



DEPARTMENT OF THE ARMY  
 COMBINED/JOINT TASK FORCE (CJTF)-180  
 OPERATION ENDURING FREEDOM  
 BAGRAM AIRFIELD, AFGHANISTAN  
 APO AE 09354

REPLY TO  
 ATTENTION OF  
 CJTF180-IG

28 March 2004

MEMORANDUM FOR Commanding General, CJTF180-IG, ATTN: MAJ [REDACTED] Bagram,  
 Afghanistan, APO AE 09354

SUBJECT: Detainee Inspection, 12 February – 1 March 2004

1. **References.** (Enclosure 1).
2. **Purpose.** To provide the results of the Commanding General directed special inspection of detainee operations during Operation Enduring Freedom (OEF4).
3. **Objectives.** The CJTF180 Inspector General developed 4 Inspection Objectives to conduct an inspection of detainee operations during OEF4. These objectives were:

Objective 1: Determine if detainee facilities within CJTF-180, Afghanistan are sufficiently organized by a table of organization and equipment (or similar document) and are manned and equipped IAW that table (or document)

Objective 2: Determine if the leadership of detainee units within the CJTF180 are clearly defined

Objective 3: Determine if detainee units are trained on proper safeguarding of persons under military control

Objective 4: Determine if SOPs and training are in place for detainee personnel (security forces, guards, interrogators) within the CJTF180 for supervising, handling, and reporting of abuse instances

4. **Scope/Team/Methodology.**

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AFZS-IG (20)

SUBJECT: Inspection Directive for a Special Inspection of Detainee Operations, 9 February – 1 March 2004

a. Scope. The inspection team inspected 7 detention facilities and one collection point. The detention facilities were run by Active Duty, Reserve, 10<sup>th</sup> Mountain Division, 1-501<sup>st</sup> Parachute Infantry Regiment, and Special Forces units.

b. Team. The Inspector General (IG) provided a three-person inspection team to assess detainee operations for 10<sup>th</sup> Mountain Division's deployed units. Inspection Team consisted of IG OIC MAJ [REDACTED] IG NCOIC MSG [REDACTED] and Temporary Assistant IG SFC [REDACTED] (Military Police Corrections Subject Matter Expert).

c. Methodology. The team interviewed Unit Commanders, Detention Facility OICs, Detention Facility OICs, Interrogators, Facility Guards, medical personnel, and conducted sensing sessions with soldiers. The team reviewed documentation in each area. The team also observed processing of detainees when possible.

## 5. Executive Summary.

### a. Good News.

(1) All soldiers believe that they are treating Persons Under US Control (PUCs) well and humanely.

(2) CPT [REDACTED] and SFC [REDACTED] have created an excellent SOP at the Bagram Collection Point (BCP) as well as developed a very thorough Relief in Place (RIP) plan for the incoming unit. The SOP includes a Code of Conduct statement that all guards must sign that guard PUCs within the facility. The Bagram facility has made vast improvements since the IG last visited the BCP in October 2003.

(3) First Sergeant [REDACTED] of the 274<sup>TH</sup> MP Company, DC National Guard in Kandahar has archived all hard copies of files onto CD Rom including those left by the previous unit. The 274<sup>th</sup> MP Company also conducts unannounced shakedowns of PUCs resulting in confiscation of contraband; notes, medicine, rope.

(5) Gereshk Detention facility is the model for a firebase. The detention facility NCOIC has created a photo access roster to the facility. They have 8 to 9 interpreters billeted on the firebase and provide round-the-clock interpreters in the facility. The facility is walled-in behind Hesco barriers.

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(6) CPT [REDACTED] of CJSOTF FOB 191 has created a model SOP (see enclosure 2). He has an excellent grasp of the Do's and Don'ts of PUC handling.

*b(6)-2 & b(7)(C)-2*  
 (7) SSG [REDACTED] of TF 1-501 PIR is an Infantryman assigned as the detention facility NCOIC. Although this is an additional duty, he has given it his primary focus. He has taken great care of the PUCs under his charge and thoroughly researched all messages and guidance pertaining to safeguarding and handling of Persons Under US Control.

## 6. Objective results.

Objective #1. Table of organization does not exist for Soldiers running the detention facilities. NCOICs of detention facilities are taken out of their principal duty position. NCOICs have not been provided formal training in the handling and care of Persons Under US Control. All OICs and NCOICs have learned by trial and error.

Objective #2. Leadership of detention facilities is clearly defined under the tactical relationship. The firebase commander is the OIC of the facility and accepts responsibility for the safe running of the facility. All OICs and NCOICs understand that they will not let Other Government Agencies use their Tactics, Techniques, and Procedures (TTP) in the US Army facility. Further, all soldiers understand that they will not turn over PUCs to Afghan Militia Forces (AMF) for safeguarding

Objective #3. Most units are not properly trained on safeguarding PUCs. The majority of units stated that the law of land warfare training they received was classroom briefing and not hands-on training. Most of the combat arms units were unaware of the use of deadly force against an escaping prisoner. 2 of the 8 inspected facilities had chains to secure the prisoner, and a third unit admitted to chaining detainees to Hesco walls with 550 cord.

