

OUTLINE

PREFACE

- Minimum Standards met IAW 190-8
- Maturation process as we go
- IG focus:
 - What is a reasonable standard for humane treatment in relationship to the time detainees are held in facility.
 - What efficiency improvements do we need to prevent unnecessary detainment?

OBJ 1.1 Medical and Sanitation

Finding 1 More emphasis needs to be placed on health standards for detainees.

Standards: FM 3-19.40 FM 21-10

Results: Detainees are receiving treatment for obvious illness or injury, however

Recommendations: FRAGO covering minimum standards

24-72 hours

3-7 days

8-21 days

Facility commanders ensure PREVMED/Field Sanitation teams conduct health surveys of DCCP/FCPs monthly.

OBJ 1.2 Facilities

Finding 1 2 of 3 FCPs will require a winterization plan.

Standard:

Results: DCCP has a statement of work for upgrades for the current facility the construction of a permanent facility which will provide adequate shelter from the elements. Each FCP has adequate facility to provide minimum shelter from the sun.

Recommendations Commanders expedite facility improvements for winterization.

OBJ 1.3 Provide for religious accommodations

Finding 1 There are no issues.

Standard: FM 3-19.40 Chapter 2

Results: Sensing sessions revealed no issues. Detainees could keep copies of Koran or other religious material at are allowed to pray at their discretion. Interview with Muslim chaplain revealed no issues and detainees have not requested religious services.

Recommendations: continued emphasis

OBJ 1.4 Assess response plan for family inquiries

Finding 1 DCCP and all 3 FCP's have plan for responses to family

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OBJECTIVE 1.1 Health and Sanitation

FINDING: The DCCP provides adequate medical screening for detainees.

STANDARD: IAW AR 190-8 PARA 6-6 states a medical officer will examine each CI upon arrival at camp and monthly thereafter. The civilian internee will not be admitted into general population until medical fitness is determined. FM 3-19.40 states that to prevent captives from incurring disease and nonbattle injuries (DNBI) (heat and cold injuries or communicable diseases) while in captivity you will isolate captives who exhibit obvious signs of disease until medical personnel make an evaluation.

INSPECTION RESULTS: All detainees are being screened to determine general health and annotations are made concerning any medical conditions, which require medical attention, or to document physical status prior to entry into detention facility.

RECOMMENDATION: Unit continues to maintain standards.

FINDING: Detainees are not receiving the sufficient potable water for drinking.

STANDARD: IAW FM 3-19.40 PARA 2-11 states that each internee receive as much water as US soldiers.

INSPECTION RESULTS: US soldiers are allocated 4 bottles of water per day. All detainees are given a bottle of water at the time of inprocessing and are instructed that the bottle is their means for obtaining drinking water from the water faucet located in the DCCP area. They are not limited to how much water they consume. Most detainees did not like the taste of the purified water.

ROOT CAUSE: WON'T COMPLY. The DCCP has decided based on comments from previous detainees and a previous shortage of water within the division to issue the one bottle of drinking water and allow them to utilize the water faucet for resupply.

RECOMMENDATION: The IG recommends that the unit be authorized to draw additional bottled water to allow for up to 4 bottles of water per detainee per day.

FINDING: All detainees are being properly trained on the proper way of disposal of garbage and human waste.

STANDARD: IAW FM 3-19.40 PARA 2-1 states that disposing of human waste properly to protect the health of individuals associated with the facility according to the guidelines established by preventive medicine.

INSPECTION RESULTS: Detainees are required to conduct a police call twice each day within the holding area. Wrappers and food, which is not consumed, is picked up and properly accounted for within one hour of the morning or evening mealtime. Human waste is disposed of 2-3 times daily. Waste cans are removed and placed out by the room for permanent removal by the sanitation team.

RECOMMENDATION: The IG Recommends that the unit continues to maintain standard.

FINDING: Detainees are not receiving the adequate amount of personal hygiene products.

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STANDARD: IAW FM3-19.40 para 2-11 states that detainees will be provided personal hygiene materials.

INSPECTION RESULTS: Bar soap was being provided however due to unavailability they have switched to powder soap. Toothbrush and toothpaste have been offered in the past; however, there has not been any interest from detainees to use these items.

ROOT CAUSE: WON'T COMPLY. There has been no request for personal hygiene materials (toothbrush, toothpaste, comb, razor, etc.) in the past.

