

CG Guidance?

From 21-22 Apr 03, the Inspector General's office assessed the procedures for the processing of Enemy Prisoner of War (EPW), Retained Personnel (RP), Civilian Internees, and Other Detainees. The methodology was to review AR 190-8, V Corps and Division FRAGOs, conduct interviews with 311th MI Bn, 101st MP Company, and 10th Mountain Division personnel to determine their understanding of the process and compliance with established standards. Overall responsibility for enemy prisoner of war, retained personnel, civilian internees, and other detainees was assigned to 18th MP Brigade under Corps FRAGO 61. The following is an assessment of the Division EPW collection point located at the DREAR.

1. Standards: IAW AR 190-8, the capturing unit will accomplish the following tasks prior to transferring an EPW/RP:

a. Each EPW/RP will be searched immediately after capture. Weapons, ammunition, equipment, and documents with intelligence value will be confiscated and turned over to the nearest intelligence unit. Propaganda and other Psychological Operations (PYSOP) materials will be confiscated, identified by the EPW/RP name and ISN, and turned over to the supporting EPW/CI PSYOPS unit through intelligence channels. Currency will only be confiscated on the order of a commissioned officer and will be receipted for using a DA Form 4137 (Evidence/Property Custody Document). EPW and RP are allowed to retain personal effects such as jewelry, helmets, canteens, protective masks, chemical protective garments, clothing, identification cards and tags, badges of rank and nationality, Red Cross brassards, articles having personal or sentimental or religious value and items used for eating except knives and forks.

b. All EPW and RP will, at the time of capture, be tagged using DD Form 2745. They will be searched for concealed weapons and items of intelligence. All equipment, documents, and personal property confiscated during the search must be tagged and administratively accounted for by the capturing unit. Capturing units must provide the: date of capture, location of capture (grid coordinates), capturing unit, and any special circumstances of the capture (how the EPW was captured). The remaining information will be included on the tag as it becomes available.

c. The DD Form 2745 is perforated in three parts. The form is individually numbered and is constructed of durable, waterproof, tear-resistant material, and has reinforced eyeholes at the top of parts A and C. Part A is attached to the detainee with wire, string, or other type of durable material. Part B is retained by the capturing unit and maintained in the unit's records. Part C is attached to the property confiscated from the detainee, so that it may later be matched to that detainee.

2. Standards: IAW AR 190-8, the receiving unit will accomplish the following tasks prior to transferring an EPW/RP:

a. Ensure sick and wounded EPW and RP in their custody are classified, by qualified medical personnel, as either walking wounded or litter, or as non-walking wounded. Walking wounded or litter EPW will be evacuated through established evacuation.

3872

DA IG

channels. Non-walking wounded or sick EPW will be delivered to the nearest medical aid station and evacuated through medical channels. All detained personnel will remain physically segregated from US and allied patients.

b. A receipt DA Form 4137 will be prepared to account for all property that is taken from the EPW. Copies of DD Form 629 (Receipt for Prisoner or Detained Person) and DA Form 4137 will be maintained to establish positive accountability of the EPW and their property and can be used to substantiate proper care and treatment at a later time. DA Form 4137 will be used to account for property released before final disposition is ordered. Records of disposition of property will be evacuated with prisoners for inclusion in their records.

c. Accountability will be maintained for all evacuated prisoners, regardless of the evacuation channel used. Units designated to receive the prisoners at the collecting points or camps will prepare a receipt DD Form 629 (Receipt of Prisoner or Detained Person) with a list of each prisoner's name attached and provide a copy of the receipt to the escort.

ISSUE: Were prisoners being processed in from the brigade combat teams properly?

DISCUSSION: During the first visit to the division collection point there were 8 personnel being detained. Upon entering the processing tent where detainees are first transitioned into the division collection point, there were 8 zip loc bags that contained the individual's personal belongings and a collection of weapons ranging from pistols to a RPG trigger housing. Inside each bag there was a handwritten piece of paper listing each bags contents. On the second visit to the facility, there was one detainee who was in the process of being transferred into the collection point. This detainee was taken into custody and did not have any personal items on him.

FINDING: 8 of 9 (90%) of personal effects checked were not properly logged and accounted for using the DA Form 4137.

RESULTS: 8 of 9 (90%) of the personal effects were accounted for utilizing a plain sheet of notebook paper annotating all personal effects that were confiscated from the detainees. Interviews were conducted with the soldiers who just recently took control of the collection point. OIC stated that when the collection point was turned over to his platoon there was little to no organization of personnel effects procedures. The soldier who was processed on the second visit did not have any property; however, a DA Form 4137 was initiated to indicate that the detainee did not have any personal property.

ROOT CAUSE: Don't Know. At the time of the transfer, the outgoing platoon did not have any copies of current regulations or SOPs on hand. There were no blank copies of DA Form 4137 available to log incoming detainee's property and there was a very limited supply of other forms needed to sustain operations.

3873

DA IG

RECOMMENDATION: Spoke with the Division PMO and they stated that a copy of the SOP would be provided along with the EPW kits that include all forms required to process detainees.

ISSUE: Were all detainees documented using the DD Form 2745?

DISCUSSION: During the visits to the collection facility all nine detainees were properly documented utilizing the DD Form 2745.

FINDING: 9 of 9 (100%) detainees had been issued a DD Form 2745.

RESULTS: 9 of 9 (100%) detainees were properly issued a DD Form 2745.

ROOT CAUSE: None

RECOMMENDATION: Maintain standard.

ISSUE: DD Form 629 will be issued to the unit escorting a detainee to the collection point.

DISCUSSION: All detainees were being properly accounted for on DD Form 629.

FINDING: 9 of 9 (100%) detainees that were in the facility were accounted for by verifying the DD Form 629 against the log listing current population of the collection point. Upon receipt of the latest prisoner, a copy of the DD Form 629 was also given to the escorting unit.

RESULTS: 9 of 9 (100%) of detainees in the collection facility were documented with their DD Form 629, log entry, and a listing of confiscated property.

ROOT CAUSE: None

RECOMMENDATION: Maintain standard.

ISSUE: Wounded detainees will be classified by medical personnel upon arrival to the collection point.

DISCUSSION: During the second visit to the collection point, one detainee had been screened by medical personnel and classified as walking wounded, and processed into the facility with all the proper annotations in the logs and forms.

FINDING: 1 of 9 (11%) of the detainees was taken into the collection point either sick or wounded.

3874

DA IG

RESULTS: 1 of 9 (11%) detainees was wounded upon arrival at the collection point. Medical personnel had treated his wounds and administered the necessary aid and provided follow on care instructions to the personnel operating the collection point.

ROOT CAUSE: None

RECOMMENDATION: Maintain standard.

3875

DA IG