

VH60 to Facility  
0830 in brief  
0945 Bn XO

29 Mar (b)(6)-2

**MANEUVER BDE (BN XO)**  
**INTERVIEW QUESTIONS**

(b)(6)-2

Rank MAJ Branch IN Date 29 Mar 04 Unit 1-26 IN  
Duty Position Bn XO How Long in Job 11 mths  
Interviewer COL [redacted]

(b)(6)-2

1. (ALL) What are your responsibilities concerning detainee operations?  
(BDE XO) What are your responsibilities concerning the Forward Collection Point in the BSA? What is your relationship with the Forward Collection Point OIC?

(1.1, 1.2, 1.4) (DOD Directive 2310.1 provides that persons captured or detained by the U.S. Military Service shall normally be handed over for safeguarding to U.S. Army Military Police, or to detainee collecting points or other holding facilities and installations operated by U.S. Army Military Police as soon as practical. AR 190-8, para 1-5, a. (1) All persons captured, detained, interned, or otherwise held in U.S. Armed Forces custody during the course of the conflict will be given humanitarian care and treatment from the moment they fall into the hands of the U.S. forces until final release or repatriation.) FM 63-20 Ch 5 MP Operations. A direct support military police platoon is usually operating from the BSA. The battlefield missions performed by this platoon may include battlefield circulation control, area security, operation of the EPW point, and law enforcement. MPs conduct collection, evacuation, and internment operations to support their EPW mission. The EPW point holds EPWs captured by brigade units until they can be evacuated to the division central collection point. FM 3-19.40 covers EPW operations in detail. FM 63-21 Ch 4 S1 Section. Other functions of the PAC in support of the MSB include- Coordinate with the S2/S3, S4, and MP platoon leader on the location of EPW collection points; Project numbers of EPWs and civilian internees; Determine total transportation requirements for losses, replacements, and EPWs. Submit transportation request to the S4.

Make sure provide living space for MP Plt Per Div SOP up to 14 man augmentee  
W ~ 5 a day (based on need)

Ensure conditions are improved infrastructure improved Div & Bde inspection  
provided a list of deficiencies so he is responsible for correcting

2. (ALL) Can you tell me what basic publications you use for Detainee Operations (doctrine and standards)? (1.1, 4.1) (AR 190-8, DoD Directive 5100.77, 1949 Geneva Convention, FM 3-19.40 I/R Operations FM 3-19.4 MP Commander's Handbook are the basic/primary sources for doctrine and standards.

Div SOP Draft Bde SOP

Photos inherited didn't have proper evidence, digital photo, poor statements

3. (ALL) How did you prepare yourself and your junior leaders to become familiar with and understand the applicable regulations, OPORD/FRAGOs directives, international laws and administrative procedures to support Detainee Operations? (1.1, 1.2, 1.4, 1.6, 4.1) 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,

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DA IG

NCOs and enlisted personnel commensurate with the missions of the unit. 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 63-20 & 63-21

*Did a lot of HST on dignified respect covered w/ leadership  
Did FTXs that included detainee ops. Many in Kosovo  
Right seat ride consisted of bouncing around in back of HMMV  
thru Tower; tossed into back kept several hrs taken to test  
fire range where fired near HMMV Bnldr nipped this in the bud*

4. (ALL) 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) DoDD 2310.1 (The U.S. Military Services shall be given the necessary training to ensure they have knowledge of their obligations under the Geneva Conventions (references (b) through (e)) and as required by DoD Directive 5100.77 (reference (f)) before an assignment to a foreign area where capture or detention of enemy personnel is possible. AR 350-1 para 4-14 c (2) and table G-1 Refresher training, dated 9 April 2003), Level B training is conducted in units for officers, warrant officers, NCOs and enlisted personnel commensurate with the missions of the unit. AR 190-8 para 1-5 (4) (C), DOD Directive 5100.77, All prisoners will receive humane treatment and that the following acts are prohibited murder, torture, corporal punishment, mutilation, taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. Prisoners will be protected against all acts of violence to include public curiosity. (AR 350-1 para 4-14c.(2) and table G-1 Refresher training, dated 9 April 2003), Level B training is conducted in units for officers, warrant officers, NCOs and enlisted personnel commensurate with the missions of the unit. AR 190-8 para 1-5(4)(C DOD Directive 5100.77), All prisoners will receive humane treatment and that the following acts are prohibited murder, torture, corporal punishment, mutilation, taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. Prisoners will be protected against all acts of violence to include public curiosity. (DoD Directive 5100.77, para 5.5.1, The Secretaries of the Military Departments shall provide directives, publications, instructions, and training so that the principles and rules of law of war will be known to members of their respective Departments, the extent of such knowledge to be commensurate with each individual's duties and responsibilities.

