FIRST MARINE DIVISION



DETAINEE HANDLING AND DETENTION FACILITY SOP

1st MARDIV DETAINEE HANDLING AND DETENTION FACILITY SOP - 17 FEB 2004

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1. DETAINEE APPREHENSION PROCEDURES

- a. <u>Detainee Categories</u>. All detainees will be protected according to <u>Geneva Convention Article IV</u> (Protection of Civilian Persons in Time of War) and will be processed in accordance with this SOP, regardless of category.
 - (1) Enemy Prisoner Of War (EPW). A member of armed or uniform security forces who meets the requirements of Geneva Convention Article IV as a prisoner of war. With the fall of the Saddam Hussein regime and the disestablishment of the pre-April 2003 Iraqi Army, there are few, if any, detainees that meet the requirements of EPW's in Iraq today. Cally the Coslition Provisional Authority (CPA) can designate a detainee as an EPW. Virtually all detainees taken into custody today are either anti-Coalition fighters or criminals, not EPW's.
 - (2) <u>Security Detainee</u>. 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.
 - (3) <u>Criminal Detainee</u>. 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 for civil prosecution.
 - (4) <u>High Value Detainee (HVD)</u>. A security detainee of significant intelligence or political value. Individuals that are considered HVD's are listed on the U.S. Defense Intelligence Agency's "Black List".
- b. Authority to Detain. In accordance with CJTF-7 Frago 749 of OpOrd 03-036 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.

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 - (5) Is the subject of a warrant, order or indictment issued by a battalion commander or higher, or a CPA-recognized Iraqi judicial official.
 - c. Specific Apprehension Requirements
 - (1) All detainees will be safeguarded from hostile acts at all times.
 - (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 in action against coalition forces. Detention of sheiks, women and children 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 women needs to be searched, the use of a metal detector (wand) is the preferred method. If a hands-on search is required, every effort will be made to have a female Marine conduct the search. If a female Marine cannot conduct the search, the search will be conducted by the following personnel in order of preference:
 - 1. Female medical personnel.
 - 2. Female coalition force member.
 - Male medical personnel, using the back of his hand with another witness present.
 - Senior Marine present, using the back of his hand with another witness present.
 - (5) Apprehension of HVD's will be immediately reported to the Commanding General. HVD's will be transferred to the CJTF-7 Detention Facility as soon as possible.
 - (6) Apprehension of identified non-Iraqis (verified via passport or other official documentation) will be immediately reported to the Commanding General.
 - (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.
 - (8) Unless there is a time-urgent intelligence requirement or the tactical situation does not permit, detainees will be transported immediately to a detention facility for induction.

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An individual is not officially detained until they are inducted into a detention facility.

- (9) Detainees will only be held in an established detention facility operated in accordance with this SOP.
- (10) Other than for official purposes, any photography or filming of the DF or detainees is strictly prohibited.

d. Legal Rights Of Detained Individuals

- (1) First Marine Division units 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) Detainees do not have the absolute right to remain silent. They should be tactically interrogated by the detaining unit's HUMINT Exploitation Team (HET) when apprehended in order to collect information necessary for force protection and/or location of accomplices and other hostile forces. However, detainees cannot be forced to provide information.

e. Transportation of Detainees

- (1) Detainees will be flex-cuffed behind their back during transportation.
- (2) Detainees will be transported in covered vehicles, whenever possible, in order keep the identity of the detained individual unknown to the local community.
- (3) There must be adequate direct security on the 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.
- (4) The detainee's file/documentation and all physical evidence must go with the individual detainee when he or she is moved from one location to another. 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) Large caches of evidence will be photographed and properly stored rather than being transported with the detainee.

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 - f. Documentation Requirements. Units will prepare the following documents immediately after detaining an individual:
 - (1) EPW Capture Tag (DD Form 2745). Must be completed for every individual detained. Part A is attached to the detained 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.
 - (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 conducting the oath to the witness, the officer should closely review the statement. The officer should ask appropriate follow up questions in writing on the form if the information provided by the witness is incomplete, confusing or contradictory. Officers who are in the chain of command of the capturing unit may administer oaths for witness statements.
 - (4) CPA Apprehension Form. Must be completed for every individual detained.

g. Detainee Processing

- (1) Battalion commanders and higher can authorize a detainee to be held at a Detention Facility for up to 72 hours. Prior to the end of the initial 72 hour period, one of following shall occur:
 - (a) If it becomes necessary to facilitate the gathering of time-sensitive intelligence, the apprehending commander will request to hold the detainee longer than 72 hours before transfer to the 1st Marine Division Detention Facility. The Commanding General must approve all detentions at battalian and regimental level DF's beyond 72 hours.
 - (b) The detainee will be transferred to the 1^{st} Marine Division Detention Facility for further processing.

