

DATA REQUIRED BY THE PRIVACY ACT OF 1974

AUTHORITY: 5 USC 301, Departmental Regulations; 10 USC 3013, Secretary of the Army and E.O. 9397 (SSN)
PRINCIPAL PURPOSE: To assist leaders in conducting and recording counseling data pertaining to subordinates.
ROUTINE USES: For subordinate leader development IAW FM 22-100. Leaders should use this form as necessary.
DISCLOSURE: Disclosure is voluntary.

PART I - ADMINISTRATIVE DATA

Name (Last, First, MI)	Rank/Grade SPC/E-4	Social Security No.	Date of Counseling 12 Feb 04
Organization	Name and Title of Counselor		

PART II - BACKGROUND INFORMATION

Purpose of Counseling: (Leader states the reason for the counseling, e.g., performance/professional growth or event-oriented counseling, and includes the leader's facts and observations prior to the counseling.)

Purpose of Counseling:
 " Discuss the soldier's non-compliance with the 310th MP BN (I/R) (SOP)
 " Discuss possible course of Actions and solutions
 " Discuss possible repercussions of repeated substandard performance

PART III - SUMMARY OF COUNSELING

Complete this section during or immediately subsequent to counseling.

Key Points of Discussion:

It has brought to my attention, that at approximately 1330 hrs, SGT [redacted] notified me in reference to an incident. Upon arrival, I made contact with SGT [redacted] and you. I notice that you were very upset over something that has happened. SGT [redacted] stated that. Approximately 1215 hrs. Tuesday, February 10, 2004, while you were on duty as a Compound Control Team (CCT) at Compound 11, (Internment Facility, Camp Bucca, Iraq). That you instructed detainee # [redacted] put on his jumpsuit (orange in color, uniform). Which detainee did not acknowledge you. You became upset with detainee # [redacted] and went into the compound with a translator (detainee) exchange some words with the detainee # [redacted]. SGT Sanchez related that you stated the remarks: "These guys do what they want; unless you are Jewish you cannot understand what it is like to deal with Arabic." SGT [redacted] also stated she has a meeting with the Mayor (detainee # [redacted]) of the compound # 11 and Translator (detainee # [redacted]). SGT [redacted] stated, that the mayor said, that you pulled out a chain, from around your neck, and displayed symbolic of the "Star of David" and threaten the detainee. He also during this argument with detainee, you were very disrespectful gesture and insulted to Arabs. SGT [redacted] this situation likes to escalate to excite a riot because of your actions. You have shown discipline and exercised good judgment during these stressful times. If at any time you feel the need to talk or feel overwhelmed, do not hesitate to discuss the situation with me. After this time, we will review your current situation (Personal Issues/religious background) with the chain of command to determine what course of action should be taken. As I have explained earlier, you have been very good in holding your feeling back in this sensitive area and I am willing to work with you to obtain a solution. You are well aware of military obligations. Should a situation arise in which you feel uncomfortable or are confronted with a delicate situation immediately notify the NCOIC. Do not become disrespectful of unprofessional with the detainee. These we can avoid problems and situation that interfere with the mission. Again, be firm but fair, TREAT THE DETAINEE AS YOU WOULD WANT TO BE TREATED!

OTHER INSTRUCTIONS

This form will be destroyed upon: reassignment (other than rehabilitative transfers), separation at ETS, or upon retirement. For separation requirements and notification of loss of benefits/consequences see local directives and AR 635-200.

DA FORM 4856, JUN 1999

EDITION OF JUN 85 IS OBSOLETE

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EXHIBIT

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16) (b) 0034-04-C10352-640
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).)

Soldier stated that he understood the counseling and was provided a copy of the counseling.
Ensure that soldier understood that he must treat the detainee with firm and respect their language and religious customs in according with (IAW) the 310th MP BN (I/R) and Geneva Convention Relative to the Treatment of Prisoner of Wars (GEPW, Art. #36, and AR 190-8, Para. 2-25d)

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: ☐ I agree ☒ disagree with the information above.

Individual counseled remarks:

i did not make any discrepancy. i am also unsure how i was of the situation and i may also of confused #11 topic to let it be possible of not talk happen not that it is not i never specifically point out what towards prisoner #

Signature of Individual Counseled: _____

Date: 12 Feb 04

Leader Responsibilities: (Leader's responsibilities in implementing the plan of action.)

- Conduct follow up counseling
- Continue to encourage soldier to achieve the standard
- Monitor soldiers performance

Signature of Counselor: _____

Date: 12 Feb 04

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.)

Counselor: _____

Individual Counseled: _____

Date of Assessment: _____

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Note: Both the counselor and the individual counseled should retain a record of the counseling.

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