*HST was overall long but DO was part of this  
Did Level B Law of War long by Bde JAG*

5. (ALL) Can you describe the process of getting a Detainee to the Forward Collection Point in the BSA beginning with the point of Capture? How long do detainees stay in the company holding area before being transported to the BDE Forward Collection Point? (1.1, 1.2, 1.3, 1.5, 1.6, 1.7, 1.8, 2.1, 4.1)

*Bde CP is same as Battalion*

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6. (BN XO) How do your companies integrate the security and defense of the company holding areas into their perimeter defense? What is your normal ratio of guards to detainees in the holding area? Is this ratio the proper mix for you to perform your mission? If not, what are the shortfalls? How do these shortfalls impact your mission (1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8, 2.1, 3.1, 4.1)

*put detainees in an area w/gds*

7. (ALL) Are you experiencing any transportation problems to move detainees, and if so what? What is the number of personnel needed to move prisoners internally or externally (i.e. from the BN holding areas to the Forward Collection Point, for medical evacuation, etc.)? (1.1, 1.5 1.7) FM 3-19.40 paragraph 3-45

Captives should not remain at the forward CP more than 12 hours before being escorted to the central CP. When they have been processed and are ready for evacuation, MP leaders - Report the status to the BSA TOC and the PM (through MP channels). Request transportation, rations, and water from the FSB Supply Officer (US Army) (S4). Ensure that receipts are ready for signature. Ensure that property is properly tagged and given to escort guards. FM 3-19.4 Chapter 7 Para 7.8, The number of MP needed to operate a division forward collecting point is based on the number and rate of captives expected and the METT-TC. FM 3-19.40 para 3-54 Captives should not remain at the central CP more than 24 hours before being evacuated to the CHA. FM 3-19.40, para 4-34, A transfer may be a result of reclassification or another situation requiring the movement of an EPW. Transfer an EPW from one facility to another under conditions that are comparable to those for a member of the US armed forces when possible. Security measures are determined by MP and are influenced by the type of EPW being transferred, the mode of transportation used, and other pertinent conditions. AR 190-47, 11-3.b.(4), Guard requirements for prisoners being transported outside an ACS facility, by means of foot, motor vehicle, or aircraft (other than AIREVAC or U.S. Marshals Service aircraft) are as follows: (a) Trained correctional, military police or security personnel: Under maximum custody circumstances, there will be one guard per restrained prisoner and two unarmed guards or one armed guard per unrestrained prisoner. Under medium custody circumstances, there will be one guard per five prisoners. In minimum custody circumstances there will be one guard per ten prisoners. Trustee guards will be determined by the ACS facility commander. (b) Non-correctional personnel: It is required that at least one guard be a SGT or above who is equal or senior to prisoners in a pretrial status. Under maximum custody circumstances, prisoners will have two guards per prisoner. In medium custody circumstances, prisoners will have one guard per two prisoners, and in minimum custody circumstances there will be one guard per five prisoners.

*some snafus but plan on every Wed to transport to Dui*

*Holding at Bde for up to 14 days*

8. (ALL) What personnel or equipment USR shortages are affecting your ability to support detainee operations? What are your resource shortfalls to

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support this operation? What types of supplies is greater in-demand for the unit during detainee operations? (1.3, 1.5, 1.7, 2.1, 3.1) USR

guarding + transporting detainees

jumper clothes sleeping mats sandals

9. (ALL) 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) (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. FM 3-19.40, para 7-101, Supply functions in a confinement facility are the same as those in other military units. However, stronger security measures are necessary to prevent certain supplies and equipment from falling into the hands of prisoners.)

not enough MPs around

Not covered in PMF (did 5

10. (ALL) What procedures are in place to ensure Soldiers and leaders understand the use of force and rules of engagement? (1.1, 1.2, 1.4, 1.6, 4.1) ROE from CJCS ISO Iraqi operations dated 251600Z Apr 03 para 10 (U) All commanders will ensure their personnel are familiar with the law of armed conflict and with these ROE."

train on it here + at HST vignettes

engage + destroy hostile intent protect coalition force  
engage to prevent crimes against Iraqis

11. (ALL) What kind of stress counseling are Soldiers/Guards provided? (Psychiatrist, Psychologist, Chaplain, Medical, CBT Stress Teams) (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.

