



Fay/Jones-016

OPR: OSD

OCR: USD(I)

Presented: 16 Dec 04

Status: Amber



Fay/Jones-017

OPR: OSD

Presented: 16 Dec 04

Status: Amber



Fay/Jones-018

OPR: Army

OCR: JS J-7

Presented: 16 Dec 04

Status: Amber

F/J-019 Detainee Message

(U) RECOMMENDATION/OBSERVATION

- How do we communicate what we were doing to inspire confidence in our soldiers?
- Is the broader message of what happened in the investigations getting out?

(U) CURRENT ASSESSMENT:

- Council needs to decide what is a proper forum/way ahead/ or TF to deal with the problem. USD(P) is willing to coordinate with OSD(PA) once a strategy is developed to execute the strategy.

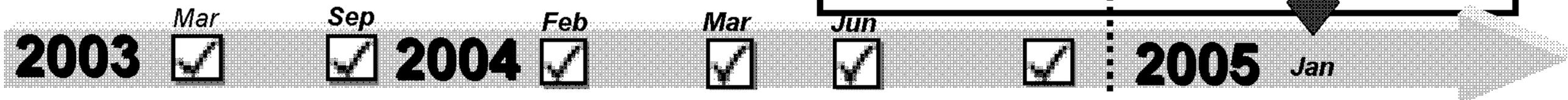
OPR: OSD(PA)/USD(P)

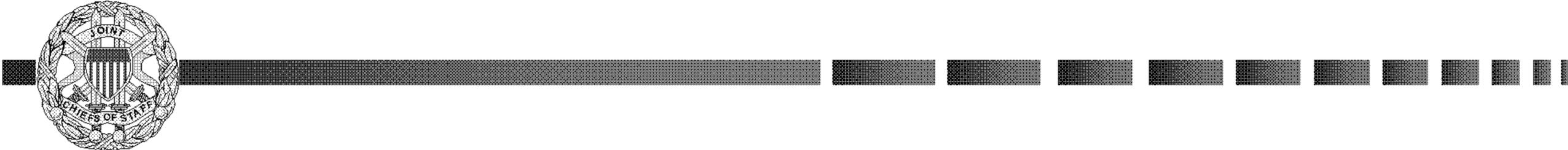
OCR: USD(P)

(U) FIX/ACTION/CHANGE:
Fix: Need to better communicate the changes we have made and the actions taken.

Action: Develop communications plan?

Change:





Schlesinger Panel

14 Findings

S-001 Policy Alignment w/ Geneva

(U) RECOMMENDATION/OBSERVATION

- Need to further define policy for DoD and other government agencies to align with Geneva Conventions

(U//FOUO) CURRENT ASSESSMENT:

- Defining policy is “easy” – question is resolving our own internal conflicts over intelligence missions and international perceptions of our legal obligations.
- Priority for ODA – development of “tiger team” to directly address how to define future policy objectives and harmonize positions between other detainee and perceptions of rights to traditional EPW’s.

OPR: USD(P)

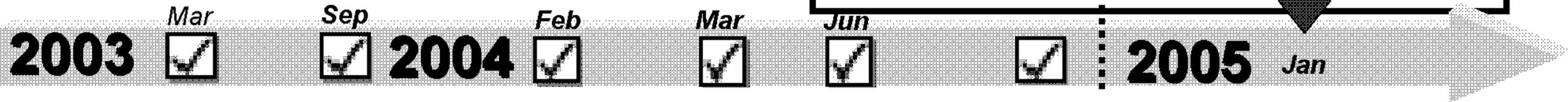
OCR: USD(P)

(U) FIX/ACTION/CHANGE:

Fix: Develop DoD Policy or NSPD.

Action: Form team to examine specific policy issues regarding GC and detention operations. Draft DoD Policy, DoDD, and NSPD (along with inter-agency) to address specific issues.

Change: Development of “grand strategy” for detention that is GC compliant and addresses national security objectives.



