


1ST MARINE DIVISION



DETAINEE HANDLING AND DETENTION FACILITY SOP

[USMC 1ST MARDIV (34)]





COMMANDING GENERAL
1ST MARINE DIVISION (REIN)
UIC 40120
FPO AP 96426-0120

3 November 2004

Marines, Sailors, and Soldiers of the 1st Marine Division,

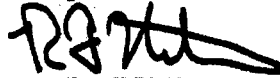
How we treat those in our custody can carry strategic consequences. Our treatment of detainees and the manner in which we run our detention facilities must be to the same high standards we expect from ourselves in all that we do. We can rebuild infrastructure, reopen schools, recruit and train Iraqi Security Forces and nurture the seeds of democracy, but in this age of mass media, one cruel act or neglected duty can undermine all our efforts and successes here in Iraq. We have seen this happen at the Abu Gharab Prison. The improper behavior and despicable acts of a few at that facility have potentially forever ingrained a negative image of Americans upon the conscience of many Iraqis and others throughout the Muslim world.

I expect all 1st Marine Division personnel to take every necessary step to stop abuse of detainees and to report any mistreatment of detainees immediately. It is our moral responsibility to protect and safeguard those in our custody. At times, this will be challenging. We may be tasked with guarding murderers, thieves or other reprehensible persons. Nonetheless, because we are professionals, I expect us to put aside our personal feelings and treat all detainees humanely.

For far too long, Saddam Hussein and his regime terrorized the people of Iraq. His police and prisons were an integral part of subjugating Iraqi citizens. Many Iraqis have come to view detention and prisons as nothing more than torture chambers. That is why it is so important to model the correct, humane way to operate detention facilities. This SOP provides the baseline for that model.

Thus far, 1st Marine Division has acquitted itself in a highly professional and disciplined manner. I expect nothing less and know we will continue to uphold our high standards and keep our honor clean. Our success depends on it.

Semper Fidelis



R. F. NATONSKI
Major General, U.S. Marines

2. (2.b.) Restricts OIC of RDF to being a commissioned officer, in accordance w/ Geneva Con., and restricts OIC from being HET or THT type to maintain separation of intel/guard duties.

Location, Layout, and Infrastructure

1. (2.c.) Quantifies layout requirements in terms of square footage, head and shower to detainee ratios, environmental-control equipment, etc., in accordance w/ Div FragO 0196-04.
2. (2.c.(8)) Dictates each facility will have a secured evidence and property area.

Apprehending Unit Responsibilities. (3.a.(3)) Adds photography recommendations and guidelines for evidence, hazardous materials, and vehicles.

Detention Facility Guard Force Responsibilities

1. (3.b.(3)) Delineates between a detainee personnel file and a detainee health record, which the medical personnel will maintain.
2. (3.b.(7)) Breaks down and shows an example of the new detainee identification # required by MNC-I FragO 329.
3. (3.b.(10)(c)) Outlines new MNC-I requirement to take 5 vs 3 photos from different angles of detainees during induction.

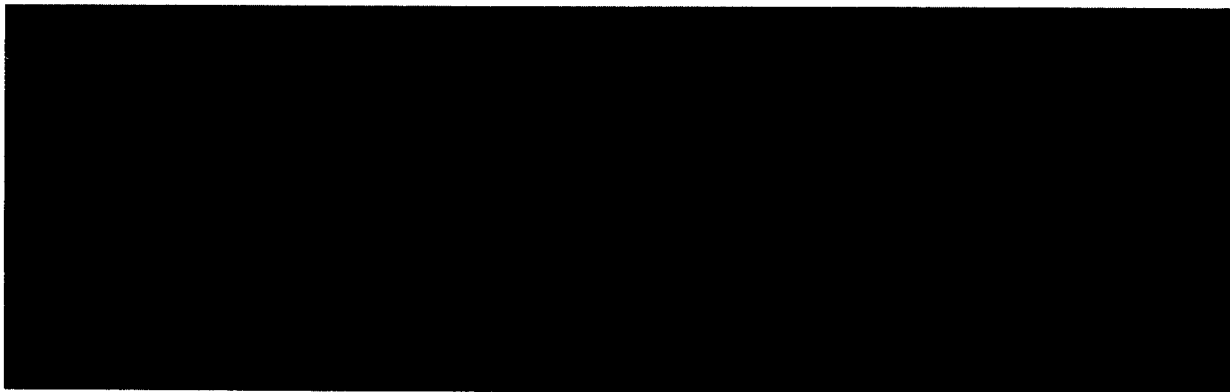
Medical Authority Responsibilities

1. (3.c.(1)&(2)) Incorporates Change 1 to the old SOP, which allowed corpsmen or medics to do detainee induction physicals with a credentialed health care review and signature required w/in 24 hours, and requires credentialed health care provider to conduct daily medical check of all detainees.
2. (3.c.(8)) Records current practice of measuring and weighing all detainees and recording all scars, tattoos, and marks. This protects facility from charges of not providing sufficient food quantities and from charges of physical abuse.

Regional Detention Facility Operations. (4.a.) Requires all new guards to read CG's Intent pertaining to Detainee Ops and for the facility to post the intent.

RDF Guard Force Responsibilities

1. (4.b.(1)(b)) Requires OIC or SNCOIC to visually sight each detainee daily. Similar to brig requirement.



2. (4.b.(1)(d)) Dictates all guard force members receive Pre-Service Training, to include Use of Force, prior to standing watch. Currently there are 11 classes available on our detention website.

3. (4.b.(1)(f)) Requires OIC to appoint Property and Evidence Custodian in writing and limits access to property and evidence to custodians, OIC, and the SNCOIC.

4. (4.b.(4)) Lists the tasks and responsibilities of the Property and Evidence Custodian.

5. (4.b.(4)(h)) The change is RDFs will no longer accept vehicles. Photos should be taken instead, and the vehicles turned over to the IPs for disposition. This will alleviate the car lots we have springing up at the facilities, as BCCF will not accept vehicles either.

Uniform Requirements. (4.e.(2)) Dictates detainees will wear orange uniforms, which is already being done.

Access to the Detention Facility. (4.f.(4)) Incorporates PAO guidance on media visits to RDFs.

Hydration and Feeding of Detainees. (4.g.) Incorporates Div FragO 0196-04 Health and Sanitation Requirements into SOP. Quantifies water and food rations; provides guidance on food storage and preparation.

Hygiene. (4.i.) Incorporates Div FragO 0196-04 into SOP. Outlines that detainees will have an opportunity to shower every other day, daily hygiene call, no requirement to cut hair or shave, uniforms washed weekly and mattresses sanitized prior to reissue.

SJA Responsibilities as Detention Review Authority. Brings SJAs on line w/ MNC-I FragO 329.

1. (4.j.(2)) Dictates DRA completes 72-hour review, much like a magistrate review, and either recommends release or continued detention to the MSE commander. If the latter, the DRA must complete an Order of Internment. He must determine whether the detainee is a security or criminal internee.

2. (4.j.(3)) Outlines the Request for over 14-day extension procedures, and adds a formal letter of request to ensure reporting accountability.

3. (4.j.(4)) Lists the procedures to process a criminal detainee.

4. (4.j.(5)) The DRA is required to review every package before the detainee is transferred to BCCF, and complete a summary letter outlining reasons. RCT-7's DRA started providing this letter to BCCF, ~~and~~ had a marked difference on the court's decision to convict detainees.

Brief Synopsis of Changes to the Division Detainee Handling SOP

Specific Apprehension Requirements

1. (1.c.) We have clarified that the requirement to safeguard detainees starts at point of capture and this includes ISF and CF when they are OPCON to us. Directs units to hold onto a detainee if a release or transfer may expose the detainee to harm until a safe release or transfer can be made.
2. (1.c.(7)) Spelled out security responsibilities for detainees taken to Medical Treatment Facilities, and 31st Combat Support Hospital battle hand-off procedures.
3. (1.c.(8)) Added the 18 hour deadline to move detainees from capture point to RDFs. This brings the SOP in line w/ 1st MarDiv FragO 0122-04, which created Regional Detention Facilities.

Legal Rights of Detainees

1. (1.d.(3)) Adds Criminal Detainee procedures to be in compliance with MNC-I FragO 329. Criminals are not to be interrogated at RDFs, but speeded to IPs or the BCCF (Baghdad Central Confinement Facility) for processing. Commanders reserve the right to question them if they have intel value.
2. (1.d.(4)) Adds PAO guidance and states commanders can control media and photography access to facilities.

Documentation Requirements. (1.f.(3)) Provides additional guidance, based on meeting w/ BCCF magistrate, on completing sworn witness statements that are more effective in keeping detainees locked up at the BCCF.

Detainee Processing

1. (1.g.(1)(b)) Adds the MNC-I FragO 329 requirement to move felony criminals to BCCF w/in 72 hours. Provides felony qualifications.
2. (1.g.(2)(c)) Adds the MNC-I FragO 329 requirement to have CENTCOM approval to release Third Country Nationals (TCNs).

Detention Facility Requirements

1. (2.a.) Removes permission for battalion level detention facilities, and establishes approval and certification requirements for new facilities.

Proportional Use of Force. (4.n.(6)) A line was added stating Warning shots are not authorized.

Escape Attempts. (4.o.) Per MNC-I FragO 329-04, we are not allowed to engage an escaping detainee with fire until he clears the outside barrier. We have added this here, along w/ the requirement to submit an Escape After Action Report following all escapes or attempts.

Interrogations

1. (4.p.(1)) Prohibits guards from "softening up" detainees prior to questioning, in accordance w/ Div FragO 139-04, Detainee Handling and Interrogation Policy.
2. (4.p.(2)) Gives MSE commander absolute authority to control access to his facility and to stop any activity he deems improper.
3. (4.p.(7)) States all interrogations taking place at RDFs, including those by outside agencies, will conform to 1st MarDiv interrogation policy.

Common Transfer Procedures. (5.a.(1)(e)) An iris scan is required prior to transferring a detainee to confirm his identification.

Transfers to BCCF. (5.b.(2)) In lieu of transferring weapons, which BCCF will not take, photos will be attached to a DD Form 4137. This is already happening.

Transfers to Iraqi Police. (5.c.(1)) TCNs require CENTCOM approval prior to transferring to IP.

Detainee Release

1. (6.a.(2)) Grants MSE Commanders authorization to release detainees at their RDFs. Outlines procedures for releasing a TCN, and maps out procedures to get authorization from Division COS for extensions for detainees held over 14 days.
2. (6.b.(2)) Deletes giving detainees choice of where to be released and dictates they will be released at the IP station nearest their home, or another location the MSE deems safe and appropriate.
3. (6.b.(5)) Outlines procedures for items that are not returnable to detainees, and aligns disposition in accordance with Div FragO 0241-04.

Death of a Detainee. (7.) This new section outlines reporting requirements, treatment of the body, autopsy decision, and releasing the body policies.

TABLE OF CONTENTS

1.	DETAINEE APPREHENSION PROCEDURES	1
a.	Detainee Categories	1
b.	Authority to Detain	1
c.	Specific Apprehension Requirements	2
d.	Legal Rights Of Detained Individuals	3
e.	Transportation of Detainees	4
f.	Documentation Requirements	4
g.	Detainee Processing	5
2.	DETENTION FACILITY REQUIREMENTS	6
a.	General	6
b.	Manpower	6
c.	Location, Layout, and Infrastructure	7
d.	Equipment and Supplies	8
3.	DETAINEE INDUCTION	8
a.	Apprehending Unit Responsibilities	8
b.	Detention Facility Guard Force Responsibilities	9
c.	Medical Authority Responsibilities	11
4.	REGIONAL DETENTION FACILITY OPERATIONS	12
a.	Commander's Intent	12
b.	Regional Detention Facility Guard Force Responsibilities	13
c.	Formal Detainee Counts	16
d.	Escorting Detainees	16
e.	Uniform Requirements	16
f.	Access to the Detention Facility	16
g.	Hydration and Feeding of Detainees	17
h.	Medical Treatment of Detainees	17
i.	Hygiene	17
j.	SJA Responsibilities as Detention Review Authority (DRA)	17
k.	Searches	19
l.	Detention Facility Documentation	19
m.	Detention Facility Reports	20
n.	Proportional Use of Force	21
o.	Escape Attempts	22
p.	Interrogations	22
q.	Visits by the International Committee of the Red Cross	23
5.	DETAINEE TRANSFERS	24
a.	Common Transfer Procedures	24
b.	Transfers to BCCF	24
c.	Transfers to Iraqi Police	25
6.	DETAINEE RELEASE	25
a.	Authority to Release	25
b.	Release Procedures	26
7.	DEATH OF A DETAINEE	26
a.	Notification	26
b.	The Body	27
c.	Autopsy	27
d.	Releasing the Body	27
8.	ABBREVIATIONS	27

APPENDICES

Appendix A Rules for Detainees
Appendix B Rules for Guards
Appendix C CPA Apprehension Form
Appendix D Sworn Witness Statement (DA Form 2823)
Appendix E EPW Capture Tag (DD Form 2745)
Appendix F Evidence/Property Custody Document (DA Form 4137)
Appendix G Detainee Personnel Record (DA Form 4237-R)
Appendix H Chronological Record Of Medical Care (SF 600)
Appendix I Scars and Marks Card
Appendix J Civilian Internee Identity Card (DA Form 2677-R)
Appendix K Receipt for Prisoner or Detained Person (DD Form 629)
Appendix L Use of Force Report
Appendix M Escape Report
Appendix N Detainee Extension Request
Appendix O TCN Release Request
Appendix P Magistrate Detention Review
Appendix Q DRA Example Letters for Evidence Package
Appendix R MNF-I BATS Memo
Appendix S PAO Guidance and Talking Points
Appendix T (S) Intel Policy and Procedures

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1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

1. DETAINEE APPREHENSION PROCEDURES

a. Detainee Categories. All individuals detained by the 1st MarDiv will be treated with dignity and respect, and in a manner consistent with Section IV of the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 12 August 1949 and will be processed in accordance with this SOP, regardless of category.

(1) Security Detainee. Anyone detained for their own protection or because they pose a threat to the security of coalition forces, its mission, or are of intelligence value. This includes persons detained for committing offenses (including attempts) against coalition forces, members of the provisional government, non-government organizations (NGO's), state infrastructure, or any person accused of committing war crimes or crimes against humanity.

(2) Criminal Detainee. Anyone detained because of reasonable suspicion of having committed a crime against Iraqi nationals or Iraqi property, or a crime not related to the coalition force mission. Criminal detainees will be turned over to the Iraqi Police, an Iraqi Judge, or Baghdad Central Confinement Facility (BCCF) at Abu Gharab within 72 hours for civil prosecution.

(3) High Value Detainee (HVD). A security detainee of significant intelligence or political value. Most individuals that are considered HVDs are listed on the U.S. Defense Intelligence Agency's "Black List." The list can be found at http://caws-s.dia.smil.mil/pdb/leadership_list.cfm?color=black&trigraph=IRQ&program=All&full_view=true. MNC-I C2 will classify which security detainees are HVDs.

b. Authority to Detain. In accordance with MNC-I FragO 329 and the 1st Marine Division Commanding General's guidance, all units are authorized to detain anyone who:

(1) Poses a threat to the security of coalition forces or accomplishment of the coalition's mission.

(2) Is of intelligence value.

(3) Obstructs the progress of coalition forces by demonstration, riot or other means.

(4) Attempts to enter, without proper authority, any area controlled by coalition forces.

(5) Is the subject of a warrant, order, or indictment issued by a battalion commander or higher, or a CPA-recognized Iraqi judicial official.

1

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1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

(6) Commits, attempts, conspire, threaten, or solicit another to commit, aid, or abet in the commission of a crime.

c. Specific Apprehension Requirements

(1) All detainees and persons in the custody or control of 1st Marine Division units will be safeguarded from hostile acts at all times. This applies from the point of capture until the detainee is released or transferred in accordance with the provisions of this SOP. This includes situations where ISF or other Coalition Forces are OPCON to 1st Marine Division for joint operations. If at any time there is a possibility that release or transfer of a detainee may expose that detainee to harm, all 1st Marine Division units will retain custody of the detainee until such time as a safe release or transfer can be made.

