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/		. .	•			
	RECORD	OF PROCEEDI	NGS UN	DER ARTICLE 1	5, UCMJ	
	For use	of this form, see AR	27-10; the	proponent agency is T	JAG.	
NAME	- R() I	See Notes on Reve GRADE SSN				· · · · · · · · · · · · · · · · · · ·
	RG-4		86-4	UNIT:	00 . 102 . 1	Y (Basic & Sea/Foreign)
I merel oupto	g whether you should be punished a mber 2003, violate a lawful g aulting local national detained	cucial order. to wir	Praco XXV	ng misconduct: In that you		aghdad, Iraq, on or altreatment], by
convinced beyond behalf. You may p extenuation and mu If you do not want do you have the rig DATE /FOCTO TIME 1300 MCS	uired to make any statements, but if ceeding. First I want you to underst a reasonable doubt that you commit resent witnesses or other evidence t <i>itigation</i>). I will consider everything me to dispose of this report of misco ht to consult with legal counset loca NAME, GRADE, AND ORGA	ted the offense(s). You m o show why you shouldn't y you present before decidi onduct under Article 15, yu ted at <u>Trial Defense Ser</u> NIZATION OF COMMA th counsel, my decisions as	ay ordinarily I be punished a ng whether I v bu have the rig vice, BIAP , 1 NDER	her or not you will be punisl have an open hearing before at all (<i>matters of defense</i>) or will impose punishment or th ght to demand trial by court <u>IEL #551-9115.</u> You now	hed. I will not impose a me. You may request why punishment shoul ne type and amount of p -martial instead. \underline{y} In d baye 48 bours to decide	any punishment unless I am a person to speak on your d be very light <i>(matters of</i> punishment I will impose. <u>2</u> /
a. [] der	nand trial by court-martial.	<u> </u>	-2	•		
(1) I request the her	aring be Open	-4 1676-4 Closed. (2) A per	-	<u></u>		b 74 - H requested.
	ense, mitigation, and/or extenuation		resented	ill be presented	in person	Are attached.
29 Oct \$3	NAME AND GRADE OF SER	VICE MEMBER	4/676-4			B6-41
4. In a(n)	Open Closed hear			7		
punishment is impos	Reduction to			nitigation, and/or extenuation for feiture	- E# 721 00	red, the following
per m	onths for 2 months,	suspended, to	be auto	matically remit	tod if	·
not v	acated before 25 Ap	ril 2004; and (extra du	ity for 45 days.		
5. I direct the origin	al DA 2627 be filed in the			estricted Fiche of the OMP	E 7/ NA	
6. You are advised of effective immediatel	of your right to appeal to the y unless otherwise stated above.	within 5 calendar	days. An ap	peal made after that time ma	y be rejected as untime	ly. Punishment is
DATE	NAME, GRADE, AND ORGAN	86 - 2 NIZATION OF COMMAN	DER			
29 OCT 03 7. (Initial appropriate	riate block, date, and sign)		· ·			-B6-2
1	6-4 6767	BG	-2		AT	
DATE	NAME AND GRADE OF SERV	appeal and do not submit a /ICE MEMBER		ters <u>8/9/</u> c.	I appeal and submit all	litional matters 8/9/
240243	ed the appeal and it is my opinion t	B6-L				66-4
o. I have consider	eu die appear and it is my opinion ti	hat: 67C-	L-		/	676-4
	······					
DATE	NAME AND GRADE OF JUDG	BE ADVOCATE	· .	SIGNATURE		· · · · · · · · · · · · · · · · · · ·
9. After considerat	tion of all matters presented in appe	al, the appeal is:		· · · · · · · · · · · · · · · · · · ·		
Denied	Granted as follows	S; 10/				
	· · · ·			, · · ·		
DATE	NAME, GRADE, AND ORGAN	ZATION OF COMMAN	DER	SIGNATURE		
10. I have seen the a	ction taken on my appeal.	DATE	SIGNATU	RE OF SERVICE MEMBER	2	
11. ALLIED DOCUM DA Form 4856, FP Fo	MENTS AND/OR COMMENTS 11 frm 754, and ERB.	<u>/ 12/ 13/</u>	I ⁱ , _e .	· · · · · · · · · · · · · · · · · · ·	F	EBD: B6-C4
DA FORM 2627		EDITION OF NOV	82 IS OBSOL	ETE	·· ·· ·· _	
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		DEVELOPMENTAL	COUNS		
	For use	of this form, see FM 22-10	00; the prop	oonent agency is TRADOC	
	· · · · · · · · · · · · · · · · · · ·	DATA REQUIRED BY T	HE PRIVA	CY ACT OF 1974	
AUTHORITY:		•	•	etary of the Army and E.O. 93	97 (SSN)
PRINCIPAL PURPOSE:			-	ta pertaining to subordinates.	
ROUTINE USES: DISCLOSURE:	For subordinate leader Disclosure is voluntary	•	-100. Lead	ers should use this form as ne	cessary.
	Discussive is voldridary	PART I - ADMIN	NISTRATIV	E DATA	01676-4
Name (Last, First_MI)	Planning Plan	Rank/Grade		Social Security No.	Date of Counseling
	100	N. L			3 OCT 03
Organization		B2-2 183-1		lame and Title of Counselor	B6-2
-		PART II - BACKGR	ROUND INF	ORMATION	
			g., performa	nce/professional growth or ev	rent-oriented counseling, and includes
the leader's facts and obs	ervations prior to the co	unseling.)			
Event-Oriented Couns	eling: Abuse/Mistre	atment of Prisoners			· · ·
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B6-	- 4 Complete	PART III - SUMMA		UNSELING subsequent to counseling	
Key Roints of Discussio	· · ·		82-7	7 B?-1	
assault the four prison the three of you depart Upon questioning you These actions are una	ers held inside. Toy ted the area. Eagle t that evening, you a cceptable and reflect ishable by General (ver 6 heard this activit roop called me, and the other soldiers 1 an extreme lack of jue Court Martial and poss	ty, and ap involved a dgement of sible incar	proached the holding are a the Squadron net and in dmitted to the above action B = 2 on your part. Mistreatment (ceration, Prisoners of work)	sible for guarding the prisoners the holding cell and physically a to investigate, at which time nformed me of the situation. ons. ant or abuse of prisoners is a ar in our theater are entitled to
For your behavior I an	n recommending act	ion under Article 15 o	of the Uni	form Code of Military Ju	stice.
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an administrative mea eliminating you from provisions of Chapter issuance of either an H receive a General or a prejudice in obtaining released from active d and any money alread	sure to stress that co the U.S. Army for (I (5) (8) (11) (13) (14 Ionorable Discharge n OTH Discharge, th civilian employmen uty with a less than y contributed for edu 24 month enlistment	ntinued behavior of it Insatisfactory Perform), AR 635-200., or G General Discharge, (his could result in the t. In addition, if you b Honorable Discharge, icational purposes is r	he same o nance) (M eneral Co Other Tha possible 1 have contr you will nonrefund	r similar nature may resu isconduct or Minor Disci urt Martial Proceedings. an Honorable (OTH) Disc oss of some or all Vetera ibuted money to the Mon not be eligible to receive able and may be forfeited	ons of article 15, UCMJ, but as ilt in initiation of action plinary Infractions) under the Such action may result in the charge, or incarceration. If you ns Benefits and substantial atgomery G.I. Bill and you are money for educational purposes I. This is also true if you fail to ove or initiation of elimination
	··	OTHER IN	ISTRUCTIO	ONS	
This form will be destroy	ed upon: reassignment and notification	(other than rehabilitative of loss of benefits/consec	<i>transfers)</i> , s quences se	separation at ETS, or upon rel e local directives and AR 635-	tirement. For separation requirements 200.
DA FORM 4856, JU	IN 1999	EDITION OF JUN	N 85 IS OB	SOLETE	USAPA V1.0
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ACLU-RDI 977	p. <u>z</u>				0001

