

CJTF180-IG

27 February 2004

MEMORANDUM FOR RECORD

SUBJECT: Interview of Detention Facility NCOIC and S2 (b)(2)-2 FB Salerno 27 Feb 04

1. The CJTF180 IG interviewed the Detention Facility NCOIC and S2 from TF 1-501 and asked these questions

2. Q: Do you know that War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities are a Category 1 Serious Incident Report? AR 190-40 Appendix B1 B-1b.

A: Yes. Would report mistreatment of a detainee to the chain-of-command and then through Warrior Brigade (1st Bde, 10th Mountain Division) and investigate mistreatment incident.

3. Q: Did you train on level B law-of-war training (*Level B training is conducted in units for officers, warrant officers, NCOs and enlisted personnel commensurate with the missions of the unit*) based on the current missions and contingency plans (including anticipated geographical areas of deployment or rules of engagement)? AR 350-1 para 4-14c.(2) and table G-1 Refresher training, dated 9 April 2003

A: Yes, the S2 held STX (Situational Training Exercise) Lanes as well as lecture in the theater.

4. Q: Do you evacuate detainees from theater? The Commander must seek SECDEF approval prior to evacuation of EPW/RP outside the theater of operations? AR 190-8 para 2-3.

A: The unit sends detainees to Bagram and Kandahar.

5. Q: What would you do if a Detainee did not want to be repatriated? Prisoners will not be forced to be repatriated against their will. Prisoners who refuse repatriation will be treated as prisoners of war until their legal status and further disposition can be determined by competent authority. AR 190-8 para 2-2d

A: The S2 would ask the Detainee why he does not want to be repatriated. This has happened once when a Village Elder stated that there was a rat (informant) amongst his village. (b)(2)-2 PUC'd the informant so that the Village Elder would not know who it was.

6. Q: Are all soldiers performing guard duties eligible to carry firearms? Personnel must have satisfactorily completed mandatory training and proficiency testing within the preceding 12 months.

DA IG

3942

CJTf180-IG

SUBJECT: Interview of Detention Facility NCOIC and S2 (b)(2)-2, FB Salerno 27 Feb 04

A: The unit requalifies regularly and reconfirms their zero. They have a semi-indoor range in the expansion area. Everyone qualified with their assigned weapon before deploying as well as has familiarized fire while in theater.

7. Q: Do you have rules for punishing a Detainee?

A: We do not have rules for punishment. We would consult the Tactical Humint Team (THT). We might use handcuffs behind the back or goggles for one-hour maximum.

8. Q: How do you prevent public curiosity of a Detainee?

A: Nobody is allowed in the Detention Facility except the guards, NCOIC, Battalion Commander, XO, S2, and S3 without permission of the S2 or SSG (b)(6)-2 & (b)(7)(C)-2 the NCOIC.

9. Q: Do you allow anyone to photograph, film, or videotape a Detainee in the Detention Facility except for administration or intelligence/counterintelligence purposes?

A: No one is allowed to take photographs within the facility and we would confiscate their camera and film. We had a newsgroup that attempted to get into the facility but the S2, CPT (b)(6)-2 & (b)(7)(C)-2 stopped them.

10. Q: Do you know that there will be no group, wide area, or aerial photographs of EPW, CI, and RP or facilities unless approved by Internment Facility commander's chain of command?

A: Yes, photographing is prohibited so that the enemy wouldn't know where we keep the detainees.

11. Q: What would you do if you found a Detainee in possession of large sums of US or foreign currency?

A: Treat it as his own personal money and record it on a DA Form 4137 and then report it higher for intelligence purposes to find out why he had the money.

12. Do you record the following information concerning Detainees?

- (1) Complete name. Yes
- (2) ISN. We give a tracking number
- (3) Date of birth. Yes (But, the Afghanis celebrate birthdays by the number of New Year's celebrated, usually start keeping track after their 6th Birthday.
- (4) City of birth. Yes
- (5) Country of birth. Yes
- (6) Name and address of next of kin. Yes
- (7) Date of capture. Yes
- (8) Place of capture. Yes
- (9) Capturing unit. Yes
- (10) Circumstances of capture. Yes
- (11) Location of confiscated personal property. Yes

CJTF180-IG

SUBJECT: Interview of Detention Facility NCOIC and S2 TF [REDACTED] b2-2
 04 FB Salerno 27 Feb

(12) Nationality. Yes

(13) General statement of health. Yes

13. Q: Do you have records from previous unit of Detainees who were kept in the custody of U.S. Armed Forces who were detained and released?

