



# HANDBOOK

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## Detainee Operations at the Point of Capture



*Tactics, Techniques, and Procedures*

Center for Army Lessons Learned (CALL)  
Fort Leavenworth, KS 66027-1350

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## Foreword

The proper handling of detainees is highly sensitive and critical to mission success. Field processing a captured or detained individual aids in unit security, control, and initial information collection. Commanders and leaders must ensure that they anticipate and plan for detainee operations as part of their combat operations. Integrating detainee handling procedures into multi-echelon training and enforcing high standards for all detainee training will help leaders ensure their Soldiers are prepared to give humane care and treatment to all persons captured, detained, and interned.

*—From an Army Forces Command message, September 2004*

How the Army conducts detainee operations, from the initial capture to internment, directly affects the strategic success of U.S. and coalition forces. Improper actions committed by even a few Soldiers puts everyone at risk and can jeopardize theater- and national-level objectives. Inappropriate actions or unlawful handling of detainees may jeopardize the Army's ability to exploit intelligence gained, adversely affect an ability to take legal action, and erode U.S./coalition credibility among local and international communities. Soldiers conducting detainee operations must be professional and compassionate at all times, despite occasional provocation to act otherwise. Soldiers must treat detainees humanely, regardless of circumstances.

This handbook is a quick reference for Soldiers and leaders in handling and processing detainees. Instruction includes Soldier actions at the point of capture (search techniques, documentation, and the 5 Ss), to the transportation and transfer to a military police-operated facility. The information and techniques provided are from Department of Defense and Department of the Army directives and regulations, emerging doctrine, and training support packages provided by the U.S. Army Military Police (MP) School and the U.S. Military Intelligence School.

Special thanks to the U.S. Army MP School, Doctrine Development Division, Individual Training Development Division, and the Collective Training Development Division for their assistance in building this handbook.

Note: Users of this handbook should refer to the CALL Detainee Operations Web site for additional information and references:

[https://call2.army.mil/focus/detainee\\_ops/index.asp](https://call2.army.mil/focus/detainee_ops/index.asp)

A handwritten signature in black ink, appearing to read 'S. Mains', with a horizontal line extending to the right.

Steven Mains  
Colonel, Armor  
Director  
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## **Introduction**

Detainee operations have changed dramatically in the context of the Global War on Terrorism (GWOT). Today, Soldiers detain a wide variety of people, including enemy prisoners of war (EPWs), enemy combatants, insurgents, violent criminals, or even innocent bystanders temporarily caught up in the action. Many detainees differ significantly from the traditional disciplined and uniformed EPW population typical in Operation Desert Storm. Many enemy combatants captured and detained in the GWOT are not uniformed military personnel. Many of them do not adhere to the customary laws of war. A significant number are violent, predatory, and extremist. Enemy combatants may pose a much greater security threat during processing, escorting, and handling than do more traditional EPWs.

U.S. and Coalition forces may capture/apprehend and detain persons because they pose a threat to U.S. or Coalition interests, because they violate the law, or because they may provide valuable intelligence or evidence. This mission, referred to as detainee operations, is complex and dangerous and places Soldiers in continuous contact with a large, frequently hostile enemy population, often for extended periods of time. The mission, which could be part of any unit's normal operations, must be accomplished with care. Special efforts are required to collect critical intelligence effectively, preserve evidence, and protect detainees from harm.

Planning effectively for detainee operations from point of capture to the internment facility helps U.S. forces properly handle and process detainees, while reducing the potential for detainee abuse. Effective plans and execution should provide Soldiers with clear screening criteria to identify those who possess items or information of intelligence value and identify those who pose a greater security risk. At the end of the day, planning effectively will ensure that U.S. forces have the information and evidence to make an informed decision on whether to release, detain, transfer custody, or prosecute each detainee.



## **Chapter 1**

### **Detainee Operations at the Point of Capture**

#### **What Soldiers Must Know at the Point of Capture**

(1) All persons captured, detained, interned, or otherwise held in U.S. Armed Forces custody during the course of conflict will be given humanitarian care and treatment from the moment they fall into the hands of U.S. forces until final release or repatriation.

(4) The inhumane treatment of EPW, CI, RP is prohibited and is not justified by the stress of combat or with deep provocation. Inhumane treatment is a serious and punishable violation under international law and the Uniform Code of Military Justice (UCMJ).

—From AR 190-8, *Enemy Prisoners of War, Retained Personnel, Civilian Internees and Other Detainees*, October 1997.

The point of capture (POC) is the most critical point in the detainee operations process. The POC often requires Soldiers to disarm, search, and guard detainees in an unsecured environment among other potential combatants or sympathizers. Small units at the POC will probably not have sufficient resources and manpower to provide for a large number of detainees, but still must begin processing detainees while awaiting the arrival of additional resources and transportation. Leaders and Soldiers at the POC may have to assess and balance the risks of providing security against potential attack by other combatants or sympathizers in the area, while at the same time providing adequate security to control their detainees.

All Soldiers participating in military operations must be prepared to process detainees. Actions at the POC where Soldiers have care, custody, and control of detainees can directly affect the success of the mission and even have a lasting impact on U.S. strategic military objectives.

The POC is where most incidents of detainee abuse occur. It is at this moment, immediately following enemy contact, when emotions may run high and where a Soldier's instinct is to gain immediate intelligence in an attempt to prevent additional casualties. Leaders and Soldiers must maintain situational understanding and monitor unit and individual stress levels to reduce the potential for detainee abuse and prevent violations of U.S. military policy.

Detainees pose significant operational risks that can hinder mission success in numerous ways:

1. Detainees captured during a combat engagement will most likely have weapons with unused ammunition and explosives. Soldiers must disarm and secure detainees

to ensure no further harm is inflicted on themselves or friendly forces. Hostile detainees require greater control measures and may become resource-intensive.

2. Upon capturing detainees, Soldiers must monitor and control their own emotions and those of other friendly forces. Moments earlier, the same detainees may have tried to kill the Soldier or may have killed or wounded a fellow Soldier. Amidst this level of tension, Soldiers must rely on Army values and strictly adhere to U.S. military policy and the published rules of engagement (ROE), and the rules for use of force. Under no circumstances can Soldiers allow themselves or others to retaliate or otherwise permit harm to befall detainees under their control.

3. U.S. forces may capture from one to several dozen detainees. In fact, some operations may lead to the capture of hundreds of detainees at a single place and time. While the holding of one or two detainees may not create a significant challenge to a small unit, more detainees will require more Soldiers and resources. Large numbers of detainees pose a greater security risk to the unit as well as risks to each other. Safeguarding detainees includes providing adequate space, food and water, and waste disposal, while protecting them against physical harm from any cause, including hostile fire. These tasks may require more security, additional transport, cause significant delays for onward movement, and divert needed assets from the unit's primary mission.

4. Wounded or injured detainees are entitled to the same level of medical treatment as Soldiers. The requirements for treatment and evacuation may delay movement, consume critical medical resources, and could complicate other detainee operational tasks such as security and segregation.

### **Using the “5 Ss and T” Technique (Search, Silence, Segregate, Safeguard, Speed to Safe Area, and Tag)**

Decisions regarding a detainee's current and future status are primarily based on the initial processing at the POC. Effective processing will ensure U.S. forces can make informed decisions on whether to release, detain, transfer custody, or prosecute detainees.

Soldiers must process detainees using the “5 Ss and T” technique. These procedures provide a structure to guide Soldiers in conducting detainee operations until they transfer custody of detainees to another authority or location.

1. **Search:** Includes those actions taken to neutralize a detainee and confiscate weapons, personal items, and items of potential intelligence/evidentiary value.

2. **Silence:** Prevent detainees from communicating with one another or from making audible clamor such as chanting, singing, praying, etc. Silence uncooperative detainees by muffling them using a soft, clean cloth tied around their



## **DETAINEE OPERATIONS AT THE POINT OF CAPTURE**

mouth and fastened at the back of the head. Do not use duct tape or other adhesives, place cloth or objects inside the mouth, or apply physical force to silence detainees.

3. **Segregate:** Segregate detainees in accordance with policy and standing operating procedures; segregation requirements will differ from operation to operation. The ability to segregate detainees may also be limited at the POC by available manpower and equipment or supply resources. At a minimum, strive to segregate by rank, gender, adults from juveniles (keep mothers with small children), and security risk. Military intelligence (MI) and military police can provide additional guidance and support in determining appropriate segregation criteria.

4. **Safeguard:** Refers to the obligation to protect detainees' safety and ensure the custody and integrity of all confiscated items. Safeguard detainees from continued combat risk, from harm caused by other detainees, and from improper treatment or care by U.S. government or coalition personnel. Report all injuries that occur to detainees while in custody. Correct and report violations of U.S. military policy that occur while safeguarding detainees. Acts and/or omissions that constitute inhumane treatment are violations of the law of armed conflict and, as such, must be corrected immediately. Simply reporting violations is insufficient. If a violation is ongoing, every leader and Soldier has an obligation to stop the violation and report it.

5. **Speed:** Quickly move detainees from the continuing risks associated with other combatants or sympathizers who may still be in the area of capture. If there are more detainees than the unit can control, call for additional support, search, and hold detainees in place until reinforcements arrive.

6. **Tag:** Ensure each detainee is tagged using an authorized DD Form 2745, Capture Tag (see Figure B-1), which provides the only official detainee tracking number prior to receiving an internment serial number (ISN). All confiscated equipment, personal items, and evidence will be linked to the detainee using the capture tag serial number. When an DA Form 4137, Evidence/Property Custody Document (see Figure B-2) is used to document confiscated items, it will be linked to the detainee by annotating the capture tag serial number on the form.

### **Document the Detainee at the Point of Capture**

It is important to remember that decisions regarding a detainee's current and future status are based in part on the initial processing of detainees at the POC. Proper processing ensures that U.S. forces can take the appropriate action to release, detain, transfer custody of, or prosecute detainees.

Accountability begins at the POC by documenting the detainee using a DD Form 2745. The capture tag serial number will be used to link the detainee to other records (i.e., property accountability forms, documentation of medical condition, interrogation data, and custody transfer record). The capture tag serial number is the

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only number used to account for a detainee until an ISN is assigned at an internment facility.

Everything confiscated or impounded from a detainee including weapons, personal items, and items of intelligence/evidentiary value must be documented on the DA Form 4137 and linked to the detainee by annotating the form with the capture tag serial number. (See Appendix B for instruction and the forms used).

Documentation provides information to support continued assessments on whether to detain or release, to make determinations on detainee status (e.g., enemy combatant, enemy prisoner of war, civilian internee, or retained person), to prepare for criminal proceedings, and to transfer custody of the detainee. Proper documentation also provides an official historical record of the events surrounding the capture of a detainee, which may prove invaluable to counter future false claims regarding alleged abuse or loss of personal property. Proper documentation also initiates the chain of custody for evidence needed to prosecute the detainee. Photograph the detainee with his/her property whenever possible. Photographs may be used later in intelligence analysis.

If time or the situation does not allow the use of the DA Form 4137 to document confiscated items, place items in the large re-sealable bag. Carefully mark the detainee's capture tag serial number on the bag using a permanent marker. The property inventory can be transferred later to the DA Form 4137 at the detainee collection point. Always transport the detainee with the confiscated items to ensure both are available to MI during screening and tactical interrogation.

Units must equip Soldiers with locally produced kits that contain all items essential for the safe and proper processing of a detainee. Detainee field processing kits should contain all the essential forms and expendable equipment to restrain a detainee and establish accountability for the detainee and confiscated items.

**Note:** The Department of the Army is currently developing an Individual Detainee Field Processing Kit. When this kit is fielded, all units and Soldiers should have ready access to it.

### Detainee Field Kit

#### The detainee field kit should include the following items:

- One plastic bag, heavy duty, re-sealable, 12"x12", used to hold impounded or confiscated items.
- Four latex gloves, disposable.
- Five zip ties, plastic, ½" x 18", used to secure detainees' wrists and, if required, ankles; may also be used to secure capture tag parts to detainee's confiscated/impounded property and weapons.
- One permanent marking pen, used to write information on the capture tag.
- One set ear plugs, foam.
- Two clean cloth bandanas, intended for use as blindfolds or muffles when required.
- Two copies of DD Form 2745.
- Graphic Training Aid (GTA) Card 19-07-001, *Enemy Prisoner of War Basic Commands*. This language phrase card will facilitate actions at the point of capture. This GTA is available from the Army Training Information Architecture and can be viewed online at:  
<http://www.1775mp.com/assets/documents/gta/gta-19-07-001.pdf>.

### Search Detainees

#### Implement a search: Position the search team

A search is inherently dangerous and requires a coordinated team effort to protect the searcher and conduct the task safely. Before initiating a search, be aware of the duties and responsibilities of the other members of the search team.

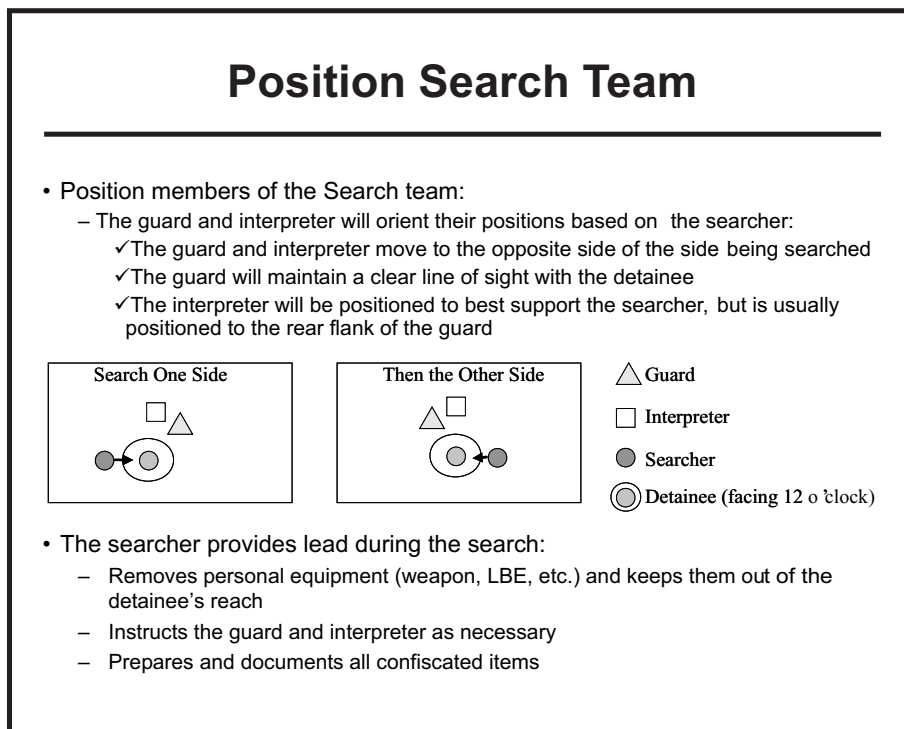
1. Supervisors will identify and position each member of the search team.
2. The guard and interpreter will orient their positions based on the position of the searcher. The guard and interpreter will move to the opposite side of the side being searched.
  - a. **Guard:** The Soldier guarding the detainee during the search will place himself on the opposite side of the detainee from the searcher. The guard will maintain a clear line of sight with the detainee.
  - b. **Interpreter:** This person interprets verbal exchanges between the supervisor or other search-team members and the detainee. When using an interpreter, special considerations should be given to providing a safe location from which to operate and additional time for translation. The interpreter will be positioned in a location to best support the searcher, usually to the rear flank of the guard.

c. **Searcher:** The searcher (Soldier conducting the search) provides lead during the search.

(1) Soldiers performing a search must remove their own individual equipment to deter attempts by a detainee to grasp the equipment and use it to injure themselves or others.

(2) The searcher instructs the guard and interpreter as necessary during the search.

(3) At the end of the search, the searcher prepares accountability forms to tag the detainee and document all confiscated items.



**Figure 1-1: Position members of the search team**

**Implement a search: Position the detainee**

1. Use an interpreter to facilitate communication. If an interpreter is not available, Soldiers may be required to demonstrate desired movements to detainees to overcome the language barrier.

2. Direct the detainee to stand and face the searcher, raise his arms above his head, lock his elbows, and spread his fingers with palms facing the searcher. The detainee is now in a standing position facing the searcher. Check the detainee's body for the presence of explosives. Visually check the detainee's hands for weapons or contraband.

## DETAINEE OPERATIONS AT THE POINT OF CAPTURE

3. Direct the detainee to open outer garments and shake loose clothing while the searcher checks for dangerous items. Direct the detainee to rotate 180 degrees (detainee is now facing away from searcher) and again direct him to pull up his shirt and shake loose clothing to check again for dangerous items.

**Caution:** If confronted by a suicide bomber, a Soldier's first responsibility is to the safety of fellow Soldiers and bystanders. Direct all Soldiers, bystanders, and other detainees to move to a designated location out of the blast zone. Always refer to local ROE.