Objective #4. SOPs are in place at most units. However, some units have not formalized an SOP and only have a book with email traffic and CJTF180 messages pertaining to the handling of PUCs.

## 7. Inspection Results.

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a. Time to move a PUC exceeds 96 hours at most locations. All units are requesting to move PUCs within 72 hours after capture or that a determination is made that the PUC is of intelligence value. However, the reality is that some PUCs are not moved for 2 to 3 weeks due to aircraft availability and ring resupply dates.

b. CJTF180 Detainee Operations are not supported with Army doctrine and TTP.

(1) Army doctrine simply does not exist. We do not afford PUCs or Detainees with the privileges associated with Enemy Prisoner of War status. We do not afford them the entire privileges associated with Geneva Conventions.

(2) In the combat environment, Soldiers were left to develop their own PUC procedures, which resulted in an incomprehensive and inconsistent PUC Operation throughout the Combined Joint Operations Area (CJOA). Soldiers for the most part did what they thought was right based on their own moral values.

(3) There is also a perception among interrogators that this absence of doctrine has also hindered our intelligence collection efforts.

(4) There is no doctrine that describes PUC Detention Facility dimensions or criteria. Therefore units are left to their imagination on what they believe is appropriate. Not one of the 8 facilities observed was identical. There was a myriad of construction materials from Hesco cages with pallet roofs, to tents, and mud or concrete buildings. Other problems identified lack of doctrine on the square footage of cell, air conditioning, heating, lighting, and humidity control.

c. The SECDEF definition of Detainee is in direct opposition to current Army doctrine. Some units lack an effective doctrinal definition and understanding/usage of the terms "Detainee" and "Persons Under US Control", PUC. The reason for the confusion is that the Army has already defined Detainee and sub-defined Detainee as Other Detainee in AR 190-8 as follows:

(1) **Detainee** - (AR 190-8 definition) A term used to refer to any person captured or otherwise detained by an armed force.

(2) **Other Detainee (OD)** - (AR 190-8 definition) Persons in the custody of the U.S. Armed Forces who have not been classified as an EPW (article 4, GPW), RP (article 33, GPW), or CI (article 78, GC), shall be treated as EPWs until a legal status is ascertained by competent authority.

(3) **Detainee expanded definition** – (DoD Directive 2310.1 definition) detainees include, but are not limited to, those persons held during operations other than war.

d. Most units are not using EPW tags, rather they have created their own version of an EPW tag.

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- e. Some units are taking photographs of PUCs for personal use. One unit had a computer screensaver with PUCs pictured in the background of a tactical operation.
- f. PUC records from previous units operating the forward detention facilities do not exist.
- g. 7 of 8 units did not have Evidence Custodians appointed on orders. This resulted in one unit having personal property on hand from 3 PUCs that were already repatriated. Most units are not inventorying evidence on a monthly basis.
- h. 7 of 8 units are not teaching PUCs the word halt in English.
- i. Some units are using AMF uniforms to replace PUC clothing. This could create confusion if PUCs were to escape.
- j. ACMs now know our TTPs and that we will hold PUCs for only 72 hours and refuse to speak because they know that they will be released. One unit is claiming to recapture the same PUCs.
- k. 2 of 8 units are not providing PUCs with the minimum requirements during interrogation of sleep, food, and blankets.

## 8. Recommendations

- a. Task Force commanders must appoint a primary and alternate NCOIC to run each detention facility and make this their primary duty. Appoint the NCOIC as the primary evidence custodian.
- b. CJTF180 CJ3 provide an initial push package down to each firebase operating a detention facility. The push package should include an example SOP, example forms required at the Bagram Collection Point, CD Rom of regulations (ie Law of War, AR 190-8, AR 190-47, AR190-40, AR 195-5 as well as all pertinent messages such as SECDEF/DA/CENTCOM/CFLCC/CJTF180 providing guidance on PUC operations and the running of the detention facility.
- c. CJTF180 CJ3 Provide Orange prisoner jumpsuits, handcuffs, and legirons to each detention facility.
- d. Conduct hands-on training on law of war and rules of engagement prior to deployment.
- e. Require units to obtain, stock, and use the EPW tag.
- f. CJTF180 SJA put out a message that taking photographs of detainees is not permitted.
- g. CJTF180 CJ3 coordinate with Task Force Guardian for standardized requirements for a detention facility.
- h. CJTF180 CJ3 require unannounced shakedowns in all detention facilities.

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i. All units need to reinforce the ROE for an escaping prisoner to let soldiers know that deadly force is authorized.

9. POC for this inspection is MAJ [redacted] at [redacted]

ENCL

[redacted]

- 1. Information Brief on Results MAJ, IG
- 2. List of References CJTF180 Inspector General
- 3. ICRC Summary of Firebase treatment
- 4. Bagram Collection Point Continuity Book
- 5. TF 1-501 Leader Professional Development
- 6. FOB 31 PUC SOP (Secret/NOFORN)
- 7. Sensing Sessions and Interviews

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