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- (c) Criminal detainees, not involved in anti-coalition activities, will be transferred to the custody of the Iraqi Police to be processed by an Iraqi criminal court. Commanders are authorized to detain these personnel, however, for the purposes of investigation and intelligence collection.
- (d) The apprehending commander will determine that detention is no longer necessary and authorize the release of the detainee.
- (2) All detainees not released or transferred to Iraqi Police custody will normally be transferred to the 1st Marine Division Detention Facility within 72 hours for further processing.
- (3) In all cases, detainees being held for 14 days or more must be transferred to the CJTF-7 Detention Facility at the Abu Gharab Prison in accordance with CJTF-7 FragO 749.

2. DETENTION FACILITY REQUIREMENTS

a. General. All battalion commanders and higher are authorized to establish detention facilities, however, they must ensure that the DF meets the requirements listed in this SOP. Units may share resources and jointly use DF's, however, there will be only one establishing command.

b. Manpower

(1) DF Guard Force

- (a) The guard force must consist of at least an (1) OIC, (1) SNCOIC, Shift NCOIC's, and guard personnel. The DF OIC will determine the minimum manpower requirements to run the facility safely. Every DF will be manned 24-hours a day, 7-days a week.
- (b) Guard posts are determined by the number of detainees, medical segregation, requests by Military Intelligence (MI) for isolation of detainee, and threat level in area. Guards should be located centrally to observe all detainees assigned to their post.
- (2) Support. The establishing command will ensure that sufficient medical, SJA, and translator support are provided to support DF operations.

c. Location and Layout

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

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- (2) Layouts should discourage communications between detainees.
- (3) Locations will not expose a detainee to health hazards, natural or man-made.
- (4) Layouts will provide shelter from adverse Weather conditions. Commanders should make every attempt possible to house detainees in permanent structures.
- (5) Layouts will include an interrogation room/area and head facility area.
- (6) Women and children will not be housed with, or in sight of, adult male detainees. Women will not be separated from their children.
- d. Equipment and Supplies. The establishing commander must ensure all logistics elements to accomplish the mission are provided. Requirements to consider are:
 - . Gates, doors, fence posts, stakes, barbed wire and concertina.
 - · Electrical power, and interior and compound lighting.
 - Internal and external communications and public address systems.
 - Blankets and insulated sleeping mats (i.e. Iso mats).
 - · Flex-cuffs and hoods.
 - Cool/cold clear water.
 - Stripped MRE's. (Food pouches and plastic spoon only. No pork products, accessory packs, heaters, or packing material.)
 - Medical care and first aid equipment.
 - Head facility within the DF, toilst paper and hand washing station.
 - Biometric Analysis Tool (BAT) client workstation networked to the Division 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 DF prior to arrival. This will expedite the induction process.
- (2) Prior to arrival at the DF, all detainess must be flex-cuffed and tagged with Part A of the EPW Capture Tag (DA Form 2745).
- (3) All evidence against the detainee must be tagged with Part C of the EPW Capture Tag (DD Form 2745). No explosives,

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ammunition, or other hazardous material will be accepted into the DP.

- (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.
 - (c) A completed Evidence/Property Custody Document (DA Form 4137).
- (5) The apprehending unit maintains security responsibility for the detainee until transferred to the DF.
- (6) Units will follow instructions from the DF guard force during detainee transfer. Responsibility for the detainee is only transferred to the DF 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 DF. A minimum of two guards are required to conduct any searches. For female detainees, see frisk search instructions in paragraph 1.c(4) above on page 2. Any property confiscated during this search, will be added to the Evidence/Property Custody Document (DA Form 4137).
- (2) Once inside the DF, strip-search all male detainees. Female detainees will not be strip-searched.
- (3) If one does not exist, create a Detainec Personnel File (DPF) for each detainee being inducted. This file will contain all documentation related to the detainee.
- (4) Ensure that apprehending unit provides all required and complete documentation. All documentation will be placed in the detained's DPF.
- (5) Froperly store all evidence and property. Make appropriate entries in the Evidence and Property Log. Evidence and property will be tagged, segregated, and stored in a secure area within the DF.
- (6) The DF OIC or DF NCOIC 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.