RECOMMENDATION: The IG recommends that the DCCP maintain a stockage level of personal hygiene materials and each detainee be briefed on the availability of personal hygiene materials upon inprocessing.

FINDING: The soakage pit utilized in the holding area is not sufficient to allow for the amount of water being utilized within the holding area.

STANDARD: IAW FM 21-10 states a soakage pit should be provided for all hand-washing and shower facilities.

INSPECTION RESULTS: The area near the water faucet is used for both obtaining drinking water and for personal hygiene to include the washing of individual clothes. The ground in the area is not porous enough to facilitate the runoff of wastewater and creates a possible location for mosquitoes to breed as well as attracting other types of arthropods.

ROOT CAUSE: WON'T COMPLY. Although the soldiers were aware of the possible health hazards only a small trench has been dug to assist in the wastewater run-off.

RECOMMENDATION: The IG recommends that a soakage trench be constructed in each holding area to reduce the pooling of wastewater.

OBJECTIVE 1.2 Facilities

FINDING: The shelter provided for detainees is adequate for current weather conditions but will not provide the appropriate amount of shelter to protect detainees from the elements in the near future.

STANDARD: IAW FM 3-19.40 para 3-51 states that a DCCP will use existing structures, when available, to conserve resources. When structures are not available some type of tentage or shelter to protect captives from elements.

INSPECTION RESULTS: There are two shelters currently in use. One wooden shelter is the approximate size of a GP Med, which is supplemented by a small tarp for shade. There is a frame tent with roof (sicup) in the other holding area. There are current work orders that will provide more permanent facilities that are to be built which will satisfy housing requirements and sanitary requirements.

RECOMMENDATION: The IG recommends the construction of more permanent structure that would better shelter detainees during the upcoming winter months be given prompt attention.

FINDING: Detainees are not provided adequate facilities to conduct proper personal hygiene.

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STANDARD: IAW FM 3-19.40 PARA 2-11 provides sufficient showers and latrines and ensuring that they are cleaned and sanitized daily.

INSPECTION RESULTS: They are allowed to wash their clothes when they wish by using the water faucet in the DCCP area. There are no designated areas designed to allow detainees to take showers; however, detainees are bathing on a daily basis, but in the open near the water faucet.

RECOMMENDATION: The IG recommends that the unit construct field hand washing devices within each holding area and at least one gravity water shower within the DCCP to allow detainees to shower.

OBJECTIVE 1.5 treatment of detainees

FINDING: Guard members were aware of proper sequence and limitations established in the rules of engagement in the treatment of detainees.

STANDARD: IAW 101st Division Provost Marshal SOP #2 Division Central Collection Point provides guidance for the care and security of detained personnel.

INSPECTION RESULTS: Soldiers were able to identify and give examples of actions which could be taken when dealing with detainees who were not complying with the established rules.

RECOMMENDATION: The IG recommends that the unit maintains current standard.

FINDING: There are no signs posted outlining standing orders for the DCCP in detainee's native language in a location where they can read the orders and refer to them to include a notice of protection from other detainees

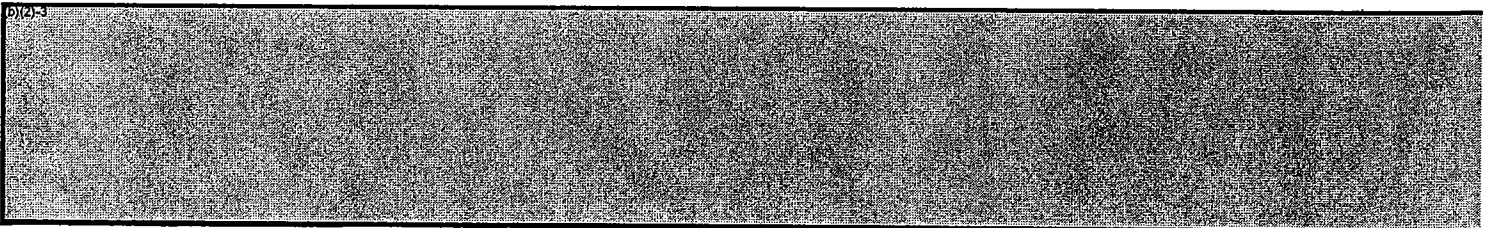
STANDARD: IAW FM 3-19.40 para 2-7 and 2-8, standing orders and notice of protection will be published in their language and posted where they can read the orders and refer to them. Standing orders include rules, procedures, an instructions governing activities and other matters as deemed appropriate.

