3-19.40, paragraphs 3-38 thru 3-39. A brigade without an MP platoon in DS sets up and operates its own forward CPs. The number of MP teams needed to operate a forward CP is based on the number of captives expected and METT-TC. The projected number of captives is based on mission analysis and intelligence estimates conducted by the brigade Intelligence Officer (US Army) (S2). Division forward CPs are mobile; they can be set up, expanded, and relocated quickly as the tactical situation warrants. AR 190-47, paragraph 11-3(4)(a), Guard requirements for prisoners being transported outside an ACS facility, by means of foot, motor vehicle, or aircraft (other than AIREVAC or U.S. Marshals Service aircraft) are as follows:

Comms are not separate.
Signals cross talk w/ patrols

(a) Trained correctional, military police or security personnel: Under maximum custody circumstances, there will be one guard per restrained prisoner and two unarmed guards or one armed guard per unrestrained prisoner. Under medium custody circumstances, there will be one guard per five prisoners. In minimum custody circumstances there will be one guard per ten prisoners. Trustee guards will be determined by the ACS facility commander.

(b) Non-correctional personnel: It is required that at least one guard be a SGT or above who is equal or senior to prisoners in a pretrial status. Under maximum custody circumstances, prisoners will have two guards per prisoner. In medium custody



(b)(2) - 3

word details should have
weapon on escorts.

14. How are you organized to handle the different categories of personnel (EPW, CI, OD, and refugees)? How many female Detainees are housed here? How and where do you house them? How do you maintain separation from the male population (**during the day or during recreational activities**)? What about other categories (juveniles, CI, RP, etc)? What about other categories (juveniles, CI, RP, etc)? Do you maintain a separate site for sick or wounded Detainees? If so where is it and how does your unit maintain the security and safeguarding of Detainees there? (1.1, 1.2, 1.3, 2.1, 3.1) FM 3-19.40, paragraph 2-1, An MP battalion commander tasked with operating an I/R facility is also the facility commander. As such, he is responsible for the safety and well-being of all personnel housed within the facility. Since an MP unit may be tasked to handle different categories of personnel (EPW, CI, OD refugees, and US military prisoner), the commander, the cadre, and support personnel must be aware of the requirements for each category. AR 190-8 para 3-4.b ...females will be separated from males. AR 190-8 para 3-4.i.(2) Every camp will have an infirmary

15. (Collection Point only) How long are you holding Detainees at the collection point? Is holding the detainees longer than the 12 hours (FWD CP) or 24 hours (Central CP) impacting on your units' ability to perform its mission? Why? (1.1, 1.2, 1.3, 2.1, 3.1, 4.1) FM 3-19.40, paragraph 3-39, The number of MP teams needed to operate a forward CP is based on the number of captives expected and METT-TC Fm 3-19.40 paragraph 3-45 & 54 Captives should not remain at a forward CP more than 12/24 hours before being escorted to the central CP.)

Leadership is enforcing standards

that don't mean sergeants no how
why. Stab. ME has no concept

no what works

[Guend UACHU 2649

OR MF. WORKING SOP'S.

16. What procedures are in place to account for and dispose of captured enemy supplies and equipment? (1.1, 1.2, 4.1) AR 190-8, para 2-1, a. (1) (b) (c), All equipment, documents, and personal property confiscation during the search must be tagged and administratively accounted for by the capturing unit. DD Form 2745, Part C is attached to the property confiscated from the Detainee, so that it may later be matched to that Detainee. AR 190-8, paragraph 1-4g(3), (Commanders will collect and dispose of captured enemy supplies and equipment through theater logistics and EOD channels.)

~~not turned to Standard Property is not fully accounted for. Each collection pt. has its own # process.~~ NOT always 4137 instantly

17. Can you give some examples of contraband? What are the procedures when you find contraband?? (i.e., Knives, Narcotics, weapons, currency) AR 190-8) and local SOP.

12 pm thing, food, sus. Family members were with detainees. Shirts, shorts, knives, rocks, drugs, no way to confirm used types.

18. (Collection Point only) What are the procedures for transporting and evacuating detainees? (1.1, 1.2, 1.5, 4.1) AR 190-8, paragraph 1-4g(5), (Commanders will establish guidance for the use, transport, and evacuation of detainees in logistical support channels. AR 190-47, paragraph 11-3(4)(a), Guard requirements for prisoners being transported outside an ACS facility, by means of foot, motor vehicle, or aircraft (other than AIREVAC or U.S. Marshals Service aircraft) are as follows:

(a) Trained correctional, military police or security personnel: Under maximum custody circumstances, there will be one guard per restrained prisoner and two unarmed guards or one armed guard per unrestrained prisoner. Under medium custody circumstances, there will be one guard per five prisoners. In minimum custody circumstances there will be one guard per ten prisoners. Trustee guards will be determined by the ACS facility commander.

(b) Non-correctional personnel: It is required that at least one guard be a SGT or above who is equal or senior to prisoners in a pretrial status. Under maximum custody circumstances, prisoners will have two guards per prisoner. In medium custody

~~NO formal transport in escort or transport.~~

19. What are the procedures for the transfer of Detainees from the collection points to US Military controlled detention facilities? How is the transfer of Detainees handled between different services? (1.1, 1.2, 4.1) AR 190-8, paragraph 3-11 (General. d. Transfer within the territory of the detaining power will always be carried out humanely and in conditions no less favorable than those enjoyed by the troops of the detaining power during their movements. If EPW/RP are transferred on foot, only those who are fit to walk may be so transferred. The EPW/RP will not be exposed to excessive fatigue during transfer by foot. e. The sick, wounded, or infirm EPW and RP as well as maternity cases will be evacuated through U.S. military medical channels and will remain in medical channels until they are certified "fit for normal internment" by competent medical authorities.

20. What are the procedures for the transfer of custody of Detainees from the collection points/internment facility to Military Intelligence/OGA personnel? When the detainee is returned to the guard force, what procedures occur with the detainee? **(in processing, medical screening, suicide watch, observation report DD Form 2713?, etc)** (1.1, 1.2, 4.1) FM 3-19.40 para 3-14. Property Accountability. *Have MI sign for property on DA Form 4137 and for captives on DD Form 2708. *Return confiscated property to supply after it is cleared by MI teams. Items kept by MI because of intelligence value are forwarded through MI channels. * Evacuate retained items with the captive when he moves to the next level of internment. * Maintain controlled access to confiscated and impounded property.

no documentation

21. Does this facility include Sally Ports? Describe the system in place. (1.8, 4.1)

gate no contractor in or out.

22. What do you have in place for communications (between guards/towers and the TOC/C²)? What problems do you have? (1.1, 1.2, 1.5, 1.8)

Poor Radio Comms - over talk
w/ escorts in & per cell

23. How do the Detainees receive fresh water (**Bottled water or Lister bag**)? (1.1, 1.2, 1.8) AR 190-8, paragraph 3-4 f(3) Sufficient drinking water will be supplies to EPW/RP.

water in can pour & drink.

24. How are Detainee complaints and requests to the internment facility commander processed? (1.1, 1.2, 4.1) AR 190-8, paragraph 3-16 (EPW and RP have the right to make complaints and requests to camp commanders and the ICRC/protecting powers regarding the conditions of their internment. EPW and RP may not be punished for making complaints, even if those complaints later prove unfounded. Complaints will be received in confidence, as they might endanger the safety of other detainees. Appropriate action, including segregation, will be taken to protect detainees when necessary. This policy also applies to persons who are confined pending trial or as a result of a trial. b. EPW and RP may take complaints or requests to the camp commander. c. Persons exercising the right to complain to the ICRC or protecting power about their treatment and camp may do so: By mail. (2) In person to the visiting representatives of the ICRC or protecting power. (3) Through their detainee representative. d. Written complaints to the protecting power will be forwarded promptly through HQDA, ODCSOPS (DAMO-ODL) NPWIC. A separate letter with the camp commander's comments will be included. Military endorsements will not be placed on a detainee's communication. e. If an ICRC/protecting power communicates directly with an EPW/CI camp commander about any matter requiring an answer, the communication and commander's reply will be forwarded to HQDA, ODCSOPS (DAMO-ODL) NPWIC, for proper action. f. Any act or allegation of inhumane treatment will be investigated and, if substantiated, reported to HQDA as a Serious Incident Report (SIR) per AR 190-40. Once completed, a copy of the SIR accompanies the prisoner to the EPW/CI camp, and a copy is furnished to the monitoring Branch PWIC. All available pertinent information that the EPW or RP is willing to give, will be entered on the form.)

They let the cadre know what they would like to forward.

25. What safety programs/policies are currently being used in the internment facilities? (1.1, 1.2, 4.1) AR 190-8, paragraph 3-17 (A safety program for EPW and RP will be set up and administered in each EPW camp. Army regulations, circulars, and pamphlets in the 385-series may be used as guides for establishing an EPW and RP safety program. Accident injury forms used in the EPW and RP safety programs will be prepared, administered, and maintained separately from those prepared for other persons included under the Army Safety Program.) AR 190-8 para 3-17(a) A safety program for EPW/RP will be setup and administered in each camp. AR 190-8 para 3-17(a) A safety program for CI will established and administered IAW AR 385-10.

cadre run to bunker intel spotting going on.

26. What personal equipment is the unit experiencing as a shortfall concerning detainee operations, (i.e., restraints, uniforms, CIF items, weapons, etc.)? (1.5)

Hard Irons, leg irons uniforms for detainees.

Training on weapons
being used.
gloves etc.

27. What transportation problems is the unit experiencing either to move troops or detainees during the operation? (1.5)

Not enough to move # of detainees

28. What problems, if any, do you feel the unit has regarding manning or personnel resourcing in conducting Detention Operations? (1.7)

29. Do you know of the procedures to get stress counseling (**Psychiatrist, Chaplain, Medical**)? (1.1, 1.2, 1.6, 2.1, 4.1) FM 3-19.40, paragraph 2-48: Personnel assigned or attached to I/R facilities are trained on the care and control of housed personnel. They are fully cognizant of the provisions of the Geneva and UN Conventions and applicable regulations as they apply to the treatment of housed personnel. A formal training program should include stress management techniques. FM 8-51, Appendix D, D-2 f (3): Combat stress control units should provide routine mental health consultation to EPW confinement facilities. This should include: stress control advice to the command regarding the stressors of US Army MP personnel and any allied or coalition personnel working at the confinement facility; individual evaluation and intervention for guards or prisoners when indicated. AR 190-8, Paragraph 1-5, (4) The inhumane treatment of EPW, CI, RP is prohibited and is not justified by the stress of combat or with deep provocation. Inhumane treatment is a serious and punishable violation under international law and the Uniform Code of Military Justice (UCMJ).

After the fact no preventive
action. reactive.
"you need to do this"

30. Are you aware of your requirement to report abuse or suspected abuse of detainees? (1.1, 1.2, 4.1) AR 190-40 para 2-1, Military and civilian personnel assigned to or accompanying a DoD Component know that they shall report reportable incidents through their chain of command and that such reports also may also be made through other channels, such as the military police, a judge advocate, or an Inspector General.) AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: b. War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident.

call this # - been up a month

31. Do you feel you can freely report an incident of alleged Detainee abuse outside Command channels (IG, CID) (1.1, 1.2, 1.6, 4.1) (AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: *b.* War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-40, Appendix C, Category 2, Reportable Serious Incidents, C-1. Actual or alleged incidents involving the following: *g.* Incidents involving prisoners or detainees of Army confinement or correctional facilities to include escape from confinement or custody, disturbances which require the use of force, wounding or serious injury to a prisoner, and all prisoner deaths. C-2. Any other incident that the commander determines to be of concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-8, 5-1. General protection policy—civilian internee, *a.* Treatment. (1) No form of physical torture or moral coercion will be exercised against the CI. This provision does not constitute a prohibition against the use of minimum force necessary to effect compliance with measures authorized or directed by these regulations. (2) In all circumstances, the CI will be treated with respect for their person, their honor, their family rights, their religious convictions and practices, and their manners and customs. At all times the CI will be humanely treated and protected against all acts of violence or threats and insults and public curiosity. In all official cases they will be entitled to a fair and regular trial as prescribed by this regulation. (3) The CI will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attack such as rape, forced prostitution, or any form of indecent assault. (4) The CI will be treated with the same consideration and without adverse distinction based on race, religion, political opinion, sex, or age. AR 190-8, para 6-9, *e.* Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.)

close to it with Guard/Res.

just list. Do as I say not

as I do"

32. What procedures do you have to report suspected detainee abuse (IG, CID, Next Level Commander) (1.1, 1.2, 1.6, 4.1) (AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: *b.* War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-40, Appendix C, Category 2, Reportable Serious Incidents, C-1. Actual or alleged incidents involving the following: *g.* Incidents involving prisoners or detainees of Army confinement or correctional facilities to include escape from confinement or custody, disturbances which require the use of force, wounding or serious injury to a prisoner, and all prisoner deaths. C-2. Any other incident that the commander determines to be of concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-8, 5-1. General protection policy—civilian internee, *a.* Treatment. (1) No form of physical torture or moral coercion will be exercised against the CI. This provision does not constitute a prohibition against the use of minimum force necessary to effect compliance with measures authorized or directed by these regulations. (2) In all circumstances, the CI will be treated with respect for their person, their honor, their family rights, their religious convictions and practices, and their manners and customs. At all times the CI will be humanely treated and protected against all acts of violence or threats and insults and public curiosity. In all official cases they will be entitled to a fair and regular trial as prescribed by this regulation. (3) The CI

will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attack such as rape, forced prostitution, or any form of indecent assault. (4) The CI will be treated with the same consideration and without adverse distinction based on race, religion, political opinion, sex, or age. AR 190-8, para 6-9, e. Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.)

chain team, SQ, PT,

33. What procedures are in place for detainees to report alleged abuse? (1.1, 1.2, 1.6, 4.1) AR 190-8, para 5-1, g. Appeals and periodic review of security internment cases. (1) Appeals. The CI who are interned for imperative security reasons will be accorded the right to appeal the order directing their internment. Such appeals will be decided with the least possible delay by a board of officers. Appeals will be decided only on the grounds of the existence or nonexistence of imperative security reasons requiring the internment of the protected person. 6-4. Internee Committee a. Election. At each camp and branch camp, CI will be elected by secret written ballot to the Internee Committee. This committee is empowered to represent the camp to the protecting powers, International Committee of the Red Cross, or other authorized relief or aid organizations and U.S. military authorities. e. Duties. (3) (c) The presentation and transmittal of petitions and complaints to the appropriate authorities in proportion to the kind of labor performed. 6-9. Complaints and requests to camp commanders and protecting power, a. Persons may make complaints or requests to the camp commander, who will try to resolve the complaints and answer the requests. If the CI are not satisfied with the way the commander handles a complaint or request, they may submit it in writing, through channels, to HQDA, ODCSOPS (DAMO - ODL) NPWIC, WASH DC 20310-0400. b. Persons exercising the right to complain to the protecting power about their treatment and camp may do so—(1) By mail. (2) In person to the visiting representatives of the protecting power. (3) Through their Internee Committee. c. Written complaints to the protecting power will be forwarded promptly through HQDA (DAMO - ODL) NPWIC, WASH DC 20310-0400. A separate letter with the comments of the camp commander will be included. Military endorsements will not be placed on any CI communications. d. If a protecting power communicates with a CI camp commander about any matter requiring an answer, the communication and commander's reply will be forwarded to HQDA (DAMO-ODL) NPWIC, WASH DC 20310-0400, for proper action. e. Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.

Report through tent master
and cadre.

34. What do you perceive as the mission of your unit? Describe the importance of your role in that mission. (Insight to the Soldier's understanding and attitude concerning unit mission and their role) AR 600-20 Command Policy 2-1. Chain of Command a. The chain of command assists commanders at all levels to achieve their primary function of accomplishing the unit's assigned mission while caring for personnel and property in their charge. A simple and direct

Children.

chain of command facilitates the transmittal of orders from the highest to the lowest levels in a minimum of time and with the least chance of misinterpretation. b. Commanders delegate sufficient authority to soldiers in the chain of command to accomplish their assigned duties, and commanders may hold these soldiers responsible for their actions.

working worse ~~to~~ whose in charge
constant work.

35. Describe your working environment and living conditions since being in Theater. (Identify physical and psychological impact on Soldier's attitude). (1.2, 1.3, 1.4, 1.5, 1.6, 1.7) FM 10-1, Ch. 7, para. 3, "Tactical Vision. A primary QMC focus at the tactical level will continue to be on sustainment of the soldier. Each company-sized unit will have two cooks and a small, state-of-the-art field kitchen. This provides a limited capability to prepare or heat meals and supplements. An improved containerized capability for providing responsive laundry and shower support well forward on the battlefield must be developed. Frontline soldiers require brief respites from the rigors associated with combat. A facility complex (Force Provider) will be available in which they can shower, clean their clothes, eat hot meals, and rest in an environmentally controlled shelter. _____

Release is not consistent
in take is not consistent.

36. Describe the unit command climate and Soldier morale. Has it changed or evolved since you have been in Theater? (Identifies Soldier's perception of the chain of command and Soldier attitude. Does the Soldier feel supported? Do Soldiers feel the Command cares? Are they getting clear guidance?) 1 AR 600-20 • 13 May 2002 1-5. Command, b. Elements of command. c. The commander is responsible for establishing leadership climate of the unit and developing disciplined and cohesive units. This sets the parameters within which command will be exercised and, therefore, sets the tone for social and duty relationships within the command. (1) Commanders and other leaders committed to the professional Army ethic promote a positive environment. If leaders show loyalty to their soldiers, the Army, and the Nation, they earn the loyalty of their soldiers. If leaders consider their soldiers' needs and care for their well-being, and if they demonstrate genuine concern, these leaders build a positive command climate. (2) Duty is obedient and disciplined performance. Soldiers with a sense of duty accomplish tasks given them, seize opportunities for self-improvement, and accept responsibility from their superiors. Soldiers, leader and led alike, work together to accomplish the mission rather than feed their self-interest. .

Over tasked poor care
treatment. NO reporting mechanism.

37. Please provide by show of hands if you aware of any incidences of detainee or other abuse in your unit? (Those that raise their hands, need to be noted and interviewed individually afterwards using the ABUSE QUESTIONNAIRE) AR 190-8, 1-5. General protection policy a. U.S. policy, relative to the treatment of EPW, CI and RP in the custody of the U.S. Armed

Forces, is as follows: (1) All persons captured, detained, interned, or otherwise held in U.S. Armed Forces custody during the course of conflict will be given humanitarian care and treatment from the moment they fall into the hands of U.S. forces until final release or repatriation. (2) All persons taken into custody by U.S. forces will be provided with the protections of the GPW until some other legal status is determined by competent authority. (3) The punishment of EPW, CI and RP known to have, or suspected of having, committed serious offenses will be administered IAW due process of law and under legally constituted authority per the GPW, GC, the Uniform Code of Military Justice and the Manual for Courts Martial. (4) The inhumane treatment of EPW, CI, RP is prohibited and is not justified by the stress of combat or with deep provocation. Inhumane treatment is a serious and punishable violation under international law and the Uniform Code of Military Justice (UCMJ). b. All prisoners will receive humane treatment without regard to race, nationality, religion, political opinion, sex, or other criteria. The following acts are prohibited: murder, torture, corporal punishment, mutilation, the taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. c. All persons will be respected as human beings. They will be protected against all acts of violence to include rape, forced prostitution, assault and theft, insults, public curiosity, bodily injury, and reprisals of any kind. They will not be subjected to medical or scientific experiments. This list is not exclusive. EPW/RP are to be protected from all threats or acts of violence. d. Photographing, filming, and video taping of individual EPW, CI and RP for other than internal Internment Facility administration or intelligence/counterintelligence purposes is strictly prohibited. No group, wide area or aerial photographs of EPW, CI and RP or facilities will be taken unless approved by the senior Military Police officer in the Internment Facility commander's chain of command. e. A neutral state or an international humanitarian organization, such as the ICRC, may be designated by the U.S. Government as a Protecting Power (PP) to monitor whether protected persons are receiving humane treatment as required by the Geneva Conventions. The text of the Geneva Convention, its annexes, and any special agreements, will be posted in each camp in the language of the EPW, CI and RP.

Comman obstruction

EO is broken.

over emphasis on regs than

voter assistance officers.

~~Towers~~ ROE is causing attacks.

Internment Fac



BN CSM

MP ~~BDE~~ COMMANDER INTERVIEW QUESTIONS

Rank _____ Branch _____ Date: _____ Unit _____
Duty Position _____ How Long in Job _____
Interviewer _____ How Long in Country _____

1. What references/standards/publications/SOPs do you require your subordinates to use for Detainee Operations? (1.1, 1.2, 2.1, 4.1) AR 190-8, DoD Directive 5100.77, 1949 Geneva Convention, FM 3-19.40, These are the primary source for standards and doctrine concerning Detainee Operations).