Plan of Action: (Outlines action enough to modify or maintain the o Recommend punishment	ns that the sul iate will do afte e subordinate's behavior and inclu under Article 15 of the Unit	er the counseling session t ude a specified time line for form Code of Military	implementation and ac	n goal(s). The actions must be spec sessment (Part IV below).)
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ession Closing: (The leaders	ummarizes the key points of the	session and checks if the	subordinate understand	s the plan of action. The subordinal
ground gr	emarks if appropriate.)			S the plan of action. The Subordinal
dividual counseled:	ee disagree with the infor	mation above.		
dividual counseled remarks:	B6-4 107C-4		•	
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ignature of Individual Counseled	: .		΄ τ	Date: 3 Oct 2002
order Deen en elk itit	1		· · · · · · · · · · · · · · · · · · ·	
Ensure	er's résponsibilities in implementi alts with legal counsel regar	ng the plan of action.) ding Article 15 procee	dings	
J.€	1016-4	2. T	•	
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gnature of Counselor:			_	
			C	late:
	PART IV - ASSE	SSMENT OF THE PLAN	OF ACTION	
sessment: (Did the plan of ac	tion achieve the desired results?	This section is completed	by both the leader and	the individual counseled and provide
eful information for follow-up co u	unseling.)		-	and provide
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unselor:	Individual Counseled:		Date of Assess	sment:
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Note: Both the co	unselor and the individe	al counseled show	ld retain a moore	of the element
			in initialità lecolo	i vi ule counseling.
VERSE, DA FORM 4856, JUN	1999			(ISAPA V1

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DMAIN, 1ST ARMORED DIVISION BIAP, IRAQ 210044DJULY03

(U) FRAGO 383A [GENERAL ORDER - CIVILIAN OR DETAINEE MALTREATMENT] TO OPORD 03-215 (IRON STABILITY)

(U) THIS FRAGO WAS REVIEWED AND APPROVED FOR RELEASE BY LTC (-3)SUBJ: GENERAL ORDER - CIVILIAN OR DETAINEE MALTREATMENT

(U) REFERENCES:

- A. UNIFORM CODE OF MILITARY JUSTICE
- B. 1AD REGULATION 27-10 IMPLEMENTING UR 27-10, AND AR 27-10
- C. 1AD REGULATION / SUPPLEMENT 27-10-1-A

(S) MAPS: [NO CHANGE]

(U) TIME ZONE USED THROUGHOUT THIS ORDER: LOCAL

(S) TASK ORGANIZATION: [NO CHANGE]

1. (U) SITUATION. COMMANDER 1AD ISSUES A GENERAL ORDER MAKING IT A MILITARY CRIME FOR COALITION FORCES AND CIVILIANS ACCOMPANYING THE FORCE, TO MALTREAT PERSONS IN IRAQ.

