

# COURT-MARTIAL RECORD

NAME FREDERICK, IVAN L., II SSG

SSN \_\_\_\_\_

ACTIONS CODED:

ASSIGNED TO:

INITIAL \_\_\_\_\_

PANEL 4

ACCA \_\_\_\_\_

EXAM. DIV. \_\_\_\_\_

FINAL \_\_\_\_\_

COMPANION(S):

**RETURN THIS FILE TO:**

**OFFICE OF THE CLERK OF COURT**

**US ARMY JUDICIARY**

**901 NORTH STUART STREET, SUITE 1200**

**ARLINGTON, VA 22203-1837**

VOL V OF VIII VOL(S)

ARMY 20041129

VERBATIM<sup>1</sup>  
RECORD OF TRIAL<sup>2</sup>  
(and accompanying papers)

All reduction this  
page (b) (6) - 2

OF

FREDERICK, Ivan L., II  
(NAME: Last, First Middle Initial)  
HHC, 16th MP Bde (ABN)  
III Corps  
(unit/Command Name)

[REDACTED]  
(Social Security Number)

Staff Sergeant  
(Rank)

US Army  
(Branch of Service)

Victory Base, Iraq  
(Station or Ship)

BY  
GENERAL COURT-MARTIAL

CONVENED BY COMMANDING GENERAL  
(Title of Convening Authority)

Headquarters, III Corps  
(Unit/Command of Convening Authority)

TRIED AT

Baghdad and Victory Base, Iraq  
(Place or Places of Trial)

ON

19 May, 21-22 Jun; 24 Aug;  
20-21 Oct 04  
(Date or Dates of Trial)

COMPANION CASES:

- SPC AMBUHL, Megan M., [REDACTED]
- SGT DAVIS, Javal S., [REDACTED]
- SPC GRANER, Charles A., Jr., [REDACTED]
- SPC HARMAN, Sabrina D., [REDACTED]
- SPC SIVITS, Jeremy C., [REDACTED]
- SPC CRUZ, Arman J., [REDACTED]
- PFC ENGLAND, Lynndie R., [REDACTED]

Defense exhibits through Prosecution Exhibit 7 FID

SEP 20 A 9 19  
JUDICIARY

<sup>1</sup> Insert "verbatim" or "summarized" as appropriate. (This form will be used by the Army and Navy for verbatim records of trial only.)  
<sup>2</sup> See inside back cover for instructions as to preparation and arrangement.

DEFENSE EXHIBITS ADMITTED INTO EVIDENCE

019010

UNITED STATES )

v. )

FREDERICK, Ivan L., II (b)(6) - 2  
SSG, U.S. Army, [REDACTED]  
Headquarters and Headquarters Company  
16<sup>th</sup> Military Police Brigade (Airborne)  
III Corps,  
Victory Base, Iraq APO AE 09342 )

STIPULATION  
OF  
EXPECTED TESTIMONY

20 OCTOBER 2004

Stipulation of Expected Testimony: Captain [REDACTED] (b)(6) - 2, 4

It is hereby agreed by and between the trial counsel and defense counsel, with the express consent of the Accused, that if Captain [REDACTED] were present and testifying under oath, he would testify as follows: (b)(6) - 2; 4

I received an e-mail in regards to collection of information from detainees saying that the gloves were coming off. I am unable to recall who specifically sent that e-mail at the time. I received or saw the e-mail in late July or very early August 2004. From Afghanistan, where I was with the 519<sup>th</sup> MI Battalion, I redeployed to Fort Bragg and within six weeks of redeployment, I was back in Iraq attached to the 205<sup>th</sup> MI Brigade. I arrived in Iraq in March 2003 and departed 4 December 2003. I arrived at Abu Ghraib on 4 August 2003, shortly after I received this e-mail.

LTC [REDACTED] (b)(6) - 2; 4 arrived at Abu Ghraib in September 2003. He served as the interface between military intelligence and the MP's at Abu Ghraib and met daily at the morning briefings with MP personnel, primarily staff and Company Commanders. From my level, it appeared that LTC [REDACTED] (b)(6) - 2; 4 authorized ghost detainees to come into Abu Ghraib without being registered.

There was a weak command structure within the MP battalion while I was at Abu Ghraib. Both the MP's and the MI were severely undermanned and under resourced. Supplies were limited and it was difficult to maintain repair of the facility. Force protection was substandard.

(b)(6) - 2  
[REDACTED]  
MAJ, JA  
Trial Counsel

I. Frederick II  
IVAN L. FREDERICK, II  
SSG, U.S. Army  
Accused

[REDACTED] (b)(6) - 2  
CPT, JA  
Defense Counsel

019011

DEFENSE EXHIBIT A EID  
OFFERED R. 441 ADMITTED 448

UNITED STATES )

v. )

(b)(6) - 2  
FREDERICK, Ivan L., II )  
SSG, U.S. Army, [REDACTED] )  
Headquarters and Headquarters Company )  
16<sup>th</sup> Military Police Brigade (Airborne) )  
III Corps, )  
Victory Base, Iraq APO AE 09342 )

STIPULATION  
OF  
EXPECTED TESTIMONY

20 OCTOBER 2004

**Stipulation of Expected Testimony: Major General Geoffrey Miller**

It is hereby agreed by and between the trial counsel and defense counsel, with the express consent of the Accused, that if Major General Geoffrey Miller were present and testifying under oath, he would testify as follows:

During the period 1 October 2003 through 4 January 2004 the following interrogation techniques among others were employed at Abu Ghraib by Military Intelligence personnel.

They were:

- Sleep deprivation
- Dietary manipulation
- Stress positions
- Change of scenery
- Environmental manipulation
- Sensory deprivation

Upon my taking command these techniques were terminated and more congenial passive intelligence gathering techniques were employed. I have found these passive techniques are more effective in gathering intelligence. I am of the opinion that keeping detainees nude for long periods and handcuffing detainees to cells while nude are violations of the Geneva Conventions.

(b)(6) - 2  
[REDACTED]  
MAJ, JA  
Trial Counsel

*I. Frederick II*  
IVAN L. FREDERICK, II  
SSG, U.S. Army  
Accused

(b)(6) - 2  
[REDACTED]  
CPT, JA  
Defense Counsel

019012

DEFENSE EXHIBIT B ~~FID~~  
OFFERED R. 441 ADMITTED 448

UNITED STATES )

v. )

FREDERICK, Ivan L. II )  
SSG, U.S. Army, ██████████ )  
HHC, 16th MP Bde (Abn), III Corps )  
Victory Base, Iraq, APO AE 09342 )

(b)(6)-2

STIPULATION  
OF  
EXPECTED TESTIMONY

27 May 2004

Stipulation of Expected Testimony: Sergeant ██████████

(b)(6)-1; 4

It is hereby stipulated by and between the trial counsel and defense counsel, with the express consent of the accused, that if Sergeant ██████████ came before the court as a witness during the sentencing portion of the trial, and was placed under oath, he would testify as follows:

(b)(6)-1; 4

(b)(6)-1; 4

1. My name is SGT ██████████ Headquarters and Headquarters Company, Garrison Fort Lee, Virginia. On 24 September 2001, I was assigned to the 352nd MP Company, 220th MP Brigade, Gaithersburg, Maryland. On 23 February 2003, I was involuntarily transferred to the 372nd MP Company, Cumberland, Maryland. On 24 February 2003, my unit was mobilized and on 27 February 2004, I arrived at Fort Lee, Virginia. On 16 May 2003, members of the 372nd MP Company deployed from Fort Lee, Virginia to Camp Arifjan, Kuwait. I remained at Fort Lee in order to undergo surgery. On 21 September 2003, after the surgery, I deployed from Fort Lee and arrived at Camp Arifjan, Kuwait. On 30 September 2003, I left Camp Arifjan and on 1 October 2003, I arrived at the Baghdad Correctional Facility (BCF/Abu Ghraib). I was assigned to 3rd Platoon of the 372nd MP Company. My duty assignment was team leader. My missions included escort of detainees from BCF to various courts in Baghdad, as well as escorts of VIPs and contractors. My quarters were located at the 3rd Platoon Building, approximately 400 meters away from the BCF hard-site. I was not detailed to conduct any missions at the BCF hard-site.

(b)(6)-1; 4

(b)(6)-1; 4

2. During the last week of October at approximately 2200 hours I went over to the BCF hard-site in order to speak with SPC ██████████, my driver. I found SPC ██████████ at Tier 1A speaking with his cellmate, CPL Graner. When I approached Tier 1A, I observed two (2) service members (the first service member wore black PT shorts, brown t-shirt, and shower shoes; the second service member wore DCU pants and brown t-shirt). I perceived both service members to be military intelligence (MI). I saw both MI soldiers handcuff two (2) naked Iraqi detainees to the bars of cells on opposite sides. I then witnessed the same MI soldiers handcuff the detainees together, face to face. The MI soldier dressed in black PT shorts and brown t-shirt approached me and asked me in a sarcastic tone of voice: "Do you think we crossed the line?" or words to that effect. I responded: "I am not sure, you are MI" or words to that effect. The MI soldier then stated that they were interrogating 2 detainees and said: "We know what we are doing," or words to that effect.

019013

DEFENSE EXHIBIT C ~~FD~~

OFFERED R. 441 ADMITTED 448

3. Subsequently, both MI soldiers walked back to the detainees, separated them, and then re-cuffed them to the bars. The MI soldier wearing PT shorts tapped one of the detainees on his buttocks with a plastic water bottle. Then both MI soldiers re-cuffed the detainees together. Throughout this incident, both MI soldiers, via an interpreter, ordered the detainees to confess. When the detainees failed to cooperate, both MI soldiers yelled at them and ordered CPL Graner to yell at the detainees. At this time another MI soldier (wearing DCU pants and brown t-shirt) came in and the others seemed to look to him with respect and sought his approval. I asked him: "Is this how you interrogate detainees?" or words to that effect. The MI soldier responded "there are different ways to get it done," or words to that effect. The MI soldiers escorted the naked detainees around Tier 1A.

4. One of the MI soldiers pointed to the naked detainees and said, "These are the people who raped a little boy," or words to that effect. Then SSG Frederick, I believe, escorted a third detainee to Tier 1A. SSG Frederick said that this detainee assisted in the rape by holding down the victim. One of the MI soldiers then told the third detainee to get undressed like the other two. The new detainee refused. The MI soldiers proceeded to yell at the detainee. Then, one of the MI soldiers ordered CPL Graner to tell the detainee to get undressed. The third detainee undressed after CPL Graner yelled at him. Then the MI soldiers ordered all three detainees to low crawl on the floor. When the detainees attempted to arch up, two of the MI soldiers put pressure in the middle of their backs and yelled at them to get down. Two MI soldiers then cuffed the detainees together.

5. After the detainees were again handcuffed, I walked over and asked the detainee to tell the MI soldiers what they needed know and that I would try to make the MI soldiers stop. The detainee stated, through the interpreter, that he would not confess to something that he did not do. I turned to the older MI soldier and asked him with a raised voice: "Did you all ever consider that these guys are innocent?" or words to that effect. The MI soldier responded: "I've been doing this longer than you've been in the military. You know, sergeant, they are guilty," or words to that effect. I then turned to walk out and the MI soldier wearing black PT shorts started to sprinkle water on the detainees from his water bottle. While I was leaving the tier, I also observed one of the MI soldiers on the upper tier tossing a Nerf ball towards the detainees. I also noticed SPC England standing in the distance and taking photos. I went back to my LSA at approximately 2230. By the time I returned to my LSA, everyone was already asleep.

6. The following morning, at approximately 0530, I along with SPC [redacted] and SPC [redacted] left the BCF on a mission to escort detainees to Rusafa Courthouse. After completing the mission, at approximately 1600, I went to my platoon leader, 2LT [redacted] and I described to him the incident I witnessed the previous night. I informed 2LT [redacted] that MI soldiers were interrogating naked detainees. 2LT [redacted] stated: "They are MI and they are in charge let them do their job," or words to that effect. I then began to question 2LT [redacted] about who was in charge of the facility. I further voiced my concerns about our mission and organization. 2LT [redacted] then acknowledged my complaint and indicated that he will address it. Approximately one week later CPL

All redactions:  
(b) (6)-  
1; 4

(b) (6) - 1; 4

Graner received a written counseling statement from CPT [REDACTED] for use of excessive force. CPL Graner informed me about the counseling statement and I overheard CPT [REDACTED] indicating that he counseled CPL Graner for use of excessive force.

(b) (6) - 1; 4

7. I saw SSG Frederick observing some of these activities and to the best of my knowledge he was the senior NCO there.

(b) (6) - 2

[REDACTED]

TRIAL COUNSEL

(b) (6) - 2

[REDACTED]

CPT, JA  
DEFENSE COUNSEL

[REDACTED]

SSG, USA  
ACCUSED

O/C  
to  
release

Re FW Taskers.txt

From: [redacted]@us.army.smil.mil  
Sent: Thursday, August 14, 2003 5:55 PM  
To: c5165mihecc (Effects)  
Cc: SPC [redacted] (E-mail); Maj [redacted] (E-mail); c5-325mibcoipw1 (CW2 [redacted]; c5-325mibtclcpt (CPT [redacted]; c5-325micihoc (SGT [redacted]; 4ID 519MI THOPS1; D101311MIHOCOIC; D101ACECIAS; D101DMG2X; [redacted]  
E. CW4; [redacted] J. MAJ (1AD 501st MI S3); [redacted] MSG (1AD 501st MI BN HOC); IMEFDG G2 CICO; [redacted]@us.army.smil.mil; T3ACR-1SQDNTOC; T3ACR-66MI; T3ACR-RS2; 4ID 104MI ICE; 4ID DMAIN G2 OPS; 4ID G2X; TF20J2X; [redacted]@us.army.smil.mil  
Subject: Re: FW: Taskers

(b)(6) - 2, 3

I sent several months in Afghanistan interrogating the Taliban and al Qaeda. Restrictions on interrogation techniques had a negative impact on our ability to gather intelligence. Our interrogation doctrine is based on former Cold War and WWII enemies. Today's enemy, particularly those in SWA, understand force, not psychological mind games or incentives. I would propose a baseline interrogation technique that at a minimum allows for physical contact resembling that used by [redacted]. (This allows open handed facial slaps from a distance of no more than about two feet and back handed blows to the midsection from a distance of about 18 inches. Again, this is open handed.) I will not comment on the effectiveness of these techniques as both a control measure and an ability to send a clear message. I also believe that this should be a minimum baseline.

Other techniques would include close confinement quarters, sleep deprivation, white noise, and a litany of harsher fear-up approaches... fear of dogs and snakes appear to work nicely. I firmly agree that the gloves need to come off.

V/R  
CW3 [redacted]  
3ACR

(b)(6) - 2, 3

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

From: "c5165mihecc (Effects)" <c5165mihecc@205MI.c5.army.smil.mil>  
Date: Thursday, August 14, 2003 2:51 pm  
Subject: FW: Taskers

> sounds crazy, but we're just passing this on.

>

> -----Original Message-----

> From: [redacted] Cpt.  
> [mailto:[redacted]@CORPS.HQUSAREUR.ARMY.SMIL.MIL]  
> Sent: Thursday, August 14, 2003 1:51 AM  
> To: c5165micihoc (E-mail); HECC (E-mail) (E-mail)  
> Cc: [redacted] (E-mail)  
> Subject: Taskers

(b)(6) - 2, 3

>

> ALCON

>

> Just wanted to make sure we are all clear on the taskers at hand

>

> 1- A list identifying individuals who we have in detention that

> fall under

> the category of "unlawful combatants" I've included a definition

> form the

> SJA folks:

>

019016

DEFENSE EXHIBIT D FD

OFFERED R. 441 ADMITTED 453



> AKOS: [REDACTED] Re FW Taskers.txt  
> [REDACTED] rmy.smil.mil

(b)(6) - 2; 3

UNCLASSIFIED//FOUO

all  
5C)(3) & (4)

INTERROGATOR NOTES

REPORT NUMBER: IN-AG00477-150542-04

INTERROGATOR/S: [REDACTED] 639, LEAD: [REDACTED] 663, ASSISTANT.

INTERPRETER: [REDACTED]

TIME IN: 2340

TIME OUT: 0240

DATE: 14 NOV 2003

WARNING: (U) THIS IS AN INTERNAL DOCUMENT FOR  
INFORMATION PURPOSES ONLY,  
NOT FOR THE PRODUCTION OF INTELLIGENCE REPORTS.

-----TEAR LINE-----

BACKGROUND: (U//FOUO) DETAINEE IS 26 YEAR OLD MALE WHO HAS KNOWLEDGE OF FUNCTIONS AND PERSONALITIES OF ANSAR AL ISLAM, AL QAIDA, AND THE ZARQAWI NETWORK. THE DETAINEE FLED AND WAS STOPPED BY [REDACTED] AN IRAQI POLICEMAN.

SUMMARY: (U//FOUO) WENT OVER DETAINEE'S TIMELINE AND PERSONAL BACKGROUND. FOCUSED ON [REDACTED] AND HIS INVOLVEMENT IN ANTI-COALITION ACTIVITIES.

TEXT: 1. (U//FOUO) DETAINEE GRADUATED FROM HIGH SCHOOL WHEN HE WAS 18 YEARS OLD. HIS HOBBIES WERE HANDBALL AND ECONOMICS. HE SPENT THE NEXT YEAR AND A HALF STUDYING TO RETAKE HIS TESTS SO HE COULD GET INTO A BETTER COLLEGE. IN 19[REDACTED] HE OPENED A PRINT SHOP/BOOKSTORE CALLED "[REDACTED]" (SIMILAR TO A KINKO'S). AT HIS STORE HE HAD VARIOUS ENGINEERING BOOKS FROM HIS FATHER, A CIVIL ENGINEERING TEACHER, AND ECONOMICS BOOKS FROM HIS MAJOR. HE ENTERED COLLEGE IN JERASH IN [REDACTED]. DETAINEE LEFT SCHOOL BECAUSE HE GOT MARRIED AND IT WAS TOO DIFFICULT AND EXPENSIVE TO DO BOTH. DETAINEE AND HIS WIFE TRAVELED ON PILGRIMAGE TO MECCA IN MARCH [REDACTED] FOR TWO WEEKS.

2. (U//FOUO) THE FIRST TIME THE DETAINEE MET [REDACTED] WAS IN IRAQ IN 200[REDACTED]. THE FIRST TIME THAT DETAINEE HEARD ABOUT ZARQAWI THROUGH HIS FRIENDS WAS FROM [REDACTED] IN 19[REDACTED]. ZARQAWI VISITED THE MOSQUE IN 19[REDACTED]. THE MEMBERSHIP OF THE MOSQUE IS EXTREMELY VARIED INCLUDING THE "BROTHERS" AND SULIFEANS.

UNCLASSIFIED//FOUO

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DEFENSE EXHIBIT 2 END

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3. (U//FOUO) DETAINEE TRAVELED TO BAGHDAD ON FEBRUARY 2002 BY WAY OF TAXI CAB. THE DETAINEE AND HIS FAMILY STAYED AT A HOTEL AND THEN STAYED AT THE HOME OF ONE OF HIS WIFE'S FRIENDS. DETAINEE WAS CAPTURED IN JAN 2004 BY THE [REDACTED] AND INTERROGATED FOR 14 DAYS. DETAINEE CLAIMS HE WAS RELEASED ON FEBRUARY 2004. DETAINEE WAS INTERVIEWED BY [REDACTED] IN THE [REDACTED] DISTRICT OF BAGHDAD. HE WAS QUESTIONED ABOUT [REDACTED], HIS COUSINS. WHEN RELEASED DETAINEE WENT TO RAMADI AFTER 6-7 DAYS. DETAINEE LIVED WITH [REDACTED] IN RAMADI UNTIL HIS CAPTURE ON AUGUST 2004. AT THIS TIME THE DETAINEE'S FATHER WAS SENDING HIM MONEY.

4. (U//FOUO) DETAINEE DESCRIBES [REDACTED] AS BEING EDUCATED AND VERY RELIGIOUS. [REDACTED] PREACHES AT THE MOSQUE ABOUT HOW THE AMERICANS ARE TAKING OVER THEIR LAND AND OIL AND PUTTING THEIR PEOPLE IN JAIL. HOWEVER DETAINEE SAYS THAT [REDACTED] ONLY COMPLAINS ABOUT THE AMERICANS, HE NEVER SUGGESTED ANY ACTION AGAINST THEM. DETAINEE CLAIMS THAT [REDACTED] NEVER PLANNED OR PARTICIPATED IN ANY ANTI-COALITION ACTIVITIES. DETAINEE DENIES THE EXISTENCE OF THE ANTI-COALITION PROPAGANDA CD'S THAT WERE FOUND IN HIS RESIDENCE. HE SAYS THAT HE ONLY HAD [REDACTED] CD'S WITH NEWS ARTICLES ON THEM. WHEN QUESTIONED ABOUT BEING A CAR SALESMAN DETAINEE SAID THAT THE LAST CAR HE SOLD WAS TO ONE OF [REDACTED] RELATIVES, A CERTAIN [REDACTED] OPEL. DETAINEE SAYS HE WAS SURPRISED WHEN TOLD THAT [REDACTED] WAS CAPTURED IN THAT SAME VEHICLE WITH EXPLOSIVES BUT DIDN'T ACT SURPRISED.

-----TEAR LINE-----

COMMENTS: (U)

A. (U//FOUO) MOOD/ATTITUDE OF DETAINEE: DETAINEE WAS CALM. DETAINEE BECAME VERY EMOTIONAL AND SAD AT ANY MENTION OF HIS FAMILY.

B. (U//FOUO) ASSESSMENT: DETAINEE IS FORTHRIGHT AND TRUTHFUL EXCEPT WHEN DISCUSSING [REDACTED].

C. (U//FOUO) SUGGESTED FUTURE INTERROGATIONS: QUESTION [REDACTED] OF HOW LONG HE WAS DETAINED BY THE [REDACTED], AND ACQUIRE MORE THAN SIMPLISTIC DETAILS OF [REDACTED]. IT SHOULD BE DULY NOTED THAT FEAR OF RE-RE WILL BE USED, AS WELL AS GAY UP HARSH, AND GROUND HOG-DAY APPROACH. SOURCE IS A FAG, OF HIGH INTEL VALUE, AND SHOULD STAY IN THE HOLE. HE IS BAD. HE IS MEAN. I DON'T LIKE HIM. HE CAN KILL. HE IS BAD. MUSTAFA=BAD. HE KNOWS AL QAEDA. HE IS BAD. HE KNOWS ANSAR AL ISLAM. HE IS BAD. HE KNOWS BARQAWI. HE IS BAD. BECAUSE HE KNOWS BAD PEOPLE, HE IS BAD.

UNCLASSIFIED//FOUO

ANALYST COMMENTS: HE IS BAD. BECAUSE HE IS BAD, ONE SHOULD NOT  
THE PERPLEXING SITUATION AT HAND; HE IS BAD. VERY BAD. I THINK  
IN ADDITION TO ALL APPROACHES, FEAR OF BROOMSTICK IN THE ASS  
SHOULD BE USED. HE IS BAD.

UNCLASSIFIED//FOUO

019021

**Bates pages 19022 is nonresponsive based on application of the Judge's specific and applied rulings.**

to everyone thanking them.

The weather is changing here. I don't think it got above 50° all day. The wind blew all day long. That is really cold for here, and I'm not looking forward to it at all. Most of the inmates were quiet. They were sleeping in their jump suits and covered up. They were bringing in new inmates by the truck loads. 35 on each truck. I made a little speech welcoming them to BCF and told them a couple rules and then to them they had 30 seconds to get off my truck and into my building. I had me and another soldier and about 6 Iraqi officers yelling at them. Needless to say they didn't need 30 seconds to get off the truck. I almost got stampeded by them. 35 inmates off the truck in less than 10 seconds and another 10 to get inside. Once inside they get the standard search, shower and jumpsuit. I only let them keep a towel, soap, t-shirt, underwear, Koran, and prayer rug. The rest goes to property. But like I told you, there is no SOP and anything.

**Bates pages 19024 is nonresponsive based on application of the Judge's specific and applied rulings.**

[REDACTED]

[REDACTED]

[REDACTED]

b(6)3

CONSULTATION SHEET: ELECTRONIC VERSION OF SF513 RESPONSE

MEDICAL RECORD

CONSULTATION SHEET

TO: PSYCHOLOGY

FROM: [REDACTED] Ph.D.

PSYCHOLOGY CONSULTATION REPORT

b(6)(5)

USA AD E-6

PSYCHOLOGY SERVICE  
LANDSTUHL REGIONAL MEDICAL CENTER  
MCEUL-PS-PS  
APO AE 09180

**REFERRAL INFORMATION** The patient is a 37 y/o white, married male with 20+ years TIS (17 years national guard and reserves, 3 years active).

**ASSESSMENT PROCEDURE** The patient was informed of the purpose and nature of the evaluation and the limits of confidentiality were discussed with the patient. He acknowledged understanding, and he agreed to the evaluation. The patient was interviewed (31 August, 2 September 2004) and the following psychological tests were administered (31 August & 2 September 2004): The Minnesota Multiphasic Personality Inventory, Second Edition (MMPI-2), Millon Clinical Multiaxial Inventory-III, Wechsler Abbreviated Intelligence Scale (WASI). The patient's medical records were not available for review.

**MENTAL STATUS EXAM** The patient was neatly and appropriately dressed. Eye contact was good, and he was cooperative and fully oriented. Speech was of normal rate and volume. He appeared mildly anxious. Affect was full and appropriate to thought and situation. Thinking was linear, logical, coherent, and goal directed, and there were no indications of a disturbance in thought content. There were no indications of hallucinations or other perceptual disturbance. Psychomotor activity was normal. There were no thoughts of harming self or others.

**BACKGROUND INFORMATION** The patient reported that he is facing legal charges that resulted from his service at Abu Ghraib prison. He stated that he is charged with maltreatment of prisoners, assault, and indecent acts. The patient said, "I'm taking responsibility for my actions," and he stated that he has pled guilty to the charges. The patient indicated he was called to active duty on 26 February 2003, and he arrived in Iraq on 13 May 2003. He stated that he was initially stationed at a city south of Baghdad. He stated that he was reassigned to the prison in early October 2003, because of his experience as a correctional officer. The patient said that when he arrived the situation at the prison as a "nightmare," and that it was "filthy dirty." The patient said that when he arrived at the prison he saw "several things that I didn't agree with." He stated that he reported some of his concerns to his chain of command, and he was told by his chain of command that that was the way military intelligence "wanted it handled." The patient indicated that he was in charge of the night shift with five other soldiers, and he had to maintain order for over 1000 prisoners. He described his job as "nonstop stress," and his day as basically consisting of sleeping at working. He said he was "very exhausted most of the time," and that he had never experienced that much stress in his life. He also stated that he was "mentally drained," and that he had a force himself to get out of bed in the morning. He said that he was "in fear all the time," in part because of the threat of insurgents breaking into the prison. The patient reported that he was told that military intelligence had information that insurgents might attempt to break into the prison through the sewer system. He said this made him feel "paranoid." The patient also indicated that his job was made difficult because his suggestions were essentially ignored. He said this made him feel "bad." The patient stated that

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additional stress resulted from "never knowing who was in control or what the rules were, they were always changing." He described the situation as "total chaos."

The patient indicated that some of the Iraqi guards at the prison brought guns and knives to prisoners, and they also helped prisoners escape. The patient indicated that on one occasion one of the prisoners fired several rounds at him. He subsequently experienced dreams of being shot at, and he described the dream as being "so real" that it would awaken him. He indicated that his last dream occurred approximately two months prior to this evaluation. He also stated that he no longer experiences any dreams or intrusive thoughts of the shooting. The patient indicated that he was "real jittery" for some time after he left prison environment. He stated that sudden noises would scare him. For example, he stated that all one occasion someone dropped a helmet, and he "did everything" he "could to get under the table."

The patient reported that he has experienced depression since January 2004. He rated his depression as an 8 or 9 on a 10 point scale (1 = equals normal mood, 10 = severe depression) at its worse point. He indicated that at times his depression may decrease to a 2 or 4, but this lasts for only a day or so. The patient said that very little gives him pleasure, and he attributes this, in part, to his family not being around. He says he does not like to experience things without his family, and he added that he "thrives off" my family. He stated that he was having difficult getting to sleep and staying asleep. He said that his appetite is down and he has "just no taste for food." He reported that he has lost 20 pounds since January 2004. The patient indicated that he was prescribed Remeron for sleep, about to three weeks prior to this evaluation. He indicated that the Remeron has helped his sleep. However, he said he still has occasional nights when he cannot get to sleep, and he occasionally awakens and cannot get back to sleep. The patient said that sometimes he feels worthless. He indicated that when he feels like that, he tries to think of the good things that he has done and the good times he has had with his family. He indicated that he sometimes has difficult keeping his mind on task. He reported that his energy and interest have been down a little bit. The patient stated that he thought about suicide, but he concluded that it would be "a selfish to do." He indicated that it would "take the pain away" from him but "just put it on someone else." The patient reported that he experiences a "weird feeling in my stomach, which he attributes to "nervousness." He said he worries a good deal about the financial future of his family. He indicated that his hands shake on occasion, and he experiences occasional "heart pounding."

The patient described himself as "very quiet, affectionate, down-to-earth, and softhearted." He said that he will "do anything I can to help out." In this context, he said he is "an overall good person, but he was placed in a bad situation." The patient also described himself as "very agreeable and kind of quiet and shy." However, he said that he was outgoing, and by this he meant that he will go out of his way to help someone out. He indicated that he will drop whatever he is doing to help someone, and he sometimes sacrifices his own needs to accommodate others. He stated that he does not like people to be "mad at me or hate me." He reported that people can change his ideas, even if his mind is made up. He said that he often gives in because he fears rejection. The patient stated that he does not like to be alone, and gets a "little depressed" when he is alone. He said, "I like to have attention and someone around all the time, especially my family." The patient indicated that he is perfectionist. He stated that he likes his clothes to be folded in a certain way, and he like things to be "nice, neat, and clean." He said that his penchant for being neat sometimes "drives" his "wife crazy." He indicated some of his fellow soldiers in Iraq would make fun of him because of his need to have a neat uniform with creases. He reported that he would put his pants between a mattress and a piece of plywood in order to get a crease in them.

The patient reported that he grew up in West Virginia. His father, 77 years old, worked in the coalmines and is now retired. His mother, 73 years old, sold insurance, but according to the patient was mostly a homemaker. The patient reported that his mother was "very supportive and caring." The patient indicated his relationship with his father was also very good. He said that his father "taught" him "a lot and was very patient" with him. He pleasantly recalls often being in the garage within his father working on vehicles. The patient indicated that he had many friends in school and maintains contact with some of them. He has one sister, 48 years old, who is a registered nurse. The patient had been married for 5 1/2 years; this is his first marriage. He has two-step daughters, 19 and 14 years old. His wife works as a correctional officer. The patient describes his wife as "a very strong woman," who is supportive of him.

The patient reported that he graduated from high school, and he has earned 29 semester hours of credit at Allegheny College of Maryland. He indicated that he studied criminal justice. The patient said that he was an average student in high school and had a B average in college. The patient stated that he enjoyed high school and played football, basketball, and baseball. He indicated that he failed no grades, and he was never diagnosed with an attention deficit disorder or other learning disabilities. He indicated that he did not experience any developmental delays and his not aware of any perinatal complications. The patient indicated that he joined the National Guard in 1984, and he initially served as a combat engineer. He changed career fields 1995, when he became an MP. He has been a correctional officer for approximately eight years. Prior to his work as a correctional officer, he worked for 7½ at Bausch and Lomb making glasses.

The patient reported that he has no serious medical problems. He indicates he takes "antimalarial pill." He has never had any surgeries. His last physical was in October 2001. He has never had a head injury with a loss of consciousness. He is not aware of any exposure to any chemicals or toxins. The patient indicated that he has never experience any seizures. He stated that he experiences "migraines" once every 2-3 months. He said that he also experiences other headaches about once per week that are characterized by pain behind the eyes. He indicated that he takes a Goody's powder or Tylenol, which is helpful. The patient reported that he has not noted any recent sensory or motor changes. The patient indicated he is not noted any cognitive changes, such as memory difficulties or expressive and receptive language difficulties. He stated that he has been experiencing some dizzy spells for approximately 1 month. These dizzy spells occur once every two to three days and last approximately one minute. The patient reported that his use of alcohol has never created problems for him. He indicated that he drinks approximately one to two beers per week. He denied use of illicit drugs. He indicated that he smokes very rarely. He said that for the past two to three years he has not used any tobacco products. The patient denied past psychiatric treatment.

The patient reported that at 19 years of age he was charged with disturbing the peace. He indicated that he paid a five-dollar fine, and his record was eventually expunged. The patient indicated he was suspended one time from school for fighting. He said he cannot recall the details of the fight. The patient reported that he has never received any disciplinary actions while in the military, other than a negative counseling statement for being late for formation in 1985.

**TEST RESULTS** On the WASI the patient obtained a Verbal IQ of 92 (30<sup>th</sup> percentile), which is in the Low Average to Average range (95% Confidence Interval = 87-98); a Performance IQ of 99 (47<sup>th</sup> percentile), which is in the Average range (95% Confidence Interval = 93-105 ); and a Full Scale IQ of 96 (39<sup>th</sup> percentile), which is in the Average range (95% Confidence Interval = 92-100 ). The 7 point difference between the Verbal IQ and Performance IQ is not an unusual occurrence in the general population. The Full Scale IQ should provide a good estimate of the patient's overall level of intellectual functioning.

Validity scales on the three self-report measures of personality and emotional functioning used in this evaluation do not suggest of the patient attempted to present himself in an overly positive light with respect to psychological functioning. Validity scales indicate that the patient presented himself as a morally virtuous individual. There are no indications that he attempted to present himself in an overly negative light.

This patient reported many symptoms associated with anxiety. He is restless, anxious, apprehensive, edgy and jittery. He will be expected to have a variety of somatic complaints associated with physiological overarousal, especially gastrointestinal problems. He worries and great deal and is ruminative. He is reporting a large number of general fears and may tend to overidentify danger in the environment. He appears to be somewhat pessimistic, feels weak and tired, and is lacking in drive and motivation.

Test results suggest that a core motivation for this patient is to obtain and maintain nurturance and supportive relationships. He is expected to be obliging, docile, and placating, while seeking relationships in which he can lean on others for emotional support, affection, nurture, and security. His temperament will likely be pacifying and he will try to avoid conflict. In this regard, he will have general difficulty in expressing negative feelings for fear of alienating others. He will exhibit an excessive need for both attachment and to be taken care of, and he

will likely feel uneasy when alone. This underlies, in part, his tendency to submit to the wishes of others in order to maintain security. There are indications of some feelings of resentment and persecution, which seem to be related to his current legal issues.

  
(b)(6) - 2; 4  
Ph.D. DAC  
Clinical Psychologist  
LRMC Psychology Service



MCMII-III™  
ID 215568739

(b)(6) - 2; 4

ABU GUARD



REFERRAL

Profile Report  
Page 3

MILLON CLINICAL MULTIAXIAL INVENTORY - III  
CONFIDENTIAL INFORMATION FOR PROFESSIONAL USE ONLY

Valid Profile

PERSONALITY CODE: 3 \*\* - \* 8A 2B 7 + 2A 8B 4 5 " 6B 1 6A ' ' // - \*\* - \* //  
SYNDROME CODE: A \*\* - \* // - \*\* - \* //  
DEMOGRAPHIC: 215568739/ON/M/37/W/F/12/LO/JO/00000/10/00000/

CATEGORY		SCORE		PROFILE OF BR SCORES					DIAGNOSTIC SCALES
		RAW	BR	0	60	75	85	115	
MODIFYING INDICES	X	94	60						DISCLOSURE
	Y	14	65						DESIRABILITY
	Z	15	70						DEBASEMENT
CLINICAL PERSONALITY PATTERNS	1	2	24						SCHIZOID
	2A	5	59						AVOIDANT
	2B	6	70						DEPRESSIVE
	3	15	85						DEPENDENT
	4	17	52						HISTRIONIC
	5	12	51						NARCISSISTIC
	6A	3	22						ANTISOCIAL
	6B	3	26						SADISTIC
	7	22	63						COMPULSIVE
	8A	10	72						NEGATIVISTIC
8B	3	57						MASOCHISTIC	
SEVERE PERSONALITY PATHOLOGY	S	4	61						SCHIZOTYPAL
	C	4	37						BORDERLINE
	P	11	69						PARANOID
CLINICAL SYNDROMES	A	10	90						ANXIETY
	H	8	69						SOMATOFORM
	N	7	64						BIPOLAR: MANIC
	D	5	68						DYSTHYMIA
	B	1	15						ALCOHOL DEPENDENCE
	T	2	30						DRUG DEPENDENCE
	R	6	63						POST-TRAUMATIC STRESS
SEVERE CLINICAL SYNDROMES	SS	6	63						THOUGHT DISORDER
	CC	11	71						MAJOR DEPRESSION
	PP	5	67						DELUSIONAL DISORDER

(b)(6) - 4 (b)(6) - 4  
From: [redacted] [mailto:[redacted]@pgsp.edu]  
Sent: Wednesday, September 22, 2004 6:04 PM  
To: [redacted] (b)(6) - 2; 4  
Subject: Test Interpretation of Client [redacted]

I received the material on the 37 year old white male who, as I understand it, is being evaluated at the suggestion of his defense counsel and in preparation for his trial on charges of maltreatment of prisoners, assault, and indecent acts, all with reference to events at Abu Ghraib prison in Iraq. Please understand that ordinarily, I would want to interview the individual both before and after he completed the psychological assessment devices, in order to ensure the validity of the findings. However, that is not possible in this case and I am relying on a blind interpretation of the material. I am using the profiles of the MMPI-2 and the MCMI-III, along with a written copy of the psychological report signed by [redacted] PhD. (b)(6) - 4

This is a 37 year old male who, by review of the psychological report, is functioning within the average to low average range of intelligence. His educational level is unreported, but overall, the information available suggests that this man was capable of reading and understanding the materials presented to him and is able to understand the charges against him. Moreover, his response to the assessment, while somewhat guarded, is generally within the range expected of someone who is in a stressful situation of revealing material that may be used in his prosecution. The results of the assessment can be considered to be reasonably reliable and valid indicators of his current functioning.

It should be said that I find nothing of substance, in the current psychological report by [redacted] with which I disagree. The patient/prisoner presents himself as being a bit overly concerned with morality and adheres to quite conventional and conservative values and beliefs. His excess concern with morality and with issues of right and wrong is probably partly understood as a reaction to the current charges and the subsequent events surrounding his duties at Abu Ghraib Prison. Indeed, his morals have been called into question and have served as a basis for criticizing he and his comrades. In this context, it is not remarkable that he would be concerned with what is right and wrong and to be a bit defensive about his own sense of morality and ethics. (b)(6) - 4

**It should also be noted that there is no evidence of gross psychopathology.**

He appears to be oriented to time and events, evidences no serious distortion of reality, and is able to plan his actions and anticipate their consequences. His foresight and judgment are unimpaired.

The only areas of concern are those related to the expression of symptoms of anxiety, self-doubt, and distrust of authorities. He appears unduly anxious and is likely to have associated symptoms of stress, such as sleep disturbance, tension, difficulty concentrating, physical symptoms of nervousness, remorse, recurrent thoughts about real and imagined misbehaviors, and periods of pronounced subjective anxiety. These symptoms are likely to impede his ability to respond to new situations and may reduce his flexibility and ability to adapt to change. He is likely to be indecisive, insecure, and to rely on others to help him make decisions.

Indeed, the latter characteristic is likely to be a long-standing quality of this young man. He presents himself as rather dependent and cautious, lacking in self-confidence, insecure, needy of direction and approval, and easily intimidated by those in authority. In response to the current situation, he is in a difficulty quandary, being wary of authorities and generally being distrustful of those who are in charge, on one hand, but very uncertain of his own abilities to make decisions, and very needy of approval and of structure and guidance from authorities, on the other. He seeks assurance of his worth and acknowledgement of his efforts, and is quite dependent on others to help him act and keep agenda or make decisions.

**BATES PAGE 19032  
IS A DUPLICATE PAGE OF 19031**

Subj: **RE: Frederick Evaluation**  
Date: 9/26/2004 7:14:55 PM Eastern Daylight Time  
From: [redacted]@stanford.edu (b)(6)-4  
To: [redacted]@Ind.amedd.army.mil (b)(6)-2;4

9 26 04

At 01:22 AM 9/21/2004, you wrote:

The test data and a short report of results with some background info have been faxed to 415 673 2294- I did not draw any conclusion because no specific questions were asked of me.

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

Dear [redacted] (b)(6)-2;4

I have carefully read your evaluation and the test data, and thank you so much for this expert appraisal.

My basic question for you is:

1. Did you find anything in this client's evaluation that could be considered a pathological disposition that might have influenced his behavior as a guard in the Abu Ghraib Prison?

Another way to frame this is,

2. Can you say with any degree of certainty-- on the basis of your assessment -- that the Client came into that situation (or brought into that setting) a psychiatric pathological condition that affected his daily behavior as a corrections officer on that prison tier for the time period he was there?

3. Or, in trying to partition the causes of his (admitted) abuse of prisoners on that IA tier, how much of it would you say could be reasonably attributed to pathological features of his personality-- based on your assessments?

4. If his actions were to be described as "sadistic", in that setting, is there anything in your evaluation that would lead you to conclude that the Client's evaluation revealed sadistic symptomatology?

Thanks  
[redacted] (b)(6)-4

At 01:22 AM 9/21/2004, you wrote:

The test data and a short report of results with some background info have been faxed to 415 673 2294- I did not draw any conclusion because no specific questions were asked of me.

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

(b)(6)-2

Subj: RE: Witnesses (UNCLASSIFIED)  
Date: 10/12/2004 7:37:06 AM Eastern Daylight Time  
From: [redacted]@hqda.army.mil  
To: [redacted]@aol.com > (b)(6) - 2

703-6

Classification: UNCLASSIFIED

Caveats: NONE

[redacted] b7w-2

Still trying to get a commercial phone number for [redacted]... I should have it within the hour. Please fax me the report at (703) 696-[redacted] I will try [redacted] again this morning.

(b)(6) - 2; 4

v/r  
Chris

(b)(6) - 2; 4

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

From: [redacted]@aol.com [mailto:[redacted]@aol.com]  
Sent: Monday, October 11, 2004 1:17 PM  
To: [redacted]@vcmain.hq.c5.army.mil  
Cc: [redacted]@us.army.mil; [redacted]@us.army.mil  
Subject: Re: Witnesses

> (b)(6) - 2

(b)(6) - 2; 4

[redacted] by VTC is no problem. Hawaii was a welcome respite. This was particularly true because I won a motion to dismiss the single charge and spent Friday Saturday and part of Sunday on the beach.

If we are going to Victory I presume I will not have to go in country until 19 Oct. Please confirm.

Understood on [redacted] (b)(6) - 2; 4

I really need to speak with [redacted] as do you. Please give me a good fax number for [redacted] and I will fax the report immediately. It shows Frederick to have no pathology. He took no pathology into Abu. By that I mean no personality disorder, no sadism, etc. Just a country boy from Virginia with significant dependant traits. Not the stuff of good leaders. (b)(6) - 2; 4

(b)(6) - 2

I also am having difficulty reaching Cpt [redacted] and Maj [redacted]. Need to speak with both. Have left multiple messages with Cpt [redacted] at Leavenworth, [redacted] and no response. Understood about [redacted] but that is the number I have reached him on. I tried it two minutes ago and the family answered the phone. Again it is 631-265-[redacted]. He is finadable. He is with NYPD. I must speak with him by Wednesday or get a court order. Would rather not do that.

I do not mean to sound pressuring. Just that time is running out.

(b)(6) - 2; 4

Many thanks,

[redacted] b(6) (2)  
Further, I may still need a stip on MG [redacted]

Classification: UNCLASSIFIED

Caveats: NONE

Tuesday, October 12, 2004 America Online: [redacted]

(b)(6) - 2

019031

(b)(6) - 4



Dillwyn, Virginia 23936

RESUME OF QUALIFICATIONS



(b)(6) - 4

**EDUCATION:**

Buckingham County High School  
Buckingham, Virginia  
Diploma - 1974

Southside Community College  
Administration of Justice - 21 hrs. - 1982

**Additional  
Training:**

Merts  
Advanced Officer Training  
Advanced Firearms Training  
Hazardous Materials  
Principles of Supervision, Planning,  
Organizing, Controlling  
Techniques of Inmate Supervision  
Firearms  
Division Guidelines & Update  
Report Writing  
Legal Responsibility of CO's  
Principles of Supervision: Performance  
Standards  
In-Service Training Sgt. & Lts.  
First Aid  
In-Service Phase IV  
Firearms Instructor School  
BCO 88-16  
Introduction to All-In-I  
Hostage Negotiations  
Daily Duty Roster Training  
Security Chiefs Conference  
Drug-Free Workplace Training (CRO)  
Supervisors Management Skills  
Performance Standards  
Emergency Vehicle Training  
Leadership Skills Training Program  
Hostage Negotiations recertification

019035

DEFENSE EXHIBIT H ~~FD~~

OFFERED R. 442 ADMITTED 454

**Additional  
Training (Continued)**

Correctional Leadership Development (NIC)  
Business Writing  
Strategic Planning/Leadership Development  
How to Supervise People (Fred Pryor Seminar)  
Regional Coordinator/Starting Line Program  
Middle Managers In-Service  
Upper Management Leadership  
Executive Training for New Wardens  
Annual Pathogens  
Annual Firearms  
Senior Management Institute  
Correctional Peace Officers Institute  
Leak Detection  
VCA Accreditation  
VCA Detention Crowding  
VCA Cultural Diversity  
Outlook  
Basic Skills in Mediation  
Blood Borne Pathogens

019036

**PROFESSIONAL  
EXPERIENCE:**

Nov. 2000 to  
Present

Buckingham Correctional Center  
P. O. Box 430  
Dillwyn, Virginia 23936-0430  
Corrections Warden Senior

- Responsible for ensuring a safe and healthy environment through compliance with related policies, procedures, regulations, and legal mandates. Plans and implements procedures to reduce the risks for escapes and assaults. Ensures agency is in compliance with DOC policies & procedures, IOP's, Post Orders, audits, and standards. Purchases and maintains adequate equipment to ensure safety and security.
- Manages, directs, and supervises Buckingham Correctional Center. Defines and ensures compliance with the organizational mission. Is visible within the secure perimeter of the institution to ensure knowledge of staff and inmate issues and concerns, assessment of institutional needs and to communicate and convey information. Directs the draft, review, and implementation of IOPs and reviews and implements DOPs and DOC policies & procedures. Plans for effective recruitment, selection and retention of staff by compliance with DOC policies, procedures, and practices and industry best practices. Ensures staff knowledge, skills, and abilities are adequate to provide required criminal justice/law enforcement functions.
- Directs the development of the facility budget consistent with the needs of the institution. Ensures the institutional goals and objectives are linked to the budget planning process. Controls facility expenditures and costs. Ensures efficient and effective management of inmate funds. Monitors compliance with fiscal policies and procedures.

019037

Provides notice to the regional and central offices regarding potential budget problems.

- Manages public relations for the facility by establishing cooperative relationships with other state and criminal justice agencies to ensure inmate supervision and services are delivered as required. Provides safety and security for inmate services delivered in local communities. Provides accurate and timely information to the public to ensure good community relationships are established and maintained. Resolves issues, complaints and concerns. Implements volunteer programs to ensure effective delivery of institutional programs.
- Serves as chief executive officer on all matters relative to public safety, inmates, personnel, volunteers, programs, security and other activities. Responsible to the parent agency for accomplishment of the Department's mission in accordance with constitutional and legislative mandates, within the framework of agency and institutional rules, regulations and established operating budget.

019038

**PROFESSIONAL  
EXPERIENCE:**

Oct. 1997 to  
Nov. 2000

Powhatan Correctional Center

State Farm, Virginia 23160

Corrections Assistant Warden of Operations

- Responsible for managing the daily operations of Powhatan Correctional Center in an efficient and effective manner so as to ensure the public safety in accordance with the mission of the Institution and the Department of Corrections.
- Direct daily activities of security, food service, building and grounds, training, safety and sanitation, inmate disciplinary hearings and other key areas.
- Establish goals and objectives and assist in direction to accomplish goals, objectives and Department of Corrections Standards.
- Review work of staff and writes performance evaluations.
- Address employee relations and disciplinary issues.
- Provide direction for maintaining a safe, sanitary and clean environment, through weekly inspections of institution.
- Provide direction in preparing action plans for fire, safety, sanitation and maintenance deficiencies.
- Provide assistance to other state facilities, local jails, courts and other state agencies.
- Maintain good communications with inmates and employees, relating to institutional problems and concerns.
- Tour facility to ensure reasonable policy and procedure compliance.
- Coordination of M-Building and General Population classification process of transfers.

Feb. 1994 to  
Oct. 1997

James River Correctional Center

State Farm, Virginia 23160

Corrections Assistant Warden of Operations

- Responsible for the general direction and management of all operational functions.
- Direct daily activities of security, food service, building and grounds, training, safety and sanitation and other key areas.
- Establish goals and objectives and assist in direction to accomplish goals, objectives and Department of Corrections Standards.
- Review work of staff and writes performance evaluations.
- Address employee relations and disciplinary

019039

issues.

- Provide direction for maintaining a safe, sanitary and clean environment, through weekly inspections of institution.
- Provide direction in preparing action plans for fire, safety, sanitation and maintenance deficiencies.
- Provide assistance to other state facilities, local jails, courts and other state agencies.
- Maintain good communications with inmates and employees, relating to institutional problems and concerns.
- Tour facility to ensure reasonable policy and procedure compliance.
- Responsible for developing a 6 year site plan and assist in budget and expenditure preparations.

Aug. 1993 to  
Feb. 1994

Deep Meadow Correctional Center  
State Farm, Virginia

Corrections Assistant Warden of Operations

- Responsible for the general direction and management of all operational functions.
- Direct daily activities of security, food service, building and grounds, training, safety and sanitation and other key areas.
- Establish goals and objectives and assist in direction to accomplish goals, objectives and DOC Standards.
- Review work of staff and writes performance evaluations.
- Address employee relations and disciplinary issues.
- Provides direction for maintaining a safe, sanitary and clean environment, through weekly inspections of institution.
- Provide direction in preparing action plans for fire, safety, sanitation and maintenance deficiencies.
- Provide assistance to other state facilities, local jails, courts and other state agencies.
- Maintain good communications with inmate and employees, relating to institutional problems and concerns.
- Tour facility to ensure reasonable policy and procedure compliance.
- Responsible for developing a 6 year site plan and assist in budget and expenditure preparations.

Aug. 1989 to  
Aug. 1993

Deep Meadow Correctional Center  
State Farm, Va.

Corrections Major

- Supervise Shift Commanders and Coordinates

019040

the overall security program of the institution.

- Reviews work of staff and writes performance evaluations.
- Responds to inmate complaints and grievances that are related to security issues or security staff.
- Issues security procedures and post orders and oversees the security procedures to ensure proper implementation.
- Submits budget requests for Operation to meet security objectives. Approves purchases for all security equipment.
- Makes sure that the institution's training program is followed and all personnel are adequately trained to perform the duties of their job.
- Participates as a Management Team Member to give input into the overall operation of the institution from a security perspective.
- Interviews corrections officer applicants and makes recommendation to hire.
- Plan and coordinate all security operations of the institution; develop policies and procedures relating to security functions.
- Manage a budget of five (5) million dollars annually.
- Responsible for the security of 830 inmate population and 167 security staff.

Nov. 1987 to  
Aug. 1989

James River Correctional Center  
State Farm, Va.

Corrections Lieutenant

- Watch Commander of Third Shift.
- Responsible for a staff of 25 Correctional Officers and a population of 335 inmates.
- Supervise and coordinate the work of all sergeants, correction officers and inmates.
- Direct, control and supervise daily activities.
- Keep thorough and accurate up-to-date duty roster of all security staff.
- Ensure that all log books and written reports concerning the shift are up-to-date, and that all incidents on the shift are properly handled and reported to appropriate personnel.
- Tour entire institution daily checking performance of staff & conduct of inmates.
- Prepare daily duty roster to ensure proper and effective staffing of security.
- Ensure count of inmates is correct before assuming shift responsibility.

Oct. 1985 to

Virginia Power Nuclear Security

019941

Nov. 1987

North Anna Power Station  
Mineral, Va.

Security Control Systems Operator

- Operate Alarm Station Consoles; Electronic Access Control System; and Alarm Station Communications Systems.
- Control Personnel, Vehicle and Cargo Access to protected areas using remote access control hardware.
- Program the Security computer to perform required functions.  
Program the electronic access control system.
- Produce required reports and records utilizing the Security computer.
- Dispatch security personnel to perform necessary functions.
- Document activities occurring during the shift.
- Conduct functional tests of alarm station equipment and systems and assist in conducting functional tests of remote security hardware.
- Maintain records of maintenance performed on the security systems and hardware.

Nov. 1982 to  
Oct. 1985

Buckingham Correctional Center  
Dillwyn, Va.

Corrections Lieutenant

- Responsible for a staff of 65 Correctional Officers and a population of 690 inmates.
- Supervised and coordinated the work of all sergeants, corporals, officers and inmates.
- Directed control and supervised daily activities, including internal movement.
- Transported inmates for scheduled and unscheduled events.
- Kept thorough and accurate up-to-date duty roster of all security staff.
- Ensured that all log books and written reports concerning the shift were up-to-date, and that all incidents on the shift were properly handled and reported to appropriate personnel.
- Toured entire institution daily checking performance of staff and conduct of inmates.
- Prepared daily duty roster to ensure proper and effective staffing of security.
- Ensured count of inmates was correct before assuming shift responsibility.
- Assigned as Assistant Watch Commander on two of the three shifts.

July 1974 to

James River Correctional Center

019042

Nov. 1982

State Farm, Va.

Corrections Sergeant

- Officer in charge of third shift.
- Supervised 5 Corporals, 25 Officers and 300 inmates.
- Responsible for security of entire institution, staff, time keeping schedule, and handling all situations that may have occurred during the tour of duty.

Corrections Officer

- Worked every security post within the institution, from cell blocks to work gangs and gun towers.

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REFERENCES AVAILABLE UPON REQUEST

019043

[REDACTED] Ph.D.  
[REDACTED] ne  
[REDACTED] USA

(b)(6)-2; 4

**EDUCATION/TRAINING:**

B.A. 1971 Psychology, East Carolina University  
M.A. 1973, Psychology, East Carolina University  
Ph.D. 1980 Psychology, Texas Christian University  
Residency in Clinical Psychology (American Psychological Association approved), USAF Medical Center, Wright-Patterson AFB OH  
Post-Doctoral Fellowship in Clinical Neuropsychology, University Medical Center, University of Arizona

**LICENSES/CERTIFICATES:**

Licensed as Practicing Psychologist with Health Service Provider Designation, North Carolina, License # 978, 1983  
National Register of Health Care Providers, Registrant #42974, 1994

**MEMBERSHIPS:**

American Psychological Association (APA)  
Division 40 (Neuropsychology) of APA  
Society for Personality Assessment  
Psi Chi (National Honor Society in Psychology), 1970  
Sigma Xi (The Scientific Research Society), 1980

**PROFESSIONAL EXPERIENCE:**

Clinical Psychologist/Neuropsychologist  
01/18/1994 to present.  
Department of Psychology, Walter Reed Army Medical Center. Washington, DC

Provide services to active duty military and their beneficiaries as coordinator of psychological services for an inpatient psychiatric unit and Adult Partial Psychiatric Hospitalization Program. Perform psychological evaluations and provide individual and group psychological treatments for outpatient and inpatient adults, including alcohol and other drug abusing patients, utilizing a biopsychosocial approach. Utilize cognitive-behavioral therapy approaches to provide short-term individual and group psychotherapies, including assertiveness/social skills training and stress management, for adult outpatients. Perform and supervise command directed mental health evaluations, security clearances, and serve on sanity boards. Integrate psychological and/or neuropsychological test data with diagnostic interviews and collateral data to provide recommendations and diagnostic conclusions to command, mental health professionals, and other medical providers concerning hospitalization, military administrative issues, treatment planning, and differential diagnosis. This includes the full range of

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adult patients, especially those with more severe and complex psychiatric conditions. Provide feedback to patients concerning results of psychological evaluations. Supervise unlicensed military paraprofessionals, psychology practicum students, and psychology residents (participating in an American Psychological Association approved clinical training program) in psychological treatment and psychological evaluations/testing as appropriate. Train medical students and psychiatric residents in the use of psychological assessment methods. Participate in multidisciplinary treatment planning teams involving social workers, psychiatrists, nurses, and other professionals and paraprofessionals. Prepare and deliver advanced lectures to psychology and psychiatry residents. Conduct and publish psychological research in peer-reviewed journals.

Post-Doctoral Fellow in Neuropsychology

University Medical Center, Memory Disorders Clinic, University of Arizona, Tucson, AZ  
03/01/1992 to 05/01/1993.

Performed neuropsychological evaluations of adult neurosurgery patients, adult patients who experienced traumatic brain injury, and patients referred to the memory disorders clinic. Provided feedback to patients and family members as appropriate regarding evaluation results and made referrals to appropriate treatment services, such as social work and community agencies. Age groups ranged from adolescents to the elderly. Participated in multidisciplinary diagnostic teams. Supervised clinical psychology interns.

Chief, Psychology Service (USAF Captain)

836th Medical Group, Davis-Monthan AFB, AZ 8572  
07/23/1987 to 02/29/1992

Provided individual cognitive-behavioral and problem-focused treatments to active duty military and beneficiaries with an emphasis on short-term psychotherapy. Provided structured cognitive-behavioral group therapies, including stress management, anger management, social skills training, and cognitive-behavioral groups for depression. Completed psychological evaluations for differential diagnosis and treatment planning purposes, including referral for medication and hospitalization. Supervised intakes and short-term treatment provided by enlisted mental health technicians. Evaluated active duty personnel for fitness for duty and security clearances, including SCI clearances. Assessed individuals on TDRL status for medical boards determinations. Conducted emergency after hour on-call mental health evaluations to assess risk and need for hospitalization. Served as consultant to Hostage Negotiation Team and responsible for base suicide prevention program. Served as the psychologist on the mental health team for a 60 bed Air Transportable Hospital while deployed during Desert Storm/Shield providing short term focused treatment, psychological evaluations, combat stress management and redeployment briefings for active duty personnel.

Senior Psychologist

Cumberland County Mental Health Center, Fayetteville, NC  
08/01/1985 to 07/01/1987.

Provided psychotherapy and psychological evaluations for the complete spectrum of psychiatric disorders including adult and adolescent drug and alcohol abusers with an emphasis on individuals experiencing chronic and severe psychiatric disabilities. Developed and implemented a computerized screening, intake, and referral system. Served as training director for paraprofessionals in the alcohol/drug treatment program, which included providing lectures (e.g., mental status, psychotherapy) and individual supervision. Participated and supervised multidisciplinary treatment planning teams.

Chief, Psychology Service (USAF Captain)

USAF Hospital Barksdale AFB, LA 71101  
08/01/1985 to 07/01/1987.

Provided cognitive-behavioral treatments with a focus on short-term psychotherapy for military active duty. Completed psychological evaluations for differential diagnosis and treatment planning purposes, including referral for medication and hospitalization. Supervised mental health technician's initial evaluations and short-term treatment as well as psychological testing services they provided. Evaluated active duty personnel for fitness for duty and security clearances. Provided emergency after hours on-call mental health evaluations. Evaluated alcohol and drug abusing patients for disposition.

Assistant Professor of Psychology  
University of North Carolina at Pembroke. Pembroke, NC  
09/01/1981 to 08/15/1982.

Prepared and delivered lectures for the following courses: psychological testing, abnormal psychology, clinical psychology, and personal adjustment. Each was a semester long course.

**PUBLICATIONS/PRESENTATIONS:**

(b)(6) - 2-4  
[REDACTED] (2001). An examination of the MMPI-2 Wiener-Harmon Subtle subscales for D and Hy: Implications for parent scale and neurotic triad interpretation, Journal of Personality Assessment, 77, 105-121.

(b)(6) - 2-4  
[REDACTED] R. (Eds.) (1991) Handbook of self-actualization, [Special Issue.] Journal of Social Behavior and Personality, 6, 5.

(b)(6) - 2-4  
[REDACTED] (1991). Issues in self-actualization measurement. In A. Jones and R. Crandall (Eds.), Handbook of self-actualization. [Special Issue.] Journal of Social Behavior and Personality, 6, 339-344.

(b)(6) - 2-4  
[REDACTED] (1986). Validation of a short index of self-actualization. Personality and Social Psychology Bulletin, 12, 63-73.

(b)(6) - 2-4  
[REDACTED] (1985). Preparing newcomers to enhance assimilation into groups: A group therapy example. Small Group Behavior, 16, 31-57.

(b)(6) - 2-4  
[REDACTED] (1981). The combined treatment of drug and alcohol abusers: An overview. Journal of Drug Issues, 11, 109-122.

(b)(6) - 2-4  
[REDACTED] (1981). Inpatient vs. out-patient treatment of drug and alcohol abusers. American Journal of Drug and Alcohol Abuse, 8, 329-345.

(b)(6) - 2-4  
[REDACTED] (1981). Perceptions of psychological influence: A cognitive information processing approach for explaining moderated relationships. Personnel Psychology, 34, 453-477.

(b)(6) - 2-4  
[REDACTED] (1994, Feb.). Errors of omission and commission in distinguishing Alzheimer-type and depressed patients. Paper presented at the International Neuropsychological Society meeting.

(b)(6) - 2-4  
[REDACTED] Relative effectiveness of outpatient and inpatient combined treatment for alcohol and drug abusers. (1980). Paper presented at the annual convention of the Southwestern Psychological Association, Oklahoma City, OK.

(b)(6) - 2-4  
[REDACTED] (1979, Sept.). Professional status, past addiction and treatment experience of counselors: The relationship to helping skills and client treatment

and life satisfaction. Paper presented at the annual convention of the American Psychological Association, New York City.

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[REDACTED] (1979, Sept.). Role of client load on treatment climate. Paper presented at the annual convention of the American Psychological Association, New York City.

**RESEARCH IN PROGRESS:**

(b)(6) - 2, 4

[REDACTED] An examination of the validity of the Levitt and Gotts MMPI-2 personality disorder scales.

(b)(6) - 2 - 4

[REDACTED] An Analysis of the component neurocognitive processes for the Trail-Making Test. An examination of age related changes.

January 2003

VITA

[REDACTED]

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Stanford University  
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Telephone: [REDACTED]  
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[REDACTED] Admin. Associate

Home:  
[REDACTED]  
Fax: (415) 673-2294  
[REDACTED] zim@stanford.edu

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PERSONAL INFORMATION

Born: [REDACTED] New York City, NY  
Married: [REDACTED], Ph.D., Psychologist, U. C. Berkeley  
Children: [REDACTED]  
Licensed: Psychologist, State of California PL [REDACTED] since 1975)

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EDUCATION AND HONORARY DEGREES

Brooklyn College, A.B. (Summa) Honors in Psychology, Sociology/Anthropology, 1954,  
Phi Beta Kappa, 1953.  
Yale University, M.S. 1955; Ph.D., 1959

Honorary Degree, Doctor of Humane Letters in Clinical Psychology, Pacific Graduate  
School of Psychology, 1996  
Honorary Degree, Doctor Honoris Causa, National University of San Martin, Peru, 1996  
Honorary Degree, Doctor Honoris Causa, Aristotle University, Thessalonika, Greece, 1998

PROFESSIONAL EXPERIENCE

Post Doctoral Trainee - West Haven Veteran's Hospital, Clinical Psychology Dept., 1959-1960  
Co-Director (with Dr. S. Sarason), Children's Test Anxiety Research Project, Yale University,  
1959-1962  
Created, Directed The Harlem Summer Program, "A Head Start-Black Pride" Daily Program  
Staffed by NYU and CCNY Students in Harlem (1965)  
Training and research consultant in hypnosis, Morton Prince Clinic, New York, 1963-1967  
Co-Director (with Dr. E. Hilgard), Stanford Hypnosis Research Lab, 1969-1980  
Director, Stanford University Social Psychology Graduate Research Training Program  
Founder, Co-Director (with Dr. L. Henderson), Shyness Clinic/ Shyness Institute, 1975-present  
Senior Scientific Advisor, writer, narrator, *Discovering Psychology*, PBS-TV/ Annenberg Corp  
Video series (1989, updated 2001)

TEACHING

Instructor/Assistant Professor, Yale University, 1957-1960  
Assistant Professor, New York University, 1960-1967  
Professor, Stanford University, 1968 to present  
Visiting Professor: Yale (1962), Stanford (Summer 1963), Barnard College (1966), University of  
Louvain (Belgium) Part-time (Summer 1966), University of Texas (1967), Columbia University  
(1967-68; Klingenstein Professor of Behavioral Sciences, University of Hawaii (Summer 1973),  
International Graduate School of Behavioral Sciences, Florida Institute of Technology at Lugano,  
Switzerland (Summer, 1978), University of Warsaw (Summer 2000)

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## HONORS

### TEACHING

- \*Distinguished Teaching Award, New York University, 1965
- \*Distinguished Teaching Award for Outstanding Contributions to Education in Psychology, American Psychological Foundation, 1975
- \*Phoenix Award for Outstanding Teaching, Stanford Psychology Department Faculty, 1984
- \**California Magazine*, Best Psychology Teacher in California, 1986
- \*The Walter Gores Distinguished Teaching Award, Senior Faculty, Stanford University, 1990
- \*Bing Fellow Outstanding Senior Faculty Teaching Award, Stanford University, 1994-1997
- \*WPA Recipient of the annual Outstanding Teaching Award, 1995
- \*Distinguished Teaching Award, Phi Beta Kappa (Northern California Chapter), 1998
- \*Robert S. Daniel Teaching Excellence Award, APA Division 2, Society for the Teaching of Psychology, 1999
- \*Dean's Award for Distinguished Teaching, Stanford University 1999-2000

### RESEARCH

- \*Peace Medal from Tokyo Police Dept., 1972 (special recognition of a foreign national whose research and ideas significantly contributed to improving criminal justice administration)
- \*Fellow, Center for the Advanced Study in the Behavioral Sciences, 1972
- \*Gordon Allport Intergroup Relations Prize (honorable mention), 1974, Society for Psychological Study of Social Issues (for the Stanford Prison Experiment)
- \*Distinguished Research Contributor Award, California State Psychological Association, 1977
- \*Psi Chi Award for contributions to the Science of Psychology, 1986
- \*Guze Award (Society for Clinical & Experimental Hypnosis), Best Research in Hypnosis, 1989
- \*Selected as one of ten major contributors to *Social Psychology*, Yosemite Conference on 100 Years of Experimental Social Psychology, 1997
- \*Ernest R. and Josephine R. Hilgard Award for the Best Theoretical hypnosis paper for Society for Clinical and Experimental Hypnosis, published 1999
- \*Distinguished Lifetime Contributions to General Psychology (APA, Division 2, 2000)
- \*Distinguished Contributions to Scientific Hypnosis (APA, Division 30, 2001)
- \**Psychology Today Magazine*, Mental Health Award for Research and Treatment of Shyness, 2001
- \*Distinguished Lifetime Contributions to Psychology, California Psychology Association, 2003

### WRITING

- \*National Media Award (honorable mention), American Psychological Foundation, 1973 (for popular writing on vandalism)
- \*William Holmes McGuffey Award for *Psychology and Life*, for Excellence and Longevity, (Textbook Authors Association) 1995

### GENERAL

- \*President, Western Psychological Association, 1983, again in 2001
- \*Who's Who in America, 1982 to present
- \*Ugliest Man on Campus (Most Popular Stanford Faculty/ Administrator), Alpha Phi Omega, 1983
- \*Chosen by Editors of *The Sciences* to represent psychology in its 35<sup>th</sup> year celebration reflecting on the contributions in each field of science, November, 1996
- \*Phi Beta Kappa, Distinguished Visiting Lecturer, 1989-1990
- \*Distinguished Contribution to Psychology as a Profession, California Psychological Association, 1998
- \*APA Division 1 award, Ernest Hilgard Award for Lifetime Contributions to General Psychology, 2000
- \* Los Angeles County Psychological Association: Psyche Award for lifetime contributions to Psychology as a science and art (2000)
- \*Fulbright Scholar at U. Rome (2001)
- President of the American Psychological Association, 2002

### MEDIA

- \*Selected to be Senior Academic Advisor, Host, Writer and Narrator of *Discovering Psychology*, (A 26-part PBS TV series on psychology, Annenberg/CPB project, 1986-1989)

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\*London Weekend Television (Granada Media), "Human Zoo" Three Programs, Chief Scientific Advisor and On-Screen Expert

- \*STC (Society for Technical Communication) International Audiovisual Competition Award of Excellence for "The Power of the Situation" (*Discovering Psychology* video series), 1991
- \*Columbus International Film & Video Festival Bronze Plaque Award for "The Developing Child" (*Discovering Psychology* video series), 1992
- \*International Film & TV Festival of New York Finalist Certificate for "Past, Present and Promise" (*Discovering Psychology* video series), 1992
- \*WPA Film Festival Award of Excellence for "The Responsive Brain" and "Social Psychology" (*Discovering Psychology* video series), 1992
- \*WPA Spring Festival first place award for *Quiet Rage: The Stanford Prison Study* video, 1993
- \*WPA Spring Festival first place award for *Candid Camera Classics in Social Psychology* Video, 1993
- \*APA Presidential Citation for outstanding contributions to psychology for the *Discovering Psychology* video series, 1994
- \*Psychological Consultant, New Programming for NBC TV, 2002.
- \*Emmy Award, New England Instructional Television, Host, Cognitive-Neuroscience (*Discovering Psychology* Video Series), 2002
- \*WPA Spring Festival, First Place Award for Cultural Psychology (*Discovering Psychology* Video Series), 2002
- \*Sagan Award for Promoting Public Understanding of Science, Awarded by Council of Scientific Society Presidents, 2002.