(2) Religious leaders/sheiks, women and children (normally under 18 years old) will not be detained without the Commanding General's approval unless apprehended in the act of committing a crime or an action against coalition forces. *Detention of sheiks, Third Country Nationals (Non-Iraqis), women and children is a commander's critical information requirement (CCIR) and will be immediately reported to the Commanding General.*

(3) If it becomes necessary to detain women and/or children:

(a) They will be treated with the utmost dignity and respect at all times.

(b) Mothers will never be separated from their children.

(4) If a woman needs to be searched, the use of a metal detector (wand) is the preferred method. If a hands-on search is required, the search will be conducted by the following personnel in order of preference:

1. Female medical personnel.
2. Female coalition force member.
3. Male medical personnel, using the back of his hand with another witness present.
4. Senior Marine present, using the back of his hand with another witness present.

(5) *Apprehension of HVDS will be immediately reported to the Commanding General.* HVDS will be transferred to the BCCF as soon as possible.

(6) *Apprehension of identified Third Country Nationals (TCNs) (verified via passport or other official documentation) is a commander's critical information requirement and will be immediately reported to the Commanding General.*

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1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

(7) If a detainee is seriously injured during apprehension, they will be taken to the nearest medical facility for treatment before being taken to a detention facility.

(a) All units that transport detainees to a Medical Treatment Facility, other than the 31st Combat Surgical Hospital South, Baghdad (31st CSH (S)), will provide continuous security throughout the period of treatment.

(b) If detainees are escorted to the 31st CSH (S), continuous security will be maintained until battle hand-off (BHO) with military police who will assume the security mission. BHO is not complete until all proper paperwork is completed, to include a CPA Apprehension Form, Witness Statements, Evidence and Property Custody Form, and MPs receipt for the detainee using a DD Form 629.

(8) Unless there is a time-urgent intelligence requirement or the tactical situation does not permit, detainees will be transported to a Regional Detention Facility (RDF) for induction no later than 18 hours after capture.

(9) Detainees will only be held in an established RDF operated in accordance with this SOP.

d. Legal Rights Of Detained Individuals

(1) The 1st Marine Division will treat all detainees with dignity and respect at all times. Division units will provide, at a minimum, the standard of humane treatment required under international law. First Marine Division units will protect all detainees from physical harm, insults, photographs, and public curiosity.

(2) Security Detainees, HVDs, and EPWs do not have the absolute right to remain silent. They should be tactically interrogated by the RDF's HUMINT Exploitation Team (HET) to collect information necessary for force protection and/or location of accomplices and other hostile forces. However, detainees cannot be forced to provide information.

(3) Criminal Detainees should not be interrogated at RDFs. They should be transferred to Iraqi Police or the BCCF, where they will be advised of their right to remain silent. See paragraph 1.g.(b). No rights advisement is necessary when interrogating a criminal detainee for intelligence purposes.

(4) Other than for official purposes, any photography or filming of the RDF or detainees is strictly prohibited. Commanders may allow media access and permission to take photos or film the RDF, but will consider security considerations. Under no circumstances will media take photos of or film detainees. See Appendix S, PAO Guidance and Talking Points.

e. Transportation of Detainees

(1) Detainees will be flex-cuffed or hand-cuffed while transported.

(2) Detainees will be transported in covered vehicles, whenever possible, to keep the identity of detained individuals unknown to the local community.

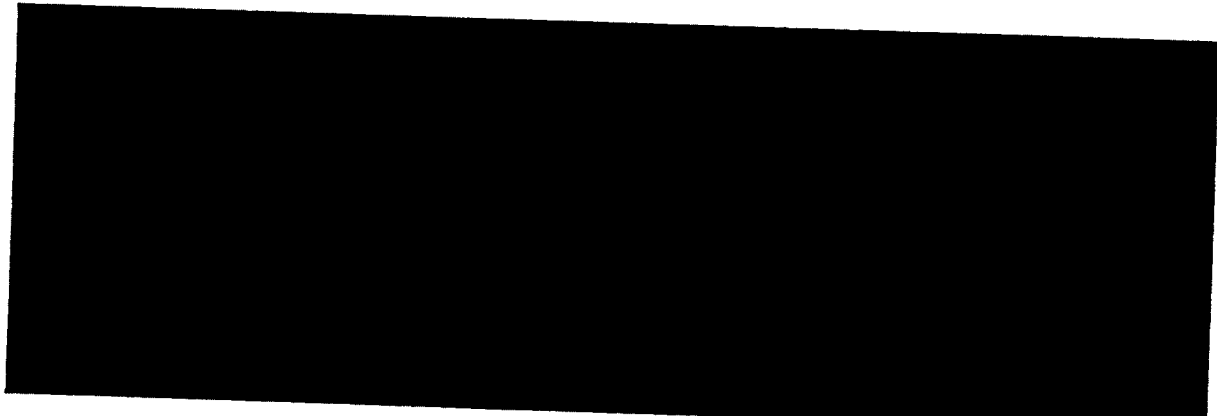
(3) There must be adequate direct security on detainees during all movements. A minimum of two Marines will provide direct security on detainees. Further security measures should be considered as necessary by the status of the detainees, mode of transportation, and tactical situation. At no time is "sandbagging," placing a sandbag over a detainee's head authorized.

(4) The detainee's file/documentation and all physical evidence must accompany the individual detainee when he or she is moved from one location to another. However, BCCF will not accept weapons, see paragraph 5.b on detainee transfers to BCCF. The original or a copy of the detainee's file/documentation will be maintained at the RDF (see paragraph 5, Detainee Transfers). The detainee's file and evidence will be kept separate from other detainees' files and evidence. It is recommended that detainee files and evidence be transported in a separate vehicle whenever possible to ensure their integrity and security.

(5) Evidence will be tagged with Part C of the EPW Capture Tag (DD Form 2745), or the equivalent, and transported to the RDF with the detainee. Property that is too large to move or cannot be moved, such as an inoperable vehicle, will be photographed and attached to an Evidence/Property Custody document (DA Form 4137). Explosives and IEDs will be photographed and attached to an Explosives Ordnance (EOD) Certificate and delivered to the RDF as evidence. Explosives, ammunition, or other hazardous material will not be accepted into the RDF.

f. Documentation Requirements. Units will prepare the following documents immediately after detaining an individual:

(1) EPW Capture Tag (DD Form 2745). Should be completed for every individual detained. Part A is attached to the detainee with wire, string or any field expedient material. Part B is maintained for the detaining unit's records, and Part C is attached to any confiscated property. If DD Form 2745s are not available, the unit will create field expedient tags. The tags will contain the following info: Date of Capture, Name of Detainee, Location of Capture, Capturing Unit, and POC of Capturing Unit. Units should number tags and detainees to ensure paperwork and evidence can be attributed to the right detainee upon arrival at the RDF.



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(2) Evidence/Property Custody Document (DA Form 4137). All physical evidence (including weapons) will be listed along with their EPW Capture Tag serial number.

(3) Sworn Witness Statements (DA Form 2823)

(a) A minimum of two (2) Sworn Witness Statements (DA Form 2823) must be completed for each detainee apprehended.

(b) Each statement must contain the who, what, when, where, why, and how of the circumstances leading up to the detainee's apprehension. Statements can be taken from either coalition members or Iraqi nationals.

(c) All coalition commissioned officers are authorized to take sworn statements. Prior to administering the oath to the witness, the officer should closely review the statement. Officers who are in the chain of command of the capturing unit may administer oaths for witness statements.

(d) The sworn statements in each package are the key pieces of evidence considered by the Magistrate at BCCF. Often, these statements form the sole basis for decisions to release or retain detainees at BCCF. Commanders should ensure that blanket or duplicate statements are not used and that the information in the statements provides a clear justification for apprehension and continued detention. The officer reviewing the statement should ask appropriate follow-up questions if the witness' statement is incomplete, confusing or contradictory. Record the clarifying information on the form and have the witness sign and swear to the statement.

(4) CPA Apprehension Form. Must be completed for every individual detained. There must be POC and a phone number on the form in case additional information is required.

g. Detainee Processing

(1) Battalion commanders and higher can authorize a detainee to be held at a Transitory Holding Area for up to 18 hours. This period is used to prepare initial capture paperwork and arrange for transportation to an RDF. Prior to the end of the initial 18-hour period, one of following shall occur:

(a) The detainee will be transferred to a 1st Marine Division RDF for further processing.

(b) Criminal detainees, not involved in anti-coalition activities, will be transferred to the custody of the Iraqi Police, Iraqi Judge, or BCCF to be processed by an Iraqi criminal court. Criminal detainees that have committed felony crimes will be transferred to BCCF within 72 hours. Felony or serious are defined as any crime considered to be punishable by more than 5 years

5

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1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

imprisonment under the Iraqi Criminal Code of 1969. The definition includes, but is not limited to, murder, rape, armed robbery, kidnapping, abduction, state infrastructure sabotage, car-jacking, assault causing bodily harm, arson, destruction of property, theft with a value in excess of 500 US dollars, conspiracy, solicitation, acting as an accomplice or attempting to commit one of these offences. However, commanders are authorized to detain criminal personnel at RDFs for the purpose of intelligence collection if deemed necessary.

(c) The commander of the apprehending unit will determine that detention is no longer necessary and authorize the release of the detainee.

(2) Once a detainee is transferred to an RDF, he can be held for up to 14 days from the date of capture. The day of capture is counted as day 1 of detention. Prior to midnight on the fourteenth day, one of following shall occur:

(a) The detainee will be transferred to the BCCF for further detention.

(b) Criminal detainees, not involved in anti-coalition activities, will be transferred to the custody of the Iraqi Police, Iraqi Judge, or BCCF to be processed by an Iraqi criminal court. Criminal detainees that have committed felony crimes will be transferred to BCCF within 72 hours. However, commanders are authorized to further detain criminal detainees at RDFs for the purpose of intelligence collection if deemed necessary.

(c) The detainee will be released. TCNs require CENTCOM approval prior to release; see paragraph 6.a.

2. DETENTION FACILITY REQUIREMENTS

a. General. Detention facilities are authorized at the regimental, brigade, or MEU levels. Currently, there are (5) Regional Detention Facilities, located at Camps Al Asad, Al Qaim, Fallujah, Kalsu, and Ramadi. Requests for additional facilities must be approved by 1st Marine Division and certified by the Detention Operations staff prior to commencing operations.

b. Manpower

(1) RDF Guard Force

(a) The guard force must consist of at least (1) Commissioned Officer, (1) SNCOIC, Shift NCOICs, and guard personnel. At no time will HET/THT personnel serve as the RDF OIC. The RDF OIC will determine the minimum manpower requirements to run the facility safely. Every RDF will be manned 24-hours a day, 7-days a week.

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1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

(b) Guard posts are determined by the number of detainees, medical segregation, requests by Military Intelligence (MI) for isolation of detainees, and the area threat level. Guards should be located centrally to observe all detainees assigned to their post.

(2) Support. Each MSE commander is responsible for the operation, staffing, and logistical support of RDFs under his command. He will ensure that sufficient medical, SJA, interrogator, and translator support is provided to support RDF operations.

c. Location, Layout, and Infrastructure

(1) Layouts will not allow detainees to gather intelligence or to commit acts of sabotage. (Assume all detainees speak or understand English.) Layouts should discourage communications between detainees.

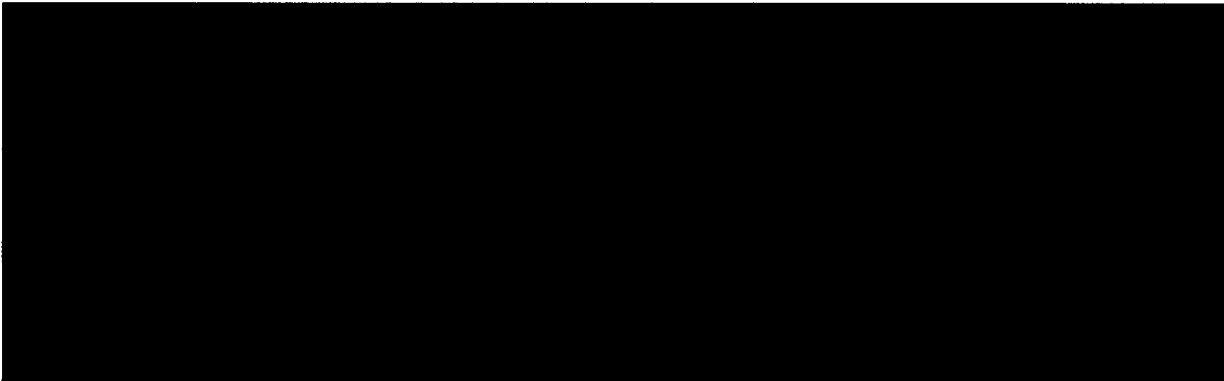
(2) Locations will not expose a detainee to health hazards, natural or man-made, and will provide shelter from adverse weather conditions. All detainees will be housed in hard structures with a roof and at least a wooden deck. The structures will have lighting and air conditioning, or a cooling system. For cold weather, RDFs will provide blankets, a heating system or additional clothing to ensure detainees remain adequately warm.

(3) Infrastructure will include adequate living space for each detainee to prevent overcrowding. All single cell detention spaces will measure at a minimum 6' wide by 8' long by 8' tall. All squad bay detention spaces, or spaces holding more than one person will allow each detainee a minimum of 40 square feet of floor space. Existing facilities will meet minimum space requirements as closely as possible. All new construction and renovation of existing facilities will use the minimum requirements when planning.

(4) *Women and children will not be housed with, or in sight of, adult male detainees. Women will not be separated from their children.*

(5) Infrastructure will provide detainees 24-hour access to clean latrines, with separate facilities for females. The ratio of detainees to heads/latrines will be 15 to 1. All heads will be cleaned and sanitized daily. There will be 1 hand-washing station with liquid soap or hand sanitizer co-located in the vicinity of every 3 heads. Human waste will be disposed of regularly and in accordance with Preventative Medicine standards.

(6) Infrastructure will include showers and wash basins at a ratio of 15:1, with separate facilities for females. All facilities will be cleaned and sanitized daily. Showers will have a privacy skirt to prevent other detainees and guards from viewing above the thigh and below the shoulder areas. There will be a shower in the vicinity of medical to facilitate the in-processing of new detainees.



UNCLASSIFIED

1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

(7) Layouts will include an interrogation room/area and medical facilities. Medical facilities should include an isolation area to treat contagious detainees.

(8) Infrastructure must include a Property and Evidence Room that can be secured with access limited to Property and Evidence Custodians, the OIC, and SNCOIC.

d. Equipment and Supplies. The commander establishing the RDF must ensure all logistics elements to accomplish the mission are provided.

(1) Provide personal hygiene materials. All detainees at a minimum will be provided soap, towel, toothbrush, toothpaste, shower shoes, and laundry soap, if detainees wash their own laundry on site.

(2) Provide a means to clean clothing and linen weekly.

(3) Facilities will maintain enough permithean-treated uniforms to provide clean uniforms to detainees at all times.

(4) Other requirements to consider are:

- Gates, doors, fence posts, stakes, barbed wire and concertina.
- Electrical power, interior and compound lighting.
- Internal and external communications, and public address systems.
- Blankets, sleeping mats, and racks.
- Flex-cuffs, handcuffs, leg irons, and restraint belts.
- Cool/cold clear water.
- MREs or feeding plan.
- Medical care and first aid equipment.
- Non-lethal weapons and riot gear.
- Biometric Analysis Toolset (BAT) client workstation networked to the BAT database for enrollment of detainees, entry of data and updates for intelligence value.

3. DETAINEE INDUCTION

a. Apprehending Unit Responsibilities

(1) If possible, notify the RDF prior to arrival. This will expedite the induction process.

(2) Prior to arrival at the RDF, all detainees should be flex-cuffed and tagged with Part A of the EPW Capture Tag (DA Form 2745), or equivalent, see 1.f.(1).

UNCLASSIFIED

1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

(3) All evidence against the detainee should be tagged with Part C of the EPW Capture Tag (DD Form 2745), or equivalent, see 1.f.(1). A sworn statement as to the identification and relevance of the evidence must also accompany the Evidence/Property Document. The most effective technique is to photograph the detainee with the evidence.

