(U) FRAGO 103 [SECURITY AND ACCOUNTABILITY PROCEDURES FOR TRANSFER OF SECURITY INTERNEES AND PRISONERS] TO CJTF[4] OPORD 04-01

(U) THIS FRAGO HAS BEEN REVIEWED AND APPROVED FOR RELEASE BY [CLASSIFIED] FOR 16 JAN 20

(U) SUBJECT: 800 MP BDE ESTABLISHES SECURITY AND ACCOUNTABILITY PROCEDURES FOR THE TRANSFER OF SECURITY INTERNEES AND PRISONERS BETWEEN DETENTION FACILITIES AND CIVILIAN COURT

(U) REFERENCES:

A. FRAGO 455 [CLASSIFYING AND PROCESSING ENEMY PRISONERS OF WAR / PRISONERS OF WAR / CIVILIAN INTERNEES].

(U) MAPS: [NO CHANGE]

(U) TIME ZONE USED THROUGHOUT THIS ORDER: CHARLIE

(U) TASK ORGANIZATION: [NO CHANGE]

1. (U) SITUATION. [CHANGE]

1.A. THIS FRAGO IS IN ADDITION TO REF A, WHICH SPECIFIES SECURITY ACTIONS OF CATEGORY A EPW / DETAINED PERSONS / CIVILIAN INTERNEES.

2. (U) MISSION. [NO CHANGE]

3. (U) EXECUTION. [CHANGE]

3.A. (U) COMMANDER'S INTENT. [NO CHANGE]

3.B. (U) CONCEPT OF THE OPERATION. [CHANGE]

3.B.1. (U) 800 MP BDE DEVELOPS AND PROMULGATES SECURITY AND ACCOUNTABILITY PROCEDURES FOR DETAINES, SECURITY INTERNEES AND CRIMINALS DURING AND AFTER TRANSIT BETWEEN DETENTION FACILITIES, THE CIVILIAN COURT TO PREVENT THE ESCAPE OF PERSONS BEFORE, DURING AND TRANSIT.

3.C. (U) TASKS TO SUBORDINATE UNITS. [CHANGE]

3.C.1. (U) 800 MP BDE.

3.C.1.A. (U) PROMULGATE SECURITY AND ACCOUNTABILITY PROCEDURES FOR DETAINES, SECURITY INTERNEES AND CIVILIAN CRIMINALS PREPARATION FOR, DURING AND AFTER TRANSIT BETWEEN DETENTION FACILITIES AND IRAQI CIVILIAN COURTS.
3.C.1. B. (S//REL TO USA and MCFL) CDR 800 MP 80E BPT WITHIN 24 HR ISSUE OF THIS FRAGO TO BRIEF CG ON UPDATED SECURITY AND ACCOUNTABILITY PROCEDURES FOR DETAINNEES, SECURITY INTERNEES AND CIVILIAN CRIMINALS.

3.D. (U) COORDINATING INSTRUCTIONS. [NO CHANGE]

4. (U) SERVICE SUPPORT. [NO CHANGE]

5. (U) COMMAND AND SIGNAL. [CHANGE]

5.A. (U) POC FOR THIS FRAGO IS [b3, b6] SJA, DSN [b6].

ACKNOWLEDGE

SANCHEZ
LTG

OFFICIAL:

(b)(3), (b)(6)

ATTACHMENTS:
SECRET/REL TO USA and MCFI/X4

(CJTF-14) COPRD 03-036

(S///REL) FRAGO 175 [TRANSFER OF DETAINES FROM CAMP BUCCA TO

(S///REL) THIS FRAGO HAS BEEN APPROVED FOR RELEASE BY CJTF-14, CHOPS.

(U) MAPS: [NO CHANGE]

(U) TIME ZONE USED THROUGHOUT THIS ORDER: DELTA

(U) TASK ORGANIZATION: [NO CHANGE]

1. (G///REL) SIUATION. [CHANGE]

2. (U) MISSION. [NO CHANGE]

3. (U) EXECUTION. [NO CHANGE]

3.A. (G///REL) CONCEPT OF OPERATIONS. [CHANGE]

3.B. (G///REL) TASKS TO SUBORDINATE UNITS. [CHANGE]

3.B.1. (G///REL) 800 MP.

3.B.1.A. (G///REL) COMPIL A BY NAME MANIFEST FOR ALL DETAINES THAT HAVE BEEN IDENTIFIED FOR MOVEMENT TO CHA.

3.B.1.B. (G///REL) SUBMIT, VIA E-MAIL, A COMPLETE MANIFEST OF SPECIFIED CHARGES IN ORDER TO FACILITATE PROPER SEGREGATION OF MANIFEST MUST ARRIVE VIA E-MAIL NLT 30DJUNO3. POC IS (b)(3)(b)(6)

3.B.1.C. (G///REL) SEGREGATE AND SECURE THE PRISONERS THAT HAVE BEEN IDENTIFIED FOR MOVEMENT. ALL EVIDENCE, STATEMENTS AND DOCUMENTATION WILL REMAIN IN CONTROL OF THE 115TH MP BN. DETAINES FOR THE 800TH MP BDE MUST INDICATE THAT THESE DETAINES ARE RELEASED WITHOUT WRITTEN PERMISSION FROM THE CJTF-14 COMMANDER.

3.B.1.E. (S//REL-MCFL) SECURE DETAINERS ONTO VEHICLES AND PROVIDE SECURITY APPROPRIATE FOR NUMBER OF DETAINERS ON EACH VEHICLE. ENSURE THAT SECURITY FORCES ARE SUFFICIENT TO SAFE GUARD THE SAFETY AND ENSURE WELFARE OF DETAINERS AND SECURITY PERSONNEL.

3.B.1.F. (S//REL-MCFL) UPON ARRIVAL AT CAMP, LINK UP WITH DETAINEE SECURITY FORCES FROM THE 800™ MP BDE AND ENSURE PROPER DETAINEE TRANSFER TAKES PLACE. THIS INCLUDES THE SUPPORTING DOCUMENTATION SUCH AS DIGITAL PHOTO, PERSONAL EFFECTS AND ANY OTHER ITEMS PROVIDED.

3.B.1.G. (S//REL-MCFL) UPON COMPLETION OF TRANSFER AND REQUISITE REST RETURN TO CAMP BUCCA.

3.B.1.H. (S//REL-MCFL) PROVIDE MEDICAL SUPPORT TO ALL PERSONNEL THROUGHOUT MISSION.

3.C. (S//REL-MCFL) COORDINATING INSTRUCTIONS. [CHANGE]

3.C.1 (S//REL-MCFL) IT IS OF THE UTMOST IMPORTANCE THAT SECURITY AND ACCOUNTABILITY OF NOT ONLY THE DETAINERS, BUT ALSO THE ADMINISTRATIVE ITEMS BE MAINTAINED.

3.C.2. (S//REL-MCFL) UNITS WILL REPORT STATUS OF DETAINEE TRANSFERS TO THEIR RESPECTIVE HIGHER HEADQUARTERS AS THE DETAINERS MOVE. UNITS WILL PROVIDE SITREP REPORT UPON COMPLETION OF MISSION TO CJTF-4 PMO AT DSN (b)(6)

4. (U) SERVICE SUPPORT. [NO CHANGE]

5. (U) COMMAND AND SIGNAL. [NO CHANGE]

5.A. (U) CJTF-4 POINT OF CONTACT IS 3, 6, CJTF-4 DETAINEE OIC AT DSN 6 OR SIPR E-MAIL:

(b)(6)

ACKNOWLEDGE:

SANchez
LTG

OFFICIAL:

(b)(3), (b)(6)
(U) FRAGO 1301 [1AD PROVIDES ONE CS MP PLATOON TO ABU GHURAYB PRISON]

OPORD 03-036

(U) THIS FRAGO HAS BEEN REVIEWED AND APPROVED FOR RELEASE BY [D.S.] 1AD CHOPS.

(U) SUBJECT: 1AD PROVIDES ONE CS MP PLATOON TO 205th MI BDE TO PROVIDE SECURITY OPERATIONS AT ABU GHURAYB PRISON

(U) REFERENCES:

(U) MAPS: [NO CHANGE]

(U) TIME ZONE USED THROUGHOUT THIS ORDER: CHARLIE

(U) TASK ORGANIZATION: [CHANGE] AS PER PARAGRAPH 3.B.

1. (U) SITUATION. [CHANGE] AS PER INTRSUM.

2. (U) MISSION. [NO CHANGE]

3. (U) EXECUTION. [CHANGE]

3.A. (U) COMMANDER'S INTENT. [NO CHANGE]

3.B. (U) CONCEPT OF THE OPERATION. [CHANGE]

3.B.1. (S//REL TO USA and MCFI) ATTACHES ONE CS MP PLT TO 205th MI BDE

TO CONDUCT SECURITY OPERATIONS AT ABU GHURAYB PRISON NLT 03 JAN 04 TO MITIGATE GAP CREATED BY REDEPLOYMENT OF ONE PLATOON FROM E/51 IN 365 DAYS IN THEATER.

3.C. (U) TASKS TO SUBORDINATE UNITS. [CHANGE]

3.C.1. (U) 1AD.

3.C.1.A. (S//REL TO USA and MCFI) ATTACH ONE CS MP PLT TO 205th MI BDE

SECURITY OPERATIONS AT ABU GHURAYB PRISON NLT 03 JAN 04 TO MITIGATE GAP CREATED BY REDEPLOYMENT OF E/51 IN (LR3) PLT.

3.C.2. (U) 82 ABN.

3.C.2.A. (S//REL TO USA and MCFI) BPT PROVIDE 15 MAN QRF WITHIN 4 MI AT ABU GHURAYB PRISON FROM 31 DEC 03 TO 5 JAN 04.

3.C.3. (U) 205th MI BDE.
3.C.3.A. (S//REL TO USA and MCFI) ACCEPT ATTACHMENT OF ONE CS MI 
SECURITY OPERATIONS AT ABU GHURAYB PRISON NLT 30 JAN 04 IOT MITIG 
BY REDEPLOYMENT OF E/51 (LR) PLT.

3.0. (U) COORDINATING INSTRUCTIONS. [CHANGE]

3.C.1. (S//REL TO USA and MCFI) DIRECT ALCON.

4. (U) SERVICE SUPPORT. [NO CHANGE]

5. (U) COMMAND AND SIGNAL. [CHANGE]

5.A. (U) POC FOR THIS FRAGO IS  b3, b6 C35 FUTURE OPER:

5.B. (U) 205 MI RDE POC AT THE JOINT INTERROGATION AND DEBRIEFING 
AT ABU GHURAYB IS  b3, b6 SIPR E-MAIL:

ACKNOWLEDGE

SANCHEZ
LTG

OFFICIAL:

(b)(3), (b)(6)

ATTACHMENTS:
(S//REL) FRAGO 209 [CRIMINAL INVESTIGATIONS ISO FINAL VICTORY, DETENTION FACILITY OPERATIONS, EFP, CRIMINAL DETAINNEES AND SECURITY INTERNEE STATUS DETERMINATIONS, AND HANDLING OF SUSPECTED WAR CRIMINALS] TO CJTF-HCH

(S//REL) THIS FRAGO HAS BEEN REVIEWED AND APPROVED FOR RELEASE BY CJTF-HCH.

(S//REL) SUBJ: ADDITIONAL GUIDANCE FOR WAR CRIMES AND CRIMINAL INVESTIGATIONS, DETENTION FACILITY OPERATIONS, EFP AND OTHER STATUS DETERMINATIONS.

(U) REFERENCES: [CHANGE]

A. (U) V CORPS FRAGO 006M TO V CORPS OPORD 0303-343 (190200ZMAR03) DIRECTING V CORPS PROCEDURES FOR HANDLING THE DETENTION OF IRAQIS IN INTERNEMENT FACILITIES AND DETENTION CENTERS.

B. (U) V CORPS FRAGO 312M TO V CORPS OPORD FINAL VICTORY (252146DNOV03) GUIDANCE ON TACTICS, TECHNIQUES, AND PROCEDURES DESIGNED TO IMPROVE THE PRESERVATION OF EVIDENCE OF CRIMES COMMITTED BY CIVILIANS DETAINED AND TRANSPORTED TO DETENTION FACILITIES.

C. (U//FOUO) V CORPS FRAGO 103 TO OPORD 03-036 (211100DDJUN03) TRANSPORTATION OF PRISONERS TO BAGHDAD COURTS.

D. (U) CJTF-HCH FRAGO 368 (141028ZJUN 03) GUIDANCE FOR THE DETENTION, HANDLING AND RELEASE OF INDIVIDUALS WHO ARE POTENTIALLY SUBJECT TO PROSECUTION FOR WAR CRIMES.

E. (U) ARMY REGULATION 190-8, ENEMY PRISONERS OF WAR, RETAINED PERSONNEL, CIVILIAN INTERNEES AND OTHER DETAINNEES, 1 OCT 97.

F. (U) ARMY REGULATION 195-2, CRIMINAL INVESTIGATION ACTIVITIES, 30 OCT 85.

G. (U) DIRECTIVE FROM SECARMY, 15 APR 03, AUTHORIZING THE U.S. ARMY CRIMINAL INVESTIGATION COMMAND TO EXERCISE ALL INVESTIGATIVE RESPONSIBILITIES RELATING TO WAR CRIMES AND OTHER RELATED OFFENSES.

H. (U) CP MCC FRAGO 501 TO COMCP MCC OPORD 03-032 (241500ZAPR03), GUIDANCE FOR THE RELEASE AND REPATRIATION OF EFP.

(U) MAPS: [NO CHANGE]

(U) TIME ZONE USED THROUGHOUT THIS ORDER: DELTA

(U) TASK ORGANIZATION: [NO CHANGE]
1. (S//REL-MCFI) SITUATION. [CHANGE] COALITION FORCES HAVE OVER 1000 PERSONS DETAINED AS EPWs, SECURITY DETAINEEs, AND CRIMINAL DETAINEEs ACCUSED OF VARIOUS CRIMINAL ACTS. THE CRIMINAL CATEGORY OF CASES INCLUDES DETentions FOR IRAQI ON IRAQI CRIMES, CRIMES COMMITTED AGAINST COALITION FORCES, SUSPECTED WAR CRIMES, AND CRIMES AGAINST HUMANITY. THIS ORDER PROVIDES ADDITIONAL GUIDANCE FOR THE INVESTIGATION OF CRIMES, AND DETENTION MANAGEMENT IN ORDER TO SET THE CONDITIONS FOR APPROPRIATE DUE PROCESS AND ADJUDICATION OF THOSE CASES INVOLVING CRIMINAL CONDUCT.

2. (U) MISSION. [CHANGE]

2.A. (U) IT IS THE RESPONSIBILITY OF COALITION FORCES TO ENSURE INVESTIGATION OF ALL CRIMES, AND PRESERVE EVIDENCE TO SUPPORT CRIMINAL ADJUDICATIONS TO ENSURE ACCOUNTABILITY.

2.B. (S//REL-MCFI) COALITION FORCES ARE RESPONSIBLE FOR ESTABLISHING A STABLE AND SECURE ENVIRONMENT, WHICH REQUIRES DETENTION OF CIVILIANS FOR CRIMINAL ACTS. IT IS REEMPHASIZED THAT IT IS THE RESPONSIBILITY OF ALL UNITS INVOLVED IN THESE OPERATIONS TO ENSURE EVIDENCE IS PRESERVED FOR LATER ADJUDICATION OF THESE CASES.

2.C. (S//REL-MCFI) ONCE DETAINED BY COALITION FORCES, PERSONS SHALL BE TREATED IN ACCORDANCE WITH INTERNATIONAL AND HUMANITARIAN LAW. HUMAN RIGHTS AFFORDED TO DETAINEEs IS DEPENDENT ON STATUS. PROCEDURES FOR STATUS DETERMINATIONS AND ATTENDANT RIGHTS ARE FURTHER SPECIFIED BY THIS ORDER.

3. (S//REL-MCFI) EXECUTION. [CHANGE]

3.A. REFERENCES A AND B ARE ADOPTED AND REISSUED AS CJTF-Z ORDERS. ALL UNITS ARE DIRECTED TO RIGOROUSLY FOLLOW GUIDANCE REGARDING PRESERVATION OF EVIDENCE OF CRIMES CONTAINED AT REFERENCE B.

3.B. (S//REL-MCFI) PERSONS CAPTURED OR DETAINED BY U.S. OR COALITION FORCES WHO ARE POTENTIALLY SUBJECT TO PROSECUTION FOR WAR CRIMES, CRIMES AGAINST HUMANITY OR OTHER ATROCITIES WILL BE RETAINED IN U.S. CUSTODY UNTIL RELEASE IS EXPRESSLY AUTHORIZED BY 3D MP GROUP (CID) IAW REF D.

3.C. (S//REL-MCFI) REF.C. CID. (3D MP GROUP) HAS BEEN APPOINTED THE LEAD AGENCY FOR THE INVESTIGATION OF ALL IRAQI WAR CRIMES AND EVIDENTIARY PRESERVATION AND DOCUMENTATION OF WAR CRIMES AND ATROCITIES THROUGHOUT THE IRAQI THEATER OF OPERATIONS.

3.D. (S//REL-MCFI) THE 80TH MP BDE IS RESPONSIBLE FOR THE OPERATION OF ALL DETENTION FACILITIES IN IRAQ. ALL FACILITIES WILL BE MAINTAINED TO THE STANDARDS OF THE THIRD AND FOURTH GENEVA CONVENTIONS AT THE MINIMUM.

3.E. (U) COMMANDER’S INTENT. [NO CHANGE]

3.F. (U) CONCEPT OF THE OPERATION. [NO CHANGE]

3.G. (S//REL-MCFI) TASKS TO 3ID, 101AA, 4ID, 3ACR, 1AD, 1MEF, 3COSCOM, AND ALL SUCCESSOR COMMANDS. [CHANGE]

3.G.1. (S//REL-MCFI) ALL UNITS WILL OPERATE HOLDING AREAS AND TEMPORARY DETENTION FACILITIES AS FOLLOWS. DETAIN PERSONS IN UNIT TEMPORARY FACILITIES ONLY UNTIL THEY CAN BE MOVED TO A HIGHER LEVEL FACILITY, TIME NOT TO EXCEED 72 HOURS, UNLESS EARLIER RELEASED BY APPROPRIATE AUTHORITIES. SECURITY
INTERNEES MAY BE DETAINED FOR LONGER PERIODS IN DIVISIONAL HOLDING ARRAYS, BUT ONLY SO LONG AS NECESSARY FOR THE PURPOSES OF INTERROGATION OR FOR IMPERATIVE REASONS OF SECURITY.

3.G.1.A. (SECRET//REL-MCFS) ALL UNITS WILL DIRECT FAMILY MEMBERS OF DETAINEES SEEKING INFORMATION ON DETAINED RELATIVES TO THE NEAREST CIVIL AFFAIRS OPERATIONS CENTER (CNO), HAC, OR HACC.

3.G.1.B. (SECRET//REL-MCFS) APPOINT MILITARY MAGISTRATES OR OTHER COMPETENT LEGAL AUTHORITY TO CONDUCT DETENTION REVIEWS AS REQUIRED BY REF A. COORDINATE DIRECTLY WITH 3D MP GROUP AS NECESSARY FOR CID HOLD CASES IN ACCORDANCE WITH REF D. COORDINATE AS NECESSARY WITH 800TH MP BDE TO ENSURE TIMELY COMPLETION OF DETENTION REVIEWS. MSCS ARE RESPONSIBLE FOR DETENTION REVIEWS WITHIN THEIR RESPECTIVE AOS. A DETENTION REVIEW MUST BE COMPLETED PRIOR TO TRANSFER OF A DETAINEE OUTSIDE A DETAINING MSC'S CONTROL. PROVIDE RECORDS OF ALL REVIEWS TO 800TH MP BDE.


3.G.2. (SECRET//REL-MCFS) DODDET APPROVAL IS REQUIRED BEFORE RELEASE OF HVDS, BLACK, GRAY, OR WHITE-LIST PERSONNEL, AND FOREIGN FIGHTERS. FORWARD REQUESTS FOR RELEASE TO THE CJTF-HROMO.

3.H. (SECRET//REL-MCFS) 800TH MP BDE:

3.H.1.A. (SECRET//REL-MCFS) REPORT TO COMMANDER, CJTF-14 NLT 032300DJUL03 ON THE CURRENT STATE OF ALL DETENTION FACILITIES IN IRAQ, WITH EMPHASIS ON THE SPECIFIC TASKS AND TIMELINES TO IMPROVE THE CAMP CROPPER FACILITIES.

3.H.1.B (SECRET//REL-MCFS) SUPERVISE ALL FUNCTIONING OF IRAQI DETENTION AND CONFINEMENT FACILITIES, USING IRAQI GUARDS AND SUPPORT PERSONNEL TO THE MAXIMUM PRACTICAL EXTENT.

3.H.1.C. (SECRET//REL-MCFS) CRIMINAL DETAINEES, NOT INCLUDING THOSE THAT COMMIT CRIMINAL ACTS OF VIOLENCE AGAINST COALITION FORCES, WILL BE MOVED TO IRAQI DETENTION AND CONFINEMENT FACILITIES AS SOON AS POSSIBLE.


3.H.1.E. (SECRET//REL-MCFS) MAINTAIN LIAISON WITH LOCAL CRIMINAL COURTS; AND, IN CONJUNCTION WITH SERVICING STAFF JUDGE ADVOCATES, IRAQI COURT INVESTIGATORS, AND POLICE, DEVELOP CASE FILES AND APPROPRIATE DATA SHEETS ON EACH DETAINEE FACING IRAQI COURT PROSECUTIONS.

3.H.1.F.1. (S//REL-Menfi) Unless sooner released, the detainee's case will be adjudicated by trial before an Iraqi court or other tribunal as soon as practicable.

3.H.1.F.2. (S//REL-Menfi) The detainee will have the right to remain silent and be advised of the same.

3.H.1.F.3. (S//REL-Menfi) Criminal detainees suspected of a felony offense will have the right to be represented by an attorney before trial, and if indicted into a pretrial detention facility, criminal detainees may consult with an attorney within 72 hours after induction, unless precluded by reasons of security or military necessity. In cases where the right to counsel is delayed by reasons of security or military necessity, the right to consult with counsel shall be restored as soon as is practicable.

3.H.1.G. (S//REL-Menfi) Establish procedures to ensure 21-day reviews and subsequent periodic reviews by a judge advocate for all persons detained solely as criminal detainees. If a review is not completed in 30 days, an Iraqi judge has conducted an earlier review accomplishing the same purpose. Maintain records of all reviews.

3.H.1.H. (S//REL-Menfi) Persons who commit acts of violence against Coalition forces will be segregated from other detainees, and will be transported to a theater internment facility or other facility under exclusive US control. They will not be processed or adjudicated by Iraqi courts unless referred by the coalition forces.

3.H.1.I. (S//REL-Menfi) Convene Article 5 tribunals to determine prisoner of war status in cases where status is in doubt. Security internment status may also be determined at an Article 5 tribunal if status is in doubt.

3.H.1.J. (S//REL-Menfi) In all security detainee cases, a determination that continued internment is necessary for imperative reasons of security of US forces will be made by either at Article 5 tribunal, or at a review conducted by a military magistrate or other competent legal authority.

3.H.1.K. (S//REL-Menfi) If it is determined that continued internment is necessary in para 3.H.2.J. above, the determining authority shall prepare an order of internment containing the data specified by para 5-1C(2) of REF E, and forward such order and record of proceedings to an authenticating official.

3.H.1.L. (S//REL-Menfi) 80th MP BDE SJA is the authenticating official for internment orders for all security detainees except HVDs. HVD internment orders will be authenticated by CJTF HUS SJA or PMO.

3.H.1.M. (S//REL-Menfi) Security detainees will be provided a copy of the authenticated internment order and be apprised of their right to appeal the order directing internment. Procedures for appeals and periodic reviews shall be established by Commander 80th MP BDE in conformance with para 5-1G of REF E.

3.H.1.N. (S//REL-Menfi) Maintain comprehensive accountability of all prisoners, including records of offenses for all criminal detainees and persons accused of committing acts of violence against Coalition forces, and orders and records of confinement and release.
3.H.1.O. (S//REL-MCFL) MAINTAIN A DATABASE CONTAINING THE NAMES OF DETAINES, TO INCLUDE DATE OF APPREHENSION, STATUS, IDENTIFICATION NUMBER, REASON FOR APPREHENSION, AND LOCATION OF INTERNMENT. DETAINEE INFORMATION WILL BE ADDED TO THE DATABASE NOT LATER THAN 72 HOURS AFTER APPREHENSION, AND THE DATABASE WILL BE UPDATED EVERY 48 HOURS TO REFLECT CHANGES IN DETAINEE STATUS. POST AN ELECTRONIC COPY OF THE DATABASE ON THE INTRANET WEBSITE. LESS INFORMATION CONCERNING HVOS, FOR ACCESS TO CIVIL AFFAIRS, AND OTHER UNITS FOR USE IN RESPONDING TO PUBLIC INQUIRIES.

3.H.1.P. (S//REL-MCFL) ESTABLISH SYSTEMS AND PROCEDURES FOR DETAINEE PROPERTY ACCOUNTABILITY.

3.H.1.Q. (S//REL-MCFL) ESTABLISH SYSTEMS AND PROCEDURES FOR ASSIGNMENT AND TRANSFER TO CONFINEMENT FACILITIES, AND APPROPRIATE PROCEDURES CONSISTENT WITH REF 2 AND OTHER GOVERNING DIRECTIVES.