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Responsibility for the detainee is transferred to the DF upon issue of this receipt.

- (7) Enter the detainee induction in the DF Master Log and update the Detainee Roster
- (8) Ensure that all detainees receive 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 detained is already in the database, additional and sufficient entries will be made such that a detailed history of the detained can be maintained. Specific guidance follows:
 - (a) Ensure that the serial number on the hardcopy EPW Capture Tag (DA Form 2745) is entered in the text alerts box for the iris scanner and on the electronic forms in the BAT database. Failure to do so will prevent the biometric data from being tied to the proper individual. Note: Only the first sixteen letters in the text alerts box on the iris scanner is utilized for text identification of an individual scanned.
 - (b) Both eyes will be scanned. The right eye of the individual scanned will equate to the right eye field of the enrollment form on the iris scanner. The right eye of the individual scanned is not the perspective of the Marine performing the operation. This procedure will follow the same with fingerprinting. The right hand is the right hand of the individual scanned, not the Marine performing the operation.
 - (c) Electronically photograph all three aspects of the detainee (face, profile, and full body) for entry into BAT.
 - (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) Detainees will be photographed (to include name and EPW control number). One photo will be attached to the CI identity card and one to the detainee's personnel record.
- (12) Ensure that each detainee being inducted receives an examination by a competent medical authority and that all documentation is placed in the detainee's DPF. Security will be provided by the DF Guard Force during the medical examination. Detainees requiring urgent care will be evacuated to the nearest appropriate medical facility for treatment and remain there until well enough to enter a DF. Regardless, the detainee's

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information will be entered into BAT. Security personnel will remain with the detainee while they receive medical treatment.

(13) Detainees will be issued a Civilian Internee Identity Card (DA Form 2677-R). BAT badges or wristbands may be used instead of the before-mentioned cards.

c. Medical Authority Responsibilities

- (1) Each detainee must receive a thorough examination by a competent medical authority immediately upon induction into the DF. A competent medical authority is considered to be a medical officer or certified independent duty corpsman.
- (2) Medical personnel will bring a Unit 1, MOLLE medical kit, or equivalent with them to provide adequate and efficient medical care.
- (3) Medical personnel are not to remove any identification wristbands or other documentation from injured detainess 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.
- (4) Any and all signs of illness or injury will be recorded on a Chronological Record Of Medical Care Standard Form (SF 600) that will be included in the detainee's DPF. Necessary medical treatment and immunizations will be initiated and recorded as deemed necessary.
- (5) Detainees requiring urgent medical will be identified to the guard force immediately.
- (6) Detainees requiring segregation due to medical conditions will be identified to the guard force immediately.
- (7) Any sign of mistreatment will be reported to the Commanding General immediately.

4. 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 prisoners. The establishing commander is ultimately responsible for all actions within.

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b. Detention Facility Guard Force Responsibilities

(1) DF OIC

- (a) Responsible for the safety, security, and well-being of all personnel (guard and detainee) housed or working within the DF.
- (b) Ensures that all detainees are treated humanely and with respect.
- (c) Signs every Receipt for Prisoner or Detained Person (DD Form 629) for detainees held in the DF.
- (d) Ensures that all DF Guard Force members have read and understood Appendix B, Rules for Guards, prior to standing quard watch.
- (e) Reports any mistreatment of detainess immediately to the Commanding General.
- (f) Ensures proper handling, documentation and storage of all evidence and property within the DF.
- (g) Ensures that detainee induction procedures are in accordance with paragraph 3 on page 6.
- (h) Ensures that only official visitors are allowed access to detainees.
- (i) The OIC will plan a daily schedule of events for the DF, forecast guard force manpower requirements, and list any special instructions. This information will be published within the DF as the Plan of the Day (POD). Events to be planned include meals, "shake-downs", interrogations, medical exams, transfers, and releases.
- (j) Ensures that a competent medical authority examines each detainee at least every 24 hours.
- (k) Ensures that each security detainee's DPF is reviewed by a SJA representative within 24 hours of induction.
- (1) Conduct random and unannounced inspections of the facility to verify that detainees are being treated fairly, humanely, and in accordance with this SOP.
- (2) <u>DF SNCOIC</u>. Assists the DF OIC in his duties and assumes the responsibilities of the OIC DF in his absence.