INSPECTION RESULTS: There were no posted signs outlining the rules for the DCCP. Interviews with the squad leader and guards indicated that the detainees are given a short brief on the general rules of the facility and are further briefed by other detainees within the facility.

ROOT CAUSE: DON'T KNOW.

RECOMMENDATION: The IG recommends that the appropriate signs be designed and constructed to cover all rules and procedures and placed at each holding area within the facility and at the entrance processing station.

OBJECTIVE 2.1



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(b)(2)-3

(b)(5)-1

OBJECTIVE 2.2

FINDING: The DCCP is segregating individual based criteria set forth by the Division Provost Marshal and gender

STANDARD: IAW FM 3-19.40 para 3-21 states the OIC or NCOIC designates the segregation procedures and leve to ensure the security, health, welfare of the detainees.

INSPECTION RESULTS: All detainees after initial screening were segregated into two different holding areas. Or holding area was being utilized for detainees who were suspected of being infected with a contagious disease. All other detainees were collocated in a separate holding area. There were no females being detained during the time of the inspection. When a female is taken into the facility they are segregated into their own area.

RECOMMENDATION: The IG recommends that sufficient holding areas be incorporated into the new facility to allow for the detention of males, females, and a separate area for those who are awaiting confirmation of medical status prior to entering into the general population.

FINDING: The DCCP did not have an adequate protection for detainees from direct and indirect fires.

STANDARD: A bunker will be established in each compound or free access to a bunker is needed to protect captivi from direct and indirect fire.

INSPECTION RESULTS: No current bunker advised that detainees would be moved into a MILVAN however search of the area showed one MILVAN locked, one that had a large hole and would not provide sufficient protectio from direct and indirect fires. Prior to the current construction that is ongoing in the area there were trenches that were to be used for protection from direct and indirect fire but have been eliminated due to construction of the vehic inspection area and the improvements to the south entrance.

ROOT CAUSE: WONT COMPLY.

(b)(2)-3 & (b)(5)-1

OBJECTIVE 3.1

FINDING: The NCOIC is preparing a file for all detainees as they are processed into the facility utilizing the CPA

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DA IG

Apprehension Form and sworn statements.

STANDARD: IAW FM 3-19.40 para 4-14 states each EPW will have their own file in which all forms completed will be maintained. CFLCC FRAGO 415 para 3.B.2.B. upon receipt of a criminal detainee from the capturing unit the NCOIC of the In processing section of the detention facility will review the CPA Apprehension form and the sworn statements for complete and detained information. The NCOIC will create a file with these documents, as well as all other records.

INSPECTION RESULTS: The NCOIC of the In processing section is reviewing the CPA Apprehension form and checking the sworn statements for complete and detained information. The NCOIC maintains a file with all detainee records in a single folder. One packet observed only contained one sworn statement. The other packet screened contained no sworn statements. When questioned as to the reason there were no statements attached the squad leader stated that if they bring in a group they will usually have only one copy of the sworn statement for all individuals and will make copies if they are transferred separately.

ROOT CAUSE: CAN'T COMPLY. The DCCP Does not have the resources to facilitate one folder for each detainee. Squad leader at the detention facility was not aware of the requirement to obtain two separate sworn statements for each detainee.

RECOMMENDATION: IG recommends that sufficient quantities are made available to facilitate each detainee is processed with their own individual file.

FINDING: Personal property that is impounded or confiscated is being inventoried utilizing DA Form 4137.

STANDARD: IAW FM 3-19.40 para 3-14 states when seizing property from a captive it will be bundled or placed in a bag to keep it intact and separate from other captives' possessions. A DA Form 4137 will be prepared for all confiscated and impounded property. A commissioned officer must order the impounding of any currency.

INSPECTION RESULTS: Personal property is being maintained on DA Form 4137. A general rule during in processing the individual will have their currency impounded and annotated on the DA Form 4137 without authorization from a commissioned officer. The personal property is marked using the number from the capture tag.

ROOT CAUSE: DON'T KNOW. When asked the guard force was not aware that the impounding of currency needed to be directed by a commissioned officer. The Division has not established a standing order for impounding currency.

