TTPs & Lessons Learned



termining Truth from Fiction

eport by itself held more weight. rrogators and S2's created litmus test before acting 3N: Personal Vendettas against different orts. However, once you found someone giving info ir own clan/ethnic group (Kurd on Kurd or Arab on c groups caused influx of bogus reporting from

ENDATION: Tactical patience is critical when taking an a Science, and usually learned after the unit w mistakes. letain host nation personnel during SASO. It's more

TTPs & Lessons Learned



king of detainees

etainees lost in the system due to number/misspelling

racking Detainees above division and retrieving interrogation abic Names

rts was very difficult

tatus of loved one within the system o routine system for the Iraqi public to contact detainees or

JDATION:

mated down to platoon level) PW Tag number is the sole tracking device (needs to be

atabase management within the AOR

e station munication through red crescent/red cross mailbox at the ibers. Provide local police with roll up of detainees. Citizens se EPW Tag (portion C) as a hand receipt for family card to police and receive detainee status. Facilitate

larification of detainee tracking responsibilities across the y (is the S1 the right choice by doctrine?)

UNCLASSIFIED//FOUO

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TTPs & Lessons Learned

nforcement agencies. ooperation and liaison with local law

ersonnel Sriminals turned over to local authorities and do prities for repatriation empowers local government Releasing detainees of no intelligence value to detention facilities which are reserved for anti-

olice should have visibility on where detained າ citizens are within the system

hem the information directly /civic leadership. Avoid empowering tribal Sheiks ENDATION: Keep strong positive relationships

TTPs & Lessons Learned



tainee review/release procedures at BDE level.

ctor affected working relationships with host nation nd maintain order throughout the AO of intelligence value. At times a detainee from one ry incarcerations and inadvertent release of ON: 3BCT's review process prevented n other sectors within the 3BCT and or Division review process enhanced the BDE Cdr's ability to

ENDATION: Processing detainees for release or dation. to higher should be a green tab decision with staff

TTPs & Lessons Learned



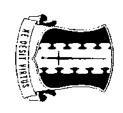
PR Net Access to Battalion Level Units.

e. Ability to pass intelligence traffic and questions prehending unit to the interrogators increased Once Secret network was established at / and decreased amount of time a detainee spent at non doctrinal) detainee operations were more

or both Operations and Intelligence traffic ENDATION: Establish a Secret "digital bridge" to

ssification Level of this Briefing is: IFIED // FOR OFFICIAL USE ONL

QUESTIONS



1786

DEPARTMENT OF THE ARMY BRAVO COMPANY, 311TH MI BN (2BCT) MOSUL, IRAQ

AFZB-KL-B

2 January 2004

MEMORANDUM FOR RECORD

SUBJECT:

Blo

- arrived at the BHA at approximately 2000 hours on 13 DEC 03. He was detained during Operation Reindeer Games, but he was not targeted in that operation. He was stopped at a TCP and was found in possession of an AK47. At that point, he should have been transported an Iraqi police station. However, he was driving a red Opel, and many Opels had been involved in attacks on US Forces. He went through initial inprocessing and initial interrogation screening upon his arrival. During this process, detainees are searched, photographed (enclosure 1) and assigned a capture tag number and a prisoner number. apture tag number (CTN) was 672758. His detainee number (internal to the BHA) was 4. During inprocessing, interrogators gather biographical information, such as name, address, political affiliations, occupation, etc. CPA, Sworn Statement and initial inprocessing sheet were not saved at the time of his release. The detainee is also asked questions about their current medical condition. No medical problems were noted in the database. Medics visit the BHA daily to conduct sick call. No records are in the database stating that complained of any medical or other issues while he was detained.
- 2. Due to the large number of personnel at the BHA at the time of his detention, was never interrogated at the facility. Detainees are briefed on instructions during their time of detention (enclosure 2). Detainees are fed three times a day and are allowed 4-6 hours of sleep. Additionally, if detainees have to use the restroom, they are instructed to raise their hand and ask to use the "WC". When the detainee asks to use the facilities, he/she is immediately escorted to the latrine facilities at the BHA. If detainees fail to follow these instructions (i.e. raising their blindfold or talking) they receive corrective training (mild calisthenics for approximately 20 minutes) and are placed back in their original spot in the holding room. None of the interrogators present at the facility during his detention remember any major issues with
- 3. Guards are briefed on rules of engagement during their tour of duty at the BHA. Guards read a set of rules and are reminded that detainees may not be harmed in any way during their stay (enclosure 3). 2/44 ADA is primarily responsible for guarding detainees. Due to large detainee influx during Operation Reindeer Games, the BHA was augmented with soldiers from various units in the BCT to assist in guarding detainees.

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Detainees not captured during the Reindeer Games (13-17 December 2003) time frame were placed in a separate holding area and guarded by 2/44 ADA. The Reindeer Games detainees were placed in the main holding room and guarded by the augmentees. was placed in the main holding room, as he was originally believed to be a Reindeer Games detainee. Additionally, guards check the wrists of each detainee during shift change (twice per day) to ensure that the flex cuffs are not causing damage to their wrists.

4. was released at approximately 181230LDEC03 after it was discovered that he worked for an NGO in Mosul and was authorized to have a weapon.

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3. POC for this action is WO1

at.

C3.2.1.6

WO1, USA Detention Facility OIC

EOR OFFICIAL USE ONLY

Ext 2. 4

DEPARTMENT OF THE ARMY (2BCT)

MOSUL, IRAQ

AFZB-KL-B

14 November 2003

MEMORANDUM FOR RECORD

SUBJECT: Instructions for guard force assigned to 2nd Brigade Holding Area (BHA).

- 1. Purpose. To establish procedures and Rules of Engagement for the Sergeant of the Guard (SOG) and Guard Force assigned to the 2nd Brigade Holding Area (BHA).
- Overview. The primary mission of the guard force is Force Protection of all workers at the BHA. The secondary mission is to establish and maintain control of the detainees. Firm control and strict regimen will greatly assist interrogators in accomplishing their mission. However, guards must be cognizant of all applicable laws and regulations. While control is a must, human rights will not be violated. Emotions can run high when people are face to face with the enemy. Self discipline and professionalism will be maintained at all times. At no time will a member of the guard force inflict bodily harm to an individual unless it is in self defense or defense of other Coalition personnel. Physical contact will be limited to sufficient force to move individuals or regain control of the situation. The following is a list of responsibilities for different elements operating out of the BHA:
- 3. BHA NCOIC Responsibility.
 - a. Maintain schedule for detainees.
 - b. Provide guard force with office/storage space.
 - c. Coordinate meals for guard force in absence of SOG.
 - d. Coordinate with SOG transport of detainees.
 - e. Supervise roll call, physical training and all other mass movements.
 - f. Pick up food and water for detainees on Mondays and Fridays.
 - g. Maintain control of detainees.
 - h. Ensure laws and regulations are strictly enforced.
- 4. SOG Responsibilities.
 - a. Supervise guard force.
 - b. Provide logistical support to guards.
 - c. Coordinate for transportations of guards.
 - d. Supervise mass movements.

- e. Maintain accountability of guard force.
- f. Ensure proper rest cycle is
- g. Assist in feeding detainees.
- h. Maintain control of detainees.
- i. Ensure laws and regulations are strictly enforced.
- j. Establish and maintain fields of fire and QRF procedures to ensure safety of Coalition personnel.
- 5. Guard force responsibilities. The guard force will take all instructions from the SOG, BHA NCOIC and interrogation team personnel (as applicable).
 - a. Maintaining visual contact of entire room assigned.
 - b. Maintaining good order and discipline in holding areas and interrogation rooms.
 - c. Limiting access of unauthorized personnel.
 - d. Supervising work details.
 - e. Providing appropriate mental stress detainees.
 - f. Escorting detainees to latrine and wash facilities.
 - g. Ensure laws and regulations are strictly enforced.
- 6. Rules of Engagement (ROE): The ROE is designed to maintain the safety of both detainees and personnel working at the BHA. All detainees will be treated humanely and provided the basic human needs IAW the Geneva Convention, FM 27-10, FM 19-40 and other related publications. Corrective training may be assigned to a detainee in order to reestablish control over the detainee, in the interest of good order and discipline. Physical labor as corrective training must not exceed two consecutive hours and must be either related to the offense or improvement of living conditions for the detainee. Detainees will maintain living areas within the BHA. Guards working at the facility will use the minimum amount of force necessary to eliminate the threat. At no time will detainees be beaten or physically harmed in any way. Weapons status for guards is amber at all times during their tour of duty at the BHA. The following risks are outlined below starting from the least dangerous and ending in the most dangerous:
 - a. Disorderly Conduct: In the event an individual detainee becomes disorderly, the guards will immediately subdue the detainee, and contact an interrogator and interpreter working in the BHA. The detainee will be escorted to a separate room, where the interrogator will determine the nature of the problem. If the detainee is calmed down, he will be returned to the general population. If he remains defiant, he will be blindfolded, and sent to a separate room, where he will stay until he becomes calmer.
 - b. Escape: If a detainee attempts to escape, the first person that observes the attempted escape will shot, "HALT" or use the appropriate code word of the day. If the detainee does not stop, the guards will shout, "HALT" again. Guards will attempt to stop the detainee using the MINIMUM force necessary to regain control of the detainee. As a last resort, detainee

may be engaged with small arms fire. This should be a well-aimed shot with the sole purpose of preventing escape. If a detainee is engaged, the NCOIC will contact Performance Main, the 2 BCT ACT, and the unit to which the guard belongs in order to begin appropriate administrative paperwork and medical treatment. All personnel who witnessed the incident will prepare sworn statements.

- c. Riots: In the event more than two detainees attempt to escape from the compound, guards will use necessary force (lethal force if required) to regain control of the situation. After the riot ceases, and Coalition Forces regain control, all living detainees will be place in the holding cells. The detainees will lie on their stomachs facing the wall and guards will be placed at the entrances of the holding cells. Anyone who attempts to get up from the lying position will be restrained by tying the hands and feet to prevent further disturbance. One interpreter will be with the guards in order to translate instructions in order to avoid confusion. Once order is restored, the BHA NCOIC will then contact Performance Main, the 2BCT ACT, and the 2 BCT Battle Captain in order to obtain medical support and provide a SITREP to pertinent commands.
- 7. Access. All Coalition personnel are authorized in the administrative (next to operations) room in the BHA. However, unescorted access to holding and interrogation rooms are subject to approval by the BHA OIC or NCOIC. Guards will not allow unauthorized personnel in to the holding areas.
- 8. Communications. All emergency communications at BHA will be FM voice utilizing vehicle mounted radios or DNVT @.
- 9. POC for this memorandum is WO1

or SSG

a.

Ext. 03.21.6

WO1, USA
Detention Facility OIC

I have read and understand the guard MOI for operations at the BHA. I understand that violations of the Geneva Convention and FM 27-10 (The Law of Land Warfare) are punishable under the Uniform Code of Military Justice.