3.H.1.R. (S//REL-MCFL) ESTABLISH DETAINEE FAMILY AND ATTORNEY VISITATION AREAS AND PROCEDURES AT DETENTION FACILITIES.

3.H.2. (S//REL-MCFL) 3D MP GROUP (CID).

3.H.2.A. (S//REL-MCFL) CONDUCT INVESTIGATIONS OF ALL DEATHS OF PERSONNEL, TO INCLUDE MILITARY AND CIVILIANS, WHICH OCCUR IN 2003; OR ASSAULTS RESULTING IN GRIEVIOUS BODILY INJURY OF U.S PERSONNEL ON OR AFTERTHE 1 JUL 2003 WHEN A SUBJECT IS-IN CUSTODY OR CLEARLY WITH THE DEATHS, EVEN THOSE RESULTING FROM COMBAT OPERATIONS, WHEN A SUSPECT IS UNDER CUSTODY OR CLEARLY IDENTIFIED, WHICH OCCURRED FROM THE PERIOD OF 2003, AND OTHER OFFENSES WITH THE APPROVAL OF THE COMMANDER, POLICE GROUP (CID). SHOULD CID DECLINE TO INVESTIGATE, COORDINATE WITH THE 7 PMO SO THAT AN ALTERNATE INVESTIGATION CAN BE CONDUCTED.

3.I. (U) ALL CJTF-FOR CIVIL AFFAIRS UNITS.

3.I.1. (S//REL-MCFL) CIVIL AFFAIRS UNITS SHALL BE CONCERNED WITH PUBLICATION OF THE 800TH MP BDE CONCERNING THE STATUS OF DETAINES.

3.I.2. (S//REL-MCFL) CIVIL AFFAIRS UNITS SHALL BE RESPONSIBLE FOR INQUIRY ON DATES OF APPREHENSION, STATUS, REASON FOR APPREHENSION, AND LOCATION OF INTERNMENT.

4. (S//REL-MCFL) COORDINATING INSTRUCTIONS. THE POLICY SET FOR FRAGO APPLIES TO ALL FORCES UNITS AND PERSONNEL OPERATING IN THE 7 AREA OF RESPONSIBILITY. ALL OTHER GUIDANCE REMAINS IN EFFECT BY THIS ORDER.

5. DEFINITIONS.

5.A. (U) INDUCTION: THE BEGINNING OF DETENTION IN A PRETRIAL FACILITY, NOT AN ADMISSION INTO A TEMPORARY HOLDING AREA, OR INTO THE INTAKE/PROCESSING FACILITY.

5.B. (U) CRIMINAL DETAINES: PERSONS DETAINED SOLELY BECAUSE THEY REASONABLY SUSPECTED OF HAVING COMMITTED A CRIME.

5.C. (U) SECURITY INTERNEES: A CIVILIAN WHO IS INTERNED DURING CONFLICT OR OCCUPATION FOR SECURITY REASONS OR FOR PROTECTION.
3. (U) EXECUTION. [CHANGE]

3.A. (S//REL TO MCFI) COMMANDER’S INTENT. [CHANGE] ALL SERVICE MEMBERS CONDUCTING OPERATIONS IN SUPPORT OF OPERATION IRAQI FREEDOM MUST BE PREPARED TO RESPOND IMMEDIATELY WITH LETHAL FORCE TO A THREAT OF DEATH OR SERIOUS HARM. THIS INCLUDES COALITION FORCES OPERATING DETENTION FACILITIES.

3.B. (U) CONCEPT OF THE OPERATION. [NO CHANGE]

3.C. (U) TASKS TO SUBORDINATE UNITS.

3.C.1. (U) ALL DETENTION FACILITY COMMANDERS.

3.C.1.A. (S//REL TO MCFI) ENSURE THAT THEIR DETENTION FACILITY SOFTS ARE IN ACCORDANCE WITH THIS RUF.

3.C.1.B. (S//REL TO MCFI) ENSURE ALL SERVICE MEMBERS GUARDING DETENTION FACILITIES ARE CERTIFIED BY THE CHAIN OF COMMAND THAT EACH SERVICE MEMBER CAN CONDUCT MISSION REQUIREMENTS IN ACCORDANCE WITH THE APPROVED RUF. CERTIFICATION WILL BE ACCOMPLISHED BY THE FIRST COMMANDER IN THE CHAIN OF COMMAN.

3.C.2. 89 MP BDE.

3.C.2.A. (S//REL TO MCFI) CAMP ASHRAF WILL CONTINUE TO USE RUF [RULES FOR THE USE OF FORCE AGAINST MEK PERSONNEL] TO CJTF-108.

3.D. (U) COORDINATING INSTRUCTIONS. [CHANGE]

3.D.1. (U) RULES FOR THE USE OF FORCE FOR DETENTION FACILITIES.

3.D.1.A. (S//REL TO MCFI) SELF DEFENSE. PERSONS OR FORCES THAT DEMONSTRATE HOSTILE INTENT OR COMMIT A HOSTILE ACT AGAINST COALITION FORCES MAY USE NEEDED AND PROPORTIONAL FORCE, INCLUDING DEADLY FORCE, IN ACCORDANCE WITH RULES OF ENGAGEMENT (ROE). NEEDED AND PROPORTIONAL FORCE, UP TO AND INCLUDING DEADLY FORCE, IS ALWAYS AUTHORIZED IN SELF-DEFENSE OF COALITION FORCES TO PROTECT DESIGNATED PERSONS AND PROPERTY, IAW THE CURRENT ROE.
3.D.1.D. (S//REL TO MCFI) USE OF NON-LETHAL MUNITIONS. COALITION FACILITY COMMANDERS MAY AUTHORIZE THE EMPLOYMENT OF NON-LETHAL FACILITY TO DISPERSE RIOTING PRISONERS, PREVENT ESCAPE, OR PROTECT PERSONNEL. HOWEVER, SERVICE MEMBERS CONDUCTING THE MISSION MUST HAVE THE CAPABILITY TO IMMEDIATELY REVERT TO LETHAL FORCE IF THE SITUATION DECISION CYCLE SHOULD ALWAYS BE TO RESPOND TO A POTENTIAL LETHAL POSTURED TO USE LETHAL FORCE, ASSESS THE SITUATION, AND IF THE SITUATION Dictates, TO TRANSITION TO NONLETHAL FORCE.

3.D.1.E. (S//REL TO MCFI) RIOT CONTROL MEANS (RCM). RIOT CONTROL THAN RIOT CONTROL AGENTS (RCA), SHALL INCLUDE ANY SYSTEM DESIGNED LEthal MEANS OF DISPERSE UNRULY CROWDS, RIOTING PRISONERS, OR PROTECTION OF DESIGNATED PERSONNEL. THEY INCLUDE, BUT ARE NOT LIMITED TO, Riot CLOTHING (I.E., SHIELDS, BATONS, ETC.), FOAM/RUBBER BULLETS, WATER CANNONS, FLASH BANGS, TASERS, AND ANY OTHER NON-LETHAL WEAP MILITARY USE BY THE JOINT NON-LETHAL WEAPONS DIRECTORATE.


3.D.1.G. (S//REL TO MCFI) RIOT CONTROL AGENTS (RCA). RIOT CONTROL AGENTS DEFINED AS ANY CHEMICAL, THAT IS NOT LISTED IN THE CHEMICAL WEAPONS WHICH CAN PRODUCE RAPIDLY IN HUMANS SENSORY IRRITATION OR DISABILITY EFFECTS WHICH DISAPPEAR WITHIN A SHORT TIME FOLLOWING TERMINATION. EXAMPLES INCLUDE ORTHO CHLOROGENZALMALONONITRILE (CS), CHLORACETONE AND OLEORESIN CAPSICUM (OC) ("PEPPER SPRAY"). NOTHING IN THIS PARAGRAPH DEEMS TO PROHIBIT PROPERLY-TRAINED LAW ENFORCEMENT PERSONNEL, OR AUTHORIZED TO PERFORM LAW ENFORCEMENT FUNCTIONS, PARTICULARLY THOSE IN DETENTION OPERATIONS, FROM EMPLOYING OC (PEPPER SPRAY) AS THE SITUATION REQUIRES. DETENTION FACILITY COMMANDERS WILL MAINTAIN A LIST OF THOSE WHO HAVE BEEN TRAINED ON THE USE OF RCA.

3.D.1.H. (S//REL TO MCFI) USE OF RCM AND RCA, USE ONLY A GRADUATE 3.D.2.B, TO INCLUDE VARIOUS RIOT CONTROL MEANS (RCM) OTHER THAN THOSE WITH POTENTIAL PRISONER RIOTS, CIVIL DISTURBANCES, OR ANY OTHER...
IN 3.D.2.D, RCA SHALL BE USED ONLY AS A LAST (NON-LETHAL) RESORT. SERVICEMEMBER, INCLUDING ON-SCENE COMMANDERS, EXPECTED TO EMPLOY RCA. RCA MUST BE PROPERLY TRAINED AND QUALIFIED TO USE THAT PARTICULAR SYSTEM UNDER THE APPROPRIATE SERVICE REGULATIONS.

3.D.1.E.1. (S//REL TO MCFI) INFORM CG, CJTF, IMMEDIATELY, THROUGH CHANNELS, OF ANY REPORTED USE OF RCA.

3.D.1.E.1. (S//REL TO MCFI) RELEASE AUTHORITY FOR RCM AND RCA. IN BOTH FACILITIES, THE FACILITY COMMANDER SHALL HAVE THE AUTHORITY TO BOTH RELEASE NON-LETHAL RCM TO INCLUDE RCA.

3.D.1.E.1. (S//REL TO MCFI) DESIGNATED PERSONNEL. DEADLY FORCE IS APPLICABLE TO DESIGNATED PERSONNEL. DESIGNATED PERSONNEL INCLUDE, BUT ARE NOT LIMITED TO, INNOCENT CIVILIANS; ENEMY PRISONERS OF WAR; ALL CIVILIAN CONTRACTORS; AND ALL COALITION FORCES; PERSONNEL FROM US AND COALITION GOVERNMENT AGENCIES FROM CRIMES COMMITTED BY ANOTHER DETAINEE THAT ARE LIKELY TO CAUSE SERIOUS BODILY HARM; AND ANY OTHER PERSONNEL THE FACILITY COMMANDER DESIGNATE.

3.D.2. (U) TRAINING VIGNETTES ARE AVAILABLE ON SIPR AND CENTRIX.

SCENARIO BASED TRAINING PACKAGE, 

(b)(6)

4. (U) SERVICE SUPPORT. [NO CHANGE]

5. (U) COMMAND AND SIGNAL. [NO CHANGE]

5.A. (U) POC FOR THIS FRAGO IS CJTF, SJA OPS, DNVT [bX6]

ACKNOWLEDGE

SANCHEZ
LTG

OFFICIAL:

(b)(6)

ATTACHMENTS:
SECRET//REL TO USA and MCFI//X4

(S//REL USA and MCFI) FRAGO 749 [INTELLIGENCE AND EVIDENCE-LED OPERATIONS RELATING TO DETAINENES] TO CJTF-14 OPORD 03-036

(US//REL TO USA and MCFI) THIS FRAGO HAS BEEN REVIEWED AND APPROVED BY (b)(3), (b)(6) CJTF-14 CHOPS.

(S//REL TO USA and MCFI) SUBJECT: INTELLIGENCE AND EVIDENCE-LED OPERATIONS RELATING TO DETAINENES.

[O] REFERENCES:

A. (U) V CORPS (US) FRAGO 006M TO V CORPS OPO RD 0303-343 (19) DIRECTING V CORPS PROCEDURES FOR HANDLING THE DETENTION OF INTERNEE FACILITIES AND DETENTION CENTERS.

B. (U) V CORPS (US) FRAGO 312M TO V CORPS (US) OPO RD FINAL VINC (25146MAY03) GUIDANCE ON TACTICS, TECHNIQUES AND PROCEDURES TO IMPROVE THE PRESERVATION OF EVIDENCE OF CRIMES COMMITTED OR DETAINED AND TRANSPORTED TO DETENTION FACILITIES.

C. (U) CJTF-14 FRAGO 368 (141028JUN03) GUIDANCE FOR THE DETENTION AND RELEASE OF INDIVIDUALS WHO ARE POTENTIALLY SUBJECT TO WAR CRIMES.

D. (S//REL TO USA and MCFI) CJTF-14 FRAGO 209 (282021JUN03) OF INVESTIGATIONS ISO FINAL VICTORY, DETENTION FACILITY OPERATIONAL CRIMINAL DETAINENES AND SECURITY INTERNEE STATUS DETERMINATION HANDLING OF SUSPECTED WAR CRIMINALS.

E. (S//REL TO USA and MCFI) CJTF-14 FRAGO 415 (151550DJUL03) ON COLLECTION OF EVIDENCE, DETENTION OPERATIONS, AND RELEASE DETERAINENES.

F. (S//REL TO USA and MCFI) CJTF-14 FRAGO 519 (272249DJUL03) FRAGO 415 PRESERVATION AND COLLECTION OF EVIDENCE, DETENTION AND RELEASE PROCEDURES FOR DETAINENES.

G. (S//REL TO USA and MCFI) CJTF-14 FRAGO 103 (21120DDJUN03) ON BAGHDAD CRIMINAL COURT SECURITY SUPPORT.

H. (U) CFLCC FRAGO 501 TO COMFLCC OPO RD 03-032 (241500ZAPR03) THE RELEASE AND REPATRIATION OF EPW.

I. (U) US ARMY REGULATION 190-8, ENEMY PRISONERS OF WAR, REPATRIATION OF EPW.

K. (U) DIRECTIVE FROM U.S. SECARMY, 15 APR 03, AUTHORIZING THE CRIMINAL INVESTIGATION COMMAND TO EXERCISE ALL INVESTIGATIVE RESPONSIBILITIES RELATING TO WAR CRIMES AND OTHER RELATED CRIMES.

L. (U) U.S. DEPARTMENT OF ARMY SIGNAL 030053ZMAY03 CSA EXORD 

M. (U) CJTPF FRAGO 455 (200415DJUL03) CLASSIFYING AND PROCESSING PRISONERS OF WAR/DETAIRED PERSONS/CIVILIAN INTERNEES

(U) MAPS: [NO CHANGE]

(U) TIME ZONE USED THROUGHOUT THIS ORDER: DELTA

(U) TASK ORGANIZATION: [NO CHANGE]

1. (U) SITUATION. [CHANGE] REFERENCES A THROUGH F ARE RESCIND. CONSOLIDATES PRIOR DETAINEE ORDERS AND GUIDANCE AND CONTROLS THE PROCESSING OF ALL INTERNEES SECURITY INTERNEES AND CIVILIAN PRISONERS OF WAR EPWs. A FLOWCHART DESCRIBING DETENTION IS ENCLOSED AT ATTACHMENT A.

1.A. (S//REL TO USA and MCFI) UNDER THE GENEVA CONVENTIONS 1949 REGULATIONS 1907 AND UN SECURITY COUNCIL REGULATION 1483, COALITION AUTHORIZED TO DETAIN CIVILIANS IN ORDER TO ASSIST IN THE RESTORATION AND STABILITY IN IRAQ.

1.B. (S//REL TO USA and MCFI) CAPTURING UNITS WILL NOT DETAIN BY THERE IS A REASONABLE BELIEF THAT THE PERSON IS OR WAS ENGAGED IN ACTIVITY, POSSESSES INFORMATION IMPORTANT TO, OR INTERFERES WITH MISSION ACCOMPLISHMENT, IS ON A LIST OF PERSONS WANTED FOR QUEST OR DETENTION BY COALITION FORCES; OR IS AN ENEMY COMBATANT.

1.C. (US//REL TO USA and MCFI) DEFINITIONS.

1.C.1. (U) CIVILIAN INTERNEE (CI): A PERSON WHO IS INTERNED DURING CONFLICT OR OCCUPATION IF HE/SHE IS CONSIDERED A SECURITY RISK OR HAS COMMITTED AN OFFENSE (INSURGENT OR CRIMINAL) AGAINST THE A CIVILIAN INTERNEE IS PROTECTED ACCORDING TO GENEVA CONVENTION OF CIVILIAN PERSONS IN TIME OF WAR.

1.C.2. (U) CRIMINAL DETAINEE (CD): A PERSON DETAINED BECAUSE HE/REASONABLY SUSPECTED OF HAVING COMMITTED A CRIME AGAINST IRAQI I IRAQI PROPERTY OR A CRIME NOT RELATED TO THE COALITION FORCE MIS

1.C.3. (U) SECURITY INTERNEE (SI): A CIVILIAN INTERNED DURING OCCUPATION FOR THEIR OWN PROTECTION OR BECAUSE THEY POSE A THREAT SECURITY OF COALITION FORCES ITS MISSION, OR ARE OF INTEREST. INCLUDES PERSONS DETAINED FOR COMMITTING OFFENSES (INCLUDING ANY COALITION FORCES OR PREVIOUS COALITION FORCES) MEMBERS OF THE GOVERNMENT, NGOs, STATE INFRASTRUCTURE OR ANY PERSON ACCUSED OF CRIMES OR CRIMES AGAINST HUMANITY. CERTAIN SECURITY INTERNEES
CLASSIFIED AS A HIGH VALUE DETAINEE (HVD). SECURITY INTERNEES ARE CIVILIAN INTERNEES.

I.C.4. (U) HVDS: HVDS ARE SECURITY INTERNEES OF SIGNIFICANT INTEL POLITICAL VALUE. UNITS WILL BE INFORMED BY C2 CJTF-HR OF THE IDENTITY OF INDIVIDUALS.

I.C.5. (U) ENEMY PRISONER OF WAR (EPW): A MEMBER OF ARMED OR UNIFORMED FORCES THAT CONFORM TO THE REQUIREMENTS OF ARTICLE 4, GENEVA CONVENTION, FOR TREATMENT OF PRISONERS OF WAR.

I.C.6. (U) CRIMINAL INVESTIGATION DIVISION (CID) HOLD: A DIRECTIVE NOT TO RELEASE A DETAINEE/INTERNEE IN THE CUSTODY OF COALITION FORCES, MEMBER OR AGENT OF THE U.S. ARMY CRIMINAL INVESTIGATION DIVISION.

I.C.7. (U) MILITARY INTELLIGENCE (MI) HOLD: A DIRECTIVE TO HOLD A DETAINEE/INTERNEE IN THE CUSTODY OF COALITION FORCES, ISSUED BY AGENT OF A U.S. MILITARY INTELLIGENCE ORGANIZATION.

I.C.8. (U) CAPTURING UNIT: THE CAPTURING UNIT IS THE COALITION FORCES CAPTURES CIVILIANS OR EPWS.

I.C.8A. (U) DETAINING UNIT: THE DETAINING UNIT IS THE COALITION FORCES DETAINTS CIVILIANS OR EPWS.

I.C.9. (U) DETENTION REVIEW AUTHORITY: THE JAG OR LEGAL OFFICER HAS AUTHORITY TO REVIEW DETENTION CASES AND WHO, IN DEFINED CIRCUMSTANCES, RELEASE OR AUTHENTICATE AND ORDER FURTHER DETENTION. DETENTION REVIEW AUTHORITIES ARE IDENTIFIED IN ATTACHMENT B.

I.C.10. (U) REVIEW AND APPEAL BOARD: A BOARD APPOINTED BY THE COMMANDER OF THE CJTF-HR, COMMANDER 800TH MP BRIGADE, AND CJTF-HR STAFF TO CONDUCT THE REVIEW AND APPEAL BOARD ACTS ON RECOMMENDATIONS FOR RELEASE, INTERNEES, ARTICLE 78 APPEALS, AND PERIODIC 6-MONTH DETENTION REVIEW.

I.C.11. (U) CRIMINAL DETAINEE REVIEW BOARD: A BOARD APPOINTED BY THE COMMANDER 800TH MP BRIGADE TO REVIEW RELEASE OF CYBER CRIMINALS, SECURITY INTERNEES, AND SECURITY INTERNEE PERSONNEL FROM THE REVIEW BOARD.

I.C.12. (U) REASONABLE BELIEF: UNDER THE CIRCUMSTANCES THAT EXIST, THERE ARE SUFFICIENT FACTS UPON WHICH A REASONABLE PERSON WOULD BELIEVE THAT A CRIME HAS BEEN COMMITTED OR IS BEING COMMITTED, AND THAT THE DETAINED HAS COMMITTED, IS COMMITTING, OR IS AIDING ANOTHER TO COMMIT AN OFFENSE.

I.C.13. (U) SERIOUS CRIME: FOR THE PURPOSE OF DETENTION, IS ANY OFFENSE TO BE PUNISHABLE BY MORE THAN FIVE YEARS IMPRISONMENT UNDER THE U.S. CODE 1969. THE DEFINITION INCLUDES, BUT IS NOT LIMITED TO MURDER, ROBBERY, KIDNAPPING, ABUCTION, STATE INFRASTRUCTURE SABOTAGE, ASSAULT CAUSING BODILY HARM, ARSON, DESTRUCTION OF PROPERTY OR PROPERTY OF VALUE IN EXCESS OF FIVE HUNDRED U.S. DOLLARS, OR CONSPIRACY, SUCH AS ACTING AS AN ACCOMPlice OR ATTEMPTING TO COMMIT ONE OF THESE OFFENSES.

I.C.14. (U) MINOR CRIME: A CRIMINAL OFFENSE THAT IS NOT A SERIOUS CRIME.
1.C.15. (U) INTERNMENT FACILITY (IF): FACILITY DESIGNATED BY COALITION FOR LONG TERM DETENTION, INCLUDING EPW OPERATIONS. INDUCTION, CIVILIAN INTERNEE AND POST TRIAL INTERNMENT DESIGNATED BY COMMANDER 800TH MILITARY POLICE BRIGADE (U.S.).

1.C.16. (U) COALITION HOLDING FACILITY (CHF): FACILITY DESIGNATED AS THE CENTRAL COLLECTION FACILITY THROUGH WHICH ALL DETAINNEES/INTERNEES SHOULD BE CONDUCTED BEFORE TRANSFER TO ANOTHER INTERNMENT FACILITY OR RELEASE.

1.C.17. (U) SPECIAL CONFINEMENT FACILITY: FACILITY DESIGNATED BY COALITION FOR THE DETENTION OF HYDAS.

1.C.18. (U) HOLDING AREAS AND TEMPORARY DETENTION FACILITIES: AN AREA OR DETENTION AREA NOT DESIGNATED AS AN INTERNMENT FACILITY, SPECIAL CONFINEMENT FACILITY OR COALITION HOLDING FACILITY.

1.C.19. (U) INDUCTION: THE PROCESS BY WHICH A DETAINNEE OR INTERnee RECEIVED INTO THE COALITION HOLDING FACILITY OR INTERNMENT INTO AN INTERNMENT FACILITY.

1.C.20. (U) CONDITIONAL RELEASE: RELEASE OF A CIVILIAN INTERNEE OR CRIMINAL CONVICTED SERVING A SENTENCE TO CONDITIONS INTENDED TO SECURE THE PRESENCE OF THE PERSON FOR COALITION FORCES PURPOSES, OR TRIAL.

1.C.21 (U) PAROLE: RELEASE OF AN EPW DURING ARMED CONFLICT UNDER CONDITIONS ESTABLISHED IN A PAROLE AGREEMENT.

1.C.22. (U) WAR CRIME: ANY VIOLATION OF THE LAW OF WAR IS A WAR CRIME AS DEFINED UNDER INTERNATIONAL LAW.

1.C.23. (U) CRIME AGAINST HUMANITY/ATROCITY: A BREACH OF HUMANITY LAW THAT IS AN INHUMAN ACT COMMITTED AGAINST ANY PERSON.

2. (U) MISSION. [CHANGE]

2.A. (U) IT IS THE RESPONSIBILITY OF COALITION FORCES TO ENSURE INVESTIGATION OF ALL CRIMES, AND PRESERVE EVIDENCE TO SUPPORT CRIMINAL OR OTHER PROSECUTION. THIS MEANS THAT IN ORDER TO ASSIST THE FUNCTIONING OF THE CRIMINAL JUDICIAL SYSTEM, AND ESTABLISH THE RULE OF LAW IN IRAQ, COALITION UNITS ARE REQUIRED TO IDENTIFY AND RECORD THE NAMES AND ADDRESSES OF WITNESSES, PRESERVE EVIDENCE AND INSURE THAT TIMELY AND ACCURATE INFORMATION CONCERNING CRIMINAL DETAIINEES/INTERNEES IS REPORTED TO DETENTION FACILITIES IN ACCORDANCE WITH LAW. ONCE DETAINED OR INTERNEE BY COALITION FORCES, PERSONS SHALL BE ACCORDANCE WITH INTERNATIONAL AND HUMANITARIAN LAW.