*- FAL SOP, Intl Law, AR 190-8 main ones
Hayes, Geneva, etc!*

2. What MP units under your command operate US military controlled Internment Facilities? (**Battalion and Company**) ~~How many Internment Facilities under U.S. Military Control, do you operate?~~ Where are they positioned across the Theater? Have you visited any of DIV /BDE Collection Points? (1.3, 1.7, 2.1, 4.1) (FM 3-19.40, Appendix D, Table D, Lists and provides details of MP organizations and their duties regarding internment facilities.) (FM 3-19.40, Ch 2, all MP commanders and staff members must be familiar with applicable ARs, Army directives, and international laws necessary for the successful operation of IR and confinement facilities.)

*2 augmented Cos here, just HHC
by organic 2 companies were in Iraq
by just got home 2-3 weeks ago.*

3. ~~What are the policies on the establishment of Internment facilities?~~ How do you ensure the units are operating these locations/facilities under the provisions of the Geneva Convention and AR 190-8(**ROE, Interrogation Techniques, general orders, humane treatment, etc**)? (1.1, 1.2, 4.1) AR 190-8, paragraph 3-1, Internment facilities will be established in the communications zone of each theater of operations for the purpose of receiving, accounting for, administering, and logistically supporting EPW/RP. Para 3-2 a. The operation of all EPW internment facilities is governed by the provisions of the Geneva Conventions. Para 3-2 b. The Theater commander remains responsible for the location of EPW facilities; detainees may be interned only in premises located on land and affording proper health and hygiene standards. Except in extreme circumstances, in the best interests of the individual, detainees will not be interned in correctional facilities housing military or civilian prisoners. Prisoners will not normally be interned in unhealthy areas, or where the climate proves to be injurious to them, and will be removed as soon as possible to a more favorable climate. Transit camps or collecting points will receive the same treatment as in permanent detainee camps. The internment facility will be marked with the letters 'PW' (Prisoner of War camp) and will be placed so they will be clearly visible from the air during the daytime. Other markings may be used when agreed to by the combatant commanders and approved by HQDA.) AR 190-8, paragraph 1-4g. (Combatant Commanders, Task Force Commanders, and joint Task Force Commander have the overall responsibility for the EPW, CI, and RP program, operations, and contingency plans in the theater of operation involved to ensure compliance with international law of war. DoD Directive 2310.1 provides that persons captured or detained by the U S Military services shall normally be handed over for safekeeping

- rec time 30 mins a day

to U S Army Military Police, or to detainee collecting points or other holding facilities and installations operated by U S Military Police as soon as practical.)

- NCOs are accountable
- Ask NCOs/guards questions
- Guard mindset
- philosophy of treatment of others

4. Are your operations employing detainees for work? If so, what are the General policy and procedures for the Employment and Compensation of Detainees? (1.1, 1.2, 4.1) (AR 190-8, Para 7-1, b. & c., The CI will be employed so far as possible for the construction, administration, management, and maintenance of the CI Camps. The CI compensation procedures will be accomplished IAW AR 37-1.) AR 190-8, para 5-2, a. Establishment. A safety program for the CI will be established and administered in accordance with the policies prescribed in AR 385-10 and other pertinent safety directives. AR 190-8, para 7-5, The working conditions for the CI, to include protective clothing, equipment, and safety devices, will be at least as favorable as those prescribed for the civilian population of the occupied territory by the national laws and regulations and as provided for in existing practice. In no case will the working conditions for the CI be inferior to those for the civilian population employed in work of the same nature and in the same district.)

- General kind of work - cleaning, buffing, water in, hose down showers, being in MP's / Halted units.

5. Is there (or do you have) a policy on the ratio of guards to Detainees? If so, what is it? Is this standard being met? If not, what is the shortfall and how are your units managing the challenge? (local sop)(1.1, 1.2, 1.3, 2.1, 3.1, 4.1) FM 3-19.40, Appendix D, Table d-1 MP I/R Units, MP company (guard) TOE 19667L000, Assigned to I/R battalion, Duties Provides guards for EPWs, CIs, US military prisoners, DCs, and installations and facilities at an I/R facility. Is capable of securing 500 US military prisoners, 2000 EPWs, 2000 CIs, or 4,000 DCs in an I/R facility

(b)(2)-3

- on transport → seen trying to do
- outside the compound do to ■ ■ (b)(2)-3

6. What is your detainee segregation policy? (1.1, 1.2, 1.3, 1.8, 2.1, 3.1, 4.1) ((EPWs, Females, Juveniles, Civilian Internees (to include those that are security threats, those that are hostile to coalition forces, and possible HVT/HVD, and Retained Persons, Criminals, etc.)) What can you tell me about the categories of Detainees that you are holding? What are they and what are the definitions of the different categories that your organizations detain? How are you organized to handle the different categories of Detainees (EPW, CI, HVD, OD, and refugees?) (AR 190-8, para 6-1, b. (4), CI shall be administered and housed separately from EPW/RP. Except in the case of families, female CI shall be housed in separate quarters and shall be under the direct supervision of women.) (FM 3-19.40, paragraph 2-1, An MP battalion commander tasked with operating an I/R facility is also the facility commander. As such, he is responsible for the safety and well being of all personnel housed within the facility. Since an MP unit may be tasked to handle different categories if personnel (EPW, CI, OD refuges, and US military prisoner), the commander, the cadre, and support personnel must be aware of the requirements for each category).

- level of punishments → 150 cell
- level of crimes are isolated - serious (i.e. bomber, shooter, prisoner)

7. What is the minimum living space standard for each Detainee? Who set the provisions of minimum living space for Internment Facilities? **(when possible, consult the preventative medicine authority in theater for provisions of minimum living space and sanitary facilities)**. Has a preventative medicine expert given advice on this? (1.1, 1.2, 1.8, 2.1, 2.2, 4.1) (AR 190-8, para 6-1, b. (2) (3), The sleeping quarters shall be sufficiently spacious and well ventilated and the internees shall have suitable bedding and sufficient blankets, account being taken of the climate and the age, sex, and state of health of the internees. Internees shall have for their use, day and night, sanitary conveniences, which conform to the rules of hygiene and are constantly maintained in a state of cleanliness.) AR 190-8, para 3-4, e. When possible consult the preventive medicine authority in theater for provisions of minimum living space and sanitary facilities.

34x40' supposed to be 6x8 (Wagner/Perera)

8. Are the Corps of Engineers involved in any facility upgrades/improvements in Theater for Detainees? If so, what are some ongoing projects? What do you know of the Engineer Corps' Theater Construction Management System (TCMS). Were you aware that they have plans, specifications, and materiel requirements for Internment Facilities based on Detainee population? (1.1, 1.2, 1.8, 4.1) (FM 3-19.40, paragraph 6-6. The Engineer Corps' Theater Construction Management System (TCMS) contains basic plans, specifications, and material requirements for I/R facilities based on the anticipated internee population. The plans can be easily modified for temperate, frigid, tropic, and desert climates. The TCMS also provides specifications and material requirements for the facilities when dimension and/or population requirements are supplied.)

X

9. Do you use Military Working Dogs (MWD) within detention facilities? (1.1, 4.1) FM 3-19.40, 5-74, The MWDs enhance the security and safety of an I/R facility. They can be used for patrolling and detecting explosives and narcotics.)

yes, buy them in a show of force at least once/twice a week but because of landmin search row not as often.

10. What is the current policy to grant conditional access to the International Red Cross/Crescent to Detainees? Has this always been the policy? Are they the only NGOs that have conditional access? If not, who are the other organizations? (1.1, 1.2, 2.2, 4.1) (AR 190-8, para 5-1, a. (5), e. (1), The CI will be entitled to apply for assistance to the protecting powers, the International Committee of the Red Cross, approved religious organizations, relief

societies, and any other organizations that can assist the CI. As individually determined by the theater commander, protected civilian persons who are detained as alleged spies or saboteurs or as persons under definite suspicion of activities hostile to the security of the United States as an occupying power, will be regarded as having forfeited rights of communication with the outside world under the Geneva Convention (GC) for reasons of military security. Such forfeiture will be viewed as an exceptional and temporary measure. Due to the seriousness of the charges, such persons will not be processed as ordinary CI. EPWs also have access IAW 190-8, para 3-16.)

LECs - about every 2 weeks

PVCs - none until given a status

mail through Red Cross

11. Explain how medical information is kept on each individual Detainee? (1.1, 1.2, 1.5, 4.1) (AR 190-8, para 6-6, f. (1), The medical records and forms used for the hospitalization and treatment of U.S. Army personnel and for EPWs will be used for CI.)

see medic

12. What is your responsibility to the National Detainee Reporting Center (NDRC)? What is your relationship with the Theater Detainee Reporting Center (TDRC)? To the best of your knowledge, when were these centers stood up? Describe the Detainee Reporting System? (**Software used, Data Base Management, Data Validation, Contingencies, Security and Privacy, etc.**) Who has access? (1.1, 1.2, 1.3, 1.5, 2.2, 4.1) (AR 190-8, para 1-8, a, b, and (1) The Branch PWIC functions as the field operations agency for the NPWIC. It is central agency responsible to maintain information on all EPW, CI, and RP and their personal property within an assigned theater of operations or in CONUS. b. The Branch PWIC serves as the theater repository for information pertaining to: (1) Accountability of EPW, CI, and RP and implementation of DOD policy

operations - does paperwork sends to JOC

13. When are Detainees assigned Internment Serial Numbers (ISNs) (from point of capture to internment)? Are there any reasons why Detainees would not be assigned ISNs? (AR 190-8, para 6-2, d., Internment serial number (ISN). ISNs for each CI will be assigned according to the procedure set forth for EPW. The letters ACI@ will be substituted for AEPW@ e.g. US9AB-0001CI.) (AR 190-8, Appendix B discusses in detail ISNs.) FM 3-19.40, para 4-16. If the situation permits, the IRIC processes EPWs at division CPs and CHAs. Assign ISNs as early as possible. However, if an ISN is not assigned until Station 1 (see Table 4-1, page 4-3), use the capture tag number, the manifest number, or another control number until an ISN is assigned.

PVCs until status then ISN or called detainees

14. What are the policies and procedures for US Forces transferring detainees to other Coalition Forces/Host Nation Forces? Has this been done? (1.1, 1.2, 2.2) (AR 190-8, paragraph 1-4g(1) (Commanders will provide for an EPW, CI, and RP camp liaison and assistance program to ensure the protection of U S interests per the Geneva Conventions upon the capture and transfer of detainees to a host or other nations.)

NO

15. What are the procedures that allow other United States Government Agencies (OGA) access to Detainees? Who is the approval authority? How much notice do they have to provide the chain of command? Do Detainees ever leave U.S. Military Control for interrogation? How about U.S. Military Police control to MI control? What is the process for turnover and accountability of the Detainee? What happens if a detainee is returned to U.S. Military Control from an OGA, and it is determined that abuse has occurred? (1.1, 1.2, 4.1) (FM 3-19.40, para 3-68, The interrogation area accommodates an interrogator, captive, a guard, and an interpreter as well as furniture. Accountability procedures are implemented and required forms are available.) (FM 3-19.40 para 3-14. Property Accountability. *Have MI sign for property on DA Form 4137 and for captives on DD Form 2708. *Return confiscated property to supply after it is cleared by MI teams. Items kept by MI because of intelligence value are forwarded through MI channels. * Evacuate retained items with the captive when he moves to the next level of internment. * Maintain controlled access to confiscated and impounded property.)

FBI, CID, MI, CIA, had access

but no brown robes been done.

16. How are interpreters (linguists/translators) integrated within the Detainee Detention system (within each facility)? (1.1, 1.2, 1.3, 1.7, 3.1, 4.1) (FM 3-19.40, para 4-6, Request interpreters from MI, PSOP, allied forces, or local authorities as necessary.)

MI here permanently, + conduct about 9¹⁸ interviews daily in facility

17. What are your biggest issues concerning logistical, contractor, and interpreter support for Detainee Operations? (1.1, 1.5, 4.1) (FM 3-19.40, para 7-101, Supply functions in a confinement facility are the same as those in other military units. However, stronger security measures are necessary to prevent certain supplies and equipment from falling into the hands of prisoners.)

*- Perception of Soldiers is that the support is not good
- Soldiers work 12 hours + Detainees sleep all the time*

- need more manpower, no external security,

18. What are your biggest issues concerning adequate facilities for Detainees? (1.1, 1.8, 4.1) (AR 190-8, para 6-1, Discusses in detail, the standard for internment facilities for CIs.)

Soldiers motivated to upgrade. Push them to stay busy.

need more money for upgrades.

Soldiers

19. Can you describe the in-processing actions required for Detainees? What are some of the reasons that Detainees are not accepted to the internment facility? Are capturing units/subordinate units properly processing Detainees? If not, what are they doing wrong? **Is it administrative in nature or in the physically handling of Detainees?**

(1.1, 1.2, 4.1) (AR 190-8, para 6-2, Discusses in detail, the administrative processing by MP units of CIs.) AR 190-8, para 2-1, a. (1) (b) (c), All equipment, documents, and personal property confiscation during the search must be tagged and administratively accounted for by the capturing unit. DD Form 2745, Part C is attached to the property confiscated from the Detainee, so that it may later be matched to that Detainee.) AR 190-8, paragraph 1-4g(3), (Commanders will collect and dispose of captured enemy supplies and equipment through theater logistics and EOD channels.) FM 3-19.40 para 3-14. Property Accountability. When seizing property from a captive—* Bundle it or place it in a bag to keep it intact and separate from other captives' possessions. *Prepare DA Form 4137 for confiscated and impounded property. * Prepare a receipt for currency and negotiable instruments to be signed by the captive and the receiver. Use cash collection vouchers so that the value can be credited to each captive's account. List currency and negotiable instruments on the captive's personal-property list, but treat them as impounded property. * Keep the original receipt with the property during evacuation. Give the captive a copy of the receipt, and tell him to keep it to expedite the return of his property. *Have MI sign for property on DA Form 4137 and for captives on DD Form 2708. *Return confiscated property to supply after it is cleared by MI teams. Items kept by MI because of intelligence value are forwarded through MI channels. * Evacuate retained items with the captive when he moves to the next level of internment. * Maintain controlled access to confiscated and impounded property. FM 3-19.40 para 3-14. Property Accountability. *Have MI sign for property on DA Form 4137 and for captives on DD Form 2708. *Return confiscated property to supply after it is cleared by MI teams. Items kept by MI because of intelligence value are forwarded through MI channels. * Evacuate retained items with the captive when he moves to the next level of internment. * Maintain controlled access to confiscated and impounded property..FM 190-8, para 6-2, c. (1) DA Form 4237-R will be prepared for each protected civilian processed in an occupied territory as a CI or dependent child.

Saw demo.

20. What is the process to account for and dispose of weapons and contraband confiscated from Detainees? What happens to personal property? **(Is it disposed of/tagged along with the Detainee and is it stored properly and accounted for?)** Why is the DD Form 2745 (Capture Tag) not being used? What are units using in lieu of (if any)? **((Detainee Capture Card found in draft MTTP, Detainee Ops—this card does not require near as much data as DD 2745 ()). The CPA Apprehension Form helps offset the lack of info on the Detainee, however it is usually filled out in a single copy (not the 3 required)))** Who decided on the use of the Coalition Provisional Authority Apprehension Form and why? (1.1, 1.2, 1.4, 2.1, 2.2, 4.1) (AR 190-8, paragraph 1-4g(3), (Commanders will collect and dispose of captured enemy supplies and equipment through theater logistics and EOD channels.) (FM 3-19.40 para 3-7 and 3-8, The Five Ss and T procedure is performed by the capturing unit. When a captive arrives at a division CP or a CHA, he is processed by the STRESS method.) (FM 3-19.40, para 5-32. The information flow begins when the prisoner is captured and a DD Form 2745 is initiated. The ISN, which is assigned upon arrival at a CHA

need BN(-) here to replace them.

or an I/R facility, is the key to tracking CIs throughout the I/R system.) (FM 3-19.40 para 4-12 (for EPWs) and para 5-28 (for CIs) "Store personal property in a temporary storage area..." AR 190-8, para 2-1, a. (1) (b) (c), All equipment, documents, and personal property confiscation during the search must be tagged and administratively accounted for by the capturing unit. DD Form 2745, Part C is attached to the property confiscated from the Detainee, so that it may later be matched to that Detainee.) FM 3-19.40 para 3-14. Property Accountability. When seizing property from a captive—* Bundle it or place it in a bag to keep it intact and separate from other captives' possessions. * Prepare DA Form 4137 for confiscated and impounded property. * Prepare a receipt for currency and negotiable instruments to be signed by the captive and the receiver. Use cash collection vouchers so that the value can be credited to each captive's account. List currency and negotiable instruments on the captive's personal-property list, but treat them as impounded property. * Keep the original receipt with the property during evacuation. Give the captive a copy of the receipt, and tell him to keep it to expedite the return of his property. * Have MI sign for property on DA Form 4137 and for captives on DD Form 2708. * Return confiscated property to supply after it is cleared by MI teams. Items kept by MI because of intelligence value are forwarded through MI channels. * Evacuate retained items with the captive when he moves to the next level of internment. * Maintain controlled access to confiscated and impounded property. Property seized from a CI (AR 190-8, 6-3b), will be documented on the DA Form 4237-R. Use of the DA Form 4137 is not required. Property seized from an EPW/RP [AR 190-8, 2-2b(1)] will be documented on the DA Form 4137.

*- bags & tagged, evidence is written down & labeled in the detainee rooms
only one w/ a key. Sply Sgt is signed for evidence & his ID
↓ Pers property*

21. Does the current force structure meet the requirements to run Internment Facilities? If not why? What recommendations can you provide? Do your units have what they need to accomplish the mission (personnel/equipment) without additional support? If not, explain? What do you perceive to be doctrinal shortcomings pertaining to Detainee Operations and how would you fix/incorporate into updated doctrine and accomplish differently? (1.1, 1.3, 1.5, 1.7, 2.1, 4.1) AR 190-8, DoD Directive 5100.77, 1949 Geneva Convention, FM 3-19.40, These are the primary source for standards and doctrine concerning Detainee Operations). (FM 3-19.40, Appendix D, Table D, Lists and provides details of MP organizations and their duties regarding internment facilities.)

Two organic Co's would be sufficient to do mission

22. What is the ROE concerning Detainees? How do you ensure that this ROE is being followed and understood by all Soldiers in your command that have any contact with Detainees? What is the policy to train on the established Rules of Engagement (ROE)? How often does this occur? Does this training include Rules of Interaction (ROI)? (1.1, 1.2, 1.4, 1.6, 4.1) (DoD Directive 5100.77, para 5.5.1, The Secretaries of the Military Departments shall provide directives, publications, instructions, and training so that the principles and rules of law of war will be known to members of their respective Departments, the extent of such knowledge to be commensurate with each individual's duties and responsibilities.) FM 3-19.40, paragraph 2-29, An MP commander ensures that soldiers understand use-of-force guidelines and the ROE established by higher headquarters for each mission. Because the use of force and ROE vary depending on the category of housed personnel and the operational environment, the commander develops SOPs that follow the guidance provided. He balances the physical security of force with mission accomplishment and the protection of deployed forces. ROE from CJCS ISO Iraqi operations dated 251600Z Apr 03 para 10 (U)

All commanders will ensure their personnel are familiar with the law of armed conflict and with these ROE."

CSM drills by asking questions

23. What procedures are in place when a detainee in U S custody dies? (1.1, 1.2, 4.1) AR 190-8, paragraph 3-10, When an EPW or RP in U.S. custody dies, the attending medical officer will immediately furnish the camp (or hospital) commander or other officer charged with their custody before death, the following information: AR 190-8, paragraph 3-3a (20): Report allegations of criminal acts or war crimes committed by or against EPW/RP to the supporting element of the U.S. Army Criminal Investigation Command (USACIDC). Deaths resulting from other than natural causes will be investigated by USACIDC. Para 3-10 c: When an EPW or RP in US custody dies, the attending medical officer furnish the camp (or hospital) commander or other officer charged with their custody before death, the following information: (1) Full name of deceased. (2) ISN of deceased. (3) Date, place, and cause of death. (4) Statement that death was, or was not, the result of the deceased's own misconduct. (5) When the cause of death is undetermined, the attending medical officer will make a statement to that effect. When the cause of death is finally determined, a supplemental report will be made as soon as possible. e. The attending medical officer and the appropriate camp commander will complete a DA Form 2669-R (Certificate of Death). DA Form 2669-R will be reproduced locally on 8 1/2 by 11-inch paper. The form is located at the back of this regulation. This form is for the use of Army only. Enough copies of form will be made out to provide distribution as follows: (1) Original-information center. (2) Copy-information center (branch), if necessary. (3) Copy-The Surgeon General. (4) Copy-EPW or RP personal file. (5) The proper civil authorities responsible for recording deaths in the particular state if the EPW dies in the United States

call [redacted] comes & gets him + [redacted] pronounces dead.

get out of cell & away from other detainees to infirmary

24. What are the procedures for repatriation? (1.1, 1.2, 4.1) AR 190-8, para 3-12 thru 3-14, has details on repatriation.

unknown

25. What religious activities are permitted? (1.1, 1.2, 1.6) (AR 190-8, Ch 1-5, g (1), (g), EPW, and RP will enjoy latitude in the exercise if their religious practices, including attendance at the service of their faith, on condition that they comply with the disciplinary routine prescribed by the military authorities. Adequate space will be provided where religious services may be held.)