(a) Explosives, ammunition, or other hazardous material will not be accepted into the RDF. A photograph should be taken and affixed to a completed Evidence/Property Custody Document, DA Form 4137 or an explosives ordinance (EOD) certificate.

(b) Vehicles should be photographed, and Iraqi Police notified for disposition.

(4) Each detainee must be accompanied by the following documentation:

(a) A minimum of two (2) completed Sworn Witness Statements (DA Form 2823).

(b) A completed CPA Apprehension Form, to include the name and phone number of the detaining Marine or Soldier and the first commissioned officer in the chain of command.

(c) A completed Evidence/Property Custody Document (DA Form 4137).

(d) A completed EPW Capture Tag (DD Form 2745), or equivalent, see 1.f.(1).

(5) The apprehending unit maintains security responsibility for the detainee until transferred to the RDF.

(6) Units will follow instructions from the RDF guard force during detainee transfer. Responsibility for the detainee is only transferred to the RDF upon issue of the Receipt for Prisoner or Detained Person (DD Form 629).

b. Detention Facility Guard Force Responsibilities

(1) Conduct an initial frisk search of all detainees prior to entry into the RDF. A minimum of two guards are required to conduct all searches. **For female detainees, see frisk search instructions in paragraph 1.c.(4) on page 2.** Any personal property confiscated during this search, will be added to the Evidence/Property Custody Document (DA Form 4137).

(2) Once inside the RDF, strip-search all male detainees. **Female detainees will not be strip-searched.**

UNCLASSIFIED

1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

- (3) If one does not exist, create a Detainee Personnel File (DPF) for each detainee being inducted. This file will contain all documentation related to the detainee, except for medical documentation, which will be maintained by medical personnel in a Detainee Health Record (DHREC) created for the detainee.
- (4) Ensure the apprehending unit provides all required and completed documentation. All documentation will be placed in the detainee's DPF. Ensure the first commissioned officer in the detaining Marine or Soldier's chain of command has printed his name, signed, and provided contact information on the lower right of the CPA Apprehension Form. Contact information is essential in case the magistrate at BCCF needs clarification of the evidence package.
- (5) Properly store all evidence and property. The Property and Evidence Custodian will make appropriate entries in the Evidence and Property Log. Evidence and property will be tagged, segregated, and stored in a secure area within the RDF.
- (6) The RDF OIC or SNCOIC will complete and issue the Receipt for Prisoner or Detained Person (DD Form 629) to the apprehending unit. This form must be completed every time a detainee is transferred from one unit/organization to another. Responsibility for the detainee is transferred to the RDF upon issue of this receipt.
- (7) Assign the detainee an RDF identification number, enter the number and detainee's induction in the RDF Master Log, and update the Detainee Roster. The first 3 characters of the RDF identification number will read 1MD for 1st Marine Division; the next 4 will identify the MSE; the next group will identify the capturing unit; then the date in year-month-day format, and the sequential number assigned by the RDF. Example- E Company 2/5, 2BCT, detains someone and brings him to the facility, October 21, 2004. This is the 500th detainee in-processed at the Ramadi RDF. The RDF ID # = 1MD2BCTE2/5-041021-500.
- (8) Ensure that all detainees receive, read, or are read, the instructions listed in Appendix A, Rules for Detainees, in their own language.
- (9) Create a Detainee Personnel Record (DA Form 4237-R) and place it in the detainee's DPF.
- (10) Enter each individual in the BAT database. If a detainee is already in the database, additional and sufficient entries will be made such that a detailed history of the detainee can be maintained. Appendix R lists specific fields that must be filled in to have a detainee accepted at BCCF. If a detainee refuses to give the necessary information to fill out a mandatory field, record "REFUSED" in the block. Specific guidance follows:



UNCLASSIFIED

1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

(a) Both eyes will be scanned. Ensure the whole iris is captured. The right eye of the individual scanned will equate to the right eye field of the enrollment form on the iris scanner.

(b) Fingerprinting will follow the procedures established by the BATS system.

(c) Electronically photograph all five designated angles of the detainee (face, left profile, right profile, left 45-degree profile, right 45-degree profile) for entry into BAT. Print 2 copies of the photograph, or take 2 hard photographs of the detainee. One photo will be attached to the Civilian Internee Identity Card (Appendix J) or equivalent and one to the detainee's personnel record.

(d) Enter information from all relevant hardcopy documentation (EPW Capture Tag (DA Form 2745), Detainee Personnel Record (DA Form 4237-R), Sworn Witness Statements (DA Form 2823), etc.).

(11) Ensure that each detainee being inducted receives an examination by a competent medical authority and that all documentation is filed in the detainee's DHREC. Security will be provided by the RDF Guard Force during the medical examination. Detainees requiring urgent care will be evacuated to the nearest appropriate medical treatment facility and remain there until well enough to enter an RDF. All original documentation will be transported with the detainee to the MTF. A copy will be maintained at the RDF. The detainee's information will be entered into BATS, unless the urgent nature of the injury makes this impractical. The capturing unit will remain with the detainee while they receive medical treatment, or until relieved.

(12) Detainees will be issued a Civilian Internee Identity Card (DA Form 2677-R). BAT badges or wristbands may be used in lieu of the cards.

c. Medical Authority Responsibilities

(1) Each detainee must receive a physical examination by medical personnel immediately upon induction into the RDF. If this is a medic or corpsmen, within 24 hours, a credentialed health care provider will review and cosign the exam paperwork. A credentialed medical authority is a Medical Officer (MO), Physician's Assistant (PA), Nurse Practitioner, or a certified Independent Duty Corpsman (IDC).

(2) A credentialed medical provider will conduct a daily medical check of detainees. Daily sick call fulfills this requirement.

UNCLASSIFIED

1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

(3) Corpsmen and medics can conduct initial physical exams, pre and post interrogation medical checks, sick call screening, and daily hygiene inspections of the detention facility.

(4) Corpsmen and medics will call an MO, PA, Nurse Practitioner or IDC in any case that requires immediate attention or which is beyond their medical abilities.

(5) A credentialed medical provider will conduct release physicals.

(6) Medical personnel will bring a Unit 1, MOLLE medical kit, or equivalent with them to provide adequate and efficient medical care. Detainees will be checked daily.

(7) Medical personnel are not to remove any identification wristbands or other documentation from injured detainees unless required to do so due to medical necessity. If any documentation needs to be removed, these items must be given to the guard force personnel to be placed in the detainee's DPF.

(8) All detainees will have their height measured and be weighed when inducted. This and all signs of illness or injury will be recorded on a Chronological Record of Medical Care Standard Form (SF 600) and will be included in the DHREC. All scars, marks, and tattoos will be annotated on a Detention Facility Scars and Marks Card (Appendix I). Necessary medical treatment and immunizations will be initiated and recorded as deemed necessary. The detainee's RDF identification number and billeting information will be entered on all medical documentation.

(9) Detainees requiring urgent medical care will be identified to the guard force immediately.

(10) Detainees requiring segregation due to medical conditions will be identified to the guard force immediately.

(11) *Any sign of mistreatment will be reported to the Commanding General immediately; info the Division Corrections Officer.*

4. REGIONAL DETENTION FACILITY OPERATIONS

a. Commander's Intent. All detained persons will be treated with dignity and respect. Units responsible for detention operations will follow applicable international law concerning humanitarian treatment of detainees. The commander establishing the RDF is ultimately responsible for all actions within. Before working at an RDF, all personnel will read the CG's intent pertaining to Detention Operations, located in the front of this SOP, and the facility will post the intent in a conspicuous location where it can be viewed.

b. Regional Detention Facility Guard Force Responsibilities(1) RDF OIC

(a) Responsible for the safety, security, and well-being of all personnel (guard and detainee) housed or working within the RDF.

(b) Ensures that all detainees are treated humanely and with respect. At a minimum, the OIC or SNCOIC will visually sight each detainee daily to determine problems and ensures this check is logged in the RDF Master Log.

(c) Signs every Receipt for Prisoner or Detained Person (DD Form 629) held in the RDF.

(d) Ensures that all RDF Guard Force members have read and understand the Commanding General's Intent for Detention Operations; Appendix B, Rules for Guards; and have received all available Pre-Service Training, to include Rules for Use of Force classes, prior to standing guard watch. A roster documenting Pre-Service Training will be maintained.

(e) *Reports any mistreatment of detainees immediately to the Commanding General.*

(f) Ensures proper handling, documentation and storage of all evidence and property within the RDF. Appoints Property and Evidence Custodians in writing to collect and preserve detainee property and evidence. The appointee should be at least an NCO and preferably, not a rotating position. The OIC may appoint a primary and alternate custodian to ensure a custodian is available at all times. Limits access to property and evidence to custodians, OIC, and SNCOIC.

(g) Ensures that detainee induction procedures are in accordance with paragraph 3.

(h) Ensures that only official visitors are allowed access to detainees.

(i) The OIC will plan a daily schedule of events for the RDF, forecast guard force manpower requirements, and list any special instructions. This information will be published within the RDF as the Plan of the Day (POD). Events to be planned include meals, inspections or "shake-downs", interrogations, medical exams, counts, transfers, and releases.

(j) Ensures that a credentialed medical authority examines each detainee at least every 24 hours.

UNCLASSIFIED

1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

(k) Ensures that each detainee's DPF is reviewed by the RDF's Detention Review Authority (DRA) within 72 hours of induction.

(l) Conduct random and unannounced inspections of the facility to verify that detainees are being treated fairly, humanely, and in accordance with this SOP.

(m) Maintains a facility SOP, post orders, and emergency plans.

(2) RDF SNCOIC

(a) Assists the RDF OIC in his duties and assumes the responsibilities of the OIC in his absence.

(b) At a minimum, he or the OIC, visually sights each detainee daily to determine problems and ensures this check is logged in the RDF Master Log.

(3) RDF Shift NCOIC. The senior NCO of a guard watch. Executes the POD, supervises guard mount, directs his guard watch, and maintains all required RDF logs and documentation.

(4) Property and Evidence Custodian

(a) Inventories property and evidence and annotates the results on a DA Form 4137 (Appendix F). Has the delivering unit verify the date, and sign the Released By block on the form. The Property and Evidence Custodian should sign the Received By block.

(b) Place evidence in a large envelope or container and seal. Across the seam of the sealed envelope or sealed container annotate the signature of the person sealing the evidence, the date, time, and RDF # of the detainee. Attach a copy of the DA Form 4137 to the envelope or container.

(c) For items too large to place in a sealed container, attach a label with the signature of the person inventorying the evidence, the date, time, and RDF # of the detainee.

(d) All evidence pertaining to a detainee should be stored together in a secure Evidence and Property Room that is accessible only to Property and Evidence Custodians, the OIC, and SNCOIC. A copy of the DA Form 4137 should accompany all property and evidence pertaining to a detainee.

(e) The Property and Evidence Custodian will inventory all property and evidence weekly. Annotate all inventories in the Property and Evidence Log.

(f) For seized cash, the specific number of bills of each denomination and nomenclature of the money seized will be recorded on

UNCLASSIFIED

1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

DA Form 4137 rather than indicating that "cash" was seized. For example, 5-25,000 Iraqi Dinar notes, 6-\$100 US Dollar bills.

(g) For seized firearms, the serial number of the firearm will be annotated on the DA Form 4137. If there is no serial number, the firearm will be labeled identifying the date, location, and detainee from whom the firearm was seized. A photograph of the firearm will be taken.

(h) RDFs will not accept vehicles. Vehicles should be photographed, the photo attached to a DA Form 4137, and Iraqi Police notified for disposition.

(i) Any time evidence changes hands or the detainee is transferred, the evidence should be inventoried and signed for by the person assuming custody utilizing the DA Form 4137.

(j) Maintains a Property and Evidence Log to track chronologically all movement of evidence to and from the Property and Evidence Room, record when the Property and Evidence Custodian goes ashore, and who and when the alternate custodian assumed duty. Log in whenever someone accesses and secures the Property and Evidence Room and all inventories of evidence and property.

(k) A detainee that is released will not receive a confiscated weapon without showing a valid weapons card. IED materials will not be returned. Disposition of captured weapons and IED-making materials will be in accordance with commander's guidance and Div FragO 0241-04.

(5) RDF Guards

(a) Read and understand the Commanding General's Intent for Detention Operations and Appendix B, Rules for Guards, prior to standing guard watch.

(b) Receive Pre-Service Training classes prior to working in the facility.

(c) Maintain custody, control, and discipline of detainees under their supervision.

(d) Conduct periodic inspections, searches, head counts, roll calls, and bed checks.

(e) Follow orders and instructions given by the RDF OIC, SNCOIC, and Shift NCOICs.

(f) Immediately report any mistreatment of detainees to the RDF OIC.

c. Formal Detainee Counts. A formal detainee count includes verification of the identity of each detainee. Formal detainee counts will be scheduled on the POD and conducted at least twice a day, after reveille and before taps. Informal counts will be conducted throughout the day.

d. Escorting Detainees

(1) A ratio of 2:1 guards to detainee will be maintained for all internal RDF moves.

(2) For external moves the ratio will be situation dependent. Established, stringent custody and control measures reduce the likelihood of escapes. See also paragraph i.e.

(3) Procedures and techniques for moving detainees can be modified as needed by the RDF OIC.

e. Uniform Requirements

(1) The OIC will determine specific uniform requirements for the facility staff. The Commanding General's uniform wear and direction applies.

(2) Detainees will wear orange, perithean-treated uniforms for easy identification and to ensure sufficient clothing is provided. Uniforms may be ordered through S-4 and procured through the Federal Prison Industries, Incorporated (UNICOR), [HTTP://www.UNICOR.GOV/ONLINESTORE/STOREFRONTCOLTHING.HTM](http://www.UNICOR.GOV/ONLINESTORE/STOREFRONTCOLTHING.HTM).

f. Access to the Detention Facility

(1) Only personnel on official business will be allowed access to the RDF. Only the RDF OIC or SNCOIC can grant direct access to view or talk to detainees.

(2) Visiting personnel must relinquish their weapon if contact with detainees is requested.

(3) Anyone entering or leaving the RDF is subject to search.

(4) Media Visits.

(a) If the reporter has NOT coordinated a visit:

- Ask to see credentials, and contact PAO for clearance.
- If not competent, notify PAO for further guidance.

(b) If the reporter is embedded or has made coordination through the chain of command, treat the visit as you would treat a visit by a higher command and use the PAO Guidance and Talking Points at Appendix S for further instruction.

(5) Family members will be referred to Civil Affairs.

g. Hydration and Feeding of Detainees

(1) Detainees will have access to clean and cool/cold potable water. Provide 2-4 gallons of potable water per detainee, per day for drinking.

(2) Provide daily food rations that are sufficient in quantity, quality, and variety to maintain health, prevent weight loss and nutritional deficiencies. Detainees will receive 3 meals per day. These meals may consist of MREs, hot meals, or a combination of the two. If MREs are served, only food pouches and plastic spoon will be issued. No pork products, accessory packs, heaters, or packing material. Highly perishable foods and those that require a knife to cut will not be served.

(3) Ensure food items are properly stored to prevent infestation. Detainees will not keep food in their living space except during scheduled meal times. Any foods not consumed during the meal and associated refuse will be collected by staff and disposed of immediately after meal hours. When not in use, foodstuffs will be stored in enclosed areas to prevent rodent and insect infestation.

(4) Detainees will not prepare their own food. The short-term nature of detainment at 1st MarDiv RDFs does not facilitate training detainees in food handling and preparation procedures. In addition, the lack of cooking and refrigeration facilities at the RDFs makes food preparation on site not feasible.

h. Medical Treatment of Detainees. All detainees will receive appropriate medical care as outlined in paragraph 3.c.

i. Hygiene

(1) Detainees will be given the opportunity to shower at least every other day, and hygiene call will go every morning. Detainees will not be required to shave or cut their hair as part of normal hygiene procedures.

(2) Uniforms will be washed weekly. When a detainee is out-processed, his uniform and linen will be laundered and his mattress sanitized prior to re-issue.

j. SJA Responsibilities as Detention Review Authority (DRA)

(1) DRA Appointment. The commander exercising authority over the RDF will appoint the MSE SJA as the Detention Review Authority (DRA). The DRA will have primary responsibility for legal review of each detainee inducted into the RDF. First Marine Division units are authorized to detain individuals for up to 72 hours based on a

UNCLASSIFIED

1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

reasonable belief that individual fits the criteria for detention outlined in paragraph 1.b.

(2) 72 Hour Review. Not later than 72 hours after induction into the RDF, the DRA must review the DPF and determine if there is probable cause to continue detention beyond 72 hours.

(a) If the DRA finds no probable cause, he will recommend that the CO order the release of the detainee. If the detainee is a Third Country National (TCN), the DRA will submit a Request for TCN Release Form to Commander USCENTCOM via the Division Corrections Officer.

(b) If the DRA finds probable cause to continue detention, an order of internment will be prepared stating the reasons for continued detention (This will be annotated on the Magistrate's Detention Review Appendix P). Additionally, the DRA will determine the detainee's status (security internee or criminal detainee). These orders shall be maintained in the detainee's file.

(3) Security Detainees. Security Detainees may be held beyond 72 hours for interrogation and evidence package preparation if the DRA determines there is probable cause to continue detention. Security detainees will not be held longer than 14 days from the date of capture without prior approval of the Chief of Staff, 1st Marine Division. MSEs requesting to hold detainees beyond 14 days will submit a request for extension to the Chief of Staff via the Division Detention Officer, using the form located at Appendix N. Requests to hold detainees for more than 14 days must be justified and will only be approved in exceptional cases.

(4) Criminal Detainees. Criminal detainees are suspected of Iraqi on Iraqi crime or crimes not associated with the coalition mission. All criminal detainees will be transferred to the Iraqi authorities or BCCF NLT 72 hours after apprehension for prosecution, except as provided for in (4) (a).

(a) If after the 72 hour review, the DRA determines that further detention is not warranted for a minor crime, the DRA will recommend that the CO order the release of the detainee, subject to the guidance regarding TCNs.

(b) For serious crimes, recommendations for release shall be forwarded to DCG-D, MNF-I who will liaise with the theater CID commander and convene a criminal detainee release board with MNF-I Staff Judge Advocate. Commanders may order a criminal detainee held for longer than 72 hours, provided there is a reasonable belief the detainee has some intelligence value.

(5) DRA Letter for Evidence Package. All detainees sent forward to BCCF must be done so with sufficient credible evidence to ensure they will remain in detention. Each evidence package sent

forward with a detainee is first evaluated by a Magistrate at BCCF to determine if the detainee meets the minimum requirements to be admitted. This initial evaluation focuses on completeness of paperwork and sufficiency of evidence. The package is later reviewed by the Detention Review Board who will determine if, based on the crime committed and the sufficiency of the evidence provided, the detainee should face long-term incarceration.

(a) The DRA will personally review each detainee evidence package prior to forwarding the detainee to BCCF. The DRA will ensure that the evidence provided in each package clearly supports the crime alleged. DRAs should strive to ensure that clear and convincing evidence of criminal activity is provided in every package that is forwarded to BCCF.

(b) The DRA will include a summary letter outlining the evidence and reasons for continued detention. A sample letter format is located at Appendix Q.

k. Searches

(1) Detainees and their living areas will be subject to unannounced inspections or "shakedowns" for safety and hygiene. Detainees will be frisked and cells searched for contraband. The RDF OIC or SNCOIC may order shakedowns of all or random detainees and areas of the RDF at their discretion.

(2) *For female detainees, see frisk search instructions in paragraph 1.c.(4).*

1. Detention Facility Documentation. The following documentation will be maintained by each RDF:

(1) RDF Master Log. The journal for significant events occurring in the RDF. At a minimum, the following will be entered:

- Details on detainees being inducted, interrogated, transferred, or released.
- Results of formal detainee counts.
- Conduct and results of medical sick calls.
- Commencement and securing of scheduled POD events.
- Unusual events, disturbances, and enemy attacks.
- Outside Agency and higher headquarter visitors.
- For female detainment, method of search, and name, rank, sex, and occupation of whom conducted search.
- OIC or SNCOIC daily check of detainees.
- Commencement and Securing of chow and refusals to eat.
- Any use of force.

UNCLASSIFIED

1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

(2) Detainee Roster. A "by Name" listing of every detainee currently in the facility.

(3) Detainee Personnel Files (DPF)

(a) A DPF will be kept for every detainee. All associated documentation (statements, evidence and property records, Intel summaries, etc.) for the detainee will be kept in this file.

(b) DPFs will be segregated into four sets:

- DPFs for detainees currently in custody,
- DPF originals for detainees that were released,
- DPF originals for detainees that were transferred to the Iraqi Police,
- DPF copies for detainees transferred to BCCF or MTF.

(4) Detainee Health Record (DHREC). Contains all medical exams, records of treatment, and immunizations, Scars and Marks cards, and records of physical exams. After a detainee is transferred or released, the original or a copy, whatever is appropriate, will be stored with the detainee's DPR.

(5) Evidence and Property Log. Used to track chronologically all movement of evidence to and from the Property and Evidence Room. Record when the Property and Evidence Custodian goes ashore, who and when the alternate custodian assumed duty, and anytime the Evidence and Property Room is accessed and then secured.

(6) Detainee Cell Manifest. As required. Indicates where each detainee is located within the facility.

m. Detention Facility Reports. The following reports will be submitted by each RDF to 1st MarDiv Corrections Officer:

(1) Division Daily Detention Report. This report is located on the 1st MarDiv G-3 website at <http://www.1mardivdm.usmc.smil.mil/G3/Detentions/docs/Reports/>. This report will be submitted to the Division Corrections Officer daily.

(2) Escape After Action Report. Submit to the Division Corrections Officer whenever a detainee escapes or attempts to escape. See Appendix M for an example. **All escapes or attempted escapes will be reported immediately to the Commanding General.**

(3) Use of Force Report

(a) Submitted whenever a detainee is subject to any of the following:

UNCLASSIFIED

1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

- Significant and intentional propelling, throwing, pushing, or forcing of a detainee onto the ground or into another object.
- Use of restraints (flex cuffing, duct taping, tying, etc.) above and beyond that required for normal procedures.
- Strikes with hands, feet, or any use of a piece of equipment/tool as a weapon. This includes use of batons.

(b) The report will contain the following minimum information:

- Date/Time of Incident.
- Unit Involved.
- Detention facility or location.
- Full names and identification/control numbers of detainees involved. Name and rank of guards involved.
- Briefly describe incident and force used.
- Were any detainees injured? If so, describe injuries and state whether medical assistance was necessary.
- Were any friendly forces injured? If so, describe injuries and state whether medical assistance was necessary.

(c) Any sign of mistreatment or use of force on detainees will be reported immediately to the Commanding General.

n. Proportional Use of Force. Guards are authorized to use necessary and proportional force to provide a safe and secure facility. Guards do not have to progress through all steps of the following continuum. However, they should use the appropriate amount of force for the situation. The use of force continuum is as follows:

(1) Presence. An active guard presence will often prevent a confrontational or hostile situation.

(2) Shout or Verbal Persuasion. The use of key Arabic words, such as "Kiff" meaning halt or hand signals is the next step to defusing a situation.

(3) Shove or Defensive Techniques. Handcuffing, pressure point applications, and come-along techniques. Getting physical to restrain, block access, or detain.

(4) Non-Lethal Force. The baton when applied properly to the meaty portions of the thigh and buttocks area is non-lethal. Head, neck, groin, or chest shots are considered lethal and may cause death or permanent injury.

(5) Show weapon. Because loaded weapons are not allowed in the facility where detainees are located, all other options would have been exhausted prior to bringing a loaded weapon into the facility.

(6) Shoot. Use of Deadly Force to protect life or prevent escape. Warning shots are not authorized.

o. Escape Attempts

(1) If a detainee attempts an escape, guards will give a verbal warning, shouting "Halt" or "KIFF," the Arabic word for halt, three times. Guards will use the least amount of force necessary to stop an escape. Deadly force is to be used as a last resort against an escaping detainee. **Do not fire at an escaping detainee until he clears the outside barrier.** Warning shots are not authorized. Nothing in this SOP limits the inherent right of self-defense. Use of force, to include deadly force, is always authorized in defense of self, other US or Coalition forces, and persons under your protection.

(2) In the event a detainee breaches the outer perimeter of the RDF, the nearest headquarters will be notified immediately. Additionally, all perimeter guards will be informed of the escape. A QRF may be dispatched to apprehend the escapee.

(3) Submit an Escape After Action Report following all escapes or escape attempts.

p. Interrogations. See the Division Interrogation Policy Memorandum (Appendix T) for specifics on authorized techniques and further guidance.

(1) Guards are prohibited from helping authorized interrogators with "softening up" detainees prior to questioning, regardless as to how light or innocent the actions may seem. This prevents us from making enemies of those that might under different circumstances be allies. It will also preserve the military standards and discipline that serve as the shock absorber against the stresses of war, and, finally, to never lose our honor and dignity.

(2) Only the RDF OIC or SNCOIC can grant direct access to detainees. The MSE commander retains ABSOLUTE authority to control access to his facility and to stop any activity he deems to be improper.

(3) Guard personnel will always escort detainees to and from the interrogation room/area.

(4) Medical personnel will perform a cursory medical examination before and after each interrogation to verify the general health and physical condition (note bruises, cuts, welts etc.) of each detainee. Results of each medical examination will be maintained in each detainee's DHREC.

UNCLASSIFIED

1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

(5) The RDF Guard Force personnel will make an entry in the RDF Master Log to record: who was interrogated, by whom, and the date and time of the interrogation.

(6) Interrogators will attach interrogations reports to the appropriate detainee BAT dossier.

(7) Interrogations by Non-1st Marine Division Organizations

(a) *The interrogation of 1st Marine Division detainees by outside US and coalition agencies may be authorized, however, the MSE commander will be notified prior to the start of the interrogation, and normal pre- and post-interrogation physicals will be completed. All interrogations conducted at the RDF will comply with the 1st MarDiv Interrogation Policy located at Appendix T.*

(b) If an outside agency requires that the detainee be removed from the RDF, the removal will be treated similarly to a detainee transfer. (See paragraph 5.)

- A release physical will be completed.
- The outside agency will sign for the detainee utilizing a Receipt for Prisoner or Detained Person (DD Form 629).
- The detainee's original DPF will not be given to an outside agency, unless directed by higher. A copy of the DPF will be provided if requested.
- If the outside agency returns the detainee to a Division unit, another medical examination will be performed and the results will be documented in the detainee's DHREC.

(c) *Any signs of injury or mistreatment will be reported to the Commanding General immediately.*

q. Visits by the International Committee of the Red Cross

(1) Coordination. International Committee of the Red Cross (ICRC) will coordinate with Civil Affairs for requests to tour RDFs and speak with detainees to determine conditions at facilities.

(2) Facilities. Each RDF will make a room available for ICRC personnel to talk with detainees in private.

(3) Verification. The RDF OIC or SNCOIC will verify ICRC members through Civil Affairs before allowing them to enter the facility.

5. DETAINEE TRANSFERS

a. Common Transfer Procedures. RDFs may transfer detainees to BCCF, the Iraqi Police, or there may be instances where transferring detainees between RDFs is necessary for purposes of questioning or positively identifying targets.

(1) RDF Transferring the Detainee

(a) The MSE S-2 will notify the Division G-2 before transferring a detainee.

(b) The RDF and the MSE command transferring the detainee are responsible for all transportation and security between facilities. See also paragraphs 1.e.

(c) The RDF OIC will brief escort personnel on their duties and responsibilities, including procedures to be followed in case of an escape attempt, death of detainee, or other emergency.

(d) The RDF OIC will ensure that a competent medical authority has conducted an examination of the detainee just prior to the transfer and that the examination is recorded in the detainee's DHREC.

(e) The RDF OIC will ensure that all detainee documentation, evidence and property are prepared and ready for transportation. He will ensure an Iris scan is done to confirm the identity of the detainee, and the transfer is recorded in the detainee's BAT dossier.

(2) RDF Receiving the Detainee. The RDF receiving the detainee will follow the instructions for induction in paragraph 3. This includes making the appropriate entries in the BAT database documenting the transfer, inventorying property and evidence and signing the DA Form 4137.

(3) Responsibility For the Detainee. Responsibility for the detainee is only transferred from the delivering unit upon receiving a signed Receipt for Prisoner or Detained Person (DD Form 629) and signed DA Form 4137 Property and Evidence Custody document.

b. Transfers to BCCF

(1) The RDF will transfer all detainees to BCCF within 14 days of the detainee's capture. HVDS will be transferred as soon as possible to BCCF.

(2) The original detainee DPF and all evidence and property, except weapons, will be transferred to BCCF. In lieu of weapons, photos attached to a DA Form 4137 will be sent. The RDF will retain a copy of the detainee's DPF, to include copies of the DA Form 4137.

c. Transfers to Iraqi Police

(1) Criminal detainees suspected solely of minor crimes against Iraqis will also be transferred from RDFs to local police authorities. TCNs require CENTCOM approval prior to transfer; see paragraph 6.a.

(2) A copy of the detainee's DPF and all evidence and property will be transferred to the Iraqi Police, except for classified documents. The transferring RDF will retain the original DPF.

6. DETAINEE RELEASE

a. Authority to Release

(1) The apprehending unit's commanding officer can authorize a security detainee to be released while at a Transitory Holding Area.

(2) MSE Commanders can authorize release of detainees held at RDFs. DRAs and S-2 Officers will provide input to the Commanders. S-2s will notify Division G-2 prior to a release to ensure there is no further information available that may affect the commander's decision. However, if the detainee is a TCN (Non-Iraqi), the DRA will submit a Request for TCN Release form (See Appendix O) to the 1st MarDiv Corrections Officer, for forwarding up the chain of command. Only CDR, USCENTCOM can authorize the release of TCNs from RDFs.

(3) A detainee held for 14 days must be transferred to BCCF or released.

(4) At times, extraordinary circumstances may require continued detention beyond 14 days. This will only be approved by the Division Chief of Staff or higher. To request permission, use the Detainee Extension Request located at Appendix N. If approved, the request will be forwarded to MNC-I by the Division Corrections Officer.

b. Release Procedures

(1) The RDF OIC will notify his command's S-2 and the original apprehending unit of the detainee's pending release prior to informing the detainee.

(2) The detainee will be released at the Iraqi Police Station nearest his home, or other location, such as point of capture, that the MSE deems safe and appropriate. The RDF OIC will again notify his command's S-2 and the original apprehending unit of the detainee's release point and estimated release time.

(3) The RDF OIC will ensure that a competent medical authority has weighed and conducted an examination of the detainee just prior to release and that the results are recorded in the detainee's DHREC.

UNCLASSIFIED

1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

(4) The detainee will receive and receipt for all evidence and personal property using the Evidence/Property Custody Document DA Form 4137 (Appendix F).

(5) The RDF OIC may retain evidence or personal property that poses a potential threat to Coalition Forces or its mission. This includes weapons with no proof of ownership, or IED-making materials. The RDF OIC will issue a receipt for any evidence or property that cannot be returned to the detainee. A signed copy of the DA Form 4137 will suffice as a receipt. Disposition of retained items will be in accordance with commander's guidance and Div FragO 0241-04, and will be annotated on the DA Form 4137 and filed in the Detainee's DPR.

(6) The RDF OIC will verify the identity of the person to be released. An iris scan will be done to accomplish this.

(7) The RDF and the MSE command releasing the detainee are responsible for all transportation and security during the release. The detainee will be released in a dignified manner and with an apology, if appropriate.

(8) The releasing team will report back to the RDF the location of release, time of release, and any other pertinent information.

(9) The release will be documented in the BATS.

(10) The detainee's DPR will be maintained at the RDF, and disposition of retained evidence will be in accordance with commander's guidance.

7. DEATH OF A DETAINEE

a. Notification. *Death of a detainee requires immediate notification to the Commanding General.*

(1) The OIC of the RDF should provide initial notification via his chain of command to the 1st Marine Division Detentions Officer as soon as possible, but in all cases no later than 2 hours following the discovery of death. RDFs will follow-up initial reports with more complete or expanded information within 24 to 48 hours of the incident.

(2) The 1st Marine Division Detentions Officer will notify NCIS and MEF for further notification and coordination with the Armed Forces Medical Examiner.

b. The Body. The body should not be washed, and all items on the body should be left undisturbed except for ammo, weapons, and other hazardous items. The body should be put in a clean body bag and secured until NCIS or the AFME arrive to take charge of the body.



UNCLASSIFIED

1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

APPENDIX A: RULES FOR DETAINEES

المستوى امن قواعد المحتجزين

RULE 1: You will obey all written and verbal orders from all American military personnel.

القاعدة رقم 1 : سوف تطيع جميع القوانين سواء الشفهية منها او المكتوبة التي تصدر من جميع العسكريين الامريكان .

RULE 2: You will immediately sit down and place your hands on your head with fingers interlocked whenever you hear three whistles or horn blasts or the word "Halt". The Marine guards are authorized to use force, up to deadly force, if you do not obey this rule.

القاعدة رقم 2 : سوف تجلس على الارض حالا واضعا يديك متشابكة على رأسك كلما تسمع ثلاث صفارات او صوت البوق او كلمة قف . حراس المارينز مخولين باستخدام القوة المميتة اذا لم تطع الاوامر .

RULE 3: You will not interfere with, threaten, or harm any American military personnel.

القاعدة رقم 3 : يجب ان لا تقوم بتهديد او الحاق الاذى بالاشخاص الامريكان .

RULE 4: You must have your capture tag and wristband or badge in your possession at all times.

لقاعدة رقم 4 : يجب ان تحمل طوال الوقت قيد الاعتقال اوبطاقة التعريف .

RULE 5: You will keep your body and your living areas clean. You will only urinate or defecate in designated areas.

القاعدة رقم 5 : يجب ان تحافظ على نظافتك الشخصية والمنطقة التي تعيش فيها . وسوف تتبول وتتغوط في الاماكن المخصصة لذلك .

RULE 6: You will not attempt to escape. The guards are authorized to use deadly force if you attempt to escape.

القاعدة رقم 6 : لا تحاول الهرب . الحرس مخولين باستخدام القوة المميتة اذا حاولت الهرب .

RULE 7: You will not leave your fenced-in living area, or move past designated boundaries, without an escort.

القاعدة رقم 7 : سوف لن تغادر المنطقة المسيجة التي تعيش فيها او تتحرك متعمدا خارج الحدود المسموح بها بدون مرافقة من الحرس

A-1

UNCLASSIFIED

UNCLASSIFIED

1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

RULE 8: You will not fight with, or physically harm, any other detainees. If at any time you fear your life is in danger or that you may suffer physical injury at the hands of other detainees, you are to report this immediately to a guard.

القاعدة رقم 8 : سوف لاقوم بمقاتلة بقية المحتجزين او الصراع الجسدي معهم او ايدانهم وادا خشيت على حياتك او امكانية ايدانك جسديا من قبل باقي المحتجزين قم بأخبار الحرس فورا

RULE 9: You will not steal or take food, medicine, clothing, blankets, or any personnel items from any other detainee.

القاعدة رقم 9 : سوف لاتقوم بسرقة الطعام او اخذه او اخذ الادوية او الملابس او البطانيات او أي شيء يعود لباقي المحتجزين

A-2

UNCLASSIFIED

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1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

APPENDIX B: RULES FOR GUARDS

RULE 1: Treat all detainees, no matter what classification, humanely and with dignity and respect.

RULE 2: Respect religious observances. (Muslims may pray up to five times a day in their cells.)

RULE 3: Treat all medical problems seriously and report all known problems to medical personnel immediately.

RULE 4: Do not talk to detainees unless in the line of duty.

RULE 5: Do not make promises to detainees or tell them when they will be released.

RULE 6: Do not make obscene gestures or derogatory remarks.

RULE 7: Do not accept bribes or gifts from detainees.

RULE 8: Do not show favoritism or fraternize.

RULE 9: When using force against detainees, use necessary and proportional force that is appropriate for that situation. All use of force will be documented on a Use of Force Report.

RULE 10: All guards are subject to the UCMJ for violations of the Geneva Convention, these rules, and any mistreatment of detainees.

RULE 11: Failure to report mistreatment of detainees is punishable as dereliction of duty under the UCMJ.

RULE 12: Photographing, filming, or videotaping detainees or the RDF, for other than official purposes is strictly prohibited.

RULE 13: Guards posted in a holding area, in direct contact with detainees, will not have a weapon. This precludes detainees from gang rushing a guard and acquiring a loaded weapon.

RULE 14: Only personnel on official business are allowed into the RDF.

RULE 15: Only the RDF OIC and RDF NCOIC can grant visitors direct access to detainees.

RULE 16: If a detainee attempts an escape, shout "Halt" or "KIFF," the Arabic word for halt, three times. Use the least amount of force necessary. Deadly force is to be used as a last resort. **Do not fire at an escaping detainee until he clears the outside barrier.** Warning shots are not authorized. Use of force, to include deadly force, is always authorized in defense of self, other US or Coalition forces, and persons under your protection.

B-1

UNCLASSIFIED

APPENDIX C: CPA APPREHENSION FORM

COALITION PROVISIONAL AUTHORITY FORCES APPREHENSION FORM
 YELLOW FIELDS MUST BE FILLED IN, IF APPLICABLE, UPON APPREHENSION

<input type="checkbox"/> Offense against Civilian(s) [check one] If "Other" then describe: _____ <input type="checkbox"/> Arson (P.C. 342) <input type="checkbox"/> Burglary or Housebreaking (P.C. 428) <input type="checkbox"/> Solicitation of Prostitution/Predation (P.C. 389) <input type="checkbox"/> Escapes/Concealing Weapons (P.C. 436) <input type="checkbox"/> Rape/Indecent Sexual Assault/Pole (P.C. 389-39, 402) <input type="checkbox"/> Theft (P.C. 438) <input type="checkbox"/> Murder (P.C. 403) <input type="checkbox"/> Destruction of Property (P.C. 477) <input type="checkbox"/> Aggravated Assault/Assault With Intent To Kill (P.C. 410) <input type="checkbox"/> Obstruction of Public Highway/Pass (P.C. 447) <input type="checkbox"/> Maiming (P.C. 412) <input type="checkbox"/> Discharging Firearm/Explosive in City/Town/Village (P.C. 486) <input type="checkbox"/> Simple Assault (P.C. 414) <input type="checkbox"/> Riot or Breach of Peace (P.C. 485(3)) <input type="checkbox"/> Kidnapping (P.C. 421) <input type="checkbox"/> Other: _____			
<input type="checkbox"/> Offense against Coalition Forces [check one] If "Other" then describe: _____ <input type="checkbox"/> Violation of Curfew <input type="checkbox"/> Trespass on Military Installation or Facility <input type="checkbox"/> Illegal Possession of Weapon <input type="checkbox"/> Photographing/Surveilling Military Installation or Facility <input type="checkbox"/> Assault/Attack on Coalition Forces <input type="checkbox"/> Obstructing Performance of Military Mission <input type="checkbox"/> Theft of Coalition Force Property <input type="checkbox"/> Other: _____			
Apprehending Unit: _____		Location Grid: _____	
Date of Incident: (D/M/Y) / / to / /	Time of Incident: hrs to hrs	Date of Report: (D/M/Y) / /	Time of Report: hrs
Detainee # _____		Key Connected Person: <input type="checkbox"/> Victim <input type="checkbox"/> Witness	
Last Name: _____		Last Name: _____	
First Name: _____ Given Name: _____		First Name: _____ Given Name: _____	
Hair Color: _____	Scars/Tattoos/Deformities: _____	Hair Color: _____	Scars/Tattoos/Deformities: _____
Eye-Color: _____	Weight: lb Height: in	Eye-Color: _____	Weight: lb Height: in
Address: _____		Address: _____	
Place of Birth: _____		Place of Birth: _____	
Ethn/Tribal/ Sect: _____	Sex: <input type="checkbox"/> M <input type="checkbox"/> F	Phone#: DOB DMMY: _____	Mobile Regular: _____
Ethn/Tribal/ Sect: _____	Sex: <input type="checkbox"/> M <input type="checkbox"/> F	Phone#: DOB DMMY: _____	Mobile Regular: _____
<input type="checkbox"/> Passport <input type="checkbox"/> Dr. license <input type="checkbox"/> Other (specify) _____	Document #: _____	<input type="checkbox"/> Passport <input type="checkbox"/> Dr. license <input type="checkbox"/> Other (specify) _____	Document #: _____
Total Number of Persons Involved _____ (list names/identifying info on reverse under "Additional Helpful Information")			
<input type="checkbox"/> Vehicle Information Vehicle Number _____ of _____ Vehicle(s) Owner: _____			
Make: _____	Color: _____	VIN: _____	
Model: _____	Type: _____	Plate No.: _____	Number of People in Vehicle: _____
Year: _____	Number of People in Vehicle: _____		
Contraband/Weapons in Vehicle:			
<input type="checkbox"/> Property/Contraband	<input type="checkbox"/> Weapon	Photo Taken of Suspect with Weapon/Contraband: Yes/ No	
Type: _____	Model: _____	Color/Caliber: _____	
Serial No.: _____	Quantity: _____	Make: _____	Receipt Provided to Owner: Yes/ No
Other Details: _____		Where Found: _____	Owner: _____
Name of Assisting Interpreter: _____		Email, Phone, or Contact Info: _____	
Detaining Soldier's Name (Print): _____		Supervising Officer's Name (Print): _____	
Last, First MI: _____		Last, First MI: _____	
Signature: _____		Signature: _____	
Email: _____		Email: _____	
Unit Phone: _____ Date: / /		Unit Phone: _____ Date: / /	

COALITION PROVISIONAL AUTHORITY FORCES APPREHENSION FORM

Why was this person detained? _____

Who witnessed this person being detained or the reason for detention? Give names, contact numbers, addresses.

How was this person traveling (car, bus, on foot)? _____

Who was with this person? _____

What weapons was this person carrying? _____

What contraband was this person carrying? _____

What other weapons were seized? _____

What other information did you get from this person? _____

Additional Helpful Information: _____



UNCLASSIFIED
1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

APPENDIX E: EPM CAPTURE TAG (DD FORM 2745)

<p>ATTACH TO PW</p> <p>DATE OF CAPTURE</p> <p>NAME</p> <p>SERIAL NUMBER</p> <p>RANK</p> <p>DATE OF BIRTH</p> <p>UNIT</p> <p>LOCATION OF CAPTURE</p> <p>CAPTURING UNIT</p> <p>SPECIAL CIRCUMSTANCES OF CAPTURE</p> <p>WEAPONS / DOCUMENTS</p>	<p>ATTACH TO PW</p> <p>DATE OF CAPTURE</p> <p>NAME</p> <p>SERIAL NUMBER</p> <p>RANK</p> <p>DATE OF BIRTH</p> <p>UNIT</p> <p>LOCATION OF CAPTURE</p> <p>CAPTURING UNIT</p> <p>SPECIAL CIRCUMSTANCES OF CAPTURE</p> <p>WEAPONS / DOCUMENTS</p>	<p>ATTACH TO PW</p> <p>DATE OF CAPTURE</p> <p>NAME</p> <p>SERIAL NUMBER</p> <p>RANK</p> <p>DATE OF BIRTH</p> <p>UNIT</p> <p>LOCATION OF CAPTURE</p> <p>CAPTURING UNIT</p> <p>SPECIAL CIRCUMSTANCES OF CAPTURE</p> <p>WEAPONS / DOCUMENTS</p>
<p>FORWARD TO UNIT</p> <p>DATE OF CAPTURE</p> <p>NAME</p> <p>SERIAL NUMBER</p> <p>RANK</p> <p>DATE OF BIRTH</p> <p>UNIT</p> <p>LOCATION OF CAPTURE</p> <p>CAPTURING UNIT</p> <p>SPECIAL CIRCUMSTANCES OF CAPTURE</p> <p>WEAPONS / DOCUMENTS</p>	<p>FORWARD TO UNIT</p> <p>DATE OF CAPTURE</p> <p>NAME</p> <p>SERIAL NUMBER</p> <p>RANK</p> <p>DATE OF BIRTH</p> <p>UNIT</p> <p>LOCATION OF CAPTURE</p> <p>CAPTURING UNIT</p> <p>SPECIAL CIRCUMSTANCES OF CAPTURE</p> <p>WEAPONS / DOCUMENTS</p>	<p>FORWARD TO UNIT</p> <p>DATE OF CAPTURE</p> <p>NAME</p> <p>SERIAL NUMBER</p> <p>RANK</p> <p>DATE OF BIRTH</p> <p>UNIT</p> <p>LOCATION OF CAPTURE</p> <p>CAPTURING UNIT</p> <p>SPECIAL CIRCUMSTANCES OF CAPTURE</p> <p>WEAPONS / DOCUMENTS</p>
<p>ATTACH TO ITEM</p> <p>DATE OF CAPTURE</p> <p>NAME</p> <p>SERIAL NUMBER</p> <p>RANK</p> <p>DATE OF BIRTH</p> <p>UNIT</p> <p>LOCATION OF CAPTURE</p> <p>DESCRIPTION OF WEAPONS / DOCUMENTS</p> <p>DD 2745</p> <p>STANAG 2044</p>	<p>ATTACH TO ITEM</p> <p>DATE OF CAPTURE</p> <p>NAME</p> <p>SERIAL NUMBER</p> <p>RANK</p> <p>DATE OF BIRTH</p> <p>UNIT</p> <p>LOCATION OF CAPTURE</p> <p>DESCRIPTION OF WEAPONS / DOCUMENTS</p> <p>DD 2745</p> <p>STANAG 2044</p>	<p>ATTACH TO ITEM</p> <p>DATE OF CAPTURE</p> <p>NAME</p> <p>SERIAL NUMBER</p> <p>RANK</p> <p>DATE OF BIRTH</p> <p>UNIT</p> <p>LOCATION OF CAPTURE</p> <p>DESCRIPTION OF WEAPONS / DOCUMENTS</p> <p>DD 2745</p> <p>STANAG 2044</p>

UNCLASSIFIED

1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

APPENDIX E: EPW CAPTURE TAG (DD FORM 2745) (BACK)

<p>SEARCH THOROUGHLY TAG CORRECTLY REPORT IMMEDIATELY EVALUATE RAPIDLY REPRESENT BY CATEGORY SAFEGUARD FROM DANGER / ESCAPE</p>	<p>SEARCH THOROUGHLY TAG CORRECTLY REPORT IMMEDIATELY EVALUATE RAPIDLY REPRESENT BY CATEGORY SAFEGUARD FROM DANGER / ESCAPE</p>	<p>SEARCH THOROUGHLY TAG CORRECTLY REPORT IMMEDIATELY EVALUATE RAPIDLY REPRESENT BY CATEGORY SAFEGUARD FROM DANGER / ESCAPE</p>
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E-2

UNCLASSIFIED



UNCLASSIFIED

1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

APPENDIX F: EVIDENCE/PROPERTY CUSTODY DOCUMENT (DA FORM 4137)

EVIDENCE/PROPERTY CUSTODY DOCUMENT		MP/PCID SEQUENCE NUMBER		
<small>For use of the Army, see AR 150-45 and AR 185-4; the preparation agency is U.S. Army Criminal Investigation Command</small>		CPU REPORT/CID PCN NUMBER		
RECEIVEDS ACTIVITY		LOCATION		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input type="checkbox"/> OWNER <input type="checkbox"/> OTHER		ADDRESS (Include Zip Code)		
LOCATION FROM WHERE OBTAINED		REASON OBTAINED	TIME/DATE OBTAINED	
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <small>(Include model, serial number, make/model and amount/weight or measurement)</small>		
CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

DA FORM 4137, 1 JUL 76 Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137-1, 1 Aug 74 25 Sep 76 Which are Obsolete LOCATION _____ DOCUMENT NUMBER _____ CHANGE V.1-00

F-1
UNCLASSIFIED



APPENDIX F: EVIDENCE/PROPERTY CUSTODY DOCUMENT (DA FORM 4137) (BACK)

ITEM NO	DATE	CHAIN OF CUSTODY (Continued)		PURPOSE OF CHANGE OF CUSTODY
		RELEASED BY	RECEIVED BY	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	

FINAL DISPOSAL ACTION

RELEASE TO OWNER OR OTHER *(Name/Unit)* _____

DESTROY _____

OTHER *(Specify)* _____

FINAL DISPOSAL AUTHORITY

IT/MS: _____ ON THIS DOCUMENT, PERTAINING TO THE INVESTIGATION INVOLVED *(Date)*

(Name) _____ *(Organization)* _____ **RE: LARS AND LOWERY**

REQUIRED AS EVIDENCE AND MAY BE DISPOSED OF AS INDICATED ABOVE. *(If additional sheets are required, fill out top, but require an evidence custodian's concurrence.)*

(Typed/Printed Name, Grade, Title) _____ *(Signature)* _____ *(Date)* _____

WITNESS TO DESTRUCTION OF EVIDENCE

THE ARTICLES LISTED AT ITEM #_____*(Number)* _____ (WAS/WERE) DESTROYED BY THE EVIDENCE CUSTODIAN IN MY PRESENCE, ON THE DATE INDICATED ABOVE.