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

(4) DF Guards.

- (a) Read and understand Appendix B, Rules for Guards, prior to standing quard watch.
- (b) Maintain custody, control, and discipline of detainees under their supervision.
- (c) Conduct periodic inspections, searches, head counts, roll calls, and bed checks.
- (d) Follow orders and instructions given by the DF OIC, SNCOIC, and Shift NCOIC's.
- (e) Immediately reports any mistreatment of detainees to the DF OIC.
- c. Formal Detainee Counts. A formal detainee count includes verification of the identity of each detainee. Formal detainee counts will be 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 DF 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 1.e above.
- (3) Procedures and techniques for moving detainees can be modified as needed by the DF OIC.
- e. <u>Uniform Requirements</u>. The OIC will determine specific uniform requirements for the facility. The Commanding General's uniform wear and direction applies.

f. Access to the Detention Facility

- (1) Only personnel on official business will be allowed access to the DF. Only the DF OIC or the DF NCOIC can grant direct access to detainees.
- (2) Visiting personnel must relinquish their weapon if contact with detainees is requested.

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 - (3) Anyone entering or leaving the DF is subject to search.
 - g. Hydration and Feeding of Detainees
 - (1) Detainees will have access to clean and cool/cold drinking water.
 - (2) Detainees will receive three meals per day. The meals will consist of stripped MRE's. (Food pouches and plastic spoon only. No pork products, accessory packs, heaters, or packing material.)
 - h. <u>Medical Treatment of Detainees</u>. All detainees will receive appropriate medical care.
 - (1) A competent medical authority will inspect each DF on a random basis at least <u>every twenty-four hours</u> to check the health and living conditions of the detainees.
 - (2) See further instructions in paragraph 3.c above on page 9.
 - i. Hygiene. All detainees will have access to head facilities with toilet paper, water and hand washing stations.
 - j. SJA Review of Security Detainee's Personnel File. The establishing unit's SJA representative shall review each security detainee's DPF within 24 hours of induction in accordance with CJTF-7 Frago 749. The SJA representative will immediately notify the DF OIC and establishing unit's commanding officer of any incomplete or missing documentation required to hold a detainee per this SOP.

k. Searches

- (1) Detainees and their living areas will be subject to unannounced "shakedowns" for safety and hygiene.
- (2) For female detainess, see frisk search instructions in paragraph 1.a(4) above on page 2.
- 1. Detention Facility Documentation. The following documentation will be maintained by each DF:
 - (a) <u>Dr Master Log</u>. The journal for significant events occurring in the DF. At a minimum, the following will be entered:
 - Details on detainees being inducted, interrogated, transferred, or released.
 - · Results of formal detaines counts.
 - Conduct and results of medical sick calls.

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 - (b) Detainee Roster. A "by Name" listing of every detainee currently in the facility.
 - (c) Detainee Personnel Files (DPF)
 - 1. A DPF will be kept for every detainee. All associated documentation (statements, evidence and property records, medical examination results, etc.) for the detainee will be kept in this file.
 - 2. DPF's will be segregated into three sets:
 - · DPF's for detainees currently in custody,
 - DPF's detainees that were transferred to the Iraqi Police,
 - DPF copies for detainees transferred to the CJTF-7 Detention Facility (First Marine Division Detention Facility only).
 - (d) Evidence and Property Log. Documents when evidence and property is checked into and out of the DF.
 - (e) Detainee Cell Manifest. As required. Indicates where each detainee is located within the facility.
 - m. <u>Detention Facility Reports</u>. The following reports will be submitted by each DF:
 - (a) <u>Detainee Report</u>. Submitted to higher headquarters daily. Each report will contain, at a minimum:
 - · A list of detainees being held
 - The classification of each detainee (security or criminal).
 - Identification of detainees have been held longer than 72 hours.
 - (b) Use of Force Report
 - 1. Submitted whenever a detainee is subject to any of the following:
 - 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.

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 - Strikes with hands, feet, or any use of a piece of equipment/tool as a weapon. This includes use of batons.
 - 2. 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.
 - · 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 deadly force on detainess will be reported immediately to the Commanding General.
 - n. <u>Proportional Use of Force</u>. 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) <u>Presence</u>. 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, 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

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have been exhausted prior to bringing a loaded weapon into the facility.

