

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. 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. 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.

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) 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 4-14c.(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.)

Mob site instructors @ ABG + not prepared. No training, equip, compounds, etc. Trainers checked for IAW Geneva standards. Had no resources. Checked all classes limits. MOP/ABG weren't prepared to issue equip to reserve unit. ABG + A stud had no good hands. All reserve school group orders were cancelled when put on extra duty. Reserve unit then handled.

6. 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. *Nontlethal equipment and weapons.

Readers exercise, setting facility during 2nd try up not MRE.

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) 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

No backfill, 20 soldiers last

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) 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

Segregate personnel, families, officers, medical feeding; MREs did not get MRE after 7th day; Contracted food to each facility fed by day. Geneva Conv. posted throughout the facility in their language. Procedures for MRE & MRE, posted throughout. PA/Medical provided to all.

DAIG - 1138

1

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.

(b)(2)-3

*No interpreters for 2 most late operations. Red Cross get in the way of ops.
Sanitation: Ventches and toilet paper boxes bought in 3-4 weeks ago to get part of them.
Infirmary located in the facility.*

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) AR 190-8 para 3-4.i.(2) Every camp will have an infirmary. AR 190-8 para 3-4.b ...females will be separated from males. 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 refuges, and US military prisoner), the commander, the cadre, and support personnel must be aware of the requirements for each category.

Female & females separated to separate facility.

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) (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

disparate treatment of any kind because of their refusal to answer questions. Intelligence or counterintelligence personnel will normally perform Interrogations.

Mil. mostly Bde to Sec., 368 signed for fore signed for.

2-3 times only Mil. signed for

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) 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.

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) FM 3-19.40, paragraph 2-19, The MP commander establishes security measures that effectively control housed personnel with minimal use of force..... The physical construction of the facility and the presence of guard personnel create the most obvious means of providing internal and external security. Maintaining a high state of discipline, a system of routines, and required standards of behavior are all measures that enhance effective security and control. 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.) AR 190-8, para 6-10, Measures needed to maintain discipline and security will be set up in each camp and rigidly enforced. Offensive acts against discipline will be dealt with promptly.

*Security; covers parts
insider; cigarettes, meals reduced, solitary; Bn. Cdr. establish standard of discipline
Bn. Cdr. could enforce.
Bn. Cdr. now the jail*

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

b(2)-4

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) FM 3-19.40, Appendix D, Table d-1HHC MP Battalion (I/R) (EPW/CI/DC) Provide C2, administrative, and logistic support to operate an I/R facility. Is capable of internment and supporting 4,000 EPWs and CIs or 8,000 DCs. MP Company (guard) is capable of securing 500 US military prisoners, 2,000 EPWs, 2,000 CIs, or 4,000 DCs in an I/R facility, MP company (escort guard) provides supervision and security for evacuating and moving EPWs, CIs, DCs, US military prisoners, and other detained persons via vehicles, trains, planes, and road marches.

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)) AR 190-8, paragraph 3-4 e, EPW/RP will be quartered under conditions as favorable as those for the force of detaining power billeted in the same area. The conditions shall make allowance for the habits and customs of the prisoners and shall in no case be prejudicial to their health. The forgoing shall apply in particular to the dormitories of EPW/RP as it regards both total surface and minimum cubic space and the general installation of bedding and blankets. Quarters furnished to EPW/RP must be protected from dampness, must be adequately lit and heated (particularly between dusk and lights-out), and must have adequate precautions taken against the dangers of fire. FM 3-19.40 para 4-103 "...minimize escapes by examining the lighting system during darkness to detect poorly lighted areas along the perimeter (replace burned out or broken lightbulbs immediately" FM 3-19.40 para 2-37 The engineer officer is responsible for the maintenance of utilities (i.e. heat). 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 be established and administered IAW AR 385-10.

No lighting, although 3, 1 probe, 2 would.

Not generators for security, but enough for an I/R mission.

No space heating provided to Unit

No heat, blankets

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) (AR 190-8, paragraph 4-1 thru 4-22 (To the extent possible, EPW will be employed in work needed to construct, administer, manage, and maintain EPW camps. 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.)

No employment.

18. What type of Medical assets are present in support of medical treatment of detainees? (1.1, 1.2, 2.1, 4.1) AR 190-8 para 1-4g(6) (The commander should identify requirements for Army Medical units in support of the EPW, CI, and RP program and ensure that the medical annex of OPLANs, OPORDs, and CONPLANS include procedure for treatment of EPW, CI, RP, and ODs. a. Medical support specifically includes: First aid and all sanitary aspects of food service including provisions for potable water, pest management, and entomological support. b. Preventive Medicine: 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?

PL Surgeon/6 medics; Daily rec'd call.

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

*Chaplain
Sgt. MCB & MCB*

20. 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) 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. 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, para 6-17.a.(1) CIs will be encouraged to participate in religious practices.

Yes allowed to participate. No ^{service} chaplain for detainees. Provided by pop for services.

Yes ~~chaplain~~ retained religious to minister

21. 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) 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.

Source: MOC package show up

24 hr day access, poor facilities, cleaned by detainees, both hygiene conducted in cell

22. 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) (AR 190-8 para 1-4 g (2), Should include: transportation, subsistence, personal, organizational and NBC clothing and equipment items, mail collection and distribution, laundry and bath.) AR 190-8, paragraph 1-4g(2), (Commanders will plan and procure logistical support to include: transportation, subsistence, personal, organizational and NBC clothing and equipment items, mail collection and distribution, laundry, and bath for DO.)

Transportation was a issue. 10 HUMMERS, NBC gear & Laundry had, showers had, Logistical opt: Sportive gear, Class 9 didn't exist for 10 months.

(Protective uniforms, laundry items) (Personnel, MBE & Logistical are shortfalls) Low morale

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.

go

Daily & fuel had Iraqi water, Water Buffers, Plastic Bags 2000 gallons.

Registers of water during heat was had & not up to par. Nations of water impland.

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

(b)(2)-3

25. 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)

*New Criteria of Prisoner as Doctrine, Applicable force, Extra for handling
Prisoner and how take lessons learned/Best Practices AAR/
Jurisdiction of tragic criminals,
Red Cross involvement*

*Make M.P.'s equally equipped + not one dimensional. In all M.P. units with
same missions.*

26. What are the procedures if an EPW or RP 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.

*Diff. Notify Public of Civilian Personnel, Place of origin, kind of
the detainee, handle, body returned to origin, Burial/ID,
complete death certificate, C.I.D., 156 - investigated/ID*

27. 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)

Yes.

28. 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

29. Do your subordinates know the reporting procedures if they observe or become aware of a Detainee being abused? (1.2) (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: Reported in incident

30. 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-

*Release of duty, 15-6 conducted, Dr. Cr. Decision,
NCO sent to DAIG - 1146*

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.)

31. 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

32. 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.)

33. 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

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. .

37. 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.

NA

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) (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.) _____

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. 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.)

43. 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.

44. 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."

Reserve Unit is painful, Brooke personnel kept on duty