2. (U) MISSION. [NO CHANGE]

3. (U) EXECUTION. [NO CHANGE]

3.A. (U) COMMANDER'S INTENT. MALTREATMENT OF CIVILIANS OR DETAINEES IN IRAQ BY 1AD FORCES DURING THIS MISSION IS CONDUCT PREJUDICIAL TO GOOD ORDER AND DISCIPLINE. THE DIVISION CANNOT ACCOMPLISH ITS MISSION, UNLESS 1AD SOLDIERS INTERACT WITH THE CIVILIAN POPULATION IN A PROFESSIONAL MANNER THAT IS CONSISTENT WITH IRON STANDARDS AND THE RULE OF LAW.

3.B. (U) CONCEPT OF THE OPERATION. LEADERS AT ALL LEVELS PROVIDE FOR MAXIMUM DISSEMINATION OF THE REFERENCED DISCIPLINARY INFORMATION TO SOLDIERS AND CIVILIANS.

3.C. (U) TASKS TO SUBORDINATE UNITS. ALL UNITS ATTACHED, TACON, OPCON, OR OTHERWISE TASK ORGANIZED TO 1AD - PROMULGATE AND ENFORCE THE TERMS OF THIS ORDER. REFER LEGAL QUESTIONS TO SERVICING BRIGADE JUDGE ADVOCATES.

3.D. (U) TASKS TO STAFF. SJA: NLT 211200DJUL03, PROVIDE A COPY OF THIS GENERAL ORDER TO THE TRIAL DEFENSE SERVICE BAGHDAD FIELD OFFICE.

3.E. (U) COORDINATING INSTRUCTIONS.

3.E.(1)(U) THIS GENERAL ORDER APPLIES TO ALL PERSONS SUBJECT TO ARTICLE 2, UCMJ.

3.E.(2)(U) 1AD COURT-MARTIAL JURISDICTION REMAINS IAW ARTICLES 3, 16, 17, 18, 19, 20, 21, UCMJ, AS PROMULGATED IN THE USCENTCOM AOR BY 1AD REGULATION 27-10-1-A.

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3.E.(3)(U) THIS GENERAL ORDER IS EFFECTIVE IMMEDIATELY.

3.E.(4)(U) FAILURE TO OBEY THIS GENERAL ORDER IS PUNISHABLE UNDER ARTICLE 92, UCMJ. THE MAXIMUM PUNISHMENT FOR SUCH AN OFFENSE IS A DISHONORABLE DISCHARGE, CONFINEMENT FOR A TERM OF TWO (2) YEARS, TOTAL FORFEITURE OF PAY AND ALLOWANCES, AND REDUCTION TO THE GRADE OF PRIVATE (E-1).

3.E. (5) (U) 1AD PERSONNEL SHALL NOT MALTREAT CIVILIANS OR DETAINEES IN IRAQ WHO ARE SUBJECT TO SEARCHES, QUESTIONING, CAPTURE, DETENTION OR TRANSPORT BY PERSONS ACTING PURSUANT TO COALITION PROVISIONAL AUTHORITY AND/OR U.S. NATIONAL COMMAND AUTHORITY. MALTREATMENT IS AN ACT OR ACTIONABLE OMISSION, WHICH RESULTS IN PHYSICAL PAIN OR MENTAL ANGUISH TO A PERSON WITHOUT JUSTIFIABLE CAUSE, AS PROVIDED BY APPLICABLE STATUTE(S) AND/OR REGULATION(S), UNDER THE UCMJ. MALTREATMENT INCLUDES BUT IS NOT LIMITED TO:

3.E.(5)a.(U) HITTING;

3.E.(5)b. (U) SLAPPING;

3.E.(5)c. (U) KICKING;

3.E.(5)d. (U) BUTT-STROKING;

3.E.(5)e. (U) SPITTING ON;

3.E.(5)f. (U) USING ABUSIVE LANGUAGE; OR

3.E.(5)g. (U) CAUSING MENTAL OPPRESSION.

3.E. (6) (U) 1AD PERSONNEL SHALL NOT TAKE MONEY, PERSONAL PROPERTY OR PERSONAL PAPERS FROM CIVILIANS OR DETAINEES EXCEPT FOR THE FOLLOWING REASONS: (1) AS EVIDENCE OF AN OFFENSE OR, (2) FOR SAFEKEEPING PURSUANT TO DETENTION. ALL RETAINED PROPERTY TAKEN FROM CIVILIANS DURING SEARCHES, QUESTIONING, CAPTURE, DETENTION OR TRANSPORT WILL BE INVENTORIED AND ACCOUNTED FOR ON CAPTURE CARDS OR EVIDENCE CARDS. THIS RETAINED PROPERTY WILL BE PROMPTLY TURNED OVER TO APPROPRIATE DETENTION FACILITY PERSONNEL.

3.E.(7)(U) DEFINITIONS:

3.E.(7)a.(U) **SEARCH:** INSPECTION OF PERSONS AND/OR PROPERTY BY VISUAL OR TECHNICAL MEANS AND/OR PHYSICAL CONTACT.

3.E.(7)b.(U) **QUESTIONING:** INTERROGATION OF A PERSON FOR ANY PURPOSE, IN ANY PLACE, WITH OR WITHOUT THE ABILITY TO TRANSLATE QUESTIONS AND ANSWERS.

3.E.(7)c.(U) CAPTURE: THE TAKING OF PERSONS AND/OR PROPERTY INTO CUSTODY FOR CRIMINAL OR INTELLIGENCE EVIDENCE PROCESSING AT DESIGNATED 1AD HOLDING AREAS.