Real Koon anytime, pray anytime

call to prayer on Fri.

given prayer towel & wash items

No prevention of services

26. Are you aware of your requirement to report abuse or suspected abuse of detainees? (1.1, 1.2, 1.6, 4.1) AR 190-40 para 2-1, Military and civilian personnel assigned to or accompanying a DoD Component know that they shall report reportable incidents through their chain of

command and that such reports also may also be made through other channels, such as the military police, a judge advocate, or an Inspector General.) AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: *b.* War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident.

yes

27. Do your subordinates know the reporting procedures if they observe or become aware of a Detainee being abused? (1.2, 1.6) (AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: *b.* War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-40, Appendix C Category 2, Reportable Serious Incidents, C-1. Actual or alleged incidents involving the following: *g.* Incidents involving prisoners or detainees of Army confinement or correctional facilities to include escape from confinement or custody, disturbances which require the use of force, wounding or serious injury to a prisoner, and all prisoner deaths. C-2. Any other incident that the commander determines to be of concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-8, 5-1. General protection policy—civilian internee, *a.* Treatment. (1) No form of physical torture or moral coercion will be exercised against the CI. This provision does not constitute a prohibition against the use of minimum force necessary to effect compliance with measures authorized or directed by these regulations. (2) In all circumstances, the CI will be treated with respect for their person, their honor, their family rights, their religious convictions and practices, and their manners and customs. At all times the CI will be humanely treated and protected against all acts of violence or threats and insults and public curiosity. In all official cases they will be entitled to a fair and regular trial as prescribed by this regulation. (3) The CI will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attack such as rape, forced prostitution, or any form of indecent assault. (4) The CI will be treated with the same consideration and with-out adverse distinction based on race, religion, political opinion, sex, or age. AR 190-8, para 6-9, *e.* Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.)

yes

28. What steps would you take if a subordinate reported to you an incident of alleged Detainee abuse? (1.2, 1.6, 4.1) (AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: *b.* War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-40, Appendix C, Category 2, Reportable Serious Incidents, C-1. Actual or alleged incidents involving the following: *g.* Incidents involving prisoners or detainees of Army confinement or correctional facilities to include escape from confinement or custody, disturbances which require the use of force, wounding or serious injury to a prisoner, and all prisoner deaths. C-2. Any other incident that the commander determines to be of concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-8, 5-1. General protection policy—civilian internee, *a.* Treatment. (1) No form of physical torture or moral coercion will be exercised against the CI. This provision does not constitute a

prohibition against the use of minimum force necessary to effect compliance with measures authorized or directed by these regulations. (2) In all circumstances, the CI will be treated with respect for their person, their honor, their family rights, their religious convictions and practices, and their manners and customs. At all times the CI will be humanely treated and protected against all acts of violence or threats and insults and public curiosity. In all official cases they will be entitled to a fair and regular trial as prescribed by this regulation. (3) The CI will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attack such as rape, forced prostitution, or any form of indecent assault. (4) The CI will be treated with the same consideration and without adverse distinction based on race, religion, political opinion, sex, or age. AR 190-8, para 6-9, e. Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.)

Chain of cmd, "atmosphere" investigations
yes

29. Do you feel you can freely report an incident of alleged Detainee abuse outside Command channels (IG, CID) (1.6, 4.1) (AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: *b.* War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-40, Appendix C. Category 2, Reportable Serious Incidents, C-1. Actual or alleged incidents involving the following: *g.* Incidents involving prisoners or detainees of Army confinement or correctional facilities to include escape from confinement or custody, disturbances which require the use of force, wounding or serious injury to a prisoner, and all prisoner deaths. C-2. Any other incident that the commander determines to be of concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-8, 5-1. General protection policy—civilian internee, *a.* Treatment. (1) No form of physical torture or moral coercion will be exercised against the CI. This provision does not constitute a prohibition against the use of minimum force necessary to effect compliance with measures authorized or directed by these regulations. (2) In all circumstances, the CI will be treated with respect for their person, their honor, their family rights, their religious convictions and practices, and their manners and customs. At all times the CI will be humanely treated and protected against all acts of violence or threats and insults and public curiosity. In all official cases they will be entitled to a fair and regular trial as prescribed by this regulation. (3) The CI will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attack such as rape, forced prostitution, or any form of indecent assault. (4) The CI will be treated with the same consideration and without adverse distinction based on race, religion, political opinion, sex, or age. AR 190-8, para 6-9, e. Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.)

yes

30. What procedures do you have to report suspected detainee abuse (IG, CID, Next Level Commander) (1.2, 1.6, 4.1) (AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: *b.* War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-40, Appendix C, Category 2, Reportable Serious Incidents, C-1. Actual or alleged incidents involving the following: *g.* Incidents involving prisoners or detainees of Army confinement or correctional facilities to include escape from

confinement or custody, disturbances which require the use of force, wounding or serious injury to a prisoner, and all prisoner deaths. C-2. Any other incident that the commander determines to be of concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-8, 5-1. General protection policy—civilian internee, a. Treatment. (1) No form of physical torture or moral coercion will be exercised against the CI. This provision does not constitute a prohibition against the use of minimum force necessary to effect compliance with measures authorized or directed by these regulations. (2) In all circumstances, the CI will be treated with respect for their person, their honor, their family rights, their religious convictions and practices, and their manners and customs. At all times the CI will be humanely treated and protected against all acts of violence or threats and insults and public curiosity. In all official cases they will be entitled to a fair and regular trial as prescribed by this regulation. (3) The CI will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attack such as rape, forced prostitution, or any form of indecent assault. (4) The CI will be treated with the same consideration and without adverse distinction based on race, religion, political opinion, sex, or age. AR 190-8, para 6-9, e. Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.)

No to Bar ops after Chain of Comd.
W Gordon (AMC)

31. What procedures are in place for Detainees to report alleged abuse? (1.2, 1.6, 4.1) AR 190-8, para 5-1, g. Appeals and periodic review of security internment cases: (1) Appeals. The CI who are interned for imperative security reasons will be accorded the right to appeal the order directing their internment. Such appeals will be decided with the least possible delay by a board of officers. Appeals will be decided only on the grounds of the existence or nonexistence of imperative security reasons requiring the internment of the protected person. 6-4. Internee Committee a. Election. At each camp and branch camp, CI will be elected by secret written ballot to the Internee Committee. This committee is empowered to represent the camp to the protecting powers, International Committee of the Red Cross, or other authorized relief or aid organizations and U.S. military authorities. e. Duties. (3) (c) The presentation and transmittal of petitions and complaints to the appropriate authorities in proportion to the kind of labor performed. 6-9. Complaints and requests to camp commanders and protecting power, a. Persons may make complaints or requests to the camp commander, who will try to resolve the complaints and answer the requests. If the CI are not satisfied with the way the commander handles a complaint or request, they may submit it in writing, through channels, to HQDA, ODCSOPS (DAMO - ODL) NPWIC, WASH DC 20310-0400. b. Persons exercising the right to complain to the protecting power about their treatment and camp may do so—(1) By mail. (2) In person to the visiting representatives of the protecting power. (3) Through their Internee Committee. c. Written complaints to the protecting power will be forwarded promptly through HQDA (DAMO - ODL) NPWIC, WASH DC 20310-0400. A separate letter with the comments of the camp commander will be included. Military endorsements will not be placed on any CI communications. d. If a protecting power communicates with a CI camp commander about any matter requiring an answer, the communication and commander's reply will be forwarded to HQDA (DAMO-ODL) NPWIC, WASH DC 20310-0400, for proper action. e. Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.

interpreter through Red Cross
Handled outside the doors

32. What do you perceive as the mission of your unit? Describe the importance of your role in that mission. (Insight to the Soldier's understanding and attitude concerning unit-mission and their role) AR 600-20 Command Policy 2-1. Chain of Command a. The chain of command assists commanders at all levels to achieve their primary function of accomplishing the unit's assigned mission while caring for personnel and property in their charge. A simple and direct chain of command facilitates the transmittal of orders from the highest to the lowest levels in a minimum of time and with the least chance of misinterpretation. b. Commanders delegate sufficient authority to soldiers in the chain of command to accomplish their assigned duties, and commanders may hold these soldiers responsible for their actions.

33. Describe your working environment and living conditions since being in Theater. (Identify physical and psychological impact on Soldier's attitude). (1.2, 1.3, 1.4, 1.5, 1.6, 1.7) FM 10-1, Ch. 7, para. 3, "Tactical Vision. A primary QMC focus at the tactical level will continue to be on sustainment of the soldier. Each company-sized unit will have two cooks and a small, state-of-the-art field kitchen. This provides a limited capability to prepare or heat meals and supplements. An improved containerized capability for providing responsive laundry and shower support well forward on the battlefield must be developed. Frontline soldiers require brief respites from the rigors associated with combat. A facility complex (Force Provider) will be available in which they can shower, clean their clothes, eat hot meals, and rest in an environmentally controlled shelter.

very good

34. Describe the unit command climate and Soldier morale. Has it changed or evolved since you have been in Theater? (Identifies Soldier's perception of the chain of command and Soldier attitude. Does the Soldier feel supported? Do Soldiers feel the Command cares? Are they getting clear guidance?) 1 AR 600-20 • 13 May 2002 1-5. Command, b. Elements of command. c. The commander is responsible for establishing leadership climate of the unit and developing disciplined and cohesive units. This sets the parameters within which command will be exercised and, therefore, sets the tone for social and duty relationships within the command. (1) Commanders and other leaders committed to the professional Army ethic promote a positive environment. If leaders show loyalty to their soldiers, the Army, and the Nation, they earn the loyalty of their soldiers. If leaders consider their soldiers' needs and care for their well-being, and if they demonstrate genuine concern, these leaders build a positive command climate. (2) Duty is obedient and disciplined performance. Soldiers with a sense of duty accomplish tasks given them, seize opportunities for self-improvement, and accept responsibility from their superiors. Soldiers, leader and led alike, work together to accomplish the mission rather than feed their self-interest.

- gotten better

- Bad morale because of end date creep. Extended tour times.

↳ driving force in end date creep for bad morale.

next page

*50M boards, promo boards, NCO month books,
pennies, posters, weight room
getting better*

35. Are you aware of any incidences of detainee or other abuse in your unit? AR 190-8, 1-5. General protection policy a. U.S. policy, relative to the treatment of EPW, CI and RP in the custody of the U.S. Armed Forces, is as follows: (1) All persons captured, detained, interned, or otherwise held in U.S. Armed Forces custody during the course of conflict will be given humanitarian care and treatment from the moment they fall into the hands of U.S. forces until final release or repatriation. (2) All persons taken into custody by U.S. forces will be provided with the protections of the GPW until some other legal status is determined by competent authority. (3) The punishment of EPW, CI and RP known to have, or suspected of having, committed serious offenses will be administered IAW due process of law and under legally constituted authority per the GPW, GC, the Uniform Code of Military Justice and the Manual for Courts Martial. (4) The inhumane treatment of EPW, CI, RP is prohibited and is not justified by the stress of combat or with deep provocation. Inhumane treatment is a serious and punishable violation under international law and the Uniform Code of Military Justice (UCMJ). b. All prisoners will receive humane treatment without regard to race, nationality, religion, political opinion, sex, or other criteria. The following acts are prohibited: murder, torture, corporal punishment, mutilation, the taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. c. All persons will be respected as human beings. They will be protected against all acts of violence to include rape, forced prostitution, assault and theft, insults, public curiosity, bodily injury, and reprisals of any kind. They will not be subjected to medical or scientific experiments. This list is not exclusive. EPW/RP are to be protected from all threats or acts of violence. d. Photographing, filming, and video taping of individual EPW, CI and RP for other than internal Internment Facility administration or intelligence/counterintelligence purposes is strictly prohibited. No group, wide area or aerial photographs of EPW, CI and RP or facilities will be taken unless approved by the senior Military Police officer in the Internment Facility commander's chain of command. e. A neutral state or an international humanitarian organization, such as the ICRC, may be designated by the U.S. Government as a Protecting Power (PP) to monitor whether protected persons are receiving humane treatment as required by the Geneva Conventions. The text of the Geneva Convention, its annexes, and any special agreements, will be posted in each camp in the language of the EPW, CI and RP.

PP at beginning just vocal abuse "shot the fuck up"
no physical

ADVISEMENT OF RIGHTS (For military personnel)

The text of Article 31 provides as follows a. No person subject to this chapter may compel any person to incriminate himself or to answer any questions the answer to which may tend to incriminate him. b. No person subject to this chapter may interrogate or request any statement from an accused or a person suspected of an offense without first informing him of the nature of the accusation and advising him that he does not have to make any statement regarding the offense of which he is accused or suspected, and that any statement made by him may be used as evidence against him in a trial by court-martial. c. No person subject to this chapter may compel any person to make a statement or produce evidence before any military tribunal if the statement or evidence is not material to the issue and may tend to degrade him. d. No statement obtained from any person in violation of this article, or through the use of coercion, unlawful influence, or unlawful inducement, may be received in evidence against him in a trial by court-martial. (1.2, 1.6)

I am _____ (grade, if any, and name), a member of the (DAIG). I am part of a team inspecting detainee operations, this is not a criminal investigation. I am reading you your rights because of a statement you made causes me to suspect that you may have committed _____. (specify offense, i.e. aggravated assault, assault, murder). Under Article 31, you have the right to

remain silent, that is, say nothing at all. Any statement you make, oral or written, may be used as evidence against you in a trial by courts-martial or in other judicial or administrative proceedings. You have the right to consult a lawyer and to have a lawyer present during this interview. You have the right to military legal counsel free of charge. In addition to military counsel, you are entitled to civilian counsel of your own choosing, at your own expense. You may request a lawyer at any time during this interview. If you decide to answer questions, you may stop the questioning at any time. Do you understand your rights? Do you want a lawyer? (If the answer is yes, cease all questions at this point). Are you willing to answer questions?

36. Describe what you understand happened leading up to and during the incident(s) of abuse. (No applicable standard) _____

37. Describe Soldier morale, feelings and emotional state prior to and after these incidents? (Identifies unit and Soldier morale, atmosphere, mood, attitude, stress, retaliation, preemption, family crisis) _____

38. Was this incident reported to the chain of command? How, when & what was done? What would you have done? (Identifies compliance, procedure, timeliness, Soldier perception of action taken and effect on unit morale.) (1.2, 1.6) (AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: *b.* War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-40, Appendix C Category 2, Reportable Serious Incidents, C-1. Actual or alleged incidents involving the following: *g.* Incidents involving prisoners or detainees of Army confinement or correctional facilities to include escape from confinement or custody, disturbances which require the use of force, wounding or serious injury to a prisoner, and all prisoner deaths. C-2. Any other incident that the commander determines to be of concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-8, 5-1. General protection policy—civilian internee, *a.* Treatment. (1) No form of physical torture or moral coercion will be exercised against the CI. This provision does not constitute a prohibition against the use of minimum force necessary to effect compliance with measures authorized or directed by these regulations. (2) In all circumstances, the CI will be treated with respect for their person, their honor, their family rights, their religious convictions and practices, and their manners and customs. At all times the CI will be humanely treated and protected against all acts of violence or threats and insults and public curiosity. In all official cases they will be entitled to a fair and regular trial as prescribed by this regulation. (3) The CI will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attack such as rape, forced prostitution, or any form of indecent assault. (4) The CI will be treated with the same consideration and with-out adverse distinction based on race, religion, political opinion, sex, or age. AR

190-8, para 6-9, e. Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting - instructions in AR 190-40 will be used.)

39. How could the incident have been prevented? (Identifies root cause and perceived solution) (No applicable standard)

→ 40. Describe any unit training or other programs that you are aware of that teach leaders and Soldiers how to recognize and resolve combat stress. FM 22-51, para 11-5. Prevention of Misconduct Stress Behaviors. The measures which reduce battle fatigue and prevent battle fatigue casualties should also help reduce the incidence of misconduct stress behaviors. However, additional actions also need to be practiced consistently by leadership at all echelons and by buddies at the small unit level. FM 22-51, para 1-3, Stress control requires special involvement from direct (small unit) leaders. The responsibility extends up through the organizational leaders and their staffs (both officers and noncommissioned officers [NCOs]) at all echelons. Appendix A describes combat stress risk factors and prescribes leaders' actions to control them. Leaders, staffs, and individual soldiers all receive assistance from the supporting chaplains, the medical personnel, and combat stress control/mental health personnel (see Appendix B for information pertaining to combat stress control units). If any link in the chain of responsibility is weak, it is the responsibility of the other members of the chain to strengthen it. FM 8-51, para 1-1, b. Responsibility For Stress Control. Control of stress is the commander's responsibility (see FM 22-51) at all echelons. The commander is aided in this responsibility by the noncommissioned officer (NCO) chain of support; the chaplaincy; unit medical personnel; general, principal, and special staff, and by specialized Army CSC units and mental health personnel.)

- Social worker

- a productive SM is a stress relieved SM

- help in touch w/ family

→ 41. What measures are in place to boost morale or to relieve stress? (Identifies perceived solution.) FM 22-51, para 11-5. Prevention of Misconduct Stress Behaviors. The measures which reduce battle fatigue and prevent battle fatigue casualties should also help reduce the incidence of misconduct stress behaviors. However, additional actions also need to be practiced consistently by leadership at all echelons and by buddies at the small unit level. FM 22-51, para 1-3, Stress control requires special involvement from direct (small unit) leaders. The responsibility extends up through the organizational leaders and their staffs (both officers and noncommissioned officers [NCOs]) at all echelons. Appendix A describes combat stress risk factors and prescribes leaders' actions to control them. Leaders, staffs, and individual soldiers all receive assistance from the supporting chaplains, the medical personnel, and combat stress control/mental health personnel (see Appendix B for information pertaining to combat stress control units). If any link in the chain of responsibility is weak, it is the responsibility of the other members of the chain to strengthen it. FM 8-51, para 1-1, b. Responsibility For

Stress Control. Control of stress is the commander's responsibility (see FM 22-51) at all echelons. The commander is aided in this responsibility by the noncommissioned officer (NCO) chain of support; the chaplaincy; unit medical personnel; general, principal, and special staff, and by specialized Army CSC units and mental health personnel.

MWR, gym, phones, etc

→ 42. What measures could the command enact to improve the morale and command climate of your unit? (Identifies perceived solution.) FM 22-103, Leadership and Command at Senior Levels, 21 Jun 1987, p. 6, - "Leadership. The process of influencing others to accomplish the mission by providing purpose, direction, and motivation." AR 600-100, Army Leadership, 17 Sep 1993, p. 8, 1987- "Senior-level leadership is the art of direct and indirect influence and the skill of creating the conditions for sustained organizational success to achieve the desired result. But, above all, it is the art of taking a vision of what must be done, communicating it in a way that the intent is clearly understood, and then being tough enough to ensure its execution."

we do what we can w/ what we've got

- MPs need to work more closely w/ MI. MPs watch most of the time. share the wealth.

