

INTERROGATOR QUESTIONS

Rank CW2 Branch MI Date: 03/31/04 Unit [REDACTED]
Duty Position Numit TMLOR How Long in Job 15 mos.
Interviewer _____ How Long in Country 12 mos.

1. What references/standards/publications/SOPs do you use to conduct interrogation Operations? (1.1, 1.2, 2.1, 4.1) AR 190-8, DoD Directive 5100.77, 1949 Geneva Convention, FM 34-52 Intelligence Interrogation, FM 3-19.40, These are the primary source for standards and doctrine concerning Detainee Operations).

CO SOP FM 34-52, AIA MANUALS TO QUESTIONING
DETAINEEs, CPT MANUAL.

2. What training have you received to ensure your knowledge of DO is IAW the provisions under the Geneva Convention? (1.1, 1.2, 1.3, 4.1) DoDD 2310.1 para 3-3.2 (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 enemy personnel is possible.) AR 190-8, paragraph 4(b-c) 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). 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. 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

ANNUAL TRAINING, MONT IN KUWAIT AID EVERYDAY

3. Did your unit undergo Level B Law of War training prior to deployment? Explain what training occurred. Is there a plan to train new Soldiers (replacements) to the unit? Did this training include the treatment of Detainees? Explain. (1.1, 1.2, 1.4, 4.1) (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.)

HAD SEVERAL CLASSES, AND HAVE MANUAL ON
LAW OF LAND WARFARE

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4. What training did you unit receive on the established Rules of Engagement (ROE)? How often does this occur? Does this training include Rules of Interaction (ROI)? (1.4, 4.1) (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.) 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."

BRIEF CO WISG HAD ROE CARDS, BOOVER
ROE AT MISSION BRIEF. NOT SO MUCH NOT 32
CPLCC OUTLINE.

5. What is the procedure on how to identify a detainee who may have intelligence information? Who performs this procedure? Are MPs involved in the decision-making? Are PIRs used as a basis for the identification of detainees of interest, personality lists used, etc? (1.1, 1.2, 2.1) (FM 34-52 Intelligence Interrogation, page 3-2) If time permits, screeners should question holding area personnel about the EPWs and detainees. Since these personnel are in almost constant contact with the EPWs and detainees, their descriptions of specific ones can help identify sources who might answer the supported commander's PIR and IR. Screeners should identify and note those EPWs and detainees whose appearance and behavior indicate they are willing to cooperate immediately or are unlikely to cooperate ever. Unless time is critically short, screeners should--personally observe the EPWs and detainees. Pay attention to rank and branch of service insignias, and condition of uniform and equipment. Carefully observe the behavior demonstrated by other EPWs and detainees. Look for things like attempts to talk to the guards, intentional placement in the wrong segregation group, or any overt signs of nervousness, anxiety. Or fright. Note any EPWs and detainees whose appearance or behavior indicates willingness to talk.)

USED A JNT MANUAL, CPLCC MANUAL, EXPERIENCE
THING. TRAIN UNIT TO PICK UP ON NONVERBAL,
CARL EQUIP, NIKES) TRACK THEM BUT MP TO INTER.
A LOT OF S2 AND BASIC SCREENING. MI GAVE BRIEFS TO S2
ON HOW TO QUESTION. MPS NO INST SECURITY AND TRANS. YES, PERSONA
SOMEWHAT
DURING WAR.

6. What is the Rules of Engagement (ROE)/Rules of Interaction (ROI) when interrogating a detainee? (1.1, 1.2, 1.4, 1.6) (FM 34-52 Intelligence Interrogation, Chapter 1 page 1-8 Physical or mental torture: These persons are protected by the Geneva Conventions for the Protection of War Victims of August 12, 1949, as they relate to captured wounded and sick enemy personnel (GWS), retained enemy medical personnel and chaplains (GWS), enemy prisoners of war (GPW), and civilian internees (GC). Captured insurgents and other detained personnel whose status is not clear, such as suspected terrorists, are entitled to PW protection until their precise status has been determined by competent authority.

The GWS, GPW, GC, and US policy expressly prohibit acts of violence or intimidation, physical or mental torture, threats, insults, or exposure including to inhumane treatment as a means of or aid to inter rogation. Such illegal acts are not authorized and will not be condoned by the US Army.