3.E.(7)d.(U) **DETENTION:** RESTRAINING AND/OR RESTRICTING PERSONS FOR SEARCH, QUESTIONING, TRANSPORT AND/OR PROSECUTION.

3.E.(7)e.(U) **TRANSPORT:** RELOCATION, HOWEVER SLIGHT, OF PERSONS AND/OR PROPERTY FROM POINT OF ORIGIN FOR SEARCH, SEIZURE, QUESTIONING, CAPTURE, OR DETENTION.

ACLU-RDI 977 p.5

- 4. (U) SERVICE SUPPORT: [NO CHANGE].
- 5. (U) COMMAND AND SIGNAL: [NO CHANGE].
- 5.A.(U) COMMAND. [NO CHANGE].

5.B. (U) SIGNAL. [CHANGE]. POC FOR THIS IS

ACKNOWLEDGE

\B6-2

ACLU-RDI 977 p.6

REQUEST FOR LEGAL ACTION (The proponent of this form is SJA) UNIT B2-2/B3-1 DATE 30(793 AS INDICATED BY CHECK REQUEST THE FOLLOWING ACTION BE TAKEN NONJUDICIAL ACTION **ADMINISTRATIVE/OTHER ACTION** Field Grade Article 15 \sim Letter of Reprimand Company Grade Article 15 Administrative Discharge Summarized Article 15 Admin Reduction Board Vacation of Suspension Other (Specify) Other (Specify) COURT-MARTIAL INDIVIDUAL INFORMATION SOLDIERS B6-41 SOLDIERS 676-4 SSN RACE SEX NAME RANK 676-4 BLK М UNE B2-2/B3-1 PEBD/BASD B6-4 SUMMARY OF ACTION/OFFENSE(S): Mistreatment / Abuse of Prisoners under U.S. Army custody Signature of Commander (or authorized individual) Commander's signature block (rank, branch, position) B6-4 B6 - 2 omman FOR BRIGADE LEGAL CENTER Date received at Legal Center Paperwork complete by Legal Center Date unit first contacted Date picked up by unit Date returned by unit FP Form 754-E 1Dec 2000

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[RECORD OF	PROCEEDIN	CS LIND	ER ARTICI	E 15 UCMI	
		nis form, see AR 2				
		e Notes on Revers				······································
NAME	B6-4 676 GRA	DE SSN	B6-1	UNIT A	82-2/07	PAY (Basic & Sea/Foreign)
						near Baghdad, Iraq, on or
about wrongfully assaulting	local national detainees. T	al order, to wit: Final order, to wit: Final order, to with the second s	rago 383A of Article	[General Order 92, UCMJ.	Civilian or Detai	ince Maltreatment], by
this Article 15 Proceeding. convinced beyond a reasona behalf. You may present w <i>extenuation and mitigation</i> , If you do not want me to dis do you have the right to com	First I want you to understand I ble doubt that you committed th tnesses or other evidence to show I will consider everything you pose of this report of misconduc	have not yet made a de te offense(s). You may w why you shouldn't be present before deciding it under Article 15, you t Trial Defense Service	cision wheth ordinarily ha punished at whether I wi have the right ce, BIAP, T	er or not you will be ave an open hearing b all <i>(matters of defen</i> ill impose punishmen ht to demand trial by	punished. I will not before me. You may use) or why punishment or the type and am court-martial instead	tial. You have several rights under impose any punishment unless I am request a person to speak on your ent should be very light (matters of jount of punishment I will impose. 2/ d. 2/ In deciding what you want to to decide what you want to do. 4/ BG- 2
3. Having been afforded the	e opportunity to consult with cou	msel, my decisions are			locks, date,	
a. I demand tria	l by court-martial.		,RC	-2	11-1	Ч , 1
b. $\beta = \beta $	and trial by court-martial and in	the Article 15 Proceedi - BG - 4 676 Closed. (2) A perso	- H	· /	6-4 676"	BE-4 DICH
(3) Matters in defense, mi	tigation, and/or externation:	Are not pre	sented	Will be pres	ented in person	Are attached.
DATE NAL 29 Oct 03	ME AND GRADE OF SERVICE	MEMBER B6-4	676-41			- B6-4/676-4
4. In a(n) Oper	Closed hearing	all matters presented	in defense, m	itigation, and/or exte	multion, having bee	n considered, the following
punishment is imposed: <u>sta</u>	Reduction to			forfeit		· · · · · · · · · · · · · · · · · · ·
	r month for 2 mon					. ,
for 45 day	f not vacated bef s.	ore 27 Novemi	ber 200.	; and extra	a duty	
 5. I direct the original DA 2 6. You are advised of your a effective immediately unless 	ight to appeal to the	Performance Fiche		estricted Fiche of the eal made after that ti	-	as untimely. Punishment is
DATE NAM	E, GRADE, AND ORGANIZA	TION OF COMMANI	DER.	SIGN		
7. (Initial appropriate blo	ock date and sign)					
	· []	· \	86-2		-1 B6-2	
a. I do not ap	peal b. [appead] [app	al and do not submit ac MEMBER	lditional mat	ters <u>8/9/</u> c.L	I appeal and s	submit additional matters <u>8/9/</u>
29.00 03	ppeal and it is my opinion that;					5
8. I have considered the a	ppear and it is my opinion that:	B6-4	676-4		BE	5-4 676-4
DATE NAM	IE AND GRADE OF JUDGE A	DVOCATE		SIGNATURE		
9. After consideration of	all matters presented in appeal, the	he appeal is:		· · ·		
Denied	Granted as follows: 10	<u>v</u>			· .	
DATE NAM	IE, GRADE, AND ORGANIZA	TION OF COMMANE	DER	SIGNATURE	<u> </u>	· · · · · · · · · · · · · · · · · · ·
10. I have seen the action ta	ken on my appeal. D	ATE	SIGNATU	RE OF SERVICE MI	EMBER	· · · · · · · · · · · · · · · · · · ·
11. ALLIED DOCUMENTS DA Form 4856, FP Form 754	AND/OR COMMENTS 11/ 12/ I, and ERB.	137				PEBD:
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ACLU-RDI 977 p.8