(Typed/Printed Name, Organization) _____ *(Signature)* _____

FORM 4137-02

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1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

APPENDIX G: DETAINEE PERSONNEL RECORD (DA FORM 4237-R)

DETAINEE PERSONNEL RECORD						
PART I - TO BE COMPLETED AT TIME OF PROCEEDINGS						
1. INTERMENT SERIAL NO. (1-17)		2. NAME (Last, first, middle) (1-20)		3. NAME (21-27)		
4. EMBAY SVC NO. (28-32)	5. TYPE (47)	6. DATE OF CAPTURE (48-53)		7. DATE OF BIRTH (54-59)		
8. NATIONALITY (60-63)		9. EDUCATION (64)		10. RELIGION (65-68)		11. MARRYA (69)
12. PW CAMP UIC (70-73)		13. PW PROGRAM DATE (74-77)		14. GARRITY (78-81)		
15. SEX (82)		16. LANGUAGE I (83-86)		17. LANGUAGE II (87-90)		
18. PHYSICAL CONDITION (91)		19. PW CAMP LOCATION (92-95)		20. EMBAY UNIT (96-99)		
21. ARM OF SVC (100)		22. MOSC (101-104)		23. CIVILIAN OCCUPATION (105-108)		24. UIC-CAPTURE UNIT (109-112)
25. CORPS AREA OF CAPTURE (113)		26. PLACE OF CAPTURE		27. POWER SERVED		28. PLACE OF BIRTH
29. ADDRESS TO WHICH MAIL FOR PW MAY BE SENT				30. FATHER/STEPFATHER		
31. PERMANENT HOME ADDRESS OF PW				32. MOTHER'S MAIDEN NAME		
33. OTHER PARTICULARS FROM ID CARD				34. DISTINGUISHING MARKS		
35. IMPOUNDED PERSONAL EFFECTS AND MONEY (DAF AF 37-3)						
THE ABOVE LIST OF IMPOUNDED ITEMS IS CORRECT						
36. REMARKS				37. PHOTO		
				PHOTO (Front View)		PHOTO (Right Profile)
38. PREPARED BY (Includent and unit)				39. SIGNATURE		
40. DATE PREPARED		41. PLACE				

DA FORM 4237-R, Aug 86

EDITION OF MAY 82 IS OBSOLETE

G-1
UNCLASSIFIED



UNCLASSIFIED

1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

APPENDIX G: DETAINEE PERSONNEL RECORD (DA FORM 4237-R) (BACK)

PART II - TO BE MAINTAINED BY UNIT HAVING CUSTODY

43. LAST NAME b. FIRST NAMES

44. INTERMENT SERIAL NUMBER

4A. MEDICAL RECORD

4. IMMUNIZATION (Vaccinations and Immunizations with Dates)

5. MAJOR ILLNESSES AND PHYSICAL DEFECTS (With Dates) a. BLOOD GROUP

6A. INTERMENT EMPLOYMENT QUALIFICATIONS

2E. SERIOUS OFFENSES, PUNISHMENTS, AND ESCAPES (With Dates)

47. TRANSFERS

FROM (Location)	TO (Location)	DATE

48. REMARKS

49. FINANCIAL STATUS AT TIME OF FIRST INTERNATIONAL TRANSFER

a. CERTIFICATE OF CREDIT BALANCE ISSUED TO EPW (Amount in words) b. AMT IN FIGURES

c. LOCATION d. DATE

50. FINANCIAL STATUS AT TIME OF SECOND INTERNATIONAL TRANSFER

a. CERTIFICATE OF CREDIT BALANCE ISSUED TO EPW (Amount in words) b. AMT IN FIGURES

c. LOCATION d. DATE

51. REPATRIATION

a. REASON

b. MODE d. DATE

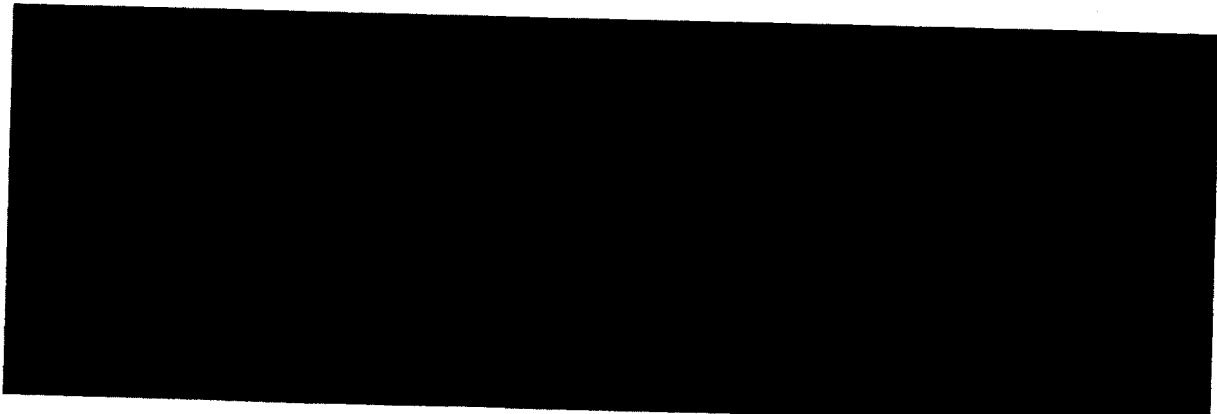
52. FINANCIAL STATUS AT TIME OF REPATRIATION

a. CERTIFICATE OF CREDIT BALANCE ISSUED TO EPW (Amount in words) b. AMT IN FIGURES

c. LOCATION d. DATE

REVERSE OF DA FORM 4237-R, AUG 83

G-2
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APPENDIX H: CHRONOLOGICAL RECORD OF MEDICAL CARE (SF 600)

HEALTH RECORD	CHRONOLOGICAL RECORD OF MEDICAL CARE	
DATE	SYMPTOMS, DIAGNOSIS, TREATING ORGANIZATION (Sign each entry)	
PRE-TRANSFER MEDICAL ASSESSMENT		
**LIST ANY YES RESPONSES IN REMARKS SECTION ON REVERSE SIDE OF FORM		
AGE: _____		
(Y) (N)	(Y) (N)	
() ()	() ()	Allergies
() ()	() ()	Dental Problems
() ()	() ()	HIV positive
() ()	() ()	Previous Suicide Attempts (Date)
() ()	() ()	History of alcohol abuse/treatment (Date)
() ()	() ()	Current physical complaint(s)
	1.	
	2.	
	3.	
	4.	
	5.	
	6.	
	7.	
	8.	
	9.	
	10.	
***** FOR MEDICAL PERSONNEL USE ONLY DETAINEE'S INITIALS (_____)		
HIV/TUBERCULOSIS QUESTIONNAIRE		
Do you have a history or, or do you presently have any of the following symptoms or conditions:		
(Y) (N)	(Y) (N)	
() ()	() ()	Persistent cough/shortness of breath
() ()	() ()	Unexplained weight loss/diarrhea X 2 weeks
() ()	() ()	Night Sweats
() ()	() ()	Prolonged fatigue or run-down feeling
() ()	() ()	Recent exposure to someone with TB
() ()	() ()	Hepatitis B series completed
() ()	() ()	Stomach surgery, Kidney failure, Blood disorders
() ()	() ()	Scars, birthmarks, tattoos:
	1.	
	2.	
	3.	
	4.	
	5.	
	6.	
PATIENT'S IDENTIFICATION <small>(Use this space for Mechanical imprint)</small>	RECORDS MAINTAINED >	
	AT:	
	PATIENT'S NAME (Last, First, Middle Initial)	SEX
	RELATIONSHIP TO SPONSOR	STATUS
	SPONSOR'S NAME	ORGANIZATION
	DEPART/SERVICE	SSN/IDENTIFICATION NO.
		DOB



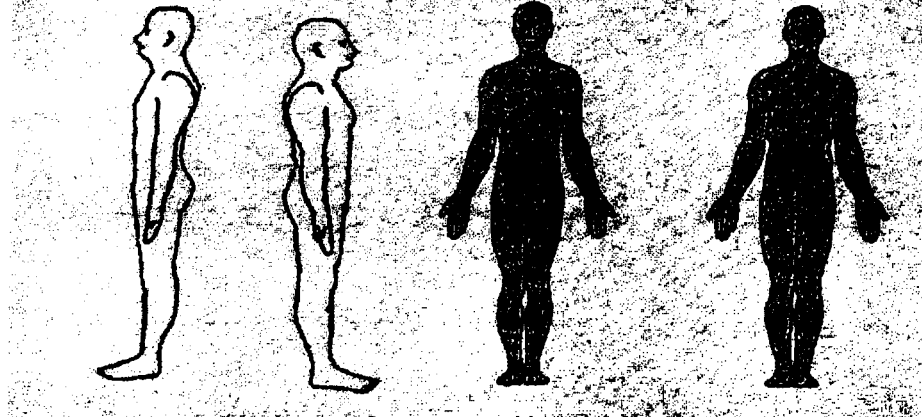
APPENDIX H: CHRONOLOGICAL RECORD OF MEDICAL CARE (SF 600) (BACK)

DATE	SYMPTOMS, DIAGNOSIS, TREATING ORGANIZATION (Sign each entry)			
	-----BELOW PORTION TO BE COMPLETED BY MEDICAL STAFF-----			
	PHYSICAL APPEARANCE			
	Clean, well groomed	(Y) (N)	Tremors, sweating	(Y) (N)
	Rashes, needle marks	(Y) (N)	Exposure to tuberculosis	(Y) (N)
	Body deformities	(Y) (N)	Infestations	(Y) (N)
	Cuts, bruises, lesions	(Y) (N)	Confinement Phys. Date: _____	
	VITAL SIGNS: Weight: Height: Temp: B/P: Pulse: Resp:			
	PPD given:	HIV drawn:	RPR drawn:	
	Physical Exam: Within normal limits	(Y) (N)	See remarks for any (N) answers	
	Head	() ()		
	Lungs/Chest	() ()	LAB (if available)	
	Back	() ()	CBC:	
	Heart	() ()	U/A:	
	Extremities	() ()	Chest X-Ray:	
	MENTAL STATUS			
	(Y) (N)			
	() ()	Alert, well oriented		
	() ()	Long and short term memory intact		
	() ()	Experiencing hallucinations, delusions, or feelings of paranoia		
	() ()	Calm, cooperative		
	DISPOSITION			
	(Y) (N)	Prescriptions:		
	() ()	Cleared for basic transfer procedures		
	() ()	Cleared for litter transfer procedures		
	() ()	NOT medically cleared for transfer _____ (days/weeks)		
	Recommended type of confinement () Normal () Solitary () Other -explain:			
	I do not have any SUICIDAL and or HOMICIDAL feelings at this time. If I develop any such ideas or plans, I will notify a staff member before acting on such feelings or ideas. (SIG.)			
	Date/Time information transmitted to component surgeon's office			
	Infection Control recommendations			
	()	Standard Precautions		
	()	Contact/Droplet Precautions		
	()	Airborne Precautions		
	SCREENER			
	MEDICAL STAFF SIGNATURE			
	SCREENER			
	MEDICAL STAFF SIGNATURE			



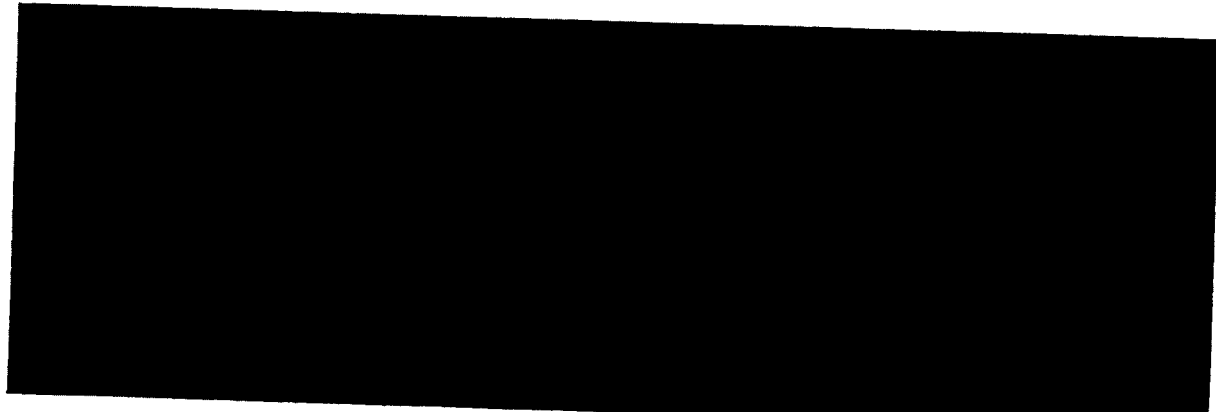
DETENTION FACILITY SCARS AND MARKS SHEET

NAME (Last, First, MI):		RDF #:
DATE:	PURPOSE OF EXAM:	
PURPOSE: The purpose of this form is to identify all scars, marks, tattoos, and/or birthmarks upon restraint. All areas that contain scars, marks, tattoos, and/or birthmarks, must be annotated as follows:		
1. OPERATION SCAR	7. PARTIAL PLATE	13. FRECKLES
2. CUT SCAR	8. SMALL POX VACCINE	14. FALSE TEETH
3. SCRATCH/SCRAP	9. CIRCUMSIZED	15. BIRTH MARK
4. BRUISE	10. ACNE	16. TATTOO
5. BURN	11. MOLE	17. STRETCH MARKS
6. RASH	12. MUSTACHE	18. BRANDS



ALL SCARS AND MARKS FOR NEW DETAINEES RECEIVED WILL BE ANNOTATED IN "RED."

DETAINEE SIGNATURE	WITNESS SIGNATURE
MEDICAL PERSONNEL'S RANK/NAME	MEDICAL PERSONNEL'S SIGNATURE



APPENDIX J: CIVILIAN INTERNEE IDENTITY CARD (DA FORM 2677-R)

CIVILIAN INTERNEE IDENTITY CARD For use of this form, see AR 190-57; the proponent agency is ODCSPER.		DATE ISSUED	
<i>(Photograph)</i>	LAST NAME		
	FIRST NAME	SEX	
	SERVICE NUMBER	POWER SERVED	
PLACE OF BIRTH		DATE OF BIRTH	
SIGNATURE OF BEARER			

DA FORM 2677-R, NOV 66 EDITION OF AUG 63 IS OBSOLETE.