4. Direct the detainee to remove his headgear, shake it out, and drop it to the ground.

5. Direct the detainee to drop to his knees. The detainee is now in a kneeling position facing away from the searcher.



**Figure 1-2: Positioning the detainee**

6. Search the back of the detainee's hands and arms for hidden weapons or contraband.

7. Direct the detainee to lie on his stomach, extend his arms straight outward from his sides with the palms facing up, and place his forehead on the ground.

8. Direct the detainee to spread his legs as far as possible, turn his feet outward, and place and keep his heels in contact with the ground. The detainee is now in a prone position, facing down and away from the searcher, with arms extended from his sides, palms up, and legs spread with heels touching the ground.



**Figure 1-3: Placement of detainee in preparation for search**

9. Ensure the guard remains in front of the detainee at a 45-degree angle, opposite the side being searched.

**Implement a search: Restrain the detainee**

The searcher prepares to place flexible cuffs on the detainee. The situation may also dictate insertion of earplugs or placement of a blindfold or muffle as appropriate for safety and security.



**Figure 1-4: Secure detainee's hands with flexible cuffs**

1. Approach the detainee from the front at a 45-degree angle. Make the approach from the side opposite the guard and focus the search on the side of the detainee closest to the searcher.
2. Squat and put the knee that is nearest the detainee on the detainee's lower back. This is done to ensure control, not to inflict pain or discomfort.



3. Direct the detainee to put the arm that is nearest the searcher behind the detainee's back with the palm facing up. Searcher maintains positive control of that arm.

4. Grasp the detainee's other hand in a handshake hold, pull the other hand across the top of the hand already under control, apply flexible cuffs, and tighten. The flexible cuffs now secure both wrists behind the detainee's back.

**Caution:** The flexible cuffs should be tight enough to secure the hands but loose enough to allow one finger between the flexible cuffs and the detainee's wrist. Check to ensure that the flexible cuffs do not restrict the detainee's circulation.

**Note:** The detainee is now restrained and in a position to be searched. The searcher must periodically inspect restraints and adjust them as appropriate.

### **Conduct the Search: Precautions**

The body search discussed below is called the prone frisk search. Keep in mind that body searches are used to quickly detect contraband or weapons that could be used to cause injury or death.

Conduct same-gender searches when possible. If mixed-gender searches are necessary for speed or security, conduct them in a respectful manner and in the presence of an additional witness to address false claims of misconduct.

**Note:** Soldiers must respect the local cultural traditions and taboos when considering the need for mixed-gender searches. In most cases, the immediate tactical needs will not outweigh the potential loss of intelligence and may incite hostility in an otherwise cooperative group of detainees. Avoid mixed-gender searches whenever possible.

### **Use the bending and crushing technique to search the detainee**

1. As items are discovered, remove them from the detainee and set them aside.
2. Grasp loose clothing, pull it away from the skin, and squeeze to detect objects hidden under or within clothing.
3. Bend the seams before crushing to determine if razor blades or similar devices are hidden inside the clothing.
4. Repeat the crushing technique, covering each area, to assure there are no hidden objects.

**If a weapon is found at any point during the search:**

1. Loudly announce the weapon found so that the guard and interpreter can clearly hear (e.g., gun, knife, razor, etc.).
2. The guard should be alerted and postured for action.
3. Remain in firm contact with the detainee when removing the weapon from its hiding place.
4. Stand up with the weapon, being careful not to walk between the guard and the detainee, and place the weapon a safe distance away within view of the guard.
5. Return to the detainee and continue searching.

**Search the Detainee**

1. Hold the flexible cuffs between the hands and lift the detainee's arms slightly. Search the area in and around the small of the back.
2. Release the flexible cuffs and stand.
3. Move to the area of the detainee's waist and face the detainee's head. Squat, but do not rest knees on the ground or on the detainee. Pivot, if required, to conduct the rest of search.
4. Remove the detainee's headgear (if not already removed).
  - a. Bend the seams before crushing to determine if razor blades or similar devices are hidden in the headgear.
  - b. Place the headgear on the floor or ground.
5. Search the detainee's head and hair.
6. Search the detainee from fingers to shoulders.
  - a. Search collar and neck area (remove identification tags or necklaces from a position behind the detainee).
  - b. Remove anything that could be used as a weapon.
7. Search the detainee's back from shoulder to waist on the side nearest the searcher.

8. Grasp the inside of the detainee's closest elbow and pull the detainee upward onto his or her side just high enough to search the front (shoulder to waist). Do not place the detainee completely on his side. Check the bra area on female detainees.



**Figure 1-5: Pull detainee upward to check for hidden weapons or contraband**

a. It is critical that the Soldier performing the search not be timid while searching a detainee's crotch or bra area. Experience has proven that these are prime locations for hiding weapons and contraband. Avoid indiscreet or humiliating actions, but search both areas of the detainee thoroughly.

b. **For female detainees only.** When a Soldier is searching a female detainee at chest level, he/she will search:

- (1) Down the middle of the bra
- (2) Around the breast
- (3) Below the bra
- (4) Check the connecting point of the bra on the detainee's back for contraband

9. Switch hands while controlling the detainee's elbow and without changing position.

10. Search the detainee from waist to knee, including the crotch.

11. Return the detainee to the face-down position and release the elbow. Remind the detainee to keep his feet spread and his heels on the ground.

12. Direct the detainee to raise his leg by bending the knee.

13. Grasp the detainee's foot and search from the knee up to the foot. Check the top of the footwear by inserting a finger in the top edge and feeling for weapons. Check edges and soles of the footwear.



**Figure 1-6: Perform a thorough check of detainee, knee to foot**

14. Direct the detainee to put his foot back down.
15. Stand and move to the detainee's unsearched side. Move around the detainee's head, but do not walk between the detainee and guard.
16. Ensure the guard rotates to the other side of the detainee (the side opposite the side to be searched) while maintaining a 45-degree angle from the detainee's head.
17. Repeat steps to search the other side of the detainee, searching from shoulder to foot. Squat beside the detainee facing the same direction as the detainee's head.

**Caution:** When preparing to roll the person over, anticipate that an unruly detainee may attempt to spit on or bite the searcher, and move as needed to avoid such incidents.

**The search is now complete and all material found on the detainee has been confiscated.**

1. Assist the detainee to stand:
  - a. Turn detainee onto his side facing away.
  - b. Direct the detainee to bring his knees to his chest.
2. Grasp the arms at the shoulder area and assist the detainee to his knees.
3. Pull back on his arms to help him rise to his feet.
4. The guard remains focused on the detainee and gathers information as to the detainee's demeanor.

### **Document the Capture and the Search**

**Note:** If it is unclear why detainees are being held at the POC, it will also be unclear at the collection point, holding area, or internment facility. Be certain to carefully document the capture.

Before transporting the detainee, tag the detainee and document confiscated or impounded items (weapons, personal items, items of intelligence/evidentiary value) to ensure proper identification and accountability for custody transfer decisions or future judicial proceedings.

1. Complete a DD Form 2745. The best time to complete the capture tag is immediately following the search. The capture tag serial number is the only number used to account for a detainee until an ISN is assigned at the internment facility.

2. Mark all confiscated/impounded items and record on the DA Form 4137. All confiscated/impounded equipment, personal items, and evidence will be linked to the detainee using the capture tag serial number.

a. Mark items to retain or destroy (e.g., weapons, personal items, and investigatory/evidentiary items) for identification, if time permits. Use the resealable plastic bag (or similar container) to identify, collect, and store items that cannot be individually marked or when time is not available.

(1) Always put the capture tag number on each item marked (e.g. "0008937" on the bag or individual item (e.g., gun barrel).

(2) Give careful consideration to how and where identification (ID) marks are placed on items. Make required marks as inconspicuous as possible.

(3) Avoid unnecessary damage or destruction of personal property or valuable items.

b. Property confiscated as a result of the search will be categorized as follows:

(1) **Returned items.** Items that have been searched thoroughly and deemed to have no MI or evidentiary value should be returned to the detainee at the appropriate time (e.g., protective items, such as bio-chemical gear, helmet, and personal clothing or religious items).

(2) **Retained items.** Items to be retained will be bundled or placed in the resealable plastic bag to keep them together. Label the bundle or resealable plastic bag with the detainee's capture tag number to positively link items with the detainee. Turn over retained items to MI. Time and situation permitting, document all retained items on a DA Form 4137 and annotate with the capture tag serial number. Retained items may include:

- (a) Weapons and ammunition. Check with supervisor to determine if weapons or ammunition will be destroyed.
- (b) Equipment.
- (c) Documents and maps with intelligence value.
- (d) Other inappropriate items.
- (e) Pocket litter. Pocket litter is defined as property found on the detainee, such as receipts, ID cards, notes, cigarettes, watches, and electronic devices that may have intelligence value or could be used as evidence for future judicial proceedings or identification.

(3) **Destroyed items.** When practical, confiscate and destroy all items that pose a significant risk to U.S. forces, detainees, or other local nationals remaining in the area of the POC. Ensure that all confiscated items designated for destruction are properly accounted for using a DA Form 4137. Annotate the capture tag serial number of the detainee associated with the items to be destroyed, and transport the documentation with the detainee for future use during judicial proceedings or custody transfer. Consolidate these items once all detainees have been processed and destroy them in accordance with (IAW) local standing operating procedures (SOP) or guidance from higher headquarters. Document on DA Form 4137 who, what, when, where, and why the confiscated items were destroyed, when possible. A recommended technique is to photograph items to be destroyed with their owner (photos for administrative purposes are authorized). Destroyed items may include:

- (a) Any weapon and ammunition that is impractical to retain.
- (b) All explosives or improvised explosive devices (IEDs). Do not remove potential IEDs, keep others out of the blast area, and immediately notify military explosive ordnance disposal.

(4) **Currency.** Currency will only be confiscated or impounded on the express order of a commissioned officer (e.g., operations order, fragmentary order, verbal order, etc.) per AR 190-8, *Enemy Prisoners of War, Retained Personnel, Civilian Internees, and Other Detainees*. Soldiers must notify a commissioned officer when currency is found and, if confiscated or impounded, it must be accounted for on a DA Form 4137 and handled IAW unit SOP.

**Note:** See Appendix B, Forms, for instructions on completing the DD Forms 2745 and the DA Form 4137.



## **Chapter 2**

### **Detainee Operations at the Point of Capture: What Leaders Must Know**

#### **Introduction**

Soldiers in combat often encounter detainees through the capture or willing surrender of enemy prisoners of war, retained persons, and civilians. In today's operations, this list grows with the addition of enemy combatants. Soldiers and leaders will handle detainees every day as part of their present tactical environment. Leaders must understand the rules and requirements for handling, processing, transporting, and guarding these detainees until they are delivered to an organized military police (MP) facility. These supervisory tasks will assist the first-line leader in meeting the security and logistical needs of detainees while in his custody.

The following tables summarize detainee handling and processing from the point of capture (POC) through the detainee holding area (DHA). Small units capturing detainees should expect to transfer custody of those detainees to MP units at the detainee collection point (DCP) or the DHA.

**CENTER FOR ARMY LESSONS LEARNED**

<b>POC</b>	<b>DCP</b>	<b>DHA</b>
<b>Actions</b>	<b>Actions</b>	<b>Actions</b>
<p><b>Process in accordance with (IAW) "5 Ss and T" (search, silence, segregate, safeguard, speed to safe area, and tag)</b></p> <ul style="list-style-type: none"> <li>• Disarm, secure, and search</li> <li>• Confiscate weapons/items</li> <li>• Return protective equipment</li> </ul>	<p><b>Process IAW STRESS (search, tag, report, evacuate, segregate, safeguard)</b></p>	<p><b>Process IAW STRESS</b></p>
<p><b>Tag and document evidence</b></p> <ul style="list-style-type: none"> <li>• Apply Capture Tag (DD Form 2745)</li> <li>• Use Capture Tag Serial number (#) to link detainee to all accountability documents</li> <li>• Document circumstances of capture</li> <li>• Identify and record witnesses</li> <li>• Request investigative support as necessary</li> </ul>	<p><b>Transfer detainee/property custody</b></p> <ul style="list-style-type: none"> <li>• Inventory detainee and confiscated items by Capture Tag Serial #</li> <li>• Initiate and sign DD Form 2708 (Receipt of Detainee)</li> </ul>	<p><b>Transfer detainee/property custody</b></p> <ul style="list-style-type: none"> <li>• Inventory detainee and confiscated items by Capture Tag Serial #</li> <li>• Initiate and sign DD Form 2708 (Receipt of Detainee)</li> </ul>
<p><b>Establish accountability</b></p> <ul style="list-style-type: none"> <li>• Record confiscated items on DA Form 4137 for chain of custody</li> <li>• Photograph detainee with items to be destroyed</li> <li>• Mark items to be retained</li> </ul>	<p><b>Maintain accountability</b></p> <ul style="list-style-type: none"> <li>• Initiate personnel file</li> <li>• Inventory/initiate DA Form 4137</li> <li>• Return protective equipment</li> <li>• Store confiscated items/evidence as appropriate</li> </ul>	<p><b>Maintain accountability</b></p> <ul style="list-style-type: none"> <li>• Update personnel file</li> <li>• Inventory using DA Form 4137</li> <li>• Store confiscated items/evidence as appropriate</li> </ul>
<p><b>Position guards</b></p>	<p><b>Designate guard/security teams</b></p>	<p><b>Provide dedicated security</b></p>
<p><b>Treat wounds/injuries with medic/combat life saver; medically evacuate as necessary</b></p> <ul style="list-style-type: none"> <li>• Document all medical encounters</li> </ul>	<p><b>Preliminary medical screening</b></p> <ul style="list-style-type: none"> <li>• Initiate a medical file</li> <li>• Treat wounds and injuries</li> </ul>	<p><b>Continue medical screening</b></p> <ul style="list-style-type: none"> <li>• Update medical file</li> <li>• Treat injuries and illnesses</li> </ul>
<p><b>Initial intelligence screening</b></p> <ul style="list-style-type: none"> <li>• Human intelligence (HUMINT) interrogation/counter-intelligence (CI) screening/ investigation</li> <li>• Tactical questioning to answer priority intelligence requirements (PIR)</li> </ul>	<p><b>HUMINT/CI screening</b></p> <ul style="list-style-type: none"> <li>• Initiate intelligence file</li> <li>• HUMINT conducts more detailed interrogation</li> <li>• Collect biometrics and document by Capture Tag Serial #</li> </ul>	<p><b>HUMINT/CI screening</b></p> <ul style="list-style-type: none"> <li>• Update intelligence file</li> <li>• HUMINT conducts interrogation</li> <li>• Collect biometrics and document by Capture Tag Serial #</li> </ul>

## DETAINEE OPERATIONS AT THE POINT OF CAPTURE

POC	DCP	DHA
<b>Actions</b>	<b>Actions</b>	<b>Actions</b>
<b>Segregate detainees IAW military necessity</b>	<b>Segregate detainees</b> <ul style="list-style-type: none"> <li>• Refine segregation IAW capability</li> <li>• Identify detainee category</li> </ul>	<b>Segregate detainees</b> <ul style="list-style-type: none"> <li>• Refine segregation IAW capability</li> <li>• Identify/confirm detainee categories</li> </ul>
<b>Safeguard</b> <ul style="list-style-type: none"> <li>• Protect against combat hazards</li> </ul>	<b>Provide custodial care</b> <ul style="list-style-type: none"> <li>• Shelter and cover as appropriate</li> <li>• Provide food and water</li> </ul>	<b>Provide custodial care</b> <ul style="list-style-type: none"> <li>• Shelter and cover as appropriate</li> <li>• Provide personal hygiene</li> <li>• Implement preventative medicine measures</li> <li>• Provide correspondence/visitation as appropriate</li> </ul>
	<b>Provide access to International Committee of the Red Cross (ICRC)</b>	<b>Provide access to ICRC</b>
<b>Retain or release</b>	<b>Retain or release</b>	<b>Retain or release</b>
<b>Escort to DCP (restrained)</b> <ul style="list-style-type: none"> <li>• Manifest by Capture Tag Serial #</li> </ul>	<b>Escort to DHA or back to POC for release (restrained)</b> <ul style="list-style-type: none"> <li>• Manifest by Capture Tag Serial #</li> </ul>	<b>Escort to TIF or back to POC for release (restrained)</b> <ul style="list-style-type: none"> <li>• Manifest by Capture Tag Serial #</li> </ul>
<b>Correct, report, and document abuse</b>	<b>Correct, report, document, and investigate abuse</b>	<b>Correct, report, document, and investigate abuse</b>
<b>Duration</b>	<b>Duration</b>	<b>Duration</b>
Speed: Escort detainees quickly to a safe area (DCP or DHA)	Evacuate: Escort detainees to DHA as soon as possible based on operations, security, and transportation	Evacuate: Escort detainees to TIF as soon as possible based on operations, security, and transportation
<b>Organization</b>	<b>Organization</b>	<b>Organization</b>
Capturing unit/brigade combat team MP platoon	Normally MP combat support (CS)	MP (CS)

### Detainee Treatment

Basic U.S. policy underlying the treatment of detainees during the course of a conflict requires and directs that all personnel be accorded humane care and treatment from the moment of custody until their final release or repatriation. There are many prohibited acts regarding the treatment detainees while in the custody of U.S. military forces. Below is a list of acts prohibited by Department of Defense (DoD) policy and Army regulations.