3. (U) EXECUTION. [CHANGE]

3.A. (U) COMMANDER'S INTENT [NO CHANGE]

3.B. (U) CONCEPT OF THE OPERATION. [NO CHANGE]

3.C. (U) TASKS TO SUBORDINATE UNITS. [CHANGE]

3.C.1. (S//REL TO USA and MCFI) ALL COALITION BRIGADES (OR EQUIVALENT) HANDLE CRIMINAL DETAINNEES AS FOLLOWS. ENSURE CRIMINAL DETAINNEES
IRAQI ON IRAQI CRIMES OR CRIMES THAT ARE NOT ASSOCIATED WITH THE COALITION MISSION, ARE PROCESSED BY AN IRAQI CRIMINAL COURT AS SOON AS POSSIBLE. DETAINING UNITS ARE TO COMMENCE TRANSFERRING CRIMINAL DETAINEES AND EPWs TO THE COALITION HOLDING FACILITY (OR EQUIVALENT) FOR INDUCTION NLT 72 HOURS AFTER APPREHENSIOBY THE DETAINING UNIT. SECURITY DETAINEES MAY BE HELD LONGER THAN 72 HOURS FOR INTELLIGENCE GATHERING PURPOSES UNLESS MOVEMENT IS SOONER DIRECTED BY CJTF-HR C2. HOWEVER, THE UNIT IN NO CASE SHALL DELAY INDUCTION OF A SECURITY DETAINEE MORE THAN 14 DAYS FROM THE DATE OF APPREHENSION/DETENTION.

3.C.1.A. (S//REL TO USA and MGFI) REPORT TO 800TH MILITARY POLICE BRIGADE (US) THROUGH OPERATIONAL CHANNELS WITHIN 48 HOURS OF CAPTURE THAT A PERSON HAS BEEN DETAINED. THE REPORT SHALL INCLUDE THE PERSON'S NAME, ADDRESS, AND AGE; DATE, TIME, LOCATION, CIRCUMSTANCES OF CAPTURE AND IF APPLICABLE, CAPTURE TAG NUMBER.

3.C.1.B. (S//REL TO USA and MGFI) U.S. BLACKLIST INTERNEES WILL BE TRANSFERRED IMMEDIATELY TO THE SPECIAL PRISON/CONFINEMENT FACILITY VIC BAGHDAD INTERNATIONAL AIRPORT (BIAP).

3.C.1.C. (U) ALL CIVILIAN DETAINEE/INTERNEES SHALL HAVE A REVIEW OF THEIR CASE BY A DETENTION REVIEW AUTHORITY NOT LATER THAN 72 HOURS FROM THE TIME OF INDUCTION. IF THE DETENTION REVIEW AUTHORITY DETERMINES THAT FURTHER DETENTION IS NOT WARRANTED FOR MINOR CRIMES, THEN THE DETAINEE MAY BE RELEASED. FOR THOSE CRIMINAL DETAINEE/INTERNEES THAT HAVE APPEARED BEFORE AN IRAQI INVESTIGATIVE JUDGE, NO ADDITIONAL COALITION REVIEW IS NECESSARY.

3.C.1.D (U) THE DETENTION REVIEW AUTHORITY (DRA) SHALL DETERMINE STATUS (I.E. EPW, SECURITY INTERNEE OR CRIMINAL DETAINEE). IF EPW STATUS IS IN DOUBT, THE DRA WILL REFER THE DETAINEE TO AN ARTICLE 5 TRIBUNAL. DETENTION REVIEW AUTHORITIES ARE STAFF JUDGE ADVOCATE/LEGAL OFFICERS LISTED AT ATTACHMENT B. CJTF-HR WILL CLASSIFY WHICH SECURITY INTERNEES ARE HDD.

3.C.1.E (U) THE DRA STANDARD OF REVIEW FOR CRIMINAL DETAINEE/INTERNEES IS PROBABLE CAUSE THAT THE DETAINEE COMMITTED A CRIME. THE DRA IS THE RELEASE AUTHORITY FOR MINOR CRIMES. FOR SERIOUS CRIMES, RECOMMENDATIONS FOR RELEASE SHALL BE FORWARD TO COMMANDER, 800TH MP BRIGADE (US) WHO WILL CONSULT WITH COMMANDER 3RD MP GROUP (CID) (US) AND CONVENE A CRIMINAL DETAINEE RELEASE BOARD WITH CJTF-HR STAFF JUDGE ADVOCATE (SJA).


3.C.1.G. (U) COALITION UNITS BE PREPARED TO (BPT) PROVIDE TRANSPORTATION AND SECURITY NECESSARY TO ENSURE THAT COALITION-HELD CRIMINAL DETAINEE/INTERNEES APPEAR BEFORE IRAQI COURTS. COALITION UNITS CONTINUE TO MAINTAIN LIAISON WITH IRAQI CRIMINAL COURTS, AND IN CONJUNCTION WITH SERVICING STAFF JUDGE ADVOCATES/LEGAL OFFICERS, IRAQI COURT INVESTIGATORS, AND POLICE, DEVELOP CASE FILES AND APPROPRIATE DATA SHEETS ON EACH DETAINEE FACING IRAQI COURT PROSECUTIONS.
3.C.1.H. (U) COALITION UNITS: ESTABLISH COLLECTION POINTS FOR SECURITY INTERNEES, CRIMINAL DETAINENES AND EPWS.

3.C.1.I. (U) ALL COALITION UNITS ARE TO IMMEDIATELY NOTIFY SUPPORTING MILITARY POLICE UNITS AND U.S. ARMY CRIMINAL INVESTIGATION DIVISION COMMAND OF ANY INCIDENTS RESULTING IN THE DEATH OR SERIOUS INJURY TO COALITION MEMBERS.

3.C.1.J. (U) ALL COALITION UNITS WILL DIRECT FAMILY MEMBERS SEEKING INFORMATION ON DETAINNEES TO THE NEAREST CIVIL AFFAIRS OPERATIONS CENTER (CMOC) OR EQUIVALENT UNIT.

3.C.1.K. (U) IMMEDIATELY REPORT TO CJTF HQ F3 AND CJTF F4 PROVOST MARSHAL THROUGH THE CHAIN OF COMMAND, ALL HVDS AND NON-IRAQIS (THIRD COUNTRY NATIONALS) THAT ARE DETAINED. NOTIFICATION TO THE COALITION PROVISIONAL AUTHORITY (CPA) MINISTRY OF FOREIGN AFFAIRS WILL BE MADE BY CJTF HQ REQUESTS FOR RELEASE OF THIRD COUNTRY NATIONALS SHALL BE FORWARD TO THE CJTF HQ REVIEW AND APPEALS BOARD.

3.C.2. (S//REL TO USA and MCFI) 800TH MP BDE (US).

3.C.2.A. (S//REL TO USA and MCFI) CONTINUE TO OPERATE INTERNMENT FACILITIES AND DETENTION CENTERS FOR SECURITY INTERNEES, CRIMINAL DETAINNEES AND EPWS. CONTINUE TO REFINISH PROCEDURES FOR RECEPTION, PROCESSING, INTERNMENT, SECURITY, AND ONSWARD MOVEMENT, AS APPROPRIATE, OF CIVILIAN DETAINNEES/INTERNEES AND EPWS. COORDINATE WITH ALL COALITION DIVISIONS AND BRIGADES TO ENSURE SECURITY DETAINNEES, CRIMINAL INTERNEES AND EPW DETENTION PROCEDURES ARE CONSISTENT THROUGHOUT THE COALITION AREA OF RESPONSIBILITY (AOR).

3.C.2.B. (S//REL TO USA and MCFI) ESTABLISH RULES AND PROCEDURES NECESSARY FOR THE SAFE AND EFFICIENT OPERATION OF COALITION HOLDING AREAS, COLLECTION POINTS, INTERNMENT FACILITIES AND DETENTION CENTERS. THIS INCLUDES PROCEDURES AND RULES FOR THE PROPER ADMINISTRATION AND DISCIPLINE OF THE FACILITIES BASED ON U.S. AR 190-8. SHOULD OTHER COALITION FORMATIONS OR UNITS ESTABLISH INTERNMENT FACILITIES OR DETENTION CENTERS, THEY ARE TO ENSURE THAT RULES AND PROCEDURES FOR THOSE FACILITIES OR CENTERS ARE CONSISTENT WITH THE LANGUAGE, SPIRIT AND INTENT OF INTERNATIONAL LAW AND THE GENEVA CONVENTIONS.

3.C.2.C. (U) INFORM WITHIN 72 HOURS OF INDUCTION, PERSONS DETAINED ONLY AS CRIMINAL DETAINNEES OF THE BASIS OF THE DETENTION AND THE RIGHT TO REMAIN SILENT. CRIMINAL DETAINNEES SHOULD BE AFFORDED REASONABLE ACCESS TO COUNSEL PRIOR TO TRIAL. CRIMINAL INTERNEES SHOULD BE SEPARATED WHEN FEASIBLE BASED UPON THE FOLLOWING CATEGORIES: MINOR CRIMES, SERIOUS CRIMES, GENDER, JUVENILES, AND POST-CONVICTION CONFINEMENT. AS SOON AS FEASIBLE, WOMEN AND JUVENILES WILL BE TRANSFERRED TO SEPARATE LOCAL DETENTION FACILITIES TO AVOID COURT PROCEEDINGS.

3.C.2.D. (S//REL TO USA and MCFI) SEGREGATE SECURITY INTERNEES FROM CRIMINAL DETAINNEES AND EPWS AND TRANSPORT THEM TO THE COALITION HOLDING FACILITY. SECURITY INTERNEES WILL NOT BE Processed THROUGH THE IRAQI COURT SYSTEM UNLESS EXPRESSLY REFERRED BY HO CJTF 114 C2. TRANSPORT SECURITY INTERNEES WHO ARE HVDS DIRECTLY TO THE SPECIAL CONFINEMENT FACILITY AFTER GAINING APPROVAL FROM 323 MILITARY INTELLIGENCE BATTALION (US)/IRAQ SURVEY GROUP (ISG).

3.C.3.E. (S//REL TO USA and MCFI) AUTHENTICATE INTERNMENT ORDERS FOR HVDS ON THE BLACK OR GRAY LIST THROUGH THE CJTF 114 STAFF JUDGE ADVOCATE (SJA)/LEGAL OR PROVOST MARSHALL OFFICER.
3.C.2.F. (U) PROVIDE SECURITY INTERNEES WITH A WRITTEN COPY OF THE AUTHENTICATED INTERNMENT ORDER AND A WRITTEN NOTICE OF RIGHT TO APPEAL IN A LANGUAGE THE INTERNEE UNDERSTANDS, ADVISING OF THE RIGHT TO APPEAL THE INTERNMENT ORDER, AND THAT THE ORDER WILL BE REVIEWED IN 6 MONTHS. IN THE CASE OF FURTHER INTERNMENT ORDERS, INTERNMENT SHALL BE REVIEWED EVERY 6 MONTHS THEREAFTER. PROCEDURES FOR APPEALS AND PERIODIC REVIEWS (6 MONTH) SHALL BE ESTABLISHED BY COMMANDER 800TH BDE (US) IN CONFORMANCE WITH PARA 5-1G OF U.S. ARMY REGULATION 190-2.

3.C.2.G. (S//REL TO USA and MCFI) COMMANDER 800TH MP BDE (US) IS TO MAINTAIN COMPREHENSIVE ACCOUNTABILITY OF ALL DETAINES/INTERNEES, INCLUDING RECORDS OF OFFENSES FOR ALL CRIMINAL DETAINES AND SECURITY INTERNEES (INCLUDING THOSE ACCUSED OF COMMITTING ACTS OF VIOLENCE AGAINST COALITION FORCES) AND ORDERS AND RECORDS OF CONFINEMENT, APPEALS AND RELEASE FOR ALL DETAINES/INTERNEES IN ITS FACILITIES, NAMES AND ADDRESS OF ALL DETAINES/INTERNEES, DATE OF APPEARANCE, BY WHICH UNIT, STATUS, IDENTIFICATION NUMBER, REASON FOR APPEARANCE, ANY PROPERTY SEIZED, WITNESS NAMES AND ADDRESSES, LOCATION OF INITIAL AND CURRENT INTERNMENT/DETENTION, DATE AND RESULT OF 72 HOUR REVIEW, AND RESULTS OF PERIODIC REVIEWS. DETAINEE APPREHENSION INFORMATION IS TO BE ADDED WITHIN 72 HOURS OF INITIAL APPEARANCE AND WITHIN 48 HOURS OF ANY CHANGE TO THE INFORMATION.

3.C.2.H. (U) IF NOT PREVIOUSLY ESTABLISHED, CREATE FIELDS IN CRIMINAL DATABASE THAT SHOWS OTHER HOLDS ON DETAINEE/INTERNEE.

3.C.2.I. (U) ENSURE DETAINEE/INTERNEE DATABASE CONTAINS COALITION DETAINEE IDENTIFICATION NUMBERS THAT CAN BE CROSS-REFERENCED TO U.S. DETAINEE ID NUMBERS IN COALITION APPEARANCE AND TRANSFER SITUATIONS.

3.C.2.J. (S//REL TO USA and MCFI) CJTF44 PROVOST MARSHAL OFFICER MAINTAINS AN ELECTRONIC COPY OF THE DATABASE (LESS DETAILS OF HVDS) THAT SHALL BE POSTED ON A SIRENNet WEBSITE, AS WELL AS A CJTF44 CENTRIX WEBSITE FOR ACCESS BY BRIGADE, DIVISION OR COALITION CIVIL AFFAIRS (OR EQUIVALENT) AND OTHER UNITS FOR USE IN RESPONDING TO PUBLIC INQUIRIES.

3.C.2.K. (S//REL TO USA and MCFI) CJTF44 PROVOST MARSHAL OFFICER MAINTAINS SYSTEMS AND FORMS TO ENSURE EVIDENCE AND DETAINEE PROPERTY ACCOUNTABILITY IN ACCORDANCE WITH REFERENCE J.

3.C.2.L. (S//REL TO USA and MCFI) COALITION MILITARY POLICE WILL OBTAIN AND PRESERVE ALL CPA FORCES APPEARANCE FORM INFORMATION, STATEMENTS, INFORMATION REPORTS (OR EQUIVALENT) AND EVIDENCE DOCUMENTS AND DELIVER THE EVIDENCE TO DETENTION FACILITIES WITH THE DETAINEE/INTERNEE. THE MILITARY POLICE WILL TRANSFER ALL RELEVANT INFORMATION, INCLUDING THE DETAINEE'S FILE, WITH THE DETAINEE/INTERNEE IF THE DETAINEE/INTERNEE IS TRANSFERRED TO ANOTHER DETENTION/INTERNMENT FACILITY.

3.C.2.M. (S//REL TO USA and MCFI) REVIEW DETAINED/INTERNEE FILES AND EVIDENCE AND TRACK COMPLIANCE WITH THIS FRAGO. NON-COMPLIANCE WITH THE PROCEDURES IN THIS FRAGO ARE TO BE REPORTED TO THE CJTF44 PROVOST MARSHALL OFFICER THROUGH THE CHAIN OF COMMAND.
3.C.2.O. (S//REL TO USA and MCFI) PROVIDE GUARDS FOR ANY DETAINED RECEIVING TREATMENT IN A MEDICAL UNIT/HOSPITAL AND FOR TRANSPORT TO AN APPROPRIATE DETENTION/INTERNEMENT FACILITY AFTER MEDICAL DISCHARGE.

3.C.2.P. (U) FORWARD REQUIREMENTS OF THIS FRAGO TO ALL DETENTION FACILITIES UNDER ITS COMMAND AND CONTROL.

3.C.2.Q. (U) CONDUCT UNIT TRAINING ON GRADUATED FORCE AND STANDARDS OF MILITARY POLICE AND COORDINATE TRAINING WITH COALITION MILITARY COMMAND TO ENSURE THAT TRAINING IS CONSISTENT THROUGHOUT THE CJTF 14 AO.

3.C.2.R. (U) ENSURE EVIDENCE/PROPERTY ROOMS ARE SET UP AND OPERATE AT THE DETENTION FACILITY AND THAT ADDITIONAL ROOMS ARE PROVIDED FOR TRAINING INVESTIGATORS WHEN WORKING AT THE DETENTION FACILITY.

3.C.2.S. (U) PROVIDE FAMILY AND ATTORNEY VISITATION FACILITIES FOR DETAINÉES AND AFFORD REASONABLE VISITATION OPPORTUNITIES.

3.D. (U) COORDINATING INSTRUCTIONS. [CHANGE]

3.D.1. (S//REL TO USA and MCFI) THE POLICY SET FORTH IN THIS FRAGO APPLIES TO ALL COALITION FORMATIONS, UNITS AND PERSONNEL OPERATING WITHIN THE COMMAND, INCLUDING ITS SUCCESSOR APPOINTMENTS AND COMMANDS. IT IS RECOGNIZED THAT THE CJTF WILL ACT IN ACCORDANCE WITH THEIR OWN INTERNATIONAL AND DOMESTIC LEGAL OBLIGATIONS IN RELATION TO DETAINÉS/INTERNEES AND EPWS. THIS FRAGO AFFECTS INTERNATIONAL RELATIONS BETWEEN CERTAIN COALITION PARTNERS AND MAY AFFECT THE TRANSFER OF DETAINÉS/INTERNEES AND EPWS.

3.D.2. (S//REL TO USA and MCFI) AUTHORITY TO DETAIN: COALITION COMMANDS ARE AUTHORIZED TO DETAIN CIVILIANS WHO ARE REASONABLY BELIEVED TO POSE A THREAT TO THE SECURITY OF COALITION FORCES, ITS MISSION, OR ARE OF INTELLIGENCE INTEREST. THEY MAY ALSO DETAIN CIVILIANS IF THEY OBSTRUCT THE PROGRESS OF AN INVESTIGATION OR CHALLENGE COALITION COMMAND AUTHORITY, ANY AREA CONTROLLED BY COALITION FORCES. CIVILIANS MAY BE DETAINED IF THEY COMMIT, ATTEMPT, CONSPIRE, THREATEN OR SOLICIT...
COMMIT OR AID OR ABET IN THE COMMISSION OF A CRIME. CIVILIANS MAY ALSO BE DETAINED PURSUANT TO A WARRANT, ORDER OR INDICTMENT ISSUED BY A COMPETENT AUTHORITY. ENEMY COMBATANTS THAT SURRENDER OR ARE CAPTURED MAY BE DETAINED.


3. D. 2. B. (S/REL-TO-USA and MGIF) DETAINERS SUSPECTED OF WAR CRIMES, CRIMES AGAINST HUMANITY OR OTHER ATROcities, AND HVDS, ARE TO BE TRANSFERRED OR RETAINED IN U.S. CUSTODY UNTIL RELEASE IS EXPRESSLY AUTHORIZED BY A COMPETENT AUTHORITY.

3. D. 2. C. (S/REL-TO-USA and MGIF) COALITION UNITS DETAINING SECURITY INTERNEES OR HVDS ARE TO NOTIFY UNIT INTELLIGENCE OFFICERS (S2) OR EQUIVALENT AND THE U.S. LIAISON OFFICER (LNO) IF APPLICABLE. IN THE CASE OF HVDS, THE UNIT S2 OR U.S. LNO ARE TO NOTIFY THE CJTF-IC140Z IMMEDIATELY.


3. D. 4. (S/REL-TO-USA and MGIF) THE DRA WILL ALSO DIRECT CONTINUED DETENTION IF HE/SHE DETERMINES THERE IS A REASONABLE BELIEF THAT THE DETAINEE IS A SECURITY INTERNEE AS DEFINED AT PARA 1.C.3., OR IF THERE IS A MILITARY INTELLIGENCE (MI) OR CRIMINAL INVESTIGATION DIVISION (CID) HOLD.

3. D. 5. (S/REL-TO-USA and MGIF) EFW'S WILL REMAIN IN DETENTION UNTIL RELEASED ON CONDITION/PAROLE, OR AT THE END OF HOSTILITIES IN ACCORDANCE WITH REF I, SUMMARIZED AS ATTACHMENT C.

3. D. 6. (U) CRIMINAL DETAINEES IN CUSTODY ONLY FOR ALLEGED IRAQI ON IRAQI CRIMES, AND NOT SUBJECT TO AN MI OR CID HOLD, SHALL BE RELEASED IF ORDERED BY AN IRAQI COURT OF COMPETENT JURISDICTION, OR IF RELEASE IS ORDERED BY THE IRAQI MINISTRY OF JUSTICE.

3. D. 7. (S/REL-TO-USA and MGIF) COALITION FORCES WILL TREAT ALL DETAINEES/INTERNEES WITH DIGNITY AND RESPECT AND WILL PROVIDE AT LEAST THE STANDARD OF HUMANE TREATMENT REQUIRED UNDER INTERNATIONAL LAW. THIS MEANS THAT DETAINEES/INTERNEES WILL BE TREATED IN A MANNER ACCORDING TO EFW'S PURSUANT TO THE PRINCIPLES OUTLINED IN GENEVA CONVENTION III. COALITION FORCES WILL PROTECT DETAINEES FROM PHYSICAL HARM AND AGAINST INSULTS AND PUBLIC CURiosity AND WILL TREAT DETAINEES/INTERNEES WITHOUT DISTINCTION BASED UPON GENDER, RACE, NATIONALITY, RELIGION OR POLITICAL OPINION.

3. D. 8. (S/REL-TO-USA and MGIF) COMMANDERS AT ALL LEVELS ARE RESPONSIBLE TO ENSURE PROPER HANDLING AND TREATMENT OF DETAINEES/INTERNEES. COMMANDERS MUST
5.D. (U) THEATER INTERMENT FACILITY: FACILITY DESIGNATED BY CJTF FOR TERM DETENTION, TO INCLUDE EPW OPERATIONS AND POST TRIAL INTERNEES.

5.E. (U) HOLDING AREAS AND TEMPORARY DETENTION FACILITIES. ALL DETENTION AREAS NOT DESIGNATED AS A THEATER INTERMENT FACILITY.

6. (U) SERVICE SUPPORT. [NO CHANGE]

7. (U) COMMAND AND SIGNAL.

7.A. (U) POINT OF CONTACT FOR THIS MESSAGE IS CJTF14 & JA OPS BATT. DSN [Redacted]

ACKNOWLEDGE

SANCHEZ
LTG

OFFICIAL: [Redacted]
SECRET/REL-MCPI

HQ, CJTF 4 (40/03-036)
CAMP VICTORY, IRAQ
151043DJUL03

(U) FRAGO 412
SUBJECT: 3ID PROVIDES FORCES TO ABU GHURAYB

(U) REFERENCES: NO CHANGE

(U) MAPS: NO CHANGE

(U) TIME ZONE USED THROUGHOUT THIS ORDER: DELTA

(U) TASK ORGANIZATION: NO CHANGE

1. (U) SITUATION: [CHANGE] THE ABU GHURAYB PRISON COMPLEX HAS RECEIVED DAILY SMALL ARMS, RPG, AND MORTAR ATTACKS OVER THE LAST SEVEN DAYS. THE UNIT RESPONSIBLE FOR RUNNING THE PRISON COMPLEX LACKS EQUIPMENT AND SOLDIERS TO ADVERSELY PREVENT, RESPOND TO, OR REPEL ATTACKS. SOLDIERS ARE TO DESTROY ATTACKERS AND CONDUCT THESE ATTACKS.

2. (U) MISSION: NO CHANGE

3. (U) EXECUTION: NO CHANGE

3.1. (U) COMMANDER’S INTENT: NO CHANGE

3.2. (U) CONCEPT OF OPERATION: [CHANGE]

3.2.1. (S//REL-MCPI) 3ID PROVIDES FORCES TO CONDUCT EXTERNAL SECURITY PATROLS TO PREVENT SMALL ARMS, RPG, AND MORTAR ATTACKS AGAINST THE ABU GHURAYB PRISON COMPLEX. FORCES WILL TAKE ACTIONS TO PROTECT THE COMPLEX AND TO DESTROY ATTACKERS.

3.3. (U) TASKS TO SUBORDINATE UNITS [CHANGE]

3.3.1. (S//REL-MCPI) 3ID [CHANGE]

3.3.1.1. (S//REL-MCPI) ASSESS AND PROVIDE ADEQUATE EXTERNAL SECURITY ASSETS TO THE ABU GHURAYB PRISON COMPLEX (400TH MP BN) VIC GRID 14A NLT 170001DJUL03.

3.3.1.2. (S//REL-MCPI) PROVIDE EXTERNAL QUICK REACTION FORCE.

3.3.2. (S//REL-MCPI) 400 MP BN [CHANGE]

3.3.2.1. (S//REL-MCPI) PROVIDE INTERNAL SECURITY FOR THE COMPLEX. RESPONSIBLE FOR ALL PRISONER HANDLING AND PROCESSING. PROVIDE INTERNAL QUICK REACTION FORCE.

3.4. (U) COORDINATING INSTRUCTIONS [CHANGE]

3.4.1. (S//REL-MCPI) DIRLAWH REQUIRED BETWEEN 3ID AND 400TH MP BN.

4. (U) SERVICE SUPPORT: NO CHANGE

5. (U) COMMAND AND SIGNAL: NO CHANGE
5.A. (U) SIGNAL. [CHANGE]

5.A.1. (U) 400™ MP BN POC IS THE □ b 3 b 6 □

ACKNOWLEDGE

OFFICIAL:

SANCHEZ
LTG

(b)(3), (b)(6)
(U) THIS FRAGO HAS BEEN REVIEWED AND APPROVED FOR RELEASE BY CJTF 14 HOPS.

(U) SUBJ: ADDITIONAL GUIDANCE ON PROCEDURES FOR THE DETENTION, INVESTIGATION, AND RELEASE OF DETAINEE.

