

M1 Co Cdr

OBSERVER CONTROLLER INTERVIEW QUESTIONS

(b)(6)-2

Rank CPT Branch M1 Date: 22 Feb 04 Unit m1 Co
Duty Position Cdr How Long in Job Oct 02
Interviewer [redacted]

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1. What standards (references) do you use to assess rotating units concerning their conduct of Detainee Operations? (1.1, 1.2) (AR 190-8, DoD Directive 5100.77, 1949 Geneva Convention, FM 3-19.40, These are the primary source for standards and doctrine concerning Detainee Operations). (asked to determine general knowledge of leadership and training)
Law of Land Warfare Geneva convention

2. Do leaders and Soldiers (by unit) know and understand how to apply Detainee Operations doctrine and standards when they arrive for their rotations? Provide some examples. How about units as a whole; are they adequately prepared for CTC rotations regarding the handling and processing of EPWs/Detained Persons? (1.1, 1.4, 1.5, 1.7, 1.8) (AR 190-8, DoD Directive 5100.77, 1949 Geneva Convention, FM 3-19.40, These are the primary source for standards and doctrine concerning Detainee Operations. AR 190-8, para 1-4 g, The AR is a multi-service regulation for all services. (AR 350-1 para 4-14c.(2) and table G-1 Refresher training, dated 9 April 2003), Level B training is conducted in units for officers, warrant officers, NCOs and enlisted personnel commensurate with the missions of the unit. AR 190-8 para 1-5(4)(C DOD Directive 5100.77), All prisoners will receive humane treatment and that the following acts are prohibited murder, torture, corporal punishment, mutilation, taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. Prisoners will be protected against all acts of violence to include public curiosity. (DoD Directive 5100.77, para 5.5.1, The Secretaries of the Military Departments shall provide directives, publications, instructions, and training so that the principles and rules of law of war will be known to members of their respective Departments, the extent of such knowledge to be commensurate with each individual's duties and responsibilities.))

Info flow lacking on accurate info on detainees He is not sure why but his guys are having to wait until arrival to get accurate info
Have 197E trained interrogator need more; listed as critical shortage in 97E
95B CF doubling up cross train in event lose only 97E
Trng more driven toward CE prior to coming here
Interrogation; recommendation is part of their job after interviewed in coord with PM + JAG
CAV is short Dumint

3. What are units' strengths and weaknesses? What areas do units typically require additional training at the end of their rotations? What about this unit? What would you recommend on how and what to correct concerning training deficiencies in Detainee Operations? Is there a significant difference in performance between active duty and reserve units? **Provide some examples.** (1.2, 1.4) (AR 350-1 para 4-14c.(2) and table G-1 Refresher training, dated 9 April 2003), Level B training is conducted in units for officers, warrant officers, NCOs and enlisted personnel commensurate with the missions of the unit. AR 190-8 para 1-5(4)(C DOD Directive 5100.77), All prisoners will receive humane treatment and that the following acts are prohibited murder, torture, corporal punishment, mutilation, taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. Prisoners will be protected against all acts of violence to include public curiosity. (DoD Directive 5100.77, para 5.5.1, The Secretaries of the Military Departments shall provide directives, publications, instructions, and training so that the principles and rules of law of war will be known to members of their respective Departments, the extent of such knowledge to be commensurate with each individual's duties and responsibilities.)

4. Describe what typically happens during a rotation regarding Detainee Operations? **(What happens? What are the scenarios? How often?)** What observations have you made about units from the point of capture of EPWs/Detainees to the time that the prisoners arrive at the Collection Points? How are they subdued and by what means are they transported to the Collection Point? Describe the typical set up for a collection point or camp designed to receive prisoners? Does the set up generally meet the standards? If not, why? (1.2, 1.4, 1.8) (AR 190-8, para 2-1, Initial actions upon capture. AR 190-8, para 3-2 b, Transit camps or collecting points will operate under conditions similar to those prescribed for permanent prisoner of war camps, and the prisoners will receive the same treatment as in permanent EPW camps.)