28 AM (b)(6)-2
8930

MI BN CDR/BN S-3/CO CDR/1SG
G2/S2

Rank LTC Branch MI Date: 29 Mar Unit _____
Duty Position Rn Cdr How Long in Job Jun 03
Interviewer COL [redacted] How Long in Country 30
(b)(6)-2

1. (All) What is your overall role in detainee operation process? What involvement do you have in the interrogation process of detainee operations? Do you provide a means to validate detainee's information? Do you provide input as to the disposition of the detainee? (1.1, 1.2, 4.1)

cmd oversight plt at facility visits every other day
id status, resource
packets must meet requirement Packets goes fwd along w desc from BATS

Delain for a valid reason Goal is build packet that w/stands the process or have to let go

556 [redacted]
(b)(6)-2

2. (All) What references/standards/publications/SOPs do you use to conduct interrogation Operations? (1.1, 1.2, 2.1, 4.1)

41D just made do needed a lot of work to improve new ordered jumpsuits
lot times not enough wash tubs never replaced
treated humanly but dignity + respect was not where it should be

Have on SOP CJTF-7 FRAGO 749 Army doctrine Have PMO w proportionality oversight
He has UCMJ over MP Co (PIH runs facility) He has cmd proportionality

3. (All) Did your soldiers undergo Level B Law of War training prior to deployment? Explain what training occurred. Is there a plan to train new Soldiers (replacements) to the unit? Did this training include the treatment of Detainees? Explain. (1.1, 1.2, 1.4, 4.1)

yes

(All) What training have you received to ensure your knowledge of DO is IAW the provisions under the Geneva Convention? (1.1, 1.2, 1.3, 4.1)

GC covered in Law of War

4. (All) What Home Station/Mob Site Training did your unit conduct prior to deployment to help your unit prepare for Detainee/interrogation Operations? Describe it. How did the training prepare you to conduct Detainee/interrogation Operations for this deployment? How did this training distinguish between the different categories of

Detainees (EPWs, RPs, CIs, etc.)? (1.1, 1.2, 1.4, 4.1)

Interrogators did regular brig

more difficult because of need for interpreters

5. (All) What training did your unit receive on the established Rules of Engagement (ROE)? How often does this occur? Does this training include Rules of Interaction (ROI)? (1.4, 4.1)

emphasized as forced by General

taught during RIP

6. (All) What procedures are in place to ensure your Soldiers do not violate the rules of engagement for the internment facility/collection point? (1.1, 1.2, 1.4, 1.6, 4.1)

Evacuation procedure for detainees

(1) (All) What guidance or policies are there to ensure fraternization is not taking place between U.S military personnel and the detainees? (1.1, 1.2, 1.4, 1.6, 4.1)

Documented in rules

7. (All) How does the command ensure that interrogation Operations is conducted in compliance with the international Law of war? (OPORD/FRAGO, ROE, Interrogation Techniques, general orders, humane treatment, etc) (1.1, 1.2, 4.1)

Have intel holding cell

Interrogators are under his Cnd CW2 is in charge
Door is open interpreter is present

8. (All) Have you personally visited each of the interrogation Facilities to determine if your unit has the necessary support and supplies to run their facilities? If so, what did you find? (1.1, 1.2, 1.5, 4.1)

1 Div & Baafan Mora & Warhorse

9. (All) What control measures are you using to maintain discipline and security within the interrogation facility? (1.1, 1.2, 4.1)

10. (BN/CO Cdr) Are you receiving sufficient information from the capture paperwork to properly conduct screenings and interrogations? Are the current requirements for documentation of a captured person sufficient or excessive? Did the changes in procedures as far as documenting captured person improve your ability to gather intelligence? (1.1, 1.2, 2.2, 4.1) (No standard)

*Nothing better
Poor pgs by previous unit*

11. (BN/CO Cdr) What are the procedures for the transfer of custody of Detainees from the MP/Guard personnel to Military Intelligence personnel? When the detainee is returned to the guard force, what procedures occur? (what info is passed on to the Guard Force (type of reward?)...observation report, paper trail audit) (1.1,1.2, 4.1)

12. (CO Cdr/Bn S3) Describe the screening /background checks required prior to hiring interpreters. Are they trusted by U.S. Soldiers? (1.3, 1.7, 4.1)

*TITAN cat II Secret clearance w/ Arabic
one of former employees is now a detainee (shows concern)*

13. (All) Do counterintelligence agents conduct interrogations of detainees? What training have they received for conducting interrogations? What is their understanding of the laws of war as it pertains to interrogating detainees? (1.1, 1.2, 1.5)

97E trained interrogators

14. (All) What do you perceive to be doctrinal shortcomings pertaining to Interrogation Operations? How would you fix/incorporate into updated doctrine/accomplish differently? How about Force Structure to ensure Interrogation Operations can be successfully accomplished? What are the shortcomings and how do we fix the problem at the Army-level? (1.1, 1.3, 1.5, 1.7, 4.1)

*Not enough [redacted] Shortcoming in interrogation support Corp partial
out to unit is need to consolidate
Short MPs b2-3*

15. (All) What are the procedures if a detainee in U.S. custody dies? (1.1, 1.2, 4.1)

Process body DoIS-6

16. Do you know of the procedures to get stress counseling (Psychiatrist, Chaplain, Medical)? Do your Soldiers know of the procedures to get counseling (Psychiatrist, Chaplain, Medical)? (1.1, 1.2, 1.6, 2.1, 4.1)

Chaplain

17. (All) Are you aware of your requirement to report abuse or suspected abuse of detainees? (1.1, 1.2, 4.1)

18. (All) Do your subordinates know the reporting procedures if they observe or become aware of a Detainee being abused? (1.2, 1.6, 4.1)

19. (All) What steps would you take if a subordinate reported to you an incident of alleged Detainee abuse? (1.2,

4.1

investigate & immediately rpt

20. (All) Do you feel you can freely report an incident of alleged Detainee abuse outside Command channels (IG, CID) (1.6, 4.1)

21. (All) What procedures do you have to report suspected detainee abuse (IG, CID, Next Level Commander) (1.2, 1.6, 4.1)

22. (All) What procedures are in place for Detainees to report alleged abuse? (1.2, 1.6, 4.1)

can report to gds or chain of cmd as they walk thru / cdr / csm / LSG

25. What do you perceive as the mission of your unit? Describe the importance of your role in that mission. (Insight to the Soldier's understanding and attitude concerning unit mission and their role).

cmd oversight to ensure detainees ops are conducting IAW comp doctr and treated w dignity + respect

Release authority is CoFS after PABO (STA M) cdr

26. Describe your working environment and living conditions since being in Theater. (Identify physical and psychological impact on Soldier's attitude). (1.2, 1.3, 1.4, 1.5, 1.6, 1.7)

more than adequate pretty decent

stressful but part of environment

27. Describe the unit command climate and Soldier morale. Has it changed or evolved since you have been in Theater? (Identifies Soldier's perception of the chain of command and Soldier attitude. Does the Soldier feel supported? Do Soldiers feel the Command cares? Are they getting clear guidance?)

good

units soldiers show an interest

28. Are you aware of any incidences of detainee or other abuse in your unit?

yes an MP making derogatory coms about detainee's mother removed from facility under UCMJ
An Cdr talked w/ entire platoon leadership about situation + need to 2678 not allow

ADVISEMENT OF RIGHTS (For military personnel)

The text of Article 31 provides as follows a. No person subject to this chapter may compel any person to incriminate himself or to answer any questions the answer to which may tend to incriminate him. b. No person subject to this chapter may interrogate or request any statement from an accused or a person suspected of an offense without first informing him of the nature of the accusation and advising him that he does not have to make any statement regarding the offense of which he is accused or suspected, and that any statement made by him may be used as evidence against him in a trial by court-martial. c. No person subject to this chapter may compel any person to make a statement or produce evidence before any military tribunal if the statement or evidence is not material to the issue and may tend to degrade him. d. No statement obtained from any person in violation of this article, or through the use of coercion, unlawful influence, or unlawful inducement, may be received in evidence against him in a trial by court-martial. (1.2, 1.6)

I am _____(grade, if any, and name), a member of the (DAIG). I am part of a team inspecting detainee operations, this is not a criminal investigation. I am reading you your rights because of a statement you made causes me to suspect that you may have committed _____. (specify offense, i.e. aggravated assault, assault, murder). Under Article 31, you have the right to remain silent, that is, say nothing at all. Any statement you make, oral or written, may be used as evidence against you in a trial by courts-martial or in other judicial or administrative proceedings. You have the right to consult a lawyer and to have a lawyer present during this interview. You have the right to military legal counsel free of charge. In addition to military counsel, you are entitled to civilian counsel of your own choosing, at your own expense. You may request a lawyer at any time during this interview. If you decide to answer questions, you may stop the questioning at any time. Do you understand your rights? Do you want a lawyer? (If the answer is yes, cease all questions at this point). Are you willing to answer questions?

29. Describe what you understand happened leading up to and during the incident(s) of abuse. (No applicable standard) _____

30. Describe Soldier morale, feelings and emotional state prior to and after these incidents? (Identifies unit and Soldier morale, atmosphere, mood, attitude, stress, retaliation, preemption, family crisis) _____

31. Was this incident reported to the chain of command? How, when & what was done? What would you have done? (Identifies compliance, procedure, timeliness, Soldier perception of action taken and effect on unit morale.) (1.2, 1.6)

32. How could the incident have been prevented? (Identifies root cause and perceived solution) (No applicable standard)

33. Describe any unit training or other programs that you are aware of that teach leaders and Soldiers how to recognize and resolve combat stress.)

34. What measures are in place to boost morale or to relieve stress? (Identifies perceived solution.)

35. What measures could the command enact to improve the morale and command climate of your unit? (Identifies perceived solution.)

29 PM (66)-2
1430

INTERROGATOR QUESTIONS

Rank _____ Branch _____ Date: _____ Unit _____
Duty Position PLTS How Long in Job _____
Interviewer _____ How Long in Country _____

1. What references/standards/publications/SOPs do you use to conduct interrogation Operations? (1.1, 1.2, 2.1, 4.1)
ILF sop, 3450, 27-10

2. What training have you received to ensure your knowledge of DO is IAW the provisions under the Geneva Convention? (1.1, 1.2, 1.3, 4.1)
FOS OY

3. Did your unit undergo Level B Law of War training prior to deployment? Explain what training occurred. Is there a plan to train new Soldiers (replacements) to the unit? Did this training include the treatment of Detainees? Explain. (1.1, 1.2, 1.4, 4.1) ← yes

4. What training did you unit receive on the established Rules of Engagement (ROE)? How often does this occur? Does this training include Rules of Interaction (ROI)? (1.4, 4.1) ← what limits are
SOP, Reading Jags
Psych exam,

5. What is the procedure on how to identify a detainee who may have intelligence information? Who performs this procedure? Are MPs involved in the decision-making? Are PIRs used as a basis for the identification of detainees of interest, personality lists used, etc? (1.1, 1.2, 2.1)
- we know -

What is the Rules of Engagement (ROE)/Rules of Interaction (ROI) when interrogating a detainee? (1.1, 1.2, 1.4, 1.6)

6. What is the maximum amount of time allowed a detainee could be interrogated during one session? Where is this standard located? (local SOP??) (1.1, 1.2, 4.1)

It's a value of info any over 20 hours, need a ruling. → in SOP

7. What is the procedure in determining how long to hold a detainee at this level for interrogation once he refuses to cooperate? (1.1, 1.2)

have info only reason to keep here long they need to have actionable intel

8. How many people are authorized to be present in the room when interrogating/screening a detainee? Under what circumstances are you required and authorized to have more people? (1.7)

~~no~~ no limit it's lead Intel call.

9. Who may allow an interrogator to question a detainee if he is wounded or sick? (Medical personnel) (1.1, 1.2, 4.1)

10. What types of restraining devices are authorized on the detainee during the interrogation? What type and/or amount of physical constraints are interrogators authorized to place on an unruly detainee during interrogation? (No standard to 2nd question, only when you are threatened or feel your life is in danger should an interrogator physically constrain a detainee) (1.1, 1.2, 4.1)

chiff, way remove or incentive, minimum amount needed.

11. Where are your screening sites located (where detainees are interrogated and screened)? Are these facilities adequate for your needs? Do you have enough interrogators for your operation needs? What are your personnel shortfalls? (1.1, 1.2, 1.7, 1.8)

12. Are you receiving sufficient information from the capture paperwork to properly conduct screenings and interrogations? Are the current requirements for documentation of a captured person sufficient or excessive? Did the changes in procedures as far as documenting captured person improve your ability to gather intelligence? (1.1, 1.2, 2.2, 4.1)

yes could use more

13. What are the procedures for the transfer of custody of Detainees from the MP/Guard personnel to Military Intelligence personnel? When the detainee is returned to the guard force, what procedures occur? (what info is passed on to the Guard Force (type of reward?)...observation report, paper trail audit) (1.1, 1.2, 4.1)

sign out -

14. Are the personal effects of a detainee released to the interrogator or is the interrogator allowed to examine the items? DOCUMENT HANDLING (1.1, 1.2)

sign out

15. How are translators/linguists used during the screening/interrogation process? Do you trust the interpreter? How are MPs/Guards used during this process? (1.1, 1.2, 1.7, 2.1)

*try simultaneous this may not work well
in court.*

had problems, interpret questions

Don't have enough

16. What is your perception of the contract interrogators training and capabilities to conduct proper interrogations of detainees? (No standard for perception)

17. What do you perceive to be doctrinal shortcomings pertaining to Interrogation Operations? How would you fix/incorporate into updated doctrine/accomplish differently? How about Force Structure to ensure Interrogation Operations can be successfully accomplished? What are the shortcomings and how do we fix the problem at the Army-level? (1.1; 1.3, 1.5, 1.7, 4.1)

*all intg have resistance to intg team
learn how to argue w people practice app
w/ multiple source.
have to be very direct w questions. get to question
in a round about way.*

18. Do you know of the procedures to get stress counseling (**Psychiatrist, Chaplain, Medical**)? Do your Soldiers know of the procedures to get counseling (**Psychiatrist, Chaplain, Medical**)? (1.1, 1.2, 1.6, 2.1, 4.1)

19. What is considered abuse to a detainee during interrogation? (1.1, 1.2)

Promoting cruelty/hatred dehumanizing

20. Are you aware of your requirement to report abuse or suspected abuse of detainees? (1.1, 1.2, 1.6, 4.1)

Stop it now and go to COC.

21. Do your subordinates know the reporting procedures if they observe or become aware of a Detainee being abused? (1.2, 1.6, 4.1)

22. What steps would you take if a subordinate reported to you an incident of alleged Detainee abuse? (1.2, 1.6, 4.1)

23. Do you feel you can freely report an incident of alleged Detainee abuse outside Command channels (IG, CID) (1.6, 4.1)

yes

24. What procedures do you have to report suspected detainee abuse (IG, CID, Next Level Commander) (1.2, 1.6, 4.1)

25. What procedures are in place for Detainees to report alleged abuse? (1.2, 1.6, 4.1)

have video / IRT

27. What do you perceive as the mission of your unit? Describe the importance of your role in that mission. (Insight to the Soldier's understanding and attitude concerning unit mission and their role).

28. Describe your working environment and living conditions since being in Theater. (Identify physical and psychological impact on Soldier's attitude). (1.2, 1.3, 1.4, 1.5, 1.6, 1.7)

29. Describe the unit command climate and Soldier morale. Has it changed or evolved since you have been in Theater? (Identifies Soldier's perception of the

and as in bo. cda really takes care of soldiers

chain of command and Soldier attitude. Does the Soldier feel supported? Do Soldiers feel the Command cares? Are they getting clear guidance?) _____

30. Are you aware of any incidences of detainee or other abuse in your unit? . ____

ADVISEMENT OF RIGHTS (For military personnel)

The text of Article 31 provides as follows a. No person subject to this chapter may compel any person to incriminate himself or to answer any questions the answer to which may tend to incriminate him. b. No person subject to this chapter may interrogate or request any statement from an accused or a person suspected of an offense without first informing him of the nature of the accusation and advising him that he does not have to make any statement regarding the offense of which he is accused or suspected, and that any statement made by him may be used as evidence against him in a trial by court-martial. c. No person subject to this chapter may compel any person to make a statement or produce evidence before any military tribunal if the statement or evidence is not material to the issue and may tend to degrade him. d. No statement obtained from any person in violation of this article, or through the use of coercion, unlawful influence, or unlawful inducement, may be received in evidence against him in a trial by court-martial. (1.2, 1.6)

I am _____(grade, if any, and name), a member of the (DAIG). I am part of a team inspecting detainee operations, this is not a criminal investigation. I am reading you your rights because of a statement you made causes me to suspect that you may have committed _____. (specify offense, i.e. aggravated assault, assault, murder). Under Article 31, you have the right to remain silent, that is, say nothing at all. Any statement you make, oral or written, may be used as evidence against you in a trial by courts-martial or in other judicial or administrative proceedings. You have the right to consult a lawyer and to have a lawyer present during this interview. You have the right to military legal counsel free of charge. In addition to military counsel, you are entitled to civilian counsel of your own choosing, at your own expense. You may request a lawyer at any time during this interview. If you decide to answer questions, you may stop the questioning at any time. Do you understand your rights? Do you want a lawyer? (If the answer is yes, cease all questions at this point). Are you willing to answer questions?

31. Describe what you understand happened leading up to and during the incident(s) of abuse. (No applicable standard) _____

32. Describe Soldier morale, feelings and emotional state prior to and after these incidents? (Identifies unit and Soldier morale, atmosphere, mood, attitude, stress, retaliation, preemption, family crisis) _____

33. Was this incident reported to the chain of command? How, when & what was done? What would you have done? (Identifies compliance, procedure, timeliness, Soldier perception of action taken and effect on unit morale.) (1.2, 1.6) _____

34. How could the incident have been prevented? (Identifies root cause and perceived solution) (No applicable standard) _____

35. Describe any unit training or other programs that you are aware of that teach leaders and Soldiers how to recognize and resolve combat stress. _____

36. What measures are in place to boost morale or to relieve stress? (Identifies perceived solution) _____

37. What measures could the command enact to improve the morale and command climate of your unit? (**Identifies perceived solution.**)

29 AM
(b)(6)-2

845

SJA
INTERVIEW QUESTIONS

30 min donee
B collection pts
24 hrs
JA visit once per week
use
-6 bottles per day - latrine use - ordered
- bottles per day - ordered
- bottles per day - ordered

Rank MAJ Branch JA Date: 29 Unit _____
Duty Position _____ How Long in Job _____

Interviewer _____
How Long have you been in Country _____

1. What specific measures has the commander/unit taken to ensure compliance with the Law of War regarding detainee operations? Individual training events? When? Collective/unit training events? When? (1.1, 1.2, 4.1)

PT Capt
BN Cdr
BDE CDR

_____ after 4 hrs

2. What is the minimum standard of treatment that the US must provide any detainee? What policies/procedures do units have in place to support the U. S. General Protection policy relative to the treatment of Detainees in the custody of the U S forces? (1.1, 1.2, 4.1)

JA has
rearranged
release
10/25
and have
gone

3. What specific measures did the unit take prior to arrival in the AOR to ensure that subordinate leaders and soldiers know and understand how to treat, handle, and process detainees properly? Do leaders and Soldiers know and understand how to apply Detainee Operations doctrine and standards when they arrive in the AOR? Can you provide some examples. (1.1, 1.4, 1.5, 1.7, 1.8)

Detainee ops freq - NO
Cdr #1, POE - yes

BDE CDR - cares about detainee ops } staff support lacks
Planning Confirmed Facility Pass case } priority

4. How is the issue of classification of detainees being handled? Are any Article 5 tribunals being held or is there a presumption that the insurgents clearly do not meet the Article 4 GC III EPW criteria (commanded by a person responsible for his subordinates, wearing fixed distinctive sign, carrying arms openly, conducting operations in accordance with the laws of war)? (1.1, 1.2, 1.4, 1.6, 4.1)

5. Did units receive training on the reporting of Detainee abuse? When did this training occur last and how often is it conducted by the units? Are units reporting Detainee abuse? What is happening to individuals who abuse Detainees? How many cases of detainee abuse have you heard of and or processed since you have been in country? At what point in the detention process are most of the abuses occurring? (point of capture, initial collection point, by guards at internment facility, by interrogators)(1.1, 1.2, 1.4, 4.1

4.1

6. What control measures are units using to maintain detainee discipline and security in each internment facility/collection point? (1.1, 1.2, 4.1) **Don't forget the 5 S's and T. These are valuable tools to maintaining discipline and security in a camp/collection point.**

3 - take privileges away, isolation

7. What are the procedures you follow if you personally notice or if it is reported to you that a detainee is injured and you suspect the detainee has been abused? What training has the unit received regarding reporting procedures for detainee abuse? (1.1, 1.2, 4.1

yes

8. What are the procedures if a detainee in U.S. custody dies? (1.1, 1.2, 4.1)

AR 190-8

9. What are the Theater guidelines for any EPW, CI, and RP claims against the U.S. Government? (1.1, 1.2, 1.6, 4.1)

10. (Internment facility Judge Advocate only) What is the procedure if an EPW or detainee wants to make a complaint or requests to the camp commander regarding conditions of their internment? How are Detainees complaints and requests to the camp commander processed? (1.1, 1.2, 4.1)

interviews

11. Have any detainees refused repatriation? If so, what happened to them? (1.1, 1.2, 4.1)

12. What happens when a detainee is suspected of, or is known to have committed a serious offense while they are being interned at either the collection point or detention facility? Describe the due process available to detainees and rights of the detainee suspected of committing a serious offense. Have you or any Staff Judge Advocate provided legal advice to a detainee who might have committed an offense? (1.1, 1.2, 1.4, 1.6)

13. What is your feeling on how Detainees are being treated? What do you feel is the primary focus/purpose of detainee operations. (force protection, punishment, rehabilitation, protection, merely a regulatory/legal requirement) No standard. Personnel observations and feelings. (1.1, 1.2, 1.6, 2.1, 4.1)

very well

*Wes to getting
1 assault punch
held knife to throat*

14. What AARs or lessons learned have you written or received regarding detainee operations? Can I get a copy? (preferably on disk) (2.1, 2.2)

15. What do you perceive to be doctrinal legal shortcomings pertaining to Detainee Operations and how would you fix/incorporate into updated doctrine/accomplish differently? How about Force Structure of Staff Judge Advocate to ensure Detainee Operations can be successfully accomplished? What are the shortcomings and how do we fix the problem at the Army-level? (1.1, 1.3, 1.5, 1.7, 4.1)

16. What do you perceive as the mission of your unit? Describe the importance of your role in that mission. (Insight to the Soldier's understanding and attitude concerning unit mission and their role).