(U) REFERENCES: [CHANGE]

A. (U) V CORPS FRAGO 006M TO V CORPS OPORD 03-03-343 (19O2O02MAR03) DIRECTING V CORPS PROCEDURES FOR HANDLING THE DETENTION OF IRAQIS IN INTERNMENT FACILITIES AND DETENTION CENTERS.

B. (U) V CORPS FRAGO 312K TO V CORPS OPORD FINAL VICTORY. (2521460MAY03) GUIDANCE ON TACTICS, TECHNIQUES, AND PROCEDURES DESIGNED TO IMPROVE THE PRESERVATION OF EVIDENCE OF CRIMES COMMITTED BY CIVILIANS DETAINED AND TRANSPORTED TO DETENTION FACILITIES.

C. (U) V CORPS FRAGO 103 TO OPORD 03-036 (211100DJUN03) TRANSPORTATION OF PRISONERS TO BAGHDAD COURTS.

D. (U) CJTF 14 FRAGO 368 (111028ZJUN 03) GUIDANCE FOR THE DETENTION, HANDLING AND RELEASE OF INDIVIDUALS WHO ARE POTENTIALLY SUBJECT TO PROSECUTION FOR WAR CRIMES.

E. (U) ARMY REGULATION 190-8, ENEMY PRISONERS OF WAR, RETAINED PERSONNEL, CIVILIAN INTERNEES AND OTHER DETAINEE 1 OCT 97.

F. (U) ARMY REGULATION 195-2, CRIMINAL INVESTIGATION ACTIVITIES, 30 OCT 85.

G. (U) DIRECTIVE FROM SECARMY, 25 APR 03, AUTHORIZING THE U.S. ARMY CRIMINAL INVESTIGATION COMMAND TO EXERCISE ALL INVESTIGATIVE RESPONSIBILITIES RELATING TO WAR CRIMES AND OTHER RELATED OFFENSES.

H. (U) CFLCC FRAGO 501 TO COMCFLCC OPORD 03-032 (241560ZAPR03), GUIDANCE FOR THE RELEASE AND REPATRIATION OF EPW.

I. (S//REL TO USA and MC) CJTF FRAGO 209 (280201DJUN03) CRIMINAL INVESTIGATIONS ISD FINAL VICTORY, DETENTION FACILITY OPERATIONS, EPW, CRIMINAL DETAINEE AND SECURITY INTERNEE STATUS DETERMINATIONS, AND HANDLING OF SUSPECTED WAR CRIMINALS.

(U) MAPS: [NO CHANGE]

(U) TIME ZONE USED THROUGHOUT THIS ORDER: DELTA
(U) TASK ORGANIZATION:  [NO CHANGE]

1. (U) SITUATION.  [CHANGE]

1.A. ([U//REL TO USA and MCPF//X4]) IRAQI POLICE FORCES AND PENAL SYSTEMS ARE NOT YET FULLY FUNCTIONAL THROUGHOUT MOST AREAS OF IRAQ.  COALITION FORCES ARE CURRENTLY RESPONSIBLE FOR THE DETENTION OF A LARGE NUMBER OF INDIVIDUALS WHO WERE APPREHENDED BY BOTH COALITION FORCES AND IRAQI POLICE.  SOME OF THESE PERSONS SUSPECTED OF CRIMINAL ACTIVITY ARE SIMULTANEOUSLY BEING HELD FOR OTHER REASONS, SUCH AS HAVING POTENTIAL INTELLIGENCE OR FOR OTHER ISSUES RELATING TO THE SECURITY OF COALITION FORCES.

1.B. ([U//REL TO USA and MCPF]) CURRENTLY, IRAQI CRIMINAL COURTS ARE OPERATIONAL, AND ARE HEARING CASES OF DETAINES HELD IN COALITION DETENTION FACILITIES ACCUSED OF IRAQI CRIMES.  THESE CRIMINAL CASES ARE BEING HEARD IN TWO PRE-SELECTED COURTHOUSES IN THE BAGHDAD AO AND AT OTHER COURTHOUSES LOCATED THROUGHOUT IRAQ.  HOWEVER, MANY OF THE CASES OPENED BY IRAQI INVESTIGATING JUDGES, PROSECUTORS, AND INVESTIGATORS CANNOT BE REFERRED TO IRAQI CRIMINAL COURTS DUE TO THE LACK OF INFORMATION AND PHYSICAL EVIDENCE.  MANY DETAINES ARE BROUGHT TO THE CENTRAL CONFINEMENT FACILITY (CCF), CURRENTLY AT CAMP CROPPER, WITH INCOMPLETE INFORMATION.  STANDARD APPREHENSION FORMS ARE NOT BEING COMPLETED WITH DETAILED STATEMENTS AND MANY VITAL FIELDS ON THE FORM ARE LEFT BLANK.  FURTHER, LOCATING THE SOLDIERS INVOLVED IN THE APPREHENSION IS PROVING DIFFICULT DUE TO THE LACK OF COMPLETE INFORMATION.

1.C. (U) IRAQI CRIMINAL COURTS ARE ABLE TO PROSECUTE OFFENSES WHEN THERE ARE TWO WITNESSES ABLE TO TESTIFY TO THE FACTUAL EVENTS AND IDENTITY OF THE ACCUSED.  THE CHIEF JUDGES OF THE CRIMINAL COURTS IN BAGHDAD AND OTHER LOCATIONS UNDERSTAND THE CURRENT SITUATION AND ARE AWARE THAT COALITION TROOPS CANNOT TESTIFY IN IRAQI COURTS FOR EACH DEFENDANT.  IN LIEU OF TESTIFYING IN COURT, INVESTIGATING JUDGES WILL ACCEPT SWORN, WRITTEN STATEMENTS FROM WITNESSES CONCERNING THE FACTS UNDERLYING THE APPREHENSION OF THE DETAINEE.

1.D. (U) INCREASINGLY, INDIVIDUALS THAT HAVE BEEN PREVIOUSLY DETAINED BY THE COALITION AND RELEASED ARE LATER APPREHENDED FOR NEW OFFENSES.  IN THE MAJORITY OF THESE CASES, THE RELEASE OF THESE DETAINES WAS NECESSARY BECAUSE THERE WAS NO EVIDENCE TO SUPPORT CONTINUED DETENTION.  THIS SITUATION IS COUNTERPRODUCIVE TO THE CUTF AMISSION, AND IS UNACCEPTABLE.  THE BEST WAY TO PREVENT THIS FROM OCCURRING IS TO PROVIDE EVIDENCE THAT SUPPORTS PROSECUTION AND/OR CONTINUED DETENTION.

1.E. (U) OTHER PERSONS CURRENTLY HELD IN COALITION DETENTION FACILITIES INCLUDE CIVILIAN INTERNEES HELD FOR SECURITY REASONS, KIFWS, AND INDIVIDUALS THAT HAVE COMMITTED CRIMES AGAINST COALITION OR OTHER WAR CRIMES.  INCOMPLETE INFORMATION ON DETENTION FORMS, FAILURE TO PRESERVE EVIDENCE INCIDENT TO DETENTION, AND FAILURE TO NOTIFY CID AND OR MI IN THESE CASES FRUSTRATES INTELLIGENCE EFFORTS, POTENTIAL FUTURE PROSECUTION, AND INFORMED RELEASE DETERMINATIONS.

2. (U) MISSION.  [CHANGE]

2.A. (U) UNITS APPREHENDING PERSONS SUSPECTED OF CRIMINAL ACTS WILL ENSURE THAT PHYSICAL EVIDENCE IS PRESERVED AND FORWARDED WITH THE SUSPECT TO THE CCF.  UNITS WILL ALSO ENSURE THAT SOLDIERS WITNESSING THE ALLEGED CRIMINAL ACT OR INVOLVED IN THE APPREHENSION PROVIDE WRITTEN, SWORN STATEMENTS PRIOR TO TURNING THE DETANEE OVER TO THE CCF OR DELIVERING UNIT.  UNITS WILL ALSO FULLY COOPERATE WITH ANY INVESTIGATION.
2.B. (U) DETAINNEES WILL BE TREATED BY ALL COALITION FORCES WITH PERSONAL DIGNITY AND IN ACCORDANCE WITH INTERNATIONAL HUMANITARIAN LAW. PERSONAL PROPERTY OF THE DETAINEE WILL BE INVENTORIED, SAFELY GUARDED, AND RETURNED TO THE DETAINEE UPON THE DETAINEE'S RELEASE IF POSSESSION OF THE PROPERTY IS NOT OTHERWISE PROHIBITED. COMMANDERS ARE RESPONSIBLE FOR CONTINUOUSLY TRAINING THEIR UNITS IN THE SOLIDER'S CODE OF CONDUCT AND ITS STRICT ENFORCEMENT.

3. (U) EXECUTION. [CHANGE]

3.A. (U) COMMANDER'S INTENT. [NO CHANGE]

3.B. (U) CONCEPT OF THE OPERATION. [CHANGE]

3.B.1. (U) INITIAL APPREHENSION AND CCF RECEIPTION OF DETAINNEES SUSPECTED OF COMMITTING CRIMES.

3.B.1.A. (U) THE CCF WILL NOT ACCEPT RECEIPT OF DETAINNEES OR INTERNEES FROM CAPTURING OR DELIVERING UNITS UNLESS THE UNIT SUBMITS A CPA APPREHENSION FORM (ATTACHMENT A) AND SWORN STATEMENTS TAKEN BY APPREHENDING UNITS FOR EACH DETAINEE. THIS REQUIREMENT DOES NOT APPLY TO HWUS. ANY PERSON THAT WITNESSES EVENTS, TO INCLUDE IRAQI NATIONALS, OR COALITION SERVICE MEMBERS MAY MAKE THE SWORN STATEMENTS. THE CAPTURING OR DELIVERING UNIT WILL BE RESPONSIBLE FOR DETENTION OF SUCH PERSONS UNTIL THE PROPER RECORDS ARE COMPLETED BY THE UNIT. MILITARY POLICE CO-LOCATED AT IRAQI POLICE STATIONS LIKEWISE WILL NOT ACCEPT TRANSFER OF CRIMINAL DETAINNEES WITHOUT SUCH RECORDS.

3.B.1.B. (U) PRIOR TO TURNING OVER CRIMINAL DETAINNEES TO THE CCF FOR IN-PROCESSING, THE CAPTURING OR DELIVERING UNIT OIC WILL ENSURE THAT A DETAILED CPA APPREHENSION FORM FOR EACH DETAINEE IS COMPLETED. THE OIC OF THE CAPTURING UNIT WILL ALSO ENSURE THAT AT LEAST TWO SOLDIERS, WHO WITNESSED THE CRIME AND THE APPREHENSION, COMPLETE WRITTEN, SWORN STATEMENTS USING DA FORM 2823 (ATTACHMENT B), OR THE COALITION EQUIVALENT FORM. ALL PHYSICAL EVIDENCE, TO INCLUDE WEAPONS, WILL ALSO BE TRANSFERRED WITH THE DETAINEE TO THE DETENTION FACILITY. CONFISCATED VEHICLES WILL BE PROCESSED IN COORDINATION WITH THE MILITARY POLICE SOP.

3.B.1.C. (U) THE WRITTEN STATEMENT WILL DETAIL ALL RELEVANT FACTS THAT SUPPORT THE CAPTURING UNITS' BELIEF THAT THE PERSON ARRESTED WAS ENGAGED IN CRIMINAL ACTIVITY, OR OTHER FACTS SUPPORTING SECURITY INTERNEE STATUS. THE STATEMENTS NEED TO BE UNBIASED, LEGIBLE, LOGICAL, COMPLETE, AND TIMELY. THE UNIT OIC SHOULD ENSURE THAT EACH SOLDIER HAS SUFFICIENT TIME TO COMPLETE THE STATEMENT ACCURATELY AND WITH AS MUCH DETAIL AS POSSIBLE THAT COMPLETELY ANSWER: WHO, WHAT, WHERE, WHEN, HOW, WHY, AND NAMES / CONTACT INFORMATION FOR ALL WITNESSES. THE UNIT OIC SHOULD FURTHER ENSURE THAT ALL SWORN STATEMENTS AND APPREHENSION FORMS ARE COMPLETED WITHIN 24 HOURS OF ARREST, UNLESS SECURITY CONCERNS DictATE OTHERWISE.

3.B.1.D. (U) THE OIC OR NCOIC OF THE CAPTURING UNIT SHOULD, AS SECURITY PERMITS, COLLECT AS MUCH INFORMATION AS POSSIBLE WHILE AT THE SCENE OF THE CRIME OR APPREHENSION. VITAL INFORMATION INCLUDES COMPLETE NAMES AND ADDRESSES OF ALL WITNESSES AND VICTIMS. COOPERATIVE WITNESSES AND VICTIMS SHOULD BE ESCORTED TO THE NEAREST IRAQI POLICE STATION TO PROVIDE STATEMENTS TO IRAQI INVESTIGATORS. IF TRANSPORT IS NOT SAFE OR FEASIBLE, COOPERATIVE WITNESSES SHOULD BE INTERVIEWED AT THE SCENE BY THE OIC OR NCOIC TO ANSWER: WHO, WHAT, WHERE, WHEN, WHY, AND HOW. A SEPARATE REPORT FOR EACH WITNESS SHOULD BE COMPLETED BY THE OIC OR NCOIC THAT SUMMARIZES THE WITNESS'S INTERVIEW.
3.B.1.E. (U) ALL COALITION OFFICERS ARE HEREBY AUTHORIZED TO TAKE SWORN STATEMENTS UNDER UCMJ ART. 136 FOR THESE PURPOSES. PRIOR TO CONDUCTING THE OATH TO THE WITNESS, THE OIC SHOULD CLOSELY REVIEW THE WRITTEN STATEMENT. THE OIC SHOULD ASK APPROPRIATE FOLLOW UP QUESTIONS IN WRITING ON THE FORM IF THE INFORMATION PROVIDED BY THE WITNESS IS INCOMPLETE, CONFUSING, OR CONTRADICTORY.


3.B.1.H. (U) CRIMINAL DETAINEES HAVE THE RIGHT TO REMAIN SILENT. TACTICAL INTERROGATIONS ARE PERMISSIBLE AT THE SCENE OF APPEHENSION WITHOUT INFORMING DETAINEES OF THEIR RIGHT TO REMAIN SILENT IN ORDER TO COLLECT INFORMATION NECESSARY FOR FORCE PROTECTION AND / OR LOCATION OF ACCOMPlices AND OTHER HOSTILE FORCES. DETAINEES WILL BE INITIALLY INFORMED OF THEIR RIGHT ONCE THE DETAINEE IS INDUCTED INTO A DETENTION FACILITY. THIS RIGHT DOES NOT ATTACH TO SECURITY INTERNEES, HVD’S OR EWS. WHERE PRACTICAL, RIGHTS WILL BE READ IN THE DETAINEE’S NATIVE LANGUAGE. ANY WRITTEN STATEMENT THAT REFERS TO OR DETAILS A DETAINEE’S TESTIMONY SHOULD EXPLICITLY STATE THAT THE DETAINEE WAS INFORMED OF THE RIGHT TO AGAINST SELF-INCrimINATION AND THE RIGHT WAS SPECIFICALLY WAIVED, OR THAT THE STATEMENT WAS VOLUNTARILy MADE AND NOT IN RESPONSE TO ANY DIRECT QUESTIONS. IF THE STATEMENT IS MADE TO A TRANSLATOR THE TRANSLATOR SHOULD PROVIDE THE WRITTEN STATEMENT.

3.B.2. (U) CCF DETENTION OPERATIONS

3.B.2.A. (U) ALL DETAINEES AND INTERNEES WILL BE TREATED WITH DIGNITY AND RESPECT FOR THEIR PERSONS AND PROPERTY. UNITS RESPONSIBLE FOR DETENTION OPERATIONS WILL FOLLOW APPLICABLE INTERNATIONAL LAW CONCERNING HUMANITARIAN TREATMENT OF PRISONERS AND BE RESPONSIBLE FOR TRAINING THEIR UNITS IN THE SOLDIER’S CODE OF CONDUCT AND ITS STRICT ENFORCEMENT. CRIMINAL DETAINEES WILL BE INFORMED OF THEIR RIGHT AGAINST SELF-INCrimINATION UPON BEING IN PROCESSED IN THE CCF.


3.B.2.D. (U) DETENTION OFFICIALS WILL HANDLE ALL PRISONERS WITH THE MINIMUM FORCE NECESSARY AS REQUIRED BY THE SITUATION.

3.B.2.F. (U) IF A DETAINEE / INTERNEE IS TRANSFERRED OUT OF THE AO TO ANOTHER REGIONAL CONFINEMENT FACILITY DUE TO OVERCROWDING, ALL PROPERTY AND EVIDENCE WILL REMAIN AT THE CCF.

3.B.2.G. (U) IN CPA MEMORANDUM 3, ALL CRIMINAL DETAINEE SUSPECTED OF A FELONY OFFENSE SHALL HAVE THE RIGHT TO CONSULT WITH AN ATTORNEY WITHIN 72 HOURS OF INDUCTION INTO A COALITION FORCE DETENTION CENTER. DETAINEES WHO HAVE ALREADY HAD THEIR INITIAL COURT APPEARANCE WILL BE ALLOWED TO MEET SUBSEQUENTLY WITH THEIR ATTORNEY, UPON REASONABLE NOTICE, IN ORDER TO BE ABLE TO ADEQUATELY PREPARE THEIR DEFENSE FOR TRIAL.

3.B.2.H. (U) DETAINEES / INTERNEES SHOULD BE PROPERLY SEGREGATED BASED UPON THEIR INDIVIDUAL STATUS. CRIMINAL DETAINEE MUST BE SEGREGATED FROM EPS AND INTERNEES HELD FOR INTELLIGENCE OR SECURITY REASONS, EXCEPT IN SITUATIONS WHERE CRIMINAL DETAINEE ARE ALSO CLASSIFIED AS SECURITY INTERNEES. CRIMINAL DETAINEE SHOULD BE FURTHER SEPARATED WHEN FEASIBLE BASED UPON THE FOLLOWING CATEGORIES: FELONY OFFENSES, MISDEMEANOR OFFENSES, GENDER, JUVENILES, AND POST-CONVICTIVE CONFINEMENT. AS SOON AS FEASIBLE, WOMEN AND JUVENILES WILL BE TRANSFERRED TO SEPARATE LOCAL DETENTION FACILITIES TO AWAITS COURT PROCEEDINGS.

3.B.2.I. (U) CONTINUE TO COMPLY WITH CJTF-HF FRAGO 209 CONCERNING ADDITIONAL RIGHTS AND REQUIREMENTS FOR TREATMENT OF DETAINEE AND INTERNEES.

3.B.3. (U) RELEASE OF CRIMINAL DETAINEES.

3.B.3.A. (U) DETENTION OFFICIALS WILL GIVE FULL FAITH AND CREDIT TO ORDERS FOR RELEASE OF CRIMINAL DETAINEE BY IRAQI JUDGES EXCEPT TO THE FOLLOWING RULES AND GUIDANCE.


3.B.3.C. (U) RELEASE ORDERS WILL BE RECOGNIZED IF THE RELEASE FORM IS IN BOTH ENGLISH AND ARABIC, SIGNED BY AN IRAQI JUDGE, STAMPED BY AN IRAQI OFFICIAL, AND PRESENTED AFTER THE ALLEGED OFFENSE WAS INVESTIGATED BY A CRIMINAL INVESTIGATION JUDGE OR COURT INVESTIGATOR. AN OFFENSE HAS BEEN INVESTIGATED IF THE DETAINEE APPEARED IN PERSON IN AN IRAQI COURT IN FRONT OF AN INVESTIGATING JUDGE OR, IF INVESTIGATING OFFICIALS HAVE VIEWED THE EVIDENCE AND RECORDS AT THE DETENTION FACILITY RESPONSIBLE FOR HOLDING THE DETAINEE.

3.B.3.D. (U) RELEASE ORDERS RECEIVED BY DETENTION OFFICIALS SHOULD BE FORWARD TO THE SERVICING MILITARY MAGISTRATE. THE MAGISTRATE WILL INITIATE A RELEASE BOARD PROCESSING WORKSHEET (ATTACHMENT D) AND INDICATE ON THE WORKSHEET WHETHER THE DETAINEE IS SUSPECTED OF OTHER OFFENSES OR CRIMES AGAINST COALITION FORCES. THE REVIEW WORKSHEET WILL BE CIRCULATED TO THE ANNOTATED STAFF SECTIONS TO
ENSURE THAT THE DETAINEE IS NOT BEING HELD FOR SECURITY OR INTELLIGENCE REASONS NOT RELATED TO THE OFFENSE.


3.B.3.F. (U) MILITARY MAGISTRATES SHOULD ALSO IDENTIFY CRIMINAL DETAINEES HELD FOR MINOR OFFENSES AND RELEASE AS APPROPRIATE. DETAINEES WILL HAVE A MAGISTRATE'S REVIEW PER FRAGO 006 TO V CORPS OPLAN COBRA II PRIOR TO BEING HELD LONGER THAN 21 DAYS UNLESS THE DETAINEE HAS APPEARED IN PERSON IN AN IRAIQ COURT FOR AN INITIAL APPEARANCE. INVESTIGATING JUDGES VISITING DETENTION FACILITIES MAY LIKELY AUTHORIZE CONTINUED CONFINEMENT. DETAINEES SHOULD BE IMMEDIATELY NOTIFIED OF THE DATE OF THEIR RELEASE.

3.B.3.G. (U) NO UNIT IS AUTHORIZED TO RELEASE ANY DETAINEE HELD IN IRAIQ POLICE DETENTION CELLS WITHOUT A MAGISTRATE REVIEW AND PRIOR COORDINATION WITH THE OSJA, 800TH MP BDE. IRAIQ POLICE ARE AUTHORIZED TO RELEASE DETAINEE IN THEIR EXCLUSIVE CONTROL. UNITS MAY ACCEPT CONTROL OF CRIMINAL DETAINERS FROM IRAIQ POLICE FOR TRANSFER TO THE CCF PROVIDED THE UNIT FIRST RECEIVES THE IRAIQ INVESTIGATION CASE NUMBER. IF NO INVESTIGATION HAS BEEN INITIATED, THE RECEIVING UNIT WILL COMPLETE A CPA APPREHENSION FORM WITH THE ASSISTANCE OF THE IRAIQ POLICE RESPONSIBLE FOR THE DETAINEE.

3.B.4. (U) RELEASE OF SECURITY INTERNEES

3.B.4.A. (U) INTERNEES HELD FOR THE PURPOSE OF INTELLIGENCE EXPLOITATION MAY ONLY BE RELEASED WITH THE APPROVAL OF THE COMMANDER, 800TH MP BDE, AND THE REVIEWING MILITARY MAGISTRATE (BOARD OF OFFICERS IN ARTICLE 78 APPEAL CASES), EXCEPT IN THE CASE OF DIA BLACK, GRAY, AND WHITE LIST DETAINEES. THE APPROVAL AUTHORITY FOR RELEASE OF ALL DIA BLACK, GRAY, AND WHITE LIST PERSONNEL IS SECDEF. THE STANDARD OF REVIEW FOR A RELEASE UNDER FRAGO 006 TO V CORPS OPLAN COBRA II FOR EVALUATING RELEASE DETERMINATIONS IS WHETHER THERE IS PROBABLE CAUSE TO BELIEVE THAT DETENTION IS NECESSARY FOR IMPERATIVE REASONS OF SECURITY OF COALITION FORCES.


3.B.5. (U) RELEASE OF PERSONS SUSPECTED OF CRIMES AGAINST COALITION FORCES OR WAR CRIMES

3.B.5.A. (U) PERSONS SUSPECTED OF CRIMES AGAINST COALITION FORCES OR WAR CRIMES MAY ONLY BE RELEASED WITH THE JOINT APPROVAL AND RECOMMENDATION OF THE CJTF JAG, SERVICING CID FIELD OFFICE, AND MILITARY MAGISTRATE, AND AS AUTHORIZED BY CG, 800TH MP GROUP FOLLOWING SUCH REVIEW AND RECOMMENDATION.

3.B.6. (U) INVESTIGATION AND DEVELOPMENT OF CRIMINAL CASES.

3.B.6.A. (U) AS A RESULT OF INCOMPLETE CASE FILES TO DATE, IRAIQ CRIMINAL INVESTIGATORS, PROSECUTORS, AND INVESTIGATING JUDGES WILL BE ALLOWED TO TRAVEL TO LOCAL COALITION DETENTION FACILITIES TO VIEW PHYSICAL EVIDENCE, APPREHENSION FORMS, SHERIFF STATEMENTS, AND OTHER RECORDS, IF ANY, RELATED TO THE OFFENSE. MILITARY MAGISTRATES SHALL ENSURE DETAINEE RECORDS PROVIDED TO IRAIQ OFFICIALS
DO NOT CONTAIN CLASSIFIED DOCUMENTS, EXHIBITS, EVIDENCE, OR OTHER SENSITIVE INFORMATION IRRELEVANT TO THE CASE.