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	Fo	<u> </u>		; the proponent agen		
AUTHORITY: PRINCIPAL PURPOSE: ROUTINE USES: DISCLOSURE:	To assist leaders	artmental Regu in conducting a eader developm	lations; 10 USC 30 and recording coun	seling data pertaining	Army and E.O. 9397 (SS	
		676-61	PART I - ADMINIS	STRATIVE DATA		
Name (Last, Fir <u>st, MI)</u>		B6-4	Rank/Grade	Social Secur	ty No. B6-L Date o	f Counseling 3 OCT 03
Drganization	AE 09322-238	o B2-2	- 133-1	Name and Tr	tle of Counselor	B6-2-
	· · · · · · · · · · · · · · · · · · ·	PAF	RT II - BACKGROU	UND INFORMATION		
urpose of Counseling ne leader's facts and obs	: (Leader states the	e reason for the	ə counseling, e.g., p	performance/professi	onal growth or event-orie	nted counseling, and inclu
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vent-Oriented Coun	seling: Abuse/M	istreatment o	of Prisoners		•	
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Plan of Action: (Outlines actions that the subordinate will do after the counseling session to reach the agreed upon goal(s). The actions must be specific enough to modify or maintain the subordinate's behavior and include a specified time line for implementation and assessment (Part IV below).) o Recommend punishment under Article 15 of the Uniform Code of Military Justice. Session Closing: (The leader summarizes the key points of the session and checks if the subordinate understands the plan of action. The subordinate agrees/disagrees and provides remarks if appropriate.) B6-4 676-4 Individual counseled disagree with the information above. Individual counsel Date: 3 oct 03 Signature of Individual Counseled: Leader Responsibilities: (Leader's responsibilities in implementing the plan of action.) o Ensure the second Signature of Counselor: Date: PART IV - ASSESSMENT OF THE PLAN OF ACTION Assessment: (Did the plan of action achieve the desired results? This section is completed by both the leader and the individual counseled and provides useful information for follow-up counseling.) you Individual Counseled: Date of Assessment: Counselor: Note: Both the counselor and the individual counseled should retain a record of the counseling. USAPA V1.00 REVERSE, DA FORM 4856, JUN 1999 ACLU-RDI 977 p.10

DMAIN, 1ST ARMORED DIVISION BIAP, IRAQ 210044DJULY03

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(U) FRAGO 383A [GENERAL ORDER - CIVILIAN OR DETAINEE MALTREATMENT] TO OPORD 03-215 (IRON STABILITY)

(U) THIS FRAGO WAS REVIEWED AND APPROVED FOR RELEASE BY LTC

SUBJ: GENERAL ORDER - CIVILIAN OR DETAINEE MALTREATMENT

(U) REFERENCES:

- A. UNIFORM CODE OF MILITARY JUSTICE
- B. 1AD REGULATION 27-10 IMPLEMENTING UR 27-10, AND AR 27-10

C. 1AD REGULATION / SUPPLEMENT 27-10-1-A

(S) MAPS: [NO CHANGE]

(U) TIME ZONE USED THROUGHOUT THIS ORDER: LOCAL

(S) TASK ORGANIZATION: [NO CHANGE]

1. (U) SITUATION. COMMANDER 1AD ISSUES A GENERAL ORDER MAKING IT A MILITARY CRIME FOR COALITION FORCES AND CIVILIANS ACCOMPANYING THE FORCE, TO MALTREAT PERSONS IN IRAQ.

2. (U) MISSION. [NO CHANGE]

3. (U) EXECUTION. [NO CHANGE]

3.A. (U) COMMANDER'S INTENT. MALTREATMENT OF CIVILIANS OR DETAINEES IN IRAQ BY 1AD FORCES DURING THIS MISSION IS CONDUCT PREJUDICIAL TO GOOD ORDER AND DISCIPLINE. THE DIVISION CANNOT ACCOMPLISH ITS MISSION, UNLESS 1AD SOLDIERS INTERACT WITH THE CIVILIAN POPULATION IN A PROFESSIONAL MANNER THAT IS CONSISTENT WITH IRON STANDARDS AND THE RULE OF LAW.

3.B. (U) CONCEPT OF THE OPERATION. LEADERS AT ALL LEVELS PROVIDE FOR MAXIMUM DISSEMINATION OF THE REFERENCED DISCIPLINARY INFORMATION TO SOLDIERS AND CIVILIANS.

3.C. (U) TASKS TO SUBORDINATE UNITS. ALL UNITS ATTACHED, TACON, OPCON, OR OTHERWISE TASK ORGANIZED TO 1AD - PROMULGATE AND ENFORCE THE TERMS OF THIS ORDER. REFER LEGAL QUESTIONS TO SERVICING BRIGADE JUDGE ADVOCATES.

3.D. (U) TASKS TO STAFF. SJA: NLT 211200DJUL03, PROVIDE A COPY OF THIS GENERAL ORDER TO THE TRIAL DEFENSE SERVICE BAGHDAD FIELD OFFICE.