## PROFESSIONAL MEMBERSHIPS

American Psychological Association (APA), Fellow; Div. 1(F), 2(F), 3(F), 8(F), 9(F), 13(LM), 15(F), 26(LM), 35, 45, 46(LM), 48(F), 52(F)  
Association for Advancement of Psychology (AAP)  
American Psychological Society (APS), Fellow  
Charter Fellow Canadian Psychological Association (CPA)  
Western Psychological Association (WPA), Fellow  
Eastern Psychological Association (EPA), Fellow  
California State Psychological Association (CSPA)  
International Association of Applied Psychology (IAAP)  
International Congress of Psychology (ICP)  
Society for Inter-American Psychology  
Society for Psychological Study of Social Issues (SPSSI)  
American Association for Advancement of Science (AAAS), Fellow  
Society for Experimental Social Psychology (SESP)  
Society for Advancement of Social Psychology (SASP)  
Society for Personality and Social Psychology (SPSP)  
Phi Beta Kappa, Sigma Xi, Psi Chi  
American Association of University Professors (AAUP)  
Psychologists for Social Responsibility

## CONSULTATIONS AND BOARDS

Research Consultant, Morton Prince Clinic for Hypnotherapy (New York City)  
Asthma Research Unit, Cornell Medical School (New York City)  
Tokyo Police Department  
Wake Up! Louisiana (New Orleans Citizens' Group)  
Public Advocates Law Offices (San Francisco)  
Charles Garry Law Offices—expert witness, prison litigation, Senate subcommittee on prisons and juvenile delinquency  
Japanese internment reparations hearings (San Francisco)  
San Francisco Newspaper Agency (Senior Project Research Consultant)

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Cristaldi Films, Rome, Italy (Consultant on "Control" film)  
SRI International Consultant to PSI Phenomena Project (Oversight Committee)  
San Francisco Exploratorium, Consultant to APA Traveling Museum Exhibit, and Memory Project  
Executive Board for the Holocaust Study Center, Sonoma State University  
Advisory Panel for the Center on Postsecondary Learning, Teaching and Assessment  
Board of Advisors, *Psychology Today* Magazine  
Consulting Editor, McGraw Hill Publishers, Social Psychology Series  
Historian, Western Psychological Association (1984-2000)  
Editorial Board, *Journal of Social Behavior and Personality*  
Editorial Board, *Journal of Social Issues*  
Institute for Research on Social Problems  
Contributing Editor, *Healthline*  
Advisory Board, The Foundation for Grand parenting  
Advisory Board, End Violence Against the Next Generation (California)  
Advisory Board, North American Journal of Psychology  
Honorary Member, Italian Inter-university Center for the Study and Research on the Origins and Development of Prosocial and Antisocial Motivations  
Consultant, Live Entertainment, Hollywood, "Stanford Prison Experiment" film  
Advisory Council, Resources for Independent Thinking  
Advisor, London Weekend Television, "Human Zoo" 3 programs on group behavior Discovery Channel  
Advisor, BBC, Human Rights, Human Wrongs Program: "Five Steps to Tyranny,"  
Founder, Scientific Advisor, RealPsychology.com  
Consultant, NBC TV  
Consultant, Maverick Films, Hollywood, "Stanford Prison Experiment" film  
Board of Directors, Council of Scientific Society Presidents

## **INTERNATIONAL INVITED ADDRESSES, WORKSHOPS, PRESENTATIONS**

### *Conventions and Associations*

International Congress of Psychology (in Bonn, London, Tokyo, Mexico City, Brussels, Stockholm);  
International Congress of Applied Psychology, International Social Psychology Conference (in Majorca, Spain, and Budapest); Canadian Psychological Association, Japanese Psychological Association, Japanese Social Psychological Association, German Psychological Society, Greek Psychological Association, Spanish Social Psychological Association, European Association of Experimental Social Psychology, European Association of Personality Psychology, World Congress on Eclectic Hypnotherapy in Psychology (Ixtapa), International Conference on Time (San Marino, Italy);  
International Convention on Shyness and Self Consciousness (Cardiff, Wales), Mexican Psychological Society

### *Universities*

University of Salamanca, University of Barcelona; The Sorbonne; University of Paris (Ecole des Hautes Etudes), University of Rome, University of Bologna, Catholic University of Milan, University of Naples, University of Parma; Oxford University, East London University, Central London University, University of Cardiff, Open University-Birmingham, England; University of Thessalonika, University of Athens; University of Louvain; Hamburg University; Tokyo University, Kyoto University, Okinawa University, Osaka University; University of Sao Paulo, University of Rio de Janeiro; Guanajuato University; University of British Columbia, Calgary University, University of Alberta, Toronto University, McGill University, University of New Foundland; Chinese University of Hong Kong, Deree College, (Athens).

## **DOMESTIC LECTURES, WORKSHOPS, PRESENTATIONS**

### *Conventions and Associations*

American Psychological Association, American Psychological Society, Eastern Psychological Association, Western Psychological Association, Midwestern Psychological Association, South Eastern Psychological Association, Rocky Mountain Psychological Association, New England Psychological Association, American Psychiatric Association, American Ortho-psychiatric Association, American Association for the Advancement of Science, New York Academy of Sciences, Society for

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Experimental Social Psychology, Federation of Behavioral, Cognitive and Social Sciences, Nebraska Symposium on Motivation, Society for Clinical and Experimental Hypnosis, National Conference on Law Enforcement, Smithsonian Institute, Annenberg Foundation, American Association of Behavior Therapy, Anxiety Disorders Association of America, California School of Professional Psychology (Fresno and Berkeley), Pacific Graduate School of Psychology, Eriksonian Conference on New Developments in Therapy, National Conference on Teaching, Texas Junior College Convention, Veteran's Administration Hospital Psychology Programs in Palo Alto, Menlo Park, CA., Bronx, NY, Society for Research in Child Development, California Psychological Association, Midwest Institute for Teachers of Psychology.

### *Colleges, High Schools*

University of Virginia Visiting Scholar (lectured at VMI, Virginia Tech, George Mason, William & Mary Colleges); University of California: at Berkeley, Davis, La Jolla, Los Angeles, Riverside, Santa Barbara, Santa Cruz, San Francisco (Extension Program), San Francisco (Langley Porter Institute); California State University: at Fresno, Long Beach, San Diego, San Marino, Sonoma; Claremont-McKenna College, Claremont College, Cal Tech, University of Southern California, San Francisco State University, College of San Mateo, Foothill College, D'Anza College, NYU, Columbia University, Yeshiva University, New School for Social Research, Queens College, Hunter College, Brooklyn College, Lehman College, City University of New York, Einstein Medical School, West Point Military Academy, University of Vermont, Dartmouth College, Cornell University, Harvard University, Boston University, Wesleyan University, Yale University, Brandeis University, MIT, Pennsylvania University, Temple University, St. Joseph's University, Princeton University, Rutgers University, Montclair State College, University of Delaware, Emory University, Pittsburgh University, University of Cincinnati, Duke University, North Carolina University, University of Florida, Broward Community College, Baton Rouge College, LSU, University of Texas (Austin), Sam Houston Community College, University of Houston, Texas Tech University (Lubbock), McNeese State College, Arkansas University, University of Northern Arizona, Arizona State University, Arizona University, Michigan University, Northwestern University, University of Chicago, University of Illinois- Chicago, St. Louis University, Oregon University, Washington University, University of Central Washington, University of Eastern Washington, Chemmetkita College (Washington), University of Hawaii (Manoa Campus), Central Oklahoma University, University of Puget Sound, Reed College, University of South Carolina, Claremont Graduate School, California State University, Long Beach, Ohio State University, Devry University, College of DuPage, Holy Names College, Baldwin Wallace (Harrington Distinguished Lecturer), Temple University (Uriel Foa Distinguished Lecturer), Tufts University, Prince Georges CC.

Jordan Junior High School (Palo Alto), Crittenden Middle School (Mountain View), Lick-Wilmerding High School (S.F.), Lincoln High School (S.F.), Gunn High School (Palo Alto), Loudin County High School (Virginia), Walt Whitman High School, (Bethesda, Maryland)

### *Non-Academic Lectures, Presentations*

Commonwealth Club (San Francisco), Comstock Club (Sacramento), IBM, Maritz Corporation, Xerox Corporation, New Orleans Chamber of Congress, Harper Collins Publisher, Scott, Foresman Publisher, National College Textbook Publishers Conference, Lucas Arts (Industrial Light and Magic Company), George Lucas Workshop on Creativity, Local PTA Groups, Prison Reform Groups, Peace Group Associations (New York and California).

### **MEDIA PRESENTATIONS (TV AND RADIO)**

"Discovering Psychology" Series, 26 episodes shown nationally on PBS and Internationally in 10 Countries (from 1989 to Present), The Today Show, Good Morning America, 20/20, Night Line, and The Phil Donahue Show (each several times), That's Incredible, Not For Women Only, To Tell The Truth, Tom Snyder Show, Charlie Rose Show, NBC Chronolog, People Are Talking, AM and Late Night TV Shows in NYC, LA, Chicago, Seattle, Washington, DC, Atlanta, Detroit, Philadelphia, Pittsburgh, Boston, Vancouver; Canadian Broadcasting Company, BBC, CNN, National Public Radio, KGO Radio, Live 105 San Francisco Radio, Milt Rosenberg Radio Interview Program (Chicago), Italian TV-RAI (Shyness Program on Quark), Stanford Television Network, The Discovery Channel Program on Torture. 60 Minutes, and, London Weekend TV/ Discovery Channel

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program on the "Human Zoo." Only Human", NBC/Discovery Channel.

## **INTERVIEWER/ ON STAGE CONVERSATION SERIES**

Public interviews/conversations for California Academy of Sciences and S. F. City Arts & Lecture Series) with:

Anna Deveare Smith, Oliver Sachs, Jonathan Miller, Robert Coles, Andrew Weil, Frank Sulloway, Sarah Lawrence Lightfoot, Elizabeth Marshall Thomas, Mary Catherine Bateson, Peter Funt (son of Allen Funt), Frank Sulloway, Michael Gazzaniga.

## **CAREER GOALS**

The joys of psychology have come from blending teaching, research, and applications of psychological knowledge as basic career goals. I love to teach and have done it extensively and intensively for nearly 50 years, trying to communicate what we know and how we know it to the next generation of citizens and psychologists. But my training as a research psychologist has prepared me to take much delight in contributing to the basic knowledge about how the mind and behavior works. Publishing that information is not only essential to career advancement, but to sharing with colleagues and the public these new ideas. Finally, it has always been a central goal for me academically and personally to "give psychology away" to the public, to the media, and to those who could use it in ways that enhance the human condition. I like to think of myself as a social change agent--able to use my experience, training, and insights as a psychologist to make a difference in the lives of many people.

## **TEACHING CAREER**

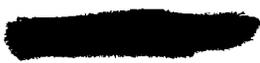
**The year 2003 marks my 46th year as an educator, the sixth decade of continually teaching Introductory Psychology.**

I began teaching in 1957 as a part-time instructor at Yale, in charge of a class of 25 freshmen in Introductory Psychology, and continued this wonderful experience for several more years until my first full-time appointment as assistant professor at New York University, Heights Campus in the Bronx. That was teaching in the raw: 12 semester courses a year, including summer school, all lecture courses, including 3 large Introductory Psychology courses per year. Living in New York on semi-starvation wages forced me to add a 13<sup>th</sup> course for several years, moonlighting up at Yale, teaching the Psychology of Learning to master's level students in the Education School, and another year teaching Social Psychology at Barnard College. Some years I taught summer school at Stanford, in Louvain, Belgium, and Lugano, Switzerland.

I love to teach large lecture classes where I am on the "performing center," doing demonstrations, class experiments, and integrating novel AV materials, but it is more challenging to be intimately connected to students in seminars where I learn from our interaction. In addition to this in-class teaching, I have always mentored students in individual study, undergraduate honors research, and thesis research of masters and doctoral students.

Another dimension of teaching for me has been to develop teaching materials, and course supplements that make teaching both more effective and easier. To this end, I have not only written many basic texts and primers in Introductory and Social Psychology, but pioneered the new breed of Instructor's Manual that helps teachers with every aspect of course preparation and curriculum design. I have also developed Student Guides and Workbooks, and a variety of demonstrations and AV resources for teachers. Among the later are: the "Discovering Psychology" PBS - video series of 26 programs covering all of general psychology, "Candid Camera Classics," one for Introductory and another for Social Psychology courses (with teacher's manuals for each), "Quiet Rage," the video documentary of the Stanford Prison Experiment, and a public web site slide show of my experiment ([www.prisonexp.org](http://www.prisonexp.org)).

In the past decade, about 70,000 students in Tele-Courses have received full credit for Introductory Psychology by passing a standard test based on the "Discovering Psychology: video series and a basic textbook. For me, that represents an ideal in "outreach teaching."



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Another dimension of teaching in my career has been training teachers also to discover the joys of teaching by helping them to do their job really well. I regularly give workshops on teaching throughout the country, at professional meetings (APA, APS, WPA, National Conference on Teaching, and others); in many universities and colleges; organize my own workshops at Stanford (for local area teachers at all levels of psychology education), and have given many teaching workshops internationally as well. I also contribute to teaching by training my own teaching associates to become experts through working closely with them in an intensive Practicum in Teaching course, that I innovated in 1960 at NYU, and have developed over the years into a training program that includes undergraduate TAs as well as graduate students. Many of these students have gone on to become distinguished, prize-winning teachers in colleges across the country and in national competitions.

**STANFORD TEACHING:** I believe that I have taught more students, for more credits, in a greater variety of courses, than any other Full Professor in the history of Stanford University. Since 1968, I have regularly taught large lectures in **Introductory Psychology**, one of the most popular courses in the University, typically to about 325 students, but have taught this course to as many as 1000 students, and as few as 10 students in a special seminar format with computerized daily interaction on written assignments, in addition to lectures.

**Unit Mastery Instruction:** For several years, I taught about 600 students in a Unit Mastery System with Personalized Instruction that included taking individual testing on each of 18 chapters of the text, and oral exams on an additional reading. Proctors, 200 of them, administered all testing in their dorms separately to each of their 3 students, and met weekly with me to discuss issues relevant to this form of teaching. About 50 other undergraduate teaching assistants worked in pairs to lead their weekly discussion section component of the course.

**Practicum in Teaching** is a seminar I designed to train graduate and undergraduate teaching assistants to become effective teachers, first by helping them to develop engaging weekly sections that are coordinated with my lecture course, **Introductory Psychology**, based on original experiments, demonstrations and exercises that I designed and are available in my Instructor's Manual for this course. In addition, this course is designed to teach students to value the honor of being able to teach and guide them toward successful careers in teaching.

*Lecture Courses:*

- Introductory Psychology
- The Psychology of Mind Control
- Social Psychology (taught solo and also as a co-teacher)
- Social Psychology In Action
- Social Alienation
- The Nature of Madness
- The Psychology of Hypnosis
- Sex Roles in the U.S. and Italy (During Florence teaching term)
- Cross-Cultural Psychology (During Florence teaching term)
- Psychology and Drama (Co-taught with Patricia Ryan, Drama Department)

*Seminar Courses:*

- The Psychology of Imprisonment (Co-taught with Carlo Prescott, former inmate)
- The Dynamics of Shyness (general students and Freshman, Co-taught with Lynne Henderson)
- The Psychology of Time Perspective (Sophomore Seminars)
- On Becoming a Professional Psychologist (for advanced graduate students)
- Effective Teaching (Co-taught with David Rosenhan)
- Research Methods in Social Psychology (Graduate Course)
- Research Issues in Social-Cognitive Pathology (Graduate Course)
- Graduate Pro-seminar in Social Psychology (Weekly Area Meetings, Faculty & Graduate Students)
- Practicum in Teaching for Graduate and Undergraduate Teaching Associates

*Individual Study, Reading and Laboratory Projects:*

I usually have several undergraduate Honors students working under my direction each year, and also supervise 5 to 20 undergraduates and graduate students doing individual study with me, either in special laboratory projects or independent reading.

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## RESEARCH INTERESTS

My research has always focused on trying to understand basic psychological phenomena, from early research on exploratory and sexual behavior (in rats) to test anxiety (in school children), prejudice, affiliation, dissonance, persuasion, motivation, deindividuation, aggression, memory, shyness, pro-social and anti-social behavior, time perspective, madness and more.

The research issues in which I am currently interested center on several fundamental human concerns: time, madness, shyness, and evil.

### TIME PERSPECTIVE

The psychological study of temporal perspective investigates the ways in which our learned sense of partitioning experience into the three frames of past, present and future exerts profound influences upon how we think, feel and act. Because of learned biases in over emphasizing one of these three temporal modes, or de-emphasizing one or more of the other time zones, we may distort reality, reduce our personal effectiveness or happiness, create problems in our social relationships, and lead others to misattribute our performance to ability or motivational factors rather than to the subtle, pervasive, and non-obvious operation of our temporal perspective. This issue is studied with a multi-method approach that includes a new assessment instrument (Zimbardo Time Perspective Inventory), large-scale surveys, field studies, interviews, and laboratory experiments. The emerging results have important implications for educational practice, family dynamics, group conflict, creativity, and social problems such as addiction and unwanted teenage pregnancies. Both a sociological and economic level of social class level of analysis supplements the psychological level of analysis of individual behavior. This area of research (begun in 1971 with an original experiment that manipulated time perspectives by transforming future-oriented students into present-oriented hedonists using hypnotic manipulations) advances Time Perspective as a "foundational" process in psychology. My theorizing (elaborated in a Dec., 1999 *JPSP* article) proposes that Time Perspective exerts profound influences across a wide range of human experiences and actions, yet is unrecognized in its power. I argue that TP is the foundation upon which many psychological and social constructs are erected, such as achievement motivation, commitment, responsibility, guilt, goal seeking, planning, and many more. Going beyond experimental and correlational research, I (with John Boyd) have developed a new reliable, valid index of time perspective profiles that give promise of organizing much of the research in this area, while stimulating new research on risk taking, health decisions, and addictive behavior.

### THE DISCONTINUITY THEORY OF THE ORIGINS OF MADNESS

A similar concern for integrating individual psychology with social analysis is seen in my long-term interest in discovering the process by which "ordinary, normal" people are "recruited into madness." The conceptual model here seeks to clarify our understanding of the first stages in the process of "going mad," that is, of beginning to think, feel, or act in ways that the person (as actor) or observers judge to be pathological. This research utilizes a social-cognitive approach to understanding how a person's attempt to explain a perceived significant discontinuity initiates a search process, which if misdirected because of the operation of specific cognitive biases, can result in "symptomatic" explanations. These attributions are diagnostic of non-rational thinking.

This work, though conducted over the past 25 years, has been published only recently (in *Science*, *JAP*) and featured in an invited chapter for the 1999 (Vol. 31) issue of *Advances in Experimental Social Psychology*. The research first began by clarifying Schachter's findings on unexplained arousal, then went on to explore the dynamics of emotional arousal without awareness of its source or origins (using hypnosis to induce the physiological arousal and source amnesia). Now its scope is broadened with a new theory about the perception of a significant personal discontinuity in one's functioning that triggers either a cognitive search for causal meaning (seeking rationality) or a social search (seeking normality). The research offers a new paradigm for studying the origins of psychopathological symptoms and makes provocative and proven predictions about how individual explanatory biases in utilizing certain search frames for meaning of the discontinuity can lead to specific forms of pathology, such as environmental search frames leading to phobias, while people-based search frames are more likely to result in paranoid thinking, and body-related search frames to

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hypochondriasis. This research is a creative synthesis of many lines of thinking, combines cognitive, social, personality and clinical psychology in novel ways, and integrates aspects of them into a new integrated whole that promises to stimulate a renewal of research in experimental psychopathology. It also draws parallels between processes that contribute to individual psychopathology and social forms of pathology in ways never articulated previously

### **THE ROLE OF TECHNOLOGY IN CREATING A SHYNESS EPIDEMIC**

My early research on the dynamics of shyness in adults, adolescents, and children opened this area of research to many new investigators in social and personality psychology, as well as in clinical psychology. My current interest now is in the psychological processes that sustain and exacerbate shyness in clinical populations that we treat in our Shyness Clinic.

But my most recent revival of interest in shyness comes from new data that the prevalence of reported shyness is steadily increasing over the past decade to reach epidemic proportions of 50% or more. One hypothesis being explored is that technology is creating an A-Social environment for heavy users of electronic technology, a self-imposed social isolation that contributes to social awkwardness in "face situations," thus promoting avoidance, and thereby feelings of shyness.

### **POWER OF THE SITUATION AND THE PSYCHOLOGY OF EVIL**

The research demonstration of the power of social situations over individual dispositions is highlighted in the now classic Stanford Prison Experiment, along with Milgram's Obedience research (see [www.prisonexp.org](http://www.prisonexp.org)). This research advances a conceptual view of how ordinary citizens can be transformed into aggressors, into people who act in evil ways. By focusing on social situational variables that can influence or seduce good people to do evil deeds, we move the analysis away from traditional dispositional trait approaches to studying evil. The underlying conception of the transformation of human nature by social forces has led me to new investigations of the nature of the training of young men to become torturers for the State in Brazil, during the reign of the military junta (see *Violence Workers*, U.C. Berkeley Press, 2002, with co-investigators, Martha Huggins and Mika Haritos-Fatouros). In addition, this analysis has been used to understand how German men, ordinary men, could be made into perpetrators of evil for the Nazi state and help to create the ultimate evil of the holocaust. I also maintain an on-going interest in cults and mind control, under this general rubric of the psychology of evil.

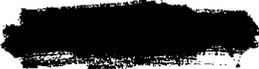
### **APPLICATIONS OF PSYCHOLOGY**

My attempts to enhance the human condition by "giving psychology away to the public" have taken many forms over the years, a few examples of which give a flavor of the old and the new instances. I organized "The Harlem Summer Project" in 1965 that provided "Head Start" type educational opportunities for pre-school and elementary school children in New York's Harlem area, along with an introduction to college life for high school students from this area, and a Black Pride program for all 100 children in our center. My work on police interrogation tactics, vandalism, and prisons led to changes in public and government policy. Consulting with a community organization in New Orleans led to many neighborhood programs to reduce crime and vandalism and increase jobs for qualified black citizens. **The Shyness Clinic** and **The Shyness Institute** (with Dr. Lynne Henderson) has directly applied our research findings and theories on shyness to help treat shy clients, and to train therapists to work with shy clients, as well as to disseminate information and research on shyness to the general public (via our web site, [www.shyness.com](http://www.shyness.com)). The Internet now provides the ideal way to give psychology away to millions of people for free, so my colleagues, Lee Ross and Sabrina Lin, and I have developed a content-intensive web site that provides in depth information from experts about a range of psychological topics related to improving one's self in personal, social and career domains

February 03

### **STANFORD UNIVERSITY EXTRAMURAL LECTURES, PRESENTATIONS**

Sloane Foundation Fellows in Business, Frequent Guest Lecturer  
Knight Foundation Fellows in Journalism, Frequent Guest Lecturer  
Alumni College Lecturer, Frequently  
Alumni Club Invited Lecturer: New York, Los Angeles, Hawaii, Denver, Washington, Portland, Napa, San Francisco, Cincinnati, Chicago, Rome  
Stanford Community Lecture Series

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Stanford Distinguished Teachers Lecture Series  
Sierra Camp Invited Guest Lecturer, several times  
Cowell Student Health Staff Program  
Psychiatry Department Rounds  
Frosh Orientations  
Prospective Donor Lecturer, New Student Admit Expo  
President's Reception for Parents of New Students  
Roundtable Discussant on Technology, Reunion Homecoming  
Lecturer, Stanford Graduate School of Business  
Continuing Education Program Lecturer

## **STANFORD UNIVERSITY 'CITIZENSHIP' ACTIVITIES**

### *Departmental Service*

Director of Summer School Program (1984-2001)  
Founder, Co-Advisor to Stanford Undergraduate Psychology Association (SUPA)  
Reactivated, Advisor to Psychology Honor Society (PSI CHI)  
Head, Social Psychology Graduate Training Program  
Director, Committee Member, Undergraduate Education Committee  
Chair, Colloquium Committee  
Chair, Member, Various Faculty Search Committees  
Major Area Advisor to about 20 students annually  
Sophomore Mentor to 12 students

### *University Service*

Faculty Dormitory Resident and Fellow, Cedro Dormitory  
Organized, Directed about 2000 students engaged in constructive anti-war activities as part of our  
Political Action Coordinating Committee centered in the Psychology Dept., spring 1969  
Member, Faculty Senate Steering Committee  
Residential Education Guest Presenter, frequently  
Human Subjects Research Committee Member  
Dean Thomas' Committee on Improving Undergraduate Education  
Member, Committee on University and Departmental Honors (subcommittee on Academic Appraisal  
and Achievement)  
Co-Directed Summer Teaching Program to Improve Quality of High School Psychology  
Teaching held at Stanford University (Funded by National Science Foundation)  
Organized Several Teaching Workshops in Psychology for California teachers at 4-year colleges,  
Community Colleges, Junior Colleges and High Schools, held at Stanford University.  
Presenter to Prospective Donors to Stanford University  
Faculty Representative to Committee to Renovate Audio-Visual Facilities in Lecture Halls  
Professor, Residential Supervisor, Stanford-in-Florence Program, 1983  
Liaison, Scholar Exchange and Research Program between University of Rome and Stanford  
University

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AR 15-6 INVESTIGATION OF THE  
ABU GHRAIB DETENTION FACILITY AND  
205th MILITARY INTELLIGENCE BRIGADE (U)

MG GEORGE R. FAY  
INVESTIGATING OFFICER

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CLASSIFIED BY: AR 380-6  
DECLASSIFY ON: OADR

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205th MI Brigade**

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1. (U) Appointing Officials' Instructions and Investigative Methodology

a. (U) Appointing Officials' Instruction.

(1) (U) On 31 March 2004, LTG Ricardo S. Sanchez, Commander, Combined Joint Task Force 7 (CJTF-7), appointed MG George R. Fay as an Army Regulation (AR) 381-10 Procedure 15 Investigating Officer. LTG Sanchez determined, based upon MG Antonio Taguba's out brief of the results of an Article 15-6 investigation of the Abu Ghraib Detention Facility in Iraq, that another investigation was warranted. MG Fay was to investigate allegations that members of the 205<sup>th</sup> Military Intelligence Brigade were involved in detainee abuse at the Abu Ghraib Detention Facility.

(a) (U) MG Fay was instructed as follows: Pursuant to AR 381-10, Procedure 15, you are hereby appointed as an investigating officer to conduct an investigation in accordance with (IAW) Army Regulation (AR) 15-6 into all the relevant facts and circumstances surrounding the alleged misconduct on the part of personnel assigned and/or attached to the 205<sup>th</sup> Military Intelligence (MI) Brigade, to include civilian interrogators and/or interpreters, from 15 August 2003 to 1 February 2004 at the Abu Ghraib (AG) Detention Facility.

(b) (U) Specifically, you will investigate the following areas:

[1] (U) Whether 205th MI Brigade personnel requested, encouraged, condoned, or solicited Military Police (MP) personnel to abuse detainees at AG as preparation for interrogation operations.

[2] (U) Whether 205th MI Brigade personnel comported with established interrogation procedures and applicable laws and regulations when questioning Iraqi security internees at the Joint Interrogation and Debriefing Center.

(2) (U) The Commander, United States Central Command (CENTCOM) requested a new appointing authority and investigating officer be assigned to the investigation. On 14 June 2004, Secretary of Defense (SECDEF) Donald Rumsfeld requested the Acting Secretary of the Army (SECARMY) R.L. Brownlee assign an "officer senior to LTG Sanchez" to assume his duties as appointing authority, and a new or additional investigating officer should one be required. SECDEF provided the following additional guidance to the Acting SECARMY:

(U) The new appointing authority shall refer recommendations concerning issues at the Department of the Army level to the Department of the Army and recommendations concerning issues at the Department of Defense (DoD) level to the Department of Defense for appropriate action. The appointing authority shall refer the completed report to the Commander,

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United States Central Command for further action as appropriate, including forwarding to the ATSD(IO) [Assistant to the Secretary of Defense for Intelligence Oversight] in accordance with DoD Directive 5240.1-R and CJCS-I 5901.01. Matters concerning accountability, if any, should be referred by the appointing authority, without recommendation, to the appropriate level of the chain of command for disposition.

(3) (U) On 16 June 2004, Acting SECARMY Brownlee designated GEN Paul J. Kern, Commander of the US Army Materiel Command, as the new Procedure 15 appointing authority. Acting SECARMY Brownlee's instructions included the following:

(a) (U) I am designating you as the appointing authority. Major General Fay remains available to perform duties as the investigating officer. If you determine, however, after reviewing the status of the investigation, that a new or additional investigating officer is necessary, please present that request to me.

(b) (U) Upon receipt of the investigation, you will refer all recommendations concerning issues at the Department of the Army level to me and all recommendations concerning issues at the Department of Defense level to the Secretary of Defense for appropriate action. You will refer the completed report to the Commander, United States Central Command, for further action as appropriate, including forwarding to ATSD(IO) IAW DoD Directive 5240.1-R and CJCS-I 5901.01. Finally, you should refer matters concerning accountability, if any, without recommendation, to the appropriate level of the chain of command for disposition. If you determine that you need further legal resources to accomplish this mission, you should contact the Judge Advocate General.

(4) (U) On 25 June 2004, GEN Kern appointed LTG Anthony R. Jones, Deputy Commanding General, US Army Training and Doctrine Command (TRADOC), as an additional Procedure 15 investigating officer. GEN Kern's instructions to LTG Jones included the following:

(a) (U) Pursuant to AR 381-10, Procedure 15, and AR 15-6, you are hereby appointed as an investigating officer to conduct an investigation of alleged misconduct involving personnel assigned or attached to the 205th Military Intelligence Brigade at the Abu Ghraib Detention Facility. Your appointment is as an additional investigating officer. MG Fay and his investigative team are available to assist you.

(b) (U) Specifically, the purpose of the investigation is to determine the facts and to determine whether the questionable activity at Abu Ghraib is legal and is consistent with applicable policy. In LTG Sanchez's 31 March 2004 appointment letter to MG Fay, which I have adopted, he specified three areas into which the investigation was to look: whether the 205<sup>th</sup>

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Military Intelligence Brigade had been involved in Military Police detainee abuse at Abu Ghraib; whether 205<sup>th</sup> Military Intelligence Brigade personnel complied with established procedures, regulations, and laws when questioning internees at the Joint Interrogation and Debriefing Center; and the facts behind several identified sworn statements. In addition, your investigation should determine whether organizations or personnel higher in the chain of command of the 205<sup>th</sup> Military Intelligence Brigade were involved directly or indirectly in any questionable activities regarding alleged detainee abuse at Abu Ghraib.

b. (U) Investigative Methodology.

(1) (U) The investigative team conducted a comprehensive and exhaustive review of available background documents and statements pertaining to the operations of the 205th Military Intelligence (MI) Brigade (205 MI BDE) at Abu Ghraib from a wide variety of sources, to include all previous investigations. Where possible, coordination was established with other ongoing investigations of the same nature.

(2) (U) Over 170 personnel were interviewed (some multiple times) during the course of the investigation (Reference Annex B, Appendix 1). These interviews included personnel assigned or attached to the 205 MI BDE, the 800th Military Police (MP) Brigade (800 MP BDE), CJTF-7, Joint Task Force Guantanamo (JTF-GTMO), 28th Combat Support Hospital (CSH), the United States Army Intelligence Center (USAIC), the United States Navy, Titan Corporation, CACI International, Inc., and three detainees at Abu Ghraib. Written sworn statements were prepared as a result of these interviews. Several personnel invoked their rights under Article 31, Uniform Code of Military Justice (UCMJ) and the 5<sup>th</sup> Amendment of the US Constitution. In these cases and in cases where no sworn statements were collected, Memoranda for Record (MFR) were prepared to describe the nature of and information addressed in the interview.

(3) (U) Over 9,000 documents were collected, catalogued and archived into a database. Advanced analytic tools were used to organize, collate, and analyze this data as well as all collected interview data. Other analytical tools were used to prepare graphic representations of the data.

(4) (U) The investigative team consisted of 26 personnel to include investigators, analysts, subject matter experts and legal advisors.

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2. (U) Executive Summary

a. (U) Background.

(1) (U) This investigation was ordered initially by LTG Ricardo S. Sanchez, Commander, CJTF-7. LTG Sanchez appointed MG George R. Fay as investigating officer under the provisions of AR 381-10. MG Fay was appointed to investigate allegations that members of the 205 MI BDE were involved in detainee abuse at the Abu Ghraib Detention Facility. Specifically, he was to determine whether 205 MI BDE personnel requested, encouraged, condoned, or solicited MP personnel to abuse detainees and whether MI personnel comported with established interrogation procedures and applicable laws and regulations. The investigative team conducted a comprehensive review of all available background documents and statements pertaining to Abu Ghraib from a wide variety of sources. Over 170 persons were interviewed concerning their knowledge of interrogation and detention operations at Abu Ghraib and/or their knowledge of and involvement in detainee abuse. On 16 June 2004, GEN Paul J. Kern, Commander, US Army Materiel Command (AMC), was appointed as the new Procedure 15 appointing authority. On 25 June 2004, GEN Kern appointed LTG Jones, Deputy Commanding General, TRADOC, as an additional Procedure 15 investigating officer. MG Fay was retained as an investigating officer.

(2) (U) This investigation identified forty-four (44) alleged instances or events of detainee abuse committed by MP and MI Soldiers, as well as civilian contractors. On sixteen (16) of these occasions, abuse by the MP Soldiers was, or was alleged to have been, requested, encouraged, condoned, or solicited by MI personnel. The abuse, however, was directed on an individual basis and never officially sanctioned or approved. MI solicitation of MP abuse included the use of isolation with sensory deprivation, removal of clothing and humiliation, the use of dogs as an interrogation tool to induce fear, and physical abuse. In eleven (11) instances, MI personnel were found to be directly involved in the abuse. MI personnel were also found not to have fully comported with established interrogation procedures and applicable laws and regulations. Theater Interrogation and Counter-Resistance Policies (ICRP) were found to be poorly defined, and changed several times. As a result, interrogation activities sometimes crossed into abusive activity.

(3) (U) This investigation found that certain individuals committed offenses in violation of international and US law to include the Geneva Conventions and the UCMJ and violated Army Values. Leaders in key positions failed properly to supervise the interrogation operations at Abu Ghraib and failed to understand the dynamics created at Abu Ghraib. Leaders also failed to react appropriately to those instances where detainee abuse was reported, either by other service members, contractors, or by the International Committee of the Red Cross (ICRC). Fifty-four (54) MI, MP, and Medical Soldiers, and civilian contractors were found to have some degree of

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responsibility or complicity in the abuses that occurred at Abu Ghraib. Twenty-seven (27) were cited in this report for some degree of culpability and seventeen (17) were cited for misunderstanding of policy, regulation or law. Three (3) MI Soldiers, who had previously received punishment under UCMJ, were recommended for additional investigation. Seven (7) MP Soldier identified in the MG Taguba Report and currently under criminal investigation and/or charges are also central figures in this investigation and are included in the above numbers. One (1) person cited in the MG Taguba Report was exonerated.

(4) (U) Looking beyond personal responsibility, leader responsibility and command responsibility, systemic problems and issues also contributed to the volatile environment in which the abuse occurred. These systemic problems included: inadequate interrogation doctrine and training, an acute shortage of MP and MI Soldiers, the lack of clear lines of responsibility between the MP and MI chains of command, the lack of a clear interrogation policy for the Iraq Campaign, and intense pressure felt by the personnel on the ground to produce actionable intelligence from detainees. Twenty-four (24) additional findings and two (2) observations regarding systemic failures are included in the final investigative report. These findings ranged from doctrine and policy concerns, to leadership and command and control issues, to resource and training issues.

b. (U) Problems: Doctrine, Policy, Training, Organization, and Other Government Agencies.

(1) (U) Inadequacy of doctrine for detention operations and interrogation operations was a contributing factor to the situations that occurred at Abu Ghraib. The Army's capstone doctrine for the conduct of interrogation operations is Field Manual (FM) 34-52, Intelligence Interrogation, dated September 1992. Non-doctrinal approaches, techniques, and practices were developed and approved for use in Afghanistan and GTMO as part of the Global War on Terrorism (GWOT). These techniques, approaches, and practices became confused at Abu Ghraib and were implemented without proper authorities or safeguards. Soldiers were not trained on non-doctrinal interrogation techniques such as sleep adjustment, isolation, and the use of dogs. Many interrogators and personnel overseeing interrogation operations at Abu Ghraib had prior exposure to or experience in GTMO or Afghanistan. Concepts for the non-doctrinal, non field-manual approaches and practices came from documents and personnel in GTMO and Afghanistan. By October 2003, interrogation policy in Iraq had changed three times in less than thirty days and it became very confusing as to what techniques could be employed and at what level non-doctrinal approaches had to be approved.

(2) (U) MP personnel and MI personnel operated under different and often incompatible rules for treatment of detainees. The military police referenced DoD-wide regulatory and procedural guidance that clashed with the theater interrogation and counter-resistance policies that the military intelligence interrogators followed. Further, it appeared that neither group knew

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or understood the limits imposed by the other's regulatory or procedural guidance concerning the treatment of detainees, resulting in predictable tension and confusion. This confusion contributed to abusive interrogation practices at Abu Ghraib. Safeguards to ensure compliance and to protect against abuse also failed due to confusion about the policies and the leadership's failure to monitor operations adequately.

(3) (U) By December 2003, the JIDC at Abu Ghraib had a total of approximately 160 personnel with 45 interrogators and 18 linguists/translators assigned to conduct interrogation operations. These personnel were from six different MI battalions and groups – the 519 MI BN, 323 MI BN, 325 MI BN, 470 MI GP, the 66th MI GP, the 500 MI GP. To complicate matters, interrogators from a US Army Intelligence Center and School, Mobile Training Team (MTT) consisting of analysts and interrogators, and three interrogation teams consisting of six personnel from GTMO, came to Abu Ghraib to assist in improving interrogation operations. Additionally, contract interrogators from CACI and contract linguists from Titan were hired in an attempt to address shortfalls. The JIDC was created in a very short time period with parts and pieces of various units. It lacked unit integrity, and this lack was a fatal flaw.

(4) (U) The term Other Government Agencies (OGA) most commonly referred to the Central Intelligence Agency (CIA). The CIA conducted unilateral and joint interrogation operations at Abu Ghraib. The CIA's detention and interrogation practices contributed to a loss of accountability and abuse at Abu Ghraib. No memorandum of understanding existed on the subject interrogation operations between the CIA and CJTF-7, and local CIA officers convinced military leaders that they should be allowed to operate outside the established local rules and procedures. CIA detainees in Abu Ghraib, known locally as "Ghost Detainees," were not accounted for in the detention system. With these detainees unidentified or unaccounted for, detention operations at large were impacted because personnel at the operations level were uncertain how to report or classify detainees.

c. (U) Detainee Abuse at Abu Ghraib.

(1) (U) Physical and sexual abuses of detainees at Abu Ghraib were by far the most serious. The abuses spanned from direct physical assault, such as delivering head blows rendering detainees unconscious, to sexual posing and forced participation in group masturbation. At the extremes were the death of a detainee in OGA custody, an alleged rape committed by a US translator and observed by a female Soldier, and the alleged sexual assault of a female detainee. These abuses are, without question, criminal. They were perpetrated or witnessed by individuals or small groups. Such abuse can not be directly tied to a systemic US approach to torture or approved treatment of detainees. The MPs being prosecuted claim their actions came at the direction of MI. Although self-serving, these claims do have some basis in fact. The environment created at Abu Ghraib contributed to the occurrence of such abuse and the fact that

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it remained undiscovered by higher authority for a long period of time. What started as nakedness and humiliation, stress and physical training (exercise), carried over into sexual and physical assaults by a small group of morally corrupt and unsupervised Soldiers and civilians.

(2) (U) Abusing detainees with dogs started almost immediately after the dogs arrived at Abu Ghraib on 20 November 2003. By that date, abuses of detainees was already occurring and the addition of dogs was just one more device. Dog Teams were brought to Abu Ghraib as a result of recommendations from MG G. Miller's assessment team from GTMO. MG G. Miller recommended dogs as beneficial for detainee custody and control issues. Interrogations at Abu Ghraib, however, were influenced by several documents that spoke of exploiting the Arab fear of dogs. The use of dogs in interrogations to "fear up" detainees was utilized without proper authorization.

(3) (U) The use of nudity as an interrogation technique or incentive to maintain the cooperation of detainees was not a technique developed at Abu Ghraib, but rather a technique which was imported and can be traced through Afghanistan and GTMO. As interrogation operations in Iraq began to take form, it was often the same personnel who had operated and deployed in other theaters and in support of GWOT, who were called upon to establish and conduct interrogation operations in Abu Ghraib. The lines of authority and the prior legal opinions blurred. They simply carried forward the use of nudity into the Iraqi theater of operations. The use of clothing as an incentive (nudity) is significant in that it likely contributed to an escalating "de-humanization" of the detainees and set the stage for additional and more severe abuses to occur.

(4) (U) There was significant confusion by both MI and MPs between the definitions of "isolation" and "segregation." LTG Sanchez approved the extended use of isolation on several occasions, intending for the detainee to be kept apart, without communication with their fellow detainees. His intent appeared to be the segregation of specific detainees. The technique employed in several instances was not, however, segregation but rather isolation - the complete removal from outside contact other than required care and feeding by MP guards and interrogation by MI. Use of isolation rooms in the Abu Ghraib Hard Site was not closely controlled or monitored. Lacking proper training, clear guidance, or experience in this technique, both MP and MI stretched the bounds into further abuse; sensory deprivation and unsafe or unhealthy living conditions. Detainees were sometimes placed in excessively cold or hot cells with limited or poor ventilation and no light.

3. (U) Background and Environment.

a. (U) Operational Environment.

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(1) (U) The Global War on Terrorism began in earnest on 11 September 2001 (9/11). Soon after the 9/11 attacks, American forces entered Afghanistan to destroy the primary operating and training base of Al Qaida. Prisoners collected in these and other global counter-terrorist operations were transferred to Guantanamo Naval Base, Cuba. Two Task Forces were formed at JTF-GTMO to manage intelligence collection operations with the newly captured prisoners. Military and civilian interrogators, counterintelligence agents, analysts, and other intelligence personnel from a variety of services and agencies manned the task forces and exploited the captured personnel for information.

(2) (U) US and coalition partners attacked Iraq on 20 March 2003 and soon after toppled Saddam Hussein's regime. The Iraq conflict transitioned quickly and unexpectedly to an insurgency environment. Coalition forces began capturing and interrogating alleged insurgents. Abu Ghraib prison, opened after the fall of Saddam to house criminals, was soon used for collecting and interrogating insurgents and other persons of intelligence interest. The unit responsible for managing Abu Ghraib interrogations was the 205 MI BDE.

b. (U) Law, Policy, Doctrine and Training.

(1) (U) Applicable Law.

(a) (U) Military Order of November 13<sup>th</sup> 2001 – Detention, Treatment and Trial of Certain Non-Citizens in the War Against Terrorism (Reference Annex J, Appendix 1).

(b) (U) Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of War, 12 August 1949 (Reference Annex J, Appendix 5).

(c) (U) AR 190-8 / OPNAVINST 3461.6 / AFJI 31-302/MCO 3461.1, Enemy Prisoners of War, Retained Personnel, Civilian Internees and other Detainees, 1 October 1997 (Reference Annex M, Appendix 2).

(d) (U) FM 34-52, Intelligence Interrogation, 28 September 1992 (Reference Annex M, Appendix 3).

(e) (U) Classification of Detainees. The overwhelming evidence in this investigation shows that most "detainees" at Abu Ghraib were "civilian internees." Therefore, this discussion will focus on "civilian internees."

[1] (U) Detainee. AR 190-8 defines a detainee as any person captured or otherwise detained by an armed force. By this definition, a detainee could be an Enemy Prisoner of War (EPW), a Retained Person, such as a doctor or chaplain, or a Civilian Internee. The term

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“detainee” is a generic one with no specific implied rights or protections being afforded to the individual; however, it is almost exclusively used by the Soldiers and other individuals interviewed in this investigation to refer to the individuals interned at Abu Ghraib. In order to understand the rights and protections that need to be provided to a “detainee,” further classification is necessary.

[2] (U) Civilian Internee. Using Geneva Convention IV (GC IV), Article 78, as further defined by AR 190-8, a “Civilian Internee” is someone who is interned during armed conflict or occupation for security reasons or for protection or because he has committed an offense against the detaining power. (Reference Annex H, Appendix 1, FRAGO 749 to CJTF-7 OPOD 03-036). The overwhelming evidence in this investigation shows that all “detainees” at Abu Ghraib were civilian internees. Within the confinement facility, however, there were further sub-classifications that were used, to include criminal detainee, security internee, and MI Hold.

[a] (U) Criminal Detainee. A person detained because he/she is reasonably suspected of having committed a crime against Iraqi Nationals or Iraqi property or a crime not related to the coalition force mission (Reference Annex H, Appendix 1, FRAGO 749 to CJTF-7 OPOD 03-036).

[b] (U) Security Internee. Civilians interned during conflict or occupation for their own protection or because they pose a threat to the security of coalition forces, or its mission, or are of intelligence value. This includes persons detained for committing offenses (including attempts) against coalition forces (or previous coalition forces), members of the Provisional Government, Non-Government Organizations, state infrastructure, or any person accused of committing war crimes or crimes against humanity. Security internees are a subset of civilian internees (Reference Annex H, Appendix 1, FRAGO 749 to CJTF-7 OPOD 03-036).

[c] (U) MI Hold. A directive to hold and not release a detainee/internee in the custody of the Coalition Forces, issued by a member or agent of a US Military Intelligence Organization (Reference Annex H, Appendix 1, FRAGO 749 to CJTF-7 OPOD 03-036).

[d] (U) Most detainees located within Abu Ghraib, to include those in Tier 1A and 1B (Reference Annex F, Appendix 1, Abu Ghraib Overhead with Organizational Layout), were Civilian Internees and therefore, entitled to protections under GC IV. In addition to applicable international laws, ARs, and the FMs on Intelligence Interrogations further clarify US Policy regarding the protections afforded Civilian Internees.

(f) (U) Geneva Convention Relative to the Protection of Civilians in Time of War. GC IV provides protections for civilians in time of war. The US is bound by the Geneva Conventions; therefore, any individual acting on behalf of the US during an armed conflict is

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also bound by Geneva Conventions. This includes not only members of the armed forces, but also civilians who accompany or work with the US Armed Forces. The following are some relevant articles to the discussion on detainee abuse:

[1] (U) Article 5. Where in the territory of a Party to the conflict, the latter is satisfied that an individual protected person is definitely suspected of or engaged in activities hostile to the security of the State, such individual person shall not be entitled to claim such rights and privileges under the present Conventions as would, if exercised in the favor of such individual person, be prejudicial to the security of such State. Where in occupied territory an individual protected person is detained as a spy or saboteur, or as a person under definite suspicion of activity hostile to the security of the Occupying Power, such person shall, in those cases where absolute military security so requires, be regarded as having forfeited rights of communication under the present Conventions. In each case, such persons shall nevertheless be treated with humanity and, in case of trial, shall not be deprived of the rights of fair and regular trial prescribed by the present [convention].

[2] (U) Article 27. Protected persons are entitled, in all circumstances, to respect for their persons, their honor, their family rights, their religious convictions and practices, and their manner and customs. They shall at all times be humanely treated, and shall be protected against all acts of violence or threats thereof and against insults and public curiosity.

[3] (U) Article 31. No physical or moral coercion shall be exercised against protected persons, in particular to obtain information from them or from third parties.

[4] (U) Article 32. The [Parties to the Convention] agree that each of them is prohibited from taking any measure of such a character as to cause the physical suffering or extermination of protected persons in their hands. This prohibition applies not only to murder, torture, corporal punishments, mutilation and medical and scientific experiments not necessitated by the medical treatment of a protected person, but also to any other measures of brutality whether applied by civilian or military agents.

[5] (U) Article 37. Protected persons who are confined pending proceedings or serving a sentence involving loss of liberty, shall during their confinement be humanely treated.

[6] (U) Article 100. The disciplinary regime in places of internment shall be consistent with humanitarian principles, and shall in no circumstances include regulation imposing on internees any physical exertion dangerous to their health or involving physical or moral victimization. Identification by tattooing or imprinting signs on the body is prohibited. In particular, prolonged standing and roll-calls, punishment drills, military drill and maneuver, or the reduction of food rations, are prohibited.

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[7] (U) Article 143. Representatives or delegates of the Protecting Powers shall have permission to go to all places where protected persons are, particularly to places of internment, detention and work. They shall have access to all premises occupied by protected persons and shall be able to interview the latter without witnesses, personally or through an interpreter. Such visits may not be prohibited except for reasons of military imperative, and then only as an exceptional and temporary measure. Their duration and frequency shall not be restricted. Such representatives and delegates shall have full liberty to select the places they wish to visit. The Detaining or Occupying Power, the Protecting Power, and when occasion arises the Power of origin of the persons to be visited, may agree that compatriots of the internees shall be permitted to participate in the visits. The delegates of the International Committee of the Red Cross shall also enjoy the above prerogatives. The appointment of such delegates shall be submitted for the approval of the Power governing the territories where they will carry out their duties.

(2) (U) AR 190-8, Enemy Prisoners of War, Retained Personnel, Civilian Internees and other Detainees is a joint publication between all services of the Armed Forces (Reference Annex M, Appendix 2).

(a) (U) US Policy Overview. The regulation (Reference Annex M, Appendix 2, AR 190-8, Paragraph 1-5) sets out US Policy stating that "US policy, relative to the treatment of EPW, Civilian Internees and RP in the custody of the US Armed Forces, is as follows: All persons captured, detained, interned, or otherwise held in US Armed Forces custody during the course of conflict will be given humanitarian care and treatment from the moment they fall into the hands of the US forces until final release and repatriation." The regulation further defines this policy.

(b) (U) Inhumane Treatment. Specifically, inhumane treatment of detainees is prohibited and is considered a serious and punishable offense under international law and the UCMJ. The following acts are prohibited: murder, torture, corporal punishment, mutilation, the taking of hostages, sensory deprivation, collective punishment, execution without trial, and all cruel and degrading treatment. (Reference Annex M, Appendix 2, AR 190-8, Paragraph 1-5(b)).

(c) (U) Protection from Certain Acts. All detainees will be protected against all acts of violence to include rape, forced prostitution, assault and theft, insults, public curiosity, bodily injury, and reprisals of any kind. (Reference Annex M, Appendix 2, AR 190-8, Paragraph 1-5(c)). This is further reinforced in FM 34-52 (Reference Annex M, Appendix 3), which states that the Geneva Conventions and US policy expressly prohibit acts of violence or intimidation, including physical or mental torture, threats, insults, or exposure to inhumane treatment as a means of or aid to interrogation.

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(d) (U) Photographs. Photographs of detainees are strictly prohibited except for internal administrative purposes of the confinement facility. (Reference Annex M, Appendix 2, AR 190-8, Paragraph 1-5(d)).

(e) (U) Physical torture or moral coercion. No form of physical or moral coercion will be exercised against the Civilian Internee. (Reference Annex M, Appendix 2, AR 190-8, Paragraph 1-5(a)(1)).

(f) (U) At all times, the Civilian Internee will be humanely treated and protected against all acts of violence or threats and insults and public curiosity. The Civilian Internee will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attacks such as rape, forced prostitution, or any form of indecent assault. (Reference Annex M, Appendix 2, AR 190-8, Paragraph 1-5(a)(2) & (3)).

(3) (U) Military Intelligence Doctrine and Training.

(a) (U) Doctrine.

[1] (U) The Army's capstone doctrine for the conduct of interrogation operations is FM 34-52, Intelligence Interrogation, dated September, 1992. This doctrine provides an adequate basis for the training of interrogators at the Soldier level (e.g., in the art of tactical interrogation and the Geneva Conventions); however, it is out of date with respect to the management and conduct of detainee operations. Joint Doctrine on the conduct of detainee operations is sparse even though the Army has operated JIDCs since 1989 in Operation JUST CAUSE, and because the Army is normally tasked by the Joint Force Commander to establish and manage EPW/Detainee operations for the deployed force (Reference Annex M, Appendix 1, APPENDIX G-3, Joint Publication 2-01, Joint Intelligence Support to Military Operations). National level doctrine, in the form of a Defense Intelligence Agency Manual (DIAM), also contains very little doctrinal basis for the conduct and management of joint interrogation operations. A critical doctrinal gap at the joint and service level is the role of national level agencies (e.g., other governmental agencies [OGA]) in detainee operations to include appropriate protocols for sharing valuable intelligence assets. The Center for Army Lessons Learned (CALL) reported the following in a recent assessment of Operation Iraqi Freedom detainee and interrogation operations (Reference Annex C, Appendix 5):

MP and MI doctrine at division and below must be modified for stability operations and support operations to reflect the need for long-term detention facilities and interrogation of captives at the tactical level.

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[2] (U) It is possible that some of the unauthorized interrogation techniques employed in Iraq may have been introduced through the use of an outdated training manual (FM 34-52 dated 1987 vice FM 34-52 dated 1992). The superseded version (FM 34-52, dated 1987) has been used at various locations in OIF. In a prior AR 15-6 investigation of Camp Cropper (Reference Annex C, Appendix 2), the 1987 version was again used as the reference (Reference Annex M, Appendix 3). On 9 June 2004, CJTF-7 published an email (Reference Annex L, Appendix 4, email) that indicated the May 1987 version was used as CJTF-7's primary reference. The section encapsulated below from the 1987 version has been removed from the 1992 version of FM 34-52. To the untrained, the reference in the outdated version could appear as a license for the interrogator to go beyond the current doctrine as established in the current FM 34-52. The 1987 version suggests the interrogator controls lighting, heating, and configuration of the interrogation room, as well as the food, shelter, and clothing given to the source. The section from the 1987 version that could be misunderstood is from Chapter 3 and reads as follows:

FM 34-52 (1987) Chapter 3, Establish and Maintain Control. The interrogator should appear to be the one who controls all aspects of the interrogation to include the lighting, heating, and configuration of the interrogation room, as well as the food, shelter, and clothing given to the source. The interrogator must always be in control, he must act quickly and firmly. However, everything that he says and does must be within the limits of the Geneva and Hague Conventions, as well as the standards of conduct outlined in the UCMJ.

[3] (U) Doctrine provides the foundation for Army operations. A lack of doctrine in the conduct of non-conventional interrogation and detainee operations was a contributing factor to the abuses at Abu Ghraib.

(b) (U) Training

[1] (U) Formal US Army interrogation training is conducted at the Soldier level, primarily as part of a Soldier's Initial Entry Training (IET). There is no formal advanced interrogation training in the US Army. Little, if any, formal training is provided to MI leaders and supervisors (Commissioned Officers, Warrant Officers, and Non-Commissioned Officers) in the management of interrogation and detainee operations. These skills can only be developed in the unit environment through assignments to an interrogation unit, involvement in interrogation training exercises, or on deployments. Unfortunately, unit training and exercises have become increasingly difficult to conduct due to the high pace of deployments of interrogation personnel

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and units. With very few exceptions, combined MI and MP training on the conduct of detainee operations is non-existent.

[2] (U) The IET course at the USAIC, Fort Huachuca, AZ, provides a 16.5 week course of instruction. The course consists of 758.2 hours of academic training time that includes collection prioritization, screening, planning and preparation, approaches, questioning, termination of interrogations, and report writing in the classroom and practical exercise environments. The course focuses on the conduct of tactical interrogations in conventional war. Each student receives eight hours of classroom training on AR 381-10, Army Intelligence Activities (Reference Annex M, Appendix 2) and FM 27-10, Law of Land Warfare (Reference Annex M, Appendix 3) and 184 hours of practical exercise. The student's understanding of the Geneva Conventions and Law of Land Warfare is continually evaluated as a critical component. If at any time during an exercise, the student violates the Geneva Conventions, they will fail the exercise. A failure does not eliminate the student from the course. Students are generally given the chance to recycle to the next class; however, egregious violations could result in dismissal from the course.

[3] (U) The reserve components use the same interrogator program of instruction as does the active component. They are exposed to the same classes and levels of instruction. Like the active component, the reserve components' training opportunities prior to deployment in recent years have been minimal, if any. Those slated for deployment to the JTF-GTMO attend the Intelligence Support to Counter Terrorism (ISCT) Course.

[4] (U) Army Regulations require interrogators to undergo refresher training on the Geneva Conventions annually. Units are also expected to conduct follow-up training for Soldiers to maintain and improve their interrogation skills. This becomes difficult given that Soldiers fresh from the basic interrogation course are deployed almost as soon as they arrive to their unit of assignment. This leaves little, if any, time to conduct that follow-on training with their unit to hone the skills they have learned in school. In addition to the unit deployments, the individual interrogators find themselves deployed to a wide variety of global engagements in a temporary duty status—not with their units of assignments. It is not uncommon for an individual to be deployed two or three times in the course of a year (e.g., the Balkans, Cuba [JTF-GTMO], Afghanistan, Iraq, or in support of Special Operations Forces [SOF]).

[5] (U) There is no formal advanced interrogation training in the US Army. The DoD manages a Strategic Debriefing Course for all services. While some of the skills are similar, the Strategic Debriefing Course is not an advanced interrogation course. Further, only interrogators being assigned to strategic debriefing assignments are authorized to attend this course. This prevents the tactical interrogator, the operator at Abu Ghraib, from further developing skills. Junior NCOs receive only limited interrogation-related training during his or

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her advanced NCO courses--the Basic Non-Commissioned Officers Course (BNCOC) and the Advanced Non-commissioned Officer's Course (ANCOC). This limited training is restricted to the management of interrogation operations. The amount of time spent on the Geneva Conventions training during either of these courses is minimal. Officers receive limited training in interrogation or interrogation management in their entry level and advanced level courses. Like BNCOC and ANCOC, this training is focused on management and not the intricacies of interrogation operations or the legal restrictions applicable to interrogation operations.

[6] (U) Very little training is available or conducted to train command and staff elements on the conduct, direction, and oversight of interrogation operations. To address a portion of this shortfall, USAIC is standing up a course to teach the management of Human Intelligence to MI officers. A pilot course is scheduled and is designed to prepare the intelligence staffs (G2, S2) of a deploying Army Division with the capability to synchronize, coordinate, manage and de-conflict Counterintelligence and Human Intelligence (HUMINT) operations within the division's area of responsibility.

[7] (U) Most interrogator training that occurred at Abu Ghraib was on-the-job-training. The JIDC at Abu Ghraib conducted Interrogation Rules of Engagement (IROE) and interrogation operations training. The fast paced and austere environment limited the effectiveness of any training. After mid-September 2003, all Soldiers assigned to Abu Ghraib had to read a memorandum titled IROE, acknowledging they understood the ICRP, and sign a confirmation sheet indicating they had read and understood the ICRP. Most Soldiers have confirmed they received training on the IROE. See attached CJTF-7 IROE standard signature sheet (Reference Annex J, Appendix 4) to view an example.

[8] (U) MG G. Miller led an assessment team to Abu Ghraib in early September 2003. This was followed by a training team from 2 October - 2 December 2003. There is no indication that the training provided by the JTF-GTMO Team led to any new violations of the Geneva Conventions and the law of land warfare. Training focused on screening, the use of pocket litter during interrogations, prioritization of detainees, planning and preparation, approaches, questioning, interpreter control, deception detection, reporting, automation, and interrogation booths. The training provided at Abu Ghraib did not identify the abuses that were ongoing as violations of regulations or law, nor did it clarify issues involving detainee abuse reporting.

[9] (U) Interrogators learn as part of their training that the MPs provide the security for and run detention operations at the Collection Points (CPs), Corps Holding Areas (CHAs), and Internment/Resettlement (IR) facilities. The interrogator's mission is only to collect intelligence from prisoners or detainees. Interaction with the MPs is encouraged to take advantage of any observations the MPs/guards might have concerning a particular prisoner or

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detainee. While the USAIC includes this in the interrogator's training, very little time is spent training MI/MP detention operations. In the past, the Army conducted large EPW/Detainee exercises (the Gold Sword and Silver Sword series) that provided much of the training critical to MPs' and Interrogators' understanding of their respective roles and responsibilities. These exercises were discontinued in the mid 1990s due to frequent deployments and force structure reductions, eliminating an excellent source of interoperability training. The increase in op-tempo since 9/11 has further exacerbated the unit training and exercise problem.

[10] (U) Contract Training.

[a] (U) The US Army employs contract linguists/translators and contract interrogators in military operations. Some IET is provided to familiarize military interrogators in the conduct of interrogations using translators. No training is conducted at any level (enlisted, NCO, Warrant Officer, or Officer) on the employment of contract interrogators in military operations. The use of contract interrogators and linguists at Abu Ghraib was problematic (See paragraph 4.g.) from a variety of perspectives. JIDC interrogators, analysts, and leaders were unprepared for the arrival of contract interrogators and had no training to fall back on in the management, control, and discipline of these personnel.

[b] (U) No doctrine exists to guide interrogators and their intelligence leaders (NCO, Warrant Officer, and Officer) in the contract management or command and control of contractors in a wartime environment. These interrogators and leaders faced numerous issues involving contract management: roles and responsibilities of JIDC personnel with respect to contractors; roles, relationships, and responsibilities of contract linguists and contract interrogators with military personnel; and the methods of disciplining contractor personnel. All of these need to be addressed in future interrogation and interrogation management training.

[11] (U) Soldier interrogation training is adequate with respect to interrogation techniques and procedures for conventional warfare. It is far less suited to the realities of the GWOT and Stability and Support Operations (SASO) and contract management. Despite the emphasis on the Geneva Conventions, it is clear from the results at Abu Ghraib (and elsewhere in operations in support of the GWOT) that Soldiers on the ground are confused about how they apply the Geneva Conventions and whether they have a duty to report violations of the conventions. Most Abu Ghraib interrogators performed their duties in a satisfactory manner without incident or violation of training standards. Some interrogators (See paragraph 5.e.- 5.h., below), however, violated training standards in the performance of selected interrogations. Army training at USAIC never included training on interrogation techniques using sleep adjustment, isolation, segregation, environmental adjustment, dietary manipulation, the use of military working dogs, or the removal of clothing. These techniques were introduced to selected interrogators who worked at Abu Ghraib from sources other than official Army training.

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(4) (U) Military Police Doctrine and Training

(a) (U) DoD Directives 2310.1, DoD Program for Enemy Prisoners of War and Other Detainees, and 5100.77, DoD Law of War Program, require that the US military services comply with the principles, spirit, and intent of international laws of war, that the DoD observes and enforces the US obligations under the laws of war, that personnel know the laws of war obligations, and that personnel promptly report incidents violating the laws of war and that the incidents be thoroughly investigated.

(b) (U) AR 190-8, "Enemy Prisoner of War, Retained Personnel Civilian Internees and other Detainees," is a multi-service policy that incorporates the directives from the DoD publications above. The regulation addresses the military police treatment of civilian internees, and directs that:

- No physical or moral coercion be used
- Internees be treated with respect for their person, honor, manner, and customs
- Internees be protected against violence, insults, public curiosity, bodily injury, or any form of indecent assault

It specifically prohibits:

- Measures causing physical suffering, to include corporal punishment, and other measures of brutality.

It specifies that disciplinary measures NOT:

- Be inhumane, brutal, or dangerous to health
- Include imprisonment in a place without daylight

The authorized disciplinary punishments include:

- Discontinuance of privileges granted over and above the treatment provided for by regulation
- Confinement, not to exceed 30 consecutive days

(Reference Annex M, Appendix 2, AR 190-8)

(c) (U) AR 190-12, Military Working Dog Program, notes that military police may potentially use dogs for EPW control, but limits their use against people to instances when the

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responsible commander determines it absolutely necessary and there have been reasonable efforts to use all lesser means of force. (Reference Annex M, Appendix 2, AR 190-12)

(d) (U) Procedural guidance, found in FM 3-19.40 and the MP Standard Operating Procedure (SOP) for Abu Ghraib (400th MP BN SOP for Camp Vigilant Detention Center), consistently follow directly from the DoD directives and the applicable ARs. The procedural guidance provides military police clear-cut guidance for permissible and impermissible practices during Internment Operations. (Reference Annex M, Appendix 3, FM 3-19.40; Annex J, Appendix 4, 400 MP BN SOP Camp Vigilant Detention Center)

(5) (U) Intelligence and Interrogation Policy Development.

(a) (U) National Policy.

(1) (U) US forces and intelligence officials deployed to Afghanistan and elsewhere to conduct military operations pursuant to GWOT. Specific regulatory or procedural guidance concerning either "humane" treatment or "abuse" was not available in the context of GWOT and the recently promulgated national policies. Military and civilian intelligence agencies, to include the 519th MI Battalion (519 MI BN) in late 2002, conducted interrogations in Afghanistan in support of GWOT. As a result, deployed military interrogation units and intelligence agencies in Afghanistan developed certain practices. Later, some of these same techniques surfaced as interrogation techniques in Iraq. Prior to these deployments, US Army interrogators used the doctrine found in FM 34-52. The 1992 FM was what military interrogators at Abu Ghraib were trained on, and it contained the techniques and the restrictions they had been taught. (Reference Annex M, Appendix 3; FM 34-52, Interrogation Operations, [1987 and 1992 versions])

(2) (S//NF)

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**(3) (S//NF)**

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(4) ~~(S//NF)~~

(5) (U) On 16 April 2003, SECDEF approved approaches for use on the Guantanamo "unlawful" combatants, as defined by the President's Military Order of 13 November 2001 and reiterated in the 7 February 2002 memorandum to DoD. Once this document was signed, it became policy at JTF-GTMO, and later became the bedrock on which the CJTF-7 policies were based. The first 18 approaches listed in the 16 April 2003 memo from the SECDEF all appear in the current, 1992, FM 34-52, except the Mutt-and-Jeff approach, which was derived from the superseded 1987 FM 34-52. The remaining approaches, similar to the ones identified in the OGC working group's memorandum derived from the CJTF-180 memorandum and the JTF-GTMO request, included:

- Change of Scenery Down
- Dietary Manipulation
- Environmental Manipulation
- Sleep Adjustment
- False Flag
- Isolation

Although approving all approaches for use, the SECDEF required that he be notified prior to implementing the following approaches:

Incentive/Removal of Incentive	Mutt and Jeff
Pride and Ego Down	Isolation

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(Reference Annex J, Appendix 2, Counter-Resistance Techniques)

(6) (U) No regulatory guidance exists for interrogators aside from DoD Directives 2310.1, DoD Program for Enemy Prisoners of War and Other Detainees and 5100.77, DoD Law of War Program. The most current interrogation procedural guidance is in the 1992 FM 34-52. (Reference Annex M, Appendix 1, DoD Directive 2310.1; Annex M, Appendix 1, DoD Directive 5100.77).

(b) (U) Development of Intelligence and Interrogation Policy in Iraq and Abu Ghraib.

(1) (U) In July 2003, the 519 MI BN, veterans of Afghanistan already at the BIAP facility, simultaneously conducted interrogations of the detainees with possible information of intelligence value and began to develop IROE for interrogators to meet the newly-focused mission. No known documentation exists concerning specific approaches and techniques used before September 2003.

(2) (~~S//NF~~)

(3) (U) Meanwhile, at Headquarters, CJTF-7, as the need for actionable intelligence rose, the realization dawned that pre-war planning had not included planning for detainee operations. Believing that FM 34-52 was not sufficiently or doctrinally clear for the situation in Iraq, CJTF-7 staff sought to synchronize detainee operations, which ultimately resulted in a methodology and structure derived from the JTF-GTMO system as presented by MG G. Miller. At the same time, LTG Sanchez directed that an interrogation policy be established that would address "permissible techniques and safeguards for interrogators" for use in Iraq. The CJTF-7

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staff relied heavily on the series of SOPs which MG G. Miller provided to develop not only the structure, but also the interrogation policies for detainee operations (Reference Annex B, Appendix 1, SANCHEZ).

(b)(6) -2; 4

(4) (U) On 10 September 2003, CPT [redacted] assigned to the 205 MI BDE as the Command Judge Advocate, was tasked by COL [redacted] the Staff Judge Advocate (SJA) for CJTF-7, to work with MAJ [redacted] and MAJ [redacted] from the CJTF-7 Office of the Staff Judge Advocate (OSJA) to produce a set of interrogation rules. The OSJA identified interrogation policies from the SECDEF 16 April 2003 memo for JTF-GTMO operations. OSJA provided CPT [redacted] the 16 April 2003 SECDEF memorandum, which he copied almost verbatim onto a document entitled CJTF-7 Interrogation and Counter-Resistance Policy (ICRP). This document was developed without reference to the 519 MI BN's July 2003 and August 2003 memos. CPT [redacted] sent the policy memo to the 519 MI BN for coordination, and the 519 MI BN added the use of dogs, stress positions, sleep management, sensory deprivation, and yelling, loud music and light control from its 27 August 2003 memo. The use of all the techniques was to apply to interrogations of detainees, security internees, and EPWs. CPT [redacted] analyzed the combined memo and sent it back to the CJTF-7 SJA. It also went to the CJ-2, CJ-3, and the Commander, 205 MI BDE, who until that point had apparently not been involved in drafting or approving the policy. (Reference Annex B, Appendix 1, [redacted] Annex J, Appendix 3, CJTF-7 Interrogation and Counter-Resistance Policy, [1st Draft], Annex J, Appendix 3, CJTF-7 Interrogation and Counter-Resistance Policy, [2nd Draft])

b)(6)-2; 4

b)(6)-2; 4

b)(6)-2; 4

(b)(6) -2; 4

(5) (U) Between 10 and 14 September 2003, the OSJA at CJTF-7 changed the 10 September 2003 memo to reflect [redacted]

Upon the guidance and recommendation of the SJA staff, it was decided that LTG Sanchez would [redacted]

(b)(5) 2-3

(6) (S//NF)

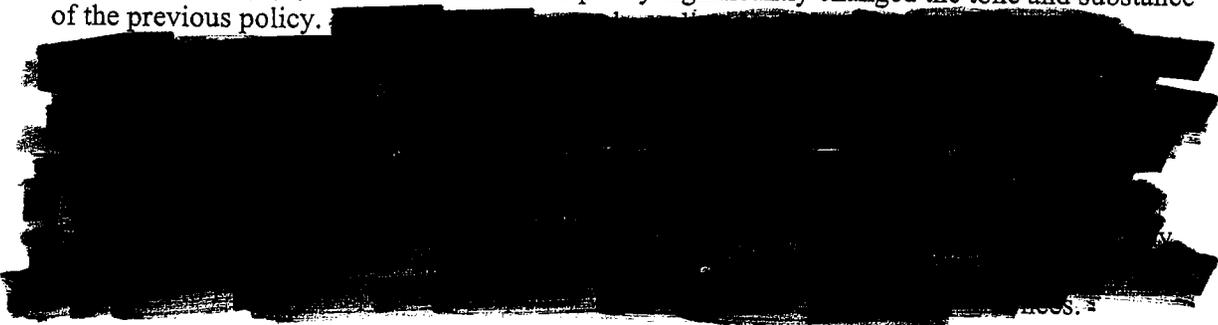
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(7) (S//NF)

(8) (S//NF)

(9) (S//NF)

(10) (U) The 12 October 2003 policy significantly changed the tone and substance  
of the previous policy.



(b)(5) -  
2-3

(11) (S//NF)

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(12) (~~S/NF~~)

(13) (~~S/NF~~)

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(14) (S//NF)

b) (U) - 2-4

(15) (U) On 16 October 2003, the JIDC Interrogation Operations Officer, CPT [REDACTED], produced an "Interrogation Rules of Engagement" chart as an aid for interrogators, graphically portraying the 12 October 2003 policy. It listed the approved approaches, and identified the approaches which had been removed as authorized interrogation approaches, which nonetheless could be used with LTG Sanchez's approval. The chart was confusing, however. It was not completely accurate and could be subject to various interpretations. For example, the approved approaches list left off two techniques which previously had been included in the list (the Pride and Ego Down approach and the Mutt and Jeff approach). The right side of the chart listed approaches that required LTG Sanchez's prior approval. What was particularly confusing was that nowhere on the chart did it mention a number of techniques that were in use at the time: removal of clothing, forced grooming, hooding, and yelling, loud music and light control. Given the detail otherwise noted on the aid, the failure to list some techniques left a question of whether they were authorized for use without approval. (Reference Annex J, Appendix 4, CJTF-7 IROE training card)

(16) (U) By mid-October, interrogation policy in Iraq had changed three times in less than 30 days. Various versions of each draft and policy were circulated among Abu Ghraib, 205 MI BDE, CJTF-7 C2, and CJTF-7 SJA. Anecdotal evidence suggests that personnel were confused about the approved policy from as early as 14 September 2003. The SJA believed that the 14 September 2003 policy was not to be implemented until CENTCOM approved it. Meanwhile, interrogators in Abu Ghraib began operating under it immediately. It was not always clear to JIDC officers what approaches required LTG Sanchez's approval, nor was the level of

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approval consistent with requirements in other commands. The JIDC October 2003 SOP, likewise created by CPT ██████ was remarkably similar to the Bagram (Afghanistan) Collection Point SOP. Prior to deployment to Iraq, CPT ██████'s unit (A/519 MI BN) allegedly conducted the abusive interrogation practices in Bagram resulting in a Criminal Investigation Command (CID) homicide investigation. The October 2003 JIDC SOP addressed requirements for monitoring interrogations, developing detailed interrogation plans, delegating interrogation plan approval authority to the Interrogation Officer in Charge (OIC), and report writing. It failed to mention details concerning ICRP, approval requirements or procedures. Interrogators, with their section leaders' knowledge, routinely utilized approaches/techniques without obtaining the required authority, indicating confusion at a minimum of two levels of supervision. (Reference Annex J, Appendix 4, JIDC Interrogation SOP; Annex J, Appendix 4, CJTF-180 Bagram Collection Point SOP)

(17) (U) Concepts for the non-doctrinal, non-field manual approaches and practices clearly came from documents and personnel in Afghanistan and Guantanamo. The techniques employed in JTF-GTMO included the use of stress positions, isolation for up to thirty days, removal of clothing, and the use of detainees' phobias (such as the use of dogs) as the 2 December 2002 Counter-Resistance memo, and subsequent statements demonstrate. As the CID investigation mentioned above shows, from December 2002, interrogators in Afghanistan were removing clothing, isolating people for long periods of time, using stress positions, exploiting fear of dogs and implementing sleep and light deprivation. Interrogators in Iraq, already familiar with the practice of some of these new ideas, implemented them even prior to any policy guidance from CJTF-7. These practices were accepted as SOP by newly-arrived interrogators. Some of the CJTF-7 ICRPs neither effectively addressed these practices; nor curtailed their use. (Annex J, Appendix 2, Tab A, Counter-Resistance Techniques; Annex J, Appendix 2, Interrogation Techniques; Annex E, Appendix 4, CID Report)

(18) (S//REL TO USA and MCFI)

(6) (U) Other Regulatory Procedural Guidance

(a) (U) On 13 November 2001, the President issued a military order entitled the Detention, Treatment and Trial of Certain Non-Citizens in the War Against Terrorism. The

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order authorized US military forces to detain non-US citizens suspected of terrorism, and try them for violations of the law of war and other applicable laws. The order also authorized the SECDEF to detain individuals under such conditions he may prescribe and to issue related orders and regulations as necessary. (Reference Annex J, Appendix 1, Presidential Military Order)

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(c) (U) The MP personnel and the MI personnel operated under different and often incompatible rules for treatment of detainees. The MPs referenced DoD-wide regulatory and procedural guidance that clashed with the theater interrogation and counter-resistance policies that the MI interrogators followed. Further, it appears that neither group knew or understood the limits imposed by the other's regulatory or procedural guidance concerning the treatment of detainees, resulting in predictable tension and confusion.

