

1ST AD BIAP IRAQ

CID SPECIAL AGENT QUESTIONS

Rank CWS Branch CID Date: _____ Unit b6-2
Duty Position CID SA How Long in Job 3 weeks
Interviewer _____

1. What is your involvement with detainee abuse investigations? Please provide a general description of the quantity and type of investigations that you were involved in?

Have Done None yet.

2. Can you list the detainee facilities that these incidents occurred?

Baughdale 1st Cav Areas

US Run Facilities

3. During those investigations did you establish the motives for soldiers that abused detainees? If so, please list the motives you uncovered and explain each individually in as much detail as possible.

1 money motive
2 threat
3 sex

4. During those investigations, did you establish any deficiencies regarding training of those persons who committed abuse? If so, please explain?

5. During those investigations, did you establish any deficiencies in regards to the leadership of those who committed abuse? If so, please explain?

6. During those investigations, did you establish if the environmental factors (length of work day, shift schedule, living conditions, weather, food, etc...) might have been the cause of abuse? If so, explain?

7. During those investigations, did you determine if combat stress was a cause of the abuse? If so, please explain.

During Patrols heat of battle defend yourself

8. During those investigations did you establish if the assignment of MOS' that do not normally deal with detainee operations had an impact on those soldiers abusing detainees. If so, please explain.

NONE	MP's	FA	B Bat	1/4t art	Threat
	WF	HHC	1st 36 INF		Assault
	INF	B Co	1st 36 INF		money

Local
4933 up and back

9. During these investigations did you establish any patterns as far as one unit having more soldiers who abused detainees, or a specific MOS that had more soldiers who abused detainees. Did you see any specific patterns?

all 3 different units

10: Is there anything else that you may have observed that you felt was the cause of those soldiers abusing detainees?

11. 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

12. 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.

Good

13. 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 so far

14. 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.

haven't seen detainees yet
interrogated or released? [REDACTED] (b)(6)-2
"AFOS - Theft" GOMT

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

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DA IG

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?

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

16. 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)

so far so good

17. 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

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DA IG

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.)

Command Inquiries

Different office C.I.D
different ranks individual

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

19. 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.)

Basic Classes

Roy. Bt Ft Hood

20. 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

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Chaplain 3155 Cash

21. 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."

OIC & NCOIC
COLLECTION POINT
INTERVIEW QUESTIONS

V (S)(6)-4

Rank SPC Branch _____
Duty Position SOG _____
Interviewer _____

Date 24 Mar 04 Unit 2 BCT / 1st AD
How Long in Job 3 3/4 months

4/6/4

1. Can you tell me what sources that you use to get policy, doctrine and standards for Detainee Operations? (**What doctrine was used in setting up the collection point?**) Describe the basic principles of detainee operations and how you are applying them. (1.1, 4.1)

AR 195-5 Evidence procedures

Justify SOP

2. How did you prepare yourself and your junior leaders/Soldiers to understand applicable regulations, OPORD/FRAGO, directives, international laws and administrative procedures to operate a collection Point? (1.1, 1.2, 1.4, 1.6, 4.1).

ROE TNG 2-3 times (BE, RUM, 1Z)
(GE) → SS-Ts.

3. How did Home Station/Mob Site Training prepare you to conduct Detainee Operations? (**Did this include Law of War and treatment of Detainees training?**) (1.1, 1.2, 1.3, 1.4, 4.1)

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

Initial SOG

- 4 Day crossover w/ MP 1st before taking over
- 2nd day - go escape procedures - cell gates, S2, etc.

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5. How does your unit conduct sustainment training for Detainee Operations or training for newly assigned personnel? (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)

MD

6. 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)

Adequate, on photo cell.
-3 blankets (open end)
can smoke

(No fire exit)

7. In relation to where the detainees are housed, how far away are your ammunition and fuel storage sites? Where is your screening site where MI Soldiers interrogate Detainees? (1.1, 1.2, 1.8)

8. Describe some of the basic operations of the collection point relating to detainee segregation, captured medical/religious personnel, feeding, sanitation, etc? (Do you segregate Detainees by nationality, language, religion, rank, and sex? How are captured Medical personnel and Chaplains being used? 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 collection point sanitary enough to ensure a clean and healthy environment free from disease and epidemics?) (1.1, 1.2, 4.1)

- Try to as best they can. Segregate by religion if they come in groups
- 2 MREs no beats, soap is common no toothbrushes, showers when they want.
- latrine twice a day.