RECOMMENDATION: The IG recommends that the DCCP SOP be revised to allow the impounding of currency for all detainees under the heading of negotiable instruments.

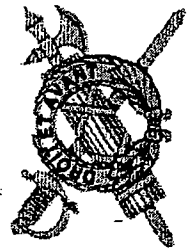
OBJECTIVE 3.2

FINDING: Personnel are reporting the headcount to the company command post each time the number of detainees changes within the facility.

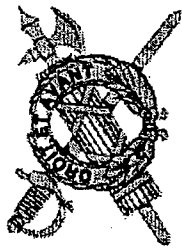
STANDARD: IAW 101st PM SOP para 4a(10(d)) states that the head count will be conducted and reported to the company command post every sixty minutes.

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INSPECTOR GENERAL UPDATE TO THE CG



7 OCT 2003

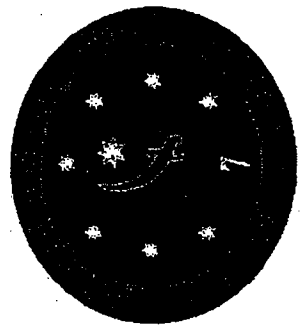
Detention Center Assessment

Force Protection Overview

Technology Overview

Miscellaneous Issues

IG Personnel Issues



Detention Center Operational Observations & Issues

Geneva Convention Issues

- Requirement for a copy of the Geneva Convention to be readily available in the detainees' language: no facility is meeting this requirement
- Recommendation: Task Civil Affairs to provide native language copies of Geneva Convention
- Requirement for detainees to be provided meals comparable to those provided to guard force—not being met
- Some capturing units are not filing out capture tags properly
- Facilities lack approved access rosters of personnel authorized entry into detention centers
- Recommendation: require DIFs and above to comply with all guidelines of the Geneva Convention; strictly enforce the requirement for collection points to push detainees to DIFs NLT three days after initial detention

Mail

- BY GC standard, prisoners/detainees are allowed to receive/send mail. This is not happening now due to the breakdown in the Iraqi postal system, detainee/prisoner accountability, and lack of understanding the requirement
- Recommendation: Utilize the International Red Crescent for mail until the postal system is fixed; the easiest process to fix is to establish procedures providing for outgoing mail to be written, reviewed by censors, and then released

Facility SOPs

- Several facilities lack SOPs; particularly true below division level where there is the least amount of oversight, resourcing, and command concern; notable exception is the just-updated 4TH ID Facility, which has put a lot of thought into creating a credible SOP
- Recommendation: use 4th ID SOP as a model for other units to modify to meet their requirements; document guard training program--training and proficiency records should also be maintained; all units should have a binder consisting of the facility SOP, applicable training records, and a copy of the GC

Detainee Uniform Issues

- Facilities lack uniforms in required sizes. Detainees at some facilities are issued uniforms only if their clothes are extremely soiled or tattered. If the detainees decide to wash their clothes, they have to wear them in the shower.
- Recommendations: C4 coordinate with DPMO to procure appropriately sized detainee uniforms. Given two sets of clothing, detainees could provide their own laundry requirements.