(d) (U) For instance, a MI order to strip a detainee as an interrogation process conflicted with the AR 190-8 directive to treat detainees with respect for their person and honor (Reference Annex M, Appendix 2, AR 190-8, paragraph 5-1a(2)); or to protect detainees against violence, insults, public curiosity, or any form of indecent assault (Reference Annex M, Appendix 2, AR 190-8, paragraph 5-1a(3)); and FM 3-19.40 (Reference Annex M, Appendix 3) (which specifically directs that internees will retain their clothing). A MI order to place a detainee in isolation violated the AR 190-8 directive to not imprison a detainee in a place without daylight (Reference Annex M, Appendix 2, AR 190-8, paragraph 6-11a(5)); to not confine for more than 30 consecutive days, (Reference Annex M, Appendix 2, AR 190-8, paragraph 6-12d(1)); and FM 3-19.40 which specifically directs that the facility commander must authorize any form of punishment. Finally, when interrogators ordered the use of dogs as an interrogation technique, the order violated the policy and intent of AR 190-12. (Reference Annex M, Appendix 2)

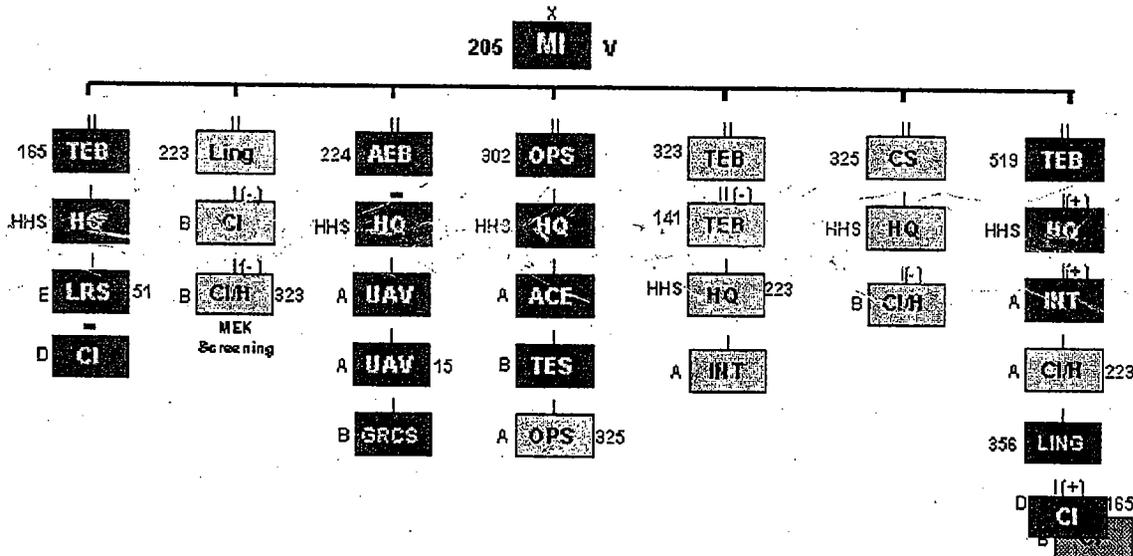
4. (U) Summary of Events at Abu Ghraib.

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a. (U) Military Intelligence Organization and Resources.

(1) (U) Task Organization.

(a) (U) The 205 MI BDE was organizationally, and geographically, the size of two MI Brigades. It was composed of four Active and three Reserve Battalions. The 205 MI BDE possessed no organic interrogation elements or personnel. All HUMINT assets (units and personnel) assigned to the 205 MI BDE were from other organizations. Major subordinate elements of the 205 MI BDE included three Tactical Exploitation Battalions (HUMINT and Counterintelligence), one Aerial Exploitation Battalion (Signal Intelligence [SIGINT] and Imagery Intelligence (IMINT), an Operations Battalion (ANALYSIS), a Linguist Battalion (HUMINT Support) and a Corps Support Battalion (HUMINT). Elements of the Brigade were located throughout Iraq supporting a wide variety of combat operations. (Reference Annex H, Appendix 6, Tab C, 205 MI BDE Command Brief).



205<sup>th</sup> MI Brigade Task Organization (August 2003)

(b) (U) The 205 MI BDE Commander, COL [REDACTED] had a reputation for being an excellent MI officer with a great background and experience before being selected for command. He took command of the 205 MI BDE on 1 July 2003 while the unit was already deployed in Iraq. His performance as Brigade Commander prior to the Abu Ghraib incidents was "outstanding" according to his rater, MG Wojdakowski, DCG, V Corps/CJTF-7 (Reference Annex B, Appendix 1, WOJDAKOWSKI). LTG Sanchez also believed COL [REDACTED] was an

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excellent and dedicated officer (Reference Annex B, Appendix 1, SANCHEZ). Other key members of COL [REDACTED] staff included MAJ [REDACTED] Deputy Commander; MAJ [REDACTED] Brigade Operations Officer (S-3); and CPT [REDACTED] Command Judge Advocate.

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(2) (U) Resources.

(a) (U) As hostilities began to shift from a tactical fight to an insurgency, so did intelligence priorities. Iraq quickly became a HUMINT-focused environment in support of SASO with interrogation operations representing the intelligence 'Center of Gravity' (Reference Annex B, Appendix 1, SANCHEZ). Beginning in July 2003, demands placed upon interrogation operations were growing rapidly from both the tactical commanders as well as from the CJTF-7. The 205 MI BDE had the missions of providing Tactical HUMINT Teams (THT - small elements consisting of an interrogator, a linguist, and several combat arms Soldiers attached to maneuver elements to conduct tactical interrogations at "the point of the spear") to forward-deployed combat forces as well as operating a Joint Interrogation and Debriefing Center (JIDC).

(b) (U) As previously mentioned, the 205 MI BDE had no organic interrogation capability. Those assets were eliminated from the active force structure during the down-sizing of the Army in the 1990's. The interrogation assets available to COL [REDACTED] when he first took Command were A/519 MI BN and interrogation sections from the 325th MI Battalion (325 MI BN), US Army Reserve (USAR), and 323rd MI Battalion (323 MI BN), USAR. Because both of the USAR units were significantly under strength before being deployed to Iraq, they received many Soldiers from other USAR units country-wide to fill up their ranks. This process is known as "cross-leveling." Although it has the benefit of filling the ranks, it has the disadvantage of inserting Soldiers into units shortly before deployment who had never trained with those units. The Soldiers did not know the unit. The unit and the unit leadership did not know the Soldiers. The Army has always stressed "you train as you fight." As COL [REDACTED] began to focus his efforts on interrogation operations, all he had were disparate elements of units and individuals, including civilians, that had never trained together, but now were going to have to fight together.

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(c) (U) Interestingly, and as a matter of comparison, Iraqi Survey Group (ISG) interrogation operations of high-level detainees at BIAP suffered no such shortages of interrogators. Roughly the same level of personnel supported the ISG interrogation operations at BIAP, even though the ISG facility had an order of magnitude less of detainees of intelligence interest to exploit than did the 205 MI BDE (100 at BIAP vs. over a 1000 at Abu Ghraib). Unfortunately, these much needed resources were unavailable for support to critical CJTF-7 mission needs (Reference Annex B, Appendix 1, SANCHEZ).

(d) (U) The number of interrogators initially assigned to the 205 MI BDE was sufficient for a small detainee population of only several hundred. In late July 2003, on [REDACTED] interrogation

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personnel were present in the 205 MI BDE to support interrogation operations at Abu Ghraib. All of these personnel were from one unit – A/519 MI BN. By December 2003, Abu Ghraib (the JIDC) had approximately 160 205 MI BDE personnel with 45 interrogators and 18 linguists/translators assigned to conduct interrogation operations. These personnel were from six different MI battalions and groups – the 519 MI BN, the 323 MI BN (USAR), the 325 MI BN (USAR), the 470th MI Group (470 MI GP), the 66th MI Group (66 MI GP), the 500th MI Group (500 MI GP). Additional resources in the form of interrogators from one MTT consisting of analysts and interrogators, and at just about the same time, three "Tiger Teams" consisting of six personnel from JTF-GTMO, came to Abu Ghraib to assist in improving interrogation operations (See paragraph 4.j.(2)). Still short of resources, the Army hired contract interrogators from CACI International, and contract linguists from Titan Corporation in an attempt to address shortfalls (See paragraph 4.g.). Some units, such as the A/519 MI BN, had personnel who had been deployed to combat operations in theater in excess of 400 days so they also faced a rotation of selected personnel home with the resulting personnel turmoil.

b. (U) Establishment of the Prison at Abu Ghraib.

(1) (U) The Coalition Provisional Authority (CPA) made the initial decision to use Abu Ghraib Prison as a criminal detention facility in May 2003 (Reference Annex B, Appendix 1, SANCHEZ). Abu Ghraib began receiving criminal prisoners in June 2003. There were no MI Holds or security detainees in the beginning. All such categories of detainees were sent to Camp Cropper (located at BIAP) or to the other existing facilities throughout the country such as Camp Bucca (Reference Annex F, Appendix 1, AG Overhead Photo).

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(3) (U) The Hard Site permanent building facilities at Abu Ghraib were not open for occupancy until 25 August 2003. The opening of the Hard Site was important because it marked the beginning of the serious abuses that occurred. CPT [REDACTED] A/519 MI BN, believed that, based on her experience, the availability of an isolation area to house detainees determined to be of MI value would enhance results. She initiated the request through the 205 MI BDE to CPA for use of part of the Hard Site building for that purpose. Her request received strong support from the 205 MI BDE, specifically from its Operations Officer, MAJ [REDACTED]. The 519 MI BN was then granted use of Tier 1A (Reference Annex F, Appendix 1, AG Overview Briefing for diagram) to house detainees. (b)(6)-2; 4

c. (U) Detention Operations and Release Procedures

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(2) (S//NF)

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(3) (S//NF)

(4) (S//NF)

(5) (S//NF)

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(6) (U) The problems cited above contributed significantly to the overcrowding at Abu Ghraib. Overcrowding was even further exacerbated with the transfer of detainees from Camp Bucca to Abu Ghraib. The physical plant was totally inadequate in size and the construction and renovations that were underway were incomplete. Scarcity of resources – both personnel and equipment – to conduct effective confinement or interrogation operations made the situation worse.

(7) (U) There was general consensus (Reference Annex B, Appendix 1, FAST, CIVILIAN-12, [REDACTED], SOLDIER14, SANCHEZ) that as the pace of operations picked up in late November – early December 2003, it became a common practice for maneuver elements to round up large quantities of Iraqi personnel in the general vicinity of a specified target as a cordon and capture technique. Some operations were conducted at night resulting in some detainees being delivered to collection points only wearing night clothes or under clothes. SGT [REDACTED], assigned to the Abu Ghraib Detainee Assessment Board, estimated that 85% - 90% of the detainees were of no intelligence value based upon board interviews and debriefings of detainees. The Deputy C2X, CJTF-7, CIVILIAN-12, confirmed these numbers. (Reference Annex B, Appendix 1, [REDACTED], CIVILIAN-12). Large quantities of detainees with little or no intelligence value swelled Abu Ghraib's population and led to a variety of overcrowding difficulties. Already scarce interrogator and analyst resources were pulled from interrogation operations to identify and screen increasing numbers of personnel whose capture documentation was incomplete or missing. Complicated and unresponsive release procedures ensured that these detainees stayed at Abu Ghraib – even though most had no value.

(8) (U) To make matters worse, Abu Ghraib increasingly became the target of mortar attacks (Reference Annex F, Appendix 3 shows an image of mortar round strikes at Abu Ghraib prior to February 2004 and the times of mortar strikes from January-April 2004) which placed detainees – innocent and guilty alike – in harms way. Force protection was a major issue at Abu Ghraib. The prison is located in a hostile portion of Iraq, adjacent to several roads and highways, and near population centers. BG Karpinski recognized Abu Ghraib's vulnerabilities and raised these concerns frequently to both MG Wojdakowski and LTG Sanchez (Reference Annex B, Appendix 1, KARPINSKI). LTG Sanchez was equally concerned with both the inherent vulnerability of Abu Ghraib and frustrated with the lack of progress in establishing even rudimentary force protection measures and plans (Reference Annex B, Appendix 1, SANCHEZ). LTG Sanchez directed that measures be taken to improve the force protection situation even to the point of having the 82nd Airborne Division Commander meet with Abu Ghraib officers concerning the issue. But, little progress was made and the mortar attacks continued. In an effort to improve force protection at Abu Ghraib, LTG Sanchez directed COL [REDACTED] assume Tactical Control (TACON) of the Abu Ghraib Forward Operating Base (FOB) (Reference Annex H, Appendix 1, FRAGO 1108) on 19 November 2003. COL [REDACTED] devoted considerable energy to improving security, even to the point of bringing a subordinate battalion commander to Abu

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Ghraib to coordinate force protection plans and operations. In spite of these efforts, the mortar attacks continued and culminated in an attack in April 2004 killing 22 detainees and wounding approximately 80 others, some seriously. This highlights the critical need for adequate force protection for a detainee center.

(9) (U) The Security Internee Review and Appeal Board was established on 15 August 2003. It served as the release authority for security internees and/or those on MI Hold who were deemed to be of no security threat or (further) intelligence value. It consisted of three voting members - the C2, CJTF-7 (MG Fast), the Commander 800 MP BDE (BG Karpinski), and the CJTF-7 SJA (COL [REDACTED]), and two non-voting members (a SJA recorder and a MI assistant recorder). When first instituted, it was to meet on an "as required" basis; however, it appeared to be difficult to balance the schedules of three senior officers and the necessary support staff on a recurring, regular basis. Due to poor record keeping, accurate detainee release statistics are not available. We do know that by 2 October 2003, only 220 files had been reviewed by the board (Reference Annex H, Appendix 9, 031002 Oct CJTF7 JA Memo for CG). A preliminary screening board (Appellate Review Panel) at a level of authority below the General Officers on the Security Internee Review and Appeal Board was established to speed up the review of files by the General Officers. In the October - November 2003 timeframe, only approximately 100 detainee files a week were considered for release (Reference Annex B, Appendix 1, SUMMERS). As the detainee population increased, it became necessary to have the meetings on a much more frequent basis - initially twice a week. In the January 2004 timeframe, the board was meeting six times a week (Reference Annex B, Appendix 1, FAST). By February 2004, a standing board was established to deal with the ever increasing backlog. Even with more frequent meetings, the release of detainees from Abu Ghraib did not keep pace with the inflow. BG Karpinski believed that MG Fast was unreasonably denying detainees' release. By 11 January 2004, 57 review boards had been held and 1152 detained personnel had been released out of a total of 2113 considered. From February 2004 on, the release flow increased. (Reference Annex C, Appendix 1, Tab B, Annex 104)

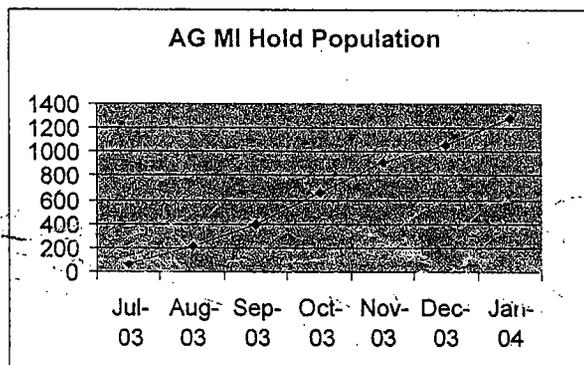
(10) (U) As of late May 2004, over 8500 detainees had been reviewed for release, with 5300 plus being released and 3200 plus being recommended for continued internment. (Reference Annex H, Appendix 9, CJTF-7 C2X email). Even those that were initially deemed of no intelligence value and those that had been drained of intelligence information were not released on a timely basis - not as the result of any specific policy, but simply because the system that supported the release board (screening, interviews, availability of accurate records, and coordination) and the release board itself could not keep up with the flow of detainees into Abu Ghraib. Even with these long release delays (often 6 months and longer), there were concerns between the intelligence and tactical sides of the house. Combat Commanders desired that no security detainee be released for fear that any and all detainees could be threats to coalition forces. On occasion, Division Commanders overturned the recommendations of

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Division Staffs to release some detainees at the point of capture (Reference Annex B, Appendix 1, [REDACTED]). The G2, 4 ID informed MG Fast that the Division Commander did not concur with the release of any detainees for fear that a bad one may be released along with the good ones. MG Fast described the 4ID's response to efforts to coordinate the release of selected detainees, "...we wouldn't have detained them if we wanted them released." (Reference Annex B, Appendix 1, FAST, CIVILIAN-12). MG Fast responded that the board would ultimately release detainees if there was no evidence provided by capturing units to justify keeping them in custody.

(11) (U) The chart below depicts the rise in detainee 'MI Hold' population (those identified by the "system" to be deemed of intelligence interest) (Reference Annex H, Appendix 5). SOLDIER-14, the officer at Abu Ghraib primarily responsible for managing collection requirements and intelligence reporting, estimated that only 10-15% of the detainees on MI Hold were of actual intelligence interest. (Reference Annex B, Appendix 1, SOLDIER-14)



(12) (U) Interrogation operations in Abu Ghraib suffered from the effects of a broken detention operations system. In spite of clear guidance and directives, capturing units failed to perform the proper procedures at the point-of-capture and beyond with respect to handling captured enemy prisoners of war and detainees (screening, tactical interrogation, capture cards, sworn statements, transportation, etc.). Failure of capturing units to follow these procedures contributed to facility overcrowding, an increased drain on scarce interrogator and linguist resources to sort out the valuable detainees from innocents who should have been released soon after capture, and ultimately, to less actionable intelligence.

d. (U) Establishment of MP Presence at Abu Ghraib. The first Army unit to arrive was the 72nd MP Company (72 MP CO), Nevada Army National Guard. When first assigned to Abu Ghraib, the 72 MP CO was a subordinate unit of the 400th MP Battalion (400 MP BN)

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headquartered at BIAP. The 320th MP Battalion (320 MP BN) advance party was the next to arrive at Abu Ghraib on 24 July 2003. The rest of the 320 MP BN Headquarters, commanded by LTC [REDACTED] arrived on 28 July 2003. With the 320 MP BN came one of its subordinate units, the 447th MP Company (447 MP CO). The 72 MP CO was then reassigned from the 400 MP BN to the 320 MP BN. The next unit to arrive was the 229th MP Company (229 MP CO) on or about 3 August 2003. On 1 October 2003, SSG Frederick, CPL Graner and other MPs who have allegedly abused detainees, arrived as part of the 372 MP CO. The rest of the 320 MP CO arrived in late October 2003, followed by the 870th MP Company (870 MP CO) and 670 MP Company (670 MP CO) on approximately 14 November 2003.

e. (U) Establishment of MI Presence at Abu Ghraib.

(1) (U) The first MI unit to arrive at Abu Ghraib was a detachment from A/519 MI BN on 25 July 2003. The person in charge of that contingent was 1SGT [REDACTED]. Soldiers from the 519 MI BN had been sent there to prepare for OVB. CPT [REDACTED] arrived at Abu Ghraib on 4 August 2003 to assume the duties of Interrogation Operations OIC. MAJ [REDACTED] arrived on or about 10 September 2003 along with elements of the 325 MI BN. MAJ [REDACTED] was sent by COL [REDACTED] to set up the JIDC at Abu Ghraib. LTC [REDACTED] arrived at Abu Ghraib on 17 September 2003 to become the Director of the JIDC. MAJ [REDACTED] and elements of the 323 MI BN arrived at the end of September 2003. MAJ [REDACTED] had been the OIC of the interrogation operation at Camp Bucca. He became the Operations Officer of the JIDC, working closely with MAJ [REDACTED] and CPT [REDACTED]. Most of the personnel from the 323 MI BN element that arrived with MAJ [REDACTED] were used as the Headquarters element and did not directly participate in interrogations.

(2) (U) Civilian CACI contract interrogators began to arrive in late September 2003. There are a number of shortfalls connected to this issue (See paragraph 4.g., below). It was another complicating factor with respect to command and control. CPT [REDACTED] relied on the CACI site manager, CIVILIAN-18, to interview contractors as they arrived and to assign them based on his interviews. She knew little of their individual backgrounds or experience and relied on "higher headquarters" to screen them before arrival. Such screening was not occurring.

(3) (U) During October 2003, in addition to the elements of the already mentioned MI units and the Titan and CACI civilians, elements of the 470 MI GP, 500 MI GP, and 66 MI GP appeared. These units were from Texas, Japan, and Germany, and were part of the US Army Intelligence and Security Command (INSCOM), which tasked those subordinate units to send whatever interrogator and analyst support they had available. MAJ [REDACTED] rotated back to the US on 15 November 2003. CPT [REDACTED] left on emergency leave on 4 December 2003 and never returned. MAJ [REDACTED] then, was the only commissioned officer remaining in the Operations Section.

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(4) (U) It is important to understand that the MI units at Abu Ghraib were far from complete units. They were small elements from those units. Most of the elements that came to Abu Ghraib came without their normal command structure. The unit Commanders and Senior NCOs did not go to Abu Ghraib but stayed with the bulk of their respective units. The bringing together of so many parts of so many units, as well as civilians with very wide backgrounds and experience levels in a two month time period, was a huge challenge from a command and control perspective.

f. (U) Establishment, Organization, and Operation of the Joint Interrogation Debriefing Center (JIDC)

(1) (U) The idea for the creation of the JIDC came about after a number of briefings and meetings were held among LTG Sanchez, MG Fast, COL [REDACTED], and COL [REDACTED] Assistant C2, CJTF-7. These meetings and briefings occurred about mid-August 2003 through early September 2003. They partially coincided with MG G. Miller's arrival from GTMO. He and his team provided an assessment of detainee operations in Iraq from 31 August to 9 September 2003 (See Paragraph 4.j.(1)). MG G. Miller's discussions with the CJTF personnel and the 205 MI BDE personnel influenced the decision to create a JIDC and how it would be organized, but those discussions were already underway before his arrival. The objective for the establishment of the JIDC was to enhance the interrogation process with a view toward producing better, timelier, actionable intelligence (actionable intelligence provides commanders and Soldiers a high level of situational understanding; delivered with speed, accuracy, and timeliness, in order to conduct successful operations).

(2) (U) On 6 September 2003, COL [REDACTED] briefed LTG Sanchez on a plan to improve interrogation operations resulting from a 31 August 2003 meeting (Reference Annex H, Appendix 10). LTG Sanchez approved the concept and directed COL [REDACTED] to accelerate all aspects of the plan. This decision established the JIDC and modified previous interrogation operations at Abu Ghraib. COL [REDACTED] decided when standing up the JIDC not to make it a battalion operation (Reference Annex B, Appendix 1, [REDACTED]), therefore deciding not to place one of his battalion commanders in charge of the JIDC but instead rely upon staff personnel to manage the entire operation. The current operation would be transitioned to a JIDC by personnel already assigned at Abu Ghraib with additional manning provided by the consolidation of security detainee interrogation operations from other locations (e.g., Camp Cropper). [REDACTED] Jordan would become the Director of the JIDC on 17 September 2003. Other key JIDC personnel included CPT [REDACTED] (OIC ICE), MAJ [REDACTED] (JIDC Operations Officer), MAJ [REDACTED] (JIDC Operations Officer), SOLDIER-14 and SOLDIER-23 (Interrogation Technicians). CJTF-7 decided to use the JTF-GTMO Tiger Team concept which uses an interrogator, an intelligence analyst, and an interpreter on each team. A re-organization of the

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JIDC took place in the late September to October 2003 timeframe which divided Tiger Teams into functional categories.

(3) (U) The reorganization introduced another layer of complexity into an already stressed Abu Ghraib interrogation operations environment. The Tiger Team worked well at GTMO. JTF-GTMO's target population and mission, however, were different from what was faced in Iraq. The Tiger Team method was designed to develop strategic level information from the GTMO detainees who were primarily captured in Afghanistan. By the time they reached GTMO any tactical value they may have had was gone. The same is true for Abu Ghraib relative to Iraq. The best place to collect tactical intelligence from interrogations is at the tactical level. Tactical intelligence is the most perishable, and the faster you harvest it the more useful it will be to help that tactical unit. JIDC personnel at Abu Ghraib believed the thirst for intelligence reporting to feed the national level systems was driving the train. There was then a focus to fill that perceived void and feed that system. LTG Sanchez did not believe significant pressure was coming from outside of CJTF-7, but does confirm that there was great pressure placed upon the intelligence system to produce actionable intelligence (Reference Annex B, Appendix 1, SANCHEZ). The Tiger Team concept should have only been used at Abu Ghraib for any high value targets identified. Those targets should receive careful planning and preparation, and be interrogated by the most experienced interrogators, analysts, and interpreters. Using a Tiger Team at Corps (the JIDC) for developing tactical intelligence did not work.

(4) (U) The JIDC is a non-doctrinal organization. Initially, there was no joint manning document for the JIDC (though one was developed by the 205 MI BDE over time and was submitted to CJTF-7). There was no approved structure for the JIDC. The manning document was being created as the JIDC was already operating (Reference Annex B, Appendix 1, [REDACTED]). Because there is no JIDC doctrine (or training), procedures were ad hoc in nature – adapted from FM 34-52 where possible, though most processes and procedures were developed on the fly based upon the needs of the situation. The organization of the JIDC changed often (Reference Annex H, Appendix 6, Tab B) and contributed to the general state of turmoil at Abu Ghraib. Interrogators were not familiar with the new working arrangements (e.g., working with analysts) and were only slightly trained on the conduct of interrogations using translators. Note that most interrogators are only trained in conducting tactical interrogations in a conventional war environment (See paragraph 3.b.(3)). In spite of this turmoil, lack of training and doctrine, and shortages, the JIDC did mature over time and improved intelligence production derived from interrogations at Abu Ghraib.

(5) (U) Early in the formation of the JIDC, COL [REDACTED] requested COL [REDACTED] provide him with a Lieutenant Colonel to run the new organization because the responsibilities would require someone of that rank and commensurate experience. LTC [REDACTED] had just arrived in Iraq four days earlier. He was originally sent to be COL [REDACTED] Deputy C2 but then a decision was made

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to upgrade the C2 position from a COL to a MG. MG Fast was sent to CJTF-7 to be the C2, COL [REDACTED] became the Deputy C2 and LTC [REDACTED] became excess. Since LTC [REDACTED] was available, COL [REDACTED] assigned him to Abu Ghraib to run the JIDC. COL [REDACTED] expected LTC [REDACTED] to report to COL [REDACTED] because COL [REDACTED] had command responsibility for the JIDC. LTC [REDACTED] was assigned to the JIDC verbally. He states that he never received orders (Reference Annex B, Appendix 1, [REDACTED])

(6) (U) There is a significant difference between what LTC [REDACTED] claims he was told when he was sent to Abu Ghraib and what COL [REDACTED] and COL [REDACTED] say he was told. LTC [REDACTED] says he was sent to be a "liaison" officer between CJTF-7 and the JIDC. COL [REDACTED] and COL [REDACTED] say he was sent there to be in charge of it. Reference to titles is useless as a way to sort through this because there was no actual manning document for reference; people made up their own titles as things went along. Some people thought COL [REDACTED] was the Director; some thought LTC [REDACTED] was the Director. A major shortcoming on the part of COL [REDACTED] and LTC [REDACTED] was the failure to do a formal Officer Evaluation Report (OER) support form, Department of Army (DA) Form 67-8-1, to clearly delineate LTC [REDACTED] roles and responsibilities. It is clear that both had their own ideas as to roles and responsibilities, and an initial goal-setting session formalized via the support form would have forced both parties to deal in specifics. Such sessions are frequently done after the fact; especially in stress-filled combat situations. The less organized the situation, however, the more such a process is needed in order to sort out the boundaries and lanes in the road. Abu Ghraib was certainly a place and a situation that required both clear boundaries and clear lanes in the road. LTC [REDACTED] did provide a support form that he said he did some weeks after his assignment to Abu Ghraib and which he sent to COL [REDACTED]. COL [REDACTED] claims he never received it. LTC [REDACTED] never received a signed copy back from COL [REDACTED] and never followed up to get one. Even if LTC [REDACTED] had sent the support form a few weeks later as he states, it was by then too late. The confusion/damage had been done. The early stages of the Abu Ghraib operation were the most critical to the disastrous end results (Reference Annex B, Appendix 1, [REDACTED])

(7) (U) The preponderance of evidence supports the COLs [REDACTED] position that LTC [REDACTED] was sent to run the JIDC. (Reference Annex B, Appendix 1, [REDACTED]) MAJ [REDACTED], Operations Officer of the 205 MI BDE, and MAJ [REDACTED], Deputy Commander of the 205 MI BDE, were adamant that LTC [REDACTED] was sent for that reason. LTC [REDACTED] believed LTC [REDACTED] was in charge once he arrived at Abu Ghraib and started dealing directly with him. In all but one important aspect, interrogation operations, LTC [REDACTED] began to act as if he were in charge.

(8) (U) As is now evident, LTC [REDACTED] was a poor choice to run the JIDC. He was a Civil Affairs officer. He was an MI officer early in his career, but transferred to Civil Affairs in 1993. The MI experience he did have had not been in interrogation operations. LTC [REDACTED] left the

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actual management, organization, and leadership of the core of his responsibilities to MAJ [REDACTED] and CPT [REDACTED]. The reality of the situation was that MAJ [REDACTED] and CPT [REDACTED] were overwhelmed by the huge demands of trying to organize, staff, equip, and train the JIDC while at the same time answering incessant requests for information from both the 205 MI BDE as well as from CJTF-7. What the JIDC needed in the beginning, more than ever, was a trained, experienced MI LTC. COL [REDACTED] was correct in his assessment of what was required. In the critical early stages of the JIDC, as it was being formed, Abu Ghraib needed a LTC to take total control. The need was for a leader to get the JIDC organized, to set standards, enforce discipline, create checks and balances, establish quality controls, communicate a zero tolerance for abuse of detainees, and enforce that policy by quickly and efficiently punishing offenders so that the rest of the organization clearly understood the message. Well-disciplined units that have active, involved leaders both at the NCO and Officer level are less likely to commit abuses or other such infractions. If such instances do occur, they are seldom repeated because those leaders act aggressively to deal with the violators and reemphasize the standards (Reference Annex B, Appendix 1, [REDACTED]).

(9) (U) LTC [REDACTED] gravitated to what he knew, and what he was comfortable with, rather than filling the void noted above. He was actually a very hard working officer who dedicated himself to improving life for all of the Soldiers at Abu Ghraib. He is physically brave, volunteered for Iraq, and was wounded in action at Abu Ghraib during the mortar attack on 20 September 2003. He addressed shortcomings in the mess situation, lack of exercise equipment, protective gear, living conditions, and communications. He also enforced stricter adherence to the uniform policies and the wearing of protective gear by Soldiers and contractors. Many of the Soldiers that we spoke to, both MPs and MI, considered LTC [REDACTED] the "go to guy" to get the types of things just enumerated done. BG Karpinski even remarked once to LTC Jordan during one of her visits "Do you ever sleep?" (Reference Annex B, Appendix 2, KARPINSKI). Unfortunately, all of the issues he was addressing should have been left to the staffs of the 205 MI BDE and the 320 MP BN. He was not the FOB Commander. LTC [REDACTED] was the FOB Commander until the 19 November 2003 FRAGO. (Annex B, Appendix 1, [REDACTED]).

(10) (U) LTC [REDACTED] became fascinated with the "Other Government Agencies," a term used mostly to mean Central Intelligence Agency (CIA), who were operating at Abu Ghraib. The OGA "Ghost Detainee" issue (housing of detainees not formally accounted for) was well known within both the MI and MP communities and created a mystique about what "they" were doing (See paragraph 4.h.). LTC [REDACTED] allowed OGA to do interrogations without the presence of Army personnel (Reference Annex B, Appendix 1, [REDACTED]). Prior to that time, JIDC policy was that an Army interrogator had to accompany OGA if they were interrogating one of the detainees MI was also interrogating. As noted above, LTC [REDACTED] was little involved in the interrogation operations, but in this aspect he did become involved and it did not help the situation. The lack of OGA adherence to the practices and procedures

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established for accounting for detainees eroded the necessity in the minds of Soldiers and civilians for them to follow Army rules.

(11) (U) LTC [REDACTED] and ten other Soldiers were wounded in the mortar attack that occurred on 20 September 2003. Two Soldiers died in that attack. LTC [REDACTED] was extremely traumatized by that attack, especially by the two deaths and the agony suffered by one of those Soldiers before his death. He was still very emotional about that attack when interviewed for this investigation on 27 May 2004. He said he thinks about the attack and the deaths daily. That attack also had an impact on a number of other Soldiers at Abu Ghraib as did the very frequent mortar attacks that occurred at Abu Ghraib during this entire period. The Soldiers' and civilians' morale at Abu Ghraib suffered as the attacks continued. Additionally, there was a general feeling by both MI and MP personnel that Abu Ghraib was the forgotten outpost receiving little support from the Army. (Reference Annex F, Appendix 3, Mortar Attacks). The frequency of these attacks and the perceived lack of aggressive action to prevent them were contributing factors to the overall poor morale that existed at Abu Ghraib.

(12) (U) COL [REDACTED] perceived intense pressure for intelligence from interrogations. This began soon after he took Command in July 2003. In fact, as the time progressed from July 2003 through January 2004, interrogation operations at Abu Ghraib became the central focus of his efforts despite the fact that he was in command of the entire MI Brigade. That pressure for better results was passed from COL [REDACTED] to the rest of the JIDC leadership (including MAJ [REDACTED], MAJ [REDACTED], CPT [REDACTED], SOLDIER-23, and SOLDIER-14) and from them to the interrogators and analysts operating at Abu Ghraib. Pressure consisted in deviation from doctrinal reporting standards (pressure to report rapidly any and all information in non-standard formats such as Interrogator Notes in lieu of standard intelligence reports), directed guidance and prioritization from "higher," outside of doctrinal or standard operating procedures, to pursue specific lines of questioning with specific detainees, and high priority 'VFR Direct' taskings to the lowest levels in the JIDC. This pressure should have been expected in such a critical situation, but was not managed by the leadership and was a contributing factor to the environment that resulted in abuses. (Reference Annex B, Appendix 1, [REDACTED], and Annex B, Appendix 2, [REDACTED], GEOFFREY MILLER, [REDACTED]).

(13) (U) The most critical period of time for Abu Ghraib was when COL [REDACTED] committed a critical error in judgment by failing to remove LTC [REDACTED] as soon as his shortcomings were noted, on approximately 10 October 2003. Very shortly after LTC [REDACTED]'s arrival at Abu Ghraib, on or about 17 September 2003, the 205 MI BDE Staff began to note LTC [REDACTED]'s involvement in staff issues and his lack of involvement in interrogation operations. The situation as described above would have been a daunting challenge for the most experienced, well trained, MI Officer. COL [REDACTED] knew LTC [REDACTED] was not who was needed to fulfill the JIDC

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functions early on, but nevertheless chose to see if LTC [REDACTED] could work out over time. COL [REDACTED] made more frequent visits during this time period both because he was receiving increasing pressure for results but also because he could not rely on LTC [REDACTED] to run the entire operation.

(14) (U) As pointed out clearly in the MG Taguba report, MP units and individuals at Abu Ghraib lacked sufficient training on operating a detention/interrogation facility. MI units and individuals also lacked sufficient, appropriate, training to cope with the situation encountered at Abu Ghraib (See Paragraph 3.b.(4)). An insurgency is HUMINT intensive. The majority of that HUMINT comes from interrogations and debriefings. Yet at the JIDC, which was set up to be the focal point for interrogation operations, there was only one officer, CPT [REDACTED], with significant interrogation operations experience. There were four MI Warrant Officers but all were used for staff functions rather than directly supervising and observing interrogations. There was a shortage of trained NCOs at the E-7/E-6 level. Each Section Leader had four or five Tiger Teams, too many to closely observe, critique, counsel, consult, and supervise. One Section Leader was an E-5. Several of the interrogators were civilians and about half of those civilians lacked sufficient background and training. Those civilians were allowed to interrogate because there were no more military assets to fill the slots. (Reference Annex B, Appendix 1, [REDACTED]). Such a mixture together with constant demands for reports and documentation overwhelmed the Section Leaders. The analysts assigned to Tiger Teams were not all trained 96Bs, but were a mixture of all available intelligence Military Occupational Specialties (MOS). Many of those assigned as analysts had never been trained nor had they ever served as analysts.

(15) (U) Guard and interrogation personnel at Abu Ghraib were not adequately trained or experienced and were certainly not well versed in the cultural understanding of the detainees. MI personnel were totally ignorant of MP lanes in the road or rules of engagement. A common observation was that MI knew what MI could do and what MI couldn't do; but MI did not know what the MPs could or could not do in their activities. The same was true of MP ignorance of MI operational procedures. Having two distinct command channels (MI and MP - see Command and Control) in the same facility with little understanding of each other's doctrinal and regulatory responsibilities caused uncertainty and confusion. There was a perception among both MI and MP personnel that the other group was not doing its fair share in mutually supportive tasks of running the physical plant. CIVILIAN-12 (Assistant CJTF-7 C2X) observed that confusion seemed to be the order of the day at Abu Ghraib. There was hostility between MI and MP personnel over roles and responsibilities (Reference Annex B, Appendix 1, CIVILIAN-12). There was a distinct lack of experience in both camps. Except for some of the Reserve Component MPs who had civilian law enforcement experience, most of the MPs were never trained in prison operations. Because of the shortage of MPs, some MI personnel had to assume detainee escort duties, for which they received only the most rudimentary training.

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(16) (U) Abu Ghraib rapidly evolved from a tactical interrogation operation in July 2003 to a JIDC beginning in September 2003. Doctrine, SOPs, and other tactics, techniques and procedures (TTP) for a JIDC were initially non-existent. The personnel manning the JIDC came from numerous units, backgrounds, and experiences. Equipment such as computers, software, IT infrastructure (networks, data storage), and connectivity to relevant intelligence data bases was very limited. Even file cabinets were in short supply which resulted in lost documents. One JIDC Soldier stated, "I can believe them (files for requests for exceptions to policy) getting lost because we often lost complete files. Our filing system was not the best. We did not have serviceable file cabinets and teams were given approval to place files in cardboard boxes." (Reference Annex B, Appendix 1, [REDACTED]) Initially there was only one computer available for every four interrogators. Ad hoc data bases were built, employed, and modified as requirements dictated. Data connectivity between interrogators and analysts was established using "thumb drives." Forms, intelligence products, and database formats came and went based upon their immediate utility – many times dictated by the changing structure of the JIDC itself as directed by leadership. Critical records regarding each detainee were located in several electronic and hardcopy locations – the operations officers maintained some files, others were maintained by section leaders, others by collection management personnel, and others by Detainee Release Board (DRB) personnel. Some interrogation related information was recorded on a whiteboard which was periodically erased. No centralized management system existed to manage interrogation operations. One result was that detainee records critical to the evaluation of prisoners for a variety of reasons (for intelligence value assessment, release, medical evaluation, etc.) were difficult to find or construct. MP records at Abu Ghraib were equally primitive. These documentation shortfalls not only hindered effective interrogation operations and information sharing, but also hindered the ability of the Security Internee Review and Appeal Board (which relied upon records reviews to make decisions to release or retain detainees). As addressed earlier, many detainees arrived at Abu Ghraib with little or no documentation from capturing units. Follow-on records maintained by the MP and MI personnel at Abu Ghraib would be sparse if the detainee had not been thoroughly interrogated. DRBs were reluctant to release a detainee if they knew little about him. MG Fast noted that one detainee file that was reviewed by the release board was completely empty. Even detainee medical records that should have been created and stored (Reference Annex H, Appendix 8) were not maintained appropriately. Medical doctors on site at Abu Ghraib claim that excellent medical records were maintained on detainees (Reference Annex B, Appendix 1, [REDACTED]). Only a few detainee medical records could be found, indicating that they are not being maintained IAW AR 40-66 (Medical Records Administration and Healthcare Documentation).

g. (U) Contract Interrogators and Linguists

(1) (U) Contracting-related issues contributed to the problems at Abu Ghraib prison. Several of the alleged perpetrators of the abuse of detainees were employees of government

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contractors. Two contractual arrangements were involved: one with CACI, for interrogators and several other intelligence - related occupational categories; and one with BTG, for linguists. Since 28 November 2001, BTG has been part of Titan Corporation. The contract is still in the name of BTG. Most people have referred to it as the Titan Contract. A brief description of these two contractual arrangements follows:

(a) (U) Linguist contract- Titan, Inc. - Contract DASC01-99-D-0001.

[1] (U) The need to supplement the Army's capacity for linguists was first raised to the Vice Chief of Staff of the Army in a 1997 "Foreign Language Lay down." It was proposed to establish a contract with the private sector to provide linguists, as needed, for contingencies and current intelligence operations.

[2] (U) As a result of this perceived need, INSCOM awarded Contract DASC01-99-D-0001 to Titan, in March 1999. The contract called for Titan initially to develop a plan to provide and manage linguists throughout the world, and later, implement the plan as required. The contract called for three levels of linguists- some were required to obtain security clearances and some were not. The linguist candidates were subject to some level of background investigations, based on individual requirements for security clearances. Since the award of the contract, hundreds of linguists have been provided, with generally positive results. It is noted that the contract calls for translation services only, and makes no mention of contractor employees actually conducting interrogations. Since the statement of work is limited to translation services, the linguists apparently were not required to review and sign the IROE at Abu Ghraib. A recent review of the contract indicated that the current contract ceiling is approximately \$650 Million. Other agencies can order linguist services under this contract. For the most part, the ordering activity also provides the funds for these delivery orders. The contract contains a clause that allows the Contracting Officer to direct the contractor to remove linguists from the theater in which they are performing. This clause has been invoked on occasion for misconduct.

(b) Interrogator contract-CACI, Inc.

[1] (U) The second contractual arrangement is a series of Delivery Orders awarded to CACI, in August 2003, which call for the provision of numerous intelligence-related services such as "Interrogator Support," "Screening Cell Support," "Open Source Intelligence," "Special Security Office," "HUMINT Augmentee Contractors" (which includes "Interrogation Support," "Junior Interrogators," "Senior and Junior Counter-Intelligence Agents," and "Tactical/Strategic Interrogators").

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[2] (U) These Delivery Orders were awarded under a Blanket Purchase Agreement (BPA) (NBCHA01-0005) with the National Business Center (NBC), a fee for service activity of the Interior Department. The BPA between CACI and NBC set out the ground rules for ordering from the General Services Administration (GSA) pursuant to GSA Schedule Contract GS-35F-5872H, which is for various Information Technology (IT) Professional Services. Approximately eleven Delivery Orders were related to services in Iraq. While CJTF-7 is the requiring and funding activity for the Delivery Orders in question, it is not clear who, if anyone, in Army contracting or legal channels approved the use of the BPA, or why it was used.

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[3] (U) There is another problem with the CACI contract. A CACI employee, [REDACTED] participated with the COR, LTC [REDACTED] in writing the Statement of Work (SOW) prior to the award of the contract (Reference Annex B, Appendix 1, [REDACTED]). This [REDACTED] situation may violate the provisions of Federal Acquisition Regulation (FAR) 9. 505-2 (b) (1).  
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[4] (U) On 13 May 2004, the Deputy General Counsel (Acquisition) of the Army issued an opinion that all Delivery Orders for Interrogator Services should be cancelled immediately as they were beyond the scope of the GSA Schedule contract.

(2) (U) Although intelligence activities and related services, which encompass interrogation services, should be performed by military or government civilian personnel wherever feasible, it is recognized that contracts for such services may be required in urgent or emergency situations. The general policy of not contracting for intelligence functions and services was designed in part to avoid many of the problems that eventually developed at Abu Ghraib, i.e., lack of oversight to insure that intelligence operations continued to fall within the law and the authorized chain of command, as well as the government's ability to oversee contract operations.

(3) (U) Performing the interrogation function in-house with government employees has several tangible benefits for the Army. It enables the Army more readily to manage the function if all personnel are directly and clearly subject to the chain of command, and other administrative and/or criminal sanctions, and it allows the function to be directly accessible by the commander/supervisor without going through a Contracting Officer Representative (COR). In addition, performing the function in-house enables Army Commanders to maintain a consistent approach to training (See Paragraph 3.b.(3)) and a reliable measure of the qualifications of the people performing the function.

(4) (U) If it is necessary to contract for interrogator services, Army requiring activities must carefully develop the applicable SOW to include the technical requirements and requisite personnel qualifications, experience, and training. Any such contracts should, to the greatest extent possible, be awarded and administered by an Army contracting activity in order to provide for the necessary oversight, management, and chain of command. Use of contracting vehicles

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such as GSA Federal Supply Schedule (FSS) contracts should be carefully scrutinized given the complexity and sensitivities connected to interrogation operations.

(5) (U) Some of the employees at Abu Ghraib were not DoD contractor employees. Contractor employees under non-DoD contracts may not be subject to the Military Extraterritorial Jurisdiction Act (18 US Code 3261- 3267). The Act allows DoD contractor employees who are "accompanying the Armed Forces outside the United States" to be subject to criminal prosecution if they engage in conduct that would constitute an offense punishable by imprisonment for more than one year if the conduct had occurred within the jurisdiction of the United States.

(6) (U) In the performance of such sensitive functions as interrogation, the Army needs to maintain close control over the entire operation. If a decision is made to contract for these services, the most effective way to do that and maintain a direct chain of command is to award, administer, and manage the contract with Army personnel. As learned in the current situation, it is very difficult, if not impossible, to effectively administer a contract when the COR is not on site.

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2,4  
(7) (U) The Army needs to improve on-site contract monitoring by government employees (using CORs) to insure that the Army's basic interests are protected. The inadequacy of the on-site contract management at Abu Ghraib is best understood by reviewing the statement of CPT ██████████ (Reference Annex B, Appendix 1, WOOD), the Interrogation OIC, who indicated she never received any parameters or guidance as to how the CACI personnel were to be utilized. She also indicates that her primary point of contact (POC) on matters involving the CACI Delivery Orders was the CACI on-site manager. There is no mention of a COR. Another indication of the inadequacy of the contract management is reflected in the statement of SOLDIER14 (Reference Annex B, Appendix 1, SOLDIER-14), who indicated he was never informed that the Government could reject unsatisfactory CACI employees. It would appear that no effort to familiarize the ultimate user of the contracted services of the contract's terms and procedures was ever made. In order to improve this situation, training is required to ensure that the COR is thoroughly familiar with the contract and gains some level of familiarity with the Geneva Conventions standards. It needs to be made clear that contractor employees are bound by the requirements of the Geneva Conventions.

(8) (U) If it is necessary to contract for interrogator services, more specific training requirements and personnel standards must be incorporated into the solicitation/contract to insure that the contractor hires properly trained and qualified personnel.

(9) (U) Emerging results from a DA Inspector General (DAIG) Investigation indicate that approximately 35% of the contract interrogators lacked formal military training as interrogators.

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While there are specific technical requirements in the linguist contract, the technical requirements for the interrogator contract were not adequate. It appears that the only mention of qualifications in the contract stated merely that the contractor employee needs to have met the requirements of one of two MOS, 97E or 351E, or "equivalent". Any solicitation/contract for these services needs to list specific training, if possible, not just point to an MOS. If the training from the MOS is what is required, those requirements should be listed in the solicitation/contract in full, not just referenced. Perhaps the best way of insuring that contractor interrogators receive adequate training would be to utilize existing government training. For example, prospective contractor employees could be sent, at contractor expense, to the Tactical Human Intelligence Course for the 97E MOS, "Human Intelligence Collector." Such a step would likely require some adjustments to the current program of instruction. Prospective contract interrogators could be given the course tests on Interrogation and the Geneva Conventions. If they can pass the examinations, no further training would be required. After a reasonable training period, prospective contractor interrogators who are unable to pass the exam would be rejected. There are, of course other training possibilities. The key point would be agreement on some standardization of the training of contractor interrogators. The necessity for some sort of standard training and/or experience is made evident by the statements of both contractor employees and military personnel. CIVILIAN-21 (CACI) seemingly had little or no interrogator experience prior to coming to Abu Ghraib (Reference Annex B, Appendix 1, CIVILIAN-21, [REDACTED]), even though he was a Navy Reserve Intelligence Specialist. Likewise, numerous statements indicated that little, if any, training on Geneva Conventions was presented to contractor employees (Reference Annex B, Appendix 1, SOLDIER-25, CIVILIAN-10, CIVILIAN-21 and CIVILIAN-11). Prior to deployment, all contractor linguists or interrogators should receive training in the Geneva Conventions standards for the treatment of detainees/prisoners. This training should include a discussion of the chain of command and the establishment of some sort of "hotline" where suspected abuses can be reported in addition to reporting through the chain of command. If the solicitation/contract allows "equivalent" training and experience, the Contracting Officer, with the assistance of technical personnel, must evaluate and assess the offerors'/contractor's proposal/written rationale as to why it believes that the employee has "equivalent" training. It appears that under the CACI contract, no one was monitoring the contractor's decisions as to what was considered "equivalent."

(10) (U) In addition, if functions such as these are being contracted, MI personnel need to have at least a basic level of contract training so they can protect the Army's interests. Another indication of the apparent inadequacy of on-site contract management and lack of contract training is the apparent lack of understanding of the appropriate relationship between contractor personnel, government civilian employees, and military personnel. Several people indicated in their statements that contractor personnel were "supervising" government personnel or *vice versa*. SGT [REDACTED] indicated that CACI employees were in positions of authority, and appeared to be supervising government personnel. She indicated a CACI employee named "First Name"

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was listed as being in charge of screening. CIVILIAN-08 (CACI) was in charge of "B Section" with military personnel listed as subordinates on the organization chart. SOLDIER-14 also indicated that CIVILIAN-08 was a supervisor for a time. CPT [REDACTED] stated that CACI (b)(6) - 2, 4 "supervised" military personnel in her statement, but offered no specifics. Finally, a government organization chart (Reference Annex H, Appendix 6, Tab B) showed a CIVILIAN-02 (CACI) as the Head of the DAB. CIVILIAN-02 is a CACI employee. On the other side of the coin, CIVILIAN-21 indicated in his statement that the Non-Commissioned Officer in Charge (NCOIC) was his supervisor. (Reference Annex B, Appendix 1, SOLDIER-14, CIVILIAN-21, [REDACTED]) (b)(6) - 2, 4

(11) (U) Given the sensitive nature of these sorts of functions, it should be required that the contractor perform some sort of background investigation on the prospective employees. A clause that would allow the government to direct the contractor to remove employees from the theater for misconduct would seem advisable. The need for a more extensive pre-performance background investigation is borne out by the allegations of abuse by contractor personnel.

(12) (U) An important step in precluding the recurrence of situations where contractor personnel may engage in abuse of prisoners is to insure that a properly trained COR is on-site. Meaningful contract administration and monitoring will not be possible if a small number of CORs are asked to monitor the performance of one or more contractors who may have 100 or more employees in the theater, and in some cases, perhaps in several locations (which seems to have been the situation at Abu Ghraib). In these cases, the CORs do well to keep up with the paper work, and simply have no time to actively monitor contractor performance. It is apparent that there was no credible exercise of appropriate oversight of contract performance at Abu Ghraib.

(13) (U) Proper oversight did not occur at Abu Ghraib due to a lack of training and inadequate contract management and monitoring. Failure to assign an adequate number of CORs to the area of contract performance puts the Army at risk of being unable to control poor performance or become aware of possible misconduct by contractor personnel. This lack of monitoring was a contributing factor to the problems that were experienced with the performance of the contractors at Abu Ghraib. The Army needs to take a much more aggressive approach to contract administration and management if interrogator services are to be contracted. Some amount of advance planning should be utilized to learn from the mistakes made at Abu Ghraib.

h. (U) Other Government Agencies and Abu Ghraib.

(1) (U) Although the FBI, JTF-121, Criminal Investigative Task Force, ISG and the Central Intelligence Agency (CIA) were all present at Abu Ghraib, the acronym "Other Government Agency" (OGA) referred almost exclusively to the CIA. CIA detention and interrogation

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practices led to a loss of accountability, abuse, reduced interagency cooperation, and an unhealthy mystique that further poisoned the atmosphere at Abu Ghraib.

(2) (U) CIA detainees in Abu Ghraib, known locally as "Ghost Detainees," were not accounted for in the detention system. When the detainees were unidentified or unaccounted for, detention operations at large were impacted because personnel at the operations level were uncertain how to report them or how to classify them, or how to database them, if at all. Therefore, Abu Ghraib personnel were unable to respond to requests for information about CIA detainees from higher headquarters. This confusion arose because the CIA did not follow the established procedures for detainee in-processing, such as fully identifying detainees by name, biometric data, and Internee Serial Number (ISN) number.

(3) (U) DETAINEE-28, suspected of having been involved in an attack against the ICRC, was captured by Navy SEAL Team 7 during a joint TF-121/CIA mission. He reportedly resisted arrest, so a SEAL Team member butt-stroked DETAINEE-28 on the side of the head to subdue him. CIA representatives brought DETAINEE-28 into Abu Ghraib early in the morning of 4 November 2003, sometime around 0430 to 0530 hours. Under a supposed verbal agreement between the JIDC and the CIA, the CIA did not announce its arrival to JIDC Operations. SPC [REDACTED], the MP on duty at the Hard Site at the time, observed the two CIA representatives come in with DETAINEE-28 and place him in a shower room in Tier 1B. About 30 to 45 minutes later, SPC [REDACTED] was summoned to the shower stall and when he arrived, DETAINEE-28 appeared to be dead. Removing the sandbag covering DETAINEE-28's head, SPC [REDACTED] checked DETAINEE-28's pulse. Finding none, he called for medical assistance, and notified his chain of command. LTC [REDACTED] arrived on site at approximately 0715 hours, and found several MPs and US medical staff with DETAINEE-28 in the Tier 1B shower stall, face down, handcuffed with his hands behind his back. CIVILIAN-03, an Iraqi prison medical doctor, informed him DETAINEE-28 was dead. "OTHER AGENCY EMPLOYEE01," a CIA representative, un-cuffed DETAINEE-28 and turned his body over. Where DETAINEE-28's head had lain against the floor, LTC [REDACTED] noted a small spot of blood. LTC [REDACTED] notified COL [REDACTED] (205 MI BDE Commander), and "OTHER AGENCY EMPLOYEE01" said he would notify "OTHER AGENCY EMPLOYEE02," his CIA supervisor. Once "OTHER AGENCY EMPLOYEE02" arrived, he requested that the Hard Site hold DETAINEE28's body until the following day. DETAINEE-28's body was placed in a body bag, packed in ice, and stored in the shower area. CID was notified. The next day, DETAINEE-28's body was removed from Abu Ghraib on a litter, to make it appear as if he were only ill, so as not to draw the attention of the Iraqi guards and detainees. The body was transported to the morgue at BIAP for an autopsy, which concluded that DETAINEE-28 died of a blood clot in the head, likely a result of injuries he sustained during apprehension. (Reference Annex B, Appendix 1, [REDACTED], Annex I, Appendix 1, photographs C5-21, D5-11, M65-69)

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(4) (U) The systemic lack of accountability for interrogator actions and detainees plagued detainee operations in Abu Ghraib. It is unclear how and under what authority the CIA could place prisoners like DETAINEE-28 in Abu Ghraib because no memorandums of understanding existed on the subject between the CIA and CJTF-7. Local CIA officers convinced COL [REDACTED] and LTC [REDACTED] that they should be allowed to operate outside the established local rules and procedures. When COL [REDACTED] raised the issue of CIA use of Abu Ghraib with COL [REDACTED] COL [REDACTED] encouraged COL [REDACTED] to cooperate with the CIA because everyone was all one team. COL [REDACTED] directed LTC [REDACTED] to cooperate. (Reference Annex B, Appendix 1, [REDACTED])

(5) (U) In many instances, failure to adhere to in-processing procedures caused confusion and acrimony between the Army and OGA, and in at least one instance, acrimony between the US and Saudi Arabian entities. (Reference Annex K, Appendix 3, emails) For example, the CIA interned three Saudi national medical personnel working for the coalition in Iraq. CIA officers placed them in Abu Ghraib under false names. The Saudi General in charge of the men asked US authorities to check the records for them. A search of all databases using their true names came back negative. Ambassador Bremer then requested a search, which produced the same results. The US Embassy in Riyadh also requested a search, which likewise produced no information. Ultimately, the Secretary of State, Colin Powell, requested a search, and as with the other requestors, had to be told that the three men were not known to be in US custody. Shortly after the search for the Secretary of State, a JIDC official recalled that CIA officers once brought three men together into the facility. A quick discussion with the detainees disclosed their true names, which matched the name search requests, and the men were eventually released. (Reference Annex B, Appendix 1, CIVILIAN-12)

(6) (U) Another instance showing lack of accountability to the procedures or rules involved a CIA officer who entered the interrogation room after a break in the interrogation, drew his weapon, chambered a round, and placed the weapon in his holster. This action violated the rule that no weapons be brought into an interrogation room, especially weapons with live rounds. Detainees who have been interrogated by CIA officers have alleged abuse. (Reference Annex B, Appendix 1, CIVILIAN-12)

(7) (U) The death of DETAINEE-28 and incidents such as the loaded weapon in the interrogation room, were widely known within the US community (MI and MP alike) at Abu Ghraib. Speculation and resentment grew over the lack of personal responsibility, of some people being above the laws and regulations. The resentment contributed to the unhealthy environment that existed at Abu Ghraib. The DETAINEE-28 death remains unresolved. CIA officers operating at Abu Ghraib used alias' and never revealed their true names. "OTHER AGENCY EMPLOYEE01" (alias) was the CIA officer with DETAINEE-28 on the morning of

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his death. "OTHER AGENCY EMPLOYEE02" (alias) was not directly involved in DETAINEE-28's death, but participated in the discussions after his death. Had the CIA followed established Army procedures and in-processed DETAINEE-28 in accordance with those procedures, DETAINEE-28 would have been medically screened.

(8) (U) OGA never provided results of their abuse investigations to Commander, CJTF-7. This resulted in a total lack of visibility over OGA interaction with detainees held in CJTF-7 spaces. Additionally, the CJTF-7 charter provided no oversight or control over the ISG. LTG Sanchez could neither leverage ISG interrogation assets to assist the detainee operations in Abu Ghraib, nor could he compel ISG to share substantive intelligence reports with CJTF-7. (Reference Annex B, Appendix 1, SANCHEZ)

i. (U) The Move of the 205 MI BDE Commander to Abu Ghraib.

(1) (U) In September 2003, COL [REDACTED] began visiting Abu Ghraib two or three times per week as opposed to once every week or two, his previous routine. He was also beginning to stay overnight occasionally. His visit schedule coincided with the increased emphasis being placed on interrogation operations and the newly formed JIDC. (Reference Annex B, Appendix 1, PAPPAS)

(2) (U) On 16 November 2003, COL [REDACTED] took up full time residence at Abu Ghraib after once again speaking with LTG Sanchez and MG Fast and deciding that he needed to be there. He was appointed FOB Commander on 19 November 2003 in FRAGO 1108. The issuance of FRAGO 1108 has been pointed to and looked upon by many as being a significant change and one that was a major factor in allowing the abuses to occur. It was not. The abuses and the environment for them began long before FRAGO 1108 was ever issued. That FRAGO appointed the Commander, 205 MI BDE, the Commander FOB Abu Ghraib for Force Protection and Security of Detainees. COL [REDACTED] then had TACON of the 320 MP BN. TACON has been misinterpreted by some to mean that COL [REDACTED] then took over the running of the prison, or what has been referred to as Warden functions. COL [REDACTED] never took over those functions, and LTC [REDACTED] agrees that the running of the prison was always his responsibility. LTG Sanchez has stated that he never intended to do anything except improve the Force Protection posture of the FOB. That improved force protection posture would have thus improved the security of detainees as well. COL [REDACTED] rater, MG Wojdakowski, also stated that COL [REDACTED] was never given responsibility for running the prison, but that the MPs retained that responsibility. It would appear from MG Taguba's investigation and the interview for this investigation that BG Karpinski was the only person among the Army leadership involved at the time who interpreted that FRAGO differently. (Reference Annex B, Appendix 1, KARPINSKI and Annex B, Appendix 2, KARPINSKI)

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(3) (U) Upon being appointed FOB Commander, COL [REDACTED] brought in one of his subordinate units, the 165th MI Battalion (165 MI BN) to enhance base security and to augment forces providing perimeter security as well as to conduct reconnaissance and surveillance outside the perimeter. That unit had reconnaissance and surveillance elements similar to line combat units that the MP Battalions did not possess. COL [REDACTED], on 8 December 2003, requested additional forces to support his force protection mission (Reference Annex H, Appendix 6, TAB - Request for Forces (RFF)). Requested forces included personnel for additional guards and a rapid reaction force.

(4) (U) The fact that COL [REDACTED] did not have control of the MP force after the 19 November 2003 FRAGO regarding prison operations is further supported by the fact that at some point near the end of November 2003, the MPs stopped escorting detainees from the camps to the interrogation sites due to personnel shortages. This required MI to take over this function despite their protests that they were neither trained nor manned to do it. COL [REDACTED] would have ordered the MPs to continue the escorts if he had had such authority (See paragraph 4.c.)

(5) (U) A milestone event at Abu Ghraib was the shooting incident that occurred in Tier 1A on 24 November 2003 (See paragraph 5.e.). COL [REDACTED] was by then in residence at Abu Ghraib. LTC [REDACTED] displayed personal bravery by his direct involvement in the shoot-out, but also extremely poor judgment. Instead of ordering the MPs present to halt their actions and isolate the tier until the 320 MP BN Commander and COL [REDACTED] could be notified, he became directly involved. As the senior officer present, LTC [REDACTED] became responsible for what happened. Eventually, COL [REDACTED] was notified, and he did visit the scene. By then the shooting was over, and the MPs were searching the cells. COL [REDACTED] did not remain long but admits to being told by SOLDIER-23 that the Iraqi Police were being interrogated by MI personnel. COL [REDACTED] left LTC [REDACTED] in charge of the situation after the shooting which came to be known as the IP Roundup. The IP Roundup was, by all accounts chaotic. The Iraqi Police, hence the name "IP," became detainees and were subjected to strip searching by the MPs in the hallway, with female Soldiers and at least one female interpreter present. The IP were kept in various stages of dress, including nakedness, for prolonged periods as they were interrogated. This constitutes humiliation, which is detainee abuse. Military working dogs were being used not only to search the cells, but also to intimidate the IPs during interrogation without authorization. There was a general understanding among the MI personnel present that LTG Sanchez had authorized suspending existing ICRP (known by the Abu Ghraib personnel locally as the IROE) because of the shooting (Reference Annex C, Appendix 1, Tab B, Annex 8, AR 15-6 Investigation, 24 November 2003). Nobody is sure where that information came from, but LTG Sanchez never gave such authorization (Reference Annex B, Appendix 1, SANCHEZ). LTC [REDACTED] and the Soldiers should have known the Interrogation Rules would not and could not have been suspended. LTC Jordan should have controlled the situation and should have taken steps to reinforce proper standards at a time when emotions were likely high given the

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circumstances. LTC [REDACTED] is responsible for allowing the chaotic situation, the unauthorized nakedness and resultant humiliation, and the military working dog abuses that occurred that night. LTC [REDACTED] should have obtained any authorizations to suspend ICRP in writing, via email, if by no other means. The tone and the environment that occurred that night, with the tacit approval of LTC [REDACTED], can be pointed to as the causative factor that set the stage for the abuses that followed for days afterward related to the shooting and the IP Roundup. COL [REDACTED] is also responsible and showed poor judgment by leaving the scene before normalcy returned, as well as for leaving LTC [REDACTED] in charge.

(6) (U) The small quantity of MI personnel had a difficult time managing the large number of MI holds which moved from the hundreds to over a thousand by December 2003 (See paragraph 4.c.(12)). In December 2003, COL [REDACTED], in his role as FOB Commander, requested additional forces be allocated to support the difficult and growing force protection mission. Prior to his designation as FOB Commander, COL [REDACTED] had requested additional forces to support the JIDC mission. One of the reasons he cited in the December request was that the mixing of MI and MP functions was worsening the already difficult personnel resource situation.

j. (U) Advisory and Training Team Deployments

(1) (U) MG Geoffrey Miller Visit

(a) (U) MG G. Miller's visit was in response to a J3, JCS, request to SOUTHCOM for a team to assist CENTCOM and ISG in theater (Reference Annex L, Appendix 1, Electrical Message, DTG: 181854Z Aug 03, FM JOINT STAFF WASHINGTON DC // J3). The team was directed to assist with advice on facilities and operations specific to screening, interrogations, HUMINT collection, and interagency integration in the short and long term. MG G. Miller was tasked as the result of a May 2003 meeting he had with MG Ronald Burgess, J2, JCS. MG Burgess indicated there were some challenges in CJTF-7 with the transition from major combat operations to SASO in the areas of intelligence, interrogation, and detention (Reference Annex B, Appendix 1, MILLER). COL [REDACTED] believed LTG Sanchez had requested the support (Reference Annex B, Appendix 1, [REDACTED] - b(6)(2)(4))

(b) (U) From 31 August to 9 September 2003, MG G. Miller led a team to Iraq to conduct an "Assessment of DoD Counterterrorism Interrogation and Detention Operations in Iraq." Specifically, MG G. Miller's team was to conduct assistance visits to CJTF-7, TF-20, and the ISG to discuss current theater ability to exploit internees rapidly for actionable intelligence. MG G. Miller and his team of 17 experts assessed three major areas of concern: intelligence integration, synchronization, and fusion; interrogation operations; and detention operations. The team's assessment (Reference Annex L, Appendix 1, MG Miller's Report, Assessment of DoD Counterterrorism Interrogation and Detention Operations in Iraq, undated, and MG Miller's

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Briefing of his findings, dated 6 September 2003) identified several areas in need of attention: the interrogators didn't have the authorities and procedures in place to effect a unified strategy to detain, interrogate, and report information from detainees in Iraq; the information needs required an in-theater analysis capability integrated in the interrogation operations to allow for access/leverage of the worldwide intelligence databases; and the detention operations function must support the interrogation process.

(c) (U) MG G. Miller's visit also introduced written GTMO documentation into the CJTF-7 environment. LTG Sanchez recalled MG G. Miller left behind a whole series of SOPs that could be used as a start point for CJTF-7 interrogation operations. It was clear that these SOPs had to be adapted to the conditions in Iraq and that they could not be implemented blindly. LTG Sanchez was confident the entire CJTF-7 staff understood that the conditions in GTMO were different than in Iraq, because the Geneva Conventions applied in the Iraqi theater.

(d) (U) The assessment team essentially conducted a systems analysis of the intelligence mission in Iraq and did not concentrate on specific interrogation techniques. While no "harsh techniques" were briefed, COL [REDACTED] recalled a conversation with MG G. Miller regarding the use of military working dogs to support interrogations (See paragraph 5.f). According to COL [REDACTED] MG G. Miller said they, GTMO, used military working dogs, and that they were effective in setting the atmosphere for interrogations (Reference Annex B, Appendix 2, PAPPAS). MG G. Miller contradicted COL [REDACTED] in his statement (Reference Annex B, Appendix 1, MILLER), saying he only discussed using military working dogs to help the MPs with detainee custody and control issues. According to MG G. Miller, the dogs help provide a controlled atmosphere (not interrogations as recalled by COL [REDACTED] that helps reduce risk of detainee demonstrations or acts of violence. According to MG G. Miller, his team recommended a strategy to work the operational schedule of the dog teams so the dogs were present when the detainees were awake, not when they are sleeping.

(e) (U) Several things occurred subsequent to MG G. Miller's visit to Abu Ghraib. The JIDC was established. The use of Tiger Teams was implemented based on the JTF-GTMO model, which teamed an interrogator and an analyst together, giving each team an organic analytical capability. There was also a moderate increase in the number of interrogators reassigned to the Abu Ghraib operation. This increase was probably not connected to MG G. Miller's visit as much as to the arrival of elements of the 325 MI BN which began to arrive 10 September 2003--the same day MG G. Miller departed Iraq. Prior to their arrival, the interrogation assets consisted of one OIC (captain), one technician (chief warrant officer), 12 HUMINT collectors (MOS 97E/97B), an analyst, and a communications team. While the number of interrogators increased, the JIDC requirements for a staff and leadership also increased. Those positions were filled from within the assigned units. It is indeterminate what impact the MG G. Miller Team's concepts had on operations at Abu Ghraib. There was an

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increase in intelligence reports after the visit but that appears more likely due to the assignment of trained interrogators and an increased number of MI Hold detainees to interrogate.

(2) JTF-GTMO Training Team.

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(a) (U) Subsequent to MG G. Miller's visit, a team of subject matter experts was dispatched from JTF-GTMO to Abu Ghraib (approximately 4 October to 2 December 2003) to assist in the implementation of the recommendations identified by MG G. Miller. The JTF-GTMO Team included three interrogators and three analysts, organized into three teams, with one interrogator and one analyst on each, which is the GTMO "Tiger Team" concept. The JTF-GTMO Team included SOLDIER28 (351E Team Chief), SOLDIER27, CIVILIAN-14 (97E), SOLDIER-03 (97E), SSG ██████████ (96B), and SOLDIER-11 (96B). The Team Chief understood his task was to assist CJTF-7 for a period not to exceed 90 days with the mission of building a robust and effective JIDC, and identifying solutions and providing recommendations for the JIDC (Reference Annex B, Appendix 1, SOLDIER-28). Upon arrival at Abu Ghraib, SOLDIER-28 and SOLDIER-27, both of whom had been on the original MG G. Miller assessment visit, concentrated on establishing the various JIDC elements. Particular emphasis was given to formalizing the JIDC staff and the collection, management and dissemination (CM&D) function at Abu Ghraib, to alleviate many of the information distribution issues surfaced during MG G. Miller's visit. Some interrogation policies were already in place. Consistent with its charter to assist in establishment of a GTMO-like operation, the team provided copies of the current JTF-GTMO policies, SOPs (Reference Annex L, Appendix 2, SOP for JTF-GTMO, Joint Intelligence Group [JIG], Interrogation Control Element [ICE], Guantanamo Bay, CU, dated 21 January 2003, revised 12 June 2003), and the SECDEF Letter (Reference, Annex J, Appendix 2, MEMORANDUM FOR COMMANDER, US SOUTHERN COMMAND, Subject: Counter-Resistance Techniques in the War on Terrorism (S), dated 16 April 2003) outlining the techniques authorized for use with the GTMO detainees. The four other JTF-GTMO team members were split up and integrated into interrogation operations as members/leaders of the newly formed Tiger Teams under the ICE. SOLDIER-28 and SOLDIER-27 did not directly participate in any interrogation operations and reported that they never observed, or heard about, any detainee abuse or mistreatment. SOLDIER-28's assertion as regards knowledge of abuses is contradicted by one of his Soldiers (Reference Annex B, Appendix 1, SOLDIER-03) (See paragraphs 4.j.(2)(c) and 4.j.(2)(d), below).