17. Describe your working environment and living conditions since being in Theater. (Identify physical and psychological impact on Soldier's attitude). (1.2, 1.3, 1.4, 1.5, 1.6, 1.7)

18. Describe the unit command climate and Soldier morale. Has it changed or evolved since you have been in Theater? (Identifies Soldier's perception of the chain of command and Soldier attitude. Does the Soldier feel supported? Do Soldiers feel the Command cares? Are they getting clear guidance?) _____

Very good. New guest - here - 5 weeks

19. Are you aware of any incidences of detainee or other abuse in your unit _____

① *Bay on heads & stand against wall with chains*
Cdr's inquiry - JA

② *2 Detainees in Truck of Iron Union*
Cdr's inquiry - only way of transport

ADVISEMENT OF RIGHTS (For military personnel)

The text of Article 31 provides as follows a. No person subject to this chapter may compel any person to incriminate himself or to answer any questions the answer to which may tend to incriminate him. b. No person subject to this chapter may interrogate or request any statement from an accused or a person suspected of an offense without first informing him of the nature of the accusation and advising him that he does not have to make any statement regarding the offense of which he is accused or suspected, and that any statement made by him may be used as evidence against him in a trial by court-martial. c. No person subject to this chapter may compel any person to make a statement or produce evidence before any military tribunal if the statement or evidence is not material to the issue and may tend to degrade him. d. No statement obtained from any person in violation of this article, or through the use of coercion, unlawful influence, or unlawful inducement, may be received in evidence against him in a trial by court-martial. (1.2, 1.6)

I am _____ (grade, if any, and name), a member of the (DAIG). I am part of a team inspecting detainee operations, this is not a criminal investigation. I am reading you your rights because of a statement you made causes me to suspect that you may have committed _____. (specify offense, i.e. aggravated assault, assault, murder). Under Article 31, you have the right to remain silent, that is, say nothing at all. Any statement you make, oral or written, may be used as evidence against you in a trial by courts-martial or in other judicial or administrative proceedings. You have the right to consult a lawyer and to have a lawyer present during this interview. You have the right to military legal counsel free of charge. In addition to military counsel, you are entitled to civilian counsel of your own choosing, at your own expense. You may request a lawyer at any time during this interview. If you decide to answer questions, you may stop the questioning at any time. Do you understand your rights? Do you want a

lawyer? (If the answer is yes, cease all questions at this point). Are you willing to answer questions?

20. Describe what you understand happened leading up to and during the incident(s) of abuse. (No applicable standard) _____

21. Describe Soldier morale, feelings and emotional state prior to and after these incidents? (Identifies unit and Soldier morale, atmosphere, mood, attitude, stress, retaliation, preemption, family crisis) _____

22. Was this incident reported to the chain of command? How, when & what was done? What would you have done? (Identifies compliance, procedure, timeliness, Soldier perception of action taken and effect on unit morale.) (1.2, 1.6) _____

23. How could the incident have been prevented? (Identifies root cause and perceived solution) (No applicable standard) _____

24. Describe any unit training or other programs that you are aware of that teach leaders and Soldiers how to recognize and resolve combat stress. _____

25. What measures are in place to boost morale or to relieve stress? (Identifies perceived solution.) _____

26. What measures could the command enact to improve the morale and command climate of your unit? (Identifies perceived solution.) _____

[Redacted]

[Redacted]

29 AM

~~24 Dec~~

1030

**SOLDIER (Point of Capture)
SENSING SESSION QUESTIONS**

DFAC

Rank _____ Branch _____ State/Component _____ Date _____
Unit _____ Duty Position _____ How Long in Job _____
Interviewer _____

1. Did you undergo Law of War training prior to deployment? Explain what training occurred. Did this training include the treatment of Detainees? Explain. (1.1, 1.2, 1.4, 4.1) (AR 350-1 para 4-14c.(2) and table G-1 Refresher training, dated 9 April 2003); Level B training is conducted in units for officers, warrant officers, NCOs and enlisted personnel commensurate with the missions of the unit. AR 190-8 para 1-5(4)(C DOD Directive 5100.77), All prisoners will receive humane treatment and that the following acts are prohibited murder, torture, corporal punishment, mutilation, taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. Prisoners will be protected against all acts of violence to include public curiosity. (DoD Directive 5100.77, para 5.5.1, The Secretaries of the Military Departments shall provide directives, publications, instructions, and training so that the principles and rules of law of war will be known to members of their respective Departments, the extent of such knowledge to be commensurate with each individual's duties and responsibilities.)

2. Describe the training/guidance you received to prepare you for handling/guarding the detainees. Does your unit conduct sustainment training for Detainee Operations in Theater? How often does this occur and please describe it? When did your unit last conduct this training? (1.1, 1.2, 1.4, 4.1) (FM 3-19.40, para 2-49 The guard force should receive additional training in—• Riot control measures, control agents, and dispersers. • QRF actions. • Searching techniques, including the use of electronic detection devices. • Nonlethal equipment and weapons. (DoD Directive 5100.77, para 5.5.1, The Secretaries of the Military Departments shall provide directives, publications, instructions, and training so that the principles and rules of law of war will be known to members of their respective Departments, the extent of such knowledge to be commensurate with each individual's duties and responsibilities.) ROE from CJCS ISO Iraqi operations dated 251600Z Apr 03 para 10 (U) All commanders will ensure their personnel are familiar with the law of armed conflict and with these ROE." There is no requirement for sustainment training

Handwritten notes on left margin

AS: ANIMAL... 100 Days... 2 per company

Handwritten notes on bottom right

3. What Home Station/Mob Site Training did your unit conduct prior to deployment to help your unit prepare for Detainee Operations? Describe it. **(5Ss & T)** How did the training prepare you to conduct Detainee Operations for this deployment? What are your unit's strengths and weaknesses? How did this training distinguish between the different categories of Detainees (EPWs, RPs, CIs, etc.)? What training have you received to ensure your knowledge of DO is IAW the provisions under the Geneva Convention? **(1.1, 1.2, 1.4, 4.1)** AR 350-1, paragraph 4-14, a. Soldiers and leaders require law of war training throughout their military careers commensurate with their duties and responsibilities. Prescribed subject matter for training at the following levels is specified in paras 4-14b-d of this regulation. (1) Level A training is conducted during IET for all enlisted personnel and during basic courses of instruction for all warrant officers and officers.

(2) Level B training is conducted in units for officers, warrant officers, NCOs and enlisted personnel commensurate with the missions of the unit. (3) Level C training is conducted in TASS.

b. Level A training provides the minimum knowledge required for all members of the Army. The following basic Law of war rules (referred to as "The Soldier's Rules," which stresses the importance of compliance with the law of war) will be taught during level A training: (1) Soldiers fight only enemy combatants. (2) Soldiers do not harm enemies who surrender. They disarm them and turn them over to their superior. (3) Soldiers do not kill or torture enemy prisoners of war. (4) Soldiers collect and care for the wounded, whether friend or foe. (5) Soldiers do not attack medical personnel, facilities, or equipment. (6) Soldiers destroy no more than the mission requires. (7) Soldiers treat civilians humanely. (8) Soldiers do not steal. Soldiers respect private property and possessions. (9) Soldiers should do their best to prevent violations of the law of war. (10) Soldiers report all violations of the law of war to their superior.

c. Unit commanders will plan and execute level B law-of-war training based on the following: (1) Training should reinforce the principles set forth in The Soldier's Rules. (2) Training will be designed around current missions and contingency plans (including anticipated geographical areas of deployment or rules of engagement). (3) Training will be integrated into unit training activities, field training exercises and unit external evaluations. Maximum combat realism will be applied to tactical exercises consistent with good safety practices.

4. Describe the training you received during Basic Training in handling/processing Detainees. How was it helpful in preparing you for Detainee Operations? How would you improve the training at the schoolhouse? **(1.1, 1.4)** AR 350-1, paragraph 4-14a(1) a. Soldiers and leaders require law of war training throughout their military careers commensurate with their duties and responsibilities. Prescribed subject matter for training at the following levels is specified in paras 4-14b-d of this regulation. Level A training is conducted during IET for all enlisted personnel and during basic courses of instruction for all warrant officers and officers.

5. How does your unit train on the established Rules of Engagement (ROE)? How often does this occur? Does this training include Rules of Interaction (ROI)? What about Standards of Conduct? **(How can you interact with the detainees)?** What guidance or policies have you been trained/briefed on to ensure you understand interaction/ fraternization and that it is not taking place between U.S military personnel and the detainees? (1.4, 4.1) ROE from CJCS ISO Iraqi operations dated 251600Z Apr 03 para 10 (U) All commanders will ensure their personnel are familiar with the law of armed conflict and with these ROE." AR 190-8, paragraph 3-6 a, The following acts will not be permitted: (1) Fraternization between EPW, RP and U.S. military or civilian personnel. Fraternization is defined as improper or intimate communications or actions between U.S. Armed Forces personnel and EWP/RP)

6. What procedures has your leadership developed to ensure you understand the use of force and the rules of engagement? (1.1, 1.2, 1.4, 1.6, 4.1) AR 350-1 Law of War, ROE from CJCS ISO Iraqi operations dated 251600Z Apr 03 para 10 (U) All commanders will ensure their personnel are familiar with the law of armed conflict and with these ROE, FM 3-19.40, paragraph 2-29, An MP commander ensures that soldiers understand use-of-force guidelines and the ROE established by higher headquarters for each mission. Because the use of force and ROE vary depending on the category of housed personnel and the operational environment, the commander develops SOPs that follow the guidance provided. He balances the physical security of force with mission accomplishment and the protection of deployed forces. ROE from CJCS ISO Iraqi operations dated 251600Z Apr 03 para 10 (U) All commanders will ensure their personnel are familiar with the law of armed conflict and with these ROE."

7. How is your unit ensuring that all Detainees are protected, safeguarded, and accounted for IAW the 5Ss & T? (1.1, 1.2, 4.1) AR 190-8, paragraph 1-5 a-g, (All persons detained, captured, interned, or otherwise held in U S Armed Forces custody during the course of conflict will be given humanitarian care and treatment from the moment they fall into the hands of U S forces until final release and repatriation. All persons taken into custody by U S forces will be provided with the protection of the GPW until some other legal status is determined by competent authority.) AR 190-8, paragraph 4(b-c) The inhumane treatment of EPW, CI, RP is prohibited and is not justified by the stress of combat or with deep provocation. Inhumane treatment is a serious and

punishable violation under international law and the Uniform Code of Military Justice (UCMJ). All prisoners will receive humane treatment without regard to race, nationality, religion, political opinion, sex, or other criteria. The following acts are prohibited: murder, torture, corporal punishment, mutilation, the taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. All persons will be respected as human beings. They will be protected against all acts of violence to include rape, forced prostitution, assault and theft, insults, public curiosity, bodily injury, and reprisals of any kind. They will not be subjected to medical or scientific experiments. This list is not exclusive. EPW/RP are to be protected from all threats or acts of violence.

Minimum Force necessary take to ground, if fight
ZIP TIE Search

8. How do you tag detainees for processing (CPA Form, DD Form 2745)? What procedures do you go through? How do you tag equipment (DD Form 2745, DA Form 4137)? What about evidence (DD Form 2745, DA Form 4137)? What procedures do you use to process equipment/evidence? What about confiscated personal affects? Where do you store Detainees' confiscated personal affects (if any) (1.1, 1.2, 1.8) (AR 190-8, para 2-1, a. (1) (b) (c), All equipment, documents, and personal property confiscation during the search must be tagged and administratively accounted for by the capturing unit. DD Form 2745, Part C is attached to the property confiscated from the Detainee, so that it may later be matched to that Detainee. FM 3-19.40 para 3-14. Property Accountability. When seizing property from a captive—* Bundle it or place it in a bag to keep it intact and separate from other captives' possessions. *Prepare DA Form 4137 for confiscated and impounded property. * Prepare a receipt for currency and negotiable instruments to be signed by the captive and the receiver. Use cash collection vouchers so that the value can be credited to each captive's account. List currency and negotiable instruments on the captive's personal-property list, but treat them as impounded property. * Keep the original receipt with the property during evacuation. Give the captive a copy of the receipt, and tell him to keep it to expedite the return of his property. *Have MI sign for property on DA Form 4137 and for captives on DD Form 2708. *Return confiscated property to supply after it is cleared by MI teams. Items kept by MI because of intelligence value are forwarded through MI channels. * Evacuate retained items with the captive when he moves to the next level of internment. * Maintain controlled access to confiscated and impounded property.) Property seized from a CI (AR 190-8, 6-3b), will be documented on the DA Form 4237-R. Use of the DA Form 4137 is not required.

at facility Day (will use F145)

9. What are the procedures for transporting and evacuating detainees? (1.1, 1.2, 1.5, 4.1) AR 190-8, paragraph 1-4g(5) Evacuation and care of EPW and RP Those units designated to hold and evacuate EPW and RP will: a. Collect prisoners from capturing units, and evacuate the from the combat zone as soon as possible b. Ensure sick and wounded EPW and RP in their custody are classified, by qualified medical personnel, as either walking wounded or litter, or as

non-walking wounded. Walking wounded or litter EPW will be evacuated through established evacuation channel Non-walking wounded or sick EPW will be delivered to the nearest medical aid station and evacuated through medical channels All detained personnel will remain physically segregated from U. or civilian prisoners. Prisoners will not normally be interned in unhealthy areas, or where the climate proves to be injurious to them, and will be removed as soon as possible to a more favorable climate. AR 190-47, paragraph 11-3(4)(a), Guard requirements for prisoners being transported outside an ACS facility, by means of foot, motor vehicle, or aircraft (other than AIREVAC or U.S. Marshals Service aircraft) are as follows: (a) Trained correctional, military police or security personnel: Under maximum custody circumstances, there will be one guard per restrained prisoner and two unarmed guards or one armed guard per unrestrained prisoner. Under medium custody circumstances, there will be one guard per five prisoners. In minimum custody circumstances there will be one guard per ten prisoners. Trustee guards will be determined by the ACS facility commander. (b) Non-correctional personnel: It is required that at least one guard be a SGT or above who is equal or senior to prisoners in a pretrial status. Under maximum custody circumstances, prisoners will have two guards per prisoner. In medium custody circumstances, prisoners will have one guard per two prisoners, and in minimum custody circumstances there will be one guard per five prisoners.

Vehicles Break down occasionally

10. What transportation problems is the unit experiencing either to move troops or detainees during the operation? (1.5)

11. What is the ratio of guards to detainees? Is this ratio the proper mix for you to perform your mission? If not, what are the shortfalls? Why are their shortfalls? How do these shortfalls impact your mission? (1.1, 1.2, 1.3, 2.1, 3.1, 4.1) FM 3-19.40, paragraphs 3-38 thru 3-39. A brigade without an MP platoon in DS sets up and operates its own forward CPs The number of MP teams needed to operate a forward CP is based on the **number of captives expected and METT-TC**. The projected number of captives is based on mission analysis and intelligence estimates conducted by the brigade Intelligence Officer (US Army) (S2). Division forward CPs are mobile; they can be set up, expanded, and relocated quickly as the tactical situation warrants. AR 190-47, paragraph 11-3(4)(a), Guard requirements for prisoners being transported outside an ACS facility, by means of foot, motor vehicle, or aircraft (other than AIREVAC or U.S. Marshals Service aircraft) are as follows:

(a) Trained correctional, military police or security personnel: Under maximum custody circumstances, there will be one guard per restrained prisoner and two unarmed guards or one armed guard per unrestrained prisoner. Under medium custody circumstances, there will be one guard per five prisoners. In minimum custody circumstances there will be one guard per ten prisoners. Trustee guards will be determined by the ACS facility commander.

(b) Non-correctional personnel: It is required that at least one guard be a SGT or above who is equal or senior to prisoners in a pretrial status. Under maximum custody circumstances, prisoners will have two guards per prisoner. In medium custody

at least two guards
as mission dictates

12. What equipment is the unit experiencing as a shortfall concerning detainee operations, (i.e., restraints, uniforms, CIF items, weapons, etc.)? (1.5)

Sub Three copies of ZIP
EPW 50 ZIP straps
Not enough flex cuffs
BV supply?
Dental gloves
ZIP toe bags
restraint cords

13. Describe the latrine facilities for Detainees' use (do they have access to it day and night and does it conform to the rules of hygiene and do females have separate facilities). How are they cleaned and how often and by whom? Where do they bathe and conduct other personal hygiene (this will depend how long it takes to evacuate Detainees to CO/BN)? (1.1, 1.2, 1.8) AR 190-8 para 3-4.i.(1) paraphrased...EPWs will have day/night access to latrines that are clean. Females will have separate latrines. AR 190-8 para 6-6.g.(4) paraphrased...All CI will have access to day/night latrines that are sanitary.

inadequate security required
mission dictates

14. How do the Detainees receive fresh water (Bottled water or Lister bag)? (1.1, 1.2, 1.8) AR 190-8, paragraph 3-4 f (3) Sufficient drinking water will be supplies to EPW/RP.

moved back into individual
water if needed

15. Do you know of the procedures to get stress counseling (Psychiatrist, Chaplain, Medical)? (1.1, 1.2, 1.6, 2.1, 4.1) FM 3-19.40, paragraph 2-48: Personnel assigned or attached to I/R facilities are trained on the care and control of housed personnel. They are fully cognizant of the provisions of the Geneva and UN Conventions and applicable regulations as they apply to the treatment of housed personnel. A formal training program should include stress management techniques. FM 8-51, Appendix D, D-2 f (3): Combat stress control units should provide routine mental health consultation to EPW confinement facilities. This should include: stress control advice to the command regarding the stressors of US Army MP personnel and any allied or coalition personnel working at the confinement facility; individual evaluation and intervention for guards or prisoners when indicated. AR 190-8, Paragraph 1-5, (4) The inhumane treatment of EPW, CI, RP is prohibited and is not justified by the stress of combat or with deep provocation. Inhumane treatment

is a serious and punishable violation under international law and the Uniform Code of Military Justice (UCMJ).

Survey - class

chaplain, chair of Council

PSC

16. Are you aware of your requirement to report abuse or suspected abuse of detainees? (1.1, 1.2, 4.1) AR 190-40 para 2-1, Military and civilian personnel assigned to or accompanying a DoD Component know that they shall report reportable incidents through their chain of command and that such reports also may also be made through other channels, such as the military police, a judge advocate, or an Inspector General.) AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: *b.* War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident.

yes

17. Do you feel you can freely report an incident of alleged Detainee abuse outside Command channels (IG, CID) (1.1, 1.2, 1.6, 4.1) (AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: *b.* War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-40, Appendix C, Category 2, Reportable Serious Incidents, C-1. Actual or alleged incidents involving the following: *g.* Incidents involving prisoners or detainees of Army confinement or correctional facilities to include escape from confinement or custody, disturbances which require the use of force, wounding or serious injury to a prisoner, and all prisoner deaths. C-2. Any other incident that the commander determines to be of concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-8, 5-1. General protection policy—civilian internee, *a.* Treatment. (1) No form of physical torture or moral coercion will be exercised against the CI. This provision does not constitute a prohibition against the use of minimum force necessary to effect compliance with measures authorized or directed by these regulations. (2) In all circumstances, the CI will be treated with respect for their person, their honor, their family rights, their religious convictions and practices, and their manners and customs. At all times the CI will be humanely treated and protected against all acts of violence or threats and insults and public curiosity. In all official cases they will be entitled to a fair and regular trial as prescribed by this regulation. (3) The CI will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attack such as rape, forced prostitution, or any form of indecent assault. (4) The CI will be treated with the same consideration and without adverse distinction based on race, religion, political opinion, sex, or age. AR 190-8, para 6-9, *e.* Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.)

yes

18. What procedures do you have to report suspected detainee abuse (IG, CID, Next Level Commander) (1.1, 1.2, 1.6, 4.1) (AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: *b.* War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-40, Appendix C, Category 2, Reportable Serious Incidents, C-1. Actual or alleged incidents involving the following: *g.* Incidents involving prisoners or detainees of Army confinement or correctional facilities to include escape from confinement or custody, disturbances which require the use of force, wounding or serious injury to a prisoner, and all prisoner deaths. C-2. Any other incident that the commander determines to be of concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-8, 5-1. General protection policy—civilian internee, *a.* Treatment. (1) No form of physical torture or moral coercion will be exercised against the CI. This provision does not constitute a prohibition against the use of minimum force necessary to effect compliance with measures authorized or directed by these regulations. (2) In all circumstances, the CI will be treated with respect for their person, their honor, their family rights, their religious convictions and practices, and their manners and customs. At all times the CI will be humanely treated and protected against all acts of violence or threats and insults and public curiosity. In all official cases they will be entitled to a fair and regular trial as prescribed by this regulation. (3) The CI will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attack such as rape, forced prostitution, or any form of indecent assault. (4) The CI will be treated with the same consideration and without adverse distinction based on race, religion, political opinion, sex, or age. AR 190-8, para 6-9, *e.* Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.)

chain of command

open door

19. What procedures are in place for detainees to report alleged abuse? (1.1, 1.2, 1.6, 4.1) AR 190-8, para 5-1, *g.* Appeals and periodic review of security internment cases. (1) Appeals. The CI who are interned for imperative security reasons will be accorded the right to appeal the order directing their internment. Such appeals will be decided with the least possible delay by a board of officers. Appeals will be decided only on the grounds of the existence or nonexistence of imperative security reasons requiring the internment of the protected person. 6-4. Internee Committee *a. Election.* At each camp and branch camp, CI will be elected by secret written ballot to the Internee Committee. This committee is empowered to represent the camp to the protecting powers, International Committee of the Red Cross, or other authorized relief or aid organizations and U.S. military authorities. *e. Duties.* (3) (c) The presentation and transmittal of petitions and complaints to the appropriate authorities in proportion to the kind of labor performed. 6-9. Complaints and requests to camp commanders and protecting power, *a.* Persons may make complaints or requests to the camp commander, who will try to resolve the complaints and answer the requests. If the CI are not satisfied with the way the commander handles a complaint or request, they may submit it in writing, through channels, to HQDA, ODCSOPS (DAMO - ODL) NPWIC, WASH DC 20310-0400. *b.* Persons exercising the right to complain to the protecting power about their treatment and camp may do so—(1) By mail. (2) In person to the visiting representatives of the protecting power. (3) Through their Internee Committee. *c.* Written complaints to the protecting

power will be forwarded promptly through HQDA (DAMO - ODL) NPWIC, WASH DC 20310-0400. A separate letter with the comments of the camp commander will be included. Military endorsements will not be placed on any CI communications. *d.* If a protecting power communicates with a CI camp commander about any matter requiring an answer, the communication and commander's reply will be forwarded to HQDA (DAMO-ODL) NPWIC, WASH DC 20310-0400, for proper action. *e.* Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.