CST from Div when had death had them down for a few days

Chaplain

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12. (ALL) What are the procedures for evacuating a sick or wounded Detainee? How does your unit maintain the security and safeguarding of sick or wounded Detainees while in transport? (1.1, 1.2, 1.8, 2.1, 3.1) AR 190-8, paragraph 3-4 i(2) Every camp will have an infirmary. EPW/RP with a contagious disease, mental condition, or other illness, as determined by the medical officer, will be isolated from other patients. A list of endemic diseases of military importance can be obtained from the theater surgeon or preventive medicine officer. EPW/RP will be immunized and reimmunized against other diseases as recommended by the Theater Surgeon. EPW/IR suffering from serious disease, or whose condition necessitates special treatment, surgery, or hospital care, must be admitted to any military or civilian medical unit where such treatment can be given. FM 3-19.40 Para 2-10 Commanders consider the following when establishing medical care (see AR 190-8): • The medical treatment facility provides isolation of communicable diseases, disinfection, and inoculations. Use retained medical personnel and EPWs with medical training to the fullest extent possible when caring for sick and wounded EPWs. When medical care is inadequate, transfer housed personnel to military or civilian medical facilities where the required treatment is available. AR 190-8 para 6-6.c. Medical facilities. Each CI camp will provide personnel, material, and facilities for adequate routine and emergency dispensary treatment.

*medic on call at site evacuate requires PA assessment  
remain under guard (2 guards) stay w detainee for  
security*

13. (ALL) Describe how the unit plans and procures logistical support to include: subsistence, organizational, and NBC clothing and equipment items, mail collection and distribution, laundry, and bath equipment ISO DO. (1.1, 1.2, 1.4) 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.)

*thru 54 normal channels*

14. (BN XO) How do you provide your unit holding area with water? (Bottled water or bulk water)? (1.1, 1.2, 1.8) AR 190-8, paragraph 3-4 f(3) Sufficient drinking water will be supplies to EPW/RP

*Bottled*

15. (ALL) What are the procedures if a detainee in U.S. custody dies? (1.1, 1.2, 4.1) AR 190-8 para 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.

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16. (ALL) What AARs or lessons learned have you written or received regarding detainee operations? Can I get a copy? (preferably on disk) (2.1, 2.2) AR 350-1, paragraph 4-3c. The after action review is a structured review process that allows military training participants to discover how and why certain events actually happened and how to improve future task performance. The reviews focus on military training objectives, on performance according to Army standards, and on discovering lesson learned for sustaining and improving collectives and individual task performance proficiency.

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17. (ALL) Are you aware of your requirement to report abuse or suspected abuse of detainees? (1.1, 1.2, 1.6, 4.1) AR 190-40 para 2-1, Military and civilian personnel assigned to or accompanying a DoD Component know that they shall report reportable incidents through their chain of command and that such reports also may also be made through other channels, such as the military police, a judge advocate, or an Inspector General.) AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: b. War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident.

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18. (ALL) What procedures do you have to report suspected detainee abuse? Who can you report abuse/suspected abuse to? (IG, CID, Next Level Commander) (1.1, 1.2, 1.6, 4.1)

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

*to chain of com*

19. (ALL) Do your subordinates know the reporting procedures if they observe or become aware of a Detainee being abused? (1.1, 1.2, 1.6, 4.1) AR 190-40 para 2-1, Military and civilian personnel assigned to or accompanying a DoD Component know that they shall report reportable incidents through their chain of command and that such reports also may also be made through other channels, such as the military police, a judge advocate, or an Inspector General. AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: b. War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-40, Appendix C Category 2, Reportable Serious Incidents, C-1. Actual or alleged incidents involving the following: g. Incidents involving prisoners or detainees of Army confinement or correctional facilities to include escape from confinement or custody, disturbances which require the use of force, wounding or serious injury to a prisoner, and all prisoner deaths. C-2. Any other incident that the commander determines to be of concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-8, 5-1. General protection policy—civilian internee, a. Treatment. (1) No form of physical torture or moral coercion will be exercised against the CI. This provision does not constitute a prohibition against the use of minimum force necessary to effect compliance with measures authorized or directed by these regulations. (2) In all circumstances, the CI will be treated with respect for their person, their

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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.)

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

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21. 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

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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.

22. 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.

*Before their arrival the previous unit did not put much attention into detention facility. It was a hasty holding area.*

*Living conditions not bad. Stressful work condition.*

23. 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.

*good climate*

*Detention facility man is a hot potato. No body wants it because of how it was run before. High risk high threat opp. Missing on DO for unit. Need 2 LT running platoon in facility. Need more experience on oversight by MP.*

24. 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

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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.

*incidence 2 detainees made throat slitting motions  
no flex cuffed not abuse*

#### 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

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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?

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

26. 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) \_\_\_\_\_

27. 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

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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.) \_\_\_\_\_

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

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29. 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. ) \_\_\_\_\_

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30. 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

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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.

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31. 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."

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