(b) (U) While the JTF-GTMO team's mission was to support operations and assist in establishment of the JIDC, there was a great deal of animosity on the part of the Abu Ghraib personnel, especially some A/519 MI BN Personnel. This included an intentional disregard for the concepts and techniques the GTMO Team attempted to instill, as well as contempt for some of the team's work ethic, professional judgment, and ideas. Because of this, the GTMO Team's ability to effect change at Abu Ghraib may have been severely limited. This information was

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obtained during a review of email exchanged between SOLDIER-14, CW2 [REDACTED] CW3 [REDACTED] SFC [REDACTED], with info copies to CPT [REDACTED] and SOLDIER-23. It should be noted that senior managers at Abu Ghraib thought highly of the JTF-GTMO team and believed they positively impacted the operations.

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(c) (U) SOLDIER-11, a JTF-GTMO analyst assigned to the "Former Regime Loyalists" Tiger Team, stated that he witnessed and reported two incidents of abuse (Reference Annex B, Appendix 1, SOLDIER-11). In his first report, SOLDIER-11 reported that he was observing an interrogation being conducted by SOLDIER19 A/519 MI BN. As SOLDIER-11 observed from behind a glass, SOLDIER-19 directed a detainee to roll his jumpsuit down to his waist and insinuated that the detainee would be stripped further if he did not cooperate. The interrogation ended abruptly when the translator objected to the tactic and refused to continue. SOLDIER-11 reported the incident to both SOLDIER-16, his Tiger Team Leader, and to SOLDIER-28, his JTF GTMO Team Chief. SOLDIER-16 invoked her rights under UCMJ and chose not to make any statement regarding this or any other matters (Reference Annex B, Appendix 1, SOLDIER16). When asked, SOLDIER-28 stated that he could not recall what SOLDIER11 reported to him regarding the rolling down of the detainee's jumpsuit, but does recall a conversation about a translator walking out of an interrogation due to a "cultural difference" (Reference Annex B, Appendix 1, SOLDIER-28). SOLDIER-11 is adamant that he reported the incident in detail (Reference Annex B, Appendix 1, SOLDIER-11) and that he never used the phrase "cultural difference."

(d) (U) In another report to SOLDIER-28, SOLDIER-11 reported a second incident. SOLDIER-11 and SOLDIER-19 were conducting an interrogation around mid-October 2003. The detainee was uncooperative and was not answering questions. SOLDIER19 became frustrated and suggested to SOLDIER11 that the detainee be placed in solitary. SOLDIER-11 did not agree with the recommendation and suggested it would be counterproductive. About 15 minutes later (two hours into the interrogation), SOLDIER-19 exercised his authority as the lead interrogator and had the detainee placed in solitary confinement. About a half an hour later, SOLDIER-11 and SOLDIER-19 went to the Hard Site to see the detainee, and found him lying on the floor, completely naked except for a hood that covered his head from his upper lip, whimpering. SOLDIER-11 and SOLDIER-19 had the MPs redress the detainee before escorting him back to the general population. SOLDIER-11 was disturbed by what he had seen and considered reporting it to several different people. Ultimately, SOLDIER-11 reported this incident to SOLDIER-28 (Reference Annex B, Appendix 1, SOLDIER-11). SOLDIER-11 added that SOLDIER-28 accepted the report and indicated he would surface the issue to COL [REDACTED] (not due to return to Abu Ghraib for 2 - 3 days). Also according to SOLDIER-11, SOLDIER-28 was very ill and placed on 30 days quarters shortly after SOLDIER-11 made his report. When asked, SOLDIER-28 could not recall such a report being made to him (Reference Annex B, Appendix 1, SOLDIER-28).

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(e) (U) SSG [REDACTED] does not recall the JTF-GTMO team ever discussing specific interrogation techniques employed, abuse, or unauthorized interrogation methods. He observed only approved interrogation techniques in line with FM 34-52, and never saw any detainee abuse, mistreatment, or nakedness (Reference Annex B, Appendix 1, [REDACTED]).

(f) (U) CIVILIAN-14 never observed any activity or training event that was not in compliance with basic human rights and the Geneva Conventions. CIVILIAN-14 did, however, notice "a lot of detainee nakedness at Abu Ghraib," possibly, he speculated, attributable to the lack of available clothing. There was nothing he observed or heard that he considered detainee abuse. Relating to his JTF-GTMO experience/training, CIVILIAN-14 believed the removal of clothing for interrogation purposes was an option available with the appropriate approvals; however, it was rarely used at JTF-GTMO. This misunderstanding of the rules and regulations was evident in his reaction to the detainee nakedness at Abu Ghraib. Clearly CIVILIAN-14 was not aware of the fact the SECDEF had withdrawn that authority. (Reference Annex B, Appendix 1, CIVILIAN-14)

(g) (U) In reviewing his activities while at Abu Ghraib, SOLDIER-03 recalled his team submitted two requests to use techniques requiring approvals beyond the team level. In cases requiring such approvals, the request went to the Operations Officer (either MAJ [REDACTED] or MAJ [REDACTED]) (Operations Officer) and they would approve or disapprove the technique. Those requests requiring a CJTF-7 approval level went to CPT [REDACTED] who would forward them for approval. SOLDIER-03 recalled submitting the requests several days in advance of the interrogation to ensure it was approved or disapproved before the interrogation began. His first request (detainee sitting against a wall) was initiated by SOLDIER-21 (analyst) and SOLDIER-30 (interrogator). SOLDIER-03 reviewed the request and forwarded it for approval (SOLDIER-03 could not recall to whom he submitted the request or who had approved it). The request was approved and was implemented. After "observing for a couple of minutes," SOLDIER-03 ended the interrogation. In preparation for another interrogation, the same two females (SOLDIER-21 and SOLDIER-30) submitted a request to interrogate a detainee naked. The request was reviewed by SOLDIER-03 and forwarded to MAJ [REDACTED] MAJ [REDACTED] denies ever approving a naked interrogation. SOLDIER-03 recalled that the technique had been approved, but could not recall by whom. As with the above interrogation, SOLDIER-03 observed the interrogation. After about 15 minutes, he determined the nudity was not a productive technique and terminated the session. SOLDIER-03 never discussed this incident with SOLDIER-28. In his opinion, he had obtained the appropriate authorities and approvals for an "acceptable technique." When asked, SOLDIER-03 recalled hearing about nakedness at GTMO, but never employed the technique. (Reference Annex B, Appendix 1, SOLDIER-03, [REDACTED])

(h) (U) The JTF-GTMO Team viewed itself as having the mission of setting up and organizing an effective and efficient JIDC staff, and assisting in establishing the Tiger Team

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concept based on the GTMO model and experience. They did not view their mission as being for training specific interrogation techniques. This is contrary to MG G. Miller's understanding of the mission. There is no evidence that the JTF-GTMO team intentionally introduced any new/prohibited interrogation techniques. Clearly, however, they were operating without a full understanding of the current JTF-GTMO ICRP.

(i) (U) According to SOLDIER-28, no After Action Report (AAR) was prepared for this mobile training team's effort. He provided a post-mission briefing to MG G. Miller upon his return to GTMO. The team's mission was not clearly defined until they arrived at Abu Ghraib. According to MAJ [REDACTED] (Reference Annex B, Appendix 1, [REDACTED]), the JTF-GTMO Team arrived without a defined charter; however, in his opinion, the team's suggestions were very good and exactly what the Abu Ghraib operation needed. MAJ [REDACTED] felt that the real changes began to show after COL [REDACTED] arrived on or about 16 November 2003.

(3) (U) Fort Huachuca Mobile Training Team

(a) (U) From 7 to 21 October 2003, a five person ISCT MTT from the USAIC, Fort Huachuca, AZ, was dispatched to conduct an overall assessment of interrogation operations, present training, and provide advice and assistance at the Abu Ghraib JIDC. This course was developed in response to requirements surfaced during interrogation operations at JTF-GTMO, specifically to prepare reserve interrogators and order of battle analysts for deployment to JTF-GTMO. The course consists of a refresher in interrogation procedures and an introduction to strategic debriefing procedures (Reference Annex L, Appendix 4, ISCT POI; ISCT MTT AAR). The MTT consisted of a team chief, CW3 [REDACTED] (351B), three 97E interrogators, MSG [REDACTED], SFC [REDACTED] and SFC [REDACTED], and one analyst (96B) SOLDIER-56. The MTT spent the first few days at Abu Ghraib observing ongoing JIDC interrogation operations and establishing a training schedule based on their observations. The training phase lasted approximately five days and focused on interrogation skills and elicitation techniques, cultural awareness, collection management, and use of interpreters. The team discussed the use of Tiger Teams, but did not conduct any training in their use. The Tiger Team concept of teaming an Interrogator and an Analyst together had been previously recommended by the GTMO Assessment Team and was already being employed at Abu Ghraib when the ISCT MTT arrived. Following the training, at least two ISCT MTT Interrogators participated in approximately 19 interrogations and observed several others. The MTT prepared an After Action Report (Reference Annex L, Appendix 4, ISCT MTT AAT, Joint Detainee Interrogation Center, CJTF-7, Abu Ghurayb (sic), Iraq, dated 3 November 2003), which noted eleven issues and provided recommendations for each. The issues mainly concerned screening procedures, interrogation planning and preparation, approaches, questioning, interpreter control, deception detection, and administrative and reporting issues. SFC [REDACTED] did recall they had access to the 16 April 2003 SECDEF Memorandum and devoted some time to discussing approach strategies outside

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the ones mentioned in FM 34-52, Intelligence Interrogations, 28 September 1992, like the issue of military working dogs, sleep deprivation, etc., (Reference Annex B, Appendix 1, FILHANESSIAN). According to SOLDIER-25 (Reference Annex B, Appendix 1, SOLDIER25), "A team from Fort Huachuca ... gave us 3 days of classes, including rules of engagement and the use of sleep deprivation and sleep management." The ISCT MTT AAR did not note any incidents of detainee abuse or mistreatment. Three interviewed ISCT MTT members stated that they did not witness, or hear of any incidents of detainee abuse or mistreatment. Neither did they observe or know of any incidents where MI instructed or insinuated that the MP should abuse detainees. Further, MTT members stated that the 519 MI BN interrogators at Abu Ghraib demonstrated experience, "did things by the book," and used techniques that were within the limitations established by FM 34-52 (Interrogation Operations). Some team members, however, expressed some concerns about what appeared to them to be a lack of experience with some of the civilian contracted CACI Interrogators, and the fact that the MTT did not have the opportunity to train and work with some newly arriving contractors (Reference Annex B, Appendix 1, [REDACTED], CIVILIAN-07; and [REDACTED]).

(b) (U) On 21 June 2004, SFC [REDACTED] contacted the investigative team via email and indicated he wanted to make additions to his statement (Reference Annex B, Appendix 1, [REDACTED] 20040621, email). SFC [REDACTED] was concerned that as a member of the ISCT MTT, he may have contributed to the abuse at Abu Ghraib. When questioned by CACI employee CIVILIAN-21 for ideas to use to get these prisoners to talk, SFC [REDACTED] related several stories about the use of dogs as an inducement, suggesting he (CIVILIAN-21) talk to the MPs about the possibilities. SFC [REDACTED] further explained that detainees are most susceptible during the first few hours after capture. "The prisoners are captured by Soldiers, taken from their familiar surroundings, blindfolded and put into a truck and brought to this place (Abu Ghraib); and then they are pushed down a hall with guards barking orders and thrown into a cell, naked; and that not knowing what was going to happen or what the guards might do caused them extreme fear." SFC [REDACTED] also suggested CIVILIAN-21 could take some pictures of what seemed to be guards being rough with prisoners...so he could use them to scare the prisoners. Lastly, SFC [REDACTED] also shared what he described as a formal, professional prisoner in-processing as he observed it in Bagram (a reference to the detainee operations that had taken place Afghanistan).

(c) (U) On 26 June 2004, during a follow-on interview (Reference Annex B, Appendix 1, [REDACTED]); SFC [REDACTED] confirmed the information he provided in his email. He clarified that his conversation with CIVILIAN-21 occurred before the training was conducted and that he was certain CIVILIAN-21 clearly understood the rules with regard to interrogations. SFC [REDACTED] was adamant he had stressed the need to obtain the appropriate authorities before using any of the techniques discussed. SFC [REDACTED] knew of no other "off line" conversations between the MTT members and assigned interrogators. SFC [REDACTED] said he had related stories he had heard, but did not personally observe. In addressing the ISCT MTT training objectives, SFC

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[redacted] noted they (ISCT MTT) did not agree with the JTF-GTMO modus operandi. The (ISCT MTT) felt the use of Tiger Teams wasted limited analytical support. Analysts should support interrogation teams and not be part of the interrogation. This mirrors the opinions of the Abu Ghraib team (Reference Annex B, Appendix 1, [redacted]).

(d) (U) Throughout OIF I, USAIC assisted in sending MTTs to all divisional locations within Iraq in order to provide instruction on THT operations, G2X staff functions, and tactical questioning for non-military intelligence Soldiers. Prior to this training, a separate team traveled to Afghanistan and Iraq to provide similar training at Bagram Airfield and Abu Ghraib Detention Facility. This training was the same training provided to OIF units in Iraq that also incorporated lessons learned during that MTT.

k. (U) International Committee of the Red Cross (ICRC)

(1) (U) The ICRC visits to Abu Ghraib have been the source of great concern since the abuses at Abu Ghraib became public knowledge. The ICRC are independent observers who identified abuses to the leadership of Abu Ghraib as well as to CJTF-7. Their allegations were not believed, nor were they adequately investigated.

(2) (U) During the 9-12 and 21-23 October 2003 visits to Abu Ghraib, the ICRC noted that the ill treatment of detainees during interrogation was not systemic, except with regard to persons arrested in connection with suspected security offenses or deemed to have an "intelligence value." These individuals were probably the MI holds. "In these cases, persons deprived of their liberty [and] under supervision of the Military Intelligence were at high risk of being subjected to a variety of harsh treatments. These ranged from insults, threat and humiliations, to both physical and psychological coercion (which in some cases was tantamount to torture) in order to force cooperation with their interrogators (Reference Annex G, Appendix 1, Executive Summary)." The ICRC noted that some detainees in Tier 1A were held naked in their cells, with meals ready to eat (MRE) packing being used to cover their nudity. The ICRC immediately informed the authorities, and the detainees received clothes for the remainder of the ICRC visit. Additionally, the ICRC complained about MI-imposed restrictions on visiting certain security detainees in Camp Vigilant and in Tier 1A. Red Cross delegates were informed they could visit those areas the following day and then only on the basis of a list of detainees and tasks agreed on with Abu Ghraib officials. (Reference Annex G, Appendix 1, TAB B)

(3) (U) The ICRC found a high level of depression, feelings of helplessness, stress, and frustration, especially by those detainees in isolation. Detainees made the following allegations during interviews with the ICRC: threats during interrogation; insults and verbal insults during transfer in Tier 1A; sleep deprivation; walking in the corridors handcuffed and naked, except for female underwear over the head; handcuffing either to the upper bed bars or doors of the cell for

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3-4 hours. Some detainees presented physical marks and psychological symptoms which were compatible with these allegations. Also noted were brutality upon capture, physical or psychological coercion during interrogation, prolonged isolation, and excessive and disproportionate use of force. (Reference Annex G, Appendix 1, TAB B)

(4) (U) The ICRC made a number of recommendations after the October 2003 visits, including: grant ICRC full and unimpeded access to all detainees; improve the security related to the accommodation structure; clarify and improve conditions of detention and treatment; distribute hygiene items, spare clothes, blankets, etc.; inform detainees of the reason for their detention; implement regular family visits for detainees; and increase recreational and educational activities. (Reference Annex G, Appendix 1, Tab B, ICRC Working Paper, dated 6 November 2003).

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(5) (U) LTC [redacted] regarding the 9 - 12 October 2003 visit, stated he was told of naked detainees by the ICRC and immediately contacted LTC [redacted]. The two went to see the situation first hand. LTC [redacted] claimed that LTC [redacted] acknowledged that it was common practice for some of the detainees to be kept naked in their cells. In November 2003, after having received the written ICRC report, CJTF-7 sent an Australian Judge Advocate officer, MAJ [redacted], to Abu Ghraib to meet with LTC [redacted] and other officers to craft a response to the ICRC memo. (Reference Annex B, Appendices 1 and 2, [redacted])

(6) (U) Stemming from those October 2003 visits, the ICRC also made the following request of the Coalition Forces: respect at all times the human dignity, physical integrity, and cultural sensitivity of detainees; set up a system of notification of arrest to the families of detainees; prevent all forms of ill-treatment; respect and protect the dignity of detainees; allow sufficient time for outside activity and exercise; define and apply regulations compatible with international Humanitarian Law; thoroughly investigate violation of international Humanitarian Law; ensure that capturing forces and interment facility personnel are trained to function in a proper manner without resorting to ill-treatment of detainees. (Reference ANNEX G, Appendix 1, Tab A, ICRC Report February 2004)

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(7) (U) COL [redacted], the CJTF-7 SJA, stated that neither he nor anyone else from CJTF-7 Headquarters was present at Abu Ghraib during the ICRC visit in October 2003. Throughout 2003, all ICRC reports were addressed to the commander or subordinate commanders of the 800 MP BDE. The OSJA received a copy of the reports. Letters on specific topics addressed to LTG Sanchez were given to COL [redacted] and he would prepare the response for LTG Sanchez. MAJ [redacted] prepared an analysis of the report on 25 November 2003 and the draft was sent to CJTF-7 C2 and the 800 MP BDE for review. On 4 December 2003, a meeting was held at Abu Ghraib, attended by MP, MI, and legal personnel, in order to discuss the report. In mid-December, the draft response was sent by OSJA to the 800 MP BDE for review and coordination. BG

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All redactions are pages  
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Karpinski signed the response, dated 24 December 2003. (Reference Annex G, Appendix 3, KARPINSKI Letter)

(8) (U) During the 4-8 January 2004 visit, the ICRC expressed special concern over being informed by COL [REDACTED] and COL [REDACTED] that they were invoking Article 143 of Geneva Convention IV, thereby denying the ICRC access to eight of the detainees in the interrogation section. Of particular interest was the status of detainee DETAINEE-14, a Syrian national and self-proclaimed Jihadist, who was in Iraq to kill coalition troops. DETAINEE-14 was detained in a totally darkened cell measuring about 2 meters long and less than a meter across, devoid of any window, latrine or water tap, or bedding. On the door the ICRC delegates noticed the inscription "the Gollum," and a picture of the said character from the film trilogy "Lord of the Rings." During the 14-18 March 2004 visit, the ICRC was once again denied access to nine detainees, including DETAINEE-14. They noted that DETAINEE-14 was no longer in the same cell as he was previously, but was still in one of the more "difficult" cells. (Reference Annex G, Appendix 1, ICRC Working Paper, dated 6 November 2003; Appendix 2, ICRC Letter dated February 2004; Appendix 2, Tab B, ICRC Letter dated 25 March 2004)

(9) (U) Article 143, Fourth Geneva Convention, reads in part "Such visits may be prohibited except for reasons of imperative military necessity, and then only for an exceptional and temporary measure." COL [REDACTED] and COL [REDACTED] both acknowledge denying access to specified detainees by the ICRC on each of two occasions (in January and March 2004), invoking the above cited provision. The ICRC, in their memorandum of 25 March 2004, acknowledged the right of COL [REDACTED] and COL [REDACTED] to invoke the "imperative military necessity clause." It questioned the "exceptional and temporary" nature of the denial of access to DETAINEE-14 on both occasions, however, given that DETAINEE-14 (by the time of the second visit) had been under interrogation for some four months. This was the same DETAINEE-14 that was viewed a "special project" and who was abused by the use of dogs. (See paragraph 5.f.) (Reference Annex B, Appendix 1, [REDACTED], [REDACTED])

(10) (U) COL [REDACTED] acknowledges in his statement that the ICRC visited Abu Ghraib twice (January and March 2004). He received a copy of the results and noted there were allegations of maltreatment and detainees wearing women's underwear on their heads. He did not believe it. He recalled he might have related to the staff that "this stuff couldn't have been happening." He added that when the ICRC came by the second time (March 2004), he invoked Article 143, preventing the eight detainees in Tier 1A from talking to the ICRC while undergoing active interrogation. COL [REDACTED] states: "COL [REDACTED] informed me that I had the authority to do this." (Reference Annex B, Appendices 1 and 2, [REDACTED])

(11) (U) COL [REDACTED] also stated that when he saw the ICRC report on naked detainees and detainees wearing women's underwear, he couldn't believe it. He saw the report when he

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returned to CJTF-7 from leave on 30 November 2003. His office probably had received the report on 16 November 2003. He regrets not having taken the report earlier to LTG Sanchez or MG Wojdakowski. While this would not have prevented the abuse they subsequently discovered (because it had taken place in November 2003), it may have resulted in CID beginning an investigation a month earlier than they did. During the ICRC's next visit to Abu Ghraib, during the period 4-8 January 2004, COL [REDACTED] states they invoked Article 143 of the Fourth Geneva Conventions and did not allow the ICRC to have private interviews with eight detainees who were undergoing active interrogations. He did allow the ICRC delegate to see the detainees, observe the conditions of their detention, and obtain their names and Internee Serial Numbers." (Reference Annex B, Appendix 1, [REDACTED])

(12) (U) LTC [REDACTED], Commander of the 115th MP Battalion (115 MP BN), has stated that although he attended the ICRC out-brief, after the 21-23 October 2003 visits, he never saw or heard of any detainees being stripped or held naked, nor did he ever see a written report from the ICRC. He stated that a doctor with the ICRC team provided information concerning a few detainees having psychological problems and stating that they should be evaluated. ICRC also related charges of handcuffing, nakedness, wearing of female underwear, and sleep deprivation. The ICRC also complained about lack of access to certain detainees, and he discussed the matter with LTC [REDACTED]. He also discussed the allegations made by the ICRC with MAJ [REDACTED], BG Karpinski, and MAJ [REDACTED]. BG Karpinski does not recall hearing about the report until early December 2003 when it was discussed at CJTF-7 Headquarters with COL [REDACTED] (Reference Annex B, Appendix 1, [REDACTED] KARPINSKI)

(13) (U) LTC [REDACTED] has stated that after the ICRC visited Abu Ghraib, COL [REDACTED] and BG Karpinski received the final report, but that he did not see the report. When asked by COL [REDACTED] if he had ever seen or heard any rumors of abuse, LTC [REDACTED] told COL [REDACTED] that he (LTC [REDACTED]) had not. He was not aware of COL [REDACTED] ever doing anything concerning the ICRC allegations (Reference Annex B, Appendix 1, [REDACTED] and Annex B, Appendix 2, [REDACTED]).

(14) (U) The only response to the ICRC was a letter signed by BG Karpinski, dated 24 December 2003. According to LTC [REDACTED] and COL [REDACTED] (as quoted above) an Australian Judge Advocate officer, MAJ [REDACTED] was the principal drafter of the letter. Attempts to interview MAJ [REDACTED] were unsuccessful. The Australian Government agreed to have MAJ [REDACTED] respond to written questions, but as of the time of this report, no response has been received. The section of the BG Karpinski letter pertaining to Abu Ghraib primarily addresses the denial of access to certain detainees by the ICRC. It tends to gloss over, close to the point of denying the inhumane treatment, humiliation, and abuse identified by the ICRC. The letter merely says: Improvement can be made for the provision of clothing, water, and personal hygiene items. (Reference Annex G, Appendix 3, KARPINSKI Letter)

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5. Summary of Abuses at Abu Ghraib

a. (U) Several types of detainee abuse were identified in this investigation: physical and sexual abuse; improper use of military working dogs; humiliating and degrading treatments; and improper use of isolation.

(1) (U) Physical Abuse. Several Soldiers reported that they witnessed physical abuse of detainees. Some examples include slapping, kicking, twisting the hands of a detainee who was hand-cuffed to cause pain, throwing balls at restrained internees, placing gloved hand over the nose and mouth of an internee to restrict breathing, "poking" at an internee's injured leg, and forcing an internee to stand while handcuffed in such a way as to dislocate his shoulder. These actions are clearly in violation of applicable laws and regulations.

(2) (U) Use of Dogs. The use of military working dogs in a confinement facility can be effective and permissible under AR 190-12 as a means of controlling the internee population. When dogs are used to threaten and terrify detainees, there is a clear violation of applicable laws and regulations. One such impermissible practice was an alleged contest between the two Army dog handlers to see who could make the internees urinate or defecate in the presence of the dogs. An incident of clearly abusive use of the dogs occurred when a dog was allowed in the cell of two male juveniles and allowed to go "nuts." Both juveniles were screaming and crying with the youngest and smallest trying to hide behind the other juvenile. (Reference Annex B, Appendix 1, SOLDIER-17).

(3) (U) Humiliating and Degrading Treatments. Actions that are intended to degrade or humiliate a detainee are prohibited by GC IV, Army policy and the UCMJ. The following are examples of such behavior that occurred at Abu Ghraib, which violate applicable laws and regulations.

(4) (U) Nakedness. Numerous statements, as well as the ICRC report, discuss the seemingly common practice of keeping detainees in a state of undress. A number of statements indicate that clothing was taken away as a punishment for either not cooperating with interrogators or with MPs. In addition, male internees were naked in the presence of female Soldiers. Many of the Soldiers who witnessed the nakedness were told that this was an accepted practice. Under the circumstances, however, the nakedness was clearly degrading and humiliating.

(5) (U) Photographs. A multitude of photographs show detainees in various states of undress, often in degrading positions.

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(6) (U) Simulated Sexual Positions. A number of Soldiers describe incidents where detainees were placed in simulated sexual positions with other internees. Many of these incidents were also photographed.

(7) (U) Improper Use of Isolation. There are some legitimate purposes for the segregation (or isolation) of detainees, specifically to prevent them from sharing interrogation tactics with other detainees or other sensitive information. Article 5 of Geneva Convention IV supports this position by stating that certain individuals can lose their rights of communication, but only when absolute military security requires. The use of isolation at Abu Ghraib was often done as punishment, either for a disciplinary infraction or for failure to cooperate with an interrogation. These are improper uses of isolation and depending on the circumstances amounted to violation of applicable laws and regulations. Isolation could properly be a sanction for a disciplinary infraction if applied through the proper process set out in AR 190-8 and the Geneva Conventions.

(8) (U) Failure to Safeguard Detainees. The Geneva Conventions and Army Regulations require that detainees be "protected against all acts of violence and threats thereof and against insults and public curiosity." Geneva Convention IV, Article 27 and AR 190-8, paragraph 5-1(a)(2). The duty to protect imposes an obligation on an individual who witnesses an abusive act to intervene and stop the abuse. Failure to do so may be a violation of applicable laws and regulations.

(9) (U) Failure to Report Detainee Abuse. The duty to report detainee abuse is closely tied to the duty to protect. The failure to report an abusive incident could result in additional abuse. Soldiers who witness these offenses have an obligation to report the violations under the provision of Article 92, UCMJ. Soldiers who are informed of such abuses also have a duty to report violations. Depending on their position and their assigned duties, the failure to report detainee abuse could support a charge of dereliction of duty, a violation of the UCMJ. Civilian contractors employed as interrogators and translators would also have a duty to report such offenses as they are also bound by the Geneva Conventions and are charged with protecting the internees.

(10) (U) Other traditional prison guard issues were far less clear. MPs are responsible for the clothing of detainees; however, MI interrogators started directing nakedness at Abu Ghraib as early as 16 September 2003 to humiliate and break down detainees. MPs would also sometimes discipline detainees by taking away clothing and putting detainees in cells naked. A severe shortage of clothing during the September, October, November 2003, time frame was frequently mentioned as the reason why people were naked. Removal of clothing and nakedness were being used to humiliate detainees at the same time there was a general level of confusion as to what was allowable in terms of MP disciplinary measures and MI interrogation rules, and what

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clothing was available. This contributed to an environment that would appear to condone depravity and degradation rather than the humane treatment of detainees.

b. (U) The original intent by MI leadership (205 MI BDE) was for Tier 1A to be reserved for MI Holds only. In fact, CPT [REDACTED] states in an email dated 7 September 2003, during a visit from MG Miller and BG Karpinski, that BG Karpinski confirmed "we (MI) have all the iso (Isolation) cells in the wing we have been working. We only had 10 cells to begin with but that has grown to the entire wing." LTC [REDACTED] also thought that MI had exclusive authority to house MI holds in Tier 1A. The fact is, however, that a number of those cells were often used by the MPs to house disciplinary problems. That fact is supported by the testimony of a large number of people who were there and further supported by the pictures and the detainee records. In fact, 11 of a total of 25 detainees identified by the CID as victims of abuse were not MI holds and were not being interrogated by MI. The MPs put the problem detainees (detainees who required separation from the general population for disciplinary reasons) in Tier 1A because there was no other place available to isolate them. Neither CPT [REDACTED] nor MAJ [REDACTED] appreciated the mixing because it did not allow for a pure MI environment, but the issue never made its way up to either LTC [REDACTED] or to BG Karpinski. (b)(6)-2; (b)(7)(C)-2

c. (U) The "sleep adjustment" technique was used by MI as soon as the Tier 1A block opened. This was another source of confusion and misunderstanding between MPs and MI which contributed to an environment that allowed detainee abuse, as well as its perpetuation for as long as it continued. Sleep adjustment was brought with the 519 MI BN from Afghanistan. It is also a method used at GTMO. (See paragraph 3.b.(5)). At Abu Ghraib, however, the MPs were not trained, nor informed as to how they actually should do the sleep adjustment. The MPs were just told to keep a detainee awake for a time specified by the interrogator. The MPs used their own judgment as to how to keep them awake. Those techniques included taking the detainees out of their cells, stripping them and giving them cold showers. CPT [REDACTED] stated she did not know this was going on and thought the detainees were being kept awake by the MPs banging on the cell doors, yelling, and playing loud music. When one MI Soldier inquired about water being thrown on a naked detainee he was told that it was an MP discipline technique. Again, who was allowed to do what and how exactly they were to do it was totally unclear. Neither of the communities (MI and MP) knew what the other could and could not do. (Reference Annex B, Appendix 1, [REDACTED] [REDACTED] (b)(6)-2; (b)(7)(C)-2

d. (U) This investigation found no evidence of confusion regarding actual physical abuse, such as hitting, kicking, slapping, punching, and foot stomping. Everyone we spoke to knew it was prohibited conduct except for one Soldier. (Reference Annex B, Appendix 1, SOLDIER-29). Physical discomfort from exposure to cold and heat or denial of food and water is not as clear-cut and can become physical or moral coercion at the extreme. Such abuse did occur at Abu Ghraib, such as detainees being left naked in their cells during severe cold weather without

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blankets. In Tier 1A some of the excesses regarding physical discomfort were being done as directed by MI and some were being done by MPs for reasons not related to interrogation. (See paragraph 5.e.-h.)

e. (U) The physical and sexual abuses of detainees at Abu Ghraib are by far the most serious. The abuses spanned from direct physical assault, such as delivering head blows rendering detainees unconscious, to sexual posing and forced participation in group masturbation. At the extremes were the death of a detainee in OGA custody, an alleged rape committed by a US translator and observed by a female Soldier, and the alleged sexual assault of an unknown female. They were perpetrated or witnessed by individuals or small groups. Such abuse can not be directly tied to a systemic US approach to torture or approved treatment of detainees. The MPs being investigated claim their actions came at the direction of MI. Although self-serving, these claims do have some basis in fact. The climate created at Abu Ghraib provided the opportunity for such abuse to occur and to continue undiscovered by higher authority for a long period of time. What started as undressing and humiliation, stress and physical training (PT), carried over into sexual and physical assaults by a small group of morally corrupt and unsupervised Soldiers and civilians. Twenty-four (24) serious incidents of physical and sexual abuse occurred from 20 September through 13 December 2003. The incidents identified in this investigation include some of the same abuses identified in the MG Taguba investigation; however, this investigation adds several previously unreported events. A direct comparison cannot be made of the abuses cited in the MG Taguba report and this one.

(1) (U) **Incident #1.** - On 20 September 2003, two MI Soldiers beat and kicked a passive, cuffed detainee, suspected of involvement in the 20 September 2003 mortar attack on Abu Ghraib that killed two Soldiers. Two Iraqis (male and female) were detained and brought to Abu Ghraib immediately following the attack. MI and the MP Internal Reaction Force (IRF) were notified of the apprehension and dispatched teams to the entry control point to receive the detainees. Upon arrival, the IRF observed two MI Soldiers striking and yelling at the male detainee whom they subsequently "threw" into the back of a High-Mobility Multipurpose Wheeled Vehicle (HMMWV). 1LT [REDACTED] 320th MP BN IRF intervened to stop the abuse and was told by the MI Soldiers "we are the professionals; we know what we are doing." They refused 1LT [REDACTED]'s lawful order to identify themselves. 1LT [REDACTED] and his IRF team (SGT [REDACTED] SFC [REDACTED]) immediately reported this incident, providing sworn statements to MAJ [REDACTED] 320 MP BN S3 and LTC [REDACTED], 320 MP BN Commander. 1SG [REDACTED] A/205 MI BN interviewed and took statements from SGT [REDACTED], identified as striking the detainee, and each MI person present: SSG [REDACTED], SSG [REDACTED], SGT [REDACTED], SGT [REDACTED]. While the MP statements all describe abuse at the hands of an unidentified MI person (SGT [REDACTED]), the MI statements all deny any abuse occurred. LTC [REDACTED] subsequently reported the incident to the CID who determined the allegation lacked sufficient basis for prosecution. The detainee was interrogated and released that day (involvement in the mortar attack was unlikely); therefore, no

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(b)(7)(C)-2



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the abuse was directed by MI and these individuals were not interrogation subjects. PFC England, however, claimed "MI Soldiers instructed them (MPs) to rough them up." When SOLDIER-24 arrived the detainees were naked, being yelled at by an MP through a megaphone. The detainees were forced to crawl on their stomachs and were handcuffed together. SOLDIER-24 observed SOLDIER-10 join in the abuse with CPL Graner and SSG Frederick. All three made the detainees act as though they were having sex. He observed SOLDIER-19 dump water on the detainees from a cup and throw a foam football at them. SOLDIER-24 described what he saw to SOLDIER-25, B/321 MI BN, who reported the incident to SGT [REDACTED] 372 MP CO. SGT [REDACTED] advised SOLDIER-25 he would notify his NCOIC and later told SOLDIER-25 "he had taken care of it." SOLDIER-25 stated that a few days later both she and SOLDIER-24 told SOLDIER-22 of the incident. SOLDIER-22 subsequently failed to report what he was told. SOLDIER-25 did not report the abuse through MI channels because she felt it was an MP matter and would be handled by them. (b)(6)-2 (b)(7)(C)-2

(U) This is a clear incident of direct MI personnel involvement in detainee abuse; however, it does not appear to be based on MI orders. The three detainees were incarcerated for criminal acts and were not of intelligence interest. This incident was most likely orchestrated by MP personnel (CPL Graner, SSG Frederick, SOLDIER-34, SPC Harman, PFC England), with the MI personnel (SOLDIER-19, SOLDIER-10, and SOLDIER-24, CIVILIAN-17, and another unidentified interpreter) joining in and/or observing the abuse. (Reference Annex B, Appendix 1, [REDACTED] SOLDIER-19, CIVILIAN-17, SOLDIER-25; Annex B, Appendix 3, SOLDIER-34, ENGLAND, HARMAN, DETAINEE-31, DETAINEE-30, DETAINEE-27; Annex I, Appendix 1, Photographs M36-41). (b)(6)2, (b)(7)(C)-2

(4) (U) **Incident #4.** DETAINEE-08, arrived at Abu Ghraib on 27 October 2003 and was subsequently sent to the Hard Site. DETAINEE-08 claims when he was sent to the Hard Site, he was stripped of his clothing for six days. He was then given a blanket and remained with only the blanket for three more days. DETAINEE-08 stated the next evening he was transported by CPL Graner, 372 MP CO MP, to the shower room, which was commonly used for interrogations. When the interrogation ended, his female interrogator left, and DETAINEE-08 claims CPL Graner and another MP, who meets the description of SSG Fredrick, then threw pepper in DETAINEE-08's face and beat him for half an hour. DETAINEE-08 recalled being beaten with a chair until it broke, hit in the chest, kicked, and choked until he lost consciousness. On other occasions DETAINEE-08 recalled that CPL Graner would throw his food into the toilet and say "go take it and eat it." DETAINEE-08's claims of abuse do not involve his interrogator(s) and appear to have been committed by CPL Graner and SSG Frederick, both MPs. Reviewing the interrogation reports; however, suggests a correlation between this abuse and his interrogations. DETAINEE-08's interrogator for his first four interrogations was SOLDIER-29, a female, and almost certainly the interrogator he spoke of. Her Analyst was SOLDIER-10. In the first interrogation report they concluded he was lying and recommended a "fear up" approach if he continued to lie. Following his second interrogation it was recommended DETAINEE-08 be

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26-2170 } moved to isolation (the Hard Site) as he continued "to be untruthful." Ten days later, a period roughly correlating with DETAINEE-08's claim of being without clothes and/or a blanket for nine days before his beating, was interrogated for a third time. The interrogation report references his placement in "the hole," a small lightless isolation closet, and the "Mutt and Jeff" interrogation technique being employed. Both techniques as they were used here were abusive and unauthorized. According to the report, the interrogators "let the MPs yell at him" and upon their return, "used a fear down," but "he was still holding back." The following day he was interrogated again and the report annotates "use a direct approach with a reminder of the unpleasantness that occurred the last time he lied." Comparing the interrogation reports with DETAINEE-08's recollections, it is likely the abuse he describes occurred between his third and fourth interrogations and that his interrogators were aware of the abuse, the "unpleasantness." SGT [REDACTED] stated that SOLDIER-29 and SSG Frederick had a close personal relationship and it is plausible she had CPL Graner and SSG Frederick "soften up this detainee" as they have claimed "MI" told them to do on several, unspecified, occasions (Reference Annex B, Appendix 1, [REDACTED] SOLDIER-29; Annex B, Appendix 3, DETAINEE-08; Annex I, Appendix 4, DETAINEE-08).

(5) (U) **Incident #5.** In October 2003, DETAINEE-07, reported alleged multiple incidents of physical abuse while in Abu Ghraib. DETAINEE-07 was an MI Hold and considered of potentially high value. He was interrogated on 8, 21, and 29 October; 4 and 23 November and 5 December 2003. DETAINEE-07's claims of physical abuse (hitting) started on his first day of arrival. He was left naked in his cell for extended periods, cuffed in his cell in stressful positions ("High cuffed"), left with a bag over his head for extended periods, and denied bedding or blankets. DETAINEE-07 described being made to "bark like a dog, being forced to crawl on his stomach while MPs spit and urinated on him, and being struck causing unconsciousness." On another occasion DETAINEE-07 was tied to a window in his cell and forced to wear women's underwear on his head. On yet another occasion, DETAINEE-07 was forced to lie down while MPs jumped onto his back and legs. He was beaten with a broom and a chemical light was broken and poured over his body. DETAINEE-04 witnessed the abuse with the chem-light. During this abuse a police stick was used to sodomize DETAINEE-07 and two female MPs were hitting him, throwing a ball at his penis, and taking photographs. This investigation surfaced no photographic evidence of the chemical light abuse or sodomy. DETAINEE-07 also alleged that CIVILIAN-17, MP Interpreter, Titan Corp., hit DETAINEE-07 once, cutting his ear to an extent that required stitches. He told SOLDIER-25, analyst, B/321 MI BN, about this hitting incident during an interrogation. SOLDIER-25 asked the MPs what had happened to the detainee's ear and was told he had fallen in his cell. SOLDIER-25 did not report the detainee's abuse. SOLDIER-25 claimed the detainee's allegation was made in the presence of CIVILIAN-21, Analyst/Interrogator, CACI, which CIVILIAN-21 denied hearing this report. Two photos taken at 2200 hours, 1 November 2003 depict a detainee with stitches in his ear; however, we could not confirm the photo was DETAINEE-07. Based on the details provided by the detainee and the

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close correlation to other known MP abuses, it is highly probable DETAINEE-07's allegations are true. SOLDIER-25 failed to report the detainee's allegation of abuse. His statements and available photographs do not point to direct MI involvement. However, MI interest in this detainee, his placement in Tier 1A of the Hard Site, and initiation of the abuse once he arrived there, combine to create a circumstantial connection to MI (knowledge of or implicit tasking of the MPs to "set conditions") which are difficult to ignore. MI should have been aware of what was being done to this detainee based on the frequency of interrogations and high interest in his intelligence value. (Reference Annex B, Appendix 1, SOLDIER-25, CIVILIAN-21; Annex B, Appendix 3, DETAINEE-04, DETAINEE-07; Annex I, Appendix 1, Photographs M54-55).

(6) (U) Incident #6. DETAINEE-10 and DETAINEE-12 claimed that they and "four Iraqi Generals, were abused upon their arrival at the Hard Site. DETAINEE-10 was documented in MP records as receiving a 1.5 inch laceration on his chin, the result of his resisting an MP transfer. His injuries are likely those captured in several photographs of an unidentified detainee with a lacerated chin and bloody clothing which were taken on 14 November, a date coinciding with his transfer. DETAINEE-12 claimed he was slammed to the ground, punched, and forced to crawl naked to his cell with a sandbag over his head. These two detainees as well as the other four (DETAINEE-20, DETAINEE-19, DETAINEE-22, DETAINEE-21) were all high value Iraqi General Officers or senior members of the Iraqi Intelligence Service. MP logs from the Hard Site indicate they attempted to incite a riot in Camp Vigilant while being transferred to the Hard Site. There is no documentation of what occurred at Camp Vigilant or of detainees receiving injuries. When DETAINEE-10 was in-processed into the Hard Site, he was resisting and was pushed against the wall. At that point the MPs noticed blood coming from under his hood and they discovered the laceration on his chin. A medical corpsman was immediately called to suture the detainee's chin. These events are all documented, indicating the injury occurred before the detainee's arrival at the Hard Site and that he received prompt medical attention. When, where, and by whom this detainee suffered his injuries could not be determined nor could an evaluation be made of whether it constituted "reasonable force" in conjunction with a riot. Our interest in this incident stems from MP logs concerning DETAINEE-10 indicating MI provided direction about his treatment. CPL Graner wrote an entry indicating he was told by SFC [REDACTED] who was in turn told by LTC [REDACTED] to "Strip them out and PT them." Whether "strip out" meant to remove clothing or to isolate we couldn't determine. Whether "PT them" meant physical stress or abuse can't be determined. The vagueness of this order could, however, have led to any subsequent abuse. The alleged abuse, injury, and harsh treatment correlating with the detainees' transfer to MI hold also suggest MI could have provided direction or MP could have been given the perception they should abuse or "soften up detainees," however, there is no clear proof. (Reference Annex B, Appendix 1, [REDACTED], Annex C).

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(e)2

(b)(6)-2; (7)(C)-2

(7) (U) Incident #7. On 4 November 2003, a CIA detainee, DETAINEE-28 died in custody in Tier 1B. Allegedly, a Navy SEAL Team had captured him during a joint TF-121/CIA

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mission. DETAINEE-28 was suspected of having been involved in an attack against the ICRC and had numerous weapons with him at the time of his apprehension. He was reportedly resisting arrest, and a SEAL Team member butt-stroked him on the side of the head to suppress the threat he posed. CIA representatives brought DETAINEE-28 into Abu Ghraib sometime around 0430 to 0530 without notifying JIDC Operations, in accordance with a supposed verbal agreement with the CIA. While all the details of DETAINEE-28's death are still not known (CIA, DOJ, and CID have yet to complete and release the results of their investigations), SPC [REDACTED], an MP on duty at the Hard Site at the time DETAINEE-28 was brought in, stated that two CIA representatives came in with DETAINEE-28 and he was placed in a shower room (in Tier 1B). About 30 to 45 minutes later, SPC [REDACTED] was summoned to the shower stall, and when he arrived, DETAINEE-28 appeared to be dead. SPC [REDACTED] removed the sandbag which was over DETAINEE-28's head and checked for the detainee's pulse. He found none. He un-cuffed DETAINEE-28 called for medical assistance, and notified his chain of command. LTC [REDACTED] stated that he was informed of the death shortly thereafter, at approximately 0715 hours. LTC [REDACTED] arrived at the Hard Site and talked to CIVILIAN03, an Iraqi prison medical doctor, who informed him DETAINEE-28 was dead. LTC [REDACTED] stated that DETAINEE-28 was in the Tier 1B shower stall, face down, handcuffed with his hands behind his back. LTC [REDACTED]'s version of the handcuffs conflicts with SPC [REDACTED]' account that he un-cuffed DETAINEE-28. This incident remains under CID and CIA investigation.

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7(c)-1

b(6)-2  
7(c)-2

(U) A CIA representative identified only as "OTHER AGENCY EMPLOYEE-01" was present, along with several MPs and US medical staff. LTC [REDACTED] recalled that it was "OTHER AGENCY EMPLOYEE-01" who uncuffed DETAINEE-28 and the body was turned over. LTC [REDACTED] stated that he did not see any blood anywhere, except for a small spot where DETAINEE-28's head was touching the floor. LTC [REDACTED] notified COL [REDACTED] (205 MI BDE Commander), and "OTHER AGENCY EMPLOYEE-01" said he would notify "OTHER AGENCY EMPLOYEE-02," his CIA supervisor. Once "OTHER AGENCY EMPLOYEE-02" arrived, he stated he would call Washington, and also requested that DETAINEE-28's body be held in the Hard Site until the following day. The body was placed in a body bag, packed in ice, and stored in the shower area. CID was notified and the body was removed from Abu Ghraib the next day on a litter to make it appear as if DETAINEE-28 was only ill, thereby not drawing the attention of the Iraqi guards and detainees. The body was transported to the morgue at BIAP for an autopsy, which concluded that DETAINEE-28 died of a blood clot in the head, a likely result of injuries he sustained while resisting apprehension. There is no indication or accusations that MI personnel were involved in this incident except for the removal of the body. (Reference Annex B, Appendix 1, [REDACTED]; Annex I, Appendix 1, Photographs C5-21, D5-11, M65-69).

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7(c)-2

(b)(6)-2  
7(c)-2

(8) (U) Incident #8. On 20 October 2003, DETAINEE-03, was allegedly stripped and physically abused for sharpening a toothbrush to make a shank (knife-like weapon).

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(b7)(C)-2

DETAINEE-03 claimed the toothbrush was not his. An MP log book entry by SSG Frederick, 372 MPs, directed DETAINEE-03 to be stripped in his cell for six days. DETAINEE-03 claimed he was told his clothing and mattress would be taken away as punishment. The next day he claims he was cuffed to his cell door for several hours. He claims he was taken to a closed room where he had cold water poured on him and his face was forced into someone's urine. DETAINEE-03 claimed he was then beaten with a broom and spat upon, and a female Soldier stood on his legs and pressed a broom against his anus. He described getting his clothes during the day from SGT [REDACTED] and having them taken away each night by CPL Graner for the next three days. DETAINEE-03 was an MI Hold but was not interrogated between 16 September and 2 November 2003. It is plausible his interrogators would be unaware of the alleged abuse and DETAINEE-03 made no claim he informed them (Reference Annex B, Appendix 3, DETAINEE-03).

(9) (U) **Incident #9.** Three photographs taken on 25 October 2003 depicted PFC England, 372 MP CO, holding a leash which was wrapped around an unidentified detainee's neck. Present in the photograph is SPC Ambuhl who was standing to the side watching. PFC England claimed in her initial statement to CID that CPL Graner had placed the tie-down strap around the detainee's neck and then asked her to pose for the photograph. There is no indication of MI involvement or knowledge of this incident (Reference Annex E, CID Report and Reference Annex I, Appendix 1, Photographs M33-35).

(10) (U) **Incident #10.** Six Photographs of DETAINEE-15, depict him standing on a box with simulated electrical wires attached to his fingers and a hood over his head. These photographs were taken between 2145 and 2315 on 4 November 2003. DETAINEE-15 described a female making him stand on the box, telling him if he fell off he would be electrocuted, and a "tall black man" as putting the wires on his fingers and penis. From the CID investigation into abuse at Abu Ghraib it was determined SGT J. Davis, SPC Harman, CPL Graner, and SSG Frederick, 372 MP CO, were present during this abuse. DETAINEE-15 was not an MI Hold and it is unlikely MI had knowledge of this abuse (Reference Annex B, Appendix 3, DETAINEE-15; Annex I, Appendix 1, Photographs C1-2, D19-21; M64).

(b6)-2  
(b7)(C)-2

(11) (U) **Incident #11.** Twenty-nine photos taken between 2315 and 0024, on 7 and 8 November 2003 depict seven detainees (DETAINEE-17, DETAINEE-16, DETAINEE-24, DETAINEE-23, DETAINEE-26, DETAINEE-01, DETAINEE-18) who were physically abused, placed in a pile and forced to masturbate. Present in some of these photographs are CPL Graner and SPC Harman. The CID investigation into these abuses identified SSG Frederick, CPL Graner, SGT J. Davis, SPC Ambuhl, SPC Harman, SPC Sivits, and PFC England; all MPs, as involved in the abuses which occurred. There is no evidence to support MI personnel involvement in this incident. CID statements from PFC England, SGT J. Davis, SPC Sivits, SPC [REDACTED], SPC Harman, DETAINEE-17, DETAINEE-01, and DETAINEE-16 detail that the

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detainees were stripped, pushed into a pile, and jumped on by SGT J. Davis, CPL Graner, and SSG Frederick. They were photographed at different times by SPC Harman, SPC Sivits, and SSG Frederick. The detainees were subsequently posed sexually, forced to masturbate, and "ridden like animals." CPL Graner knocked at least one detainee unconscious and SSG Frederick punched one so hard in the chest that he couldn't breathe and a medic was summoned. SSG Frederick initiated the masturbation and forced the detainees to hit each other. PFC England stated she observed SSG Frederick strike a detainee in the chest during these abuses. The detainee had difficulty breathing and a medic, SOLDIER-01, was summoned. SOLDIER-01 treated the detainee and while in the Hard Site observed the "human pyramid" of naked detainees with bags over their heads. SOLDIER-01 failed to report this abuse. These detainees were not MI Holds and MI involvement in this abuse has not been alleged nor is it likely. SOLDIER-29 reported seeing a screen saver for a computer in the Hard Site that depicted several naked detainees stacked in a "pyramid." She also once observed, unrelated to this incident, CPL Graner slap a detainee. She stated that she didn't report the picture of naked detainees to MI because she did not see it again and also did not report the slap because she didn't consider it abuse (Reference Annex B, Appendix 1, SOLDIER-29; Annex B, Appendix 3, DETAINEE-01, DETAINEE-17, DETAINEE-16, ENGLAND, DAVIS, HARMAN, SIVITS, WISDOM; Annex B, Appendix 3, TAB A, SOLDIER-01, and Annex I, Appendix 1, Photographs C24-42, D22-25, M73-77, M87).

(12) (U) **Incident #12.** A photograph taken circa 27 December 2003, depicts a naked DETAINEE-14, apparently shot with a shotgun in his buttocks. This photograph could not be tied to a specific incident, detainee, or allegation and MI involvement is indeterminate (Reference Annex I, Appendix 1, Photographs D37-38, H2, M111).

(13) (U) **Incident #13.** Three photographs taken on 29 November 2003, depict an unidentified detainee dressed only in his underwear, standing with each foot on a separate box, and bent over at the waist. This photograph could not be tied to a specific incident, detainee, or allegation and MI involvement is indeterminate. (Reference Annex I, Appendix 1, Photographs D37-38, M111)

(14) (U) **Incident #14.** An 18 November 2003 photograph depicts a detainee dressed in a shirt or blanket lying on the floor with a banana inserted into his anus. This as well as several others show the same detainee covered in feces, with his hands encased in sandbags, or tied in foam and between two stretchers. These are all identified as DETAINEE-25 and were determined by CID investigation to be self-inflicted incidents. Even so, these incidents constitute abuse; a detainee with a known mental condition should not have been provided the banana or photographed. The detainee has a severe mental problem and the restraints depicted in these photographs were allegedly used to prevent the detainee from sodomizing himself and assaulting himself and others with his bodily fluids. He was known for inserting various objects

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into his rectum and for consuming and throwing his urine and feces. MI had no association with this detainee (Reference Annex C; Annex E; Annex I, Appendix 1, Photographs, C22-23, D28-36, D39, M97-99, M105-110, M131-133).

(15) (U) **Incident #15.** On 26 or 27 November 2003, SOLDIER-15, 66 MI GP, observed CIVILIAN-11, a CACI contractor, interrogating an Iraqi policeman. During the interrogation, SSG Frederick, 372 MP CO, alternated between coming into the cell and standing next to the detainee and standing outside the cell. CIVILIAN-11 would ask the policeman a question stating that if he did not answer, he would bring SSG Frederick back into the cell. At one point, SSG Frederick put his hand over the policeman's nose, not allowing him to breathe for a few seconds. At another point SSG Frederick used a collapsible nightstick to push and possibly twist the policeman's arm, causing pain. When SSG Frederick walked out of the cell, he told SOLDIER-15 he knew ways to do this without leaving marks. SOLDIER-15 did not report the incident. The interpreter utilized for this interrogation was CIVILIAN-16. (Reference Annex B, Appendix 1, SOLDIER-15)

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(16) (U) **Incident #16.** On an unknown date, SGT [REDACTED] an analyst, observed CIVILIAN-05, a CACI contractor, grab a detainee from the back of a High-Mobility, Multipurpose, Wheeled Vehicle (HMMWV) and drop him on the ground. CIVILIAN-05 then dragged the detainee into an interrogation booth. The detainee was handcuffed the entire time. When the detainee tried to get up to his knees, CIVILIAN-05 would force him to fall. SGT [REDACTED] reported the incident to CID but did not report it in MI channels. (Reference Annex B, Appendix 1, [REDACTED])

(b)(6)2-(7)(C)-2

(17) (U) **Incident #17.** A 30 November 2003, MP Log entry described an unidentified detainee found in a cell covered in blood. This detainee had assaulted CPL Graner, 372 MP CO, while they moved him to an isolation cell in Tier 1A. CPL Graner and CPL [REDACTED] subdued the detainee, placed restraints on him and put him in an isolation cell. At approximately 0320 hours, 30 November 2003, after hearing banging on the isolation cell door, the cell was checked and the detainee was found in the cell standing by the door covered in blood. This detainee was not an MI Hold and there is no record of MI association with this incident or detainee. (Reference Annex I, Appendix 1, Photographs M115-129, M134).

(b)(6)2-(7)(C)-2

(18) (U) **Incident #18.** On approximately 12 or 13 December 2003, DETAINEE-06 claimed numerous abuse incidents against US Soldiers. DETAINEE-06 was a Syrian foreign fighter and self-proclaimed Jihadist who came to Iraq to kill Coalition troops. DETAINEE-06 stated the Soldiers supposedly retaliated against him when he returned to the Hard Site after being released from the hospital following a shooting incident in which he attempted to kill US Soldiers. DETAINEE-06 had a pistol smuggled into him by an Iraqi Policeman and used that pistol to try to kill US personnel working in the Hard Site on 24 November 2003. An MP

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returned fire and wounded DETAINEE-06. Once DETAINEE-06 ran out of ammunition, he surrendered and was transported to the hospital. DETAINEE-06 claimed CIVILIAN-21 visited him in the hospital and threatened him with terrible torture upon his return. DETAINEE-06 claimed that upon his return to the Hard Site, he was subjected to various threats and abuses which included Soldiers threatening to torture and kill him, being forced to eat pork and having liquor put in his mouth, having a "very hot" substance put in his nose and on his forehead, having the guards hit his "broken" leg several times with a solid plastic stick, being forced to "curse" his religion, being urinated on, being hung by handcuffs from the cell door for hours, being "smacked" on the back of the head, and "allowing dogs to try to bite" him. This claim was substantiated by a medic, SOLDIER-20, who was called to treat a detainee (DETAINEE-06) who had been complaining of pain. When SOLDIER-20 arrived DETAINEE-06 was cuffed to the upper bunk so that he could not sit down and CPL Graner was poking at his wounded legs with an asp with DETAINEE-06 crying out in pain. SOLDIER-20 provided pain medication and departed. He returned the following day to find DETAINEE-06 again cuffed to the upper bunk and a few days later returned to find him cuffed to the cell door with a dislocated shoulder. SOLDIER-20 failed to either stop or report this abuse. DETAINEE-06 also claimed that prior to the shooting incident, which he described as when "I got shot with several bullets" without mentioning that he ever fired a shot, he was threatened "every one or two hours... with torture and punishment", was subjected to sleep deprivation by standing up "for hours and hours", and had a "black man" tell him he would rape DETAINEE-06 on two occasions. Although DETAINEE-06 stated that CPL Graner led "a number of Soldiers" into his cell, he also stated that he had never seen CPL Graner beat a prisoner. These claims are from a detainee who attempted to kill US service members. While it is likely some Soldiers treated DETAINEE-06 harshly upon his return to the Hard Site, DETAINEE-06's accusations are potentially the exaggerations of a man who hated Americans. (Reference Annex B, Appendix 3, DETAINEE-06, SOLDIER-20).

(b)(6) - 2; (b)(7)(C) - 2

(19) (U) Incident #19. SGT [REDACTED], 470 MI GP, stated that sometime between 4 and 13 December 2003, several weeks after the shooting of "a detainee who had a pistol" (DETAINEE-06), she heard he was back from the hospital, and she went to check on him because he was one of the MI Holds she interrogated. She found DETAINEE-06 without clothes or blanket, his wounds were bleeding and he had a catheter on without a bag. The MPs told her they had no clothes for the detainee. SGT [REDACTED] ordered the MPs to get the detainee some clothes and went to the medical site to get the doctor on duty. The doctor (Colonel) asked what SGT [REDACTED] wanted and was asked if he was aware the detainee still had a catheter on. The Colonel said he was, the Combat Army Surgical Hospital (CASH) had made a mistake, and he couldn't remove it because the CASH was responsible for it. SGT [REDACTED] told him this was unacceptable, he again refused to remove it and stated the detainee was due to go back to the CASH the following day. SGT [REDACTED] asked if he had ever heard of the Geneva Conventions, and the Colonel responded "fine Sergeant, you do what you have to do, I am going back to bed."

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(b)(7)(C) - 2

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(U) It is apparent from this incident that DETAINEE06 did not receive proper medical treatment, clothing or bedding. The "Colonel" has not been identified in this investigation, but efforts continue. LTC [REDACTED] was chief of the medical team for "security holds" at Abu Ghraib from early October to late December 2003. He treated DETAINEE06 following his shooting and upon his return from the hospital. He did not recall such an incident or DETAINEE06 having a catheter. It is possible SGT [REDACTED] was taken to a different doctor that evening. She asked and was told the doctor was a Colonel, not a Lieutenant Colonel and is confident she can identify the Colonel from a photograph. LTC [REDACTED] characterized the medical records as being exceptional at Abu Ghraib, however, the records found by this investigation were poor and in most cases non-existent. (Reference Annex B, Appendix 1, [REDACTED], Annex B, Appendix 3, DETAINEE-06). (b)(6); 701-2

(20) (U) **Incident #20.** During the fall of 2003, a detainee stated that another detainee, named DETAINEE-09, was stripped, forced to stand on two boxes, had water poured on him and had his genitals hit with a glove. Additionally, the detainee was handcuffed to his cell door for a half day without food or water. The detainee making the statement did not recall the exact date or participants. Later, [REDACTED] was identified as DETAINEE-09, who stated that on 5 November 2003 he was stripped naked, beaten, and forced to crawl on the floor. He was forced to stand on a box and was hit in his genitals. The participants in this abuse could not be determined. MI involvement is indeterminate. (Reference Annex B, Appendix 3, DETAINEE-09; Annex I, Appendix 1, Photographs D37-38, M111). (b)(6)-4 (b)(7)(C)-4

(21) (U) **Incident #21.** Circa October 2003, CIVILIAN-17, an interpreter of the Titan Corporation, observed the following incident: CPL Graner, 372 MP CO, pushed a detainee, identified as one of the "three stooges" or "three wise men", into a wall, lacerating the detainee's chin. CIVILIAN-17 specifically stated the detainee was pushed into a wall and "busted his chin." A medic, SGT [REDACTED] stated he was summoned to stitch the detainee and treated a 2.5 inch laceration on the detainee's chin requiring 13 stitches. SGT [REDACTED] did not know how the detainee was injured. Later that evening, CPL Graner took photos of the detainee. CPL Graner was identified in another incident where he stitched an injured detainee in the presence of medics. There is no indication of MI involvement, knowledge, or direction of this abuse. (Reference Annex B, Appendix 1, CIVILIAN-17; Annex B, Appendix 3, CIVILIAN-17, [REDACTED] DETAINEE-02; Annex I, Appendix 1, Photographs M88-96). (b)(6)-2 (b)(7)(C)-2

(22) (U) **Incident #22.** On an unknown date, an interpreter named "CIVILIAN-01" allegedly raped a 15-18 year old male detainee according to DETAINEE-05. DETAINEE-05 heard screaming and climbed to the top of his cell door to see over a sheet covering the door of the cell where the abuse was occurring. DETAINEE-05 observed CIVILIAN-01, who was wearing a military uniform, raping the detainee. A female Soldier was taking pictures.

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DETAINEE-05 described CIVILIAN-01 as possibly Egyptian, "not skinny or short," and effeminate. The date and participants of this alleged rape could not be confirmed. No other reporting supports DETAINEE-05's allegation, nor have photographs of the rape surfaced. A review of all available records could not identify a translator by the name of CIVILIAN-01. DETAINEE05's description of the interpreter partially matches CIVILIAN-17, Interpreter, Titan Corp. CIVILIAN-17 is a large man, believed by several witnesses to be homosexual, and of Egyptian extraction. CIVILIAN-17 functioned as an interpreter for a Tactical HUMINT Team at Abu Ghraib, but routinely provided translation for both MI and MP. CID has an open investigation into this allegation. (Reference Annex B, Appendix 3, DETAINEE-05)

(23) (U) **Incident #23.** On 24 November 2003, a US Army officer, CPT [REDACTED] MP, allegedly beat and kicked a detainee. This is one of three identified abuses associated with the 24 November shooting. A detainee obtained a pistol from Iraqi police guards, shot an MP and was subsequently shot and wounded. During a subsequent search of the Hard Site and interrogation of detainees, SGT [REDACTED] 229 MP CO, a member of the Abu Ghraib Internal Reaction Force (IRF), observed an Army Captain dragging an unidentified detainee in a choke hold, throwing him against a wall, and kicking him in the mid-section. SPC [REDACTED] 229 MP CO, IRF was also present in the Hard Site and observed the same abuse involving two Soldiers and a detainee. The detainee was lying on his stomach with his hands cuffed behind his back and a bag over his head. One Soldier stood next to him with the barrel of a rifle pressed against the detainee's head. The other Soldier was kneeling next to the detainee punching him in the back with a closed fist. The Soldier then stood up and kicked the detainee several times. The Soldier inflicting the beating was described as a white male with close cropped blond hair. SPC [REDACTED] saw this Soldier a few days later in full uniform, identifying him as a Captain, but could not see his name. Both SPC [REDACTED] and SGT [REDACTED] reported this abuse to their supervisors, SFC [REDACTED] and 1LT [REDACTED] 372 MP CO. Photos of company grade officers at Abu Ghraib during this time were obtained and shown to SPC [REDACTED] and SGT [REDACTED] who positively identified the "Captain" as CPT [REDACTED]. This incident was investigated by CID and the assault was determined to be unfounded; a staged event to protect the fact the detainee was a cooperative MP Source. (Reference Annex B, Appendix 1, [REDACTED], [REDACTED], [REDACTED] Annex B, Appendix 3, [REDACTED]; Annex E, Appendix 5, CID Report of Investigation 0005-04-CID149-83131)

(24) (U) **Incident #24.** A photograph created circa early December 2003 depicts an unidentified detainee being interrogated by CIVILIAN-11, CACI, Interrogator, and CIVILIAN-16, Titan, linguist. The detainee is squatting on a chair which is an unauthorized stress position. Having the detainee on a chair which is a potentially unsafe situation, and photographing the detainee are violations of the ICRP. (Reference Annex I, Appendix 2, Photograph "Stress Position").

(b)(6)-2; (b)(7)(C)(2)

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f. (U) Incidents of Detainee Abuse Using Dogs. (U) Abusing detainees with dogs started almost immediately after the dogs arrived at Abu Ghraib on 20 November 2003. By that date, abuses of detainees was already occurring and the addition of dogs was just one more abuse device. Dog Teams were brought to Abu Ghraib as a result of recommendations from MG G. Miller's assessment team from JTF-GTMO. MG G. Miller recommended dogs as beneficial for detainee custody and control issues, especially in instances where there were large numbers of detainees and few guards to help reduce the risk of detainee demonstrations or acts of violence, as at Abu Ghraib. MG G. Miller never recommended, nor were dogs used for interrogations at GTMO. The dog teams were requested by COL ██████████ Commander, 205 MI BDE. COL ██████████ never understood the intent as described by MG G. Miller. Interrogations at Abu Ghraib were also influenced by several documents that spoke of exploiting the Arab fear of dogs: a 24 January 2003 "CJTF 180 Interrogation Techniques," an 11 October 2002 JTF 170 "Counter-Resistance Strategies," and a 14 September 2003 CJTF-7 ICRP. Once the dogs arrived, there was controversy over who "owned" the dogs. It was ultimately decided that the dogs would be attached to the Internal Reaction Force (IRF). The use of dogs in interrogations to "fear up" detainees was generally unquestioned and stems in part from the interrogation techniques and counter-resistance policy distributed from CJTF 180, JTF 170 and CJTF-7. It is likely the confusion about using dogs partially stems from the initial request for dog teams by MI, not MPs, and their presence being associated with MG G. Miller's visit. Most military intelligence personnel believed that the use of dogs in interrogations was a "non-standard" technique which required approval, and most also believed that approval rested with COL ██████████. COL ██████████ also believed, incorrectly, that he had such authority delegated to him from LTG Sanchez. COL ██████████'s belief likely stemmed in part from the changing ICRP. The initial policy was published on 14 September 2003 and allowed the use of dogs subject to approval by LTG Sanchez. On 12 October 2003, these were amended to eliminate several techniques due to CENTCOM objections. After the 12 October 2003 amendment, the ICRP safeguards allowed that dogs present at interrogations were to be muzzled and under the control of a handler. COL ██████████ did not recall how he got the authority to employ dogs; just that he had it. (Reference Annex B, Appendix 1, G. MILLER and ██████████ and Annex J, Appendix 3)

(U) SFC ██████████ stated the two Army dog teams never joined the Navy teams as part of the IRF and remained separate and under the direct control of MAJ ██████████ S3, 320 MP BN. These teams were involved in all documented detainee abuse involving dogs; both MP and MI directed. The Navy dog teams were properly employed because of good training, excellent leadership, personal moral character, and professionalism exhibited by the Navy Dog Handlers, MA1 ██████████ MA1 ██████████ and MA2 ██████████ and IRF personnel. The Army teams apparently agreed to be used in abusive situations by both MPs and MI in contravention to their doctrine, training, and values. In an atmosphere of permissiveness and absence of oversight or leadership the Army dog teams became involved in several incidents of abuse over the following weeks

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(Reference Annex B, Appendix 1, KIMBRO, PLUDE; Annex B, Appendix 2, PLUDE; Annex B, Appendix 3, PLUDE).

(1) (U) **Incident #25.** The first documented incident of abuse with dogs occurred on 24 November 2003, just four days after the dogs teams arrived. An Iraqi detainee was smuggled a pistol by an Iraqi Police Guard. While attempting to confiscate the weapon, an MP was shot and the detainee was subsequently shot and wounded. Following the shooting, LTC [REDACTED] ordered (b)(6) 2-7(c)-2 several interrogators to the Hard Site to screen eleven Iraqi Police who were detained following the shooting. The situation at the Hard Site was described by many as "chaos," and no one really appeared to be in charge. The perception was that LTG Sanchez had removed all restrictions that night because of the situation; however, that was not true. No one is able to pin down how that perception was created. A Navy Dog Team entered the Hard Site and was instructed to search for additional weapons and explosives. The dogs searched the cells, no explosives were detected and the Navy Dog Team eventually completed their mission and left. Shortly thereafter, MA1 [REDACTED] USN, was recalled when someone "needed" a dog. MA1 [REDACTED] went to the top (b)(6) 2-7(c)-2 floor of Tier 1B, rather than the MI Hold area of Tier 1A. As he and his dog approached a cell door, he heard yelling and screaming and his dog became agitated. Inside the cell were CIVILIAN-11 (CACI contract interrogator), a second unidentified male in civilian clothes who appeared to be an interrogator and CIVILIAN16 (female contract interpreter), all of whom were yelling at a detainee squatting in the back right corner. MA1 [REDACTED]'s dog was barking a lot (b)(6) 2-7(c)-2 with all the yelling and commotion. The dog lunged and MA1 [REDACTED] struggled to regain control of it. At that point, one of the men said words to the effect "You see that dog there, if you don't tell me what I want to know, I'm gonna get that dog on you!" The three began to step out of the cell leaving the detainee inside and MA1 [REDACTED] backed-up to allow them to exit, but there was not much room on the tier. After they exited, the dog lunged and pulled MA1 [REDACTED] just inside the cell. He quickly regained control of his dog, and exited the cell. As CIVILIAN-11, CIVILIAN-16, and the other interrogator re-entered the cell, MA1 [REDACTED]'s dog grabbed CIVILIAN-16's forearm in its mouth. It apparently did not bite through her clothes or skin and CIVILIAN-16 stated the dog did not bite her. Realizing he had not been called for an explosives search, MA1 [REDACTED] departed the area with his dog and as he got to the bottom of the tier stairs, he heard someone calling for the dog again, but he did not return. No record of this interrogation exists, as was the case for the interrogations of Iraqi Police in the hours and days following the shooting incident. The use of dogs in the manner directed by CIVILIAN-11 was clearly abusive and unauthorized (Reference Annex B, Appendix 1, SOLDIER-11, [REDACTED], CIVILIAN-11; Annex B, Appendix 2, PAPPAS).

(U) Even with all the apparent confusion over roles, responsibilities and authorities, there were early indications that MP and MI personnel knew the use of dog teams in interrogations was abusive. Following this 24 November 2003, incident the three Navy dog teams concluded that some interrogators might attempt to misuse Navy Dogs to support their

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interrogations. For all subsequent requests they inquired what the specific purpose of the dog was and when told "for interrogation" they explained that Navy dogs were not intended for interrogations and the request would not be fulfilled. Over the next few weeks, the Navy dog teams received about eight similar calls, none of which were fulfilled. In the later part of December 2003, COL ██████ summoned MA1 ██████ and wanted to know what the Navy dogs' capabilities were. MA1 ██████ explained Navy dog capabilities and provided the Navy Dog Use SOP. COL ██████ never asked if they could be used in interrogations and following that meeting the Navy Dog teams received no additional requests to support interrogations. (b)(6)-2; (b)(7)(C)-2

(2) (U) **Incident #26.** On or about 8 January 2004, SOLDIER-17 was conducting an interrogation of a Baath Party General Officer in the shower area of Tier 1B of the Hard Site. Tier 1B was the area of the Hard Site dedicated to female and juvenile detainees. Although Tier 1B was not the normal location for interrogations, due to a space shortage in Tier 1A, SOLDIER-17 was using this area. SOLDIER-17 witnessed an MP guard and an MP Dog Handler, whom SOLDIER-17 later identified from photographs as SOLDIER-27, enter Tier 1B with SOLDIER-27's black dog. The dog was on a leash, but was not muzzled. The MP guard and MP Dog Handler opened a cell in which two juveniles, one known as "Casper," were housed. SOLDIER-27 allowed the dog to enter the cell and "go nuts on the kids," barking at and scaring them. The juveniles were screaming and the smaller one tried to hide behind "Casper." SOLDIER-27 allowed the dog to get within about one foot of the juveniles. Afterward, SOLDIER-17 overheard SOLDIER-27 say that he had a competition with another handler (likely SOLDIER-08, the only other Army dog handler) to see if they could scare detainees to the point that they would defecate. He mentioned that they had already made some detainees urinate, so they appeared to be raising the competition. This incident has no direct MI involvement; however, SOLDIER-17 failed to properly report what he observed. He stated that he went to bed and forgot the incident until asked about misuse of dogs during this investigation (Reference Annex B, Appendix 1, SOLDIER-17).