Acts in violation of these prohibitions are criminal acts punishable under the UCMJ. The psychological techniques and principles in this manual should neither be confused with, nor

BASIC GUIDANCE NO MAL TREATMENT, MEDICAL TREATMENT

GUARANTEE NO DEGRADATION ? DAILY TRAINING & TRAINING DATA FOR HOSTILE

construed to be synonymous with, unauthorized techniques such as brainwashing, physical or mental torture, or any other form of mental coercion to include drugs that may induce lasting and permanent mental alteration and damage. Physical or mental torture and coercion revolve around eliminating the source's free will, and are expressly prohibited by GWS, Article 13; GPW, Articles 13 and 17; and GC, Articles 31 and 32. Torture is defined as the infliction of intense pain to body or mind to extract a confession or information, or for sadistic pleasure to extract a confession or information, or for sadistic pleasure.)

CUSTOMS PLAY A LARGE PART IN TREATMENT

7. What is the maximum amount of time allowed a detainee could be interrogated during one session? Where is this standard located? (local SOP??)

(1.1, 1.2, 4.1) working (FM 34-52 page 3-28 Reasons for termination: The source remains uncooperative during the approach phase. The source could be wounded, sick, or elderly, and his condition might force the interrogator to terminate until a later time. The interrogation objective requires several questioning periods to obtain all the information. The source may change his attitude during the interrogation, and may become more alert, belligerent, bored, or too talkative, thus indicating termination until later. The interrogator fails to maintain rapport and loses control of the interrogation. Interrogation objectives have been satisfied. The interrogator becomes physically or mentally unable to continue. Information possessed by the source is of such value his immediate evaluation to the next echelon is required.

NEVER PUT ANY RESTRICTIONS ON THE GUYS. NEVER SPENT MORE THAN 1-2 HRS.

8. What is the procedure in determining how long to hold a detainee at this level for interrogation once he refuses to cooperate? (1.1, 1.2) (FM 34-52 Intelligence Interrogation, page 3-28 Reasons for termination: The source remains uncooperative during the approach phase. The source could be wounded, sick, or elderly, and his condition might force the interrogator to terminate until a later time. The interrogation objective requires several questioning periods to obtain all the information. The source may change his attitude during the interrogation, and may become more alert, belligerent, bored, or too talkative, thus indicating termination until later. The interrogator fails to maintain rapport and loses control of the interrogation. Interrogation objectives have been satisfied. The interrogator becomes physically or mentally unable to continue. Information possessed by the source is of such value his immediate evaluation to the next echelon is required.)

(2) MAJOR FACTORS - (1) TACTICAL KNOWLEDGE, (2) KNOWING INFO TO GO FORWARD OR RELEASED.

9. How many people are authorized to be present in the room when interrogating/screening a detainee? Under what circumstances are you required and authorized to have more people? (1.7) no standard

TRY TO KEEP AN INTERROGATOR, AND INTERPRETER.

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GENERALLY HE HAD TALKED TO SOMEONE ELSE

10. Who may allow an interrogator to question a detainee if he is wounded or sick? (Medical personnel) (1.1, 1.2, 4.1) (FM 34-52 Intelligence Interrogation, page 2-12 sometimes it may be advantageous to conduct interrogations at the medical company. Wounded prisoners being evacuated through medical channels are frequently valuable sources of information; however, interrogators cannot represent themselves as medical or Red Cross personnel. The fact the EPW is wounded, and in an "enemy" hospital, puts him in a state of mind conducive to interrogation. The permission of competent medical authority is required before wounded prisoners can be interrogated. US Army doctors and medics are considered competent medical authorities. In their absence, the interrogation may not commence, even upon direction of non-medical military authority. When interrogating a sick or wounded EPW, great care must be taken to avoid implying that treatment will be withheld if cooperation is denied. The interrogation process must not interfere with timely medical treatment, to include administering medical to relieve pain.