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

[REDACTED] To move the detainees to certain locations

b2 b3

10. 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 coalition forces/host nation? (1.1, 1.2, 4.1)

Packet from S2, screen 4137, BDE record from providers, items belong to 4137 & export to DIF. Enter packet queue/then

11. What transportation problems do you experience moving detainees during the operation? (1.5)

12. Describe the procedures you use when you in process 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? Do you medically screen detainees?) (1.1, 1.2, 1.8, 4.1)

*CPA, 2 sworn statements, call S2 to verify & fly approved
look at 4137, take pictures, put in computer, & put in cell
med screen once a day by D/F*

13. What MP units (platoon, guards, escort, detachments) do you have at your disposal to operate and maintain the collection point? Do you have any shortages? How do these shortages impact your mission? What non-MP units are you using to help operate the collection point? Do you have any shortages? How do these shortages impact your mission? (1.1, 1.2, 1.3, 1.7)

(b)(2) 3 [REDACTED] / 3 shifts

14. What is your normal ratio of guards to detainees in the collection point? 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) METT-TC

(3)(2)-3

15. What is the number of personnel that is needed to move prisoners internally and externally (i.e. to the internment facility, from the BN Collection Points, for medical, evacuation, etc.)? (1.1, 1.7)

(3)(2)-3

16. What personnel shortages do you have? What issues, if any, do you feel your unit has regarding manning or personnel resourcing in conducting Detention Operations? (1.7, 2.1, 3.1)

17. What equipment shortages (USR) are affecting your ability to perform detainee operations? What other equipment is the unit experiencing as a shortfall concerning detainee operations, (i.e., restraints, uniforms, CIF items, weapons, etc.)? What major shortfalls has the unit encountered in regards to materiel and supply distribution? (1.3, 1.5, 2.1, 3.1)

10 bracelets

18. 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. (1.1, 1.2, 1.4)

no prob

1347

19. What logistical support do you receive to run this Facility? What types of supplies is greater in-demand for the unit during detainee operations? And are these items regularly filled? (1.5)

MRE's, water,
blankets to laundry (Contractor) as needed.

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

Other than ROD TNG.

21. What are the unit's procedures for the interrogation/questioning of Detainees? (1.1, 1.2, 4.1)

log in 1594, guards will detainee, unless at
detainee in booth

22. What kind of stress counseling are Soldiers/Guards provided? (1.1, 1.2, 2.1, 4.1)

mental health specialist at Aid Station.

23. 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)

Aid station - 1A makes assessment

24. What type of Medical personnel/units are available in support of medical treatment of detainees? (1.1, 1.2, 2.1, 4.1)

BN and station

25. Are Detainees given the latitude 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)

No Koran avail & not given to them
No Chaplain

26. 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)

-latrine twice a day,

-water - 1 large bottle + fill up at WC break

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

Reply ✓

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

✓

29. 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)

✓ Call Aid Station, call S2.

*Documentation very important, sworn statements,
what questions unit asked previously so S2 knows.*

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

yes

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)

yes, counseled on it

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

call S2, log it

32. 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

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

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

1350

Through interpreters (0800-1700)

36. 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) _____

37. 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) _____

- A/C

(G)(2)-3

- [redacted] prisoners right now (G)(2)-3
- living - pretty good - live in place I work [redacted] Soldiers tested
no A/C, no fans.

38. 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) _____

MWR - TV, phone, computer, pool, ping pong

Excellent - morale + Command Climate

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

~~Detainee~~ -

NO

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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?

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

41. 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)

42. 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)

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

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

NO

just suicide never

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

- MCI cut phones,

(Qatar - 4 days)

- sports,

Freedom fest 4 days

only donece

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

difficult to do w/ missions

1353