(3) (U) **Incident #27.** On 12 December 2003, an MI Hold detainee named DETAINEE-11, was recommended by MI (SOLDIER-17) for an extended stay in the Hard Site because he appeared to be mentally unstable. He was bitten by a dog in the Hard Site, but at the time he was not undergoing an interrogation and no MI personnel were present. DETAINEE-11 told SOLDIER-17 that a dog had bitten him and SOLDIER-17 saw dog bite marks on DETAINEE-11's thigh. SOLDIER-08, who was the dog handler of the dog that bit DETAINEE-11, stated that in December 2003 his dog bit a detainee and he believed that MPs were the only personnel around when the incident occurred, but he declined to make further statements regarding this incident to either the MG Taguba inquiry or to this inquiry. SOLDIER-27, another Army dog handler, also stated that SOLDIER-08's dog had bitten someone, but did not provide further information. This incident was captured on digital photograph 0178/CG LAPS and appears to be the result of MP harassment and amusement, no MI involvement is suspected

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(b)(6)-2, (b)(7)(c)-2

(Reference Annex B, Appendix 1, SOLDIER-17; Annex B, Appendix 2, SOLDIER-08, [REDACTED] Annex I, Appendix 1, Photographs, D45-54, M146-171).

(4) (U) Incident #28. In an apparent MI directed use of dogs in detainee abuse, circa 18 December 2003, a photograph depicts a Syrian detainee (DETAINEE-14) kneeling on the floor with his hands bound behind his back. DETAINEE-14 was a "high value" detainee who had arrived at Abu Ghraib in December 2003, from a Navy ship. DETAINEE-14 was suspected to be involved with Al-Qaeda. Military Working Dog Handler SOLDIER-27 is standing in front of DETAINEE-14 with his black dog a few feet from DETAINEE-14's face. The dog is leashed, but not muzzled. SGT [REDACTED] was DETAINEE-14's interrogator from 18 to 21 December 2003, and CIVILIAN-21, CACI contract interrogator, assumed the lead after SGT [REDACTED] departed Abu Ghraib on 22 December 2003. SGT [REDACTED] identified DETAINEE-14 as his detainee when shown a photo of the incident. CIVILIAN-21 claimed to know nothing about this incident; however, in December 2003 he related to SSG [REDACTED] he was told by MPs that DETAINEE-14's bedding had been ripped apart by dogs. CIVILIAN-21 was characterized by SOLDIER-25 as having a close relationship with the MPs, and she was told by SGT [REDACTED] about dogs being used when CIVILIAN-21 was there. It is highly plausible that CIVILIAN-21 used dogs without authorization and directed the abuse in this incident as well as others related to this detainee (Reference Annex B, Appendix 1, [REDACTED] SOLDIER-25, CIVILIAN-21; Annex I, Appendix 1, Photographs Z1-6).

(b)(6)-2, (b)(7)(c)-2

(5) (U) Incident #29. On or about 14 - 15 December 2003, dogs were used in an interrogation. SPC [REDACTED] who was the Section Chief of the Special Projects team, stated that on 14 December, one of his interrogation teams requested the use of dogs for a detainee captured in conjunction with the capture of Saddam Hussein on 13 December 2003. SPC [REDACTED] verbally requested the use of dogs from COL [REDACTED] and COL [REDACTED] stated that he would call higher to request permission. This is contrary to COL [REDACTED] statement that he was given authority to use dogs as long as they were muzzled. About one hour later, SPC [REDACTED] received approval. SPC [REDACTED] stated that he was standing to the side of the dog handler the entire time the dog was used in the interrogation. The dog never hurt anyone and was always muzzled, about five feet away from the detainee (Reference Annex B, Appendix 1, [REDACTED]).

(b)(6)-2;  
(b)(7)(c)-2

(6) (U) Incident #30. On another occasion, SOLDIER-26, an MI Soldier assigned to the S2, 320 MP BN, was present during an interrogation of a detainee and was told the detainee was suspected to have Al Qaeda affiliations. Dogs were requested and approved about three days later. SOLDIER-26 didn't know if the dog had to be muzzled or not, likely telling the dog handler to un-muzzle the dog, in contravention to CJTF-7 policy. The interrogators were CIVILIAN-20, CACI, and CIVILIAN-21 (CACI), SOLDIER-14, Operations Officer, ICE stated that CIVILIAN-21, used a dog during one of his interrogations and this is likely that occasion. According to SOLDIER-14, CIVILIAN-21 had the dog handler maintain control of the dog and

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did not make any threatening reference to the dog, but apparently "felt just the presence of the dog would be unsettling to the detainee." SOLDIER-14 did not know who approved the procedure, but was verbally notified by SOLDIER-23, who supposedly received the approval from COL [REDACTED]. CIVILIAN-21 claimed he once requested to use dogs, but it was never approved. Based on the evidence, CIVILIAN-21 was deceitful in his statement (Reference Annex B, Appendix 1, SOLDIER-14, SOLDIER-26, CIVILIAN-21).

(7) (U) **Incident #31.** In a 14/15 December 2003 interrogation, military working dogs were used but were deemed ineffective because the detainee had little to no response to them. CIVILIAN-11, SOLDIER-05 and SOLDIER-12, all who participated in the interrogation, believed they had authority to use the dogs from COL [REDACTED] or from LTG Sanchez; however, no documentation was found showing CJTF7 approval to use dogs in interrogations. It is probable that approval was granted by COL [REDACTED] without such authority. LTG Sanchez stated he never approved use of dogs. (Reference Annex B, Appendix 1, CIVILIAN-11, SOLDIER-12, SOLDIER-14, [REDACTED], SOLDIER-23, CIVILIAN-21, SANCHEZ).

(8) (U) **Incident #32.** In yet another instance, SOLDIER-25, an interrogator, stated that when she and SOLDIER-15 were interrogating a female detainee in the Hard Site, they heard a dog barking. The female detainee was frightened by dogs, and SOLDIER-25 and SOLDIER-15 returned her to her cell. SOLDIER-25 went to see what was happening with the dog barking and saw a detainee in his underwear on a mattress on the floor of Tier 1A with a dog standing over him. CIVILIAN-21 was upstairs giving directions to SSG Fredrick (372 MP Co), telling him to "take him back home." SOLDIER-25 opined it was "common knowledge that CIVILIAN-21 used dogs while he was on special projects, working directly for COL [REDACTED] after the capture of Saddam on 13 December 2003." SOLDIER-25 could not identify anyone else specifically who knew of this "common knowledge." It appeared CIVILIAN-21 was encouraging and even directing the MP abuse with dogs; likely a "softening up" technique for future interrogations. The detainee was one of CIVILIAN-21's. SOLDIER-25 did not see an interpreter in the area, so it is unlikely that CIVILIAN-21 was actually doing an interrogation.

(9) (U) SOLDIER-25 stated that SSG Frederick would come into her office every other day or so and tell her about dogs being used while CIVILIAN-21 was present. SSG Fredrick and other MPs used to refer to "doggy dance" sessions. SOLDIER-25 did not specify what "doggy dance" was (Reference Annex B, Appendix 1, SOLDIER-25), but the obvious implication is that it referred to an unauthorized use of dogs to intimidate detainees.

g. (U) **Incidents of Detainee Abuse Using Humiliation.** Removal of clothing was not a technique developed at Abu Ghraib, but rather a technique which was imported and can be traced through Afghanistan and GTMO. The 1987 version of FM 34-52, Interrogation, talked about "controlling all aspects of the interrogation to include... clothing given to the source," while the

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current 1992 version does not. The 1987 version was, however, cited as the primary reference for CJTF-7 in Iraq, even as late as 9 June 2004. The removal of clothing for both MI and MP objectives was authorized, approved, and employed in Afghanistan and GTMO. At GTMO, the JTF 170 "Counter-Resistance Strategy," documented on 11 October 2002, permitted the removal of clothing, approved by the interrogation officer-in-charge, as an incentive in detention operations and interrogations. The SECDEF granted this authority on 2 December 2002, but it was rescinded six weeks later in January 2003. This technique also surfaced in Afghanistan. The CJTF-180 "Interrogation Techniques," documented on 24 January 2003, highlighted that deprivation of clothing had not historically been included in battlefield interrogations. However, it went on to recommend clothing removal as an effective technique that could potentially raise objections as being degrading or inhumane, but for which no specific written legal prohibition existed. As interrogation operations in Iraq began to take form, it was often the same personnel who had operated and deployed in other theaters and in support of GWOT, who were called upon to establish and conduct interrogation operations in Abu Ghraib. The lines of authority and the prior legal opinions blurred. Soldiers simply carried forward the use of nudity into the Iraqi theater of operations.

(U) Removal of clothing is not a doctrinal or authorized interrogation technique but appears to have been directed and employed at various levels within MI as an "ego down" technique. It was also employed by MPs as a "control" mechanism. Individual observation and/or understanding of the use and approval of clothing removal varied in each interview conducted by this investigation. LTC [REDACTED] was knowledgeable of naked detainees and removal of their clothing. He denied ordering it and blamed it on the MPs. CPT [REDACTED] and SOLDIER14 claimed not to have observed nudity or approved clothing removal. Multiple MPs, interrogators, analysts, and interpreters observed nudity and/or employed clothing removal as an incentive, while an equal number didn't. It is apparent from this investigation that removal of clothing was employed routinely and with the belief it was not abuse. SOLDIER-03, GTMO Tiger Team believed that clothing as an "ego down" technique could be employed. He thought, mistakenly, that GTMO still had that authority. Nudity of detainees throughout the Hard Site was common enough that even during an ICRC visit they noted several detainees without clothing, and CPT [REDACTED] 372 MP CO, stated upon his initial arrival at Abu Ghraib, "There's a lot of nude people here." Some of the nudity was attributed to a lack of clothing and uniforms for the detainees; however, even in these cases we could not determine what happened to the detainee's original clothing. It was routine practice to strip search detainees before their movement to the Hard Site. The use of clothing as an incentive (nudity) is significant in that it likely contributed to an escalating "de-humanization" of the detainees and set the stage for additional and more severe abuses to occur (Reference Annex I, Appendix 1, Photographs D42-43, M5-7, M17-18, M21, M137-141).

(b)(6)-2, (b)(7)(C)-2

(b)(6)-2,  
(b)(7)(C)-2

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(1) (U) **Incident #33.** There is also ample evidence of detainees being forced to wear women's underwear, sometimes on their heads. These cases appear to be a form of humiliation, either for MP control or MI "ego down." DETAINEE-07 and DETAINEE-05 both claimed they were stripped of their clothing and forced to wear women's underwear on their heads. CIVILIAN-15 (CACI) and CIVILIAN-19 (CACI), a CJTF-7 analyst, alleged CIVILIAN-21 bragged and laughed about shaving a detainee and forcing him to wear red women's underwear. Several photographs include unidentified detainees with underwear on their heads. Such photos show abuse and constitute sexual humiliation of detainees (Reference Annex B, Appendix 1, SOLDIER-03, SOLDIER-14, ██████████, ██████████, CIVILIAN-21, ██████████, Annex B, Appendix 3, DETAINEE-05, CIVILIAN-15, CIVILIAN-19, DETAINEE-07; Annex C; Annex G; Annex I, (b)(6)-2; (b)(7)(C)-2 Appendix 1, photographs D12, D14, M11-16).

(2) (U) **Incident #34.** On 16 September 2003, MI directed the removal of a detainee's clothing. This is the earliest incident we identified at Abu Ghraib. An MP log indicated a detainee "was stripped down per MI and he is naked (sic) and standing tall in his cell." The following day his interrogators, SPC ██████████ and SSG ██████████ arrived at the detainee's cell and he was unclothed. They were both surprised. An MP asked SSG ██████████, a female, to stand to the side while the detainee dressed and the detainee appeared to have his clothing in his cell. SSG ██████████ was told by the MP the detainee had voluntarily removed his clothing as a protest and, in the subsequent interrogation, the detainee did not claim any abuse or the forcible removal of his clothing. It does not appear the detainee was stripped at the interrogator's direction, but someone in MI most likely directed it. SPC ██████████ and SOLDIER-25 provided statements where they opined SPC ██████████ in charge of in-processing MI ██████████, may have directed removal of detainee clothing on this and other occasions. SPC ██████████ denies ever giving such orders (Reference Annex B, Appendix 1, ██████████, ██████████, SOLDIER-25, ██████████). (b)(6)-2; (b)(7)(C)-2

(3) (U) **Incident #35.** On 19 September 2003, an interrogation "Tiger Team" consisting of SOLDIER-16, SOLDIER-07, and a civilian contract interpreter identified only as ██████████ (female), conducted a late night/early morning interrogation of a 17 year old Syrian foreign fighter. SOLDIER-16 was the lead interrogator. SOLDIER-07 was told by SOLDIER-16 that the detainee they were about to interrogate was naked. SOLDIER-07 was unsure if SOLDIER-16 was simply passing along that fact or had directed the MPs to strip the detainee. The detainee had fashioned an empty "Meals-Ready-to-Eat" (MRE) bag to cover his genital area. SOLDIER-07 couldn't recall who ordered the detainee to raise his hands to his sides, but when he did, the bag fell to the floor exposing him to SOLDIER-07 and the two female interrogation team members. SOLDIER-16 used a direct interrogation approach with the incentive of getting back clothing, and the use of stress positions. (b)(6)-3; (b)(7)(C)-3

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(U) There is no record of an Interrogation Plan or any approval documents which would authorize these techniques. The fact these techniques were documented in the Interrogation Report suggests, however, that the interrogators believed they had the authority to use clothing as an incentive, as well as stress positions, and were not attempting to hide their use. Stress positions were permissible with Commander, CJTF-7 approval at that time. It is probable that use of nudity was sanctioned at some level within the chain-of-command. If not, lack of leadership and oversight permitted the nudity to occur. Having a detainee raise his hands to expose himself in front of two females is humiliation and therefore violates the Geneva Conventions (Reference Annex B, Appendix 1, SOLDIER-07, SOLDIER-14, SOLDIER-16, SOLDIER-24, [REDACTED] (S) 2; (U) 2)

(4) (U) **Incident #36.** In early October 2003, SOLDIER-19 was conducting an interrogation and ordered a detainee to roll his orange jumpsuit down to his waist, insinuating to the detainee that he would be further stripped if he did not cooperate. SOLDIER-19's interpreter put up his hand, looked away, said that he was not comfortable with the situation, and exited the interrogation booth. SOLDIER-19 was then forced to stop the interrogation due to lack of language support. SOLDIER-11, an analyst from a visiting JTF GTMO Tiger Team, witnessed this incident through the booth's observation window and brought it to the attention of SOLDIER-16, who was SOLDIER-19's Team Chief and first line supervisor. SOLDIER-16 responded that SOLDIER-19 knew what he was doing and did not take any action regarding the matter. SOLDIER-11 reported the same information to SOLDIER-28, his JTF GTMO Tiger Team Chief, who, according to SOLDIER-11, said he would "take care of it." SOLDIER-28 recalled a conversation with SOLDIER-11 concerning an interpreter walking out of an interrogation due to a "cultural difference," but could not remember the incident. This incident has four abuse components: the actual unauthorized stripping of a detainee by SOLDIER-19, the failure of SOLDIER-10 to report the incident he witnessed, the failure of SOLDIER-16 to take corrective action, reporting the incident up the chain of command, and the failure of SOLDIER-28 to report. (Reference Annex B, Appendix 1, SOLDIER-11, SOLDIER-16, SOLDIER-19, SOLDIER-28)

(5) (U) **Incident #37.** A photograph taken on 17 October 2003 depicts a naked detainee chained to his cell door with a hood on his head. Several other photographs taken on 18 October 2003 depict a hooded detainee cuffed to his cell door. Additional photographs on 19 October 2003 depict a detainee cuffed to his bed with underwear on his head. A review of available documents could not tie these photos to a specific incident, detainee or allegation, but these photos reinforce the reality that humiliation and nudity were being employed routinely enough that photo opportunities occurred on three successive days. MI involvement in these apparent abuses cannot be confirmed. (Reference Annex I, Appendix 1, Photographs D12, D14, D42-44, M5-7, M17-18, M21, M11-16, M137-141)

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(6) (U) **Incident #38.** Eleven photographs of two female detainees arrested for suspected prostitution were obtained. Identified in these photographs are SPC Harman and CPL Graner, both MPs. In some of these photos, a criminal detainee housed in the Hard Site was shown lifting her shirt with both her breasts exposed. There is no evidence to confirm if these acts were consensual or coerced; however in either case sexual exploitation of a person in US custody constitutes abuse. There does not appear to be any direct MI involvement in either of the two incidents above. (Reference Annex I, Appendix 1, Photographs M42-52)

(7) (U) **Incident #39.** On 16 November 2003, SOLDIER-29 decided to strip a detainee in response to what she believed was uncooperative and physically recalcitrant behavior. She had submitted an Interrogation Plan in which she planned to use the "Pride and Ego Down," technique but did not specify that she would strip the detainee as part of that approach. SOLDIER-29 felt the detainee was "arrogant," and when she and her analyst, SOLDIER-10, "placed him against the wall" the detainee pushed SOLDIER-10. SOLDIER-29 warned if he touched SOLDIER-10 again, she would have him remove his shoes. A bizarre tit-for-tat scenario then ensued where SOLDIER-29 would warn the detainee about touching SOLDIER-10, the detainee would "touch" SOLDIER-10, and then had his shirt, blanket, and finally his pants removed. At this point, SOLDIER-29 concluded that the detainee was "completely uncooperative" and terminated the interrogation. While nudity seemed to be acceptable, SOLDIER-29 went further than most when she walked the semi-naked detainee across the camp. SGT [REDACTED], SOLDIER-29's supervisor, commented that walking a semi-naked detainee across the camp could have caused a riot. CIVILIAN-21, a CACI contract interrogator, witnessed SOLDIER-29 and SOLDIER-10 escorting the scantily clad detainee from the Hard Site back to Camp Vigilant, wearing only his underwear and carrying his blanket. CIVILIAN-21 notified SGT [REDACTED], who was SOLDIER-29's section chief, who in turn notified CPT [REDACTED] the ICE OIC. SGT [REDACTED] immediately called SOLDIER-29 and SOLDIER-10 into her office, counseled them, and removed them from interrogation duties.

(U) The incident was relatively well known among JIDC personnel and appeared in several statements as second hand information when interviewees were asked if they knew of detainee abuse. LTC [REDACTED] temporarily removed SOLDIER-29 and SOLDIER-10 from interrogation duties. COL [REDACTED] left the issue for LTC [REDACTED] to handle. COL [REDACTED] should have taken sterner action such as an Article 15, UCMJ. His failure to do so did not send a strong enough message to the rest of the JIDC that abuse would not be tolerated. CPT [REDACTED] had recommended to LTC [REDACTED] that SOLDIER-29 receive an Article 15 and SFC [REDACTED], the interrogation NCOIC, recommended she be turned over to her parent unit for the non-compliance. (Reference Annex B, Appendix 1, [REDACTED] CIVILIAN-04, [REDACTED] SOLDIER-29, CIVILIAN-21 [REDACTED] Annex B, Appendix 2, [REDACTED]).

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(8) (U) **Incident #40.** On 24 November 2003, there was a shooting of a detainee at Abu Ghraib in Tier 1A. DETAINEE-06, had obtained a pistol. While the MPs attempted to confiscate the weapon, an MP and DETAINEE-06 were shot. It was alleged that an Iraqi Police Guard had smuggled the pistol to DETAINEE-06 and in the aftermath of the shooting forty-three Iraqi Police were screened and eleven subsequently detained and interrogated. All but three were released following intense questioning. A fourth did not report for work the next day and is still at large. The Iraqi guard detainees admitted smuggling the weapons into the facility hiding them in an inner tube of a tire and several of the Iraqi guards were identified as Fedayeen trainers and members. During the interrogations of the Iraqi Police, harsh and unauthorized techniques were employed to include the use of dogs, discussed earlier in this report, and removal of clothing (See paragraph 5.e(18), above). Once detained, the police were strip-searched, which was a reasonable precaution considering the threat of contraband or weapons. Following such search, however, the police were not returned their clothes before being interrogated. This is an act of humiliation and was unauthorized. It was the general understanding that evening that LTG Sanchez and COL [REDACTED] had authorized all measures to identify those involved, however, that should not have been construed to include abuse. LTC [REDACTED] was the senior officer present at the interrogations and is responsible for the harsh and humiliating treatment of the police (Reference Annex B, Appendix 1, [REDACTED] Annex B, Appendix 2, [REDACTED] [REDACTED], Annex B, Appendix 1, DETAINEE-06). (b)(6)-2 (b)(7)(C)-2

(9) (U) **Incident #41.** On 4 December 2003, documentation in the MP Logs indicated that MI leadership was aware of clothing removal. An entry indicated "Spoke with LTC [REDACTED] 205 MI BDE) about MI holds in Tier 1A/B. He stated he would clear up with MI and let MPs run Tiers 1A/B as far as what inmate gets (clothes)." Additionally, in his statement, LTC [REDACTED] claims he asked LTC [REDACTED] what the situation was with naked detainees, and LTC [REDACTED] responded with, "It was an interrogation technique." Whether this supports allegations of MI involvement in the clothing and stripping of detainees is uncertain, but it does show that MI at least knew of the practice and was willing to defer decisions to the MPs. Such vague guidance, if later combined with an implied tasking from MI, or perceived tasking by MP, potentially contributed to the subsequent abuse (Reference Annex B, Appendix 2, [REDACTED]). (b)(6)-2 (b)(7)(C)-2

h. (U) **Incidents of Detainee Abuse Using Isolation.** Isolation is a valid interrogation technique which required approval by the CJTF-7 Commander. We identified documentation of four instances where isolation was approved by LTG Sanchez. LTG Sanchez stated he had approved 25 instances of isolation. This investigation, however, found numerous incidents of chronic confusion by both MI and MPs at all levels of command, up through CJTF-7, between the definitions of "isolation" and "segregation." Since these terms were commonly interchanged, we conclude Segregation was used far more often than Isolation. Segregation is a valid procedure to limit collaboration between detainees. This is what was employed most often in Tier 1A (putting a detainee in a cell by himself vice in a communal cell as was common outside

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the Hard Site) and was sometimes incorrectly referred to as "isolation." Tier 1A did have isolation cells with solid doors which could be closed as well as a small room (closet) which was referred to as the isolation "Hole." Use of these rooms should have been closely controlled and monitored by MI and MP leaders. They were not, however, which subjected the detainees to excessive cold in the winter and heat in the summer. There was obviously poor air quality, no monitoring of time limits, no frequent checks on the physical condition of the detainee, and no medical screening, all of which added up to detainee abuse. A review of interrogation reports identified ten references to "putting people in the Hole," "taking them out of the Hole," or consideration of isolation. These occurred between 15 September 2003 and 3 January 2004. (Reference Annex B, Appendix 1, SANCHEZ)

(1) (U) **Incident #42.** On 15 September 2003, at 2150 hours, unidentified MI personnel, using the initials CKD, directed the use of isolation on a unidentified detainee. The detainee in cell #9 was directed to leave his outer cell door open for ventilation and was directed to be taken off the light schedule. The identification of CKD, the MI personnel, or the detainee could not be determined. This information originated from the prison log entry and confirms the use of isolation and sensory deprivation as interrogation techniques. (Reference MP Hard Site log book entry, 15 September 2003).

(2) (U) **Incident #43.** In early October 2003, SOLDIER-11 was interrogating an unidentified detainee with SOLDIER-19, an interrogator, and an unidentified contract interpreter. About an hour and 45 minutes into the interrogation, SOLDIER-19 turned to SOLDIER-11 and asked if he thought they should place the detainee in solitary confinement for a few hours, apparently because the detainee was not cooperating or answering questions. SOLDIER-11 expressed his misgivings about the tactic, but deferred to SOLDIER-19 as the interrogator. About 15 minutes later, SOLDIER-19 stopped the interrogation, departed the booth, and returned about five minutes later with an MP, SSG Frederick. SSG Frederick jammed a bag over the detainee's head, grabbed the handcuffs restraining him and said something like "come with me piggy", as he led the detainee to solitary confinement in the Hard Site, Tier 1A of Abu Ghraib.

(U) About half an hour later, SOLDIER-19 and SOLDIER-11 went to the Hard Site without their interpreter, although he was available if needed. When they arrived at the detainee's cell, they found him lying on the floor, completely naked except for a hood that covered his head from his upper lip, whimpering, but there were no bruises or marks on him. SSG Frederick then met SOLDIER-19 and SOLDIER-11 at the cell door. He started yelling at the detainee, "You've been moving little piggy, you know you shouldn't move", or words to that effect, and yanked the hood back down over the detainee's head. SOLDIER-19 and SOLDIER-11 instructed other MPs to clothe the detainee, which they did. SOLDIER-11 then asked SOLDIER-19 if he knew the MPs were going to strip the detainee, and SOLDIER-19 said that he

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did not. After the detainee was clothed, both SOLDIER-19 and SOLDIER-11 escorted him to the general population and released him without interrogating him again. SSG Frederick made the statement "I want to thank you guys, because up until a week or two ago, I was a good Christian." SOLDIER-11 is uncertain under what context SSG Frederick made this statement. SOLDIER-11 noted that neither the isolation technique, nor the "striping incident" in the cell, was in any "interrogator notes" or "interrogation plan."

(U) More than likely, SOLDIER-19 knew what SSG Frederick was going to do. Given that the order for isolation appeared to be a spontaneous reaction to the detainee's recalcitrance and not part of an orchestrated Interrogation Plan; that the "isolation" lasted only approximately half an hour; that SOLDIER-19 chose to re-contact the detainee without an interpreter present; and that SOLDIER-19 was present with SSG Frederick at another incident of detainee abuse; it is possible that SOLDIER-19 had a prearranged agreement with SSG Frederick to "soften up" uncooperative detainees and directed SSG Frederick to strip the detainee in isolation as punishment for being uncooperative, thus providing the detainee an incentive to cooperate during the next interrogation. We believe at a minimum, SOLDIER-19 knew or at least suspected this type of treatment would take place even without specific instructions (Reference Annex B, Appendix 1, SOLDIER-11, SOLDIER-19, [REDACTED] SOLDIER-28). (S)(G)-2, (T)(C)-2

(3) (U) **Incident(s) #44.** On 13 November 2003, SOLDIER-29 and SOLDIER-10, MI interrogators, noted that a detainee was unhappy with his stay in isolation and visits to the hole.

(U) On 11, 13, and 14 November 2003, MI interrogators SOLDIER-04, SOLDIER-09, SOLDIER-02, and SOLDIER-23 noted that a detainee was "walked and put in the Hole," "pulled out of extreme segregation," "did not seem to be bothered to return to the Hole," "Kept in the Hole for a long time unless he started to talk," and "was in good spirits even after three days in the Hole." (Reference Annex I, Appendix 3, Photo of "the Hole").

(U) A 5 November 2003 interrogation report indicates in the recommendations/future approaches paragraph: "Detainee has been recommended for the hole in ISO. Detainee should be treated harshly because friendly treatment has not been productive and because COL [REDACTED] wants fast resolution, or he will turn the detainee over to someone other than the 205th [MI]." (S)(G)-2, (T)(C)-2

(U) On 12 November 2003, MI interrogators SOLDIER-18 and SOLDIER-13 noted that a detainee "feared the isolation Hole, and it made him upset, but not enough to break."

(U) On 29 November 2003, MI interrogators SOLDIER-18 and SOLDIER-06 told a detainee that "he would go into the Hole if he didn't start cooperating."

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(U) On 8 December 2003, unidentified interrogators told a detainee that he was "recommended for movement to ISO and the Hole - he was told his sun [sunlight] would be taken away, so he better enjoy it now."

(U) These incidents all indicate the routine and repetitive use of total isolation and light deprivation. Documentation of this technique in the interrogation reports implies those employing it thought it was authorized. The manner it was applied is a violation of the Geneva Conventions, CJTF-7 policy, and Army policy (Reference Annex M, Appendix 2, AR 190-8). Isolation was being employed without proper approval and with little oversight, resulting in abuse (Reference Annex I, Appendix 4, DETAINEE-08).

i. (U) Several alleged abuses were investigated and found to be unsubstantiated. Others turned out to be no more than general rumor or fabrication. This investigation established a threshold below which information on alleged or potential abuse was not included in this report. Fragmentary or difficult to understand allegations or information at times defied our ability to investigate further. One such example is contained in a statement from an alleged abuse victim, DETAINEE-13, who claimed he was always treated well at Abu Ghraib but was abused earlier by his captors. He potentially contradicts that claim by stating his head was hit into a wall. The detainee appears confused concerning the times and locations at which he was abused. Several incidents involved numerous victims and/or occurred during a single "event," such as the Iraqi Police Interrogations on 24 November 2003. One example receiving some visibility was a report by SOLDIER-22 who overheard a conversation in the "chow hall" between SPC [REDACTED] and his unidentified "friends." SPC [REDACTED] was alleged to have said: "MPs were using detainees as practice dummies. They would hit the detainees as practice shots. They would apply strikes to their necks and knock them out. One detainee was so scared; the MPs held his head and told him everything would be alright, and then they would strike him. The detainees would plead for mercy and the MPs thought it was all funny." SPC [REDACTED] was interviewed and denied having knowledge of any abuse. He admitted that he and his friends would joke about noises they heard in the Hard Site and say things such as "the MPs are doing their thing." SPC [REDACTED] never thought anyone would take him seriously. Several associates of SPC [REDACTED] were interviewed (SPC [REDACTED] SOLDIER-12, PVT [REDACTED]). All claimed their discussions with SPC [REDACTED] were just rumor, and they didn't think anyone would take him seriously or construe he had personal knowledge of abuse. SPC [REDACTED]'s duties also make it unlikely he would have witnessed any abuse. He arrived at Abu Ghraib as an analyst, working the day shift, in late November 2003. Shortly after his arrival, the 24 November "shooting incident" occurred and the following day, he was moved to Camp Victory for three weeks. Upon his return, he was transferred to guard duty at Camp Wood and Camp Steel and never returned to the Hard Site. This alleged abuse is likely an individual's boastful exaggeration of a rumor which was rampant throughout Abu Ghraib, nothing more (Reference Annex B, Appendix 1, SOLDIER-12, [REDACTED] SOLDIER-22).

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**Allegations of Abuse Incidents, the Nature of Reported Abuse, and Associated Personnel**

Note: The chart lists all allegations considered. The specific abuse claimed and entities involved are not confirmed in all cases. The category of abuse are underlined. (See paragraph 5e-h, above)

Date/ Time	Incident	Nature of Alleged Abuse						Comments
		Nudity/ Humiliation	Assault	Sexual Assault	Use of Dogs	The "Hole"	Other	
15 SEP 03/2150	Use of Isolation. Incident #42.					<u>MI/MP</u>		MP log entry confirms MI use of isolation and sensory deprivation as an interrogation technique.
16 SEP 03/ 1315- 1445	MI Directs Removal of Clothing. Incident #34.	<u>MI/MP</u>						MPs respond to MI tasking. Detainee apparently stripped upon arrival to Hard Site at MI direction.
19-20 SEP 03	Naked Detainee During Interrogation. Incident #35.	<u>MI/MP</u>						
20 SEP 03	Two MI Soldiers Beat and Kicked a Cuffed Detainee. Incident #1.		<u>MI</u>					CID investigated and referred the case back to the command.

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**Allegations of Abuse Incidents, the Nature of Reported Abuse, and Associated Personnel**  
 Note: The chart lists all allegations considered. The specific abuse claimed and entities involved are not confirmed in all cases. The category of abuse are underlined. (See paragraph 5e-h, above)

Date/ Time	Incident	Nature of Alleged Abuse						Comments
		Nudity/ Humiliation	Assault	Sexual Assault	Use of Dogs	The "Hole"	Other	
7 OCT 03	Unauthorized Interrogation and Alleged Assault of a Female Detainee. Incident #2.	MI		MI				Unauthorized interrogation. MI personnel received Field Grade Article 15s.
Early OCT 03	Interrogator Directs Partial Removal of Clothing/Failure to Report. Incident #36.	MI						
Early OCT 03	Interrogator Directs Unauthorized Solitary Confinement/Milita ry Police Stripping of Detainee/Failure to Report. Incident #43.	MP	MP			MI/MP		MI directed the MP place the detainee in solitary confinement (apparently the "Hole") for a few hours. The MPs carried out the request, stripped and hooded the detainee.

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**Allegations of Abuse Incidents, the Nature of Reported Abuse, and Associated Personnel**

Note: The chart lists all allegations considered. The specific abuse claimed and entities involved are not confirmed in all cases. The category of abuse are underlined. (See paragraph 5e-h, above).

Date/ Time	Incident	Nature of Alleged Abuse					Comments	
		Nudity/ Humiliation	Assault	Sexual Assault	Use of Dogs	The "Hole"		Other
17 OCT 03 - 19 Oct 03	Photos Depicting a Naked Hooded Detainee Cuffed to His Cell Door. Detainee Cuffed to His Bed with Underwear on his Head. Incident #37.	<u>UNK</u>						Nudity, hooding, and restraint. No indication of association with MI.
20 OCT 03	Detainee Was Stripped and Abused for Making a Shank from a Toothbrush. Incident #8.	MP	<u>MP</u>	<u>MP</u>				No indication of association with MI.
25 OCT 03/2015 (est)	Photos of a Naked Detainee on a Dog Leash. Incident #9.	MP		<u>MP</u>				Humiliation and degradation. No indication of association with MI.

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**Allegations of Abuse Incidents, the Nature of Reported Abuse, and Associated Personnel**  
 Note: The chart lists all allegations considered. The specific abuse claimed and entities involved are not confirmed in all cases. The category of abuse are underlined. (See paragraph 5e-h, above)

Date/ Time	Incident	Nature of Alleged Abuse				Comments	
		Nudity/ Humiliation	Assault	Sexual Assault	Use of Dogs		The "Hole"
25 OCT 03/ 2300 - 2317 (est)	Three Naked Detainees Handcuffed Together and Forced to Simulate Sex While Photographed and Abused. Incident #3.	MI/MP	MI/MP	MI/MP			Incident not associated with interrogation operations. MI personnel observed and participated as individuals.
28 OCT 03	Photographs of Female Detainees. Incident #38.	MP		MP			MPs took many photos of two female detainees. One detainee photographed exposing her breasts.
OCT 03	Abuse and Sodomy of a Detainee (Chem Light Incident). Incident #5.	MP	MP	MP			Detainee on MI Hold. No other indication of association with MI.

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**Allegations of Abuse Incidents, the Nature of Reported Abuse, and Associated Personnel**

Note: The chart lists all allegations considered. The specific abuse claimed and entities involved are not confirmed in all cases. The category of abuse are underlined>. (See paragraph 5e-h, above)

Date/ Time	Incident	Nature of Alleged Abuse						Comments
		Nudity/ Humiliation	Assault	Sexual Assault	Use of Dogs	The "Hole"	Other	
OCT 03	Detainee's Chin Lacerated. Incident #21.		<u>MP</u>					No indication of association with MI. Assailant unknown.
4 NOV 03/2140 -2315	Detainee Forced to Stand on a Box With Simulated Electrical Wires Attached to his Fingers and Penis. Incident #10.	MP		<u>MP</u>				No indication of association with MI. Attached wire to penis. Threatened detainee with electrocution
4 NOV 03	CIA Detainee Dies in Custody. Incident #7.		<u>CIA</u>					SEAL Team involved in apprehending detainee. MPs photographed body. Tampere with evidence
5 NOV 03	Detainee Forced to Stand on Boxes, Water is Poured on Him, His Genitals are Hit. Incident #20.	MP	<u>MP</u>	<u>MP</u>				Detainee on MI Hold. No other indication of association with MI.

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**Allegations of Abuse Incidents, the Nature of Reported Abuse, and Associated Personnel**

Note: The chart lists all allegations considered. The specific abuse claimed and entities involved are not confirmed in all cases. The category of abuse are underlined. (See paragraph 5e-h, above)

Date/ Time	Incident	Nature of Alleged Abuse						Comments
		Nudity/ Humiliation	Assault	Sexual Assault	Use of Dogs	The "Hole"	Other	
7-8 NOV 03/2315 - 0024 (est)	Naked "Dog pile and Forced Masturbation of Detainees Following the 6 NOV 03 Riot at Camp Vigilant. Incident #11.	MP	<u>MP</u>	<u>MP</u>				
13 NOV 03	Detainee Claim of MP Abuse Corresponds with Interrogations. Incident #4.	MP	<u>MP</u>					Interrogation reports suggest MI directed abuse. Withholding of bedding
14 NOV 03	MP Log-Detainees Were Ordered "PT'd" By MI. Incident #6.	MP	<u>MP</u>					MPs performed unauthorized medical procedures - stitching detainee wounds

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**Allegations of Abuse Incidents, the Nature of Reported Abuse, and Associated Personnel**  
Note: The chart lists all allegations considered. The specific abuse claimed and entities involved are not confirmed in all cases. The category of abuse are underlined. (See paragraph 5e-h, above)

Date/ Time	Incident	Nature of Alleged Abuse						Comments
		Nudity/ Humiliation	Assault	Sexual Assault	Use of Dogs	The "Hole"	Other	
16 NOV 03	Stripping of Detainee During Interrogation. Incident #39.	<u>MI</u>					MI interrogator counseled and removed as lead interrogator.	
18 NOV 03	Photo Depicting Detainee on the Floor with a Banana Inserted into his Anus. Incident #14.		<u>MP</u>				Detainee had an apparent mental disorder. Photos were taken of him on other dates included showing him naked, praying upside down or covered in feces; blood on a door from an apparently self-inflicted wound; and efforts to restrain him. Appropriate psychiatric care and facilities apparently were not available.	
24 NOV 03	MP CPT Beat and Kicked a Detainee. Incident #23.		<u>MP</u>				Subsequent investigation determined to be a staged event and not an abusive incident.	

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**Allegations of Abuse Incidents, the Nature of Reported Abuse, and Associated Personnel**

Note: The chart lists all allegations considered. The specific abuse claimed and entities involved are not confirmed in all cases. The category of abuse are underlined. (See paragraph 5e-h, above)

Date/ Time	Incident	Nature of Alleged Abuse						Comments
		Nudity/ Humiliation	Assault	Sexual Assault	Use of Dogs	The "Hole"	Other	
24 NOV 03	Interrogator Threatens Use of Military Working Dog. Incident #25.				<u>MP/MI</u>			(b)(7)(C)-2
24 NOV 03	The use of dogs and humiliation (clothing removal) was approved by MI. Incident #40.	<u>MI/MP</u>			<u>MI/MP</u>			COI ██████████ authorized, and LTC ██████████ supervised, the harsh treatment of Iraqi Police during interrogations, to include humiliation (clothing removal) and the use of dogs.
26 or 27 Nov 03	MI/MP Abuse During an Interrogation of Iraqi Policeman. Incident #15.				<u>MI/MP</u>			MP cutoff air supply by covering nose and mouth of detainee and twisted his arm at direction of contract interrogator during interrogation of Iraqi policeman.
29 NOV 04	Photo Depicting a detainee in his underwear standing on a box. Incident #13.	<u>UNK</u>			<u>UNK</u>			Photo could not be tied to any specific incident, detainee, or allegation and MI involvement is indeterminate.

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191610

**Allegations of Abuse Incidents, the Nature of Reported Abuse, and Associated Personnel**

Note: The chart lists all allegations considered. The specific abuse claimed and entities involved are not confirmed in all cases. The category of abuse are underlined. (See paragraph 5e-h, above)

Date/ Time	Incident	Nature of Alleged Abuse						Comments
		Nudity/ Humiliation	Assault	Sexual Assault	Use of Dogs	The "Hole"	Other	
30 NOV 03	MP Log Entry- Detainee Was Found in Cell Covered in Blood. Incident #17.		<u>UNK</u>					Wounds apparently self-inflicted. No indication of association with MI.
Circa Dec 03	Photo Depicting detainee in stress position on chair. Incident #24.		<u>MI</u>					Photo shows detainee kneeling on a chair with Interrogators watching. No associated interrogation summaries to ID detainee
4 DEC 03	MP Log- Determination of Inmate Clothing by MI. Incident #41.	<u>MI/MP</u>						Suggests MI direction to remove selected detainee's clothing, with MP collaboration.

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**Allegations of Abuse Incidents, the Nature of Reported Abuse, and Associated Personnel**

Note: The chart lists all allegations considered. The specific abuse claimed and entities involved are not confirmed in all cases. The category of abuse are underlined>. (See paragraph 5e-h, above)

Date/ Time	Incident	Nature of Alleged Abuse						Comments
		Nudity/ Humiliation	Assault	Sexual Assault	Use of Dogs	"Hole"	Other	
12-13 DEC 03 (est)	Detainee Involved in Attempted Murder of MPs Claims Retaliatory Acts Upon Return to the Hard Site. Incident #18.		<u>MP</u>		MP			Detainee allegations may have been exaggerated. MP - Forced him to eat pork and forced alcohol in his mouth. MPs may have retaliated in response to the detainee shooting an MP on 24 NOV 03.
4-13 DEC 03 (est)	Withholding of Clothing, Bedding, and Medical Care. Incident #19.	MP	<u>UNK</u>					MI Soldier discovered and attempted to rectify the situation. A U/I COL or LTC medical officer refused to remove a catheter when notified by MI.
12 DEC 03	Dog Bites Iranian Detainee. Incident #27.	MP	MP		<u>MP</u>			Detainee on MI Hold. No other indication of association with MI.
14/15 DEC 03	MI Uses Dog in Interrogation. Incident #29.				<u>MI/MP</u>			Used allegedly in response to COL Pappas's blanket approval for use of harsher techniques against Saddam associates.

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**Allegations of Abuse Incidents, the Nature of Reported Abuse, and Associated Personnel**  
Note: The chart lists all allegations considered. The specific abuse claimed and entities involved are not confirmed in all cases. The category of abuse are underlined. (See paragraph 5e-h, above)

Date/ Time	Incident	Nature of Alleged Abuse						Comments
		Nudity/ Humiliation	Assault	Sexual Assault	Use of Dogs	The "Hole"	Other	
14/15 DEC 03	MI Uses Dog in Interrogation. Incident #31.				<u>MI/MP</u>			Interrogation report indicates dogs used with little effect during an interrogation.
Late DEC 03	Contract Interrogator Possibly Involved in Dog Use on Detainee. Incident #32.				<u>MI/MP</u>			
18 DEC 03 or later	Dog Handler Uses Dog on Detainee. Incident #28.				<u>MP</u>			Photos of incident show only MP personnel; however, it is possible MI directed the dogs to prepare the detainee for interrogation.
27 DEC 03 (est)	Photo Depicting Apparent Shotgun Wounds on Detainee's Buttocks. Incident #12.	UNK	<u>UNK</u>					Detainee apparently shot by MP personnel with shotgun using less-than- lethal rounds. Nudity may have been required to have medics observe and treat wounds. No indication of association with MI.

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**Allegations of Abuse Incidents, the Nature of Reported Abuse, and Associated Personnel**

Note: The chart lists all allegations considered. The specific abuse claimed and entities involved are not confirmed in all cases. The category of abuse are underlined. (See paragraph 5e-h, above)

Date/ Time	Incident	Nature of Alleged Abuse						Comments
		Nudity/ Humiliation	Assault	Sexual Assault	Use of Dogs	The "Hole"	Other	
8 JAN 04 (Estimat ed)	Dog Used to Scare Juvenile Inmates. Incident #26.				<u>MP</u>			MI Soldier observed the event while in the area during an interrogation. MP motivation unknown. MI Soldier failed to report it.
Unspeci fied	Un-muzzled dog used during an interrogation. Incident #30.				<u>MI/MP</u>			MI approved the use of dogs during an interrogation. The dog was un-muzzled without such approval.
Unspeci fied	Possible Rape of a Detainee by a US Translator. Incident #22.			<u>MP</u>				

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**Allegations of Abuse Incidents, the Nature of Reported Abuse, and Associated Personnel**

Note: The chart lists all allegations considered. The specific abuse claimed and entities involved are not confirmed in all cases. The category of abuse are underlined. (See paragraph 5e-h, above)

Date/ Time	Incident	Nature of Alleged Abuse					Comments	
		Nudity/ Humiliation	Assault	Sexual Assault	Use of Dogs	The "Hole"		Other
Unspeci fied	Civilian Interrogator Forcibly Pulls Detainee from Truck and Drags Him Across Ground. Incident #16.		<u>MI</u>					The incident was reported by MI, but CID apparently did not pursue the case.
Various Dates	MI Use of Isolation as an Interrogation Technique. Incident #44.					<u>MI/MP</u>		Seven detainees are associated with this line item.
Various Dates	MI Forces Detainee to Wear Women's Underwear on his Head. Incident #33.	<u>MI/MP</u>						MPs may have performed two of the incidents identified in photos, and may have no MI association.

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6. (U) Findings and Recommendations.

a. (U) **Major Finding:** From 25 July 2003 to 6 February 2004, twenty-seven (27) 205 MI BDE personnel allegedly:

- Requested, encouraged, condoned, or solicited MP personnel to abuse detainees or;
- Participated in detainee abuse or;
- Violated established interrogation procedures and applicable laws and regulations as preparation for interrogation operations at Abu Ghraib.

(U) **Explanation:** Some MI personnel encouraged, condoned, participated in, or ignored abuse. In a few instances, MI personnel acted alone in abusing detainees. MI abuse and MI solicitation of MP abuse included the use of isolation with sensory deprivation ("the Hole"), removal of clothing and humiliation, the use of dogs to "fear up" detainees, and on one occasion, the condoned twisting of a detainee's cuffed wrists and the smothering of this detainee with a cupped hand in MI's presence. Some MI personnel violated established interrogation practices, regulations, and conventions which resulted in the abuse of detainees. While Interrogation and Counter-Resistance Policies (ICRP) were poorly defined and changed several times, in most cases of detainee abuse the MI personnel involved knew or should have known what they were doing was outside the bounds of their authority. Ineffective leadership at the JIDC failed to detect violations and discipline those responsible. Likewise, leaders failed to provide adequate training to ensure Soldiers understood the rules and complied.

(U) **Recommendation:** The Army needs to re-emphasize Soldier and leader responsibilities in interrogation and detention operations and retrain them to perform in accordance with law, regulations, and Army values and to live up to the responsibilities of their rank and position. Leaders must also provide adequate training to ensure Soldiers understand their authorities. The Army must ensure that future interrogation policies are simple, direct and include safeguards against abuse. Organizations such as the JIDC must possess a functioning chain of command capable of directing interrogation operations.

b. (U) Other Findings and Recommendations.

(1) (U) **Finding:** There was a lack of clear Command and Control of Detainee Operations at the CJTF-7 level.

(U) **Explanation:** COL [REDACTED] was rated by MG Wojdakowski, DCG, V Corps/CJTF-7. MG Wojdakowski, however, was not directly involved with interrogation operations. Most of COL [REDACTED] direction was coming from LTG Sanchez directly as well as from MG Fast, the C2.

(b)(6)-2  
(b)(7)(C)-2

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BG Karpinski was rated by BG Diamond, Commander, 377th Theater Support Command (377 TSC). However, she testified that she believed her rater was MG Wojdakowski and in fact it was he she received her direction from the entire time she was in Iraq (Reference Annex B, Appendix 1, KARPINSKI). The 800 MP BDE was TACON to CJTF-7. Overall responsibility for detainee operations never came together under one person short of LTG Sanchez himself until the assignment of MG G. Miller in April 2004.

(U) **Recommendation:** There should be a single authority designated for command and control for detention and interrogation operations. (DoD/DA)

(2) (U) **Finding:** FRAGO 1108 appointing COL [REDACTED] as FOB Commander at Abu Ghraib was unclear. This issue did not impact detainee abuse. (b)(6)-2, (b)(7)(C)-2

(U) **Explanation:** Although FRAGO 1108 appointing COL [REDACTED] as FOB Commander on 19 November 2003 changed the command relationship, it had no specific effect on detainee abuses at Abu Ghraib. The FRAGO giving him TACON of the 320 MP BN did not contain any specified or implied tasks. The TACON did not include responsibility for conducting prison or "Warden" functions. Those functions remained the responsibility of the 320 MP BN. This FRAGO has been cited as a significant contributing factor that allowed the abuses to happen, but the abuses were already underway for two months before CJTF-7 issued this FRAGO. COL [REDACTED] and the Commander of the 320 MP BN interpreted that FRAGO strictly for COL [REDACTED] to exercise the external Force Protection and Security of Detainees. COL [REDACTED] had a Long Range Reconnaissance Company in the 165 MI BN that would augment the external protection of Abu Ghraib. The internal protection of detainees, however, still remained the responsibility of the 320 MP BN. The confusion and disorganization between MI and MPs already existed by the time CJTF-7 published the FRAGO. Had there been no change of FOB Command, it is likely abuse would have continued anyway.

(U) **Recommendation:** Joint Task Forces such as CJTF-7 should clearly specify relationships in FRAGOs so as to preclude confusion. Terms such as Tactical Control (TACON) should be clearly defined to identify specific command relationships and preclude confusion. (DoD/CJTF-7)

(3) (U) **Finding:** The JIDC was manned with personnel from numerous organizations and consequently lacked unit cohesion. There was an absence of an established, effective MI chain of command at the JIDC.

(U) **Explanation:** A decision was made not to run the JIDC as a unit mission. The JIDC was manned, led and managed by staff officers from multiple organizations as opposed to a unit with its functioning chain of command. Responsibilities for balancing the demands of

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managing interrogation operations and establishing good order and discipline in this environment were unclear and lead to lapses in accountability.

(U) **Recommendation:** JIDCs need to be structured, manned, trained and equipped as standard military organizations. These organizations should be certified by TRADOC and/or JFCOM. Appropriate Army and Joint doctrine should be developed defining JIDCs' missions and functions as separate commands. (DoD/DA/CJTF-7)

(4) (U) **Finding:** Selecting Abu Ghraib as a detention facility placed soldiers and detainees at an unnecessary force protection risk.

(U) **Explanation:** Failure adequately to protect and house detainees is a violation of the Third and Fourth Geneva Conventions and AR 190-8. Therefore, the selection of Abu Ghraib as a detention facility was inappropriate because of its inherent indefensibility and poor condition. The selection of Abu Ghraib as a detention center was dictated by the Coalition Provisional Authority officials despite concerns that the Iraqi people would look negatively on Americans interning detainees in a facility associated with torture. Abu Ghraib was in poor physical condition with buildings and sections of the perimeter wall having been destroyed, resulting in completely inadequate living conditions. Force protection must be a major consideration in selecting any facility as a detention facility. Abu Ghraib was located in the middle of the Sunni Triangle, an area known to be very hostile to coalition forces. Further, being surrounded by civilian housing and open fields and encircled by a network of roads and highways, its defense presented formidable force protection challenges. Even though the force protection posture at Abu Ghraib was compromised from the start due to its location and poor condition, coalition personnel still had a duty and responsibility to undertake appropriate defensive measures. However, the poor security posture at Abu Ghraib resulted in the deaths and wounding of both coalition forces and detainees.

(U) **Recommendations:**

- Detention centers must be established in accordance with AR 190-8 to ensure safety and compliance with the Geneva Conventions. (DoD/DA/CJTF-7).
- As a matter of policy, force protection concerns must be applicable to any detention facility and all detention operations. (DoD/DA/CJTF-7)
- Protect detainees in accordance with Geneva Convention IV by providing adequate force protection. (DoD/DA/CJTF-7)

(5) (U) **Finding:** Leaders failed to take steps to effectively manage pressure placed upon JIDC personnel.

(U) **Explanation:** During our interviews, leaders within the MI community commented upon the intense pressure they felt from higher headquarters, to include CENTCOM,

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4(b)-2,  
7(c)-2 } the Pentagon, and DIA for timelier, actionable intelligence (Reference Annex B, Appendix 1, [REDACTED], [REDACTED], and [REDACTED]. These leaders have stated that this pressure adversely affected their decision making. Requests for information were being sent to Abu Ghraib from a number of headquarters without any prioritization. Based on the statements from the interrogators and analysts, the pressure was allowed to be passed down to the lowest levels.

(U) **Recommendation:** Leaders must balance mission requirements with unit capabilities, soldier morale and effectiveness. Protecting Soldiers from unnecessary pressure to enhance mission effectiveness is a leader's job. Rigorous and challenging training can help prepare units and soldiers for the stress they face in combat. (DoD/DA/CENTCOM/CJTF-7)

(6) (U) **Finding:** Some capturing units failed to follow procedures, training, and directives in the capture, screening, and exploitation of detainees.

(U) **Explanation:** The role of the capturing unit was to conduct preliminary screening of captured detainees to determine if they posed a security risk or possessed information of intelligence value. Detainees who did not pose a security risk and possessed no intelligence value should have been released. Those that posed a security risk and possessed no intelligence value should have been transferred to Abu Ghraib as a security hold. Those that possessed intelligence information should have been interrogated within 72 hours at the tactical level to gather perishable information of value to the capturing unit. After 72 hours, these personnel should have been transferred to Abu Ghraib for further intelligence exploitation as an MI hold. Since most detainees were not properly screened, large numbers of detainees were transferred to Abu Ghraib, who in some cases should not have been sent there at all, and in almost all cases, were not properly identified or documented in accordance with doctrine and directives. This failure led to the arrival of a significant number of detainees at Abu Ghraib. Without proper detainee capture documentation, JIDC interrogators were diverted from interrogation and intelligence production to screening operations in order to assess the value of the incoming detainees (no value, security hold, or MI Hold). The overall result was that less intelligence was produced at the JIDC than could have been if capturing forces had followed proper procedures.

(U) **Recommendation:** Screening, interrogation and release procedures at the tactical level need to be properly executed. Those detainees who pose no threat and are of no intelligence value should be released by capturing units within 72 hours. Those detainees thought to be a threat but of no further intelligence value should be sent to a long term confinement facility. Those detainees thought to possess further intelligence value should be sent to a Corps/Theater Interrogation Center. (DA/CENTCOM/CJTF-7)

(7) (U) **Finding:** DoD's development of multiple policies on interrogation operations for use in different theaters or operations confused Army and civilian Interrogators at Abu Ghraib.

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(U) **Explanation:** National policy and DoD directives were not completely consistent with Army doctrine concerning detainee treatment or interrogation tactics, resulting in CJTF-7 interrogation and counter-resistance policies and practices that lacked basis in Army interrogation doctrine. As a result, interrogators at Abu Ghraib employed non-doctrinal approaches that conflicted with other DoD and Army regulatory, doctrinal and procedural guidance.

(U) **Recommendation:** Adopt one DoD policy for interrogation, within the framework of existing doctrine, adhering to the standards found in doctrine, and enforce that standard policy across DoD. Interrogation policy must be simple and direct, with reference to existing doctrine, and possess effective safeguards against abuse. It must be totally understandable by the interrogator using it. (DoD/DA/CJTF-7)

(8) (U) **Finding:** There are an inadequate number of MI units to satisfy current and future HUMINT missions. The Army does not possess enough interrogators and linguists to support interrogation operations.

(U) **Explanation:** The demand for interrogators and linguists to support tactical screening operations at the point-of-capture of detainees, tactical HUMINT teams, and personnel to support interrogation operations at organizations like the JIDC cannot be supported with the current force structure. As a result, each of these operations in Iraq was undermanned and suffered accordingly.

(U) **Recommendation:** The Army must increase the number of HUMINT units to overcome downsizing of HUMINT forces over the last 10 years and to address current and future HUMINT requirements.

(9) (U) **Finding:** The JIDC was not provided with adequate personnel resources to effectively operate as an interrogation center.

(U) **Explanation:** The JIDC was established in an ad hoc manner without proper planning, personnel, and logistical support for the missions it was intended to perform. Interrogation and analyst personnel were quickly kluged together from a half dozen units in an effort to meet personnel requirements. Even at its peak strength, interrogation and analyst manpower at the JIDC was too short-handed to deal with the large number of detainees at hand. Logistical support was also inadequate.

(U) **Recommendation:** The Army and DoD should plan on operating JIDC organizations in future operational environments, establish appropriate manning and equipment authorizations for the same. (DoD/DA)

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(10) (U) **Finding:** There was/is a severe shortage of CAT II and CAT III Arab linguists available in Iraq.

(U) **Explanation:** This shortage negatively affected every level of detainee operations from point-of-capture through detention facility. Tactical units were unable to properly screen detainees at their levels not only because of the lack of interrogators but even more so because of the lack of interpreters. The linguist problem also existed at Abu Ghraib. There were only 20 linguists assigned to Abu Ghraib at the height of operations. Linguists were a critical node and limited the maximum number of interrogations that could be conducted at any time to the number of linguists available.

(U) **Recommendation:** Army and DoD need to address the issue of inadequate linguist resources to conduct detention operations. (DA/DoD)

(11) (U) **Finding:** The cross leveling of a large number of Reserve Component (RC) Soldiers during the Mobilization process contributed to training challenges and lack of unit cohesion of the RC units at Abu Ghraib.

(U) **Recommendation:** If cross leveling of personnel is necessary in order to bring RC units up to required strength levels, then post mobilization training time should be extended. Post mobilization training should include unit level training in addition to Soldier training to ensure cross leveled Soldiers are made part of the team. (DA)

(12) (U) **Finding:** Interrogator training in the Laws of Land Warfare and the Geneva Conventions is ineffective.

(U) **Explanation:** The US Army Intelligence Center and follow on unit training provided interrogators with what appears to be adequate curriculum, practical exercises and man-hours in Law of Land Warfare and Geneva Conventions training. Soldiers at Abu Ghraib, however, remained uncertain about what interrogation procedures were authorized and what proper reporting procedures were required. This indicates that Initial Entry Training for interrogators was not sufficient or was not reinforced properly by additional unit training or leadership.

(U) **Recommendation:** More training emphasis needs to be placed on Soldier and leader responsibilities concerning the identification and reporting of detainee abuse incidents or concerns up through the chain of command, or to other offices such as CID, IG or SJA. This training should not just address the rules, but address case studies from recent and past detainee and interrogation operations to address likely issues interrogators and their supervisors will encounter. Soldiers and leaders need to be taught to integrate Army values and ethical decision-

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making to deal with interrogation issues that are not clearly prohibited or allowed. Furthermore, it should be stressed that methods employed by US Army interrogators will represent US values.

(13) (U) **Finding:** MI, MP, and Medical Corps personnel observed and failed to report instances of Abuse at Abu Ghraib. Likewise, several reports indicated that capturing units did not always treat detainees IAW the Geneva Convention.

(U) **Recommendation:** DoD should improve training provided to all personnel in Geneva Conventions, detainee operations, and the responsibilities of reporting detainee abuse. (DoD)

(14) (U) **Finding:** Combined MI/MP training in the conduct of detainee/interrogation operations is inadequate.

(U) **Explanation:** MI and MP personnel at Abu Ghraib had little knowledge of each other's missions, roles and responsibilities in the conduct of detainee/interrogation operations. As a result, some "lanes in the road" were worked out "on the fly." Other relationships were never fully defined and contributed to the confused operational environment.

(U) **Recommendation:** TRADOC should initiate an effort to develop a cross branch training program in detainee and interrogation operations training. FORSCOM should reinstitute combined MI/MP unit training such as the Gold Sword/Silver Sword Exercises that were conducted annually. (DA)

(15) (U) **Finding:** MI leaders do not receive adequate training in the conduct and management of interrogation operations.

(U) **Explanation:** MI Leaders at the JIDC were unfamiliar with and untrained in interrogation operations (with the exception of CPT [REDACTED] as well as the mission and purposes of a JIDC. Absent any knowledge from training and experience in interrogation operations, JIDC leaders had to rely upon instinct to operate the JIDC. MTTs and Tiger Teams were deployed to the JIDC as a solution to help train interrogators and leaders in the management of HUMINT and detainee/interrogator operations. (b)(6)-2; (7)(C)-2

(U) **Recommendation:** MI Officer, NCO and Warrant Officer training needs to include interrogation operations to include management procedures, automation support, collection management and JIDC operations. Officer and senior NCO training should also emphasize the potential for abuse involved in detention and interrogation operations. (DA)

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(16) (U) **Finding:** Army doctrine exists for both MI interrogation and MP detainee operations, but it was not comprehensive enough to cover the situation that existed at Abu Ghraib.

(U) **Explanation:** The lines of authority and accountability between MI and MP were unclear and undefined. For example, when MI would order sleep adjustment, MPs would use their judgment on how to apply that technique. The result was MP taking detainees from their cells stripping them and giving them cold showers or throwing cold water on them to keep them awake.

(U) **Recommendation:** DA should conduct a review to determine future Army doctrine for interrogation operations and detention operations. (DA)

(17) (U) **Finding:** Because of a lack of doctrine concerning detainee and interrogation operations, critical records on detainees were not created or maintained properly thereby hampering effective operations.

(U) **Explanation:** This lack of record keeping included the complete life cycle of detainee records to include detainee capture information and documentation, prison records, medical records, interrogation plans and records, and release board records. Lack of record keeping significantly hampered the ability of this investigation to discover critical information concerning detainee abuse.

(U) **Recommendation:** As TRADOC reviews and enhances detainee and interrogation operations doctrine, it should ensure that record keeping and information sharing requirements are addressed. (DA)

(18) (U) **Finding:** Four (4) contract interrogators allegedly abused detainees at Abu Ghraib.

(U) **Explanation:** The contracting system failed to ensure that properly trained and vetted linguist and interrogator personnel were hired to support operations at Abu Ghraib. The system also failed to provide useful contract management functions in support of the facility. Soldiers and leaders at the prison were unprepared for the arrival, employment, and oversight of contract interrogators.

(U) **Recommendations:** The Army should review the use contract interrogators. In the event contract interrogators must be used, the Army must ensure that they are properly qualified from a training and performance perspective, and properly vetted. The Army should establish standards for contract requirements and personnel. Additionally, the Army must

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provide sufficient contract management resources to monitor contracts and contractor performance at the point of performance.

(19) (U) **Observation:** MG Miller's visit did not introduce "harsh techniques" into the Abu Ghraib interrogation operation.

(U) **Explanation:** While there was an increase in intelligence reports after the visit, it appears more likely it was due to the assignment of trained interrogators and an increased number of MI Hold detainees to interrogate. This increase in production does not equate to an increase in quality of the collected intelligence. MG G. Miller's visit did not introduce "harsh techniques" into the Abu Ghraib interrogation operation.

(20) (U) **Finding:** The JTF-GTMO training team had positive impact on the operational management of the JIDC; however, the JTF-GTMO training team inadvertently validated restricted interrogation techniques.

(U) **Explanation:** The JTF-GTMO team stressed the conduct of operations with a strategic objective, while the Abu Ghraib team remained focused on tactical operations. Instead of providing guidance and assistance, the team's impact was limited to one-on-one interaction during interrogations. Clearly a significant problem was the JTF-GTMO's lack of understanding of the approved interrogation techniques, either for GTMO or CJTF-7 or Abu Ghraib. When the training team composed of the experts from a national level operation failed to recognize, object to, or report detainee abuse, such as the use of nudity as an interrogation tactic, they failed as a training team and further validated the use of unacceptable interrogation techniques.

(U) **Recommendation:** TRADOC should initiate an Army-wide effort to ensure all personnel involved in detention and interrogation operations are properly trained with respect to approved doctrine. There should be a MTT to assist ongoing detention operations. This MTT must be of the highest quality and understand the mission they have been sent to support. They must have clearly defined and unmistakable objectives. Team members with varied experience must be careful to avoid providing any training or guidance that contradicts local or national policy. (DA/DoD)

(21) (U) **Finding:** The Fort Huachuca MTT failed to adapt the ISCT training (which was focused upon improving the JTF-GTMO operational environment) to the mission needs of CJTF-7 and JIDC; however, actions of one team member resulted in the inadvertent validation of restricted interrogation techniques.

(U) **Explanation:** Although the Fort Huachuca Team (ISCT) team was successful in arranging a few classes and providing some formal training, to include classes on the Geneva Conventions, both the JIDC leadership and the ISCT team failed to include/require the contract

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(b)(6)-2,  
7(c)-2

personnel to attend the training. Furthermore, the training that was given was ineffective and certainly did nothing to prevent the abuses occurring at Abu Ghraib, e.g., the "Hole," nakedness, withholding of bedding, and the use of dogs to threaten detainees. The ISCT MTT members were assigned to the various Tiger Teams/sections to conduct interrogations. The ISCT team's lack of understanding of approved doctrine was a significant failure. This lack of understanding was evident in SFC [REDACTED] "unofficial" conversation with one of the Abu Ghraib interrogators (CIVILIAN21). SFC [REDACTED] related several stories about the use of dogs as an inducement, suggesting the interrogator talk to the MPs about the possibilities. SFC [REDACTED] noted that (b)(6)-2, (7)(c)-2 detainees are most susceptible during the first few hours after capture. "The prisoners are captured by Soldiers, taken from their familiar surroundings, blindfolded and put into a truck and brought to this place (Abu Ghraib); and then they are pushed down a hall with guards barking orders and thrown into a cell, naked; and that not knowing what was going to happen or what the guards might do caused them extreme fear." It was also suggested that an interrogator could take some pictures of what seemed to be guards being rough with prisoners so he could use them to scare the prisoners. This conversation certainly contributed to the abusive environment at Abu Ghraib. The team validated the use of unacceptable interrogation techniques. The ISCT team's Geneva Conventions training was not effective in helping to halt abusive techniques, as it failed to train Soldiers on their responsibilities for identifying and reporting those techniques.

(U) **Recommendation:** TRADOC should initiate an Army-wide effort to ensure all personnel involved in detention and interrogation operations are properly trained with respect to approved doctrine. There should be a MTT to assist ongoing detention operations. This MTT must be of the highest quality and understand the mission they have been sent to support. They must have clearly defined and unmistakable objectives. Team members with varied experience must be careful to avoid providing any training or guidance that contradicts local or national policy. (DA/DoD)

(22) (U) **Finding:** Other Government Agency (OGA) interrogation practices led to a loss of accountability at Abu Ghraib.

(U) **Explanation:** While the FBI, JTF-121, Criminal Investigative Task Force, Iraq Survey Group, and the CIA were all present at Abu Ghraib, the acronym "Other Government Agency" referred almost exclusively to the CIA. Lack of military control over OGA interrogator actions or lack of systemic accountability for detainees plagued detainee operations in Abu Ghraib almost from the start. Army allowed CIA to house "Ghost Detainees" who were unidentified and unaccounted for in Abu Ghraib. This procedure created confusion and uncertainty concerning their classification and subsequent DoD reporting requirements under the Geneva Conventions. Additionally, the treatment and interrogation of OGA detainees occurred under different practices and procedures which were absent any DoD visibility, control, or oversight. This separate grouping of OGA detainees added to the confusion over proper treatment of detainees and created a perception that OGA techniques and practices were suitable

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and authorized for DoD operations. No memorandum of understanding on detainee accountability or interrogation practices between the CIA and CJTF-7 was created.

(U) **Recommendation:** DoD must enforce adherence by OGA with established DoD practices and procedures while conducting detainee interrogation operations at DoD facilities.

(23) (U) **Finding:** There was neither a defined procedure nor specific responsibility within CJTF-7 for dealing with ICRC visits. ICRC recommendations were ignored by MI, MP and CJTF-7 personnel.

(U) **Explanation:** Within this investigation's timeframe, 16 September 2003 through 31 January 2004, the ICRC visited Abu Ghraib three times, notifying CJTF-7 twice of their visit results, describing serious violations of international Humanitarian Law and of the Geneva Conventions. In spite of the ICRC's role as independent observers, there seemed to be a consensus among personnel at Abu Ghraib that the allegations were not true. Neither the leadership, nor CJTF-7 made any attempt to verify the allegations.

(U) **Recommendation:** DoD should review current policy concerning ICRC visits and establish procedures whereby findings and recommendations made by the ICRC are investigated. Investigation should not be done by the units responsible for the facility in question. Specific procedures and responsibilities should be developed for ICRC visits, reports, and responses. There also needs to be specific inquiries made into ICRC allegations of abuse or maltreatment by an independent entity to ensure that an unbiased review has occurred. (DoD/CJTF-7)

(24) (U) **Finding:** Two soldiers that the 519 MI BN had reason to suspect were involved in the questionable death of a detainee in Afghanistan were allowed to deploy and continue conducting interrogations in Iraq. While in Iraq, those same soldiers were alleged to have abused detainees.

(U) **Recommendation:** Once soldiers in a unit have been identified as possible participants in abuse related to the performance of their duties, they should be suspended from such duties or flagged.

(25) (U) **Observation:** While some MI Soldiers acted outside the scope of applicable laws and regulations, most Soldiers performed their duties in accordance with the Geneva Conventions and Army Regulations.

(U) **Explanation:** MI Soldiers operating the JIDC at Abu Ghraib screened thousands of Iraqi detainees, conducted over 2500 interrogations, and produced several thousand valuable intelligence products supporting the war fighter and the global war on terrorism. This great effort

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was executed in difficult and dangerous conditions with inadequate physical and personnel resources.

c. (U) Individual Responsibility for Detainee Abuse at Abu Ghraib.

(1) (U) Finding: COL Thomas M. [REDACTED] s. Commander, 205 MI BDE. A preponderance of evidence supports that COL [REDACTED] did, or failed to do, the following:

- Failed to insure that the JIDC performed its mission to its full capabilities, within the applicable rules, regulations and appropriate procedures.
- Failed to properly organize the JIDC.
- Failed to put the necessary checks and balances in place to prevent and detect abuses.
- Failed to ensure that his Soldiers and civilians were properly trained for the mission.
- Showed poor judgment by leaving LTC [REDACTED] in charge of the JIDC during the critical early stages of the JIDC. (b)(6)-2; (b)(7)(C)-2
- Showed poor judgment by leaving LTC [REDACTED] in charge during the aftermath of a shooting incident known as the Iraqi Police Roundup (IP Roundup).
- Improperly authorized the use of dogs during interrogations. Failed to properly supervise the use of dogs to make sure they were muzzled after he improperly permitted their use.
- Failed to take appropriate action regarding the ICRC reports of abuse.
- Failed to take aggressive action against Soldiers who violated the ICRP, the CJTF-7 interrogation and Counter-Resistance Policy and the Geneva Conventions.
- Failed to properly communicate to Higher Headquarters when his Brigade would be unable to accomplish its mission due to lack of manpower and/or resources. Allowed his Soldiers and civilians at the JIDC to be subjected to inordinate pressure from Higher Headquarters.
- Failed to establish appropriate MI and MP coordination at the brigade level which would have alleviated much of the confusion that contributed to the abusive environment at Abu Ghraib.
- The significant number of systemic failures documented in this report does not relieve COL [REDACTED] of his responsibility as the Commander, 205<sup>th</sup> MI BDE for the abuses that occurred and went undetected for a considerable length of time.

(U) Recommendation: This information should be forwarded to COL [REDACTED] chain of command for appropriate action.

(b)(6)-2;  
(b)(7)(C)-2;  
(b)(6)-5;  
(7)(C)-5

(b)(6)-2; (b)(7)(C)-2  
(b)(6)-5; (7)(C)-5

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(2) (U) Finding: LTC [REDACTED] Director, Joint Interrogation Debriefing Center. A preponderance of evidence supports that LTC [REDACTED] did, or failed to do, the following:

- Failed to properly train Soldiers and civilians on the ICRP.
- Failed to take full responsibility for his role as the Director, JIDC.
- Failed to establish the necessary checks and balances to prevent and detect abuses.
- Was derelict in his duties by failing to establish order and enforce proper use of ICRP during the night of 24 November 2003 (IP Roundup) which contributed to a chaotic situation in which detainees were abused.
- Failed to prevent the unauthorized use of dogs and the humiliation of detainees who were kept naked for no acceptable purpose while he was the senior officer-in-charge in the Hard Site.
- Failed to accurately and timely relay critical information to COL [REDACTED] such as:
  - The incident where a detainee had obtained a weapon.
  - ICRC issues.
- Was deceitful during this, as well as the MG Taguba, investigations. His recollection of facts, statements, and incidents were always recounted to avoid blame or responsibility. His version of events frequently diverged from most others.
- Failed to obey a lawful order to refrain from contacting anyone except his attorney regarding this investigation. He conducted an e-mail campaign soliciting support from others involved in the investigation.