MUST BE CLEARED BY MEDICAL PERSONNEL (QUALIFIED PHYSICIAN)

11. What types of restraining devices are authorized on the detainee during the interrogation? What type and/or amount of physical constraints are interrogators authorized to place on an unruly detainee during interrogation? (No standard to 2nd question, only when you are threatened or feel your life is in danger should an interrogator physically constrain a detainee) (1.1, 1.2, 4.1) (FM 34-52 Intelligence Interrogation, page 3-11 Rapport, There are two types of rapport postures determined during planning and preparation, stern and sympathetic. In the stern posture, the interrogator keeps the EPW or detainee at attention. The aim is to make the EPW or detainee keenly aware of his helpless and inferior status. Interrogators use the posture with officers, NCOs, and security-conscious enlisted men. The interrogator must always be in control of the interrogation. If the EPW or detainee challenges this control, the interrogator must act quickly and firmly. Everything the interrogator says and does must be within the limits of the GPW, Article 17. At no time may the interrogator use any type of physical restraints on any EPW.

PLEX CUFFS OR HANDCUFFS - IT WAS A ROL/ROL AND IS RELATIVE TO FORCE HE PUT FORTH UNTIL DA OR GUARDS. 4-5 LEVELS OF RESTRAINT METHODS USED.

12. Where are your screening sites located (where detainees are interrogated and screened)? Are these facilities adequate for your needs? Do you have enough interrogators for your operation needs? What are your personnel shortfalls? (1.1, 1.2, 1.7, 1.8) Local SOPs (FM 34-52 Intelligence Interrogation, page 2-9 At brigade level, EPWs can be detained in open fields, courtyards, gardens, jungle clearings, or similar sites if they are hidden from enemy observation. If necessary, these areas can be enclosed with barbed wire for more efficient EPW handling. Because EPWs seldom remain at a forward collecting point for more than a few hours, EPWs are not usually kept in a building or other shelter. Interrogation facilities at battalion and brigade are kept to a minimum. 2-10 Compared to brigade facilities, division interrogator facilities are expanded. When practicable, interrogations at division should be conducted in improvised interrogation rooms in buildings

HAD A SMALL BLDG - AN HAD SEPARATE PLACES ABOUT 100 METERS FROM DETENTION FACILITY - HAD SMALL GUARD

adjacent to the division collecting point. If possible, separate rooms should be available to permit several interrogations at once. 2-22) The EAC interrogation facility will normally be designated as the Theater Interrogation Facility (TIF). A TIF is staffed by US Army interrogators and analysts, with support from Air Force, Navy, Marine Corps, and other US national agencies as required. In a multinational operation, a combined interrogation facility (CIF) may be established with allied interrogation augmentation.)

NOT ENOUGH INTERROGATORS - WAS TRYING TWO DIFFERENT MISSIONS - SAME MISSION INTER MISSIONS - FOR BAE NEED 5-6 INTERROGATORS - SR, ANOTHER, 1 PER BN.

13. Are you receiving sufficient information from the capture paperwork to properly conduct screenings and interrogations? Are the current requirements for documentation of a captured person sufficient or excessive? Did the changes in procedures as far as documenting captured person improve your ability to gather intelligence? (1.1, 1.2, 2.2, 4.1) (FM 3-19.40, paragraph 2-3, The commander is responsible for the administrative processing of each internee. When processing is complete, he submits a DA Form 2674-R to the servicing internment/resettlement information center (IRIC), which function as the field operations agency for the national IRIC located in CONUS.) (AR 190-8, para 2-1, a. (1) (b) (c), All equipment, documents, and personal property confiscation during the search must be tagged and administratively accounted for by the capturing unit. DD Form 2745, Part C is attached to the property confiscated from the Detainee, so that it may later be matched to that Detainee to include the CJTF Directive on proper paperwork procedures)

HIT & MISS DEPEND ON TMS - GOT LOP AND BETTER. I'D HAD PROCESSING CARDS. ITS EXCESSIVE FOR INF. IF THEY HAVE A LOT OF DETAINEES. ARMY NEED A CAPTIVE TAG & INF NEED TO BE TRAINED ON.

14. What are the procedures for the transfer of custody of Detainees from the MP/Guard personnel to Military Intelligence personnel? When the detainee is returned to the guard force, what procedures occur? (what info is passed on to the Guard Force (type of reward?)...observation report, paper trail audit)

(1.1, 1.2, 4.1) (FM 3-19-40, chapter 3/3-68) If a captive or his equipment or documents are removed from the receiving/processing line, account for them on DD Form 2708 and DA Form 4137. 3-68. The site is located where screeners can observe captives as they are segregated and processed. It is shielded from the direct view of captives and is far enough away that captives cannot overhear screeners' conversations. The site has an operation, administrative, and interrogation area. The interrogation area accommodates, a captive, a guard, and an interpreter as well as furniture. Lights are available for night operations. Accountability procedures are implemented and required forms are available.)