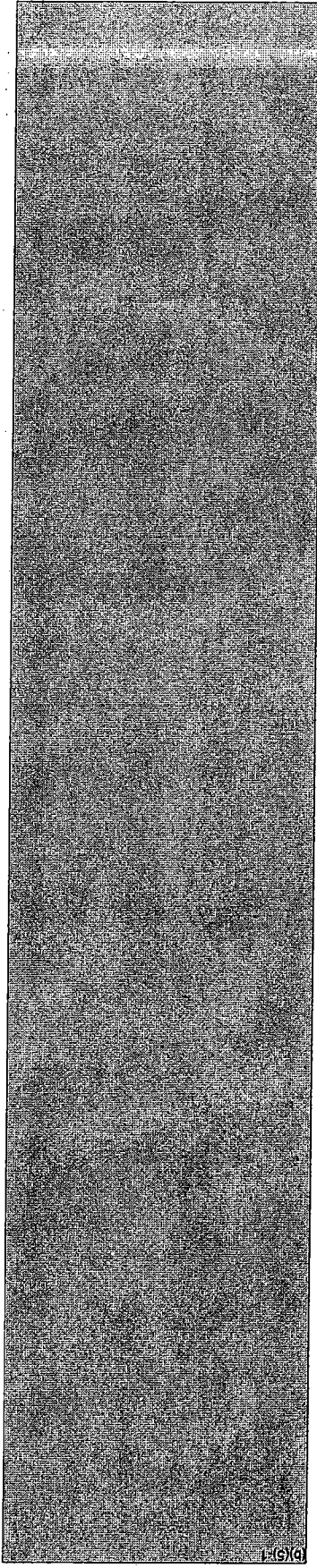
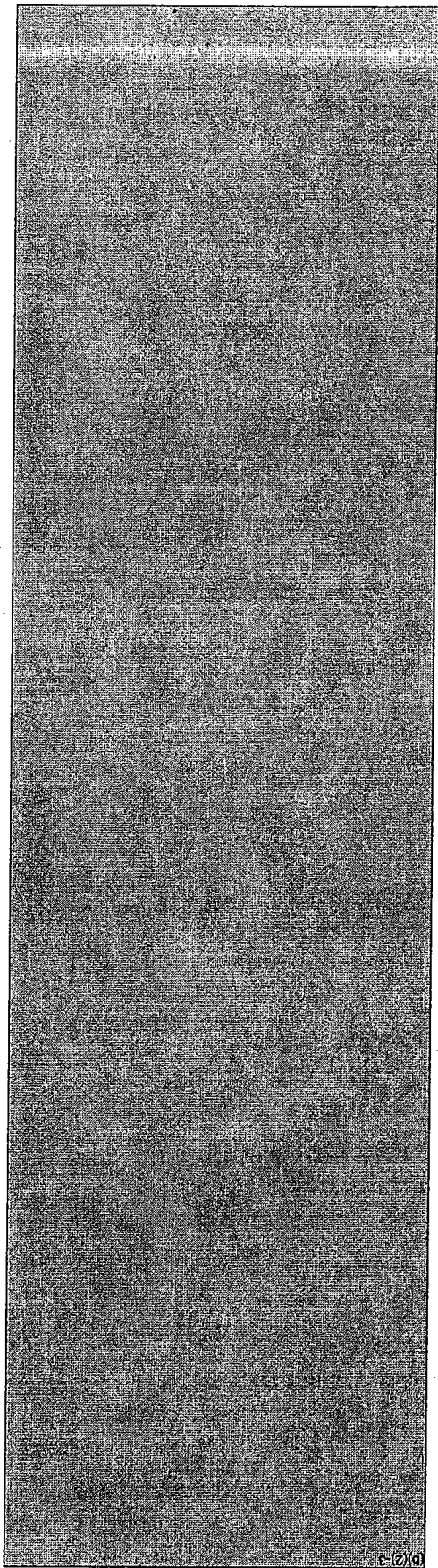
Inprocessing Detainees

- MI personnel are multi tasked to screen, interview, take pictures and enter information on data base.
- Some facilities enter data manually in a ledger due to lack of electronic resources.
- Cadre personnel constantly battle with translation error for detainee's names resulting in time-consuming searches for particular names. This greatly hampers releases.
- Recommendations: Enter data using the National Detainee Reporting System (NDRS) and take pictures, freeing MI folks to interrogate.
- CDRs acquire Generators and any other equipment required to best accomplish their mission.