(S)(G)-2,  
(S)(7)C-2

(U) Recommendation: This information should be forwarded to LTC [REDACTED] chain of command for appropriate action.

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(b)(6) -5; (b)(7)(C) -5; (b)(6) -2; (b)(7)(C) -2 *entire page*

(3) (U) Finding: MAJ [REDACTED] Operations Officer, Joint Interrogation and Debriefing Center, 141st MI Battalion. A preponderance of evidence indicates that MAJ [REDACTED] did, or failed to do, the following:

- Failed to properly train Soldiers and civilians on the ICRP.
- Failed to understand the breadth of his responsibilities as the JIDC Operations Officer. Failed to effectively assess, plan, and seek command guidance and assistance regarding JIDC operations.
- Failed to intervene when the Interrogation Control Element (ICE) received pressure from Higher Headquarters.
- Failed to plan and implement the necessary checks and balances to prevent and detect abuses.
- Failed to properly review interrogation plans which clearly specified the improper use of nudity and isolation as punishment.

(U) Recommendation: This information should be forwarded to MAJ [REDACTED] chain of command for appropriate action.

(4) (U) Finding: MAJ [REDACTED] Deputy Operations Officer, Joint Interrogation and Debriefing Center, 325 MI BN. A preponderance of evidence supports that MAJ [REDACTED] failed to do the following:

- Failed to properly train Soldiers and civilians on the ICRP.
- Failed to understand the breadth of his responsibilities as the JIDC Deputy Operations Officer. Failed to effectively assess, plan, and seek command guidance and assistance regarding JIDC operations.
- Failed to intervene when the ICE received pressure from Higher Headquarters.
- Failed to plan and implement the necessary checks and balances to prevent and detect abuses.
- Failed to properly review interrogation plans which clearly specified the improper use of nudity and isolation as punishment.

(U) Recommendation: This information should be forwarded to MAJ [REDACTED] chain of command for appropriate action.

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(b)(6)-2, (b)(7)(C)-2, (b)(6)-5, (b)(7)(C)-5

(5) (U) Finding: CPT [REDACTED] Officer in Charge, Interrogation Control Element (ICE), Joint Interrogation and Debriefing Center, 519 MI BDE. A preponderance of evidence supports that CPT [REDACTED] failed to do the following:

- Failed to implement the necessary checks and balances to detect and prevent detainee abuse. Given her knowledge of prior abuse in Afghanistan, as well as the reported sexual assault of a female detainee by three 519 MI BN Soldiers working in the ICE, CPT [REDACTED] should have been aware of the potential for detainee abuse at Abu Ghraib. As the Officer-in-Charge (OIC) she was in a position to take steps to prevent further abuse. Her failure to do so allowed the abuse by Soldiers and civilians to go undetected and unchecked. (b)(6)-2; (b)(7)-2
- Failed to assist in gaining control of a chaotic situation during the IP Roundup, even after SGT [REDACTED] approached her for help.
- Failed to provide proper supervision. Should have been more alert due to the following incidents:
  - An ongoing investigation on the 519 MI BN in Afghanistan.
  - Prior reports of 519 MI BN interrogators conducting unauthorized interrogations.
  - SOLDIER29's reported use of nudity and humiliation techniques.
  - Quick Reaction Force (QRF) allegations of detainee abuse by 519<sup>th</sup> MI Soldiers.
- Failed to properly review interrogation plans which clearly specified the improper use of nudity and isolation in interrogations and as punishment.
- Failed to ensure that Soldiers were properly trained on interrogation techniques and operations.
- Failed to adequately train Soldiers and civilians on the ICRP.

(b)(6)-2; (b)(7)(C)-2

(U) Recommendation: This information should be forwarded to CPT [REDACTED] chain of command for appropriate action.

(6) (U) Finding: SOLDIER-28, Guantanamo Base Team Chief, 260th MI Battalion. A preponderance of evidence supports that SOLDIER28 did, or failed to do, the following:

- Failed to report detainee abuse when he was notified by SOLDIER-11 that a detainee was observed in a cell naked, hooded, and whimpering, and when SOLDIER-11 reported an interrogator made a detainee pull his jumpsuit down to his waist.

(U) Recommendation: This information should be forwarded to SOLDIER-28's chain of command for appropriate action.

(7) (U) Finding: SOLDIER-23, Operations Section, ICE, JIDC, 325 MI BN. A preponderance of evidence supports that SOLDIER23 did, or failed to do, the following:

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- Failed to prevent detainee abuse and permitted the unauthorized use of dogs and unauthorized interrogations during the IP Roundup. As the second senior MI officer during the IP Roundup, his lack of leadership contributed to detainee abuse and the chaotic situation during the IP Roundup.
- Failed to properly supervise and ensure Soldiers and civilians followed the ICRP.
- Failed to properly review interrogation plans which clearly specified the improper use of nudity and isolation as interrogation techniques and punishment.

(U) **Recommendation:** This information should be forwarded to SOLDIER23' chain of command for appropriate action.

(8) (U) **Finding:** SOLDIER-14, Night Shift OIC, ICE, JIDC, 519 MI BN. A preponderance of evidence supports that SOLDIER-14 did, or failed to do, the following:

- Failed to properly supervise and ensure Soldiers and civilians followed the ICRP.
- Failed to provide proper supervision. SOLDIER-14 should have been aware of the potential for detainee abuse at Abu Ghraib: The following incidents should have increased his diligence in overseeing operations:
  - An ongoing investigation of the 519 MI BN in Afghanistan.
  - Allegations by a female detainee that 519 MI BN interrogators sexually assaulted her. The Soldiers received non-judicial punishment for conducting unauthorized interrogations.
  - SOLDIER-29's reported use of nudity and humiliation techniques.
  - Quick Reaction Force (QRF) allegations of detainee abuse by 519 MI BN Soldiers.
- Failed to properly review interrogation plans which clearly specified the improper use of nudity and isolation as punishment.

(U) **Recommendation:** This information should be forwarded to SOLDIER-14's chain of command for appropriate action.

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(9) (U) **Finding: SOLDIER-15, Interrogator, 66 MI GP.** A preponderance of evidence supports that SOLDIER15 did, or failed to do, the following:

- Failed to report detainee abuse. He witnessed SSG Frederick twisting the handcuffs of a detainee causing pain and covering the detainee's nose and mouth to restrict him from breathing.
  - Witnessed during that same incident, CIVILIAN-11 threaten a detainee by suggesting he would be turned over to SSG Frederick for further abuse if he did not cooperate.

(U) **Recommendation:** This information should be forwarded to SOLDIER-15's chain of command for appropriate action.

(10) (U) **Finding: SOLDIER-22, 302d MI Battalion.** A preponderance of evidence supports that SOLDIER22 did, or failed to do, the following:

- Failed to report detainee abuse.
  - He was made aware by SOLDIER-25 of an incident where three detainees were abused by MPs (Reference Annex I, Appendix 1, Photographs M36-37, M39-41).
  - He was made aware by SOLDIER-25 of the use of dogs to scare detainees.
  - He overheard Soldiers stating that MPs were using detainees as "practice dummies;" striking their necks and knocking them unconscious.
  - He was made aware of MPs conducting "PT" (Physical Training) sessions with detainees and MI personnel participating:
- Failed to obey a direct order. He interfered with this investigation by talking about the investigation, giving interviews to the media, and passing the questions being asked by investigators to others via a website.

(U) **Recommendation:** This information should be forwarded to SOLDIER-22's chain of command for appropriate action.

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(11) (U) Finding: SOLDIER-10, Analyst, 325 MI BN (currently attached to HHC, 504 MI BDE). A preponderance of evidence supports that SOLDIER10 did, or failed to do, the following:

- Actively participated in abuse when he threw water on three detainees who were hand-cuffed together and made to lie on the floor of the detention facility (Reference Annex I, Appendix 1, Photographs M36-37).
- Failed to stop detainee abuse in the above incident and in the incident when SOLDIER-29 stripped a detainee of his clothes and walked the detainee naked from an interrogation booth to Camp Vigilant during a cold winter day.
- Failed to report detainee abuse.

(U) Recommendation: This information should be forwarded to SOLDIER-10's chain of command for appropriate action.

(12) (U) Finding: SOLDIER-17, Interrogator, 2d MI Battalion. A preponderance of evidence supports that SOLDIER17 did, or failed to do, the following:

- Failed to report the improper use of dogs. He saw an un-muzzled black dog go into a cell and scare two juvenile detainees. The dog handler allowed the dogs to "go nuts" on the juveniles (Reference Annex I, Appendix 1, Photograph D-48).
- Failed to report inappropriate actions of dog handlers. He overheard Dog Handlers state they had a competition to scare detainees to the point they would defecate. They claimed to have already made several detainees urinate when threatened by their dogs.

(U) Recommendation: This information should be forwarded to SOLDIER-17's chain of command for appropriate action.

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(13) (U) Finding: SOLDIER-19, Interrogator, 325 MI BN. A preponderance of evidence supports that SOLDIER-19 did, or failed to do, the following:

- Abused detainees:
  - Actively participated in the abuse of three detainees depicted in photographs (Reference Annex I, Appendix 1, Photographs M36-37, M39-41). He threw a Foam-ball at their genitals and poured water on the detainees while they were bound, nude, and abused by others.
  - Turned over a detainee to the MPs with apparent instructions for his abuse. He returned to find the detainee naked and hooded on the floor whimpering.
  - Used improper interrogation techniques. He made a detainee roll down his jumpsuit and threatened the detainee with complete nudity if he did not cooperate.
- Failed to stop detainee abuse in the above incidents.
- Failed to report detainee abuse for above incidents.

(U) Recommendation: This information should be forwarded to SOLDIER-19's chain of command for appropriate action.

(14) (U) Findings: SOLDIER-24, Analyst, 325 MI BN (currently attached to HHC, 504 MI BDE). A preponderance of evidence supports that SOLDIER24 did, or failed to do, the following:

- Failed to report detainee abuse. He was present during the abuse of detainees depicted in photographs (Reference Annex I, Appendix 1, Photographs M36-37, M39, M41).
- Failed to stop detainee abuse.

(U) Recommendation: This information should be forwarded to SOLDIER-24's chain of command for appropriate action.

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(15) (U) Findings: SOLDIER-25, Interrogator, 321st MI BN. A preponderance of evidence supports that SOLDIER25 did, or failed to do, the following:

- Failed to report detainee abuse.
  - She saw Dog Handlers use dogs to scare detainees. She “thought it was funny” as the detainees would run into their cells from the dogs.
  - She was told by SOLDIER-24 that the detainees who allegedly had raped another detainee were handcuffed together, naked, in contorted positions, making it look like they were having sex with each other.
  - She was told that MPs made the detainees wear women’s underwear.
- Failed to stop detainee abuse.

(U) Recommendation: This information should be forwarded to SOLDIER-25's chain of command for appropriate action.

(16) (U) Finding: SOLDIER-29, Interrogator, 66 MI GP. A preponderance of evidence supports that SOLDIER29 did, or failed to do, the following:

- Failed to report detainee abuse.
  - She saw CPL Graner slap a detainee.
  - She saw a computer screen saver depicting naked detainees in a “human pyramid.”
  - She was aware MPs were taking photos of detainees.
  - She knew MPs had given a detainee a cold shower, made him roll in the dirt, and stand outside in the cold until he was dry. The detainee was then given another cold shower.
- Detainee abuse (Humiliation). She violated interrogation rules of engagement by stripping a detainee of his clothes and walking him naked from an interrogation booth to Camp Vigilant on a cold winter night.
- Gave MPs instruction to mistreat/abuse detainees.
  - SOLDIER2-9's telling MPs (SSG Frederick) when detainees had not cooperated in an interrogation appeared to result in subsequent abuse.
  - One of the detainees she interrogated was placed in isolation for several days and allegedly abused by the MPs. She annotated in an interrogation report (IN-AG00992-DETAINEE-08-04) that a “direct approach” was used with “the reminder of the unpleasantness that occurred the last time he lied to us.”

(U) Recommendation: This information should be forwarded to SOLDIER-29's chain of command for appropriate action.

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(17) (U) Findings: SOLDIER-08, Dog Handler, Abu Ghraib, 42 MP Detachment, 16 MP BDE (ABN). A preponderance of evidence supports that SOLDIER08 did, or failed to do, the following:

- Inappropriate use of dogs. Photographs (Reference Annex I, Appendix 1, D46, D52, M149-151) depict SOLDIER-08 inappropriately using his dog to terrorize detainees.
- Abused detainees. SOLDIER-08 had an on-going contest with SOLDIER-27, another dog handler, to scare detainees with their dogs in order to see who could make the detainees urinate and defecate first.

(U) Recommendation: This information should be forwarded to SOLDIER-08's chain of command for appropriate action.

(18) (U) Findings: SOLDIER34, 372 MP CO. A preponderance of evidence supports that SOLDIER34 did, or failed to do, the following:

- Failed to report detainee abuse. He was present during the abuse of detainees depicted in photographs (Reference Annex I, Appendix 1, Photographs M36-37, M39-41).
- Failed to stop detainee abuse.

(U) Recommendation: This information should be forwarded to SOLDIER34's chain of command for appropriate action.

(19) (U) Findings: SOLDIER-27, 372 MP CO. A preponderance of evidence supports that SOLDIER27 did, or failed to do, the following:

- Actively participated in detainee abuse.
  - During the medical treatment (stitching) of a detainee, he stepped on the chest of the detainee (Reference Annex I, Appendix 1, Photograph M163).
  - He participated in the abuse of naked detainees depicted in photographs (Reference Annex I, Appendix 1, Photographs M36-37, M39-41).
- Failed to stop detainee abuse.

(U) Recommendation: This information should be forwarded to SOLDIER27's chain of command for appropriate action.

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(20) (U) Findings: SOLDIER-27, Dog Handler, Abu Ghraib, 523 MP Detachment. A preponderance of evidence supports that SOLDIER27 did, or failed to do, the following:

- Inappropriate use of dogs. Photographs (Reference Annex I, Appendix 1, Photographs D46, D48, M148, M150, M151, M153, Z1, Z3-6) depict SOLDIER-27 inappropriately using his dog terrorizing detainees.
- Detainee abuse. SOLDIER-27 had an on-going contest with SOLDIER-08, another dog handler, to scare detainees with their dogs and cause the detainees to urinate and defecate.
- Led his dog into a cell with two juvenile detainees and let his dog go "nuts." The two juveniles were yelling and screaming with the youngest one hiding behind the oldest.

(U) Recommendation: This information should be forwarded to SOLDIER-27's chain of command for appropriate action.

(21) (U) Finding: SOLDIER-20, Medic, 372 MP CO. A preponderance of evidence supports that SOLDIER20 did, or failed to do, the following:

- Failed to report detainee abuse.
  - When called to assist a detainee who had been shot in the leg, he witnessed CPL Graner hit the detainee in his injured leg with a stick.
  - He saw the same detainee handcuffed to a bed over several days, causing great pain to the detainee as he was forced to stand.
  - He saw the same detainee handcuffed to a bed which resulted in a dislocated shoulder.
  - He saw pictures of detainees being abused (stacked naked in a "human pyramid").

(U) Recommendation: This information should be forwarded to SOLDIER-20's chain of command for appropriate action.

(22) (U) Finding: SOLDIER-01, Medic, Abu Ghraib. A preponderance of evidence supports that SOLDIER01 did, or failed to do, the following:

- Failed to report detainee abuse. She saw a "human pyramid" of naked Iraqi prisoners, all with sandbags on their heads when called to the Hard Site to provide medical treatment.

(U) Recommendation: This information should be forwarded to SOLDIER-01's chain of command for appropriate action.

(23) (U) Finding: CIVILIAN-05, CACI employee. A preponderance of evidence supports that CIVILIAN-05 did, or failed to do, the following:

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- He grabbed a detainee (who was handcuffed) off a vehicle and dropped him to the ground. He then dragged him into an interrogation booth and as the detainee tried to get up, CIVILIAN-05 would yank the detainee very hard and make him fall again.
- Disobeyed General Order Number One; drinking alcohol while at Abu Ghraib.
- Refused to take instructions from a Tiger Team leader and refused to take instructions from military trainers.  
(S)(b)-2, (b)(7)(C)-2
  - When confronted by SSG [REDACTED] his Tiger Team leader, about his inadequate interrogation techniques, he replied, "I have been doing this for 20 years and I do not need a 20 year old telling me how to do my job."
  - When placed in a remedial report writing class because of his poor writing, he did not pay attention to the trainer and sat in the back of the room facing away from the trainer.

(U) **Recommendation:** This information should be forwarded to the Army General Counsel for determination of whether CIVILIAN-05 should be referred to the Department of Justice for prosecution. This information should be forwarded to the Contracting Officer (KO) for appropriate contractual action.

(24) (U) **Finding:** CIVILIAN-10, Translator, Titan employee. After a thorough investigation, we found no direct involvement in detainee abuse by CIVILIAN-10. Our investigation revealed CIVILIAN-10 had a valid security clearance until it was suspended.

(U) **Recommendation:** This information should be forwarded to Titan via the KO. CIVILIAN-10 is cleared of any wrong doing and should retain his security clearance.

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(25) (U) **Finding: CIVILIAN-11, Interrogator, CACI employee.** A preponderance of evidence supports that CIVILIAN11 did, or failed to do, the following:

- Detainee abuse.
  - He encouraged SSG Frederick to abuse Iraqi Police detained following a shooting incident (IP Roundup). SSG Frederick twisted the handcuffs of a detainee being interrogated; causing pain.
  - He failed to prevent SSG Frederick from covering the detainee's mouth and nose restricting the detainee from breathing.
- Threatened the Iraqi Police "with SSG Frederick." He told the Iraqi Police to answer his questions or he would bring SSG Frederick back into the cell.
- Used dogs during the IP Roundup in an unauthorized manner. He told a detainee, "You see that dog there, if you do not tell me what I want to know, I'm going to get that dog on you."
- Placed a detainee in an unauthorized stress position (Reference Annex I, Appendix 2, Photograph "Stress Positions"). CIVILIAN-11 is photographed facing a detainee who is in a stress position on a chair with his back exposed. The detainee is in a dangerous position where he might fall back and injure himself.
- Failed to prevent a detainee from being photographed.

(U) **Recommendation:** This information should be forwarded to the Army General Counsel for determination of whether CIVILIAN-11 should be referred to the Department of Justice for prosecution. This information should be forwarded to the KO for appropriate contractual action.

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(26) (U) **Finding: CIVILIAN-16, Translator, Titan employee.** A preponderance of evidence supports that CIVILIAN-16 did, or failed to do, the following:

- Failed to report detainee abuse.
  - She participated in an interrogation during the IP Roundup, where a dog was brought into a cell in violation of approved ICRP.
  - She participated in the interrogation of an Iraqi Policeman who was placed in a stress position; squatting backwards on a plastic lawn chair. Any sudden movement by the IP could have resulted in injury (Reference Annex I, Appendix 2, Photograph "Stress Positions").
  - She was present during an interrogation when SSG Frederick twisted the handcuffs of a detainee, causing the detainee pain.
  - She was present when SSG Frederick covered an IP's mouth and nose, restricting the detainee from breathing.
- Failed to report threats against detainees.
  - She was present when CIVILIAN-11 told a detainee, "You see that dog there, if you do not tell me what I want to know, I'm going to get that dog on you."
  - She was present when CIVILIAN-11 threatened a detainee "with SSG Frederick."

(U) **Recommendation:** This information should be forwarded to the Army General Counsel for determination of whether CIVILIAN-16 should be referred to the Department of Justice for prosecution. This information should be forwarded to the KO for appropriate contractual action.

(27) (U) **Finding: CIVILIAN-17, Interpreter, Titan employee.** A preponderance of evidence supports that CIVILIAN-17 did, or failed to do, the following:

- Actively participated in detainee abuse.
  - He was present during the abuse of detainees depicted in photographs (Reference Annex I, Appendix 1, Photographs M36-37, M39, M41).
  - A detainee claimed that CIVILIAN-17 (sic), an interpreter, hit him and cut his ear which required stitches.
  - Another detainee claimed that someone fitting CIVILIAN-17's description raped a young detainee.
- Failure to report detainee abuse.
- Failure to stop detainee abuse.

(U) **Recommendation:** This information should be forwarded to the Army General Counsel for determination of whether CIVILIAN-17 should be referred to the Department of Justice for prosecution. This information should be forwarded to the KO for appropriate contractual action.

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(28) (U) **Finding:** CIVILIAN-21, Interrogator, CACI employee. A preponderance of evidence supports that CIVILIAN-21 did, or failed to do, the following:

- (b)(6)-21  
(b)(7)(C)-2
- Inappropriate use of dogs. SOLDIER-26 stated that CIVILIAN-21 used a dog during an interrogation and the dog was unmuzzled. SOLDIER-25 stated she once saw CIVILIAN-21 standing on the second floor of the Hard Site, looking down to where a dog was being used against a detainee, and yelling to the MPs "Take him home." The dog had torn the detainee's mattress. He also used a dog during an interrogation with SSG [REDACTED] but stated he never used dogs.
  - Detainee abuse. CPT [REDACTED] stated he saw "NAME" (his description of "NAME" matched CIVILIAN-21) push (kick) a detainee into a cell with his foot.
  - Making false statements. During questioning about the use of dogs in interrogations, CIVILIAN-21 stated he never used them.
  - Failed to report detainee abuse. During an interrogation, a detainee told SOLDIER-25 and CIVILIAN-21 that CIVILIAN-17, an interpreter, hit him and cut his ear which required stitches. SOLDIER-25 stated she told CIVILIAN-21 to annotate this on the interrogation report. He did not report it to appropriate authorities.
  - Detainee Humiliation.
    - CIVILIAN-15 stated he heard CIVILIAN-21 tell several people that he had shaved the hair and beard of a detainee and put him in red women's underwear. CIVILIAN-21 was allegedly bragging about it.
    - CIVILIAN-19 stated he heard OTHER AGENCY EMPLOYEE02 laughing about red panties on detainees.

(U) **Recommendation:** This information should be forwarded to the Army General Counsel for determination of whether CIVILIAN-21 should be referred to the Department of Justice for prosecution. This information should be forwarded to the KO for appropriate contractual action.

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(29) (U) **Finding:** There were several personnel who used clothing removal, improper isolation, or dogs as techniques for interrogations in violation of the Geneva Conventions. Several interrogators documented these techniques in their interrogation plans and stated they received approval from the JIDC, Interrogation Control Element. The investigative team found several entries in interrogation reports which clearly specified clothing removal; however, all personnel having the authority to approve interrogation plans claim they never approved or were aware of clothing removal being used in interrogations. Also found were interrogation reports specifying use of isolation, "the Hole." While the Commander, CJTF-7 approved "segregation" on 25 occasions, this use of isolation sometimes trended toward abuse based on sensory deprivation and inhumane conditions. Dogs were never approved, however on several occasions personnel thought they were. Personnel who committed abuse based on confusion regarding approvals or policies are in need of additional training.

(U) **Recommendation:** This information should be forwarded to the Soldiers' chain of command for appropriate action.

CIVILIAN-14 (formally with 368 Military Intelligence Battalion)  
SOLDIER-04, 500 Military Intelligence Group  
SOLDIER-05, 500 Military Intelligence Group  
SOLDIER-03, GTMO Team, 184 Military Intelligence Company  
SOLDIER-13, 66 Military Intelligence Group  
SOLDIER-18, 66 Military Intelligence Group  
SOLDIER-02, 66 Military Intelligence Group  
SOLDIER-11 6 Battalion 98 Division (IT)  
SOLDIER-16, 325 Military Intelligence Battalion  
SOLDIER-30, 325 Military Intelligence Battalion  
SOLDIER-26, 320 Military Police Battalion  
SOLDIER-06, 302 Military Intelligence Battalion  
SOLDIER-07, 325 Military Intelligence Battalion  
SOLDIER-21, 325 Military Intelligence Battalion  
SOLDIER-09, 302 Military Intelligence Battalion  
SOLDIER-12, 302 Military Intelligence Battalion  
CIVILIAN-20, CACI Employee

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(30) (U) **Finding:** In addition to SOLDIER-20 and SOLDIER01, medical personnel may have been aware of detainee abuse at Abu Ghraib and failed to report it. The scope of this investigation was MI personnel involvement. SOLDIER-20 and SOLDIER-01 were cited because sufficient evidence existed within the scope of this investigation to establish that they were aware of detainee abuse and failed to report it. Medical records were requested, but not obtained, by this investigation. The location of the records at the time this request was made was unknown.

(U) **Recommendation:** An inquiry should be conducted into 1) whether appropriate medical records were maintained, and if so, were they properly stored and collected and 2) whether medical personnel were aware of detainee abuse and failed to properly document and report the abuse.

(31) (U) **Finding:** A preponderance of the evidence supports that SOLDIER-31, SOLDIER-32, and SOLDIER-33 participated in the alleged sexual assault of a female detainee by forcibly kissing her and removing her shirt (Reference CID Case-0216-03-CID259-6121). The individuals received non-judicial punishment for conducting an unauthorized interrogation, but were not punished for the alleged sexual assault.

(U) **Recommendation:** CID should review case # 0216-03-CID259-61211 to determine if further investigation is appropriate. The case should then be forwarded to the Soldiers' chain of command for appropriate action.

(32) (U) **Finding:** An unidentified person, believed to be a contractor interpreter, was depicted in six photographs taken on 25 October 2003 showing the abuse of three detainees. The detainees were nude and handcuffed together on the floor. This investigation could not confirm the identity of this person; however, potential leads have been passed to and are currently being pursued by CID.

(U) **Recommendation:** CID should continue to aggressively pursue all available leads to identify this person and determine the degree of his involvement in detainee abuse.

**SECRET//NOFORN//X1**

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7. (U) Personnel Listing. Deleted in accordance with the Privacy Act and 10 USC §130b

**SECRET//NOFORN//X1**

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8. (U) Task Force Members.

LTG Anthony R. CIVILIAN08 Command	Investigating Officer	HQs, Training and Doctrine
MG George R. Fay	Investigating Officer	HQs, Dept of the Army, G2
Mr. [REDACTED]	Deputy	HQs, Dept of the Army, G2
LTC [REDACTED]	Chief Investigator	HQs, Dept of the Army, G2
LTC [REDACTED]	Legal Advisor	TJAG
MAJ [REDACTED]	Executive Officer	HQs, Dept of the Army, G2
CPT [REDACTED]	Staff Judge Advocate, CJTF-7	CJTF-7 (MNF-I) SJA
CW5 [REDACTED]	SME - Training & Doctrine	HQs, US Army Intelligence Center
CW [REDACTED]	CID Liaison	US Army CID Command
CW2 [REDACTED]	Investigator - Baghdad Team	HQs, 308th MI Bn, 902nd MI Group
SGT [REDACTED]	All Source Analyst	ACIC, 310th MI Bn, 902nd MI Group
CPI [REDACTED]	Investigator - Baghdad Team	HQs, 310th MI Bn, 902nd MI Group
Mr. [REDACTED]	Investigator	HQs, US Army INSCOM
Mr. [REDACTED]	Investigator	HQs, 902nd MI Group
Mr. [REDACTED]	Investigative Review	ACIC, 902nd MI Group
Mr. [REDACTED]	Investigator	HQs, 308th MI Bn, 902nd MI Group
Mr. S [REDACTED]	Investigator	HQs, Dept of the Army, G2
Mr. [REDACTED]	Chief of Analysis	ACIC, 310th MI Bn, 902nd MI Group
Mr. [REDACTED]	Investigator - Baghdad Team	Det 13, FCA, 902nd MI Group
Ms. [REDACTED]	Analyst	ACIC, 310th MI Bn, 902nd MI Group
Mr. [REDACTED]	Cyber-Forensic Analyst	HQs, 310th MI Bn, 902nd MI Group
Ms. [REDACTED]	Analyst	ACIC, 310th MI Bn, 902nd MI group
Mr. [REDACTED]	Chief of Logistics	HQs, Dept of the Army, G2
Ms. [REDACTED]	Administrator	HQs, Dept of the Army, G2
Mr. [REDACTED]	SME - Contract Law	HQs, Dept of the Army, OTJAG
Mr. [REDACTED]	Senior Editor	HQs, Dept of the Army, G2

(b)(6)-2,  
(b)(7)(C)-2

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9. (U) Acronyms.

2 MI BN	2d Military Intelligence Battalion
B/321 MI BN	B Company, 321st Military Intelligence Battalion
B/325 MI BN	B Company, 325th Military Intelligence Battalion
A/205 MI BN	A Company, 205th Military Intelligence Battalion
115 MP BN	115th Military Police Battalion
165 MI BN	165th Military Intelligence Battalion
205 MI BDE	205th Military Intelligence Brigade
229 MP CO	229th Military Police Battalion
320 MP BN	320th Military Police Battalion
320 MP CO	320th Military Police Company
323 MI BN	323d Military Intelligence Battalion
325 MI BN	325th Military Intelligence Battalion
372 MP CO	372d Military Police Company
377 TSC	377th Theater Support Command
400 MP BN	400th Military Police Battalion
470 MI GP	470th Military Intelligence Group
447 MP CO	447th Military Police Company
500 MI GP	500th Military Intelligence Group
504 MI BDE	504th Military Intelligence Battalion
519 MI BN	519th Military Intelligence Battalion
66 MI GP	66th Military Intelligence Group
670 MP CO	670th Military Police Company
72 MP CO	72d Military Police Company
800 MP BDE	800th Military Police Brigade
870 MP CO	870th Military Police Company
1SG	First Sergeant
A/519 MI BN	A Company, 519th Military Intelligence Battalion
AAR	After Action Report
AFJI	Air Force Joint Instructor
AG	Abu Ghraib
ANCOC	Advanced Non-Commission Officer's Course
AR	Army Regulation
ATSD (IO)	Assistant to the Secretary of Defense for Intelligence Oversight
BDE	Brigade
BG	Brigadier General
BIAP	Baghdad International Airport
BN	Battalion
BNCOC	Basic Non-Commission Officer's Course
BPA	Blanket Purchase Agreement
C2X	Command and Control Exercise

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205th MI Brigade**

CALL	Center for Army Lessons Learned
CENTCOM	US Central Command
CG	Commanding General
CHA	Corps Holding Area
CIA	Central Intelligence Agency
CID	Criminal Investigation Command
CJCS-I	Chairman, Joint Chief of Staff Instruction
CJTF-7	Combined Joint Task Force 7
CM&D	Collection Management and Dissemination
COL	Colonel
COR	Contracting Officers Representative
CP	Collection Point
CPA	Coalition Provisional Authority
CPL	Corporal
CPT	Captain
CSH	Combat Support Hospital
DA	Department of the Army
DAIG	Department of the Army Inspector General
DCI	Director of Central Intelligence
DCG	Deputy Commanding General
DIAM	Defense Intelligence Agency Manual
DoD	Department of Defense
1LT	First Lieutenant
CASH	Combat Army Surgical Hospital
DIA	Defense Intelligence Agency
KO	Contracting Officer
DOJ	Department of Justice
DRA	Detention Review Authority
DRB	Detainee Release Branch
EPW	Enemy Prisoner of War
FM	Field Manual
FOB	Forward Operating Base
FRAGO	Fragmentary Order
G-3	Army Training Division
GCIV	Geneva Conventions IV
GP	Group
GSA	General Services Administration
GTMO	Guantanamo Naval Base, Cuba
GWOT	Global War On Terrorism
HQ	Headquarters
HUMINT	Human Intelligence
IAW	In Accordance With
ICE	Interrogation and Control Element
ICRC	International Committee of the Red Cross

SUBJECT: (U) AR 15-6 Investigation of the Abu Ghraib Detention Facility and  
205th MI Brigade

ICRP	Interrogation and Counter-Resistance Policies
IET	Initial Entry Training
ID	Infantry Division
IG	Inspector General
IMINT	Imagery Intelligence
INSCOM	Intelligence and Security Command
IP	Iraqi Police
IR	Interment/Resettlement
IROE	Interrogation Rules Of Engagement
ISCT	Interrogation Support to Counterterrorism
ISG	Iraqi Survey Group
JA	Judge Advocate
JCS	Joint Chiefs of Staff
JIDC	Joint Interrogation and Detention Center
JTF-GTMO	Joint Task Force Guantanamo
MAJ	Major
MCO	Marine Corps Order
LTC	Lieutenant Colonel
LTG	Lieutenant General
MFR	Memorandum For Record
MG	Major General
MI	Military Intelligence
MIT	Mobile Interrogation Team
MOS	Military Occupational Specialty
MOU	Memorandum of Understanding
MP	Military Police
MRE	Meals Ready to Eat
MSC	Major Subordinate Command
MSG	Master Sergeant
MTT	Mobile Training Team
NCO	Non-Commissioned Officer
NCOIC	Non-Commissioned Officer In Charge
OER	Officer Evaluation Report
OGA	Other Government Agency
OGC	Office Of General Counsel
OIC	Officer In Charge
OIF	Operation Iraqi Freedom
OPORD	Operations Order
OPNAVINST	Office of the Chief of Naval Operations Instructions
OSJA	Office Of the Staff Judge Advocate
OVB	Operation Victory Bounty
RP	Retained Personnel
SASO	Stability And Support Operations
SECARMY	Secretary of the Army

SUBJECT: (U) AR 15-6 Investigation of the Abu Ghraib Detention Facility and  
205th MI Brigade

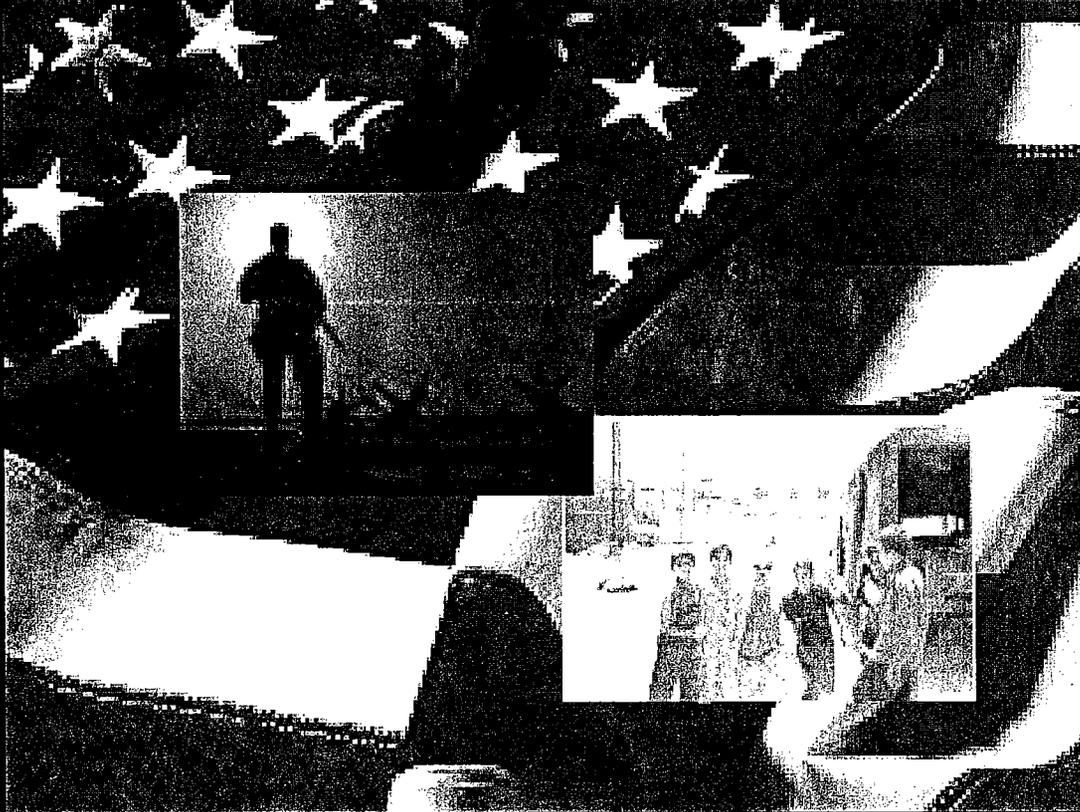
SECDEF	Secretary of Defense
SFC	Sergeant First Class
SGT	Sergeant
SIGINT	Signals Intelligence
SITREP	Situation Report
HMMWV	High-Mobility, Multipurpose Wheeled Vehicle
PFC	Private First Class
MA1	Master at Arms 1
MA2	Master at Arms 2
PVT	Private
QRF	Quick Reaction Force
SJA	Staff Judge Advocate
SOF	Special Operations Forces
SOP	Standard Operating Procedure
SOUTHCOM	US Southern Command
SOW	Statement of Work
SSG	Staff Sergeant
TACON	Tactical Control
THT	Tactical HUMINT Team
TRADOC	Training and Doctrine Command
TTP	Tactics, Techniques, and Procedures
UCMJ	Uniform Code Of Military Justice
USAIC	US Army Intelligence Center
USAR	US Army Reserve
VFR	Visual Flight Rules
E-6	Enlisted Grade 6 (Staff Sergeant)
E-7	Enlisted Grade 7 (Sergeant First Class)
E-5	Enlisted Grade 5 (Sergeant)
96B	Intelligence Analyst
NBC	National Business Center
FSS	Federal Supply Schedule
POC	Point of Contact
DAIG	Department of the Army Inspector General
97E	Human Intelligence Collector
351E	Interrogation Warrant Officer
FBI	Federal Bureau of Investigation
ISN	Internee Serial Number
JTF-21	Joint Task Force - 21
TF-121	Task Force - 121
SEAL	Sea, Air, Land
SPC	Specialist
RFF	Request for Forces
TF-20	Task Force - 20
97B	Counterintelligence Agent

**SECRET//NOFORN//X1**

**SUBJECT: (U) AR 15-6 Investigation of the Abu Ghraib Detention Facility and  
205th MI Brigade**

CM&D	Collection, Management and Dissemination
JIG	Joint Intelligence Group
351B	Counterintelligence Warrant Officer
PT	Physical Training
IRF	Internal Reaction Force

**SECRET//NOFORN//X1**



# Staff Sergeant Ivan L. Frederick

372<sup>nd</sup> Military Police Company

DEFENSE EXHIBIT L FID

OFFERED R. 443 ADMITTED 520

019201

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# My Family

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Army Regulation 190-8  
OPNAVINST 3461.6  
AFJI 31-304  
MCO 3461.1

Military Police

**Enemy  
Prisoners of  
War, Retained  
Personnel,  
Civilian  
Internees and  
Other Detainees**

Headquarters  
Departments of the Army,  
the Navy, the Air Force,  
and the Marine Corps  
Washington, DC  
1 October 1997

**UNCLASSIFIED**

019265

DEFENSE EXHIBIT M ~~ED~~  
OFFERED R. 520 ADMITTED 520

# ***SUMMARY of CHANGE***

AR 190-8/OPNAVINST 3461.6/AFJI 31-304/MCO 3461.1

Enemy Prisoners of War, Retained Personnel, Civilian Internees and Other Detainees

This revision--

- o Establishes a multi-service regulation for all services (para 1-4a).
- o Ensures compliance with DOD Directive 2310.1 dated August 1994 (para 1-4g).
- o Establishes HQDA, Deputy Chief of Staff for Operations as the primary Army Staff responsibility for the Enemy Prisoner of War, Civilian Internee and Retained Persons Program (para 1-4c).
- o Establishes a DD FORM 2745, Enemy Prisoner of War (EPW) Capture Tag (para 2-1b).
- o Highlights Combatant Commanders, Task Force Commanders and Joint Task Force Commanders responsibilities (para 1-4g).
- o Establishes procedures for conducting tribunals (para 1-6).
- o Establishes Public Affairs policy (para 1-9).
- o Establishes policy for EPW held aboard ship (para 2-1b).
- o Updates OCONUS evacuation policy (para 2-3).
- o Establishes the use of Health and Comfort Packs as a temporary substitution for Advance of Pay for short term operations (para 3-4h).
- o Updates procedures for contracting EPW (para 4-22).
- o Combines AR 190-8 and AR 190-57 (para 6-1).

019266

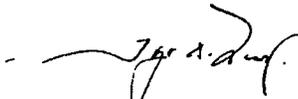
Headquarters  
Departments of the Army,  
the Navy, the Air Force,  
and the Marine Corps  
Washington, DC  
1 October 1997

\*Army Regulation 190-8  
\*OPNAVINST 3461.6  
\*AFJI 31-304  
\*MCO 3461.1  
Effective 1 November 1997

## Military Police

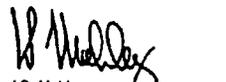
# Enemy Prisoners of War, Retained Personnel, Civilian Internees and Other Detainees

By Order of the Secretary of  
the Army:



TOGO D. WEST, JR.  
Secretary of the Army

J.L. JOHNSON  
Admiral, United States Navy  
Chief of Naval Operations  
Acting



J.S. Mobley  
Rear Admiral, United States Navy  
Director, Navy Staff

By Order of the Secretary of  
the Air Force:

RICHARD A. COLEMAN  
Colonel, USAF  
Chief of Security Police

By Order of the Secretary of  
the Navy:



LT GENERAL J.L. JONES, USMC  
Marine Corps Deputy Chief of Staff  
for Plans, Policies and Operations

**History.** This printing publishes a revision of this publication. Because the publication has been extensively revised the changed portions have not been highlighted.

**Summary.** This regulation implements Department Of Defense Directive 2310.1 and establishes policies and planning guidance for the treatment, care, accountability, legal status, and administrative procedures for Enemy Prisoners of War, Civilian Internees, Retained Persons, and Other Detainees. This regulation is a consolidation of Army Regulation 190-8 and Army Regulation 190-57 and incorporates SECNAV Instruction 3461.3 and Air Force Joint Instruction 31-304. Policy and procedures established herein apply to the services and their capabilities to the extent that they are resourced and organized for enemy prisoner of war operations.

**Applicability.** This is a multi-service regulation. It applies to the Army, Navy, Air Force and Marine Corps and to their Reserve components when lawfully ordered to active duty under the provisions of Title 10 United States Code.

**Proponent and exception authority.** The proponent of this regulation is the Deputy Chief of Staff for Operations and Plans. The proponent has the authority to approve

exceptions to this regulation that are consistent with controlling law and regulation. Proponents may delegate the approval authority, in writing, to a division chief within the proponent agency in the grade of colonel or the civilian equivalent.

**Army management control process.** The Regulation contains management control provisions in accordance with AR 11-2, but does not contain checklists for conducting management control. Reviews are used to accomplish assessment of management controls.

**Supplementation.** Army supplementation of this regulation and establishment of command or local forms is prohibited without prior approval from HQDA (DAMO-ODL), WASH DC 20310. Navy, Marine Corps and Air Force supplementation of this regulation is authorized, but is not required. If supplementations are issued, major or second echelon commands will furnish one copy of each supplement to their headquarters, as follows: Navy, to the Chief of Naval Operations (N511), 2000 Navy Pentagon, Washington DC 20350-2000, Marine Corps, to the Commandant of the Marine Corps, HQ USMC (POS-10) 2 Navy Annex, Washington DC, 20380-1775 11), and Air Force, to HQ USAF/SPO,

1340 Air Force Pentagon, Washington, DC 20330-1340.

**Suggested Improvements.** Users are invited to send comments and suggested improvements through channels as follows: HQDA (DAMO-ODL), WASH DC 20310-0440.

**Distribution.** *Army:* Distribution of this regulation is made in accordance with initial distribution number (IDN) 092120, intended for command levels A, B, C, D, and E for Active Army, Army National Guard, U. S. Army Reserve.

*Navy:* SNDL A (Navy Department); B5 (Coast Guard); (COMDTCOGARD, only) 21A (Fleet Commanders in Chief); 22A (Fleet Commanders); 23 (Force Commanders); 24 (Type Commanders); 26A (Amphibious Groups); 28 (Squadron, Division, and Group Commanders—Ships); 41A (COMSC); SECNAV/OPNAV Directives Control Office, Washington Navy Yard Bldg 200, 901 M Street SE, Washington DC 20374-5074

*Air Force:* F

*Marine Corps:* PCN 10203324000

\*This regulation supersedes AR 190-8, 1 June 1982, and rescinds AR 190-57, 4 March 1987. This regulation also rescinds DA Form 5451-R, August 1985; DA Form 5452-R, August 1985; and DA Form 5976, January 1991.

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## Chapter 1 Introduction

### 1-1. Purpose

a. This regulation provides policy, procedures, and responsibilities for the administration, treatment, employment, and compensation of enemy prisoners of war (EPW), retained personnel (RP), civilian internees (CI) and other detainees (OD) in the custody of U.S. Armed Forces. This regulation also establishes procedures for transfer of custody from the United States to another detaining power.

b. This regulation implements international law, both customary and codified, relating to EPW, RP, CI, and ODs which includes those persons held during military operations other than war. The principal treaties relevant to this regulation are:

(1) The 1949 Geneva Convention Relative to the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (GWS).

(2) The 1949 Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (GWS SEA).

(3) The 1949 Geneva Convention Relative to the Treatment of Prisoners of War (GPW).

(4) The 1949 Geneva Convention Relative to the Protection of Civilian Persons in Time of War (GC), and in the event of conflicts or discrepancies between this regulation and the Geneva Conventions, the provisions of the Geneva Conventions take precedence.

### 1-2. References

Required and related publications and prescribed and referenced forms are listed in appendix A.

### 1-3. Explanation of abbreviations and terms

Abbreviations and special terms used in this regulation are explained in the glossary.

### 1-4. Responsibilities

a. *The Secretaries of the Military Departments.* The Secretaries will—

(1) Develop internal policies and procedures consistent with this regulation in support of the Department of Defense (DOD), EPW/CI and other detainee programs.

(2) Ensure that appropriate training, as required, pursuant to DOD Directive 5100.77 is provided so that the principles of the Geneva Conventions, and the rights and obligations thereunder, are known by members of their service.

(3) Ensure that suspected or alleged violations of the international law of war are promptly reported and investigated per DOD Directive 5100.77.

(4) Conduct a periodic review of the EPW, CI and RP Program and training to ensure compliance with the law of war.

b. *The Secretary of the Army (SA).* The Secretary of the Army is the DOD Executive Agent (EA) for administering the DOD EPW, CI and RP Program. The SA, in coordination with the Assistant Secretary of Defense, International Security Affairs (ASD-ISA), will plan and develop the policy and coordinate the operation of the programs.

c. *The Army Deputy Chief of Staff for Operations and Plans (DCSOPS).* DCSOPS has primary Headquarters, Department of the Army (HQDA) staff responsibility for the EPW, CI and RP programs. The DCSOPS will—

(1) Develop and disseminate policy guidance for the treatment, care, accountability, legal status, and processing of EPW, CI, RP, and ODs.

(2) Report suspected or alleged violations of law committed by or against military personnel or civilians.

(3) Provide HQDA staff supervision for National Prisoner of War Information Center (NPWIC).

(4) Develop plans for the initial assignment and replacement of block internment serial numbers (ISNs) from the NPWIC to the

Branch PWIC and for the assignment of the theater code section of the ISN.

(5) Provide necessary reports, coordination, technical advice, and staff assistance to:

(a) The Office of the Secretary of Defense (OSD).

(b) The Joint Chiefs of Staff (JCS).

(c) The military departments.

(d) Unified commands.

(e) Department of State and other Federal agencies.

(f) The International Committee of the Red Cross (ICRC).

(g) Protecting powers.

d. *The Army Judge Advocate General (TJAG).* The TJAG will provide HQDA and advice to commanders on the legal aspects of the EPW, CI and RP program. TJAG will—

(1) Conduct liaison in coordination with the ASA-ISA, the Department of State, the Department of Justice, and other Federal agencies; the JCS; the Defense Intelligence Agency (DIA); the military departments; the ICRC; the Protecting Powers; and other detaining powers, as required.

(2) Provide advice and assistance to commanders on legal aspects of reported violations by EPW, CI, RP, and ODs.

(3) Provide theater guidelines for any EPW, CI and RP claims against the U.S. Government.

(4) Provide guidance regarding GPW Article 5 Tribunals.

e. *Deputy Chief of Staff for Logistics (DCSLOG).* The DCSLOG will ensure logistical resources are available to support EPW operations.

f. *The Assistant Secretary of the Army Financial Management (ASA-FM&C).* The ASA-FM&C will establish the policies and procedures governing entitlement, control, and accounting for pay, allowances, and personal funds for EPW, CI, RP, and ODs per the provisions of the GPW and GC.

g. *Combatant Commanders, Task Force Commanders and Joint Task Force Commanders.* Combatant Commanders, Task Force Commanders and Joint Task Force Commanders have the overall responsibility for the EPW, CI and RP program, operations, and contingency plans in the theater of operation involved to ensure compliance with international law of war. DOD Directive 2310.1 provides that persons captured or detained by the U.S. Military Services shall normally be handed over for safeguarding to U.S. Army Military Police, or to detainee collecting points or other holding facilities and installations operated by U.S. Army Military Police as soon as practical. U.S. Army Military Police have units specifically organized to perform the long-term functions associated with EPW/CI internment. Commanders must ensure the proper force structure is included in any joint operational plans. Commanders at all levels will ensure that all EPW, CI, RP, and ODs are accounted for and humanely treated, and that collection, evacuation, internment, transfers, release, and repatriation operations are conducted per this regulation. Combatant Commanders, Task Force Commanders and Joint Task Force Commanders will—

(1) Provide for an EPW, CI and RP camp liaison and assistance program to ensure the protection of U.S. interests per the Geneva Conventions upon the capture and transfer of EPW, CI, RP, and ODs to a host or other nation.

(2) Plan and procure logistical support to include: transportation, subsistence, personal, organizational and Nuclear, Biological & Chemical (NBC) clothing and equipment items, mail collection and distribution, laundry, and bath for EPW, CI and RP.

(3) Collect and dispose of captured enemy supplies and equipment through theater logistics and Explosive Ordnance Disposal (EOD) channels.

(4) Coordinate for acquisition of real estate, and as required, for planning, design, contracting, and construction of facilities for EPW, CI and RP with the Theater or JTF Engineer.

(5) Establish guidance for the use, transport, and evacuation of EPW, CI, RP, and ODs in logistical support operations.

(6) Identify requirements and allocations for Army Medical units in support of the EPW, CI and RP Program, and ensure that the

medical annex of OPLANs, OPORDs and contingency plans includes procedures for treatment of EPW, CI, RP, and ODs. Medical support will specifically include:

(a) First aid and all sanitary aspects of food service including provisions for potable water, pest management, and entomological support.

(b) Preventive medicine.

(c) Professional medical services and medical supply.

(d) Reviewing, recommending, and coordinating the use and assignment of medically trained EPW, CI, RP and OD personnel and medical material:

(e) Establishing policy for medical repatriation of EPW, CI and RP and monitoring the actions of the Mixed Medical Commission.

h. U. S. Army Criminal Investigation Command (USACIDC). USACIDC will provide criminal investigative support to EPW, CI and RP Camp Commanders per AR 195-2.

#### 1-5. General protection policy

a. U.S. policy, relative to the treatment of EPW, CI and RP in the custody of the U.S. Armed Forces, is as follows:

(1) All persons captured, detained, interned, or otherwise held in U.S. Armed Forces custody during the course of conflict will be given humanitarian care and treatment from the moment they fall into the hands of U.S. forces until final release or repatriation.

(2) All persons taken into custody by U.S. forces will be provided with the protections of the GPW until some other legal status is determined by competent authority.

(3) The punishment of EPW, CI and RP known to have, or suspected of having, committed serious offenses will be administered IAW due process of law and under legally constituted authority per the GPW, GC, the Uniform Code of Military Justice and the Manual for Courts Martial.

(4) The inhumane treatment of EPW, CI, RP is prohibited and is not justified by the stress of combat or with deep provocation. Inhumane treatment is a serious and punishable violation under international law and the Uniform Code of Military Justice (UCMJ).

b. All prisoners will receive humane treatment without regard to race, nationality, religion, political opinion, sex, or other criteria. The following acts are prohibited: murder, torture, corporal punishment, mutilation, the taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment.

c. All persons will be respected as human beings. They will be protected against all acts of violence to include rape, forced prostitution, assault and theft, insults, public curiosity, bodily injury, and reprisals of any kind. They will not be subjected to medical or scientific experiments. This list is not exclusive. EPW/RP are to be protected from all threats or acts of violence.

d. Photographing, filming, and video taping of individual EPW, CI and RP for other than internal Internment Facility administration or intelligence/counterintelligence purposes is strictly prohibited. No group, wide area or aerial photographs of EPW, CI and RP or facilities will be taken unless approved by the senior Military Police officer in the Internment Facility commander's chain of command.

e. A neutral state or an international humanitarian organization, such as the ICRC, may be designated by the U.S. Government as a Protecting Power (PP) to monitor whether protected persons are receiving humane treatment as required by the Geneva Conventions. The text of the Geneva Convention, its annexes, and any special agreements, will be posted in each camp in the language of the EPW, CI and RP.

f. Medical Personnel. Retained medical personnel shall receive as a minimum the benefits and protection given to EPW and shall also be granted all facilities necessary to provide for the medical care of EPW. They shall continue to exercise their medical functions for the benefit of EPW, preferably those belonging to the armed forces upon which they depend, within the scope of the military laws and regulations of the United States Armed Forces. They shall be provided with necessary transport and allowed to periodically visit EPW situated in working detachments or in hospitals outside the

EPW camp. Although subject to the internal discipline of the camp in which they are retained such personnel may not be compelled to carry out any work other than that concerned with their medical duties. The senior medical officer shall be responsible to the camp military authorities for everything connected with the activities of retained medical personnel.

g. Religion.

(1) EPW, and RP will enjoy latitude in the exercise of their religious practices, including attendance at the service of their faith, on condition that they comply with the disciplinary routine prescribed by the military authorities. Adequate space will be provided where religious services may be held.

(2) Military chaplains who fall into the hands of the U.S. and who remain or are retained to assist EPW, and RP, will be allowed to minister to EPW, RP, of the same religion. Chaplains will be allocated among various camps and labor detachments containing EPW, RP, belonging to the same forces, speaking the same language, or practicing the same religion. They will enjoy the necessary facilities, including the means of transport provided in the Geneva Convention, for visiting the EPW, RP, outside their camp. They will be free to correspond, subject to censorship, on matters concerning their religious duties with the ecclesiastical authorities in the country of detention and with international religious organizations. Chaplains shall not be compelled to carry out any work other than their religious duties.

(3) Enemy Prisoners of War, who are ministers of religion, without having officiated as chaplains to their own forces, will be at liberty, whatever their denomination, to minister freely to the members of their faith in U.S. custody. For this purpose, they will receive the same treatment as the chaplains retained by the United States. They are not to be obligated to do any additional work.

(4) If EPW, RP, do not have the assistance of a chaplain or a minister of their faith. A minister belonging to the prisoner's denomination, or in a minister's absence, a qualified layman, will be appointed, at the request of the prisoners, to fill this office. This appointment, subject to approval of the camp commander, will take place with agreement from the religious community of prisoners concerned and, wherever necessary, with approval of the local religious authorities of the same faith. The appointed person will comply with all regulations established by the United States.

#### 1-6. Tribunals

a. In accordance with Article 5, GPW, if any doubt arises as to whether a person, having committed a belligerent act and been taken into custody by the US Armed Forces, belongs to any of the categories enumerated in Article 4, GPW, such persons shall enjoy the protection of the present Convention until such time as their status has been determined by a competent tribunal.

b. A competent tribunal shall determine the status of any person not appearing to be entitled to prisoner of war status who has committed a belligerent act or has engaged in hostile activities in aid of enemy armed forces, and who asserts that he or she is entitled to treatment as a prisoner of war, or concerning whom any doubt of a like nature exists.

c. A competent tribunal shall be composed of three commissioned officers, one of whom must be of a field grade. The senior officer shall serve as President of the Tribunal. Another non-voting officer, preferably an officer in the Judge Advocate General Corps, shall serve as the recorder.

d. The convening authority shall be a commander exercising general courts-martial convening authority.

e. Procedures.

(1) Members of the Tribunal and the recorder shall be sworn. The recorder shall be sworn first by the President of the Tribunal. The recorder will then administer the oath to all voting members of the Tribunal to include the President.

(2) A written record shall be made of proceedings.

(3) Proceedings shall be open except for deliberation and voting by the members and testimony or other matters which would compromise security if held in the open.

(4) Persons whose status is to be determined shall be advised of their rights at the beginning of their hearings.

(5) Persons whose status is to be determined shall be allowed to attend all open sessions and will be provided with an interpreter if necessary.

(6) Persons whose status is to be determined shall be allowed to call witnesses if reasonably available, and to question those witnesses called by the Tribunal. Witnesses shall not be considered reasonably available if, as determined by their commanders, their presence at a hearing would affect combat or support operations. In these cases, written statements, preferably sworn, may be submitted and considered as evidence.

(7) Persons whose status is to be determined have a right to testify or otherwise address the Tribunal.

(8) Persons whose status is to be determined may not be compelled to testify before the Tribunal.

(9) Following the hearing of testimony and the review of documents and other evidence, the Tribunal shall determine the status of the subject of the proceeding in closed session by majority vote. Preponderance of evidence shall be the standard used in reaching this determination.

(10) A written report of the tribunal decision is completed in each case. Possible board determinations are:

(a) EPW.

(b) Recommended RP, entitled to EPW protections, who should be considered for certification as a medical, religious, or volunteer aid society RP.

(c) Innocent civilian who should be immediately returned to his home or released.

(d) Civilian Internee who for reasons of operational security, or probable cause incident to criminal investigation, should be detained.

(f) The recorder shall prepare the record of the Tribunal within three work days of the announcement of the tribunal's decision. The record will then be forwarded to the first Staff Judge Advocate in the internment facility's chain of command.

g. Persons who have been determined by a competent tribunal not to be entitled to prisoner of war status may not be executed, imprisoned, or otherwise penalized without further proceedings to determine what acts they have committed and what penalty should be imposed. The record of every Tribunal proceeding resulting in a determination denying EPW status shall be reviewed for legal sufficiency when the record is received at the office of the Staff Judge Advocate for the convening authority.

#### 1-7. The National Prisoner of War Information Center (NPWIC)

The NPWIC will—

a. Forward blocks of ISNs to designated Branch PWIC in Theater and CONUS, as required.

b. Obtain and store information concerning EPW, CI and RP, and their confiscated personal property. Information will be collected and stored on each EPW, CI, and RP captured and detained by U.S. Armed Forces. This includes those EPW, RP, who were captured by the United States but are in custody of other powers and those who have been released or repatriated. EPW, CI and RP cannot be forced to reveal any information however they are required to provide their name, rank, serial number and date of birth. The Geneva Convention requires the NPWIC to collect and store the following information for EPW, RP:

- (1) Complete name.
- (2) ISN.
- (3) Rank.
- (4) Serial number.
- (5) Date of birth.
- (6) City of birth.
- (7) Country of birth.
- (8) Name and address of next of kin.
- (9) Date of capture.
- (10) Place of capture.

(11) Capturing unit.

(12) Circumstances of capture.

(13) Location of confiscated personal property.

(14) Nationality.

(15) General statement of health.

(16) Nation in whose armed services the individual is serving.

(17) Name and address of a person to be notified of the individual's capture.

(18) Address to which correspondence may be sent.

(19) Certificates of death or duly authenticated lists of the dead.

(20) Information showing the exact location of war graves together with particulars of the dead.

(21) Notification of capture.

(22) List of personal articles of value not restored upon repatriation.

c. Obtain and store information concerning CI and ODs who are kept in the custody of U.S. Armed Forces who are subjected to assigned residence, or who were interned and then released. The following information will be collected:

(1) Any particulars that may assist in the individual's identification. This information shall include at least the person's surname, first names, place and date of birth, nationality, last residence and distinguishing characteristics, the first name of the father and the maiden name of the mother, the date, place and nature of the action taken with regard to the individual, the address at which correspondence may be sent and the name and address of the person to be informed.

(2) The individual's personal data for notification of his or her internment, state of health, and changes to this data.

(3) Certificates of death or authenticated lists of the dead and information showing the location of graves.

(4) Authenticated lists of personal valuables left by these protected persons.

(5) Information pertaining to children living in territories occupied by the United States. This will include all data necessary for identifying children whose identity is in doubt.

d. Process all inquiries concerning EPW and RP captured by U.S. Armed Forces.

e. Make reports to the ICRC, the State Department, and other Federal agencies as required.

f. Provide to the adverse party via the ICRC's Central Tracing Agency (CTA) all pertinent information pertaining to EPW, CI, and RP, in custody of the U.S. Armed Forces.

g. Transmit via the CTA/ICRC/PP, all official documents and information on judicial proceedings concerning EPW and RP captured, interned, retained or detained by U.S. Armed Forces.

h. Information and Property Transfers.

(1) In response to an inquiry, the NPWIC will forward all information and documents to the CTA or PP.

(2) Valuables and personal property which can be returned to a released or repatriated person will be forwarded through the CTA or PP.

(3) Valuables and personal property of deceased EPW/RP, which can be released, will be forwarded to the next of kin through the CTA or PP.

i. The ICRC/PP transmits information, documents, and personal effects to the State it represents as follows:

(1) If civilians are concerned, to their countries of origin and/or residence.

(2) If combatants or EPW, CI, and RP are concerned, to their country of origin or to the Power on which they depend.

#### 1-8. The Branch PWIC

a. The Branch PWIC functions as the field operations agency for the NPWIC. It is the central agency responsible to maintain information on all EPW, CI and RP and their personal property within an assigned theater of operations or in CONUS.

b. The Branch PWIC serves as the theater repository for information pertaining to:

(1) Accountability of EPW, CI, and RP and implementation of DOD policy.

(2) Providing initial and replacement block ISN assignments to theater EPW, CI and RP processing organizations, and requests replacement ISNs from the NPWIC.

(3) Obtaining and storing information concerning all EPW, CI and RP, in the custody of U.S. Armed Forces, those captured by U.S. Armed Forces and transferred to other powers for internment (either temporarily or permanently), those EPW and RP transferred to CONUS for internment, and EPW, CI and RP released or repatriated. Obtaining and storing information about CI kept in the custody of U.S. Armed Forces within its assigned theater of operations who are subjected to assigned residence, interned, or released. Information required includes:

(a) That which may assist in an individual's identification.

(b) Certificates of death or authenticated lists of the dead.

(c) Information showing the location of war graves, together with particulars of the dead.

(d) Individual personal data, notification of capture, state of health, and changes.

(e) Certificates of death or authenticated lists of the dead and information showing the location of graves.

(f) Authenticated lists of personal valuables left by CI.

(g) Information pertaining to children living in territories occupied by the United States. This will include all data necessary for identifying children whose identity is in doubt.

(4) Processing, storing and maintaining all personal property of escaped or dead EPW/CI/RP or articles of value which were not restored upon repatriation, until final disposition instructions are received from the NPWIC or next higher headquarters.

(5) Processing and replying to all inquiries received from the NPWIC, the chain of command, or other agencies as directed by the NPWIC concerning EPW/CI/RP and other protected persons in the theater of operations that the U.S. is responsible for under the Geneva Convention.

(6) Making regular reports to the NPWIC, the chain of command, and supported internment facilities as required. This will include all pertinent information, official documents and information on judicial proceedings pertaining to EPW/CI/RP in the theater of operations for which the U.S. is responsible under the Geneva Convention.

(7) Valuables and personal property which can be returned to a released or repatriated person are forwarded to the ICRC CTA or Protecting Power, as directed by the NPWIC.

(8) Valuables and personal property of deceased EPW, CI, and RP which can be released, will be forwarded to the next of kin through the NPWIC to the ICRC Central Tracing Agency or Protecting Power.

(9) Confiscated property which cannot be released or returned will be stored until final disposition is determined.

(a) Unclaimed property will be safeguarded by the Branch PWIC until all EPW/CI have been repatriated. If property ownership cannot be determined, said property shall be released through the MP BDE G-4 and SUPCOM to the Defense Reutilization and Marketing Office (DRMO).

(b) Unclaimed money and negotiable instruments will be maintained by the PWIC pending inquiry. Upon completion of all repatriation actions and inquiries, unclaimed money and negotiable instruments will be transferred to the FAO as abandoned property.

(10) Accountability data concerning personal and confiscated property of EPW, CI, and RP transferred to CONUS will be forwarded directly to the PWIC designated to support CONUS operations.

(11) The Branch PWIC is responsible for establishing and enforcing the information requirements that the United States forces will collect on EPW, CI and RP taken or held in the Branch PWIC's area of responsibility. The Branch PWIC will receive its information requirements from the NPWIC.

## 1-9. Public Affairs

In the interest of national security, and the protection of the prisoners from public curiosity, and in adherence to the GPW and GC,

EPW, CI, RP and other detainees will not be photographed as per paragraph 1-5d. Interviews of EPW, CI, RP and other detainees by news media will not be permitted. Requests for media access to EPW, CI, or other detainee internment facilities will be coordinated through the Public Affairs Office, and the Staff Judge Advocate, and approved by the first commander who exercises General Court Martial Convening Authority over the internment facility. Requests for exception to policy will be forwarded through command channels to HQDA (SAPA-PP), Washington, D.C. 20310-4420

## Chapter 2 Beginning of Captivity EPW/RP

### 2-1. Initial actions upon capture

a. The commanding officer of the capturing unit will ensure that:

(1) All EPW/RP are protected, safeguarded, and accounted for per this regulation. This regulation applies from the time of capture until evacuation to designated internment facilities.

(a) Each EPW/RP will be searched immediately after capture. Use males to search males and females to search female prisoners, when possible. Weapons, ammunition, and equipment or documents with intelligence value will be confiscated and turned over to the nearest intelligence unit. Propaganda and other Psychological Operations (PSYOP) materials will be confiscated, identified by the EPW/RP name and ISN and turned over to the supporting EPW/CI PSYOP unit through intelligence channels. Currency will only be confiscated on the order of a commissioned officer and will be receipted for using DA Form 4137 (Evidence/Property Custody Document). EPW and RP are allowed to retain personal effects such as jewelry, helmets, canteens, protective mask and chemical protective garments, clothing, identification cards and tags, badges of rank and nationality, and Red Cross brassards, articles having personal or sentimental or religious value, and items used for eating except knives and forks.

(b) All prisoners of war and retained persons will, at the time of capture, be tagged using DD Form 2745. They will be searched for concealed weapons and items of intelligence. All equipment, documents, and personal property confiscated during the search must be tagged and administratively accounted for by the capturing unit. Capturing units must provide the: date of capture, location of capture (grid coordinates), capturing unit, and any special circumstances of the capture (how the EPW was captured). The remaining information will be included on the tag as it becomes available.

(c) The DD Form 2745 is perforated in three parts. The form is individually numbered and is constructed of durable, waterproof, tear-resistant material, and has reinforced eye-holes at the top of parts A and C. Part A is attached to the detainee with wire, string, or other type of durable material. Part B is retained by the capturing unit and maintained in the unit's records. Part C is attached to the property confiscated from the detainee, so that it may later be matched to that detainee.

(d) Prisoners may be interrogated in the combat zone. The use of physical or mental torture or any coercion to compel prisoners to provide information is prohibited. Prisoners may voluntarily cooperate with PSYOP personnel in the development, evaluation, or dissemination of PSYOP messages or products. Prisoners may not be threatened, insulted, or exposed to unpleasant or disparate treatment of any kind because of their refusal to answer questions. Interrogations will normally be performed by intelligence or counterintelligence personnel.

(e) Prisoners will be humanely evacuated from the combat zone and into appropriate channels as quickly as possible. Instructions given to prisoners during evacuation from the combat zone will be, if possible, in their own language and as brief as possible. When military necessity requires delay in evacuation beyond a reasonable period of time, health and comfort items will be issued, such as food, potable water, appropriate clothing, shelter, and medical attention. Prisoners will not be unnecessarily exposed to danger while awaiting evacuation. The capturing unit may keep prisoners in the

combat zone in cases where, due to wounds or sickness, prompt evacuation would be more dangerous to their survival than retention in the combat zone. Individuals presumed to have intelligence value should be separated immediately from other EPW.

(f) Accountability will be maintained for all evacuated prisoners, regardless of the evacuation channel used. Units designated to receive the prisoners at the collecting points or camps will prepare a receipt DD Form 629 (Receipt for Prisoner or Detained Person) with a list of each prisoner's name attached and provide a copy of the receipt to the escort.

(2) Prisoners will not be located next to obvious targets such as ammunition sites, fuel facilities, or communications equipment. First aid and medical treatment will be provided to the same extent that the United States provides to its own forces. Sick and wounded prisoners will be evacuated separately, but in the same manner as U.S. and allied forces. Accountability and security of prisoners and their possessions in medical facilities is the responsibility of the respective echelon commander.

b. Special policy pertaining to the temporary detention of EPW, CI, RP and other detained persons aboard United States Naval Vessels:

(1) Detention of EPW/RP on board naval vessels will be limited.

(2) EPW recovered at sea may be temporarily held on board as operational needs dictate, pending a reasonable opportunity to transfer them to a shore facility, or to another vessel for transfer to a shore facility.

(3) EPW/RP may be temporarily held aboard naval vessels while being transported between land facilities. They may also be treated and temporarily quartered aboard naval vessels incidental to their treatment, to receive necessary and appropriate medical attention if such detention would appreciably improve their health or safety prospects.

(4) Holding of EPW/RP on vessels must be temporary, limited to the minimum period necessary to evacuate them from the combat zone or to avoid significant harm that would be faced if detained on land.

(5) Use of immobilized vessels for temporary holding of EPW/RP is not authorized without SECDEF approval.

## 2-2. Evacuation and care of EPW and RP

Those units designated to hold and evacuate EPW and RP will:

a. Collect prisoners from capturing units, and evacuate them from the combat zone as soon as possible.

b. Ensure sick and wounded EPW and RP in their custody are classified, by qualified medical personnel, as either walking wounded or litter, or as non-walking wounded. Walking wounded or litter EPW will be evacuated through established evacuation channels. Non-walking wounded or sick EPW will be delivered to the nearest medical aid station and evacuated through medical channels. All detained personnel will remain physically segregated from U.S. and allied patients.

(1) Appropriate intelligence sources will be notified when EPW and RP are found in possession of large sums of U.S. or foreign currency. A receipt DA Form 4137 will be prepared to account for all property that is taken from the EPW. Copies of DD Form 629 (Receipt for Prisoner or Detained Person) and DA Form 4137 will be maintained to establish positive accountability of the EPW and their property and can be used to substantiate proper care and treatment at a later time. DA Form 4137 will be used to account for property released before final disposition is ordered. Records of disposition of property will be evacuated with prisoners for inclusion in their personnel records.

(2) EPW will be segregated into categories of officer, noncommissioned officer, enlisted, male, female, nationality, recognized ethnic groups, deserters or any other category that the senior officer or NCO having custody of the prisoners designate to ensure the security, health and welfare of the prisoners. Segregation should prevent prisoners from communicating by voice or visual means. Guards will communicate with the prisoners only to give commands and instructions.

(3) The requirements for safeguarding prisoners are the same as those for capturing units.

c. In cases of mass capture or surrender of entire units, combatants should be disarmed and those with the greatest intelligence value identified for debriefing.

d. Repatriation or parole of the remainder should be considered, with final determination directed by HQDA. Prisoners will not be forced to be repatriated against their will. Prisoners who refuse repatriation will be treated as prisoners of war until their legal status and further disposition can be determined by competent authority.

## 2-3. Evacuation Policy

a. Evacuation of EPW or RP outside the theater of operations requires SECDEF approval.

b. Wounded EPW generally will not be evacuated to CONUS until released from medical channels. They will be processed through U.S. military police assets. If EPW are to be medically evacuated, they will be processed and accounted for per this regulation.

## Chapter 3 Administration and Operation of EPW Internment Facilities

### 3-1. Establishment

Internment facilities will be established in the communications zone of each theater of operations for the purpose of receiving, accounting for, administering, securing, and logistically supporting EPW/RP.