S-002 MI/MP Collaboration

(U) RECOMMENDATION/OBSERVATION:

- DOD develop joint doctrine to define appropriate collaboration between MI and MP in a detention facility. Define meaning of guidance with precision.

(U) CURRENT ASSESSMENT:

- • Required doctrinal publications currently under revision or development.

OPR: Joint Staff J-7

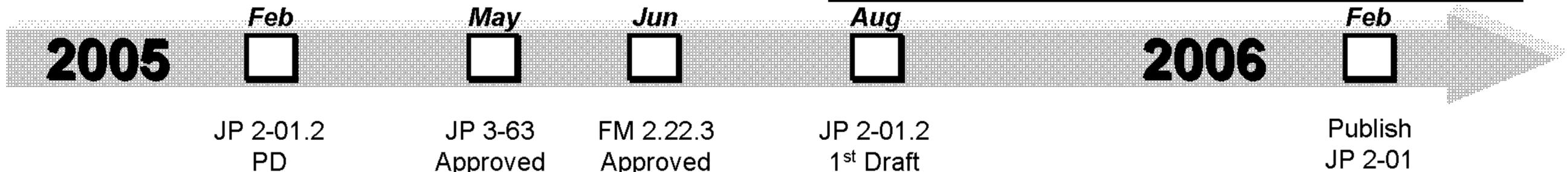
OCR: Joint Staff J-2 & Army

(U) FIX/ACTION/CHANGE:

Fix: Doctrine and Policy review

Action: Clarify doctrine to define the organizational structures, command relationships, and roles and responsibilities of personnel operating internment and interrogation facilities IAW AR 190-8

Change: Policy/Organizations/ Training

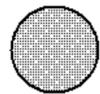


S-003 Filling Personnel Requirements

(U) RECOMMENDATION/OBSERVATION

- Need more professional linguists, interrogators, human intelligence, counter-intelligence, corrections police and behavioral scientists

(U) CURRENT ASSESSMENT:



- Met with representatives of P&R to discuss recommendations (January 05).
- They are developing strategy and will report back to ODA before next SLOC meeting.
- ODA assisting ASD(HA) in development of hiring program/track for Behavioral scientists.

OPR: USD (P&R)

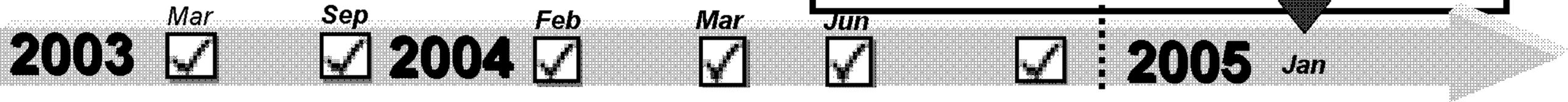
OCR: USD(P)

(U) FIX/ACTION/CHANGE:

Fix: Develop action plan to recruit more linguists, intelligence analysts, and other personnel to support detention operations.

Action: Develop action plan for recruiting and retaining people with necessary skill.

Change: GWOT mission will be better staffed and provide for efficacy in intel and interrogation missions.



S-004 Operational Concept for Detainee Ops

(U) RECOMMENDATION/OBSERVATION:

- JFCOM chair a Joint Service Integrated Process Team to develop new Operational Concept for Detention Operations in the new era of warfare, covering the Global War on Terror.
- Emphasize detention operations during Counter-Insurgency campaigns and Stability Operations where law enforcement has broken down in an occupied or failed state.
- Study idea of a deployable detention facility and implement as appropriate.

(U) CURRENT ASSESSMENT:

- Issues addressed in doctrinal publications currently under revision or development.