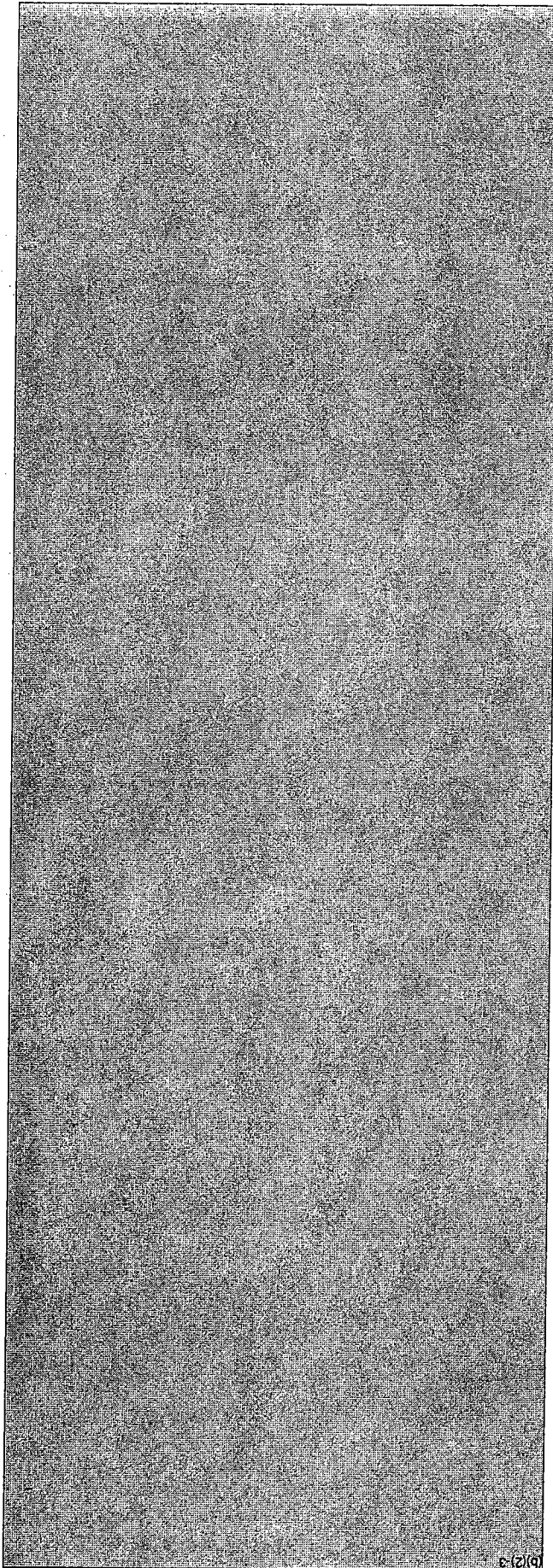
Evacuation Plan

- Units in general do not have plans to deal with contingencies such as mass breakout attempts, artillery attacks, etc. Interviewed soldiers stated they received little or no guidance as to what to do other than to call the Company TOC, stay in place, prevent escape and loss of life, and wait for the QRF to arrive. There was no evidence of any type of rehearsals being conducted, especially with the QRF or medevac personnel.
- Recommendations: Commanders develop contingency plans to protect prisoners and soldiers in the event of attacks, fire, attempted breakout and rehearse these plans periodically. Commanders need to ensure that they have adequate, functioning fire fighting equipment on hand and routes for firefighting trucks to use.

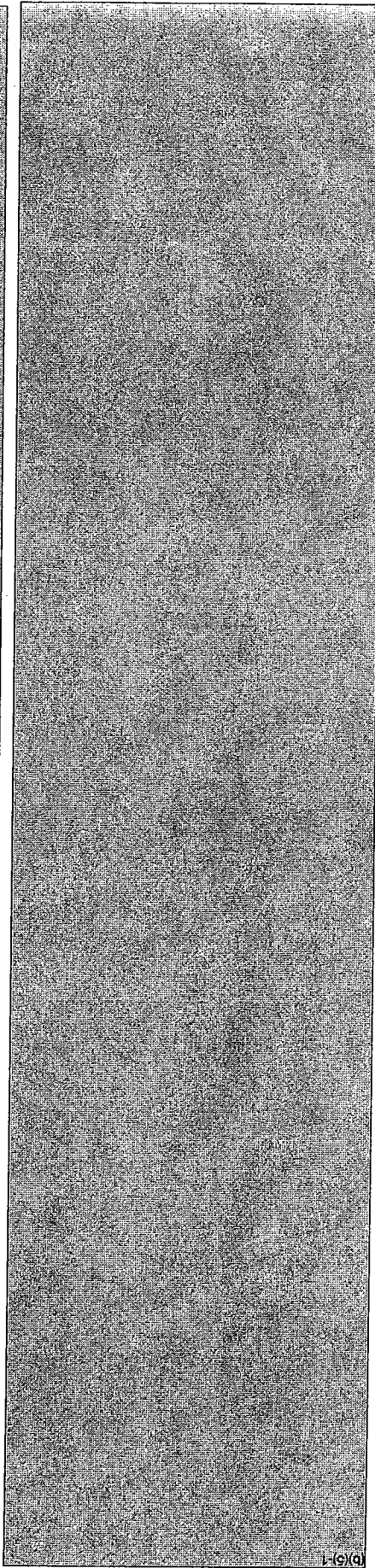
Force Protection Concerns



Equipment Issues



(b)(2)



(b)(5)

Detainee Work Compensation

- There exists no standard to pay prisoners/detainees for work done in compounds as required by Geneva Convention
- **Recommendation:** Identify fund cite for units to use to pay detainees. Payment should be credited to detainees, and paid when they are released.