3.B.6.B. (U) TO THE EXTENT POSSIBLE, THE MILITARY POLICE UNIT RESPONSIBLE FOR A LOCAL DETENTION FACILITY'S OPERATIONS SHOULD MAKE AN MP LIAISON AVAILABLE TO ASSIST THE IRAQI COURT PERSONNEL AND INVESTIGATORS WITH THEIR INVESTIGATION AT THE DETENTION FACILITY. THE LIAISON IDEALLY SHOULD BE AN NCO AND HAVE PRIOR EXPERIENCE IN MPO OR SIMILAR CIVILIAN EXPERIENCE. THE LIAISON SHOULD MAKE PHYSICAL EVIDENCE AVAILABLE FOR VIEWING, RECEIVE REQUESTS FOR SWORN, WRITTEN STATEMENTS (IF NONE PREVIOUSLY MADE AVAILABLE) FROM SOLDIERS IDENTIFIED IN THE APPREHENSION FORM, AND ACCEPT OTHER REASONABLE REQUESTS. IT IS NOT THE LIAISON’S JOB TO CONDUCT THE INVESTIGATION, BUT MERELY TO ASSIST THE IRAQI COURT PERSONNEL AND INVESTIGATORS IN OBTAINING INFORMATION THAT THEY ARE UNABLE TO OBTAIN THROUGH THEIR OWN EFFORTS.

3.B.6.C. (U) UNITS PREVIOUSLY INVOLVED IN THE CAPTURE AND TRANSPORT OF DETAINEES SUSPECTED OF CRIMINAL ACTIVITY WILL COOPERATE WITH REQUESTS TO HAVE SOLDIERS PROVIDE FOLLOW-UP WITH WRITTEN, SWORN STATEMENTS.

3.C. (U) TASKS TO SUBORDINATE UNITS. (CHANGE)

3.C.1. (U) 3ID, 101AA, 4ID, 3ACR, 1AD, 1MFR, JCSSCOM, MDE(SE), OTHER COALITION UNITS, AND ALL SUCCESSOR COMMANDS.

3.C.1.A. (U) THE STANDARDS IN THIS FRAGO ARE MINIMUM STANDARDS. EACH MSC SHOULD IMPLEMENT THIS FRAGO AS NECESSARY BASED UPON THE SITUATION IN EACH AO. ANY ORDER DRAFTED TO IMPLEMENT THIS FRAGO SHOULD BE FORWARD TO CJTF IASJA.

3.C.1.B. (U) IN ADDITION, EACH MSC SHALL BPT STAND UP AND DEPLOY A RAPID RESPONSE TEAM (RRT) TO GATHER EVIDENCE REGARDING CRIMES COMMITTED AGAINST COALITION FORCES THAT RESULT IN DEATH OR GRIEVIOUS BODILY INJURY TO COALITION FORCES.

3.C.1.B.1. (U) THE MSC RRT SHALL RESPOND TO ACTUAL OR SUSPECTED INCIDENTS OF CRIMES COMMITTED AGAINST COALITION FORCES THAT RESULT IN DEATH OR GRIEVIOUS BODILY INJURY TO COALITION FORCES. THE RRT WILL PRESERVE EVIDENCE, TAKE STATEMENTS FROM WITNESSES AND DETAINERS IN ACCORDANCE WITH GUIDANCE IN THIS AND PREVIOUS FRAGOS, AND ENSURE EVIDENCE IS PRESERVED FOR LATER ADJUDICATION OF THESE CASES. THE RRT WILL TASK ORGANIZE ACCORDING TO METT-TC, AND WILL NORMALLY INCLUDE THE FOLLOWING DISCIPLINES: SJA, PAO, PMO, AND CID.

3.C.1.B.2. (U) BPT SUPPORT THE DIVISION RRT TEAM DURING DIRECTED RESPONSE TO INCIDENT.

3.C.1.B.3. (U) BPT PROVIDE SECURITY TO BOTH THE INCIDENT LOCATION AND THE RRT ELEMENT FOR DURATION OF ASSESSMENT.

3.C.1.B.4. (U) BPT TO PROVIDE INTERPRETER.

3.C.1.B.5. (U) BPT PROVIDE GROUND TRANSPORTATION TO INCIDENT LOCATION.

3.C.1.B.6. (U) BPT TO TAKE ALL REASONABLE ACTION TO PROTECT/PRESERVE THE SCENE OF THE INCIDENT AND GATHERED EVIDENCE.

3.C.1.B.7. (U) EACH RRT SHALL BPT TO DEPLOY 1ST DIVISION TASKING ON A ONE-HOUR NOTICE AND BPT SUSTAIN OPERATIONS FOR A MINIMUM 48 HOURS.
3.C.1.B.8. (U) ENSURE PROPER COORDINATION WITH CID. CID IS THE PRIMARY AGENCY RESPONSIBLE FOR INVESTIGATION OF WAR CRIMES, AND CRIMES AGAINST COALITION FORCES, AND OTHER MATTERS. EVIDENCE COLLECTION, INTERVIEWS, AND SITE INSPECTIONS WILL BE CONDUCTED IN CONSULTATION WITH COMMANDER, 3D MP GROUP (CID).

3.C.1.C. (U) ENSURE ALL UNITS ARE MADE AWARE OF THE REQUIREMENTS IN THIS AND PREVIOUS FRAGOS CONCERNING THE APPREHENSION AND TRANSPORT OF CRIMINAL DETAINEES.

3.C.1.D. (U) CONDUCT UNIT LEVEL TRAINING ON DA FORM 4137 AND DA FORM 2823. TRAINING SHOULD INCLUDE VIGNETTES AND A PRACTICAL EXERCISE ON PREPARING A DETAILED STATEMENT.

3.C.1.E. (U) CONDUCT UNIT LEVEL TRAINING ON THE SOLDIER'S CODE OF CONDUCT AND ITS STRICT ENFORCEMENT. TRAINING SHOULD INCLUDE: PROPER TREATMENT OF THOSE APPREHENDED FOR SUSPECTED CRIMINAL ACTIVITY IN ACCORDANCE WITH INTERNATIONAL HUMANITARIAN LAW; PROPER PROCEDURE FOR SEIZING, INVENTORYING AND SAFEGUARDING THE PERSONAL PROPERTY OF A DETAINEE.

3.C.1.F. (U) FORWARD REQUIRED FORMS TO UNITS THAT DO NOT HAVE EASY ACCESS TO AUTOMATION.

3.C.2. (U) 800TH MP BDE

3.C.2.A. (U) FORWARD REQUIREMENTS OF THIS FRAGO TO ALL DETENTION FACILITIES UNDER ITS COMMAND AND CONTROL.

3.C.2.B. (U) CONDUCT UNIT TRAINING ON GRADUATED FORCE AND STANDARDS OF CONDUCT OF MILITARY POLICE.

3.C.2.C. (U) ENSURE EVIDENCE/PROPERTY ROOMS ARE SET UP AND ORGANIZED AT EACH DETENTION FACILITY AND THAT ADDITIONAL ROOMS ARE PROVIDED FOR IRAQI JUDGES AND INVESTIGATORS WHEN WORKING AT THE DETENTION FACILITY.

3.C.2.D. (U) IF NOT PREVIOUSLY ESTABLISHED, CREATE FIELDS IN CRIMINAL DATABASE THAT SHOWS OTHER HOLDS ON DETAINEE.

3.C.2.E. (U) REVIEW DETENTION FACILITY PROCEDURES TO ENSURE DETAINEES ARE PROPERLY SEGREGATED BASED UPON THE CRITERIA IN PARAGRAPH 3.B.2.H.

3.C.2.F. (U) DETAINEE DATABASE SHALL CONTAIN COALITION DETAINEE IDENTIFICATION NUMBERS THAT CAN BE CROSS-REFERENCED TO U.S. DETAINEE ID NUMBERS IN COALITION APPREHENSION AND TRANSFER SITUATIONS.

3.C.2.G. (U) PROVIDE FAMILY AND ATTORNEY VISITATION FACILITIES FOR CRIMINAL DETAINEES AND AFFORD REASONABLE VISITATION OPPORTUNITIES.

3.C.3. (U) 205TH MI BDE/CIF

3.C.3.1. (S//REL TO USA AND MGFI) COORDINATE WITH 800TH MP BRIGADE AND C2X AS REQUIRED TO TRANSFER DETAINEES IAW ESTABLISHED SOPS.

3.D. (U) COORDINATING INSTRUCTIONS [CHANGE]

3. D.2. (S/R) REL TO USA and MCFI//X4 POC FOR 800TH MO IS CJTF-14B PMO OGP.

4. (U) SERVICE SUPPORT. [NO CHANGE]

5. (U) COMMAND AND SIGNAL. [NO CHANGE]

ACKNOWLEDGE

SANchez
LTG

OFFICIAL:

(b)(3) (b)(6)

ATTACHMENT A:
CPA APPREHENSION FORM

"ATTACHMENT A - CPA APPREHENSION"

ATTACHMENT B:
DA FORM 2823

ATTACHMENT B - DA FORM 2823.pdf

ATTACHMENT C:
DA FORM 4137

ATTACHMENT C - DA FORM 4137.pdf

ATTACHMENT D:
REVIEW BOARD WORKSHEET

"ATTACHMENT D - RELEASE BOARD PRF"
(U) FRAGO 497 (MODIFICATIONS TO DETAINEE REVIEW AND APPEAL BOARD AND TO DETAINEE RELEASE PROCEDURES) TO CJTF-HOA FORD 04-01

(U) THIS FRAGO HAS BEEN REVIEWED AND APPROVED FOR RELEASE BY COL 1st DEPUTY C-3

(U) SUBJECT: MODIFICATIONS TO DETAINEE REVIEW AND APPEAL BOARD PROCEDURE TO SUPPORT RELEASE PROCEDURES.

(U) REFERENCES:

A. (U/REL USA and MCFI) FRAGO 749, (INTELLIGENCE AND EVIDENCE OPERATIONS RELATING TO DETAINES) TO CJTF-HOA FORD 03-036, DATUM JAN

(U) NO CHANGE

(U) TIME ZONE USED THROUGHOUT THIS ORDER: CHARLIE

(U) TASK ORGANIZATION: NO CHANGE

1. (U/REL USA and MCFI) SITUATION. CJTF-HOA HAS ESTABLISHED A NEW AND APPEAL BOARD FOR DETAINEE RELEASE. IT IS ANTICIPATED THAT DETAINEE RELEASES WILL BE IN LARGER NUMBERS AND WITH GREATER FREQUENCY AS THE BOARD MODIFICATIONS TO EXISTING BOARD PROCEDURES AND TO THE DETAINEE FILES ARE REQUIRED TO SUPPORT THE RELEASES AND ENSURE A SMOOTH RETURN TO THEIR PLACE OF CAPTURE.

2. (U) MISSION. (NO CHANGE)

3. (U) EXECUTION. (CHANGE)

3.A. (U) COMMANDERS INTENT. (NO CHANGE)

3.B. (U) CONCEPT OF THE OPERATION. (CHANGE)

3.B.1. (U/REL USA and MCFI) THE CJTF-HOA DETAINEE REVIEW AND APPEAL BOARD CONSISTS OF THREE FIELD GRADE MEMBERS WITH ONE REPRESENTATIVE FROM POLICE, SJA, AND MILITARY INTELLIGENCE. THE BOARD IS CURRENTLY REVIEWING DETAINEE CASES SIX DAYS PER WEEK, WITH ABOUT 100 FILES BEING CONSIDERED IN A DAY. THESE CASES ARE NOT ON MILITARY INTELLIGENCE OR CID HOLD.

3.B.2. (U/REL USA and MCFI) THE CHIEF OF DETENTION OPERATIONS FOR OSJA WILL SEND OUT THE DOCKET TO EACH MSC POC. IT WILL ALSO BE THE RESPONSIBILITY OF EACH MSC CHIEF OF STAFF TO ENSURE THE PROVIDE SENIOR LEADER OVERSIGHT OF THE DOCKET. EACH DOCKET WILL CONTAIN THE FIRST THREE NAMES, INDIVIDUAL SEQUENCE NUMBER (ISN), NATIONAL DETAINEE REPORTING SYSTEM (NDRS), CAPTURE TAG, CAPTURING UNIT, AND THE BOARD DATE FOR THAT DOCKET. THE POC WILL PROVIDE INFORMATION AT LEAST SEVEN DAYS BEFORE THE BOARD ACTUALLY MEETS TO CASE. DURING THIS SEVEN-DAY PERIOD, MSC MUST PROVIDE ANY FURTHER EVIDENCE THAT THE BOARD SHOULD CONSIDER WHEN IT REVIEWS THE FILE.
SESSION THE BOARD ADJOURNS. THE MSC WILL RECEIVE A COPY OF THE BOARD'S RECOMMENDATIONS. IF THE MSC OBJECTS TO A DETAINEE'S RELEASE, THE MSC MUST PROVIDE THE BASIS FOR THE OBJECTION. THIS MUST BE COMPLETED WITHIN 7 DAYS OF THE REVIEW BOARDS RELEASE LIST.

3.8.3. (S//REL USA and MCFI). THE BOARD'S DECISION FOR EACH DETAINTEE OUT OF FOUR RECOMMENDED OPTIONS: 1) RELEASE, 2) CONTINUED INTERNMENT, PRETAKED, AND 4) REFERRAL TO THE IRAQI COURT SYSTEM. EACH MSC MUST REVIEW AND CONCURN OR NONCONCURN WITH EACH DETAINEE ON THE LIST NLT SEVEN (7) DAYS.

3.8.4. (S//REL USA and MCFI). ATTACHED WITH THIS PAGE IS THE LIST THAT WERE REVIEWED BY THE REVIEW AND APPEAL BOARD BETWEEN 27 FEB 04 AND 28 MAR 04. EACH MSC MUST STATE CONCURN OR NONCONCURN WITH EACH DETAINEE IN 16 MAR 04. SHORT SUSPENSION IS SUPPORTED IN MOST UNITS. EACH MSC WILL PROVIDE INPUT WITHIN SEVEN DAYS FROM WHEN THESE LISTS WERE ORIGINALLY REVIEWED.

3.8.5. (S//REL USA and MCFI). ONCE THE DCG APPROVES THE DETAINEES' RELEASE DETAILED RELEASE POINTS PROVIDED BY THE DCG WILL BE RELEASED AT PREDETERMINED RELEASE POINTS PROVIDED BY THE DCG. EACH MSC WILL PROVIDE GRID POINTS FOR THE RELEASE OF DETAINEES TO BE RELEASED, AND THE GRID COORDINATES FOR THE RELEASE OF DETAINEES TO BE RELEASED. EACH MSC WILL PROVIDE A MINIMUM OF 3 RELEASE GRID LOCATIONS.

3.C. (U) TASKS TO SUBORDINATE UNITS: JAD, 41ID/1ID, 82nd/MEF, MBN-MSB SE

3.C.1. (S//REL USA and MCFI). UPON RECEIPT OF A SOCKET, PROVIDE ANY INFORMATION THAT THE BOARD SHOULD CONSIDER ON EACH DETAINEE WITHIN 7 DAYS. PROVIDE THE SPECIFIC BASIS FOR OBJECTIONS TO ANY DETAINEE WANT CONSIDERED BY THE BOARD FOR RELEASE.

3.C.2. (S//REL USA and MCFI). RESPOND AFFIRMATIVELY WITH A CONCURN OR NONCONCURN TO THE RELEASE BOARD'S DECISION WITHIN SEVEN DAYS OF THE BOARD. PROVIDE THE SPECIFIC BASIS FOR ANY NONCONCURN. PROVIDE ANY ADDITIONAL INFORMATION AVAILABLE FOR REBUTTAL PRESENTATIONS.

3.C.3. (S//REL USA and MCFI). RESPOND TO THE ATTACHED LIST OF DETAINEE BY THE BOARD WITHIN SEVEN (7) DAYS OF PUBLICATION OF THE DTU.

3.C.4. (S//REL USA and MCFI). PROVIDE THE GRID COORDINATES AND LOCATIONS FOR AT LEAST THREE DETAINEE RELEASE LOCATION(S) IN YOUR PROPCOM NLT 16 MAR 04.

4. (U) SERVICE SUPPORT. (NO CHANGE)
5. [U] COMMAND AND SIGNAL. (CHANGE)

5.A.1. [U] POC FOR CJTF-HOSJA IS [b(3)b(6)] CHIEF DETENTION OPERATIONS. [b(3)b(6)]

5.A.2. [U] POC FOR CJTF-HOSJA IS [b(3)b(6)] EMAIL

ACKNOWLEDGE

SANCHEZ
LTC

OFFICIAL:

[ b(3)b(6) ]

ATTACHMENTS:
FRAGO 710 [CJTF-14] DETENTION SUMMIT TO CJTF-14OPORD 03-036

THIS FRAGO HAS BEEN REVIEWED AND APPROVED FOR RELEASE BY: CJTF-14

SUBJECT: CJTF-14 DETENTION SUMMIT ON 190800DAUG03

REFERENCES:

A. CJTF-14OPORD 03-036 TRANSFER OF AUTHORITY OF CJTF-14 MISSION TO V CORPS DTD: 281302 MAY 03.
B. CJTF-14WARN 01: 162315DAUG03

MAPS: [NO CHANGE]

TIME ZONE USED THROUGHOUT THIS ORDER: DELTA

TASK ORGANISATION: [NO CHANGE]

1. SITUATION. THE DETENTION OF CIVILIAN PRISONERS ARE SUSPECTED OF HAVING COMMITTED OFFENCES AND/OR ARE A SECURITY RISK TO COALITION FORCES. A NECESSARY PART OF OPERATIONS TO CREATE A SAFE AND SECURE ENVIRONMENT IN IRAQ. MUST MEET INTERNATIONALLY ACCEPTED STANDARDS FOR DETENTION FACILITIES, PROCEDURES AND THE TREATMENT OF DETAINES WITHOUT PREJUDICING MISSION ACCOMPLISHMENT. STEERING COMMITTEE WILL IDENTIFY CRITICAL REQUIREMENTS & RECOMMENDATIONS FOR IMPROVEMENT. SEE ATTACHED AGENDA. THE BRIEF WITH A BRIEFING TO DCC. AT 211000DAUG03 CG CJTF-14 WILL CONDUCT A BRIEFING TO GROUP LEADERS AT CPA DETAILING KEY ISSUES & RECOMMENDATIONS.

2. MISSION. CJTF-14C2, C7, PMO, CTI, SURGEON, HSCS, 800TH MP EDEE, ISG AND CPA WILL MEET IN ORDER TO CONSIDER CJTF-14 DETENTION FACILITIES, PROCEDURES AND THE TREATMENT OF DETAINES IN ORDER TO MAKE RECOMMENDATIONS FOR IMPROVEMENT, TO BE IN ACCORDANCE WITH INTERNATIONAL LAW AND WHICH SET THE CONDITIONS FOR SUCCESSFUL INTERROGATION AND INTELLIGENCE EXPLOITATION AND CONTRIBUTE TO THE CREATION OF A SAFE AND SECURE ENVIRONMENT IN IRAQ.

3. EXECUTION.

3.A. COMMANDER'S INTENT. THE CG'S INTENT TO EVALUATE, IDENTIFY AND IMPLEMENT IMPROVEMENTS IN DETENTION INTERROGATION OPERATIONS.

3.B. CONCEPT OF OPERATION. ON 190800DAUG03 THOSE INVOLVED IN THE USE AND ADMINISTRATION OF CJTF-14 DETENTION FACILITIES WILL MEET AT HQ CJTF-14VJVB, CAMP VICTORY. RECEIVING GUIDANCE FROM DCC ATTENDEES WILL LISTEN TO PRESENTATION, WHICH WILL LAUNCH THE FOUNDATION FOR SUBSEQUENT DISCUSSION REGARDING...
AND CJTF 4 DETENTION OPERATIONS AND FACILITIES. THEREAFTER, ATTENDEES WILL PARTICIPATE IN A NUMBER OF WORKING GROUPS WHICH WILL DISCUSS PARTICULAR SUBJET AREAS. THE FINAL STAGE OF THE WORKING DAY WILL BE AT 191630DAUG03 WHEN EACH WORKING GROUP LEADER WILL GIVE A 10-MINUTE BRIEFING TO THE DCG DESCRIBING THE WORKING GROUPS’ FINDINGS AND RECOMMENDATIONS USING THE “ISSUE, DISCUSSION, RECOMMENDATION” FORMAT ON 211000DAUG03 SELECTED PERSONNEL WILL ATTEND A BRIEFING TO THE CPA, AT WHICH WORKING GROUP LEADERS WILL BRIEF ON ISSUES AND RECOMMENDATIONS FOR IMPROVEMENT.

3.B.1. (S//REL TO USA and MCIF) MSC’S ATTEND DETENTION SUMMIT 190800DAUG03. WHO FROM THE MSC’S ARE REQUIRED TO ATTEND? SHORT NOTICE IF YOU WANT PEOPLE FROM DIV TO SHOW UP.

3.C. (U) TASKS TO SUBORDINATE UNITS. [CHANGE]

3.C.1. (S//REL TO USA and MCIF) 800™ MP BDE IS TO PROVIDE A GROUP LEADER TO LEAD A DISCUSSION, AND TO GIVE A 20-MINUTE PRESENTATION, ON THE NUMBER AND QUALITY OF DETENTION FACILITIES (CJTF 4 AND CPA), THE NUMBER OF SECURITY AND CIVILIAN DETAINED PRISONERS (BOTH THOSE CONVICTED AND THOSE AWAITING TRIAL) HELD CURRENTLY, AND ANTICIPATED NUMBERS IN MAY04. BRIEFING TO THE CG, THE GROUP LEADER WILL ADDRESS THE STATE OF FACILITIES AND IDENTIFY SPECIFIC RESOURCES REQUIRED TO BRING THE FACILITIES TO APPROPRIATE STANDARDS.

3.C.2. (S//REL TO USA and MCIF) 800™ MP BDE IS TO PROVIDE A GROUP LEADER TO LEAD A DISCUSSION, AND TO GIVE A 20-MINUTE PRESENTATION ON THE HEALTH, HYGIENE FOOD SERVICE AND MEDICAL CONDITIONS IN EACH DETENTION FACILITIES OPERATED BY CJTF 4 AND CPA AND THE CONDITIONS ANTICIPATED IN MAY04. IN THE BRIEFING TO THE CG, THE GROUP LEADER WILL ADDRESS THE STATE OF HEALTH, HYGIENE, FOOD SERVICE, AND MEDICAL CONDITIONS IN EACH OF THE DETENTION FACILITIES AND IDENTIFY THE SPECIFIC RESOURCES REQUIRED TO BRING THE FACILITIES TO APPROPRIATE STANDARDS.

3.C.3. (S//REL TO USA and MCIF) 800™ MP BDE IS TO PROVIDE A GROUP LEADER TO LEAD A DISCUSSION, AND TO GIVE A 20-MINUTE PRESENTATION ON DETAINEE DATABASES AND RECORDS INCLUDING INTEGRATION WITH LAW ENFORCEMENT AND COURT DATABASES, PROCEDURES FOR PUBLIC NOTIFICATION, THE CIVILIANS DETAINED BY CJTF 4 AND RELEASE AND REINTEGRATION PROCEDURES. IN THE BRIEFING TO THE CG, THIS GROUP WILL ADDRESS THE CURRENT STATE OF THE DATABASES AND IDENTIFY THE SPECIFIC RESOURCES NECESSARY TO ACHIEVE THE CREATION, INTEGRATION AND MAINTENANCE OF DESIRED DATABASES.

3.C.4. (S//REL TO USA and MCIF) C2 IS TO PROVIDE A WORKING GROUP LEADER TO LEAD A DISCUSSION, AND (WITH INPUT FROM ISG) TO GIVE A 20-MINUTE PRESENTATION ON SPECIFIC SUPPORT AND INFRASTRUCTURE NEEDS PERFORM AN EFFECTIVE AND EFFICIENT INTERROGATION MISSION. IN THE BRIEFING TO THE CG, THIS GROUP WILL ADDRESS THE STATE OF EXPLOIT AND INTERROGATION EFFORTS RELATIVE TO THE DETENTION FACILITIES, PROCESSES, AND IDENTIFY SPECIFIC REQUIREMENTS AND IMPROVEMENTS NEEDED TO HAVE A MORE EFFECTIVE AND EFFICIENT INTELLIGENCE.

3.C.5. (S//REL TO USA and MCIF) SJA TO PROVIDE A WORKING GROUP LEADER TO LEAD A DISCUSSION, AND TO GIVE THREE 15-MINUTE PRESENTATIONS
PROPOSALS FOR STREAMLINING DETENTION REVIEW AND RELEASE PROCEDURES. THE BRIEFING TO THE CG, THIS GROUP LEADER WILL ADDRESS THE LEGAL PROCESS OF DETAINEES AND IDENTIFY SPECIFIC IMPROVEMENTS NECESSARY TO MAKE THE PROCESS MORE EFFICIENT AND IN FULL COMPLIANCE WITH INTERNATIONAL LAW.

3.C.5. (S//REL TO USA and MCFI) SJA TO INVITE ATTENDANCE OF CPA AND TO REQUEST MOJ CORRECTIONS DEPARTMENT TO MAKE A CONTRIBUTION TO 800TH MP BDE PRESENTATION ON DETENTION FACILITIES.

3.C.6. (S//REL TO USA and MCFI) SJA TO CONTRIBUTE TO 800TH MP DDB PRESENTATION ON DETAINEE DATABASES AND RECORDS.

3.C.7. (S//REL TO USA and MCFI) C7 TO CONTRIBUTE TO 800TH MP BDE PRESENTATION ON DETENTION FACILITIES.

3.C.8. (S//REL TO USA and MCFI) ISG TO CONTRIBUTE TO C2 PRESENTATION ON INTERROGATION MISSION.

3.C.9. (S//REL TO USA and MCFI) CID TO CONTRIBUTE TO C2 PRESENTATION ON INTERROGATION MISSION.