OPR: JFCOM

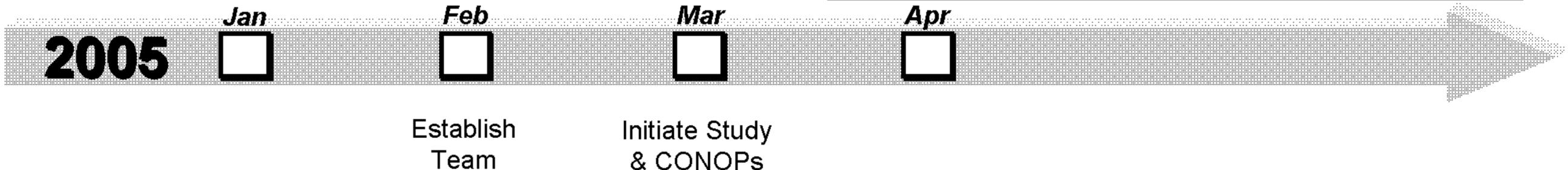
OCR: Joint Staff J-7 & Army

(U) FIX/ACTION/CHANGE:

Fix: Policy review and possible materiel requirements from study

Action: Develop Concept of Operations for Detention Ops and study alternative ideas

Change: Policy/Organizations/ Training/Materiel





Schlesinger-005

OPR: OSD

Presented: 16 Dec 04

Status: Amber

S-006 Interrogation Policy

(U) RECOMMENDATION/OBSERVATION

- Well-documented policy and procedures on approved interrogation techniques

(U) CURRENT ASSESSMENT:

- • USD(I) has designated their Policy and Strategy office to develop DoD Interrogation Policy

OPR: USD (I)

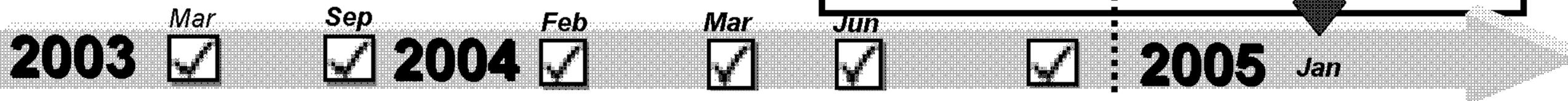
OCR: USD(P)

(U) FIX/ACTION/CHANGE:

Fix: Issue DOD Interrogation Policy

Action: USD(I) designated their Policy and Strategy office to develop and coordinate DoD Interrogation Policy

Change: USD(I) policy will serve as policy guidance for interrogation – recommendation satisfied in developing “well documented” policy.



S-007 Professional Ethics Training

(U) RECOMMENDATION/OBSERVATION:

- All personnel who may be engaged in detention operations, from point of capture to final disposition, should participate in a professional ethics program to equip them with a sharp moral compass for guidance in situations often rife with conflicting moral obligations.
- Development of a values-oriented ethics program should be the responsibility of the Services assisted by the JCS.

(U) CURRENT ASSESSMENT:

- Review current Joint and Service training policy and guidance
- Combine and track with F-014

OPR: Joint Staff J-7

OCR: Services, JFCOM

(U) FIX/ACTION/CHANGE:

Fix: Update doctrine and values training.

Action: Update doctrine and values training to address requirement and importance of providing humane treatment to detainees and the strategic consequences when this standard is not achieved.

Change: Policy/Training/Leaders.

S-008 DOD/OGA Guidelines

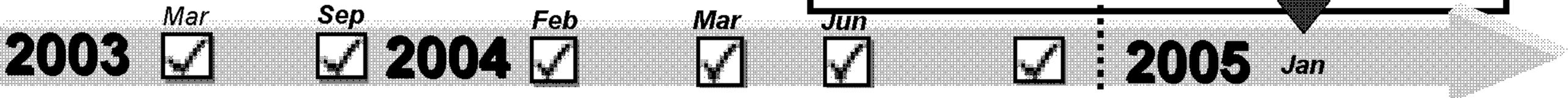
(U) RECOMMENDATION/OBSERVATION

- Clearer guidelines for the interaction of OGA's with the Department of Defense in detention and interrogation operations must be defined

(U) CURRENT ASSESSMENT:

- • USD(I) is reviewing in development of the DoD policy.
- Promulgation of interrogation policy under development. Policy will address relationships of OGA's and DOD directorates and agents.

OPR: USD (I)
OCR: USD(P)



(U) FIX/ACTION/CHANGE:

Fix: Issue DOD Interrogation Policy

Action: USD(I) will promulgate policy that defines relationships between OGA's and DOD agents.

Change: Ambiguity resolved.



Schlesinger-009

OPR: OSD

Presented: 16 Dec 04

Status: Amber



Schlesinger-010

OPR: OSD
Status: Red



Schlesinger-011

OPR: OSD

Presented: 16 Dec 04

Status: Green

Closed

S-012 Impartial Rapid Reporting to the Sec Def

(U) RECOMMENDATION/OBSERVATION

- The Secretary of Defense should ensure the effective functioning of rapid reporting channels for communicating bad news to senior Department of Defense leadership

(U) CURRENT ASSESSMENT:

- Proposal to fast-track information to the Secretary was approved 13 Dec 04.

OPR: USD (P&R)

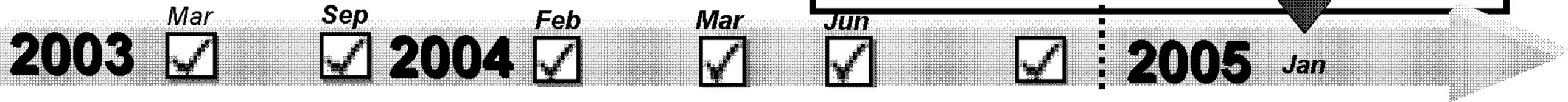
OCR: USD (P)

(x) FIX/ACTION/CHANGE:

Fix: Joint adaptation of procedures such as the Air Force special notification process.

Action: Office to fast-track has been “stood up” – headed by Richard McGraw; still working space and employment/resource issues, but, office is functioning.

Change: No change from last meeting



S-013 Medical Personnel Training to Report/Assess

(U) RECOMMENDATION/OBSERVATION:

- The Fay investigation cited some medical personnel for failure to report detainee abuse. Training should include obligation to report any detainee abuse. The Panel also notes the Army IG found significant shortfalls in training and force structure for field sanitation, preventive medicine and medical treatment requirements for detainees.
- Address need for medical personnel to screen/monitor the health of detention personnel and detainees.

(U) CURRENT ASSESSMENT:

- Review current Joint and Service training policy and guidance

OPR: Joint Staff J-7

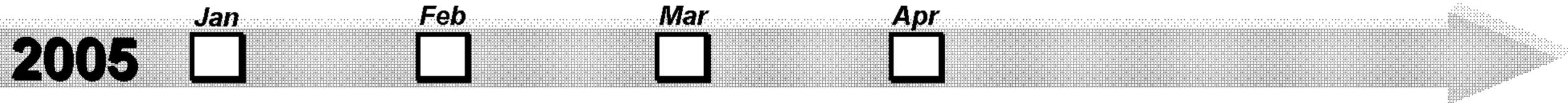
OCR: Services, JFCOM

(U) FIX/ACTION/CHANGE:

Fix: Update medical training to address detainee operations

Action: Emphasize need to screen and monitor health conditions of detainees, and report any abuses

Change: Policy/Training/Leaders



Obtain training plans from Services

Assess Plans to determine gaps if any

Update training if required

S-014 Additional Training of Medical Personnel

(U) RECOMMENDATION/OBSERVATION

- Need training for medical personnel on reporting abuse. Medical personnel need to be trained with better field treatment techniques

(U) CURRENT ASSESSMENT:

- Medical ethics policy in final stages of promulgation. Directly addresses reporting violations.
- Currently discussing with ASD(HA) development tracks regarding treatment and non-treatment medical ops. (ODA/USD(I)/OGC/HA)