**Prohibited Acts**

- Retaliation of any kind.
- Use of physical or mental torture or any coercion to compel a detainee to provide information.
- Use of military working dogs for tactical questioning or interrogation.
- Use of threatening gestures.
- Threatening the families of detainees or other associated individuals.
- Overly aggressive handling of detainees; avoid any unnecessary physical contact.
- Photographing detainees except for administrative purposes (e.g., for inclusion in personnel, intelligence, investigative, or medical files).
- Speaking to detainees except to give orders or directives.
- Removal of required protective items from detainees.
- Body-cavity searches of detainees, unless authorized IAW DoD policy.

**Planning for the capture and handling of detainees**

1. All leaders participating in military operations must be prepared to supervise detainee processing. The proper handling of detainees requires leaders to plan for detainees before the operation and supervise Soldier actions during and immediately following intense emotional events (such as the combat action that precipitated the capture of a detainee). Proper planning will:

- a. Ensure operations consistent with Army values and U.S. policy.
- b. Expedite detainee evacuation IAW unit standing operating procedures (SOP).
- c. Preserve, document, and control evidence and intelligence.
- d. Support tactical questioning and interrogation requirements.
- e. De-escalate events at the point of capture.
- f. Ensure that Soldiers are trained and rehearsed on the rules of engagement/rules on use of force (ROE/RUF).
- g. Prevent attempts to escape, disrupt operations, or harm U.S. captors.
- h. Provide adequate resources.

**Note:** U.S. policy demands that all persons who are under the care, custody, or control of U.S. or coalition forces during conflict be treated humanely. This policy applies from the moment detainees are taken into custody until they are released or transferred.

## DETAINEE OPERATIONS AT THE POINT OF CAPTURE

2. Detainee operations, just like other military operations, must be integrated into planning, SOPs, operations orders, battle drills, and rehearsals. Detainee operations should be considered as a contingent of every mission plan.
3. Regardless of mission, plan for detainee processing:
  - a. Use the latest intelligence capture estimates.
  - b. Acquire adequate detainee-processing equipment. Construct detainee field processing kits and ensure all Soldiers use these kits. The processing kit must contain all items essential for the safe handling and proper processing of a detainee. This kit contains essential forms and expendable equipment to restrain a detainee and establish accountability for the detainee and confiscated/impounded items. See the detainee field processing equipment list in Chapter 1.
  - c. Be prepared to establish a hasty detainee collection point.
  - d. Plan for force protection.
  - e. Plan for transportation and logistic/medical resource requirements.
4. Brief Soldiers on detainee processing prior to mission execution.
  - a. Identify teams needed for detainee operations at the POC. Integrate interpreter support when available.
    - (1) Identify Soldiers to provide external security on the outer perimeter. These Soldiers will maintain security against external threats to the operation. They may also be used as a last means of security against escape.
    - (2) Identify Soldiers for the search team(s) to search all detainees, tag, process, and document items taken. Search guards should be properly positioned, know all crisis reaction plans, and monitor the searches being conducted.
    - (3) Identify two internal security teams. These guards will be designated to provide security for detainees awaiting search and those who have been searched. They will escort detainees to and from the search team and segregation areas. These guards may also be tasked to support detainee movements to other locations.
  - b. Ensure all Soldiers and interpreters (when available) clearly understand their roles and responsibilities.
  - c. Review the ROE/RUF and reinforce treatment of detainees IAW military policy. The ROE/RUF need to be understood and updated as the unit operates within different areas of responsibility. Never assume anything when operating IAW the ROE/RUF: If something is not clear, ask the chain of command for clarification.

5. Rehearse Soldiers. Rehearse detainee operations so every Soldier knows their specific job and responsibilities during capture, processing, and escort. Rehearsals are essential to build Soldier skills and confidence. Rehearsals may also provide important feedback regarding battle drill timing and Soldier/team integration. Unit rehearsals should include:

- a. Capture, search, and guard functions.
- b. ROE/RUF.
- c. Tactical scenarios.

### **Handling Detainees at the Point of Capture**

#### **Organize Soldiers and prepare for field processing detainees**

1. Establish an outer perimeter to provide force protection for Soldiers and detainees.
2. Notify higher headquarters (HQ) of the capture. Do not assume information is not important; it needs to be reported as soon as possible. Higher HQ is battle tracking all intelligence-value information within areas of operation, and all reports play a critical role. Report the following at a minimum:
  - a. Date, time, and location of capture.
  - b. Number of detainees.
  - c. Number of wounded or dead.
  - d. Requests for medical assistance, if necessary.
  - e. Requests for reinforcements, if necessary.
3. Establish one or more search teams, which will consist of Soldiers to conduct the search, Soldiers to provide security for the Soldier conducting the search, and an interpreter, if available. Each search team should only process one detainee at a time. Designate one or more Soldiers on each team to collect and document items retained from the search.
4. Establish two internal guard teams to secure the detainees who have not been searched from the detainees who have been searched. The guard teams will escort detainees to and from the search team and segregation areas.
5. Ensure all search teams have detainee field-processing equipment (flexible cuffs, cloth, permanent markers, DD Form 2745 Capture Tag, and DA Form 4137 Evidence Property Custody Document).



6. Maintain situational awareness of the entire operation. Attention cannot focus only on the actions of one searcher because Soldiers are also responsible for the safety, security, and actions of Soldiers providing force protection security, guarding detainees awaiting search, and guarding detainees who have completed the search process.

### **Direct the search teams to begin searching detainees**

1. Position members of each search team.
  - a. Position the guard to orient off the searcher and ensure a clear line of sight to the detainee.
  - b. Position the interpreter to best support the searcher (normally to the guard's rear flank).
  - c. Position the searcher to provide lead during the search, and instruct the guard and interpreter as necessary.
2. The leader will be positioned to maintain situational awareness of the entire operation, to include:
  - a. Guard forces for wounded and unwounded detainees.
  - b. Ongoing medical support.
  - c. Force-protection forces.
  - d. Searches.
  - e. Other support activities.
  - f. Preparation for detainee escort.
3. Leader instructs teams to begin searching detainees.
  - a. Direct search teams to select one detainee at a time and move to a search area out of view and away from other detainees. If processing a high volume of detainees or time is essential, consider setting up other search teams.
  - b. Separate searched detainees from unsearched detainees.
  - c. Direct same-gender searches based on military necessity. If mixed-gender searches are necessary for speed or security, supervisor will observe to ensure that searches are conducted in a respectful manner.

**Note:** Leaders must respect the local cultural traditions and taboos when considering the need for mixed-gender searches. In most cases, the immediate tactical needs will not outweigh the potential loss of intelligence and may incite hostility in an otherwise cooperative group of detainees. Leaders should plan for and have available a sufficient number of Soldiers (male and female) to conduct same-gender searches. Planning must identify potential situations that could create

the need for mix-gender searching of detainees. Conduct mixed-gender searches only as a last resort.

- d. Integrate arrival of reinforcements into detainee processing.
- e. Ensure searchers link detainees with items taken to maintain 100 percent accountability of detainee property.
- f. Ensure Soldiers initially confiscate all items from detainees (some items will be returned immediately following the search).

- (1) Return essential protective equipment, clothing, jewelry, and religious items. Use sound judgment to determine if high-dollar items should be returned or retained for safekeeping.

- (2) Retain all items not returned or marked for destruction. When in doubt, retain the item. Maintain rigid accountability in case the item is eventually returned.

- (3) Destroy hazardous items IAW local policy and SOP. Leaders must be cautious not to destroy essential evidence until properly documented to preserve the ability to use this information for potential future determination on detainee status.

- g. Currency will only be confiscated on the express order of a commissioned officer (e.g., operations order [OPORD], fragmentary order, verbal) per AR 190-8, *Enemy Prisoners of War, Retained Personnel, Civilian Internees, and Other Detainees*.

- (1) Soldiers must notify a commissioned officer when currency is found, and if confiscated it must be accounted for on DA Form 4137.

- (2) Document currency by nationality, type (paper or coin), denomination, serial number, and total amount.

4. Leaders will ensure Soldiers tag detainees.

- a. Following the search, move each detainee and confiscated items to a separate holding area away from unsearched detainees.
- b. If possible, tag each detainee immediately following the search.
- c. If there is enough manpower, designate a separate team to complete the capture tags.
- d. Personally inspect each tag to ensure it is completely filled out and all information written in the appropriate place.
- e. Ensure all subsequent accountability documentation (e.g., inventories, transfer of custody, and other documents) uses **only** the capture tag serial number until an internment serial number (ISN) is assigned, usually at an internment facility.

## DETAINEE OPERATIONS AT THE POINT OF CAPTURE

f. Each tag should contain the following information:

- (1) Date and time of capture.
- (2) Location of capture (reference known points/grid coordinates as dictated by local SOP).
- (3) Capturing unit.
- (4) Circumstances of capture. Note the circumstances of capture and any pertinent information regarding the detainee (e.g., armed or unarmed, known associates, demeanor, what detainee was doing at time of capture, etc.). Clearly record the reason for the capture (e.g., curfew violation, emplacing an improvised explosive device [IED], etc.).
- (5) Possession of a weapon.
- (6) Detainee's physical condition.

5. Instruct Soldiers to tag detainee and confiscated bundle; use all three parts of the DA Form 2745:

- a. Attach Part A to the detainee.
- b. Retain Part B for official records. Carry Part B forward with the detainee as a part of detainee's personnel file.
- c. Attach Part C to confiscated items.

6. Soldiers may be required to provide more details on the capture using any form of a personal statement such as DA Form 2823, Sworn Statement, or other local document.

- a. Provide a synopsis of the incident as part of a debriefing.
- b. Record the names of any witnesses and where they can be located later. This information will allow Soldiers to conduct follow-up interviews based on new information requirements or schedule witnesses for future court proceedings.
- c. Pass information to MP for follow-up with supporting forces (e.g., explosive ordnance disposal [EOD], indigenous police, Criminal Investigation Division, etc.).
- d. Provide name and point-of-contact information when turning over custody of the detainee to the DCP.
- e. If a camera is available, photograph the capture scene to illustrate clearly the relationship between detainee, victim, and evidence as found. (If no camera is available, provide a sketch.) Clearly annotate unit, capture tag serial number, date, and time on the photo or sketch.

## **CENTER FOR ARMY LESSONS LEARNED**

7. If situation at POC does not allow full documentation, capturing unit will complete all documentation at the DCP.

- a. Send a noncommissioned officer (NCO)/Soldier who can clearly articulate required information to DCP personnel and complete all documentation.
- b. Do not leave the DCP until all information has been accurately recorded.

**Note:** The best time to complete the capture tag is immediately following the search. However, if speed is required, complete the capture tag later. Also, if there are enough Soldiers, leaders may want to establish another team to tag the detainees.

### **Direct Soldiers to document the search using a DA Form 4137**

1. Record all retained and destroyed items on a DA Form 4137. The DA Form 4137 documents all confiscated items that may be used as evidence for future judicial proceedings. Use this form to transfer, inventory, and maintain a chain of custody.

- a. Personally check each DA Form 4137 and property to ensure:
  - (1) The capture tag serial number is annotated on the form and the resealable plastic bag, tag, or directly on the item.
  - (2) The DA Form 4137 is signed by gaining authority during every detainee and property custody transfer.
  - (3) The DA form 4137 is retained with the detainee and property during all movements.
- b. If a camera is available, photograph items to be destroyed with the detainee for intelligence analysis and evidence for judicial proceedings. Clearly annotate the unit, capture tag serial number, date, and time on the photo.
- c. Do not record returned items on the DA Form 4137.

2. Place confiscated medicine in a resealable plastic bag.

- a. Carefully mark the bag with the detainee's capture tag serial number.
- b. Expedite to medical support personnel for review and to determine/document requirements.
- c. Return exigent medicine, such as inhalers, back to detainees.

**Note:** Never allow Soldiers to remove or destroy IEDs or any explosives found on a detainee. Call EOD for appropriate disposal.

### **A Leader's Planning Considerations**

1. **Segregate.** Develop a plan to segregate detainees to preserve detainee security, safety, and intelligence. Base the segregation plan on a risk assessment of the number of available guards against the number of segregation categories and number of detainees.

a. Do not over-extend the guard force; place security and safety before segregation.

b. Segregate IAW Army policy and unit SOP. Initial segregation should be based upon circumstances of capture and information easily assessed regarding detainee risk (e.g., one group is clearly more defiant toward guards, one detainee is on one of the "watch" lists, etc.). Based on this initial assessment and the unit's capability for guarding multiple groups/ holding areas, instruct Soldiers to segregate detainees as follows:

- (1) Leaders (perceived status and positions of authority) from the remainder of the population.
- (2) Hostile elements such as religious, political, or ethnic groups hostile to one another (if possible).
- (3) Security risks (e.g., agitators, radicals, uncooperative detainees) from compliant detainees.
- (4) Civilian from military.
- (5) Military by rank (i.e., officers, NCOs, or enlisted).
- (6) Those who surrendered willingly or deserted from those who resisted capture.
- (7) Minors and female detainees from adult male detainees. Do this for their protection. Keep small children with their mothers.
- (8) Others may include persons who cannot be readily identified as belonging to one of the above designations. Additional segregation criteria may include national, ideological, religious, and ethnic groups, for example.
- (9) The capability of U.S. forces to segregate will expand as detainees move from the POC to each subsequent location, DCP, DHA, and theater internment facility (TIF). As information becomes more detailed and as resources allow and conditions improve, further segregate detainees to the greatest extent possible.
- (10) Tactical questioning, screening, and interrogation of detainees will assist with determining appropriate segregation.
  - (a) Soldiers, based on the commander's priority intelligence requirements, can perform tactical questioning (direct questioning) and screening. Detainees may possess valuable information and

intelligence that Soldiers can collect through (unit) tactical questioning. Tactical questioning (direct questioning) is conducted IAW the unit's SOP, ROE/RUF, and the mission OPORD. (See \* below).

(b) Units may have human intelligence (HUMINT) contact teams (HCT). Only trained HUMINT collectors perform interrogations. Units may have HCT accompany them or HCT may be called forward to conduct critical screening and interrogations of detainees anywhere from the POC to the TIF.

(c) Analyze information gathered during tactical questioning or interrogations and all information recorded on accountability documents to determine the best segregation criteria to apply given the number of available resources (guards, space, barrier materials, etc.).

\* **Note:** DoD Directive 3115.09, *DoD Intelligence Interrogations, Detainee Debriefing, and Tactical Questioning*, November 2005, requires that personnel involved in detainee debriefings and tactical questioning be appropriately trained.

## 2. Silence

a. Ensure guards maintain detainee silence. All guards should be alert for detainee leaders trying to give orders and any attempts to plan an escape.

- (1) Use an interpreter to articulate clear guidance to detainees.
- (2) Use pre-made cards outlining guidance in the local language.
- (3) Place detainees in a sitting position facing away from each other.

b. Segregate uncooperative detainees to minimize their effect on others; if they remain uncooperative and can be heard by others, they may be muffled to prevent communication. The decision to muffle will be made IAW unit SOP. If required and authorized, silence uncooperative detainees using a muffle:

- (1) Use a soft, clean cloth across the mouth and fasten it around the head. Do not use duct tape or other adhesives, place cloth or objects inside the mouth, or employ physical force to silence detainees.
- (2) Give the guards additional instructions to observe muffled detainees for signs of distress.
- (3) Muffle only for as long as necessary. Remove muffle when detainee is cooperative or when appropriately segregated.



### **3. Safeguard**

Leaders must make every effort to safeguard detainees under the control of their Soldiers. The capturing unit is responsible for the protection of detainees to the extent feasible from the moment of capture until they are turned over to military police personnel (usually at a DCP or the DHA). Leaders are obligated to protect detainees from harm inflicted by mistreatment from other detainees or U.S./coalition forces. Leader responsibilities:

- a. Protect detainees against combat hazards.
- b. Return detainee's protective gear and allow them to use, as appropriate.
- c. Do not locate detainees near obvious military targets or other hazards.
- d. Treat detainees humanely IAW military policy.
- e. Provide medical treatment to the wounded/injured detainees (use their supplies first) to the same level afforded U.S. troops.
- f. Prevent detainees from harming themselves or others.
- g. Always position detainees for positive control, not discomfort. Provide them adequate space to stand, sit, or lie down. Do not keep detainees in kneeling, squatting, or other unnecessarily uncomfortable positions.
- h. Protect detainees from public curiosity, display, the media, and Soldiers taking photos as trophies or mementos.
- i. Report and investigate all allegations of abuse. Correct and report violations of U.S. military policy that occur while safeguarding detainees, whether committed by U.S. or coalition personnel (this includes civilians working for military forces). Take immediate steps to stop any acts and omissions that constitute inhumane treatment; these are violations of the law of armed conflict. Simply reporting violations is insufficient. If a violation is ongoing, all Soldiers have an obligation to stop the violation as well as report it.