3.C.10. (S//REL TO USA and MCFI) SURGEON TO CONTRIBUTE TO 800TH MP BDE PRESENTATION ON THE STATE OF HEALTH, HYGIENE, FOOD SERVICE, AND CONDITIONS.

3.C.11 (S//REL TO USA and MCFI) PMO TO CONTRIBUTE TO 800TH MP BDE PRESENTATION ON DETAINEE DATABASES AND RECORDS.

3.D. (U) COORDINATING INSTRUCTIONS.

3.D.1 (S//REL TO USA and MCFI) C2, C7, 800TH MP BDE, PMO, CID, SJA, MSCS, AND ISG, TO COORDINATE WITH CPA/MOJ AS REQUIRED.

3.D.2. (U) DIIRALT ALCON.

4. (U) SERVICE SUPPORT. [NO CHANGE]

5. (U) COMMAND AND SIGNAL [NO CHANGE]

5A. (U) SJA POC IS (b)(3)(b)(6) DNAV: b 6

ACKNOWLEDGE

SANCHEZ
LTG

OFFICIAL

(b)(3)(b)(6)

ANNEX AGENDA
(U) FRAGO 741 [RULES FOR THE USE OF FORCE (RUF) FOR DETENTION FACILITIES] TO CJTF-14 OPORD 04-01

(U) THIS FRAGO HAS BEEN REVIEWED AND APPROVED FOR RELEASE BY CJTF-14 CHOPS.

(U) SUBJECT: RULES FOR THE USE OF FORCE (RUF) CLARIFICATION FOR DETENTION FACILITIES

(U) REFERENCES:

A. EXECUTIVE ORDER 11850.

B. CJCSI 3121.01A 15 JAN 00 STANDING RULES OF ENGAGEMENT (SROE).

C. ANNEX E (ROE) TO V (US) CORPS 1003V (V CORPS ROE).

D. FRAGO 400M [RESTORATION OF ORDER AND AREAS UNDER EFFECTIVE CONTROL OF COALITION FORCES] TO OPORD 0303-345 DTG 1510002APR03.

E. FRAGO 198M [MAINTENANCE OF LAW AND ORDER IN AREAS UNDER EFFECTIVE CONTROL OF COALITION FORCES] TO OPORD FINAL VICTORY DTG 150200LMAY03.

F. FRAGO 749 [INTELLIGENCE AND EVIDENCE-LED DETENTION OPERATIONS RELATING TO DETAINEES] TO CJTF-14 OPORD 03-036.

G. FRAGO 865 [ROE CLARIFICATION] TO CJTF-14 OPORD 03-036 DTG 2100010CSEP03.

H. FRAGO 929 [ROE ON USE OF RCA] TO CJTF-14 OPORD 03-036 DTG 32250CCCT03.

I. FRAGO 1150 [USE OF LETHAL AND NON-LETHAL FORCE IN COALITION DETENTION FACILITIES] TO CJTF-14 OPORD 03-036 DTG 282245CNOV03.

J. FRAGO 295 [RULES FOR THE USE OF FORCE AGAINST MEK PERSONNEL] TO CJTF-14 OPORD 04-01.

K. 26 MARCH 2003, OTJAG MEMORANDUM FOR HEADQUARTERS, 75TH RANGER REGIMENT, ADVANCED TASER M26; LEGAL REVIEW.

1. (U) SITUATION. [CHANGE]

1.A. (O/REL TO MCP) COALITION FORCES OPERATE SEVERAL DETENTION FACILITIES IN IRAQ WITHOUT A THEATER WIDE, STANDARD RULES FOR THE USE OF FORCE (RUF). THIS ORDER PROVIDES A SINGLE UNIFORM RUF FOR ALL COALITION DETENTION FACILITIES IN IRAQ. THE ENCLOSED RUF INCORPORATES PREVIOUSLY ISSUED GUIDANCE ON RUF FOR DETAINEES CONTAINED IN REFERENCES A-G.

2. (U) MISSION. [NO CHANGE]
ENSURE THAT ALL PERSONNEL UNDER THEIR COMMANDS UNDERSTAND THAT DETAINÉES/INTERNEES ARE NOT EFWS AND THAT THEY WILL BE PROCESSED AND ACCOMMODATED SEPARATELY AND NOT BE CO-MINGLED.

3.D.9. (S//REL TO USA and MCIF) DETAINÉE PROCESSING: COALITION UNITS ARE TO CONDUCT TRAINING FOR ALL LEADERS DOWN TO AND INCLUDING PLATOON LEADER/SENIOR NON-COMMISSIONED OFFICER (NCO) ON EVIDENCE PRESERVATION AND THE PROPER COMPLETION OF THE COALITION PROVISIONAL AUTHORITY (CPA) FORCES APPREHENSION FORM AT ATTACHMENT E AND COMPLETION OF THE SWORN STATEMENT FORM (DA 2703) AT ATTACHMENT F.

3.D.10. (S//REL TO USA and MCIF) CAPTURING UNITS ARE TO BE PREPARED TO PROVIDE ADDITIONAL INFORMATION CONCERNING THE CIRCUMSTANCES UNDER WHICH A DETAINÉE MAY HAVE BEEN DETAINED, WHICH MAY INCLUDE IDENTIFYING WITNESSES TO THE ALLEGED MISCONDUCT. FAILURE TO IDENTIFY WITNESSES MAY RESULT IN THE RELEASE OF THE DETAINÉE.

3.D.11. (S//REL TO USA and MCIF) SERVICING JUDGE ADVOCATES OR SUPPORTING LEGAL OFFICERS OF COALITION UNITS ARE DIRECTED TO ASSIST COALITION MILITARY POLICE IN PROVIDING TRAINING, IF REQUIRED, TO CAPTURING UNITS ON DETENTION CRITERIA, PRESERVATION OF EVIDENCE AND BASIC REPORTING IN ACCORDANCE WITH THIS FRAGO.

3.D.12. (S//REL TO USA and MCIF) COALITION CAPTURING UNITS MUST COMPLETE AS FULLY AS POSSIBLE, COALITION PROVISIONAL AUTHORITY (CPA) FORCES APPREHENSION FORMS (ATTACHMENT E) AND TWO SWORN STATEMENTS USING DA FORM 2823 (ATTACHMENT F) OR THE COALITION EQUIVALENT, FROM COALITION SOLDIERS/OFFICERS OR IRAQI NATIONALS THAT WITNESSED THE CRIME/INCIDENT AND APPREHENSION. THIS SHOULD BE COMPLETED BEFORE TRANSFERRING CUSTODY OF A DETAINÉE/INTERNEE TO ANY OTHER UNIT OR A DETENTION OR INTERNMENT FACILITY. ALL PHYSICAL EVIDENCE (INCLUDING WEAPONS) IS ALSO TO BE TAGGED AND TRANSFERRED WITH THE DETAINÉE TO THE DETENTION FACILITY. PHYSICAL EVIDENCE THAT REQUIRES SPECIALIST INTELLIGENCE EXAMINATION IS TO BE TRACKED BY C2 WITH THE LOCATION OF THE EVIDENCE NOTED ON THE DETAINÉE/INTERNEE FILE.

3.D.12.A. (S//REL TO USA and MCIF) PERSONS (EXCEPT HVDS AND PERSONS SUSPECTED OF COMMITTING SERIOUS CRIMES) WITHOUT A COMPLETED CPA FORCES APPREHENSION FORM AND SWORN STATEMENTS WILL NOT BE PROCESSED INTO THE DETENTION OR INTERNMENT FACILITY WITHOUT THE PERMISSION OF THE FACILITY COMMANDER. IN THOSE CASES IN WHICH THE DETENTION OR INTERNMENT FACILITY ACCEPTS A DETAINÉE/INTERNEE WITHOUT A COMPLETED CPA FORCES APPREHENSION FORM/STATEMENT(S), THE CAPTURING UNIT MUST SUBMIT A COMPLETED CPA FORCES APPREHENSION FORM AND STATEMENT(S) ON THE DETAINÉE/INTERNEE TO THE FACILITY WITHIN 24 HOURS AFTER ACCEPTANCE. FAILURE TO SUPPLY THE APPREHENSION FORM/STATEMENT(S) IS LIKELY TO RESULT IN THE RELEASE OF THE DETAINED INDIVIDUAL. UNITS ARE TO DISTRIBUTE BLANK CPA FORCES APPREHENSION FORMS TO ALL PATROLLING SUB-UNITS.

3.D.12.B. (S//REL TO USA and MCIF) THE WRITTEN STATEMENTS ARE TO DETAIL ALL RELEVANT FACTS THAT SUPPORT THE CAPTURING UNITS' BELIEF THAT THE PERSON ARRESTED WAS ENGAGED IN CRIMINAL ACTIVITY, OR OTHER FACTS SUPPORTING SECURITY INTERNEE STATUS. THE STATEMENTS SHOULD BE UNBIASED, LEGIBLE, LOGICAL, COMPLETE AND TIMELY AND SHOULD ADDRESS: WHO, WHAT, WHERE, WHEN, HOW, WHY AND NAMES/CONTACT INFORMATION FOR ALL WITNESSES. THE UNIT CIC SHOULD ENSURE THAT EACH SOLDIER HAS SUFFICIENT TIME TO COMPLETE THE STATEMENT AND THAT SWORN STATEMENTS AND
APPREHENSION FORMS ARE COMPLETED WITHIN 24 HOURS OF APPREHENSION, UNLESS SECURITY CONCERNS DICTATE OTHERWISE.

3.D.12.C. ( места здесь) THE OFFICER IN CHARGE (OIC) OR THE NON COMMISSIONED OFFICER IN CHARGE (NCOIC) OF THE CAPTURING UNIT SHOULD, AS SECURITY PERMITS, COLLECT AS MUCH INFORMATION AS POSSIBLE WHILE AT THE SCENE OF THE CRIME OR APPREHENSION. VITAL INFORMATION INCLUDES COMPLETE NAMES AND ADDRESSES OF ALL WITNESSES AND VICTIMS. IN THE CASE OF CRIMINAL DETAINEES, COOPERATIVE WITNESSES AND VICTIMS SHOULD BE ESCORTED TO THE NEAREST IRAQI POLICE STATION TO PROVIDE STATEMENTS TO IRAQI INVESTIGATORS. IF TRANSPORT IS NOT SAFE OR FEASIBLE, WITNESSES FOR BOTH CRIMINAL DETAINEES AND SECURITY INTERNEES SHOULD BE INTERVIEWED AT THE SCENE BY THE OIC OR NCOIC TO ANSWER: WHO, WHAT, WHERE, WHEN, WHY AND HOW. A SEPARATE REPORT THAT SUMMARIZES THE WITNESS INTERVIEW FOR EVERY WITNESS SHOULD BE COMPLETED BY THE OIC OR NCOIC.


3.D.12.F. (места здесь) COALITION CAPTURING UNITS MUST, IN ACCORDANCE WITH THIS ORDER, SEIZE AND SAFEGUARD ANY EVIDENCE OF THREATS OR ATTACKS AGAINST COALITION FORCES OR OTHER ORGANIZATIONS DEFINED IN PARA 1.6.3 OR CRIMINAL MISCONDUCT. CAPTURING UNITS MUST TAG THE EVIDENCE WITH A COMPLETED EVIDENCE/PROPERTY CUSTODY DOCUMENT (DA FORM 4137) ATTACHED AS ATTACHMENT G. THE EVIDENCE/PROPERTY CUSTODY DOCUMENT MUST RECORD THE INDIVIDUAL DETAINEE SERIAL NUMBER (SSN) ON THE CORRESPONDING CPA FORCES APPREHENSION FORM. EVIDENCE, ESPECIALLY WEAPONS MUST NOT BE LEFT AT THE SCENE OF THE CRIME. PROPERTY THAT IS TOO LARGE TO MOVE, SUCH AS AN INOPERABLE VEHICLE, OR EVIDENCE THAT CANNOT BE MOVED, SUCH AS EXPLOSIVES OR IEDS SHOULD BE PHOTOGRAPHED WITH THE PHOTOGRAPH ATTACHED TO A COMPLETED EVIDENCE/PROPERTY CUSTODY DOCUMENT (OR IN THE CASE OF EXPLOSIVES/IEDS, AN EXPLOSIVES ORDINANCE (EOD) CERTIFICATE). A SWORN STATEMENT AS TO THE IDENTIFICATION AND CIRCUMSTANCES OF THE RELEVANCE TO THE PROPERTY MUST ALSO ACCOMPANY THE EVIDENCE/PROPERTY DOCUMENT.


3.D.12.I. (места здесь) CRIMINAL DETAINEES HAVE THE RIGHT TO REMAIN SILENT. CRIMINAL DETAINEES WILL BE INITIALLY INFORMED OF THEIR RIGHT ONCE THE DETAINEE IS INDUCTED INTO A DETENTION FACILITY. THIS RIGHT DOES NOT ATTACH TO SECURITY INTERNEES, HVD'S OR EPWS WHO SHOULD BE TACTICALLY INTERROGATED WHEN APPEHNED.
TO COLECT INFORMATION NECESSARY FOR FORCE PROTECTION AND/OR LOCITION OF ACCOMPILIES AND OTHER HOSTILE FORCES. WHERE PRACTICABLE, RIGHTS WILL BE READ IN THE DETAINEE'S NATIVE LANGUAGE. ANY WRITTEN STATEMENT THAT REFERS TO OR DETAILS A DETAINEE'S TESTIMONY SHOULD EXPLICITLY STATE THAT THE DETAINEE WAS INFORMED OF THE RIGHT TO AGAINST SELF-INCrimINATION AND THE RIGHT WAS SPECIFICALLY WAIVED, OR THAT THE STATEMENT WAS VOLUNTARILY MADE AND NOT IN RESPONSE TO ANY DIRECT QUESTIONS. IF THE STATEMENT IS MADE TO A TRANSLATOR THE TRANSLATOR SHOULD PROVIDE THE WRITTEN STATEMENT.

3.D.13. (S//REL TO USA and MCFI) SAFETY OF COALITION FORCES AND WITNESSES SHOULD NOT BE COMPROMISED IN ORDER TO OBTAIN STATEMENTS (DA FORM 2823) AND CREATE INFORMATION REPORTS. IF THE TACTICAL CIRCUMSTANCES DO NOT PERMIT THE CAPTURING UNIT TO COMPLETE STATEMENTS AND CREATE INFORMATION REPORTS AT THE SCENE, THEN THIS INFORMATION SHOULD BE COMPLETED AT THE FIRST AVAILABLE TIME BEFORE TURNING THE DETAINEE OVER TO THE DELIVERING UNIT.

3.D.14. (S//REL TO USA and MCFI) TRACKING NUMBERS. THE UNIT TRANSPORTING THE DETAINEE/INTERNEE TO THE COALITION HOLDING FACILITY SHALL OBTAIN THE INDIVIDUAL SERIAL NUMBER (ISN) FROM THE CHF AND REPORT THE ISN TO THE CAPTURING UNIT FOR THEIR RECORDS AND TRACKING PURPOSES. EACH COMPLETED STATEMENT (DA FORM 2823) AT ATTACHMENT C SHOULD RECORD THE DETAINEE ISN NUMBER FROM THE CORRESPONDING CPA FORCES APPREHENSION FORM.

3.D.15. (S//REL TO USA and MCFI) MEDICAL SUPPORT: DETAINNEES REQUIRING MEDICAL ATTENTION ARE TO BE DELIVERED TO THE NEAREST MEDICAL UNIT FOR ASSISTANCE.

3.D.16 (S//REL TO USA and MCFI) MEDICAL PERSONNEL ARE NOT TO REMOVE CPA FORCES APPREHENSION FORMS OR WRIST BANDS UNLESS REQUIRED TO DO SO BY MEDICAL NECESSITY. IF IT BECOMES NECESSARY TO REMOVE CPA FORMS AND/OR WRIST BANDS, THESE MUST BE PRESERVED IN THE PATIENT’S FILE. THE CPA FORMS AND WRIST BANDS MUST BE RETURNED TO THE DETENTION FACILITY WITH THE PATIENT. ALL ADDITIONAL NON-MEDICAL DOCUMENTATION AND POSSESSIONS OF THE PATIENT MUST BE PRESERVED, AND TURNED OVER TO DETENTION PERSONNEL.

3.D.17. (S//REL TO USA and MCFI) TRANSFER OF DETAINNEES: NO DETAINEE/INTERNEE IN U.S. CUSTODY WILL BE TRANSFERRED TO THE CONTROL OF ANOTHER COALITION FORCES NATION WITHOUT U.S. SECRETARY OF DEFENSE APPROVAL.

3.D.17.A. (S//REL TO USA and MCFI) PRIOR TO TRANSFERRING ANY INDIVIDUAL WITH A CID HOLD, SUSPECTED AS A WAR CRIMINAL, OR PERSON WHO IS SUSPECTED TO BE INVOLVED IN THE COMMISSION OF A CRIME AGAINST HUMANITY OR ATROCITY, TO ANOTHER INTERNMENT OR DETENTION FACILITY, ALL U.S. AND COALITION FORCES ARE TO CLEARLY AND PROMINENTLY DENOTE ON ALL MANIFESTS AND TRANSFER PAPERWORK THAT A CID HOLD IS IN PLACE AND THE STATUS OF THE INDIVIDUAL. THE INDIVIDUAL COORDINATING THE RELEASE ON BEHALF OF THE LOSING FACILITY MUST PERSONALLY BRIEF THE PERSON COORDINATING THE ACCEPTANCE OF THE GAINING OR RECEIVING FACILITY.

3.18. (U) THE TRANSFER OF CRYPTOGRAM TO INTERNEE MILITARY INTELLIGENCE HOLDS AT THE CORPS INTELLIGENCE FACILITY (CIP) WILL REQUIRE THE APPROVAL OF THE CRYPTOGRAPHIC INTERROGATION OFFICER.

3.18B. (U) REPORT LOCATION OF COLLECTION TO MP BDE (US) (POC BELOW), THE 800TH MP BDE (US) (POC BELOW) AND THE PROVOST MARSHAL OFFICER (POC BELOW). CONDUCT DIRECT COORDINATION WITH MP BDE (US), OTHER COALITION FORMATIONS AND MP UNITS TO ENSURE SECURITY OF CRIMINAL INTERNEES AND EPW DETENTION PROCEDURES ARE CONSISTENT THRU COALITION AOR.

3.19. (U) COALITION HOLDING FACILITY (CHF) OPERATIONS

3.19A. (U) ALL DETAINERS AND INTERNEES WILL BE TREATED WITH DIGNITY RESPECT FOR THEIR PERSONS AND PROPERTY. UNITS RESPONSIBLE FOR DETENTION/INTERNMENT OPERATIONS WILL FOLLOW APPLICABLE INTERNATIONAL CONCERNING HUMANITARIAN TREATMENT OF PRISONERS AND BE RESPONSIBLE FOR THEIR UNITS IN THE SOLDIER'S CODE OF CONDUCT AND ITS STRICT ENFORCEMENT. CRIMINAL DETAINERS WILL BE INFORMED OF THEIR RIGHT AGAINST SELF-HARM UPON BEING IN PROCESSED IN THE CHF.


3.19C. (U) THE NCOIC WILL ALSO REVIEW THE INVENTORY OF ALL PERSONAL PROPERTY OF DETAINERS/INTERNEES AND ACCEPT CUSTODY OF THE PROPERTY BY SIGNING THE DA FORM 4137 (ATTACHMENT C) AT THE CAPTURING UNIT.

3.19D. (U) DETENTION OFFICIALS WILL HANDLE ALL PRISONERS WITH THE FORCE NECESSARY AS REQUIRED BY THE SITUATION.

3.19E. (U) IF A CRIMINAL DETAINED IS TRANSFERRED TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION FACILITY TO A LOCAL DETENTION 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3.19F. (U) IF A DETAINED/INTERNEE IS TRANSFERRED OUT OF THE CHF REGIONAL INTERNMENT FACILITY DUE TO OVERCROWDING, ALL PROPERTY AND PHYSICAL EVIDENCE WILL BE TRANSFERRED WITH THE DETAINED/INTERNEE EXCEPT THOSE HELD AT THE CHF.

3.20. (U) RELEASE OF CRIMINAL DETAINED.
3.D.20.A. (U) DETENTION OFFICIALS WILL GIVE FULL FAITH AND CREDIT TO ORDERS FOR RELEASE OF CRIMINAL DETAINEES BY IRAQI JUDGES SUBJECT TO THE FOLLOWING RULES AND GUIDANCE.

3.D.20.B. (U) RELEASE ORDERS FROM AN IRAQI COURT WILL BE EXECUTED BY COALITION FORCES, PROVIDED THAT THE DETAINEE IS BEING HELD SOLELY FOR ALLEGED CRIMINAL MISCONDUCT AND THE VICTIM IS IRAQI. DETAINEES WILL CONTINUE TO BE HELD IF THE DETENTION FILE REFLECTS THE DETAINEE COMMITTED OTHER OFFENSES AGAINST COALITION PERSONNEL OR PROPERTY; THE INDIVIDUAL IS BEING HELD FOR INTELLIGENCE EXPLOITATION; OR, IF THE INDIVIDUAL OTHERWISE IS A THREAT TO THE SECURITY OF COALITION FORCES, PROPERTY, OR ACCOMPLISHMENT OF THE COMMISSION.

3.D.20.C. (U) RELEASE ORDERS WILL BE RECOGNIZED IF THE RELEASE FORCES IN BOTH ENGLISH AND ARABIC, SIGNED BY AN IRAQI JUDGE, STAMPED BY AN IRAQI JUDGE, AND PRESENTED AFTER THE ALLEGED OFFENSE WAS INVESTIGATED BY A CRIMINAL INVESTIGATION JUDGE OR COURT INVESTIGATOR. AN OFFENSE HAS BEEN INVESTIGATED IF THE DETAINEE APPEARED IN PERSON IN AN IRAQI COURT IN FRONT OF AN INVESTIGATING JUDGE, OR IF INVESTIGATING OFFICIALS HAVE VIEWED THE EVIDENCE AND RECORDS AT THE INVESTIGATION FACILITY RESPONSIBLE FOR HOLDING THE DETAINEE.

3.D.20.D. (U) RELEASE ORDERS RECEIVED BY DETENTION OFFICIALS SHOULD BE ORWARDED TO THE DETENTION REVIEW AUTHORITY. THE DRA WILL INITIATE A RELEASE FORM AND PROCESSING WORKSHEET (ATTACHMENT I) AND INDICATE ON THE WORKSHEET IF THE DETAINEE IS SUSPECTED OF OTHER OFFENSES OR CRIMES AGAINST COALITION FORCES. THE REVIEW WORKSHEET WILL BE CIRCULATED TO THE ANNOTATED STAFF SECTIONS TO ENSURE THAT THE DETAINEE IS NOT BEING HELD FOR SECURITY OR INTELLIGENCE REASONS NOT RELATED TO THE OFFENSE.


3.D.21. (U) RELEASE OF SECURITY INTERNEES.

BLACK OR GRAY LISTS AND FOREIGN FIGHTERS. THE STANDARD OF REVIEW FOR EVALUATING RELEASE DETERMINATIONS IS A REASONABLE BELief THAT DETENTION IS NECESSARY FOR IMPERATIVE REASONS OF SECURITY.


3.D.21.C. (U) THE CJTF-14 SENIOR INTERROGATION OFFICER, OR HIS/HER DELEGATE IS TO ADVISE THE CJTF-14 STAFF JUDGE ADVOCATE AND THE CJTF-14 PROVOST MARSHALL OFFICER OR THEIR DELEGATES WHEN AN INTELLIGENCE HOLD IS LIFTED FROM A SECURITY DETAINEE TO ENABLE THE RELEASE PROCEDURE TO BE COMMENCED IF THERE IS NO OTHER REASON TO DETAIN THE DETAINEE.

3.D.22. (U) RELEASE OF PERSONS SUSPECTED OF CRIMES AGAINST COALITION FORCES OR WAR CRIMES.


3.D.23. (U) INVESTIGATION AND DEVELOPMENT OF CRIMINAL CASES.

3.D.23.A. (U) AS A RESULT OF INCOMPLETE CASE FILES TO DATE, IRAQI CRIMINAL INVESTIGATORS, PROSECUTORS, AND INVESTIGATING JUDGES WILL BE ALLOWED TO TRAVEL TO LOCAL COALITION DETENTION FACILITIES TO VIEW PHYSICAL EVIDENCE, APPREHENSION FORMS, SWORN STATEMENTS, AND OTHER RECORDS, IF ANY, RELATED TO THE OFFENSE. MILITARY MAGISTRATES SHALL ENSURE DETAINEE RECORDS PROVIDED TO IRAQI OFFICIALS DO NOT CONTAIN CLASSIFIED DOCUMENTS, EXHIBITS, EVIDENCE, OR OTHER SENSITIVE INFORMATION IRRELEVANT TO THE CASE.