(FRONT)

OTHER MARKS OF IDENTIFICATION	LEFT INDEX	FINGERPRINTS	WEIGHT	COLOR OF EYES
			HEIGHT	COLOR OF HAIR
			BLOOD TYPE	RELIGION
	NOTICE			
	RIGHT INDEX			

REVERSE OF DA FORM 2677-R, NOV 66

(REVERSE)



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 1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004
 APPENDIX K: RECEIPT FOR PRISONER OR DETAINED PERSON (DD FORM 629)

RECEIPT FOR PRISONER OR DETAINED PERSON		
RECEIVED FROM (Unit or Agency and Station)	TIME	DATE
LAST NAME - FIRST NAME - MIDDLE INITIAL	SERVICE NUMBER AND SSN	GRADE
ORGANIZATION	STATION	
OFFENSE		
PERSONAL PROPERTY		
REMARKS		
NAME AND TITLE OF PERSON RECEIVING ABOVE INDIVIDUAL (Typed or Printed)	SERVICE NUMBER AND SSN	GRADE
RECEIVING UNIT OR AGENCY AND STATION	SIGNATURE	

DD Form 629, MAR 68 (EG)

Distribution/Retention: VFROR Dec 94

K-1
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1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

APPENDIX L: USE OF FORCE REPORT

19 Aug 04

From: Shift NCOIC
To: Officer in Charge of Regional Detention Facility
Via: SNCOIC of Regional Detention Facility

Encl: Sgt (b)(3) Voluntary Statement
LCpl (b)(3) Voluntary Statement
LCpl (b)(3) Voluntary Statement
Cpl (b)(3) Voluntary Statement
LCpl (b)(3) Voluntary Statement

Subj: USE OF FORCE REPORT

1. Force was used on the following detainee(s):
Name, detainee #, location

Ex.- (b)(6) 1MDRCT1040721-1234, 23, M, Recreation Yard.

2. Type of Force Used:

Ex.- LCpl (b)(3) and (b)(3) grabbed (b)(6) under the arm pits and carried him to his cell.

3. Circumstances that prompted Use of Force:

Ex.- After Recreation Call, (b)(6) refused to return to his cell. He sat cross-legged on the sidewalk between the cells and the recreation area. Despite orders from the guards, which were relayed by an interpreter, (b)(6) refused to return to his cell. The NCOIC ordered Lance Corporals (b)(3) and (b)(3) to carry (b)(6) back to his cell.

4. Person Authorizing, if anyone, the Use of Force:

Ex.- Sgt (b)(6) the NCOIC, gave the order to carry the detainee to his cell after repeated orders were disobeyed by (b)(6)

5. Injuries to detainee or staff members:

Ex.- There were no injuries to (b)(6) or any staff members.

6. Witnesses to the Use of Force.

Ex.- Cpl (b)(3) and LCpl (b)(3) were witnesses to the use of force and have attached statements.

Copy to:
File
1st Marine Division

L-1
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APPENDIX M: ESCAPE REPORT

12 JUL 04

From: OIC of (Name of RDF)
To: Chief of Staff, 1st Marine Division
Via: Division Detention Officer, 1st Marine Division

Subj: ESCAPE IN CASE OF (DETAINEE NAME AND RDF NUMBER)

1. Name, detainee #, age, sex, circumstances of capture, date of capture, (5w's):

Ex. - (b)(6) 1MDRCT1040721-1234, 23, M, was detained 092200JUL04 by 2/1 for digging holes along MSR Mobile.

2. Date and time of escape:

Ex. - 110900JUL04

3. Discovered by and time reported:

Ex. - While making his rounds at 110915JUL04, LCpl (b)(3) discovered (b)(6) was not in his rack and reported it to the shift NCOIC, Sgt (b)(3) at 110918JUL04.

4. Use of Force used?:

Ex. - No force was used, as the detainee was not spotted leaving the facility.

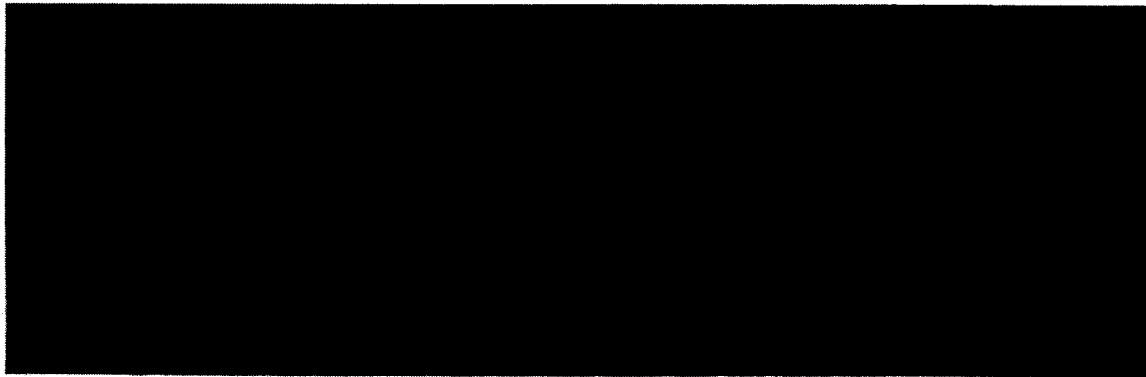
5. Circumstances surrounding escape:

Ex. - While (b)(6) was not seen escaping, the detainee in the cell across from (b)(6) said (b)(6) at approximately 0500, rolled one of his blankets and placed it under his second blanket to make it look as if he was asleep in his rack. He then pried apart the seam in the metal bulkhead located at the rear of his cell just enough to crawl under. He then used another detainee's blanket to toss over the single-strand concertina wire so he could climb over the wire unscathed.

6. Staff Evaluation:

Ex. - (b)(6) was able to remain undetected until 0915 because a proper skin count was not done at 0630. The metal bulkhead is in need of repair and structural reinforcement. The outer perimeter wire should be triple strand concertina wire.

M-1
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1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

Subj: ESCAPE IN CASE OF (DETAINEE NAME AND RDF NUMBER)

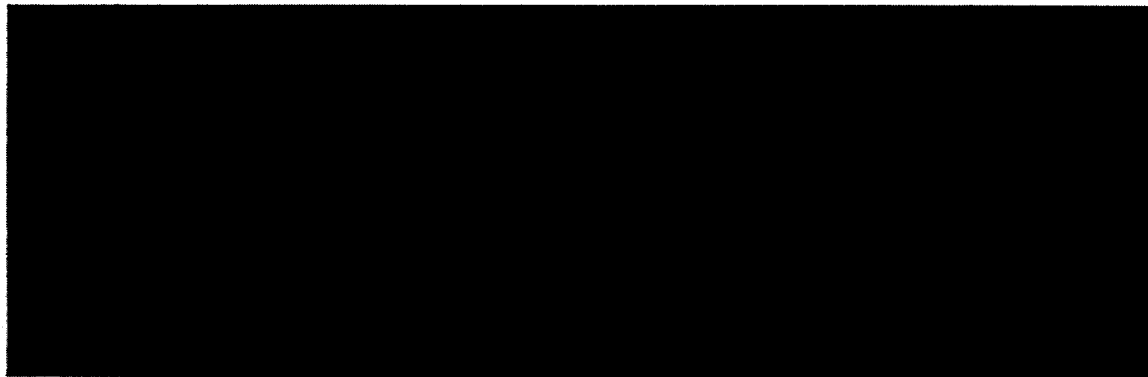
7. Changes in facilities or procedures to prevent future escapes:

Ex.-

- 1) All staff will receive classes on counts and the importance of doing skin counts after Taps and before Reveille.
- 2) A work request has been submitted to repair and reinforce the rear bulkhead of the cells. In the interim, HESCO cells have been moved to butt up against the rear bulkhead.
- 3) The single-strand concertina wire surrounding the facility has been reinforced and is now triple-strand concertina wire.

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APPENDIX N: DETAINEE EXTENSION REQUEST

(Submit by day 12 of detention if possible)

19 Aug 04

From: Unit requesting extension (section POC identified)
To: Chief of Staff, 1st Marine Division
Via: Division Detention Officer, 1st Marine Division

Subj: REQUEST TO RETAIN DETAINEE PAST 14 DAYS

1. Name, detainee #, age, sex, circumstances of capture, date of capture, (5w's):

Ex.- (b)(6) 1MDRCT1040721-1234, 23, M, was detained 092200JUL04 by 2/1 for digging holes along MSR Mobile.

2. Number of days beyond 14 requested:

Ex.- 4-day extension requested.

3. Specific reason extension requested:

Ex.- (b)(6) will be used by 2/1 to PID source that paid him to dig holes along MSR Mobile. Operation to PID source goes after 14-day time limit expires. 2/1 believes that detaining this source will significantly reduce IED threat in that area. (b)(6) is critical to the success of this operation.

4. Date proposed extension will expire (date of movement):

Ex.- 040806 (YYMMDD)

5. Course of action upon expiration:

Ex.- (b)(6) will be transported to Abu Gharab on 040806. Convoy/air support request has already been arranged to move on that date.

Ex.- (b)(6) will be released on 040806.

6. Point of contact regarding this extension with e-mail and phone number:

Ex.- (b)(3) 1DIV1MARDM.1MARDIVDM.USMC.SMIL.MIL

(b)(3)

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MNC-I

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1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

APPENDIX O: TCN RELEASE REQUEST

19 Aug 04

From: Unit requesting permission to release TCN
To: Commander USCENTCOM
Via: Division Detention Officer, 1st Marine Division
MEF AT/FP Officer
MNC-I PMO
DCG-D MNF-I

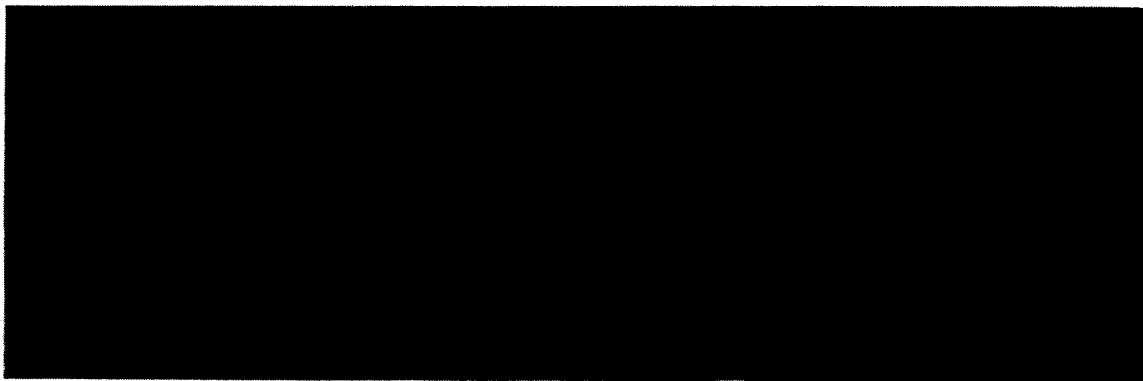
Subj: REQUEST FOR TCN RELEASE, PAROLE, OR TRANSFER (OTHER THAN A
CORPS LEVEL FACILITY)

1. REQUEST ORIGINATOR: (UNIT NAME, AND RDF)
 - POINT OF CONTACT:
2. INTERNEE'S IDENTIFICATION:
 - FULL NAME:
 - RDF#:
 - CAPTURE TAG# (If different from RDF#):
 - DOB / AGE:
 - RELIGION:
 - NATIONALITY:
3. CAPTURE INFORMATION:
 - DATE OF CAPTURE:
 - CAPTURING UNIT:
 - CAPTURE LOCATION:
 - CAPTURE CIRCUMSTANCES/CRIME ACCUSED OF:
4. JUSTIFICATION FOR RELEASE, PAROLE, OR TRANSFER (OTHER THAN A CORPS LEVEL FACILITY):
 - IF PAROLEE, NAME, PHONE OF GUARANTOR:

PRINTED NAME OF MSE SJA AND PHONE #

NOTE: A DETENTION REVIEW/RELEASE REQUEST FORM MUST INCLUDE ANY FACTS SUPPORTING THE RELEASE OF THE INTERNEE, INCLUDING THE NAME OF ANY PROSPECTIVE GUARANTOR, IF THE REQUESTOR WANTS THE INTERNEE TO BE CONSIDERED FOR A CONDITIONAL RELEASE.

O-1
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UNITED STATES MARINE CORPS
 REGIMENTAL COMBAT TEAM 1 (REIN), FMF
 UIC 40145
 FPO AF 36425-0145

12 October 2004

From: Staff Judge Advocate
 To: COMUSCENTCOM
 Via: (1) Division Detention Officer, 1st Marine Division
 (2) MEF AT/FP Officer
 (3) MNC-I PMO
 (4) DCG-D MNF-I

SUBJECT: REQUEST FOR RELEASE OF THREE TCN (SYRIANS) FROM RCT-1
 REGIONAL DETENTION FACILITY

1. REQUEST ORIGINATOR: RCT-1 SJA, (b)(3) DSN:
 (b)(3), e-mail: (b)(3)@1divimardm.1mardivdm.usmc.smil.mil

2. INTERNEE'S IDENTIFICATION:

Detain Unit	Detainee #	1st Name	2nd Name	3rd Name	Sex	DOB/age	Nationality	DTG capture	Loc of Capture
3 rd MAR	RCT1-DCCP-0656	(b)(6)			M	1977/27	SYRIAN	151500AUG04	LB 952039
3 rd MAR	RCT1-DCCP-0657	(b)(6)			M	1977/27	SYRIAN	151500AUG04	LB 952039
3 rd MAR	RCT1-DCCP-0658	(b)(6)			M	1970/34	SYRIAN	151600AUG04	LB 952039

4. JUSTIFICATION FOR RELEASE: All three detainees were initially detained on 15 Aug 04 because they were suspected to be foreign fighters. After interrogation, it is believed that these men are not foreign fighters, but are truck drivers. HET 11 TIR 0769 states:

DETAINEE RECOUNTED THE EVENTS THAT LED TO HIS CAPTURE; HE WAS A VICTIM OF HIGHWAY ROBBERY. THIS IS A COMMON PLOY OF THIEVES ALONG THE HIGHWAY. A TRUCK IS HIJACKED AND THE OWNER IS FORCED TO PAY MONEY IN ORDER TO HAVE THE TRACTOR RETURNED. DETAINEE WAS A VICTIM OF THIS CRIME ON WEDNESDAY AUGUST 12. FOLLOWING ARE THE DETAILS OF TWO AND A HALF DAYS SPENT DRIVING AROUND IRAQ ATTEMPTING TO REACQUIRE THE TRACTOR. THE SITUATION STRONGLY APPEARS TO BE LEGITIMATE IN THAT DETAINEE AND HIS GROUP ARE ACTUALLY TRUCK DRIVERS.

5. HET 11 TIRs 0769, 0775, and 0777 can be found at website:
http://205.54.136.205/tfc_web/cihoc/het11.htm.

6. RCT-1 requests immediate permission to release these detainees.

(b)(3)

RCT-1 SJA

O-2
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APPENDIX P: MAGISTRATE DETENTION REVIEW

5800
Code
Date

From: Military Magistrate for Detention Review
To: Commanding Officer, Marine Regiment, 1st Marine Division
Subj: REPORT OF DETAINEE REVIEW ICO I. B. DETAINED, IDENTIFICATION # 12345,
CONDUCTED ON 4 JUL 03

Ref: (a) My appointing letter dtd _____.

1. Pursuant to the reference, I reviewed the detention of the following person:

- a. Full name: _____
- b. RDF# _____
- c. Capture Unit/Location: _____

2. I reviewed the following evidence prior to making my determination:

3. I have recorded my determination below by checking all statements that apply:

() I find that probable cause does not establish a basis for continued detention and recommend release. (If detainee is a Third Country National (TCN), complete a TCN Release Request and submit to the Division Corrections Officer);

() I find probable cause for continued detention for the following reasons:

Security Detainee

- ___ (a) The detainee poses a serious threat to Coalition Forces;
- ___ (b) The detainee is reasonably believed to have information of intelligence value;
- ___ (c) The detainee poses a serious threat to the peace and security of Iraq and should remain in the custody of Coalition Forces.

Criminal Detainee

- () The detainee is being held for minor criminal offences and should be transferred to the Iraqi Government as soon as possible for adjudication.
- () The detainee is being held for minor criminal offences and should be released.

() I find, based on probable cause, that the detainee has committed a serious crime (including, but not limited to, murder, rape, armed robbery, kidnapping, abduction, assault and battery, arson, etc.) and recommend continued detention at the Baghdad Central Confinement Facility (BCCF).