RANK

<u>NAME</u>

UNIT

DATE

SIGNATURE

	 	
From:	N COT DOG COA	lo
Sent:	Thursday September 20, 2004 4:45 Pt	@us.army.mil]
To:	Thursday, September 30, 2004 1:45 PM	W# 115
	F-mail),	(E-mail);
	(E-mail)	(E-mail);) MAJ, HQ 78th Div
	(TS, (E-mail);	(E-mail);, E-mail); TSB Bragg, S-3
	4th Bde, 78th Div; LTC, DCS-	G3; 385MAT; 385 EOC, 85TSD-3B;
0	P., COL, DCS, G-3	
Cc:		EOC, Fort Campbell;
	یر, MOB,	MOB, Fort Eustis; MOB, Fort Drum;
	-	EOC, Aberdeen;
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	Rucker; MOB, Fort Jackson;	MOB, Fort Benning;
	MAJ 87 TSD: 1 MAJ 85TSF	, MAJ, G3, HHC 78thDiv
	(TS)	,,,,,,,,
Subject:	FW: Detainee OPs TSP	
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Detainee Ops TSP Detainee (Ops TSP MNFI Detainee	
Table of Cont Recommer	nded T Ops.pdf (203 KB)	
	ALCON, https://w	www.us.army.mil/suite/folder/915138
All units performing	ng Detainee Operations must be trai	ned and validated IAW this guidance!
Attached to this e-	-mail is the AKO link to the USAMPS	Detainee Operations TSP. This TSP
was peen abouted fo) include the latest duidance from	in theater to include the MC Millor
MALL GEWOLDSIGNED NO	クロニコニヒ MY/iLO Predeblovment Trainir	of requirements for the Track Theater
AT Abergations' Die	12 AUG 04. The TSP will not be po	ested to the AKO site until tomorrow,
1 OCT 04.		, order to the find site until toldorlow,
Again this TSP inco	orperates all the manditory Training	ng requirements for units performing
pergrues obstarrous	Please read this entire email †	O dain an appreciation for the
evergerou of the 12	of, what tasks have been added, etc	The 2 word documents attached
outline the POI and	recommended training schedule, an	d the MNIF Memo.
If you have trouble	viewing the TSP on-line call the	TSP POC, MSG
0.2. Will Williars	Police School, Senior Detainee Ope	rations Advisor, Fort Leonard Wood,
-10 07±171	FAX	He may have to authorize your
AKO account to view	the documents.	
vr		
4.1		
CPT, MP		
lst Army, G3 Traini		
THE MEMO, GO ITALIII	iig	
email:		
3.10.2.2.1		
Original Messa	70a	
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To	Cember 30, 2004 1:01 PM	
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-		_ -
Subject: RE: Detain	ee APs TSP	
1 Poculi	02 010 IOE	
Sir, we are in the	Drocess of undating the Detained of	no NYO rich aika and 113 t
211 4110	process of updating the Detainee O	he were site and milt have the

information you need NLT COB tomorrow 1 Oct 04. See the following link: Detainee Operations TSP Link as of 23 Sep 04 https://www.us.army.mil/suite/folder/915138

I have attached the updated Table of Contents and recommended training schedule for your review. If you have any further questions please let us know.

Respectfully,

U.S. Army Military Police School Senior Detainee Operations Advisor Fort Leonard Wood, MO 65473

From. mailto______Sent: Wednesdav, September 29, 2004 7:39 AM To: A Cc:______Subject: RE: Detainee OPs TSP

I'm with Fifth Army training and thanks for the below info (via FORSCOM). For planning purposes what do you estimate the training days (or hours) are required to complete the revised detainee ops module? This will assist in planning overall training days required for mobilizing units. Thanks,

Fifth Army Ops Center Training Desk

----Original Message----

From:

Sent: Tuesday, September 28, 2004 10:01 AM

To:

Subject: FW: Detainee OPs TSP

CPT(P), IN AFOP-TRO Staff Action Officer

From [mailto: Sent: Monday, September 27, 2004 4:04 PM To: Jr, CPT, DCS, G-3' Cc: G3. - LTC G3, Subject: RE: Detainee OPs TSP

1. CPT DCS, G3

Sir, I have reviewed the attached document and identified which tasks are included within the Detainee Ops TSP in addition to the originally identified ones on this document.

Most of the tasks identified in the attached guidance from MG Miller are covered within the Detainee Ops TSP we developed however, I have identified below those that are not. We are in the process of adding those tasks not covered in the original Detainee Ops TSP to the AKO KCC web site in a separate folder identified as "Detainee Ops Other Tasks" NLT O4.

```
Detainee Operations TSP Link as of 23 Sep 04 https://www.us.army.mil/suite/folder/915138
The following tasks are covered within the Detainee Ops TSP.
Non 31E MP/ILO
Task #
Identified within USAMPS
Detainee Ops TSP Task #
      Use of Force within Detainee Operations
CD 252
4
      Conduct Contraband Control Procedures within Detainee Operations
CD 240
5
      Special Housing Unit (SHU)/Procedures within Detainee Operations
CD 410
6
      Special Housing Unit (SHU)/Procedures within Detainee Operations
CD 410
7
      Perform Security and Control Activities within Detainee
Operations
CD 226
10
      Communicate with Detainees (Muslim Cultural Awareness)
ĊD
206
11
      Main Gate/Sally Port Procedures within Detainee Operations
CD 404
13
      Main Gate/Sally Port Procedures within Detainee Operations
CD 404
14
      Escort Procedures within Detainee Operations
CD 246
15
      Conduct Contraband Control Procedures within Detainee Operations
CD 240
16
      Forced Cell Move Procedures within Detainee Operations
CD 424
17
      Accountability Procedures within Detainee Operations
CD 222
19
      Prepare Observation and Disciplinary Reports
CD 242 NEW
20
      Meal Procedures within Detainee Operations
CD 412
21
      Introduction to Detainee Operations
CD 202
22
      Introduction to Detainee Operations
CD 202
23
      Conduct Contraband Control Procedures within Detainee Operations
CD 240
24
      Collect Evidence within Detainee Operations
CD 664 NEW
32
          Respond to a Bomb Threat and/or a Bomb within Detainee
Operations
CD 256
33
          Supervise & Control Processes in Order to Ensure Compliance
w/3&4
of the GC
             CD 103 NEW
35
      Tower Guard Duties within Detainee Operations
CD 418 NEW
36
      Non-Lethal Weapons Capabilities During Disorders/Disturbances
CD 500
37
      Emergency Actions for Fire, Escapes and Disorders
CD 254
```

See the following link:

The following tasks are not identified in Detainee Ops TSP however, they are within the STP 19-95C1-SM dated: 30 Sep 2003 and should be made available on the AKO KCC web site ASAP.

Non 31E MP/ILO Item #

STP 19-95C1-SM Task #

19 Prepare Observation and Disciplinary Reports 191-381-1339 & 1340

The following tasks are covered within the Detainee Ops TSP: Additional Recommended Tasks: A. Cultural Awareness (Islam) - see CD 206 B. Interpersonal Communications (IPC) Skills - see CD 206 D. Behavioral Health Sciences (BHS) Training - see CD 206 E. Civil Disturbance (CD) Training - see CD 500

The following tasks are not covered in our Detainee Ops TSP and we have not developed these tasks however, they may be supported within the local MNC-I "16th MP BDE" Detainee Ops SOP.

Additional Recommended Tasks: C. Maintain Operations Security (OPSEC) See GTMO Camp Delta SOP F. Segregation Measures G. Storage of Evidence H. Identification of Suspicious Activity

If we can be of further assistance please let us know.

Respectfully,

MSG U.S. Army Military Police School Senior Detainee Operations Advisor Fort Leonard Wood, MO 65473

From: CPT, DCS, C Sent: Friday, September 24, 2004 9:47 AM To:	G-3 [mailto:	-	
Cc: G2 Subject: Detainee OPs TSP		CPT DCS,	G3

MSG Baldwin,

We recently received guidance from MNC-I in theater reference manditory training for Detainee Operations. I think the tasks listed in this guidance (attached) are covered in your TSP. Some of the tasks are titled differently or may be covered under the collective classes in the TSP. Could you take a look at this document from MNC-I and confirm weather or not you TSP covers these tasks. We need to know soon because we have to update our guidance to the units preping for deployment, some of which are training as we speak.

Vr CPT, MP 1st Army, G3 Train<u>i</u>ng

email:	ì		
CINCIL.	l		

Detainee Operations Table of Contents

	POI Times	Average Length of Training
CD 202 Introduction to Detainee Operations	3.5 hrs	1hr
CD 206 Communicate with Detainees (Muslim Cultural Awareness)	12 hrs	8hr
CD 113 Geneva Convention (Humane Treatment of Detainees)	1.0 hr	1hr
CD 208 Stress Management within Detainee Operations	1.0 hr	1br
CD 216 HIV and Universal Precautions within Detainee Operations	1.0 hr	1hr
CD 252 Use of Force within Detainee Operations	1.0 hr	1hr
CD 240 Conduct Contraband Control Procedures within Detainee Operations	7.3 hrs	4hr
CD 250 Restraint Procedures within Detainee Operations	4.4 hrs	3hr
CD 228 Personal Safety Awareness within Detainee Operations	1.0 hr	1hr
CD 260 React using Unarmed Self-Defense Techniques	11.6hrs	8hr
CD 424 Forced Cell Move Procedures within Detainee Operations	8.0 hrs	4hr
CD 256 Respond to a Bomb Threat and/or a Bomb within Detainee Operations	1.5 hrs	1hr
CD 254 Emergency Actions for Fire, Escapes and Disorders	2.7 hrs	1hr
CD 500 Non-Lethal Weapons Capabilities during Disorders/Disturbances	8.7 hrs	3hr
CD 408 Cell Block Operations within Detainee Operations	2.0 hrs	1hr
CD 222 Accountability Procedures within Detainee Operations	1.4 hrs	1hr
CD 226 Perform Security and Control Activities within Detainee Operations	2.0 hrs	2hr
CD 410 Special Housing Unit (SHU)/Procedures within Detainee Operations	2.9 hrs	1hr
CD 404 Main Gate/Sally Port Procedures within Detainee Operations	2.5 hrs	2hr
CD 414 Visitation Procedures within Detainee Operations	2.0 hrs	1hr
CD 246 Escort Procedures within Detainee Operations	2.0 hrs	1hr
CD 412 Meal Procedures within Detainee Operations	3.6 hrs	1hr
CD 418 Tower Guard Duties within Detainee Operations	2.0 hrs	1hr
CD 664 Collect Evidence within Detainee Operations	3.0 hrs	2hr
CD 103 Supervise the Processes to Ensure Compliance with the Geneva Convention	2.0 hrs	2hr
CD 242 Prepare Observation and Disciplinary Reports within Detainee Operations	2.0 hrs	2hr
тоти	AL: 92.1 hrs	TOTAL: 55 hrs

Times are flexible and will adjust based on the instructor's knowledge of the subject.

<u>Detainee Operations Recommended Training Schedule</u>

	POI Times	Average Length of Training	_
CD 202 Introduction to Detainee Operations Day 1	3.5 hrs	1hr	40 -
CD 206 Communicate with Detainees (Muslim Cultural Awareness)	12 hrs	8hr	10 hrs
CD 113 Geneva Convention (Humane Treatment of Detainees)	1.0 hr	1hr	
Day 2 CD 208 Stress Management within Detainee Operations	1.0 hr	1hr	
CD 216 HIV and Universal Precautions within Detainee Operations	1.0 hr	1hr	10 hrs
CD 252 Use of Force within Detainee Operations	1.0 hr	1hr	101113
CD 240 Conduct Contraband Control Procedures within Detainee Operations	7.3 hrs	4hr	
CD 250 Restraint Procedures within Detainee Operations	4.4 hrs	3hr	
Day 3			- 1
CD 228 Personal Safety Awareness within Detainee Operations	1.0 hr	1hr	0 15 27
CD 260 React using Unarmed Self-Defense Techniques	11.6hrs	8hr	9 hrs
Day 4			- }
CD 424 Forced Cell Move Procedures within Detainee Operations	8.0 hrs	4hr	
CD 256 Respond to a Bornb Threat and/or a Bornb within Detainee Operations	1.5 hrs	1hr	 10 hrs
CD 254 Emergency Actions for Fire, Escapes and Disorders	2.7 hrs	1hr	10 1113
CD 500 Non-Lethal Weapons Capabilities during Disorders/Disturbances	8.7 hrs	3hr	
CD 408 Cell Block Operations within Detainee Operations	2.0 hrs	1hr	
Day 5]
CD 222 Accountability Procedures within Detainee Operations	1.4 hrs	1hr	
CD 226 Perform Security and Control Activities within Detainee Operations	2.0 hrs	2hr	0.1
CD 410 Special Housing Unit (SHU)/Procedures within Detainee Operations	2.9 hrs	1hr	8 hrs
CD 404 Main Gate/Satly Port Procedures within Detainee Operations	2.5 hrs	2hr	
CD 414 Visitation Procedures within Detainee Operations	2.0 hrs	fhr	
CD 246 Escort Procedures within Detainee Operations	2.0 hrs	1hr	ļ
Day 6		<u> </u>]
CD 412 Meal Procedures within Detainee Operations	3.6 hrs	1hr	<u> </u>
CD 418 Tower Guard Duties within Detainee Operations	2.0 hrs	fhr	
CD 664 Collect Evidence within Detainee Operations	3.0 hrs	2hr	8 hrs
CD 103 Supervise the Processes to Ensure Compliance with the Geneva Convention	2.0 hrs	2hr	OHIS
CD 242 Prepare Observation and Disciplinary Reports within Detainee Operations	2.0 hrs	2hr	

TOTAL: 92.1 hrs TOTAL: 55 hrs

Times are flexible and will adjust based on the instructor's knowledge of the subject.



HEADQUARTERS

MULTI-NATIONAL FORCE - IRAQ OFFICE OF THE DCG-DO BAGHDAD, IRAQ APO AE 09342-1400

MNFI-CD

12 August 2004

MEMORANDUM FOR C3, MNFI

SUBJECT: Non 31E MP/ILO Pre-Deployment Training Requirements for the Iraqi Theater of Operations

- 1. Based on a comprehensive review of the 31E / Military Police Internment/Resettlement Specialist task set and the unique considerations present in this theater for MP / ILO nominated OIF 2/3 units and Individual Augmentees (IAs), we have identified theater (Iraq) specific predeployment training requirements for detainee operations. (See enclosure). The task set represents the minimum number of 31E related tasks and other recommended supporting tasks requiring validation during the mobilization process and is in addition to other mandated subject matter / topics required for deployment to the Iraqi theater.
- 2. Request DIRLAUTH with FORSCOM relative to the deployment cycle training requirements for MPs and ILO MPs identified for duty in the Iraqi theater.
- 3. MP/ILO units and IAs arriving in support of OIF 2/3 must be trained to standard in the unique task set required in detainee operations in order to facilitate the effective transfer of operations during the rotation of forces without degradation of operational capabilities.

B6

Encl (1)

Deputy Commanding General

Detainee Operations

Non 31E MPs/ILO MPs Pre-Deployment Training Task Set

Task Reference Introduction to Detainee Operations USAMPS CD 202 Perform security and control activities at a detainee camp USAMPS CD 226 Apply priorities of force within a detainee camp 3. Task 191-381-1324 Conduct inspections/shakedowns of detainee areas Task 191-381-1251 Observe detainees in close confinement Task 191-381-1317 Control recreation, shower and shave call within Task 191-381-1319 close confinement Inspect physical security of a Detainee Camp (tents Task 191-382-2347 and barracks area) 8. Interact with detainees Task 191-381-1290/ USAMPS CD 206 9. Restrain a detainee Task 191-381-1255/ USAMPS CD 250 Detect symptoms of unusual or potentially deviant Task 191-381-1291 behaviors of detainees 11. Control vehicle entry to and exit from a detainee Task 191-381-1304 camo 12. Control packages and materials at sally port Task 191-381-1305/ USAMPS CD 404 13. Control personnel entry to and exit from a detainee Task 191-381-1306 14. Control detainee movements within a detainee camp Task 191-381-1332 15. Frisk search a detainee Task 191-381-1287 16. Perform a forced removal of a detainee Task 191-381-1861 17. Account for detainees Task 191-382-2290 18. Brief detainee escorts / escort procedures USAMPS CD 246 19. Prepare observation and disciplinary reports Task 191-381-1323 20. Supervise and control procedures during detainee Task 191-382-2348 meals 21. Prepare a DA Form 2823 (Sworn Statement) Task 191-376-0002 22. Prepare a DA Form 4137 (Evidence/Property Task 191-376-5138 Custody Document) 23. Identify evidence/contraband Task 191-376-5124 24. Collect evidence Task 191-376-5125 25. Unarmed Self-Defense (Pressure Point Control USAMPS CD 260 Techniques) 26. Stress Management USAMPS CD 208 27. Geneva Convention (Humane Treatment of Detainees) USAMPS CD 113 28. HIV and Universal Precautions USAMPS CD 216

Enclosure I to Non-31F MPs/II O Pre-Deployment Training Requirem rate for the Year! Theodor

	Sec. 0.5	,
29.	*Full Spectrum of Use of Force to include:	USAMPS CD 252 (Use of
	Verbal persuasion	Force), CD 500 (Non-Lethal
	Less than Lethal Weapons	Weapons)
	-Proper use and operation of a Taser (SEL Indiv)	Task 191-381-1294
	-OC (All)	<u> </u>
	-12 Gauge Shotgun (less than lethal munitions –	
	M1013, M1012, 40mm non-lethal and 40mm	<u> </u>
	1029)	1 1
	*(Incorporate_ROE for Iraq)	}
30.	Emergency Action for Fire, Escapes and Disorders	USAMPS CD 254
	within Detainee Operations	
31.	Special Housing Unit Procedures within Detainee	USAMPS CD 410
L	Operations	
32.	React to a bomb threat and/or bomb in a detainee	Task 191-381-1250
	camp	
33.	Supervise and control processes in order to ensure	
!	compliance with 3 and 4 of the Geneva Convention	.]
34.		USAMPS CD 228
35.		Task 191-381-1302
36.	Participate in Riot Control Formations to Control	Task 191-381-1258
	Internees	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
37.	Take Action in the Event of Disorder at an	Task 191-381-1321
•••	Internment Facility	1 ask 191-301-1321
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Additional Recommended Tasks:

- A. Cultural awareness (Islam and Iraq)
- B. Interpersonal communication (IPC) Skills
- C. Maintain Operations Security (OPSEC)
- D. Behavioral Health Sciences (BHS) training
- E. Civil Disturbance (CD) training
- F. Segregation measures
- G. Storage of evidence
- H. Identification of suspicious activity
- 1. React to Direct and Indirect Fires

Enclosure I to Non-31F MPorti O Pre Donlorment Training Requirements for the least Theory

INFORMATION PAPER

DETENTION OF CIVILIANS

During operations ISO OPORD COBRA II, TF IH units will be required to restrain, detain and possibly release civilian internees (CI) and other detainees (OD). Regardless of the situation, TF IH units will comply with the law of war and act in a manner consistent with the humanitarian principles of international law.

1. Definitions:

- a. Civilian internee (CI): a person who is interned during armed conflict or occupation if he is considered a security risk, needs protection or has committed an offense (insurgent, criminal) against the detaining power. A CI is protected according to the Geneva Convention Relative To The Protection Of Civilian Persons In Time Of War.
- b. Other detainee (OD): a person in the custody of the US armed forces who has not been classified as an EPW, a retained person (RP) or a CI. ODs are treated as EPWs until a legal status is ascertained by competent authority.
- c. Probable cause: a reasonable certainty that a crime has been committed or is being committed and that person to be detained has committed, is committing or is aiding another to commit the offense.
- d. Reasonable basis: under the circumstances that exist at the time, sufficient facts upon which a reasonable person would rely to make a decision.
- e. Retained person (RP): an enemy who falls within one of the following categories: a person who is a member or the medical service of an enemy armed force; a medical person exclusively engaged in searching, collecting, transporting or treating the wounded or sick, preventing disease or administering a medical unit or establishment; a chaplain; or a member of the International Federation of Red Cross and Red Crescent Societies.
- f. Serious crime: for the purposes of detention, is any crime considered to be a felony under u.s. law; an offense punishable by confinement of one year or more under the UCMJ; or is a violation of the law of war. The definition includes, but is not limited to, murder, rape, robbery, arson, assault, burglary, larceny or destruction of property with a value in excess of five hundred dollars, or conspiracy, solicitation or acting as an accomplice to one of these offenses. The V Corps SJA may approve additional crimes for which detention is authorized.

2. Detention:

- a. TF IH units are authorized to detain civilians who are believed to possess information important to, or are interfering with, mission accomplishment. Unless directed otherwise by a more senior commander, the decision to detain civilians is the responsibility of the senior U.S. soldier on the scene.
 - 1. Coalition forces are authorized to stop all civilian traffic and search all

vehicles for weapons, explosives, cell phones and other communications devices, GPS, maps, note pads, cameras, uniforms and other identifiable enemy equipment, and evidence of any activity posing a threat to coalition forces, including intelligence gathering.

- 2. Adult males present on the battlefield during the hours of darkness will be detained unless, in the judgment of the senior leader on the scene, they are positively identified as posing no threat to coalition forces. The detention of adult males present on the battlefield after dark is essential to the security of coalition forces and to the safety of adult males who are not members of paramilitary forces and might otherwise be engaged as a declared hostile force. Evacuate to the nearest collection point for immediate interrogation.
 - b. Coalition forces may also detain civilians if they:
- 1. obstruct the progress of u.s. or coalition forces whether by demonstration, riot, or other means;
- 2. enter or attempt to enter, without authority, any area controlled by u.s. or coalition forces;
- 3. commit, attempt, conspire, threaten or solicit another to commit or aid or abet in the commission of a crime; or
- 4. have been detained pursuant to a warrant, order or indictment issued by competent authority.
- c. Commanders are also authorized to take action to prevent looting. Authorized actions include:
- 1. detention of persons observed in the act, or reasonably suspected, of looting;
 - 2. placement of areas or locations off-limits;
- 3. establishment of checkpoints that confirm the identity and residence of persons in order to permit them to enter specified areas;
 - 4. use of non-lethal munitions.
- 5. Use of necessary, graduated force to detain persons observed in the act, or reasonably suspected, of looting is authorized. **DEADLY FORCE IS NOT AUTHORIZED. WARNING SHOTS ARE NOT PERMITTED TO STOP LOOTING.**
- d.. Commanders of brigade and larger units, commanders of internment facilities or detention centers or the v corps PMO may approve temporary detention of an individual for up to 21 days if he has probable cause to believe the person satisfies one or more of the criteria of paragraph 2.a.
- e. Initial detention will be automatically terminated at 21 days, unless a review is conducted by military magistrate or other competent legal authority as designated by v corps or the TF IH SJA. A record of the review will be maintained by the staff judge advocate.

- f. Continued detention may be directed if the hearing authority determines, upon probable cause, that the detainee has or will commit a serious crime and is awaiting judicial proceedings and the confinement is necessary because it is foreseeable that the detainee will not appear at trial, pretrial hearing, or investigation, or the detainee will commit a serious crime and less severe forms of restraint are inadequate.
- g. The hearing officer could also direct continued detention, if he determines, upon probable cause, that the CI or OD fits into Category A listed below.
- h. Thereafter, circumstances of detention will be reviewed every 30 days using the standard in paragraph 2-d or the individual's status has been determined by competent authority such as an article 5 tribunal.
- i. While U.S. forces will apply the same standards of humanitarian treatment to all detainees, U.S. forces may, for operational and security reasons, classify and segregate detainees based upon the following categories. Designated release authorities may also use these categories to assist them in determining whether they should or should not release particular detainees.
- 1. Category A consists of civilian non-combatants whose names are contained on the "black list;" who are the subject of any warrants, orders or indictments issued the united states or any international tribunal; who are suspected of a violation of the law of war; or who are members of the following international terrorist organizations, or any groups/cells/facilities associated therewith: AL QAIDA, ANSAR ISLAM (AI), TALIBAN, ASBAT AL-ANSAR, EGYPTIAN ISLAMIC GROUP (AKA GAMAAT AL-ISLAMIYYA), HAMAS, HIZBALLAH/ISLAMIC JIHAD ORGANIZATION, AL AQSA MARTYRS BRIGADE, HARAKAT UL MUJAHIDIN, LASHKAR E TAYYIBA, PALESTINIAN ISLAMIC JIHAD, EGYPTIAN ISLAMIC JIHAD, JEMAAH ISLAMIYAH, AND THE ISLAMIC MOVEMENT OF UZBEKISTAN.
- 2. Category B consists of civilian non-combatants who pose a serious threat to U.S. forces, other protected persons, key facilities, or property designated mission-essential; obstruct the progress of coalition forces whether by demonstration, riot or other means; enter or attempt to enter, without authority, any area controlled by coalition forces; commit or attempt to commit any of the following criminal offenses: assault upon any member of coalition forces; murder, rape, kidnapping, arson, aggravated assault; any crime involving a suspect who has been previously detained by v corps; any crime in which a weapon was used in the commission of the crime, and/or any other serious criminal conduct, including aiding or abetting those who commit the above listed offenses, or conspiring to commit the above listed offenses.
- 3. Category C consists of civilian non-combatants who steal or loot or attempt to steal or loot coalition or protected property, commit or attempt to commit any of the following offenses: burglary, housebreaking, larceny, looting, driving under the influence of alcohol or drugs, prostitution, destruction of property, simple assault,

harassment, use or possess illegal drugs, possess stolen property, commit or attempt to commit auto theft, carjacking, including aiding or abetting

- 4. Category D consists of civilian non-combatants who have valuable intelligence information important to mission accomplishment. This category also includes personnel who, through non-violent means, obstruct or attempt to obstruct military operations, commit curfew violations, are drunk and disorderly, commit traffic violations, and/or commit any offense in violation of administration orders.
- j. Standard of treatment: U.S. forces will treat all CI and OD in a manner consistent with the humanitarian standards of treatment and protections accorded to EPWs pursuant to the principles outlined in Geneva convention III. U.S. forces will protect CI and OD from physical harm and against insults and public curiosity. U.S. forces will provide CI and OD with protective facilities and instruct them in the procedures to follow in the event of nuclear, biological or chemical attack.
- k. Commanders at all levels are responsible to ensure proper handling and treatment of CI and OD. Commanders must ensure that all personnel under their commands understand that CI and OD are not EPW, that they will be processed and housed separately and that they will not be co-mingled.
- 1. Commander, 18th MP brigade will establish those rules and procedures necessary for the safe and efficient operation of collection points, interment facilities and detention centers. This includes procedures and rules necessary for the proper administration of discipline within the facilities.

3. Rules of engagement:

- a. U.S. forces may use force in a manner consistent with the rules of engagement in effect at the time if they are acting in order to defend themselves and their units, enforce facility rules or procedures, protect detainees or prevent detainees from escaping.
- b. A commander's inherent authority and obligation to use all necessary means available and to take all appropriate action in self-defense of the commander's unit and other us and coalition forces in the vicinity is not, however, limited. A commander must consider the assigned mission, the current situation, higher commanders' intent and all other available guidance in determining the level of force required for mission accomplishment. Use of force will be proportional in that it should be reasonable in intensity, duration and magnitude, based on all facts known to the commander at the time.
- c. With respect to CI and OD, the use of force, including deadly force is authorized to respond to hostile acts, demonstration of hostile intent or to prevent the commission of crimes involving death or serious bodily harm and to prevent "Category A" and "Category B" detainees from escaping.
- d. With regard to the use of force to prevent an escape, deadly force is a last resort after all other reasonable means have failed.

- 4. Transfer of detainees: No detainees will be transferred to the control of another coalition partner without SECDEF approval.
- 5. Property seizure: complete the property seizure form for any civilian or personal property seized. Provide one copy to detainee and keep one copy with seized property.



DEPARTMENT OF THE ARMY

HEADQUARTERS. 4TH INFANTRY DIVISION (MECHANIZED) TIKRIT, IRAQ



REPLY TO ATTENTION OF

AFYB-CG

21 September 2003

MEMORANDUM FOR TF Ironhorse Commanders, Leaders and Soldiers

SUBJECT: Treatment of Detainees in the Custody of U.S. Forces

- 1. The purpose of this memorandum is to provide guidance for the treatment of enemy prisoners of war (EPW), civilian internees (CI) and other detainees (OD) in the custody of U.S. Forces.
- 2. Commanders at all levels will ensure that EPWs, civilian internees (to include unlawful combatants and terrorists) and other detainees are humanely treated in accordance with AR 190-8, Enemy Prisoners of War, Retained Personnel, Civilian Internees, and Other Detainees; Field Manual 27-10. The Law of Land Warfare; the 1949 Geneva Convention Relative to the Treatment of Prisoners of War; and, the 1949 Geneva Convention Relative to the Protection of Civilians in a Time of War.
- 3. TF Ironhorse soldiers will treat all detainees with dignity and respect and, at the very least, will meet the standards for humane treatment as articulated in international law. TF Ironhorse soldiers will treat all CI and OD in a manner consistent with the protections afforded EPWs pursuant to the principles outlined in the Geneva Convention. Such treatment will be extended to EPWs, CI, and OD from the moment they fall into the hands of U.S. Forces to the time of their final release or repatriation.
- 4. EPWs, CI, and OD will be respected as human beings. They will be protected against all acts of violence, including, but not limited to: assault, insults, public curiosity, bodily injury, and reprisals of any kind. While detainees in U.S. custody may be interrogated for intelligence purposes, the use of physical or mental torture, or coercion to compel individuals to provide information is strictly prohibited. Interrogations will be conducted by intelligence or counter-intelligence personnel.
- 5. Detainees will receive humane treatment without regard to race, nationality, religion, political opinion, sex, or other criteria. U.S. Forces may, however, segregate detainees by category for operational and security reasons.
- 6. Inhumane treatment of EPWs, CI, and OD is strictly prohibited. Neither the stresses of combat, nor deep provocation will justify inhumane treatment. Such ill treatment of detainees is a serious crime, punishable under international law and the Uniform Code of Military Justice (UCMJ). All reports of detainee or civilian maltreatment will be investigated and reported to the supporting judge advocate or Division SJA.

7. POC for this memorandum is LTC

Staff Judge Advocate, at DNVT

B3/B6

"STEADFAST AND LOYAL!"

RAYMOND T. ODIERNO Major General, USA Commanding

CONFIDENTIAL

EPW Check List



References:

FM 3-19.40, Military Police - Internment Resettlement Operations FM 100-8, Enemy Prisoners of War, Retained Personnel, Civilian Internees and Other Detainees

- · Same sex strip-searches
- Tag and account for personal property: place it in a container, a bag or a tray, mark it with a control number, and take it to a temporary storage area.
- Ensure that Internment Serial Numbers (ISN) are assigned to EPWs
- · Use ID Band with ISN on it.
- · Initiate personnel records, ID documents, and property receipts
- · Maintain accountability of EPWs and their property
- Fingerprint EPWs identify and record the information on fingerprint cards
- Take Photographs of EPW with ISN and name (photograph name boards)
- Provide receipts for all confiscated items to include money.
- Maintain a manifest that contains the name, rank/status, ISN, power served/nationality, physical condition.
- Treat all EPWs alike, regardless of rank, sex and privileged treatment.
- Maintain and enforce discipline and security and deal with offensive acts promptly.
- Maintain a record of disciplinary actions.

EPWs can

- · Submit requests and complaints regarding the conditions of confinement
- · Send and receive correspondence provided that it is screened first.
- · Attend religious services

Schedule of calls (recommended)

· Reveille, Morning Call, Noon call, Sick, Mess, Evening roll, and Lights out

Standing Orders including rules, procedures, and instructions

- Have an emergency plan for Fire, Natural Disasters, Emergency Evacuations, Blackouts, Escapes, Air Raid
- Hours for religious services
- Procedure for sick call

Medical and Sanitation Considerations

- Provide sufficient showers and latrines and ensuring that they are cleaned and sanitized daily
 - o Allow EPWs to shower, shave, and get hair cuts
 - o Issue personal-comfort items (toilet paper, soap, toothpaste and toothbrush)
- Provide sufficient potable water for drinking, bathing, laundry and food service
- Dispose of human waste properly to protect the health of all individuals
- Inspect EPWs for signs of illness or injury
- Give immunizations or request immunization support from the supporting medical unit
- Initiate treatment and immunization records
- Issue clothing
 - Clothing worn by EPWs at the time of capture is worn until it is no longer serviceable.
 - o Ensure the clothing is marked "PW"
- Ensure the EPWs receive as much water as US soldiers
- · Provide adequate space within housing units to prevent overcrowding

Religion

 EPWs are allowed freedom of worship, including attendance at services of their respective faith held within the facility.

Safety Program

- Set up and administer a safety program for housed personnel.
- Maintain records and reports for the internee safety program.

Security - Internal and External

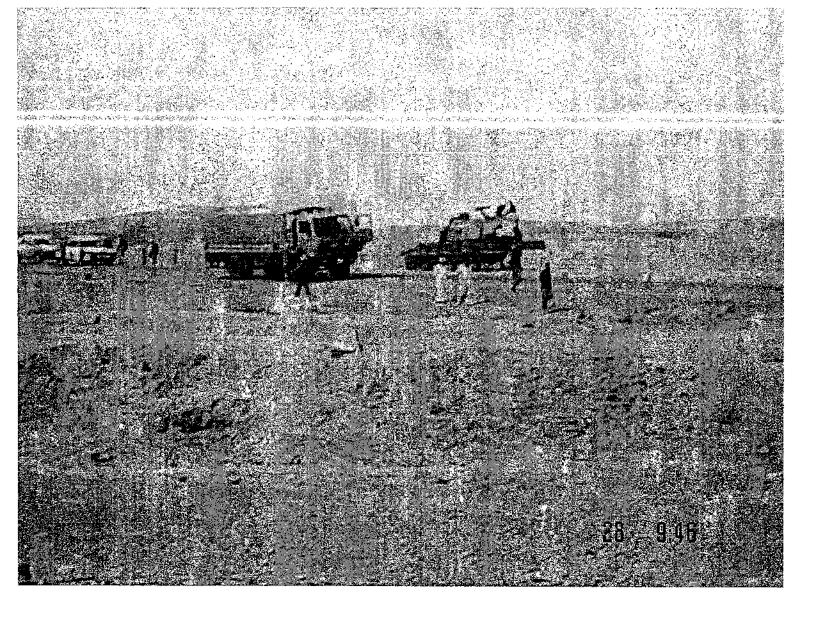
- Establish a security measures that effectively control housed personnel with minimal use of force
- Commanders protect housed personnel from threats outside the facility.

Tribunal

 A tribunal is held according to Article 5, Geneva Convention Relative to the Treatment of Prisoner of War. It determines the status of an individual who does not appear to be entitled to EPW status but commits a belligerent act to aid enemy armed forces, engages in a hostile activity to aid the enemy armed forces, asserts that he or she is entitled to treatment as an EPW.



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- 1. You are hereby appointed as a Summary Court-Martial Officer in the case of US v. 18
- 2. You are instructed to contact the 2d ACR Legal Center as soon as possible to receive a legal briefing on the procedures for the court-martial prior to conducting your summary court-martial.
- 3. You are advised that you should contact $S_1 = \{2e_{10}, e_{11}, \dots, e_{nn}\}$ for all of your administrative needs.
- 4. You have been given a complete copy of the Court-Martial Packet and a copy of our Summary Court-Martial Briefing Book. The briefing book contains a copy of Appendix 9 of the Manual for Courts-Martial, a copy of DA Pamphlet 27-7 (Guide for Summary Court-Martial Trial Procedure) and a copy of Rules for Court-Martial 1301 1304 of the Manual for Courts-Martial. These are the regulations you will need in order to conduct the Summary Court-Martial.
- 5. Take the time to read through the entire Court-Martial Packet as soon as possible so that you can determine what witness(es) you wish to call in the Court-Martial. The Trial Counsel and/or the Defense Counsel may make suggestions as to witness(es) that you may want to call, but the decision of who to call is yours. It is your responsibility to determine which witness(es) you will need for the Court-Martial. The accused has a right to request witness(es) as well. It is your responsibility to determine which witnesses are relevant and necessary, and to ensure their attendance at the Court-Martial. Your legal advisor can assist you in this matter, as well as other aspects of the Summary Court proceedings will contact the witness(es) for you.
- 6. I want you to read Sections 1 & 2 of DA Pam 27-7 very carefully as soon as possible (contact your legal advisor to have your duties and responsibilities clarified).
- 7. During the Court-Martial, if you have any questions regarding procedural matters, you are instructed to contact your legal advisor,

Pako Broj I

MEMURANDUM FOR Commander, 1st Armored Division, Baghdad, Iraq, APO AE 09324
SUBJECT: Transmittal of Court-Martial Charges in the case of See .
1. The attached court-martial charges against the Code of Military Justice and are supported by the evidence attached. The charges are forwarded in accordance with R.C.M. 404, MCM (2002), for appropriate disposition.
2. I recommend:
aTrial by () Summary Court-Martial, () Special Court-Martial, () Special Court-Martial empowered to adjudge a Bad Conduct Discharge, or () General Court-Martial.
bNonjudicial punishment under Art. 15.
cNonpunitive administrative action. () Relief of duties for cause, () Letter of concern/nonpunitive reprimand, or () Administrative discharge proceedings.
d That no action be taken at this time //
3 Encls 1. Charge Sheet 2. Allied Papers
3. Enlisted Record Brief

MEMORANDUM FOR Commander, 2d Armored Cavalry Regiment, APO AE 09322

SUBJECT: Transmittal of Court-Martial Charge in the case of

1. The attached court-martial charges against the specifications allege offenses under the Uniform Code of Military Justice and are supported by the evidence attached. The charges are forwarded in accordance with R.C.M. 403, MCM (2002), for appropriate disposition.
2. I recommend:
aTrial by () Summary Court-Martial, () Special Court-Martial, () Special Court-Martial empowered to adjudge a Bad Conduct Discharge, or () General Court-Martial.
b. Nonjudicial punishment under Art. 15.
c. Nonpunitive administrative action. () Relief of duties for cause, () Letter of concern/nonpunitive reprimand, or () Administrative discharge proceedings.
d That no action be taken at this time.

- 3 Encls1. Charge Sheet2. Allied Papers3. Enlisted Record Brief

MEMORANDUM FOR Commander, 2d Squadron, 2d Armored Cavalry Regiment, APO AE 09322

SUBJECT: Transmittal of Court-Martial Charges in the case of

- 1. The attached court-martial charges against have been reviewed and are forwarded in accordance with R.C.M. 401, MCM (2002), for appropriate disposition.
- 2. Summaries of expected testimony and documentary evidence upon which the charges are based are attached.
- 3. All material witnesses are expected to be available at the time of trial.
- 4. Personal data of the accused is attached as a copy of the accused's Enlisted Record Brief.
- 5. The following additional personal data of the accused is provided:
 - a. Number of dependents in command: Three.
 - b. Previous disciplinary actions: None.
- 6. There is no record of prior court-martial convictions.
- 7. The soldier is not currently pending separation action under the provisions of AR 635-200.
- 8. I recommend:
- a. ___Trial by () Summary Court-Martial, () Special Court-Martial, () Special Court-Martial empowered to adjudge a Bad Conduct Discharge, or () General Court-Martial.
 - b. Nonjudicial punishment under Art. 15.
- c. Nonpunitive administrative action. () Relief of duties for cause, X Letter of concern/nonpunitive reprimand, or () Administrative discharge proceedings.
 - d. ____ That no action be taken at this time
- 3 Encls
- 1. Charge Sheet
- 2. Allied Papers
- 3. Enlisted Record Brief

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DEPARTMENT OF THE ARMY 2d Armored Cavalry Regiment APO AE 09322

AFZX-C-CO

MEMORANDUM FOR Commander, 1st Armored Division, Baghdad, Iraq, APO AE 09322

SUBJECT: Recommendation for Separation Under AR 635-200, Chapter 10 (In Lieu of Trial by Court Martial)

- 1. I recommend (approval) (disapproval) of the request for separation from , under the provisions of AR 635-200, Chapter 10.
- 2. I recommend that be separated from the service and issued a(n) (General) (Other Than Honorable Discharge Certificate.
- 3. Pursuant to AR 635-200, Paragraph 1-35, I recommend that! not be transferred to the Individual Ready Reserve (IRR).

Encls nc

2d Squadron, 2d Armored Cavalry Regiment APO AE 09322

AFZX-CB

MEMORANDUM FOR Commander, 2d Armored Cavalry Regiment, Baghdad, Iraq, APO AE 09322

SUBJECT: Recommendation for Separation Under AR 635-200, Chapter 10 (In Lieu of Trial by Court Martial)

1. I recommend (approval) (disapproval) of the request for separation from _____

, under the provisions of AR

635-200, Chapter 10.

2 I recommend that SSG Peasgood be separated from the service and issued a(n) (General) (Other Than Honorable) Discharge Certificate.

3. Pursuant to AR 635-200, Paragraph 1-35, I recommend that transferred to the Individual Ready Reserve (IRR).

l not be

Encls nc

84th Engineer Company
2d Squadron, 2d Armored Cavalry Regiment
APO AE 09322

AFZX-BC-EN

MEMORANDUM FOR Commander, 2d Squadron, 2d Armored Cavalry Regiment, Baghdad, Iraq, APO AE 09322

SUBJECT: Recommendation for Separation Under AR 635-200, Chapter 10 (Discharge in Lieu of Trial by Court-Martial)

- 1. I recommend (approval) (disapproval) of the request for separation by under the provisions of AR 635-200, Chapter 10.
- 2. I recommend that be separated from the service and issued a(n) (General) (Other Than Honorable) Discharge Certificate.
- 3. Pursuant to AR 635-200, Paragraph 1-35, I recommend that to the Individual Ready Reserve (IRR).

not be transferred

Encls nc



UNITED STATES ARMY TRIAL DEFENSE SERVICE 82D AIRBORNE DIVISION BRANCH OFFICE FOB RIDGWAY, IRAQ

AFZA-JA-TDS 24 December 2003

MEMORANDUM FOR Commanding General, 1st Armored Division

SUBJECT: Chapter 10 Request, :

1. Request that you approve request for a Chapter 10 for the following reasons:

- has never been in any trouble in the entire 7 years he has been in the service, to include article 15s.
- b. Let has an exemplary service record (see attached good soldier packet). He was chosen to deploy ahead of the rest of the saved the lives of numerous Iraqi citizens by destroying DPICM submunitions and other UXOs from neighborhoods in Iraq. He was also on the First Response Team for the United Nations bombing and was involved in evacuating casualties. He destroyed over 10,000 VS-50 AP mines and over 500 DPICM Cluster munitions. He was chosen to deploy with 2nd Squadron within 96 hours over all NCOs in his company. His service record is filled with situations where he risked his life for others. In this particular case, he was involved in the stripping of detainees because he did not want to "rough them up" as ordered or kill them like the guards had done prior. It seems ironic that those who shot looters in violation of ROE have been allowed to continue their military careers while:

 is facing such severe consequences for the offenses charged.
- c. His immediate chain of command recommended that he receive an article 15. The Regimental Commander specifically stated in the preferral packet that the case would be returned to the squadron commander for disposition. However, when that commander attempted to take action, the case was removed from his hands. Furthermore, both the Company Commander and Squadron Commander recommended approval of a chapter 10 on 24 December 2003. They both also stated that they would support a General Discharge given service record and dire family situation.
- d. , has a four month old baby that was born with two holes in his heart. He also has a two year old son who is being treated at the moment for what the doctor's suspect is Leukemia. Approval of the chapter 10 will deprive him of the medical benefits he desperately needs to care for those children.
- 2. Based on the circumstances, the accused requests approval of the chapter 10 request with a General discharge. AR 635-200, Chapter 10,

specifically authorizes such a discharge even though it is rare.

nderstands that he can receive an Other Than Honorable discharge from this request although he simply requests that a general discharge be considered. Thank you for your consideration of this matter.

REQUEST FOR DISCHARGE IN LIEU OF TRIAL BY COURT-MARTIAL

DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 U.S.C. 552a)

AUTHORITY:

5 USC 301, 10 USC 3013.

PURPOSE:

To be used by the commander exercising general trial by court-martial jurisdiction over you to determine

approval or disapproval of your request.

ROUTINE USES: -

Request, with appropriate documentation including the decision of the discharge authority, will be filed in the MPRJ as permanent material and disposed of in accordance with AR 640-10, and may be used by other appropriate Federal agencies and State and local governmental activities where use of the information is compatible with the purpose for which the information was collected. Submission of a request for discharge is voluntary. Failure to provide all or a portion of the requested information may result in your request being disapproved.

AFZA-JA-TDS

24 December 2003

MEMORANDUM FOR Commander, 1st Armored Division

Request for Discharge in Lieu of Trial by Court-SUBJECT: Martial

- voluntarily request discharge in lieu of trial by court-martial under the provisions of AR 635-200, Chapter 10. I understand that I may request discharge in lieu of trial by court-martial because charges have been preferred against me under the Uniform Code of Military Justice that authorizes the imposition of a punitive discharge. I have been charged with violating Articles 128 and 134 of the Uniform Code of Military Justice.
- I am making this request of my own free will and have not been subjected to any coercion whatsoever by any person. been advised of the implications that are attached to it. By submitting this request for discharge, I acknowledge that I understand the elements of the offenses charged, have discussed the elements and evidence with a trial defense lawyer detailed to represent me, and understand that I am guilty of a charge against me or of a lesser included offense therein contained which also authorizes the imposition of a punitive discharge.
- Prior to completing this form, I have consulted with counsel who has fully advised me of the nature of my rights under the Uniform Code of Military Justice; the elements of the offense with which I am charged; any relevant lesser included offense thereto; the facts which must be established by competent

AFZA-JA-TDS

SUBJECT: Request for Discharge in Lieu of Trial by Court-Martial

evidence beyond a reasonable doubt to sustain a finding of guilty; the possible defenses which appear to be available at this time; and the maximum permissible punishment if found guilty. Although I have been provided legal advice, this decision is my own.

- I understand that, if my request for discharge is accepted, I may be discharged under conditions other than honorable and furnished an Under Other Than Honorable Conditions Discharge Certificate. I have been advised and understand the possible effects of an Under Other Than Honorable Conditions Discharge and that, as a result of the issuance of such a discharge, I may be deprived of many or all Army benefits, that I may be ineligible for many or all benefits administered by the Veterans Administration, and that I may be deprived of my rights and benefits as a veteran under both Federal and State law. understand that I may expect to encounter substantial prejudice in civilian life because of an Under Other Than Honorable Conditions Discharge. I further understand that there is no automatic upgrading nor review by any Government agency of an Under Other Than Honorable Conditions Discharge and that I must apply to the Army Discharge Review Board or the Army Board for Correction of Military Records if I wish review of my discharge. I realize that the act of consideration by either board does not imply that my discharge will be upgraded. I further understand that if I am issued an Under Other Than Honorable Conditions Discharge, I will automatically be reduced to the rank of Private (E-1).
- 5. I understand that once my request for discharge is submitted, it may be withdrawn only with the consent of the commander exercising general court-martial authority, or without that commander's consent, in the event trial results in an acquittal or the sentence does not include a punitive discharge, even though one could have been adjudged by the court. Further, I understand that if I depart absent without leave, this request may be processed and I may be discharged even though I am absent.
- 6. I have been advised that I may submit any statements I desire on my own behalf to accompany my request for discharge. Statements in my own behalf are submitted with this request.

AFZA-JA-TDS

SUBJECT: Request for Discharge in Lieu of Trial by Court-Martial

- 7. I hereby acknowledge receipt of a copy of this request for discharge.
- 8. I do not request a separation physical.
- 9. I request a delay in the processing of all trial by court-martial charges against me pending final action on my request for discharge UP AR 635-200, Chapter 10.
- 10. Under the provisions of paragraph 10-5, AR 635-200, if the charges are referred to trial and trial results in acquittal or the sentence does not include a punitive discharge, even though one could have been adjudged by the court, withdrawal of this request for discharge is hereby automatically requested without any further action on the part of the accused or his counsel.

******STATEMENT OF COUNSEL*****

Having been advised by me of the basis for his contemplated trial by court-martial and the maximum permissible punishment authorized under the Uniform Code of Military Justice; of the possible effects of an Under Other Than Honorable Discharge if this request is approved; and of the procedures and rights available to him,

. personally made the choices indicated in the foregoing request for discharge in lieu of trial by court-martial.

RECORE	OF TRIAL	BY SUMMARY C	OUI. MARTIAL			
1a. NAME OF ACCUSED (Last, First, MI)	b. GRADE OR RANK	6. UNIT OR ORGANIZ	ATION OF ACCUSED	d. SS	N .	
		BAGHDAD, IRA				
2a. NAME OF CONVENING AUTHORITY (Last, First, MI)	b. RANK	c. POSITION	d. ORGANIZATION OF CONVE	ENING AUT	HORITY	
		(BAGHDAD, IRAQ,			
3a. NAME OF SUMMARY COURT-MARTIAL (If SCM was accuser, so state.)	b. RANK	c. UNIT OR ORGANIZ	ATION OF SUMMARY COURT-MART	IAL		
(a) octor than account, so allowy		BAGHDAD, IRAG	0,			
	(Check appr	opriate answer)			YES	1
At a preliminary proceeding held on accused a copy of the charge sheet.	····································	20 04	, the summary court-martial gas	ve the	X	
5. At that preliminary proceeding the summary	court-martial in	formed the accused of	the following:			Ĺ
a. The fact that the charge(s) had been refe	rred to a summa	ary court-martial for tri	al and the date of referral.		Х	ŀ
b. The identity of the convening authority.					Х	
c. The name(s) of the accuser(s).	· · · · · · ·		·		Х	
d. The general nature of the charge(s)					Х	
e. The accused's right to object to trial by	summary court-	martial,			Х	
f. The accused's right to inspect the allied	papers and imm	ediately available perso	onnel records.		Х	
g. The names of the witnesses who could be summary court-martial expects to introdu			τ physical evidence which the		х	
h. The accused's right to cross-examine wit accused.	nesses and have	the summary court-ma	artial cross-examine on behalf of th	ie	Х	
 The accused's right to call witnesses and necessary. 	produce evider	nce with the assistance	of the summary court-martial if		Х	
 That during the trial the summary court- made by the accused to the summary cou Evidence. 	martial would n rt-martial, unle	ot consider any matters ss admitted in accordan	s, including statements previously nee with the Military Rules of		х	
k. The accused's right to testify on the mer be drawn by the summary court-martial t	ts or to remain rom such silenc	silent, with the assurance.	nce that no adverse inference would	i	Х	
If any findings of guilty were announced or written or both, and to testify and to it.	, the accused's ntroduce eviden	right to remain silent, t	to make an unsworn statement, oral		Х	
m. The maximum sentence which could be a	djudged if the a	ccused was found guilt	y of the offense(s) alleged.		Х	
n. The accused's right to plead guilty or no	guilty.				х	
3.		· · · ·				_
At the trial proceeding held on decide, ☐ did ☐ did not object to trial by	summary court	20 <u>04</u> -martial.	, the accused, after being given a	a reasonabl	le time	to
Note: The SCM may ask the accused to initial this entry	at the time the ele	ection is made.)	•	-	(Initial)
a. The accused □ was ☑ was not repre-	sented by couns	el. (If the accused was rep.	resented by counsel, complete b, c, and d	below.)		
NAME OF COUNSEL (Last, First, MI)				c. RAN	K (If an)	v)
I. COUNSEL QUALIFICATIONS	·			<u>i</u> ,_	-	_
			·			

8. The accused was arraigned on the fc wing charges an			reached are shown below:
CHARGE(S) AND SPECIFICATION(S) CHARGE I: ARTICLE 128, UCMJ.	PLEA(S)		exceptions and substitutions)
Specification 1: Unlawfully shock, between o/a 15 Jun 03 and 15 Jul 03, an Iraqi detainee with an M34 shocking device.	Guilty.	Guilty.	
Specification 2: Unlawfully shock, between o/a 15 Jun 03 and 15 Jul 03, an Iraqi detainee with an M34 shocking device.	Guilty.	Guilty.	Personal Info Redacted IAW Sec of Def Memo 01-CORR-101, dtd 9 Nov 01
Specification 3: Unlawfully shock, between o/a 15 Jun 03 and 15 Jul 03, an Iraqi detainee with an M34 shocking device.	Guilty.	Guilty.	ufo Redac , dtd 9 N
CHARGE II: ARTICLE 134, UCMJ.	Guilty.	Guilty.	ov 0.1
Specification: Wrongfully maltreat, between o/a 15 Jun 03 and 15 Jul 03, two detainees by stripping them of their clothing.	Guilty.	Guilty.	AW Sec o
			fD
		COPY RECEIVED ON	ef Mem
			0 01-
*			
			· LEME CO
9. The following sentence was adjudged: To be an	d to forfeit	· \$	· · · · · · · · · · · · · · · · · · ·
F. The Internal Sentence was adjudged. 10 50 and		· ·	
10. The accused was advised of the right to request	11 The accused wa	as advised of the right to submit v	vritten matters to the
that confinement be deferred. (Note: When confinement	convening auth	ority, including a request for clen by the Judge Advocate General.	
is adjudged.) □ YES ☑ NO	request review	☑ YES	□ №
12. AUTHENTICATION			······································
			•
Signature of Summary Court-Martial		Date	
13. ACTION BY THE CONVENING AUTHORITY			· · · · · · · · · · · · · · · · · · ·
			ı
Typed Name of Convening Authority		Position of Convening	Authority
·· · · · ·			
Rank	_		
Signature of Convening Authority	<u> </u>	Date	
Signature of Conventing Nationally			1007

UNITED STATES		Ì	
v	•	STIPULATION (ЭF
		FACT	
) 9 January 2004))	

- 1. It is hereby stipulated between Trial Counsel and Defense Counsel, with the express consent of the accused, that the following facts and attachments are true, susceptible of proof at trial, and admissible under the Military Rules of Evidence. These facts can be considered by the Summary Court-Martial in determining the providency of the accused's pleas of guilty and in determining the appropriate sentence even if the evidence of the facts is otherwise inadmissible. Accused and Counsel agree to waive any possible objections, which may properly be waived, under the Military Rules of Evidence, the United States Constitution, and applicable case law, to matters contained in this stipulation.
- 2. The accused, I is presently a soldier on active duty in the United States Army. He was on active duty and has been continuously on active duty since 15 June 2003.
- 3. The accused was at Baghdad, Iraq, between 15 June 2003 and 15 July 2003.
- 4. The accused, unlawfully struck a detainee at or near Baghdad, Iraq between 15 June and 15 July 2003. pushed the detainee to the ground and placed his foot into the detainee's chest. The detainee did not act in any manner to provoke such response by
- 5. The accused, , was present while a subordinate soldier stripped detainees of their clothes. , ldid not do anything to stop this conduct.
- 6. Striking a detainee unlawfully and allowing a subordinate to strip the detainee of their clothes substantially hinders the rebuilding of Iraq and undermines the trust Iraqi Local Nationals need to facilitate relations between the United States Government and the Iraqi people.

7. At no time during the events in question was the accused laboring under any mental disease or defect which might have tended to preclude him from appreciating the nature and consequences of his actions.

UNITED STATES	}
v.	APPENDIX I (QUANTUM)
) 8 January 2004)
***********************	**************************************
1. I, — , offer to plead guinthe Offer to Plead Guilty, and offer to abide by Offer to Plead Guilty, provided the Convening A Special Court-Martial and then refers the charges 2. Except as limited above, any other lawful pun	athority withdraws the current charges from a sto a Summary Court-Martial.
2. Except as mined above, any other tawnin pun	asiments can be approved.
	7
Commanding, U.S. Army	

UNITED STATES	}
v .	OFFER TO PLEAT GUILTY
))) 8 January 2004)

1. I, ne accused in a pending court-martial, offer to plead guilty as set forth in this paragraph:

To Charge I Specification 1: Not Guilty To Charge I Specification 2: Not Guilty To Charge I Specification 3: Guilty

To Charge I: Guilty

To Charge II and its Specification: Not Guilty

- 2. As part of this offer, I also agree to the following:
- a. I agree to enter into a Stipulation of Fact correctly describing the offenses to which I am offering to plead guilty if such stipulation is requested by the Trial Counsel. I also agree that this stipulation may be used to inform the presiding officer of the summary court-martial of matters pertinent to findings and sentence.
- b. I understand that if I were tried by general court-martial, I have a right to be tried by a court consisting of at least five officer members (three members if tried by special court-martial), or by a court consisting of at least one-third enlisted members. None of the members would come from my company. I further understand that I have a right to request trial by military judge alone, and if approved, there would be no court members and the judge alone would decide whether I am guilty or not guilty. If the military judge then found me guilty, the judge alone would determine my sentence. Knowing all the above, I request to be tried by summary court-martial.
- 3. I agree to take the actions above provided that the Charges are referred to a Summary Court-Martial.
- 4. I understand that I may request to withdraw the plea of guilty at any time before my plea is accepted and that if I do so, this agreement is canceled. This agreement may also be canceled if:
 - a. I fail to fulfill any promise contained in the agreement, or
 - b. The Stipulation of Fact is modified at any time without my consent; or

- c. The presiding officer of the summary court-martial's inquiry reveals a disagreement as to a material term in the agreement, or
- d. My withdrawal from the pretrial agreement (which I understand that I have the right to do at any time).
- 5. This writing, including Appendix I (Quantum), includes all terms and conditions of this Offer to Plead Guilty and contains all promises made to me or by me concerning my plea of guilty. There are no other terms or conditions that are not contained in this writing.

Date: January 2004
have explained all terms and provisions of the forgoing Offer to Plead Guilty (to include Appendix I) to the accused and am satisfied that he understands their meaning and effect.
Date: 8 January 2004
The foregoing offer is (accepted) (rejected)
Date:
, U.S. Army Commanding



DEPARTMENT OF THE ARMY 2d Armored Cavalry Regiment APO AE 09322



AFZX-C-CO

4 September 2003

MEMORANDUM FOR Commander, 2d Squadron, 2d Armored Cavalry Regiment, APO AE 09322

SUBJECT: Recommendations for Action Regarding AR 15-6 Investigation

- 1. I have reviewed the AR 15-6 investigation into detainee abuse by soldiers in the ... I concur with the investigating officer's findings.
- 2. Based upon this investigation, I have recommended that the Commanding General, First Armored Division, relieve / for cause for maltreating detainees.
- 3. In accordance with your recommendations, I am returning full authority to you to discipline n a manner that you believe is appropriate.
- 4. Finally, I am concerned that soldiers from the

 Rules of Engagement for handling detainees and for using deadly force against intruders within your base camp. I direct you to evaluate your subordinates' understanding of the Rules of Engagement. Based upon your review, you may want to consider additional training on the Rules of Engagement and the law of war.



DEPARTMENT OF THE ARM. 2D ARMORED CAVALRY REGIMENT APO AE 09322

ATTENTION OF:

AFZX-C-JA

28 AUG 2003

ay, recommended

MEMORANDUM FOR RECORD

SUBJECT: Chain of command recommendation of relief for cause of

- I. On 28 AUG 2003, the soldier's company commander, recommended that / be relieved for cause.
- 2. On 28 AUG 2003, the soldier's squadron commander, recommended that · be relieved for cause.
- 3. On 2 8 AUG 2803, the soldier's regimental commander, , be relieved for cause. that '
- 4. POC is the undersigned at DNVT 587-4512.



ny, 2d Armored Cavalry Regiment Camp Dragoon, Baghdad, Iraq APO AE 09322-2381



AFZX-CB-EN

27 August 2003

MEMORANDUM FOR COMMANDER, 2ND ARMORED CAVALRY REGIMENT

SUBJECT: Response to 15-6 Investigation

During Operation Scorpion Sting our whole platoon was attached to Eagle Troop. We assisted them in cleaning up the streets from copper wire in their sector. We spent two days doing that, and we would take at least 15 tuck loads of copper wire to the back of the camp each day. About one week later, we got a call from Cougar x-ray to go link up with Eagle Troop to go pick up some copper wire. When we got there we loaded up the copper wire into our trailers, and headed back to the camp were we had put the copper wire from the week before. As we arrived to the camp, we saw several Iraqi citizens running from were we had put the copper wire the week prior.

In I chased after them. We didn't catch them, so we headed back were everyone else was at. About 20 minutes later would the platoon sergeant that he wanted to go after them again. He said ok. When got back from going after the looters, he came back with five detainees. We down loaded them and had them help the other two unload the trailers. I stayed at my truck because I was hurting from the heat. I also explained to my soldiers why we need to give the detainees water. Then, after we had them finish downloading the trailers, we took them to the CMOC.

That day and said they saw me shock a detainee. The statements were false, I did not shock a detainee. After brought back the five detainees, was on the 27 truck as a M249 gunner, stayed at his truck like I did because he also was hurting from the heat. All of our trucks were about fifty feet apart at the site facing the opposite way from each other pulling security never once, that I saw, got off of the truck he was on to do anything. I never saw come around my truck after arriving back at Camp Marlboro. He was a prior heat injury so he really did not move out of his truck unless it benefited him. I feel that both and have had it out for me sense they both got moved from my squad.

Periodically we would go in the back entrance of the camp to see if we could catch looters in the back of the camp. On two occasions we detained looters. The first time, we took them to the CMOC were we attempted to hand them over to Bulldog elements. Bulldog 6 told my platoon sergeant that he didn't want them here. Then he told my platoon sergeant to "take them out back and beat the fuck out of them." I thought he was serious because every sense we had crossed the berm, it appeared that he had it out for the thought he was serious because every sense we had crossed the berm, and a team leader in the platoon told Iraqi people. We took the detainees to a building in back of the camp, and a team leader in the platoon told the platoon sergeant if he wanted to teach them we should strip them and send them on there way. We could have shot them because they said that they were breaching the outer perimeter. At the time we were way beyond the outer perimeter. We didn't make the outer perimeter until the first week in August. The ROE was to only shoot when you felt your life or another soldier's life was threatened or when fired upon. The Bulldog element was shooting the looters I thought that was to extreme at the time. Therefore, the platoon sergeant didn't want to shoot them and that is why they got stripped.

July 3, 2003 was the day that brought back a detained to the warehouse where we lived. I don't now why he did that, or what he was thinking when he brought him back. That day we went to go get cokes for the 4th of July party at the camp. When we headed back to the camp we entered into the back gate because I believe the front gate was closed due to the threat con. As we entered the back gate, there were brack people running from were the copper wire was at. As we started to chase them I got a flat tire, so my truck stopped and we waited for the other trucks. We headed back to the camp and I went to get the spare truck stopped and we waited for the other trucks. We headed back to the camp and I went to get the spare truck stopped and we waited for the other trucks. We headed back to the camp and I went to get the spare truck stopped and we waited for the other trucks. We headed back to the camp and I went to get the spare truck stopped and we waited for the other trucks. We headed back to the camp and I went to get the spare truck stopped and we waited for the other trucks. We headed back to the camp and I went to get the spare truck stopped and we waited for the other trucks. We headed back to the camp and I went to get the spare truck stopped and we waited for the other trucks. We headed back to the camp and I went to get the spare truck stopped and we waited for the other trucks. We headed back to the camp and I went to get the spare truck stopped and we waited for the other trucks. We headed back to the camp and I went to get the spare truck stopped and we waited for the other trucks. We headed back to the camp and I went to get the spare truck stopped and we waited for the other trucks.

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two soldiers of mine also stayed back that day so they change the tire. When soldiers in the platoon found out that brought back the detainee they were going back there to take pictures. I told them to stop. I don't know what happen while I was at chow, but when we got done with chow we took the detainee to the CMOC. When you come in the way we enter into the building, you can not see to the other half of the warehouse due to a camo net up between were we parked our trucks and were we live. So when I came back I couldn't see if anything was happening around the trucks.

I don't understand why only two people in the platoon said they saw me do something I didn't do. Everyone else in the platoon said they didn't see me do any of those things.

I admit to participating in the stripping of an Iraqi national. I know this was wrong. I am sorry for this and am fully prepared to take responsibility for my actions and the consequences. I have not beat, kicked, or otherwise physically abused Iraqi nationals at any point in time during my time in theatre.

I have been in the Regiment for six of the seven years I have been in the Army. I deployed ahead of the Regiment with 2nd Squadron. Due in large part to my expertise in engineer operations and ability to make quick and sound judgments, I was selected as one of 10 engineers to accompany the squadron. My service to the country and Regiment is a source of great pride for me. I look forward to continuing to serve both as soon as possible.



y, 2d Armored Cavalry Regiment Camp Dragoon, Baghdad, Iraq APO AE 09322-2381



AFZX-CB-EN

28 August 2003

MEMORANDUM FOR COMMANDER, 2ND ARMORED CAVALRY REGIMENT

SUBJECT: Response to 15-6 Investigation

· for approximately one year. During that year he served as the second I have worked with ____ squad leader, performing well above the standards. When 2/2 ACR received deployment orders, /. He was selected based on was chosen to deploy ahead of the rest of the his knowledge on engineer task and his ability to make quick, sound decisions. These were characteristics needed to provide initial advice to the Squadron Commander and the TAC. saved numerous lives of Iraqi citizens by destroying DPICM submunitions and other UXO's from neighborhoods in Iraq. He had always had the best interest of the locals in mind. The platoon started assisting Bulldog Company with looters on Camp Marlboro's "back 40" around mid June 2003. During this time involved with detaining several looters from the back 40. On one occasion, that I was present for, 3-4 looters were detained. We attempted to hand them off to Bulldog personnel and were told to take the looters out scare them, rough them up and release them. I return to our platoon AO and sent the others trucks out to release the looters. Just a day or two earlier a looter had been shot and killed on the back 40, 1 made a decision to make the detainee strip. This was done to therefor the PSG and embarrass the looter so he would not return to be shot and possibly killed. The decision may not have been the right one politically, but was effective on saving the lives of those looters. the wrong decision was made and is prepared to accept the consequences of his actions.



a d Armored Cavalry Regiment Camp Dragoon, Baghdad, Iraq APO AE 09322-2381



AFZX-CB-EN

27 August 2003

MEMORANDUM FOR COMMANDER, 2ND ARMORED CAVALRY REGIMENT

SUBJECT: Response to 15-6 Investigation

During the first week of June 2003, we first detained looters from the back of Camp Marlboro. At the time we (EN 27,EN22) took the looters to the CMOC, they told us they could not take them at the time, and told us to take them out and scared them. I told my translator to tell the looters they are going to the jail. After we told them they are going to jail, we took them to their house next to Camp Marlboro, turned them over to their family, and witnessed the detainee's father beat them front of us. When I saw this, I told all my squad leaders when we detain any looters we will take them back to their family. The second time we detained looters, I took them back to their house located down an ally. I didn't feel comfortable going down the alleyway and I didn't want my platoon to get ambushed, so I decided that the next time we detained looters I wasn't going to take them back to their house.

In mid June 2003, my platoon was on a mission to retrieve copper wire and drop off in the back of Camp Marlboro. We again detained looters from the back of Camp Marlboro. Instead of taking them to their house, I took them to the CMOC. At the time our ROE was not to shoot the looters. Only time we were authorized to shoot or kill anyone was when we felt our life or another soldiers' life was in danger, i.e.; someone is pointing weapon at you or get shoot at. That's what I understood about our ROE. It wasn't true because Buildog element shot and killed one looter, and wounded at least two other people. When they shot and killed the looter, they put the dead body on the hood of a vehicle and took the body into Al-Thawra. When I took the looters from the back of Camp Marlboro I could have shot and killed them when they tried to run, but I didn't. I attempted to turn them over to Bulldog elements and let them take care of it. When I , and told him I have detained the walked into the CMOC (same location as Bulldog TOC) I saw told me, "just take them back and beat the fuck out of them". I looters for them. At that time was standing next to me and heard what was was shocked at what he just told me to do. had just told me. I was going to just take. said. I walked out and told the squad leaders what said, if you want to teach them a them out of Camp Marlboro and release them. At that time told me I really wasn't thinking lesson, why don't you strip them and send them away. When about striping the looters, but while I was taking the looters to the back of the camp, I realize these looters will return and possibly be killed by Bulldog elements. I didn't want that to happen to them, so when we stopped at the back of Camp Marlboro there was an empty building we went to. I wanted to just release them but I feared that they would return. I made a bad decision and told o strip the detainee. I know that it was not the right thing to do, but at the same time I wanted for the detainee to never want to return to our camp to steal. I never saw the same looters again after that striping.

On 3 July 2003 we had a mission to pick up sodas for the squadron 4th July party. When we were coming back from picking up the sodas we saw looters at the back of Camp Mariboro. We tried to detain them, but they got away. EN22 had a flat tire, so I told EN22, EN23 to return back to camp. When EN23 came in to cur AO, told me he had detained a looter after all. I told him we would just take him back later since dinner chow was almost ending. I told them to go to the chow, then we will take the looter back to the Since dinner chow was almost ending. I told them to go to the chow, then we will take the looter back to the CMOC. didn't want to eat so he stayed back and watched the detainee. After I returned from chow, I was sitting on my cot, told me was bouncing a soccer ball on the detainees' what the hell he was doing and told him not to head. I went to the back of the AO and asked what the hell he was doing and told him not to dot that again. We took the detainee to the CMOC. When the entire platoon was back at our AO, I told them we would not abuse or miss treat detainees. When we do pick up any detainees in future we will just take them to the COMC.

Around mid July 2003, while we were returning from the RTOC, I saw a person on the top of the telephone pole cutting wire. We stopped and detained them. I was with EN26, SIGO, when I detained the individuals and took them to the CMOC turning them over to Bulldog elements.

On 19 July 2003, we were going to the ASP. I saw a person pointing to a vehicle and copper wire on the sidewalk. It looked like someone stole the wire. I told EN21, EN22 to stop. When I walked up with my translator to try to find out where they got this copper wire, my translator told me it was stolen. I was trying to talk to the Iraqi citizen who owned the vehicle to find out where he got this wire from when he tried to push me or grab me. I felt like he was going for my weapon. I grabbed him and told my Driver to hand cuff him. While we were trying to put the handcuffs on, I heard gun shots coming from my left. I told stay and cuff the detainee. When I walked over to the vicinity the gunshot came from, I saw a person with an AK-47 ready to shoot again. The individual was aiming at EN21, I fired 3 shots and took him down. When I walked over to the body, I saw that it was a female, she was trying to get to the took the AK-47 and took her to Camp Marlboro. AK-47 she dropped. \$ shooter first AID, and she lived. Later we found out, from our translator who escorted the women through the medical channels, that the woman's brother was the shooter. After he ran she thought he was shot and brought out another AK-47. I feel that if I had not taken the actions I did, that she would have shot and possibly killed members of my platoon who could not see her. I know that what I did was wrong, I made a bad judgement call on stripping the looters. I am ready to take responsibility for my action.



2d Armored Cavalry Regiment Camp Dragoon, Baghdad, Iraq APO AE 09322-2381



AFZX-CB-EN

28 August 2003

MEMORANDUM FOR COMMANDER, 2ND ARMORED CAVALRY REGIMENT

SUBJECT: Response to 15-6 Investigation

was assigned to 84th Engineer Company as 2nd Platoon Sergeant about two weeks after I took over as the Platoon Leader. Since his first day, he has mentored and coached me to be a leader. His emphasis on taking care of the soldier and living the Army values has set a base for my development as an has demonstrated his ability to react to any officer. During Operation Iraqi Freedom, situation, ranging from helping a depressed soldier to calming upset citizens of Iraq. When the platoon was the first to make sure they were treated right. He would give started detaining looters, water to the thirsty and when informed of possible mistreatments, he talked to the platoon to make sure it would not happen. For a brief period looters were being shot when looter on the back of Camp Marlboro. felt it necessary to embarrass them to the When told to rough up, scare, and release detainees point they would not return to loot and possibly get shot. His decision was to make he detainee strip and walk home nude. The decision may not have been the best, but it worked. is aware that he made a bad choice, but in that choice had saving the lives of the looters in his mind. He is a great asset to the platoon and should not be punished to the point of losing his position as Platoon Sergeant.

DEPARTMENT OF THE ARMY 2d Armored Cavalry Regiment APO AE 09322

AFZX-CB-EN

MEMORANDUM FOR Commander, 2d Armored Cavalry Regiment

SUBJECT: Investigating Officer's Report

I acknowledge receipt of the AR 15-6 investigating officer's report and accompanying memorandum from the Commander, 2d ACR. I acknowledge that I will have three days from today's date to reply to this report and to submit relevant rebuttal materials on my behalf.

I waive my rights to reply to this investigation in writing and to submit any rebuttal materials.

I request an opportunity to reply to this investigation in writing and submit rebuttal materials on my behalf.

DATE: 25 Aug 2003 0900 hrs

2d Armored Cavalry Regiment APO AE 09322

AFZX-CB-EN

MEMORANDUM FOR Commander, 2d Armored Cavalry Regiment

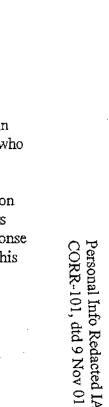
SUBJECT: Investigating Officer's Report

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I waive my rights to reply to this investigation in writing and to submit any rebuttal materials.