Soldier Morale

- One facility is issued UGR meals only, with few supplements; another facility has MRE, MRE, UGR ration cycle with poor ration variety (this has not improved since it was briefed)
- KBR contract support is for units with a minimum of 700 personnel. Since unit strength is only @ 550, KBR contract is unavailable.
- **Recommendations:** Coordinate with TISA to adequately provide meals with variety of servings e.g. produce, frozen A modules, etc. Consider special KBR DFAC contract for BCDF.

Soldier Morale

- One facility uses FOO funds to upgrade detention facility for the detainees (e.g., plastic trash cans, water basins, pitchers) which in effect deprives soldiers of money that could be used to improve their own facilities
- FOO money was being used at another facility to hire day laborers to salvage old lighting kits to make functioning ones.
- Recommendations: Utilize mission dollars to upgrade detainee living conditions and holding areas. Increase morale dollars for units at austere locations.

Soldier Morale

- Some facilities had low soldier morale due to prolonged duty at facilities and lack of R&R and MWR opportunities.
- Personnel assigned to BCDF have very austere accommodations and very limited access to telephones and internet. When they are off duty, they have nowhere to go.
- Recommendation: Consider increasing number of slots given to unit for EML. NOTE: The IG concluded that detention center duty is some of the most stressful duty in the AOR, and that local living conditions are among the most austere in the AOR

Winterization Plan

- In general, all facilities need to start preparing for long term use. Improvements were sporadic or unplanned (stop-gap)
- Seasonal weather change is approaching, the nights will get cold, the EPWs in tents will be exposed to cold and wet conditions and consequently could get sick. Upskirting the tents to maintain observation of the detainees compounds the loss of heat and entry of rain.
- Recommendations: Facility commanders should develop viable winterization plans and start expediting before 1 NOV 03. Especially critical is to obtain mattresses, blankets, and waterproof sheathes.
- NOTE: There are easy low-technology fixes to winterize the tents and still maintain guard visibility

Good News

- Detainees are treated IAW Geneva Convention standards; they have no major issues with treatment from U.S Forces
- Some facilities have viable plans for responses to family members of detainees
- Some facilities allow copies of the Quran and other religious materials and practices for detainees
- One facility places detainees' picture on identity wrist bands
- At one location, soldiers rotate every 30 days, eliminating soldier burn-out and complacency from repetitive duty and getting personal with the detainees.

Detainee Concerns

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Detention Hotwash: Detainee Concerns

- All detainees questioned stated they were treated humanely by guards; no incidents of mal-treatment
- Biggest concern is the desire to contact family members to advise that they are alive, being well-treated, and will not disappear (Note: detention center OICs did not know whether they could allow a call out)
- Several detainees apprehended with large sums of money; worried that it will be stolen, or that it will become worthless while they are incarcerated (Recommendation: receipt handed to prisoner in a plastic Ziploc bag; turn in money & credit owner)
- Detainees at one facility worried about being killed by mortar rounds (Recommendation: two-foot high sandbag walls around tent frames and in holding areas; other Engineer fixes as recommended)

Detention Hotwash: Detainee Concerns

- One old man at a collection point: His bones are too fragile to sleep on the concrete, requests mattress pad & blankets
- Old man: requests more time to perform body functions— doesn't mind being in chem. toilet w/o door (teach & train) It was also hard for this man to stand up when leaving his area
- Request for Quran, Bible, newspapers, chess & cards (C5 used to provide newspapers; guards note that these can be used as rewards for cooperation/good behavior)
- Desire for cigarettes for rewards for chores (many detainees expressed this; would have high value for motivating good behavior)
- Some desired halal meals—none on hand, most units did not know they existed
- Some desired mats or rugs for praying
- Many desired wash basin and pitcher to anoint prior to morning and evening prayers