3.D.23.B. (U) TO THE EXTENT POSSIBLE, THE MILITARY POLICE UNIT RESPONSIBLE FOR A LOCAL DETENTION FACILITY'S OPERATIONS SHOULD MAKE AN MP LIAISON OFFICER AVAILABLE TO ASSIST THE IRAQI COURT PERSONNEL AND INVESTIGATORS WITH THEIR INVESTIGATION AT THE DETENTION FACILITY. THE LIAISON IDEALLY SHOULD BE AN NCO AND HAVE PRIOR EXPERIENCE IN MP INVESTIGATIONS OR SIMILAR CIVILIAN EXPERIENCE. THE LIAISON SHOULD MAKE PHYSICAL EVIDENCE AVAILABLE FOR VIEWING, RECEIVE REQUESTS FOR SWORN, WRITTEN STATEMENTS (IF NONE PREVIOUSLY MADE AVAILABLE) FROM SOLDIERS IDENTIFIED IN THE APPREHENSION FORM, AND ACCEPT OTHER REASONABLE REQUESTS. IT IS NOT THE LIAISON'S JOB TO CONDUCT THE INVESTIGATION, BUT MERELY TO ASSIST THE IRAQI COURT PERSONNEL AND INVESTIGATORS IN OBTAINING INFORMATION THAT THEY ARE UNABLE TO OBTAIN THROUGH THEIR OWN EFFORTS.

3.D.23.C. (U) UNITS PREVIOUSLY INVOLVED IN THE CAPTURE AND TRANSPORT OF CRIMINAL DETAINEES SUSPECTED OF CRIMINAL ACTIVITY OR SECURITY INTERNEES, WILL COOPERATE WITH REQUESTS TO HAVE SOLDIERS PROVIDE FOLLOW-UP WITH WRITTEN, SWORN STATEMENTS.

3.D.23.D. (U) THE STANDARDS IN THIS FRAGO ARE MINIMUM STANDARDS. EACH CJTF-14 COALITION UNIT SHOULD IMPLEMENT THIS FRAGO AS NECESSARY BASED UPON THE SITUATION IN EACH AO. ANY ORDER DRAFTED TO IMPLEMENT THIS FRAGO SHOULD BE FORWARDED TO CJTF-14 SJA FOR REVIEW.
3.D.23.E. (U) In addition, each CJTF-HOA COALITION DIVISION SHALL EMERGENCY DEPLOY A RAPID RESPONSE TEAM (RRT) IN ORDER TO (IOT) GATHER EVIDENCE OF CRIMES COMMITTED AGAINST COALITION FORCES THAT RESULT IN DEATH OR GRIEVOUS BODILY INJURY TO COALITION FORCES.

3.D.23.F. (U) THE CJTF-HOA DIVISION RRT SHALL RESPOND TO ACTUAL OR SUSPECTED INCIDENTS OF CRIMES COMMITTED AGAINST COALITION FORCES THAT RESULT IN GRIEVOUS BODILY INJURY TO COALITION FORCES. THE RRT WILL PRESERVE THE SCENE, TAKE STATEMENTS FROM WITNESSES AND DETAINENES IN ACCORDANCE WITH LOCAL AND PREVIOUS FRAGOS, AND ENSURE EVIDENCE IS PRESERVED FOR FURTHER INVESTIGATION. COMPOSITION OF THE RRT WILL NORMALLY INCLUDE THE FOLLOWING DISCIPLINES: STAFF JUDGE ADVOCATE/Legal, PUBLIC AFFAIRS OFFICER, MARSHALL OFFICER, AND MILITARY CRIMINAL INVESTIGATOR/CID. EACH DIVISION RRT WILL SUPPORT THE DIVISION RRT TEAM DURING DIRECTED INCIDENT.


3.D.23.H. (U) BPT PROVIDE SECURITY TO BOTH THE INCIDENT LOCATION AND AN ELEMENT FOR DURATION OF ASSESSMENT.

3.D.23.I. (U) BPT TO PROVIDE INTERPRETER.

3.D.23.J. (U) BPT PROVIDE GROUND TRANSPORTATION TO INCIDENT LOCATION.

3.D.23.K. (U) BPT TO TAKE ALL REASONABLE ACTION TO PROTECT/PRESERVE THE INCIDENT AND GATHERED EVIDENCE.

3.D.23.L. (U) EACH RRT SHALL BPT TO DEPLOY ISO DIVISION TASKING ON NOTICE AND BPT SUSTAIN OPERATIONS FOR A MINIMUM 48 HOURS.


3.D.23.N. (U) DIVISIONS ARE TO ENSURE ALL UNITS ARE MADE AWARE OF REQUIREMENTS IN THIS FRAGO CONCERNING THE APPREHENSION AND TRANSPORT OF DETAINENES AND SECURITY INTERNEES.

3.D.23.O. (U) DIVISIONS ARE TO CONDUCT UNIT LEVEL TRAINING ON DA FORM 2823. TRAINING SHOULD INCLUDE VIGNETTES AND A PRACTICAL PRACTICE PREPARING A DETAILED STATEMENT. A SOLDIER'S GUIDANCE CARD ON APPREHENSION AND DETENTION IS ATTACHED.

3.D.23.P. (U) DIVISIONS ARE TO ENSURE UNIT LEVEL TRAINING IS CONDUCTED ON THE SOLIDER'S CODE OF CONDUCT AND ITS STRICT ENFORCEMENT. TRAINING SHOULD INCLUDE PROPER TREATMENT OF THOSE APPREHENDED FOR SUSPECTED CRIMINAL ACTS IN ACCORDANCE WITH INTERNATIONAL HUMANITARIAN LAW: PROPER PROCEDURES, INVENTORYING AND SAFEGUARDING THE PERSONAL PROPERTY OF A DETAINEN.

3.D.23.Q. (U) DIVISIONS ARE TO FORWARD REQUIRED FORMS TO UNITS FOR EASY ACCESS TO AUTOMATION.
4. (U) SERVICE SUPPORT. [NO CHANGE]

5. (U) COMMAND AND SIGNAL. [CHANGE]

5.A. (U) COMMAND [NO CHANGE]

5.B. (U) SIGNAL [CHANGE]

5.B.1. (S//REL TO USA and MCFI) CJTF-14 SJA OES POC: DSN 1-6

5.B.2. (S//REL TO USA and MCFI) CJTF-14b PMO POC: DSN 1-6

5.B.3. (S//REL TO USA and MCFI) 18TH MP BRIGADE (US) POC: LIAISON

5.B.4. (S//REL TO USA and MCFI) 800TH MP BRIGADE (US) POC: LIAISON

5.B.5. (S//REL TO USA and MCFI) 3RD MP GROUP (CID) (US) POC: LIAISON

ACKNOWLEDGE

SANCHEZ
LTG

OFFICIAL:

(b)(3), (b)(6)

ATTACHMENTS:

A. DETENTION FLOWCHART
B. DETENTION REVIEWING AUTHORITIES
C. FBI FINGERPRINT CARD (FD FORM 249)
D. EFM HANDLING AND DETENTION
E. CPA APPREHENSION FORM
F. WITNESS STATEMENT FORM (DA FORM 2823 (US))
G. EVIDENCE/PROPERTY CUSTODY DOCUMENT (DA FORM 4137 (US))
H. SEIZURE OF PROPERTY GUIDELINES
I. RELEASE BOARD PROCESSING WORKSHEET
J. MAXIMUM PERIODS OF PRE-TRIAL DETENTION FOR CRIMINAL DETAINEE
K. APPREHENSION AND DETENTION SOLDIERS CARD
Page 51 redacted for the following reason:

Unreadable Text
ATTACHMENT B

DETENTION REVIEW AUTHORITIES

1. DETENTION REVIEW AUTHORITIES ARE AUTHORISED TO RELEASE IN CIRCUMSTANCE, OR EXTEND THE DETENTION OR INTERNMENT OF INDIVIDUALS IN THE CUSTODY OF CJTF(3).

2. DETENTION REVIEW AUTHORITIES ARE REQUIRED TO COMPLETE THE 72 HOUR REVIEW OF DETENTION OF ALL CIVILIAN INTERNEES.

3. DETENTION REVIEW AUTHORITIES AND PROCEDURES:

   a. FOR CRIMINAL DETAINES ACCUSED OF NON-SERIOUS OFFENCES, THE 72 HOUR REVIEW AUTHORITY MAY ORDER RELEASE OF PERSONS DETAINED FOR MINOR CRIMINAL OFFENCES ONLY AND MAY ORDER CONTINUED DETENTION IN ACCORDANCE WITH ATTACHMENT G. IN ALL OTHER CASES, THE 72 HOUR REVIEW AUTHORITY MAKES RECOMMENDATION FOR RELEASE WHERE THERE IS A FINDING THAT THERE IS NO PROBABLE CAUSE (CRIMINAL DETAINEE) OR NO REASONABLE BASIS TO FIND AN IMPERATIVE SECURITY RATIONALE FOR DETENTION IN THE CASE OF SECURITY INTERNEES. RECOMMENDATION WILL BE FORWARDED TO THE REVIEW AND APPEALS BOARD (SECURITY INTERNEES) OR TO THE COMMANDER 800TH MP BRIGADE (CRIMINAL DETAINEES).

   b. FOR CRIMINAL DETAINES ACCUSED OF SERIOUS CRIMINAL OFFENCES, THE REVIEW AUTHORITY IS A BOARD COMPRISED OF COMMANDER 800TH MP BRIGADE (US), STAFF JUDGE ADVOCATE 800TH MP BRIGADE (US), COMMANDER 5TH MILITARY POLICE GROUP (CID) (US) FOLLOWING THE COMPLETION OF THE RELEASE BOARD PROCESSING WORKSHEET IN ANNEX I.

   c. FOR ALL SECURITY INTERNEES (EXCEPT HVDS) AND WAR CRIMINALS, CJTF(3) REVIEW AND APPEALS BOARD
ATTACHMENT C

FBI FINGERPRINT CARD, Side 1 (See FD FORM 249)
ATTACHMENT D

EPW HANDLING AND DETENTION SUMMARY, page 1

REFERENCES:

A. GENEVA CONVENTION PROTOCOL III

B. U.S. ARMY REGULATION 190-8, ENEMY PRISONERS OF WAR, RETAINED PERSONNEL, INTERNEES AND OTHER DETAINES, 1 OCT 97

C. U.S. FRAGMENTARY ORDER 501 TO COMFLCC OCPORD 03-022 GUIDANCE FOR AND REPATRIATION OF EPW.

INTRODUCTION

1. THIS IS A SUMMARY OF THE ABOVE REFERENCES TO ASSIST CITI Units AND DETENTION OF IRAQI ENEMY PRISONERS OF WAR (EPW).

2. SUBJECT TO FORMAL AGREEMENTS BETWEEN CITI Troop Contributing Groups, Surrendering To, OR Captured By CITI Units, ARE TO BE TRANSFERRED TO FORCES CUSTODY AND CONTROL.

EPW PROCEDURE

3. ALL EPW NOT UNLAWFUL COMBATANTS OR SUBJECT TO INVESTIGATION OR PROSECUTION FOR WAR CRIMES OR OTHER ATROCITIES CAPTURED OR DETAINED BY CITI Forces MAY BE RELEASED SUBJECT TO:
   a. THE EPW MUST AGREE TO ACCEPT PAROLE,
   b. NOT BE CONSIDERED TO BE A SECURITY THREAT;
   c. NOT BE CONSIDERED TO BE OF ANY FURTHER INTELLIGENCE VALUE.

4. THE RELEASED EPW IS TO BE GIVEN THE CHOICE OF BEING RELEASED AT THE INTERMENT FACILITY OR TRANSPORT TO VARIOUS LOCATIONS IN IRAQ PERMITTED BY LOCAL SITUATION AND MILITARY RESOURCES PERMIT. THESE LOCATIONS ARE BASRAH, AN NASARIYAH, AL KUT AND AN NAJAF.

5. THE RELEASING UNIT IS TO NOTIFY THE INTERNATIONAL COMMITTEE OF THE RED CRESCENT SOCIETY OF ALL RELEASES, PAROLES AND TRANSFERS.

6. EPW NOT TO BE RELEASED WITHOUT CITI SPECIFIC APPROVAL ARE:
   a. MEMBERS OF REGIME DEATH SQUADS AND FOREIGN MERCENARIES;
   b. INDIVIDUALS WHO HAVE COMMITTED WAR CRIMES AND ANY INDIVIDUAL BELIEVED TO HAVE COMMITTED WAR CRIMES;
   c. INDIVIDUALS WHO MAY HAVE INFORMATION ON POSSIBLE WAR CRIMES;
   d. INDIVIDUALS IDENTIFIED OR BELIEVED TO HAVE HELD LEADERSHIP IN THE BA'ATH PARTY;
   e. MEMBERS OF IRAQI INTELLIGENCE SUCH AS SSO OR IRS.
ATTACHMENT D

EPW HANDLING AND DETENTION SUMMARY, page 2

1. ANY OTHER INDIVIDUALS UPON WHICH THERE IS A U.S. MILITARY INTELLIGENCE (MI) OR CID HOLD;

7. CJTHUNITS ARE ALSO TO COORDINATE AND PROVIDE AN AREA FOR THE ICRC/ICRC TO CONDUCT INTERVIEWS OF EPW TO BE RELEASED.

8. ENSURE THAT EPW ARE AT ALL TIMES TREATED IN ACCORDANCE WITH THE GENEVA CONVENTION III AND INTERNATIONAL LAW RELATING TO EPW.

PERSONS SUSPECTED OF WAR CRIMES

1. 3RD MILITARY POLICE GROUP (CRIMINAL INVESTIGATION DIVISION) (U.S.) IS THE LEAD CJTFAGENCY FOR THE INVESTIGATION OF ALL IRAQI WAR CRIMES AND ATROCITIES IN THE IRAQI THEATER OF OPERATIONS.

2. ALL PERSONS CAPTURED OR DETAINED BY CJTF-A FORCES WHO ARE SUSPECTED OF COMMITTING OR BEING INVOLVED IN THE COMMISSION OF WAR CRIMES, CRIMES AGAINST HUMANITY OR OTHER ATROCITIES WILL BE TRANSFERRED TO 3RD MP GROUP (CID) (U.S.) UNTIL RELEASE IS EXPRESSLY AUTHORIZED BY 3RD MP GROUP (CID) (U.S.).

3. ALL DETAINING AUTHORITIES ARE TO IMMEDIATELY NOTIFY THE 3RD MP GROUP (CID) (U.S.) OF ANY DETAINEE IDENTIFIED AS A POSSIBLE WAR CRIMINAL OR PERSON INVOLVED IN THE COMMISSION OF A CRIME AGAINST HUMANITY OR ATROCITY, WHO Does NOT HAVE A CID HOLD IN PLACE.

4. ALL PAPERWORK AND FILES IN RELATION TO SUCH DETAINES IS TO CLEARLY AND PROMINENTLY MARKED THAT THE DETAINEE IS A SUSPECTED WAR CRIMINAL OR IS INVOLVED IN THE COMMISSION OF A CRIME AGAINST HUMANITY OR ATROCITY.

ATTACHMENT E, side 1

COALITION PROVISIONAL AUTHORITY FORCES APPREHENSION FORM

YELLOW FIELDS MUST BE FILLED IN, IF APPLICABLE, UPON APPREHENSION

<table>
<thead>
<tr>
<th>Offense against Civilian(s) [check one] If “Other” then describe:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arson (I.P.C. 342)</td>
</tr>
<tr>
<td>Solicitation of Forcible/Prostitution (I.P.C. 396)</td>
</tr>
<tr>
<td>Murder (I.P.C. 405)</td>
</tr>
<tr>
<td>Aggravated Assault/Assault With Intent To Kill (I.P.C. 410)</td>
</tr>
<tr>
<td>Maiming (I.P.C. 412)</td>
</tr>
<tr>
<td>Simple Assault (I.P.C. 415)</td>
</tr>
<tr>
<td>Kidnapping (I.P.C. 421)</td>
</tr>
<tr>
<td>Burglary or Housebreaking (I.P.C. 428)</td>
</tr>
<tr>
<td>Extortion/Communicating Threats (I.P.C. 430)</td>
</tr>
<tr>
<td>Theft (I.P.C. 439)</td>
</tr>
<tr>
<td>Destruction of Property (I.P.C. 477)</td>
</tr>
<tr>
<td>Discharging a Public Highway/Place (I.P.C. 35)</td>
</tr>
<tr>
<td>Discharging Firearms/Explosives in City/Town</td>
</tr>
<tr>
<td>Riot or Breach of Peace (I.P.C. 4590)</td>
</tr>
<tr>
<td>Other</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Offense against Coalition Forces [check one] If “Other” then describe:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Violation of Curfew</td>
</tr>
<tr>
<td>Illegal Possession of Weapon</td>
</tr>
<tr>
<td>Assault/Attack on Coalition Forces</td>
</tr>
<tr>
<td>Theft of Coalition Force Property</td>
</tr>
<tr>
<td>Trespass on Military Installations or Facility</td>
</tr>
<tr>
<td>Photographing/Surveillance Military Installation</td>
</tr>
<tr>
<td>Obstructing/Performance of Military Mission</td>
</tr>
<tr>
<td>Other</td>
</tr>
</tbody>
</table>

Apprehending Unit:                                                                 Location Grid:

Date of Incident: (D/M/Y)                      Time of Incident:  

Date of Report: (D/M/Y)                      Time of Report:  

Detainee #  

Last Name:  
First Name:  

Key Connected Person:  
Victim

Last Name:  
First Name:  

Eye Color:  
Weight: lb  
Height: in  

Phone:

Eye Color:  
Weight: lb  
Height: in  

Phone:

Place of Birth: Place of Birth:

Sex: M  
DOB D/M/Y:  
Mobile:  
Regular:  

Sex: M  
DOB D/M/Y:  
Mobile:  
Regular:  

Passport  
Dr. license  
Other (specify)  

Passport  
Dr. license  
Other (specify)  

Total Number of Persons Involved (list names/identifying info on reverse under “Additional Helper”)

Vehicle Information  
Vehicle Number  
Owner:

Make:  
Color:  
VIN:  

Model:  
Type:  
Plate No.:  
Number of People in Vehicle:

Year:  
Names of People in Vehicle:

Contraband/Weapons in Vehicle:

Property/Contraband  
Weapon  
Photo Taken of Suspect with Weapon/Contraband:

Type:  
Model:  
Color/Caliber:  

Serial No.:  
Quantity:  
Make:  

Other Details: Where Found:  

Receipt Provided to:  
Owner:

Name of Assisting Interpreter:  
Email, Phone, or Contact Info:

Detaining Soldier’s Name  
(Print):  
Last, First M!

Supervising Officer’s Name  
(Print):  
Last, First M!

Signature:  

Signature:  
Last, First M!

Approved for Release
USCENTCOM Chief of Staff
Declassified on: 201506
ATTACHMENT E, side 2

COALITION PROVISIONAL AUTHORITY FORCES APPREHENSION FORM

Why was this person detained?
________________________________________________________________________
________________________________________________________________________
Who witnessed this person being detained or the reason for detention? Give names, contact numbers, addresses.
________________________________________________________________________
________________________________________________________________________
How was this person traveling (car, bus, on foot)?
________________________________________________________________________
Who was with this person?
________________________________________________________________________
What weapons was this person carrying?
________________________________________________________________________
What contraband was this person carrying?
________________________________________________________________________
What other weapons were seized?
________________________________________________________________________
What other information did you get from this person?
________________________________________________________________________
Additional Helpful Information:
________________________________________________________________________
________________________________________________________________________
ATTACHMENT F

WITNESS STATEMENT FORM, Side 1 (See DA FORM 2823)

<table>
<thead>
<tr>
<th>SWORN STATEMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>For use of this form and AR 190-45, the proponent agency is DCGEOPS</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PRIVACY ACT STATEMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2651; E.O. 9340 dated November 29, 1943 (SSW)</td>
</tr>
<tr>
<td>PRINCIPAL PURPOSE: To provide law enforcement officials with means by which information may be conveniently identified</td>
</tr>
<tr>
<td>ROUTINE USES: Your social security number is used as an additional means of identification to facilitate filing or processing</td>
</tr>
<tr>
<td>DISCLOSURE: Disclosure of your social security number is voluntary</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>1. LOCATION</th>
<th>2. DATE (MM/DD/YY)</th>
<th>3. TIME</th>
<th>4. PAT-N</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>5. LAST NAME, FIRST NAME, MIDDLE NAME</th>
<th>6. SSN</th>
<th>7. GRAH</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>8. ORGANIZATION OR ADDRESS</th>
</tr>
</thead>
</table>

9. I, ____________________________________________________________________________________ WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF"
ATTACHMENT F

WITNESS STATEMENT FORM, Side 2 (See DA FORM 2823)
ATTACHMENT G

EVIDENCE VOUCHER, Side 1 (See DA FORM 4137)

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>QUANTITY</th>
<th>DESCRIPTION OF ARTICLES ELSEWHERE</th>
<th>RECEIVED BY</th>
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</thead>
<tbody>
<tr>
<td></td>
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<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>DATE</th>
<th>RELEASED BY</th>
<th>CHAIN OF CUSTODY</th>
<th>RECEIVED BY</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</table>

DA FORM 4137, 1 JUL 76

Approved for Release

Declassified by: MG Michael X. Garrett,
USCENTCOM Chief of Staff
Declassified on: 201506
# ATTACHMENT G

**EVIDENCE VOUCHER, Side 2 (See DA FORM 4137)**

<table>
<thead>
<tr>
<th>RECEIVING ACTIVITY</th>
<th>LOCATION</th>
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</thead>
<tbody>
<tr>
<td>NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED</td>
<td>ADDRESS (Include Zip Code)</td>
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<tr>
<td>OWNER</td>
<td>OTHER</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>LOCATION FROM WHERE OBTAINED</th>
<th>REASON OBTAINED</th>
<th>DATE/DATE OBTAINED</th>
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<thead>
<tr>
<th>ITEM NO.</th>
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<th>DESCRIPTION OF ARTICLES</th>
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<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>DATE RELEASED</th>
<th>CHAIN OF CUSTODY</th>
<th>PURPOSE OF CHAIN OF CUSTODY</th>
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<tr>
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<td>NAME, GRADE OR TITLE</td>
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<td>SIGNED</td>
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</tbody>
</table>

**DA FORM 4137, 1 JUL 76**
ATTACHMENT H

PROCEDURE FOR DEALING WITH SEIZED PRIVATE PROPERTY

INTRODUCTION

1. IN CASES WHERE SUCH PROPERTY IS SUSPECTED TO BE EITHER ENEMY SECURITY DETAINEE OR CRIMINAL INTERNEE PROPERTY OR PROCEEDS OF CRIME ACTIVITY, CJTF-14 FORCES ARE AUTHORIZED TO SEIZE PRIVATE PROPERTY, INCLUDING CASH, AS A NECESSARY MEASURE TO PROVIDE A STABLE AND SECURE ENVIRONMENT IN IRAQ. THIS ATTACHMENT SPECIFIES GUIDANCE FOR PRIVATE PROPERTY SEIZURE.

2. DEFINITIONS:

PRIVATELY OWNED PROPERTY: MOVEABLE PROPERTY NOT OWNED BY COALITION FORCES, OR THE IRAQI GOVERNMENT AS RECOGNIZED BY PRIVATE PROPERTY FOR THE PURPOSES OF THIS ORDER DOES NOT INCLUDE CONTRABAND.

SEIZURE OF PRIVATELY OWNED PROPERTY: THE TEMPORARY OR PERMANENT TAKING OF PERSONAL PROPERTY PURSUANT TO MILITARY NECESSITY OR CRIMINAL INVESTIGATION.

RULES GOVERNING SEIZURE OF PRIVATELY OWNED PROPERTY

3. PRIVATELY OWNED PROPERTY MAY BE SEIZED IN ONE OF TWO SITUATIONS AND ONLY WHEN JUSTIFIED AS IMPERATIVE NECESSITY FOR THE CJTF-14 MISSION:

3.A. PRIVATELY OWNED PROPERTY MAY BE SEIZED WHEN REQUIRED BY MILITARY NECESSITY. SUCH SEIZURES REQUIRE A RECEIPT TO BE ISSUED. RECEIPTS TO BE SUBMITTED PRIOR TO SEIZURE UNLESS EXCEPTED BY THE COMMANDER. IN SUCH CIRCUMSTANCES, SUBMIT EXPLANATION OF THE REQUIREMENT TO ISSUE THE RECEIPT AND REQUEST TO MAINTAIN DEVOTION THROUGH STAFF JUDGE ADVOCATE CELL, CJTF-14, UP TO 24 HOURS AFTER SEIZURE. AS A GENERAL RULE, MILITARY NECESSITY DOES NOT JUSTIFY SEIZURE OF PRIVATELY OWNED FUNDS SUCH AS CASH AND NEGOTIABLE INSTRUMENTS.

3.B. PRIVATELY OWNED PROPERTY MAY BE SEIZED FOR INVESTIGATIVE OR EVIDENTIAL PURPOSES PURSUANT TO A CRIMINAL INVESTIGATION. IN SUCH CASES, UNITS WILL TURN OVER SEIZED PRIVATELY OWNED PROPERTY TO MILITARY POLICE CRIMINAL INVESTIGATORS DIVISION (OR EQUIVALENT) AS SOON AS PRACTICAL. SEIZED PROPERTY WILL BE TREATED UNDER APPLICABLE BY PROCESSING REQUIREMENTS OF MILITARY POLICE AND CRIMINAL INVESTIGATION REGULATIONS (OR EQUIVALENT).