5. What have you seen in the past when EPWs/Detainees are received at the Collection Points? **(Describe the Process).** What are the minimum requirements/standards that you expect units to meet in establishing Collection Points and receiving EPWs/Detainees during a normal rotation? Is the same true for Mission Rehearsal Exercises (MRXs) such as this rotation? (1.2, 1.4, 1.8) (AR 190-8 para 2-1 to 2-3, Initial actions upon capture, evacuation and care of EPW and RP. AR 190-8, para 3-2 b, Prisoners will not normally be interned in unhealthy areas, or where the climate proves to be injurious to them. Transit camps or collecting points will operate under conditions similar to those prescribed for permanent prisoner of war camps, and the prisoners will receive the same treatment as in permanent EPW camps. AR 190-8, para 2-1 a. (f) (2), Prisoners will not be located next to obvious targets such as ammunition sites, fuel facilities, or communications equipment.)

6. What type of unit typically runs the collection points (MPs or IN or other)? Do MI units/Soldiers play a role, and if so, what role do they play? (Do they conduct interrogations at the Collection Point)? (1.2, 1.3) (AR 190-8, para 2-1 a. (1) (d), Prisoners may be interrogated in the combat zone. Interrogations will normally be performed by intelligence or counterintelligence personnel.)

7. Besides the handling and processing of EPWs, are other types of Detainees handled and processed, such as Civilian Internees and Retained Personnel, during normal rotations? How about MRXs? If so, how are they handled and processed in contrast to EPWs? (1.1, 1.2, 1.4) (AR 190-8...list standards for each type, Retained Personnel--3-15, Civilian Internees--Chapter 5, 6, 7)

8. Do the scenarios call for the transferring and movement of EPWs/Detainees to theater level internment facilities? If so, describe the process that units use? (JRTC ONLY) (1.2, 1.3, 1.4) (AR 190-8, para 2-2 a., Collect prisoners from capturing units, and evacuate them from the combat zone as soon as possible. FM 3-19.40, para 3-45, Captives should not remain at a forward CP (Collection Point) more than 12 hours before being escorted to the Central CP.)

9. For role-playing purposes, do scenarios call for EPWs to resist or attempt escapes? Do escapes occur often and what are some of the reasons why they are able to do so? What is the expected response of units for escapes? What, in fact, do the units do? (1.2, 1.4, 1.6, 1.8) (AR 190-8, para 3-6, f. (b) (2), Preventing escape.) Don't know why we need this question? I thought we were going to ask the OC who briefs the role players questions similar to these.

10. When did you add "detainee play" into the scenarios? What action are you looking for when one of your detainees are capture by the rotating unit? How the unit is treating the detainees? Did the unit perform the five S's and T procedures (search, segregate, silence, speed, safeguard, and tag)? (FM 3-19.40, paragraph 3-7. The five Ss and T procedure is performed by the capturing unit. The basic principles are search, segregate, silence, speed, safeguard, and tag. AR 190-8, paragraph 2-1 (d) Prisoners may be interrogated in the combat zone. The use of physical or mental torture or any coercion to compel prisoners to provide information is prohibited. Prisoners may voluntarily cooperate with PSYOP personnel in the development, evaluation, or dissemination of PSYOP messages or products. Prisoners may not be threatened, insulted, or exposed to unpleasant or disparate treatment of any kind because of their refusal to answer questions. Interrogations will normally be performed by intelligence or counterintelligence personnel.)

11. What instructions are given to the OPFOR in the event of capture by Operations Group to make the scenarios as realistic as possible? Besides Soldiers in the OPFOR, does JRTC contract out for role players to act as Civilian Internees? If so, what instructions are given to them and how does it differ from the instruction given to the OPFOR? (**Trouble maker, try to escape, curse at the Soldiers / guards / interrogators, etc.**) Do Detainees play the role successfully and realistically that they were assigned the scenario? If not, why not? (1.4) What uniform does the OPFOR wear? What uniform does the CI wear? Do OPFOR and CI intermix?