### 3-2. EPW internment facilities

a. The operation of all EPW internment facilities is governed by the provisions of the Geneva Conventions.

b. The theater commander remains responsible for the location of EPW facilities. EPW/RP may be interned only in premises located on land and affording proper health and hygiene standards. Except in extreme circumstances, in the best interests of the individual, EPW/RP will not be interned in correctional facilities housing military or civilian prisoners. Prisoners will not normally be interned in unhealthy areas, or where the climate proves to be injurious to them, and will be removed as soon as possible to a more favorable climate. Transit camps or collecting points will operate under conditions similar to those prescribed for permanent prisoner of war camps, and the prisoners will receive the same treatment as in permanent EPW camps.

c. The internment facility will be marked with the letters "PW" (Prisoner of War Camps) and will be placed so they will be clearly visible from the air during the daytime. Other markings may be used when agreed to by the combatant commanders and approved by HQDA.

### 3-3. EPW Facility Management

a. The United States may subject EPW/RP to internment and may have contingency plans to confine and enclose EPW in camps located both in and outside CONUS. Medical personnel and chaplains classified as RP, while retained by the Detaining Power with a view to assisting prisoners of war, shall not be considered prisoners of war. The EPW facility commander will provide command, control, accountability, administrative, and logistical support for the operation of all EPW/CI facilities. The EPW/CI facility commander will:

(1) Intern prisoners captured by or transferred to the custody of U.S. forces.

(2) Process interned prisoners to include tagging, assignment of ISN, fingerprinting, photographing, and weighing, as needed.

(a) EPW and RP may be required to show their identity card issued by his or her government; however in no case may the card be taken from the individual.

(b) If an EPW does not hold an identity card issued by his or her

government, the EPW will be issued a completed DA Form 2662-R (EPW Identity Card). The identity card will be in the possession of the EPW at all times. A notation indicating preparation of DA Form 2662-R will be made under item 36 of DA Form 4237-R (Detainee Personnel Record). DA Form 2662-R will be reproduced locally on 5-by 3-inch card head to foot. A copy for reproduction purposes is located at the back of this regulation. DA Form 4237-R will be reproduced locally on 8 1/2 by 11-inch paper. A copy for reproduction purposes is located at the back of this regulation. These forms are for the use of Army only.

(c) DA Form 2663-R (Fingerprint Card) will be prepared in duplicate for each EPW/RP. One copy will be retained at the camp in which the EPW/RP is confined and will accompany the EPW/RP upon transfer. The other is forwarded to the Branch PWIC.

(3) Provide prisoners with humane treatment, health and welfare items, quarters, food, clothing, and medical care. Health Services Command (HSC) provides medical and dental care for EPW in federal or civilian health care facilities per HSC plans.

(4) Provide for morale, religious, intellectual, educational, social, physical and recreational activities for the prisoners.

(5) Establish liaison with the supporting Branch PWIC, collect necessary information regarding the location, the physical well-being, legal status, and any change thereto, of all prisoners interned by the command.

(6) Allow prisoners to correspond with their families and receive relief shipments.

(7) Provide prisoners copies of the 1949 Geneva Conventions (in their own language, if possible).

(8) Employ and compensate assigned prisoners based on verified needs/requirements and monitor all aspects of EPW and RP employment per this regulation. If sundry packets are provided, no advance pay is required.

(9) Provide command and control, and operate, administer, and secure the camp.

(10) Prepare necessary documents for administrative actions, court-martial charges or any disciplinary proceedings for prisoners.

(11) Post personnel files and maintain unit level records of proceedings.

(12) Supervise qualified EPW/RP in providing medical care and field sanitation/preventive medicine for prisoners.

(13) Provide the initial medical examination and monthly screening of prisoners.

(14) Maintain EPW labor and finance records on each prisoner per AR 37-1.

(15) Ensure preparation of monthly pay credit statements of prisoner's personal accounts and ensure pay for prisoners.

(16) Direct activities relating to the assignment and supervision of work projects for prisoners.

(17) Advise employers of provisions for handling EPW.

(18) Establish and maintain records of prisoner labor projects.

(19) Provide initial reports of and perform initial investigation and inquiries into prisoner labor injuries or incidents.

(20) Report allegations of criminal acts or war crimes committed by or against EPW/RP to the supporting element of the U.S. Army Criminal Investigation Command (USACIDC). Deaths resulting from other than natural causes will be investigated by USACIDC.

(21) Provide assistance to the medical facility commander to assess the threat posed by hospitalized EPW.

(22) Establish and maintain complete and accurate accountability information regarding the location, physical and legal status, training, and employment of all individuals in the custody of, or assigned to, the EPW facility. Information will be posted to the individual's personal, medical, and financial records, and will be provided to the supporting PWIC and next higher headquarters, as required.

(23) Provide an area for intelligence collection efforts.

b. USACIDC will ensure criminal investigative support for EPW and RP is planned and resources are allocated for this purpose.

#### 3-4. Operation of prisoner of war internment facilities

EPW camps will be organized and operated, when possible, as other military commands. Each internment facility will be commanded by a commissioned officer of the U.S. Military. The following provisions will be observed:

a. The Geneva Conventions will be posted within the camp in the language(s) of the EPW/RP nation(s). A copy of the text will be supplied, on request, to any person who does not have access to posted copies. The supporting EPW/CI PSYOP unit can assist in preparing and disseminating native language copies of the text as well as other translation, printing, and audio-visual information dissemination support.

b. EPW will be interned in camps according to their nationality and language. They will not be separated from other prisoners belonging to the Armed Forces with which they were serving at the time of their capture, except with their consent. Officers will be separated from enlisted personnel and females will be separated from males.

c. EPW representatives will be authorized for EPW Camps.

(1) At each enlisted EPW or branch camp, EPW will select a prisoner representative. These representatives will be elected by secret ballot every 6 months and are eligible for reelection. EPW will be permitted to consult freely with their representatives. In turn, their representatives will represent them before:

(a) The military authorities.

(b) The Protecting Power.

(c) The ICRC.

(d) Other relief or aid organizations.

(2) In officer EPW camps or in camps with both officers and enlisted EPW, the senior EPW officer, unless incapacitated or incompetent, will be recognized as the prisoner representative. In officer EPW camps, one or more advisers chosen by the EPW officers will assist the prisoner representative. The supporting EPW/CI PSYOP unit can assist in identifying officers, key communicators, and English speaking EPW who may be hiding within the camp population.

(3) In mixed camps (officers and enlisted), one or more enlisted advisors will be elected to assist the EPW officer representative.

(4) The camp commander will be designated as the final approval authority for each elected prisoner representative. When the camp commander denies, approves, or dismisses an elected representative, a notice to that effect will be sent through channels to HQDA, (DAMO-ODL) NPWIC for forwarding to the ICRC or the PP. Reasons for the refusal will be included. EPW will then be permitted to elect another representative.

(5) RP (medical personnel and chaplains) are not considered prisoners of war and therefore may not elect prisoner representatives. The senior medical officer in each camp will be responsible for matters connected with the activities of retained medical personnel. Individual chaplains, like the responsible medical officer, will have direct access to camp authorities.

(6) Prisoner representatives may appoint EPW assistants. These assistants are in addition to the advisers provided for in (2) above. The camp commander will also approve the selection of such assistants and their continuance in those positions.

(7) Prisoner representatives must be of the same nationality, observe the same customs, and speak the same language as the EPW they represent. EPW interned in separate compounds due to differing nationality, language, or customs will be permitted to have their own prisoner representative according to (1) through (4) above. The internment facility commander will establish the local policy for an escort to accompany the representative.

(8) Duties, responsibilities, and available resources.

(a) Representatives will be responsible for furthering the physical, spiritual, and intellectual well-being of the persons they represent. They will not exercise any disciplinary powers. They will not perform any other work if the work interferes with their duties as representatives. They will be allowed a reasonable time to acquaint their successors with their duties and related current affairs.

(b) Representatives may be given the freedom of movement

needed to accomplish their duties, such as inspection of labor detachments and receipt of supplies. Ordinarily, representatives will be permitted to visit places where EPW, whose interests they represent are detained.

(c) Postal and telegraph facilities will be made available to prisoner representatives for communicating with the U.S. Army authorities; Protecting Powers, if any; the ICRC and its delegates; the Mixed Medical Commission, and other organizations authorized to assist EPW. Prisoner representatives at branch camps will be granted the same facilities for communication with the prisoner representative of the parent camp.

d. EPW/RP social privileges. Social privileges will be subject to security considerations and camp discipline. EPW/RP will be encouraged to take part in intellectual, educational, and recreational activities. The introduction of political overtones into or the furtherance of anti-U.S. propaganda objectives through these activities is prohibited. The supporting EPW/CI PSYOP unit can assist in identifying agitators, malcontents, and political officers who may create resistance within the camp. These units are also trained to develop and implement programs to reduce hostile political activity and to persuade EPW/CI populations to accept U.S. authority and regulations.

e. EPW/RP will be quartered under conditions as favorable as those for the force of the detaining power billeted in the same area. The conditions shall make allowance for the habits and customs of the prisoners and shall in no case be prejudicial to their health. The forgoing shall apply in particular to the dormitories of EPW/RP as it regards both total surface and minimum cubic space and the general installation of bedding and blankets. Quarters furnished to EPW/RP must be protected from dampness, must be adequately lit and heated (particularly between dusk and lights-out), and must have adequate precautions taken against the dangers of fire. In camps accommodating both sexes, EPW/RP will be provided with separate facilities for women. When possible consult the preventive medicine authority in theater for provisions of minimum living space and sanitary facilities.

f. The daily food rations will be sufficient in quantity, quality, and variety to keep EPW/RP in good health and prevent loss of weight or development of nutritional deficiencies.

(1) Account will be taken of the habitual diet of the prisoners.

(2) EPW/RP who work may be given additional rations when required.

(3) Sufficient drinking water will be supplied to EPW/RP.

(4) The use of tobacco will be permitted in designated smoking areas.

(5) EPW will, as far as possible, be associated with the preparation of their meals and may be employed for that purpose in the kitchens. Furthermore, they will be given means of preparing additional food in their possession. Food service handlers must have training in sanitary methods of food service.

(6) Adequate premises will be provided for messing.

(7) Collective disciplinary measures affecting food are prohibited.

g. Clothing, underwear, and footwear will be supplied to EPW/RP in sufficient quantities, and allowances will be made for the climate of the region where the prisoners are detained. Captured uniforms of enemy armed forces will, if suitable for the climate, be made available to clothe EPW/RP. The camp commander will ensure the regular replacement and repair of the above articles. EPW/RP who work will receive clothing appropriate to the nature or location of the work demands.

h. Canteens. EPW/RP will be provided sundry/health and comfort packs, which may be supplemented with items tailored to their cultural needs, as a temporary substitute for establishing canteen operations. When directed by the Theater Area Provost Marshal or senior Military Police officer in the internment facilities' chain of command, canteens will be installed in all camps, where EPW/RP may procure foodstuffs, soap, tobacco and ordinary articles in daily use. The tariff will never exceed local market prices. When authorized, canteens will be operated IAW the provisions of the GPW. Procedures regarding EPW/RP payment for canteen purchases are

contained in AR 37-1. Profits made by camp canteens will be used for the benefit of the prisoners; a special fund will be created for this purpose. The prisoners' representative may make suggestions regarding the management of the canteen and of this fund. When an internment facility is closed, the credit balance of the special fund will be transferred to another U.S. internment facility operating in theater. When all facilities are closed, funds will be turned over to an international welfare organization. The fund will be employed for the benefit of EPW/RP of the same nationalities as those who have contributed to the fund. In case of a general repatriation, profits will be kept by the United States.

i. Hygiene and medical care:

(1) The United States is bound to take all sanitary measures necessary to ensure clean and healthy camps to prevent epidemics. EPW/RP will have access, day and night, to latrines that conform to the rules of hygiene and are maintained in a constant state of cleanliness. In any camps in which women EPW/RP are accommodated, separate latrines will be provided for them. EPW/RP will have sufficient water and soap for their personal needs and laundry. The necessary facilities and time will be made available for those purposes. The supporting EPW/CI PSYOP unit can assist in maintaining and improving health and sanitary conditions by producing and disseminating informational products concerning proper hygiene, sanitation, and food preparation, where required.

(2) Every camp will have an infirmary. EPW/RP with a contagious disease, mental condition, or other illness, as determined by the medical officer, will be isolated from other patients. A list of endemic diseases of military importance can be obtained from the theater surgeon or preventive medicine officer. EPW/RP will be immunized and reimmunized against other diseases as recommended by the Theater Surgeon. EPW/RP suffering from serious disease, or whose condition necessitates special treatment, surgery, or hospital care, must be admitted to any military or civilian medical unit where such treatment can be given. Special facilities will be available for the care and rehabilitation of the disabled, particularly the blind. EPW/RP will be accorded the attention of medical personnel of the power on which they depend and, if possible, of their nationality. EPW/RP will not be denied medical care. The detaining authorities shall, upon request, issue to every EPW/RP who has undergone treatment, an official certificate indicating the nature of the illness or injury, and the duration and kind of treatment received. A duplicate of this certificate will be forwarded to the ICRC. The detaining authority will also ensure medical personnel properly complete the SF 88 (Report of Medical Examination), SF 600 (Chronological Record of Medical Care and DA Form 3444 (Treatment Record). The cost of treatment will be borne by the United States.

(3) Medical inspections of EPW/RP will be held at least once a month, where each detainee will be weighed and the weight recorded on DA Form 2664-R (Weight Register). DA Form 2664-R will be reproduced locally on 8- by 5-inch card. A copy for reproduction purposes is located at the back of this regulation. This form is for the use of Army only. The purpose of these inspections will be to monitor the general state of health, nutrition, and cleanliness of prisoners and to detect contagious diseases, especially tuberculosis, venereal disease, lice, louse-borne diseases and HIV.

(4) EPW who, though not attached to the medical service of the Armed Forces, are physicians, surgeons, dentists, nurses, or medical orderlies may be required to exercise their medical functions in the interests of prisoners of war dependent on the same power after being certified per Paragraph 3-15. They will continue to be classified as EPW, but will receive the same treatment as corresponding RP (medical personnel). They will be exempted from any other work.

(5) Experimental research will not be conducted on EPW/RP.

### 3-5. Procedures for prisoner of war correspondence

a. EPW/RP will be allowed to send and receive letters and cards. There is no restriction on the number or length of letters or cards EPW/RP may receive. EPW/RP will be permitted to send not less than two letters and four cards monthly, in addition to the capture

cards provided in Article 70, GPW. In the event EPW/RP are prevented from writing their monthly quota of letters and cards because of a lack of stationery forms, they will be allowed to make up their quotas when forms are available.

b. All persons may address complaints, in writing to U.S. military authorities and the Protecting Power. These communications will not be limited in length or number, nor will they be charged against the person's correspondence quota. They will be transmitted without delay.

c. Letters and cards addressed to persons other than representatives of a Protecting Power or to U.S. military authorities will not:

(1) Contain complaints or criticism of any governmental agency or official.

(2) Refer to events of capture.

(3) Compare camps.

(4) Contain quotations from books or other writings.

(5) Contain numbers, ciphers, codes, music symbols, shorthand, marks, or signs other than those used for normal punctuation.

(6) Contain military information on numbers of EPW/RP. (Exceptions: Letters to a Protecting Power or prisoner representative or to a relief or aid organization.)

(7) Should any such correspondence be discovered, it will be turned over to the supporting counterintelligence element.

d. Correspondence forms.

(1) EPW will use DA Form 2667-R (Prisoner of War Mail (Letter)) and DA Form 2668-R (Prisoner of War (Post Card)) for correspondence, except as authorized elsewhere in this regulation. DA Form 2667-R will be reproduced on 8 1/2-by 11-inch paper, head to head. DA Form 2668-R will be reproduced locally on 6-by 4-inch cards, head to foot. Copies for reproduction purposes are located at the back of this regulation. These forms are for the use of Army only. Legal documents may be written on blank paper instead of DA forms. Prisoner representatives may use ordinary paper in writing to:

(a) The Protecting Power.

(b) ICRC.

(c) Other approved relief or aid organizations.

(d) U.S. military authorities.

(2) Except for official correspondence by prisoner representatives or unless required by HQDA, communication in two or more copies is prohibited.

(3) Camp commanders will distribute DA letter and card forms to EPW/RP.

(4) Upon Completion of DA Form 4237-R, but not later than 1 week after arrival at a camp for processing, each EPW or RP will be permitted to send a DA Form 2666-R to a relative or next of kin.

(5) Within a period of not more than 1 week after arrival at the first EPW camp or when an EPW/RP's address is changed by transfer to a hospital or to another camp, a DA Form 2665-R (Capture Card for Prisoner of War) will be filled out and forwarded to the Branch PWIC. DA Form 2665-R will be reproduced locally on 6-by 4-inch card, head to foot, a copy for reproduction purposes is located at the back of this regulation. This form is for the use of Army only.

e. Subject to (1) and (2) below, outgoing letters and cards will be sent unsealed directly from the camp to the theater commander's designated censorship element. All incoming letters and cards that arrive at a camp without having been censored will be sent to the designated censorship element before delivery to addressees.

(1) Communication to the Protecting Power or the ICRC. Letters and cards not intended for other addresses and not containing enclosure for other addresses will be forwarded directly from the camp to the proper Branch PWIC

(2) Other correspondence. Outgoing letters and cards from a branch camp's EPW will be forwarded as soon as possible.

f. Date and packaging of correspondence. Letters and cards will be forwarded without undue delay in pouches or in government envelopes.

(1) EPW/RP may not write letters for others who are able to write. If an EPW/RP is unable to write, the camp commander may

permit another person to write the message. The person doing the writing will countersign the message.

(2) EPW/RP legal documents may be enclosed with outgoing correspondence. When it becomes necessary for a detainee to send a legal document, the document and forwarding letter or card may be enclosed in a plain envelope.

(3) EPW/RP will not send maps, sketches, or drawings in outgoing correspondence.

g. Individuals will not be permitted to mail or receive registered, certified, insured, or COD.

h. Letters and cards to or from EPW/RP sent by ordinary mail are postage free.

i. Outgoing letters and cards will be secured by using locked boxes or similar means. Only authorized U.S. personnel will handle outgoing mail. Incoming mail may be sorted by detainees when supervised by U.S. personnel.

j. Censorship of EPW/RP mail may be instituted by the theater commander as follows:

(1) Outgoing letters and cards may be examined and read by the camp commander or his designated representative. No censorship action of any kind will be taken at the camp. The camp commander will return to the sender for rewriting any outgoing correspondence containing obvious deviations from regulations with a copy provided to the supporting counterintelligence element.

(2) Camp commanders will designate U.S. military personnel to supervise the opening of all mail pouches containing incoming letters and cards for detainees. These items will be carefully examined by the named personnel before delivery to detainees.

(3) EPW/CI wishing to make complaints concerning mail delivery must direct those complaints to:

(a) The camp authorities

(b) The responsible major commander.

(c) The Protecting Power/ICRC.

k. Parcels.

(1) Persons may receive individual parcels and collective shipments containing:

(a) Foodstuffs.

(b) Clothing.

(c) Medical supplies.

(d) Articles of a religious, educational, or recreational nature.

(2) EPW/RP will not be permitted to mail parcels (Article 16, 1974 Universal Postal Convention).

(3) Parcels received for transferred persons will be forwarded immediately.

(4) Nonperishable articles received for persons who have died or escaped, or who have been repatriated, will be forwarded to the Branch PWIC. Perishable items received for deceased or escaped persons will be released to the prisoner representative who will deliver them to the camp infirmary or hospital for the benefit of EPW/RP.

(5) The contents of all incoming parcels will be examined at the camp by a U.S. officer in the presence of the addressee or the named representative. When considered necessary, the camp commander may request that the parcel be examined by the censors. The articles in each parcel will be removed. The string, the inner wrappings, the outer container, and any extraneous items found in the parcel will not be turned over to the EPW/RP or the designated representative. Examination will be close enough to reveal concealed articles and messages; however, undue destruction of contents of parcels will be avoided.

l. EPW/RP may send and receive telegrams as determined by the camp commander. They may not make or receive telephone calls.

(1) At a minimum:

(a) A detainee who has not received mail from next of kin for 3 months may send a telegram. One month from the date a previous telegram was sent, a detainee who has not received a written answer or other communication from the addressee may send another telegram.

(b) Detainees unable to receive mail from their next of kin or send mail to them by ordinary postal routes, or who are a great

distance from their home, will be permitted to send one telegram a month.

(c) A person who is seriously ill, or who has received news of serious illness or death in the family, may be permitted to send a telegram. The camp commander may authorize the sending of additional telegrams.

(2) The sending of telegrams as provided for in (1) above will be governed by the following:

(a) The message proper will consist of not more than 15 words.

(b) The cost of sending the telegram will be debited to the person's account.

(c) Arrangements for messages going to or through enemy-occupied countries will be made with the ICRC Field Director.

(d) Telegrams, as a general rule, shall be written in their native language.

(e) No telegram will be sent to a Government official or to a Protecting Power.

(f) Telegrams are subject to the same procedures for censorship listed in paragraph 3-5j(2).

m. EPW/RP may receive books. Books that arrive at camps uncensored will be censored. Publications containing maps may be made available to the EPW/RP upon approval of the camp commander, provided they do not contain maps of the territory surrounding the camps. Books, included in parcels of clothing and foodstuffs, may be confiscated on order of the camp commander.

n. The following may be made available to EPW/RP:

(1) Current newspapers and magazines published in the English language and selected by the camp commander.

(2) Unmarked, unused magazines in the English language, published in the United States, and distributed by approved relief or aid organizations at the discretion of the camp commanders after censorship.

(3) Foreign language newspapers and magazines published in the United States, upon approval of the camp commander and after censorship of individual issues.

(4) Newspapers and magazines published outside the United States, regardless of language, must be approved by the theater commander.

### 3-6. Discipline and security

Measures needed to maintain discipline and security will be established in each camp and rigidly enforced. The camp commander will maintain records of disciplinary punishments. These records will be open to inspection by the Protecting Power.

a. The following acts will not be permitted:

(1) Fraternalization between EPW, RP and U.S. military or civilian personnel. Fraternalization is defined as improper or intimate communications or actions between U.S. Armed Forces personnel and EPW/RP.

(2) Donating or receiving gifts or engaging in any commercial activity between persons in U.S. custody and U.S. personnel.

(3) Setting up of courts by detainees. Disciplinary powers will not be delegated to or exercised by EPW/RP. Punishment will not be administered by EPW/RP.

b. The GPW, regulations, orders, the contents of any special agreements and notices on the conduct and activities of detainees will be published in a language the detainee understands. They will be posted in places within each camp where the detainees may read them and will be made available to persons who do not have access to posted copies. Additional copies will be given to the prisoner representatives. Every order and command will be addressed to detainees personally. The supporting EPW/CI PSYOP unit may assist in providing necessary printed, loudspeaker, or other audio-visual support in communicating directly to EPW/RP. To protect persons from acts of violence, bodily injury, and threats of reprisals at the hands of fellow detainees, a copy of the following notice in the detainees' language will be posted in every compound:

#### NOTICE

EPW/RP who fear that their lives are in danger or that they may

suffer physical injury at the hands of other EPW/RP will immediately report the fact personally to any U.S. Armed Forces Personnel of this camp without consulting the EPW/CI representative. From that time on, the camp commander will assure adequate protection to such EPW/RP by segregation, transfer, or other means. EPW/RP who mistreat fellow detainees will be punished.

Signed (Commanding Officer)

c. The following military courtesies are required of EPW:

(1) When the U.S. national anthem is played or "To the Colors" or "Retreat" is sounded, EPW not in buildings will stand at attention and face toward the music or colors.

(2) Besides the courtesies required in their own armies toward their officers, enlisted EPW will salute all commissioned officers of the U.S. Armed Forces. Officer EPW will be required to salute only officers of a higher rank and the camp commander regardless of grade.

(3) EPW may salute in the way prescribed by regulations in force in their own armies.

(4) Other military courtesies will be rendered per AR 600-25 (Salutes, Honors, and Visits of Courtesy) and FM-22-5 (Drill and Ceremonies).

d. U.S. military personnel will extend the following courtesies toward EPW:

(1) U.S. military personnel will not be required to salute EPW or assume the position of attention when addressing them; however, U.S. officers will return the salutes of EPW.

(2) When addressing senior officer EPW on official business, U.S. military personnel will be courteous and extend the respect due them by grade and age.

e. Flags upon which an enemy political emblem or device appears will be seized. EPW/RP will not have any political emblem, insignia, flag, or picture of political leaders. Badges of grade and nationality, and decoration worn as part of the uniform are permitted. EPW/RP may have pictures of political leaders that appear in magazines, books, and newspapers if the pictures are not removed.

f. Security guidelines outlined below concern the custody and use of EPW/RP.

(1) *Guard work details.* EPW on work details will be guarded as required to provide security against escape. Selected EPW/RP may be employed without guards in areas where military personnel are on duty if:

(a) EPW/RP are under a U.S. work supervisor.

(b) Frequent counts of detainees and work inspections are made at irregular intervals.

(2) *Preventing escape.* The camp commander will ensure that each EPW/RP understands the meaning of the English word "halt". If EPW/RP attempt to escape, the guard will shout "halt" three times, thereafter the guard will use the least amount of force necessary to halt the EPW/RP. If there is no other effective means of preventing escape, deadly force may be used.

(a) In an attempted escape from a fenced enclosure, a prisoner will not be fired at unless he/she has cleared the outside fence and is making further effort to escape.

(b) EPW/RP attempting to escape outside a fenced enclosure will be fired on if they do not halt after the third command to halt.

(c) An EPW/RP will have succeeded in escaping when he or she has:

1. Joined the armed forces of the power on which he or she depends or those of an ally of that power.

2. Left the territory under U.S. control or control of U.S. allied powers.

3. Joined a ship flying the flag of the power on which he or she depends, or of an ally of that power, in U.S. territorial waters, and the ship is not under U.S. control.

(d) An EPW who has successfully escaped shall not be punished for the escape if subsequently recaptured.

### 3-7. Punitive Jurisdiction

a. EPW/RP are subject to punishment under the Uniform Code of Military Justice and other U.S. Laws, regulations and orders in force during the time of their detention.

b. Judicial proceedings against EPW and RP will be by courts-martial or by civil courts. When EPW are tried by courts-martial, pretrial, trial, and post-trial procedures will be according to the UCMJ and the U.S. Manual for Courts-Martial. An EPW will not be tried by a civil court for committing an offense unless a member of the U.S. Armed Forces would be so tried.

c. When possible, disciplinary rather than judicial measures will be taken for an offense. The disciplinary measures below are authorized:

(1) Suspend or eliminate privileges granted over and above the minimum privileges provided for in the GPW and GC.

(2) Confinement.

(3) A fine not to exceed one-half of the advance of pay (article 60 GPW) and working pay (article 62 GPW) that the detainee would otherwise receive during a period of not more than 30 days.

(4) Fatigue duties not exceeding 2 hours daily. This punishment will not be applied to officers.

d. EPW and RP rights. Before any disciplinary punishment is pronounced, EPW/RP will be given precise information regarding the offenses for which they are accused. They will be given a chance to explain their conduct and to defend themselves. They will be permitted to call witnesses and to have use of a qualified interpreter, if necessary and reasonably available. The board's decision will be announced to the person and to the person's representative.

e. The following are limitations on punishment:

(1) Collective punishment for individual acts, corporal punishment, imprisonment in premises without sunlight, and any form of torture or cruelty is forbidden.

(2) EPW may not be deprived of their grade or prevented from wearing insignia of grade and nationality.

(3) No EPW or RP will be handcuffed or tied, except to ensure safe custody or when prescribed by a responsible medical officer as needed to control a medical case requiring restraint.

(4) No EPW or RP may be punished more than once for the same act or sentenced to any penalties except those authorized herein.

(5) In no case will disciplinary punishments be inhumane, brutal, or dangerous to the person's health. The length of a single disciplinary punishment will not exceed 30 days. Confinement served while awaiting the hearing of a disciplinary offense or the award of disciplinary punishment will be deducted from punishment awarded. No more than 30 days punishment may be prescribed even if a person is answerable for several acts at the same time. This is true whether such acts are related or not. The period between pronouncing an award of disciplinary punishment and commencing punishment will not exceed 30 days.

(6) When EPW or RP are awarded a further disciplinary punishment, a period of at least 3 days will elapse between punishments if the length of one of the punishments is 10 days or more.

(7) EPW or RP being disciplined or judicially punished will not be subjected to more severe treatment than that authorized for the same offense by members of the U.S. Armed Forces of equal grade.

(8) EPW or RP sentenced by a courts-martial or awarded disciplinary punishment will not be treated differently from other detainees after their punishment.

f. Offenses and warranted punishments. EPW or RP who attempt to escape or escape the confines of the camp, but who do not succeed in their escape, will be liable only to disciplinary punishments for those escape acts. They will not be liable to judicial proceedings, even if they are repeat offenders. Escapes or attempts to escape, even if they are repeat offenses, will not be considered aggravating circumstances if detainees are tried by judicial proceedings for offenses committed during their escapes or attempts to

escape. Offenses, such as those against public property, theft without intention of self-enrichment, drawing up or use of false papers, or wearing of civilian clothing, that are committed by detainees with the sole intent of making their escape easier and that do not entail any violence against life or limb will warrant disciplinary punishment only. Because of attempts to escape, EPW and RP may be subjected to close watch. The watch must not affect the state of their health. The EPW and RP watched must be in camp. The watch must not deprive them of the safeguards granted by the Geneva Conventions. Persons who aid or abet an escape or an attempt to escape will be liable on this count for disciplinary punishment only.

g. Offenses against discipline. EPW and RP accused of an offense against disciplinary measures will not be confined pending a hearing, unless members of the U.S. Armed Forces would be confined if they were accused of a similar offense or unless camp order and discipline would be jeopardized. A period spent in confinement awaiting disposal of an offense against disciplinary measures will be reduced to an absolute minimum. It will not exceed 14 days.

h. Confinement. A pretrial investigation of an offense alleged to have been committed by a detainee will be conducted as soon as circumstances permit so that trial, if warranted, will take place as soon as possible. A detainee will not be confined while awaiting trial unless a member of the U.S. Armed Forces would be so confined if accused of a similar offense, or unless national security would be served. In no case will this confinement exceed 3 months. A period spent in confinement while awaiting trial will be deducted from a sentence of imprisonment. The period will be taken into account in fixing a penalty.

i. Retention of Geneva Convention benefits. Persons prosecuted for an act committed before capture will retain, even if convicted, the protection of the Geneva Conventions. EPW, RP undergoing confinement will:

(1) Continue to enjoy the benefits of the Geneva Convention except when such benefits do not apply because detainees are confined.

(2) Be permitted to exercise their right to complain and to confer with visiting representatives of the Protecting Power.

(3) Not be deprived of the prerogatives attached to their grade.

(4) Be allowed to exercise and to stay in the open air at least 2 hours daily.

(5) Be given medical attention as prescribed in this regulation.

(6) Be permitted to read and write and to send and receive letters and cards. Parcels, however, may be withheld from them until the punishment is completed. Such parcels will be released to the safekeeping of the detainee representative. If perishable goods are contained in the parcels, the detainee representative will give them to the camp infirmary or hospital to distribute them fairly among the other detainees.

### 3-8. Judicial proceedings

a. No EPW or RP will be tried or sentenced for an act that was not forbidden by U.S. law or by international law in force at the time the act was committed.

b. No moral or physical coercion will be exerted to induce EPW or RP to admit guilt for any act.

c. No EPW or RP will be convicted without having had the chance to present a defense and without having the assistance of a qualified advocate or counsel.

d. Accused persons will be notified promptly of the charges in writing. Charges will be in a language understood by the accused. These persons will be tried as soon as possible. A notification (in duplicate) of proceedings against a detainee will be submitted through channels to the NPWIC. The NPWIC will send such notification to the Protecting Power in cases of charges involving the death penalty or imprisonment for 2 years or more. Upon request, the Protecting Power will be furnished data on the status of such proceedings. Furthermore, the Protecting Power will be entitled, upon request, to be furnished with all data or any other proceedings started against a detainee. The information will be sent without delay. Trial will not commence until 3 weeks after the Protecting

Power has been notified. Unless evidence is submitted at the opening of the trial that this regulation has been fully complied with, the trial will not proceed. The following information will be provided:

(1) Surname and first name, grade, if proper, ISN, date of birth, and profession, trade, or prior civil capacity of the detainee.

(2) Place of internment or confinement.

(3) Specification of the charges with penal provisions under which they are brought.

(4) Designation of the court that will hear the case.

e. The EPW representatives will be informed of all judicial proceedings against EPW and RP and the results of the proceedings. Records of trials will be kept by the first Staff Judge Advocates General office in the internment facility's chain of command. These records will be open to inspection by representatives of the Protecting Power.

f. In each trial by court-martial, accused persons will be entitled to assistance by one of his prisoner comrades, a qualified advocate or counsel of their own choice, to the calling of witnesses, and services of a competent interpreter, if needed. The commander concerned will appoint a Judge Advocate to serve as defense counsel in addition to any other counsel of the accused person's choice. The commander concerned will notify the accused person of these rights in ample time before the trial.

(1) If the accused does not exercise the right to choose an advocate or counsel, notice to that effect will be sent through the NPWIC to the Protecting Power to permit the Protecting Power to choose counsel. If the accused and the Protecting Power fail to choose an advocate or counsel, the commander concerned shall appoint a counsel, which in normal circumstances will be the judge advocate previously appointed. The accused person must consent to the service of the appointed advocate or counsel.

(2) If requested by the accused person, the commander concerned will appoint an interpreter to assist the accused person during the preliminary hearing and the hearing in court. The interpreter must not be a trial counsel, a defense counsel, an assistant to either, a witness, or have any bias or interest in the case. Accused persons have the right to object to the interpreter appointed, and to ask for a replacement.

(3) A judge advocate will serve as defense counsel in any general or special court-martial of an EPW/RP.

g. Representatives of the Protecting Power may attend the trial. It may be decided that in the interest of security, the trial will be conducted with the public excluded. If so, a notice will be given to NPWIC at least 3 weeks before the trial opens to permit notice to the Protecting Power.

h. Two copies of the findings and the sentence, if applicable, will be forwarded immediately to NPWIC. A summary will be sent to the Protecting Power, and the detainee representative. Notice of the EPW, RP decision to use or waive the right of appeal to the Court of Appeals for the Armed Forces, when review by that court is not mandatory, will also be forwarded (in duplicate) to HQDA (DAMO-ODL), NPWIC, WASH, DC 20310-0400. NPWIC will send a copy of the decision to the Protecting Power. An EPW, RP waiver of the right to appeal will in no way affect, or change the requirement for, review by a supervisory authority, a board of review, or the U.S. Court of Military Appeals when such review is required under the UCMJ. If the sentence adjudged is death, one copy of the court-martial record of trial will be forwarded to ODCSOPS, NPWIC. NPWIC will send a copy of the record of trial to the Protecting Power. The following information will be included:

(1) A precise wording of the approved finding and sentence.

(2) A summary report of the evidence, including any preliminary investigation, elements of offenses, and any defense raised thereto.

(3) If applicable, the place where the detainee will serve confinement.

i. A sentence to confinement imposed on EPW, or RP will be served in the same type of place and under the same conditions as in the case of a member of the U.S. Armed Forces. EPW and RP sentenced to U.S. Disciplinary Barracks (USDB) or Federal penitentiaries will remain EPW/RP. Accountability requirements will be

coordinated prior to any transfer by the losing commander and Commandant, USDB through HQDA (DAMO-ODL) NPWIC. Accused persons and the Protecting Power will be informed as soon as possible of all offenses that are punishable by the death sentence under U.S. laws. Lists of these offenses will be posted in all camps. Duplicate lists will be given to detainee representatives. Other offenses will not thereafter be made punishable by the death penalty without the concurrence of the power on which the detainee depends.

(1) An EPW or RP can be sentenced to death only if the court has taken into consideration, to the maximum extent possible, the fact that the accused is not a US citizen and is not bound to it by any duty or allegiance and is in US custody as a result of circumstances beyond their own will or control.

(2) If the death sentence is pronounced, it will not be carried out until 6 months have passed from the date the Protecting Power received the U.S. notice of the judgment and sentence.

(3) ODCSOPS will monitor and acknowledge when the ICRC/Protecting Power has received the notice permitting the execution of the sentence.

### 3-9. Loss or damage to property

a. Persons will be held responsible for the loss of, or damage to, any Government property through negligence or wrongful acts. A complaint may be made to the installation commander that property of a private person has been destroyed, lost, or damaged by a person interned at the installation, including any branch camp. If the EPW, RP does not accept responsibility for the damage, the commander will appoint a board of one to three officers to investigate the complaint.

b. Reports of survey or statements of charges will be processed according to AR 735-5. For this purpose, the commanding officer of an internment facility will be considered an installation commander. Amounts collected will be disposed of according to AR 735-5.

c. Supporting EPW/CI PSYOP units can assist the commanding officer in improving relations with local populations following loss or damage to private property.

### 3-10. Death and burial

a. For general procedures and authorized expenses for the care and disposition of remains, see AR 638-30 and AR 600-8-1.

b. When EPW and RP have chosen to make a will, the original will and two certified copies will be forwarded to the supporting PWIC upon death or at their request.

c. When an EPW or RP in U.S. custody dies, the attending medical officer will immediately furnish the camp (or hospital) commander or other officer charged with their custody before death, the following information:

(1) Full name of deceased.

(2) ISN of deceased.

(3) Date, place, and cause of death.

(4) Statement that death was, or was not, the result of the deceased's own misconduct.

(5) When the cause of death is undetermined, the attending medical officer will make a statement to that effect. When the cause of death is finally determined, a supplemental report will be made.

d. The camp or hospital commander, or other officer charged with custody of the person before death, will notify the proper Branch PWIC immediately, by telegram or the most expeditious means, of the death. The data listed in subparagraph c above will be included. If the required data has not been determined, a supplemental report will be made as soon as possible.

e. The attending medical officer and the appropriate camp commander will complete a DA Form 2669-R (Certificate of Death). DA Form 2669-R will be reproduced locally on 8 1/2 by 11-inch paper. The form is located at the back of this regulation. This form is for the use of Army only. Enough copies of form will be made out to provide distribution as follows:

(1) Original—information center.

(2) Copy—information center (branch), if necessary.

(3) Copy—The Surgeon General.

(4) Copy—EPW or RP personal file.

(5) The proper civil authorities responsible for recording deaths in the particular state if the EPW dies in the United States.

*f.* Investigating officer's report:

(1) The camp commander will appoint an officer to investigate and report:

(a) Each death or serious injury caused by guards or suspected to have been caused by guards or sentries, another detainee, or any other person.

(b) Each suicide or death resulting from unnatural or unknown causes.

(2) One copy of the investigating officer's report will be forwarded to the NPWIC

(3) USACIDC special agents will investigate deaths from other than natural causes per AR 195-2. A copy of the USACIDC report of investigation, if any, will be attached to the camp commander's report.

*g.* Burial, record of internment, and cremation. Deceased detainees will be buried honorably in a cemetery established for them according to AR 638-30. Deceased detainees will be buried, if possible, according to the rites of their religion and customs of their military forces. Unless unavoidable circumstances require the use of collective (group or mass) graves, detainees will be buried individually. Graves Registration Services will record any later movement of the remains. The United States will also care for the ashes of cremated persons. Ashes will be kept by Graves Registration Service persons until proper disposal can be decided according to the wishes of the power on which that person depended. A body may be cremated only due to imperative hygiene reasons, the detainee's religion, or the detainee's request for cremation. When a body is cremated, this fact together with the reasons will be set forth in the death certificate.

*h.* Burial at sea and after land transfer. If a detainee dies at sea, the body will not be buried there unless absolutely necessary. If the body has to be buried at sea, the procedures prescribed for U.S. troops will be followed as far as possible; however, a U.S. flag will not be used. When death occurs during a land transfer, the responsible officer will follow the same procedures for burial prescribed for U.S. military personnel.

*i.* The personnel file of a deceased person with all pertinent records will be forwarded to the Branch PWIC.

### 3-11. Transfer of prisoners of war

*a.* General. Permanent transfer of EPW in the custody of the U.S. forces to the host nation or other allied forces requires approval of the Secretary of Defense (SECDEF). The permanent transfer of EPW to foreign national control will be governed by bilateral national agreement and in accordance with subparagraph b below following SECDEF approval. Temporary transfer of EPW/RP to accommodate surges in prisoner population beyond the immediate capability of U.S. forces to manage is authorized. Theater commanders will develop measures to ensure accountability and humane treatment of prisoners so transferred.

*b.* EPW/RP may only be transferred from the custody of the United States to a power which is a party to the GPW, and only after a representative of the United States has visited the Power's internment facilities and is satisfied that the Power in question is willing and able to apply the GPW. EPW/RP transfers should not increase the difficulty of repatriation. Prisoners of war during transfer will have sufficient food and drinking water to keep them in good health, and will be provided adequate clothing, shelter, and medical attention. Precautions will be taken, especially in case of transport by sea or by air, to ensure their safety during transfer. A complete list of all transferred prisoners will be made before their departure and maintained by the Branch PWIC.

*c.* The supporting Branch PWIC and NPWIC will be notified immediately by the EPW camp commander of any EPW or RP transferred.

*d.* Transfer within the territory of the detaining power will always be carried out humanely and in conditions no less favorable

than those enjoyed by the troops of the detaining power during their movements. If EPW/RP are transferred on foot, only those who are fit to walk may be so transferred. The EPW/RP will not be exposed to excessive fatigue during transfer by foot.

*e.* The sick, wounded, or infirm EPW and RP as well as maternity cases will be evacuated through U.S. military medical channels and will remain in medical channels until they are certified "fit for normal internment" by competent medical authorities.

*f.* Necessary clothing, adequate shelter, and medical attention will be made available.

*g.* Suitable precautions will be taken to prevent EPW and RP, from escaping and to ensure their safety. Wounded and sick EPW and RP will not be transferred as long as their recovery may be endangered by the journey, unless their safety demands it.

*h.* The EPW and RP will be permitted to take with them their personal effects and property. The weight of their baggage may be limited if the conditions of transfer so require, but in no case will it be limited to less than 55 pounds per EPW/RP. The personal property that the EPW and RP are unable to carry will be forwarded separately.

*i.* The mail and parcels addressed to EPW and RP who have been transferred will be forwarded to them without delay.

*j.* Property, such as that used for religious services, or items donated by welfare agencies, will be forwarded as community property. These items are not to be considered a part of the 55 pounds of personal effects and property that each EPW is authorized to take.

*k.* When EPW and RP are to be transferred, they will be notified of their new postal addresses before departure. Notice will be given in time to pack and tag their luggage. They will also be given time to inform their next of kin and the Branch PWIC of their transfer and new address.

*l.* EPW and RP will not be confined in a jail or other correctional institution during transfer except in an emergency. They will be confined only in such fashion while the circumstances that necessitate the measures continue to exist. Transfer will be effected under conditions not less favorable than those under which U.S. Armed Forces are transferred.

*m.* Receipt of transferred EPW/RP.

(1) EPW and RP will not be accepted for detention or transfer to U.S. Military control from outside nations without prior approval from SECDEF. EPW and RP received by transfer from an allied nation will be properly receipted for by the officer designated to accept them. The receipt will indicate the place and date the United States assumed custody and the name, grade, ISN, and nationality of each transferred EPW and RP. Three or more copies of the receipt will be prepared. The original, plus one copy, will be delivered to the commander of the camp to which the EPW and RP are assigned. Upon receiving the copies, the camp commander will forward immediately one copy directly to the Branch PWIC, or to the NPWIC if the Branch PWIC is not operational. A DA Form 4237-R or an allied equivalent form for individuals listed on the receipt should be delivered to the accepting officer at the time the transfer is effected.

(2) EPW and RP transferred between EPW facilities and hospitals will be receipted for as above when there is little chance that the EPW/RP will be returned to the original camp. When EPW and RP are transferred to hospitals outside the jurisdiction of the EPW/CI camp, the hospital commander is required to submit their strength accountability reports to the supporting branch PWIC.

(3) The use of a manifest identifying the name, rank/status, ISN, power served/nationality, and physical condition of each EPW and RP transferred and received is required. The manifest will be attached to the original receipt of transfer and forwarded to the Branch PWIC.

*n.* EPW and RP captured or detained by the U.S. Marine Corps, Navy, Air Force, or Coast Guard are turned over to the U.S. Army at receiving points designated by the Theater Commander.

(1) All inter-service transfers should be effected as soon as possible after initial classification and administrative processing has been accomplished.

(2) CI will only be transferred within theater, unless directed by DOD.

(3) A manifest is required to identify as a minimum the: name, rank/status, ISN (if assigned), power served/nationality, and physical condition of each EPW and RP transferred and received. The manifest will be attached to the receipt of transfer and will become a permanent record to assure accountability of each prisoner.

*o.* When EPW are moved to a port of debarkation from an interior point, the theater commander will provide for:

(1) Transportation of the EPW up to and including their departure from the port.

(2) Care and security of the EPW, their baggage, monies, other valuables, and records until their custody is assumed by the CONUS EPW command.

*p.* *Transfers between Army commands.* The EPW's command, with the advice of military medical authority, is authorized to transfer injured, sick, and wounded EPW to other commands.

*q.* *Transfer of personal effects.*

(1) Each EPW and retained person will be permitted to hand carry personal effects and property not to exceed 55 pounds.

(2) EPW/RP who have been serving as chaplains or clergymen during their internment will be permitted to transfer, at Government expense, an additional 110 pounds to take other religious materials with them.

*r.* The transfer of physically disabled, insane, mentally incompetent, or wounded EPW/RP in a theater of operations will be according to procedures set up by the Theater Commander.

*s.* When a railroad car other than an U.S. Military-owned or operated hospital car is used to transfer EPW or RP patients, Red Cross signs will be placed on the inside of the middle window of each side of the car and on the inside of each door window of the car. These signs will be made of white paper or cardboard with a large red cross in the center of the sign. The word "hospital" will be placed above, and the word "car" below the red cross, in black letters. When EPW/RP patients are transferred in a compartment, drawing room, bedroom, or roomette, a sign as described above, with the exception of the word "car," in proportionate dimensions will be placed on the outside of the door of the compartment, drawing room, bedroom, or roomette.

*t.* Theater commanders are subject to the general restrictions on transfers contained in this regulation. They may transfer injured, sick, or wounded EPW who are within their commands to or from hospitals designated by the theater surgeon or Commander, HSC with guidance from the Joint Medical Regulation Office (JMRO) or the Theater Patient Movement Requirements Center (TPMRC) if:

(1) The EPW requires prolonged hospitalization or specialized treatment, including surgery, that is not available locally.

(2) The transfer is recommended by a medical officer after an examination of the EPW.

*u.* When EPW no longer require hospital care, they may be returned to the command from which transferred or to an EPW camp within the receiving command.

### 3-12. Repatriation of sick and wounded EPW/RP

*a.* Sick and wounded prisoners will be processed and their eligibility determined for repatriation or accommodation in a neutral country during hostilities. Both will be according to the procedures set forth below.

(1) Sick and wounded prisoners will not be repatriated against their will during hostilities.

(2) Procedures for a Mixed Medical Commission will be established by HQDA, according to this regulation and Annex II of the GPW. The purpose of the Commission will be to determine cases eligible for repatriation. The Mixed Medical Commission will be composed of three members. Two of the members, appointed by the ICRC and approved by the parties to the conflict, will be from a neutral country. As far as possible, one of the neutral members will be a surgeon and the other a physician. The third member will be a medical officer of the U.S. Army selected by HQDA. One of the members from the neutral country will act as chairman.

*b.* If for any reason the use of neutral doctors cannot be arranged for by the ICRC, the United States, acting in agreement with the

Protecting Power concerned, will set up a Medical Commission. This Commission will perform the duties of a Mixed Medical Commission.

*c.* The Mixed Medical Commission will:

(1) Examine EPW, and RP who have applied for repatriation.

(2) Inspect clinical records pertaining to these EPW.

(3) Determine those cases eligible for repatriation or hospitalization in a neutral country.

*d.* Decisions made by the Mixed Medical Commission will be a majority vote and cannot be changed to the detriment of the EPW and RP examined, except upon concurrence of the Commission.

*e.* The decisions made by the Mixed Medical Commission on all cases will be communicated to HQDA (DAMO-ODL), NPWIC, the Protecting Power, and the ICRC, during the month following the Commission's visit. Each EPW and RP examined will be informed by the Mixed Medical Commission of the decision made on the case.

*f.* The United States will carry out the decisions of the Mixed Medical Commission as soon as possible and within 3 months of the time after it receives due notice of the decisions.

*g.* The U.S. member will arrange all administrative details to expedite the work of the Commission. Commanders concerned will assist, facilitate, and expedite the operations of the Commission to the fullest extent.

*h.* The EPW and RP noted below will be examined by the Mixed Medical Commission.

(1) EPW and RP designated by a camp or hospital surgeon or a retained physician or surgeon who is exercising the functions of the surgeon in a camp.

(2) EPW and RP whose applications are submitted by a prisoner representative.

(3) EPW and RP recommended for examination by the power on which the EPW and RP depend or by an organization duly recognized by that power and that gives assistance to them.

(4) EPW, RP who submit written requests. These EPW will not be examined until the EPW listed in (1), (2), and (3) above have been examined.

*i.* An EPW or RP found ineligible by the Mixed Medical Commission may apply for reexamination 3 months after the last examination.

*j.* Each commander will be notified before arrival of the Commission. Before arrival of the Commission at a camp, hospital, or other designated place, the commander will prepare DA Form 2670-R (Mixed Medical Commission Certificate for EPW) and update and make available the records. For each EPW and RP to be examined, DA Form 2670-R will be completed in four copies. DA Form 2670-R will be locally reproduced on 8 1/2 by 11-inch paper. This form is located at the back of this regulation. This form is for the use of Army only.

*k.* The commanding officers of designated hospitals will complete DA Form 2671-R (Certificate of Direct Repatriation for EPW) and forward to the Branch PWIC. DA Form 2671-R will be locally reproduced on 8 1/2 by 11-inch paper. The form is located at the back of this publication. This form is for the use of Army only. The certificate will be in four copies to:

(1) Make the repatriation of sick and wounded EPW, RP easier.

(2) Relieve the Mixed Medical Commission of the need to visit EPW and RP patients who are eligible for direct repatriation.

*l.* The following EPW and RP are eligible for direct repatriation:

(1) EPW and RP suffering from disabilities as a result of injury, loss of limb, paralysis, or other disabilities, when these disabilities are at least the loss of a hand or foot, or the equivalent.

(2) Sick or wounded EPW and RP whose conditions have become chronic to the extent that prognosis appears to preclude recovery in spite of treatment within 1 year from inception of disease or date of injury.

*m.* The original and one copy of DA Form 2671-R will be forwarded to ODCSOPS, NPWIC. The other two copies will be attached to the clinical record. In all instances, these records will accompany the records of the EPW or RP when transferred.

### 3-13. Repatriation of other EPW/RP

Prisoners who are not sick or wounded will be repatriated or released at the cessation of hostilities as directed by OSD.

### 3-14. Repatriation transfer procedures

a. Control and accountability of EPW and RP will be maintained until the EPW or RP is receipted for by the serving power or designated protecting power.

b. The use of a manifest identifying at the minimum; name, rank/status, ISN, power served/nationality, and physical condition of each EPW and RP transferred is required. The manifest will be used as an official receipt of transfer and will become a permanent record to assure accountability of each EPW and RP until final release.

c. Copies of appropriate personnel, finance, and medical records will accompany the released and/or repatriated EPW/RP. These records will be transferred to the custody of the designated official receipting for the EPW/RP.

d. All confiscated personal property that can be released, will accompany the released or repatriated EPW/RP. An inventory will be conducted and any discrepancies identified. The individual will sign a property receipt for his personal items.

e. Upon completion of the transfer, the U.S. escort guard will forward the official receipt of transfer to the Branch PWIC.

f. Upon notification from the PWIC that the transfer is complete, the losing EPW or RP internment facility will forward all official records and confiscated property that cannot be released to the Branch PWIC for final disposition.

g. The PWIC will:

(1) Notify the NPWIC of final status of released/ repatriated EPW and RP.

(2) Forward all EPW and RP records and reports per AR 25-400-2, The Modern Army Recordkeeping System (MARKS).

(3) Dispose of confiscated property in their possession per instructions received from the NPWIC and applicable Army Regulations.

### 3-15. Retained personnel

a. Enemy personnel entitled to a retained status should have on their person at the time of capture a special identity card attesting to their status. The minimum data shown on the card will be the name, date of birth, grade, and service number of the bearer. The card will state in what capacity the bearer is entitled to the protection of GPW. The card will also bear the photograph of the owner and either the signature or fingerprints or both. It will be embossed with the stamp of the military authority with which the person was serving at time of capture.

b. Enemy personnel who fall within any of the following categories, are eligible to be certified as RP:

(1) Medical personnel who are members of the medical service of their armed forces.

(2) Medical personnel who are exclusively engaged in:

(a) The search for or the collection, transport, or treatment of the wounded or sick.

(b) The prevention of disease.

(c) Staffs exclusively engaged in administering medical units and establishments.

(3) Chaplains.

(4) The staff of the National Red Cross, Red Crescent, and other voluntary aid organizations. These organizations must be duly recognized and authorized by their governments. The staff of these organizations may be employed on the same duties as persons in (2) above, if such organizations are subject to military laws and regulations.

c. RP whose status is certified will not be considered as EPW; however, they will receive the benefits and protection of an EPW.

d. EPW who are certified to be proficient medically or religiously continue to be considered and identified as EPW, as appropriate, but will be administered and treated in the same way prescribed for RP. Enemy personnel who are classified in these

categories and are determined qualified by competent Army authority are eligible to be certified as proficient to perform medical or religious duties:

(1) EPW who are ministers of religion; however, they have not officiated as chaplains to their own forces.

(2) Specially trained EPW, employed at the time of their capture as hospital orderlies, nurses, or auxiliary stretcher-bearers, in search for, or in collecting, transporting, or treating of the wounded and sick. These EPW are not eligible for RP status but may be employed only on medical duties they are qualified to perform.

e. Certification of the retained status of personnel will be effected upon the decision that the special identity card held by each such person is valid and authentic. This certification will be decided, if possible, at the time of processing by the camp commander.

f. The Theater Commander, or CINCUSACOM will confirm the certification of the technical proficiency of the persons described in paragraph 3-15d. Qualified U.S. Military medical and religious personnel must first confirm the medical or religious proficiency of each EPW.

g. Classification forms will be completed as follows:

(1) DA Form 2672-R (Classification Questionnaire for Officer Retained Personnel) will be completed in three copies by captured officers and civilians of equal grade who have or:

(a) Claim RP status.

(b) Are applicants for a certificate of medical proficiency. DA Form 2672-R will be locally reproduced on 8 1/2 by 11-inch paper. The form is located at the back of this publication. This form is for the use of Army only.

(2) DA Form 2673-R (Classification Questionnaire for Enlisted Retained Personnel) will be completed in three copies by all captured enlisted persons and civilians of equal grade who have or are applicants for a certificate of medical proficiency. DA Form 2673-R will be locally reproduced on 8 1/2 by 11-inch paper. The form is located at the back of this publication. This form is for the use of Army only.

h. The camp commander will retain one copy of each of the forms noted in subparagraph g above. The second will be forwarded to the next higher commander. The third copy will be forwarded to the Branch PWIC.

i. Verifications of retained status and religious or medical proficiency will be recorded on the DA Form 4237-R of the person concerned. Denials of claims to retained status or certification of proficiency will also be recorded together with a brief statement of the reason.

j. RP are subject to the internal discipline of the camp in which they are retained; however, they may not be compelled to do any work except that relating to their medical or religious duties.

k. RP, who are members of the enemy's Armed Forces, will be assigned to EPW camps. If available, they will be assigned in the ratio of two physicians, two nurses, one chaplain, and seven enlisted medical personnel per 1,000 EPW. Economy of medical staffing may be achieved at higher levels per guidance from Commanding General, HSC. As much as possible, these RP will be assigned to camps containing EPW from the same Armed Forces upon which the RP depend.

l. CINCs, Task Force Commanders, Joint Task Force Commanders are authorized to transfer RP and EPW who are qualified to perform medical or religious duties between EPW camps within their jurisdiction in order to distribute them equitably.

m. Subject to security requirements the theater commander will ensure:

(1) Full use of enemy medical personnel for the treatment of sick and wounded EPW/RP.

(2) Release of U.S. medical personnel, when possible, from caring for sick and wounded EPW except for supervision and training of enemy medical personnel.

n. The senior medical officer in each camp will provide close and continuing supervision of the professional activities of the retained medical persons and report all improper activities.

o. RP will not be allowed access to or custody of narcotic drugs or other controlled substances as delineated in Title 21, United

States Code, except under close supervision of U.S. medical personnel.

p. EPW camp surgeons or hospital commanders in which retained persons are used will verify:

- (1) Accuracy of the final diagnosis.
- (2) Adequacy of treatment.

(3) Final disposition of patients treated by RP.

g. While caring for the sick and wounded, RP will receive the same daily rate of pay as is received by EPW.

r. Monthly allowances for RP will be the same as those prescribed for EPW of the same rank.

s. RP may be detained in EPW camps. When practical, they will be assigned quarters separate from EPW.

t. RP will wear on their left sleeve a water resistant arm band bearing the distinctive emblem (Red Cross, Red Crescent) issued and stamped by the military authority of the power with which they have served. Authorized persons who do not have such armbands in their possession will be provided with Geneva Convention brassards (AR 670-1).

u. RP will enjoy the same correspondence privileges as EPW. Chaplains will be free to correspond, subject to censorship, on matters about their religious duties. Correspondence may be with ecclesiastical authorities both in the country where they are retained and in the country on which they depend, and with international religious organizations. RP will be authorized the following additional privileges:

(1) They will be granted facilities necessary to provide EPW with medical care, spiritual assistance, and welfare services.

(2) They will be authorized to visit EPW periodically in branch camps and in hospitals outside the EPW camps in order to carry out their medical, spiritual, or welfare duties.

(3) They will be given the necessary means of transportation for making such visits.

(4) The senior retained medical officer, as well as chaplains, will have the right to correspond and consult with the camp commander or his or her authorized representatives on all questions about their duties.

v. RP are subject to the same disciplinary measures as are EPW.

w. RP will be retained only insofar as the state of health, the spiritual needs, and the number of EPW require. Persons whose retention is not required will be repatriated as soon as military requirements permit. Nothing precludes reasonable measures to prevent such persons from carrying information of strategic or tactical value. Should they come into possession of such information, their return to their own armed force may be delayed until the information is of no significant value.

### 3-16. Complaints and requests to camp commanders

a. EPW and RP have the right to make complaints and requests to camp commanders and the ICRC/protecting powers regarding the conditions of their internment. EPW and RP may not be punished for making complaints, even if those complaints later prove unfounded. Complaints will be received in confidence, as they might endanger the safety of other detainees. Appropriate action, including segregation, will be taken to protect detainees when necessary. This policy also applies to persons who are confined pending trial or as a result of a trial.

b. EPW and RP may take complaints or requests to the camp commander.

c. Persons exercising the right to complain to the ICRC or protecting power about their treatment and camp may do so:

(1) By mail.

(2) In person to the visiting representatives of the ICRC or protecting power.

(3) Through their detainee representative.

d. Written complaints to the protecting power will be forwarded promptly through HQDA, ODCSOPS (DAMO-ODL) NPWIC. A separate letter with the camp commander's comments will be included. Military endorsements will not be placed on a detainee's communication.

e. If an ICRC/protecting power communicates directly with an EPW/CI camp commander about any matter requiring an answer, the communication and commander's reply will be forwarded to HQDA, ODCSOPS (DAMO-ODL) NPWIC, for proper action.

f. Any act or allegation of inhumane treatment will be investigated and, if substantiated, reported to HQDA as a Serious Incident Report (SIR) per AR 190-40. Once completed, a copy of the SIR accompanies the prisoner to the EPW/CI camp, and a copy is furnished to the monitoring Branch PWIC. All available pertinent information that the EPW or RP is willing to give, will be entered on the form.

### 3-17. EPW/RP safety program

A safety program for EPW and RP will be set up and administered in each EPW camp. Army regulations, circulars, and pamphlets in the 385-series may be used as guides for establishing an EPW and RP safety program. Accident injury forms used in the EPW and RP safety programs will be prepared, administered, and maintained separately from those prepared for other persons included under the Army Safety Program.

## Chapter 4 Employment and Compensation for EPWs

### Section I General Policy and Guidelines

#### 4-1. General principles

a. To the extent possible, EPW will be employed in work needed to construct, administer, manage, and maintain EPW camps. EPW will be employed in other essential work permitted by this regulation only when qualified civilian labor is not available. Essential work is work that must be done, despite the availability of EPW.

b. EPW labor, external to DOD, is regulated by contract. When authorized by theater directives, EPW, RP may be given advance pay. Procedures for administering this advance pay are set forth in AR 37-1.

#### 4-2. Restricted employment

a. EPW will not be employed in positions that require or permit them:

(1) Access to classified defense information or records of other personnel.

(2) Access to telephone or other communication systems.

(3) Authority to command or instruct U.S. personnel.

b. EPW may be employed in the following types of labor:

(1) EPW camp administration, installation, or maintenance.

(2) Agriculture.

(3) Public works, public utilities, and building operations which have no military character or purpose.

(4) Transportation and handling of stores which are not military in nature or purpose.

(5) Domestic service.

#### 4-3. Liability to perform labor

a. Subject to the limitations stated in paragraph 4-5 and 4-6, EPW will be required to perform any and all work consistent with their grade and status as follows:

(1) Officer EPW. Officer EPW will not be required to work. Officer EPW, however, may make a written request for work. The camp commander will provide such work, if feasible. Officer EPW may, at any time, revoke a voluntary request for work. Officer EPW are required to maintain their personal areas, equipment and other items/areas in a manner that promotes good health and personal hygiene.

(2) Noncommissioned officer (NCO) EPW. NCO EPW will be required to do supervisory work only. NCO EPW, however, may make a written request for work other than supervisory work. NCO

EPW may, at any time, revoke a voluntary request for work other than supervisory work.

(3) Enlisted EPW. Enlisted EPW will be required to do any and all work consistent with this regulation.

b. Fitness of EPW for labor will be verified at least once a month by medical examination. An attending medical officer will classify the level of physical fitness EPW can perform for work as follows: heavy work, light work, and no work. Lists of these individual labor levels of EPW will be posted in each EPW camp. If physical conditions permit, each EPW will perform labor as directed by the camp commander.

#### 4-4. Authorized work

a. Categories. Levels of work for which each EPW are authorized and may be compelled to perform are categorized as follows:

(1) Restricted work. EPW may be compelled to perform the following types which may not be of a military nature or purpose:

(a) Public works and building operations. The primary factor in deciding whether EPW may be employed is the nature of the construction being undertaken. If the construction is purely military in nature, each EPW may not be compelled to engage in such work. If the construction is not purely military in nature, the purpose for which the structure is to be used is the deciding factor. If the completed construction is intended to be used primarily by units engaged in, or in direct support of, military operations against the enemy, EPW may not be compelled to work on the project.

(b) Transporting and handling stores. The first consideration is the nature of the property being handled. If the stores are military in nature, EPW may not be compelled to transport or handle them. If the items are not military in nature, then their purpose is the deciding factor. EPW may not be required to transport or handle stores specifically consigned to units engaged in military operations. EPW and RP may, however, be required to handle stores when handling is incidental to the performance of authorized types of work. For example, work in a military mess may be classified as domestic service. Handling of rations by EPW in connection with domestic service may be required.

(c) Public utility services. Construction, repair, or maintenance of water, sewage, drainage, gas, or electrical facilities are not of an inherent military nature. The purpose of these services is the deciding factor as to whether or not EPW may be compelled to engage in such activities. Such services may be intended primarily or exclusively for the benefit of units engaged in, or directly supporting, operations against the enemy. If so, EPW may not be required to perform these services. On the other hand, services intended primarily or exclusively for other purposes represent work that EPW may be compelled to perform.

(2) Nonrestricted work. EPW may be compelled to perform types of work listed below having no direct military purpose:

(a) Construction, administration, management, and maintenance of EPW camps.

(b) Agriculture.

(c) Manufacturing industries, with the exception of metallurgical, machinery, and chemical industries.

(d) Commercial business and arts and crafts.

(e) Domestic service, including a clothing repair shop, laundry, bakery, or a mess hall.

#### 4-5. Unauthorized work

a. Unhealthy or dangerous work. EPW and RP may not be employed in any job considered injurious to health or dangerous because of the inherent nature of the work, the conditions under which it is performed, or the person's physical unfitness or lack of technical skill. A specific task should be considered, not the industry as a whole. The specific conditions for each job are the deciding factors. For example, an otherwise dangerous task may be rendered safe by the use of safety equipment. Likewise, an otherwise safe job may be dangerous because of the circumstances under which the work is required to be done. Similarly, dangerous work may be safe for

those whose training and experience have made them adept at it. EPW will not be employed in tasks requiring:

(1) Exertion beyond physical capacity.

(2) Use of inherently dangerous mechanisms or materials such as:

(a) explosives or mine removal.

(b) Mechanisms that are dangerous because the person is unskilled in their use.

(3) Climbing to dangerous heights or exposure to risk of injury from falling objects under motion and not under full control.

b. Humiliating work. No person will be assigned labor that is humiliating or degrading for a member of the U.S. Armed Forces. This prohibition does not prevent EPW from doing ordinary and frequently unpleasant tasks such as maintaining sanitation facilities, ditch digging and manual labor in agriculture.

c. Other specifically prohibited work. Certain occupations or types of work are prohibited for safety, security, or other reasons. EPW and RP will not be:

(1) Permitted to work in an area where they may be exposed to combat zone fire.

(2) Employed as personal servants to members of the U.S. Armed Forces.

(3) Employed to tend bars or serve alcoholic beverages in officers' messes or similar establishments.

(4) Permitted to work inside correctional facility walls or near inmates.

d. Questionable work. In case of doubt as to whether certain work is authorized, the next higher HQ Staff Judge Advocate (SJA) will review the proposed tasks. The purpose of the review will be to ensure consistency with this regulation and the law of war. The SJA will provide recommendations in writing to the camp commander. A copy will be forwarded to HQDA (DAJA-IA), WASH DC 20310-2214.

#### 4-6. Decisions on work conditions and safeguards

Commanders will make on-the-job decisions as to whether work is safe. They will take into account the guidance set forth in this regulation. Commanders will make decisions by ordinary standards of sound judgment, assisted by the informed advice of persons familiar with the occupations and other available data. Data will include the opinions of the SJA. Preliminary job training will be given when necessary and; protective clothing and accessories will be provided as required (e.g., hard-toed shoes, goggles, and gloves). Such safety devices will be equal to safeguards provided for civilian labor. Commanders will make periodic inspections to ensure satisfactory conditions and safeguards are maintained at all times.

#### 4-7. Referrals to HQDA, ODCSOPS

a. When substantial doubt exists as to whether or not a type of work is permissible according to this regulation, a request to ODCSOPS for specific instructions will be made through channels by the most expeditious means.

b. Each question forwarded will be accompanied by a statement as to:

(1) Type and place of work.

(2) Tasks to be performed.

(3) Number of EPW to be employed.

(4) Other facts having a direct bearing on the employment.

#### 4-8. Length of workday

a. The length of the workday for EPW, including the time for travel will not exceed that permitted for civilians in the locale who are employed in the same general type of work. The working period may be extended but will not be considered excessive because EPW are laboring under a task system. EPW contracts will contain specific terms on the hours of employment.

b. Except as provided in subparagraph c below, the EPW will not be required to work more than 10 hours (in one day) exclusive of a one hour lunch and rest period. They will not be kept out of camp for more than 12 consecutive hours, including travel time. Rest

cycles consistent with the wet bulb, black globe temperature will be monitored and followed.

c. EPW may be required to work any number of hours for the efficient operation of the EPW compound messes. EPW are responsible for preparing food within these messes.

#### 4-9. Rest periods

a. Day of rest. Each EPW will be allowed a rest period of 24 consecutive hours every week. These hours will preferably be on Sunday or on the day of rest in the prisoner's country of origin or as established by his or her religious affiliation.

b. Annual. Each EPW who has worked for one full year will be given a rest of eight consecutive days during which the U.S. will give working pay to the EPW.

#### 4-10. Responsibility for work supervision

The EPW camp commander will:

(1) Decide, as far as practical, how adequate the technical supervision is which is provided by the using agency.

(2) Report the facts on inadequately supervised details to the using agency.

(3) Refuse to continue details on contract work unless adequate work supervision is provided.

#### 4-11. Work detail leaders and interpreters

EPW camp commanders are authorized to use selected EPW as work detail leaders and interpreters. The time of work detail leaders and interpreters will be included in labor reports under the same project work classification as their details. The supporting EPW/CI PSYOP unit can assist the camp commander in identifying key communicators, informal leaders, and linguists among the camp population for use as work detail leaders and interpreters.

#### 4-12. Task system

The task system will be used when it is possible to predetermine the amount of finished work that an EPW, or group of EPW, can reasonably be expected to complete in a specific period of time.

a. Elements of the task system. The task system consists of:

(1) Assigning each EPW, or each group of EPW, a definite and reasonable amount of work to be completed within each workday or other predetermined time period.

(2) Payment for completed work according to this regulation.

(3) Incentive adjustments of the required work according to this regulation.

(4) Penalty measures needed to enforce the task system.

b. Decision on daily tasks. The camp commander will decide the reasonable amount of completed work to be required of each EPW or group of EPW during a day.

c. Notice to EPW. EPW will be informed of the adoption of the task system before it is put into effect. Each EPW or group of EPW, depending upon whether separate or group tasks are assigned, will be informed of the amount of completed work required each day.

d. Incentives. As an incentive, EPW who have completed the required amount of work in less than normal time may be returned to quarters.

e. Enforcing the task systems. The camp commander may take disciplinary action against physically qualified EPW who habitually fail to complete the assigned tasks.

#### 4-13. Employing EPW

a. The greatest benefit from EPW labor on work projects will be obtained. EPW will be employed, as far as practical, on work for which they are qualified. The Dictionary of Occupational Titles, U.S. Government Printing Office, WASH, DC, will be used as a guide in deciding the qualifications of each EPW.

b. In assigning EPW to details requiring special training and skills, the following qualification will be considered:

(1) Technical skills.

(2) Aptitudes.

(3) Past work records.

(4) On-the-job training.

c. EPW capable of performing skilled and semi-skilled work should be employed on essential work. Persons on work details that require special training or skill will remain as constant as practical. When it is necessary to substitute an EPW in such a detail, the using agency will be notified.

#### 4-14. Paid work

EPW will be compensated for performing work for which pay is authorized. The rate of such pay shall be not less than as prescribed in Article 62, GPW. Compensation for all such work will be made as authorized from U.S. Army appropriated funds, canteen funds, or camp EPW funds. Types of paid work for which compensation is authorized are:

a. Labor performed for a contract employer or for a federal agency.

b. Services as orderlies and cooks (for officer EPW).

c. Services to construct, administer, manage, and maintain EPW camps, branch camps, and hospitals when such services are performed by EPW permanently assigned to certain duties or occupations.

d. Labor of RP for their duties.

e. Spiritual or medical duties required to be performed by EPW for fellow EPW.

f. Service as prisoner representative or assistant. Such persons will be paid from the camp EPW fund. If no such fund exists, they will be paid the prescribed rate of pay from U.S. Army appropriated funds.

g. Work as detail leaders or interpreters.

#### 4-15. Restriction on paid work

a. Mess personnel. The number of EPW cooks and assistant cooks who will be paid for work in camp messes will in no case exceed the total number authorized for Army enlisted messes of the same or similar size.

b. Fatigue details. Kitchen police, latrine orderlies, and other fatigue details will normally be provided by rotating enlisted EPW. Each EPW assigned to these details will not be paid from Government canteen or camp EPW funds. Assignment of persons to such details by rotation on a duty roster may interfere with the work program. If so, the Camp Commander may assign those duties to EPW who volunteer and whose skills or training are not essential for other work details. In such cases, EPW assigned may be paid the authorized daily rate from canteen credits contributed by all EPW. Payment will be under supervision of the Camp Commander.

c. Gardening work.