4. CJTF-14 UNITS, EXERCISING THIS AUTHORITY ARE REQUIRED TO DISTRIBUTE RECEIPTS FOR ALL SITUATIONS WHERE PRIVATELY OWNED PROPERTY IS SEIZED, ACQUIRED, OR REQUISITIONED, WHETHER UNDER MILITARY NECESSITY OR PURSUANT TO CRIMINAL INVESTIGATION. RECEIPTS WILL INCLUDE THE FOLLOWING:

4.A. DETAILED DESCRIPTION OF THE PROPERTY.
ATTACHMENT I

RELEASE BOARD WORKSHEET, Side 1

<table>
<thead>
<tr>
<th>ADMINISTRATIVE DATA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name:</td>
</tr>
<tr>
<td>ISN / Serial #:</td>
</tr>
<tr>
<td>Capturing unit trace # (if known):</td>
</tr>
<tr>
<td>Place of Birth:</td>
</tr>
<tr>
<td>Date of Birth:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DETENTION INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of Detention:</td>
</tr>
<tr>
<td>Capturing Unit:</td>
</tr>
<tr>
<td>Detaining Unit:</td>
</tr>
<tr>
<td>Loc of Detention:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DETENTION NARRATIVE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Circumstances:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>

**HOLD REVIEW**

- Military Intelligence / Counterintelligence Hold?
- Criminal Investigative Division (CID) Hold?
- Staff Judge Advocate (SJA) Hold?

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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</tbody>
</table>

**IRAQI JUDICIAL REVIEW**

- Has an Iraqi Judge or Magistrate ordered continued detention?
- Has an Iraqi Judge or Magistrate signed an order for release?

NOTE: Give serious consideration to court orders for release of criminals held for crimes against Iraqi victims.
ATTACHMENT I

RELEASE BOARD WORKSHEET, Side 2

<table>
<thead>
<tr>
<th>RELEASE HOLD</th>
<th>RELEASE REVIEW AND RECOMMENDATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>MI / CI</td>
<td></td>
</tr>
<tr>
<td>CID</td>
<td></td>
</tr>
<tr>
<td>SJA</td>
<td></td>
</tr>
<tr>
<td>DIVISION/BRIGADE PMO</td>
<td></td>
</tr>
</tbody>
</table>

RELEASE AUTHORITY ORDER

On the _____ day of __________, 2003, I reviewed the circumstances concerning the continued detention of __________ (name), the Detainee subject to this review. Based upon this review, I determined that: (choose one)

- Continued detention is not warranted, and I order the release of the detainee.
- Continued detention is warranted based upon the following reasons:

RELEASE AUTHORITY INFORMATION

Name: 
Rank: 
Unit: 
Signature: 

NATURE OF DETENTION

<table>
<thead>
<tr>
<th>HVD</th>
<th>SECDEF (note: release immediately if ordered and notify MSC)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Security Detainee</td>
<td>Review and Appeal Board</td>
</tr>
<tr>
<td>Major Offense</td>
<td>Criminal Detainee Release Board</td>
</tr>
<tr>
<td>Minor Offense</td>
<td>Detention Review Authority</td>
</tr>
<tr>
<td>Juvenile</td>
<td>Criminal Detainee Release Board</td>
</tr>
</tbody>
</table>

* At release, notify detaining Brigade/Division PMO.
ATTACHMENT J

RECOMMENDED PERIODS OF PRE-TRIAL DETENTION FOR MINOR OFFENCES

Table of Maximum Period of Pre-Trial Detention for Minor Offenses

Unless earlier tried, released, bound over for trial by competent Iraqi judicial authority, or further detained on order of a Coalition Forces General Officer commander, civilians detained for the following offenses will be detained no longer than the periods specified:

<table>
<thead>
<tr>
<th>Offense</th>
<th>Maximum Period of Pre-Trial Detention</th>
</tr>
</thead>
<tbody>
<tr>
<td>Curfew Violation</td>
<td>24 hours</td>
</tr>
<tr>
<td>Speeding/Minor Traffic Violations</td>
<td>24 hours</td>
</tr>
<tr>
<td>Discharge of Weapon within City Limit</td>
<td>10 days</td>
</tr>
<tr>
<td>Drunk and Disorderly</td>
<td>10 days</td>
</tr>
<tr>
<td>Interference with Mission Accomplishment</td>
<td>14 days</td>
</tr>
<tr>
<td>By Violating Lawful Order of Coalition Soldier in the Performance of Official Duties</td>
<td>14 days</td>
</tr>
<tr>
<td>Petty Theft (Theft of Item of Value of U.S.$20 or Less)</td>
<td>14 days</td>
</tr>
<tr>
<td>Simple Assault</td>
<td>14 days</td>
</tr>
</tbody>
</table>
DETENTION GUIDANCE CARD

This applies to all Coalition soldiers dealing with civilians in Iraq. The Report requirement must be achieved if a civilian is detained.

Authority to Detain

You may detain any civilian who:
- you believe poses a threat to the security of Coalition forces; or
- you reasonably suspect has committed a serious crime.

Serious crimes include: murder, rape, kidnapping, armed robbery and serious assault.

* Subject to national rules of engagement

Types of Detainees

Criminal Detainee: a person you reasonably suspect to have committed a serious crime.
Security Detainee: a person you reasonably believe poses a threat to the security of Coalition forces or are of intelligence value.

Actions Upon Detaining a Person

Disarm

Search
- in a lawful manner
- by same gender if possible

Confiscate
- any weapons or items of intelligence value (i.e. mobile phones, computer notebooks)

Question
- to ascertain identity, address and what happened

Tag
- all detainees, their possessions and any physical evidence taken must be tagged

Inform
- inform the detainee of the reason for his or her detention where possible

Report
- a CPA Apprehension Form must be completed in a detailed and legible manner for all detainees.
- two sworn statements must be obtained from witnesses for criminal detainees

Transfer
- all detainees, their possessions, confiscated items and any physical evidence must be transferred to the nearest holding facility as soon as possible

Use of Force

You must use only the minimum force necessary to detain a person.
(U) FRAGO 931 [BAGHDAD CENTRAL CONFINEMENT FACILITY FORCE PROTECTION STANDARDS] CJTF-14 OPORD 03-036

(U) THIS FRAGO HAS BEEN REVIEWED AND APPROVED FOR RELEASE BY COL WOOD, CHOPS.

(U) SUBJECT: BAGHDAD CENTRAL CONFINEMENT FACILITY FORCE PROTECTION

(U) REFERENCES:

A. (U) FRAGO 86 - IRAQI PRISONS
B. (U) FRAGO 349 - ENG SPT TO ABU GURAYB INTERNEE FACILITY
C. (U) FRAGO 412 - MEDICAL SPT FOR ABU GURAYB
D. (U) FRAGO 532 - IRAQI TB CAUTION
E. (U) FRAGO 684 - 28 CSH MOVE FROM DOGWOOD TO IBN SINA HOSP.
F. (U) FRAGO 845 - ENG SPT TO ABU GURAYB
G. (U) FRAGO 881 - SECURITY REQUIREMENT FOR ABU GURAYB
H. (S//REL TO USA AND MCPD) DETENTION AND CORRECTIONS OPERATIONS FOR ASSISTANCE DATED 11 AUG 03

(U) MAPS: [NO CHANGE]

(U) TIME ZONE USED THROUGHOUT THIS ORDER: CHARLIE

(U) TASK ORGANIZATION: [NO CHANGE]

1. (U) SITUATION: [CHANGE]

1.A. (S//REL TO USA AND MCPD) A SIGNIFICANT MORTAR THREAT PERSISTS AT BAGHDAD CENTRAL CONFINEMENT FACILITY (BCCF) AT ABU GURAYB. 5 ATTACKS JULY 03, 4 IN AUGUST 03 AND 8 ATTACKS IN 6 DAYS IN SEPTEMBER 03. 92 KIA AND 2 WIA. SMALL ARMS AND RPG ATTACKS ALSO OCCURRED. AS ILLUMINATION IMPROVES AT NIGHT, ATTACKS AGAINST THE BASE CAMP AND FORCE PROTECTION MEASURES ARE TO REFLICT THIS LONG TERM AND COMMITMENT.
2. (S//REL TO USA and MGFI) MISSION. [CHANGE] CONDUCTS SECURITY OPERATIONS AT THE BAGHDAD CENTRAL CONFINEMENT FACILITY (BCCF) FROM ORDER TO NEUTRALIZE THE EN INDIRECT FIRE THREAT AND ENHANCE BCCF FORCE PROTECTION.

3. (U) EXECUTION. [CHANGE]

3.A. (S//REL TO USA and MGFI) COMMANDER'S INTENT. [CHANGE] THE PURPOSE ORDER IS TO ENHANCE FORCE PROTECTION AT THE BCCF. THIS WILL BEachieved through the integration of BCCF internal security with 82nd ABN DIV external security, offensive operations, and through the allocation of additional force assets. EN INDIRECT FIRE ASSETS AND BASEPLATE LOCATIONS WILL BE TAKEN DOWN, DESTROYED OR DISRUPTED. THE ENDSTATE WILL SEE THE INDIRECT FIRE THREAT NEUTRALIZED AND ENHANCED FORCE PROTECTION AT BCCF.

3.B. (U) CONCEPT OF THE OPERATION. [CHANGE]

3.B.1. (S//REL TO USA and MGFI) ADDITIONAL FORCE PROTECTION MEASURES IMPLEMENTED AT BCCF IN ORDER TO ENHANCE INTERNAL SECURITY, INTEGRITY, AND EXTERNAL SECURITY PLANS, AND TO RAISE FORCE PROTECTION LEVELS. TACTICAL LEVEL OPERATIONS ARE TO BE CONDUCTED TO GAIN ADDITIONAL INTELLIGENCE ON THREAT ACTIVITY. 82ND ABN DIV CONDUCTS OFFENSIVE OPERATIONS IN ORDER TO DISRUPT EN INDIRECT FIRE CAPABILITIES. THREAT LEVELS AND FORCE PROTECTION MEASURES ARE MONITORED AND ASSESSMENTS ARE MADE IN ACCORDANCE WITH MOE AND FURTHER ACTION TAKEN AS REQUISITE TO MAINTAIN STEADY STATE.

3.C. (U) TASKS TO SUBORDINATE UNITS. [CHANGE]

3.C.1. (U) 1 AD.

3.C.1.A. (S//REL TO USA and MGFI) COORDINATE WITH 82ND ABN FOR PLANNING CONTINGENCIES IN THE EVENT THAT EN ATTEMPTS TO UTILIZE 1 AD BATTLEFIELD INFECTION/EXFILTRATION AND/OR MORTAR POSITION.

3.C.2. (U) 82 ABN DIV.

3.C.2.A. (S//REL TO USA and MGFI) CONDUCT OFFENSIVE OPERATIONS IN ORDER TO DISRUPT EN INDIRECT FIRE CAPABILITIES IN THE VICINITY OF BCCF AND NEAR EXTERNAL BASE SECURITY.

3.C.2.B. (S//REL TO USA and MGFI) SURGE CA ACTIVITIES IN AREAS SURROUNDING THE PRISON, INCLUDING CIVIC ASSISTANCE PROJECTS UTILIZING NGOS AND OCHCA RECRUITMENT OF NGOS TO THE AREA, IDENTIFICATION OF OPPORTUNITIES FOR CONSTRUCTION WORK AROUND THE PRISON, AND IMPROVEMENTS TO MEDICAL CARE AND HEALTH SYSTEMS IN THE AREA.

3.C.2.C. (S//REL TO USA and MGFI) DEVELOP A COMPREHENSIVE PROTECTIVE PLAN FOR BCCF.

3.C.3. (U) 800 MP BDE.

3.C.3.A. (S//REL TO USA and MGFI) PROVIDE FORCE PROTECTION REP TO A CJTF WEEKLY FORCE PROTECTION MEETING.

3.C.3.B. (S//REL TO USA and MGFI) PROVIDE INTERNAL SECURITY TO BCCF.
3.C.3.C. (S/REL TO USA and MCFI) REFINE INTERNAL QRF MEASURES.

3.C.3.D. (S/REL TO USA and MCFI) COORDINATE WITH 82ND ABN DIV IN ORDER TO INFORM 82ND ABN DIV SCHEME OF MANEUVER FOR OFFENSIVE OPERATIONS.

3.C.3.E. (S/REL TO USA and MCFI) REFINE QRF PROCEDURES AND COORDINATE QRF RESPONSE WITH 82ND ABN DIV EXTERNAL QRF.

3.C.3.F. (S/REL TO USA and MCFI) PROVIDE PROTECTION TO ENGINEER TEAMS CONDUCTING FORCE PROTECTION IMPROVEMENTS.

3.C.3.G. (S/REL TO USA and MCFI) PREPARE ALL NECESSARY PRCS AND MPIRS TO SUPPORT PROJECT REQUESTS, APPROVALS AND ACQUISITION OF CONSTRUCTION SERVICES OR SUPPORT.

3.C.3.H. (S/REL TO USA and MCFI) INTEGRATE INTERNAL PROTECTIVE FIRE PLANNING WITH THE 82ND AIRBORNE DIVISION FOR BCCF.

3.C.3.I. (S/REL TO USA AND MCFI) DEVELOP LIFE SUPPORT IMPROVEMENTS INCLUDING CLASS IX, SPT ACCOUNTS WITH 541ST CSB AND MWR.

3.C.4. (U) 205TH MI BDE.

3.C.4.A. (S/REL TO USA and MCFI) 205 MI BDE ELEMENTS AT BCCF TACON TO 800 MP BDE FOR INTERNAL BASE SECURITY COORDINATION.

3.C.4.B. (S/REL TO USA and MCFI) PROVIDE DIRECT SUPPORT TO 800 MP BDE FOR INTERNAL BASE SECURITY.

3.C.5. (U) 3 COSCOM.

3.C.5.A. (S/REL TO USA and MCFI) PROVIDE RAOC OR BASE DEFENSE LIAISON TEAM IN ORDER TO:

3.C.5.A.1. (S/REL TO USA and MCFI) CONDUCT A BASE DEFENSE SECURITY ASSESSMENT FOR BCCF, IN ORDER TO DETERMINE BASE DEFENSE REQUIREMENTS;

3.C.5.A.2. (S/REL TO USA and MCFI) PROVIDE ADVICE ON THE INTEGRATION OF INTERNAL AND EXTERNAL SECURITY BETWEEN 800 MP BDE AND 82ND ABN DIV; AND

3.C.5.B. (S/REL TO USA and MCFI) ASSESS THE SUITABILITY OF AN ENDURING BASE DEFENSE LIAISON TEAM OR RAOC PRESENCE.

3.C.6. (U) 130TH ENGR BDE.

3.C.6.A. (S/REL TO USA and MCFI) PROVIDE COMBAT HEAVY COMPANY TEAM (+) DIRECT SUPPORT TO 800 MP BDE.

3.C.6.B. (S/REL TO USA and MCFI) EXECUTE PRIORITY FORCE PROTECTION TASKS TO BE PERFORMED.

3.C.6.C. (S/REL TO USA and MCFI) EXECUTE PRIORITY LSA TASKS TO BE PERFORMED AT NW AND NE LSAS.
3.C.6.D. (S//REL TO USA and MCFI) ADDITIONAL TASKS AS REQUIRED BY 800 MP BDE IN ACCORDANCE WITH ABU GURAYB MASTER PLAN.

3.C.7. (U) IO.

3.C.7.A. (U) SEE ANNEX F.


3.C.8.A. (S//REL TO USA and MCFI) MONITOR THE DEVELOPMENT OF BCCF AS AN ENDURING BASE CAMP AND BE PREPARED TO COORDINATE LOGCAP OR TECHNICAL ASSISTANCE WHEN NECESSARY.


3.C.9.A. (S//REL TO USA and MCFI) PRODUCE MWR SIGNAL SUPPORT PLAN FOR BCCF.

3.C.9.B. (S//REL TO USA and MCFI) COORDINATE COMMUNICATIONS REQUIREMENTS IN SUPPORT OF BCCF RAISED FORCE PROTECTION LEVELS AND COMMENSURATE WITH AN ENDURING BASE CAMP.


3.C.10.A. (S//REL TO USA and MCFI) PROVIDE PED B (7) TO PERFORM THE FOLLOWING TASKS IN SUPPORT OF 800 MP BDE:

3.C.10.B. (U) DEVELOP A BASE CAMP MASTER PLAN.

3.C.10.C. (U) DEVELOP SCAPOS OF WORK AND COST ESTIMATES TO SUPPORT CONSTRUCTION SERVICES SUPPORT AND EXECUTION OF THE MASTER PLAN.

3.C.10.D. (U) COORDINATE LOCAL CONTRACTOR SUPPORT AS APPROPRIATE.

3.C.10.E. (U) PROVIDE GUIDANCE FOR RECOMMENDED PUBLIC WORKS AND ORGANIZATION OF FACILITY MANAGEMENT.

3.D. (U) COORDINATING INSTRUCTIONS. [CHANGE]

3.D.1. (S//REL TO USA and MCFI) ALL TASKS CONDUCTED OUTSIDE OF THE BCCF PERIMETER WILL BE COORDINATED WITH THE 82ND ABRN DIV FOR SITE SECURITY, FORCE PROTECTION AND AREA CLEARANCE.

3.D.2. (U) MEASURES OF EFFECTIVENESS TO BE DEVELOPED ARE AS FOLLOWS:

3.D.2.A. (U) DESTRUCTION IN INDIRECT FIRE ASSETS.

3.D.2.B. (U) REDUCTION IN NUMBER OF MORTAR AND OTHER ATTACKS.

3.D.2.C. (U) FAVORABLE RESPONSE TO CA PROJECTS.


3.D.2.E. (U) DIIRALUTH ALCUI.

4. (U) SERVICE SUPPORT. [NO CHANGE]
5. (U) COMMAND AND SIGNAL. [CHANGE]

5.A. (U) COMMAND. [CHANGE]

5.A.1. (S//REL TO USA and NCFI) ELEMENTS WITHIN BCCF ARE TACON TO 800TH MP BDE FOR COORDINATION OF SECURITY.

5.A.2. (S//REL TO USA and NCFI) 800TH MP BDE IS TO ENSURE THAT ALL INTERNAL SECURITY MEASURES, INCLUDING INDIRECT AND DIRECT FIRE PLANS, ARE COORDINATED WITH 82ND ABN DIV.

5.A.3. (S//REL TO USA and NCFI) UNITS WITHIN THE 82ND ABN RD AND OUTER BCCF ARE TACON TO 82ND ABN.

5.B. (U) SIGNAL. [CHANGE]

5.B.1. (U) CJTF-TAF OPPOS POC: (b)(3), (b)(6)

ACKNOWLEDGE

SANCHEZ
LTG

OFFICIAL:

(b)(3), (b)(6)

ATTACHMENTS:
1. ANNEX P TO BCCF
(U) ANNEX P (IO) TO FRAGO 931

1. (S//REL TO USA AND MCFI) SITUATION. IO CONDUCTS OPERATIONS TO THE TARGET AUDIENCES IN VICINITY OF THE BAGHDAD CENTRAL CONFINEMENT (BCCF) IN ORDER TO ENHANCE FORCE PROTECTION AND DETER FURTHER ATTACKS.

2. (U) TASKS.

2.A. (S//REL TO USA AND MCFI) CONDUCT ENGAGEMENT MEETINGS WITH LOCALS AND AROUND THE BCCF TO PERSUADE THEM TO INCREASE SECURITY PRESSURE AND FOREIGN FIGHTER NETWORKS. COALITION PERSONNEL SHOULD BASE THEIR LOCAL LEADERS BASED ON THE DISPOSITION OF THAT PARTICULAR LEADER (PRO/ANTI COALITION) THE FOLLOWING TALKING POINTS SHOULD BE USED IN DISCUSSIONS WITH THE LEADERS:

2.A.1. (U) THE COALITION WILL NOT TOLERATE TERRORISTS OR FOREIGN FIGHTERS ANYWHERE IN IRAQ.

2.A.2. (U) YOUR TOWN CURRENTLY HARBORS TERRORISTS AND FOREIGN FIGHTERS.

2.A.3. (U) TERRORISTS AND FOREIGN FIGHTERS ARE A THREAT TO SECURITY AND YOUR ATTENTION.

2.A.4. (U) YOU NEED TO IMMEDIATELY REMOVE THESE DANGEROUS ELEMENTS FROM YOUR COMMUNITY.

2.A.5. (U) IF YOU ARE UNWILLING TO HELP REMOVE THESE ELEMENTS, THE COALITION WILL ASSUME YOU ARE HELPING THE TERRORISTS AND FOREIGN FIGHTERS.

2.A.6. (U) THE COALITION OFFERS SIGNIFICANT REWARDS FOR INFORMATION ON CAPTURE/KILLING OF TERRORIST AND FOREIGN FIGHTERS.

2.A.7. (U) ANYONE WHO ASSISTS CRIMINALS OR FAILS TO REPORT CRIMINAL ACTIVITIES MAY BE IMPRISONED.

2.B. (S//REL TO USA AND MCFI) INFLUENCE CIVILIAN POPULATION AROUND THE PRISON WITH REWARD PROGRAM PRINT PRODUCTS (POSTERS AND HANDOUTS) AND LOCAL LEADER ENGAGEMENT MEETINGS TO PERSUADE THE POPULACE TO REDUCE TERRORIST ACTIVITIES TO COALITION FORCES. SOLDIERS SHOULD DELIVER THE FOLLOWING TALKING POINTS WHEN INTERACTING WITH THE POPULACE:

2.B.1. (U) SECURITY IS THE JOINT RESPONSIBILITY OF THE IRAQI PEOPLE AND COALITION FORCES.

2.B.2. (U) FORMER REGIME LOYALISTS, TERRORISTS, AND FOREIGN FIGHTERS THREATEN THE SAFETY OF ALL IRAQIS, AND PROLONG COALITION PRESENCE.

2.B.3. (U) COALITION FORCES NEED THE ASSISTANCE OF THE IRAQI PEOPLE IN THESE INDIVIDUALS AND ACTIVITIES.
2.B.4. (U) THE COALITION IS WILLING TO COMPENSATE ANYONE WHO OFFERS INFORMATION THAT CAN BE USED TO DETAIN THESE SUBVERSIVE ELEMENTS.

2.B.5. (U) REPORTING THESE INDIVIDUALS AND ACTIVITIES TO THE COALITION WOULD RID THESE DESTABILIZING INFLUENCES FROM IRAQ.
(U) FRAGO 1301 [1AD PROVIDES ONE CS MP PLATOON TO ABU GHURAYB PRISON] TO CJTF [4h]
OPORD 03-036

(U) THIS FRAGO HAS BEEN REVIEWED AND APPROVED FOR RELEASE BY [4h] CHOPS.

(U) SUBJECT: 1AD PROVIDES ONE CS MP PLATOON TO 205TH MI BDE TO PROVIDE SECURITY
AT ABU GHURAYB PRISON

(U) REFERENCES:

(U) MAPS: [NO CHANGE]

(U) TIME ZONE USED THROUGHOUT THIS ORDER: CHARLIE

(U) TASK ORGANIZATION: [CHANGE] AS PER PARAGRAPH 3.B

1. (U) SITUATION. [CHANGE] AS PER INTSUM.

2. (U) MISSION. [NO CHANGE]

3. (U) EXECUTION. [CHANGE]

3.A. (U) COMMANDER'S INTENT. [NO CHANGE]

3.B. (U) CONCEPT OF THE OPERATION. [CHANGE]

3.B.1. (U) ATTACHES ONE CS MP PLT TO 205 MI BDE TO
CONDUCT SECURITY OPERATIONS AT ABU GHURAYB PRISON NLT 03 JAN 04 IOT SECURITY
MITIGATE GAP CREATED BY REDEPLOYMENT OF ONE PLATOON FROM E/51 IN (LRS) REACHING
365 DAYS IN THEATER.

3.C. (U) TASKS TO SUBORDINATE UNITS. [CHANGE]

3.C.1. (U) 1AD

3.C.1.A. (U) ATTACH ONE CS MP PLT TO 205 MI BDE TO CONDUCT
SECURITY OPERATIONS AT ABU GHURAYB PRISON NLT 03 JAN 04 IOT MITIGATE GAP CREATED
BY REDEPLOYMENT OF E/51 IN (LRS) PLT.

3.C.2. (U) 82 ABN.

3.C.2.A. (U) BPT PROVIDE 15 MAN QRF WITHIN 45 MIN FOR 205
MI AT ABU GHURAYB PRISON FROM 31 DEC 03 TO 5 JAN 04.

3.C.3. (U) 205 MI BDE.
3.C.3.A. (S//REL TO USA and MCFI) ACCEPT ATTACHMENT OF ONE CS MP PLT TO CONDUCT SECURITY OPERATIONS AT ABU GHURAYB PRISON NLT 30 JAN 04 IOT MITIGATE GAP CREATED BY REDEPLOYMENT OF E/51 (LRS) PLT.

3.D. (U) COORDINATING INSTRUCTIONS. [CHANGE]

3.D.1. (S//REL TO USA and MCFI) DIIRLAUTH ALCON.

4. (U) SERVICE SUPPORT. [NO CHANGE]

5. (U) COMMAND AND SIGNAL. [CHANGE]

5.A. (U) POC FOR THIS FRAGO IS C35 FUTURE OPERATIONS, DSN (b)(6)

5.B. (U) 205 MI BDE POC AT THE JOINT INTERROGATION AND DEBRIEFING CENTER (JIDC) AT ABU GHURAYB IS (b)(3), (b)(6)

ACKNOWLEDGE

SANCHEZ
LTG

OFFICIAL:

(b)(3), (b)(6)

ATTACHMENTS: