AUTHORITY TO DETAIN

• DETAINEE MISSION IAW UNSCR 1546:
  • - GRANTS MNF-I THE AUTHORITY TO USE ALL MEANS NECESSARY TO ENSURE THE SECURITY AND STABILITY OF IRAQ AT THE INVITATION OF ITS INTERIM GOVERNMENT.
  • - FULL RANGE OF CIVIL-MILITARY OPERATIONS AND AUTHORITIES LAID OUT IN THE FOURTH GENEVA CONVENTION APPLY TO MNF-I.
  • - CONTINUING ABILITY AND RESPONSIBILITY TO CONDUCT DETAINEE OPERATIONS IAW THE FOURTH GENEVA CONVENTION.

DETAINEE OPERATIONS MISSION AUTHORITIES . . .
• SAFEGUARDING AND SECURING ALL PROTECTED PERSONS UNDER THE 3RD AND 4TH GENEVA CONVENTION IN CUSTODY IN THE MNF-I DETENTION CENTERS AND PROTECTED AREAS.
• OPERATION AND FOCUS OF THE MNF-I JOINT INTERROGATION & DEBRIEFING CENTER, PROVIDE HIGH QUALITY ACTIONABLE INTELLIGENCE TO THE WARFIGHTERS.
• STREAMLINING THE MNF-I DUE PROCESS SYSTEM AND REFERRAL SYSTEM OF SECURITY INTERNEES AND DETAINES TO THE IRAQI LEGAL SYSTEM.
• CONDUCT OF MNF-I OPERATIONS TO PROTECT THE MNF PERSONNEL AT CAMP ASHRAF AND LEAD THE EFFORT TO COORDINATE A FINAL DISPOSITION SOLUTION OF THESE PERSONS WITH THE ITG, INTERAGENCY GROUPS, AND NGO REFUGEE ORGANIZATIONS.
• INTEGRATE IRAQI LEADERSHIP AND PARTNERSHIP IN ALL FACETS OF DETAINEE OPERATIONS.

. . . DOD'S SINGLE POINT OF CONTACT WITH THE ITG FOR DETAINEE OPERATIONS.
PROCESS FOR RELEASE

- COMBINED REVIEW AND RELEASE BOARD (CRRB)
  - 9 MEMBERS (6 x IRAQIS — MOL, MOL, MOHR and 3 x MNF-I — MP, MI, SJA)
  - EVERY 180 DAYS, 3 TIMES A WEEK — AVERAGING ABOUT ONCE EVERY 120 DAYS
  - RELEASE, RELEASE WITH GUARANTOR, RETAIN AS SECURITY RISK
  - LIST OF DETAINES PUBLISHED TEN DAYS IN ADVANCE
  - COMMANDERS MAY PROVIDE ADDITIONAL INPUT (NORMALLTY DO NOT RELEASE BUT NOT ALWAYS — NEED DETAILS)
  - BOARD RECOMMENDATION FORWARDED TO THE RELEASE / RETAIN AUTHORITY
    - DCG-DO — INDIVIDUAL CASE REVIEW FOR ALL MSC “DO NOT RELEASE” INPUT REQUIRED BY ARTICLE 78
    - RECIDIVISM RATE — 1+%
  - MI HOLD KEEPS DETAINEE FILE FROM THE CRRB

CENTRAL CRIMINAL COURT OF IRAQ (CCCI)

- INVESTIGATIVE TASK FORCE FOCUSES ON INSURGENT CELLS
- TRIALS CONDUCTED: 140
- DEFENDANTS (MULTIPLE DEFENDANTS FOR SOME TRIALS): 250
- INVESTIGATIVE HEARINGS PENDING: 50
  - HEARINGS HAVE INCREASED FROM 5 PER WEEK IN JUL 04 TO 10 PER WEEK IN JAN 05
- SENTENCING RANGE (FOR ALL OFFENSES): 6 MOS — 30 YEARS
- AVERAGE SENTENCE: 2.57 YEARS
- OFFENSES INCLUDE:
  - PASSPORT VIOLATIONS — INCITING AN ARMED REBELLION
  - WILLFUL DESTRUCTION OF A BUILDING — ATTACKS ON THE PUBLIC
  - KIDNAPPING — MANUFACTURING
  - EXPLOSIVES — MURDER
  - ATTEMPTS TO OVERTHROW THE GOVT
- TREND: PROSECUTION OF HIGHER LEVEL INSURGENT LEADERSHIP
WHAT TO WATCH

• AUTHORITY TO SEGREGATE FOR INTERROGATION
  - 7 DAYS COLONEL
  - 14 DAYS GENERAL OFFICER CAN SIGN WAIVER TO COLONEL
  - 30 DAYS GENERAL OFFICER

• TRAINING
  - CERTIFY INTERROGATORS
  - UNCERTIFIED CAN USE DIRECT APPROACH
  - CERTIFY GUARDS
  - USE A GUARDMOUNT TO REINFORCE TRAINING AND ROE

• EVIDENCE / TRIAL
  - NEED TO DEDICATE AN INVESTIGATOR ON OBJECTIVE
  - THIS NEEDS TO BE COMMANDER'S BUSINESS

INTERNAL ASSESSMENT VISITS
SCHEDULE

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