20. What do you perceive as the mission of your unit? Describe the importance of your role in that mission. **(Insight to the Soldier's understanding and attitude concerning unit mission and their role)** AR 600-20 Command Policy 2-1. Chain of Command *a.* The chain of command assists commanders at all levels to achieve their primary function of accomplishing the unit's assigned mission while caring for personnel and property in their charge. A simple and direct chain of command facilitates the transmittal of orders from the highest to the lowest levels in a minimum of time and with the least chance of misinterpretation. *b.* Commanders delegate sufficient authority to soldiers in the chain of command to accomplish their assigned duties, and commanders may hold these soldiers responsible for their actions.

Really important
Securing Iraq makes it better

21. Describe your working environment and living conditions since being in Theater. **(Identify physical and psychological impact on Soldier's attitude).** (1.2, 1.3, 1.4, 1.5, 1.6, 1.7) FM 10-1, Ch. 7, para. 3, "Tactical Vision. A primary QMC focus at the tactical level will continue to be on sustainment of the soldier. Each company-sized unit will have two cooks and a small, state-of-the-art field kitchen. This provides a limited capability to prepare or heat meals and supplements. An improved containerized capability for providing responsive laundry and shower support well forward on the battlefield must be developed. Frontline soldiers require brief respites from the rigors associated with combat. A facility complex (Force Provider) will be available in which they can shower, clean their clothes, eat hot meals, and rest in an environmentally controlled shelter.

Outstanding *Hot shower*
Not enough
Phone *Chow getting better*

22. Describe the unit command climate and Soldier morale. Has it changed or evolved since you have been in Theater? **(Identifies Soldier's perception of the chain of command and Soldier attitude. Does the Soldier feel supported? Do Soldiers feel the**

Command cares? Are they getting clear guidance?) 1 AR 600-20 • 13 May 2002 1-5.

Command, b. Elements of command. c. The commander is responsible for establishing leadership - climate of the unit and developing disciplined and cohesive units. This sets the parameters within which command will be exercised and, therefore, sets the tone for social and duty relationships within the command. (1) Commanders and other leaders committed to the professional Army ethic promote a positive environment. If leaders show loyalty to their soldiers, the Army, and the Nation, they earn the loyalty of their soldiers. If leaders consider their soldiers' needs and care for their well-being, and if they demonstrate genuine concern, these leaders build a positive command climate. (2) Duty is obedient and disciplined performance. Soldiers with a sense of duty accomplish tasks given them, seize opportunities for self-improvement, and accept responsibility from their superiors. Soldiers, leader and led alike, work together to accomplish the mission rather than feed their self-interest. .

*BN little over the top
Co cares a lot*

*makes you look weak if you drink
out of water bottle... yelled at by SGM*

23. Please provide by show of hands if you aware of any incidences of detainee or other abuse in your unit? (Those that raise their hands, need to be noted and interviewed individually afterwards using the ABUSE QUESTIONNAIRE) AR 190-8, 1-5. General protection policy a. U.S. policy, relative to the treatment of EPW, CI and RP in the custody of the U.S. Armed Forces, is as follows: (1) All persons captured, detained, interned, or otherwise held in U.S. Armed Forces custody during the course of conflict will be given humanitarian care and treatment from the moment they fall into the hands of U.S. forces until final release or repatriation. (2) All persons taken into custody by U.S. forces will be provided with the protections of the GPW until some other legal status is determined by competent authority. (3) The punishment of EPW, CI and RP known to have, or suspected of having, committed serious offenses will be administered IAW due process of law and under legally constituted authority per the GPW, GC, the Uniform Code of Military Justice and the Manual for Courts Martial. (4) The inhumane treatment of EPW, CI, RP is prohibited and is not justified by the stress of combat or with deep provocation. Inhumane treatment is a serious and punishable violation under international law and the Uniform Code of Military Justice (UCMJ). b. All prisoners will receive humane treatment without regard to race, nationality, religion, political opinion, sex, or other criteria. The following acts are prohibited: murder, torture, corporal punishment, mutilation, the taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. c. All persons will be respected as human beings. They will be protected against all acts of violence to include rape, forced prostitution, assault and theft, insults, public curiosity, bodily injury, and reprisals of any kind. They will not be subjected to medical or scientific experiments. This list is not exclusive. EPW/RP are to be protected from all threats or acts of violence. d. Photographing, filming, and video taping of individual EPW, CI and RP for other than internal Internment Facility administration or intelligence/counterintelligence purposes is strictly prohibited. No group, wide area or aerial photographs of EPW, CI and RP or facilities will be taken unless approved by the senior Military Police officer in the Internment Facility commander's chain of command. e. A neutral state or an international humanitarian organization, such as the ICRC, may be designated by the U.S. Government as a Protecting Power (PP) to monitor whether protected persons are receiving humane treatment as required by the Geneva Conventions. The text of the Geneva Convention, its annexes, and any special agreements, will be posted in each camp in the language of the EPW, CI and RP.

29 AM (b)(6)-2

Chaplain
INTERVIEW QUESTIONS

b6-2

Rank MA5 Branch Chaplain Date: 29 Mar Unit [redacted] Brigade
Duty Position Act chaplain How Long in Job Dec 03 3 months
How Long in Current MOS 15 yrs Interviewer SFC [redacted]
How long have you been in Country 11 FEB Kuwait

(b)(6)-2

1. Are Detainees allowed to practice their religion? Is there a chaplain available to minister to the detainees? Is the chaplain a Retained Personnel, US Forces chaplain, or a civilian? (1.1, 1.2, 2.1, 4.1)

They are allowed Kuwait are available

No Imam to assist

14 days in Facility Detainee

2. What are your unit ministry team's responsibilities as part of the cadre for the detainees at this collection point / internment facility? (Looking for contraband the detainee might have hidden in their Koran?) (1.1, 1.2, 2.1, 4.1)

Religious support
spiritual counseling
services

do not not search Kuwait here
MP's might do it

3. What are the procedures to bring local religious clergy members into the collection point or facility to help ministry to detainees?

NOT at this time

4. Are you aware of your requirement to report abuse or suspected abuse of detainees? (1.1, 1.2, 4.1)

as a chaplain would have to see
if required
Catholic priest?

5. Has any service member spoken with you about abusing detainees or seeing detainees being abused? If yes, can you provide details without violating your privilege information / confidentially status between you and the service member? (We do not want names). (1.1, 1.2, 2.1, 4.1)

no

6. How many times have you heard about detainees being abused or mistreated? What did you hear? (1.1, 1.2, 2.1, 4.1)

no

7. Have you made the Chain of Command aware of these allegations of abuse and have you seen the Chain of Command do anything about correcting detainee abuse? (1.1, 1.2, 2.1, 4.1)

no

8. What is your feeling on how Detainees are being treated? **No standard. Personnel observations and feelings.** (1.1, 1.2, 2.1, 4.1)

dignity and respect

we have done this

9. What do you perceive as the mission of your unit? Describe the importance of your role in that mission. (Insight to the Soldier's understanding and attitude concerning unit mission and their role).

provide stability FOR I K P Q

eliminate threat Filter out BAD guys

2707

DA IG

cultural religious affairs

10. Describe your working environment and living conditions since being in Theater. (Identify physical and psychological impact on Soldier's attitude). (1.2, 1.3, 1.4, 1.5, 1.6, 1.7)

work environment little fence continuous ops

alot better than expected

11. Describe the unit command climate and Soldier morale. Has it changed or evolved since you have been in Theater? (Identifies Soldier's perception of the chain of command and Soldier attitude. Does the Soldier feel supported? Do Soldiers feel the Command cares? Are they getting clear guidance?)

overall it is good

mission is important exciting do what trained to do
aptitude needed high.

12. Are you aware of any incidences of detainee or other abuse in your unit

no

ADVISEMENT OF RIGHTS (For military personnel)

The text of Article 31 provides as follows a. No person subject to this chapter may compel any person to incriminate himself or to answer any questions the answer to which may tend to incriminate him. b. No person subject to this chapter may interrogate or request any statement from an accused or a person suspected of an offense without first informing him of the nature of the accusation and advising him that he does not have to make any statement regarding the offense of which he is accused or suspected, and that any statement made by him may be used as evidence against him in a trial by court-martial. c. No person subject to this chapter may compel any person to make a statement or produce evidence before any military tribunal if the statement or evidence is not material to the issue and may tend to degrade him. d. No statement obtained from any person in violation of this article, or through the use of coercion, unlawful influence, or unlawful inducement, may be received in evidence against him in a trial by court-martial. (1.2, 1.6)

I am _____ (grade, if any, and name), a member of the (DAIG). I am part of a team inspecting detainee operations, this is not a criminal investigation. I am reading you your rights because of a statement you made causes me to suspect that you may have committed _____. (specify offense, i.e. aggravated assault, assault, murder). Under Article 31, you have the right to remain silent, that is, say nothing at all. Any statement you make, oral or written, may be used as evidence against you in a trial by courts-martial or in other judicial or administrative proceedings. You have the right to consult a lawyer and to have a lawyer present during this interview. You have the right to military legal counsel free of charge. In addition to military counsel, you are entitled to civilian counsel of your own choosing, at your own expense. You may request a lawyer at any time during this interview. If you decide to answer questions, you may stop the questioning at any time. Do you understand your rights? Do you want a lawyer? (If the answer is yes, cease all questions at this point). Are you willing to answer questions?

13. Describe what you understand happened leading up to and during the incident(s) of abuse. (No applicable standard) _____

14. Describe Soldier morale, feelings and emotional state prior to and after these incidents? (Identifies unit and Soldier morale, atmosphere, mood, attitude, stress, retaliation, preemption, family crisis) _____

15. Was this incident reported to the chain of command? How, when & what was done? What would you have done? (Identifies compliance, procedure, timeliness, Soldier perception of action taken and effect on unit morale.) (1.2, 1.6) _____

16. How could the incident have been prevented? (Identifies root cause and perceived solution) (No applicable standard) _____

17. Describe any unit training or other programs that you are aware of that teach leaders and Soldiers how to recognize and resolve combat stress.

CISM NOT mandatory

CST comes down to FOB regularly
and ~~at~~ call

18. What measures are in place to boost morale or to relieve stress? (Identifies perceived solution.)

good MPR support internet cafe

Food is getting better phones

Regular chapel schedule

19. What measures could the command enact to improve the morale and command climate of your unit? (Identifies perceived solution.)

no hot showers

work to improve food Hot meals

TV's news

Laundry service — no service now

FOB AR RAMADI

SFC (P) [redacted]
1300 (b)(6)-2

Chaplain
INTERVIEW QUESTIONS

b6-2

Rank MAJ Branch CHAPLAIN Date: 24 MAR Unit [redacted] BRIGADE Ft Riley
Duty Position Bde Chaplain How Long in Job AT Bde 2 yrs
How Long in Current MOS 15 yrs Interviewer [redacted] (b)(6)-2
How long have you been in Country 6 1/2 MONTHS

1. Are Detainees allowed to practice their religion? Is there a chaplain available to minister to the detainees? Is the chaplain a Retained Personnel, US Forces chaplain, or a civilian? (1.1, 1.2, 2.1, 4.1)

we're accommodating NEW Imam order keuran
MARINE Imam speaks with detainees
speaks the language
on call whenever

2. What are your unit ministry team's responsibilities as part of the cadre for the detainees at this collection point / internment facility? (Looking for contraband the detainee might have hidden in their Koran?) (1.1, 1.2, 2.1, 4.1)

provide religious services
counseling
combat stress team

3. What are the procedures to bring local religious clergy members into the collection point or facility to help ministry to detainees?

from Blue diamond - chaplain RAMAD
MARINE Imam covers facility
no local imam allowed in facility yet.

4. Are you aware of your requirement to report abuse or suspected abuse of detainees? (1.1, 1.2, 4.1)

yes

5. Has any service member spoken with you about abusing detainees or seeing detainees being abused? If yes, can you provide details without violating your privilege information / confidentiality status between you and the service member? (We do not want names). (1.1, 1.2, 2.1, 4.1)

NO

6. How many times have you heard about detainees being abused or mistreated? What did you hear? (1.1, 1.2, 2.1, 4.1)

Staff meetings only about other sites never had one here that he knows about

7. Have you made the Chain of Command aware of these allegations of abuse and have you seen the Chain of Command do anything about correcting detainee abuse? (1.1, 1.2, 2.1, 4.1)

N/A

8. What is your feeling on how Detainees are being treated? **No standard. Personnel observations and feelings.** (1.1, 1.2, 2.1, 4.1)

abide by same rules as us
same values as Americans

Some times speak to soldiers who want revenge but no incidents - have seen several incidents or just received revenge sometimes a factor a loss one lost Cdr/ISG + 2 members at one time.

counseling wanted no incidents

9. What do you perceive as the mission of your unit? Describe the importance of your role in that mission. (Insight to the Soldier's understanding and attitude concerning unit mission and their role).

1st phase put down insurgency 2nd phase help Iraq succeed

community relations improving even
with latest developments

10. Describe your working environment and living conditions since being in Theater. (Identify physical and psychological impact on Soldier's attitude). (1.2, 1.3, 1.4, 1.5, 1.6, 1.7)

Freedom diversity improved
NOW
New chawhull, 2nd site living
PX - Dec

11. Describe the unit command climate and Soldier morale. Has it changed or evolved since you have been in Theater? (Identifies Soldier's perception of the chain of command and Soldier attitude. Does the Soldier feel supported? Do Soldiers feel the Command cares? Are they getting clear guidance?)

Improving Starting to want to go
82nd LEFT

12. Are you aware of any incidences of detainee or other abuse in your unit

No

ADVISEMENT OF RIGHTS (For military personnel)

The text of Article 31 provides as follows a. No person subject to this chapter may compel any person to incriminate himself or to answer any questions the answer to which may tend to incriminate him. b. No person subject to this chapter may interrogate or request any statement from an accused or a person suspected of an offense without first informing him of the nature of the accusation and advising him that he does not have to make any statement regarding the offense of which he is accused or suspected, and that any statement made by him may be used as evidence against him in a trial by court-martial. c. No person subject to this chapter may compel any person to make a statement or produce evidence before any military tribunal if the statement or evidence is not material to the issue and may tend to degrade him. d. No statement obtained from any person in violation of this article, or through the use of coercion, unlawful influence, or unlawful inducement, may be received in evidence against him in a trial by court-martial. (1.2, 1.6)

I am _____ (grade, if any, and name), a member of the (DAIG). I am part of a team inspecting detainee operations, this is not a criminal investigation. I am reading you your rights because of a statement you made causes me to suspect that you may have committed _____. (specify offense, i.e. aggravated assault, assault, murder). Under Article 31, you have the right to remain silent, that is, say nothing at all. Any statement you make, oral or written, may be used as evidence against you in a trial by courts-martial or in other judicial or administrative proceedings. You have the right to consult a lawyer and to have a lawyer present during this interview. You have the right to military legal counsel free of charge. In addition to military counsel, you are entitled to civilian counsel of your own choosing, at your own expense. You may request a lawyer at any time during this interview. If you decide to answer questions, you may stop the questioning at any time. Do you understand your rights? Do you want a lawyer? (If the answer is yes, cease all questions at this point). Are you willing to answer questions?

13. Describe what you understand happened leading up to and during the incident(s) of abuse. (No applicable standard) _____

_____ N/A _____

14. Describe Soldier morale, feelings and emotional state prior to and after these incidents? (Identifies unit and Soldier morale, atmosphere, mood, attitude, stress, retaliation, preemption, family crisis) _____

_____ N/A _____

15. Was this incident reported to the chain of command? How, when & what was done? What would you have done? (Identifies compliance, procedure, timeliness, Soldier perception of action taken and effect on unit morale.) (1.2, 1.6) _____

_____ would be obtained, command notified _____ 53 _____

16. How could the incident have been prevented? (Identifies root cause and perceived solution) (No applicable standard) _____

_____ ensure proper distance _____

17. Describe any unit training or other programs that you are aware of that teach leaders and Soldiers how to recognize and resolve combat stress.

prior deployment 100% training suicidal prev.
prior to Holidays
every leave - before RFL
Every wed Stress mang. class

18. What measures are in place to boost morale or to relieve stress? (Identifies perceived solution.)

MWR GYM TENT
mess hall entertainment deck
internet cafe
AT&T phone center

19. What measures could the command enact to improve the morale and command climate of your unit? (Identifies perceived solution.)

give me date to go home and stick to it
82d all needs left - affected morale and
asked questions of when leaving

SFC(P) [redacted] / LTC [redacted]

(b)(6)-2

(b)(6)-2

FOB AL RAMADI

NCO (Point of Capture)
SENSING SESSION QUESTIONS

Rank _____ Branch FA State/Component Active Date 27 March
Unit A BUA 1-5 Duty Position Quartermaster How Long in Job 45 yrs
Interviewer SFC [redacted] (b)(6)-2 6 1/2 months

Fr Riley

1. What regulations, directives, policies, are you aware of that deal with detainee operations? (1.1, 1.2, 1.4, 1.6, 4.1) AR 350-1 para 4-14c.(2) and table G-1 Refresher training, dated 9 April 2003), Level B training, AR 190-8, paragraph 1-1, This regulation provides policy, procedures, and responsibilities for the administration, treatment, employment, and compensation of enemy prisoners of war (EPW), retained personnel (RP), U.S. Armed Forces. This regulation also establishes procedures for transfer of custody from the United States to another detaining power. b. This regulation implements international law, both customary and codified, relating to EPW, RP, CI, and ODs which includes those persons held during military operations other than war. The principal treaties relevant to this regulation are: (1) The 1949 Geneva Convention Relative to the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (GWS). (2) The 1949 Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (GWS SEA). 3) The 1949 Geneva Convention Relative to the Treatment of Prisoners of War (GPW). The 1949 Geneva Convention Relative to the Protection of Civilian Persons in Time of War (GC), and In the event of conflicts or discrepancies between this regulation and the Geneva Conventions, the provisions of the Geneva Conventions take precedence.