(6) Shoot. Use of Deadly Force to protect life or prevent escape.

o. Escape Attempts

- (1) If a detainee attempts escape, a guard tower will shout "Halt" or "KIFF" in Arabic, three times, before engaging his target. Warning shots are not authorized.
- (2) In the event detainee breaches the outer perimeter of the DF, the nearest headquarters will be notified immediately. Additionally, all perimeter guards will be informed of the escape. A QRF may be dispatched by higher to apprehend the escapee.

p. Interrogations

- (1) Only the DF OIC or the DF NCOIC can grant direct access to detainees. See also paragraph 4.f above.
- (2) Guard personnel will always escort detainees to and from the interrogation room/area.
- (3) Competent medical personnel will perform a cursory medical examination of each detainee <u>before and after</u> each interrogation. Results of each medical examination will be maintained in each detainee's DPF.
- (4) The DF-Gard Force personnel will make an entry in the DF Master Log to record: who was interrogated, by whom, and the date and time of the interrogation.

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

- (a) The interrogation of Ist Marine Division detainees by outside US and coalition agencies will be allowed, however, the DT establishing commander will be notified prior to the start of the interrogation.
- (b) If an outside agency requires that the detainee be removed from the DF, the removal will be treated similarly to a detainee transfer.
 - 1. The outside agency will sign for the detained utilizing a Receipt for Prisoner or Detained Person (DD Form 629).

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 - 2. The detainee's original DPF will not be given to outside agency. A copy of the DPF will be provided if requested.
 - 3. 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 detainme's DPF.
 - (c) Any signs of injury will be reported to the Commanding General immediately.

q. Visits by the International Committee of the Red Cross

- (1) <u>Coordination</u>. International Committee of the Red Cross (ICRC) will coordinate with Civil Affairs for requests to tour DF's and speak with detainees to determine conditions at facilities.
- (2) Facilities. Each DF will make a room available for ICRC personnel to talk with detainees.
- (3) Verification. The DF OIC or DF NCOIC will verify ICRC members before allowing them to enter the facility. Civil Affairs should be able to verify.

5. DETAINEE TRANSFERS

- a. <u>Division Detention Facility Transfers</u>. Detainees will normally be transferred from a local Detention Facility to the 1st Marine Division Detention Facility within 72 hours of induction. The Commanding General can grant an extension past 72 hours if the detainee is providing valuable intelligence information.
 - (1) The local DF OIC will notify the apprehending unit before transferring a detainee to the 1st Marine Division Detention Facility.
 - (2) The <u>original</u> detainee DPF and all evidence and property will be transferred to the 1st Marine Division Detention Facility.
- b. Transfers to CJTF-7. The 1st Marine Division Detention Facility will transfer all detainees to the CJTF Detention Facility within 14 days of the detainee's initial induction. HVD's are to be transferred as soon as possible to CJTF.
 - (1) The OIC of the 1st Marine Division Detention Facility will notify the Division G-2 before transferring a detainee to the CJTF Detention Facility.

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 - (2) The <u>original</u> detainee DPF and all evidence and property will be transferred to the CJTF facility. The 1st Marine Division Detention Facility will retain a copy of the detainee's DPF.
 - c. Transfers to Iraqi Police. Criminal detainees suspected solely of crimes against Iraqis will also be transferred from DF's to local police authorities.
 - (1) A copy of the detainee's DPF and all evidence and property will be transferred to the Iraqi Police. The transferring Detention Facility will retain the original DPF.
 - (2) The DF OIC will verify that no information is provided to the Iraqi Police that would violate US privacy acts. (i.e. No Social Security Numbers, home contact information, etc.) Any such information is to be made illegible on the copies provided.

d. Common Transfer Procedures

(1) DF Transferring the Detainee

- (a) The DF and it's establishing command transferring the detainee are responsible for all transportation and security between facilities. See also paragraphs 1.e and 4.d above.
- (b) The DF 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 another emergency.
- (c) The DF 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 DPF.
- (d) The DF OIC will ensure that all detained documentation, evidence and property is prepared and ready for transportation. Additionally, either a floppy disk or "thumbdrive", containing the detained's BAT information, will be provided to the receiving DF.
- (2) DF Receiving the Detainee. The DF receiving the detainee will follow the instructions for induction in paragraph 3 of this SOP, DETAINEE INDOCTION. This includes making the appropriate entries in the BAT database documenting the transfer.
- (3) Detainee Responsibility. Responsibility for the detainee is only transferred to the receiving DF upon issue of the Receipt for Prisoner or Detained Person (DD Form 629).