(1) To the extent practical, EPW will be required to raise their own vegetables. This work will be classified as paid work.

(2) The produce from gardens operated with EPW labor will be U.S. property. It will be used for the benefit of EPW and U.S. Armed Forces personnel. It should not be sold or traded in civilian markets.

#### 4-16. Rates for paid work

EPW employed for paid work will be compensated at a rate to be specified, on either piecework or by the workday, as provided below:

a. *Piecework rates.* Piecework rates will be used in compensating EPW when the work performed is for a contract employer or a Federal agency other than DOD.

b. *Working rates.* Working rates will be used for compensating all other paid work (other than contract work) as follows:

(1) EPW of all grades, whether acting in a supervisory capacity or otherwise, will be compensated at the authorized daily rate per full workday.

(2) EPW laboring less than the full workday will be compensated in proportion to the number of hours worked, except when working under a task system and having completed the required task, EPW working under a task system will be paid only for the completed parts of the task despite the number of hours worked.

(3) The U.S. work supervisor may decide that an EPW who is not under a task system is producing less than should be produced

in a full workday. If so, the EPW will be compensated at a rate proportionately lower than the authorized daily rate. Such a decision must be approved by the Camp Commander.

#### 4-17. Days of paid work per month

The maximum number of days of paid work for an EPW will be limited to the number of workdays in a calendar month. The total workdays include the total number of days minus Sunday and any holiday specifically authorized by HQDA, ODCSOPS, (DAMO-ODL) NPWIC.

#### 4-18. Unpaid work

EPW/RP will not be paid for those services connected with administering and maintaining EPW camps, branch camps, and hospitals when such services are performed on a daily rotation or other temporary basis. Unpaid work, in all cases, will include:

- a. Kitchen police.
- b. Latrine orderlies.
- c. Ground police.
- d. Other routine fatigue details of the types normally assigned and performed equitably and temporarily by persons in U.S. Army units.

#### 4-19. Sale of articles and repair services

The canteen officer may sell articles made to order for, or repair services performed for, U.S. personnel by EPW. This sale is subject to the following provisions:

- a. Articles will be manufactured or repair services will be performed only during the spare time of EPW.
- b. No expense to the U.S. will be incurred for equipment, materials, or labor.
- c. Repair work or the making of articles to order for U.S. personnel will be prohibited unless an order for the work is placed through the EPW canteen.
- d. The canteen officer will fix the price of each article or repair service. The price will reasonably conform to prices for similar articles or services in the civilian market, less the cost of any material supplied by the customer.
- e. The canteen officer and the Camp Commander will enter into a blanket contract. Under this contract, the canteen officer will pay to the Camp Commander amounts derived from the sale of articles made to order for, and repair service performed for, U.S. personnel, less a handling charge by the canteen of not more than 10 percent. The canteen officer will submit a voucher monthly to the camp commander. The voucher will list:
  - (1) The individual sales and services performed during the month.
  - (2) The price charged for each.
  - (3) The deductions made for handling charges.
- f. The Camp Commander will deposit the amount derived from the sale of articles made to order for, or repair services performed for, U.S. personnel with the U.S. Treasurer. Procedures for these transactions are prescribed in AR 37-1. The EPW will be paid an hourly rate. The rate will not exceed the authorized daily rate for paid work for the services performed. However, in no case will the amount paid to the EPW exceed the price of the article or repair service fixed under subparagraph d above. Amounts will be subject to deductions provided for in this regulation. Any residual money will be disbursed by the EPW camp counsel for use by camp EPW. This disbursement must be approved by the Camp Commander.

#### 4-20. Disability compensation

a. An EPW may be injured or suffer a disability while working under circumstances that may be attributed to work. If so, DA Form 2675-R (Certificate of Work Incurred Injury or Disability) will be completed in four copies. The original will be given to the EPW; the second copy will be forwarded to the PWIC to be sent to the National Prisoner of War Information Center; and the third and fourth will be placed in the EPW's personnel file.

b. A claim by the EPW for compensation for work-incurred injury or disability will be forwarded to the PWIC. The PWIC will send the claim to the Power on which the EPW depends for settlement. A copy of the completed DA Form 2675-R taken from the personnel files of the EPW will be attached to the claim. DA Form 2675-R will be reproduced locally on 8 1/2 by 11 inch paper. This form is for the use of Army only.

#### 4-21. Operation of government vehicles

EPW may be licensed to operate Government motor vehicles according to AR 600-55.

### Section II Contract Employment

#### 4-22. Rules and procedures

Rules and procedures governing the military and contract employment of EPW will be according to the most current contract laws, procedures and guidelines and comply with the provisions of the Geneva Convention. All requests for the contracting of EPW will be forwarded promptly through channels to HQDA, ODCSOPS (DAMO-ODL) and be coordinated with HQDA, DAJA.

### Chapter 5 Beginning of Internment (CI)

#### 5-1. General protection policy—civilian internee

##### a. Treatment.

(1) No form of physical torture or moral coercion will be exercised against the CI. This provision does not constitute a prohibition against the use of minimum force necessary to effect compliance with measures authorized or directed by these regulations.

(2) In all circumstances, the CI will be treated with respect for their person, their honor, their family rights, their religious convictions and practices, and their manners and customs. At all times the CI will be humanely treated and protected against all acts of violence or threats and insults and public curiosity. In all official cases they will be entitled to a fair and regular trial as prescribed by this regulation.

(3) The CI will be especially protected against all acts of violence, insults, public curiosity, bodily injury, reprisals of any kind, sexual attack such as rape, forced prostitution, or any form of indecent assault.

(4) The CI will be treated with the same consideration and without adverse distinction based on race, religion, political opinion, sex, or age.

(5) The CI will be entitled to apply for assistance to the protecting powers, the International Committee of the Red Cross, approved religious organizations, relief societies, and any other organizations that can assist the CI. The commander will grant these organizations the necessary facilities to enable them to assist the CI within the limits of military and security considerations.

(6) The following acts are specifically prohibited:

(a) Any measures of such character as to cause the physical suffering or extermination of the CI. This prohibition applies not only to murder, torture, corporal punishment, mutilation, and medical or scientific experiments, but also to any other measure of brutality.

(b) Punishment of the CI for an offense they did not personally commit.

(c) Collective penalties and all measures of intimidation and terrorism against the CI.

(d) Reprisals against the CI and their property.

(e) The taking and holding of the CI as hostages.

(f) Deportations from occupied territory to the territory of the occupying power or to that of any other country, occupied or not, are prohibited.

b. Authorization to intern. Internment of protected civilian persons in a CI camp is authorized and directed provided that such

persons satisfy the requirements for being accorded the status of CI. One of the following two conditions must apply:

(1) Internment has been determined by competent U.S. Military authority to be necessary for imperative reasons of security to the United States Armed Forces in the occupied territory.

(2) Internment has been directed by a properly constituted U.S. military court sitting in the occupied territory as the sentence for conviction of an offense in violation of penal provisions issued by the occupying U.S. Armed Forces.

c. Order for internment.

(1) A protected civilian person in occupied territory will be accepted for evacuation to, and/or for internment in, a CI camp only on receipt of one of the following:

(a) An internment order for imperative security reasons authenticated by a responsible commissioned officer of the United States Military specifically delegated such authority by the theater commander.

(b) An order of an authorized commander approving and ordering into execution a sentence to internment pronounced by a properly constituted U.S. military court sitting in the occupied territory.

(2) The internment order will contain, as a minimum, the following information:

(a) The internee's personal data to include full name, home address, and identification document number, if any.

(b) A brief statement of the reason for internment.

(c) Authentication to include the signature of the authenticating officer over his or her typed name, grade, service number, and organization.

d. Compassionate internment. Notwithstanding the provisions of b and c above, requests by the CI for the compassionate internment of their dependent children who are at liberty without parental care in the occupied territory will normally be granted when both parents or the only surviving parent is interned.

e. Spies and saboteurs.

(1) As individually determined by the theater commander, protected civilian persons who are detained as alleged spies or saboteurs or as persons under definite suspicion of activities hostile to the security of the United States as an occupying power, will be regarded as having forfeited rights of communication with the outside world under the Geneva Convention (GC) for reasons of military security. Such forfeiture will be viewed as an exceptional and temporary measure. Due to the seriousness of the charges, such persons will not be processed as ordinary CI.

(2) Suspected spies and saboteurs will be afforded the same human rights treatment as the CI, and in case of trial, will be accorded the rights of fair and regular trial prescribed by the GC and by this regulation.

(3) When by the direction of the theater commander, suspected spies and saboteurs rights of communication with the outside world have been restored, their internment in a CI camp may be ordered in accordance with the provisions stated in paragraphs b and c above. When so interned, they will be accorded full CI status and rights and privileges as provided for by these regulations.

(4) At the earliest date consistent with the security of the United States, they will be released and granted full rights and privileges as protected persons under the GC.

f. Custodial security. The degree of security and control exercised over the CI will reflect the conditions under which their internment is authorized and directed and will recognize the escape hazards and difficulties of apprehension attendant on the internment of the CI in the occupied territory.

g. Appeals and periodic review of security internment cases.

(1) *Appeals.* The CI who are interned for imperative security reasons will be accorded the right to appeal the order directing their internment. Such appeals will be decided with the least possible delay by a board of officers. Appeals will be decided only on the grounds of the existence or nonexistence of imperative security reasons requiring the internment of the protected person.

(2) *Periodic review.* In the case where an appeal has been rejected, the board will review the case at least every 6 months, if

possible, to determine whether continued internment is essential to the security of the U.S. Armed Forces.

(3) *Reclassification to assigned residence.* In each CI case reviewed by the board in which continued control is necessary, the CI will be considered for an assignment to a residence in an area where there is adequate control.

h. *Support of dependents.* The United States will financially support the CI's dependents who are at liberty in the occupied territory and are without adequate means of support or are unable to earn a living.

## 5-2. Civilian Internee Safety Program

a. *Establishment.* A safety program for the CI will be established and administered in accordance with the policies prescribed in AR 385-10 and other pertinent safety directives.

b. *Reports and records.* DA forms and procedures outlined in AR 385-40 will be used in the implementation of the CI safety program. When so used, the letters "CI" will be clearly stamped at the top and bottom of each form. All such forms will be prepared, administered, and maintained separately from those prepared for personnel included under the Army Safety Program.

## 5-3. Republic of Korea/United States Agreement on processing civilian internees in Korea

a. On 12 February 1982, the United States and Korea signed The Memorandum of Agreement for the Transfer of the CI. The agreement applies to both the Republic of Korea (ROK) Armed Forces and the United States Armed Forces in Korea (USFK) who handle the CI.

b. As a result of this agreement, USFK Regulation 190-6 reflects minor modifications to procedures and forms concerning the processing of CI applicable only to the Korean theater of operations.

## Chapter 6 Administration and Operation of CI Internment Facilities

### 6-1. Internment Facility

a. *Location.* The theater commander will be responsible for the location of the CI internment facilities within his or her command. The CI retained temporarily in an unhealthy area or where the climate is harmful to their health will be removed to a more suitable place of internment as soon as possible.

b. *Quarters.* Adequate shelters to ensure protection against air bombardments and other hazards of war will be provided and precautions against fire will be taken at each CI camp and branch camp.

(1) All necessary and possible measures will be taken to ensure that CI shall, from the outset of their internment, be accommodated in buildings or quarters which afford every possible safeguard as regards hygiene and health, and provide efficient protection against the rigors of the climate and the effects of war. In no case shall permanent places of internment be placed in unhealthy areas, or in districts the climate of which is injurious to CI.

(2) The premises shall be fully protected from dampness, adequately heated and lighted, in particular between dusk and lights out. The sleeping quarters shall be sufficiently spacious and well ventilated, and the internees shall have suitable bedding and sufficient blankets, account being taken of the climate, and the age, sex and state of health of the internees.

(3) Internees shall have for their use, day and night, sanitary conveniences which conform to the rules of hygiene and are constantly maintained in a state of cleanliness. They shall be provided with sufficient water and soap for their daily personal hygiene and for washing their personal laundry; installations and facilities necessary for this purpose shall be provided. Showers or baths shall also be available. The necessary time shall be set aside for washing and for cleaning.

(4) CI shall be administered and housed separately from EPW/

RP. Except in the case of families, female CI shall be housed in separate quarters and shall be under the direct supervision of women.

*c. Marking.* Whenever military considerations permit, internment facilities will be marked with the letters "CI" placed so as to be clearly visible in the daytime from the air. Only internment facilities for the CI will be so marked.

*d. Organizations and operation.*

(1) The CI internment facilities will be organized and operated, so far as possible, as other military commands.

(2) A U.S. Military commissioned officer will command each CI internment facility.

(3) When possible, the CI will be interned in CI camps according to their nationality, language, and customs. All CI who are nationals of the same country will not be separated merely because they speak different languages.

(4) Complete segregation of female and male CI will be maintained except—

(a) When possible, members of the same family, particularly parents and children, will be lodged together and will have facilities for leading a normal family life.

(b) A parent with children, if single or interned without spouse, will be provided quarters separate from those for single persons.

(c) CI may be searched for security purposes. Female CI may be searched only by female personnel.

## 6-2. Administrative processing

*a. Military police processing.*

(1) Military Police (MP) prisoner of war units officially establish CI status and processes the CI.

(2) Only civilian persons entitled to protected status and that meet the requirements set forth in the GC will be classified as a CI.

(3) Dependent children, who are interned for compassionate reasons with their parents, will not be classified as CI or otherwise processed except as required on DA Form 2674-R (Enemy Prisoner of War/Civilian Internee Strength Report) (RCS CSGP-1583) and DA Form 2663-R. DA Form 2674-R will be reproduced locally on 8 1/2 by 11 inch paper, head to head. A copy for reproduction purposes is located at the back of this regulation. This form is for the use of Army only. Children under the age of twelve are to be identified by the wearing of some form of identity badge or wristband or some other means of identification.

(4) All efforts will be made to take the necessary measures to ensure that children under fifteen, who are orphaned or are separated from their families as a result of the war, are not left to their own resources.

*b. DA Form 2674-R*

(1) General. DA Form 2674-R will be prepared for each CI camp and hospital to which CI are assigned. Preparation will be in accordance with applicable procedures set forth for EPWs. DA Form 2674-R will be reproduced locally on 8 1/2 by 11-inch paper, head to head. A copy for reproduction purposes is located at the back of this regulation. This form is for the use of Army only.

(2) Personnel to be accounted for. All civilians processed and classified as CI and for whom a DA Form 4237-R has been prepared in accordance with paragraph 6-2. of this regulation and dependent children for whom compassionate internment with their CI parents has been approved in accordance with procedures prescribed by the theater commander.

(3) Basic personnel data. References to entries in section B, Remarks, requiring basic personnel data, will be interpreted as follows:

(a) Name. Enter last names and first names, in that order, alphabetically according to section (assigned gains, losses, and so forth) of CI and dependent children.

(b) Internment serial number. Enter complete serial number. of this regulation (dependent children are not assigned internment serial numbers (ISNs)).

(c) Grade. Civilian capacity or title, CI only.

(d) Sex. CI and dependent children.

(e) Nationality. CI and dependent children. Enter name of country of which parents claim citizenship.

(f) Occupational skill. Applies only to CI.

(4) Remarks column. On initial entry, enter in the "remarks" column the notation "approved by" (insert appropriate headquarters) on (insert date approved) CI and dependent children.

*c. Civilian internee personnel record.*

(1) DA Form 4237-R will be prepared for each protected civilian processed in an occupied territory as a CI or dependent child.

(2) All pertinent information available or which the CI is willing to give will be entered on the form. If a CI refuses or is unable to give any items of information, a notation will be made in item 36 on DA Form 4237-R. The codes to be used are contained in the Prisoner of War Information System (PWIS) Operator's Manual. Stamp the letters "CI" at the top and bottom of all pages of the form.

(3) All items on DA Form 4237-R are self explanatory except the following entries:

(a) *Item 3.* Civilian capacity or title (for example, mayor or police chief) if appropriate.

(b) *Item 4.* Serial number of identification document, if any.

(c) *Item 5.* Entry of "civilian internee."

(d) *Items 19 through 21.* Not applicable.

(e) *Items 23 through 25.* Name of apprehending unit and location, if known.

(f) *Item 35.* List impounded items from DA Form 1132 (Prisoner's Personal Property List-Personal Deposit Fund) and have the CI sign in the appropriate space verifying the impounded items.

(4) Entries will be typed if possible; otherwise, the form will be printed by hand in BLOCK LETTERS.

(5) Once completed, a copy of the form will accompany the CI to the CI camp. A copy will be furnished to the Branch PWIC monitoring CI activity for the theater commander.

*d. Internment serial number (ISN).* ISNs for each CI will be assigned according to the procedure set forth for EPW. The letters ACI@ will be substituted for AEPW@ e.g. US9AB-0001CI.

*e. DA Form 2677-R (Civilian Internee Identity Card).* Each CI will be issued a completed DA Form 2677-R. Notation thereof will be made under item 36 of DA Form 4237-R. DA Form 2677-R will be reproduced locally on 3- by 5- inch card head to foot. (Copy for local reproduction is located at the back of this regulation.) This form is for the use of Army only. All cards will be weatherproof. The CI will retain their identity cards at all times.

*f. Internment card.* On completion of a DA Form 4237-R, but not later than one week after arrival at a CI camp, each CI must complete two copies of DA Form 2678-R (Civilian Internee Notification of Address). One copy will be addressed to the EPW/CI information organization and the other copy to a relative or next-of-kin. DA Form 2678-R will be reproduced locally on 4- by 6-inch card, printed head to foot. (Copy for local reproduction is located at the back of this regulation.)

*g. DA Form 2663-R.* DA Form 2663-R will be completed in duplicate for each CI and for each interned dependent child. One copy will be retained in the camp at which the CI or dependent child is interned and will accompany internee on transfers; the other copy will be forwarded to the Branch PWIC.

## 6-3. Personal effects

*a.* All personal effects, including money and other valuables, of the CI will be safeguarded. Personal effects are classified according to their disposition.

*b.* The personal effects that detainees are allowed to retain, but are taken from them temporarily for intelligence purposes, will be receipted for and returned as soon as practical. Any national identification card or DA Form 2677-R will not be taken from the CI at any time.

(1) The camp commander may receive personal effects that the CI are permitted to retain, but which they wish stored. Individual receipts will be given to the CI for all items stored in this manner.

(2) Any claim by a CI for compensation for personal effects, money, or valuables stored or impounded by the United States and not returned upon repatriation or any loss alleged to be the fault of

the United States or its agents will be referred to the country to which the CI owes allegiance. In all cases, camp commanders will provide the CI with a statement, signed by a responsible officer, describing the property not returned and the reason. A copy of this statement will be forwarded to the Branch PWIC.

c. An inventory of personal effects that have been impounded will be entered on DA Form 4237-R, item 35. Also, DA Form 1132 will be completed by the CI and signed by the officer in charge or his or her authorized representative and a copy given to the CI.

d. The commanding officer of the camp where the CI is interned will be responsible for storing and safekeeping impounded personal effects. Such property will be marked or otherwise identified and securely bound or packaged. Upon transfer, the CI's impounded property will be delivered to the commanding officer of the receiving facility.

e. Money found in the possession of the CI will be handled according to AR 37-1.

f. Confiscated items of economic value will be receipted to the proper agency. Items of intelligence interest will be brought to the attention of military intelligence personnel immediately and receipted to them.

g. Personal property and documents of importance to the next-of-kin left by a CI who has been released, has died, or has been in an escaped status in excess of 30 days, will be forwarded to the Branch PWIC in sealed parcels. The parcels will be accompanied by statements identifying the CI and listing the contents. All parcels will be receipted for by the authorized losing or gaining facility representative.

h. The theater commander will be responsible for retaining and storing other personal effects, pending final disposition instructions from HQDA, ODCSOPS(DAMO-ODL) NPWIC, WASH DC 20310-0400.

#### 6-4. Internee Committee

a. *Election.* At each camp and branch camp, CI will be elected by secret written ballot to the Internee Committee. This committee is empowered to represent the camp to the protecting powers, International Committee of the Red Cross, or other authorized relief or aid organizations and U.S. military authorities.

b. *Composition.* The Internee Committee will consist of not less than two and not more than three elected members. Elections will be held every 6 months or upon the existence of a vacancy. Committee members are eligible for re-election.

c. *Approval.* Each member of the Internee Committee will be approved by the camp commander prior to assumption of duty. If the camp commander refuses to approve or dismisses an elected member, a notice to that effect with the reasons for refusal or dismissal will be forwarded through channels to the Branch PWIC for transmittal to the protecting power with a copy furnished to NPWIC.

d. *Assistants.* Each member of the Internee Committee may have an assistant to act as an interpreter. The interpreter must be approved by the camp commander.

##### e. Duties.

(1) The Internee Committee will be responsible for furthering the physical, spiritual, and intellectual well being of the CI. Members will not be required to perform any other work if it interferes with their duties.

(2) Any mutual assistance organization set up by the CI will be under the jurisdiction of the Internee Committee.

(3) Internee Committee members will be provided with the necessary materials, facilities, and transportation and will be given the freedom required to accomplish their duties. Additional special duties performed by members of an Internee Committee include the following:

(a) Visits to outside labor details.

(b) Checking the management of the canteen and the canteen fund.

(c) The presentation and transmittal of petitions and complaints to the appropriate authorities.

(d) The distribution and disposition of collective relief shipments.

(e) Keeping informed of ongoing and final judicial proceedings instituted against a CI whom they represent.

(f) The delivery of perishable goods to the infirmary when addressed to a CI undergoing disciplinary punishment.

(g) Representing the interest of the CI by ensuring the transport of their community property and luggage that they are unable to take with them on transfers because of baggage weight limitations.

(4) Members of Internee Committees who are transferred will be allowed a reasonable time to acquaint their successors with their duties and related current CI affairs.

f. *Communications facilities.* Members of the Internee Committee will be accorded postal and telegraphic facilities for communicating with the protecting powers, International Committee of the Red Cross and its delegates, or other relief and aid organizations authorized to assist the CI and U.S. military authorities. Committee members of branch internment camps will be accorded similar facilities for communicating with the Internee Committee of the parent CI camp. These communications will be unlimited and will not be considered as forming a part of the correspondence quota outlined in paragraph 6-8.

#### 6-5. Supplies

##### a. General.

(1) The CI must provide their own clothing and footwear. Approved items of clothing and equipment, general supplies, subsistence, and fuel will be supplied upon requisition.

(2) Except for work clothing or as circumstance warrant, or climatic conditions required, no replacement clothing will be issued.

(3) Except for hats and other accessories any item of clothing that may be worn as outer garments will be marked as prescribed below:

(a) All shirts, undershirts, blouses, jackets, coats including overcoats and raincoats, and similar articles will be marked with the letters "CI" across the back and on the front of each sleeve between the elbow and shoulder. The letters will be black and 4 inches high. If the clothing or uniforms are of such color that black letters do not contrast well, white will be used.

(b) Trousers, walking shorts, and like items of clothing will be similarly marked with the same letters across the back just below the belt and on the front of both legs just above the knees.

(c) At the discretion of the camp commander, the ISN or other identification marks may be written or stamped on the inside of all CI clothing.

##### b. Food.

(1) Subsistence for the CI will be issued on the basis of a master CI menu prepared by the theater commander. Preparation of the menu will include the following:

(a) The daily individual food ration will be sufficient in quantity, quality, and variety to maintain the CI in good health and to prevent nutritional deficiencies.

(b) The customary diet of the CI will be considered.

(c) The CI performing physical labor will receive additional food in proportion to the kind of labor performed.

(d) Expectant and nursing mothers and children under 15 years of age will receive additional food in proportion to their physiological needs.

(2) Facilities will be available to the CI for preparing additional food received or procured by them from authorized sources.

##### c. Miscellaneous.

(1) The issuance of expendable supplies is authorized according to allowances prescribed in Army publications.

(2) Equipment required to support vocational training projects such as gardening, carpentry, tinsmithing, blacksmithing, masonry, repairing shoes and clothing, tailoring, barbering, potting, and farming may be requisitioned through normal supply channels. Subject to restrictions imposed on authorized expenditures from the camp Civilian Internee Fund, camp commanders may purchase locally items of equipment, materials, and supplies needed in the vocational training program that are not available through supply channels.

## 6-6. Medical Care and Sanitation

### a. General.

(1) Dental, surgical, and medical treatment will be furnished free to the CI.

(2) A medical officer will examine each CI upon arrival at a camp and monthly thereafter. The CI will not be admitted into the general population until medical fitness is determined. These examinations will detect vermin infestation and communicable diseases especially tuberculosis, malaria, and venereal disease. They will also determine the state of health, nutrition, and cleanliness of each CI. During these examinations, each CI will be weighed, and the weight will be recorded on DA Form 2664-R.

(3) Each CI will be immunized or reimmunized as prescribed by theater policy.

### b. CI medical personnel.

(1) Qualified CI medical personnel will be used as much as possible in medical and hygiene work necessary for the well-being of all CI.

(2) Required Army medical personnel will be provided within the capability of the theater commander.

c. Medical facilities. Each CI camp will provide personnel, material, and facilities for adequate routine and emergency dispensary treatment. Patients requiring hospital treatment will be moved, if feasible, to a civilian hospital. The treatment must be as good as that provided for the general population. When civilian hospital facilities are not available or their use is not feasible due to security considerations, U.S. military hospital facilities may be used. Guards for hospitalized CI will be provided, as necessary.

### d. Medical care.

(1) Medical and dental care, including dentures, spectacles, and other required artificial appliances, will be provided the CI in accordance with AR 40-3.

(2) Each CI will be given an initial radioscopic chest examination. If active disease is found, pulmonary disease consultation is indicated. If no active disease is found, the individual will be followed through routine periodic examinations.

(3) For children up to 14 years of age, a tuberculin skin test (TST) will be administered. No chest x-ray is necessary if the TST is negative. The local medical officer will establish guidance for subsequent tests based on the tuberculosis experience of the population. Routine annual tuberculin testing of children is not warranted unless there is clear-cut evidence of high risk. (See AR 40-26, para 8 f.)

(4) Experimental research will not be conducted on the CI even if the CI agrees to it.

(5) Sick call for the CI desiring medical attention will be held each day. Emergency treatment will be provided at all times.

e. Blood donations. At each CI camp and hospital, a list will be maintained according to blood types of CI who have volunteered to furnish blood.

### f. Records and reports

(1) General. The medical records and forms used for the hospitalization and treatment of U.S. Army personnel and for EPWs will be used for CI. The letters "CI" will be stamped at the top of the form. Medical and dental records will accompany the CI when they are transferred.

(2) Certificate of Work Incurred Injury or Disability. If a CI is injured while working or incurs a disability that may be attributed to work, a DA Form 2675-R will be completed.

(3) Certificate of medical treatment. Each CI who has undergone medical treatment will be given on request an official certificate indicating the nature of his or her illness or injury, and the duration and kind of treatment given. A duplicate of this certificate will be forwarded to the Branch PWIC.

(4) Seriously ill report. When a CI is seriously ill because of injury or disease, the camp or hospital commander will notify the Branch PWIC without delay and provide a brief diagnosis of the case. Follow-up reports, including notification of removal from the seriously ill list, will be submitted each week thereafter during the period the CI remains critical.

### g. Sanitation.

(1) Hygiene and sanitation measures will conform to those prescribed in AR 40-5 and related regulations. Camp commanders will conduct periodic and detailed sanitary inspections.

(2) A detailed sanitary order meeting the specific needs of each CI camp or branch camp will be published by the CI camp commander. Copies will be reproduced in a language that the CI understands and will be posted in each compound.

(3) Each CI will be provided with sanitary supplies, service, and facilities necessary for their personal cleanliness and sanitation. Separate sanitary facilities will be provided for each sex.

(4) All CI will have at their disposal, day and night, latrine facilities conforming to sanitary rules of the Army.

## 6-7. Social, Intellectual, and Religious activities

### a. General.

(1) Subject to security considerations and camp discipline, the CI will be encouraged, but not required, to participate in social, intellectual, religious, and recreational activities. Introducing political overtones into or furthering enemy propaganda objectives through these activities will not be tolerated.

(2) Premises and facilities for conducting the activities in (1) above will be made available in each camp, if possible. Required materials and supplies will be requisitioned through normal supply channels.

(3) Carefully selected and qualified civilian nationals and CI may be used for the conducting of activities in (1) above where practical as long as they are closely supervised by U.S. Military personnel.

### b. Visits.

(1) Official. Duly accredited representatives of the protecting powers and of the International Committee of the Red Cross and other will be permitted to visit and inspect CI camps and other places of internment in the discharge of their official duties. The inspections will be at times previously authorized by the theater commander. Such visits will not be prohibited, nor will their duration and frequency be restricted, except for reasons of imperative military necessity, and then only as a temporary measure. These representatives will be permitted to—

(a) Interview the CI without witnesses, if requested.

(b) Distribute relief supplies and approved materials intended for educational, recreational, or religious purposes, or for assisting the CI in organizing their leisure time within the places of internment. Visiting representatives may not accept from the CI any letters, papers, documents, or articles for delivery.

(2) Social. Near relatives and other persons authorized by the theater commander will be permitted to visit the CI as frequently as possible in accordance with theater regulations. They should be advised that the taking of photographs on or about the facility is prohibited.

(3) Emergency visits by civilian internees. Subject to theater policy, the CI may visit their homes in urgent cases, particularly in cases of death or serious illness of close relatives.

### c. Education.

(1) The CI education program, as developed for each CI camp, will reflect consideration of the following:

(a) The several educational levels represented in the CI population of the camp.

(b) The establishment of basic courses of instruction to include elementary level reading, writing, geography, mathematics, language, music, art, history, and literature.

(c) The uninterrupted education of dependents residing with their CI parents. This education will reflect to the extent determined feasible by the theater commander, the educational curriculums of the particular country.

(d) The development of vocational training projects with an immediate view of developing skills that may be useful during internment and a longer range view of enabling the CI to learn a useful trade in which they may engage when returned to normal civilian life. Such projects may include, at the discretion of the theater commander, carpentry, tinsmithing, masonry, repairing shoes and clothing, tailoring, barbering, potting, and farming.

(2) Equipment required to support the education program will be requisitioned through normal supply channels. At the discretion of the camp commander, items not in supply may be purchased locally and paid for from the camp Civilian Internee Fund provided the items will benefit most CI. The CI personnel employed in the education program will be paid the established rate of pay from the camp Civilian Internee Fund.

*d. Religion.*

(1) CI will enjoy freedom of religion, including attendance at services of their respective faiths held within the internment camps. Wines used for religious purposes will be permitted.

(2) CI who are clergy may minister freely to CI who voluntarily request their ministrations. Equitable allocation of CI clergy will be effected among the various camps.

(3) If there is a shortage of CI clergy and the circumstances warrant, the camp commander will provide the CI clergy with the necessary means of transport for visiting the CI in branch camps and hospitals.

(4) The CI clergy will be permitted to correspond on religious matters with the religious authorities in the country of detention and, as far as possible, with the international religious organizations of their faiths. This correspondence will not be considered as forming a part of the quota that may be established in accordance with paragraph 6-8, but will be subject to censorship.

(5) Ordained clergy or a theological student who are not CI may be authorized to enter a camp and conduct religious services. Visits by such personnel will be in accordance with procedures prescribed by the theater commander.

*e. Recreation.*

(1) Recreational activities and facilities, in addition to sports and outdoor games, may include concerts and plays put on by the CI, recorded music, selected motion pictures, and other activities provided by the theater commander.

(2) Special playgrounds will be reserved for dependent children of the CI.

(3) Expenditures from the camp Civilian Internee Fund for the purchase or rental of recreational equipment are authorized.

(4) Appointed delegates of the International Committee of Red Cross are authorized to assist in developing recreational and welfare activities.

## **6-8. Procedures for communications**

*a. Restrictions on numbers and addresses.* Procedures for CI correspondence will be in accordance paragraph 3-5. a-f. except that DA Forms 2668-R and 2680-R (Civilian Internee PostCard) will be substituted for DA Forms 2667-R and 2679-R (Civilian Internee Letter) respectively. No restriction will be placed on persons with whom the CI may correspond. DA Form 2679-R will be reproduced on 8 1/2-by 11-inch paper, head to head. DA Form 2680-R will be reproduced on 4-by 6-inch card, head to foot. Copies for local reproduction are located at the back of this regulation. These forms are for the use of Army only.

*b. Outgoing mail.* The following procedures apply to outgoing mail:

(1) Letters and cards will be typed or written legibly in ink. Block printing may be used.

(2) Correspondence will be addressed as follows:

(a) Names and addresses will be complete; they will be placed in the spaces designated on the correspondence forms.

(b) The return address will be in block print to include the full name, grade, ISN, place and date of birth of the sender, and the name of the camp to which assigned. Instructions for including the APO number or the country in which the camp is located should be issued by local directives.

(c) A person at a branch camp will give the parent camp as the return address. The person will be retained on the rosters and postal records of the parent camp.

(d) The surnames in the address and return address of letters and cards will be underlined.

(3) Each person will be required to date his or her letters and

cards. The name of the month will be written, not shown by a number.

(4) To expedite the handling of mail, CIs will designate the language of their communication.

(5) The date will not be crossed off, written over, or otherwise modified.

(6) Letters and cards will not be numbered consecutively.

(7) The entire letter or card will be written by the same person. If necessary, the address may be written by someone else.

(8) The CI may not write letters for others who are able to do so themselves. A person may be unable to write because of lack of education, accident, or sickness. If so, the camp commander may permit another person to write the message. In these cases, the person doing the writing will countersign the message.

(9) Letters and cards with parts excised, deleted, or otherwise mutilated before being dispatched from the camp will be returned to the person for rewriting.

*c. Correspondence sent to civilian internees.* Instructions on letters and cards that are sent to CI should be communicated by CI to their correspondents.

(1) The name and return address of the sender will be typewritten or hand printed. For letters, the sender's name and address will always appear on the backs of the envelope. The addresser's surname will be underlined.

(2) The name, grade, ISN of the detainee, the name or number of the base camp, and the geographical designation or APO number will be placed in the center lower half of the envelope card. These items are specified by local directives or the camp commander. The entire name of the detainee will be in block print. The address will be placed as near the lower edge of the envelope as possible; the postmark at the top will not be obscured or obliterated.

(3) The term "Civilian Internee Mail" will be placed in the upper left corner on the address side. In the upper right corner the words "Postage Free" must be shown.

*d. Legal documents.* Legal documents, such as wills and deeds, may be enclosed with outgoing correspondence. When it is necessary for a CI to send a legal document, the document and forwarding letter or card may be enclosed in a plain envelope.

*e. Maps, sketches, or drawings.* The CI will not send maps, sketches, or drawings in outgoing correspondence.

*f. Registered certified, insured, COD, or airmail items.* Individuals will not be permitted to mail registered, certified, insured, COD, or airmail items. If registered, certified, insured, or COD mail of either domestic or foreign origin addressed to a detainee is received, it will be refused. The local post office will return them to the sender.

*g. Postage.* Letters and cards to and from the CI will be sent by ordinary mail and postage free.

*h. Security.* Outgoing letters and cards will be secured by using locked boxes or similar means. Only authorized U.S. personnel will handle outgoing mail. Incoming mail may be sorted by the CI when supervised by U.S. personnel.

*i. Censorship.* Censorship of the CI mail will be according to policies established by the theater commander:

(1) Outgoing letters and cards may be examined and read by the camp commander. The camp commander will return outgoing correspondence containing obvious deviations from regulations for rewriting.

(2) Camp commanders will name U.S. military personnel to supervise the opening of all mail pouches containing incoming letters and cards for CI. These items will be carefully examined by the named personnel before delivery to detainees. Those items that arrive without having been censored by appropriate censorship elements will be returned for censorship to the designated censorship elements.

(3) The CI complaints concerning mail delivery will not be directed to censorship elements. These will be directed to—

(a) The camp authorities.

(b) The responsible major Army commander.

(c) HQDA, ODCSOPS(DAMO-ODL) NPWIC, WASH DC 20310-0400.

(d) The protecting power.

j. Procedures for parcels.

(1) A person may receive individual parcels and collective shipments containing—

(a) Foodstuffs.

(b) Clothing.

(c) Medical supplies.

(d) Articles of religious, educational, or recreational nature.

(2) Books, included in parcels of clothing and foodstuffs, may be confiscated as the camp commander decides.

(3) The CI may send parcels subject to such restrictions as may be deemed necessary by the theater commander with respect to quotas, contents, size, and weight. The CI may send parcels free of charge up to a weight of 5 kilograms per package, or 10 kilograms in the case of articles that cannot be separated (Art 39, Universal Postal Convention).

(4) Parcels received for transferred persons will be forwarded immediately to them.

(5) Nonperishable articles received for persons who have died, escaped, or been released will be forwarded to the Branch PWIC. Perishable items received for deceased or escaped persons will be released to the Internee Committee who will deliver them to the camp infirmary or hospital for the benefit of the CI.

(6) The contents of all incoming parcels will be examined at the camp by a U.S. officer in the presence of the addressee or the named representative. When considered necessary, the camp commander may request that the parcel be examined by the censorship element. The articles in each parcel will be removed. The string, the inner wrappings, the outer container, and any extraneous items found in the parcel will not be turned over to the CI or the named representatives. Examination will be close enough to reveal concealed articles and messages; however, undue destruction of contents of parcels will be avoided.

k. Telegrams and telephone calls. The CI may read and receive telegrams. They may not make or receive telephone calls.

(1) Dispatching telegrams will be as follows:

(a) A CI who has not received mail from next-of-kin for 3 months may send a telegram not earlier than one month from the date a previous telegram was sent.

(b) CI who are unable to receive mail from their next-of-kin or send mail to them by ordinary postal routes or who are a great distance from their home will be permitted to send one telegram a month.

(c) The CI who is seriously ill or who has received news of serious illness or death in the family will be permitted to send a telegram. The camp commander will authorize the sending of additional telegrams.

(2) The sending of telegrams as provided for in (1) above will be governed by the following:

(a) The message proper will consist of not more than 15 words.

(b) The cost of sending the telegram will be charged to the personal account of the CI.

(c) Arrangements for messages going to or through enemy-occupied countries will be made with the local International Committee of the Red Cross field director and will be sent through the International Committee of Red Cross, Geneva, Switzerland.

(d) Telegrams will be in the English.

(e) No telegram, except by members of the Internee Committee, will be sent to a Government official or to a protecting power.

(f) Telegrams will be censored according to instructions issued by the chief censor.

l. Books. The CI may receive books. Persons or organizations may donate new or unmarked used books, singly or in collections, to camp libraries. Books that arrive at camps uncensored will be censored by a representative of the censorship element. Publications (books, magazines, newspapers, and so forth) containing maps may be made available to the CI upon approval by the camp commander, provided they do not contain maps of the territory surrounding the camps.

m. Newspapers and magazines. The following may be made available to the CI:

(1) Current newspapers and magazines published in English in the United States and selected by the camp commanders.

(2) Unmarked, unused magazines in English published in the United States and distributed by approved relief or aid organizations received at the discretion of the camp commanders for camp libraries after censorship by the censorship element.

(3) Foreign language newspapers and magazines published in the United States, upon approval of the camp commander and after censorship of individual issues by the censorship element.

(4) Newspapers and magazines published outside the United States, regardless of language, must be approved by the theater commander or HQDA, ODCSOPS(DAMO-ODL) NPWIC, WASH DC 20310-0400.

#### **6-9. Complaints and requests to camp commanders and protecting power**

a. Persons may make complaints or requests to the camp commander, who will try to resolve the complaints and answer the requests. If the CI are not satisfied with the way the commander handles a complaint or request, they may submit it in writing, through channels, to HQDA, ODCSOPS(DAMO-ODL) NPWIC, WASH DC 20310-0400.

b. Persons exercising the right to complain to the protecting power about their treatment and camp may do so—

(1) By mail.

(2) In person to the visiting representatives of the protecting power.

(3) Through their Internee Committee.

c. Written complaints to the protecting power will be forwarded promptly through HQDA (DAMO-ODL)NPWIC, WASH DC 20310-0400. A separate letter with the comments of the camp commander will be included. Military endorsements will not be placed on any CI communications.

d. If a protecting power communicates with a CI camp commander about any matter requiring an answer, the communication and commander's reply will be forwarded to HQDA (DAMO-ODL) NPWIC, WASH DC 20310-0400, for proper action.

e. Any act or allegation of inhumane treatment or other violations of this regulation will be reported to HQDA (DAMO-ODL), WASH DC 20310-0400 as a Serious Incident Report. Reporting instructions in AR 190-40 will be used.

#### **6-10. Discipline and security**

Measures needed to maintain discipline and security will be set up in each camp and rigidly enforced. Offensive acts against discipline will be dealt with promptly. The camp commander will record disciplinary punishments. The record will be open to inspection by the protecting power.

a. Prohibited acts.

(1) Associations on close terms between the CI and U.S. military or civilian personnel.

(2) Exchange of gifts between the CI and U.S. military or civilian personnel.

(3) Setting up of courts by the CI. The CI will not have any disciplinary power or administer any punishment.

b. Regulations, orders, and notices. Regulations, orders, and notices on the conduct and activities of the CI will be written in a language the CI can understand. They will be posted in a place within each camp where the CI may read them. They will also be made available to persons who do not have access to posted copies. Additional copies will be given to the Internee Committee. This requirement will also apply to the text of the GC and texts of special agreements concluded under it. Every order and command addressed personally to the CI must be given in a language he or she understands. To protect persons from acts of violence, bodily injury, and threats of reprisals at the hand of fellow internees, a copy of a notice in the internee's language will be posted in every compound.

## NOTICE

The CI regardless of faith or political belief, who fear that their lives are in danger or that they may suffer physical injury at the hands of other detainees will immediately report the fact personally to any U.S. Army officer of this camp without consulting the Internee Committee. From that time on, the camp command will assure adequate protection to such civilian internees by segregation, transfer, or other means. Civilian internees who mistreat fellow internees will be punished.

Signed (Commanding Officer)

*c. Courtesies.* The normal civilian courtesies will be required of the CI in their relationships with military personnel. U.S. military personnel will be courteous and will extend to the CI the regard due them.

*d. Flags and political emblems.* Flags on which a political enemy emblem or device appears will be seized. The CI will not have any political emblem, insignia, flag, or picture of political leaders. The CI may have pictures of political leaders that appear in magazines, books, and newspapers if the pictures are not removed.

*e. Security.* All security matters connected with the custody and utilization of the CI are the responsibilities of the theater commanders in overseas areas.

### 6-11. Provisions common to disciplinary and judicial punishments

#### *a. General.*

(1) If general laws, regulations, or orders declare acts committed by the CI to be punishable, whereas the same acts are not punishable when committed by persons who are not interned, these acts will only entail disciplinary punishment.

(2) When possible disciplinary punishment rather than judicial punishment will be used.

(3) The courts or authorities in passing sentence or awarding disciplinary punishment will consider the fact that the defendant is not a national of the United States. They will be free to reduce the penalty prescribed for the offense with which the CI is charged and will not be obliged to apply the prescribed minimum sentence but may impose a lesser one.

(4) Punishment will not be inhumane, brutal, or dangerous to the health of the CI. The age, sex, and state of health of the CI will be considered.

(5) Imprisonment in premises without daylight is prohibited.

(6) The length of time a CI is confined while awaiting a disciplinary hearing or a trial will be deducted from any disciplinary or judicial punishment involving confinement to which he or she may be sentenced and will be taken into account in finding any penalty.

(7) No CI may be punished more than once for the same offense.

(8) The CI who has served disciplinary punishment on judicial sentences will not be treated differently from other CI.

*b. Confinement benefits.* The CI undergoing confinement, whether before or after trial and whether in connection with disciplinary or judicial proceedings, will—

(1) Be allowed to exercise and stay in the open air at least two hours daily.

(2) Be allowed to attend daily sick call, receive medical attention as needed, and if necessary be transferred to a hospital.

(3) Be given enough food to maintain them in as good health as that provided other CI.

(4) Be permitted to confer with visiting representatives of the protecting power or the ICRC.

(5) Be permitted to receive spiritual assistance.

(6) If a minor, be treated with proper regard.

(7) Be provided with hygienic living conditions.

(8) Be provided adequate bedding and supplies and facilities necessary for personal cleanliness.

(9) If a female, be confined in separate quarters from male CI and will be under the immediate supervision of women.

### 6-12. Disciplinary proceedings and punishments

*a. Authority to order disciplinary punishment.* Without prejudice to the competence of courts and higher authorities, disciplinary punishment may be ordered only by the camp commander.

*b. Rights of accused prior to imposition of disciplinary punishment.* Prior to imposition of disciplinary punishment, the CI will be—

(1) Provided precise information regarding the offense of which they are accused.

(2) Given an opportunity to defend the allegation.

(3) Permitted to call witnesses and to have, if necessary, the service of a qualified interpreter.

*c. Authorized disciplinary punishment.* The following disciplinary punishments are authorized:

(1) Discontinuance of privileges granted over and above the treatment provided for by this regulation.

(2) Confinement.

(3) A fine not to exceed one-half of the wages that the CI may receive during a period of not more than 30 days.

(4) Extra fatigue duties, not exceeding 2 hours daily, in connection with maintaining the internment camp.

*d. Duration of disciplinary punishment.*

(1) The duration of any single disciplinary punishment will not exceed 30 consecutive days. The maximum of 30 days will not be exceeded even if the CI is answerable for several breaches of discipline, whether related or not, at the time when punishment is imposed.

(2) The period elapsing between the pronouncing of the disciplinary punishment and the completion of its execution will not exceed 30 days.

(3) After imposition of disciplinary punishment on the CI, further discipline will not be imposed on the same CI until at least 3 days have elapsed between the execution of any two of the punishments if the duration on one of the two punishments is 10 days or more.

*e. Escape and connected offenses.*

(1) The CI who are recaptured after having escaped or when attempting to escape will be liable to disciplinary punishment with respect to this act only, even if it is a repeated offense.

(2) The CI punished as a result of escape or attempt to escape may be subjected to special surveillance that does not affect the state of their health, when the punishment is exercised in a CI camp and if it does not violate any of the provisions of this regulation.

(3) The CI who aid and abet an escape or an attempt to escape, if no injury is done to a person, will be liable to disciplinary punishment only.

(4) Escape, or attempt to escape, even if it is a repeated offense, will not be deemed an aggravating circumstance in cases where the CI is prosecuted for offenses committed incidental to or during his or her escape or attempt to escape.

(5) The CI is liable to prosecution for an escape or attempted escape that results in a death or serious bodily injury to another person.

*f. Confinement pending hearing.*

(1) The CI accused of an offense for which disciplinary punishment is contemplated will not be confined pending a disciplinary hearing unless it is essential to the interest of camp order and discipline. Its duration will in any case be deducted from any sentence of confinement.

(2) Any period spent by the CI in confinement awaiting a hearing will be reduced to an absolute minimum. For offenses entailing disciplinary punishment only, it will not exceed 14 days.

*g. Confinement facilities.* CI confined as disciplinary punishment will undergo their punishment in a CI camp stockade.

*h. Confinement benefits.* In addition to the benefits provided by paragraph 6-11 b of this regulation, the CI placed in confinement in connection with disciplinary proceedings will be allowed to send and receive letters, cards, and telegrams in accordance with the

provisions of this chapter. Parcels and remittances of money, however, may be withheld from the CI until the completion of the punishment. Parcels will be released to the safekeeping of the Internee Committee. If perishable goods are contained in the parcels, the Internee Committee will give them to the infirmary or hospital.

### 6-13. Judicial proceedings

#### a. General principles.

(1) The penal laws of the occupied territory will remain in force, with the exception that they may be repealed or suspended by the United States in cases where they constitute a threat to its security or an obstacle to the application of the GC.

(2) The United States may subject the population of the occupied territory to provisions that are essential to enable it to fulfill its obligation under the GC, to maintain orderly government of the territory, and to ensure the security of the U.S. Armed Forces.

(3) The penal provisions enacted by the United States will not come into force before they have been published and brought to the knowledge of the inhabitants in their own language. The effect of penal provisions will not be retroactive.

(4) The CI may be tried by general court-martial that must sit within the occupied territory. The CI will not be tried before summary or special court-martial.

(5) No CI will be tried or sentenced for an act that was not forbidden by U.S. law or by international law in force at the time the act was committed.

(6) No protected person may be punished for an offense he or she has not personally committed.

(7) No moral or physical coercion will be exerted to induce the CI to admit guilt for any act.

(8) No CI will be convicted without having had the chance to present a defense with the assistance of a qualified advocate or counsel.

#### b. Notification of judicial procedures.

(1) The accused will be promptly notified, in writing in a language they understand, of the charges against them and will be tried as rapidly as possible.

(2) A notice (in duplicate) of proceedings against the CI will be submitted through channels to HQDA (DAMO-ODL) NPWIC, WASH DC 20310-0400 for transmittal to the protecting power, in cases of charges involving the death penalty or imprisonment for 2 years or more. Upon request, the protecting power will be furnished with information regarding the status of such proceedings. Furthermore, the protecting power will be entitled, on request, to be furnished with all particulars of any other proceedings instituted against the CI.

(3) The above notice will be sent without delay. The trial will not commence until 3 weeks after the protecting power has been notified.

(4) The notice will include the following:

(a) Surname and first names; internment serial number; date of birth; and profession, trade, or prior civil capacity of the CI.

(b) Place of internment.

(c) Specification of the charges with penal provisions under which they are brought.

(d) Designation of the court that will hear the case.

(e) Place and date of the first hearing.

(5) The Internee Committee will be informed of all judicial proceedings against the CI that it represents and of the results of the proceedings.

(6) The records of trials will be kept by the courts and will be open to inspection by the representatives of the protecting power.

#### c. Rights and means of defense.

(1) In each trial by court-martial, the accused will be entitled to assistance by a qualified advocate or counsel of his or her own choice, the calling of witnesses, and if necessary the services of a competent interpreter. The CI will be advised of these rights by the commander concerned in due time before the trial.

(2) When the accused does not exercise the right to choose an advocate or counsel, notice to that effect will be sent through

HQDA, ODCSOPS(DAMO-ODL) NPWIC, WASH DC 20310-0400, to the protecting power. The protecting power may provide a counsel.

(3) When the protecting power is not functioning and the accused is faced with a serious charge, the convening authority will provide, subject to consent of the accused, an advocate or counsel.

(4) Unless the CI freely waives such assistance, an accused will be provided with the assistance of an interpreter both during preliminary investigation and during the hearing in court. The CI will have the right to object to the interpreter provided and to ask for a replacement.

(5) The defense counsel will be given at least 2 weeks before the opening of the trial and will be granted the necessary facilities to prepare the defense of the accused. The defense counsel will be permitted to visit the accused freely and to interview the accused in private. The defense counsel will also be permitted to confer with any witnesses for the defense including other CI. These privileges will continue until the term of appeal or petition has expired.

(6) Copies of the charge sheet will be given to the accused and the defense counsel in the language that they understand at least 2 weeks before the trial begins.

(7) The interpreter, appointed for and sworn by the court, will provide the official translation of all trial proceedings. The interpreter must not be a trial counsel, defense counsel, assistant to either, or witness; nor should he or she have any bias or interest in the case. The interpreter will translate testimony given in the language of the accused into English for the benefit of the court.

d. Participation of protecting power in criminal proceedings. Representatives of the protecting power will be permitted to attend the trial of any CI unless the hearing has to be held secretly as an exceptional measure in the interest of the security of the United States. If a trial is to be held in secret, a notice as to the reasons, the date, and place of the secret trial will be sent to HQDA, ODCSOPS(DAMO-ODL) NPWIC, WASH DC 20310-0400. They will be notified at least three weeks before the opening of the trial to permit timely notification to the protecting power.

#### e. Notification of judgment and sentence.

(1) In all cases requiring notification to the protecting power, two copies of the findings, and if applicable the sentence will be forwarded immediately to HQDA, ODCSOPS(DAMO-ODL) NPWIC WASH DC 20310-0400, in the form of a summary communication for transmittal to the protecting power. When NPWIC transmits this information to the protecting power, it will include a brief statement of the appellate rights of the accused. Notification as to the decision of the CI to use or waive his or her right to appeal will also be forwarded (in duplicate) to HQDA, ODCSOPS(DAMO-ODL) NPWIC, WASH DC 20310-0400, for transmittal to the protecting power. If the sentence adjudged is death, the information set forth in g below, together with one copy of the court-martial record of trial will be forwarded to HQDA, ODCSOPS(DAMO-ODL) NPWIC, WASH DC 20310-0400, for transmittal to the protecting power.

(2) After final approval of a sentence involving the death penalty or imprisonment for 2 years or more, the following information will be forwarded (in duplicate) to HQDA, ODCSOPS(DAMO-ODL) NPWIC, WASH DC 20310-0400, for transmittal to the protecting power:

(a) A precise wording of the approved finding and sentence.

(b) A summarized report of the evidence.

(c) If applicable, the name of the place where confinement will be served.

#### f. Appeals in criminal proceedings.

(1) The convicted CI sentenced to confinement or to punishment other than death will have the right of appeal provided for by the laws applied by the court. In all instances, the CI condemned to death will be permitted to petition for pardon or reprieve. The CI will be fully informed of the right to appeal or petition and of the time within which it must be done.

(2) When the laws applied by the court make no provision for appeals, the convicted CI will have the right to petition against the finding and sentence to the competent authority of the United States.

(3) Any period allowed for appeal in the case of sentences involving the death penalty or imprisonment of 2 years or more will not begin to run until notification of the judgment has been received by the protecting power.

(4) Courts of Appeal, if at all possible, will sit in the occupied territory.

*g. Death penalty.*

(1) The CI will be informed as soon as possible of all offenses that are punishable by the death sentence under applicable laws. Lists of these offenses will be posted in all camps. Duplicate lists will be given to the Internee Committee.

(2) The death sentence may not be pronounced against the CI who was under 18 years of age at the time of the offense unless the attention of the court has been particularly called to the fact that since the accused is not a national of the United States, he or she is not bound to it by any duty or allegiance.

(3) If the death sentence is pronounced, it will not be executed for at least 6 months from the date when the protecting power received the detailed communication furnished by the United States in regard to trial (e. above) except as provided in (4) below.

(4) The 6-month period after suspension of the death sentence (3) above) may be reduced in an individual case in circumstances of grave emergency involving an organized threat to the security of the United States. However, the protecting power must always be notified by HQDA (DAMO-ODL) as to the exception to the 6-month waiting period.

*h. Civil proceedings.* In every case where the CI is a party to any civil litigation, the camp commander will if the CI so requests inform the court of his or her detention. The camp commander will, within legal limits, take all necessary steps to prevent the CI from being in any way prejudiced by reason of his or her internment regarding the preparation and conduct of the case or execution of any judgment of the court.

*i. Confinement pending trial.* A pretrial investigation of an offense alleged to have been committed by the CI will be conducted rapidly so that the trial will take place as soon as possible. The CI will not be confined while awaiting trial unless a civilian national of the occupied territory would be so confined if accused of a similar offense. The CI may be confined if it is essential to do so in the interest of camp or national security. However, this confinement will never exceed 3 months.

*j. Confinement facilities.* CI confined as judicial punishment will serve their sentences in an internment facility, assigned by the theater commander, in the occupied territory as long as U.S. authorities can guarantee their protection.

*k. Confinement benefits.* In addition to the benefits stated in paragraph 6-11*b*, the CI placed in confinement in connection with judicial proceedings will be permitted to receive one relief parcel each month.

#### 6-14. Death and burial

*a. Reference.* For general procedures and authorized expenses for the care and disposition of remains, see AR 638-30 and AR 638-40.

*b. Disposition of wills.* When a person has chosen to make a will, the original and two certified copies will be forwarded to the Branch PWIC upon death or at the CI's request.

*c. Information furnished to camp or hospital commander upon death.* When the CI in U.S. custody dies, the attending medical officer will promptly furnish the following to the camp (or hospital) commander, the local provost marshal, or other officers who were charged with the custody of the CI prior to his or her death.

(1) Full name.

(2) ISN.

(3) Date, place, and cause of death.

(4) Statement that in his or her opinion death was, or was not, the result of the CI's own misconduct.

(5) When the cause of death is undetermined, the medical officer will make a statement to that effect.

(6) When the cause of death is finally determined, a supplemental report will be made.

*d. Notifying the Branch PWIC of a death.* The camp or hospital commander or other officer charged with custody of the CI prior to his or her death will notify the local Branch PWIC immediately by telegram of the death. Notification will include all data required in *c* above. The use of supplemental reports is authorized until requirements have been met.

*e. Certificate of Death.* A copy of DA Form 2669-R is contained in this regulation. For each death, the attending medical officer and the responsible camp commander will complete a DA Form 2669-R. The form will be made out in enough copies to provide the distribution below.

(1) Original—NPWIC.

(2) Copy—Branch PWIC.

(3) Copy—The Surgeon General.

(4) Copy—CI's Personnel File.

(5) If the CI dies in the United States, a copy will be sent to the proper civil authorities responsible for recording deaths in that State.

*f. Investigating officer's report.*

(1) The camp or hospital commander will appoint an officer to investigate and report the following:

(*a*) Each death or serious injury caused, or suspected to have been caused, by guards or sentries, another CI, or any other person.

(*b*) Each suicide or death resulting from unnatural or unknown causes.

(2) The precepts outlined in GC 1949, part IV, section 3, will be used as a guide. (See DA Pam 27-1.)

(3) Military police investigators may be used at the discretion of the camp commander.

*g. Burial, record of internment, and cremation.*

(1) The deceased CI will be buried honorably in a cemetery set up for them according to AR 638-30 and if possible, according to the rites of their religion. Unless unavoidable circumstances require the use of collective (group or mass) graves, the CI will be buried in a separate grave.

(2) Graves Registration Services will record information on burials and graves. A copy of DD Form 551 (Record of Internment) will be forwarded to the Branch PWIC. The United States will care for graves and record of any subsequent moves of the remains.

(3) A body may be cremated only because of imperative hygiene reasons, the CI's religion, or the CI's request for cremation. The reason for cremation of a body will be cited on the death certificate. Ashes will be kept by Graves Registration until proper disposal can be decided according to the instructions of the protecting power.

*h. Forwarding deceased person's file.* The personnel files of a deceased person with all pertinent records will be forwarded to the Branch PWIC.

#### 6-15. Transfers

*a. Authority to transfer.* Theater commanders may direct the transfer of the CI, subject to the following conditions:

(1) The CI may not be transferred beyond the borders of the occupied country in which interned except when for material reasons it is impossible to avoid such displacement. The CI thus evacuated will be transferred back to the area from which they were evacuated as soon as hostilities in that area have ceased.

(2) The sick, wounded, or infirmed CI, as well as maternity cases, will not be transferred if the journey would be seriously detrimental to the health of the CI.

(3) If the combat zone draws close to an internment camp, CI may not be transferred unless they can be moved under adequate conditions of safety. However, CI may be moved if they would be exposed to greater risks by remaining than by being transferred.

*b. Notification of transfer.*

(1) The CI to be transferred will be officially advised of their departure and their new postal address in time for them to pack their luggage and notify their next-of-kin. The Internee Committee members to be transferred will be notified in time to acquaint their successors with their duties and related current affairs.

(2) The Branch PWIC and NPWIC will be notified immediately of any CI transferred.

*c. Treatment during transfer.*

(1) Generally, the CI will be transferred under conditions equal to those used for the transfer of personnel of the U.S. Military in the occupied territory. If, as an exceptional measure, the CI must be transferred on foot, only those who are in a fit state of health may be so transferred. The CI will not be exposed to excessive fatigue during transfer by foot.

(2) The sick, wounded, or infirmed CI as well as maternity cases will be evacuated through U.S. military medical channels and will remain in medical channels until they are certified "fit for normal internment" by competent medical authorities.

(3) Potable water and food sufficient in quantity, quality, and variety to maintain them in good health will be provided to the CI during transfer.

(4) Necessary clothing, adequate shelter, and medical attention will be made available.

(5) Suitable precautions will be taken to prevent CI from escaping and to ensure their safety.

*d.* Transfer of personal effects and property.

(1) The CI will be permitted to take with them their personal effects and property. The weight of their baggage may be limited if the conditions of transfer so require, but in no case will it be limited to less than 55 pounds per CI. The personal property that the CI are unable to carry will be forwarded separately.

(2) The mail and parcels addressed to CI who have been transferred will be forwarded to them.

(3) Property, such as that used for religious services, or items donated by welfare agencies will be forwarded as community property. These items are not to be considered a part of the 55 pounds of personal effects and property that each CI is authorized to take.

## **6-16. Release**

*a.* General.

(1) Control and accountability of CI will be maintained until the CI is received for by a representative of his or her country of residence or a designated protecting power.

(2) After hostilities cease and subject to the provisions of (3) below, CI will be released as soon as the reasons for their internment are determined by the theater commander to no longer exist.

(3) The CI who are eligible for release but have judicial proceedings pending for offenses not exclusively subject to disciplinary punishment will be detained until the close of the proceedings. At the discretion of the theater commander, the CI may be detained until completion of their penalty. The CI previously sentenced to confinement as judicial punishment may be similarly detained. Lists of the CI held under this guidance will be forwarded to the Branch PWIC and NPWIC for transmittal to the protecting power.

*b.* Return of impounded personal effects. Upon release, the CI will be given all articles, moneys, or other valuables impounded during internment and will receive in currency the balance of any credit to their accounts. If the theater commander directs that any impounded currency or articles be withheld, the CI will be given a receipt.

*c.* Cost of transport. The United States will pay the cost of returning the released CI to the places where they were living when interned.

*d.* Medical fitness. The CI will not be admitted into the general population until their medical fitness is determined.

## **Chapter 7 Employment and Compensation—Civilian Internees**

### **7-1. General**

*a.* Theater commanders may issue, within their respective commands, implementing instructions governing the employment and compensation of the CI consistent with these regulations. Copies of such instructions will be forwarded promptly to ODCSOPS.

*b.* The CI will be employed, so far as possible, in work necessary

for the construction, administration, management, and maintenance of the CI camps.

*c.* The CI compensation procedures will be accomplished in accordance with AR 37-1.

### **7-2. Ability to perform labor**

*a.* The CI will be required to perform any work consistent with their age and physical condition and in accordance with this regulation.

*b.* The fitness of CI for labor will be determined using the same procedures as those outlined in paragraph 3-4 b.

*c.* The CI under 18 years of age will not be compelled to work.

### **7-3. Authorized work**

*a.* Compulsory. The CI may be compelled to perform only the following type of work:

(1) Administrative, maintenance, and domestic work in an internment camp.

(2) Duties connected with the protection of the CI against aerial bombardment or other war risks.

(3) Medical duties if they are professionally and technically qualified.

*b.* Voluntary. Subject to the provisions of paragraph 4-4. and to other restrictions as may be imposed by the theater commander, the CI may volunteer for, but may not be compelled to perform, work of any type without regard to the military character, purpose, or classification of the work. They will be free to terminate such work at any time subject to having labored for 6 weeks and having given an 8-day notice.

### **7-4. Unauthorized work**

The criteria for unauthorized work for CI is the same as those found for EPW/RP in paragraph 4-5.

### **7-5. Working conditions**

The working conditions for the CI, to include protective clothing, equipment, and safety devices, will be at least as favorable as those prescribed for the civilian population of the occupied territory by the national laws and regulations and as provided for in existing practice. In no case will the working conditions for the CI be inferior to those for the civilian population employed in work of the same nature and in the same district.

### **7-6. Length of workday**

*a.* The length of the working day of the CI will not exceed that permitted for civilians in the locality who are employed in the same general type of work. A rest period of not less than 1 hour will be allowed during the workday.

*b.* The length of the workday for CI will be in accordance with paragraph 4-8.

### **7-7. Day of rest**

Each CI will be allowed a rest of 24 consecutive hours every week, preferably on Sunday or on the day of rest in his or her country.

### **7-8. Paid work**

The following are types of work for which the CI will be compensated:

*a.* Services, including domestic tasks, in connection with administering and maintaining CI camps, branch camps, and hospitals when the CI performs these services permanently.

*b.* Spiritual and medical duties performed by the CI on behalf of their fellow CI.

*c.* Services as members and as assistants to the members of the Internee Committee. These persons will be paid from the camp Civilian Internee Account. If there is no such account, they will be paid the prescribed rate from U.S. Army appropriated funds.

*d.* All types of work that the CI does not have to do but does voluntarily.

**7-9. Unpaid work**

The criteria for unpaid work for CI is the same as for EPW/RP found in paragraph 4-18.

**7-10. Compensation for paid work**

The daily compensation that the CI will receive for paid work will be announced by the Department of the Army at an appropriate time subsequent to an outbreak of hostilities. The CI compensation procedures will be in accordance with AR 37-1.

**7-11. Disability compensation**

Procedures for CI disability compensation will be the same as those found in paragraph 4-20.

## Appendix A References

### Section I Required Publications

- AR 37-1**  
Army Accounting and Fund Control. (Cited in para 3-3n.)
- AR 40-3**  
Medical, Dental, and Veterinary Care. (Cited in para 6-6d.)
- AR 40-5**  
Preventive Medicine. (Cited in para 6-6g.)
- AR 190-40**  
Serious Incident Report. (Cited in para 3-16f.)
- AR 195-2**  
Criminal Investigation Activities. (Cited in para 1-4h.)
- AR 600-8-1**  
Army Casualty Operation/Assistance/Insurance. (Cited in para 3-10a.)
- AR 600-25**  
Salutes, Honors, and Visits of Courtesy. (Cited in para 3-6c.(4))
- AR 600-55**  
The Army Driver and Operator Standardization Program (Selection, Training, Testing, and Licensing). (Cited in para 4-21)
- AR 638-30**  
Graves Registration Organization and Functions in Support Major Military Operations. (Cited in para 3-10a.)
- AR 670-1**  
Wear and Appearance of Army Uniforms and Insignia. (Cited in para 3-15e.)
- AR 735-5**  
Policies and Procedures for Property Accountability. (Cited in para 3-9b.)
- FM 22-5**  
Drill and Ceremonies. (Cited in para 3-6c.(4))
- Dictionary of Occupational Titles**  
(Cited in para 4-13a.)
- Manual for Courts-Martial**  
Manual for Courts-Martial, U.S., 1984. (Cited in para 3-7b.)
- Uniform Code of Military Justice**  
(Cited in para 3-7b.)
- DODD 2310.1**  
DOD Program for Enemy Prisoners of War (EPOW) and Other Detainees. (Cited in para 1-4g.)
- DODD 5100.77**  
DOD Law of War Program. (Cited in para 1-4a.(2))

### Section II Related Publications

A related publication is merely a source of additional information. The user does not have to read it to understand this regulation.

- AR 40-66**  
Medical Record Administration.

- AR 40-400**  
Patient Administration.

- AR 55-355**  
Defense Traffic Management Regulation. (NAVSUPINST 4600.70, AFR 75-2, MCO P4600.14B, DLAR 4500.3)

- AR 190-14**  
Carrying of Firearms and Use of Force for Law Enforcement and Security Duties.

- AR 190-47**  
The Army Corrections System

- AR 355-15**  
Management Information Control System.

- AR 380-5**  
Department of the Army Information Security Program.

- AR 985 series**  
Army Safety Program.

- DA PAM 27-1**  
Treaties Governing Land Warfare.

- FM 33-1**  
Psychological Operations

- AF Handbook (AFH) 31-302**  
Air Base Defense and Contingency Operations Guidance and Procedures.

- SECNAVINST 3461.3**  
Program for Prisoners of War and Other Detainees.

### Section III Prescribed Forms

- DA Form 2662-R**  
EPW Identity Card. (Prescribed in para 3-3a(2)(b))

- DA Form 2663-R**  
Fingerprint Card. (Prescribed in para 3-3a(2)(c))

- DA Form 2664-R**  
Weight Register. (Prescribed in para 3-4i(3))

- DA Form 2665-R**  
Capture Card for Prisoner of War. (Prescribed in para 3-5d(5))

- DA Form 2666-R**  
Prisoner of War - Notification of Address. (Prescribed in para 3-5d(4))

- DA Form 2667-R**  
Prisoner of War Mail - Letter. (Prescribed in para 3-5d(1))

- DA Form 2668-R**  
Prisoner of War Mail - Post Card. (Prescribed in para 3-5d(1))

- DA Form 2669-R**  
Certificate of Death. (Prescribed in para 3-10e)

- DA Form 2670-R**  
Mixed Medical Commission Certificate for EPW. (Prescribed in para 3-12j)

- DA Form 2671-R**  
Certificate of Direct Repatriation for EPW. (Prescribed in para 3-12k)

**DA Form 2672-R**  
Classification Questionnaire for Officer Retained Personnel.

**DA Form 2673-R**  
Classification Questionnaire for Enlisted Retained Personnel.

**DA Form 2674-R**  
Enemy Prisoner of War/Civilian Internee Strength Report.

**DA Form 2675-R**  
Certificate of Work Incurred Injury or Disability. (Prescribed in para 6-6f(2))

**DA Form 2677-R**  
Civilian Internee Identity Card. (Prescribed in para 6-2e)

**DA Form 2678-R**  
Civilian Internee Notification of Address. Prescribed in para 6-2f)

**DA Form 2679-R**  
Civilian Internee Mail. (Prescribed in para 6-8a)

**DA Form 2680-R**  
Civilian Internee Post Card. (Prescribed in para 6-8a)

**DA Form 4237-R**  
Detainee Personnel Record. (Prescribed in para 3-3a(2)(b))

**DD Form 2745**  
Enemy Prisoner of War (EPW) Capture Tag. (Prescribed in para 2-1b.)

#### **Section IV** **Referenced Forms**

**DA Form 1132**  
Prisoners Personal Property List - Personal Deposit Fund

**DD Form 551**  
Record of Internment

**DD Form 629**  
Receipt for Prisoner or Detained Person

**Standard Form 88**  
Report of Medical Examination

**Standard Form 600**  
Chronological Record of Medical Care

**DA Form 1132**  
Prisoners Personal Property List-Personal Deposit Fund

**DA Form 3444**  
Treatment Record

**DA Form 4137**  
Receipt for Evidence/Property Custody Document

#### **Appendix B** **Internment Serial Number**

The internment serial number (ISN) is a unique identification number assigned to each EPW, RP and CI taken into the custody of the U.S. Armed Forces. Throughout internment/detention, EPW/CI are identified. PWIS accountability for EPW, RP and CI by the U.S. is established when the ISN is assigned. The ISN will consist of three components, with the first two separated by a dash as follows:

*a. First Component.* The first component will contain five characters. The first two will be the alpha-characters 'US'. The third character will be either the alpha or numeric designation for the

command/theater under which the EPW, RP and CI came into the custody of the U.S. The fourth and fifth positions are alpha-characters designating the EPW, RP and CI serving power.

*b. Second Component.* The second component is a six character numeric identifier. These numbers will be assigned consecutively to all EPW, RP and CI processed through ISN assigning organizations. The Branch PWIC will assign blocks of numbers to ISN assigning organization/elements in the supported theater.

*c. Third Component.* The third component will consist of an acronym identifying the classification of the individual: either EPW, RP, or CI, to represent Enemy Prisoner of War, Retained Person, or Civilian Internee, respectively. Should an individual that was initially classified as an EPW later determined to be a medically or religiously qualified retained person, the classification may be changed to "RP" with the approval of the EPW command/brigade.

*d. Example.* The first EPW processed by an ISN assigning organization in a theater designated as "9" and whose country was designated as "AB" will be assigned the following ISN: US9AB-000001-EPW. The tenth such EPW processed by the same command will be assigned the ISN of: US9AB-000010-EPW. If the eleventh individual processed by the same command was an RP and the fifteenth a CI, their ISNs would be: US9AB-000011-RP and US9AB-000015-CI, respectively.

*e.* EPW transferred to CONUS without having been assigned an ISN and those captured within the Continental U.S., will be processed and assigned an ISN as above, by the CONUS EPW organizations.

PROSECUTION EXHIBITS MARKED BUT NOT OFFERED AND/OR ADMITTED INTO EVIDENCE

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**Bates pages 19301-19305, some of which are  
photographs, are withheld from release based on 5  
USC 552(b)(5).**