

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Friday, December 19, 2003 2:46 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: CID Guidance

b6

[REDACTED]

Tried calling you but I suspect you've pulled chocks for North Carolina by now. A quick question if I may – the hostile death investigations conducted by USACIDC as requested/directed by CJTF-7, were they conducted in place of, or in support of a separate command investigation (AR-15)? What were the evidence storage considerations? I truly appreciate your help with these issues [REDACTED]. I will be out until after the new year, but will be reviewing emails while on leave; but if you would, please include [REDACTED] on your reply.

Best wishes to you during the holiday season. Please be careful on the roads!

Cheers,  
[REDACTED]

-----Original Message-----

**From:** [REDACTED] [mailto:[REDACTED]@belvoir.army.mil]  
**Sent:** Tuesday, December 02, 2003 1:56 PM  
**To:** [REDACTED] (E-mail)  
**Subject:** CID Guidance

CIDR 195-1

4-40 Initiation of ROIs in Deployment Situations

a. General.

This paragraph outlines a standardized policy for reporting criminal investigations during contingency operations.

b. Policy. It is a principle of this command that the reporting format for all investigations conducted by or for CID elements will be the Report of Investigation (ROI). Whenever an investigation of whatever scope (limited or full) is initiated, the results will be reported by the ROI format. AR 195-2 and this regulation identify four basic criteria that must exist to justify Army jurisdiction and responsibility to investigate crime:

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(3) There must be an Army interest in the case. In deployed situations, there is an Army interest in a criminal case when the case impacts the accomplishment of the Army's mission or capabilities and/or when it is requested by the supported commander to further the Army's mission.

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

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

  
MP  
Chief, Investigative Operations Division

ble

[REDACTED]

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**From:** [REDACTED] [REDACTED]@belvoir.army.mil]

**Sent:** Friday, December 19, 2003 3:06 PM

**To:** [REDACTED]

**Cc:** [REDACTED]

**Subject:** RE: CID Guidance

[REDACTED]

The directive for investigation of hostile fire deaths is a FRAGO to a CJTF-7 OPORD. I can't go into detail concerning the language of the FRAGO due to the security classification. But to answer your question, 3d MP Group (CID) has the mandate and responsibility to conduct hostile fire deaths (i.e, murder) absent any AR 15-6 investigation. An AR 15-6 is not normally conducted by the chain of command. We have evidence depositories in Iraq and Kuwait. Evidence in such cases is handled as in any other case which may also include forwarding evidence to USACIL as deemed appropriate.

If you would like to read FRAGO 209 let me know and provide a secure FAX number or SIPRNET address and we can forward a copy to you.

Also, if I do not see or talk with you before the holidays, have a merry and safe holiday season.

I am currently in the office and will be heading south next Wednesday.

[REDACTED]

[REDACTED]

MP  
Chief, Investigative Operations Division

-----Original Message-----

**From:** [REDACTED] [mailto:[REDACTED]@NCIS.NAVY.MIL]

**Sent:** Friday, December 19, 2003 2:46 PM

**To:** [REDACTED]

**Cc:** [REDACTED]

**Subject:** RE: CID Guidance

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**Sent:** Tuesday, December 02, 2003 1:56 PM

**To:** [REDACTED] (E-mail)

**Subject:** CID Guidance

10/6/2004

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(120)

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[Redacted signature block]

*ble*

MP  
Chief, Investigative Operations Division

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Thursday, December 04, 2003 9:46 AM  
**To:** [REDACTED]  
**Subject:** FW: CID Guidance

b6

-----Original Message-----

**From:** [REDACTED] [mailto:[REDACTED]@belvoir.army.mil]  
**Sent:** Tuesday, December 02, 2003 1:56 PM.  
**To:** [REDACTED] (E-mail)  
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CIDR 195-1

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From: [REDACTED] [REDACTED]@belvoir.army.mil  
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10/6/2004

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

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

(3) Inhumane treatment is a serious and punishable violation under international



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

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

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