CHANGED AS IT WENT ON - THEY DO ONLY THE ITEMS TAKEN. LATER SIGNED THEM OUT ON JOURNAL LOG - LOG IN FOR RETURN

15. Are the personal effects of a detainee released to the interrogator or is the interrogator allowed to examine the items? **DOCUMENT HANDLING (1.1, 1.2)** (FM 34-52 Intelligence Interrogation, page 4-4 The accountability phase begins at the time the document is captured. Original documents must not be marked, altered, or defaced in any way.

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Documents must be clearly tagged. The capturing unit attaches a capture document tag (DA Form 5976, Part CNOTE: Different tag. AR 190-8, para 2-1a(b) says use a DD Form 2745 and (d) says Part C is attached to property confiscated from the detainee.) to each document; multiple CEDs are bundled or bagged together. The capture data is always recorded on a captured document tag. The capture document tag should be assigned a sequential number at the first formal exploitation point, showing the nationality of the capturing force by national letters prescribed in STANAG 1059. The capturing unit will record the information as follows: Time document was captured, recorded as a DTG. Place document was captured, including the six-or-eight-digit coordinate, and description of the location of capture. Identify of the capturing unit. Identity of the source from whom the document was taken, if applicable. Summary of the circumstances under which the document was found. CED intelligence value will be determined and exploited as early as possible. The document must be forwarded immediately to higher headquarters. Custody of CEDs transfer (normally from the MP) to MI when MI identifies a document as having intelligence interest. When MI interest in an EPW-related CED stops, MI gives it back to the MP. FM 3-19-40, chapter 3 para 3-64, 3-68) to facilitate collecting enemy tactical information, MI may collocate interrogation teams at CPs and CHAs. This provides MI with direct access to captives and their equipment and documents. Coordination is made between MP and MI to establish operating procedures that include accountability. An interrogation area is established away from the receiving/processing line so that MI personnel can interrogate captives and examine their equipment and documents. If a captive or his equipment or documents are removed from the receiving/processing line, account for them on DD Form 2708 and DA Form 4137.

AS LONG AS THEIR A CHAIN OF CUSTODY, SOMETIMES
JUST LOOK THEM. IF WERE INTEL VALUE WERE
TAKEN.

16. How are translators/linguists used during the screening/interrogation process? Do you trust the interpreter? How are MPs/Guards used during this process? (1.1, 1.2, 1.7, 2.1) (FM 34-52 Intelligence Interrogation, use of interpreter page 3-30 Interpreter briefing: Once the interrogator has chosen a method of interpretation, he must brief his interpreter. This briefing must cover- current tactical situation, background information obtained on the source, specific interrogation objectives, method of interpretation to be used, and the conduct of the interrogation.) (use METT-T)

USED AS A TOOL AND NOT PART OF PROCESS, ALL WERE
CAP 2 LINGUISTS (US) HAD ONE EGYPTIAN NO ARABIS
TRUSTED THEM - THOSE NOT WERE FIRED

17. What is your perception of the contract interrogators training and capabilities to conduct proper interrogations of detainees? (No standard for perception)

IN THE BEGINNING WERE GOOD, AFTER TAITON THE
GUYS REPLACED WERE NOT TRAINED AS WELL

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18. What do you perceive to be doctrinal shortcomings pertaining to Interrogation Operations? How would you fix/incorporate into updated doctrine/accomplish differently? How about Force Structure to ensure Interrogation 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)

TRAINING ARMY WIDE, ESPECIALLY IN COMBAT ARMS.
PEOPLE QUESTIONED THE REGULATIONS. MORE PEOPLE WOULD NOT
GIVE THEM AN EXCUSE. WORK ON THE SCHOOL HOUSE ITS ACADEMIC

19. Do you know of the procedures to get stress counseling (Psychiatrist, Chaplain, Medical)? Do your Soldiers know of the procedures to get counseling (Psychiatrist, Chaplain, Medical)? (1.1, 1.2, 1.6, 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. 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. 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).