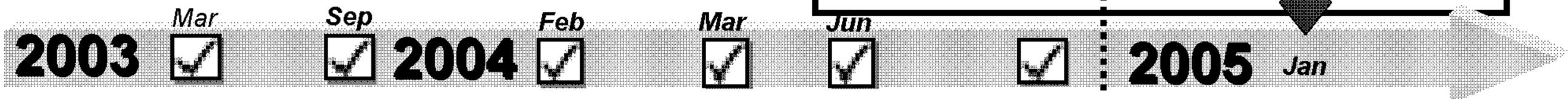
OPR: USD (HA)
OCR: USD (P)

(x) FIX/ACTION/CHANGE:

Fix: Provide structured training to Medical Personnel on Detainees matters

Action: USD(P) working with ASD(HA) in development of medical training policy.

Change: Detainees are given excellent medical care and doctors have clear methods for carrying out their obligations.





Jacoby Report 32 Findings

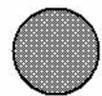


Issue Title (31E Requirement):
J-001 JACOBY REPORT Section VI, Item a, pg 13

(U) RECOMMENDATION / OBSERVATION:

To properly conduct detainee operations throughout Afghanistan requires the right kinds of forces to bring the requisite expertise to the process. Military Police I/R units, Confinement units, and MP Guard companies if assigned, would provide the custodial care and expertise to run the two major collection facilities at Bagram and Kandahar, as well as assist the theater forward collection points with the proper guidance, training, and oversight to properly conduct detainee operations. Forces on the ground today do not have 31E MP Corrections Specialist expertise to run the daily operations in the detention facilities at Bagram and Kandahar, which is required if MP I/R or confinement units are not resourced. Requests for eleven 31E's and a MP LTC respectively to run detainee operations throughout the theater were submitted on 13 April 2004 and 18 May 2004 respectfully (Enclosure U). The JMD was updated to permanently reflect the need for these positions in case other contingency operations prohibit the requested units from being sourced.

(S) CURRENT ASSESSMENT:



Request closure.

OPR: CENTCOM

OCR:

(S) FIX / ACTION / CHANGE:

(b)(5)



Issue Title (MITs):

J-002 JACOBY REPORT Section VI, Item b, pg 13

(U) RECOMMENDATION / OBSERVATION:

Mobile Interrogation Teams are required to ensure the timely collection of actionable intelligence and to identify persons meeting SECDEF criteria so they may be processed further or released. These forces have been requested for OEF 6 and are an enduring requirement for future rotations. The farther forward in the detainee process certified interrogators are pushed, the better the chance of obtaining timely, actionable intelligence that meets both battlefield and global intelligence requirements. Pushing interrogators forward also mitigates the risk of abuse that can result from unauthorized interrogations.

~~(S)~~ CURRENT ASSESSMENT:

Request closure.

OPR: CENTCOM

OCR:

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1),(b)(5)



Issue Title (Cat II Int.):

J-003 JACOBY REPORT Section VI, Item c, pg 13

(U) RECOMMENDATION / OBSERVATION:

Additional Level III Counter-intelligence personnel, Category II Interpreters, 35F Clandestine Case Officers, and 97E Interrogators are needed throughout Afghanistan. When these specialties are not available, units tend to try to replace them with the next best thing (for example, an MI officer for a certified interrogator) or simply do without. This prevents the unit from maximizing the benefit that can be obtained from detaining an individual and results in more individuals being detained for longer periods than are necessary to obtain the desired information.

(U) CURRENT ASSESSMENT:



(No Change) Contracts and requests for forces in place, awaiting fulfillment. RFI pending to MNF-I

OPR: CENTCOM
OCR:

~~(S)~~ FIX / ACTION / CHANGE:

(b)(1), (b)(5)



Jacoby-004

OPR: Army

OCR: JS J-7

Presented: 16 Dec 04

Status: Amber



Jacoby-005

OPR: Army

OCR: JS J-7

Presented: 16 Dec 04

Status: Amber