### **4. Speed to safe area**

Speed highlights one of the major differences in processing detainees at the POC.

- a. The POC is usually the most vulnerable location at which Soldiers will abuse detainees. Supervisors must weigh the need to thoroughly process detainees against:
  - (1) The need to move Soldiers and detainees quickly to a safe area.
  - (2) The need to continue the primary mission.

(3) Either consideration may require more thorough detainee processing to wait until transfer of custody to the DCP.

b. Supervisors must ensure detainees are escorted quickly to the DCP or DHA based on security, operational conditions, and available transportation.

**5. Point of capture is the first decision point to retain or release**

a. Review circumstances of capture, confiscated items, and intelligence and evidentiary value to provide a thorough assessment.

b. Report to chain of command with sufficient information to make an informed decision before moving out.

c. When all detainees have been processed, update higher HQ on the situation, to include:

(1) Date, time, and location of capture.

(2) Total number of detainees, their categories (if known), and all capture tag serial numbers.

(3) Any confiscated items of intelligence value.

(4) Any acts or allegations of inhumane treatment or abuse.

(5) Any detainees requiring medical assistance.

d. Coordinate evacuation of detainees with the higher HQ. Supervisors must:

(1) Obtain the location of the designated collection point and execute the mission.

(2) If another unit will transport the detainees, coordinate the date, time, and location of custody transfer.

(3) If not already factored by HQ, request additional resources to include food, water, and other support along the escort route.

**Detainee Classification**

The DoD definition of a detainee is any person captured, detained, held or otherwise under the control of U.S. armed forces. Detainees are classified as belonging to one of the following categories: enemy prisoner of war (EPW), civilian internee, retained personnel, or enemy combatant. All detainees are treated as EPW until a precise legal status is determined.

1. **EPW:** A detained person as defined in Articles 4 and 5 of the Geneva Conventions Relative to the Treatment of Prisoners of War of August 12, 1949. In particular, one who, while engaged in combat under orders of his or her

## DETAINEE OPERATIONS AT THE POINT OF CAPTURE

government, is captured by the armed forces of the enemy. EPWs are categorized as members of armed forces, organized militia, volunteer corps, or a person who accompanies the armed forces without actually being a member.

**2. Civilian internee:** A civilian who is interned during armed conflict or occupation for security reasons, protection, or because he has committed an offense against the detaining power, and is entitled to the “protected person” status under the Geneva Conventions (GC).

**3. Retained personnel:** Enemy personnel who come within any of the categories below are eligible to be certified as retained personnel:

- a. Medical personnel who are members of the medical service of their armed forces.
- b. Medical personnel exclusively engaged in the search, collection, transport, or treatment of the wounded or sick, prevention of disease, or Soldiers who belong exclusively to the administration of medical units and establishments.
- c. Chaplains attached to enemy armed forces.
- d. Staff of the International Committee of the Red Cross and other voluntary organizations.

**4. Enemy combatant:** A person engaged in hostilities against the U.S. or its coalition partners during an armed conflict. The term enemy combatant includes both lawful combatant and unlawful combatant.

a. Lawful enemy combatants are entitled to protections under the GC.  
Lawful enemy combatants include:

- (1) Members of the regular armed forces of a State that is party to the conflict.
- (2) Militia, volunteer corps, and organized resistance movements belonging to a State that are party to the conflict, which are under responsible command, wear a fixed distinctive sign recognizable at a distance, carry their arms openly, and abide by the laws of war.
- (3) Members of regular armed forces who profess allegiance to a government or an authority not recognized by the detaining power. A lawful enemy combatant is entitled to protections under the Geneva Conventions.

b. Unlawful enemy combatants are persons not entitled to combatant immunity, who engage in acts against the United States or its coalition partners in violation of the laws and customs of war during an armed conflict. Spies and saboteurs are traditional examples of unlawful enemy combatants. For purposes of the war on terrorism, the term unlawful enemy combatant is defined but is not limited to an individual who is or was part of

or supporting Taliban or al Qaeda forces or associated forces that are engaged in hostilities against the U.S. or its coalition partners.

## **Chapter 3**

### **Guarding Detainees**

All Soldiers, regardless of military occupational specialty or duty, must be prepared to guard detainees. Once captured, detainees will be guarded continuously from the point of capture (POC) until their eventual release.

Detainee operations are dangerous; they are the only military operations that require sustained, close contact with enemy/criminal persons. Expect detainees to continue to plan and attempt to escape, disrupt detention operations, and harm or harass their captors. Any relaxation of security will be immediately detected and fully exploited. Expect detainees to keep a close eye on guards to discern patterns, detect gaps in monitoring routines, listen to conversations, and use any information gleaned to their advantage.

#### **Key Points for Soldiers and Leaders on Guarding Detainees**

##### **Detainees should be firmly controlled**

1. Detainees should be either restrained or confined.
2. Assign appropriate guard numbers and locations based on the following:
  - a. Number of detainees.
  - b. Segregation requirements.
  - c. Level of detainee threat/risk.
  - d. Type and design of confinement space available.
3. Maintain vigilance; rotating guards keeps them alert.
4. Soldiers should not both guard detainees and provide operational security at the same time.
5. Guards must be trained and prepared to react decisively in accordance with (IAW) rules of engagement (ROE)/rules on the use of force (RUF).
6. Guards are responsible for detainees' safety and well-being.
  - a. Protect detainees from combat hazards, inhumane treatment, and inappropriate conditions.
  - b. Guards will ensure detainees are provided adequate food, water, clothing, and shelter.

## **CENTER FOR ARMY LESSONS LEARNED**

- c. Guards must afford detainees access to latrines and personal hygiene resources as available.
7. Guards must be fully trained on the capabilities and limitations of available nonlethal technologies.
- a. Conduct a thorough risk assessment before integrating new technology into detainee operations.
  - b. Train and incorporate new technologies into unit standing operating procedures (SOP) before integrating them into security operations.
8. Use an interpreter whenever possible.
9. Always use restraints when in contact with, escorting, or otherwise handling detainees.
- a. Periodically check restraints to ensure they are secure without restricting circulation.
  - b. Remove restraints when detainees are placed in a confinement space or other adequate confinement facility. Restraints may be used in a cell to protect a detainee from self-harm.
  - c. Restraints normally should allow detainees to stand, sit, and lie in a prone position.
10. Other than fastening seat belts for detainees while they are traveling in vehicles, avoid restraining detainees to fixed structure or objects (such as the vehicle body) while in transit.
- a. Vehicle collisions could severely injure restrained limbs.
  - b. Ensure detainees are seat-belted on aircraft.
11. Do not daisy-chain detainees (i.e., chain two or more detainees together in a serial configuration).
12. Always maintain positive control and accountability of detainees.
13. Ensure weapons are functional, loaded, and ready for use if needed (remember ROE and RUF).
14. Take an appropriate position and stay alert.
- a. Guards must fully understand the limits of their post.
  - b. Guards should be close enough to maintain positive control but far enough away to allow defensive reaction time.

## **DETAINEE OPERATIONS AT THE POINT OF CAPTURE**

- c. Guards face toward the detainee(s), observe everything in their line of sight, and report all incidents to their supervisor.
- d. When positioned with others, all guards must understand their mutually supported sectors of fire, communications, and battle drills.
- e. Observe and report detainee behavior. This passive intelligence collection is not only permitted, it is critical during law enforcement and intelligence processing. For example, report the following:
  - (1) During a medical exam, detainee speaks fluent English, but during interrogation feigns no knowledge of English whatsoever.
  - (2) Detainee demonstrates leadership by providing instructions to other detainees.

### **Detainees should be segregated and silent**

1. Ensure the detainees remain segregated. If a detainee attempts to move out of the designated area or advances on a guard:
  - a. Use language (interpreter) or hand signals to stop the behavior.
  - b. If the detainee continues, react in accordance with published ROE/RUF.
  - c. Notify supervisor and document accordingly (i.e., on the staff duty journal).
2. Ensure detainees remain silent. Prevent detainees from communicating with one another or from making audible clamor such as chanting, singing, praying, etc. This is to ensure the safety of Soldiers and other detainees. Use an interpreter if available.
3. Do not speak to detainees unless providing orders/instructions. Answer necessary questions, but do not answer personal questions or questions that may compromise or hinder the mission.
4. If a detainee attempts unauthorized communication with other detainees:
  - a. Attempt to stop the behavior using language (via interpreter) and/or hand signals. Do not use physical force to silence detainees.
  - b. If the individual continues the behavior, report to supervisor and segregate or muffle as appropriate IAW unit SOP.
  - c. Muffle detainee using a soft, clean cloth stretched across the mouth and fastened around the back of the head.
    - (1) Do not place items in the mouth, hood the detainee, or use tape or other adhesives.



- (2) Do not harm detainees or impede their ability to breathe.
- (3) Check detainees periodically to ensure they are not injured.
- (4) Muffle only for as long as needed to stop the unauthorized communications.

**Safeguard detainees**

Guards must observe rigid self-discipline and maintain professional attitudes at all times.

1. U.S. policy requires that Soldiers provide humane treatment and care to detainees from the moment of their capture until their eventual release or repatriation. Army values are the foundation for the humane treatment of all detainees during the course of a conflict. These fundamentals require and direct that all persons be accorded humane care and treatment while detainees are under U.S. or coalition custody, control, or care.
2. Prevent, stop, correct, report, and document incidents of inhumane treatment, abuse, or inappropriate conditions. Correct and report violations of U.S. military policy that occur while safeguarding detainees. It is an inherent responsibility of all Soldiers to report detainee abuse to their supervisor for documentation and investigation. Acts and or omissions that constitute inhumane treatment are violations of the law of armed conflict, and as such must be corrected immediately. Simply reporting violations is insufficient. If a violation is ongoing, a Soldier has an obligation to stop the violation as well as report it. Provide information to supervisor by documenting allegations of abuse and other incidents in the DA Form 1594, Staff Duty Journal.
3. Protect detainees from combat hazards and conflict with each other. Protect detainees from the civilian populace, public curiosity, improper treatment or care, and any emergency situation IAW unit SOPs.
4. Protect women and children from any form of sexual abuse or harassment.
5. Do not videotape or photograph a detainee except for administrative purposes. For example, it is appropriate to take a photograph to document injuries (or lack thereof) for medical files or to use in personnel, intelligence, investigative, and similar files.

**Note:** Simply reporting a violation is not sufficient!  
You have an obligation to STOP IT!

### **Rules of Engagement/ Rules on the Use of Force**

1. The local ROE/RUF provides a legal template from which to engage combatants.
2. The ROE/RUF may be different or specifically tailored for detainee operations.
3. ROE/RUF may change between pre and post-capture operations. An armed individual in a threatening position must be treated differently than a disarmed and restrained person who is generally unable to protect himself or threaten Soldiers while in that condition.
4. Soldiers are personally accountable to understand and appropriately employ ROE/RUF. Leaders will brief and train Soldiers on the ROE/RUF. Soldiers must be prepared to make split-second decisions IAW local ROE/RUF. Soldiers will not be prepared to respond appropriately and risk taking an improper action for which they could be held liable, unless:
  - a. They thoroughly understand the ROE/RUF.
  - b. They have trained on the ROE/RUF.
  - c. They have rehearsed the ROE/RUF for each specific mission.
5. Guards must fully understand:
  - a. Thresholds for the use of deadly force.
  - b. Thresholds for the use of nonlethal force.
  - c. Requirements for warnings.

### **Response to escape attempts**

1. React to an escape IAW rehearsed battle drills and SOP.
2. Adhere to local ROE/RUF.
3. Maintain situational understanding:
  - a. Allow Soldiers/guards closest to the escapee to recover the detainee.
  - b. Others/designated guards remain focused on remaining detainees.
  - c. Expect remaining detainees to attempt to exploit an escape or any disruption.
4. Always apply the minimum level of force to regain control of detainees. Do not fire on detainees still contained within the controlled area.

## **CENTER FOR ARMY LESSONS LEARNED**

5. Segregate those who attempt escape to prevent reoccurrence and their ability to influence other detainees.

6. Assess escapes thoroughly to prevent future occurrence.

7. ROE/RUF in an escape attempt will normally follow the actions listed below.

Use an interpreter, if one is available:

a. Order the detainee to halt in the local language when possible. Repeat the order twice (for a total of three "Halt" commands) if the detainee does not stop after the first order.

b. If the detainee stops by the third order:

(1) Allow Soldiers closest to the escapee to recover the detainee.

(2) Maintain security.

c. If the detainee does not stop:

(1) Use minimum force necessary to prevent escape or recapture an escapee. An individual weapon is used only as a last resort.

(2) Allow Soldiers closest to the escapee to recover the escapee and maintain security.

## **Chapter 4**

### **Escorting and Transporting Detainees**

When detainees have been processed, a unit will be assigned the mission to escort detainees away from the point of capture (POC) to a designated detainee collection point (DCP) or detainee holding area (DHA) in a more secure location. If the unit does not currently have custody of detainees, it will have to execute a transfer of detainee and property custody prior to escort.

#### **Plan Detainee Escort**

1. When a decision is made to transfer custody of detainees from any location along the chain from POC to theater internment facility (TIF), supervisors must plan the escort operation.
2. Upon receipt of orders, plan the detainee escort mission:
  - a. Confirm mission, route, date/time, number of detainees, number of detainee guards, and transportation mode. The means of transport will vary and can include movement by foot, vehicle, or aircraft.
  - b. Plan convoy escort based on a risk assessment of the detainee status, security and force protection needs, and logistical resource requirements.
  - c. Task organize personnel to complete the mission. Leaders must:
    - (1) Consider guard-to-detainee ratio based on threat, nature of detainees, route, timing, external risks, etc.
    - (2) Identify Soldiers for guard force and train/brief and rehearse roles and responsibilities.
    - (3) Identify Soldiers for the security force and train/brief duties and rules of engagement (ROE)/rules on the use of force (RUF).
3. Conduct route/map reconnaissance.
  - a. Consider likelihood or presence of sympathizers and hostile local nationals (terrorists and improvised explosive devices [IEDs]).
  - b. Determine location of military police units or other security units along route.
  - c. Determine rest stops.
  - d. Determine additional resources required including food, water, and sustainment items for convoy.

4. Ensure Soldiers understand and rehearse actions during:

a. The conduct of the convoy, to include the route, order of march, convoy speed, etc.

b. Planned stops. These scheduled stops have been coordinated and approved through the chain of command. The stops may occur in local friendly towns, at coalition forward operating bases, or in safe locations secured by friendly forces. Always maintain situational awareness, emplace security elements, and ensure guards are alert, even when stops occur in more secure areas. Notify higher headquarters of arrival and departure and conduct halts in accordance with (IAW) published movement schedule.

(1) Fuel, supplies, or meals. Maintain security and accountability of detainees. Ensure guards monitor detainees at all times. If a detainee has to be unrestrained for any reason, emplace appropriate guards and put the detainee back in restraints as soon as possible.

(2) Latrine use by detainees during stops. Only guards of the same sex should observe detainees during latrine breaks.

c. Unexpected stops. Stops can happen at any time, and Soldiers need to be ready for the unexpected. Reasons range from vehicle breakdowns to inclement weather to hostile actions. Report the unexpected stop to higher headquarters IAW standing operating procedures (SOP)/operations order. Request support as necessary.

(1) Vehicle breakdown. Provide security and continue to guard detainees. Keep detainees in their escort serials to maintain appropriate security and segregation.

(2) Injury/illness. Provide combat life saver or medical attention as required for any and all injuries or illnesses that occur during transport. Soldiers should be rehearsed in medical evacuation procedures in the event of serious injury or illness during transport.

(3) Traffic accident. Respond to the vehicle(s) involved; maintain security of the perimeter and detainees being transported. Available personnel should respond and provide first aid to the injured. Report accident to higher headquarters and request assistance.

d. IED or vehicle-borne improvised explosive device (VBIED) attack. IEDs are currently the leading cause of death, injury, and destruction of U.S. forces and equipment. IEDs come in a variety of shapes and sizes and may be difficult to distinguish along debris-strewn roads.

(1) The majority of IEDs are placed during darkness to limit the chance of individuals being seen or confronted while installing the device.

(2) IEDs are usually command-detonated by wire or remote control and usually require unobstructed observation from a remote location (IED to "triggerman").

## **DETAINEE OPERATIONS AT THE POINT OF CAPTURE**

- (3) If an IED is suspected, bypass the area and report IAW SOP.
- (4) VBIEDs are IEDs placed in vehicles and either parked along a roadside or driven by suicide drivers who target convoy formations.
  - (a) This technique often targets halted or slow moving convoys and groups of Soldiers.
  - (b) A VBIED may be concealed in a parked or broken-down/abandoned vehicle.
- e. Ambush (aircraft/vehicle/sniper). React to ambush IAW unit battle drills.
- f. Detainee initiated disturbances. Detainees may seek opportunities to exploit vulnerabilities associated with security and escort operations. React quickly to restore positive control using minimum force necessary and segregate detainees to avoid similar circumstances/conditions.
- g. Detainee/local population interaction. Such interaction can increase escort risk by inciting local populations. The best way to avoid detainee interaction with local populations is to mask detainees using tarps or window coverings and maintain strict operational security (OPSEC). Enforce silence at all times.
- h. Escape attempts. Ensure Soldiers understand ROE for escape attempts.
- i. Planning should consider the potential that some incidents during the escort operation may result in the capture of additional detainees.

### **Prepare Detainees for Transport**

1. Prior to loading detainees for movement, prepare detainees for transport.
  - a. Direct Soldiers to search detainees for any weapons or contraband that may have been missed by the initial search.
  - b. Prepare a manifest (roster) listing all of the detainees being transferred. Manifest detainees using a locally produced manifest. Use any appropriate method available (computer program, pencil and paper, etc.) to create a manifest that includes the minimum required information:
    - (1) Name (if known).
    - (2) Capture tag serial number (the only number used to account for a detainee until an internment serial number (ISN) is assigned at a TIF).
    - (3) Capturing unit.
    - (4) Vehicle in which they will be transported.
    - (5) Destination.

## **CENTER FOR ARMY LESSONS LEARNED**

2. Inventory detainees by capture tag serial number. Ensure each detainee has been tagged using the DD Form 2745, Capture Tag and that Part A is hanging visibly from the detainee. If this is not complete, ensure the releasing unit prepares the tag prior to accepting custody of the detainees. The capturing unit must prepare the tag(s).
3. Inventory confiscated item bundles using the DA Form 4137, Evidence/Property Custody Document. Account for all confiscated equipment/material, link to the capture tag serial number, and tag with Capture Tag, Part C. If not, have the releasing unit prepare the proper documentation prior to accepting the property. The capturing unit must prepare the proper accountability documents.
4. Brief detainees on the planned movement. Use an interpreter to give clear, brief instructions in their own language, if possible. Give no more information than necessary to the detainees. As a minimum, brief them on the following:
  - a. Actions taken upon hearing the command “Halt.”
  - b. A reminder that the “silence rule” applies at all times.
  - c. Actions taken during an emergency (e.g., delay, crash, etc.).
  - d. Hand-and-arm signals to direct detainee movement.
  - e. Implication and guard-force response to escape attempts.

**Note:** It may become necessary to muffle and/or blindfold unruly detainees. This decision will be made IAW unit SOP. Detainees are only blindfolded for purposes of OPSEC. There is no other reason to blindfold detainees. If required and authorized, silence uncooperative detainees by muffling them with a soft, clean cloth tied across the mouth and fastened around the back of the head. Do not harm detainees or restrict their ability to breathe. Do not use duct tape or other adhesives, place cloth or objects inside the mouth, or use physical force to silence detainees. Do not cover detainees’ heads with bags. Instruct guards to periodically check detainees to ensure they are unharmed. Muffle detainee only for as long as needed.

5. Ensure detainees are properly restrained during transport.
  - a. Detainees are not normally daisy-chained together or restrained to a fixed object during movement, unless by reason of military necessity or commanded by a higher authority, as this greatly increases the chance of severe injury to restrained limbs in a vehicle collision.
  - b. Always ensure detainees are seat belted while onboard an aircraft.
6. Maintain segregation to the maximum extent possible.





**Figure 4-1: Moving detainees on foot**

### **Movement by foot**

1. Operational considerations for detainee movements by foot:
  - a. Most vulnerable means of transport.
  - b. Extremely dangerous during movement through urban terrain.
  - c. Normally used when necessary to move quickly from the POC.
  - d. Normally not used for distances exceeding five miles.
  - e. Normally not used for uncooperative detainee populations.
  - f. Ensure detainees are fully able to walk.
  - g. Ensure detainees have appropriate footwear.
  - h. Hold, await reinforcement, and transportation should always be considered first before choosing to move by foot.
2. Put detainees in close-column formation. Leaders have discretion to place flexible cuffs to the front when moving detainees by foot. Factors to consider for this decision should include type of terrain, distance, and length of travel. Detainees should not be blindfolded during this type of movement.
3. Place escort vehicles at front and rear of columns.
  - a. Transport supplies in vehicles.
  - b. Designate a vehicle in the rear of the formation for chase/straggler control.
  - c. Designate a separate vehicle in the rear for medical support.

d. Designate walking guards on the flanks. The numbers required will be based on mission, enemy, terrain and weather, troops and support available, time available, and civil considerations and the supervisor's discretion.



**Figure 4-2: Transporting detainees in wheeled vehicles**

### **Transportation by wheeled vehicle**

#### 1. Operational considerations for transport by wheeled vehicle:

- a. Vehicles are most common transport from POC to DCP/DHA. Movement by wheeled vehicle could include a bus, military trucks (e.g., family of tactical vehicles/2.5 ton-5 ton), or other appropriate wheeled vehicle.
- b. Wheeled vehicles are the most reliable means of transport.
- c. Units can use organic vehicles or request transport via cargo trucks or buses.
- d. Avoid using team vehicles when possible (high mobility multipurpose wheeled vehicles, etc).
- e. Mask the identity of detainees by using tarps or window covers when possible.
- f. Always provide guards to the rear of open top/back vehicles.
- g. Wheeled vehicles are vulnerable when transiting urban areas.
- h. Use normal convoy procedures IAW local SOPs.
- i. Search each vehicle to ensure no contraband or weapons are present.
- j. Position guards at the front and rear of each vehicle.
- k. Place escort security vehicles at the front and rear of columns.

## DETAINEE OPERATIONS AT THE POINT OF CAPTURE

- l. Designate vehicle(s) in the rear to provide flank security and chase.
  - m. Ensure Soldiers assist restrained detainees in mounting and dismounting from vehicles.
2. Transportation by cargo truck (2.5 ton-5 ton).
    - a. One armed guard boards first. This guard must stand at the rear of the cab facing the detainees during the detainee-loading process.
    - b. Use vehicle tarp for shelter and to mask detainees from local populations.
    - c. Tightly position detainees along the bench seat.
    - d. Do not allow detainees to stand, sit, or lie on the floor; only use the troop seats. If there are no seats, position detainees on the floor along the outside cargo bed walls IAW the diagram (it is important to keep a clear aisle for access).
    - e. Use safety strap across back of vehicle.

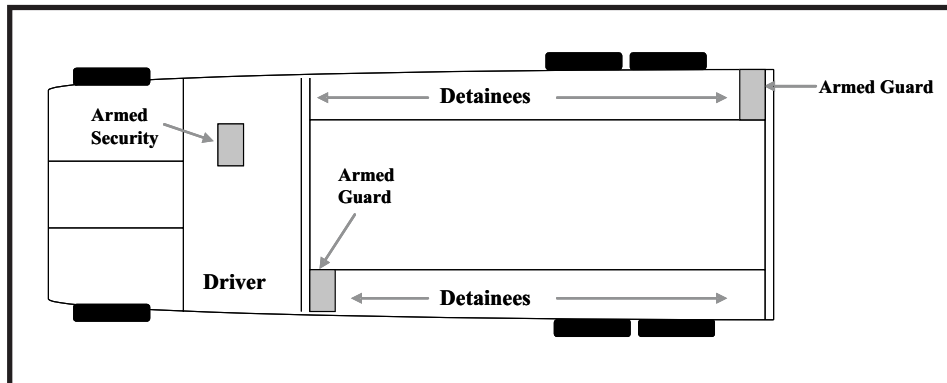


Figure 4-3: Positioning of guards in a cargo truck

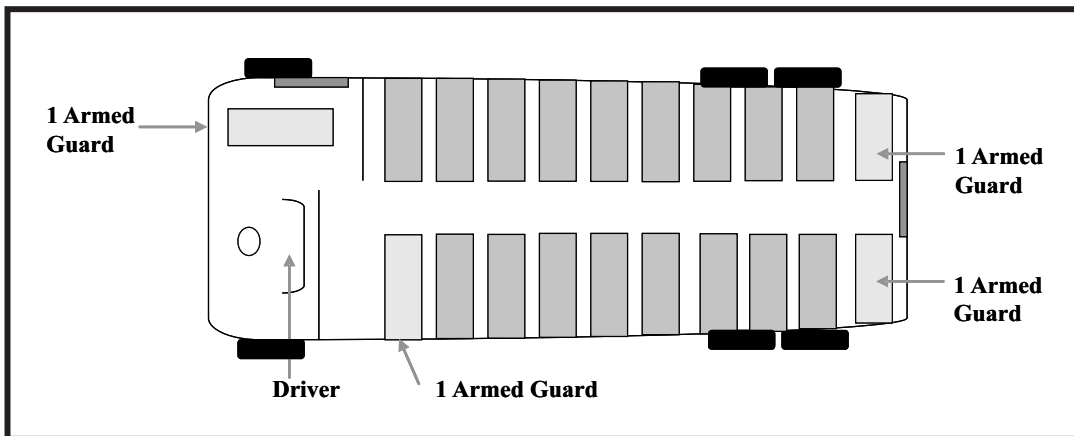


Figure 4-4: Transporting detainees via bus

3. Transportation by bus

Detainees should be restrained prior to boarding and not attached to the bus infrastructure or other fixed objects unless absolutely necessary for control.

- a. One armed guard boards first. This guard must stand at the rear of the bus facing the detainees during the detainee-loading process.
- b. Move the detainees onto the vehicle one at a time, guiding and placing each of them into their seated position (remember their hands are cuffed behind their backs and they are wearing blindfolds).
- c. Leave one seat open for the guard next to the driver's cab and leave the last seats open for a total of two armed guards at the rear of the vehicle.
- d. Position up to two detainees per seat.
- e. Do not allow detainees to stand, sit, or lie on the floor.
- f. Lock doors from external threats.
- g. Use window covers when available.



**Figure 4-5: Positioning of guards in bus when transporting detainees**



**Figure 4-6: Moving detainees by aircraft**

### **Transportation by air**

1. Operational considerations for transport by air, rotary-wing, and fixed-wing:
  - a. Least vulnerable means of transport from external threats.
  - b. Requires additional training and rehearsals.
  - c. Flexible transport system but weather dependent.
  - d. May require additional transport to and from airfield.
  - e. Requires a higher guard-to-detainee ratio.
  - f. Requires different ROE/RUF; do not use firearms onboard an aircraft.
2. When escorting by air:
  - a. Always seat belt detainees; secure detainees to internal structure if appropriate.
  - b. Follow instructions of aircraft commander/crew chief for flight operations rules. These rules may include requirements for seat belts, hearing protection, special restraint requirements, etc.
  - c. Use normal air escort procedures IAW local SOP.
  - d. Search aircraft before and after mission to ensure no contraband or weapons are present.
  - e. Ensure Soldiers assist restrained detainees on and off aircraft.
  - f. Detainees maybe placed in restraints, blindfolded, and then placed on the aircraft according to the direction of the crew chief or aircraft commander.

g. There may be a need to place restraints on detainees' ankles as well, based on guidance from the aircraft commander or crew chief.

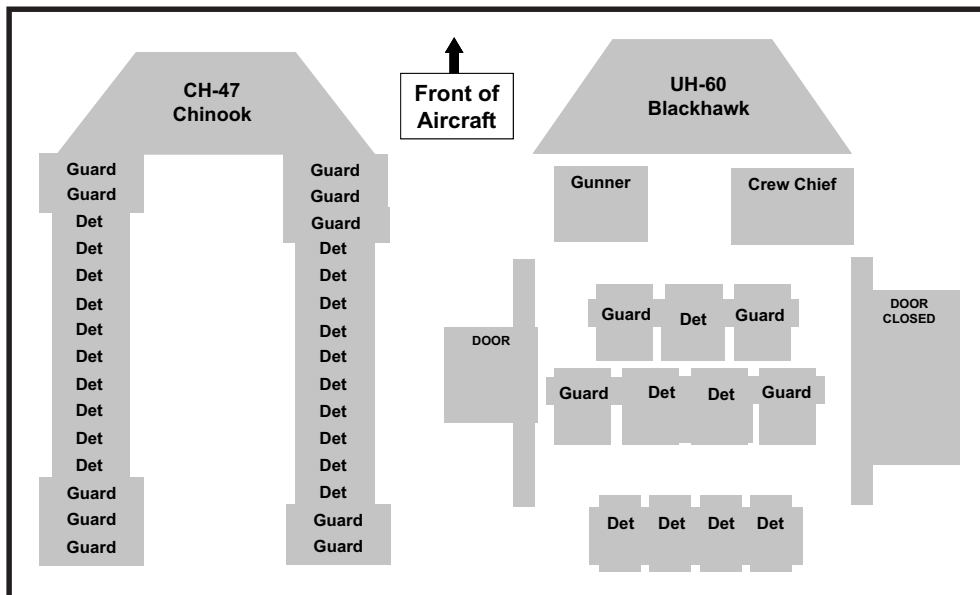


Figure 4-7: Guard and detainee positioning varies according to aircraft

### Supervise and Monitor the Execution of the Mission

Ensure guards remain vigilant at all times. Detainees will identify and exploit signs of guard boredom, complacency, and fatigue. Monitor to ensure Soldiers:

- a. Always maintain weapon control and muzzle awareness.
- b. Maintain detainee silence and segregation.
- c. Restrain detainees appropriately and check restraints periodically.
- d. Use a guard overwatch when in contact.
- e. Eliminate/reduce any contact between detainees and local population.
- f. Prepare for actions at planned stops; anticipate actions at unexpected stops.
- g. Maintain continuous contact with headquarters and execute IAW local SOPs.
- h. Direct response actions during emergencies.
- i. Correct, report, and document any allegations of detainee abuse.

### **Transfer Detainee and Property Custody**

1. Upon arrival at the designated location (DCP, DHA, or TIF), coordinate with the gaining unit assuming custody of the detainees.

- a. Continue to provide security until properly relieved of custody.
- b. Review the detainee escort manifest with the custodian.
- c. Using the escort manifest, conduct a joint inventory of all detainees, pertinent documents, and confiscated items.

(1) Capture Tag: parts A, B, and C.

(2) DA Form 4137.

(3) Confiscated items.

(4) Detainee personnel/medical file or information, if available.

(5) Provide any additional information regarding the circumstances of capture.

(6) Provide a unit point of contact for any necessary follow-up.

d. Upon completion of the joint inventory, the escort supervisor signs release of confiscated items on the DA Form 4137. The gaining custodian signs receipt of confiscated items on the DA Form 4137, prepares and signs the DD Form 2708, Receipt for Inmate or Detained Person, and returns the completed receipt to the escort supervisor.

e. Transfer custody of the detainee, respective documents, and confiscated items. Supervisors should retain copies of the custody transfer documents for unit records when possible.

2. Brief custodian on all issues or information pertaining to the detainees or their conduct during the escort.

3. Notify higher headquarters of the total number of detainees transferred by capture tag serial number.

4. DD Form 2708 is required to transfer custody of a detainee. When a detainee is received:

a. Ensure that a DD Form 2708 is used to transfer custody of a detainee to the DCP, DHA, or to another gaining unit/authority.

b. Unless the detainee has already received an ISN, use the capture tag serial number to document the custody transfer.



**CENTER FOR ARMY LESSONS LEARNED**

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- c. Direct a joint inventory of all pertinent documents and confiscated items with the gaining custodian by capture tag serial number.
- d. Return a copy of the receipt to unit for the records.