I request an opportunity to reply to this investigation in writing and submit rebuttal materials on my behalf.

DATE: 25 Aug 2003





Head arters, 2d Armored Cavalry Regi APO-AE 09322



AFZX-C-CO

23 August 2003

MEMORANDUM FOR

SUBJECT: Notification of AR 15-6 Investigating Officer's Report

- 1. I have reviewed the Investigating Officer's report into alleged detainee abuse by soldiers in your platoon. I concur with investigating officer's findings. You mistreated Iraqi detainees who were under your control.
- 2. I have provided you with a copy of this AR 15-6 investigation. Before I take final action on this matter, you will be afforded an opportunity to submit a reply to the investigating officer's report in writing and submit relevant rebuttal materials. I will review and evaluate your response before I take final action on this report. You will have three days from the date you receive this memorandum to submit your reply and rebuttal.

Encl.

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Hea DEPARTMENT OF THE ARMY Hea larters, 2d Armored Cavalry Regard APO-AE 09322



AFZX-C-CO

23 August 2003

MEMORANDUM FOR

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SUBJECT: Notification of AR 15-6 Investigating Officer's Report

- 1. I have reviewed the Investigating Officer's report into alleged detainee abuse by soldiers in your platoon. I concur with investigating officer's findings. While serving as the platoon sergeant, you mistreated Iraqi detainees who were under your control.
- 2. I have provided you with a copy of this AR 15-6 investigation. Before I take final action on this matter, you will be afforded an opportunity to submit a reply to the investigating officer's report in writing and submit relevant rebuttal materials. I will review and evaluate your response before I take final action on this report. You will have three days from the date you receive this memorandum to submit your reply and rebuttal.
- 3. You are suspended from your platoon sergeant duties pending resolution of this matter.

Encl.



15-6 Report Maltreatment of Detainees July — August 2003 MEMORANDUM FOR Commander, 2d Armored Cavalry Regiment

SUBJECT: 15-6 Report of Investigation, Maltreatment of Detainees, July-August 2003

- 1. I have reviewed the subject report of investigation. The report is legally sufficient and the recommendations are consistent with the findings.
- 2. The appointing authority should consult with the trial counsel regarding UCMJ or other adverse actions prior to taking them.
- 3. For administrative completeness the appointing authority should complete Section VIII of the DA Form 1574.
- 4. There is no legal objection to approval of the findings and recommendations of the investigating officer.

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REPORT OF PROCEE	DINGS BY INVESTI	GATING OFFICER	BOARD OF OF	FICERS	
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28 JULY 2003 (Attach inclosure 1	: Letter of appointment or s	ummary of oral appointme	ent data.) (See para .	3-15, AR 15-6.)	4
(Date)	The state of the s		**		
					
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on 29 July - 8 Aug 03 (If a formal board ended the place, persons present and absent, and expla	nation of absences, if any.)	The following persons (nembers, responden	s, counsel) were	
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The (investigating officer) (board) finished gathering/h		(Time)		10 August 20	
and completed findings and recommendations at	1600l		on	(Date)	
and completed manage	(ZHOC	ST FOR PROCEEDINGS	·		
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A. COMPLETE IN ALL CASES					
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a. The letter of appointment or a summary of oral ar	ppointment data?				-+^
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the state of the same communications to or from the	ibbotumik admos 10				X
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f. Explanation by the investigating officer or board	of any finastra nemals,	mues, meguzines, or o			!
encountered (e.g., absence of material witnesses))?			0046	7
N. C.				0018	541

a. Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report? b. Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit? c. Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit? d. Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is	٠,	- 14 AP (5.6)	YES :	NO _T NA
exhibits and attached on this report? A name index of attached process of considered by investigating officer or board standard before the first exhibit? But the testimony/transments of each witness been recorded verbatin or been reduced to written form and strainfeld as an chibit? A ret copies, descriptions, or depotition of maintained for read or documentary evidenced properly suchericated and is the bestimo of the original strainfeld of focusions visited by the investigating officer or board (pera 3-66, AR 13-47) A ret copies, description on more and as a chibit of the each oral signalation cluber reduced to writing and made an exhibit or recorded in a verbainer corond? A retained or recorded in a verbainer corond? If official notice of any matter was taken over the objection of a respondent or commel, it is stancentest of the unatter of vivials official notice was taken matched as an exhibit and free each oral signalation cluber reduced to writing and made an exhibit and oral commendation of the commendation of the control or of vivial oral transmission, did the recorder exact of commental train all pratricipants had read. At the mistis season, did the recorder exact, or documental test all pratricipants had read. The least of appointment (para 5-30, AR 15-0)? Was a gonous present at every session of the board (para 3-10, AR 15-0)? Was exch absence of any member process, or excommendations and parameters when the board received some evidence, done to exhibit the vivial or an exhibit and the parameter of the control of the process of any member process; or excommendations of the point of parameters, witnesses, reporter, and interprete award. If required (para 3-1, AR 15-0)? Were members, witnesses, reporter, and interprete award. If required (para 3-1, AR 15-0)? Were members, witnesses, reporter, and interprete award in the process of the parameter of parameters of the para		Exhibits (para 3-16, AR 15-6) Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as	$ \times $	
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E. Ace descriptions or diagrams included of locations visited by the investigation of the control explaints as stated as an exhibit soft can be can horal significant or intervention of writing and made an exhibitor recorded in a verbation record? If official about of any susters as taken over the objection of a respondent or coursel, is a subsement of the matter of which official notice was taken attached as an exhibit. (para 3-16d, AR 15-6)? COMPLETE ONLY FOR FORMAL BOAND PROCEDINGS (Chapter 5, AR 15-6)? At the intal's session, did the recorder read, or determine that all participanus and tread, the fester of appointment (para 5-2b, AR 15-6)? Was each absence of any member grouperly excused (para 5-2b, AR 15-6)? Was each absence of any member grouperly excused (para 5-2b, AR 15-6)? Was each absence of any member grouperly excused (para 5-2b, AR 15-6)? Was each absence of any member grouperly excused (para 5-2b, AR 15-6)? Was each absence of any member grouperly excused (para 5-2b, AR 15-6)? Was each absence of any member grouperly excused (para 5-2b, AR 15-6)? Was each absence of any member grouperly excused (para 5-2b, AR 15-6)? Was each absence of any member grouperly excused (para 5-2b, AR 15-6)? Was each absence of any member grouperly excused (para 5-2b, AR 15-6)? Was each absence of any member grouperly excused (para 5-2b, AR 15-6)? If any members who voxed on fludings or recommendations were not present when the sound exceed some evidence, does the includence describe how they similarized termerates with that evidence para 5-2b, AR 15-6)? However the expendence is para 5-2b, AR 15-6)? Was the date of delivery at least five working days prince to the first assession of the board? Description of the para 5-2b, AR 15-6)? Was the date of delivery at least five working days prince to the first assession of the board contents of the board? The date, hour, and piece of the first session of the board contents of the board? The entire that date of delivery at least five working days prince to	ľ	Are copies, descriptions, of depictions by substitute for the location of the original evidence indicated?		$-+\times$
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SECTION IV	FINDINGS	(para 3-10, .	AR <u>15-6)</u>

The (investigating officer) (board), having carefully considered the evidence, finds:
I find that soldiers of 2nd Platoon, 84th Engineers Company have committed detainee abuse.

The first incident was on or about the middle of June 03. An Iraqi civilian was detained in the fields behind Camp Marlboro. The Iraqi was trying to steal copper wire. He was arrested by members of 2nd Platoon. The detainee was then brought to the Civilian Military Operations Center (CMOC) for processing into the detention center. Upon 2nd Platoon's arrival at the CMOC, we told the first that he did not want any detainees at the CMOC. It was better for him to take the detainee away and to release him. The recommended that the detainee be scared, beaten, or whatever the Platoon wanted to do to him then decided to take the detainee to an abandoned building behind Camp Marlboro. When they arrived do not a detained to remove all took the detainee inside the building. They yelled and screamed at him, are gave an order to to remove all the clothing of the detainee. The process of the detainee after all of his clothing was removed. Exhibits M, T, & U support these facts.

The second incident occurred a few days to a week later. The Platoon had detained two looters trying to steal copper wire. They took the detainees to the same building behind Camp Marlboro and the building. The detainees were released once all of their building. The detainees were released once all of their clothing was removed. Exhibits A, D, E, M, O, Q, T, & U support these facts.

The third incident occurred on the 3rd of July. The Platoon was tasked to get sodas for the Squadron's fourth of July party. On their way back to Camp Mariboro with the sodas, they were tasked to chase looters away from the back fields. ENG23 captured a looter. ENG23 was then told to take the detainee back to the Engineers barracks on Camp Mariboro. ENG23 arrived at the barracks and the detainee was removed from the back of the truck and placed up against the wall. So bounced a soccer ball off the head of the detainee. He was reprimanded by both and addition, In addition, In addition, In addition, It is admitted to hitting the detainee and stated in his sworn statement that others also hit the detainee. Exhibits B, D, E, G, H, J, K, L, M, O, Q, R, T, U, Z, & AA support these facts.

Three soldiers wrote sworn statements of the use of an M34 blasting device to shock Iraqi detainees. Exhibits B, D, I, W, & Y support these statements. However, during further investigation, the accused denied any use of the M34 blasting device to shock any Iraqi detainee. Exhibits M, U, V, X, &, Z support these statements.

In addition, during the course of this investigation, was implicated in numerous alleged questionable actions. These alleged actions are serious and are detrimental to the overall mission. Exhibit T supports this statement.

SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

In view of the above findings, the (investigating officer) (board) recommends:
At a minimum the unit:

- a. Enforce patrol and mission debriefs at the Troop level at a minimum. For more significant events a debrief should be conducted by the S-2.
- b. Reprimand for his poor judgement, lack of battlefield composure, and loss of military discipline and professionalism as senior noncommissioned officer. Continued performance like this could result in an uprising of the citizens of Iraq against US Forces
- c. Refine and clarify the ROE and treatment of detainees. Conduct a stand down day to refocus the Troops and establish clear procedure for processing detainees.
- d. Appoint an Investigating officer in commensurate grade or higher to conduct an inquiry of alleged actions.

	SECTION VI - AUTH	ENTICATION (para 3-17, A	(R 15-6)	in have or in Section I
S REPORT OF PROCEEDINGS IS CON	API ETE AND ACCURA	TE. (If any voting membe	er or the recorder fails to sig	gn nere or in section v
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DEPARTMENT OF THE ARMY Headquarters, 2d Armored Cavalry Regiment Unit 92401 APO AE 09322-2401



AFZX-C-CO

28 July 2003

MEMORANDUM FOR RECORD

SUBJECT: Appointment of Investigating Officer

- you are hereby appointed an investigating officer pursuant to AR 15-6 to conduct an informal investigation into the circumstances involving alleged detainee abuse by soldiers assigned to the 84th Engineer Company.
- 2. In your investigation, all witness statements will be sworn. From the evidence, you make findings of fact.
- 3. Submit four copies of your findings on DA form 1574 to this headquarters, ATTN: AFZX-C-RS1, within 3 days.

FOR THE COMMANDER:

	CEDURE/WAIVER CERTIFICATE 30:30; the proponent agency is OOCSOPS	
DATA REQUIRE	D BY THE PRIVACY ACT	
AUTHORITY: Title 10, United States Code, Section 3012(g) PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with ROUTINE USES: Your Social Security Number is used as an additional/altern DISCLOSURE: Disclosure of your Social Security Number is valuntary.	n means by which information may be accurately identified. ate means of identification to facilitate filing and retrieval.	
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Index of all Exhibits

- Exhibit A
- Exhibit B
- Exhibit C
- Exhibit D
- Exhibit E
- Exhibit F
- Exhibit G
- Exhibit H
- Exhibit I
- Exhibit J
- Exhibit K
- Exhibit L
- Exhibit M
- Exhibit N
- Exhibit O
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PAGE 3, DA FORM 2823, DEC 1998

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PAGE 3, DA FORM 2823, DEC 1998

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тнояіту:	Title 10 USC Section 301; Title	5 USC Section 2951; E.O. 939	7 dated November	22, 1943 <i>(SSN)</i> .
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