



DEPARTMENT OF THE ARMY  
UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND

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ALCID Memorandum 015-02  
3 April 2002  
CIOP-COP-PO

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: ALCID Memorandum 015-02, Chapter 4 (Administration of Investigations), CID Regulation 195-1, Criminal Investigation Operational Procedures, 1 January 2002.

1. References:

- a. Geneva Convention, 12 August 1949
- b. Manual for Courts-Martial United States, 21 July 2000
- c. DoD Directive 2310.1, DoD Program For Enemy Prisoners Of War (POW) And Other Detainees (Short Title: DoD Enemy POW Detainee Program), 18 August 1994
- d. DoD Directive 5100.77, DoD Law Of War Program, 9 December 1998
- e. AR 190-8, Enemy Prisoners of War (EPW), Retained Personnel (RP), Civilian Internees (CI) and other Detainees, 1 October 1997
- f. AR 195-2, Criminal Investigation Activities, 30 October 1985.
- g. CID Regulation 195-1, Criminal Investigation Operational Procedures, 1 January 2002.

2. The purpose of this ALCID is to clarify existing guidance concerning the initiation of reports of investigations regarding abuse of prisoners and detainees in deployed situations.

3. Effective immediately, paragraph 4-40d, reference 1g above, is added as follows:

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4-40. Initiation of ROIs in Deployment Situations\*

Paragraphs a - c: (No change)\*

d. (Added) Investigations Involving, Enemy Prisoners of War (EPW), Retained Personnel (RP), Civilian Internees (CI) and other Detainees (OD).

(1) AR 190-8 is a multi-service regulation that applies to the Army, Navy, Air Force and Marine Corps (OPNAVINST 3461.6, AFJI 31-304, and MCO 3461.1), and implements DoD Directive 2310.1 and DoD Directive 5100.7. AR 190-8 directs that all allegations of criminal acts or war crimes committed by or against EPW/RP/CI/OD be reported to CID.

(2) IAW 190-8, all persons captured, detained, interned or otherwise held in US Armed Forces custody will be given humanitarian care and treatment from the moment they fall into the hands of the U.S. forces until final release. It is DoD, Army and command policy that inhumane treatment of EPW, CI, RP, and OD is prohibited and cannot be justified by the stress of combat or by deep provocation. All prisoners, detainees, and internees will receive humane treatment without regard to race, nationality, religion, political opinion, sex or other criteria. IAW AR 901-8, they will be protected against all acts of violence to include rape, forced prostitution, assault, theft, bodily injury, reprisals of any kind, insults and public curiosity. AR 190-8 specifically prohibits murder, torture, corporal punishment, mutilation, collective punishments, execution without proper trial, and all cruel and degrading treatment.

(3) Inhumane treatment is a serious and punishable violation under international law and the UCMJ. IAW AR 190-8, AR 195-2 and CIDR 195-1 (especially paragraphs 4-40a-c above), CID elements receiving allegations of felony criminal acts or war crimes committed by or against EPW/RP/CI/OD will investigate such allegations as an ROI. IAW AR 195-2, CID may adjust its normal investigative purview to include lesser crimes or misdemeanors if it would better serve the supported commander or the overall law enforcement goal.

(4) If the U.S. Armed Forces element conducts a commander's inquiry (an AR 15-6 investigation or equivalent) prior to notifying CID of an allegation involving felony criminal acts or war crimes committed by or against an EPW/RP/CI/OD, the supporting CID element will obtain a copy of and review the inquiry to determine if it thoroughly and fairly investigated the incident(s). If the US Armed Forces element did not conduct a commander's inquiry or if further investigative efforts are deemed appropriate, the supporting CID element will initiate an ROI to continue the investigation.

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4. This change has been updated in the electronic version of CIDR 195-1. The change will be incorporated in the updated hard copy version of CIDR 195-1 when published.

5. The POC for this memorandum is CW3 [REDACTED] <sup>b7c-1, b6-1</sup> Policy Branch (Policy Tasker 065-02), DSN: 656 [REDACTED] email: [REDACTED]@belvoir.army.mil.

<sup>b7c-1, b6-1</sup>

<sup>b7c-1, b6-1</sup>

FOR THE COMMANDER:

<sup>b7c-1, b6-1</sup>

[REDACTED]

Colonel, GS  
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