RECEIPT FOR INMATE OR DETAINED PERSON		
1. RECEIVED FROM <i>(Unit or Agency and Station)</i>	2. TIME	3. DATE (YYMMDD)
4. INMATE NAME <i>(Last, First, Middle)</i>	5. SSN	6. GRADE
7. ORGANIZATION	8. STATION	
9. OFFENSE _____ _____		
10. PERSONAL PROPERTY _____ _____		
11. REMARKS _____ _____		
12. NAME AND TITLE OF PERSON RECEIVING ABOVE INDIVIDUAL	13. SSN	14. GRADE
15. RECEIVING UNIT OR AGENCY AND STATION	16. SIGNATURE	

DD FORM 2708, NOV 1999

**Figure 4-8: DD Form 2708**

**Note:** Ensure Soldiers search transport vehicles before and after each escort mission for contraband.

## **Chapter 5**

### **Tactical Questioning**

#### **Every Soldier Can Provide Useful Information**

Small units and individual Soldiers contribute to situational awareness and facilitate human intelligence (HUMINT) collection in various ways. Tactical questioning is a critical element of small unit operations. Through tactical questioning, Soldiers observe, interact with the local environment during the conduct of missions, control enemy prisoners of war (EPWs)/detainees, and handle captured enemy documents and equipment. Soldiers serve as the commander's "eyes and ears" when they:

1. Execute traditional offensive or defensive missions.
2. Conduct a patrol in a stability operation.
3. Man a checkpoint or a roadblock.
4. Occupy an observation post.
5. Pass through areas in convoys.
6. Do anything that involves observing and reporting elements of the environment and activities of the population in the area of operations (AO).

#### **Tactical questioning is the expedient initial questioning for information of immediate value.**

1. When the term applies to interaction with the local population, it is not truly questioning but is more conversational in nature. The task can be designed to build rapport as well as to collect information and understand the environment.
2. The Soldier conducts tactical questioning based on the unit's standing operating procedures, rules of engagement, and the order for that mission.
  - a. Small unit leaders must include specific guidance for tactical questioning in the operations order for appropriate missions.
  - b. The brigade and battalion S2s and S3s must provide appropriate specific guidance in the form of special orders and requests down to company, troop, or battery level to help guide tactical questioning.
3. The information that the Soldier reports as a result of tactical questioning will be passed up the chain of command (some to the battalion S2 and brigade S2) and form a vital part of planning and operations. Careful and quick handling of EPWs/detainees and documents also helps the intelligence effort.

### **Interaction with the Local Populace**

#### **Collecting information**

1. Information collection can and should occur at all times in an operational environment. Collection of combat information consists of becoming familiar with the surrounding environment, including the people, infrastructure, and terrain, as well as recognizing change. Like a police officer “walking the beat” in a neighborhood day after day, Soldiers at all ranks and echelons must be able to recognize that something has changed and, if possible, why. Even if the Soldier cannot determine why something changed, simply reporting that there has been change may help military intelligence personnel. Soldiers should train themselves to become constantly aware of conditions such as:

- a. **Armed elements:** Location of factional forces, minefields, and potential threats.
- b. **Homes and buildings:** Condition of roofs, doors, windows, lights, power lines, water, sanitation, roads, bridges, crops, and livestock.
- c. **Infrastructure:** The presence of functioning stores, service stations, etc.
- d. **People:** Numbers, gender, age, residence or displaced persons, refugees, and evacuee status, visible health, clothing, daily activities, and leaders.
- e. **Contrast:** Has anything changed? For example, are there new locks on buildings? Are windows boarded up or previously boarded-up windows now open, indicating a change of use of a building? Have buildings been defaced with graffiti?

2. If everyone is involved in the collection of combat information, then everyone must also be aware of the information requirements (IR). All Soldiers who have contact with the local population, routinely travel within the area, or frequently attend meetings with local organizations must know the commander’s IR and carry out their responsibility to observe and report.

#### **Key considerations for talking**

1. There are elements of communication to consider that can make a conversation more effective and productive. Various AOs will have different social and cultural considerations affecting communications and the conduct of operations. These may include social taboos, desired behaviors, customs, and courtesies. The staff must include this information in pre-deployment training at all levels to ensure Soldiers are properly equipped to interact with the local populace. Soldiers must also keep in mind safety considerations and possible dangers associated with their actions. Soldiers should:

- a. Know the threat level and force protection measures in their AO.

- b. Be knowledgeable of local customs and courtesies.
- c. Be mindful of their own body language.
- d. Approach people in normal surroundings to avoid suspicion.
- e. Be friendly and polite.
- f. Remove sunglasses when speaking to people with whom they are trying to create a favorable impression.
- g. Know about the local culture and learn a few phrases in the native language.
- h. Understand and respect local customs (for example, if male Soldiers should not speak to women, or female Soldiers should not speak to men).
- i. When security conditions permit, position a weapon in the least intimidating position.

### **Questions**

1. Questions are the best way to open and maintain a conversation. Try to use open questions that cannot be answered “yes” or “no.” An open question is a basic question normally beginning with an interrogative (who, what, where, when, how, or why) and requires a narrative answer. Keep questions brief and simply worded to avoid confusion. Example: “When was the last time an enemy patrol passed through here?” is a better question than “Have you seen the enemy?” The better question requires a narrative response and requests specific elements of information.
2. Well-crafted open questions:
  - a. Are broad in nature and serve as an invitation to talk. They require an answer other than “yes” or “no.”
  - b. Result in the individual answering being allowed freedom in answering. These questions do not offer a forced choice such as “Was the man tall or short?” Not only could the answer be misleading, but the question doesn’t allow for responses such as “average height,” “medium,” or other descriptive responses.
  - c. Encourage discussion. Demonstrate interest in his opinion or observations.
  - d. Allow the individual to talk while carefully listening and observing details such as tone, expression, and eye contact. While the person is answering questions, watch for signs of nervousness or other non-verbal cues.

- e. Pose little or no threat to the individual. Not all questioning is targeted at information collection. Asking questions about neutral or “safe” topics can build rapport.
- f. Allow people to become involved. People like to think their opinions are important. Asking what people think helps them feel involved.
- g. Obtain answers that reveal what the person thinks is important. If relating an experience, people will often begin with what is most important to them.
- h. Create a conversational tone. For example, a simple question about family, work, or hobbies allows a person to talk freely since the topic is non-threatening. These non-pertinent questions can serve as a springboard to topics more closely related to the collection requirement, often without the person who is being questioned even realizing that the topic has changed.

3. Be subtle throughout the conversation. Remember to be sociable yet reserved at all times. Rattling off a series of questions and writing down the responses will not gain the trust of the individual being questioned.

### **Maintaining the conversation**

1. Once a conversation is established, here are some common techniques to maintain the conversation:

- a. Avoid use of military jargon, especially with civilians.
- b. Be prepared to discuss personal interests (hobbies, books, travel).
- c. Be sensitive to body language.
- d. Smile as long as it is appropriate.
- e. Avoid sitting with arms crossed.
- f. Do not show the soles of the feet in an Arabic culture.
- g. Keep hands away from the mouth.
- h. Lean forward and nod at appropriate times.
- i. Make frequent eye contact (if culturally appropriate).

2. Additional tips:

- a. Use the person’s name, position title, rank, and/or other verbal expressions of respect.
- b. Avoid judging the person by age, gender, or appearance.
- c. Body posture should appear relaxed but remain alert.

- d. Remember most people like to talk about themselves.
- e. Use humor carefully. Some cultures consider excessive humor to be offensive or a sign of deceit.
- f. Understand and take into account the significance of holidays and religious days or times of the day or week.
- g. Have a second person listen to the conversation and later compare what each one heard for accuracy of recall.

### **Tactical Questioning of Detainees**

1. When conducting tactical questioning of detainees, follow the provisions of the Geneva Conventions (DA PAM 27-1, *Treaties Governing Land Warfare*) at all times. Soldiers must not mistreat detainees in any way.
2. General guidance when conducting tactical questioning:
  - a. Do not use interrogation approaches in an attempt to force or scare information from detainees. Only trained and certified interrogators (such as HUMINT teams) may conduct interrogations.
  - b. Do not pay money or offer compensation for information.
  - c. Try to avoid questioning a detainee in a public location or ask questions which may be overheard by others and later result in retaliation against the detainee. Be discreet. When possible, question a detainee out of sight and hearing of their fellow detainees or passersby.
  - d. Avoid asking leading questions. Leading questions are questions that are constructed as to require a “yes” or “no” answer rather than a narrative answer. Leading questions encourage the individual to answer with a response he or she thinks the interrogator wants to hear, not necessarily the truth. For example, “Is Group XYZ responsible?” is a leading question.
  - e. Avoid asking negative questions. Negative questions contain a negative word in the question itself, such as “Didn’t you go to the warehouse?”
  - f. Steer clear of compound questions. Compound questions consist of two questions asked at the same time; for example, “Where were you going after work and who were you meeting there?”
  - g. Do not ask vague questions. Vague questions do not have enough information for the person to understand exactly what is being asked. Such questions may be incomplete, general, or otherwise nonspecific and create confusion or lead to mutual misunderstanding.

**3. Do:**

- a. Ask only basic questions as described in this chapter.
- b. Move detainees to a detention facility as quickly as possible.

**Using Interpreters**

1. The use of interpreters is an integral part of the information collection effort. Use of an interpreter is time-consuming and potentially confusing. Proper use and control of an interpreter is a skill that must be learned and practiced to maximize the potential of collection.

2. Perhaps the most important guideline to remember is that an interpreter is essentially a mouthpiece; repeating what the interrogator says, but in a different language. This sounds simple, but for those who have never worked with interpreters, problems can quickly develop.

3. Upon meeting an interpreter, it is important that to assess his proficiency in English. Use an interpreter who has a firm grasp of English and the terminology that may arise.

4. Following are several tips that should prove useful when working with an interpreter:

a. Placement:

(1) When standing, the interpreter should stand just behind the interrogator and to the side.

(2) When seated, the interpreter should sit right beside the interrogator, but not between the interrogator and the individual being questioned.

b. Body language and tone:

(1) Have the interpreter translate messages in the same tone.

(2) Ensure the interpreter avoids making gestures.

c. Delivery:

(1) The interrogator should talk directly to the person with whom they are speaking rather than the interpreter.

(2) Speak as in a normal conversation, not in the third person. For example, do not say to the interpreter, "Tell him that..." Instead speak to the detainee directly, i.e. "I understand that you..." and instruct the interpreter to translate.



(3) Speak clearly, avoid acronyms or slang, and break sentences uniformly to facilitate translation.

(4) Some interpreters will begin to translate while the interrogator is still speaking. This is frustrating for some people. If so, discuss the preference of translation with the interpreter.

d. Security:

(1) Work under the assumption that the interpreter is being debriefed by a threat intelligence service.

(2) Always assume the worst.

(3) Avoid careless talk.

(4) Avoid giving away personal details.

(5) Do not become emotionally involved.

The most important thing to remember when using an interpreter is that the interrogator controls the conversation, not the interpreter.

5. Checklist for monitoring the interpreter:

a. Tell the interpreter precisely what is expected of him and how he should accomplish it.

b. Tell the interpreter exactly what is to be translated. The interpreter should translate all conversation between the interrogator and the individual being questioned without adding or omitting anything.

c. Just as questioning should be conducted to disguise the true intent of the questioning from the source, do not reveal intelligence requirements (friendly force information requirement, IR, or essential elements of friendly information) to the interpreter.

d. Brief the interpreter on actions to take at the end of questioning or in the event of enemy contact.

### **Tactical Questioning and Handling of EPWS/Detainees**

Treat all EPWs/detainees in accordance with the Geneva Conventions:

1. The first step in handling EPWs/detainees is to implement the “5 Ss”(search, silence, segregate, safeguard, speed). The 5 Ss is a common military term usually associated with the handling of EPWs/detainees. The term reminds Soldiers of the legal obligation they bear in treating EPWs/detainees humanely.

2. The first Soldier to question an EPW/detainee must complete a capture tag. The ability to gather initial information that facilitates detailed questioning by HUMINT personnel is extremely important.

3. The acronym JUMPS (job, unit, mission, priority questions, supporting information) forms the basis of the types of questions to ask detainees. The table below shows pertinent questions. JUMPS can be used with any person being questioned (civilian or military); simply modify the questions to fit the situation.

- **J – Job:** *What is your job? What do you do? If military: What is your rank? If civilian: What is your position title?*
- **U – Unit:** *What is your unit or name of the company you work for? Ask about their chain of command and command structure, i.e. Who is your boss or supervisor? If civilian, ask the name of the business and employer.*
- **M – Mission:** *What is the mission of your unit or element? What is the mission of your next higher unit or element? What mission or job were you performing when you were captured or detained? What is the current mission of your unit or element? What is the future mission of your unit or element?*
- **P – Priority Questions:** Ask questions based on unit tasking as briefed before patrol, traffic control point, roadblock (based on the battalion's or brigade's PIR). Ask the questions during natural conversation so as not to give away the mission or the purpose of asking the questions.
- **S – Supporting Information:** Anything that does not fit in the above categories.

4. Any additional information provided by the individual that cannot be included on the capture tag must be reported to the unit S2 in a size, activity, location, unit, time, equipment report format

5. Examples of supporting information:

- a. Situation - A brief explanation of the circumstances of capture or detention, including the location of the point of capture (8-digit grid coordinate or description relative to a known location).
- b. A person has a map in their possession. Ask them to explain the map (symbols, date it was made, who made it).
- c. A person has a photograph of another person or area. Ask them to identify the person or location and ask why they have the photograph.

## DETAINEE OPERATIONS AT THE POINT OF CAPTURE

d. A person is carrying identification documents for another individual (for example, gender or age does not match). Ask to whom the documents belong and why they have them. (Report this immediately to the S2, who will then notify the appropriate 2X element).

e. Physical condition of the individual.

6. Following is a basic list of sample questions that can be modified for the local population, either noncombatants or EPWs/detainees. Originally these questions were created specific to traffic control posts and roadblocks. Keep in mind, these questions are only examples and can be modified or added to based on the mission, unit guidance, and the situation:

a. What is your name? (Verify this with identification papers, etc., and check the detain/of interest/protect lists).

b. What is your home address? (Former residence if a displaced person).

c. What is your occupation?

d. Where were you going? (Get specifics).

e. Why are you going there? (Get specifics).

f. By what route did you travel here?

g. What obstacles (or hardships) did you encounter on your way here?

h. What unusual activity did you notice on your way here?

i. What route will you take to get to your final destination?

j. Who do you (personally) know who actively opposes the U.S. (or multinational forces?) Follow this question up with “who else?” If they know someone, ask what anti-U.S. (multinational force) activities they know about, where they happened, etc.

k. Why do you believe we (U.S. or multinational forces) are here?

l. What do you think of our (U.S. or multinational force) presence here?

These questions may seem broad, when in fact they are pointed and specific. They do not allow the person being questioned room for misinterpretation or the chance to give a vague or misleading answer.

Always keep the questions pertinent to the mission and report the answers per unit guidance. Information of critical tactical value does no good if it remains in one place or if it arrives after the battle or the event.



## **Appendix A**

### **The Detainee Collection Point and Detainee Holding Area**

In the field, U.S. forces must be ready to operate hasty collection points to control and safeguard detainees until they are transported to a theater interment facility. When military police (MP) are available, they will operate the collection points.

Locating the collection point in an existing structure like an empty school or warehouse reduces the construction and logistics required. The typical collection point is generally comprised of a guarded, wired-off area or a secure facility located near a means of transport (trucks or buses, landing zone/pickup zone for military aircraft, etc.). Medical, military intelligence, and other U.S. or coalition personnel who work with detainees operate under the control of the senior MP commander.

#### **Detainee Collection Point**

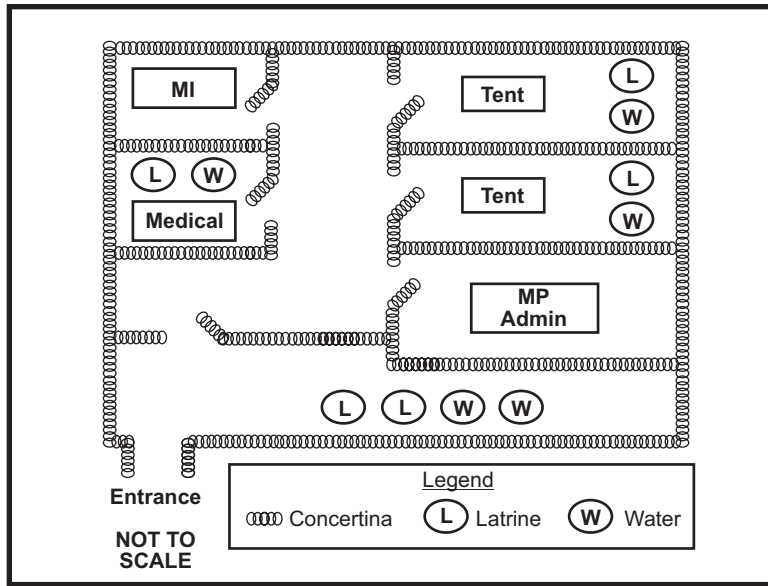
1. Detainee collection points (DCP) are usually established within a brigade combat team (BCT) area and are operated by the BCT MP platoon (see Figure Appendix A-1). Most DCPs will have a work area where units can complete detainee's capture documents (capture tags, evidence forms, etc.) before they transfer custody to MP. Detainees must be evacuated to a detainee holding area (DHA) or theater interment facility (TIF) as rapidly as the military situation permits.