CHAPLAIN BRIEFED IT A LOT - ALWAYS RIGHT THERE
SOLDIERS KNEW

20. What is considered abuse to a detainee during interrogation? (1.1, 1.2) (FM 34-52 Chapter 1 page 1-8 Examples of physical torture include: electric shock, infliction of pain through chemicals or bondage (other than legitimate use of restraints to prevent escape), forcing an individual to stand, sit, or kneel in abnormal positions for prolonged periods of time, food deprivation, any form of beating. Examples of mental torture include: mock executions, abnormal sleep deprivation, chemically induced psychosis. Coercion is defined as actions designed to unlawfully induce another to compel an act against one's will. Examples of coercion include-- Threatening or implying physical or mental torture to the subject, his family, or others to whom he owes loyalty. Intentionally denying medical assistance or care in exchange for the information sought or other cooperation.

PHYSICALLY STRIKING OR ANYTHING THAT DEGRADE OR
HUMILIATING. AND FORCING TO SUBDU NEVER
SARRY A WEAPON.

21. 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

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immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident.

YES

22. Do your subordinates know the reporting procedures if they observe or become aware of a Detainee being abused? (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.)

YES

23. 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

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GIVE TO CAC AN CHANCE

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

WANT TO GO TO DIV TO REPORT CAC DID NOT TAKE ACTION

25. What procedures do you have to report suspected detainee abuse (IG, CID, Next Level Commander) (1.2, 1.6, 4.1) (AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: b. War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-40, Appendix C, Category 2, Reportable Serious Incidents, C-1. Actual or alleged incidents involving the following: g. Incidents involving prisoners or detainees of Army confinement or correctional facilities to include escape from confinement or custody, disturbances

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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.)

26. What procedures are in place for Detainees to report alleged abuse? (1.2, 1.6, 4.1) AR 190-8, para 5-1, g. Appeals and periodic review of security internment cases. (1) Appeals. The CI who are interned for imperative security reasons will be accorded the right to appeal the order directing their internment. Such appeals will be decided with the least possible delay by a board of officers. Appeals will be decided only on the grounds of the existence or nonexistence of imperative security reasons requiring the internment of the protected person. 6-4. Internee Committee a. Election. At each camp and branch camp, CI will be elected by secret written ballot to the Internee Committee. This committee is empowered to represent the camp to the protecting powers, International Committee of the Red Cross, or other authorized relief or aid organizations and U.S. military authorities. e. Duties. (3) (c) The presentation and transmittal of petitions and complaints to the appropriate authorities in proportion to the kind of labor performed. 6-9. Complaints and requests to camp commanders and protecting power, a. Persons may make complaints or requests to the camp commander, who will try to resolve the complaints and answer the requests. If the CI are not satisfied with the way the commander handles a complaint or request, they may submit it in writing, through channels, to HQDA, ODCSOPS (DAMO - ODL) NPWIC, WASH DC 20310-0400. b. Persons exercising the right to complain to the protecting power about their treatment and camp may do so—(1) By mail. (2) In person to the visiting representatives of the protecting power. (3) Through their Internee Committee. c. Written complaints to the protecting power will be forwarded promptly through HQDA (DAMO - ODL) NPWIC, WASH DC 20310-0400. A separate letter with the comments of the camp commander will be included. Military endorsements will not be placed on any CI communications. d. If a protecting power communicates with a CI camp commander about any matter requiring an answer, the communication and commander's reply will be forwarded to HQDA (DAMO-ODL) NPWIC, WASH DC 20310-0400, for proper action. 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.

MILITARY LAWYERS WOULD BE INFORMED. IT NEVER
HAPPENED IN OTHER PLACES

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27. 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.

ANSWER TH CALLS PIA TO MAKE SOUND DECISIONS
ON HOW TO EMPLOY TROOPS, IDENTIFY THREATS
TO UNIT.

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C - 40m

28. 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.

INITIALLY AN OPEN AREA, LIVING CONDITIONS WERE
IN HAMMUR, TENT (WORKING) AS WENT FURTHER NORTH
IMPROVED AS TIME WENT ON. IN BAGHDAD IN BARRACKS,
OFFICES.