3.E. (U) COORDINATING INSTRUCTIONS.

3.E.(1)(U) THIS GENERAL ORDER APPLIES TO ALL PERSONS SUBJECT TO ARTICLE 2, UCMJ.

3.E.(2)(U) 1AD COURT-MARTIAL JURISDICTION REMAINS IAW ARTICLES 3, 16, 17, 18, 19, 20, 21, UCMJ, AS PROMULGATED IN THE USCENTCOM AOR BY 1AD REGULATION 27-10-1-A.

6700

3.E.(3)(U) THIS GENERAL ORDER IS EFFECTIVE IMMEDIATELY.

3.E.(4)(U) FAILURE TO OBEY THIS GENERAL ORDER IS PUNISHABLE UNDER ARTICLE 92, UCMJ. THE MAXIMUM PUNISHMENT FOR SUCH AN OFFENSE IS A DISHONORABLE DISCHARGE, CONFINEMENT FOR A TERM OF TWO (2) YEARS, TOTAL FORFEITURE OF PAY AND ALLOWANCES, AND REDUCTION TO THE GRADE OF PRIVATE (E-1).

3.E.(5)(U) 1AD PERSONNEL SHALL NOT MALTREAT CIVILIANS OR DETAINEES IN IRAQ WHO ARE SUBJECT TO SEARCHES, QUESTIONING, CAPTURE, DETENTION OR TRANSPORT BY PERSONS ACTING PURSUANT TO COALITION PROVISIONAL AUTHORITY AND/OR U.S. NATIONAL COMMAND AUTHORITY. MALTREATMENT IS AN ACT OR ACTIONABLE OMISSION, WHICH RESULTS IN PHYSICAL PAIN OR MENTAL ANGUISH TO A PERSON WITHOUT JUSTIFIABLE CAUSE, AS PROVIDED BY APPLICABLE STATUTE(S) AND/OR REGULATION(S), UNDER THE UCMJ. MALTREATMENT INCLUDES BUT IS NOT LIMITED TO:

3.E.(5)a. (U) HITTING; 3.E.(5)b. (U) SLAPPING;

3.E.(5)c. (U) KICKING;

3.E.(5)d. (U) BUTT-STROKING;

3.E.(5)e. (U) SPITTING ON;

3.E.(5)f. (U) USING ABUSIVE LANGUAGE; OR

3.E.(5)q. (U) CAUSING MENTAL OPPRESSION.

3.E. (6) (U) 1AD PERSONNEL SHALL NOT TAKE MONEY, PERSONAL PROPERTY OR PERSONAL PAPERS FROM CIVILIANS OR DETAINEES EXCEPT FOR THE FOLLOWING REASONS: (1) AS EVIDENCE OF AN OFFENSE OR, (2) FOR SAFEKEEPING PURSUANT TO DETENTION. ALL RETAINED PROPERTY TAKEN FROM CIVILIANS DURING SEARCHES, QUESTIONING, CAPTURE, DETENTION OR TRANSPORT WILL BE INVENTORIED AND ACCOUNTED FOR ON CAPTURE CARDS OR EVIDENCE CARDS. THIS RETAINED PROPERTY WILL BE PROMPTLY TURNED OVER TO APPROPRIATE DETENTION FACILITY PERSONNEL.

3.E.(7)(U) DEFINITIONS:

3.E.(7)a.(U) **SEARCH:** INSPECTION OF PERSONS AND/OR PROPERTY BY VISUAL OR TECHNICAL MEANS AND/OR PHYSICAL CONTACT.

3.E.(7)b.(U) **QUESTIONING:** INTERROGATION OF A PERSON FOR ANY PURPOSE, IN ANY PLACE, WITH OR WITHOUT THE ABILITY TO TRANSLATE QUESTIONS AND ANSWERS.

3.E.(7)c.(U) **CAPTURE:** THE TAKING OF PERSONS AND/OR PROPERTY INTO CUSTODY FOR CRIMINAL OR INTELLIGENCE EVIDENCE PROCESSING AT DESIGNATED 1AD HOLDING AREAS.

3.E.(7)d.(U) **DETENTION:** RESTRAINING AND/OR RESTRICTING PERSONS FOR SEARCH, QUESTIONING, TRANSPORT AND/OR PROSECUTION.

3.E.(7)e.(U) **TRANSPORT:** RELOCATION, HOWEVER SLIGHT, OF PERSONS AND/OR PROPERTY FROM POINT OF ORIGIN FOR SEARCH, SEIZURE, QUESTIONING, CAPTURE, OR DETENTION.

ACLU-RDI 977 p.12

4. (U) SERVICE SUPPORT: [NO CHANGE].

5. (U) COMMAND AND SIGNAL: [NO CHANGE].

5.A.(U) COMMAND. [NO CHANGE].