2. The DCP provides a more secure environment for detainee screening and processing. The DCP:

- a. Is a temporary structure that can be quickly established, expanded, or relocated based on military necessity.
- b. Provides protection for detainees from hostile fires.
- c. Provides protection from the elements of weather.
- d. Is where custody of the detainees is transferred from capturing unit to MP.
- e. Is where detainees are held until they are evacuated to a DHA or TIF.
- f. Has medical personnel available to treat detainees.
- g. Has food, water, and sanitary facilities for detainees.
- h. Is where military intelligence (MI) and counterintelligence begin screening detainees and captured items for intelligence value.

**Detainee Holding Area**

1. The detainee holding area (DHA) is an expanded version of the DCP established by a division/corps. It provides the same functions and protections as the DCP but with a larger detainee population. A MP company from the division MP battalion operates the DHA. The company commander is the DHA commander. The DHA is located to provide a more secure environment for detainee processing.
2. MI and medical personnel working at the DHA are under the tactical control of the senior MP official.



**Figure A-1: Detainee Collection Point**

## **Appendix B**

### **Forms**

#### **DD Form 2745, Capture Tag**

1. DD Form 2745 is a perforated three-part form that is individually serial-numbered. Plan to bring enough capture tags for the anticipated number of detainees. (If you run out of capture tags, use a field-expedient method to tag). The searcher fills out the capture tag and must ensure the following minimum information is recorded:

- a. Date and time of capture.
- b. Name (if known). Use the capture tag serial number from the DD Form 2745 as the detainee's name to account for detainees unable or unwilling to provide this information (e.g., those who are sick or injured and/or those who do not speak English when an interpreter is not available).
- c. Location of capture (grid coordinates or relative to a known location).
- d. Capturing unit.
- e. Describe circumstances of capture (how captured, any resistance, if detainee surrendered, etc.).
- f. Whether or not detainee was armed.
- g. Physical condition of detainee.

2. Tag the detainee and his equipment. (If you are using a field-expedient method, ensure you make three copies to represent parts A, B, and C of the capture tag). Distribute capture tag parts as follows:

- a. Part A of DD Form 2745 is attached to detainee.
- b. Retain Part B of DD Form 2745 for unit.
- c. Part C of DD Form 2745 is attached to confiscated/impounded property (individual item or attached on bag or bundle).



<p style="text-align: center;"><b>ENEMY PRISONER OF WAR (EPW) CAPTURE TAG (PART A)</b></p> <p style="text-align: center;">For use of this form, see AR 190-8. The proponent agency is DCSOPS</p> <p><b>Attach this part of tag to EPW. (Do not remove from EPW.)</b></p> <ol style="list-style-type: none"> <li>1. <b>Search</b> - For weapons, military documents, or special equipment.</li> <li>2. <b>Silence</b> - Prohibit talking among EPWs for ease of control.</li> <li>3. <b>Segregate</b> - By rank, sex, and nationality.</li> <li>4. <b>Safeguard</b> - To prevent harm or escape.</li> <li>5. <b>Speed</b> - Evacuate from the combat zone.</li> <li>6. <b>Tag</b> - Prisoners and documents or special equipment.</li> </ol>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">1. DATE AND TIME OF CAPTURE</td> <td style="width: 50%;">2. SERIAL NO.</td> <td style="text-align: right;"><b>A</b></td> </tr> <tr> <td colspan="2">3. NAME</td> <td>4. DATE OF BIRTH</td> </tr> <tr> <td>5. RANK</td> <td colspan="2">6. SERVICE NO.</td> </tr> <tr> <td>7. UNIT OF EPW</td> <td colspan="2">8. CAPTURING UNIT</td> </tr> <tr> <td colspan="3">9. LOCATION OF CAPTURE (Grid coordinates)</td> </tr> <tr> <td>10. CIRCUMSTANCES OF CAPTURE</td> <td>11. PHYSICAL CONDITION OF EPW</td> <td>12. WEAPONS, EQUIPMENT AND DOCUMENTS</td> </tr> </table>	1. DATE AND TIME OF CAPTURE	2. SERIAL NO.	<b>A</b>	3. NAME		4. DATE OF BIRTH	5. RANK	6. SERVICE NO.		7. UNIT OF EPW	8. CAPTURING UNIT		9. LOCATION OF CAPTURE (Grid coordinates)			10. CIRCUMSTANCES OF CAPTURE	11. PHYSICAL CONDITION OF EPW	12. WEAPONS, EQUIPMENT AND DOCUMENTS
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<p style="text-align: center;"><b>UNIT RECORD CARD (PART B)</b></p> <p style="text-align: center;"><b>Forward to Unit.</b> (Capturing unit retains for records.)</p> <p><b>Use string, wire or other durable material to attach the appropriate section of this form to the EPW's equipment or property.</b></p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">1. DATE AND TIME OF CAPTURE</td> <td style="width: 50%;">2. SERIAL NO.</td> <td style="text-align: right;"><b>B</b></td> </tr> <tr> <td colspan="2">3. NAME</td> <td>4. DATE OF BIRTH</td> </tr> <tr> <td>5. RANK</td> <td colspan="2">6. SERVICE NO.</td> </tr> <tr> <td>7. UNIT OF EPW</td> <td colspan="2">8. CAPTURING UNIT</td> </tr> <tr> <td colspan="3">9. LOCATION OF CAPTURE (Grid coordinates)</td> </tr> <tr> <td>10. CIRCUMSTANCES OF CAPTURE</td> <td>11. PHYSICAL CONDITION OF EPW</td> <td>12. WEAPONS, EQUIPMENT AND DOCUMENTS</td> </tr> </table>	1. DATE AND TIME OF CAPTURE	2. SERIAL NO.	<b>B</b>	3. NAME		4. DATE OF BIRTH	5. RANK	6. SERVICE NO.		7. UNIT OF EPW	8. CAPTURING UNIT		9. LOCATION OF CAPTURE (Grid coordinates)			10. CIRCUMSTANCES OF CAPTURE	11. PHYSICAL CONDITION OF EPW	12. WEAPONS, EQUIPMENT AND DOCUMENTS
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10. CIRCUMSTANCES OF CAPTURE	11. PHYSICAL CONDITION OF EPW	12. WEAPONS, EQUIPMENT AND DOCUMENTS																	
<p style="text-align: center;"><b>DOCUMENT/SPECIAL EQUIPMENT WEAPONS CARD (PART C)</b></p> <p style="text-align: center;"><b>Attach this part of tag to property taken.</b> (Do not remove from property.)</p> <p><b>As a minimum, the tag must include the following information:</b></p> <p>Item 1. Date and time of capture (YYMMDD)              Item 8. Capturing unit              Item 9. Place of capture (grid coordinates)              Item 10. Circumstances of capture (how the EPW was captured.)</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">1. DATE AND TIME OF CAPTURE</td> <td style="width: 50%;">2. SERIAL NO.</td> <td style="text-align: right;"><b>C</b></td> </tr> <tr> <td colspan="2">3. NAME</td> <td>4. DATE OF BIRTH</td> </tr> <tr> <td>5. RANK</td> <td colspan="2">6. SERVICE NO.</td> </tr> <tr> <td>7. UNIT OF EPW</td> <td colspan="2">8. CAPTURING UNIT</td> </tr> <tr> <td colspan="3">9. LOCATION OF CAPTURE (Grid coordinates)</td> </tr> <tr> <td colspan="3">10. DESCRIPTION OF WEAPONS, SPECIAL EQUIPMENT AND DOCUMENTS.</td> </tr> </table>	1. DATE AND TIME OF CAPTURE	2. SERIAL NO.	<b>C</b>	3. NAME		4. DATE OF BIRTH	5. RANK	6. SERVICE NO.		7. UNIT OF EPW	8. CAPTURING UNIT		9. LOCATION OF CAPTURE (Grid coordinates)			10. DESCRIPTION OF WEAPONS, SPECIAL EQUIPMENT AND DOCUMENTS.		
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**Figure B-1: DD Form 2745 Capture Tag (front and back sides)**

**DA Form 4137, Evidence Property Custody Document**

1. DA Form 4137 must be completed by the capturing unit prior to transferring detainee and property custody to a gaining authority (e.g., new unit, collection point, holding area, theater internment facility (TIF), or other authority). Complete this form as soon as the situation permits.

2. DA Form 4137 is used to document confiscated weapons, impounded personal items, and items of intelligence or evidentiary value, regardless of whether they are retained or destroyed. DA Form 4137:

- a. Records the date, time, and location where items were confiscated.
- b. Accompanies the detainee from point of capture (POC) to the TIF to ensure proper accountability of confiscated/impounded items.
- c. Records inventories conducted each time custody of the detainee is transferred to a gaining authority (e.g., new unit, collection point, holding area, TIF, or other authority).
- d. Provides information to support continued assessments on whether to detain or release, to make determinations on detainee status (e.g., enemy combatant, enemy prisoner of war, civilian internee, or retained person), to prepare for criminal proceedings, and to transfer custody of the detainee. Proper documentation also provides an official record of the events surrounding the capture of a detainee, which may prove invaluable to counter future false claims such as loss of personal property. Proper documentation also initiates the chain of custody for evidence needed to prosecute.

3. Instructions for completing DA Form 4137:

- a. Annotate the capture tag serial number in the block labeled “MPR/CID Sequence Number.”
- b. Leave the block labeled “CRD Report /CID ROI Number” blank.
- c. Annotate unit or organization in the “Receiving Activity” block.
- d. Annotate unit/organization’s location in the “Location” block (e.g., “FOB Zulu,” “Camp Victory,” etc.).
- e. Enter the name, grade, and title (if known) of the detainee who owned or possessed the confiscated items in the block labeled “Name, Grade, and Title of Person from Whom Received.”

(1) Check the “Owner” box if the detainee owns the property that you confiscated during the search.

## **CENTER FOR ARMY LESSONS LEARNED**

(2) Check the “Other” block if ownership is unknown. For example, when a weapon is turned in by another government agency at the POC.

(3) Enter “N/A” if the property does not come from a specific person (e.g., another Soldier found an item, it is discovered at a crime scene, or it is collected during a search of a common area).

f. Enter the address of the person from whom items were received in the “Address” block, if known. If items did not come from a person, enter “N/A.”

g. Annotate the location where the items were confiscated/impounded or found:

(1) Provide enough information to document the location where chain of custody is initiated, but do not use grid coordinates. A description, for example, might read, “Two-story house next to Exxon station on MSR Tampa IVO Baghdad” or “Detainee Holding Area Alpha.”

(2) Describe where the item was found on the person, such as “Removed from the left front pants pocket.”

h. Enter the reason items were confiscated/impounded in the “Reason Obtained” block (e.g., “Found,” “Contraband,” “Held as evidence,” or “High-value item kept for safekeeping”).

i. Record the date-time-group of confiscated/impounded or find (e.g., “151541 Apr 05.”). If several items are confiscated, indicate the time span when they were collected (e.g., “151541-1630 Apr 05.”). The earlier time notes when the first item was taken and the later time notes when the last item was taken.

j. Enter item number. List items consecutively.

k. Enter quantity of like items (e.g., 6 bullets, 10 cartons of cigarettes, etc.).

l. Describe each item in the “Description of Articles” block. Describe each item by what can be observed. Use plain bond paper as a continuation sheet if necessary.

(1) Specify where and how you marked the items for identification. For example, if you mark a rifle with the DD Form 2745 capture tag number, annotate the DA Form 4137 with “Marked for ID, #0147001, on barrel.” Use common sense when marking items to avoid defacing or reducing the value of those items that could potentially be returned.

(2) List the color, size, and shape. Never estimate the value of confiscated articles or attempt to determine the type of metal, stone, or other valuable characteristic associated with the item. For example, rather than describing a metal item as “gold,” describe it as “gold-colored metal.”

## DETAINEE OPERATIONS AT THE POINT OF CAPTURE

(3) List serial numbers or identifying marks if available.

(4) Place continuous slashes (///) from the left border of the block to the right border of the block to indicate the end of the list.

m. Complete the “Chain of Custody” portion of the form to transfer items from the detained person to the person receiving custody of the items.

(1) Item Number. For example, write “1 through 3” in the “Item Number” column if three items are listed in the “Description of Articles” block. The “Chain of Custody” portion of the form is also used to transfer custody of items from one person to another. If only certain items are released, list only those items (e.g., “Item 1 and 3”).

(2) Enter date of custody transfer in the “Date” column.

(3) Fill in the “Released By” column as follows:

(a) If the property is taken from an individual, enter his full name in the “Name, Grade, or Title” block. Have the individual sign in the “Signature” block. If the person refuses or is unable to assign, enter the words “Refused to Sign” or “Unable to Sign” in the “Signature” block.

(b) If the property is not taken from an individual (e.g., it is collected at a crime scene, or found during a search of a common area etc.) enter “N/A” in the “Signature” block.

(c) If there is a need to destroy confiscated property in place (i.e. weapons, explosives, etc.), then document on the second line following where you signed for the property and annotate the item(s) number, along with the date in the next column and sign in the “released and received” columns, then annotate destroyed in the “purpose” column.

(4) Fill in the “Received By” column (i.e., enter name and grade or title of the person taking custody).

(5) Enter reason for the custody transfer in the “Purpose of Change of Custody” column (e.g., “Confiscated from Detainee,” “Detainee Transferred to Holding Area,” or “Detainee transferred to local authorities” etc.).

**CENTER FOR ARMY LESSONS LEARNED**

EVIDENCE/PROPERTY CUSTODY DOCUMENT		MPR/CID SEQUENCE NUMBER Capture tag #		
For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command		CRD REPORT/CID ROI NUMBER		
RECEIVING ACTIVITY B Co, 2-6 Inf, 1 <sup>st</sup> Armored Div		LOCATION Baghdad City MB 43844 86940		
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED <input checked="" type="checkbox"/> OWNER Ghaleb Kubba <input type="checkbox"/> OTHER		ADDRESS (Include Zip Code) Karkh Municipality of Baghdad. Residential Area at above grid location. Zone 1.		
LOCATION FROM WHERE OBTAINED Surrendered by Detainee Ghaleb Kubba, near his vehicle, a red 1982 Kamaz Truck.		REASON OBTAINED Wpn was being fired at coalition forces.	TIME/DATE OBTAINED 0010 hrs, 30 Jul 03.	
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES <i>(Include model, serial number, condition and unusual marks or scratches)</i>		
1	1	Automatic Assault Rifle, 7.62mm, AK-47, serial number 1357007; has three linear notches in wooden stock. Marked with Capture Tag ID Number on stock.		
2	1	Magazine for AK-47; in well of rifle upon seizure.		
3	8	7.62 live ball ammunition rounds. In magazine upon seizure.		
4	7	Electrical wires; total of 70 feet (10 feet of wire per bundle).		
////////////////////////////////////				
CHAIN OF CUSTODY				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
1,2,3,4	30 Jul 03	SIGNATURE <i>Jack S. Schmatz</i>	SIGNATURE <i>Owen W. Smith</i>	Transfer to Bn TF Holding Cell
		NAME, GRADE OR TITLE <b>Schmatz, SGT Jack S.</b>	NAME, GRADE OR TITLE <b>Smith, SSG Owen W.</b>	
1,2,3,4	30 Jul 03	SIGNATURE <i>Owen W. Smith</i>	SIGNATURE <i>Benjamin R. Freemyer</i>	Transfer to Bde Holding Cell
		NAME, GRADE OR TITLE <b>Smith, SSG Owen W.</b>	NAME, GRADE OR TITLE <b>Freemyer, SGT Benjamin R.</b>	
1,2,3,4	31 Jul 03	SIGNATURE <i>Benjamin R. Freemyer</i>	SIGNATURE <i>Jeremy K. Roller</i>	Transfer to Camp Cropper Evidence Custodian
		NAME, GRADE OR TITLE <b>Freemyer, SGT Benjamin R.</b>	NAME, GRADE OR TITLE <b>Roller, SFC Jeremy K.</b>	
		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-R Privacy Act Statement 26 Sep 75 Which are Obsolete USAPPC V1.00

LOCATION \_\_\_\_\_ DOCUMENT NUMBER \_\_\_\_\_

**Figure B-2: DA Form 4137, Evidence/Property Custody Document**

**DA Form 2823, Sworn Statement**

1. Records what witnesses, saw, heard, felt, and smelled.
2. Should answer the 6 Ws (who, what, when, where, why, and witnesses).
3. Should answer the question, “Did [the detained individual] commit a crime?”
4. Sworn to be the truth before a commissioned officer.
5. Have witnesses swear to the truthfulness of the statement before a commissioned officer and one witness.