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6. DETAINEE RELEASE

a. Authority to Release

- (1) The apprehending unit's commanding officer can authorize a security detained to be released while at a local DF.
- (2) A detainee held at the 1st Marine Division Detention Facility, can only be released by the Commanding General. The Division SJA, G-2 and G-X will provide inputs to the Commanding General on the disposition of detainees. A detainee held for longer than 14 days must be transferred to the CJTF Detention Facility.

b. Release Procedures

- (1) The DF OIC will notify his establishing command's intelligence section (S-2/G-2) and the original apprehending unit of the detainee's pending release prior to informing the detainee. Sufficient time must be provided for the use of HUMINT/SIGINT collection assets during the release process, if necessary. (e.g. MI may attempt to intercept other detainee's attempts to pass information through the released detainee.)
- (2) The released detainee will be given a choice where he wishes to be released. Every effort will be made to accommodate his request. (The ideal release has the former detainee taken home and released in the presence of family or local police.) The DF OIC will again notify his establishing command's intelligence section (S-2/G-2) and the original apprehending unit of the detainee's release point and estimated release time.
- (3) The DF OIC will ensure that a competent medical authority has conducted an examination of the detainee just prior to release and that the examination is recorded in the detainee's DPF.
- (4) The detainee will receive all personal property that can be released. The detainee will receipt for the property using the Evidence/Property Custody Document (See DA Form 4137).
- (5) Upon request, the DF OIC will give a receipt for any other evidence/property that cannot be returned to the detainee.
- (6) The DF OIC will verify that no information is provided to detained that would violate DS privacy acts. (i.e. No Social Security Numbers, home contact information, etc.) Any such information is to be made illegible on any documentation provided to the detained.

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 - (7) The DF OIC will verify the identity of the person to be released.
 - (8) The DF and it's establishing command releasing the detainee are responsible for all transportation and security during the release. See also paragraphs 1.e and 4.d above. The detainee will be released in a dignified manner and with an apology, if appropriate.
 - (9) The releasing team will report back on the location of release, time of release and any other information
 - (10) The release will be documented in the BAT system.
 - (11) The detainee's DPF and any evidence/property not returned to the detainee will be turned over to the establishing command's intelligence section (S-2/G-2).

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7. ABBREVIATIONS

BAT Biometric Analysis Tool CPA Coalition Provisional Authority DF Detention Facility DPF Detainee Personnel File EPW Enemy Prisoner of War HVD High Value Detainee ICRC International Committee of the Red Cross Main Supply Route NGO Non-government Organization MI Military Intelligence POD Plan of the Day

8. INDEX

BAT, 6, 8, 9, 17, 19, 20 Biometric Analysis Tool (See BAT) Black List, 1 Chronological Record Of Medical Care Standard Form (See SF 600) Coalition Provisional Authority (See CPA) CPA, 1, 2, 4, 7, 20 CPA Apprehension Form, 4, 7 DA Form 2823, 4, 7, 8 DA Form 4137, 4, 7, 18 DA Form 4237-R, 8 DD Form 2745, 4, 6 DD Form 629, 7, 10, 15, 17 Detainee Cell Manifest, 13 Detainee Personnel File (See DPF) Detainee Personnel Record (See DA Form 4237-R) Detainee Report, 13 Detainee Roster, 8, 13 Detention Facility (see DF) DF, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20

DF Master Log, 8, 12, 15 DPF, 7, 8, 9, 10, 12, 13, 15, 16, 17, 18, 19, 20 EPW, 1, 4, 6, 8, 20 EPW Capture Tag (See DD Form 2745) Evidence and Property Log, 7, 13 Evidence/Property Custody Document (See DA Form 4137) High Value Detainee (see HVD) HVD, 1, 2, 16, 20 ICRC, 16, 20 International Committee of the Red Cross (See ICRC) Plan of the Day (See POD) Medical, 6, 9, 12 POD, 10, 11, 20 Receipt for Prisoner or Detained Person (See DD Form 629) SF 600, 9 Sworn Witness Statements (See DA Form 2823) SJA, 5, 10, 12, 18 Use of Force Report, 13

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APPENDIX A: RULES FOR DETAINEES