5.B. (U) SIGNAL. [CHANGE]. POC FOR THIS IS

ACKNOWLEDGE

DOD 002929

B6-2

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ACLU-RDI 977 p.13

REQUEST FOR LEGAL ACTION (The proponent of this form is SJA) UNIT DATE ·B3-(305703 AS INDICATED BY CHECK REQUEST THE FOLLOWING ACTION BE TAKEN NONJUDICIAL ACTION ADMINISTRATIVE/OTHER ACTION Field Grade Article 15 Letter of Reprimand Company Grade Article 15 Administrative Discharge Summarized Article 15 Admin Reduction Board Vacation of Suspension Other (Specify) Other (Specify) COURT-MARTIAL INDIVIDUAL INFORMATION **SOLDIERS** SOLDIERS SSN RACE SEX NAME 676-RANK WHT \mathcal{M} UNIT PEBD/BASD B2-2/B3-1 - *B*6-4 SUMMARY OF ACTION/OFFENSE(S): Mistreatment/Abuse of Prisoners under U.S. Army custody Signature of Commander (or authorized individual) Commander's signature block (rank branch, position) - 86-2 B6-2 Commandi, FOR BRIGADE LEGAL CENTER Date received at Legal Center Paperwork complete by Legal Center Date unit first contacted Date picked up by unit Date returned hy unit FP Form 754-E 1Dec 2000

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	For u	ise of this form, see A	R 27-10; the pro	ponent agency	y is TJAG.		
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wrongfully assaul	ting local national detai	nees. This is in violat	ion of Article 92	2, UCMJ.		2 outliet main outlient	, 09
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		1076-41	by and	3 OCT 03
Organization		36-4/B2-2/B3-1	Name and Title of Counselor	B6-2
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ev Points of Discussio		ans section during of himmedia	tery subsequent to counsening.	
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DA FORM 4856, JU	JN 1999	EDITION OF JUN 85 IS	OBSOLETE	USAPA V1.0
CLU-RDI 977			· · · · · · · · · · · · · · · · · · ·	670
	<i>i</i> p.i0			

Plan of Action: (Outlines actions that the subordinate will do after the counseling session to reach the agreed upon goal(s). The actions must be specific enough to modify or maintain the subordinate's behavior and include a specified time line for implementation and assessment (Part IV below).) o Recommend punishment under Article 15 of the Uniform Code of Military Justice Session Closing: (The leader summarizes the key points of the session and checks if the subordinate understands the plan of action. The subordinate agrees/disagrees and provides remarks if appropriate.) Individual counseled: agree disagree with the information above. Individual counseled remarks 136-41 676-4 86-4/b76-4 Date: 3/10/03 Signature of Individual Counseled: Leader Responsibilities: (Leader's responsibilities in implementing the plan of action.) o Ensure consults with legal counsel regarding Article 15 proceedings R1-2 Signature of Counselor: Date: 306703 PART IV - ASSESSMENT OF THE PLAN OF ACTION Assessment: (Did the plan of action achieve the desired results? This section is completed by both the leader and the individual counseled and provides useful information for follow-up counseling.) you Counselor: Individual Counseled: Date of Assessment: Note: Both the counselor and the individual counseled should retain a record of the counseling. *REVERSE, DA FORM 4856, JUN 1999* ACLU-RDI 977 p.17 USA**670**6

DMAIN, 1ST ARMORED DIVISION BIAP, IRAQ 210044DJULY03

> ▶, G-3 106-2

(U) FRAGO 383A [GENERAL ORDER - CIVILIAN OR DETAINEE MALTREATMENT] TO OPORD 03-215 (IRON STABILITY)

(U) THIS FRAGO WAS REVIEWED AND APPROVED FOR RELEASE BY LTC

SUBJ: GENERAL ORDER - CIVILIAN OR DETAINEE MALTREATMENT

(U) REFERENCES:

A. UNIFORM CODE OF MILITARY JUSTICE

B. 1AD REGULATION 27-10 IMPLEMENTING UR 27-10, AND AR 27-10

C. 1AD REGULATION / SUPPLEMENT 27-10-1-A

(S) MAPS: [NO CHANGE]

(U) TIME ZONE USED THROUGHOUT THIS ORDER: LOCAL

(S) TASK ORGANIZATION: [NO CHANGE]

1. (U) SITUATION. COMMANDER 1AD ISSUES A GENERAL ORDER MAKING IT A MILITARY CRIME FOR COALITION FORCES AND CIVILIANS ACCOMPANYING THE FORCE, TO MALTREAT PERSONS IN IRAQ.

2. (U) MISSION. [NO CHANGE]

3. (U) EXECUTION. [NO CHANGE]

3.A. (U) COMMANDER'S INTENT. MALTREATMENT OF CIVILIANS OR DETAINEES IN IRAQ BY 1AD FORCES DURING THIS MISSION IS CONDUCT PREJUDICIAL TO GOOD ORDER AND DISCIPLINE. THE DIVISION CANNOT ACCOMPLISH ITS MISSION, UNLESS 1AD SOLDIERS INTERACT WITH THE CIVILIAN POPULATION IN A PROFESSIONAL MANNER THAT IS CONSISTENT WITH IRON STANDARDS AND THE RULE OF LAW.

3.B. (U) CONCEPT OF THE OPERATION. LEADERS AT ALL LEVELS PROVIDE FOR MAXIMUM DISSEMINATION OF THE REFERENCED DISCIPLINARY INFORMATION TO SOLDIERS AND CIVILIANS.

3.C. (U) TASKS TO SUBORDINATE UNITS. ALL UNITS ATTACHED, TACON, OPCON, OR OTHERWISE TASK ORGANIZED TO 1AD - PROMULGATE AND ENFORCE THE TERMS OF THIS ORDER. REFER LEGAL QUESTIONS TO SERVICING BRIGADE JUDGE ADVOCATES.

3.D. (U) TASKS TO STAFF. SJA: NLT 211200DJUL03, PROVIDE A COPY OF THIS GENERAL ORDER TO THE TRIAL DEFENSE SERVICE BAGHDAD FIELD OFFICE.