P-1
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---- LTRHD ----

Subj: REPORT OF DETAINEE REVIEW ICC I. B. DETAINED, IDENTIFICATION # 12345,
CONDUCTED ON 4 JUL 03

Brief Description of offense(s) or basis for Internment: _____

I. M. REVIEWER
Major, USMC
- MarReg, 1stMarDiv

P-2
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APPENDIX Q: DRA Example Letters for Evidence Package

MEMORANDUM TO FILE
27 AUGUST 2004

(b)(3)
3/7 JUDGE ADVOCATE

RE: DETAINEE #706, (b)(6)

1. This file contains two sworn statements by the detaining Marines, a CPA form, an intelligence summary, an intelligence information report, and a 3d Bn S-2 summary. These documents all paint a picture of the deception, duplicity, and corrupt nature of 706.
2. 706 is a Captain in the Iraqi Police. He was in charge of the Police Academy, and worked hand in hand with Marines from the Civil Affairs Detachment and the Military Police Detachment, both of which are attached to 3d Battalion, 7th Marines.
3. 706 used his position of trust and influence to provide information about troop movements to known ACF leaders in the Area, and to siphon funds through his position at the Police Academy by utilizing contractors who were ACF/Mujahadeen sympathizers. Further, because of his position, he was able to learn the names of certain other contractors that the CAG detachment was using to complete infrastructure improvement programs in the area, and he passed this information on to his ACF associates ensuring the death of those contractors.
4. 706 is a corrupt police officer, who has been involved in the death of several local contractors. He also coordinated attacks against the Battalion Commander's convoy. He essentially worked as a spy for the ACF, planning attacks and disseminating information for the planning of further attacks. He has helped finance attacks by diverting funds intended for the Academy into ACF hands. His lies, deceit, and duplicity make him a high risk to the coalition and undermine the efforts of the local government and security force to provide a safe and secure environment.
5. I recommend that 706 be brought to trial at the CCCI in Baghdad. If he has not derailed, he has at least delayed the progress of the Iraqi Police and the Al Qaim area government in its mission of providing peace and security.

(b)(3)

Q-1
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MEMORANDUM TO FILE
DETAINEE #594, (b)(6)
1 AUGUST 04
BATTALION JUDGE ADVOCATE, (b)(3)

1. This file contains two sworn statements, a CPA apprehension form, an intelligence summary, and two photographs of the homemade rocket launchers.

2. On 23 July 04 at 1120, Kilo Company, 1st Platoon, conducted a search of a metal shop at grid 9317904898, which was owned by detainee 594. The shop was searched due to the repeated discovery of homemade rocket launchers at metal shops along Route Diamond. This metal shop was also on Route Diamond. During the search, 3 rocket launchers and 6 artillery shell casings were discovered.

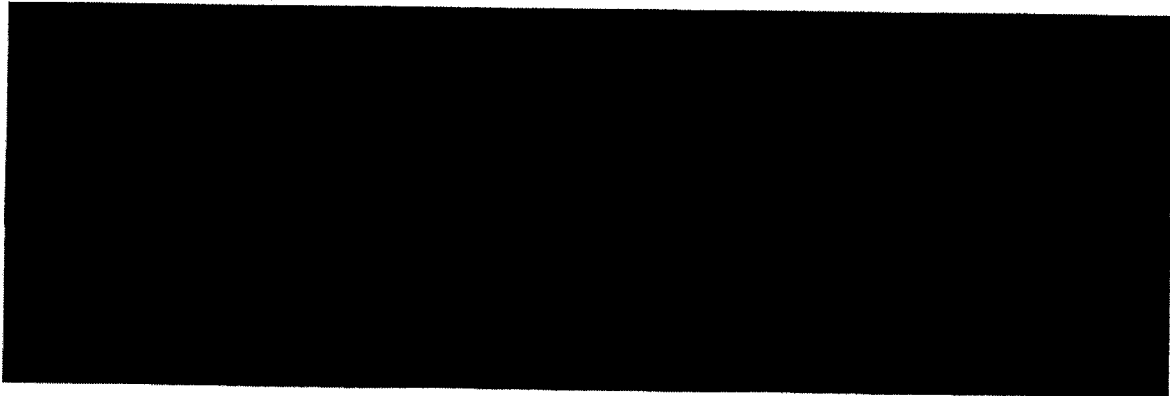
3. Homemade rocket launchers identical in style, design, and construction, have been used in this AOR to conduct IED attacks against Coalition Forces, and have resulted in numerous casualties. Photographs of the launchers graphically display the potential purpose for which these devices are intended.

4. During the course of his interrogation, 594 admitted that (b)(6) (b)(6) was utilizing his metal shop to construct weapon/rocket launching devices, and that he knew that (b)(6) was wanted by the coalition. At the time that 594 allowed (b)(6) to use his shop, he already knew that he was involved in anti-coalition forces, and was wanted by the coalition. "Wanted" signs, in Arabic, with (b)(6) (b)(6) photograph were on display in the area.

5. Detainee 594 was working in concert with known anti-coalition forces. He was building and storing rocket launching devices, identical to those that have been used to launch IED attacks against coalition forces in the AOR. His building and possession of these IED materials makes him a high risk to coalition forces, and requires that he be detained until his prosecution at the Central Criminal Court of Iraq.

(b)(3)

Q-2
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---- LtrHd ----

MEMORANDUM TO FILE, 15 AUG 04

(b)(3)

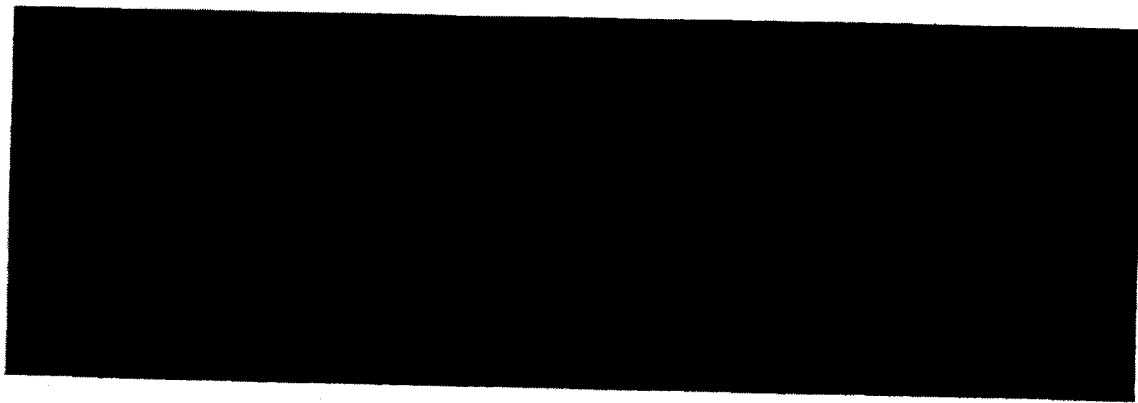
3/7 BATTALION JUDGE ADVOCATE

CASE OF DETAINEES: #631 - (b)(6) #632 - (b)(6)

(b)(6) #633 - (b)(6), #634 - (b)(6)

1. Each of these detainee packages contains two sworn statements, a CPA form, a magistrate letter, an intelligence summary, and multiple intelligence reports from various agencies detailing this family's long-term involvement in ACF activities.
2. These men were detained for operating a safe house for a known ACF insurgent, who was wounded and then killed, after attacking a Marine unit on the night of 2 August 04. The ACF insurgent initially escaped, leaving a trail of blood, which was followed for over 500 meters and nearly 3 hours, to the home of the detainees, in Karabilah, IZ. Upon arrival at the residence, positive identification of the ACF insurgent was gained, and due to his continuing hostile actions, deadly force was used against him.
3. The events leading up to the detainment of these individuals is key. There was repeated sporadic small arms fire directed at the Marines in pursuit of the wounded ACF insurgent. Then the Marines arrived at the house to find the 5 men reunited. This was their rally point. The house was not equipped for long-term occupation. The men clearly knew one another well, and were prepared to provide first aid to a wounded fighter.
4. Further, an RPG and a spool of wire was dropped by the escaping ACF insurgent. He was the key gunman in the attack on the Marine patrol. The brothers were likely his supporting element, and directed the small arms fire at the Marines while the first man evacuated the scene.
5. These four men were initially detained for operating a safe house, and harboring a fugitive of justice. The father, 634, and his three sons, 631, 632, and 633, were all brought back to the Al Qaim Regional Detention Facility for questioning.
6. Interrogation of these men revealed that members of the family have previously been killed at terrorist training camps. Previous interrogations revealed that 631 was arrested with pictures of 18 dead Mujahadeen fighters. Other interrogations revealed that the father, 634, was involved with insurgent activity, and that 632 was previously wounded himself in a battle with coalition forces near Rawa, IZ. The day after this most recent detainment, 632's hands tested positive for gunpowder residue, when the HET interrogator tested him.

Q-3
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----- LtrHd -----

CASE OF DETAINEES: #631 - (b)(6) #632 - (b)(6)
(b)(6) #633 - (b)(6) #634 - (b)(6)

7. Based on these detainees operating an ACF insurgent safe house, directing small arms fire at a Marine patrol, and history of ACF activities, they should all be prosecuted at the CCCI in Baghdad.

(b)(3)

Q-4
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APPENDIX R: MNF-I BATS MEMO

ATTENTION OF

1 September 2004

MNFI-CD

MEMORANDUM FOR MNC-I PMO

SUBJECT: BATS In-Processing Required for Admission to Theater Level Internment Facility

1. Effective 6 September 2004, the following data fields must be completed in BATS for a detainee to be accepted at the Baghdad Central Confinement Facility:

- a. First, Middle and Last Names (First = Given Name; Middle = Father's name; Last = Grandfather's name)
- b. Tribal Name
- c. Gender
- d. Date of Birth (format: DDMMYYYY)
- e. Race
- f. Hair Color
- g. Eye Color
- h. Build (Drop down menu)
- i. Alert = Yes (Always "Yes")
- j. Alert Message = description of offense which was the cause for detention
- k. Birth City
- l. Birth Country
- m. Ethnicity
- n. Religion
- o. Marital Status
- p. ID Number = capture tag
- q. Capture DTG (format: DDTTMMYYYY)
- r. Capturing Unit
- s. Place of Capture: grid coordinates and/or city of capture
- t. Documents: (if applicable)
- u. Circumstances: (if applicable)
- v. Weapons / Equipment: (if applicable)
- w. EPW Status
- x. Camp Name (Name of DIF)

2. POC for this memorandum is (b)(3), J3 Detainee Operations.

DSN: (b)(3) DNVT: (b)(3) SIPRNET: (b)(3)
(b)(3)@iraq.centcom.smil.mil

(b)(3)

Deputy Commanding General
For Detainee Operations

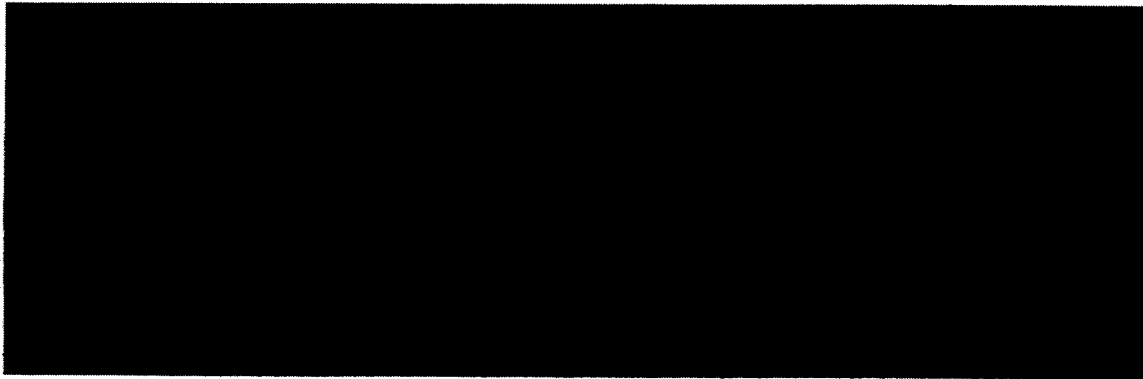
R-1

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Appendix S: PAO GUIDANCE FOR MEDIA REQUESTS TO VISIT DETAINEE CENTERS

1. If the reporter has NOT coordinated a visit:
 - a. Ask to see credentials and contact PAO for clearance.
 - b. If not competent, tell them they need to go to Baghdad and coordinate with PAO.
2. If the reporter is embedded or has made coordination through the chain of command:
 - a. Treat the visit as you would treat a visit by higher command.
 - b. Explain:
 - (1) The detainee induction process
 - (a) Paperwork.
 - (b) Sworn statements.
 - (c) Evidence collection.
 - (d) Medical examination.
 - (e) Showers, 3 meals a day, water, heads, mattresses, blankets, copy of Koran and prayer rug.
 - (f) Detainee files and record books of everything going in and out.
 - (g) Rules posted for all to see (tell reporters not to report on these for OPSEC purposes)
 - (h) Allowed to pray
 - (2) The interrogation process (again, OPSEC - no TTPs)
 - (a) Medical examination before interrogation.
 - (b) Interrogation use of force documentation.
 - (c) All Marines received training on SOPs, which are available for the Marines to review (but not okay for reporters to see due to OPSEC).
 - (d) Medical examination after interrogation.
 - (3) The release process



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1st HARDYV DETAINEE HANDLING AND DETENTION FACILITY SOP - 01 OCT 2004

- (a) 72 Hours = charged or released.
- (b) Evidence packages for tracking, BATS (again, do not show them the actual evidence/files for OPSEC but explain system).
- (c) Transferred to MNC-I.
- (4) Additional measures to ensure good conditions:
 - (a) Red Cross visits.
 - (b) Local Imams/Sheiks/government visits.
 - (c) Surprise visits by higher command.
 - (d) All of these were in place BEFORE Abu Gharab.

3. OPSEC REPORTING RULES:

- a. PHOTOS THEY CAN TAKE: external photos, a holding room, an interrogation room.
- b. PHOTOS THEY CANNOT TAKE: pictures that give away location, security measures around facility, pictures of detainees (GENEVA CONVENTION RULES), pictures of cell rooms, pictures of rules/SOPs.
- c. ALL REPORTERS WILL BE TOLD THEIR PHOTOS WILL BE REVIEWED FOR OPSEC BEFORE ENTERING FACILITY. All photos taken WILL be reviewed by senior officer for OPSEC.
- d. ALL REPORTERS WILL BE TOLD THEY CANNOT GIVE AWAY EXACT LOCATION OF FACILITY. They are merely to report it as "outside city XXX" as the location.
- e. Under NO circumstances should you put your hand in front of a camera, confiscate equipment or deny entry without giving appropriate justification. Politely ask to see the film/footage and review for OPSEC then return. WE CANNOT BE PERCEIVED AS HIDING SOMETHING FROM THE PRESS EVER. When in doubt, seek guidance from higher command.

S-2
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Talking Points/Themes:

1. All detainees will be treated humanely and in accordance with the Geneva Convention. First Marine Division Marines and Soldiers uphold the highest standards by ensuring detainees are handled properly.
2. All detainees will be allowed showers, to pray, and to use clean toilets and washing facilities.
3. Each detainee is issued 3 meals a day, water, a Koran, a mattress, a blanket, and a prayer rug.
4. All detainees are medically examined upon entering the facility, as well as once a day, and also before and after every interrogation.
5. All detainees must be released or sent to MNC-I for further processing 14 days after apprehension.
6. All detainees are transferred to MNC-I with a full evidence package and are logged onto an electronic database for tracking purposes.
7. We take any reports of abuse seriously and will investigate all allegations of mistreatment vigorously.
8. All detainee facility staff has been properly trained on the rules and regulations of detainee handling. The rules are posted for all to read, and this SOP is available at all times for review by the staff.
9. The command conducts both scheduled and surprise inspections of all detainee facilities. Red Crescent, local leaders and media have also been given access to the facilities for inspection and visitation.
10. With thorough training, inspections and clearly defined rules of conduct, we expect to run disciplined detainee facilities that treat detainees humanely and adhere to the Geneva Convention.