12. As an Observer Controller, have you ever witnessed a unit/Soldier abusing a detainee (role player) during a scenario in a rotation (**even if they were fooling around**)? Do you ever receive any feedback from Detainees on how they were treated by guards, Soldiers, Interrogators? Describe the events and what action was taken? (**Serious Incident Report/Commander's Inquiry, etc.**) (1.2, 1.4, 1.6) (AR 190-8 para 2-1 a. (1) (d), The use of physical or mental torture or any coercion to compel prisoners to provide information is prohibited. AR 190-8, para 5-1, a. (1), No form of physical torture or moral coercion will be exercised against the CI. AR 190-40, 2-1 Paragraphs a and b. a. Incidents listed in appendix B and appendix C are reportable to HQDA as Category 1 and 2 serious incidents respectively. b. Submission of an SIR will not be delayed due to incomplete information. All pertinent information known at the time of SIR submission will be included. Additional required information will be provided in a subsequent add-on report. AR 190-40, Appendix B, para B-1, b., War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Conventions, and atrocities.)

13. Besides physical abuse, have you ever witnessed any passive violations? **(theft of allowed personnel effects, insults, public curiosity).** (1.2, 1.4, 1.6) (AR 190-8, para 1-5, c., All persons will be respected as human beings. They will be protected against all acts of violence to include rape, forced prostitution, assault and theft, insults, public curiosity, bodily injury, and reprisals of any kind.)

14. What AAR information do you provide to the rotating unit in terms of their Detainee Operations? Do you address / cover procedures that the capturing unit used upon their capture of the detainee, to include the operations of the BDE collection point? **(In-processing detainees, abuse, submitting reports, safeguarding, medical, sufficient space for detainees, water, heating, latrines, etc.)** Do you address detainee abuse, when to submit a Serious Incident Reports, e.g. when detainee abuse occurs? (FM 3-19.40, paragraph 3-7. The five Ss and T procedure is performed by the capturing unit. The basic principles are search, segregate, silence, speed, safeguard, and tag. AR 190-8, paragraph 2-1 (d) Prisoners may be interrogated in the combat zone. The use of physical or mental torture or any coercion to compel prisoners to provide information is prohibited. Prisoners may voluntarily cooperate with PSYOP personnel in the development, evaluation, or dissemination of PSYOP messages or products. Prisoners may not be threatened, insulted, or exposed to unpleasant or disparate treatment of any kind because of their refusal to answer questions. Interrogations will normally be performed by intelligence or counterintelligence personnel. FM 3-19.40, paragraph 3-17, The MP at division CPs ensures that a DD Form 2745 (Enemy Prisoner of War (EPW) Capture Tag)) is placed on each captive who arrives at the CP without one. They may direct the capturing unit to complete a capture tag before accepting the prisoner into the CP. The MP- Make a statement on the tag if the captive arrived without one. Instruct the captive not to remove the tag. Annotate the tag's serial number and the captive's name on a locally developed manifest. FM 3-19.40 paragraph 3-25. To safeguard captive according the Geneva Conventions and the US Policy – Provide first aid and medical treatment for wounded and sick captives. Evacuate them through medical channels, using the assets available to evacuate US and allied forces. Provide food and water. These supplies must be commensurate to those use for US and allied forces. Provide firm, humane treatment. Report acts and allegations of inhumane treatment through MP channels (see AR 190-40).

15. Is there anything else you might think I might need to know about the unit detainee operations and training that I did not ask you? (AR 350-1 para 4-14c.(2) and table G-1 Refresher training, dated 9 April 2003), Level B training is conducted in units for officers, warrant officers, NCOs and enlisted personnel commensurate with the missions of the unit. AR 190-8 para 1-5(4)(C DOD Directive 5100.77), All prisoners will receive humane treatment and that the following acts are prohibited murder, torture, corporal punishment, mutilation, taking of hostages, sensory deprivation, collective punishments, execution without trial by proper authority, and all cruel and degrading treatment. Prisoners will be protected against all acts of violence to include public curiosity. (DoD Directive 5100.77, para 5.5.1, The Secretaries of the Military Departments shall provide directives, publications, instructions, and training so that the principles and rules of law of war will be known to members of their respective Departments, the extent of such knowledge to be commensurate with each individual's duties and responsibilities.)
