

CJTF180-IG

12 February 2004

MEMORANDUM FOR RECORD

b(6)-2/b(7)(C)-2

SUBJECT: Interview of Commander [REDACTED] MP Battalion, LTC [REDACTED]

8 Feb 04

1. The CJTF180 IG interviewed the [REDACTED] Commander and asked these questions

Q: Do you seek SECDEF approval prior to evacuating EPW/RP outside the theater of operations?

A: True

Q: Do you know that prisoners will not be repatriated against their will?

A: That would be a legal question.

Q: Is there a camp liaison and assistance program for Detainees to ensure the protection of US interests per the Geneva Conventions?

A: There are no leaders since they do not have EPW status.

Q: Are all MP personnel performing guard duties eligible to carry firearms?

A: Yes. They have received lethal force training and weapons training. They have been trained on O/C Pepper Spray and Tasers. Use of force would be controlled by the Sergeant of the Guard, Shift Supervisor, and NCOIC of the confinement facility

Q: Do 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?

A: LTC [REDACTED] talks to SJA, CPT [REDACTED] all the time. In fact they made a report of a suspicious incident when a PUC allegedly fell of a truck and injured himself.

Q: Do soldiers know that 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?

A: We don't torture PUCs. In fact the unit that was here before me was titled for using riot batons as punishment on the PUCs. We take photographs of injuries to PUCs if we caused the injury. But we haven't had anything of that magnitude.

Q: Do you use sensory deprivation?

A: Only during in processing and movement of prisoner. It is for their and our protection.

DA IG

3909

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Q: Do all soldiers know to notify appropriate intelligence sources when EPW/RP are found in possession of large sums of US or foreign currency?

A: Yes, MI is well aware and reviews our inventory of personal belongings.

Q: Do you have a Chaplain for the PUCs?

A: Yes. CPT [REDACTED]

Q: Do Military Police provide the following information concerning EPW and RP to the National Prisoner of War Information Center (NPWIC)? AR 190-8 para 1-7b.

- (1) Complete name.
- (2) ISN.
- (3) Rank.
- (4) Serial number.
- (5) Date of birth.
- (6) City of birth.
- (7) Country of birth.
- (8) Name and address of next of kin.
- (9) Date of capture.
- (10) Place of capture.
- (11) Capturing unit.
- (12) Circumstances of capture.
- (13) Location of confiscated personal property.
- (14) Nationality.
- (15) General statement of health.
- (16) Nation in whose armed services the individual is serving.
- (17) Name and address of a person to be notified of the individual's capture.
- (18) Address to which correspondence may be sent.
- (19) Certificates of death or duly authenticated lists of the dead.
- (20) Information showing the exact location of war graves together with particulars of the dead.
- (21) Notification of capture.
- (22) List of personal articles of value not restored upon repatriation.

A: Using an FBI system by default. NDRS computers. The databases don't interface but we are going to put it on SIPRNET and make available to everyone.

Q: Do Military Police Obtain and store information concerning CI and ODs who are kept in the custody of U.S. Armed Forces who are subjected to assigned residence, or who were interned and then released? AR 190-8 para 1-7c.

- (1) Any particulars that may assist in the individual's identification. This information shall include at least the person's surname, first names, place and date of birth, nationality, last residence and distinguishing characteristics, the first name of the father and the maiden name of the mother, the date, place and nature of the action taken with regard to the individual, the address at which correspondence may be sent and the name and address of the person to be informed.
- (2) The individual's personal data for notification of his or her internment, state of health, and changes to this data.

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(3) Certificates of death or authenticated lists of the dead and information showing the location of graves.

(4) Authenticated lists of personal valuables left by these protected persons.

(5) Information pertaining to children living in territories occupied by the United States. This will include all data necessary for identifying children whose identity is in doubt.

A: Our predecessors' records disappeared. We have an internal database and we can pull up files on all Detainees.

Q: Does the Detention Facility Commander know that interviews and photographing EPW/CI/RP and other detainees by news media will not be permitted? AR 190-8 para 1-9

A: No public exploitation is allowed. This is a Secret NOFORN facility.

Q: Does the detainee camp commander appoint an officer to investigate and report the following? AR 190-8 para 3-10f.

(1) Each death or serious injury caused by guards or suspected to have been caused by guards or sentries, another detainee, or any other person.

(2) Each suicide or death resulting from unnatural or unknown

A: Yes, as well as PUCs with Psychological problems.

Q: Do units designated to receive prisoners at the collection points or camps prepare a DD Form 629 receipt (Receipt for Prisoner or Detained Person) with a list of each prisoner's name attached and provide a copy of the receipt to the escort? AR 190-8 para 2-1a.(f)

A: I believe so, but I believe that it is a DA Form 2708 that we use for the Receipt of Detainees and we sign for the PUC on the 2708 from the releasing unit

Q: Are cells use in close confinement at least 6 feet wide, 8 feet long, and 8 feet high? AR 190-47 para 9-4(b)

A: Close to that standard. This was initially intended to be a temporary facility.

Q: Does the EPW/CI facility commander? AR 190-8 para 3-3

(1) Process interned prisoners to include tagging, assignment of ISN, fingerprinting, photographing, and weighing, as needed.

A: Yes, we use a wristband and ID Card. We check the wristband and ID Card three times a day before, during and after shift change.

(2) Issue the EPW a completed DA Form 2662-R (EPW Identity Card), if an EPW does not hold an identity card issued by his or her government,

A: Using an ID Card

(3) Prepare DA Form 2663-R (Fingerprint Card) in duplicate for each EPW/RP?