3.E. (U) COORDINATING INSTRUCTIONS.

3.E.(1)(U) THIS GENERAL ORDER APPLIES TO ALL PERSONS SUBJECT TO ARTICLE 2, UCMJ.

3.E.(2)(U) 1AD COURT-MARTIAL JURISDICTION REMAINS IAW ARTICLES 3, 16, 17, 18, 19, 20, 21, UCMJ, AS PROMULGATED IN THE USCENTCOM AOR BY 1AD REGULATION 27-10-1-A.

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3.E. (3) (U) THIS GENERAL ORDER IS EFFECTIVE IMMEDIATELY.

3.E. (4) (U) FAILURE TO OBEY THIS GENERAL ORDER IS PUNISHABLE UNDER ARTICLE 92, UCMJ. THE MAXIMUM PUNISHMENT FOR SUCH AN OFFENSE IS A DISHONORABLE DISCHARGE, CONFINEMENT FOR A TERM OF TWO (2) YEARS, TOTAL FORFEITURE OF PAY AND ALLOWANCES, AND REDUCTION TO THE GRADE OF PRIVATE (E-1).

3.E. (5) (U) 1AD PERSONNEL SHALL NOT MALTREAT CIVILIANS OR DETAINEES IN IRAQ WHO ARE SUBJECT TO SEARCHES, QUESTIONING, CAPTURE, DETENTION OR TRANSPORT BY PERSONS ACTING PURSUANT TO COALITION PROVISIONAL AUTHORITY AND/OR U.S. NATIONAL COMMAND AUTHORITY. MALTREATMENT IS AN ACT OR ACTIONABLE OMISSION, WHICH RESULTS IN PHYSICAL PAIN OR MENTAL ANGUISH TO A PERSON WITHOUT JUSTIFIABLE CAUSE, AS PROVIDED BY APPLICABLE STATUTE(S) AND/OR REGULATION(S), UNDER THE UCMJ. MALTREATMENT INCLUDES BUT IS NOT LIMITED TO:

3.E.(5)a. (U) HITTING;

3.E.(5)b. (U) SLAPPING;

3.E.(5)c. (U) KICKING;

3.E.(5)d. (U) BUTT-STROKING;

3.E.(5)e. (U) SPITTING ON;

3.E.(5)f. (U) USING ABUSIVE LANGUAGE; OR

3.E. (5) g. (U) CAUSING MENTAL OPPRESSION.

3.E. (6) (U) 1AD PERSONNEL SHALL NOT TAKE MONEY, PERSONAL PROPERTY OR PERSONAL PAPERS FROM CIVILIANS OR DETAINEES EXCEPT FOR THE FOLLOWING REASONS: (1) AS EVIDENCE OF AN OFFENSE OR, (2) FOR SAFEKEEPING PURSUANT TO DETENTION. ALL RETAINED PROPERTY TAKEN FROM CIVILIANS DURING SEARCHES, QUESTIONING, CAPTURE, DETENTION OR TRANSPORT WILL BE INVENTORIED AND ACCOUNTED FOR ON CAPTURE CARDS OR EVIDENCE CARDS. THIS RETAINED PROPERTY WILL BE PROMPTLY TURNED OVER TO APPROPRIATE DETENTION FACILITY PERSONNEL.

3.E.(7)(U) DEFINITIONS:

3.E.(7)a.(U) **SEARCH:** INSPECTION OF PERSONS AND/OR PROPERTY BY VISUAL OR TECHNICAL MEANS AND/OR PHYSICAL CONTACT.

3.E.(7)b.(U) **QUESTIONING:** INTERROGATION OF A PERSON FOR ANY PURPOSE, IN ANY PLACE, WITH OR WITHOUT THE ABILITY TO TRANSLATE QUESTIONS AND ANSWERS.

3.E.(7)c.(U) **CAPTURE:** THE TAKING OF PERSONS AND/OR PROPERTY INTO CUSTODY FOR CRIMINAL OR INTELLIGENCE EVIDENCE PROCESSING AT DESIGNATED 1AD HOLDING AREAS.

3.E.(7)d.(U) **DETENTION:** RESTRAINING AND/OR RESTRICTING PERSONS FOR SEARCH, QUESTIONING, TRANSPORT AND/OR PROSECUTION.

3.E.(7)e.(U) **TRANSPORT:** RELOCATION, HOWEVER SLIGHT, OF PERSONS AND/OR PROPERTY FROM POINT OF ORIGIN FOR SEARCH, SEIZURE, QUESTIONING, CAPTURE, OR DETENTION.

ACLU-RDI 977 p.19

- 4. (U) SERVICE SUPPORT: [NO CHANGE].
- 5. (U) COMMAND AND SIGNAL: [NO CHANGE].

5.A.(U) COMMAND. [NO CHANGE].

5.B. (U) SIGNAL. [CHANGE]. POC FOR THIS IS

ACKNOWLEDGE

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NAME 16-4/b7C-4 SOLDIERS SSN UNIT	16- 1/676-4
	- B6-4
SUMMARY OF ACTION/OFFENSE(S): Mistreatment / Abuse of Prisoners under C	1.5. Army Castody
Signature of Commander (or authorized individual)	ure block (rank, branch, position)
BG-2 Command	R6-2
FOR BRIGADE LEGAL CENTER	7
Date received at Legal Center Paperwork complete by Legal Center	
Date unit first contacted Date picked up by unit	Date returned by unit

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ACLU-RDI 977 p.21