Detention Hotwash: Detainee Concerns

- Detainees desire opportunity to wash clothes; issued one jumpsuit; after shower, have to climb into suit while wet (no towel); or have to wear suit into shower to wash it (no laundry wash basins); several detainees stated the requirement to have clean underwear during Ramadan before prayers
- **Recommendation:** Issue each detainee a towel and two jumpsuits; provide rubber laundry wash basins in each holding area.
- Most facilities had large signs printed in Arabic, informing EPWs what to expect/do while they are detained. Bottom line is they fully knew their rights and responsibilities—kudos to the guards /GIs. However, there is still the requirement for the Geneva Convention Accords to be available in the native language.

Iraqi Guard Concerns

- No complaints from prisoners re. Iraqi guard treatment; guards have willingly embraced the requirement to treat prisoners humanely
- Iraqi wardens working exceptionally well with coalition guards; however...
 - Many lack uniforms
 - All lack the side arms they were promised (this is perceived as being a badge of authority and allows them to command respect)
 - Were promised wages of \$100-160 per month, now receiving \$60 per month, inadequate to pay for daily transportation

Medical

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DA IG

Issue - Capacity of Care Available at Baghdad Central

- Large facility (of over ^{(b)(2)-3} [redacted] detainees expected to increase by [redacted] by the end of the year.
- Recommendation - Task a Coalition/US medical team to assist and train the Iraqi medical staff to prepare them for increased medical care responsibilities.

Issue - Classification of Detainees at Coalition Level III MTFs

- Level III MTFs are becoming backed up with detainees requiring long term care partly due to delays in classification by MI. Absence of classification may present security risks. Reduces flexibility of medical assets to include beds in event of a MASCAL.
- **Recommendation** - Streamline classification process and provide Prison with Coalition/US medical team to assist in long-term care.

Issue - Medical Equipment and Class VIII Support to Baghdad Central Prison

- Baghdad Central has limited medical supplies and equipment for care of Security Detainees and EPWs. Orders had been placed incorrectly through the MOH.
- **Recommendation/Action** - Coordinating with 800th MP Bde to develop a list of necessary Class VIII supplies to be ordered through 172nd Med Log Bn.

Issue - Medical Care Rendered by Untrained Security Personnel

- Treatment administered at one facility by security personnel without adequate medical training. Potential medico-legal problem and possible contravention of the Geneva Convention.
- **Recommendation/Action** - On the spot correction of behavior. A trained medic or RN from medical facility only 300 meters away can administer treatment as required.

Medical & Preventive Med Issues

- Good news: facilities are continuing to improve and upgrade as compared with previous visits
- Guards knowledgeable of specific health ailments of their detainees and what their medical requirements are
- Plan & resources to deal with mass medical requirement vary significantly based on proximity to medical facility and prior coordination—this needs to be better conceptualized

Medical & Preventive Med Issues

- Personal hygiene resources need significant improvement at most facilities:
 - Several facilities lack bedding, or a means to launder blankets or disinfect sleeping pads
 - Detainees would benefit from second issue of jumpsuit, and a means to wash clothing
 - In most facilities, showers are only available every third day; this would be adequate if basins and wash cloths were issued for interim hygiene care
- Mental health issues would be less problematic with provision of reading materials, recreational items, ability to notify family of status, and permission to write periodic letters

Medical & Preventive Med Issues

- Some prisons had 91Ss in the area but did not utilize them.

Recommendation: Facility commanders should develop a Field Sanitation Team to augment the 91Ss and utilize the 91Ss in both prisoner and US soldier compounds.

Medical & Preventive Med Issues

- Some facilities had inadequate PM supplies
- **Recommendation:** The resources of the prison should be utilized in the procurement of supplies and equipment for the 91 Ss to do their jobs. If facility supply system is ineffective, then go to other sources and obtain supplies for both prisoners and soldiers.

Security Detainees/Criminal Detainees

- The U.S Army is taking some of the burden off the Iraqi Criminal Justice system by holding criminals for pretrial confinement. Pretrial detainees must be allowed family visits, separate housing, separate uniforms, lawyer visits, etc. We are not equipped in theater to provide this level of confinement in the short term.
- Recommendation: Iraqi Min. of Justice takes over all criminal confinement operations as quickly as possible. In the interim, provide maximum support to the Iraqi prison wardens.