A: We take their fingerprints during in processing.

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(4) Provide prisoners with humane treatment, health and welfare items, quarters, food, clothing, and medical care.

A: Yes

(5) Provide for morale, religious, intellectual, educational, social, physical and recreational activities for the prisoners.

A: No morale functions yet, but we did observe their religious holidays of EID and Ramadan. I am considering starting soccer and volleyball in the summer along with starting a re-education program to include reading. I also want to establish a Low Level Enemy Combatant (LLEC) area and once the high value prisoners are separated to allow the LLECs to play cards and talk. Currently, there is no talking.

(6) Allow prisoners to correspond with their families and receive relief shipments.

A: Yes

(7) Provide prisoners copies of the 1949 Geneva Conventions (in their own language, if possible).

A: No

(8) Provide command and control, and operate, administer, and secure the camp.

A: Yes

(9) Provide the initial medical examination and monthly screening of prisoners.

A: Yes

(10) Provide initial reports of and perform initial investigation and inquiries into prisoner labor injuries or incidents.

A: Yes, we are breaking new ground here and are allowing some prisoners to sweep the floor. So far we haven't had to make any reports.

(11) 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).

A: Yes, we did have one fight where a PUC got broken ribs from another PUC. We also had one case where the AMF tortured a prisoner by dancing on a bed and broke his hands before they gave him to the US.

(12) Does CID investigate deaths resulting from other than natural causes?

A: Yes, but we haven't had any deaths.

(13) Provide assistance to the medical facility commander to assess the threat posed by hospitalized EPW.

A: Yes, we provide (b)(2) guards while the detainee is being medically checked. We guard them the entire time. We have to give them a chest X-ray for Tuberculosis within 48 hours of arrival. So far we have had one confirmed case of TB. There are a lot of positive reactions because everyone is exposed to it.

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(14) Establish and maintain complete and accurate accountability information regarding the location, physical and legal status, of all individuals in the custody of, or assigned to the EPW facility?

A: Everything is cleared through operations first. We know where Detainees are at, at all times. We use a database along with a manual status pegboard.

(15) Provide an area for intelligence collection efforts?

A: Yes

(16) Are the Geneva Conventions will be posted within the camp in the language(s) of the EPW/RP nation(s)? AR 190-8 para 3-4a

A: No. They are not EPWs.

Q: ARE EPW/RP provided sundry/health and comfort packs, which may be supplemented with items tailored to their cultural needs? AR 190-8 para 3-4h.

A: The 327th buys baby wipes and soap. We use the bar of soap once and throw away. We provide toothbrushes, but they don't know how to brush their teeth.

Q: Do EPW/RP have access, day and night, to latrines that conform to the rules of hygiene and are maintained in a constant state of cleanliness? AR 190-8 para 3-4i(1)

A: In general population they have a latrine with a screen that allows the guards to see them. In isolation they are taken to the latrine every 3 hours.

Q: In any camps in which women EPW/RP are accommodated, are separate latrines provided for them? AR 190-8 para 3-4i(1)

A: No. Resource is not available. Almost always have a female MP handler.

Q: Are medical inspections of EPW/RP will be held at least once a month, where each detainee will be weighed and the weight recorded on DA Form 2664-R (Weight Register)? AR 190-8 para 3-4i(1)

A: Yes

Does the detainee camp commander maintain records of disciplinary punishment? AR 190-8 para 3-6 And are the following act prohibited?

A: Yes, we have a logbook and we have a scale of punishment. First offense is punished by having the Detainee extend his arms for 15 minutes.

Yes No N/A (1) Fraternization between EPW, RP and U.S. military or civilian personnel. Fraternization is defined as improper or intimate communications or actions between U.S. Armed Forces personnel and EPW/RP.

Yes No N/A (2) Donating or receiving gifts or engaging in any commercial activity between persons in U.S. custody and U.S. personnel.

Yes No N/A (3) Setting up of courts by detainees.

Disciplinary powers will not be delegated to or exercised by EPW/RP. Punishment will not be administered by EPW/RP.

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Q: Does the detainee camp commander seize political emblems, insignias, flags, and pictures of political leaders? AR 190-8 para 3-6?

A: Yes

Q: Does the detainee camp commander ensure that each EPW/RP understands the meaning of the English word "halt"?

A: Yes. We teach them what it sounds like in English during indoctrination brief.

Yes No N/A Does the detainee camp commander aware of the following authorized disciplinary measures? AR 190-8 para 3-7

Yes No N/A (1) Suspend or eliminate privileges granted over and above the minimum privileges provided for in the GPW and GC.

A: We suspend items such as mattress, ICRC books, no physical training, and no hot food.

Yes No N/A (2) Confinement.

A: That is Level Eleven on our punishment Scale.

Yes No N/A (3) Fatigue duties not exceeding 2 hours daily. This punishment will not be applied to officers.

Yes No N/A (5) In no case will disciplinary punishments be inhumane, brutal, or dangerous to the person's health. The length of a single disciplinary punishment will not exceed 30 days.

Yes No N/A (6) When EPW or RP are awarded a further disciplinary punishment, a period of at least 3 days will elapse between punishments if the length of one of the punishments is 10 days or more.

A: Isolation is initially 24 hours

Q: Does the detainee camp commander have a Safety Program for EPW and RP set up and administered? AR190-8 para 3-17.

A: No we have Emergency Action Drills, ie Fire Drills and Rocket Attack Drills

2. POC is the undersigned at 318-231-4028.

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MAJ, IG
CJTF180 Inspector General