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DEPARTMENT OF DEFENSE
CRIMINAL INVESTIGATION TASK FORCE
6010 6TH STREET
FORT BELVOIR, VIRGINIA 22060

REPLY TO
ATTENTION OF

CITF-CDR

9 August 2004

**MEMORANDUM FOR ALL PERSONNEL ASSIGNED TO THE DOD CRIMINAL
INVESTIGATION TASK FORCE**

Subject: Policy Guidance, Allegations of Detainee Abuse

1. This memorandum memorializes guidance already provided verbally. All allegations of detainee abuse must be thoroughly investigated. The investigation of abuse, however, falls within the purview of the Military Criminal Investigative Organizations (MCIOs): USACID, AFOSI, and NCIS.
2. The intent is to report any abuse as soon as possible to MCIO investigators as well as command authorities for investigation. To this end, whenever CITF personnel discover alleged detainee abuse, either directly from a detainee or witness or indirectly through a review of information, the personnel will immediately report this information to the RAC. The RAC will consider whether the alleged incident clearly constitutes abuse. If he/she is unclear about this, the RAC will immediately contact the CITF, ASAC, DSAC or SAC for guidance. If the RAC determines it is abuse, or in the absence of guidance from CITF headquarters within 24 hours, the RAC will report the abuse to the MCIO with local jurisdiction, as well as to the appropriate command authority in-country (eg: SJA at JTF-GITMO, CJTF-76, CJTF-7/MNF-I). The CITF ASAC(s), DSAC, SAC will respond to requests for guidance from RACs as soon as practical, but at least one of them will be available at all times to be contacted either directly or through the CITF Duty SSA.
3. The RAC will then make a formal written report up to the HQ Operations Unit, which will prepare a formal letter of referral for the appropriate HQ MCIO element. The Operations Unit will keep a record of the creation of the letter of referral, and then forward it to the appropriate HQ MCIO as soon as possible.
4. Agents interrogating a detainee will:
 - a. Inquire of the detainee about how he is feeling in order to document the detainee's physical/mental state. During the CITF initial interview of detainee, a CITF investigator will ask a detainee how he has been treated.
 - b. Document any allegation (to include the who, what, when, where, and how of the incident(s)). In addition to immediately reporting the allegation to the RAC the information will be entered as an agent note in IZMS.

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c. Gather all the facts and circumstances relative to the allegation of abuse.

5. The POC for this memorandum is LTC [REDACTED], Chief Legal Advisor, [REDACTED]

Brittain P. Mallow
BRITTAIN P. MALLOW
COL, MP
Commanding