- RULE 1: You will obey all written and verbal orders from all American military personnel.
- RULE 2: You will immediately sit down and place your hands on your head with fingers interlocked whenever you hear three whistle 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.
- RULE 3: You will not interfere with, threaten, or harm any American military personnel.
- RULE 4: You must have your capture tag and wristband or badge in your possession at all times.
- RULE 5: You will keep your body and your living areas clean. You will only urinate or defecate in designated areas.
- RULE 6: You will not attempt to escape. The guards are authorized to use deadly force if you attempt to escape.
- RULE 7: You will not leave your fenced-in living area, or move past designated boundaries, without an escort.
- 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.
- RULE 9: You will not steal or take food, medicine, clothing, blankets, or any personnel items from any other detainee.

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APPENDIX B: ROLES 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 quards 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 detainess or the DF, 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 Dr.
- RULE 15: Only the DF OIC and DF NCOIC can grant visitors direct access to detainees.
- RULE 16: If a detainee attempts escape outside a secured area, shout "Halt" or "KIFF" in Arabic, three times, before utilizing deadly force. Warning shots are not authorized.

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APPENDIX C: CPA APPREHENSION FORM

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APPENDIX D: SWORN WITNESS STATEMENT (DA FORM 2823)

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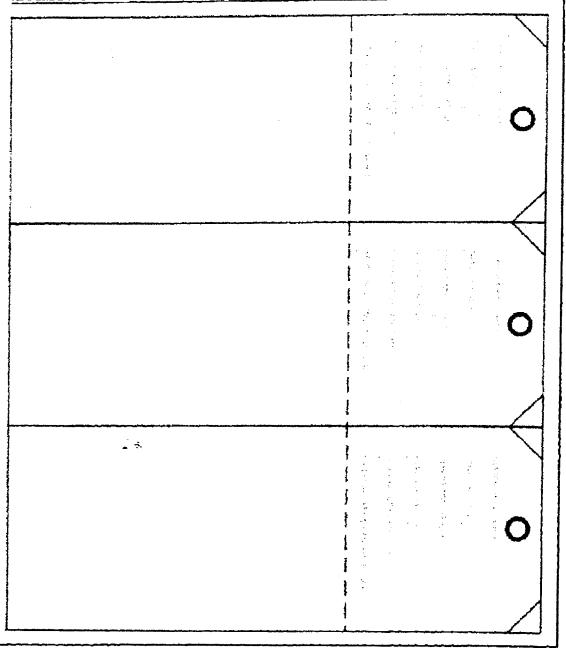
APPENDIX E: EPW CAPTURE TAG (DD FORM 2745)

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



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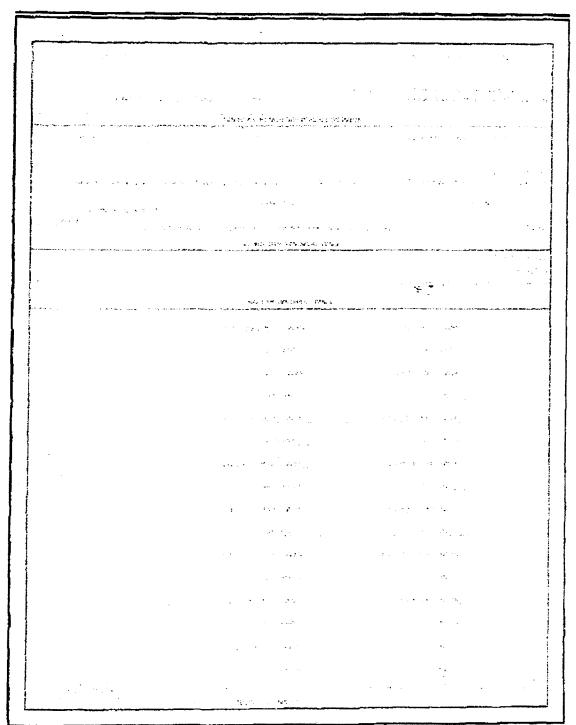
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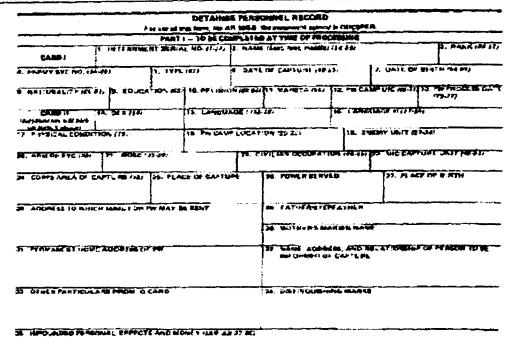