A: No records were on file. We replaced C/1-87 who took Salerno over from the Italians.

14. Q: Does the Detention Facility Commander know that interviews and photographing EPW/CI/RP and other detainees by news media will not be permitted?

A: Yes

15. Q: Have you had any deaths or suicides of Detainees?

A: No, but we did have one detainee who worked his hands to cut into his flexicuffs intentionally. We sought medical treatment and put bandages on his wrists.

16. Q: Do you complete DD Form 2708 receipt (Receipt for Prisoner or Detained Person) when you release them to Kandahar or Bagram or does the receiving unit prepare the DD Form 2708?

A: The detention facility NCOIC prepares the DD Form.

17. Q: How do you account for Detainees while they are under your control?

A: Detention NCOIC uses an excel spreadsheet for tracking, along with a Detainee Chart in the SOP showing the name and location of each person held.

18. Q: What do you allow a detainee to have on their person in the cell?

A: A Koran after we look through it to make sure that there aren't any notes. We need more Korans on hand to give the Detainees.

19. Does the commanding officer of the capturing unit ensure that all prisoners of war and retained persons will, at the time of capture, be tagged using DD Form 2745?

A: Yes, but we now use the DA Form 5976 as it is more durable.

20. Q: Do you ensure that 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).

A: This was not being done until the Detention NCOIC became the evidence custodian. They are using a shoe tag with the name of the captured person and grid coordinate for equipment and documents

21. Q: Have you seen a Detainee physically or mentally tortured or coerced to compel prisoners to provide information?

CJTF180-IG

SUBJECT: Interview of Detention Facility NCOIC and S2 [REDACTED] FB Salerno 27 Feb 04

A: No, but we do tell them to help us out and we can make your living conditions better. There is no physical coercion or mental coercion. We have promised them foot bread.

22. Q: Do you make provisions to issue health and comfort items such as food, potable water, appropriate clothing, shelter, and medical attention?

A: Yes, they get 3 meals a day, 6 bottles of water, their cells are high enough to drain water away, and we medically screen them with the Forward Surgical Team, Physician's assistant, and medics. Medics check on them almost every other day. The guards administer the medication and log it on the Medication Log. We laundry their clothes if they have soiled them. We don't have a budget to provide customary clothing to them.

23. Q: Can you keep Detainees near ammunition sites, fuel facilities, and communications equipment?

A: No. The Detention Facility is outside of the main camp and away from all these areas.

24. Q: Do you process Detainees to include tagging, assignment of ISN, fingerprinting, photographing, and weighing, as needed?

A: The Detention NCOIC assigns a tracking number to the Detainee. Also, he has requested purchase of a scale in order to weigh. They do not have the BAT system for fingerprinting or retinal scans. The system was ordered through the 25th ID and was never delivered. The S2 states that he will have to submit another request.

25. Q: Are you aware that you need to 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

26. Q: Are you aware that CID investigates deaths resulting from other than natural causes?

A: Yes

27. Q: Do you provide an area for intelligence collection efforts?

A: Yes, it is in the Italian building adjacent to the Detention Cells.

28. 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?

A: Yes, the Detention NCOIC contracted with Brown and Root for a Portajohn and they also provide Urine bottles in each cell.

29. Q: If you had a female prisoner would you ensure that they are segregated?

A: Yes

CJTF180-IG

SUBJECT: Interview of Detention Facility NCOIC and S2 TF (b)(2)-2 FB Salerno 27 Feb 04

30. Q: If you had a Detainee for greater than one month would you medically screen them again?

A: Yes

31. Q: Does the detainee camp commander maintain records of disciplinary punishment?

A: N/A. Do not punish detainees.

32. Q: Is Fraternization prohibited.

A: Yes, but we try to get the Guards to be friendly to get information out of them.

33. Q: Do you seize political emblems, insignias, flags, and pictures of political leaders?

A: Yes

34. Q: Do you ensure that each EPW/RP understands the meaning of the English word "halt"?

A: No. The Guards were given a language card and prior to deploying were given language training.

35. Q: Do you know the Rules of Engagement for an escaping prisoner?

A: Yes, if a Detainee attempts to escape we will use the minimum amount of force necessary. If we need to use Deadly Force, the guard will

[REDACTED]

b(1)-3

36. Q: Do you provide soldiers to transport PUCs to BAF and KAF?

A: Sometimes we coordinate for MPs to come here, other times we provide soldiers