NS

2. Did you and all of your Soldiers undergo Law of War/Geneva Convention training prior to deployment? Explain what training occurred. Did this training include the treatment of Detainees? What is your plan to train new Soldiers (replacements) to the unit? Explain. (1.1, 1.2, 1.4, 4.1) (AR 350-1 para 4-14c.(2) and table G-1 Refresher training, dated 9 April 2003), Level B training is conducted in units for officers, warrant officers, NCOs and enlisted personnel commensurate with the missions of the unit. AR 190-8 para 1-5(4)(C DOD Directive 5100.77), All prisoners will receive humane treatment and that the following acts are prohibited murder, torture, corporal punishment, mutilation, taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. Prisoners will be protected against all acts of violence to include public curiosity. (DoD Directive 5100.77, para 5.5.1, The Secretaries of the Military Departments shall provide directives, publications, instructions, and training so that the principles and rules of law of war will be known to members of their respective Departments, the extent of such knowledge to be commensurate with each individual's duties and responsibilities.)

yes 2 weeks Phase in Family

no new soldiers

3. What training did your unit receive on the established Rules of Engagement (ROE)? How often does this occur? Does this training include Rules of Interaction (ROI) (How can you interact with the detainees)? (1.4, 4.1) ROE from CJCS ISO Iraqi operations dated 251600Z Apr 03 para 10 (U) All commanders will ensure their personnel are familiar with the law of armed conflict and with these ROE." AR 190-8, paragraph 3-6 a, The following acts will not be permitted: (1) Fraternalization between EPW, RP and U.S. military or civilian personnel. Fraternalization is defined as improper or intimate communications or actions between U.S. Armed Forces personnel and EWP/RP)

classroom 2 weeks prior to departure
 02nd ROE

4. Does your unit conduct sustainment training for Detainee Operations? How often does this occur and please describe it? When did your unit last conduct this training? (1.1, 1.2, 1.4, 4.1) No standard for sustainment training

Gun truck NCO ensured it

Rehearsal whole scenario Det Co present

5. What Home Station/Mob Site Training did your unit conduct prior to deployment to help your unit prepare for Detainee Operations? Describe it. How did the training prepare you to conduct Detainee Operations for this deployment? What are your unit's strengths and weaknesses? How did this training distinguish between the different categories of Detainees (EPWs, RPs, CIs, etc.)? (1.1, 1.2, 1.4, 4.1) DoDD 2310.1 (The U.S. Military Services shall be given the necessary training to ensure they have knowledge of their obligations under the Geneva Conventions (references (b) through (e)) and as required by DoD Directive 5100.77 (reference (f)) before an assignment to a foreign area where capture or detention of enemy personnel is possible. AR 350-1 para 4-14 c (2) and table G-1 Refresher training, dated 9 April 2003), Level B training is conducted in units for officers, warrant officers, NCOs and enlisted personnel commensurate with the missions of the unit. AR 190-8 para 1-5 (4) (C), DOD Directive 5100.77, All prisoners will receive humane treatment and that the following acts are prohibited murder, torture, corporal punishment, mutilation, taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. Prisoners will be protected against all acts of violence to include public curiosity. (AR 350-1 para 4-14c.(2) and table G-1 Refresher training, dated 9 April 2003), Level B training is conducted in units for officers, warrant officers, NCOs and enlisted personnel commensurate with the missions of the unit. AR 190-8 para 1-5(4)(C DOD Directive 5100.77), All prisoners will receive humane treatment and that the following acts are prohibited murder, torture, corporal punishment, mutilation, taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. Prisoners will be protected against all acts of violence to include public curiosity. (DoD Directive 5100.77, para 5.5.1, The Secretaries of the Military Departments shall provide directives, publications, instructions, and training so that the principles and rules of law of war will be known to members of their respective

Departments, the extent of such knowledge to be commensurate with each individual's duties and responsibilities.

yes, same kind as hehe
prepared with
language differences
interpreter assists - trust interpreters

6. Describe the training you received During PLDC/BNCOC/ANCOC in handling/processing Detainees. How was it helpful in preparing you for Detainee Operations? How would you improve the training at the schoolhouse? (1.1, 1.4) AR 350-1, paragraph 4-14a(1) a. Soldiers and leaders require law of war training throughout their military careers commensurate with their duties and responsibilities. (DoD Directive 5100.77, paragraph 5.5.1, The Secretaries of the Military Departments shall provide directives, publications, instructions, and training so that the principles and rules of law of war will be known to members of their respective Departments, the extent of such knowledge to be commensurate with each individual's duties and responsibilities.) NOTE: Is there a standard (requirement) to conduct training in PLDC/BNCOC/ANCOC? Probably too broad for us to look at, just want to look at the big picture of what they were trained on.

No training in schools
all mbs need training PLDC ↑

7. What procedures are in place to ensure Soldiers understand the use of force and rules of engagement? (ROE Card? Etc) (1.1, 1.2, 1.4, 1.6, 4.1) ROE from CJCS ISO Iraqi operations dated 251600Z Apr 03 para 10 (U) All commanders will ensure their personnel are familiar with the law of armed conflict and with these ROE." AR 190-8, paragraph 3-6 a, The following acts will not be permitted: (1) Fraternalization between EPW, RP and U.S. military or civilian personnel. Fraternalization is defined as improper or intimate communications or actions between U.S. Armed Forces personnel and EWP/RP. FM 3-19.40, paragraph 2-29, An MP commander ensures that soldiers understand use-of-force guidelines and the ROE established by higher headquarters for each mission. Because the use of force and ROE vary depending on the category of housed personnel and the operational environment, the commander develops SOPs that follow the guidance provided. He balances the physical security of force with mission accomplishment and the protection of deployed forces.

ROE card

8. How do you maintain discipline and security until the detainees are handed off to higher? Describe the training/GUIDANCE the guard force received to prepare them for their duties (1.1, 1.2, 4.1) AR 190-8, paragraph 3-6 (Measures needed to maintain discipline and security will be established in each camp/collection point and rigidly enforced. The camp commander will maintain records of disciplinary punishments. These records will be open to inspection by the protecting power. The following acts will not be permitted; Fraternalization between EPW, RP and U.S. military or civilian personnel. Fraternalization is defined as improper or intimate

communications or actions between U.S. Armed Forces personnel and EPW/RP. Donating or receiving gifts or engaging in any commercial activity between persons in U.S. custody and U.S. personnel. Setting up of courts by detainees. Disciplinary powers will not be delegated to or exercised by EPW/RP. Punishment will not be administered by EPW/RP.) FM 3-19.40 para 2-49. The guard force should receive additional training in— *Riot control measures, control agents, and dispersers. *QRF actions. *Searching techniques, including the use of electronic detection devices. *Nonlethal equipment and weapons.

*Searched - zipped - bagged
at least two guards at all times*

9. What is the minimum standard of treatment US Soldiers must provide detainees? What policies/procedures does your unit have to ensure the humane treatment of Detainees? What procedures does your unit have in place to ensure that Detainees are protected, safeguarded, and accounted for? (1.1, 1.2, 4.1) AR 190-8, paragraph 1-5 a-g, (All persons detained, captured, interned, or otherwise held in U S Armed Forces custody during the course of conflict will be given humanitarian care and treatment from the moment they fall into the hands of U S forces until final release and repatriation. All persons taken into custody by U S forces will be provided with the protection of the GPW until some other legal status is determined by competent authority.) AR 190-8, paragraph 2-1a(1), (The commanding officer of the capturing unit will ensure that all Detainees are protected, safeguarded, and accounted for IAW AR 190-8. This regulation applies from the time of capture until evacuation to designated internment facilities.)

protection - respect - Humane treatment

bagged with

10. How do you tag detainees for processing?) (CPA Forces Apprehension Form, two sworn statements, EPW tag) What procedures do you go through? How do you tag equipment? (are they tagged with DD Form 2745)? What about evidence? What procedures do you use to process equipment/evidence? What about confiscated personal affects? Where do you store Detainees' confiscated personal affects (if any(1.1, 1.2, 1.8)) (AR 190-8, para 2-1, a. (1) (b) (c), All equipment, documents, and personal property confiscation during the search must be tagged and administratively accounted for by the capturing unit. DD Form 2745, Part C is attached to the property confiscated from the Detainee, so that it may later be matched to that Detainee.)) (AR 190-8, para 2-1, a. (1) (b) (c), All equipment, documents, and personal property confiscation during the search must be tagged and administratively accounted for by the capturing unit. DD Form 2745, Part C is attached to the property confiscated from the Detainee, so that it may later be matched to that Detainee.) AR 190-8, paragraph 1-4g(3), (Commanders will collect and dispose of captured enemy supplies and equipment through theater logistics and EOD channels.) FM 3-19.40 para 3-14. Property Accountability. When seizing property from a captive—* Bundle it or place it in a bag to keep it intact and separate from other captives' possessions. *Prepare DA Form 4137 for confiscated and impounded property. * Prepare a receipt for currency and negotiable instruments to be signed by the captive and the receiver. Use cash collection vouchers so that the value can be credited to each

captive's account. List currency and negotiable instruments on the captive's personal-property list, but treat them as impounded property. * Keep the original receipt with the property during evacuation. Give the captive a copy of the receipt, and tell him to keep it to expedite the return of his property. *Have MI sign for property on DA Form 4137 and for captives on DD Form 2708. *Return confiscated property to supply after it is cleared by MI teams. Items kept by MI because of intelligence value are forwarded through MI channels. * Evacuate retained items with the captive when he moves to the next level of internment. * Maintain controlled access to confiscated and impounded property.

once they arrive at facility
after mission all paperwork done

11. What is your ratio of guards to detainees? Is this ratio the proper mix for you to perform your mission? If not, what are the shortfalls? Why are their shortfalls? How do these shortfalls impact your mission? (1.1, 1.2, 1.3, 2.1, 3.1, 4.1r FM 3-19.40, paragraphs 3-38 thru 3-39. METT-TC. Forward CPs are needed when a brigade conducts an offensive operation and is likely to take captives. When a maneuver brigade has an MP platoon in direct support (DS), MP teams set up and operate forward CPs. A brigade without an MP platoon in DS sets up and operates its own forward CPs The number of MP teams needed to operate a forward CP is based on the number of captives expected and METT-TC. The projected number of captives is based on mission analysis and intelligence estimates conducted by the brigade Intelligence Officer (US Army) (S2). Division forward CPs are mobile; they can be set up, expanded

guards always - sometimes when needed (b)(2)-3

12. What is the number of personnel needed to maintain security for the detainees until they are processed to a higher collection point? (1.1, 1.7) METT-TC at unit level. AR 190-47, para 11-3(4)(a), Guard requirements for prisoners being transported outside an ACS facility, by means of foot, motor vehicle, or aircraft (other than AIREVAC or U.S. Marshals Service aircraft) are as follows:

(a) Trained correctional, military police or security personnel: Under maximum custody circumstances, there will be one guard per restrained prisoner and two unarmed guards or one armed guard per unrestrained prisoner. Under medium custody circumstances, there will be one guard per five prisoners. In minimum custody circumstances there will be one guard per ten prisoners. Trustee guards will be determined by the ACS facility commander. (b) Non-correctional personnel: It is required that at least one guard be a SGT or above who is equal or senior to prisoners in a pretrial status. Under maximum custody circumstances, prisoners will have two guards per prisoner. In medium custody

same as above

13. What is the number of personnel needed to move prisoners within the holding area (i.e. from one point to another, for medical, evacuation, etc.)? (1.1, 1.7) METT-TC at holding area. At facilities, AR 190-47, para 11-3(4)(a), Guard requirements for prisoners being transported outside an ACS facility, by means of foot, motor vehicle, or aircraft (other than AIREVAC or U.S. Marshals Service aircraft) are as follows: (a) Trained correctional, military police or security personnel: Under maximum custody circumstances, there will be one guard per restrained prisoner and two unarmed guards or one armed guard per unrestrained prisoner. Under medium custody circumstances, there will be one guard per five prisoners. In minimum custody circumstances there will be one guard per ten prisoners. Trustee guards will be determined by the ACS facility commander. (b) Non-correctional personnel: It is required that at least one guard be a SGT or above who is equal or senior to prisoners in a pretrial status. Under maximum custody circumstances, prisoners will have two guards per prisoner. In medium custody circumstances, prisoners will have one guard per two prisoners, and in minimum custody circumstances there will be one guard per five prisoners.

14. How long do you keep detainees at the unit collection point? In relation to the Collection Point, how far away are your ammunition and fuel storage sites? Where is your Tactical Operation Center (TOC)? Where is your screening site where MI Soldiers interrogate Detainees? (1.1, 1.2, 1.8) FM 3-19.40, paragraph 3-45 Captives should not remain at the forward CP more than 12 hours before being escorted to the central CP. FM 3-19.40 para 3-54 Captives should not remain at the central CP more than 24 hours before being evacuated to the CHA.

15. Do you maintain a separate site for sick or wounded Detainees? If so where is it and how does your unit maintain the security and safeguarding of Detainees there? How about female Detainees? How and where do you house them? (1.1, 1.2, 1.8, 2.1, 3.1) AR 190-8 para 3-4.b ...females will be separated from males.

16. What are the procedures for transporting and evacuating detainees? What procedures are in place to account for or dispose of captured enemy supplies and equipment? (1.1, 1.2, 1.5, 4.1) AR 190-8, paragraph 1-4g(3), (Commanders will collect and dispose of captured enemy supplies and equipment through theater logistics and EOD channels.) AR 190-8, paragraph 1-4g(5), (Commanders will establish guidance for the use, transport, and evacuation of detainees in logistical support channels.) AR 190-47, paragraph 11-3(4)(a), Guard requirements for prisoners being transported outside an ACS facility, by means of foot, motor vehicle,

or aircraft (other than AIREVAC or U.S. Marshals Service aircraft) are as follows: (a) Trained correctional, military police or security personnel: Under maximum custody circumstances, there will be one guard per restrained prisoner and two unarmed guards or one armed guard per unrestrained prisoner. Under medium custody circumstances, there will be one guard per five prisoners. In minimum custody circumstances there will be one guard per ten prisoners. Trustee guards will be determined by the ACS facility commander. (b) Non-correctional personnel: It is required that at least one guard be a SGT or above who is equal or senior to prisoners in a pretrial status. Under maximum custody circumstances, prisoners will have two guards per prisoner. In medium custody

(S)(2)-3 [redacted] guards 4 guard per prisoner take evidence with
[redacted] - interpreter / LT sign over to IPS

17. What transportation problems is the unit experiencing either to move troops or detainees during the operation? (1.5) AR 190-8, paragraph 1-4g(5) Evacuation and care of EPW and RP Those units designated to hold and evacuate EPW and RP will: a. Collect prisoners from capturing units, and evacuate them from the combat zone as soon as possible. b. Ensure sick and wounded EPW and RP in their custody are classified, by qualified medical personnel, as either walking wounded or litter, or as non-walking wounded. Walking wounded or litter EPW will be evacuated through established evacuation channel. Non-walking wounded or sick EPW will be delivered to the nearest medical aid station and evacuated through medical channels All detained personnel will remain physically segregated from U. or civilian prisoners. Prisoners will not normally be interned in unhealthy areas, or where the climate proves to be injurious to them, and will be removed as soon as possible to a more favorable climate

No issues

18. What is the most important factor that you would address in terms of personnel resources in regards to a successful detainee operation? (1.7) No standard..a perception.

19. What equipment is the unit experiencing as a shortfall concerning detainee operations, (i.e., restraints, uniforms, CIF items, weapons, etc.)? (1.5)
[redacted] b2-3
[redacted]
weapons system wrong for job [redacted]

20. How do the Detainees receive fresh water (Bottled water or Lister bag)? (1.1, 1.2, 1.8) AR 190-8, paragraph 3-4 f(3) Sufficient drinking water will be supplied to EPW/RP.

_____ *bottle* _____

21. What types of supplies is greater in-demand for the unit during detainee operations? And are these items regularly filled? (1.5)

_____ *MLA / medic check all people* _____

_____ *Chain of Command* _____

22. What procedures are in place when a detainee in U S custody dies? (1.1, 1.2, 4.1) AR 190-8, paragraph 3-3a (20): Report allegations of criminal acts or war crimes committed by or against EPW/RP to the supporting element of the U.S. Army Criminal Investigation Command (USACIDC). Deaths resulting from other than natural causes will be investigated by USACIDC. Para 3-10 c: When an EPW or RP in US custody dies, the attending medical officer furnish the camp (or hospital) commander or other officer charged with their custody before death, the following information: (1) Full name of deceased. (2) ISN of deceased. (3) Date, place, and cause of death. (4) Statement that death was, or was not, the result of the deceased's own misconduct. (5) When the cause of death is undetermined, the attending medical officer will make a statement to that effect. When the cause of death is finally determined, a supplemental report will be made as soon as possible. e. The attending medical officer and the appropriate camp commander will complete a DA Form 2669-R (Certificate of Death). DA Form 2669-R will be reproduced locally on 8 1/2 by 11-inch paper. The form is located at the back of this regulation. This form is for the use of Army only. Enough copies of form will be made out to provide distribution as follows: (1) Original-information center. (2) Copy-information center (branch), if necessary. (3) Copy-The Surgeon General. (4) Copy-EPW or RP personal file. (5) The proper civil authorities responsible for recording deaths in the particular state if the EPW dies in the United States.

_____ *Chain Command* _____

23. Do you know of the procedures to get stress counseling (**Psychiatrist, Chaplain, Medical**)? Do your Soldiers know of the procedures to get counseling (**Psychiatrist, Chaplain, Medical**)? (1.1, 1.2, 1.6, 2.1, 4.1) FM 3-19.40, paragraph 2-48: Personnel assigned or attached to I/R facilities are trained on the care and control of housed personnel. They are fully cognizant of the provisions of the Geneva and UN Conventions and applicable regulations as they apply to the treatment of housed personnel. A formal training program should include stress management techniques. FM 8-51, Appendix D, D-2 f (3): Combat stress control units should provide routine mental health consultation to EPW confinement facilities. This should include: stress control advice to the command regarding the stressors of US Army MP personnel and any allied or coalition personnel working at the confinement facility; individual evaluation and intervention for guards or prisoners when indicated. AR 190-8, Paragraph 1-5, (4) The inhumane treatment of EPW, CI, RP is prohibited and is not justified by the stress of combat or with deep provocation. Inhumane treatment

is a serious and punishable violation under international law and the Uniform Code of Military Justice (UCMJ).

Every week Combat Stress Mgt

24. Are you aware of your requirement to report abuse or suspected abuse of detainees? (1.1, 1.2, 4.1) AR 190-40 para 2-1, Military and civilian personnel assigned to or accompanying a DoD Component know that they shall report reportable incidents through their chain of command and that such reports also may also be made through other channels, such as the military police, a judge advocate, or an Inspector General.) AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: b. War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident.

yes

25. Do your subordinates know the reporting procedures if they observe or become aware of a Detainee being abused? (1.1, 1.2, 4.1) AR 190-40 para 2-1, Military and civilian personnel assigned to or accompanying a DoD Component know that they shall report reportable incidents through their chain of command and that such reports also may also be made through other channels, such as the military police, a judge advocate, or an Inspector General. AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: b. War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-40, Appendix C Category 2, Reportable Serious Incidents, C-1. Actual or alleged incidents involving the following: g. Incidents involving prisoners or detainees of Army confinement or correctional facilities to include escape from confinement or custody, disturbances which require the use of force, wounding or serious injury to a prisoner, and all prisoner deaths. C-2. Any other incident that the commander determines to be of concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-8, 5-1. General protection policy—civilian internee, a. Treatment. (1) No form of physical torture or moral coercion will be exercised against the CI. This provision does not constitute a prohibition against the use of minimum force necessary to effect compliance with measures authorized or directed by these regulations. (2) In all circumstances, the CI will be treated with respect for their person, their honor, their family rights, their religious convictions and practices, and their manners and customs. At all times the CI will be humanely treated and protected against all acts of violence or threats and insults and public curiosity. In all official cases they will be entitled to a fair and regular trial as prescribed by this regulation. (3) The CI will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attack such as rape, forced prostitution, or any form of indecent assault. (4) The CI will be treated with the same consideration and without adverse distinction based on race, religion, political opinion, sex, or age. AR 190-8, para 6-9, e. Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.)

411 the way up to Bde

26. What steps would you take if a subordinate reported to you an incident of alleged Detainee abuse? (1.2, 4.1) (AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: *b.* War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-40, Appendix C, Category 2, Reportable Serious Incidents, C-1. Actual or alleged incidents involving the following: *g.* Incidents involving prisoners or detainees of Army confinement or correctional facilities to include escape from confinement or custody, disturbances which require the use of force, wounding or serious injury to a prisoner, and all prisoner deaths. C-2. Any other incident that the commander determines to be of concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-8, 5-1. General protection policy—civilian internee, a. Treatment. (1) No form of physical torture or moral coercion will be exercised against the CI. This provision does not constitute a prohibition against the use of minimum force necessary to effect compliance with measures authorized or directed by these regulations. (2) In all circumstances, the CI will be treated with respect for their person, their honor, their family rights, their religious convictions and practices, and their manners and customs. At all times the CI will be humanely treated and protected against all acts of violence or threats and insults and public curiosity. In all official cases they will be entitled to a fair and regular trial as prescribed by this regulation. (3) The CI will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attack such as rape, forced prostitution, or any form of indecent assault. (4) The CI will be treated with the same consideration and without adverse distinction based on race, religion, political opinion, sex, or age. AR 190-8, para 6-9, e. Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.)