29. 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. UP UNTIL JUNK WAS MOTIVATED
WARRLED A LOT WHEN KAREN WERE STAYING LONGER.

1992

PS WAS 7

30. 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. THERE ARE SOME THINGS THAT WERE REPORTED - BOE XO - BN CAR - INTERROGATION WITH CATS LINGUISTS - ALWAYS WENT INTO AN INTERROGATION WITH A GUN.

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

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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?

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

32. 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) _____

33. Was this incident reported to the chain of command? How, when & what was done? What would you have done? (Identifies compliance, procedure, timeliness, Soldier perception of action taken and effect on unit morale.) (1.2, 1.6) (AR 190-40, Appendix B, Category 1 Reportable Serious Incidents, B-1. Actual or alleged incidents involving the following: b. War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities. B-2. Any other incident the commander determines to be of immediate concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-40, Appendix C Category 2, Reportable Serious Incidents, C-1. Actual or alleged incidents involving the following: g. Incidents involving prisoners

or detainees of Army confinement or correctional facilities to include escape from confinement or custody, disturbances which require the use of force, wounding or serious injury to a prisoner, and all prisoner deaths. C-2. Any other incident that the commander determines to be of concern to HQDA based on the nature, gravity, potential for adverse publicity, or potential consequences of the incident. AR 190-8, 5-1. General protection policy—civilian internee, a. Treatment. (1) No form of physical torture or moral coercion will be exercised against the CI. This provision does not constitute a prohibition against the use of minimum force necessary to effect compliance with measures authorized or directed by these regulations. (2) In all circumstances, the CI will be treated with respect for their person, their honor, their family rights, their religious convictions and practices, and their manners and customs. At all times the CI will be humanely treated and protected against all acts of violence or threats and insults and public curiosity. In all official cases they will be entitled to a fair and regular trial as prescribed by this regulation. (3) The CI will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attack such as rape, forced prostitution, or any form of indecent assault. (4) The CI will be treated with the same consideration and with-out adverse distinction based on race, religion, political opinion, sex, or age. AR 190-8, para 6-9, e. Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.) _____

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

35. 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.) CHAPLAIN - IN THE BRIEF SAID THERE WAS
COMBAT STRESS TEAM. COLOCATED WITH MEDIC

1995

36. What measures are in place to boost morale or to relieve stress? (Identifies perceived solution.) FM 22-51, para 11-5. Prevention of Misconduct Stress Behaviors. The measures which reduce battle fatigue and prevent battle fatigue casualties should also help reduce the incidence of misconduct stress behaviors. However, additional actions also need to be practiced consistently by leadership at all echelons and by buddies at the small unit level. FM 22-51, para 1-3, Stress control requires special involvement from direct (small unit) leaders. The responsibility extends up through the organizational leaders and their staffs (both officers and noncommissioned officers [NCOs]) at all echelons. Appendix A describes combat stress risk factors and prescribes leaders' actions to control them. Leaders, staffs, and individual soldiers all receive assistance from the supporting chaplains, the medical personnel, and combat stress control/mental health personnel (see Appendix B for information pertaining to combat stress control units). If any link in the chain of responsibility is weak, it is the responsibility of the other members of the chain to strengthen it. FM 8-51, para 1-1, b. Responsibility For Stress Control. Control of stress is the commander's responsibility (see FM 22-51) at all echelons. The commander is aided in this responsibility by the noncommissioned officer (NCO) chain of support; the chaplaincy; unit medical personnel; general, principal, and special staff, and by specialized Army CSC units and mental health personnel. INTERNET & PHONES, USED CALLING CARDS, THEN PREPAID PHONES, FOR HAA GYM, SPORTS RIFLES, MOVIES, ARE AT THE END, ENVIRONMENTAL LEAVE.

37. 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." INDECISIVENESS OF WHEN RETURNING HOME, A LOT OF WAFELING BETWEEN COO.

INF BN COAS WOULD GO AROUND VISIT TROOPS

STANDARDIZATION SHOULD BE ACROSS THE BOARD AMONG SERVICES. ESPECIALLY
CAPTIVE TAGS WERE DIFFERENT. UNIT DOES NOT TRAIN FOR
DETAINEEES ON THE BATTLEFIELD - COMBAT ARMS - MP & MP WERE
DOUBLE IN SIZE.

1997

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