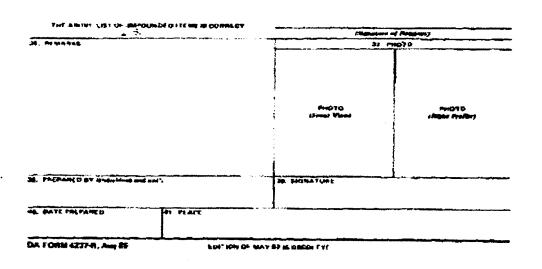
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APPENDIX G: DETAINEE PERSONNEL RECORD (DA FORM 4237-R)





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

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	Cute, bruines, Icoiona	(1) (N)	Confinement Phys. Data:				
	VITAL SIGNS: Weight:	Height: Ten	ap: B/P: Pulso:	Resp:			
	PPO given:	HIV drawn:	R/R drawn:				
	Physical Exam: Withen normal limits	(Y) (N)	See remarks for any (N) answers				
	Head	00					
	LanguiChert	α	LAB (Havailable)				
	Back	()()	CBC:				
	Heart	OO	U/A:				
	Extremeties	()()	Chort X-Ray:				
		MENT	IL STATUS				
	(Y) (N)		_				
	() () Alert, we'll unested						
	() () Long and short term memory intact						
	() () Experiencing heducination	a delucions, or feeling	s of paranois				
	() () Calm., cooperative						
		DISP	OSITION				
	(Y) (N)		Prescriptions:				
	() () Cheared for basic transfer ;	Procedures					
_	() () Cleured for litter transfer p						
	() () NOT medically eleven for	tracte	(days/wooks)				
	Recommended type of confinement () Normal () Sofita	y () Other-explain;				
1	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 manaber before acting on such feelings or ideas. (SIG.)						
	Data/Time anformation transmitted to	tombound attleou,s	office				
	Infection Control recommendations						
	() Standard Preconsticute						
	() Contact/Droplet Processions						
	() Airhorne Prepautions						
 		SCI	REENER				
			DICAL STAFF SKINATURE				
-		SC)	EENER				

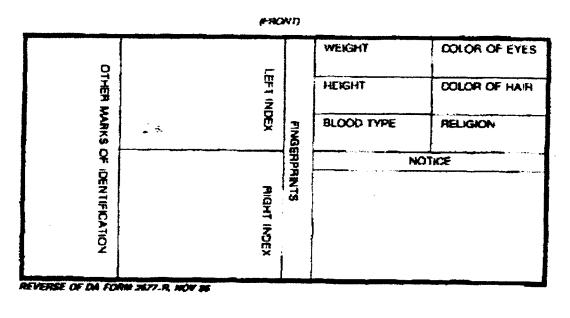
H-2 UNCLASSIFIED

unclassified 1°t(marging defining handling and detention facility sop - 17 feb 2004

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

For une	of this form, see AR 190 57; the ponent agency is ODCSPER.	DATE ISSUED			
	LAST NAME				
(Phongraph)	FIRST NAME	SEX			
	SERVICE NUMBER	POWER SERVED			
PLACE OF BIRTH		DATE OF BIRTH			
SIGNATURE OF BEARER					

DA FORM 2677-R, NOV 86 EDITION OF AUG 63 IS OBSOLETE.



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(MEVERSE)

UNCLASSIFIED 1 st MARBITE DEFINITE HANDLING AND DETENTION FACILITY SOP - 17 FEB 2004

APPENDIX J: RECEIPT FOR PRISONER OR DETAINED PERSON (DD FORM 629)

RECEIPT FOR PRISONER	CREETAINED PERSON	
REBIND FROM (Unit or Agency and Station)	TIVE	DATE
DEL MARE HEST MANE MILLIENTIAL	SHACENUMENANDSSAN	GPCE
CRANZOICH	SANN	
CHENE		
PERCONAL PROMINY		
FEMALES		
NAME ADMITTLE OF FERSON ROBINIO ABOVE NO MODUL (Typed or Printed)	SPUCENDERVANDSSAN	GACE
REPAINCUNT CRASH CY AND STATION	SOATUE	
DD Form 628, MAR 88 (EQ.		Industrial philosophy WEDON (1994)

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