Reported to chain

27. Do you feel you can freely report an incident of alleged Detainee abuse outside Command channels (IG, CID) (1.1, 1.2, 1.6, 4.1) (AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: *b.* War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-40, Appendix C, Category 2, Reportable Serious Incidents, C-1. Actual or alleged incidents involving the following: *g.* Incidents involving prisoners or detainees of Army confinement or correctional facilities to include escape from confinement or custody, disturbances which require the use of force, wounding or serious injury to a prisoner, and all prisoner deaths. C-2. Any other incident that the commander determines to be of concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-8, 5-1. General protection policy—civilian internee, a. Treatment. (1) No form of physical torture or moral coercion will

be exercised against the CI. This provision does not constitute a prohibition against the use of minimum force necessary to effect compliance with measures authorized or directed by these regulations. (2) In all circumstances, the CI will be treated with respect for their person, their honor, their family rights, their religious convictions and practices, and their manners and customs. At all times the CI will be humanely treated and protected against all acts of violence or threats and insults and public curiosity. In all official cases they will be entitled to a fair and regular trial as prescribed by this regulation. (3) The CI will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attack such as rape, forced prostitution, or any form of indecent assault. (4) The CI will be treated with the same consideration and without adverse distinction based on race, religion, political opinion, sex, or age. AR 190-8, para 6-9, e. Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.)

yes

28. What procedures do you have to report suspected detainee abuse (IG, CID, Next Level Commander) (1.1, 1.2, 1.6, 4.1) (AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: b. War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-40, Appendix C, Category 2, Reportable Serious Incidents, C-1. Actual or alleged incidents involving the following: g. Incidents involving prisoners or detainees of Army confinement or correctional facilities to include escape from confinement or custody, disturbances which require the use of force, wounding or serious injury to a prisoner, and all prisoner deaths. C-2. Any other incident that the commander determines to be of concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-8, 5-1. General protection policy—civilian internee, a. Treatment. (1) No form of physical torture or moral coercion will be exercised against the CI. This provision does not constitute a prohibition against the use of minimum force necessary to effect compliance with measures authorized or directed by these regulations. (2) In all circumstances, the CI will be treated with respect for their person, their honor, their family rights, their religious convictions and practices, and their manners and customs. At all times the CI will be humanely treated and protected against all acts of violence or threats and insults and public curiosity. In all official cases they will be entitled to a fair and regular trial as prescribed by this regulation. (3) The CI will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attack such as rape, forced prostitution, or any form of indecent assault. (4) The CI will be treated with the same consideration and without adverse distinction based on race, religion, political opinion, sex, or age. AR 190-8, para 6-9, e. Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.)

chain of command

29. What procedures are in place for detainees to report alleged abuse? (1.1, 1.2, 1.6, 4.1) AR 190-8, para 5-1, g. Appeals and periodic review of security internment cases. (1) Appeals. The CI who are interned for imperative security reasons will be accorded the right to appeal the order directing their internment. Such appeals will be decided with the least possible delay by a board of officers. Appeals will be decided only on the grounds of the existence or nonexistence of imperative security reasons requiring the internment of the protected person. 6-4. Internee Committee *a. Election.* At each camp and branch camp, CI will be elected by secret written ballot to the Internee Committee. This committee is empowered to represent the camp to the protecting powers, International Committee of the Red Cross, or other authorized relief or aid organizations and U.S. military authorities. *e. Duties. (3) (c)* The presentation and transmittal of petitions and complaints to the appropriate authorities in proportion to the kind of labor performed. 6-9. Complaints and requests to camp commanders and protecting power, *a.* Persons may make complaints or requests to the camp commander, who will try to resolve the complaints and answer the requests. If the CI are not satisfied with the way the commander handles a complaint or request, they may submit it in writing, through channels, to HQDA, ODCSOPS (DAMO - ODL) NPWIC, WASH DC 20310-0400. *b.* Persons exercising the right to complain to the protecting power about their treatment and camp may do so—(1) By mail. (2) In person to the visiting representatives of the protecting power. (3) Through their Internee Committee. *c.* Written complaints to the protecting power will be forwarded promptly through HQDA (DAMO - ODL) NPWIC, WASH DC 20310-0400. A separate letter with the comments of the camp commander will be included. Military endorsements will not be placed on any CI communications. *d.* If a protecting power communicates with a CI camp commander about any matter requiring an answer, the communication and commander's reply will be forwarded to HQDA (DAMO-ODL) NPWIC, WASH DC 20310-0400, for proper action. *e.* Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.

30. What do you perceive as the mission of your unit? Describe the importance of your role in that mission. (Insight to the Soldier's understanding and attitude concerning unit mission and their role) AR 600-20 Command Policy 2-1. Chain of Command *a.* The chain of command assists commanders at all levels to achieve their primary function of accomplishing the unit's assigned mission while caring for personnel and property in their charge. A simple and direct chain of command facilitates the transmittal of orders from the highest to the lowest levels in a minimum of time and with the least chance of misinterpretation. *b.* Commanders delegate sufficient authority to soldiers in the chain of command to accomplish their assigned duties, and commanders may hold these soldiers responsible for their actions.

important safety of neighborhood
 community help schools +

31. Describe your working environment and living conditions since being in Theater. (Identify physical and psychological impact on Soldier's attitude). (1.2, 1.3, 1.4, 1.5, 1.6, 1.7) FM

10-1, Ch. 7, para. 3, "Tactical Vision. A primary QMC focus at the tactical level will continue to be on sustainment of the soldier. Each company-sized unit will have two cooks and a small, state-of-the-art field kitchen. This provides a limited capability to prepare or heat meals and supplements. An improved containerized capability for providing responsive laundry and shower support well forward on the battlefield must be developed. Frontline soldiers require brief respites from the rigors associated with combat. A facility complex (Force Provider) will be available in which they can shower, clean their clothes, eat hot meals, and rest in an environmentally controlled shelter. _____

Shower need fix

Morale on good

32. Describe the unit command climate and Soldier morale. Has it changed or evolved since you have been in Theater? (Identifies Soldier's perception of the chain of command and Soldier attitude. Does the Soldier feel supported? Do Soldiers feel the Command cares? Are they getting clear guidance?) 1 AR 600-20 • 13 May 2002 1-5.

Command, b. Elements of command. c. The commander is responsible for establishing leadership climate of the unit and developing disciplined and cohesive units. This sets the parameters within which command will be exercised and, therefore, sets the tone for social and duty relationships within the command. (1) Commanders and other leaders committed to the professional Army ethic promote a positive environment. If leaders show loyalty to their soldiers, the Army, and the Nation, they earn the loyalty of their soldiers. If leaders consider their soldiers' needs and care for their well-being, and if they demonstrate genuine concern, these leaders build a positive command climate. (2) Duty is obedient and disciplined performance. Soldiers with a sense of duty accomplish tasks given them, seize opportunities for self-improvement, and accept responsibility from their superiors. Soldiers, leader and led alike, work together to accomplish the mission rather than feed their self-interest. . .

great trust command
good morale

33. Please provide by show of hands if you aware of any incidences of detainee or other abuse in your unit? (Those that raise their hands, need to be noted and interviewed individually afterwards using the ABUSE QUESTIONNAIRE) AR 190-8, 1-5. General protection policy a. U.S. policy, relative to the treatment of EPW, CI and RP in the custody of the U.S. Armed Forces, is as follows: (1) All persons captured, detained, interned, or otherwise held in U.S. Armed Forces custody during the course of conflict will be given humanitarian care and treatment from the moment they fall into the hands of U.S. forces until final release or repatriation. (2) All persons taken into custody by U.S. forces will be provided with the protections of the GPW until some other legal status is determined by competent authority. (3) The punishment of EPW, CI and RP known to have, or suspected of having, committed serious offenses will be administered IAW due process of law and under legally constituted authority per the GPW, GC, the Uniform Code of Military Justice and the Manual for Courts Martial. (4) The inhumane treatment of EPW, CI, RP is prohibited and is not justified by the stress of combat or with deep provocation. Inhumane treatment is a serious and punishable violation under international law and the Uniform Code of Military Justice (UCMJ). b. All prisoners will receive humane treatment without regard to race, nationality, religion, political opinion, sex, or other criteria. The following acts are prohibited: murder, torture, corporal punishment, mutilation, the taking of hostages, sensory deprivation, collective punishments, execution without trial

by proper authority, and all cruel and degrading treatment. c. All persons will be respected as human beings. They will be protected against all acts of violence to include rape, forced prostitution, assault and theft, insults, public curiosity, bodily injury, and reprisals of any kind. They will not be subjected to medical or scientific experiments. This list is not exclusive. EPW/RP are to be protected from all threats or acts of violence. d. Photographing, filming, and video taping of individual EPW, CI and RP for other than internal Internment Facility administration or intelligence/counterintelligence purposes is strictly prohibited. No group, wide area or aerial photographs of EPW, CI and RP or facilities will be taken unless approved by the senior Military Police officer in the Internment Facility commander's chain of command. e. A neutral state or an international humanitarian organization, such as the ICRC, may be designated by the U.S. Government as a Protecting Power (PP) to monitor whether protected persons are receiving humane treatment as required by the Geneva Conventions. The text of the Geneva Convention, its annexes, and any special agreements, will be posted in each camp in the language of the EPW, CI and RP.

where are orders/guidance on running ¹⁵⁰⁰ facilities

~~COL~~ COL [redacted] (S)(6)-2

CDR/OIC & SGM/NCOIC
INTERMENT FACILITY
INTERVIEW QUESTIONS

b6-2

Rank CPT Branch IN Date 26 Mar 04 Unit MP Co 3-11 Res out of Minnesota
Duty Position [redacted] Plt Ldr How Long in Job 18 Mar 04
Interviewer COL [redacted] At Ramadi
(b)(6)-2

1. Can you tell me what basic publications you use for Detainee Operations (doctrine and standards)? Describe the basic principles of detainee operations and how you are applying them? (1.1, 4.1)

Get info from MAR DIV Detention facilities SOP

~~Pub~~ ~~SOP~~ Joint Pub

2. What standards were used in establishing this facility? (1.1, 1.2, 1.8, 4.1)

MAR DIV SOP

3. What procedures do you have in place to ensure Soldiers and leaders understand the use of force and rules of engagement for the interment facility? (1.1, 1.2, 1.4, 1.6, 4.1)

Detention facility instructions

Drafting SOP

4. How did you prepare yourself and your junior leaders to become familiar with and understand the applicable regulations, OPORD/FRAGOs, directives, international laws and administrative procedures to operate an I/R facility? (1.1, 1.2, 1.4, 1.6, 4.1)

Detention facility instructions

DD met

5. How did Home Station/Mob Site Training prepare you to conduct Detainee Operations at this facility? What training have you and your Soldiers received to ensure your knowledge of DO is IAW the Geneva Convention and DoD/Army policy? (Did this include Law of War and treatment of Detainees training?) (1.1, 1.2, 1.3, 1.4, 4.1)

None because IRR

enlisted marine security gd MP for 9 years [redacted] civilian job
(b)(6)-2

6. Describe the training the guard force received to prepare them for their duties. (1.1, 1.2, 1.4, 4.1)

?

7. How does your unit conduct sustainment training for Detainee Operations or training for newly assigned personnel? When did your unit last conduct this training? (1.1, 1.2, 1.4, 4.1)

Admt

Trng once a week or 2 weeks on all related topics

8. Describe some of the basic operations of the camp relating to detainee segregation, captured medical/religious personnel, feeding, sanitation, etc? Where do you maintain copies of the Geneva Convention around the facility? (Is it posted in the detainee's home language within the facilities)? Are camps segregating Detainees by nationality, language, rank, and sex? How are captured Medical personnel and Chaplains being used in the camps? What provisions are in place for the receipt and distribution of Detainee correspondence/mail? Are the daily food rations sufficient in quantity or quality and variety to keep detainees in good health? Are personal hygiene items and needed clothing being supplied to the Detainees? Are the conditions within the camp sanitary enough to ensure a clean and healthy environment free from disease and epidemics? Is there an infirmary located within the camp? (1.1, 1.2, 4.1)

2 MREs one hot meal from DPAC

corpeman attached to Co
sprayed for sand fleas + fly traps

9. How are you organized to handle the different categories of personnel (EPW, CI, OD, females, JVs, and refuges)? How about female Detainees? How and where do you house them? Do you maintain a separate site for sick or wounded Detainees? If so where is it and how does your unit maintain the security and safeguarding of Detainees there? (1.1, 1.2, 1.8, 2.1, 3.1)

each in a cell

10. Describe the procedures you use when you inprocess a detainee. (CPA Forces Apprehension Form, two sworn statements, EPW tag, where do you store Detainees' confiscated personal affects (if any) and how are they accounted for (are they tagged with DD Form 2745)? How is evidence tagged? What procedures are in place to dispose of captured enemy supplies and equipment?) How is the transfer of Detainees handled between different services and Other Governmental Organizations? (1.1, 1.2, 1.8, 4.1)

use CPA Apprehension form 2 statements evidence tag on 4137

11. Where do you store Detainees' confiscated personal affects (if any) and how are they accounted for? (Are they tagged with DD Form 2745)? (1.2, 1.8)

stored under lock & key all gds have access

12. What are the procedures for the interrogation/questioning of Detainees? (1.1, 1.2, 4.1)

medic cks + pic taken interrogator + detainee medics marine gd outside door when done medic cks another pic taken before return to cell

13. What are the procedures for the transfer of custody of Detainees from the MP/Guard personnel to Military Intelligence personnel? When the detainee is returned to the guard force, what procedures occur? (what info is passed on to the Guard Force (type of reward?)...Observation report, paper trail audit) (1.1, 1.2, 1.7, 4.1)

always transfer custody on b29 have medic cks + take pic keep on file

14. What control measures do you use to maintain discipline and security in the facility? (1.1, 1.2, 1.4, 1.5, 1.6, 1.7, 1.8, 2.1, 3.1, 4.1)

punishment has not been necessary

Have not really considered needs of w his Cdr

if unruly maybe not

15. What MP units (guards, escort, detachments) do you have at your disposal to operate and maintain this internment facility? Do you have any shortages? How do these shortages impact your mission? What non-MP units are you using to help operate this facility? Do you have any shortages? How do these shortages impact your mission? (1.1, 1.2, 1.3, 1.7, 2.1, 3.1)

Pvt of marine MP

16. What kind of security lighting do you have that ensures you have a safe and secure operation at night? How do you provide heat to detainees during the winter? What fire prevention/safety measures do you have? (1.8)

enough on interior

just added interior lights

17. Are you employing detainees for work? What are the General policy and procedures for the Employment and Compensation of Detainees? (1.1, 1.2, 4.1)

18. What type of Medical assets are present in support of medical treatment of detainees? (1.1, 1.2, 2.1, 4.1) (b)(6)-2

C med w Dr [redacted] who does daily chs 4 Corporals do all chs (trained by Dr)

What kind of stress counseling do you provide to Soldiers/Guards? (1.1, 1.2, 2.1, 4.1)

582 CST & Chaplain

only talk with them

encourage marines to take advantage

19. Are Detainees allowed to practice their religion? Is there a chaplain available to minister to the detainees? Is the chaplain a Retained Personnel, US Forces, or a civilian? (1.1, 1.2, 2.1, 4.1)

yes

20. Describe the latrine facilities for Detainees' use (do they have access to it day and night and does it conform to the rules of hygiene and do females have separate facilities). How are they cleaned and how often and by whom? Where do they bathe and conduct other personal hygiene (this will depend how long it takes to evacuate Detainees to U.S. Military Controlled Detention Facilities--12 hours is the standard)? (1.1, 1.2, 1.8)

for 4 times a day chng every 30 min can request

21. Describe how the unit plans and procures logistical support to include: transportation, subsistence, organizational, and NBC clothing and equipment items, mail collection and distribution, laundry, and bath equipment ISO DO. What logistical support do you receive to run this Facility? What types of supplies is greater in-demand for the unit during detainee operations? What are your shortfalls (1.1, 1.2, 1.4, 1.5)

no problems, but doing a lot of improvements

non lethal ammo on hand but can't use

22. How do the Detainees receive fresh water (Bottled water or Lister bag)? (1.1, 1.2, 1.8)

Bottled

23. What personnel or equipment USR shortages are affecting your ability to perform detainee operations? (1.3, 1.5, 17, 2.1, 3.1)

no

24. What do you perceive to be doctrinal shortcomings pertaining to Detainee Operations and how would you fix/incorporate into updated doctrine/accomplish differently? How about Force Structure to ensure Detainee Operations can be successfully accomplished? What are the shortcomings and how do we fix the problem at the Army-level? (1.1, 1.3, 1.5, 1.7, 4.1)

25. What are the procedures if an EPW or RP in U.S. custody dies? (1.1, 1.2, 4.1)

call cdr put [redacted] on cell (b)(2) - 3

26. What AARs or lessons learned have you written or received regarding detainee operations? Can I get a copy? (preferably on disk) (2.1, 2.2)

improvements help in getting intel

27. Are you aware of your requirement to report abuse or suspected abuse of detainees? (1.1, 1.2, 4.1)

yes

28. Do your subordinates know the reporting procedures if they observe or become aware of a Detainee being abused? (1.2)

29. What steps would you take if a subordinate reported to you an incident of alleged Detainee abuse? (1.2, 4.1)

30. Do you feel you can freely report an incident of alleged Detainee abuse outside Command channels (IG, CID) (1.6, 4.1)

Yes

31. What procedures do you have to report suspected detainee abuse (IG, CID, Next Level Commander) (1.2, 1.6, 4.1)

32. What procedures are in place for Detainees to report alleged abuse? (1.2, 1.6, 4.1)

34. What do you perceive as the mission of your unit? Describe the importance of your role in that mission. (Insight to the Soldier's understanding and attitude concerning unit mission and their role)

house detainees in safe & secure manner doing documentation from processing to out processing

35. Describe your working environment and living conditions since being in Theater. (Identify physical and psychological impact on Soldier's attitude), (1.2, 1.3, 1.4, 1.5, 1.6, 1.7) plenty of water & bathrooms portajohns good chow
you sleep in w/ other officers bunk bed

low work environment

36. Describe the unit command climate and Soldier morale. Has it changed or evolved since you have been in Theater? (Identifies Soldier's perception of the chain of command and Soldier attitude. Does the Soldier feel supported? Do Soldiers feel the Command cares? Are they getting clear guidance?)

climate good

Morale good a lot here for OIF!

37. Are you aware of any incidences of detainee or other abuse in your unit

no

ADVISEMENT OF RIGHTS (For military personnel)

The text of Article 31 provides as follows a. No person subject to this chapter may compel any person to incriminate himself or to answer any questions the answer to which may tend to incriminate him. b. No person subject to this chapter may interrogate or request any statement from an accused or a person suspected of an offense without first informing him of the nature of the accusation and advising him that he does not have to make any statement regarding the offense of which he is accused or suspected, and that any statement made by him may be used as evidence against him in a trial by court-martial. c. No person subject to this chapter may compel any person to make a statement or produce evidence before any military tribunal if the statement or evidence is not material to the issue and may tend to degrade him. d. No statement obtained from any person in violation of this article, or through the use of coercion, unlawful influence, or unlawful inducement, may be received in evidence against him in a trial by court-martial. (1.2, 1.6)

I am _____ (grade, if any, and name), a member of the (DAIG). I am part of a team inspecting detainee operations, this is not a criminal investigation. I

am reading you your rights because of a statement you made causes me to suspect that you may have committed _____. (specify offense, i.e. aggravated assault, assault, murder). Under Article 31, you have the right to remain silent, that is, say nothing at all. Any statement you make, oral or written, may be used as evidence against you in a trial by courts-martial or in other judicial or administrative proceedings. You have the right to consult a lawyer and to have a lawyer present during this interview. You have the right to military legal counsel free of charge. In addition to military counsel, you are entitled to civilian counsel of your own choosing, at your own expense. You may request a lawyer at any time during this interview. If you decide to answer questions, you may stop the questioning at any time. Do you understand your rights? Do you want a lawyer? (If the answer is yes, cease all questions at this point). Are you willing to answer questions?

38. Describe what you understand happened leading up to and during the incident(s) of abuse. (No applicable standard) _____

39. Describe Soldier morale, feelings and emotional state prior to and after these incidents? (Identifies unit and Soldier morale, atmosphere, mood, attitude, stress, retaliation, preemption, family crisis) _____

40. Was this incident reported to the chain of command? How, when & what was done? What would you have done? (Identifies compliance, procedure, timeliness, Soldier perception of action taken and effect on unit morale.) (1.2, 1.6) _____

41. How could the incident have been prevented? (Identifies root cause and perceived solution) (No applicable standard) _____

42. Describe any unit training or other programs that you are aware of that teach leaders and Soldiers how to recognize and resolve combat stress.) _____

43. What measures are in place to boost morale or to relieve stress? (Identifies perceived solution. _____

44. What measures could the command enact to improve the morale and command climate of your unit? (Identifies perceived solution.) _____

BATES NUMBERING ERROR

**PAGES DAIG 2740-2753
(These numbers are not used)**