**CENTER FOR ARMY LESSONS LEARNED**

---

SWORN STATEMENT			
For use of this form, see AR 190-45; the proponent agency is PMG.			
PRIVACY ACT STATEMENT			
AUTHORITY:		Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).	
PRINCIPAL PURPOSE:		To provide commanders and law enforcement officials with means by which information may be accurately identified.	
ROUTINE USES:		Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.	
DISCLOSURE:		Disclosure of your social security number is voluntary.	
1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
Baghdad City MB 43844 86940	20030730	0130	
5. LAST NAME, FIRST NAME, MIDDLE NAME			7. GRADE/STATUS
Schmatz, Jack Steven			E-5
8. ORGANIZATION OR ADDRESS			
1 <sup>st</sup> Plt, B Co, 2-6 Inf, 1 <sup>st</sup> Armored Div			
9.			
I, <b>Jack Steven Schmatz</b> , WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:			
<p>At approx 292350 Jul, my platoon was conducting a patrol in Zone 1. I heard a woman yelling and upon turning the corner saw the woman pointing to a neighboring building. I then saw a man running from the building carrying what looked like electrical wiring and light fixtures. I and my team chased the man in our up-armored HMMWV. He ran to a red truck, though he was slowed by all of the things he was carrying, and he dropped a few of the wires while running. When he got to the red truck, he reached in the window of the cab and pulled out a rifle. He shot a burst—it seemed like 5 to 8 rounds—at us, but none of the rounds impacted our vehicle. We returned fire, and he threw the weapon down and put his hands up. We took him prisoner and searched him. We then interviewed the woman who had yelled—a Mrs. Fatimah Noor Razak. She said that she saw the man break into the house neighboring hers at about 2330 and begin to rip out all of the electrical wiring. The man had an identification card that said his name was Ghaleb Kubba. He asked us not to hurt him, and he said his name was Kubba.</p>			
<p>_____ ///END OF STATEMENT/// _____</p> <p style="text-align: center;"><i>JSS</i></p>			
10. EXHIBIT		11. INITIALS OF PERSON MAKING STATEMENT	
		PAGE 1 OF 2 PAGES	
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"			
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.			
DA FORM 2823, DEC 1998		DA FORM 2823, JUL 72, IS OBSOLETE	
		USAPA 9V1.010	

**Figure B-3a: DA Form 2823, Sworn Statement (front)**



**DETAINEE OPERATIONS AT THE POINT OF CAPTURE**

STATEMENT OF	TAKEN AT	DATED
9. STATEMENT (Continued)		
<p><b>NOTHING FOLLOWS</b></p> <div style="text-align: center; font-size: 2em; font-family: cursive;"> </div>		
<b>AFFIDAVIT</b>		
<p>I, <b>Jack Steven Schmatz</b>, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE <b>1</b>. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.</p>		
<p><i>Jack S. Schmatz</i> (Signature of Person Making Statement)</p>		
<p>WITNESSES: <i>Henry P. Shilling</i> <b>Henry P. Shilling</b> <b>SGT, 1<sup>st</sup> Plt, B Co, 2-6 Inf.</b>  ORGANIZATION OR ADDRESS</p>	<p>Subscribed and sworn to before me, a person authorized by law to administer oaths, this <b>30<sup>th</sup></b> day of <b>July</b>, 2003 at</p> <p style="text-align: right;"><i>Phillip E. Gregg</i> (Signature of Person Administering Oath)</p> <p style="text-align: right;"><b>Phillip E. Gregg, 1LT</b> (Typed Name of Person Administering Oath)</p> <p style="text-align: right;">Art. 136a(6) UCMJ &amp; V Corps FRAGO XXX to OPORD Final Victory (Authority To Administer Oaths)</p>	
<p>ORGANIZATION OR ADDRESS</p>		
<p>INITIALS OF PERSON MAKING STATEMENT <i>JSS</i></p>	<p>PAGE <b>2</b> OF <b>2</b> PAGES</p>	
<p><small>PAGE 3, DA FORM 2823, DEC 1998</small> <span style="float: right;"><small>USAPA 9V1.010</small></span></p>		

**Figure B-3b: DA Form 2823, Sworn Statement (reverse)**

**Coalition Provisional Authority Forces Apprehension Form**

1. The Coalition Provisional Authority (CPA) Forces Apprehension Form can be used in lieu of the DD Form 2745 in the Operation Iraqi Freedom area of operations. As with the DD Form 2745 and DD Form 4137, it is used to document the capture of a detainee and record any evidence taken with the detainee.
2. The CPA form is printed on a waterproof cardstock. Use a ballpoint pen when filling in the form. The CPA form is:
  - a. Intended to be on the detainee from apprehension until arrival at corps holding area.
  - b. Designed to prompt tired or inexperienced Soldiers to provide needed specific information.
  - c. Uses a check-the-block system where possible.
  - d. Records the 6 Ws.
  - e. Must put specific identification and location information about other witnesses.
  - f. Includes space for other valuable information.
  - g. Should reference seizure of physical evidence.
  - h. Should reference collection of sworn statements.
3. Additional points on filling out the CPA Apprehension Form:
  - a. I.P.C. is the abbreviation for the Iraqi Penal Code of 1969.
  - b. The major support command headquarters assigns the detainee number.
  - c. Fill in all identifying information available.
  - d. The “Key Connected Person” is the one other Iraqi person a judge could talk to in order to establish what happened. Fill in all identifying information for that person too.
  - e. Vehicles can provide important evidence. Make the information as complete as possible. Fill in all identifying information available.
  - f. Identify the interpreter, if any, who assisted in collecting information. Ensure contact information is captured.
  - g. The Soldier who was the most involved in taking the person into custody prints his name and contact information on the lower left of the CPA Forces Apprehension Form and signs.

## **DETAINEE OPERATIONS AT THE POINT OF CAPTURE**

h. The first commissioned officer in the detaining Soldier's chain of command prints his name and contact information on the lower right of the CPA Forces Apprehension Form and signs it.

i. Be sure to describe any likely defenses or extenuation/mitigation the detainee might raise.

j. If there is no evidence to support such defenses or extenuation/mitigation, make a note of it.

**CENTER FOR ARMY LESSONS LEARNED**

<input type="radio"/> <b>COALITION PROVISIONAL AUTHORITY FORCES APPREHENSION FORM</b> <input type="radio"/> YELLOW FIELDS MUST BE FILLED IN, IF APPLICABLE, UPON APPREHENSION			
<input checked="" type="checkbox"/> <b>Offense against Civilian(s) [check one] If "Other" then describe:</b>			
<input type="checkbox"/> Arson (I.P.C. 342)	<input type="checkbox"/> Solicitation of Fornication/Prostitution (I.P.C. 399)	<input type="checkbox"/> Rape/Indecent/Sexual Assaults/Acts (I.P.C. 393-98, 402)	<input type="checkbox"/> Murder (I.P.C. 405)
<input type="checkbox"/> Aggravated Assault/Assault With Intent To Kill (I.P.C. 410)	<input type="checkbox"/> Maiming (I.P.C. 412)	<input type="checkbox"/> Simple Assault (I.P.C. 415)	<input type="checkbox"/> Kidnapping (I.P.C. 421)
<input checked="" type="checkbox"/> Burglary or Housebreaking (I.P.C. 428)	<input type="checkbox"/> Extortion/Communicating Threats (I.P.C. 430)	<input checked="" type="checkbox"/> Theft (I.P.C. 439)	<input checked="" type="checkbox"/> Destruction of Property (I.P.C. 477)
<input type="checkbox"/> Obstructing a Public Highway/Place (I.P.C. 487)	<input type="checkbox"/> Discharging Firearm/ Explosive in City/Town/Village (I.P.C. 495)	<input type="checkbox"/> Riot or Breach of Peace (I.P.C. 495(3))	<input type="checkbox"/> Other
<input checked="" type="checkbox"/> <b>Offense against Coalition Forces [check one] If "Other" then describe:</b>			
<input type="checkbox"/> Violation of Curfew	<input type="checkbox"/> Illegal Possession of Weapon	<input checked="" type="checkbox"/> Assault/Attack on Coalition Forces	<input checked="" type="checkbox"/> Theft of Coalition Force Property
<input type="checkbox"/> Trespass on Military Installation or Facility	<input type="checkbox"/> Photographing/Surveillance Military Installation or Facility	<input type="checkbox"/> Obstructing Performance of Military Mission	<input type="checkbox"/> Other
Apprehending Unit: <b>1<sup>st</sup> Plt/B Co/2-6 Inf/1AD</b>		Location Grid: <b>MB 43844 86940</b>	
Date of Incident: (D/M/Y) <b>29 /07 03/</b> to <b>30 /07 03/</b>	Time of Incident: <b>2350 hrs to 0010</b> hrs	Date of Report: (D/M/Y) <b>30/ 07 03</b>	Time of Report: <b>0045</b> hrs
Detainee # <b>1AD-JUL03-0255</b>		Key Connected Person: <input type="checkbox"/> Victim <input checked="" type="checkbox"/> Witness	
Last Name: <b>Kubba</b>		Last Name: <b>Razak</b>	
First Name: <b>Ghaleb</b> Given Name:		First Name: <b>Fatimah Noor</b> Given Name:	
Hair Color: <b>Black</b>	Scars/Tattoos/Deformities: <b>Fedayeen Tatoo on l. arm</b>	Hair Color: <b>Black</b>	Scars/Tattoos/Deformities: <b>1" White Scar on l. cheek</b>
Eye-Color: <b>Brown</b>	Weight: <b>165</b> lb Height: <b>68</b> in	Eye-Color: <b>Green</b>	Weight: <b>120</b> lb Height: <b>61</b> in
Address: <b>Rashid Municipality</b>		Address: <b>Karkh Municipality</b>	
Place of Birth: <b>Tikrit</b>		Place of Birth: <b>Baghdad City</b>	
Ethn/Tribe/ Sect: <b>Sunni</b>	Sex: <input checked="" type="checkbox"/> M <input type="checkbox"/> F	Phone#: <b>unk</b> Mobile <input type="checkbox"/> Regular	DOB D/M/Y: <b>04/07/78</b>
Ethn/Tribe/ Sect: <b>Shia</b>	Sex: <input checked="" type="checkbox"/> M <input type="checkbox"/> F	Phone#: <b>5152089</b>	DOB D/M/Y: <b>06/03/65</b>
<input type="checkbox"/> Passport <input checked="" type="checkbox"/> Dr. license <input type="checkbox"/> Other (specify)	Document #: <b>9078588</b>		
<input type="checkbox"/> Passport <input checked="" type="checkbox"/> Dr. license <input type="checkbox"/> Other (specify)	Document #: <b>7878884</b>		
Total Number of Persons Involved <b>4</b> (list names/identifying info on reverse under "Additional Helpful Information")			
<input checked="" type="checkbox"/> <b>Vehicle Information</b> Vehicle Number <b>1</b> of <b>1</b> Vehicle(s)			
Make: <b>Kamaz</b>	Color: <b>Red</b>	License No.:	Owner: <b>Ghaleb Kubba</b>
Model: <b>4326</b>	Type: <b>Truck</b>	Plate No.: <b>122008</b>	Number of People in Vehicle: <b>1</b>
Year: <b>1982</b>	Names of People in Vehicle: <b>Ghaleb Kubba</b>		
Contraband/Weapons in Vehicle: <b>AK-47</b>			
<input type="checkbox"/> Property/Contraband <input checked="" type="checkbox"/> <b>Weapon</b>	Photo Taken of Suspect with Weapon/Contraband: <b>Yes/ No</b>		
Type: <b>Auto Asslt Rifle</b>	Model: <b>AK-47</b>	Color/Caliber: <b>7.62mm</b>	
Serial No.: <b>1357007</b>	Quantity: <b>1</b>	Make: <b>Kalashnikov</b>	Receipt Provided to Owner: <b>Yes/ No</b>
Other Details: <b>3 notches in stock</b>	Where Found: <b>Red Kamaz</b>	Owner: <b>unk</b>	
Name of Assisting Interpreter: <b>Mahid al Halaf</b>		Email, Phone, or Contact Info: <b>4228616</b>	
Detaining Soldier's Name (Print): <b>Schmatz, SGT Jack S.</b>		Supervising Officer's Name (Print): <b>Gregg, 1LT Phillip E.</b>	
Last, First MI		Last, First MI	
Signature: <b>Jack S. Schmatz</b>		Signature: <b>Phillip E. Gregg</b>	
Email: <b>jack.schmatz@us.army.mil</b>		Email: <b>phillip.gregg@us.army.smil.mil</b>	
Unit Phone: <b>551-0552</b> Date: <b>07 30 /03</b>		Unit Phone: <b>551-0516</b> Date: <b>07 / 30 03</b>	

**Figure B-4a: Coalition Provisional Authority Forces Apprehension Form (front)**

## DETAINEE OPERATIONS AT THE POINT OF CAPTURE

	COALITION PROVISIONAL AUTHORITY FORCES APPREHENSION FORM	
	Why was this person detained? At approx 292350 Jul, 1 <sup>st</sup> Platoon was conducting a patrol in Zone 1. SGT Schmatz heard a woman yelling and upon turning the corner saw the woman pointing to a neighboring building. He then saw D running from the building carrying what looked like electrical wiring and light fixtures. PFC Schmatz and crew of his M1114 chased D, who ran to a red truck, reached in, and then fired a burst of 5-8 rounds from a rifle he pulled out.	
	Who witnessed this person being detained or the reason for detention? Give names, contact numbers, addresses. The woman who yelled to SGT Schmatz was Fatimah Noor Razak, who had seen D break the door and then rip out the light fixtures and all electrical wiring from the neighboring house, which was empty at the time. Razak's two minor children, Anwar Abdul Razak (18) and Amed Ali Razak (16) also witnessed part of D's activities in the neighboring house. In addition to the three members of the Razak family, three other soldiers who were with SGT Schmatz saw parts of the chase and apprehension of D. These were PFC Jason K. Bull, SPC Harvey L. Wilkshire, and PV2 Herman L. Mulville, all of the same platoon and contact information as SGT Schmatz.	
	How was this person traveling (car, bus, on foot)? By foot. He appears to have arrived in the area by vehicle.	
	Who was with this person? No one. He appears to have been acting on his own.	
	What weapons was this person carrying? AK 47, which was fired at coalition forces. See front. Upon search of the vehicle, an RPG was found. Both the rifle and the RPG were evacuated to the Corps Holding Area and evidence/custody forms were completed and annotated with detainee number.	
	What contraband was this person carrying? Stolen electrical fixtures and wiring. Arms were full with a tangle of wires and light sockets. D's capture was made easier because he could not move as quickly with full arms. The property was evacuated with the detainee and tagged with an evidence/custody form and the detainee number.	
	What other weapons were seized? RPG, from vehicle.	
	What other information did you get from this person? Detainee claimed that his own house was looted by the occupant of the home he was stealing the wiring from. D claimed that he simply want to get his own house running again. D also claimed that he was not firing at coalition troops but that he had been fired upon by another Iraqi. 1 <sup>st</sup> Platoon could find no evidence to support this claim.	
	Additional Helpful Information: Fatimah Noor Razak and her two sons, Anwar Abdul Razak and Amed Ali Razak had excellent recall of events. They stated that D had torn down the door to the home next door to theirs at around 2330 and that he proceeded to rip out ceiling tiles to get at the electrical wires. They were able to see his actions through a broken, uncovered window directly across the alleyway between houses. The Razak family is from this part of Baghdad City and has no intention of relocating, so they should be reachable as witnesses for the medium term. They can identify D by face and by the tattoo he has on his left arm. They can also identify the weapon he carried (it contained 3 notches on it) and the bundle of wires and fixtures he removed from the house. Finally, they can remember the car he ran to and the weapon he retrieved and fired. DA Form 2823 Sworn Statement was provided by Fatimah.	

**Figure B-4b: CPA Forces Apprehension Form (reverse)**

## **Appendix C**

### **References**

DoD Directive 2310.1, *DoD Program for Enemy Prisoners of War (EPOW) and Other Detainees*, August 18, 1994.

DoD Directive 3115.09, *DoD Intelligence Interrogations, Detainee Debriefings, and Tactical Questioning*, November 3, 2005.

DoD Directive 5100.77, *DoD Law of War Program*, December 9, 1998.

Army Regulation 190-8, *Enemy Prisoners of War, Retained Personnel, Civilian Internees and Other Detainees*, October 1997.

FM 3-19.4, *Military Police Leaders' Handbook*, HQDA, March 2002.

FMI 3-63.6, *Command and Control Of Detainee Operations*, HQDA, September 2005.

FMI 3-19.40, *Military Police Internment/Resettlement Operations*, HQDA, Draft (TBP).

U.S. Military Police School Training Support Package 191-D-0001/*Detainee Operations at the Point of Capture*, September 2005.

U.S. Military Police School Training Support Package 191-D-0002/*Detainee Operations at the Detainee Collecting Point (DCP) or Detainee Holding Area (DHA)*, October 2005.

Special Text 2-91.6, *Small Unit Support to Intelligence*, U.S. Army Intelligence Center and Fort Huachuca, March 2004.





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